
Appeal Decision

Site visit made on 9 December 2020

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 December 2020

Appeal Ref: APP/N5090/D/20/3259761

11 Prospect Road, New Barnet, Barnet EN5 5BJ

- 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 Borna Abbassian against the decision of the Council of the London Borough of Barnet.
 - The application Ref 20/2236/HSE, dated 18 May 2020, was refused by notice dated 17 August 2020.
 - The development proposed is described as a 4m deep and 3m high single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a 4m deep and 3m high single storey rear extension at 11 Prospect Road, New Barnet, Barnet EN5 5BJ in accordance with the terms of the application, Ref 20/2236/HSE, dated 18 May 2020, 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: 284.20/110; 284.20/111; 284.20/112; 284.20/120; 284.20/121; 284.20/122 and 284.20.123.
 - 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

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal building is a detached, gable fronted two storey dwelling to the south side of Prospect Road. There is a flat roofed garage attached to the side elevation by an arch topped gate and wall. The proposed development would comprise a flat roof single storey addition spanning the entire rear elevation, including the rear of the garage. It would also infill the existing gap between the side elevation of the dwelling and the garage.

4. The use of a flat roof would not be reflective of the dwelling. The span of the extension would also obscure the entire ground floor rear elevation of the existing building. That said, the existing dwelling is of a relatively standard architectural type, the majority of which could still be appreciated following the extension. It would also be subservient to the host dwelling, largely screened from public views by virtue of it being to the rear. There is a modern twist to the design which would include inset roof lights and large areas of glass to the rear elevation. It would substantially increase the floor area of the existing dwelling, but I do not consider that this would be harmful in itself.
5. In addition to the above, the appeal scheme is not dramatically different to an extension that has the benefit of an extant Lawful Development Certificate (LDC)¹. Whilst it has to be taken as something of faith that this development would be carried out, I would nevertheless consider it a reasonable fall back in the event I dismissed the appeal given that it could be erected by virtue of the LDC. The differences between the LDC scheme and the appeal is the additional width and the infill at the side, differences which are, as I have alluded to above, not significant.
6. Taking all of these factors together, the appeal scheme would not cause harm to the character and appearance of the area. Such that it would comply with Policy CS5 of the Core Strategy² and Policy DM01 of the Local Plan³, as well as the Council's Residential Design Guidance⁴. Amongst other things and in regard to changes to dwellings specifically, these policies and guidance seek to ensure the highest standards and quality of design which respects local context and character.

Conditions

7. For clarity and certainty, I have imposed conditions pertaining to the timescale for commencement of development and the approved plans. In the interests of a good quality external appearance, I have required the materials to match the existing dwelling.

Conclusion

8. For the reasons and subject to the conditions set out above, the appeal is allowed.

John Morrison

INSPECTOR

¹ Council reference 20/2133/192

² Barnet's Local Plan (Core Strategy) Development Plan Document 2012

³ Barnet's Local Plan (Development Management Policies) Development Plan Document 2012

⁴ Local Plan Supplementary Planning Document: Residential Design Guidance 2016