



Appeal Decision

Site visit made on 23 February 2022

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd September 2022

Appeal Ref: APP/N5090/D/22/3295365

110 Sunny Gardens Road, Hendon, London, NW4 1RY

- 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 Ari Sufrin against the decision of the Council of the London Borough of Barnet.
 - The application Ref 21/6039/HSE, dated 17 September 2021, was refused by notice dated 21 February 2022.
 - The development proposed is New front porch. Single storey front extension following conversion of garage. Alteration to ridge height and infilling of existing rear extension and the creation of a side extension and a partial first floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for New front porch. Single storey front extension following conversion of garage. Alteration to ridge height and infilling of existing rear extension and the creation of a side extension and a partial first floor rear extension at 110 Sunny Gardens Road, Hendon, London, NW4 1RY in accordance with the terms of the application, Ref 21/6039/HSE, dated 17 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: 01B; 01; 02; 03; 04 Rev A; 05 Rev A; 06 Rev B; 10 Rev A; 11 Rev A: and 12 Rev A.
 - 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 extensions 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) Before the side extension hereby permitted is first occupied the proposed windows in the first floor side elevation facing 112 Sunny Gardens Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fan light opening.
 - 6) 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 first floor side elevations of the extensions hereby approved, facing No 112 Sunny Gardens Road.

- 7) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan within the Arboricultural Impact Assessment Method Statement & Tree Protection Plan (to BS:5837 2012) For 110 Sunny Gardens Road, Barnett NW4 1SA (produced by Trevor Heaps Arboricultural Consultancy Ltd; dated 24th April 2020; Ref: TH 2349) has been erection around existing trees on site.

This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved.

Procedural matter

2. I have also dealt with another appeal (ref. APP/N5090/D/22/3295369) on this site. That appeal is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host dwelling and the area.

Reasons

4. The appeal property is a detached two storey dwelling that is currently undergoing significant extension and renovation. It is located in a residential area that comprises of mainly detached and semi-detached dwellings of a generally similar design and appearance.
5. The dwelling already benefits from planning permission for a new front porch, single storey front extension following conversion of the garage and alterations to ridge height and infilling of existing rear of the ground floor rear extensions under LPA ref. 20/1162/HSE. The proposed first floor side extension is also of the same dimensions as a two storey side extension approved under LPA ref. 20/4723/HSE. The Council's concern is therefore in relation to the first floor rear extension.
6. The proposed first floor rear extension would be adjacent to an existing first floor projecting element which is relatively narrow. Whilst I have not been provided with the planning history of it, the extension appears long established and adds to the existing character of the dwelling.
7. The proposed extension would have a width of 4 metres and a depth of 3 metres which accords with the advice contained within the Residential Design Guidance Supplementary Planning Document (2016) (SPD). The SPD also states that extensions should normally be subordinate to the original house, should respect the original building and should not be overly dominant.
8. The proposed extension would be set back from the rear elevation of the existing rear projection and in this regard, would not be overly dominant in

relation to it. The proposed extension would be relatively wide, but in my view, it would be well integrated with the existing rear projection by the proposed crown roof. The proposed crown roof would also mirror the proposed crown roof of the ground floor extensions, which would further help to integrate the proposals.

9. The existing property has already been significantly extended, particularly at ground floor level. The proposed first floor extension would further add to the bulk and mass of the dwelling. However, I find that the proposed extension would result in the first floor having a more balanced appearance in relation the ground floor extensions. Whilst the proposal would further cumulatively alter the character and appearance of the dwelling, in my view the proposed extension would be well integrated with the host dwelling and would not be harmful to its character and appearance.
10. Furthermore, I also acknowledge that the appeal property is set within a plot which is much larger than those that are characteristic of the area. Whilst the proposed and approved extensions in combination would result in a very large dwelling, I nonetheless consider that it would continue to sit comfortably within its plot. The proposed extensions would be constructed in materials to match the existing and would not have any significant harmful effect on the character and appearance of the wider area.
11. I therefore conclude that the proposal would not have a harmful effect on the character and appearance of the host dwelling and the surrounding area. It would comply with Policies CS1 and CS5 of the Barnet's Local Plan (Core Strategy) Development Plan Document 2012, Policy DM01 of the Barnet's Local Plan (Development Management Policies) Development Plan Document 2012 and the aims and objectives of the SPD. These policies and guidance seek to ensure that, amongst other matters, new development is of a high quality design that respects the appearance, scale, height and mass of surrounding buildings and respects local context and distinctive local character.

Other Matters

12. I acknowledge the third party representations regarding the single storey extensions to the rear of the property. However, these extensions are existing and I concur with the Council that the infill extensions and crown roof would not result in any further material harm to neighbouring residents. Moreover, the Council has already granted planning permission for the proposed infill extensions and crown roof which, once implemented, will significantly improve the visual appearance of the extensions. Whilst I appreciate the frustrations of the neighbouring occupier, in my view it would be unreasonable to impose a 1 year implementation condition as suggested.

Conditions

13. I have had regard to the Council's suggested conditions which I have amended slightly as necessary.
14. In addition to the standard implementation condition, the approved plans condition is imposed for certainty. A condition requiring the use of matching materials is necessary to protect the character and appearance of the dwelling and the local area. To protect the living conditions of occupiers of neighbouring properties it is necessary to include conditions controlling the future use of the

roof of the extension, to secure obscure glazing and to prevent the insertion of side facing windows. However, this is only in relation to 112 Sunny Gardens Road as the first floor extensions do not have a side elevation facing No 108. In the interests of the visual amenity of the area I have imposed condition requiring tree protection, as suggested by the Council.

Conclusion

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

J Davis

INSPECTOR