



Appeal Decision

Site visit made on 17 July 2019

by Ian McHugh Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 August 2019

Appeal Ref: APP/N5090/D/19/3228867

43 Lyndhurst Avenue, London, NW7 2AD

- 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 Sina Darvish-Kojouri against the decision of the London Borough of Barnet.
 - The application Ref 19/1353/HSE, dated 5 March 2019, was refused by notice dated 3 May 2019.
 - The development proposed is part single, part two storey front and side extensions incorporating a first floor dormer window to front elevation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the appeal dwelling and on the streetscene.

Reasons

3. The appeal property is a detached two storey dwelling, which is situated in a prominent position on the corner of Lyndhurst Avenue and Eversfield Gardens. The area is primarily residential in character and dwellings in the vicinity of the appeal site vary in terms of their appearance and size. However, the appeal property relates visually, in terms of its age and appearance, to the dwellings along Lyndhurst Avenue on its north-eastern side.
4. The proposal is to extend the property as described in the heading above. Part of the extension would involve building above an existing single storey flat-roofed addition, which projects out from the dwelling towards Lyndhurst Avenue. It would also involve raising the existing main roof of the dwelling.
5. Policy DM01 of the Council's adopted Development Management Plan 2012 and Policy CS05 of the adopted Core Strategy seek to ensure (amongst other things) that all development demonstrates high quality design and should preserve or enhance local character, with particular regard to appearance, scale, mass and height. I consider that these policies accord with the provisions of paragraph 127 of the National Planning Policy Framework 2019 (the Framework), which has similar requirements.
6. Furthermore, the Council's Supplementary Planning Document – Residential Design Guidance (SPD), advises that extensions should be subordinate and not

overly dominant when compared to the original dwelling. In that respect, I consider that the proposal does not accord with the SPD. However, that is not to say that proposals for large extensions should be automatically refused, as each case must be considered on its merits.

7. Both parties state that planning permission was granted in 2001 for an extension of the same description (reference: W00182A/01). The appellant considers that whilst the Development Plan policies have since changed, the planning issues and considerations would have been similar at that time. However, due to the length of time that has elapsed since the earlier decision and because of the emphasis on delivering high quality design, in both the Council's current policies and the Framework, I attribute little weight to the planning history of the site.
8. Although some elements of the design of the extension are sympathetic to the existing dwelling and to the character of the area, including the roof pitch, the hipped roof and the fenestration detail, I consider that as whole, the extension would be a disproportionate addition to the property because of its scale, height and mass. There would be a significant increase in the bulk of the property when viewed from the corner of Lyndhurst Avenue and Eversfield Gardens, due largely to the mass of the proposed roof and the extent of the projection towards Lyndhurst Avenue. This increased bulk would also reduce the existing gap (at first floor level) between the appeal property and the neighbouring dwelling at number 41 Lyndhurst Avenue. In my opinion, the reduction in the gap would be detrimental to the appearance of the streetscene.
9. Accordingly, I conclude that the proposal would conflict with the provisions of the Council's Development Plan and with the Framework, as referred to above.

Other Matter

10. I note that the Council received objections from the occupants of neighbouring property expressing concern that the proposal would have an adverse effect on their living conditions through loss of light and privacy. The Council addressed these matters in its report and concluded that the proposal would not be harmful in these regards. I have no reason to disagree with the Council's conclusion on that issue.

Conclusion

11. For the reasons given above, it is concluded that the appeal should be dismissed.

Ian McHugh

INSPECTOR