



Appeal Decision

Site visit made on 19 November 2024

by D Cleary MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 November 2024

Appeal Ref: APP/N5090/D/24/3350605

2 Courthouse Gardens, Finchley, Barnet, London N3 1PX

- 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 Pramod Nikhar against the decision of the London Borough of Barnet Council.
 - The application Ref is 24/1280/RCU.
 - The development proposed is a front entrance canopy.
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Decision

1. The appeal is allowed and planning permission is granted for a front entrance canopy at 2 Courthouse Gardens, Finchley, Barnet, London N3 1PX in accordance with the terms of the application Ref 24/1280/RCU.

Procedural Matters

2. The description of development in the banner heading above, and my formal decision, has been taken from the Council's decision notice rather than the application form. This is because it more accurately and concisely describes the development, albeit I have removed wording which is not an act of development.
3. On my site visit I observed that the development had taken place and was complete. There are some differences between the submitted plans and the development which has taken place and, as such, the plans are not entirely accurate. I have therefore determined the appeal based on what I saw on site.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the building and surrounding area.

Reasons

5. No.2 Courthouse Gardens (No.2) is a two-storey semi-detached dwelling which is located within a predominantly residential area. The dwelling is set back from the street, behind a front garden, and includes a single storey front and side wraparound extension. An open canopy, which is the subject of this appeal, projects from the front door. No.2 and No.4 Courthouse Gardens (No.4) form the semi-detached pairing and include two-storey projecting bays with gable roofs to their front elevation. These architectural features provide a strong sense of symmetry and balance to the pairing. Such features are characteristic to semi-detached dwellings in the area. A large number of the semi-detached

properties in the area have been extended with single storey front extensions or porches, including No.4. There is great variety in the design of these extensions. Where they exist, such single storey extensions are provided so that they are clear of the two-storey bay ensuring that the uniformity and balance of each pairing is not eroded.

6. The canopy is modest in scale and does not project significantly beyond the front of the single storey wraparound extension. Cumulatively, the canopy with front extension remains appropriately set back from Courthouse Gardens behind the front garden. The modest scale and set back, along with its open nature, means that it does not appear as a significantly prominent addition to the dwelling. It's height and width remains visually subservient meaning that it does not visually compete with, or erode the legibility of, the important architectural features of the front elevation. In addition, the canopy includes a front gable, this ensures that it visually respects the front gable of the two-storey bay. As such, I find that the canopy does not dilute the visual balance of the semi-detached pairing.
7. When viewed along Courthouse Gardens the canopy is viewed against the backdrop of existing built form and, therefore, does not appear as a significant or prominent protrusion. The surrounding street scene, where it relates to single storey front extensions, is one of variety. This variety means that the modest canopy has been provided without appearing visually incongruous or resulting in a harmful addition to the street.
8. For the above reasons, the development does not have a harmful effect of the development on the character and appearance of the building and surrounding area. Therefore, the development complies with Policies CS1 and CS5 of Barnet's Local Plan (Core Strategy) Development Plan Document (2012); Policy DM01 of Barnet's Local Plan (Development Management Policies) Development Plan Document (2012); D3 of The London Plan (2021); and RD1 of the West Finchley Neighbourhood Plan (2021). Together, amongst other things, these seek to deliver sustainable development that is of a high-quality design which respects the local context and character. The development also satisfies the guidance contained within the Local Plan Supplementary Planning Document: The Residential Design Guide (2016) which requires porches to be carefully designed and reflect the design of the original building.

Other Matters

9. I acknowledge the comments raised by third parties with regard to the requirement to remove the canopy, the impacts during construction, the impact on trees and concerns with regard to design.
10. I do not have details of the circumstances under which the canopy was required to be removed. The appellant has sought planning permission to retain the canopy, as they are entitled to, and the retrospective nature of the proposals is not material to my consideration of the merits of the case. I have addressed the matters relating to design in the main issue above and have found the effect on the area to be acceptable. As the development is retrospective, any impact during construction and the effect on vegetation would have been for the Council to consider and act on at that time. Furthermore, and in any event, I have considered the appeal on its individual merits.

Conditions

11. Because permission is being granted retrospectively it is not necessary to attach the standard time limit condition, or any materials condition. Furthermore, I cannot impose an approved plans condition as accurate detail has not been provided in this regard.

Conclusion

12. For the above reasons the appeal is allowed.

D Cleary

INSPECTOR