



Appeal Decision

Site visit made on 16 March 2020

by Gareth Wildgoose BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 March 2020

Appeal Ref: APP/N5090/D/20/3246697

12 Heddon Road, East Barnet, Barnet EN4 9LD

- 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 Hemal Patel against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/5852/HSE, dated 30 October 2019, was refused by notice dated 30 December 2019.
 - The development proposed is 'two storey side and single storey rear extensions, roof extension including rear dormer window and with 3no. rooflights to front roofslope'.
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Decision

1. The appeal is allowed and planning permission is granted for two storey side and single storey rear extensions, roof extension including rear dormer window and with 3no. rooflights to front roofslope at 12 Heddon Road, East Barnet, Barnet EN4 9LD in accordance with the terms of the application, Ref 19/5852/HSE, dated 30 October 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: Location Plan; Existing Block Plan; Proposed Block Plan; 12/01A; 12/02A; 12/03A and 12/04A.
 - 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.
 - 4) The roof of the single storey rear extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.
 - 5) Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the eastern elevation, of the extensions hereby approved, facing No. 14 Heddon Road or placed at any time in the western elevation, of the extensions hereby approved, facing No. 10 Heddon Road.

Procedural Matter

2. The description of development provided by the application form has been updated by subsequent documents. I have adopted the description of development in the appeal form accordingly as it is accurate and provides certainty of the proposal before me.

Main Issue

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

Reasons

4. No 12 Heddon Road (No 12) is a semi-detached two-storey dwelling which forms a pair with No 10. It consists of a hipped roof design and its front elevation includes a distinctive two-storey outrigger that comprises bay windows at ground and first floor levels and a gable element projecting above the eaves line of the roof, which is also a characteristic feature of semi-detached pairs to each side. The property also has a projecting front porch with a gable design which is similar in form to a front porch at No 10, and it also has single storey flat roofed side extensions that lie close to the shared boundary with No 14. The property is located on a section of the street that has a distinct upward slope from west to east and as a consequence it sits lower than No 14 and has a slab level, eaves height and ridge height of its roof that is slightly higher than No 10 which results in an asymmetrical appearance of the pair.
5. During my visit, I observed that the semi-detached pairs located on the southern side of Heddon Road have a broad rhythm of architectural style and form despite some variation in materials and detailing of front elevations, including the positioning of front outriggers, and changes in land levels. However, there is a wider variation in style, form and proportions of properties and extensions that are visible in the wider context including on the opposite side of Heddon Road and nearby on Belmont Avenue and Ashurst Road. To my mind, the visibility of such a variation of property styles and forms in the surrounding context of the street scene provides an opportunity for an appropriate alteration of the appearance of the appeal property without causing harm to its character and distinctiveness or that of the local area.
6. With regard to the above, the two-storey extension when viewed from Heddon Road at the front would have an overall width that would be less than half the width of the original dwelling. Its proportions would, therefore, appear subservient and not overly dominant relative to the host property and the semi-detached pair. Such a relationship would be assisted by the approximate 1m set in from the boundary at first floor level, the set back from the front building line, the set down of the ridge line of the proposed hipped roof from the similar roof of the main dwelling and the use of matching fenestration and materials, the latter capable of being secured by condition. The two-storey side extension would, therefore, complement the appearance of the existing dwelling and the diverse character of properties in the wider setting. Furthermore, whilst roof lights are not a common feature of existing properties on Heddon Road, there are numerous examples on front elevations in surrounding streets and therefore, they would not appear out of place.

7. In reaching the above findings, I have taken into account that the Barnet Supplementary Planning Document: Residential Design Guide (SPD), adopted October 2016, indicates that first floor side extensions should normally be set back by 1m from the main front wall and set down by at least 0.5m from the ridge of the main roof. However, in the particular circumstances of this case, I observed that it is not uncommon for existing first floor extensions to incorporate a more modest set back from the front building line, including at No 18 Heddon Road. Furthermore, the presence of the projecting front porch and gable outriggers within the existing front elevation would ensure that the more limited set back of the side extension would integrate with the modest stepping effect of the existing front building lines. Moreover, for this particular property, a limited set down of the roof of the extension would assimilate better with the more modest differences in existing eaves and ridge heights between Nos 10 and 12. Those particular circumstances justify that a departure from the guidance in the SPD is reasonable in this case as it would not have a harmful effect on the host property, the semi-detached pair or the wider area.
8. In terms of the rear dormer, the SPD guides that dormer roof extensions should normally be subordinate features and should not occupy more than half the width or half the depth of the roof slope. It also guides that dormer roof extensions should not normally be wider than and should align with the window below. The proposed rear dormer is of a box style design with a flat roof that although incorporating an inset from the eaves, ridge and edges of the extended roof would be in excess of half the width and depth of the roof slope. Furthermore, due to its position it would incorporate smaller windows that would not fully align with the windows below - albeit that even with the inclusion of a Juliet balcony, it would retain a characteristic hierarchy of windows of reducing size upwards from ground floor level of the rear elevation.
9. Notwithstanding the above, whilst I observed that large flat roofed rear dormers are not an established feature of surrounding semi-detached properties which face Heddon Road, there are already a significant number of large rear dormers and side extensions of a box style design in more prominent positions in surrounding streets. The examples include those visible close by in Belmont Avenue and to the rear of properties that face Ashurst Road which are located at considerably higher land levels than No 12. Some of those latter examples are visible from the site above established landscaping due to the steeply upward sloping land levels through the respective rear gardens.
10. Having regard to the above, and taking into account that the rear roof slope of No 10 would be of limited prominence from public vantage points and from properties to the south due to its reduced land levels, the rear dormer would be in keeping with the character of properties in the vicinity and not overly large or dominant when viewed in the context of the surrounding area. The proposed rear dormer, therefore, would not have an unacceptable impact on the character and appearance of the property or the group of properties of which it would form part which justifies a departure from the guidance in the SPD in the particular circumstances of this case.
11. The Council have not expressed any specific concerns in terms of the design and appearance of the single storey rear extension and based upon my own observations, I have no reason to take a different view. The full width extension would be of a subordinate depth with a flat roof design that would minimise its bulk and massing to ensure a satisfactory relationship with

neighbouring properties in terms of light and outlook. The extension also incorporates roof lights to provide adequate light provision and includes no windows in the side elevation which would ensure no loss of privacy for occupiers of Nos 10 and 14. However, in that respect, a condition is necessary to prevent the future insertion of windows in the side elevations facing both Nos 10 and 14 Heddon Road. A further condition is also required to ensure that the flat roof is not subsequently brought into use as a roof terrace or similar amenity area.

12. I conclude that the proposed development would not harm the character and appearance of the host property and the area. It, therefore, would not conflict with Policy DM01 of Barnet's Local Plan Development Management Policies, adopted September 2012, Policy CS5 of Barnet's Local Plan Core Strategy, adopted September 2012, and Policies 7.4 and 7.6 of The London Plan. When taken together the policies, amongst other things, seek to ensure development respects local context and distinctiveness by creating places and buildings of a high-quality design which preserve or enhance local character through respect for the appearance, scale, mass, proportion and pattern of surrounding buildings. The policies are consistent with the design objectives of the National Planning Policy Framework (the Framework). The absence of harm and conflict with the aforementioned development plan policies and the Framework outweighs the conflict with the guidance in the SPD and a departure from it is therefore justified for the reasons previously stated due to the particular circumstances of the property and its surroundings.

Other Matters

13. The proposed two storey side extension would replace an existing side garage and would result in the loss of a potential off-street parking space. However, I observed that the property would still be served by an off-street parking space on its driveway. Furthermore, on-street parking is a feature of the local area with sufficient capacity nearby to accommodate any off-street parking that would be displaced by the development without causing harm to local highway conditions or highway safety.

Conditions

14. The Council has put forward a total of five conditions to be imposed should I be minded to allow the appeal, which I have considered against the tests of the Framework and advice provided by the Planning Practice Guidance. In that respect, the standard time limit for the permission and a plans compliance condition are necessary in the interest of certainty of the permission granted. For the reasons previously stated, I also impose conditions to secure matching materials, to restrict the insertion of windows or doors in the side elevations of extensions facing Nos 10 and 14 Heddon Road and to prevent any potential future use of the flat roof of the single storey rear extension.

Conclusion

15. For the reasons given above, I conclude that this appeal should be allowed and planning permission granted subject to the aforementioned conditions.

Gareth Wildgoose

INSPECTOR