

Appeal Decision

Site visit made on 5 January 2024

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 January 2024

Appeal Ref: APP/N5090/D/23/3330162 Deepdene, 67 Barnet Road, Barnet, EN5 3HB

- 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 T Sahni against the decision of the Council of the London Borough of Barnet.
 - The application Ref 23/2463/HSE, dated 6 June 2023, was refused by notice dated 1 August 2023.
 - The development proposed is a first floor rear extension above existing canopy structure and installation of metal railings.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor rear extension above existing canopy structure and installation of metal railings at Deepdene, 67 Barnet Road, Barnet, EN5 3HB in accordance with the terms of the application, Ref 23/2463/HSE, dated 6 June 2023, 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 development hereby permitted shall be carried out in accordance with the following approved plans: BR1/2023/01, /02, /03, /04, /05, /06, /07, /08A, /09/ /10A, /11, /12.
 - 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.

Procedural matter

2. The appellant has submitted two substitute plans with the appeal, ref. BR1/2023/08A and BR1/2023/10A. These are roof plans which correct a minor discrepancy between the originally submitted roof plans and the submitted elevation drawings. Specifically, the elevation drawings show the proposed extension as having a hipped end to the roof. However, the original roof plans showed a gable end. Since the change is minor, does not materially alter the
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proposed scheme; merely correcting a drafting error, and would have no effect on any third party I am satisfied that accepting the drawings would be procedurally fair to all parties and would avoid doubt. I have therefore used the revised drawings in my determination of the appeal.

Main Issue

3. There is one main issue which is the effect of the proposed extension on the character and appearance of the host dwelling and the surrounding area.

Reasons

4. The appeal dwelling is a large, detached house on a substantial plot which falls away from Barnet Road, a street characterised in the vicinity of the appeal dwelling by large houses on extensive and well-established plots. From Barnet Road the appeal dwelling appears to be two storeys with an attached single storey garage to the side. However, from the rear it appears as four storeys, including roof accommodation with dormer windows in the hipped pitched roof. The ground floor at the rear is thus a semi-basement with direct level access to an extensive patio.
5. A single storey canopy, some 6m wide and 7m deep projects from the rear elevation. This was granted planning permission in 2023 and, in the context of the dwelling as a whole, is a modest structure. The proposed extension would be a predominantly glazed structure with a tiled roof and roof lights. It would sit on top of the canopy and would be some 5.9m in width and 6.6m in depth. The low pitched, hipped roof would finish well below the windows serving the second floor. Like the canopy, and notwithstanding its dimensions, it would be a subordinate and proportionate addition to the dwelling as a whole, reflecting and being sympathetic to its scale and architectural style.
6. The Council refers to its Residential Design Guidance SPD, 2016, (SPD) which suggests that two storey rear extensions which are closer than 2m to a neighbouring boundary and project more than 3m in depth are not normally considered acceptable. However, the proposed extension is considerably further than 2m from any boundary and, as reasoned above, the depth in this case is not excessive.
7. The Council also suggests that the dwelling is already amongst the largest in the vicinity and has been significantly extended in the past. That may be so. However, it does not follow that the proposed extension would constitute an overdevelopment of the very large plot or that it would erode the character of the existing dwelling, which would clearly remain the more dominant element. Finally, since the extension would not be visible from the street it would have no effect on the street scene.
8. It is concluded on the main issue that the proposed extension would have no materially detrimental effect on the character or appearance of the host dwelling or the surrounding area. In consequence it would comply with Policy D3 of the London Plan, 2021, Policy CS5 of Barnet's Local Plan (Core Strategy), 2012, Policy DM01 of Barnet's Local Plan (Development Management Policies), 2012 and with the Council's SPD.

9. Taken together, and amongst other things, these expect all development to follow a design-led approach which responds positively to local distinctiveness, preserves or enhances local character and respects the appearance, height and pattern of surrounding buildings through high quality architecture that pays attention to detail. In particular, extensions should be consistent with the form, scale and architectural style of the original building. Consistency with the original building should be achieved by, amongst other things, respecting the proportions of the existing house and using an appropriate roof form.
10. Turning to conditions, the Council suggests two conditions in addition to the statutory commencement condition. I agree that the development should be carried out in accordance with the approved plans and in materials that match the existing building for the avoidance of doubt and to protect the character and appearance of the host dwelling and surrounding area.
11. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be allowed.

KE Down
INSPECTOR