
Appeal Decision

Site visit made 21 March 2024

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 April 2024

Appeal Ref: APP/N5090/D/24/3337140

50 Ramillies Road, Mill Hill, Barnet, London, NW7 4LX

- 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 Ms Efa Mortty against the decision of the Council of the London Borough of Barnet.
 - The application Ref 23/4343/HSE, dated 6 October 2023, was refused by notice dated 4 December 2023.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 50 Ramillies Road, Mill Hill, Barnet, London, NW7 4LX in accordance with the terms of the application, Ref 23/4343/HSE, dated 6 October 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: Site location plan, RAMI/2023/01 (existing plans), RAMI/2023/02, RAMI/2023/01 (proposed plans) and RAMI/2023/04.
 - 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 roof area of the extension hereby permitted shall not be used as a balcony, roof garden or other amenity area.

Main Issue

2. 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

3. The appeal dwelling is a modest, mid-terraced house set on a deep plot. Ramillies Road slopes up to the north-east such that the appeal dwelling is at a lower level than the adjoining dwelling No 52 but on the same level as No 48. It
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has an existing single storey rear extension some 6.8m deep which occupies up to about half the width of the plot and sits close to the boundary with No 48.

4. The proposal includes re-roofing the existing extension and extending it to a depth of some 4.66m across the full width of the plot. Due to the set-down of the property below No 52 and the high boundary fence, the existing deep extension and the presence of an outbuilding at the end of the garden, the proposed extension would have no material effect on the character or appearance of the surrounding area. Moreover, the adjoining dwelling, No 48, has a single storey rear extension across its full width and to a depth of about 6m. This appears to be a recent addition. The proposed extension and alterations would therefore be in keeping with other nearby development.
5. Although it would alter the rear elevation of the host dwelling, this is already changed by the existing extension which appears to be in two sections and is of indifferent design. The proposed extension would therefore result in a better designed and better coordinated extension that would improve the appearance of the rear elevation and remain noticeably shallower than the existing extension. I therefore find the effect on the host dwelling positive.
6. The Council's Supplementary Planning Document: Residential Design Guidance, October 2016, suggests that rear extensions on terraced dwellings should normally have a depth of up to 3m. However, in this case where a significantly deeper extension exists over part of the rear elevation, a deep rear extension has been built at the adjoining dwelling and, owing to the slope of the land, there would be no effect on the living conditions of neighbours at No 52, I find that this would be unnecessarily restrictive.
7. 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 DM01 of Barnet's Local Plan (Development Management Policies), September 2012, and Policy CS5 of Barnet's Local Plan (Core Strategy), September 2012. Taken together and amongst other things these expect new development to be of a high quality of design that preserves or enhances local character and respects the appearance scale, mass height and pattern of surrounding buildings, spaces and streets.
8. In addition to the statutory commencement condition, the Council suggests three other conditions. I agree that the development should be carried out in accordance with the approved plans and in materials that match the existing building in order to provide certainty and to protect the character and appearance of the host dwelling. I also agree that the use of the extension as a balcony should be prohibited to protect the privacy of neighbouring occupiers.
9. 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