
Appeal Decision

Site visit made on 15 February 2022

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3RD March 2022

Appeal Ref: APP/N5090/D/21/3284601

157 Great North Way, Hendon, London NW4 1PP

- 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 Erblich against the decision of the Council of the London Borough of Barnet.
 - The application Ref 21/3793/HSE, dated 8 July 2021, was refused by notice dated 2 September 2021.
 - The development proposed is the erection of a rear ground floor extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a rear ground floor extension at 157 Great North Way, Hendon, London NW4 1PP in accordance with the terms of the application, Ref 21/3793/HSE, dated 8 July 2021, 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 development hereby permitted shall be carried out in accordance with the following approved plans: Drg Nos GNW.157.EX.01, GNW.157.EX.02, GNW.157.EX.03, GNW.157.PR.101, GNW.157.PR.102, GNW.157.PR.103, and GNW.157.LP.
 - 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 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.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of 157 Great North Way and the wider area.

Reasons

3. The appeal property is a two-storey, semi-detached dwelling. It is one of a similar group of six that are sandwiched between much larger scale redeveloped blocks of flats. The proposal is for an 8m deep, single-storey rear extension across the full width of the existing dwelling and to be finished with a flat roof.
4. The Council's Supplementary Planning Document (SPD): *Residential Design Guidance 2016*, seeks to ensure that rear extensions do not look too bulky and prominent compared to the size of the main building and garden to which they relate. For semi-detached properties the guidance states that a depth of 3.5m is normally considered acceptable.
5. The proposed extension would far exceed the Council's normal guidelines. However, the attached neighbouring property at No 159 has a single-storey extension to the rear and adjoining the shared side common boundary with the appeal site measuring in excess of 8m. The Council state that this does not have the benefit of planning permission. However, it appeared to me to be long established and there is no evidence before me to suggest that the extension is not lawful. In the context of the attached neighbour, the proposed extension would not look out of place.
6. To the opposite side, No 155 has a fairly large, detached garage structure to the rear of the property and immediately adjoining the common side boundary with the appeal site. The proposed extension would project to a depth similar to the neighbouring garage. In the context of this neighbouring plot, the proposed extension would not appear out of place.
7. Considering the wider context, the flatted developments that flank each side of this group of six semi-detached properties are of considerably greater scale and bulk, with footprints that extend well beyond the original rear building lines of the dwellings at 153-163 (odd) Great North Way, including No 157.
8. When all considered, I am satisfied that the proposed extension would not appear highly visible from the neighbouring properties. Neither would it be seen as an incongruous feature amongst the prevailing development pattern that surrounds it. The property benefits from a deep rear garden. The extension would be residential in scale and would be comfortable in its setting. I do not share the Council's view that it would represent an unacceptable overdevelopment of the plot.
9. Overall, for the reasons given, I am satisfied that the proposal would not harm the character or appearance of 157 Great North Way or the wider area. Therefore, although there would be conflict with some of the guidance within the SPD, I can detect no conflict with the Barnet Local Plan Core Strategy (2012) Policy CS5, or the Barnet Local Plan Development Management Policies DPD (2012) Policy DM01 which together require a high standard of design that respects the local context.

Conditions

10. In addition to the standard time limit condition a condition specifying the relevant plans is necessary as this provides certainty. In the interests of

maintaining the character and appearance of the area a condition is required to ensure that the materials used externally match those on the existing building. The Council's officer's report suggests that, in the event of a successful appeal a condition should be imposed to prevent use of the extension's roof as an outdoor amenity area. I agree that this is necessary in order to safeguard the living conditions of the adjoining occupiers.

Conclusion

11. For the reasons given, and in the absence of any other conflict with the development plan, the appeal is allowed.

John D Allan

INSPECTOR