



Appeal Decision

Site visit made on 23 September 2019

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 October 2019

Appeal Ref: APP/N5090/D/19/3233121

162 Devonshire Road, Mill Hill, London NW7 1DJ

- 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 Chinedu Akwaeze against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/2381/HSE, dated 24 April 2019, was refused by notice dated 19 June 2019.
 - The development proposed is a single storey front extension and convert garage to habitable room with window.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey front extension and convert garage to habitable room with window at 162 Devonshire Road, Mill Hill, London NW7 1DJ in accordance with the terms of the application, Ref 19/2381/HSE, dated 24 April 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 reference FR-001, FR-002, FR003
 - 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.

Application for costs

2. An application for costs was made by Mr Chinedu Akwaeze (the appellant) against the Council of the London Borough of Barnet (the Council). This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area.

Reasons

4. The appeal property is a two-storey semi-detached dwelling and is situated in a predominantly residential area. The appeal property and the adjoining semi-detached property are the only dwellings of this design in the street-scene. They contain certain notable features including projecting single storey and two storey bays which contain elongated windows above the stairwell.

5. The garage of the adjoining property has been converted in a similar manner to that proposed as part of this appeal, with the garage door being replaced by a window. I find that this element of the proposal, which follows the pattern of the first-floor window above, would not cause harm to the appearance of the host property or the street-scene.
6. The proposal includes a forward projecting extension that would enlarge the existing downstairs toilet. It would not project any further forward than the forwardmost extent of the current building line. The design, and materials proposed, follow that of the main dwelling. The adjoining property has not been extended in the manner proposed in this appeal and appears to have retained its original form. The proposal in this regard would break the existing symmetry and unbalance the properties. However, the proposal is a relatively small extension. The breaking of the symmetry and unbalancing would not be to such an extent as to cause unacceptable harm to the overall appearance of the property or the street-scene.
7. There are several semi-detached properties in the surrounding area which have alterations and extensions to one property and not the adjoining property that, whilst unbalancing the pair of properties, does not cause unacceptable harm. The balancing of the pair of semi-detached properties is not a dominant feature in the area.
8. The proposed extension would therefore not have an unacceptable effect of the on the character and appearance of the host property and the surrounding area. Thus, it would comply with Policy CS5 of the Barnet Local Plan (Core Strategy) Development Plan Document (2012) and Policy DM01 of the Barnet Local Plan (Development Management Policies) Development Plan Document (2012). These policies seek to ensure, amongst other things, that development is of a high quality.
9. 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 normally be subordinate to the original house, respect the original building, not be overly dominant and be consistent with the form, scale and architectural style of the original building.

Conditions

10. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty. In the interests of the character and appearance of the host property, it is necessary to impose a planning condition requiring the use of matching materials.

Conclusion

11. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should succeed.

A M Nilsson

INSPECTOR