
Appeal Decision

Site visit made on 13 August 2019

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 September 2019

Appeal Ref: APP/N5090/D/19/3230377

16 Hillside, New Barnet, Barnet EN5 1LU

- 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 Shaw Ha against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/0932/HSE, dated 14 February 2019, was refused by notice dated 25 April 2019.
 - The development proposed is ground floor rear and side extensions and first floor rear extension.
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Decision

1. The appeal is allowed. Planning permission is granted for a ground floor rear and side extension and first floor rear extension at 16 Hillside, New Barnet, Barnet EN5 1LU in accordance with the terms of the application, Ref: 19/0932/HSE, dated 14 February 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; Existing Plans and Elevations, Drawing Number EX.01; Proposed Plans and Elevations, Drawing Number P.01
 - 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.

Main Issues

2. The main issues are the effect of the proposed development on
 - 1) the character and appearance of the host property and the surrounding area, and
 - 2) the living conditions of the occupiers of surrounding properties in terms of outlook and light.

Reasons

Character and appearance

3. The appeal property is a two-storey detached dwelling located on part of the street with a staggered building line due to the curvature of the road. The area around the appeal site contains a range of residential properties of various styles and sizes.

4. The main element of proposed development would be constructed on top of an existing single storey, flat roofed part of the dwelling. The proposed extension includes a hipped roof that sits below the ridge line of the main roof of the dwelling, and full height glazing incorporating Juliet style balconies. The extension, being located at the rear of the property with other properties either side, would not be visible from the street.
5. The ridgeline of the proposed extension would be below that of the main dwelling and the extension would be relatively small, projecting no further than the existing footprint. Due to these factors the extension would not appear bulky and would be seen as subordinate to the main dwelling. Furthermore, given these findings and the lack of visibility from the public realm, the proposed extension would not be detrimental to the wider street-scene.
6. The proposed development therefore complies with Policy DM01 of the Barnet Local Plan (Development Management Policies) Development Plan Document (2012), Policy CS5 of the Barnet Local Plan (Core Strategy) Development Plan Document (2012). These policies seek to ensure, amongst other things, that development should represent high quality design, based on an understanding of local context and character, preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.
7. The proposed development would also be in accordance with the guidance contained within the Residential Design Guidance Supplementary Planning Document (2016) that outlines, amongst other things, that extensions should be consistent with the form, scale and architectural style of the original building; respect the proportions of the existing house; use an appropriate roof form; have matching materials and details; should normally be subordinate to the original house; should not be overly dominant; and be lower than the height of the original building.

Living conditions

8. At the rear, the appeal dwelling is set back from the adjacent property at 14 Hillside. This set back, combined with the small size of the proposal, will ensure that the proposal does not have an unacceptable impact on the living conditions of the occupiers of this property.
9. The appeal dwelling is set slightly forward of the rear building line of 18 Hillside and to the north of that property. No 18 already has an existing first floor rear extension on the side of the property which is adjacent to the appeal site. Furthermore, there is tall vegetation on the boundary between the two properties. These factors indicate to me that the proposed extension would not have an unacceptable impact on the levels of sunlight or daylight experienced by the occupiers of No 18. I also consider that the separation between the properties, combined with the small size of the extension and the intervening garden vegetation, would ensure that the extension would not have an overbearing or dominant impact.
10. The proposed development therefore complies with Policy DM01 of the Barnet Local Plan (Development Management Policies) Development Plan Document (2012), Policy CS5 of the Barnet Local Plan (Core Strategy) Development Plan Document (2012). These policies seek to ensure, amongst other things, that development should be designed to allow for adequate daylight, sunlight,

privacy and outlook for adjoining occupiers and should contribute to people's sense of place.

11. The proposed development would also be in accordance with the guidance contained within the Residential Design Guidance Supplementary Planning Document (2016) that outlines, amongst other things, that extensions should not be overbearing or unduly obtrusive and that care should be taken to ensure they do not result in a harmful loss of light, outlook, or result in overshadowing.
12. I note the existence of an extant planning permission for a similar development at the appeal site but have considered the scheme before me on its own merits.

Conditions

13. I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty. I have also imposed a condition requiring that the materials to be used shall match those used in the existing building. This is in the interests of the appearance of the property.
14. The Council requested conditions be imposed requiring that no windows or doors be installed in either side elevation of the first floor and that the window facing 18 Hillside be obscure glazed. In the context of the development and the position of surrounding properties and their windows, these conditions are not necessary to make the development acceptable in planning terms.

Conclusion

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

A M Nilsson

INSPECTOR