



Appeal Decision

Site visit made on 14 February 2023

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th March 2023

Appeal Ref: APP/N5090/D/22/3313408

18 Church Crescent, Church End, Barnet, London N3 1BG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Landsberg & Harris against the decision of London Borough of Barnet.
 - The application Ref 22/4916/HSE, dated 4 October 2022, was refused by notice dated 30 November 2022.
 - The development proposed is formation of basement to rear of property with associated lightwell. Rear extension to ground floor level.
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Decision

1. The appeal is allowed and planning permission is granted for formation of basement to rear of property with associated lightwell. Rear extension to ground floor level at 18 Church Crescent, Church End, Barnet, London N3 1BG in accordance with the terms of the application, Ref 22/4916/HSE, dated 4 October 2022, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the approved plans: Location Plan Drawing No. 213001, dated March 2022; Proposed Basement Plan Drawing No. 213SK149 Rev B, dated June 2022; Proposed Ground and First Floor Plan Drawing No. 213SK150 Rev F, dated June 2022; Proposed Front and Rear Elevations Drawing No. 213SK160 Rev C, dated July 2022; Proposed Side Elevation Drawing No. 213SK161 Rev B, dated June 2022; Proposed Sections Drawing No. 213SK170 Rev E, dated July 2022.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the host property and surrounding area; and
 - the effect of the proposed development on the living conditions of occupiers of 20 Church Crescent in relation to outlook.

Reasons

Character and appearance

3. The appeal property relates to a two-storey semi-detached dwelling located within a residential setting along a row of other similar properties. Many nearby properties including neighbouring properties No. 16 and 20 Church Crescent benefit from extensions to the rear which vary in size and design.
4. The host property already benefits from an extant planning permission for a single storey rear extension and creation of basement level with associated lightwell which is yet to be implemented but remains a material fallback position. This extant permission would amongst other things, allow for a rear extension measuring 4 metres in depth and 4 metres in height.
5. Whilst the rear extension would be slightly higher than the previously approved scheme and to that of the neighbouring extension at No. 20, it would remain single storey of a relatively low height with an overall design similar and complimentary to that of the main property. This, together with the limited depth which has already been accepted by the Council remains subordinate to the main property.
6. Additionally, the extension would be well shielded from views given the location to the rear of the property and any visual impact arising from the proposed development would be limited. In any event, the extension would not appear discordant given the diverse appearance of rear extensions nearby.
7. I appreciate that due to the depth of the extension from the rear elevation, it would be a breach against the guidelines set out within the Barnet Residential Design Guide Supplementary Planning Document 2016 (SPD) which states that a depth of a single storey rear extension normally considered acceptable for a semi-detached property is 3.50 metres. However, the depth of the extension has already been accepted by the Council and the height of the proposed development does not conflict with the SPD as it does not look bulky and prominent compared to the size of the main building.
8. Due to the overall design and position on the rear elevation, the extension would not appear as a dominant addition nor be highly visible in the locality. Accordingly, I find the proposed development to accord with Policy CS5 of the Barnet Local Plan Core Strategy 2012 (CS) and Policy DM01 of the Barnet Local Plan Development Management Policies Development Plan Document 2012 (DPD) and the SPD which together, amongst other things, seek to ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high-quality design.

Living conditions

9. The neighbouring property at No. 20 already benefits from a rear extension which sits on the boundary with the appeal property and is enclosed by a brick wall which covers the height and depth of the extension. As a result, outlook is already limited when inside the property and only partial views of the proposed extension would be available and I am persuaded by the evidence submitted by the appellant in their Statement of Case related to the 45-degree lines. The relatively low height of the proposal and the limited overall depth which has already been accepted by the Council, would ensure that the proposed

development would not represent a visually overbearing feature or unacceptable sense of enclosure for the occupiers of No. 20.

10. I conclude that the proposed development would not have an unacceptable impact on the living conditions of the occupiers of No. 20 in relation to outlook. The proposed development would therefore comply with Policy DM01 of the DPD, Policies CS NPPF, CS1 and CS5 of the CS, the SPD and the Sustainable Design and Construction Supplementary Planning Document 2016 which together, amongst other things, requires development to be designed to allow for adequate outlook for adjoining and potential occupiers and users.

Conditions

11. I have considered the conditions suggested by the Council including the standard time for commencement of development which I have applied. I also agree that a plans condition is necessary in the interests of certainty. A condition relating to materials is also required in the interests of the satisfactory appearance of the development.

Conclusion

12. For the reasons given above and having had regard to the development plan as a whole, the appeal should be allowed subject to the conditions above.

N Teasdale

INSPECTOR