



Appeal Decision

Site visit made on 14 January 2020

by Edwin Maund BA (Hons) MSc Dip UP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th February 2020

Appeal Ref: APP/N5090/D/19/3242787

11 Harmsworth Way, Whetstone, London N20 8JT

- 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 Mauricio Arditti against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/5211/HSE, dated 24 September 2019, was refused by notice dated 18 November 2019.
 - The development proposed is a single storey ground floor rear extension with associated alterations to terrace.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey ground floor rear extension with associated alterations to terrace at 11 Harmsworth Way, Whetstone, London N20 8JT in accordance with the terms of the application 19/5211/HSE, dated 24 September 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: 1419.P.01 and 1419.P.02.
 - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows [other than those expressly authorised by this permission] shall be constructed on the east elevation.
 - 4) The extension hereby permitted shall not be occupied until the window on the east elevation has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.

Preliminary Matters

2. In the interests of clarity and precision I have used the description of development from the Council's notice of decision.

Main Issue

3. The main issue is whether the development would preserve or enhance the character or appearance of the Totteridge Conservation Area (TCA).

Reasons

4. The appeal property is located within the TCA and this part of it is residential in character. The appeal property is a substantial two storey detached dwelling, faced in brick with a hipped roof. Like the properties either side, it is set back from the road behind a front garden and driveway with mature planting which contribute to the verdant character of the street scene.
5. The TCA derives part of its character from the many substantial detached houses set within spacious gardens. The houses themselves are a mixture of styles, facades and materials.
6. The host dwelling and the neighbouring property to the west are a more recent development of greater depth relative to the neighbours this is not particularly perceptible on site but adds interest to the overall form of development in this area.
7. The property contributes to part of the overall positive character of the Conservation Area.
8. The rear extension and extended walkway along the side are proposed to the north east corner of the host building. Given the frontage depth, limited lateral separation planting and level changes, the extension and associated walkway would not be particularly visible from the public domain.
9. The extension is proposed to be cut into this rising ground to the rear with the terrace extended beyond at the same level as currently in place.
10. Overall, I consider the design, siting and scale of the extension to be such that it preserves the character or appearance of the Conservation Area.
11. In these respects, I consider that the proposal would accord with Policy DM01 and DM06 of the Adopted Development Management Policies DPD (2012) which taken together require development to preserve the character or appearance of the conservation area.

Other Matters

12. The Council have suggested four conditions in the event the appeal is allowed. Given the location of the development within the TCA I consider it necessary to attach conditions relating to the materials for construction.
13. In the interests of certainty, I have also attached a condition specifying the approved plans.
14. The proposed extension is set beyond the rear of the neighbouring property but has a blank side elevation. The Council have suggested a condition to prevent the addition of side windows in the future and I agree this would be appropriate in safeguarding the relationship between the two properties. I only consider this necessary for the east elevation which is set approximately 2m off this shared boundary. The western elevation of the extension is already predominantly glazed.

15. The scheme introduces an additional side facing window which I noted from my site visit would be opposite a side facing window from the neighbour. As the window is proposed to be obscure glazed this would achieve an acceptable relationship and I agree with the Council this condition is appropriate to ensure this remains for the future.

Conclusions

16. Having carefully considered the proposal I conclude that the development would preserve the character and appearance of the Totteridge Conservation Area.
17. In the light of the above I conclude that the development would not be contrary to relevant policies of the Local Plan, or national guidance and legislation. The appeal is allowed subject to the conditions set out above.

Edwin Maund

INSPECTOR