
Appeal Decision

Site visit made on 23 April 2024

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th May 2024

Appeal Ref: APP/N5090/D/24/3338655

141 Edgwarebury Lane, Edgware, Barnet HA8 8ND

- 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 Steven Harris against the decision of the Council of the London Borough of Barnet.
 - The application Ref 23/4842/HSE, dated 10 November 2023, was refused by notice dated 16 January 2024.
 - The development proposed is a first floor rear extension and internal alterations.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor rear extension and internal alterations in accordance with the terms of the application Ref 23/4842/HSE, dated 10 November 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: location plan and 141EL/18102023/PD.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main issues

2. The main issues are the effects of the proposal on: (i) the character and appearance of the house and this part of Edgwarebury Lane; and (ii) living conditions at the next door house, 139 Edgwarebury Lane, in terms of impacts on light, outlook and privacy.

Reasons

Character and appearance

3. This part of Edgwarebury Lane is a suburban residential street lined mainly by detached and semi-detached houses of varied design, many with elements of Arts and Crafts style. No 141 is typical of the street, a detached house with

hipped roofs at the sides and an asymmetrical feature gable to the front. The proposal is to build a full width first floor extension at the back, over about half the depth of an existing ground floor flat roofed extension. The main roof would be extended to cover this, with hipped sections enclosing a hidden flat roof at the top. The proposed extension would sit a metre or less from each side boundaries and would project back 3.0m to 3.3m from the main rear wall.

4. The Council's Supplementary Planning Document *Residential Design Guidance* (RDG) advises that 2 storey rear extensions which are closer than 2 metres to a neighbouring boundary and project more than 3 metres in depth are not normally considered acceptable. One purpose of this restriction is to avoid harm to the character or appearance of the property or the area.
5. Although part of the extension would be slightly deeper than this recommended maximum, it would fit in well with the character of the house. The increased depth would be visible in views from the street, but would be set back and seen within a varied street scene including other nearby houses with long side walls. The roof design would help the extension to blend in and minimise the additional bulk so that the extension would not appear to be disproportionate.
6. I conclude that the proposal would not harm the character or appearance of the house or this part of Edgwarebury Lane. It accords in this respect with policy D3 of the London Plan, policies CS1 and CS5 of Barnet's Local Plan Core Strategy, Policy DM01 of Barnet's Local Plan Development Management Policies (DMP) and the RDG, which aim to secure high quality design that respects local context.

Living conditions

7. The Council is also concerned that the depth of the proposed first floor extension, together with its proximity to the boundary, would cause a significant loss of amenity to occupiers of No 139 in terms of light, outlook and privacy. The RDG's recommended 3m maximum depth for 2 storey rear extensions near the boundary aims to restrict the loss of light to, and outlook from, neighbours' properties. No 139 has a rear ground floor window on a single storey extension near to the boundary, which would be the window most affected by this proposal. As this existing outshot sits partially beyond the main rear wall of No 141, however, it would not be affected by the full depth of the proposal. The first floor window above the outshot would be less affected due to its elevated position.
8. The extension would sit to the north of No 139 so that there would be little effect on direct sunlight. The rear windows and garden at No 139 would continue to have a wide aspect so that general daylighting and outlook would also be little affected. There would be no side windows on the extension and the rear windows would look down the garden in the normal way, so that there would be no loss of privacy. Once again, the marginal infringement of the RDG's recommended maximum depth for extensions would cause no substantive harm.
9. I conclude that the proposal would not harm living conditions at the next door house, No 139, in terms of light, outlook or privacy. It therefore also accords with the relevant aims of DMP policy DM01, to ensure that development

proposals are designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers and users.

10. I impose a condition specifying the relevant plans to provide certainty. A further condition requiring matching materials is necessary to protect local character and appearance.
11. I find that the proposal accords with the development plan. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR