
Appeal Decision

Site visit made on 30 January 2024

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th February 2024

Appeal Ref: APP/N5090/D/23/3330876

51 Etchingham Park Road, Finchley, London N3 2EB

- 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 Alex Gayer and Shanthi Ayres against the decision of the Council of the London Borough of Barnet.
 - The application Ref 23/3814/HSE, dated 4 September 2023, was refused by notice dated 4 October 2023.
 - The development proposed is demolition of existing single storey rear extension and existing detached single storey garage. Construction of new single storey rear extension. Replacement of existing flat roofed entrance canopy with new pitched roof entrance canopy. Alterations to fenestration to north flank elevation. Removal of chimney stack to rear elevation. New oculus window to front elevation gable end at second floor level.
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Decision

1. The appeal is allowed, and planning permission is granted for the demolition of existing single storey rear extension and existing detached single storey garage. Construction of new single storey rear extension. Replacement of existing flat roofed entrance canopy with new pitched roof entrance canopy. Alterations to fenestration to north flank elevation. Removal of chimney stack to rear elevation. New oculus window to front elevation gable end at second floor level at 51 Etchingham Park Road, Finchley, London N3 2EB in accordance with the terms of the application Ref 23/3814/HSE, dated 4 September 2023, subject to the conditions set out in the schedule to this decision.

Procedural matter

2. Since the appeal was lodged, a revised National Planning Policy Framework (the Framework) has been published. The Framework does not raise any new matters that are determinative to the outcome of this appeal.

Main issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

Reasons

4. The Council appears to raise no objection to the proposed development apart from the new ground floor rear extension. The Officer's report concludes that the remainder of the appeal scheme would harmonise if not improve the appearance of the existing dwelling and preserve the character of the local

area. From the submitted evidence, I have no reason to disagree with that finding. I also note that the Council appears to have recently granted planning permission for a scheme that included these changes.

5. Therefore, I shall focus on the new single storey extension at the back of the appeal property, which is a large, detached house of traditional style. It occupies a good-sized plot within a predominantly residential area. A single storey rear projection and a detached garage would be demolished and removed to make way for this new addition.
6. In many situations, this element of the appeal scheme would be regarded as a disproportionately large addition to a house with respect to normal guidelines for extensions. It would extend across almost the full width of the main building and, according to the Council, would project outwards from the main wall by up to 7.3-metres. In doing so, the new extension would project beyond the rear of the existing projections of the properties on either side of the site.
7. That the rear extension would include a flat roof with an overhang would visually accentuate its bulk. However, the overall visual effect would be acceptable because the 2-tier roof profile, with the main pitched roof beyond the flat roof of the extension, would appropriately mark the transition between the original building and the new addition. The essential built form and architectural composition of the dwelling would not be undermined.
8. From what I saw, the overall scale of the proposed extension would not be readily evident from any one direction. From the long back garden of No 51, the proposal would appear as subservient in height and form to the much taller and more substantial main house beyond it. The same impression would be gained in oblique views of the finished dwelling from the gardens of the properties on each side of the site. Very little, if any, of the proposal would be seen from directly in front of No 51 and so there would be no discernible effect on the character and qualities of the local street scene.
9. Overall, the house once enlarged would have an acceptable appearance. It would have been significantly changed at the rear. However, taken as a whole, the completed building would be of high standard design in keeping with the qualities and character of a detached house of relatively distinguished appearance. I observed that several other properties on either side of the site include sizeable rear extensions some of which are longer, taller or larger than the proposal before me, without detriment to the suburban qualities of the local area. In that highly varied built context, within which there is no strong pattern to the rears of existing dwellings, the appeal scheme would not be incongruous, obtrusive nor incompatible in its context.
10. On the main issue, I conclude that the proposed development would be in keeping with the character and appearance of the host building and the local area. Accordingly, the proposal is not contrary to Policy D3 of The London Plan, Policies CS1 and CS5 of Barnet's Local Plan (Core Strategy) or Policy DM01 of Barnet's Local Plan (Development Management Policies). These policies aim to ensure that new development makes best use of land; represents high quality design; preserves or enhances local character; and respects local context. For the same reason, it would not conflict with the advice contained within the Council's Supplementary Planning Document, *Residential Design Guidance*.

Conditions

11. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. To ensure the satisfactory appearance of the development, a condition is imposed to require that the external materials match those of the existing building.
12. A condition is required to prevent the use of the flat roof to the ground floor rear extension being used as a terrace or balcony to safeguard the privacy of adjacent occupiers. For the same reason, a condition is imposed requiring that the new first floor bathroom window in the side elevation includes obscure glazing and is fixed shut save for a fanlight. The conditions reflect those suggested in the Officer's report, with minor amendments, where necessary, for accuracy, clarity and precision.

Conclusion

13. There are no material considerations that indicate the proposal should be determined other than in accordance with the development plan, when read as a whole. For the reasons set out above, I therefore conclude that the appeal should be allowed.

Gary Deane

INSPECTOR

Schedule of 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: Refs 305/001, 305/002, 305/005 Revision A, 305/010, 305/011, 305/021 Revision C, 305/025 Revision B, 305/020 Revision G, 305/022, 305/024 Revision B, 305/026 Revision C and the Site Location Plan, which shows the site edged red.
- 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.
- 4) The extension hereby permitted shall not be occupied until the new first floor bathroom window in the side elevation facing 49 Etchingham Park Road has been fitted with obscured glazing, and no part of that window that is less than 1.7-metres above the floor of the room in which it is installed shall be capable of being opened. Once installed, the obscured glazing shall be permanently retained thereafter.
- 5) The roof area of the ground floor extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.