



Appeal Decision

Site visit made on 18 January 2023

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th March 2023

Appeal Ref: APP/N5090/D/22/3307463

20 Hillside Gardens, Barnet EN5 2NJ

- 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 Mrs Missy Curtis against the decision of London Borough of Barnet.
 - The application Ref 22/3659/HSE, dated 13 July 2022, was refused by notice dated 9 September 2022.
 - The development proposed is single storey side/rear extension. New front hard standing for parking. Replacement of existing garage doors and conversion of garage into habitable room.
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Decision

1. The appeal is allowed and planning permission is granted for single storey side/rear extension. New front hard standing for parking. Replacement of existing garage doors and conversion of garage into habitable room at 20 Hillside Gardens, Barnet EN5 2NJ in accordance with the terms of the application, 22/3659/HSE, dated 13 July 2022, and the plans submitted with it, 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: Site Location Plan; Existing elevations and floor plans – drawing no. 511121-1; Proposed ground floor – drawing no. 511121-2; Proposed elevations – drawing no. 511121-3.
 - 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 dwelling.
 - 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.

Procedural Matter

2. The description used in the banner heading above has been taken from the Council's Decision Notice as it provides a fuller, more accurate description of the development before me than provided in the planning application form. It is also the description used by the appellant in part E of the appeal form.

Main Issue

3. The main issue in this case is the effect of the proposed single storey side/rear extension on the character and appearance of the host dwelling and surrounding area.

Reasons

4. No.20 Hillside Gardens (No.20) is a two-storey detached 'interwar' style of dwelling on the west side of Hillside Gardens. To the side of No.20 is a single storey flat roof attached garage that projects almost up to the northern boundary with the neighbour, 'Dormers.' It is proposed to extend to the side across the width of this garage and up to the existing bay window on the rear elevation, to a depth of around 7m.
5. The Council's *Residential Design Guidance Supplementary Planning Document (October 2016)* (RDG) recognises that not all houses can be extended and that both individually and cumulatively they can have a profound effect on the appearance of an area. The guidance at paragraph 14.21 of the RDG is that the depth of a single storey extension normally considered acceptable for a detached property is 4m. The proposed projection of around 7m clearly conflicts with this guidance.
6. However, whilst guidance such as the RDG is helpful for interpreting planning policy, it is not itself policy and should not be read as such. The RDG itself also recognises that each proposal should be considered on its own individual merits. In this case, the neighbouring dwelling, 'Dormers,' is set back further from Hillside Gardens and has a rear extension that projects around 8m from the rear of No.20. Because the ground levels fall away north to south, the extension is set at a higher level than the garden of No.20 and I observed it to be prominent from it. The proposed extension would not project as far as its neighbour and could easily be accommodated with an appropriate rear garden space remaining for existing and future occupiers.
7. Whilst I observed on my site visit that the proposed extension would have a greater depth than others (to the south) on Hillside Gardens, because of its relationship with 'Dormers' it would not be overly out of character or incongruous in this particular location. Further, the proposed extension would only be around 3.4m in height with a flat roof behind a slight parapet. The parapet would be visible from Hillside Gardens above the existing garage but its relatively low height and simple detailing means that it would be subservient in size, massing and visual bulk to the host dwelling, despite its depth.
8. Consequently, the proposed rear/side extension would be an appropriate addition that would not cause harm to the character and appearance of the host dwelling or surrounding area. It would therefore accord with Policy D3 of the London Plan (2021), Policy CS1 and CS5 of Barnet's Local Plan (Core Strategy) (2012) and Policy DM01 of Barnet's Local Plan (Development Management Policies) (2012). Together these require development to be of high quality design that respects local context and distinctive local character.

Conditions

9. The Council in their Officer Report provide a list of suggested conditions should the appeal be allowed. Conditions 1 and 2 are standard conditions which set the standard time limit and approved plans, and are necessary to provide

certainty. Condition 3 requires that the extension is constructed in materials that match the existing dwelling and is necessary to ensure a high quality design. Condition 4 requires that the roof of the extension not be utilised as a balcony, roof garden or amenity space which is considered necessary given the proximity of the proposed extension to 'Dormers' and the need to protect the amenity of those neighbours.

Conclusion

10. For the reasons given above, I conclude that the appeal should be allowed.

R. Jones

INSPECTOR