



Appeal Decision

Site visit made on 27 January 2023

By A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 7 March 2023

Appeal Ref: APP/N5090/D/22/3308870

12 Mayfield Gardens Hendon London NW4 2QA

- 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 Slonim against the decision of The London Borough of Barnet.
 - The application Ref: 22/0356/HSE dated 24 January 2022, was refused by notice dated 25 July 2022.
 - The development proposed is a stepped first floor rear extension with low profile pitched roof with flat roof section. Rear elevation to be rendered with new aluminium framed windows to rear elevation.
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Decision

1. The appeal is allowed and planning permission is granted for stepped first floor rear extension with low profile pitched roof with flat roof section; rear elevation to be rendered with new aluminium framed windows to rear elevation. at 12 Mayfield Gardens London NW4 2QA in accordance with the terms of the application Ref: 22/0356/HSE dated 24 January 2022 and the plans submitted with it, subject to the following conditions:
 - 1) The works authorised by this consent shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: SL01.201; SL01.202; SL01.203; SL01.204.
 - 3) 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 side elevation(s), of the extension hereby approved.

Preliminary Matter

2. Although the appeal form states the description of the development has not changed, that appearing on the Council's decision notice and the appeal form is curtailed from that appearing on the application form which I have used for completeness.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of 12 Mayfield Gardens and the surrounding area.

Reasons

4. The appeal site, 12 Mayfield Gardens (No.12) is an extended detached house with a large rear dormer and rear ground floor extension that sits within an area of housing that has been subject, in varying degrees, to incremental change. A large proportion of nearby houses display full width ground storey extensions at the rear, some combined with side extensions. There are also a very high proportion of large roof extensions, including wrap-around dormers, that in some cases conspicuously intrude upon the street scene, such that the architectural integrity of these mid twentieth-century houses, in which roof form played a key part in the original design, is already degraded to a visible extent.
5. The Council comment that the extension would 'entirely distort the character of the rear building line'. However, widespread change that has taken place to houses in the surrounding area and the cumulative effect of several extensions and additions to the host dwelling, in particular a rear roof extension that occupies the entire width of the roof slope, raises the question as to what weight should be given to the retention of the existing character and appearance of the host dwelling and to how that character can be defined.
6. The appellant intends to add accommodation at first floor level by extending the existing, hipped gable over the full depth of the existing ground floor rear extension together with a lesser addition to the adjacent bedroom resulting in a stepped rear elevation set forward for the full width of the original rear wall. The result of the proposal is to extend the overall depth of the original house at first floor level; the proposal does not reduce the existing gap between No.12 and No.14 above the existing side extension and, therefore, does not introduce a terracing effect, nor otherwise does it affect the street scene.
7. Policy DM01 of the Barnet Development Management Policies DPD (DMDPD) seeks to protect Barnet's character and appearance, requiring proposals preserve or enhance local character. The Barnet Residential Design Guidance SPD 2016 (Design Guidance) indicates, in section 3¹, what issues should be addressed in considering the extensions to existing properties. Of the four criteria appearing in the Design Guidance for two-storey extensions, the Council have identified conflict in only one, the matter of character and appearance.
8. The Council indicate that there would be no amenity impact to either neighbour, but are concerned that the rear extension is 'full width'² and that this would lead to overdevelopment of the site. Noting the more than adequate gardens provided for these suburban dwellings, over-development would be characterised in such situations by a disproportionate filling of the plot with built form, however in this case the addition does not increase footprint or impact upon the available amenity space.
9. Whilst the addition of a partial upper floor to the existing ground floor extension would introduce a change not found in neighbouring dwellings the Council do not suggest any planning harm arises from what is proposed other than in respect of character and appearance and such harm as is suggested relates to the alignment of the rear building line. To my mind this is a

¹ At 14.24 & 14.25

² Meaning full width of the two-storey original dwelling

consideration of little weight in the context I have set out. I have noted the comments made in relation to various appeals and decisions but this does not change my conclusion. The proposed development would not conflict with Policy DM1 of the DMDPD, the Council's Design Guidance SPD or with Policies CS1 and CS5 of the Core Strategy; although such policies are important for the proper management of development, they are to be applied with regard to specific circumstances. There being no conflict with the Development Plan taken as a whole, consequently, for the reasons given and taking all matters raised into account, my reasoning directs that the appeal should succeed subject to the usual conditions for timing and plans. As the drawings indicate materials to be used, no materials condition is necessary but a condition preventing the insertion of additional windows in would be appropriate to prevent direct overview of adjoining properties from the extension.

Andrew Boughton

INSPECTOR