



Appeal Decision

Site visit made on 17 December 2019

by John Dowsett MA DipURP DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th April 2020

Appeal Ref: APP/N5090/D/19/3239926 25 Hill Crescent, London N20 8HB

- 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 Richard Calo against the decision of the Council of the London Borough of Barnet.
 - The application Ref: 19/3919/HSE, dated 16 July 2019, was refused by notice dated 11 September 2019.
 - The development proposed is a two storey side extension with new basement plant room below. Replacement of existing windows and doors including new sliding doors to rear elevation.
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Decision

1. The appeal is allowed, and planning permission is granted for a two storey side extension with new basement plant room below. Replacement of existing windows and doors including new sliding doors to rear elevation, at 25 Hill Crescent, London N20 8HB in accordance with the terms of the application, Ref: 19/3919/HSE, dated 16 July 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 and Site location plan; 018/11/01; 018/11/02; 018/11/03; 018/11/04; 018/11/05; 018/11/06; 018/11/08; 018/11/09; 018/11/10; 018/11/11; 018/11/12; 018/11/13; 018/11/14; and 018/11/15.
 - 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.

Procedural matter

2. The planning application form describes the proposed development as 'Two storey side extension, new windows and doors to existing house'. The submitted drawings also show the provision of a basement plant room below the front part of the extension and this is reflected in the description on the decision notice issued by the Council. This more accurately sets out the development proposed, and I have, therefore, used this for the purposes of the appeal.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal building is one half of a pair of two storey, semi-detached, houses each with a projecting, gabled, front addition with a pitched roof lower than that over the main part of the house. This results in the pair of houses having a u-shaped plan. To the side, both the appeal building, and the adjoining property have an attached garage with a monopitch, lean to, roof. The appeal building is neither a listed building, nor is it within a conservation area.
5. Policy 7.6 of the London Plan 2016 (the London Plan) expects new development to be, amongst other things, of the highest architectural quality, to complement but not necessarily replicate the local architectural character, and to not unacceptably harm to the amenity of surrounding residential buildings. Policies CS1 and CS5 of the Barnet Core Strategy 2012 (the Core Strategy) and Policy DM01 of the Barnet Development Management Policies 2012 (DMDPD), when taken together, seek to ensure that new development is of a high standard of design that has regard to its context, taking account of the appearance, scale, mass, height and pattern of the surrounding buildings. More detailed design guidance in respect of extensions to houses is found in the Council's Residential Design Guide Supplementary Planning Document 2016 (the SPD) which is to be read alongside the more general design policies in the development plan.
6. Hill Crescent is situated in a predominantly residential area comprised largely of two storey, detached and semi-detached, houses. A small number of single storey dwellings are present on the section of the street leading to the junction with Totteridge Lane. The individual houses vary widely in design and appearance and there are range of different roof forms present. The external materials used include, brickwork, render, roughcast and mock Tudor detailing. The street and the immediately surrounding area are characterised by this architectural diversity.
7. The SPD sets out that side extensions should be no more than half the width of the original house; first floor side extensions should normally have a pitched roof and be set back by 1 metre from the main front wall of the original house, with the roof to the extension set down by at least 0.5 metres from the ridge of the main roof; and that there should normally be a minimum gap of 2 metres between the flank walls of adjacent properties at first floor level. The Council accepts that the appeal proposal meets all these guidelines, except for that requiring the first floor element to be set back by 1 metre. The planning officer's report concludes that this would result in the proposed extension not appearing subordinate to the original house, although it does not elaborate further on this.
8. The SPD sets out that setting back the front wall of side extensions from the front building line can help to reduce the visual impact on the street scene. The appeal proposal would add a further 2.4 metres to the side of the existing projection at the front of the house at first floor level, equivalent to the width of the existing garage. Although a new section of hipped roof would be added above this it would, nonetheless, be lower than the ridge of the main roof of

the house. The hipped form of the new roof would also retain the proportions of the existing gable end to the front projection. The perceived massing of the resulting building would be broken up due to the proposed use of brickwork on the ground floor and mock Tudor detailing above, and combined with the presence of a double height bay window on the existing front projection that adds a further level of articulation to the façade, the part of the house closest to the street would not appear excessively wide or visually dominant. As such it would be a subordinate addition to the original house.

9. Within the street the spacing between dwellings is irregular and the addition of the side extension would retain the 1 metre separation from the common boundary with the neighbouring house. I note that the Council has not raised concerns regarding the extension creating a terracing effect. Hill Crescent slopes upward from east to west and, due to the change in level between the appeal building and its neighbour at number 23, I would agree that this would minimise any perceived terracing effect resulting from the increased width of the façade at first floor level. The Council also does not object to the proposal to replace the windows or incorporate glazed, sliding, doors in the rear elevation. Again, I have no reason to disagree with this position.
10. The SPD is guidance rather than being prescriptive. From the submitted drawings and from what I saw when I visited the site, I do not find that the proposed extension would appear overly dominant and would not have the adverse effect on the street scene that the SPD seeks to avoid by advising first floor extensions be set back.
11. My attention has been drawn to the existing first floor, side, extensions at 21 and 23 Hill Crescent which are adjacent to the appeal building. I saw that these do not incorporate a set back at first floor level, but I also note the Council's point that different planning policies were in place at the time that these were granted planning permission. They are, nonetheless, part of the current street scene. I also observed during my site visit that there are other properties in the street that have been extended and which do have stepped back upper floors. I do not have the full details of any of these schemes, or the circumstances that led to them being accepted, and so cannot determine whether or not they are similar to those in respect of the proposal that is before me. In any event, each application and appeal should be considered on its own merits. As a result of the architectural diversity of Hill Crescent and the range of house designs, the differences in façade treatment are part of the character of the street and there is no one, dominant, approach that has been adopted to extending the houses. As I have found above, the appeal proposal would not result in an extension that would appear over-dominant or disproportionately large in respect of the original house.
12. I therefore conclude that the proposed development would not cause harm to the character and appearance of the area. It would comply with the relevant requirements of Policy 7.6 of the London Plan; Core Strategy Policies CS1 and CS5; and Policy DM01 of the DMDPD. It would also conform broadly to the requirements of the SPD.

Other matters

13. The Council has not raised any concerns regarding the effect of the proposed extension on the living conditions of the occupiers of neighbouring houses. From what I have read, my consideration of the submitted drawings, and from

what I saw when I visited the site, I have no reason to reach a different conclusion.

Conditions

14. I have had regard to the conditions that have been suggested by the Council. In order to provide certainty as to what has been granted planning permission, I have attached a condition specifying the approved drawings. In the interests of the appearance of the building and the surrounding area it is also necessary to impose a condition requiring that the approved development be constructed using materials that match the existing building.
15. Although the Council has not included it as a suggested condition on the appeal questionnaire, Section 8 of the Council officer's report lists suggested conditions in the event of an appeal that include, in addition to the above conditions, a suggested condition which would remove the permitted development rights to create new door or window openings in the side elevation of the extension facing 23 Hill Crescent. The reason given for this condition is to safeguard the privacy and amenities of occupiers of adjoining residential properties. The National Planning Policy Framework states that planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so. From the evidence, and from what I saw when I visited the site, there are no windows serving habitable rooms in the side elevation of number 23 Hill Crescent. Whilst DMDPD Policy DM01 expects new development to be designed to allow for adequate privacy for adjoining occupiers, there is no substantive evidence that indicates that the development as currently proposed would not do so.
16. All the new and extended rooms within the proposed extension have windows on either the front or rear elevations of the building, apart from a downstairs shower room and a first floor ensuite bathroom, both of which would as a matter of course have opaque glazed windows. There is no evidence that would suggest that the rooms within the proposed extension would not receive adequate daylight. The suggested condition appears to arise from a generalised concern rather than to address a specific reason that would otherwise make it necessary to refuse planning permission. Consequently, I do not find that such condition is necessary, and have not imposed it.

Conclusion

17. For the above reasons, I conclude that the appeal should be allowed.

John Dowsett

INSPECTOR