

Appeal Decision

Site visit made on 17 September 2019

by Ian Harrison BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2019

Appeal Ref: APP/N5090/D/19/3232330

49 Baring Road, Cockfosters, Barnet EN4 9BU

- 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 A Herman against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/0955/HSE, dated 18 February 2019, was refused by notice dated 16 April 2019.
 - The development proposed was originally described as a first floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for part single storey rear and part first floor rear extensions at 49 Baring Road, Cockfosters, Barnet EN4 9BU in accordance with the terms of the application, Ref 19/0955/HSE, dated 18 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: 218123/01 and 218123/04.
 - 3) The materials to be used in the external surfaces of the extension hereby permitted shall match those used in the existing building.

Procedural Matters

2. The description of development in the heading above has been taken from the planning application form. In Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered which is consistent with the Council's decision notice. The amended description describes the development more accurately as it refers to the proposed single storey extension. I have therefore used this more comprehensive description in my formal decision above.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the existing dwelling and the surrounding area.

Reasons

4. The site is located within a mostly residential area which contains a mixture of semi-detached two storey dwellings and bungalows. There are few consistent features of the pairs of dwellings within this section of Baring Road and it appears that several of the dwellings have been extended or altered. The

dwelling at the appeal site has a mansard style roof with dormers to the front and rear and a single storey rear extension that is of similar depth to extensions at both neighbouring properties.

5. The proposal would include a first floor rear extension, the side of which would be visible from the public domain through the gap between dwellings that exists at first floor level. A single storey extension is also proposed and a first floor rear dormer would be relocated to fill most of the gap between the proposed first floor extension and the boundary.
6. The proposed first floor extension would not be as deep as the ground floor rear extension and would be lower in height than the existing dwelling. Therefore, when considered in isolation and cumulatively with the other extensions that have occurred, the developments at the rear of the site would remain subordinate to the host dwelling and would not be of a scale or mass that would add undue bulk to the rear of the dwelling.
7. The small section of flat roof emphasises the width of the first floor extension and the amendment of the rear dormer to fill the gap between the first floor extension and the boundary would result in the rear elevation having a busier appearance. However, in the context of the surrounding area where dwellings feature a variety of rear projections, the proposal and the architectural detailing would not be at odds with the overall character or appearance of the locality.
8. The proposed ground floor extension would simplify the appearance of the rear extensions and result in them having a consistent depth which would be of some benefit to the appearance of the dwelling.
9. The proposal would not comply with the guidance contained within the Council's Residential Design Guidance¹ (SPD) which sets out that extensions within 2 metres of the boundary should not project more than 3 metres. However, the existing dwelling abuts the boundary, single storey extensions have occurred at both properties which extend up to the boundary and the extension would be no closer to the boundary than the existing dwelling. The extension would therefore not appear unduly bulky or dominant of the dwelling, which is stated to be the aim of that restriction.
10. Therefore, notwithstanding the conflict with the guidance contained within the SPD, the development would not cause harm to the character and appearance of the existing dwelling and the surrounding area. The development is therefore in accordance with policy DM01 of the Barnet's Local Plan Development Management Policies Development Plan Document (2012) and policies CS1 and CS5 of the Barnet's Local Plan Core Strategy Development Plan Document (2012) which combine to require that development is of high quality, respects local character and reflects the appearance, scale, mass and height of surrounding buildings. Furthermore, the proposal would comply with policy 7.6 of the London Plan (2016) which seeks that development, amongst other things, incorporates design appropriate to its context.

Conclusion and Conditions

11. For the reasons given, the appeal is allowed subject to the conditions set out above. I have attached a condition to require the development to be

¹ Barnet Local Plan Supplementary Planning Document: Residential Design Guidance (2016)

undertaken in accordance with the submitted plans in the interests of clarity. Another condition requires the development to be undertaken utilising materials that match the existing dwelling in the interests of maintaining the character and appearance of the surrounding area.

12. The Council has requested the imposition of a condition to prevent the flat roof being used as a terrace, balcony or other such area. However, I have not been made aware of such a restriction being in place for the existing, substantial flat roof and therefore, as the overall amount of flat roof would reduce as a result of this proposal and be no more likely to be used than the existing flat roof, I do not find this condition to be necessary or reasonable in this case. Similarly, I consider that the requirement to remove permitted development rights is unnecessary as the flat roof would be no more accessible than the existing situation and the permitted development rights include conditions that would prevent additional overlooking from within the extension.

Ian Harrison

INSPECTOR