



Appeal Decision

Site visit made on 9 September 2020

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 September 2020

Appeal Ref: APP/N5090/W/19/3240986

Ground Floor, 170 Colney Hatch Lane, Colney Hatch, London N10 1ET

- 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 Ms Nicola Weston against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/4009/FUL, dated 19 July 2019, was refused by notice dated 18 September 2019.
 - The development proposed is described as: 'Rear extension in conservatory style'.
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Decision

1. The appeal is allowed, and planning permission is granted to erect a single storey rear conservatory extension at Ground Floor, 170 Colney Hatch Lane, Colney Hatch, London N10 1ET in accordance with the terms of the application, Ref 19/4009/FUL, dated 19 July 2019, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in strict accordance with the following approved plans: AP (00) 01, AP (00) 02 Rev A, AP (00) 03 Rev A, AP (00) 04 Rev B, AP (00) 05 Rev A.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those specified on the application form.

Procedural Matters

2. For clarity and precision, I have included 'Ground floor' in the address in the banner heading as it is listed on the appeal form.
3. The description of the development in the banner heading above is taken from the application form. However, in my decision, I have taken the description of the development from the Council's decision notice and appeal form, adding 'conservatory' since this more accurately describes the proposal.

Main Issue

4. The main issue of the appeal is the effect of the proposed development on the character and appearance of the appeal site and surrounding area.

Reasons

5. The host dwelling is a semi-detached property located within a mixed-use area, with both residential and commercial properties present. The proposal is to erect a single storey conservatory at the rear of the property, which would be sited off an existing single storey extension, with access taken from the

existing kitchen/dining area. The proposal would have an approximate width of 5.7m, projecting approximately 3m into the rear garden. The proposal would be set away from the shared side boundaries with No's 168 and 172 Colney Hatch Lane, the adjacent and adjoining properties respectively by approximately 0.8m. The proposal would have a mono-pitch styled roof with a maximum height of approximately 3m, with an eaves height of approximately 2.5m.

6. Both parties have brought to my attention the Council's Supplementary Planning Document: Residential Design Guide 2016 (SPD). This document states¹ the depth of a single storey rear extension, normally considered acceptable for semi-detached properties it is 3.5 metres. Given the proposal would be situated off an existing extension, I find there is conflict with the above advice contained within the SPD. However, the SPD lists a number of criteria² which single storey rear extensions to the original house would need to ensure.
7. In this instance No 170 has been sub-divided into 2no. flats, where the first floor flat has a balcony sited on the existing flat roof single storey rear extension at the host dwelling. Nonetheless, whilst the proposal would result in a single storey rear extension in excess of 3.5m as suggested in the SPD, I find that it would comply with the listed criteria. Additionally, the remaining garden area, would still provide an area of usable outdoor amenity space for the occupiers of the host dwelling to enjoy, and the existing boundary treatment and vegetation surrounding the rear garden would preserve the living conditions of the occupiers of the host dwelling and their neighbours.
8. I find that the scheme is unlikely to be visible from any public areas in the surrounding area due to the presence of the existing buildings. Furthermore, due to the lightweight structure and the notable amount of glazing that would be present in the scheme, which would prevent a bulky appearance. Overall, I find that the scheme would be relatively modest in scale, proportionate and complementary to the host dwelling. The proposal would not constitute overdevelopment of the site or would result in any adverse effects on neighbouring occupiers. Thus, the proposal complies with the overall design objectives of the SPD.
9. For the reasons above, I conclude that the development would not have a significantly detrimental impact on the character and appearance of the appeal site and surrounding area. Consequently, it would accord with the design, character and appearance aims of Policy DM01 of the Council's Local Plan (Development Management Policies) Development Plan Document 2012, Policies CS1, CS5 of the Council's Local Plan (Core Strategy) Development Plan Document 2012, Policy 7.6 of the London Plan 2016, the SPD and the requirements of the National Planning Policy Framework.

Conditions

10. I have considered the conditions suggested by the Council, having regard to the six tests set out in the Framework. For the sake of clarity and enforceability, I have amended the conditions as necessary.

¹ 14.21 of the SPD

² 14.22 of the SPD

11. I attach a condition specifying the approved plans, for certainty, and a condition to ensure that the facing materials would match those specified on the application form is necessary in the interests of the character and appearance of the host dwelling.

Conclusion

12. Taking all matters into consideration, I conclude that the appeal should succeed.

W Johnson

INSPECTOR