
Appeal Decision

Site visit made on 2 October 2023

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12.10.2023

Appeal Ref: APP/N5090/D/23/3326042
43 Hasluck Gardens, Barnet EN5 1HS

- 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 Matthew Hanley against the decision of the Council of the London Borough of Barnet.
 - The application Ref 23/1921/HSE, dated 2 May 2023, was refused by notice dated 28 June 2023.
 - The development proposed is a 2 storey side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal relates to this 2 storey detached house which is located within a residential area. The locality contains a number of detached and semi-detached houses within this sub-urban area. The appeal property is sited at the junction of Hasluck Gardens and Greenhill Park.
4. The proposed extension would be 2 storeys in height and would occupy some of the side garden area, adjacent to the boundary with Greenhill Park. It would be set away from the plot boundary by 1.2m to 2.1m, set back from the front of the house by 2m and its roof would be lower than the highest part of the existing house, although this is achieved by providing a flat roof over part of the extension resulting in a crown roof design.
5. The Council has adopted its '*Supplementary Planning Document – Residential Design Guidance October 2016*' (SPD) which contains detailed guidance in relation to residential extensions. The Council and the appellant refer to its contents. In relation to 2 storey side extensions, the SPD indicates at paragraph 14.17 that there should be a minimum of 2m between the flank wall of properties at first floor level, adding that this means that a minimum gap of 1m between the boundary and the extension at first floor level for most two storey extensions would be required. The appellant indicates that this supports his appeal as it complies with this part of the guidance. However, it seems to me that this guidance refers to situations where there are a number of houses

in a row and seeks to maintain gaps between them (and referring to “most” extensions) and does not seek to address the position of the appeal property.

6. The SPD also refers, at paragraph 14.19, to extensions on corner sites. It states that extensions on corner sites will be particularly open to public view and that first floor extensions on corner sites should not project beyond the building line of the adjoining road. The accompanying diagram shows a corner site and houses on the adjoining road facing onto that road, behind front gardens. The appellant refers to this section of the SPD and points out that the next house beyond the rear of the appeal site, adjacent to Greenhill Park is built close to the boundary of Greenhill Park. However, this house is on and faces onto The Fairway, with its side elevation next to Greenhill Park and so does not provide the example as shown in the SPD where a house fronts onto the adjacent road. In response, the Council indicates that the extension at the property in The Fairway was constructed in the 1990s, prior to their current policies and SPD.
7. The proposal would bring the 2 storey built form of the house significantly closer the boundary with Greenhill Park. It would be much closer than the property on the opposite side of Hasluck Gardens which is more visually related to the appeal property than the house on The Fairway. In my judgement, the proposal would appear uncomfortably close to the side boundary and its crown roof would add to the perception of bulk, heightening its effect.
8. The appeal scheme is not directly represented by the examples referred to in the SPD. The extension at The Fairway pre-dates the Council’s current policies and guidance and, in my view, appears somewhat cramped at this corner location; as such it is not a precedent that should be followed.
9. I have taken account of all other matters raised, including the compliance with other aspects of the guidance in the SPD. However, I consider that the proposal would have an unacceptable effect on the character and appearance of the area, contrary to Policy DM01 of Barnet’s Local Plan-Development Management Policies (2012), Policy CS5 of Barnet’s Local Plan Core Strategy (2012) and the SPD. Consequently, the appeal is dismissed.

T Wood

INSPECTOR