



Appeal Decision

Site visit made on 15 December 2020

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 January 2021

Appeal Ref: APP/N5090/W/20/3257504

92 and 94 Hillview Gardens, London NW4 2JR

- 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 Linda Wald against the decision of the Council of the London Borough of Barnet.
 - The application Ref 20/2432/FUL, dated 1 June 2020, was refused by notice dated 28 July 2020.
 - The development proposed is extension to both properties to include first floor rear extension with recessed balconies, and second floor rear dormer extension including 3no Juliet balconies.
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Decision

1. The appeal is allowed and planning permission is granted for the extension to both properties to include first floor rear extension with recessed balconies, and second floor rear dormer extension including 3no Juliet balconies at 92 and 94 Hillview Gardens, London NW4 2JR in accordance with the terms of the application, Ref 20/2432/FUL dated 1 June 2020 subject to the conditions set out in the Schedule to this decision.

Procedural Matter

2. I have taken the description of development from the appeal form. It adequately and simply describes it instead of the much longer and detailed description given on the application form.

Main Issues

3. The main issues are:
 - The effect of the proposed development upon the character and appearance of the host property and the area; and
 - The effect of the proposed development upon the living conditions of nearby existing neighbouring occupiers, with particular regard to outlook.

Reasons

Character and appearance

4. The appeal site is formed of a pair of semi-detached properties subdivided into flats. The property has been extended in the form of rear extensions and

dormer windows that extend across the entire rear elevation. Their form has resulted in a disjointed appearance to the rear.

5. The area displays considerable variety in terms of the scale and form of properties and architecture. Neighbouring the property on one side is a modern four storey apartment development and on the other is a pair of semi-detached dwellings that have been extended. Albert Road which backs onto the site is formed of terraced properties. Many properties in the area have been altered through the addition of dormer windows and rear extensions contributing to the area's variety.
6. I acknowledge that the Council's Supplementary Planning Document – Residential Design Guidance (2016) (SPD) sets out guidance which proposals for dormer windows and rear extensions are to be assessed against.
7. The proposed first floor and roof projection would align with the existing ground floor depth. I acknowledge that the overall depth of the first floor would not fully accord with the guidance in the SPD. However, given extended nature and size of the host property and its setting within a generous plot I find that the proposed development would be proportionate and would not appear as unduly bulky or dominant. The use of contrasting materials and different types of balconies would add architectural interest and would serve to break up the form of the proposal.
8. The proposed roof alteration would have an unmistakable modern appearance finished in dark grey zinc cladding and its form and scale would result in a wholesale change of the roof. Mindful of the existing dormer windows I find that the resultant form and appearance of the proposal would not unduly dominate the roof, but rather it would successfully juxtapose the traditional form of the building and the modern roof extension resulting in a pleasant appearance. I acknowledge that it would be visible due to the gap between the host property and dwellings on Bell Lane. However, it would be viewed as an attractive contrasting feature and given the varied character of the area it would not be visually intrusive or result in a harmful impact upon the street.
9. Overall, the proposed development would be a proportionate comprehensive scheme that would unify the rear of the property. I conclude that the proposed development would not adversely affect the character and appearance of the host property or the area. As such it would accord with Policy 7.4 of the London Plan (2016) which, amongst other things, sets out that building should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass.
10. It would accord with Policies CS1 and CS5 of the London Borough of Barnet Core Strategy (2012) (CS) which, among other things, seek the highest standards of urban design in order to generate development proposals of landmark quality and that respect local context and distinctive local character.
11. It would also accord with Policy DM01 of the London Borough of Barnet Development Management Policies (2012) (DMP) which, amongst other things, requires all development to represent high quality design and proposals that are based on an understanding of local characteristics and that preserve or enhance local character.

Living conditions of existing neighbouring occupiers

12. The overall height of the proposed development would be no taller than the host property and it would not extend closer to properties on Bell Lane. Whilst it would project further to the rear taking into account the length of surrounding gardens and position of dwellings there would be adequate separation between nearby properties and the proposed development. It would not result in a sense of enclosure or diminish the outlook experienced to a degree that it would be overbearing for neighbouring occupiers.
13. I conclude that the proposed development would not adversely affect the living conditions of neighbouring occupants. As such, it would accord with CS Policies CS1 and CS5 which, amongst other things, seek the highest standards of urban design, attractive environments and for developments to enhance the borough's high-quality suburbs.
14. It would also accord with DMP Policy DM01 which, amongst other things, requires development proposals to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.
15. It would also accord with guidance set out in the SPD which, amongst other things, seeks to ensure that developments do not reduce the amenity value of neighbouring occupiers.

Conditions

16. In addition to the standard time limit condition, I have imposed a condition specifying the relevant drawings as this provides certainty.
17. The Council has suggested a condition for the use of matching materials. However, it is evident from the submitted plans that the appellant is proposing materials that differ to the host property and thus this condition is not reasonable. In any event sufficient detail is shown on the submitted plans.

Conclusion

18. For the reasons set out above the appeal succeeds.

B Thandi

INSPECTOR

Schedule of 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 following approved plans:

Site Location Plan Drawing Number 001

Existing South and North Elevation Drawing Number 031

Existing and Proposed 3D Model Drawing Number 600

Existing West and East Elevation Drawing Number 030

Existing First Floor Plan Drawing Number 012

Existing Ground Floor Plan Drawing Number 011

Existing Roof Plan Drawing Number 014

Existing Second Floor Plan Drawing Number 013

Existing Site Plan Drawing Number 010

Proposed West and East Elevation Drawing Number 300

Proposed First Floor Plan Drawing Number 102

Proposed Ground Floor Plan Drawing Number 101

Proposed South and North Elevation Drawing Number 301

Proposed Roof Plan Drawing Number 104

Proposed Second Floor Plan Drawing Number 103

Proposed Site Plan Drawing Number 100