

Appeal Decision

Site visit made on 9 May 2017

by Mike Worden BA (Hons) DipTP MRTPI

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

Decision date: 1st June 2017

Appeal Ref: APP/N5090/D/17/3169379
5B Abercorn Road, London NW7 1JD

- 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 Larry Ger against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/1264/HSE, dated 28 February 2016, was refused by notice dated 3 January 2017.
 - The development proposed is ground floor extension to the rear of the building by 1.5m and 3m on each boundary with 5A and 5C respectively. Partial excavation of groundfloor 0.4m and excavation of existing patio to a depth of 3m and an additional 20cm lower than existing patio.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on; first, the character and appearance of the host dwelling and the adjoining terrace; and second, the living conditions of the occupiers of no. 5A Abercorn Road with particular regard to outlook.

Reasons

Character and Appearance

3. The appeal property lies in a residential area and is one of the mid houses in a modern terraced block of four houses. The two central properties, (the appeal dwelling no. 5B and no. 5C), have matching and joined single storey rear extensions which have a combined sloping pitch roof. No. 5D also has a single storey rear extension, whilst no. 5A is unaltered at the rear.
 4. The block lies on land which slopes upwards from the road towards a railway line at the rear. The effect of this is that the narrow rear gardens slope upwards from the backs of the houses. They are separated from each other by fences.
 5. The proposed development would add a further full width extension to the property. The existing extension is around 2.6m deep and the proposal seeks to extend it by around a further 3m along the boundary with 5C and around 1.5m along the boundary with 5A. A new patio would be constructed beyond the new extension.
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6. The new extension would be flat roofed and would result in a significantly deep addition to the original house. At its furthest point away from the original dwelling rear wall, the extension would be around 5.6m deep. The rear elevation of the proposed extension would be angled so as to reduce the depth on the boundary with no. 5A, and would sit in to the slope of the existing garden. However, by virtue of its extent and scale, it would not appear subordinate to the host dwelling or the terrace, and would look overly large and incongruous in relation to the rear of the terraced block and its gardens.
7. The appellant has drawn my attention to a number of examples of additions to the rear of other properties along Abercorn Road. However I do not know the particular circumstances of those cases nor the policy context which prevailed at the time of their consideration. I have considered this appeal on its merits and the evidence before me.
8. I conclude therefore that the proposed development would be harmful to the character and appearance of both the host dwelling and the adjoining terrace, and would be contrary to Policy DM01 of Barnet's Local Plan (Development Management Policies) Development Plan Document 2012 (the DPD), and Policies CS NPPF, CS1 and CS5 of Barnet's Local Plan (Core Strategy) Development Plan Document 2012 (the Core Strategy) and Policy 7.6 of the London Plan (the London Plan) which together seek to ensure that new development is of high quality design and respects local character.
9. I consider that the proposal is also in conflict with paragraphs 14.21–14.23 of the Council's Residential Design Guidance Supplementary Planning Document 2013 (the SPD) which amongst other things seeks to ensure that single storey rear extensions are appropriate in design and size for the host dwelling and neighbouring properties and that they would not normally extend more than 3m in depth.

Living Conditions

10. No. 5A Abercorn Road has not been extended at the rear and the proposed development would add to the built form along the boundary with 5B. Although the additional extension now proposed would be partially set into the slope of the rear garden, it would nevertheless introduce a longer wall along the boundary with 5A than exists currently. The existing fence with a trellis top would be replaced by a brick wall of around 1.5m in length. I consider that this would add to a sense of enclosure to the rear of 5A, would be overbearing and that it would have an unacceptable impact on the outlook for the occupiers of that property.
11. I conclude therefore that the proposed development would be harmful to the living conditions of the occupiers of no. 5A Abercorn Road, contrary to Policy DM01 (e) of the DPD, Policy CS5 of the Core Strategy, Policy 7.6 of the London Plan and the guidance within paragraph 14.21 – 14.23 of the SPD.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

Mike Worden

INSPECTOR