



Appeal Decision

Site visit made on 23 November 2021

by Michael J Muston BA(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 November 2021

Appeal Ref: APP/N5090/D/21/3281408 73 Deans Way, Edgware HA8 9NH

- 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 K Bladd against the decision of the Council of the London Borough of Barnet.
 - The application Ref 21/2169/HSE, dated 15 April 2021, was refused by notice dated 14 June 2021.
 - The development proposed was originally described as a first floor side and rear extension, a loft conversion including a rear dormer and front skylights and a hipped roof over first floor extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor side and rear extension, a roof extension involving a rear dormer window, and 2 front facing rooflights at 73 Deans Way, Edgware HA8 9NH, in accordance with the terms of the application, Ref 21/2169/HSE, dated 15 April 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: GS0015-01, 02, 03, 04, 05, 06, 07 and 08.

Procedural Matter

2. The development was described on the application form as set out in the heading above. This was amended by the Council, to a first floor side and rear extension, a roof extension involving a rear dormer window, and 2 front facing rooflights. This is also the description used by the appellant on his appeal form. I have therefore used this amended description as the basis for my decision.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The Council adopted a Supplementary Planning Document (SPD) entitled "Residential Design Guidance" in 2016. This provides detailed guidance in respect of, amongst other things, extensions to properties. Amongst this guidance is advice that "*side extensions should not be more than half the width of the original house*", that "*the setting back of the front wall of side extensions from the front building line can help to reduce the visual impact on the street scene*", that "*pitched roofs, following the same pitch as the existing roof, will normally be needed for two storey extensions and be set down at least 0.5 metre from the ridge of the main roof*", and that "*first floor extensions on corner sites should not project beyond the building line of the adjoining road*".
5. The Council argues that the appeal proposal is contrary to all of these pieces of advice, and that as a result the proposal would appear as a dominant and incongruous form of development.
6. The proposed first floor side extension would be just over half the width of the original house. However, it would be located directly above an existing single storey extension, which already conflicts with this guidance. In addition, the proposed side extension would not close a small gap between houses or create a terracing effect. In the circumstances, no material harm would be caused by the width of the proposed side extension being slightly over half the width of the original house.
7. The side elevation of the appeal property fronts onto Farm Road, and is on the inside of a shallow bend. As a result, it is difficult to be precise as to where the building line along the south-eastern side of Farm Road is. The appellant has extrapolated a line from the houses before the bend to the south-west, which would result in the side extension being behind the building line. Alternatively, a calculation could be made as to how far back from the back edge of the pavement the front elevations of the houses on Farm Road are, and seek to maintain that distance on corners, such as that with Deans Way. If that approach is followed, the existing two storey part of No 73, as well as the two storey element of No 78 opposite, are already in front of the building line.
8. In any event, both 73 and 78 Deans Way have single storey side extensions that are built right up to the back edge of the pavement. In all these circumstances, I am not convinced that the appeal scheme, whether or not it does conflict with the guidance about not projecting beyond the building line of the adjoining road, would appear as either unduly dominant or out of keeping with the area in which it is located.
9. Finally, the guidance suggests that setting a side extension down from the ridge of the roof and back from the front elevation would assist in reducing the impact on the street scene. This is particularly helpful when an extension is located between two houses, so as to make it clear which part of the building is a later extension, and to allow the original built form on either side to take precedence. In this location, there is no adjoining house to be separated from, and I cannot see that building the extension flush with the ridge of the roof and the front elevation would result in any harm in this case.
10. The Council is also concerned about the size of the proposed dormer window. This dormer would be clearly visible from within the street scene of Farm Road to the south-west. However, the majority of the houses to the south-east of

the appeal site, on the south-west side of Deans Way, already have large dormer windows of very similar scale to that proposed as part of the appeal proposal. These are also clearly visible from Farm Road, meaning that dormer windows of the size of the one proposed here already form an established part of the character of the local area. No additional material harm would result from permitting this additional dormer.

11. I conclude that the proposal would not have an unacceptably adverse effect on the character or appearance of the area, and would comply with Policy CS5 of the LB Barnet: Core Strategy (2012) and Policy DM01 of the LB Barnet: Development Management Policies DPD (2012). These policies seek, amongst other things, development that respects local context and distinctive local character, and that does not cause harm to the character or appearance of the property or area.

Conditions

12. As well as standard conditions relating to when the development should commence and compliance with the approved plans, a condition requiring the external materials used to match the existing building is necessary, to protect the character and appearance of the area.
13. The Council's Delegated Report (although not the questionnaire) includes suggested conditions preventing new windows and doors in the new side elevation, and requiring the proposed bathroom window to be glazed with obscure glass. However, given that this elevation would look out over Farm Road, and be separated by that road from properties on the other side of the road, I am not convinced that either of these conditions are required. I have therefore omitted them.

Conclusion

14. For the reasons set out above, I conclude that the appeal should be allowed, subject to the conditions set out above.

Michael J Muston

INSPECTOR