
Appeal Decision

Site visit made on 27 August 2019 by Hilary Senior BA(Hons) MCD MRTPI

by Susan Ashworth BA(Hons) BPL MRTPI

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

Decision date: 20 September 2019

Appeal Ref: APP/N5090/D/19/3230548
66, Wise Lane, Mill Hill, London, NW7 2RG

- 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 H Berman against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/0534/HSE, dated 30 January 2019, was refused by notice dated 29 March 2019.
 - The development proposed is single storey rear extension and single storey front/side extension.
-

Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension and single storey front/side extension at 66 Wise Lane, Mill Hill, London, NW7 2RG in accordance with the terms of the application, Ref 19/0534/HSE, dated 30 January 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: HBBC/18/1/1A, HBBC/18/1/2A, Site Location Plan.
 - 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.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural matter

3. During the determination of the planning application, revised plans were submitted to reduce the size of the rear extension. It is these amended plans that I have had regard to in determining this appeal.

Main Issues

4. The main issues are the effect of the proposal on
 - the character and appearance of the host building and wider area and

- the living conditions of the occupiers of 68 Wise Lane with particular regard to loss of privacy and sense of enclosure.

Reasons

Character and appearance

5. The area around the site is characterised by large detached and semi-detached, individually designed dwellings. 66 Wise Lane itself is a previously extended semi-detached dwelling. The house sits in a substantial plot, elevated from the road, with an open frontage. It is set back from the highway with a driveway and gardens to the frontage.
6. The proposed front extension would fill in a space created by the previously extended utility room and the existing kitchen. It would not protrude beyond the existing side wall of the property. Although the existing utility room and proposed extension to it will have a flat roof, it is a small extension and due to the elevation changes and distance from the highway this element would not have a detrimental impact on the streetscene and would not be harmful to the character and appearance of the host building or wider area.
7. The Council contend that the rear extension would be out of character with the host dwelling as it has previously been extended particularly to the rear. I note that there have been previous extensions to both floors of the property. In addition, I understand that the property benefits from an extant consent for a similar extension, and although the details are not before this appeal, I understand that the appeal proposal is only marginally larger than that approved.
8. Although the proposal would lead to a large increase in size of the original property, the extension now proposed would be of a limited height compared with that of the main building. Its appearance would be simple and it would extend across only half of the existing property. Accordingly, the extension, even combined with the existing extensions, would not appear disproportionate or discordant with the host building.
9. I note that neighbouring properties have been extended at the rear and as set out above, properties are of various designs. Moreover, the proposed single storey rear extension would not be visible from the highway. Consequently, the proposal would not have a detrimental impact on the character and appearance of the surrounding area.
10. For the reasons above I conclude that the proposed extension would not harm the character and appearance of the host property or that of the surrounding area and therefore would not conflict with Policies CS1 and CS5 of Barnet's Adopted Core Strategy (2012), Policy DM01 of the Adopted Development Management Policies DPD (2012) or the Adopted Residential Design Guidance SPD9 (2016) which together seek to ensure that extensions respect the character and appearance of the original dwelling as well as its local setting.

Living Conditions

11. The proposed rear extension would be sited in close proximity to the boundary with 68 Wise Lane which is at a lower level than 66 Wise Lane. There would not, however, be any windows on the side closest to the neighbouring property as the extension would be lit with rooflights. These roof lights would not cause

loss of privacy to the occupiers of 68 Wise Lane. The reduction in the size of the extension from that originally proposed has reduced the sense of enclosure of the proposal on the neighbouring property.

12. The extension would be over 5.5 metres from the boundary with 64 Wise Lane which is heavily planted and has a high fence. There would be patio doors on the elevation facing this boundary, although due to the separation distance from the boundary, and the boundary treatment there would not be an undue loss of privacy.
13. For the reasons above I conclude that the proposed extension would not unduly affect the living conditions of the occupiers of 64 and 68 Wise Lane and therefore would not conflict with Policies CS1 and CS5 of Barnet's Adopted Core Strategy (2012), Policy DM01 of the Adopted Development Management Policies DPD (2012), policies 7.4 and 7.6 of the London Plan (2016) and the Adopted Residential Design Guidance SPD (2016) which together seek to ensure that extensions do not cause harm to the living conditions of neighbouring properties.

Conditions

14. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty as revised plans were submitted during the planning application process.
15. The Council have suggested a materials condition to ensure that the proposed materials would match the existing property. I consider this is necessary in the interests of safeguarding the character and appearance of the area.

Conclusion and Recommendation

16. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is allowed.

Hilary Senior

APPEALS PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Susan Ashworth

INSPECTOR