



Appeal Decision

Site visit made on 19 November 2021

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 December 2021

Appeal Ref: APP/N5090/D/21/3276947

74 Grove Road, North Finchley, London N12 9DY

- 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 Raza Rezvi against the decision of London Borough of Barnet.
 - The application Ref 21/0824/HSE, dated 15 February 2021, was refused by notice dated 13 April 2021.
 - The development proposed is a first-floor rear extension, demolition and rebuild of the existing rear garage.
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Decision

1. The appeal is allowed and planning permission is granted for a first-floor rear extension, demolition and rebuild of the existing rear garage at 74 Grove Road, North Finchley, London N12 9DY in accordance with the terms of the application, Ref 21/0824/HSE, dated 15 February 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 following approved plan: Proposed Drawing - Drawing Number PC/2021/002.
 - 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) Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevations of the extension hereby approved, facing Nos. 70 and 76 Grove Road.

Preliminary Matters

2. I have used a shortened form of the description of development as this is more precise.

Background

3. The proposed development includes the demolition and rebuild of the existing garage. Both parties have confirmed that this element of the proposed development benefits from an extant planning permission¹.
4. Although the whole of the development is before me, I have confined my consideration of the appeal to the proposed first-floor rear extension, which is the element of the proposed development in dispute. From the evidence before me, I have no reason to come to a different view from the Council in relation to the demolition and rebuild of the existing rear garage.

Main Issue

5. The main issue is the effect of the proposed first-floor extension on the character and appearance of the host property and the surrounding area.

Reasons

6. The appeal property is a two-storey end of terrace property with hipped roof. It is located in a predominantly residential area where there are various property styles. The appeal property has an existing single storey rear extension and I observed that many of the surrounding properties have various forms of extensions and alterations.
7. The proposed first floor rear extension would be sited on top of the existing rear extension, although it would not project as far from the rear of the property, it would span the full width of the existing extension. It would incorporate a hipped roof.
8. The extant planning permission also includes a first floor rear extension, half the width of the appeal proposal. I have been provided with a copy of the approved plans which show that the approved extension would appear similar in scale and design to the appeal proposal as it relates to the side elevation.
9. In terms of the proposed extension, it is this side elevation that would be visible from the street-scene with the other views being from the allotments to the rear of the property and other residential properties.
10. Due to its overall scale and size, the proposed extension would be subordinate to the main dwellinghouse. Its roof design and the use of matching materials, which could be secured by condition, would ensure it does not appear incongruous. In coming to this conclusion I have also had regard to the extant planning permission, which represents a viable fallback.
11. The Council have commented that the roof angles of the proposed extension do not accord with the host property and that there are no similar examples to other properties. I acknowledge that there is a difference in the angles of the roof of the extension when compared to the host property, however for the reasons given above, I do not consider that this causes such a level of harm that would warrant dismissing the appeal. As I have found the proposed extension to be acceptable, the fact that there are no similar examples to other properties is of limited weight.

¹ 20/4886/HSE

12. I therefore conclude that the proposed first-floor extension would not have an unacceptable impact on the character and appearance of the host property and the surrounding area. It would comply with Policies CS1 and CS5 of the Barnet Local Plan (Core Strategy) Development Plan Document (2012) and Policy DM01 of the Barnet Local Plan (Development Management Policies) Development Plan Document (2012). These policies seek to ensure, amongst other things, that development is of a high quality and standard of design.
13. The proposed development would also be in accordance with the guidance contained within the Residential Design Guidance Supplementary Planning Document (2016) that outlines, amongst other things, that extensions should normally be subordinate to the original house, respect the original building, not be overly dominant and be consistent with the form, scale and architectural style of the original building.

Conditions

14. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty.
15. It is necessary to impose a planning condition requiring the use of matching materials. This is in the interests of the character and appearance of the host property and surrounding area. In the interests of the living conditions of occupants of surrounding residential properties, I have imposed a condition restricting the installation of windows in the side elevation of the extension.
16. The Council have recommended imposing a condition requiring that the garage be used for purposes ancillary to the main dwelling and not to be occupied as a separate unit or dwelling. As the creation of a separate unit or dwelling would require planning permission it is not necessary to impose the condition as suggested.

Conclusion

17. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should succeed.

A M Nilsson

INSPECTOR