



Appeal Decision

Site visit made on 23 September 2020

by Rory MacLeod BA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 October 2020

Appeal Ref: APP/N5090/D/20/3246520

36 Hendon Avenue, London N3 1UE

- 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 Brian Levin against the decision of the Council of the London Borough of Barnet.
 - The application Ref. 19/4125/HSE, dated 26 July 2019, was refused by notice dated 22 November 2019.
 - The development proposed is new front porch; part single, part two storey side and rear extension following demolition of existing garage; 2no Juliette balconies to first floor rear elevation.
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Decision

1. The appeal is allowed and planning permission is granted for a new front porch, part single, part two storey side and rear extension following demolition of existing garage and 2no Juliette balconies to first floor rear elevation at 36 Hendon Avenue, London N3 1UE in accordance with the terms of the application, Ref. 19/4125/HSE, dated 26 July 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three 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; EX-EL00-PA Existing elevations; EXPL00-PA Existing ground and first floor plans; EX-PL01-PA Existing first floor and roof plans, PR-EL00-PA Rev. S14-2 Proposed elevations; PR-PL00-PA Rev. S6 Proposed ground and first floor plans, and PR-PL01-PA Rev. S14-2 Proposed loft and roof plans.
 - 3) The materials to be used in the construction of the external surfaces of the development shall match those used in the existing house.

Main Issue

2. The main issue is the effect of the proposal's size and siting on the character and appearance of the dwelling, street and wider locality.

Reasons

3. The appeal relates to a detached house in a large plot on the northern side of the road. It has a mock-Tudor finish as do nos. 32, 38 and 40 Hendon Avenue. There is otherwise variation in the design, size and siting of houses in the road. The house is set about 1m from the boundary with no.38 to the west but about

- 4m to the eastern boundary with no.34 where there are recessed garages that abut on the boundary. The garage at no.36 would be demolished.
4. The Council's concerns are with the side extension. This would be flush with the present front and rear walls at first floor level. The house has a substantial two storey bay with a gable over on its western side; this is a dominating feature on its frontage. There are also dominating two storey bays at nos. 38 and 40. The absence of a front set back to the extension at first floor level would not diminish its subservience in the context of the house or in the street scene.
 5. The resultant dwelling would have a greater mass at ground, first floor and roof levels and would largely fill the width of the plot but would not be wider than nos. 38 and 40. The extension would include a flat crown roof but this would be stepped down below the roof ridge, be at the level of roof dormers and would not be of excessive size. Moreover, the extension's pitched roofs would be more prominent in views from all sides.
 6. The extension would be conspicuous in near views from the east due to the set back of no.34 from the common side boundary. The present side elevation has a busy appearance with an array of windows of varying size and nature and a sloping roofed dormer. The proposed eastern side elevation would have a more subdued appearance by comparison. It would have a greater mass but in my judgement the extension would not result in an incongruous or overly bulky roof form in relation to the existing dwelling house or in the local context. There is great variation in the size, roof form and spacing between dwellings along Hendon Avenue and the proposal would be in keeping with this context.
 7. The proposal would not be contrary to Policies CS1 and CS5 of Barnet's Local Plan (Core Strategy) (2012) or with Policy DM01 of the Barnet Development Management Policies Document (2012) which seek to protect and enhance Barnet's character, requiring proposals to be based on an understanding of local characteristics and to respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets. Neither would there be conflict with Policies 7.4 and 7.6 of the London Plan (2016) which require proposals to have high quality design and to be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm. The proposal would also be sympathetic to guidance in the Residential Design Supplementary Planning Document (2016) which notes that, *"Where buildings have varied setbacks, this can add interest and variety to a street"* and which comments that *"Proposals should respond to the distinctive local building forms and patterns of development and respect the scale, massing and height of the surrounding physical context"*.

Conclusion

8. The proposal's size and siting would have a satisfactory effect on the character and appearance of the dwelling, street and wider locality. For the reasons given and having regard to all other matters raised, including representations, the appeal is allowed. Planning conditions are necessary to limit the lifespan of the permission, to list the plans in the interests of certainty and to ensure a satisfactory appearance through requiring the use of matching materials.

Rory MacLeod

INSPECTOR