
Appeal Decision

Site visit made on 5 January 2021

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th January 2021

Appeal Ref: APP/N5090/W/20/3258932

15 Copthall Drive, Mill Hill, London NW7 2ND

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr and Mrs C Cumine against the Council of the London Borough of Barnet.
 - The application Ref 20/2577/HSE, dated 8 June 2020.
 - The development proposed is construction of Part Single Storey, Part 2 Storey Side and Rear Extension and Loft Conversion.
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Decision

1. The appeal is allowed and planning permission is granted for construction of Part Single Storey, Part 2 Storey Side and Rear Extension and Loft Conversion at 15 Copthall Drive, Mill Hill, London NW7 2ND in accordance with the terms of the application, Ref 20/2577/HSE, dated 8 June 2020, 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 plans: 15COPT-EPE01 Rev 01, 15COPT-PPE09 Rev 03 and 15COPT-SPLP01 Rev 01.
 - 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) Before the development hereby permitted is first occupied, the proposed obscured glazed windows must be built in accordance with drawing number 15COPT-PPE09 Rev 03 and permanently retained thereafter.

Procedural Matter

2. The Council's appeal statement outlines that had it been in a position to determine the application, it would have refused planning permission for reasons relating to the effect of the proposed first floor rear extension on the character and appearance of the host property and the area. I shall determine the appeal on this basis accordingly.

Main Issue

3. The main issue is the effect of the proposed first floor rear extension on the character and appearance of the host property and the area.

Reasons

4. The appeal property is a two storey detached dwelling located in a mature well-established residential area, typically characterised by detached and semi-detached properties set back from the road behind a front garden/driveway. Although there is some variation in the design and style of the other properties in the area, the host property and adjacent dwellings have similar features with distinctive hipped roofs.
5. The appeal site has an extensive planning history relating to proposals to extend the property including an appeal dismissed for various extensions including a first floor rear extension and roof alterations including a hip to gable roof extension in 2017¹. The appeal proposal would involve the construction of part single, part two storey side and rear extension and roof alterations including a side and rear dormer.
6. The proposed first floor rear extension would extend across the full width of the extended house and project out by about 3.0m from the rear elevation. It would be set in from the common shared boundaries with the adjacent properties and would be constructed with a hipped pitched roof that would be stepped down below the ridge line of the host property.
7. The appeal property is on a relatively spacious plot and as such the extensions do not appear overlarge, relative to the overall plot size. Given the site's location, the proposed first floor rear extension would only be partially visible between the buildings when passing the site. I observed on my site visit that a number of the nearby properties had single storey and two storey extensions projecting out from the side and rear of the buildings. It would be seen in the context of the current varied architectural styles at the rear of the host property and the surrounding properties.
8. Against this backdrop, the scale, form and siting of the first floor rear extension would not look significantly out of place or excessive in relation to the built form of the host property and the adjacent properties. The changes and reduction in the scale of the overall roof alterations would, in my view, address the concerns raised by the Inspector on the previous appeal scheme. The overall scale and proportions of the rear extension, set in and stepped down, together with use of matching materials and fenestrations would ensure the development would sit relatively unobtrusively against the two storey form of the host property.
9. The proposed first floor rear extension would therefore achieve an appropriate degree of subordination to the host property and as such would limit any significant adverse impacts on the street scene.
10. Consequently, I conclude that the proposed development would not have a harmful effect on the character and appearance of the host property and the area. It would be consistent with Policies CS1 and CS5 of the Barnet's Core

¹ 16/5185/HSE & APP/N5090/D/17/3173000

Strategy 2012, Policy DM01 of the Barnet's Development Management Policies Document 2012 and the Council's Residential Design Guidance Supplementary Planning Document 2016. These policies and guidance, amongst other things, seek to ensure that development is of a high standard of design that respects the local context in terms of appearance, scale and design of the development and responds to the overall character of the area.

Other Matters

11. I have noted the objections from a third party relating to the impact on the amenities of a neighbouring property, overdevelopment of the plot and the character and appearance of the area. However, I have addressed the matters relating to the character and appearance of the host property and the area in the main issues above. The other matters raised did not form part of the Council's reason for refusal. I have considered the appeal entirely on its own merit and, in the light of all the evidence before me, this does not lead me to conclude that these other matters, either individually or cumulatively, would be an over-riding issue warranting dismissal of the appeal.

Conditions

12. Having regard to the National Planning Policy Framework, and in particular paragraph 55, I have considered the conditions suggested by the Council. In addition to the standard time limit condition, I have specified the approved plans as this provides certainty. In order to protect the character and appearance of the area and safeguard the amenities of the nearby residents, I have also imposed conditions requiring matching external materials and the use of obscured glazing to the windows on the side elevation.

Conclusion

13. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be allowed.

David Troy

INSPECTOR