
Appeal Decision

Site visit made on 29 September 2020

by D Peppitt BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th October 2020

Appeal Ref: APP/N5090/W/20/3254800

18 Varley Parade, The Hyde, Colindale, London NW9 6RR

- 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 Yin Chen against the decision of the Council of the London Borough of Barnet.
 - The application Ref 20/0319/FUL, dated 21 January 2020, was refused by notice dated 9 April 2020.
 - The development proposed is single storey rear extension for storage and parking.
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Decision

1. The appeal is allowed and planning permission granted for a single storey rear extension for storage and parking at 18 Varley Parade, The Hyde, Colindale, London NW9 6RR, in accordance with the terms of the application Ref 20/0319/FUL, dated 21 January 2020, and the plans submitted with it, 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 approved drawings: Site Location Plan; PL/01; PL/02; PL/03; and PL/04.
 - 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 roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.
 - 5) The use of the extension hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit.
 - 6) The level of noise emitted from the air conditioning unit on the development hereby approved, shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property. If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps),

then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property

Procedural Matter

2. I have used the description of development provided by the appellant in the appeal form, as it more accurately describes the development proposed.

Main Issue

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

Reasons

4. The appeal site is a ground floor commercial unit located on Varley Parade. The parade contains commercial units on the ground floor and residential above. The surrounding area has a mixture of commercial and residential uses and there is a variety of architectural styles, including existing single-storey rear extensions along the rear of the parade. I note that the site already has planning permission for a similar scheme¹, although this proposal would have a slight increase in height.
5. The proposal is for a single storey rear extension for storage and parking. It would have a depth of approximately 19.25 metres, a height of 4.6 metres and a width of approximately 5 metres. The proposal would adjoin the existing rear extension to the neighbouring property and would incorporate a window and garage door to the rear elevation. The extension would serve the commercial property to the front and provide a cold room, storage and bin area and 2 staff parking spaces as well as a drop off area.
6. The rear of the Varley Parade acts as a service area to the commercial units to the front and there are numerous examples of large single storey rear extensions already present. The extensions are not visible from the street scene to the front of the buildings, although they can be seen from when travelling along the access road to the rear. The existing extensions are of varying sizes, and there is no overriding design or style or uniformity. I also note that some of the extensions have a greater height than this proposal, including the neighbouring property at No 17, which is approximately 5.05 metres. Whilst some of the existing extensions do not extend the full depth of the plot, there are existing examples which have overall similar proportions or have a greater height than this proposal.
7. Due to the variety of extensions in the area, and the context of other nearby commercial uses such as the car dealership, which have a greater height than the proposal, the proposal would not appear incongruous or out of place. Given the existing extensions and the variety in design to the rear of the parade, it would fit in well with the character and appearance of the area. Furthermore, the increase in height over the already approved scheme would be relatively minor and the impact of the proposal would be largely similar.
8. Accordingly, the proposal would not have a harmful effect on the character and appearance of the site and surrounding area. Therefore, it would accord with

¹ 18/5148/FUL

Policy CS5 of Barnet's Core Strategy DPD (2012) and Policy DM01 of Barnet's Development Management Plan DPD (2012). These policies, amongst other things, require development to respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

Other Matters

9. I note that concerns around parking issues, congestion and highway safety were raised by interested parties. However, there is no substantive evidence to support these claims. In any case, the proposal would not alter the number of car parking spaces that currently exist on the site, therefore, vehicles would not be displaced on to the surrounding roads. Consequently, from the evidence before me, there is nothing to suggest that the proposal would have a detrimental effect on highway safety.

Conditions

10. In addition to the standard condition which limits the lifespan of the planning permission, I have specified the approved plans for the avoidance of doubt and in the interests of proper planning. A condition relating to materials and use of the development is necessary to ensure that the appearance of the proposed development would be satisfactory. I have also imposed conditions on the use of the development and the air conditioning unit to ensure that the living conditions of the occupiers of adjoining properties are not prejudiced by overlooking and noise and disturbance.

Conclusion

11. For the reasons set out above, I conclude that the appeal is allowed.

D Peppitt

INSPECTOR