



Appeal Decision

Site visit made on 4 July 2022

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 28th July 2022

Appeal Ref: APP/N5090/D/22/3293609 165 Park Road, West Hendon NW4 3TH

- 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 Julia Kay against the decision of the London Borough of Barnet.
 - The application Ref 21/5501/HSE, dated 15 October 2021, was refused by notice dated 10 December 2021.
 - The development proposed is described as the demolition of an existing single storey rear extension and the erection of a new single storey extension in its place.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of an existing single storey rear extension and the erection of a new single storey extension in its place; in accordance with the terms of the application Ref 21/5501/HSE, dated 15 October 2021, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the approved drawings listed below:
 - 'Proposed Plans and Elevations,' Drawing No. 528/3B, Dated 11/6/21 by Michael Trogal Chartered Architect.
 - 2) The development hereby permitted shall be commenced before the expiration of three [3] years from the date of this permission.
 - 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.

Main Issue

2. The main issue is the effect of the proposed development upon the character and appearance of the host building including the greater locality.

Reasons

3. The appeal site is located along Park Road, a residential road that forms a linkage between main arterial roads of the A41 and the A5. Park Road, like the surrounding streets, forms part of a speculative residential housing development which appears to date from the early twentieth century and the built form in this area consists of rows of terraced and semi-detached dwellings. Along this side of Park Road, Dwellings are tight-knit and consist of single bay two storey dwellings with a pitched roof and forward projecting two storey bay window with gable roof. To the rear, the dwellings have a narrow rear garden of modest size which are laid to lawn and many containing mature

vegetation. Many of the dwellings adjoining the appeal site have a single storey rear extension, with evidence of different lengths such as 163-167 (odd No.s) having smaller rear extensions than other nearby properties such as No.s 169 - 175 (odd) which have longer rear extensions than the appeal site. Together these elements contribute to some of the positive qualities that reinforce local character, appearance and local distinctiveness.

4. In undertaking extensions and alterations to existing buildings, the London Borough of Barnet Local Plan Core Strategy (CS) Policy CS5 seeks to ensure that redevelopment delivers a high quality design by respecting local context and distinctive local character. The London Borough of Barnet Development Management Policies (DMP) Policy DM01 seeks to encourage development that provides positive characteristics such as understanding context, be high quality in design, form, scale, layout and the spaces around them, amongst others. These policies are supported by the Residential Design Guidance Supplementary Planning Document (RDG) which offers guidance on specific elements of designing new schemes and alterations, taking into account context and character, amongst others. Additionally Policy D3 of the London Plan 2021 seeks that all development takes a design-led approach which reflects local context, character and sense of place, amongst others.
5. The RDG suggests that not all houses can be extended and that extensions can individually and cumulatively have a profound effect on the appearance of an area. As such the RDG suggest that for new development that it is necessary to give consideration to elements such as Amenity, Harmony, Materials and Details and fitting into the street, amongst others. For rear extensions the RDG suggests that extensions of three metres is normally acceptable, however further consideration regarding extensions need to take into account the depth and height, visual bulk, prominence, the remaining garden space, and the levels of the property when compared with neighbouring property.
6. I disagree with the Council Officer report that appears to suggest that because the RDG states that an extension of 3 metres would normally be considered appropriate, that on the inverse that this would imply that any extension that is greater than 3 metres is 'not policy compliant.' DMP Policy DM01, CS Policy CS5, or the London Plan makes no reference to rear extensions over 3 metres as being inappropriate. Whilst guidance such as the RDG is helpful for interpreting planning policy, it is not itself policy and should not be read as such. As suggested in the RDG every application requires consideration to be given to a number of elements relevant to its specific context as specified above.
7. In relation to the appeal site, the rear garden is long, in that the proposed depth of a five metre extension could be easily accommodated with an appropriate rear garden space for existing and future occupiers. As per the Council Officer Report, rear extensions in this area are not uncommon, some dwellings such as No.s 169-175 (odd) have quite long extensions as an example. Whilst the proposed extension at the appeal site would be longer than the immediately adjacent extensions, the proposal and its depth would not be overly out of character or incongruous in this particular location. The materials utilised in the extension are considered appropriate to this particular location and the existing dwelling, and given the low height of the extension, it would be relatively subservient in size, massing and visual bulk to the main dwelling. The appeal site would maintain the well vegetated rear garden and retain the

characteristics that contribute to local character, appearance and local distinctiveness of the area.

8. Consequently, and in conclusion of this matter, the proposed rear extension would be an appropriate alteration to the existing dwelling that would not cause detriment to the character and appearance of the existing building or the greater locality. The scheme would therefore be compliant with CS Policy CS5 and DMP Policy DM01, which is supported by the RDG. Additionally, the proposal would be compliant with Policy D3 of the London Plan.

Conclusion and Conditions

9. For these reasons, and having considered all matters raised in evidence and from what I saw during my site visit, I conclude that the appeal should be allowed and planning permission granted, subject to the conditions as detailed previously.
10. The Council in their Officer Report detailed that should the appeal be allowed, that conditions regarding time limit, approved plans and materials which match existing be placed on any decision notice. I have considered the conditions as specified in the beginning of this letter in accordance with the Planning Practice Guidance (PPG). Conditions 1 and 2 are standard conditions which set the standard time limit and approved plans which are necessary for the avoidance of doubt and in the interests of proper planning. Condition 3 seeks that the scheme is constructed in matching materials which is necessary as this condition enables the development to fit in with the character and appearance of the existing dwelling and the locality.

J Somers
INSPECTOR