

Appeal Decision

Site visit made on 24 August 2021

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL
an Inspector appointed by the Secretary of State

Decision date: 25 September 2021

Appeal Reference: APP/N5090/D/21/3274715
10 Parkside Drive, Edgware HA8 8JX

- 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 David Silverman against the decision of Barnet London Borough Council.
 - The application (reference 20/3456/HSE, dated 28 July 2020) was refused by notice dated 19 April 2021.
 - The development proposed is described in the application form as a “single storey side extension”.
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Decision

1. The appeal is allowed and planning permission is granted for a “single storey side extension”, at 10 Parkside Drive, Edgware HA8 8JX, in accordance with the terms of the application (reference 20/3456/HSE, dated 28 July 2020), subject to the conditions set out in the attached Schedule of Conditions.

Procedural matters

2. Since the development which is the subject of this appeal has already been substantially carried out, the application is to be treated as one made under Section 73A of the Town and Country Planning Act 1990.
3. The application that is the subject of this appeal defined the development for which permission is now sought as a “single storey side extension”. This decision does not relate to any other extensions or alterations shown on the submitted drawings that may have been carried out to the property or that may be intended.

Main issue

4. The main issue to be determined in this appeal is the effect of the single storey side extension on the character and appearance of the host building and its surroundings.

Reasons

5. Parkside Drive is a residential road, located off Edgware Way (Watford By-Pass). In spite of its proximity to the very busy main road, it provides a pleasant suburban environment, characterised by detached and semi-detached

- houses in traditional forms (often with “Tudor” features). The houses are set back from the roadside, with smaller front gardens and good-sized rear gardens but, generally, they are built close to their side boundaries, including in the case of detached houses.
6. Number 10 Parkside Drive is a detached house located on the outside (eastern) frontage of a curve in the road, on a wedge-shaped plot. It has recently undergone some significant alteration and extension work but this appeal is concerned only with a single-storey addition between the house and its side boundary to the north.
 7. The extension that is the subject of this appeal occupies a narrow triangular footprint hardly more than the width of the entrance door at the front but much wider on the rear elevation. It is divided into three sections on plan. In the front section there is a narrow tapering room that is used for storing bicycles and which is reached through the entrance door on the front elevation. The two rear sections are connected by an internal opening, with access from the back garden, and are mainly used for domestic storage.
 8. The single storey side extension has been substantially constructed without planning permission, however, and planning permission is now sought retrospectively (as noted above).
 9. Policies in the Development Plan are aimed at protecting and enhancing the environment generally, as well as protecting residential amenities. The general aim of achieving good standards of design derives, in particular, from Policy CS5 of ‘Barnet’s Local Plan (Core Strategy) DPD’ (adopted in September 2012) and Policy DM01 of ‘Barnet’s Local Plan (Development Management Policies) DPD’ (also adopted in September 2012). Notably, Policy CS5 of the Core Strategy’ is intended to encourage high quality design, while Policy DM01 of the ‘Development Management Policies’ also promotes good design generally and includes an aim of protecting “outlook” for adjoining occupiers and users, among other things.
 10. The Council’s ‘Local Plan, Supplementary Planning Document: Residential Design Guidance’ (adopted in October 2016) is also relevant, although it does not have the same force as Policies in the Development Plan.
 11. Among other things, national planning policies (as set out in the ‘National Planning Policy Framework’) continue to emphasise the importance of achieving good design and they make it plain that new development should be sympathetic to its surroundings. The recent revisions to the ‘National Planning Policy Framework’) do not fundamentally affect these basic planning principles, in the context of this appeal.
 12. The side extension is higher than the boundary fence but only by a relatively small amount, except at the rear, where a “decorative” pitched roof feature has been added to embellish the rear elevation. Although the new construction extends along the boundary beyond the rear of the neighbouring house at number 12 Parkside Drive, it would not have an unduly harmful effect on the living conditions of neighbours by reason of overshadowing or loss of a sense of space, bearing in mind the built-up nature of the location.

13. Visually, the side extension has only a minimal impact on the streetscene, on account of the narrow width of its frontage, while the addition to the visual appearance of the frontage is hardly more substantial than the gate that previously filled the space. At the rear, the pitched roof "decorative" feature is ungainly and incongruous but it primarily affects the back garden of number 10 itself and it is not so clumsy as to justify a refusal of planning permission.
14. On the other hand, photographic details of the long side elevation of the extension underpin the argument that the finish is visually unattractive and unsatisfactory (irrespective of any concerns that may have been raised under the Building Regulations). Hence, I am convinced that the development in its current state is unacceptable, due to its visual impact on the surroundings (specifically, on the neighbouring property). I have formed the opinion, nevertheless, that this objection can be overcome by the imposition of a suitable condition relating to materials and the Council have suggested a condition requiring the use of materials to match the existing building. Such a condition is standard in such cases and it would evidently require the removal of the existing plastic "shiplap boarding". I accept the logic of that, although it would not rule out a new application for an acceptable alternative solution, if one could be devised.
15. The appeal scheme amounts to a modest extension to the existing dwelling but it does provide useful additional space and makes better use of a narrow strip of garden land, albeit in a very limited way. I have concluded that the project would not be in conflict with local or national planning policies (including the Development Plan), in principle, and that it is acceptable in planning terms, subject to the completion of this extension using suitable materials. In short, I am persuaded that the scheme before me can properly be permitted, subject to conditions, and, although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
16. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of the conditions suggested by the Council in the usual way (without prejudice to their main arguments in the appeal). A condition to require commencement of the work within a stated period is not necessary, since the development has already been commenced. A condition is needed, however, to define the development hereby permitted by reference to the submitted drawings. A condition is also necessary to require the completion of the project using appropriate materials for the external surfaces of the extension, as I have explained above.

Roger C Shrimplin

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development shall be carried out in accordance with the following approved drawings (insofar as they relate to the single-storey extension that is hereby permitted):
 - unnumbered Ordnance Survey Location Plan (1:1250);
 - drawing number 20/306/1 ("Existing");
 - drawing number 20/306/ ("Proposed").
2. The materials to be used in the construction of the external surfaces of the single-storey extension that is hereby permitted shall match those used in the existing building.