



Appeal Decision

Site visit made on 1 February 2022 by C Glaister BSc (Hons)

Decision by K Taylor BSC (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 March 2022

Appeal Ref: APP/N5090/D/21/3287984

7 Vaughan Avenue, Hendon, London NW4 4HT

- 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 Mrs Fariba Mobara and Mr Ehsan Varavipour against the decision of the London Borough of Barnet.
 - The application Ref 21/4988/HSE, dated 15 September 2021, was refused by notice dated 10 November 2021.
 - The development proposed is a part single- part two-storey front, side, and rear extension following demolition of the existing garage, and a roof extension involving side and rear dormer windows and front and side facing rooflights.
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Decision

1. The appeal is allowed and planning permission is granted for a part single- part two-storey front, side, and rear extension following demolition of the existing garage, and a roof extension involving side and rear dormer windows and front and side facing rooflights at 7 Vaughan Avenue, Hendon, London NW4 4HT in accordance with the terms of application Ref 21/4988/HSE, dated 15 September 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 plans: PL/01, PL/02, PL/03, PL/04, PL/05, PL/06, PL/07, PL/09 (all dated 18/06/2021).
 - 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) No part of the roof of the development hereby permitted shall be used as a balcony, roof garden, or similar amenity.
 - 5) The first floor windows on the side elevations of the development hereby permitted shall at all times be obscure-glazed. The windows shall also at all times be non-opening (except that part which is above 1.7 metres above the floor of the room in which the window is installed). Once installed the obscure-glazing and restricted means of opening shall be retained thereafter.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The reason for refusal relates to the first-floor rear extension and rear dormer only. The Council have also expressed an issue with the 3 front rooflights. The appeal will mainly focus on these elements of the proposal. There is no reason to disagree with the Council's views on the rest of the development, and the same position in relation to these matters is therefore reached in this recommendation.

Main Issue

4. The main issue is the effect of the first-floor rear extension, rear dormer and front roof lights on the character and appearance of the host property, and the surrounding area.

Reasons for the Recommendation

5. Vaughan Avenue is generally characterised by large two-storey detached properties with spacious gardens. There is a degree of variety in the form and size of dwellings, particularly amongst the rear elevations. The two nearest properties to the east, 5 and 3 Vaughan Avenue, have both been developed to increase their size. There are other examples of substantial development at other properties further to the west, and on the southern side of Vaughan Avenue. The first-floor rear extension would be of a lesser depth than the ground-floor rear extension. The rear dormer would be lower than the ridge of the roof, and neither aspect of the development would be visible from the street.
6. The size of the development at the rear, including the first-floor rear extension and rear dormer, would appear appropriately sited in an area for which large properties and spacious gardens are commonplace. The development would respect the scale and massing of adjacent buildings, and whilst the development as a whole would not be subordinate to the original building, this would not result in harm. The difference between the depths of the ground-floor rear extension and the first-floor rear extension would limit the form of the development and prevent excessive bulk. The rooflights are minor alterations that would have very little effect upon the appearance of the property. No part of the development would result in harm to the character and appearance of the area.
7. The Local Plan Supplementary Planning Document: Residential Design Guidance (October 2016) (SPD) advises that dormer roof extensions should normally be subordinate features on the roof and not occupy more than half the width or half the depth of the roof slope. Given the size of the dormer in relation to the roof, the rear dormer would appear subordinate and adhere to the guidance provided in the SPD. The advice relating to two-storey rear extensions mainly seeks to avoid a detrimental effect on the amenities of neighbours, which is not an issue that has been raised. However, the first-floor rear extension would in any case avoid appearing bulky or dominant for the

reasons given above and would therefore adhere to the guidance provided in the SPD.

8. For these reasons, the first-floor rear extension and rear dormer would not harm the character and appearance of the host property, or the surrounding area. The development would therefore accord with Policy CS5 of Barnet's Local Plan (Core Strategy) (September 2012) and Policy DM01 of Barnet's Local Plan (Development Management Policies) (September 2012) which together seek to ensure development respects local context and the appearance, scale, mass, height, and pattern of surrounding buildings, and creates places and buildings of high-quality design.

Conditions

9. Standard conditions relating to the commencement of the development and compliance with the plans, in order to provide certainty, are recommended. A condition ensuring the external materials match the existing building would be necessary in the interests of the character and appearance of the area. Conditions ensuring the first floor windows installed on the side elevations are appropriately obscured, and that no part of the roof is used as a balcony, roof garden, or similar amenity are recommended in the interests of the living conditions of neighbouring occupiers. Other openings in the side, at ground and roof level would not result in undue overlooking and so a condition to control these would not be necessary. A condition to limit the future addition of openings on the side elevations is also not necessary as this is adequately controlled by the Town and Country Planning (General Permitted Development) (England) Order 2015.

Conclusion and Recommendation

10. The proposal is therefore seen to conform with the development plan as a whole. Based on the above, and having regard to all matters raised, I recommend that the appeal should be allowed.

C Glaister

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

K Taylor

INSPECTOR