

Appeal Decision

Site visit made on 7 April 2017

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 April 2017

Appeal Ref: APP/N5090/D/17/3169031

20 Southbourne Crescent, Hendon, London NW4 2JY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Shaul Steinberg against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/6234/HSE, dated 26 September 2016, was refused by notice dated 21 November 2016.
 - The development proposed is described as the erection of a double storey side and rear extension to existing semi-detached house.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a part single storey, part 2-storey side and rear extension following demolition of existing outbuilding and garage at 20 Southbourne Crescent, Hendon, London NW4 2JY in accordance with the terms of the application Ref 16/6234/HSE, dated 26 September 2016, subject to the conditions set out in the schedule to this decision.

Procedural matters

2. The names of the appellants are given as Mr and Mrs S Steinberg on the planning appeal form, whereas the name appearing on the application form lodged with the Council is Mr Shaul Steinberg. As the right of appeal rests solely with the original applicant, I have proceeded on the basis that Mr Shaul Steinberg is the appellant in this case.
 3. The description of development in the above heading is taken from the application form. Part E of the planning appeal form, which was completed by the appellant, indicates that the description of development has not changed but a different wording has been entered. The description on the planning appeal form refers to the proposal as a part single storey, part 2-storey side and rear extension following demolition of existing outbuilding and garage. The Council determined the application on that basis. As the revised description more accurately reflects the development sought, so shall I.
 4. The appellant has requested that the appeal be determined on the basis of revised plans, which show the correct position of the existing garage. Compared to the drawings that were determined by the Council, the amended plans show the front of the garage to be slightly further forward to align with the adjacent front wall of the dwelling. As the revised plans correct a
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discrepancy in relation to the existing building, with no change sought to the proposal, I am satisfied that no injustice would be caused if I were to consider them. Accordingly, I shall deal with the appeal on the basis of the revised drawings of the existing dwelling as amendments to the application submission.

Background

5. The Council has recently granted planning permission for a similar form of development to the proposal, save for two main elements. Compared to the approved scheme, the new side addition projects further forward at ground floor level by about 0.7-metres, creating a combined extension and porch with the same front build line. The new first floor extension is also about 1-metre wider across the new rear elevation than the approved scheme because the set back to the upper flank wall is omitted. As there is nothing before me to indicate that the approved scheme could not be implemented, I consider that it is a realistic fallback position against which the proposal should be assessed.

Main issues

6. The main issues are the effect of the proposed development on the character and appearance of the local area and on the living conditions of the occupiers of 24 and 26 Southbourne Crescent with particular regard to outlook, visual impact and sense of enclosure.

Reasons

7. The appeal property is a mainly 2-storey semi-detached house that lies in a predominantly residential area wherein dwellings are broadly similar in age and type although vary in size and general appearance, partly due to various alterations and extensions that have been carried out. As a result, there is some variety in built form within the local street scene to which No 20 belongs.
8. The proposed side extension would include a single storey element that would combine with the porch to span across more than half the width of the completed front façade. Although a sizeable addition, this element of the appeal scheme would be well-proportioned, appropriate in design and project no further forward than the garage to be removed. While it would stand noticeably forward of the existing double front bay, which is a distinctive feature of the original dwelling, the existing porch and garage establish a substantial built form at ground floor level that does likewise. Coupled with a clear gap also between the proposal and the existing front bay, there would be no visual disharmony in the new front elevation. Taken together with the use of matching external materials, secured by a condition, the proposal would be subordinate to, and sympathetic with, the original dwelling. As such, it would comply with the advice contained within the Council's Supplementary Planning Document, *Residential Design Guidance* (SPD).
9. I saw several examples in the area around the site where front and side extensions with forward projections have been added to properties. While in some cases, these included relatively small-enclosed porches, as the Council states, others had far more sizeable front projections. Overall, my impression at the site visit was that front projections were commonplace and that their scale, design and appearance varied, such that no one prevailing pattern was evident. In that context, I am not convinced that the proposal would be

obtrusive in the local street scene with its varied built form nor would it materially detract from the character and appearance of the local area. The Council raises no other objection insofar as the first main issue is concerned. From the evidence before me, neither do I.

10. With regard to the second main issue, living conditions, the proposed side and rear extension would be close to and broadly parallel with the rears of 24 and 26 Southborne Road, which back onto the side of the site. The proposal would occupy an elevated position in relation to these neighbouring dwellings due to the difference in ground levels. As a result, the rear gardens of Nos 24 and 26 would be partly enclosed by the flank wall of the side extension and the new built form would be visible from both here and through their rear windows.
11. Nevertheless, reasonably generous distances would separate the rear elevations of Nos 24 and 26 and only the upper part of the new addition would be evident when seen from their gardens given the angle of view and the screening provided by the boundary fence. Established vegetation within the back gardens of Nos 24 and 26 would also partly shield and visually soften the appeal scheme. While this planting is not permanent, I attach some weight to the presence of greenery close to the site.
12. The sidewall of the proposal would be in close proximity to the rear boundaries to these neighbouring properties. It would be noticeable especially from the rear gardens of these adjacent dwellings that appear to provide the main outdoor space for their occupiers and visitors. Even so, I am persuaded that the effect of the new development would not be so great as to overbear, dominate outlook or unduly heighten a sense of enclosure. Hence the living conditions of the occupiers of Nos 24 and 26 would not be materially reduced. Like the Council, I find the rest of the proposal to be acceptable insofar as its effect on residential amenity is concerned.
13. On the main issues, I therefore conclude that the proposal would cause no significant harm to the character and appearance of the local area and the amenities enjoyed by the occupiers of Nos 24 and 26. Accordingly, I find no conflict with Policies CS1 and CS5 of Barnet's Local Plan (Core Strategy) Development Plan Document, Policy DM01 of the Barnet's Local Plan (Development Management Policies) Development Plan Document and the Council's SPD. These policies and guidance aim to ensure that development achieves the highest standards of urban design; respects local context; preserves or enhances local character; and safeguards residential amenity.

Conditions and conclusion

14. In addition to the standard time limit condition, it is appropriate to impose a condition to require that the extensions be carried out in accordance with the approved plans for certainty. A condition is also necessary to require matching external materials in the interests of achieving a satisfactory appearance for the finished building. Subject to these conditions, I conclude that, for the reasons given above, the appeal should be allowed.

Gary Deane

INSPECTOR

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20 Southbourne Crescent, Hendon, London NW4 2JY

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Refs 15-1223-01_A, 15-1223-02_A, 15-1223-03_A, 15-1223-07, 15-1223-08, 15-1223-09 and the Site Location Plan.
- 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.