



Appeal Decision

Site visit made on 9 July 2019

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2019

Appeal Ref: APP/N5090/D/19/3227531

16 Priory Close, 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 and Mrs Anastasia Georgiou against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/1083/HSE, dated 22 February 2019, was refused by notice dated 18 April 2019.
 - The development proposed is a new front porch. Part single, part two storey side and rear extension. Extension to roof including 5no rooflights to roofslopes and 1no rear dormer. Alterations to doors and windows including replacement of garage door.
-

Decision

1. The appeal is allowed and planning permission is granted for a new front porch. Part single, part two storey side and rear extension. Extension to roof including 5no rooflights to roofslopes and 1no rear dormer. Alterations to doors and windows including replacement of garage door at 16 Priory Close, London N20 8BB in accordance with the terms of the application, Ref 19/1083/HSE, dated 22 February 2019, subject to the conditions set out in the Schedule at the end of this decision.

Procedural Matters

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 banner and formal decision above. This same wording appears on the Council's decision notice and submissions indicate that both main parties agree to the revised description. I have determined the appeal on the basis of the revised wording set out above.
3. On my site visit I saw construction work has begun altering and extending the appeal property, 16 Priory Close (No 16). The appellant has since confirmed that the works carried out are in association with development already approved¹ and not the appeal proposal. I have determined the appeal on this basis.

¹ Council of the London Borough of Barnet planning permission reference number 18/6807/HSE, dated 8 January 2019.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host property and the Totteridge Conservation Area (TCA).

Reasons

5. The appeal site is located within the TCA. As such I have had regard to the duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area as set out in Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.
6. The TCA accommodates some 450 properties, many being sizeable houses of historic and architectural interest. The significance of the area partly lies with the age and attractiveness of these properties and how they reflect the evolution of Totteridge as an agricultural settlement to an exclusive residential area. The TCA Character Appraisal Statement describes Priory Close as a cohesive group of well-designed, 2 storeys high, post war houses in a semi-rural setting. Being 2 storeys high with a pitched roof, No 16 reflects the general form and age of other properties in Priory Close and therefore makes a positive contribution to the character and appearance of the TCA.
7. As referred to above, the appeal property already benefits from planning permission for a new front porch, 2 storey side and rear extension and extension to roof including the creation of a crown. The appeal proposal is similar to the permitted scheme, with the most significant differences being a slightly higher ridge line to the extension's roof, the incorporation of a dormer window in the rear roof slope and reduction in number of rooflights. Also, at first floor level, the front elevation of the side extension is set slightly further forward compared to the approved scheme.
8. As the differences are so slight, the approved scheme and the appeal proposal would have a similar effect on the appearance of the front of No 16. The extension would still be below the highest part of the existing roof and the front of the side extension would be behind the forwardmost part of the existing house. The full depth of the flank wall of the side extension would be viewable from part of the street due to the gap between No 16 and the neighbouring property. However, this side elevation would not be prominent and similar in depth and height to the approved scheme.
9. Being set back and below the existing ridgeline, the proposed extension would maintain the legibility of the original house. Also, through the use of matching architectural detailing and materials, it would not appear disproportionate or discordant when viewed from the street. Despite sharing some common characteristics, properties along Priory Close vary in size. Therefore, whilst resulting in a larger building, the proposed development would not lead to No 16 being of inappropriate scale compared to other houses in Priory Close.
10. The proposal includes extending across the whole width of the rear elevation of No 16, hiding the back elevation and roof of the existing house. The extensions at the rear would be mainly 2 storeys high with rooms in the extended roof-space and project some distance beyond the existing walls. The proposed extension to the rear is therefore significant in size.
11. As No 16 faces the road and is reasonably close to the neighbouring properties, meaningful views of the proposed rear extension would be limited to those

from adjoining and nearby back gardens. The 2 storeys high elements of the rear extension would have a pitched crown roof set slightly lower than the highest ridgeline and imitating the existing hipped roof in terms of pitch and general form. The proposed dormer window would be set down from the ridge, off the eaves and away from the sides of the roof and so would appear proportionate in size. External materials to match existing would be used, thereby helping ensure the extension and alterations blend in with the existing house and wider area. All these features would ensure the proposed extension, whilst sizeable, would not appear as a disproportionate or incongruous addition to the house. Also, the proposed extension when viewed from the rear would not appear markedly different to the already approved scheme.

12. For the above reasons, the proposal would not be harmful and would preserve the character and appearance of the host property and the TCA. Therefore, and in this regard, it would accord with policy CS5 of the Barnet Local Plan Core Strategy 2012, policies DM01 and DM06 of the Barnet Local Plan Development Management Policies 2012, the provisions of the Barnet Local Plan Supplementary Planning Document: Residential Design Guidance 2016 and the National Planning Policy Framework (the Framework). All of these aim, amongst other things, to ensure that development proposals are of high quality design, to conserve and enhance heritage assets and to ensure development integrates with its surroundings.

Conditions

13. I have considered the conditions put forward by the Council, having regard to the tests set out in the Framework. Planning permission is granted subject to the standard three-year time limit condition. A condition detailing the plans is necessary to ensure the development is carried out in accordance with the approved plans and for the avoidance of doubt. Conditions relating to the materials and use of rooflights set flush with the roof slope are necessary in order to ensure the satisfactory appearance of the development. A condition requiring protection measures to be installed is necessary to avoid harm being caused during construction works to the trees at the end of the back garden to No 16.
14. Conditions restricting the use of the roof area and requiring obscured glazing in the first-floor side-facing windows are required to safeguard the privacy of neighbouring properties. However, conditions restricting the future use of permitted development rights rarely pass the necessity test. The suggested condition removing permitted development rights for side windows is not required to prevent unacceptable overlooking of the neighbouring properties.
15. The Council has suggested a condition requiring the submission, approval and implementation of a landscape scheme. However, the appeal development is of satisfactory appearance regardless of any landscape proposals and therefore the condition is unnecessary.
16. Where required, I have amended the wording of the suggested conditions for reasons of precision.

Conclusion

17. For the reasons given above, and taking into account all other matters raised, I allow the appeal as set out in the formal decision above.

Jonathan Edwards

INSPECTOR

Schedule of Planning 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: 1241/31 Rev #, 1241/33 Rev #, 1241/38 Rev #, 1241/39 Rev #, 1241/40 Rev #, 1241/41 Rev #, 1241/42 Rev #, 1241/43 Rev #, 1241/44 Rev #.
- 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) The rooflights hereby approved shall be set flush in the roof.
- 5) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection detailed in the Arboricultural Method Statement, prepared by Tree Aware UK, dated 8 February 2019, has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time.
- 6) The development hereby permitted shall not be occupied until the windows at first floor level in the side elevations of the extensions and facing 14 and 18 Priory Close have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing shall be retained thereafter.
- 7) 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.