



Appeal Decision

Site visit made on 15 September 2020 by Thomas Courtney BA(Hons) MA

Decision by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2020

Appeal Ref: APP/N5090/D/20/3250982

211 Oakleigh Road North, Whetstone, London, N20 0TX

- 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 Efrem Kidane against the decision of the London Borough of Barnet Council.
 - The application Ref 20/0145/HSE, dated 10 January 2020, was refused by notice dated 10 March 2020.
 - The development proposed is a double storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a double storey rear extension at 211 Oakleigh Road North, Whetstone, London N20 0TX in accordance with the terms of the application, Ref 20/0145/HSE, dated 10 January 2020, subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: DPL.01, DPL.02, DPL.03, DPL.04, DPL.05, DPL.06, DPL.07, DPL.08, DPL.09, DPL.10, DPL.11 and DPL.13.
 3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issues are:
 - the effect of the development on the living conditions of the occupiers of the neighbouring property at 213 Oakleigh Road North, with particular regard to outlook; and
 - the effect of the development on the character and appearance of the host dwelling and surrounding area.
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Reasons for the Recommendation

Living Conditions

4. The appeal site accommodates a two-storey, semi-detached dwelling which forms part of three pairs of similar semi-detached properties, each featuring an original two-storey, pitched roof, gable ended outrigger. On my site visit I observed that the appeal property lies on higher ground than the neighbouring property to the south at No. 213.
5. The proposal would result in the erection of a two-storey rear extension to the rear outrigger, projecting out by approximately 3 metres further. The outrigger at the neighbouring dwelling at No 213 is the closest part of that house to the appeal site and is roughly level with that at the appeal site. Therefore, although the total depth of the flank wall would be considerable, when seen from No 213 the extension would appear to be 3 metres deep. There is a gap of around 3.35 metres between the two outriggers and the extension would be about 1.5 metres from the common boundary.
6. The Council's Residential Design Guidance' Supplementary Planning Document (SPD) says that two storey rear extensions within 1.5 metres of the boundary and over 3 metres deep are not normally acceptable. In this case although the extension would be within 2 metres of the boundary, it would not exceed 3 metres in depth. Moreover, the corresponding gap on the neighbour's side of the boundary also ensures the neighbouring dwelling would be a significant distance from the extension.
7. Consequently, although I recognise the difference in levels between the two sites, it is considered that, due to its modest depth, the extension would not appear excessively dominant or obtrusive such that the outlook from the neighbours windows or garden would be unacceptably harmed.
8. In light of the foregoing, I consider the development would not unacceptably harm the living conditions of the neighbouring occupiers at 213 Oakleigh Road North. As such, it would accord with Policy DM01 of the Development Management Policies Local Plan (the 'local plan') and Policy CS5 of Barnet's Core Strategy Local Plan (2012) (the 'Core Strategy') which together seek to ensure proposals are well designed and respect local context. I have also had regard to the Residential Design Guidance SPD as set out above.

Character and Appearance

9. The appeal property lies within an established residential area characterised by blocks of terraced properties, pairs of semi-detached properties, and detached bungalows. As mentioned above, it forms part of three pairs of semi-detached dwellings all of which are similarly sized and feature distinctive original two-storey outriggers. This lends a degree of consistency to the character of the immediate area to the rear of these properties. However, my attention was drawn to several developments on Oakleigh Road North which feature two-storey extensions to rear outriggers similar to the proposal. These serve to demonstrate the changing character of the wider area in which the appeal site lies.
10. The proposal would break with the consistency in size of the rear outriggers attached to the three pairs of semis, however this would not adversely impact their layout and character. The examples provided by the appellant illustrate

that similar extensions in the area have diverged from the immediate original built form but have nevertheless still effectively assimilated in the urban grain. The extension of the outrigger as proposed would therefore not constitute an architecturally discordant feature in the area. I also do not find that the extension would harm the street scene as, although the extra depth may be visible, it would only be partially so and would not feature prominently.

11. The design of the extension would adequately tie-in with the host dwelling. It would have a sympathetic roof form, matching materials and would not appear disproportionately large. I do not find it would have a detrimental impact on the form and appearance of the property or constitute poor design.
12. Given the above, the proposal would preserve the character and appearance of the host dwelling and surrounding area. It would therefore not conflict with Policy CS5 of the Core Strategy, Policy DM01 of the local plan, Policy 7.6 of the London Plan, and the Residential Design Guidance Supplementary Planning Document (SPD) which together seek to ensure proposals are well designed and contribute positively to the character and appearance of the surrounding area in which they lie.
13. Policy CS1 of the Core Strategy, referred to in the Council's decision letter, is not directly relevant to my assessment of the proposal as it is a strategic policy which relates to the Council's general spatial approach to the delivery of development in the borough.

Conditions

14. I have had regard to the three conditions suggested by the Council in their appeal questionnaire and consider them to be reasonable and necessary. Hence, I have attached the standard commencement condition, a condition identifying the approved plans to provide certainty, and a condition requiring the materials to be used match those of the existing house so as to protect the character and appearance of the area.

Recommendation

15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Andrew Owen

INSPECTOR