



Appeal Decision

Site visit made on 16 June 2020 by Thomas Courtney BA(Hons) MA

Decision by Andrew Owen MA BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9 July 2020

Appeal Ref: APP/N5090/W/20/3245488

First Floor Flat, 48 Eton Avenue, North Finchley, London N12 0BB

- 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 Mrs Rhian Blakeley against the decision of the London Borough of Barnet Council.
 - The application Ref 19/3721/FUL, dated 2 July 2019, was refused by notice dated 31 October 2019.
 - The development proposed is a roof extension including L shaped dormer and 2no front facing rooflights to facilitate loft conversion.
-

Decision

1. The appeal is allowed and planning permission is granted for a roof extension including L-shaped dormer and 2no front facing rooflights to facilitate loft conversion at 48 First Floor Flat, Eton Avenue, London, N12 0BB, in accordance with the terms of application Ref 19/3721/FUL, dated 2 July 2019 and subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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 Location Plan and Drawing Nos. (P) 001, (P)002, (P)003, (P)004 A, (P)005 A, (P)007 A and (P) 021.
 - 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 extension hereby permitted shall not be occupied until the second-floor window within the southern side 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. Once installed the obscured glazing shall be retained thereafter.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. A Roof & Rear Elevation Plan (drawing no. (P) 021) was submitted during the appeal process. The development shown is not different to that which the Council based their decision on and which neighbouring residents understand as the proposal. I therefore accept the plan as I consider nearby residents would not be prejudiced by not having had the opportunity to provide comments to me on it.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons for the Recommendation

5. The appeal site comprises a semi-detached two-storey dwelling located opposite the junction of Eton Road and Fallow Court Avenue. It is currently subdivided into two flats and features a large two-storey rear outrigger. On my site visit I observed there were a number of properties in the vicinity with L-shaped rear roof extensions including the neighbouring property at 51 Fallow Court Avenue which is attached to the appeal property.
6. The proposal would result in an L-shaped rear roof extension which would be set back slightly from the eaves and the edge of the rear outrigger. The proposal would largely appear to mimic the neighbouring L-shaped extension and would, in my view, adequately tie-in with the existing dwelling by harmonising the appearance of the building as a whole and providing symmetry to the rear perspective. Although the Council highlight that the development would exceed the guidance contained within the Residential Design Guidance Supplementary Planning Document (SPD), the proposed extension would, in this instance, not appear excessively sized or dominant in the context of the very similar extension at the attached neighbouring house.
7. The proposal also needs to be seen in the context of the other existing L-shaped dormers in the immediate vicinity. As pointed out by the appellant, as well as the attached neighbouring roof extension at No.51, there are two L-shaped roof extensions directly to the north west of the appeal site at 45 & 47 Fallow Court Avenue. The proposed development would therefore not appear out of place in this location nor would it be read as an obtrusive or intrusive feature. Whilst there are also non L-shaped dormers to the south of the appeal property, these relate to houses without two-storey rear outriggers.
8. The proposal would be visible from public vantage points on Eton Avenue (labelled as view no. 2 in the appellant's appeal statement) and Fallow Court Avenue (labelled as view no.1). It would only be partially visible from view no. 1 during the winter months owing to the position of a large tree on the footpath. It would be visible from view no. 2 however I do not find that the development would appear visually obtrusive. It would have an agreeable design and it would appear as a conventional dormer extension and would thus adequately tie-in with the host dwelling, the street scene and the surrounding area.
9. In light of the foregoing, the proposal would adhere to Policies CS1 and CS5 of Barnet Council's Core Strategy, Policy DM01 of the Development Management Policies Local Plan document, as well as the National Planning Policy Framework

(the 'Framework') which together seek to ensure new development is appropriately designed and respectful of surrounding context and character. The proposal would also tie-in with the Council's Residential Design Guidance (SPD) which seeks to ensure proposals for roof development are compatible with the host dwelling and informed by the prevailing character of the area and surrounding forms of roof development.

Conditions

10. The Council has suggested a number of conditions that it would wish to see imposed in the event that the appeal was successful. I have considered the suggested conditions against the advice on conditions set out in the Framework and the Planning Practice Guidance.
11. I have imposed the standard conditions relating to the commencement of development and specifying the relevant plans in order to provide certainty. I have also included a condition requiring the external materials match the existing building, to protect the character and appearance of the area.
12. I have included the suggested condition requiring the second-floor window within the southern side elevation of the dormer extension be fitted with obscured glazing and no part of this 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. This condition is necessary to protect the living conditions of the occupiers of 46 Eton Avenue with regards to their privacy.

Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Andrew Owen

INSPECTOR