
Appeal Decision

Site visit made on 17 January 2017

by Alexander Walker MPlan MRTPI

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

Decision date: 2nd February 2017

Appeal Ref: APP/N5090/D/16/3162088

49 Horsham Avenue, North Finchley, London N12 9BG

- 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 Paul Ward against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/5654/HSE, dated 26 August 2016, was refused by notice dated 26 October 2016.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have used the description of the proposal as found in the Council's decision notice. This is a more concise description than the one in the application form.
3. The appellant states that if the appeal proposal is found to be unacceptable then he would be prepared accept a flat roof and reduce the depth of the extension to 4m. However, there are no drawings of such a proposal before me. In any event, such amendments would likely significantly change the substance of the proposal. Therefore, I cannot take these amendments into consideration and have based my decision on an assessment of the proposal that was determined by the Council.

Main Issues

4. The main issues are the effect of the development on the character and appearance of the host dwelling and the surrounding area and the living conditions of the occupants of the adjoining property, No 51 Horsham Avenue, with particular regard to outlook.

Reasons

Character and Appearance

5. Horsham Avenue is a residential road comprising two-storey terraced properties. The setback position of the properties, their open front driveways and the tree-lined road provide a pleasant, open suburban character to the area. To the rear are long, narrow private gardens that back onto the rear gardens of properties on the neighbouring streets of Ashurst Road and Friern Barnet Lane, which further contributes to the openness of the area.

6. The appeal property is a mid-terrace dwelling. On the rear elevation is a single-storey outrigger with a mono-pitched roof, which adjoins a similar addition on the rear of the adjoining property, No 47 Horsham Avenue. I noted during my site visit that these outriggers were a typical feature on the other properties along this side of the avenue. Attached to the rear of the outrigger is a conservatory.
7. The London Borough of Barnet Supplementary Planning Document: Residential Design Guidance (SPD) 2013 states that the depth of a single-storey rear extension that would normally be considered acceptable for a terraced property is 3m. The proposed extension would extend almost the full width of the dwelling and project approximately 4.5m off the rear elevation. Therefore, it would fail to accord with the SPD. As a result of its overall bulk, the extension would dominate the rear elevation and fail to appear subordinate to the host dwelling.
8. The roof of the extension would have a pitch with a central ridgeline. Other rear extensions within the vicinity generally have mono-pitched roofs, although I did observe examples of flat roofed extensions. I note that the angle of the pitch would be similar to that of the outrigger mono-pitched roofs. However, as a full pitched roof, it would appear shallow and contrived, highlighting the horizontal emphasis of the extension which would fail to respect the more vertical emphasis of the host dwelling.
9. The extension would not be open to any public views and therefore would not have any effect on the streetscene. Nevertheless, it would be open to private views from neighbouring properties and their rear gardens. By reason of its bulk and unacceptable roof design it would introduce a discordant note to the rear elevation of the dwelling and the row of terraced properties.
10. I find therefore that the extension would significantly harm the character and appearance of the host dwelling and the surrounding area. As such, it would be contrary to Policy DM01 of the London Borough of Barnet Local Plan Development Management Policies (DPD) 2012, which, amongst other matters, seeks to ensure that development preserves or enhances local character and respects the appearance, scale, mass, height and pattern of surrounding buildings. Furthermore, it would fail to comply with the SPD.

Living Conditions

11. The extension would not project as far out from the rear elevation as the existing conservatory. As a result, there would not be any significant harm to the living conditions of the occupants of No 47.
12. However, the extension would infill the recess between the outrigger and the boundary with No 51 Horsham Avenue. No 51 has a door with a large area of side windows in the rear elevation, which are within proximity of the boundary. Furthermore, there is a door and a large window in the side elevation of the rear outrigger of No 51 that faces the boundary and is within proximity of it. As a result of the height and depth of the extension and its proximity to the boundary it would significantly rise above the height of the existing boundary fence and dominate the outlook from these windows. This would have a significantly detrimental effect on the living conditions of the occupants of No 51 and their ability to use the rooms that these windows serve.

13. I have had regard to the appellant's argument that the proposed 4.5m extension would not result in any more harm than a 3m extension that could be constructed under permitted development rights. However, I disagree with this view. A 3m extension would likely allow a greater degree of outlook from the neighbouring windows, enabling one to have a broader field of vision beyond the rear elevation of the extension.
14. I find therefore that the extension would significantly harm the living conditions of the occupants of No 51. As such, it would fail to comply with Policy DM01 of the DPD, which seeks to ensure that proposals allow adequate outlook for adjoining occupiers.

Other Matters

15. I have had regard to recent extensions to other properties along Horsham Avenue that have been referred to me by the appellant. However, the details these are limited. There are no elevation details of the developments and it is not possible to ascertain whether they were permitted development or required planning permission, which are distinct and separate processes. As such, based on the limited information before me, I am not satisfied that there is sufficient evidence to conclude that the Council has inconsistently determined similar applications.

Conclusion

16. For the reasons given above, having regard to all matters raised, the appeal is dismissed.

Alexander Walker

INSPECTOR