



Appeal Decision

Site visit made on 31 August 2021

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th September 2021

Appeal Ref: APP/N5090/D/21/3273559

68 Francklyn Garden, Edgware HA8 8RZ

- 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 G Rose against the decision of the Council of the London Borough of Barnet.
 - The application Ref 21/0081/HSE, dated 4 January 2021, was refused by notice dated 18 March 2021.
 - The development proposed is single storey front extension to facilitate new front porch. Part single, part two storey rear extension. Roof extension involving part hip to gable, rear dormer window with 1no. Juliette balcony and 1no. front facing rooflight (Part retrospective).
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Decision

1. The appeal is allowed and planning permission is granted for a single storey front extension to facilitate new front porch. Part single, part two storey rear extension. Roof extension involving part hip to gable, rear dormer window with 1no. Juliette balcony and 1no. front facing rooflight (Part retrospective) at 68 Francklyn Garden, Edgware HA8 8RZ in accordance with the terms of the application, Ref 21/0081/HSE, dated 4 January 2021, 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: Site Location Plan, 2006.E1, 2006.E2, 2006.P1, 2006.P2.
 - 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) 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.

Main Issues

2. The main issues are the effect of the proposed single storey rear extension on:
 - (i) the character and appearance of the host property and the area, and
 - (ii) the living conditions of the occupiers of the neighbouring property at No. 66 Francklyn Garden with particular regard to outlook.

Reasons

Character and appearance

3. The appeal property is a two storey semi-detached extended 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.
4. I observed on my site visit that a number of the nearby dwellings have single storey rear extensions of varying styles and designs that generally appear as clearly subordinate to the dwellings. The rear of the appeal property is dominated by a single storey extension projecting out from the rear of the house. As a result the original rhythm and harmony of the rear elevation of the property has been significantly eroded.
5. The appeal site has an extensive planning history relating to proposals to extend the property. These include planning permission for a similar development to the appeal scheme including, amongst other things, a 3.5m deep single storey rear extension and a two storey rear extension in January 2020¹ and subsequently, prior approval for a 6m deep single storey rear extension in April 2020².
6. The appeal proposal seeks to modify the single storey element of the recently approved rear extension. The new 6m single storey flat roofed extension would project out an additional 1.55m from the side and would fill a gap between the existing single storey rear kitchen extension and the new single storey extension issued with a prior approval on the rear elevation of the house.
7. The appellant states that this proposed single storey rear extension would be similar to the extension issued with prior approval by the Council. Based on the evidence before me and my observations during my site visit, there is a real prospect that this extension together with the recently approved scheme would be built if this appeal is dismissed. I judge that the proposed fall-back development would have a similar impact on the character and appearance of the host property and the area to the appeal proposal and as such is a material consideration to which I attach significant weight.
8. The appeal property is on a relatively spacious plot and as such the extensions would not appear overlarge, relative to the overall plot size. Given the site's location, the proposed single storey rear extension would only be visible over short distances from the adjacent properties and would be seen in the context of the current varied architectural styles of the existing extensions and alterations at the rear of the host property and the surrounding properties.

¹ 19/5050/HSE

² 20/1268/PNH

9. Against this backdrop, the scale, form and siting of the single storey 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 modest overall changes in the scale and proportions of the extension together with use of matching materials and fenestrations would ensure the development would sit relatively unobtrusively against the built form of the host property. The development 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 single storey rear extension would not have a harmful effect on the character and appearance of the host property and the area. It would be consistent with Policy CS5 of the Barnet's Core Strategy 2012, Policy DM01 of Barnet's Development Management Policies Document 2012 (DMP) and the Council's Residential Design Guidance Supplementary Planning Document 2016 (SPD). 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.

Living conditions of the occupiers of the neighbouring property

11. The proposed single storey rear extension would be located adjacent to the two storey property at No. 66 Francklyn Garden (No. 66). The adjoining property at No. 66 has a small patio area leading out to an enclosed garden area at the rear. The proposed rear extension would be inset from and project about 6m along the common shared boundary with No. 66 and would be separated from the rooms and garden at the rear of the adjacent property by a high close boarded fence running between the properties.
12. Whilst I accept that there would be some impact from the development, given the height and design of the single storey rear extension, set in, together with the boundary treatment and the separation distance between the properties, I consider that the extension would not significantly dominate the views to cause an overbearing effect and an unacceptable sense of enclosure from the rear windows and garden at the rear of No. 66.
13. The outlook at the rear of No. 66 is already toward the boundary fence along the shared boundary and would be separated by the garden area at the rear of No. 66. I judge that the proposed fall-back development would have a similar impact on the living conditions of the occupiers of No. 66 to the appeal proposal and as such is a material consideration to which I attach significant weight.
14. Consequently, I conclude that the proposed single storey rear extension would not result in an unacceptable impact on the living conditions of the occupiers of the neighbouring property at No. 66 Francklyn Garden with particular regard to outlook. It would be consistent with Policy DM01 of the DMP and the SPD, which I consider are relevant to this case. These policies and guidance, amongst other things, seek to ensure that all development proposals including extensions and alterations provide the highest standards of design and allow for adequate outlook for adjoining and potential occupiers.

Conditions

15. Having regard to the National Planning Policy Framework, and in particular paragraph 56, 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, I have imposed a condition requiring matching external materials. In order to protect the amenities of neighbouring properties, I have also imposed a condition restricting the use of the roof over the extensions.

Conclusion

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

David Troy

INSPECTOR