



Appeal Decision

Site visit made on 30 October 2012

by Mr J P Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9 November 2012

Appeal Ref: APP/N5090/C/12/2173480
79 Princes Park Avenue, London NW11 0JS

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (the Act) as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr Osher Yitzchok Baddiel against an enforcement notice issued by the Council of the London Borough of Barnet.
 - The Council's reference is ENF/01360/11/F.
 - The notice was issued on 5 March 2012.
 - The breach of planning control as alleged in the notice is without planning permission the construction of a single storey front extension.
 - The requirements of the notice are
 1. Demolition of the single storey front extension
 2. The permanent removal from the property of all constituent materials resulting from the works in 1. above.
 - The period for compliance with the requirements is 3 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) and (f) of the Act as amended. The application for planning permission deemed to have been made under section 177(5) of the Act as amended is also to be considered.
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Decision

1. The appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the Act as amended for the development already carried out, namely the construction of a single storey front extension at 79 Princes Park Avenue, London NW11 0JS referred to in the notice.

Ground (a) appeal and the deemed planning application

Main Issue

2. The main issue in this case is the effect of the development on the character and appearance of the area.

Reasons

3. Princes Park Avenue is lined by detached and semi-detached houses of a variety of styles and designs that have been subject to a range of alterations and extensions over time. Despite this, the scale and form of the dwellings are broadly complementary and they sit together in a comfortable manner. Moreover, they tend to be set back behind front gardens or paved areas, and this gives the street scene a certain sense of spaciousness.
4. No 79 is semi-detached. Irrespective of the unauthorised works, it appears different to its adjoining neighbour because of its external finishes.

5. A number of the properties along the road have single storey extensions that project forward of the dwelling's front elevation. These additions can be quite large and they tend to be noticeable because of their designs and/or materials. While their purpose is often to create an improved entrance to the house, some also provide other accommodation. They are sufficiently common to constitute a characteristic of the road, and have contributed to the weakening of the building line to the front of the properties. Therefore, in such a context there is no objection in principle to a front extension of an appropriate scale and design.
6. Having regard to its size and scale I consider the development before me is a subservient addition, and its design and materials relate well to the dwelling. As such, the scheme respects the architectural style and the appearance of the existing house. Moreover, although projecting further from the building than extensions elsewhere on the road, it maintains an appreciable distance to the back of the pavement and retains a suitable open area to the front of the dwelling. Therefore in my opinion this is not a discordant or inharmonious addition when assessed in relation to the property or the street scene, and it does not unacceptably erode any sense of spaciousness on Princes Park Avenue.
7. No conditions have been suggested in connection with the works and I consider none to be necessary.
8. Accordingly I conclude the development does not detract unacceptably from the character or the appearance of the area, and so it does not conflict with Policies GBEnv1, GBEnv2, D1, D2 and H27 in the *London Borough of Barnet Unitary Development Plan* (2006) or the Council's guidance in *Design Guidance No 5: Extensions to houses* (2010). For the reasons given above I conclude that the appeal should succeed on ground (a) and planning permission will be granted.

Ground (f) appeal

9. As the appeal on ground (a) succeeds the appeal under ground (f) does not need to be considered.

J P Sargent

INSPECTOR