



# Appeal Decision

Hearing held on 12 March 2008  
Site visit made on 12 March 2008

by **Tim Wood** BA(Hons) BTP MRTPI

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

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**Decision date:**  
**31 March 2008**

## Appeal Ref: APP/N5090/A/07/2052509 6 Parkside, London NW7 2LH

- 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 A Friedman against the decision of the Council of the London Borough of Barnet.
- The application Ref W09205B/07, dated 4 May 2007, was refused by notice dated 26 July 2007.
- The development proposed is a part single, part two storey side and rear extension and associated roof extensions.

### Application for costs

1. At the Hearing an application for costs was made by the appellant against the Council. This application is the subject of a separate Decision.

### Decision

2. I allow the appeal, and grant planning permission for a part single, part two storey side and rear extension and associated roof extensions at 6 Parkside, London NW7 2LH in accordance with the terms of the application, Ref W09205B/07, dated 4 May 2007, and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
  - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be constructed on the side elevations.
  - 4) The windows at the first floor side elevations shall be fitted with obscure glazing and retained in that condition.
  - 5) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall

be adhered to throughout the construction period. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) measures to control the emission of dust and dirt during construction
- v) a scheme for recycling/disposing of waste resulting from demolition and construction works.

### **Preliminary Matters**

3. It was agreed at the Hearing that the Council's description of the proposed development is more accurate than that used on the planning application forms. Therefore, I have adopted it for my description.
4. At the Hearing the appellant explained that the proposal is for the extension of the existing house and not for complete redevelopment, as was suggested by others present. It is clear from the application forms and from the agreed amended description that the proposal is for the extension of the existing property and I shall determine the appeal on this basis.

### **Main Issues**

5. I consider that the main issues in this appeal are as follows;
  - The effects of the proposal on the character of the area
  - The effects of the proposal on the living conditions of neighbours.

### **Reasons**

#### ***The effects of the proposal on the character of the area***

6. The appeal property is a detached house set within a wide plot in this residential area. The area comprises other 2 storey detached and semi detached houses within a variety of plot widths. Although there is some variety, a number of houses have been built or extended to within a short distance of the side plot boundaries. I also observed a number of properties with various extensions within the roof.
7. The proposed ground floor extension would project rearwards to a line level with an existing out-building within the garden, adjacent to the boundary with No 4 Parkside. This would be nearly as deep as the existing extension to No 8 Parkside, which has been constructed along the common boundary.
8. The proposed first floor side extensions would be constructed over the existing single storey sections, at a distance of about 1m and 1.8m from the plot boundaries. The front face of each of the side elements would be set back a short distance from the main wall of the house, which would have the effect of making the extension subordinate, with a lower roof.
9. The proposed first floor of the rear extension would be set in from the sides, at a distance of nearly 4m from the boundaries and would have a stepped rear

elevation and roof line. The second floor accommodation would be achieved by the use of a crown roof and rear dormer windows.

10. The resulting distance to the side boundaries would not be dissimilar to others in the area. Whilst the resulting building would be wide, it would sit within a wide plot. In my judgement, it would result in a similar impression as No 3 Parkside, opposite the site, other detached houses at Nos 16 and 28, and to the various pairs of semi-detached houses which, when taken as a single building, display considerable width.
11. The proposed pitch of the roof would be consistent with others in the area. Although its design may add to the impression of its mass, I consider that its various elements and the central front gable will have the effect of breaking up its mass and result in a satisfactory appearance, compatible with the area.
12. I consider that the overall size and appearance of the extended property within its wide plot, would not have any unreasonable effects on the character of the area. It would harmonise sufficiently with the character of the surrounding area and would be consistent with the aims of Policies GBEnv1, D1, D2, D7 and H27 of the Barnet Unitary Development Plan (UDP).

***The effects of the proposal on the living conditions of neighbours***

13. Taking account of the size of the existing rear extension at No 8 Parkside and the existing rear element and out-building at No 6, adjacent to the boundary with No 4, I consider that the impact of the single storey extension on those neighbours would be acceptable.
14. The proposed first floor rear elements would be set well back from the plot boundaries with both neighbours. Neither of the neighbouring houses have main room windows in the side elevations facing the appeal site, with the exception of a secondary bedroom window at No 8. In these circumstances I am satisfied that the proposal would not appear unreasonably large, nor would it dominate the outlook or have an overbearing effect on neighbours, either from within the house or from the rear garden areas. Therefore, I conclude on this matter that the proposal is consistent with those UDP policies which seek to protect the living conditions of neighbours.

**Conditions**

15. I have considered the conditions suggested by the Council and others having regard to the advice in Circular 11/95 *'The Use of Conditions in Planning Permissions'*. I agree that it is necessary to control the materials to be used in order to ensure that the proposal has a satisfactory appearance. In order to ensure the continued privacy of neighbours, I also agree that conditions should be attached which ensure that the first floor side windows are of obscure glass and that no additional windows are added, without the permission of the Local Planning Authority.
16. A condition to remove permitted development rights for roof extensions would not be justified as the proposal would clearly increase the size of the original dwelling by more than the threshold level, leaving no remaining volume for further extensions, in this respect.

17. Taking account of the substantial works involved, I agree that a construction method statement is necessary. However, I do not consider that this should include permitted hours for construction works, as this is controlled by other legislation.

**Conclusion**

18. I have taken careful account of all other matters raised at the Hearing but find nothing of sufficient weight to lead me to a different conclusion. For the above reasons, I consider that the appeal should succeed.

*S T Wood*

INSPECTOR

## APPEARANCES

### FOR THE APPELLANT:

Mr A Ormonde PPMS, 32 Sneath Avenue, London NW11 9AH

Mr and Mrs A Friedman 6 Parkside, London NW7 2LH

### FOR THE LOCAL PLANNING AUTHORITY:

Mr C Townsend Principal Planner London Borough of Barnet

Cllr J Davies 22 Sandwick Close, Mill Hill, London NW7 2AX

### INTERESTED PERSONS:

Miss M Mann Dalton Warner Davis, 21 Garlick Hill, London EC4V 2AU

Mr J Leviton 4 Parkside, London NW7 2LH

Mr D Monaghan 31 Greenbank Road, Bristol BS5 6EZ

Mrs and Mrs M Steyne 8 Parkside, London NW7 2LH

## DOCUMENTS

1 Council's letter of notification of the Hearing and list of recipients

## PLANS

A Bundle of plans showing various proposals for the property

## PHOTOGRAPHS

- 1 Aerial photo of the area
- 2 Set showing other properties
- 3 Sheets showing other properties