
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: 12th November 2020

Appeal Ref: APP/N5090/W/20/3254617

29 Beechwood Avenue, Finchley, London N3 3AU

- 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 Shahvar Bamdad against the decision of the Council of the London Borough of Barnet.
 - The application Ref 20/1312/FUL, dated 10 March 2020, was refused by notice dated 27 May 2020.
 - The development proposed is the conversion of existing dwelling into 2no self - contained flats. Single storey rear extension with 1no rooflight, 1st floor side extension. Roof extension including rear dormer windows and 3no front facing rooflights. Associated amenity space, associated parking, refuse/ recycling store and cycle store.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of existing dwelling into 2no self -contained flats. Single storey rear extension with 1no rooflight, 1st floor side extension. Roof extension including rear dormer windows and 3no front facing rooflights. Associated amenity space, associated parking, refuse/ recycling store and cycle store at 29 Beechwood Avenue, London N3 3AU in accordance with the terms of the application Ref 20/1312/FUL dated 10 March 2020, subject to the conditions in the attached Schedule.

Procedural Matters

2. I have used the description of development provided by the appellant on the appeal form, as this more accurately describes the proposal.

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 contains a 2 storey semi-detached dwelling on Beechwood Avenue. The surrounding area is predominately residential, with a mixture of semi-detached and detached dwellings along with apartments located towards the junction with Regents Park Road. The properties along the road have a variety of different styles, scales and appearance. The road contains a mixture of property types, including flats, as such there is no overriding uniformity to the properties or regularity.

5. The proposal would convert the existing property a single family dwelling, into 2 self-contained flats, along with the introduction of a single storey rear extension, side extension and a roof extension and dormer windows to the rear and rooflights to the front. Along with associated amenity space, parking, refuse and cycle storage.
6. The proposal would not be a unique development type on the road, as there are existing flats located on the road, as well as the adjacent road, Regents Park Road. I note that the conversions of No 58 and No 2 Beechwood Avenue to flats were approved a number of years ago under a different policy background. Nevertheless, they form part of the context for the appeal site along with No 1 Beechwood Avenue, a block of purpose built flats.
7. The proposal would not involve the loss of a family dwelling, as both flats could still be used by families, as the flats would contain 2 and 3 bedrooms. Furthermore, the appeal scheme would not significantly alter the overall appearance of the existing dwelling from the front of the property. Given the surrounding context, the sub-division of the dwelling into 2 units would not change the overall character of the street or wider area.
8. The single storey rear extension adjacent to No 31 would be approximately 3.5 metres, which would be in line with the guidance set out in the Residential Design Guidance SPD (RDG) (2016) for a semi-detached property. The extension adjacent to No 27 would be approximately 1m from the boundary, and would have a depth of approximately 6.6 metres beyond the original rear elevation. Whilst this element of the rear extension would be greater than the recommended depth as set out in the RDG, it would align with the depth of the existing extension at the neighbouring property No 27, which is an extension of considerable size along the shared boundary. Given the existing context of the appeal site and the staggered nature of the design to the rear, it would not appear incongruous or out of place and would not be visible from the street scene.
9. In terms of the dormer and side extension elements, the Council consider these parts of the proposal to be acceptable. I see no reason to disagree with its assessment of these elements, as such I consider that they would have an acceptable effect on the character and appearance of the host property and the surrounding context.
10. Accordingly, the proposed development would have an acceptable effect on the character and appearance of the site and surrounding area. Therefore, it would accord with Policy DM01 of the Barnet Local Plan Development Management Policies DPD (2012), Policy CS5 of the Barnet Local Plan Core Strategy (2012), and Policies 7.4 and 7.6 of the London Plan (2016). These policies, amongst other things, require development to be high quality and to respect the local context and character.

Conditions

11. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans in the interest of certainty. In order to protect the character and appearance of the area, I have also imposed a condition requiring the external materials used in the construction of the extensions to match those of the existing building. I have also imposed conditions on the use of the roof and the

restriction of further windows and doors in order to safeguard the privacy and living conditions of the occupiers of the adjoining residential properties.

12. The Council has suggested a number of conditions on cycle parking, storage and means of enclosure, boundary treatments and landscaping. However, these are not necessary as details are outlined in drawing No. HD1193/2008. The need for further details on landscaping is not necessary given the size of the development, the existing context and the details shown on the plans. The conditions which relate to matters covered by Building Regulations are also not required as these are covered by separate Legislation.

Conclusion

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

D Peppitt

INSPECTOR

Schedule of Conditions (5 in total)

- 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: Drg.no. HD1193/2000 (Existing Ground Floor Plan); Drg.no. HD1193/2001 (Existing First Floor Plan); Drg.no. HD1193/2002 (Existing Section & Roof Plan); Drg.no. HD1193/2003 (Existing Elevations); Drg.no. HD1193/2004 rev. A (Proposed Ground Floor Plan); Drg.no. HD1193/2005 rev. A (Proposed First Floor Plan & Sections); Drg.no. HD1193/2006 rev. A (Proposed Sections & Roof Plan); Drg.no. HD1193/2007 rev. A (Proposed Elevations;) Drg.no. HD1193/2008 (Proposed Amenity Site Area); and Drg.no. HD1193/2009 (Floor Sections for Sound proofing) and Block Plan.
- 3) The external surfaces of the extension hereby permitted shall match those used in the construction of the existing building.
- 4) The roof of the extensions 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) Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevations, of the extensions hereby approved.

End of Schedule