The Planning Inspectorate

Appeal Decision

Site visit made on 15 May 2017

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 1 June 2017

Appeal Ref: APP/N5090/D/17/3172523
6 Cotswold Gardens, London NW2 1QR

- 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 D Briamonte against the decision of the Council of the London Borough of Barnet.
- The application Ref 16/7511/HSE, dated 16 November 2016, was refused by notice dated 20 January 2017.
- The development proposed is a 2 storey part side to rear extension; formation of a pitched roof over the existing first floor side extension and a single storey rear extension.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed extension on the living conditions of neighbours at No 4 Cotswold Gardens.

Reasons

3. The appeal relates to this 2 storey semi-detached house which is located within an area of similar properties. The house has an existing extension to the side which provides a garage at the ground floor and also accommodation at the first floor. The existing first floor element has a flat roof and does not extend as deep as the house at the rear.

4. The proposal would involve the provision of a 2 storey side to rear extension which would project rearwards of the main rear wall of the house by 3m. The extension would also have a hipped roof which would match the style of the existing original part of the house. It is clear from the Council's submissions and the reason for refusal that their objection to the scheme relates to the rearward projection of the 2 storey extension.

5. The neighbouring property at No 4 is of the same design as the original house at No 6 and has the same rear building line. The main part of No 4 is set away from the common boundary and the ground floor contains a kitchen window. The proposal would place part of the 2 storey extension very close to the boundary here and extending 3m deeper than the rear wall of No 4. Reference is made to the Council's Residential Design Guidance SPD which seeks to ensure that such extensions would not have an unreasonable effect on

neighbours. In seeking to achieve this, the SPD aims to limit extension in relation to their proximity to the boundary and in relation to their depth. The proposal would not comply with the guidelines in the SPD as it would be within 2m of the boundary.

6. Having considered this aspect of the proposal on the site, I conclude that the proposed extension would appear over-dominant when seen from the neighbouring property at No 4. Its depth, height and proximity to the boundary would mean that it would appear unduly overbearing to those neighbours when seen from the kitchen window and from within the garden area to the rear of the house.

7. The appellant makes reference to a number of other extensions in the area, some constructed and others with permission. Some are not directly relevant to the point of dispute in this particular case and it seems that the appellant has included them in order to demonstrate the general scale of extensions in the area; where they exist, I looked at them during my visit. Details included relate to a single storey rear extension at No 7 Cotswold Gate; this is not directly relevant as the disputed element in the appeal is the 2 storey extension, furthermore the other example seems to relate to a permitted development/prior approval case.

8. The appellant has also included plans and other details of an extension at No 14 Cotswold Gardens. The plans included show a 2 storey extension beyond the rear main wall of the existing house, in a similar fashion to the proposal. However, what is clear from the other documents included (officer report and decision notice) is that the rear part of the 2 storey extension was removed from the scheme and revised drawings were received; the drawing numbers included by the appellant do not match the revised set referred to on the decision notice. Therefore, what has been submitted does not reflect what has been approved.

Conclusions

9. I acknowledge that the provision of a hipped roof and some other alterations may improve some aspects of the design of the property, but these are outweighed by its negative effects. I have taken account of all other matters referred to and I have taken account of the other extensions in the area. My conclusion is that the proposal would have an unacceptable effect on the neighbouring residents at No 4. As a result the proposal is contrary to Policy CS5 of the Core Strategy, Policy DM01 of the Development Management Policies Document and Policy 7.6 of the London Plan. Therefore, the appeal is dismissed.

S T Wood

INSPECTOR