
Appeal Decision

Site visit made on 2 March 2021

by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 22 March 2021

Appeal Ref: APP/N5090/D/20/3264850

17 Islip Gardens, Edgware, HA8 9EU

- 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 A Mustafaraj against the decision of the Council of the London Borough of Barnet.
 - The application Ref 20/3342/HSE, dated 16 July 2020, was refused by notice dated 18 September 2020.
 - Two storey side extension, insertion of rooflights to rear and side roof slope and alteration to existing porch roof.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The council changed the description of development during the determination of the application and added the 'alteration to the existing porch roof'. I have used this description of development for the purposes of precision.

Main Issues

3. The main issues are:
 - The effect of the proposals on the Watling Estate Conservation Area, and
 - The effect of the proposals on the living conditions of neighbouring occupiers.

Reasons

The effect of the proposals on the Watling Estate Conservation Area

4. The appeal site is located within a large suburban area to the north west of the London Borough of Barnet. It forms part of a significant suburban housing estate developed by London County Council (LCC) following similar principles to those of the Arts and Crafts and Garden City movements of the early 1900s. Development of the first dwellings of this 'garden suburb' estate started in the mid-1920s with completion by 1930. The estate falls within the Watling Estate Conservation Area (CA).
5. In applying the statutory test as set out in Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have had regard to the desirability of preserving or enhancing the CA as a designated heritage asset.

6. Section 16 of the National Planning Policy Framework (Framework) sets out that heritage assets, such as a CA, should be preserved and enhanced. The Framework at paragraph 193 sets out that the decision taker should give great weight to the conservation of heritage assets.
7. Policy DM01 (Protecting Barnet's character and amenity) of the Barnet Development Management Policies Development Plan Document (2012) (DPD) seeks to ensure new development is of a high quality design that respects local character. Policy DM06 (Barnet's heritage and conservation) of the DPD also seeks development that positively contributes to heritage assets of the Borough, including the character and appearance of the CA.
8. Further, policy CS5 (Protecting and enhancing Barnet's character to create high quality places) of the Adopted Barnet Core Strategy (2012) seeks development that respects local context and character as well as protecting and enhancing heritage assets. The Barnet Residential Design Guidance (2016) Supplementary Planning Document (SPD) provides guidance on residential extensions, scale and design.
9. Islip Gardens is a small residential cul-de-sac leading off a cross-roads with Edwin Road. The street, and its immediate neighbouring streets offer a striking level of symmetry and where the architectural styles of the dwellings are similar, punctuated by small squares of grass, some of which boast large, mature deciduous trees offering some visual relief from the built form.
10. No 17 is an end of terrace, two storey, unlisted dwelling with white rendered exterior walls under a tiled roof. The property has a small side garden and a rear garden which tapers to a point, like its neighbour at No 7 Edwin Road.
11. The proposed side extension would be two storey and be set back from the main doorway to the house, which is located on the side wall of the house.
12. At the site visit, I noted that there were no two storey extensions to the side of any of the other end of terrace dwellings addressing the 'cross-roads', other than at the neighbouring property at No 7 Edwin Road, which appeared to have had a two storey extension to the side, a further single storey extension to the side and single storey rear extension.
13. The appellant's agent in their appeal statement has drawn my attention to two appeal decisions on other sites within the CA (Ref: APP/N5090/D/20/3247748 and APP/N5090/D/16/3145797) and I have considered their content. Albeit, I do not have all details of these proposals before me and have determined this appeal on its own merits.
14. The appellants have designed the side extension, in my view, to be subservient to the host dwelling, using similar materials to match. To that end, I consider the proposals would not result in harm to the significance of the CA and in this regard I do not consider the proposals would offend the relevant parts of policies DM01, DM06 and CS5, where they relate to the effect of development on the CA.

The effect of the proposals on the living conditions of neighbouring occupiers

15. At paragraph 14.17, the SPD states that in order to reduce the visual impact of two storey or first floor extensions, there should be a distance of at least 1 metre to the site boundary at first floor level, and an overall distance of 2

metres between the flank walls at first floor level. It is clear to me from the drawings that at its narrowest point, the distance of 2 metres between flank walls is not achievable.

16. Considering the size of the very small rear garden of 7 Edwin Road, I agree with the council that the extension would result in harm to the living conditions of the occupiers of No 7. This would be through the increase in enclosure and the overbearing nature of the extension which would reduce outlook. Given that the rear gardens of both the appeal site and 7 Edwin Road are situated to the north of the appeal site, it would, in my view also result in additional overshadowing of those outside spaces which I also consider harmful to living conditions for occupiers of No 7.
17. Taking these impacts together, I consider the proposals would offend the relevant parts of policies DM01 and CS5, together with the relevant parts of the SPD where they relate to the effects on living conditions.

Other Matters

18. I note the appellant's need to extend the dwelling to accommodate a further bedroom for his family, and I note the extensions which have already taken place at No 7 Edwin Road. However, I do not consider these matters to be of sufficient material weight as to outweigh the harm I have identified.

Conclusions

19. For the reasons given, and having regard to all other matters raised, the appeal is dismissed.

Sian Griffiths

INSPECTOR