



Appeal Decision

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 June 2020

Appeal Ref: APP/N5090/W/19/3241038
82 Edgwarebury Lane, Edgware HA8 8LY

- 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 Jack Nagrecha against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/4496/FUL, dated 12 August 2019, was refused by notice dated 14 October 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 single storey rear extension at 82 Edgwarebury Lane, Edgware HA8 8LY in accordance with the terms of the application, Ref 19/4496/FUL, dated 12 August 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: 16024EDGWAREBURYLA82-001 - including Site Location Plan (Rev B); 16024EDGWAREBURYLA82-002; 16024EDGWAREBURYLA82-003; 16024EDGWAREBURYLA82-004; 16024EDGWAREBURYLA82-005; 16024EDGWAREBURYLA82-006; 16024EDGWAREBURYLA82-007; 16024EDGWAREBURYLA82-008; 16024EDGWAREBURYLA82-402; 16024EDGWAREBURYLA82-403; 16024EDGWAREBURYLA82-404; 16024EDGWAREBURYLA82-405; 16024EDGWAREBURYLA82-406; 16024EDGWAREBURYLA82-407; and 16024EDGWAREBURYLA82-408.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Procedural Matter

2. In response to travel restrictions in place due to the COVID-19 pandemic I consider that this appeal can be determined without the need for a physical site visit. This is because I have been able to reach a decision based on the information already available, supplemented by additional photographic evidence supplied by the appellant and the Council. Both the appellant and the

Council have had the opportunity to provide comments on this approach and I have taken any responses into account.

Main Issue

3. The main issue is the effect of the proposal on the host property and the wider area.

Reasons

4. The appeal site consists of a detached dwelling which is in the process of being extended and subdivided into flats. The proposed ground floor extension would be constructed on previously permitted extensions located to the rear of the original building.
5. The Council expresses concern that the proposal would project beyond the existing building line of the wider area. However, based on the evidence before me, the rear building line at ground floor level is not well-defined in this area, with some variation in the projection of nearby buildings. The proposal would project a significant distance beyond the rear elevation of the neighbouring building of 84 Edgwarebury Road; however, this building does not project as far to the rear as those on either side and is representative of the variation in the building line in this area.
6. I am mindful that previous extensions have been permitted to the building and that the proposal would cumulatively add to these. However, the proposal is of a limited scale at ground floor level and would be set back from the site boundary. The original building and rear garden are also of a scale where the proposal would not appear as an overdominant addition to the site, even allowing for the permitted extensions.
7. Reference has been made to the increase in floorspace which would result from the proposal. However, whilst the originally approved flat may have been of an acceptable floorspace, this does not represent a reason to withhold permission for an extension which is acceptable in all other respects.
8. Due to the limited scale of the ground floor extension, the scale of the host property and the set back from the side boundaries, I consider that the proposal would not harm the character and appearance of the host property or the wider area. The proposal would therefore not conflict with the design aims of policies CS1 and CS5 of the Council's Core Strategy 2012 or policy DM01 of the Development Management Policies 2012.
9. The Council's Residential Design Guidance Supplementary Planning Document 2016 (SPD) advises that the depth of a single storey rear extension normally considered acceptable for a detached property is 4 metres - cumulatively the appeal proposal would exceed this. However, the SPD also sets out that there may be more scope for larger rear extensions depending on the spacing of the site, and due to the ample size of the rear garden as well as the set back from the site boundary I consider that the proposal would not be contrary to the aims of the SPD.
10. In addition to the standard 3 year time limitation for commencement, I have imposed a condition requiring the development to be carried out in accordance with the submitted plans in the interests of certainty. A condition in respect of materials is appropriate in the interests of character and appearance.

11. For the reasons given above, and taking account of all material planning considerations, I conclude that the appeal should be allowed.

David Cross

INSPECTOR