



Appeal Decision

Site visit made on 28 January 2025

by A Hunter LLB (Hons) PG Dip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 February 2025

Appeal Ref: APP/N5090/D/24/3347394

13 Wolsey Grove, Edgware, Barnet HA8 0PF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Amar Maharjan against the decision of the Council of the London Borough of Barnet.
 - The application Ref is 24/0454/HSE.
 - The development is a proposed single storey side and rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a proposed single storey side and rear extension at 13 Wolsey Grove, Edgware, Barnet HA8 0PF in accordance with the terms of the application, Ref 24/0454/HSE, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 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; existing and proposed block plans (dated 3.2.2024); existing and proposed ground floor plans (dated 3.2.2024); existing and proposed roof plans (dated 3.2.2024); existing and proposed elevations 1 (dated 3.2.2024); and existing and proposed elevations 2 (dated 3.2.2024).
 - 3) Prior to the construction of any new development above foundation level, precise details of the external materials to be used on the proposed extensions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved external materials.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was revised on 12 December 2024. As the changes do not materially affect the main issue in this case, the parties have not been invited to comment further and there would be no unfairness as a result. Where references are made to paragraph numbers of the Framework, these are references to the most recent version.
3. The Council have referred to the Draft Barnet Local Plan, dated 2021, Regulation 24 version (DBLP). The Council have not referred to any policies of the DBLP as being relevant to this proposal. As such, I have not determined the appeal against any policies of the DBLP.

Main Issue

4. The main issue is the effect of the proposed development on the Watling Estate Conservation Area (the CA).

Reasons

5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires when determining proposals in conservation areas that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. At paragraph 210, the Framework sets out matters which should be considered, including sustaining, and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 212 of the Framework states that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
6. The Watling Estate Conservation Area Character Appraisal Statement, dated 2007 (the CAA) sets out that the area contains extensive interwar housing, including terraced and semi-detached housing, developed along 'Garden City' principles. The CA includes many uniformed terraces, with hipped roofs that have a balanced and symmetrical appearance finished in a mixture of brick and render. The arrangement of buildings allows some spaces between them, properties on corner plots are generally set back to allow views up and down the road. Although there is some variety in their appearance, owing partly to later alterations, the terraces in the immediate area have largely retained their distinctive form and layout.
7. The Residential Design, Supplementary Planning Document, dated October 2016 (SPD) aims to secure high quality development and achieve good design for residential proposals. The SPD further states extensions should be consistent with the form, scale and architectural style of the original building. Regarding side extensions on corner sites, it recommends first floor extensions do not project beyond the building line of the adjoining road, and that single storey side extensions may require pitched roofs, to reflect the host property. It also says rear extensions should not look too bulky and prominent compared to the main building.
8. The appeal property is a two-storey hipped roof, end terraced property, situated at a junction between two roads, with its front elevation facing onto Horsecroft Road, and its side elevation facing Wolsey Grove. It has a spacious side garden behind a hedge and part of it is used for parking cars.
9. Wolsey Grove (when travelling away from Cressingham Road) curves away from the appeal site, as a result views in both directions along Wolsey Grove feature the side of the appeal property set against other nearby properties. The position of the property on the opposite side of the junction (no.15 Wolsey Grove) is offset to the appeal property, again reflecting the curve in the road, which makes it much more prominent than the appeal property from some viewpoints. I also saw on my site inspection that there have been many alterations to the properties nearby, including rear single storey flat roof extensions that are also visible from the junction (at no. 10 Wolsey Grove and no. 40 Horsecroft Road), along with flat roofed canopy porches, and bay windows.

10. The proposed side extension's setback from the host property's front elevation and its limited width would ensure it relates sympathetically to the property and the terrace, from Horsecroft Road. Furthermore, the side extension's modest scale, including its simple roof design which would ensure it has a low height, together with the curve in the road, would mean it would not be overly dominant along Wolsey Grove, and the two storey blocks of buildings would remain the dominant building forms. Although the side extension's roof pitch is shallower than the main property, in this case it ensures it is seen separately from the distinctive terraced building forms, and that it would not be a prominent feature or harmful to the area. Views of it from Wolsey Grove would also be behind the existing hedge and in the context of other visible flat roof extensions, and car parking areas. Its low level, small scale and matching brick appearance would not be harmful to the character and appearance of the host property, the terrace, or the CA.
11. The proposed rear extension would relate sympathetically in terms of its siting, modest scale, and subordinate design to the host property, the terrace and the CA. It is noteworthy that the Council found similarly in this respect.
12. I have been made aware that planning permission was granted for single storey side and rear extensions at the appeal property in 2018¹, which the appellant has said are similar to the current appeal scheme, albeit with flat roofs. That approval was also considered against some of the same development plan policies, although The London Plan has subsequently been adopted. Whilst the Council say that the heritage officer was not consulted on that earlier application. Nevertheless, it was a decision of the Council to grant planning permission for that development and it is a relevant consideration in regard to the appeal proposal. The information provided indicates to me that the Council took the view that the approved scheme would preserve the CA. Although it is acknowledged that the earlier approval is not a legitimate fallback position, given that the permission has lapsed. However, limited weight can be attached to it, but ultimately it is not a determinative factor.
13. In view of my findings above, I therefore conclude that the proposed development would preserve the character and appearance of the CA, consistent with the duty in the Act, and for the same reasons comply with the relevant parts of Policies HC1, D6 and D8 of The London Plan, The Spatial Development Strategy for Greater London, adopted March 2021 (LP), Policies DM01 and DM06 of Barnet's Local Plan (Development Management Policies) Development Plan Document, dated September 2012 and Policy CS5 of Barnet's Local Plan, Core Strategy, Development Plan Document, dated September 2012 (CS) that amongst other things, require new development to be high quality, preserve or enhance the distinctive character and appearance of conservation areas, in particular, through the scale of the development and by respecting the pattern of surrounding buildings, , spaces and streets Including the public realm, and be sympathetic to the significance of heritage assets. In addition, in view of my findings above, allowing the appeal would also be consistent with CS Policy CS NPPF that requires proposals that accord with the development plan to be approved without delay.
14. The Council referred to the proposal conflicting with LP Policy D4, that policy mainly relates to strategic design review and analysis, and I did not find it to be directly determinative on this main issue.

¹ Ref. 18/3186/HSE

Conditions

15. A standard implementation condition (1) has been imposed, along with a condition (2) listing the approved plans to provide certainty over what has been approved. A condition (3) is also necessary to ensure the external materials harmonise with the character and appearance of the property and the area. Whilst the Council has not suggested a materials condition, in view of the roof design of the extensions, it is unclear that a roof covering matching the main roof would be appropriate, hence a condition has been worded to allow precise details to be agreed.
16. The Council referred in its report to a condition being necessary to ensure the roofs are not used as a balcony, roof garden or 'sitting out area'. In this case, both roofs have shallow pitches, and there are no direct means to access them. Nor have I been made aware of any intention or likelihood that the appellant would want to use the roofs for such purposes, consequently a condition in this respect has not been shown to be necessary and reasonable.

Conclusion

17. The proposed development accords with the development plan when taken as a whole and there are no other material considerations, including the provisions of the Framework, which outweigh this finding. For the reasons given above, I conclude that the appeal should be allowed.

A Hunter

INSPECTOR