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# Appeal Decision

Site visit made on 10 July 2017

**by Graeme Robbie BA(Hons) BPI MRTPI**

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

**Decision date: 20 July 2017**

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**Appeal Ref: APP/N5090/D/17/3174298**

**66 Hillside Gardens, Edgware HA8 8HD**

- 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 and Mrs A Pardiwala against the decision of the Council of the London Borough of Barnet.
  - The application Ref 17/0702/HSE, dated 6 February 2017, was refused by notice dated 4 April 2017.
  - The development proposed is described as '*a two storey side extension and single storey rear and front extensions*'.
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## Decision

1. The appeal is allowed and planning permission is granted for a part single, part two storey side and rear extension following demolition of existing garage and single storey front extension at 66 Hillside Gardens, Edgware HA8 8HD in accordance with the terms of the application, Ref 17/0702/HSE, dated 6 February 2017, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 16/192/01 Rev A; 16/192/02 Rev A; 16/192/03; 16/192/03 Rev A (Block / Location Plan); 16/192/04 Rev E; 16/192/05 Rev E and 16/192/06 Rev C.
  - 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.
  - 4) 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 shall be inserted into the side elevations of the extensions hereby approved facing towards No. 68 Hillside Gardens.
  - 5) The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

## Procedural Matters

2. The application was originally described in the terms set out in the banner heading above. I have however used the revised description subsequently adopted by the Council in their decision notice and the appellant in their appeal

submission in my decision, above, as I consider it to more accurately describe the proposed development.

### **Main Issue**

3. The main issue is the effect of the proposed extensions on the character and appearance of the host property and the surrounding area.

### **Reasons**

4. Dwellings on Hillside Gardens are predominantly substantial semi-detached houses. They feature distinctive peaked white painted render two storey front bays with dark timber beams over ground floor bay windows with porches recessed under over-flying first floor bays and cat-slide roofs. The houses, although situated along a long and largely straight road, are set at a slight angle to the road, creating a stagger in the building line between each pair of dwellings.
5. The current proposal at No. 66 incorporates a number of elements, of which the single storey rear extension and the principle of the ground floor element of the side extension do not appear to be matters of dispute between the two main parties. Nor, it seems, does the width of the side extension, the upper floor of which would be inset by approximately 1 metre from the boundary with No. 68. From all that I have seen and read, I agree, and see no reason to reach a different conclusion with regard to these elements of the proposal.
6. The Council's concern, as expressed in the reason for refusal, relates to the proposed single storey front extension. By virtue of its size, forward projection and siting it would, the Council argue, appear harmfully out of context with the prevailing character and appearance of both the host property and the general locality.
7. I disagree. The only elements of the proposed extensions that would have a forward projection at ground floor level would be the bay window on the ground floor element of the side extension, and the re-worked lean-to canopy roof over the proposed bay. The proposed bay itself would be recessed under the canopy roof and, whilst the canopy would extend further forward than the existing lean-to roof to the left-hand side of the existing porch, it too would be recessed behind the face of the existing, dominant and distinctive peaked two storey bay.
8. The angled alignment of the houses and the staggered building line along the street means that the already broken façade of No.66 is set some way behind the front of the adjacent property at No. 68. Therefore in longer views along the street from the northwest, the front corner of No. 68 largely hides the appeal property from view, whilst from the south-east the angled and staggered alignment of the houses along Hillside Gardens is such that the proposed extension would be a recessive feature within the street scene. It would not, I find, be a prominent or dominant feature within the street scene from either aspect.
9. Moreover, I saw that the individual design elements of the proposal – the ground floor bay, the pitched canopy roof, the overall form of the extensions – would be reflective of local context and character without necessarily slavishly replicating it. The proposed extensions would maintain subservience to the main house and would not dominate or overpower the existing façade through

their width, height or forward projection. The front of the appeal property, the detailing and proportions of which are replicated along Hillside Gardens and are collectively a distinctive feature of the street, would retain its primacy and the proposal would not, contrary to the Council's assertion, be harmfully out of context with the prevailing character of either the host property or the general locality.

10. Thus, rather than being harmfully out of context with the host property and the surrounding area, I conclude that the proposed extension would complement, and demonstrate an understanding of, local character and context, and would be consistent with the character, appearance, form and proportions of the host property and those around it. In these terms, the proposal would achieve the aims of the Barnet Local Plan Supplementary Planning Document: Residential Design Guidance (2016) and accord with Development Management Plan policy DM01, Core Strategy policies CS1 and CS5 and London Plan policies 7.4 and 7.6. The proposal would also secure high quality design, sought by the National Planning Policy Framework as one of its core planning principles.

### **Conditions**

11. I have considered the Council's suggested conditions in light of the advice set out in the National Planning Policy Framework and the Planning Practice Guidance. I agree that in addition to a time limit condition and a condition specifying the approved plans, the latter in the interests of certainty, a condition to ensure that the external materials match those of the main house is also necessary in the interests of character and appearance.
12. Although not expressly suggested by the Council in their appeal questionnaire, it is noted that a further two conditions were suggested in the delegated officer report should the proposal be allowed on appeal. These related to side windows and restrictions on the use of the flat roofed elements of the extension. Although no harm to living conditions of occupant of properties on either side of No. 66 was identified, due to the relationship between these properties, I consider such conditions to be a prudent response to these circumstances. I have therefore imposed conditions to this effect, albeit with amendments to those set out by the Council in their delegated report.

### **Conclusion**

13. For the reasons set out, and having considered all other matters raised, I conclude that this appeal should be allowed.

*Graeme Robbie*

INSPECTOR