
Appeal Decision

Site visit made on 28 October 2019

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 November 2019

Appeal Ref: APP/N5090/D/19/3235975

72 Colin Park Road, Colindale, London NW9 6HS

- 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 Mrs Shila Patel against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/2138/RCU, dated 10 April 2019, was refused by notice dated 29 July 2019.
 - The development proposed is described as "single storey front, side & rear extension (retrospective planning permission W12295)."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council have not raised any concerns with regards to the proposed single storey front and side extensions. I have therefore assessed this appeal only on the proposed rear extension.
3. At the time of my site visit, the proposed extensions had been mostly completed. I have dealt with the appeal accordingly.

Main Issues

4. The main issues are the effect of the proposal on (i) the character and appearance of the surrounding area and (ii) the living conditions of the occupiers of 70 and 74 Colin Park Road in respect of light and outlook.

Reasons

Character and appearance

5. The surrounding area is characterised predominantly by residential dwellings of traditional architectural detailing. The properties in the area are mostly modest size two storey semi-detached dwellings positioned in a linear form. The appeal property is a semi-detached property attached to 70 Colin Park Road (No 70) with 74 Colin Park Road (No 74) to the other side of the appeal site.
6. The rear extension is large in scale and massing, and appears as a bulky addition to the existing property. The rear extension is not visible from the front street scene however, the extension is highly visible from neighbouring properties and garden areas. Due to its positioning, design and massing, the

rear extension is not discreet and is an incongruous feature that detracts from the appearance of the appeal property and the pattern of development in the area.

7. I have had regard to the appellants statement of case including a previous development scheme¹. However, insufficient information has been provided in respect of this scheme for me to draw any direct parallel with the appeal proposal, particularly in respect of the height and roof design. In any case, I have determined the appeal on its own merits.
8. The rear extension is a discordant structure which has a harmful effect on the character and appearance of the appeal property and the surrounding area. The proposal does not accord with Policies CS1 and CS5 of the Barnet's Local Plan Core Strategy 2012 (CS), Policy DM01 of the Barnet's Local Plan Development Management Policies 2012 (DMP) and Supplementary Planning Document: Residential Design Guidance 2016 (RDG) which seeks development to be of high-quality design, create a quality environment and protect and enhance character.
9. The boiler room structure is modest in size and sensitive in design and does not have a detrimental effect on the surrounding area. Whilst I find this structure acceptable it does not outweigh the harm I have identified above.

Living conditions

10. The rear extension is large in both height and depth and would be developed up to the boundary with No 74. There is a window in the side and windows and doors in the rear of No 74 which are in close proximity to the rear extension. Due to its height and mass, the rear extension creates a dominant expanse of built development along this boundary when viewed from No 74.
11. The proximity of the windows and doors of No 74 to the rear extension results in the addition having an unavoidable and overbearing presence that dominates the outlook from No 74 and harms the living conditions of the occupants.
12. Given the location of the rear extension and the large expanse of built development along the boundary with No 74. This has a significant adverse effect on the light into the windows and doors, and rear garden of No 74, therefore creating overshadowing that is detrimental to the living conditions of the occupiers of No 74.
13. I note again that the appellant has brought my attention to the previous development scheme¹ and has indicated that the extension has not changed, and depth not increased from the previous scheme. Full details of this previous scheme have not been submitted therefore I cannot be sure that it represents a direct parallel with the appeal scheme including in regard to height and massing. Nevertheless, this appeal scheme has been determined on its own merits.
14. I therefore find that the rear extension does have a harmful effect on the living conditions of the occupiers of No 74 with regards to outlook and light. The proposal fails to comply with Policies CS1 and CS5 of the CS, Policy DM01 of the DMP, Policies 7.4 and 7.6 of the London Plan 2016 and the RDG which

¹ Local Planning Authority Reference Number: W12295/00

seeks development to be designed to allow for adequate light and outlook for adjoining occupiers.

15. Given the position of the rear extension and proximity from the windows and doors in No 70, I am satisfied that the rear extension does not have an adverse effect on the living conditions of the occupiers of No 70 with respect of light and outlook. This matter however, does not outweigh the harm I have identified in regard to the living conditions of occupiers of No 74.

Conclusion

16. For the reasons set out above I conclude that the appeal should be dismissed.

Chris Baxter

INSPECTOR