

Appeal Decision

Site visit made on 21 August 2024

by A Knight BA PG Dip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th September 2024

Appeal Ref: APP/N5090/D/24/3345471

73 Highfield Gardens, Golders Green, Barnet, London NW11 9HA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant [outline] planning permission.
 - The appeal is made by Mrs S Friedman against the decision of the Council of the London Borough of Barnet.
 - The application Ref is 23/5525/HSE.
 - The development proposed is the extension of existing detached dwelling to comprise front porch, side and rear ground floor extension, rear first floor extension, enlarged second floor with new crown roof, rear dormers and side stair projection to replace existing side dormer.
-

Decision

1. The appeal is allowed, and planning permission is granted for the extension of the existing detached dwelling to comprise front porch, side and rear ground floor extension, rear first floor extension, enlarged second floor with new crown roof, rear dormers and side stair projection to replace existing side dormer at 73 Highfield Gardens, Golders Green, Barnet, London NW11 9HA in accordance with the terms of the application, Ref 23/5525/HSE, and subject to the conditions in the attached schedule.

Main Issue

2. The Council has identified the proposed first-floor rear and roof extension elements of the proposals as harmful. I see no reason to widen my assessment beyond that. The main issue, therefore, is the effect of the first floor rear and roof extensions on the character and appearance of the appeal property and surrounding area.

Reasons

3. The appeal property is in an outer London suburb. Homes in Highfield Gardens are mostly detached, and there is broad uniformity to plot sizes. Otherwise, a wide range of architectural styles and alterations give the street an eclectic character.
4. The rear and side of the appeal property are most visible when entering Highfield Gardens from Western Avenue. The view from the junction is marked by a notable side extension and flank dormer at 23 Western Avenue, and then by a striking combination of prominent roof, rear and side extensions to 1 and 3 Highfield Gardens. A projecting two-storey side and

rear extension at 71 Highfield Gardens is visible past the appeal property boundary. Further on, 2, 4, 6 and 8 Highfield Gardens form a backdrop in which no two houses have the same form, height, or shape of roof. In these ways, the area near the appeal property is characterised by a display of the varied ways suburban housing may be altered, extended, and personalised.

5. The main contribution of the appeal property to the area is in its front elevation; it is one of a handful of local houses to feature banks of narrow windows across the ground and first floor. The flank and rear elevations are unremarkable, and the roof has nonmatching front, rear and side dormers, non-traditional in form and dominant over their respective roof slopes.
6. The proposed roof extension would form half-hips to either side and, in combination with the first-floor rear element, increase the height and width of the flank walls. The expanse of the flank wall facing the street would be broken up by the flat roof of the ground floor side element and the narrow two storey projection above it, in which two stairwell windows would line up centrally under a roof matching the pitch of the hip above. These features would give interest and variety to the flank of the house and prevent it from appearing dominant in the street.
7. The extension of the rear first floor and the roof would add some bulk to the house, but no more than found at 71 and not to an unusual degree locally. In addition, the proposal would remove the disproportionate flank dormer and create a larger expanse of pitched roof around the front dormer, making a more visually pleasing relationship in which the dormer is less dominant. To the rear, the greater expanse of roof would be such that, even with two dormers replacing one, the proportions would also be better aligned and more balanced. Overall, these changes would be to the benefit of the property and, as a result, to the street.
8. I recognise that the design would result in an interruption to the eaves line, but that would not undermine the appearance of the property as, overall, it would benefit in the ways described above. Similarly, it would not harm the contribution of the appeal property to the street as a uniform local eaves line is not a distinct characteristic of the area. There are a number of gable-ended homes nearby in which the eaves is broken by design, and the mild slope in the road is such that 2, 4, 6, and 8 display staggered, stepped eaves lines which are, in any event, punctured by gable details. In this context, the broken eaves line in the appeal proposal would be in keeping with the setting.
9. For the above reasons, the proposal would comply with Policy D3 of the London Plan (2021); Policies CS NPPF, CS1 and CS5 of the Local Plan Core Strategy (2012), Policy DM01 of the Local Plan Development Management Policies DPD (2012) and the Residential Design Guidance SPD (2016), which require the proposed extension to relate well to its surroundings and respect the local distinctiveness of an area through its scale, layout, height, form, massing and design detail.

Other Matters

10. The appellant has outlined a 'fallback' argument in which the appeal proposals are compared favourably to a hip-to-gable extension certified as

lawful development, and also cited a nearby appeal in which fallback was a decisive factor. I have found the appeal proposal acceptable on its merits without reliance on the outlined fallback position.

Conditions

11. In addition to the standard time limit condition, I have considered it necessary to include a schedule of plans that the development relates to, for the avoidance of doubt and in the interests of certainty. A condition controlling the materials used in the development is necessary to integrate the appearance of the proposed extension with that of the original building, whilst conditions prohibiting the use of the roof for amenity purposes and the insertion of additional openings are necessary to protect neighbouring occupiers from overlooking. These aims are in accordance with Policy DM01 of the Development Management Policies DPD and Policies CS NPPF and CS1 of the Local Plan Core Strategy.

Conclusion

12. For the reasons given above the appeal should be allowed.

A Knight

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin no later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with drawings: 03A, 04, HP055-P01A, HP055-P02, HP055-P03, HP055-04A, HP055-P05A and HP055- P06A.
3. The materials to be used in the external surfaces of the building shall match those specified in the approved application documents.
4. All roofs within the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the north-west or south-east facing side elevations of the extensions hereby approved.

*****End of Schedule*****