

Appeal Decision

Site visit made on 21 March 2017

by Beverley Wilders BA (Hons) PgDurp MRTPI

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

Decision date: 3 May 2017

Appeal Ref: APP/N5090/D/16/3165017

7 Gatcombe Way, Cockfosters, Middlesex EN4 9TT

- 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 Ash Mosahebi against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/4742/HSE, dated 13 July 2016, was refused by notice dated 19 September 2016.
 - The development proposed is side & rear extension at ground floor plus front porch.
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Decision

1. The appeal is allowed and planning permission is granted for a side & rear extension at ground floor plus front porch at 7 Gatcombe Way, Cockfosters, Middlesex EN4 9TT in accordance with the terms of the application, Ref 16/4742/HSE, dated 13 July 2016, subject to the following 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: location plan, DRG No. 1 off 2 and DRG No. 2 off 2.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the side and rear extension on the living conditions of the occupiers of 6 Gatcombe Way having regard to outlook.

Reasons

3. The appeal site comprises a modern detached dwelling located at the end of a cul-de-sac comprising other similarly designed detached dwellings. The neighbouring dwelling at 6 Gatcombe Way is set forward of No 7 and is at an angle to it. No 6 has a large rear garden. The common side boundary between the two dwellings is also set at an angle and is marked by a timber fence with the rear part of the side elevation and the rear elevation of No 6 set away from it. An existing detached shed is positioned between the side elevation of No 7
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and the boundary fence. There is a window in the side elevation of No 6 located towards the front of the dwelling.

4. The proposed single storey side and rear extension would replace the existing shed and its side elevation would be positioned on the common side boundary with No 6 resulting in the extension having a splayed footprint. It would be set back from the front elevation of No 7 and would extend slightly beyond the rear elevation. The extension would have a pitched roof sloping away from the common side boundary with No 6. Though the proposed extension would be higher than the existing shed and boundary fence and would result in some loss of vegetation, its relatively modest height and sloping roof design near to the common side boundary together with its position in relation to the dwelling and garden at No 6 means that it would not be an overbearing structure or create a harmful sense of enclosure when viewed from either the dwelling or garden of No 6.
5. The Council raised no objections to the proposed front porch which also forms part of the proposal and I have no reason to disagree with their findings in relation to the porch. In reaching my decision I note the comments made by the occupiers of the neighbouring property regarding the submitted plans. However whilst it appears that there may be a slight inaccuracy on the as existing plan, this does not affect my consideration of the proposal and I am satisfied that sufficient details of the side and rear extension are shown on the submitted plans.
6. Taking the above matters into consideration, I conclude that the proposed side and rear extension would not have a significant adverse effect on the living conditions of the occupiers of 6 Gatcombe Way having regard to outlook. It therefore complies with policies DM01 and DM02 of Barnet's Local Plan Development Management Policies, policies CS1 and CS5 of Barnet's Local Plan Core Strategy and to guidance contained within the Council's Supplementary Planning Document: Residential Design Guidance 2016. These policies and this guidance seek, amongst other things, high quality development and development proposals that allow for adequate outlook and that protect the gardens of residential properties.

Conditions

7. I have had regard to the conditions suggested by the Council. I have imposed a condition specifying the approved plans as this provides certainty. I have also imposed a condition requiring the front porch and the extension to be constructed from materials to match the existing dwelling. This is to protect the character and appearance of the area.

Conclusion

8. For the above reasons and having regard to all matters raised, I conclude that the appeal should be allowed.

Beverley Wilders

INSPECTOR