



Appeal Decision

Site visit made on 24 July 2019

by Patrick Hanna MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th August 2019

Appeal Ref: APP/N5090/W/19/3227670

Flat 3, 130 Sunningfields Road, Hendon, London NW4 4RE

- 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 Brian Mannion against the decision of the Council of the London Borough of Barnet.
 - The application Ref 18/6707/FUL, dated 8 November 2018, was refused by notice dated 8 January 2019.
 - The development proposed is conversion of existing rear flat roof into first floor terrace, replacement of first floor window with a door, new balustrade and screen.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of existing rear flat roof into first floor terrace, replacement of first floor window with a door, new balustrade and screen at Flat 3, 130 Sunningfields Road, Hendon, London NW4 4RE in accordance with the terms of the application, Ref 18/6707/FUL, dated 8 November 2019, 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: SUNLD-L101, SUNLD-S101, SUNLD-E101, SUNLD-P101, SUNLD-L001, SUNLD-S001, SUNLD-E001, SUNLD-P001.
 - 3) The materials to be used on the external surfaces of the building shall match those used on the existing building.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the character and appearance of the host property.

Reasons

3. The appeal property is a first floor flat within a symmetrical three storey semi-detached building, now comprising flats, within an area that is predominantly Victorian residential in character, yet with a variety of housing styles, types and ages. The proposal site itself is part of a flat roof to the rear of the building. The flat roof is flanked either side by symmetrical three storey flat roofed extensions, such that the site cannot be seen from the public road. The

proposed development would provide new fenestration and terracing on the right-hand half of the flat roof, as seen from the garden.

4. The character and appearance of the host property is, from my observations, largely defined by the front elevation, which contributes positively to the street scene. However, the rear elevation appears to have been substantially altered and extended in the past such that it does not exhibit the same quality of character and appearance as seen at the front and along the wider street scene. As a consequence, the effect of the proposal, in terms of siting, must be considered against this less sensitive elevation and within the restricted context within which it would be viewed, namely from the shared residents' garden. Whilst the proposal would partially unbalance the symmetry of the rear elevation, the setting back of the terrace from the roof edge and the relatively small scale of the intervention as seen against the dominant flanking wings, substantially minimise the effect.
5. Whilst the design of the proposal would not be in keeping with the front elevation of the appeal dwelling, the fenestration, terracing and metal railings would be consistent with the character and appearance of the relatively modern rear elevation. The wooden panel is less so, however this panel would generally be viewed end-on or obliquely, and then only from the communal garden.
6. Although there may be no similar examples of terraces elsewhere within the locality, I must consider the proposal on its merits. Furthermore, given that the proposal cannot be seen from the public road, there is no harm to the surrounding area.
7. I therefore conclude that the development would not harm the character and appearance of the host property, with particular regard to siting and design. It would not conflict with the Council's adopted Barnet Core Strategy Policies CS1 and CS5, Barnet's Local Plan (Development Management Policies) Policy DM01, and the Barnet Residential Design Guidance Supplementary Planning Document. Together these require development to be well designed and appropriate within its context, amongst other considerations.

Conditions

8. The Council has provided conditions, which have been seen by the appellant, and which I have assessed in accordance with the tests set out in paragraph 55 of the National Planning Policy Framework. Condition 2 is to provide certainty and to ensure that the proposal is built in accordance with the approved plans. Given the lack of certainty on the appeal plans, I have applied Condition 3 to ensure that the proposed materials would preserve the character and appearance of the host property.

Conclusion

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

Patrick Hanna

INSPECTOR