



Appeal Decision

Site visit made on 26 October 2021

by B Davies MSc FGS CGeol

an Inspector appointed by the Secretary of State

Decision date: 15 NOVEMBER 2021

Appeal Ref: APP/N5090/W/21/3275498

47 Garrick Avenue, Golders Green, London NW11 9AR

- 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 E Segal against the Council of the London Borough of Barnet.
 - The application Ref 21/0708/HSE is dated 27 January 2021.
 - The development proposed is a first-floor rear extension.
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Decision

1. The appeal is allowed, and planning permission is granted for erection of a first-floor rear extension at 47 Garrick Avenue, Golders Green, London NW11 9AR in accordance with the terms of the application, Ref 21/0708/HSE, dated 27 January 2021, subject to the following conditions:
 - 1) The development hereby permitted shall take place not later than 3 years from the date of approval.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans:
 - GA47_19 03.6 Location plan (March 2019)
 - GA47 10 Rev C Existing floor plans (August 2020)
 - GA47 11 Rev B Existing elevations and section A-A (August 2020)
 - GA47 20 Rev C Proposed floor plans (August 2020)
 - GA47 21B Rev Proposed elevations (November 2019)
 - 3) The materials to be used in the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The roof of the extension 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.

Preliminary matters

2. The National Planning Policy Framework (the 'Framework') was revised on 20 July 2021 and the new London Plan (2021) published during the appeal period. Both parties have had the opportunity to comment on the implications of this for their case.

3. A decision notice was issued on the 21 May 2021 in exceedance of the determination time of 8 weeks and on the same day that the appeal was lodged, hence the appeal qualifying as a 'failure' case.

Main issue

4. Based on the delayed decision notice and the evidence before me, I consider the main issue to be the effect of the proposal on the character and appearance of the host house and area.

Reasons

5. The semi-detached host house is on a corner plot at the junction between Garrick Avenue and Brookside Road on a large residential estate. Joint permission with No 45 Garrick Road was given to the semi-detached pair for substantial rear extensions and new front dormer windows in 2019¹. These works appeared to be nearing completion by the time of my site visit.
6. The two buildings are finished in the same materials and in design are broadly similar when viewed from the rear. The most notable difference is that No 45 already has an approximately full width first floor extension to the rear. The proposal would add a similar structure with identical hipped roof along the same building line as that of No 47.
7. The proposal would be subservient to the recently built ground floor wraparound extension. It would also create a stepped profile to the rear of the building that would better integrate the very large box dormer on the roof, lessening the visual impact of this. In addition, if the semi-detached pair are regarded as one structure, which given their similar design and identical finish I consider is likely to happen, addition of the extension would balance the building when viewed from the rear. I therefore do not find that the proposed first floor extension would be out of scale or bulky when compared with the modernised building.
8. Many of the houses in the area have been similarly and extensively extended to the rear, including along the rear building line of the houses along Garrick Avenue. Many of the comparable houses on corner plots flanking Brookside Road have been subject to substantial rear extensions, which are clearly visible from the public domain. In this context, I do not find the proposal out of character, prominent or intrusive.
9. In addition, when viewed from the public domain, the profile of the extension is already established by the recent changes to the adjacent house at No 45. I acknowledge that the bulk of the first floor would move closer to the road. This would be seen from a small visual envelope and as a large, open space remains to the rear of the houses, I do not find that it would cause the area to feel oppressive in character.
10. The Council refers to the typical mirroring effect expected on a corner site. Although there was originally mirroring in overall architectural style, the estate contains houses with a variety of heights, designs, and size. In addition, there is no longer any characteristic pattern of rear elevations, most of which have a combination of extensions and box dormers. This applies to the rear elevations of both the house on the opposite side of Garrick Road and the house behind

¹ 19/6729/HSE (April 2020)

that faces Ambrose Avenue. I therefore have not identified a strong pattern or mirroring effect with which the proposal would be inconsistent.

11. The Residential Design Guidance SPD (October 2016) states that a 2-storey rear extension of such depth closer than 2 metres to a boundary is unlikely to be acceptable. The proposed extension would be on the boundary with No 45 and therefore exceeds this threshold.
12. However, the reason given for this guideline is that such extensions can be bulky and have a detrimental effect on the amenities of neighbours. For the reasons above, I also have not found that the proposal would be harmfully bulky in character or appearance. The Council has confirmed that there would be no harm to the living conditions of neighbours and, given that No 45 already has an extension of the same depth, I see no reason to disagree with this. I conclude that there would not be any harm from exceedance of the guideline in the particular circumstances of this case.
13. For the reasons above, I have not found that the proposal would conflict with Policy CS5 of the Barnet Local Plan (Core Strategy) (2012) or Policy D3 of the London Plan (2021), which require that development creates high quality places, respecting local context and character. Nor do I find conflict with Policy DM01 of the Barnet Local Plan (Development Management Policies) (2012) which requires that proposals respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces, and streets.

Conditions

14. I have imposed all of the Council's recommended conditions, with slight amendments to the wording in the interests of precision and clarity, and to comply with advice in the Planning Practice Guidance.
15. In addition to the standard timescale, a condition to secure accordance with the approved plans is required in the interests of enforceability. I have also imposed condition 3 to ensure that the appearance of the building is preserved. Condition 4 is necessary to prevent overlooking of neighbours from regular access to the roof.

Conclusion

16. The proposed extension would not cause harm to the character and appearance of the host house or area. For these reasons, I have not found conflict with the development plan when read as a whole and there are no other material considerations that indicate a determination other than in accordance with this. I conclude that the appeal should be allowed.

B Davies

INSPECTOR