



Appeal Decision

Site visit made on 4 November 2019

by A Parkin BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2019

Appeal Ref: APP/N5090/D/19/3235628

59 Court Way, Colindale, London NW9 6JG

- 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 Kerai against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/3190/HSE, dated 5 June 2019, was refused by notice dated 1 August 2019.
 - The development proposed is a single storey side extension to provide granny annexe, ancillary to main dwelling.
-

Decision

1. The appeal is allowed and planning permission is granted for a single storey side extension to provide granny annexe, ancillary to main dwelling at 59 Court Way, Colindale, London NW9 6JG in accordance with the terms of the application, Ref 19/3190/HSE, dated 5 June 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: Site Plan: Drawing No 2018/026/04; Proposed Plans and Elevations: Drawing No 10 (dated APR 2019).
 - 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 Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site is a corner plot within a residential estate, which comprises traditional, garden-fronted, semi-detached houses, many of which have been extended. Within the estate is an area of landscaped public space, to the southeast of the appeal site and which affords views of it from the south and southeast.
4. 59 Court Way is one of a pair of semi-detached dwellings with No 61, both of which have been significantly extended since their original construction. At

- No 59 a substantial, 2-storey, hipped-roofed, side extension has been constructed, with the top of the extension stepped down in height from the original roof ridgeline. The front elevation comprises two bay features on either side of the entrance door, with a single-storey pitched-roofed extension joined to an entrance porch on the southern side of the elevation.
5. No 61 has a pitched-roofed, front porch extension, a flat-roofed, single storey side extension, which is joined to the side garage of No 63, and a hipped-roof side dormer extension, level with the main ridgeline of the roof.
 6. These alterations to both Nos 59 and 61 mean that they have an asymmetrical and singular appearance. However, this is not out of keeping with the character and appearance of the estate, where a significant number of other dwellings have been substantially altered.
 7. The proposed development would entail the construction of a single-storey, hipped-roofed extension to the southern side elevation of the dwelling, with two smaller, flat-roofed parts to its front and rear. These flat-roofed elements would both contain partial hipped-roofed features, the ridge heights of which would be lower than the main ridge height of the proposed extension.
 8. The proposed development would be constructed on land which currently forms part of the side curtilage of the existing dwelling and would be set back as short distance from the extended front elevation. Part of a tall brick wall adjacent to the public footpath to the side of the appeal property would be reduced in height, so as to provide an outlook from the proposed extension.
 9. Whilst at its widest point, the width of the proposed extension would be more than half the width of the existing dwelling, this part is set back considerably from the front elevation. Together with its single storey height and the much greater scale and massing of the existing, extended dwelling, the proposed extension would be subordinate and not out of keeping with the existing building or the wider area.
 10. Furthermore, the design of the proposed extension, with hipped roof elements, and traditional materials, means that it would have a visual resonance with the existing dwelling and would not be out of keeping with the varied character and appearance of the estate.
 11. For these reasons, the proposed development would not adversely affect the character and appearance of the area. It would therefore accord with Policies CS1 (place shaping) and CS5 (design) of Barnet's Local Plan Core Strategy 2012 and Policy DM01 (character and amenity) of Barnet's Local Plan Development Management Policies 2012.

Conditions and Conclusion

12. The Council has suggested a number of conditions be attached to the grant of planning permission, should the appeal be allowed, which I have considered in light of Government guidance.
13. In addition to the standard commencement condition, conditions specifying the approved drawings and the materials to be used in the proposed extension would be necessary for reasons of certainty and to protect the character and appearance of the area.

14. For these reasons, and taking into account all matters raised, I conclude that the appeal is allowed.

Andrew Parkin

INSPECTOR