



Appeal Decision

Site visit made on 11 March 2025

by **C Livingstone MA(SocSci) (hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 May 2025.

Appeal Ref: APP/N5090/D/24/3353187

4 Beechwood Close, Mill Hill, Barnet, London NW7 3LS

- 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 Mr and Mrs Grant Kemp against the decision of the Council of the London Borough of Barnet.
 - The application Ref is 24/2180/HSE.
 - The development proposed is single storey front and rear extensions following demolition of the existing rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for single storey front and rear extensions following demolition of the existing rear extension at 4 Beechwood Close, Mill Hill, Barnet, London NW7 3LS in accordance with the terms of the application, Ref 24/2180/HSE, subject to the conditions in the attached schedule.
 - 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 drawing No 2023/1633/2.
 - 3) The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

Preliminary Matters

2. The Council has confirmed that the policies from Barnet's Local Plan (Core Strategy) Development Plan Document (2012) and Barnet's Local Plan (Development Management Policies) Development Plan Document (2012) referred to in the Decision Notice have been superseded by policies from the Barnet Local Plan 2021-2036 (BLP). Appeal decisions must be based on the policies from the development plan prevailing at the time of determination. In the case of this appeal, the Council has suggested that Policies CDH01 and HOU03 are now the policies most important to the determination of the appeal. The appellants are aware of the revised policy framework and have had the opportunity to comment upon its relevance to the appeal.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal property is located on Beechwood Close a residential cul-de-sac, with properties positioned in a circular formation, reflecting the curve of the road. The layout is such that the neighbouring properties on either side of 4 Beechwood Close (No 4) are angled away from their shared boundary. This positioning limits the views of No 4 from these neighbouring properties compared to a typical side by side layout.
5. The majority of properties on the street have been extended in the past. When viewed from the street original design elements, such as projecting square bays and hipped roofs retain a sense of coherence. However, the extensions to the rear of the properties are varied and the sense of continuity in terms of design has been degraded over the years. The layout of the properties on the street and also the variance in the rear extensions, is such that there appears to be no clear building line in relation to the rear elevation of the properties.
6. The host property is detached and has previously been extended to both the side and rear. The extensions on the rear elevation include a conservatory and a single storey flat roof extension. The neighbouring dwellings on either side of the appeal property 3 and 5 Beechwood Close also have extensions on their rear elevations. The rear garden of the host property is particularly generous, with large mature trees and bound by high timber fencing.
7. The Council's concerns are centred on the proposed rear extension. It raises no concerns in relation to the proposed extension on the front elevation, which was previously approved under application 24/0793/HSE. Several other properties on the street have similar front extensions and the proposed front extension is sympathetic to the design and proportions of the existing dwelling. As such I have no reason to disagree with the Council in this regard and my assessment will focus on the rear extension.
8. The proposed rear extension would be single storey and would have a flat roof. Its footprint of the extension would include the area of the existing rear extensions, and it would project several metres from the width of the entire rear elevation. The proposal would read as a modern extension to the host property and would incorporate materials that reflect existing. Based on the evidence before me the rear extension would be 7.5m deep at its deepest point, where it would meet an existing extension on the side elevation and 5m deep from the rear elevation of the original dwelling.
9. The rear extension would be large. However, the Council recently determined that prior approval was not required, 24/0794/PHN, for a single storey rear extension with a proposed depth of 6m, from the entire rear elevation of the original dwelling. Planning permission was also recently granted for front and rear extensions, 24/0793/HSE, which included a rear extension of a similar scale to the appeal proposal. There is a reasonable prospect that either of these schemes could be implemented in the absence of an alternative permission. Therefore, in considering the effects of the appeal proposal on character and appearance, I have taken into account both fallback positions.
10. Although the appeal proposal would have a larger footprint, both of the schemes detailed above would project further from the rear elevation of the original dwelling.

Also, the topography of the site and generous rear garden would effectively accommodate the proposal without appearing cramped or constrained.

11. For the reasons detailed above the proposed development would not have a harmful effect on the character and appearance of the area. Therefore, it would be in accordance with Policies CDH01 and HOU03 of the BLP and Policy D3 of the London Plan 2021 which require that development proposals respond sensitively to the distinctive local character and design and do not have an unacceptable impact on local character.

Conditions

12. I have considered the conditions put forward by the Council. I have included those conditions that meet the tests set out at paragraph 57 of the Framework, with some minor editing of the suggested wording for precision and enforceability.
13. I have attached conditions relating to the time limitations for the commencement of the development, compliance with the approved plans in the interests of clarity and certainty and to protect the character and appearance of the area. I have also included a condition to prevent the roof of the extension from being used as an amenity area in order to protect the residential amenity of neighbouring occupants.

Conclusion

14. For the reasons given above I conclude that the appeal should be allowed.

C Livingstone

INSPECTOR