

Appeal Decision

Site visit made on 27 June 2017

by Graham M Garnham BA BPhil MRTPI

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

Decision date: 04 July 2017

Appeal Ref: APP/N5090/D/17/3173529

18 Priory Close, Totteridge, London, N20 8BB

- 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 & Mrs Constantinou against the decision of London Borough of Barnet Council.
 - The application Ref 16/2390/HSE, dated 12 April 2016, was refused by notice dated 10 March 2017.
 - The development proposed is first floor side and rear extensions, roof extension involving rear dormer windows with 2 no. rooflights to front elevation to facilitate additional living accommodation, new front porch canopy extension, alterations to fenestration.
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Decision

1. The appeal is allowed and planning permission is granted for first floor side and rear extensions, roof extension involving rear dormer windows with 2 no. rooflights to front elevation to facilitate additional living accommodation, new front porch canopy extension, and alterations to fenestration at 18 Priory Close, Totteridge, London, N20 8BB in accordance with the terms of the application Ref 16/2390/HSE, dated 12 April 2016, subject to the conditions set out in the Schedule at the end of this decision.

Procedural Matter

2. The appeal form indicates that the description of the development has changed from that given on the planning application form to that in the summary above. This wording appears to be taken from the Council's decision notice.

Main Issues

3. I consider that these are the effects of the proposal on firstly, the character and appearance of the host property, the local street scene and the Totteridge Conservation Area; and secondly, the living conditions of the occupiers of no.20 Priory Close with respect to an overbearing appearance.

Reasons

4. The appeal property is a 2 storey detached house with 4 large bedrooms. The footprint has been considerably enlarged by a flat-roofed ground floor extension. This goes out to the common boundary with no.20 next door, and extends to well beyond the original main rear wall of the house. The main
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part of the proposal is to erect a first floor side extension over part of the existing ground floor extension and across the full width of the main house at the rear. Rooflights and 2 dormer windows would provide light to a new second floor, and a canopy would be added to the front porch.

First main issue – effect on character and appearance

5. The side extension would project part way towards the boundary with no.20. The top of the roof would be stepped down from the ridge of the main roof of the house. The front wall would align with that on the far side of the house, and be set back from an immediately adjoining front projection. Hence I consider that the extension would appear subservient to the main house. At the rear, the main roof slope would follow through, the top of the extension being to the level of a crown roof that would be set down from the main ridge. The roof slopes, materials and fenestration are to match the existing.
6. Two small rooflights at the front would be minor features on the enlarged roof. At the rear, the two dormers would be relatively large, but would be well set down from the top and away from the hip ends of the roof. I consider that these changes at roof level would be in keeping with the character and appearance of the house
7. The porch would have a hip ended roof supported by 2 front pillars and an open front and sides. With an eaves line at ground floor window lintel height, and a roof form to match that of the main house, I consider that it would not be an unduly bulky or obtrusive addition to a large house, or out of keeping with it.
8. The extensions that are proposed are quite large, and the changes would be considerable. Nonetheless, I consider that the resultant dwelling would be of a good quality of design and reflect the character and appearance of the existing house. This would be subject to the imposition of a planning condition requiring the use of matching materials, in order to secure a satisfactory and consistent character and appearance for the enlarged house.
9. Priory Close is a cul-de-sac containing 20 or so large detached houses of similar post war origin and character. There is some variation in materials and detailing, and some appear from the street to be very large indeed. I consider that the enlarged appeal house would not appear to be out of scale or character in this context. The gaps between houses at first floor level also vary locally. No.20 has a flat-roofed garage attached to the flank wall towards the appeal site, meaning that the main wall above it is well separated from the boundary with the appeal site. The proposed side extension would be set back from the common boundary by 0.8 metres at the front and 1.5 metres at the rear. I consider that the resultant first floor separation between the 2 houses would be similar to other spacings I observed along the cul-de-sac. Thus I find that the proposal could be assimilated satisfactorily into the local street scene.
10. The appeal site is in the Totteridge Conservation Area. This covers an extensive area of relatively low density suburban housing in an open and wooded rural setting. Priory Close is more suburban in character, but has a spacious feel with verges, wide pavements and open front gardens. The houses are well-designed and of a similar style. The Character Appraisal Statement says that some properties in this part of the conservation area have

been extended in an unsympathetic manner, reducing the spaces between neighbouring houses. For reasons given above, I consider that the present proposal would not have this kind of harmful outcome. On the contrary, I find that it would be in keeping with the character and appearance of the conservation area, which would thereby be preserved. The statutory duty to pay special regard to these matters would thus be satisfied.

11. Both the local street scene and the wider conservation area are characterised by mature trees. I understand that some such trees on the appeal site are covered by a Tree Protection Order. They would not be affected directly by the extension, but may be threatened by unregulated construction works. Hence I consider that it is necessary to impose a planning condition to ensure their protection and maintain their valuable contribution to the amenity of the area.
12. Overall, and subject to the conditions I have identified as being necessary, I conclude that the proposal would be in keeping with and preserve the character and appearance of the host property, the local street scene and the Totteridge Conservation Area. There would be no material conflict with the development plan policies cited by the Council which are intended to ensure such an outcome. These policies are Policy CS5 in Barnet's Local Plan (Core Strategy) (2012) and Policies DM01 & DM06 in Barnet's Local Plan (Development Management Policies) (2012). In addition, I consider that the design quality of the house as enlarged would satisfy provisions in the Council's Supplementary Planning Document on *Residential Design Guidance* (2016) [SPD] and the Totteridge Conservation Area Character Appraisal Statement (2008).

Second main issue – effect on living conditions

13. The side extension would bring the first floor flank wall of the appeal house 4.5 metres closer to the boundary with no.20. The flank wall of the neighbouring house has 2 small windows, which I understand do not provide the main sources of outlook or light to principal habitable rooms. At the back, the first floor rear wall would protrude outwards by 3 metres. This would bring it roughly into line with the main rear wall of no.20. Thus the extension could not be seen from inside the main first floor window next door. There is a first floor extension on the far side of no.20, with a window facing towards the appeal site. There would be a good separation distance between this window and the rear extension, with the direct line of sight being along the outer face of the extension. The rear corner of the proposed extension would also be some distance from the neighbour's back garden. In these circumstances, I am unable to identify any significant harm to outlook from the next door property.
14. Notwithstanding this finding, there would be the potential for overlooking and loss of privacy from any windows later inserted into the new flank wall at the appeal site, down into the neighbour's garden at no.20. A similar effect could arise towards no.16, and if the proposed windows on that side did not have obscured glazing. I consider that these potentially harmful effects need to be avoided, in the interests of neighbouring living conditions, by imposing conditions to prevent new openings being added and to ensure that obscure glazing is used for the proposed new openings.

15. The occupier of a property in Lime Grove, to the rear of the appeal site, has objected on the grounds of increased bulk of building and overlooking and loss of privacy. I was able both to look towards this neighbour's property from the upper floor of no.18 and to look back towards the appeal site from outside it, on Lime Grove. The rear extension and dormer windows could no doubt be seen from the objector's property. However, I am satisfied that the separation distance and presence of intervening vegetation would prevent significant and material harm arising, of the kind which Policy DM01 seeks to guard against.
16. I conclude that the proposal would not have a significantly harmful effect on the living conditions of the occupiers of no.20 Priory Close with respect to an overbearing appearance. It would conform with the relevant provisions in Policy DM01 and the Council's SPD.

Overall conclusion

17. I have found in favour of the proposal with respect to both main issues. I have identified that planning conditions would be necessary in relation to materials, tree protection, glazing and new side windows. The need for these conditions was identified in the officer report on the application, on which no comments were offered. In addition, I need to impose a condition specifying the relevant drawings as this provides certainty.
18. Subject to these conditions there is therefore no reason to withhold planning permission, and I allow the appeal.

G Garnham

INSPECTOR

Schedule of Planning 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: numbers 1043/01, 1043/02, 1043/03, 1043/04, 1043/05, 1043/06, 1043/07 Rev A, 1043/08 Rev A & 1043/09 Rev A.
- 3) The materials to be used in the construction of the external surfaces of the extensions and porch hereby approved shall match those used in the existing house.
- 4) Before the extensions hereby approved are first occupied the proposed windows in the first floor side elevation towards no.16 Priory Close and the rooflights in the roofslopes facing towards no.16 Priory Close and no.20 Priory Close shall glazed with obscure glass only and shall be retained in such condition thereafter and shall be permanently fixed shut with only a fanlight or ventilation device opening.
- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows or doors other than those expressly authorised by this permission shall be inserted into the side

elevations of the extensions hereby approved facing towards no.16 Priory Close and no.20 Priory Close.

- 6) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until details of temporary tree protection have been submitted to and approved in writing by the local planning authority and the scheme as approved under this condition has been erected around the existing trees on site. This protection shall remain in position until after the development works hereby approved are completed and no material or soil shall be stored within these fenced areas at any time.