



Appeal Decision

Site visit made on 12 May 2022

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 June 2022

Appeal Ref: APP/N5090/D/22/3293480
95 Sunnyfield, Mill Hill, London NW7 4RE

- 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 and Mrs Abrams against the decision of London Borough of Barnet.
 - The application Ref 21/5564/HSE, dated 19 October 2021, was refused by notice dated 22 December 2021.
 - The development proposed is front, side and rear extensions and loft conversion.
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Decision

1. The appeal is allowed and planning permission is granted for front, side and rear extensions and loft conversion at 95 Sunnyfield, Mill Hill, London NW7 4RE in accordance with the terms of the application, Ref 21/5564/HSE, dated 19 October 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: Proposed Block Plan, Drawing Number 210907/09; Proposed Ground and First Floor Plans, Drawing Number 210907/10; Proposed Second Floor and Roof Plans, Drawing Number 210907/11; Proposed Front and Side Elevations, Drawing Number 210907/14; Proposed Rear and Side Elevations, Drawing Number 210907/15; Proposed Sections A, B and C, Drawing Number 210907/16; Proposed Sections D and E, Drawing Number 210907/17; Proposed Sections F and G, Drawing Number 210907/18.
 - 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.
 - 5) The windows to be installed in the side elevations shall at all times be fitted with obscure glazing.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area.

Reasons

3. The appeal property is a two-storey detached dwelling. It has an existing flat roofed extension to the side of the property over two storeys and a conservatory to the rear. It is located in a predominantly residential area where many of the properties have been extended and altered. Although there are properties of a similar design to the appeal property in the street, there is a wide variation of property styles and sizes in the street. There is also a wide range of roof heights and building lines which, to some respect, is contributed to by the notable incline in the street.
4. Collectively, the proposed development would cumulatively represent a large extension to the property. It has however been designed in such a manner that it retains and reflects the positive aspects of the existing dwelling, and in this regard, I find some improvement in the front elevation with fenestration that improves the alignment with the host dwelling and the removal of the flat roof.
5. Although the development would incorporate elements that have not been applied to some of the similar surrounding properties, I consider that they have been designed in such a manner that they reflect the design of the host property, being of an appropriate scale and massing and would not cause harm. Furthermore, many of the elements of the proposed development would not be visible from the street-scene or any notable public vantage points.
6. I accept that the proposed development would notably alter the property from its original form, however given the number of alterations to similar properties and the wide variation of property styles and sizes in the street, there would be no reason to conclude that the property should be retained in its current form given that I have found the development would not cause harm.
7. I therefore conclude that the proposed development 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), Policy DM01 of the Barnet Local Plan (Development Management Policies) Development Plan Document (2012) and Policy D3 of The London Plan (2021). These policies seek to ensure, amongst other things, that development is of a high quality and standard of design.
8. 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 respect the original building, not be overly dominant and be consistent with the form, scale and architectural style of the original building.

Conditions

9. 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. In the interests of the character and appearance of the area and the host property, it

is necessary to impose a planning condition requiring the use of matching materials.

10. In the interests of the living conditions of occupants of neighbouring residential properties, I have imposed planning conditions restricting the use of the roof for any amenity space, and that proposed windows in the side elevations be obscure glazed. It is not necessary that these windows are fixed permanently shut.
11. It is also not necessary to impose a planning condition to remove the permitted development rights in relation to windows in the side elevations of the dwelling as these do not, for the most part, relate to the proposed development.

Conclusion

12. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

A M Nilsson

INSPECTOR