



Appeal Decision

Site visit made on 10 October 2010

by Caroline Mulloy BSc (Hons) DipTP MRTPI

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

Decision date: 7th November 2017

Appeal Ref: APP/N5090/D/17/3179777
32 Elton Avenue, Barnet EN5 2EA

- 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 Barry Longman against the decision of the Council of the London Borough of Barnet.
 - The application Ref 17/1328/HSE, dated 2 March 2017, was refused by notice dated 9 May 2017.
 - The development proposed is side and rear extensions. Replacement roof structure including rear dormer window to facilitate habitable rooms to roofspace.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on the living conditions of the occupiers of No 34 Elton Avenue with specific reference to outlook.

Reasons

Character and appearance

3. The appeal property is a detached single storey house situated on Elton Avenue. This part of Elton Avenue is comprised of bungalows set back behind modest front gardens on a consistent building line. The bungalows have hipped main roofs and characteristic front projections. Some including the appeal property have garages to the side. The remainder of properties on the street are semi-detached with hipped roofs. Overall, the modest front gardens and separation between the properties at first floor level contributes to the spacious character of the street.
4. It is proposed to demolish the existing garage structure and extend to the side and rear at ground floor level joining with the existing rear extension. The proposal would create accommodation in the roof space resulting in a crown roof which would extend over the proposed side extension.
5. The ground floor extension would not extend beyond the main front elevation or extend beyond the existing rear elevation. However, the roof line would be significantly altered and as a result of the significant additional mass and bulk

the proposal would fail to appear subservient to the host property. In addition, the proposal would compete visually with the front projection which is a characteristic feature of the property and group of bungalows. Moreover, the proposed rear dormer would occupy a significant proportion of the rear roof plane and would not be set up from the eaves. Consequently, the proposal would harm the character and appearance of the host property and fail to achieve visual subservience.

6. Furthermore, the extended crown roof would close the characteristic gap between properties at a first floor level reducing the sense of spaciousness. The proposal would significantly alter the roof line of the property and introduce a crown roof which is not a characteristic feature of the area and would clearly distinguish the appeal property from its neighbours. Overall, I find that the proposal would be at odds with the group of bungalows and the spacious character of the area.
7. The appellant states that consideration would be given to reducing the raised parapet, however, no such plans are before me and in any event this would not address my concerns regarding the scale and incongruous nature of the proposal.
8. The appellant suggests that the proposed roof extension is not a huge increase on what could be achieved by permitted development rights. Nonetheless, the proposal does require planning permission and I have considered the proposal on its own merits.
9. I noted that No 30 Elton Avenue had a gabled roof; however, this extension is contained within the overall footprint of the original property, unlike the appeal proposal where the roof would extend over the extension. This case is not, therefore, directly comparable to the appeal proposal which limits the weight which I can attach to it in my Decision.
10. For the reasons stated, the proposal would harm the character and appearance of the area. It would, therefore, be contrary to Policies CS1 and CS5 of the Council's Core Strategy (Core Strategy) and Policy DM01 of the Development Management Policies Development Plan Document (DPD) which collectively seek to ensure that development is of a high quality design which respects the appearance, scale, mass, height and pattern of surrounding buildings and respects local context and distinctive character. Conflict also arises with the Residential Design Guidance Supplementary Planning Guidance (SPG) (2016) which seeks to ensure that extensions sit comfortably with the main building and neighbouring houses and complement the roof form of the original house and surrounding houses.

Living Conditions

11. The proposed side extension would be situated in close proximity to the boundary with No 34 Elton Avenue (No 34) with a gap of only around 1.4m between the two properties at ground and first floor level.
12. There is currently a semi-enclosed garage structure at ground floor level which adjoins the two properties; however, there is currently a gap of around 2-3m at first floor level. There is an existing rear extension to the property which extends beyond the rear elevation of No 34 although this is set back from the flank elevation of the host property and the boundary of No 34.

13. There is a window in the rear elevation of No 34 which appears to serve a habitable room from which occupiers currently have an outlook over their existing garden. Occupiers would also have a view over the boundary fence to the garden of the host property and the sky above.
14. The proposal would extend around 3.6m past the rear wall of No 34 and although the rear extension steps down to single storey occupiers would, nevertheless, be faced with an approximately 4.5m high brick wall at the point of the rear window to No 34 in close proximity to the boundary. Occupiers would lose the view over the garden of the appeal property and the view of the open sky above the fence. The overbearing nature of the proposal would be accentuated as No 34 sits slightly lower than the appeal property. The proposal would, therefore, result in a loss of outlook and appear dominant and imposing to the occupiers of No 34.
15. For the reasons stated, I conclude that the proposal would harm the living conditions of the occupiers of No 34 in terms of outlook. The proposal would, therefore, be contrary to Policies CS NPPF, CS1 and CS5 of the Core Strategy, Policy DM01 of the DPD and the SPD which collectively seek to ensure high quality design which allows for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers.

Conclusion

16. Although the proposal would have some benefits in terms of providing additional living space for the occupiers, the totality of the harm which I have identified would significantly outweigh these benefits.
17. For the reasons stated and taking all other considerations into account, the appeal should be dismissed.

Caroline Mulloy

Inspector