



Appeal Decision

Site visit made on 25 February 2020

by Colin Cresswell BSc (Hons) MA MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 March 2020

Appeal Ref: APP/N5090/D/20/3244561

5 Grange Avenue, East Barnet, Barnet EN4 8NJ

- 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 David Clarke against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/4146/HSE, dated 18 July 2019, was refused by notice dated 4 November 2019.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 5 Grange Avenue, East Barnet, Barnet EN4 8NJ in accordance with the terms of the application, Ref 19/4146/HSE, dated 18 July 2019, subject to the conditions set out in the Schedule at the end of this decision.

Procedural Matter

2. A revised plan (158DC_HH SH1 Rev A) was submitted during the course of the appeal process which supersedes an earlier version. The Council indicate that it determined the application on the basis of the revised plan and I note that the changes it introduces are minor. Therefore, no party would be prejudiced by me determining the appeal on the basis of the revised plan.

Main Issues

3. The main issues in this case are:
 - the effect of the proposal on the living conditions of neighbouring occupiers having particular regard to outlook.
 - the effect of the proposal on the character and appearance of the area.

Reasons

Living conditions

4. The appeal property already benefits from a rear extension and the proposed development would represent a further addition to this. I saw during the site visit that the adjoining property at No 3 Grange Avenue also has a rear extension and the proposed development would not extend much beyond this. Hence the proposal would have little effect on occupiers of No 3.

5. The proposed extension would project somewhat further from the rear elevation of No 7 Grange Avenue, the other adjoining property in the terrace. However, the overall height of the extension would be relatively modest and the roof would slope upwards from the garden of No 7. Along the boundary, the extension would be a similar height as the existing fencing which currently separates the properties. As such, outlook from the rear of No 7 would remain relatively unchanged and the proposal would not lead to a sense of enclosure within the neighbouring property. Given the orientation of No 7, which has a south-west facing rear garden, daylight and sunlight levels would not be substantially affected by the proposal.
6. Therefore, whilst the total depth of the rear extensions (the proposed development plus the existing extension) would exceed that specified in the Residential Design Guidance SPD¹, this would not be harmful to the living conditions of neighbouring occupiers. As a consequence, there would be no conflict with Policy DM01 of the Development Management Policies DPD² or the provisions of the Sustainable Design and Construction SPD³. Amongst other things, these aim to protect residential amenity.
7. I therefore conclude on this issue that the proposal would have an acceptable effect on the living conditions of neighbouring occupiers.

Character and appearance

8. While the proposed development would represent a further addition to the property, which has already been extended to the rear, the additional structure would be relatively small and would maintain a low profile. Taken as a whole, the rear extensions would remain subservient to the host dwelling. Due to the small scale of the proposal, the overall appearance of the property would not be significantly altered by the development.
9. A number of dwellings in the surrounding area have rear extensions, including the neighbouring property at No 3 Grange Avenue. An extension of the size and design proposed would be in general keeping with this form of development. I am also mindful that the extension would not be visible from many vantage points given the size of the rear garden and the physical arrangement of dwellings in the surrounding area.
10. I conclude on this issue that the proposal would have an acceptable effect on the character and appearance of the area.

Conclusion

11. For the reasons given above, the appeal is therefore allowed. In the interests of clarity, standard conditions requiring the development to be carried out in accordance with the plans and within a time limit have been imposed. To protect character and appearance, there is a condition requiring matching materials. There is also a condition preventing the roof being used as an outdoor amenity area to protect the privacy of neighbouring occupiers.

C Cresswell

INSPECTOR

¹ Barnet's Local Plan Supplementary Planning Document: Residential Design Guidance, October 2016.

² Barnet's Local Plan (Development Management Policies) Development Plan Document, Adoption Version, 2012.

³ Barnet's Local Plan Supplementary Planning Document: Sustainable Design and Construction, October 2016.

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 158DC_HH SH1 Rev A.
- 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 dwelling.
- 4) The roof of the extension hereby permitted shall not be not be used as a balcony or outdoor amenity area.