

Appeal Decision

Site visit made on 7 July 2023

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 17th August 2023

Appeal Reference: APP/N5090/D/23/3319944

15 Elmgate Gardens, Edgware HA8 9RU

- 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 C. Patel against the decision of Barnet London Borough Council.
 - The application (reference 22/6058/HSE, dated 21 December 2022) was refused by notice dated 2 March 2023.
 - The development proposed is described in the application form as "*construction of a two storey side and rear extension and installation of dormer windows at the sides and rear*".
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Decision

1. The appeal is allowed and planning permission is granted for "*construction of a two storey side and rear extension and installation of dormer windows at the sides and rear*", at 15 Elmgate Gardens, Edgware HA8 9RU, in accordance with the terms of the application (reference 22/6058/HSE, dated 21 December 2022), subject to the conditions set out in the attached Schedule of Conditions.

Main issue

2. The main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the host building and its surroundings.

Reasons

3. The appeal site is located in a residential area of Edgware, west of the M1 Motorway and to the south of Edgware Way (the A41), a busy dual carriageway. The residential area is laid out in an irregular suburban street pattern, with houses set back from the carriageways and reasonable back gardens. Typically, the dwellings are two-storey houses sometimes built closely to their side boundaries and in detached or semi-detached forms, constructed in traditional styles.
4. The existing house at number 15 is one of a group of houses of similar design, in this part of Elmgate Gardens. The houses are rendered externally, with fancy brickwork surrounds to windows and wide overhanging eaves that create a distinctive architectural style. Some of the houses near to the appeal site

- have been altered and extended in the past, in some cases with a clearly negative effect on the architecture.
5. Number 15 is an attractive, detached two-storey house on a good-sized plot. It is set back from the road, with space in the front garden and a neat back garden, set with some trees and shrubs. It has a single storey garage to one side and thus the house itself stands away from its side boundaries.
 6. It is now proposed to extend the building to the side and rear, creating a larger house that would be built much closer to its side boundaries. Dormer windows would be inserted on the flank and rear elevations, with roof lights on the front roof slope, serving additional accommodation on a new "loft" floor.
 7. The 'National Planning Policy Framework' emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, by adding to the overall quality of the area and being visually attractive and sympathetic to local character and history (while not preventing or discouraging appropriate innovation or change). At the same time, it is recognised that appropriate change may include increased densities in urban areas.
 8. An emphasis on the importance of good design is also to be found in the Development Plan, for example at Policy D3 of 'The London Plan' (which emphasises a "design-led approach") as well as in more local planning policies.
 9. Thus, Policy CS5 of 'Barnet's Local Plan (Core Strategy)', dated September 2012, is focussed on achieving "high quality places", while Policy DM01 of 'Barnet's Local Plan (Development Management Policies)', also dated September 2012, provides more specific criteria aimed at achieving high quality design.
 10. Attention has also been drawn to the Council's Supplementary Planning Document entitled 'Residential Design Guidance' (dated October 2016), which also addresses relevant design criteria and considerations, although it does not have the same force as Policies in the Development Plan.
 11. The proposed extensions would involve a substantial remodelling of the existing house, to create a new design with a wider front elevation, rather than preserving the existing house as a distinct and identifiable architectural element. The new building would imitate the existing design but the finished two-storey structure would occupy most of the width of the plot.
 12. The finished design would be in keeping with others in the road and would be more successfully architecturally than those houses that have been clumsily extended, with unattractive alterations and ungainly extensions. There is some variation in the appearance of different houses in the road and I have formed the view that rigid conformity to the original design concept is not essential.
 13. In short, I have concluded that the bulk and mass of the proposed finished house would not be inherently unsatisfactory in the streetscene and that the architectural design would not be unattractive or out of keeping with its surroundings. Indeed, the style of the existing house would be maintained or replicated. The proposed development would undoubtedly change the

appearance of the host building and its surroundings but it would not cause unacceptable harm in planning terms.

14. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, and the proposed extension would be a useful addition to the accommodation at 15 Elmgate Gardens. The contribution that the appeal scheme would make to the provision of residential accommodation in the locality, even though it would be limited, weighs in favour of the appeal.
15. Hence, I have concluded that the project would not be in conflict with the Development Plan, in principle, and I am persuaded that the scheme before me can properly be permitted, subject to conditions. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
16. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of the conditions suggested by the Council in the usual way (without prejudice to their main arguments in the appeal). I have concluded that conditions are necessary, to define the planning permission and to ensure that quality is maintained.

Roger C. Shrimplin

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:
 - drawing number 3431/DJ/01 (site plan, block plan, existing plans and elevations);
 - drawing number 3431/DJ/02 rev A (proposed plans and elevations).
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.