

Appeal Decision

Site visit made on 11 July 2017

by Martin H Seddon BSc DipTP MPhil MRTPI

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

Decision date: 02 August 2017

Appeal Ref: APP/N5090/D/17/3175580

2 Fairfield Crescent, Edgware, HA8 9AH

- 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 Mrs D Parekh against the decision of the Council of the London Borough of Barnet.
 - The application Ref: 16/6137/HSE was refused by notice dated 1 March 2017.
 - The development proposed is: demolition of existing garage, construction of a two storey side extension and single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing garage, construction of a two storey side extension and single storey rear extension at 2 Fairfield Crescent, Edgware, HA8 9AH in accordance with the terms of the application Ref: 16/6137/HSE, dated 21 September 2016, subject to the following conditions:
 1. The development hereby permitted shall begin no later than 3 years from the date of this decision.
 2. 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.
 3. The development hereby permitted shall be carried out in accordance with the following approved plans: 2FFCNW9 02, 03A, and 04A.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of neighbours at No.1 Fairfield Avenue in respect of outlook and privacy.

Reasons

3. No.2 Fairfield Crescent is a two-storey semi-detached dwelling located in a residential area at a corner position. The rear elevation of the appeal building faces the rear elevation of No.1 Fairfield Avenue at a slight angle, the two elevations being separated by short rear gardens. The adjoining semi-detached dwelling to the appeal building (No.4 Fairfield Crescent) has a two storey side extension with a hipped roof.
4. The Council considers that the scheme would not cause a significant impact to the character and appearance of the existing building, street scene and wider locality. I see no reason to disagree. The proposed side extension would be similar to that at No.4, with no set-back from the front elevation or set-down of

the ridge line. It would use external materials to match those in the existing dwelling. This could be secured through the imposition of a condition. The proposal would enhance the character and appearance of the building and streetscene by removing the garage and providing a side extension to balance the symmetry in design with the adjoining semi-detached dwelling of No.4 Fairfield Crescent.

5. In terms of outlook, the Council's objection relates to the height and proximity of the proposed side extension and its impact on the first floor windows that serve habitable rooms in the rear elevation of No.1 Fairfield Avenue. The existing building subject to appeal already has an adverse effect on the outlook from these opposing first floor windows. The separation distance between the rear elevations of the two buildings is less than the 21 metres advised in the Council's *Residential Design Guidance* supplementary planning document. The guidance also adds that garden depths should not be less than 10.5 metres. However, this guidance is for new residential development, whereas this appeal concerns established buildings that do not meet the guidelines.
6. Despite the standards quoted in the guidance, I consider that the proposed side extension would not cause any significant decrease in outlook for the occupants of No.1 Fairfield Avenue. This is because the proposed extension would have a hipped roof, thereby minimising its height. The rear elevation of No.1 Fairfield Avenue is slightly higher than the appeal building. It also has a section of blank wall at first floor level at the end of the rear elevation near Fairfield Crescent, rather than a window, which would have faced the proposed extension.
7. Turning to privacy, there is already a high degree of inter-visibility between windows in the rear elevation of the appeal dwelling, including its dormer window, and those in the rear elevation of No.1 Fairfield Avenue. At the site visit I examined the view across to No.1 Fairfield Avenue from the dormer window. The proposed additional first floor window would allow increased overlooking of No.1 Fairfield Avenue. However, given the existing situation with opposing windows I consider that any additional loss of privacy would be insignificant.
8. The proposal would provide additional living space and would improve the design of the pair of semi-detached dwellings and appearance of the area. In the particular circumstances of this proposal there would be no conflict with Barnet Core Strategy policy CS5 that seeks to protect and enhance Barnet's character to create high quality places. There would also be no conflict with Development Management Policies Development Plan Document DM01 which, amongst other things, indicates that development proposals should be designed to allow for adequate outlook and privacy for adjoining and potential occupiers and users.
9. I have taken all other matters raised into account. For the reasons given above the appeal is allowed subject to conditions.

Martin H Seddon

INSPECTOR