



Appeal Decision

Site visit made on 6 October 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: 17 November 2020

Appeal Ref: APP/N5090/D/20/3255770

161A Holden Road, Woodside Lane to Westbury Road, London, N12 7DX

- 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 Paul Cass against the decision of the London Borough of Barnet Council.
 - The application Ref 20/1615/HSE, dated 30 March 2020, was refused by notice dated 26 May 2020.
 - The development proposed is the construction of first floor roof extension.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a first floor roof extension at 161A Holden Road, London, N12 7DX, in accordance with the terms of application Ref 20/1615/HSE, dated 30 March 2020 and subject to the conditions in the attached schedule.

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 Issues

3. The main issues are:
 - the effect of the development on the character and appearance of the area and the adjoining Metropolitan Open Land (the 'MOL'); and
 - the effect of the development on the living conditions of the neighbouring occupiers of the lower level flats of 'Holden Heights' at 161 Holden Road, with particular regard to outlook.

Reasons for the Recommendation

Character & Appearance

4. The appeal site accommodates a single storey dwelling with a flat roof located to the rear of Holden Heights, a 4-storey block of flats at 161 Holden Road. The appeal dwelling is of contemporary design and lies on lower ground compared to Holden Heights. The surrounding area is mostly residential and is comprised of a mix of semi-detached dwellings of varying styles, short blocks of terraced properties and blocks of apartments. To the north are allotments and to the north-west of the site is a wooded area with a public footpath. This open space
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and the allotments to the north fall within the designated Metropolitan Open Land (MOL). On my site visit I observed that the boundaries of the site are well-screened with a mix of shrubbery and mature trees.

5. The proposal would result in the erection of a first-floor extension within a crown roof. This would add height, bulk and mass to the dwelling. The Council opines that the additional roof volume would unduly increase the prominence and visibility of the appeal property and reduce the spatial feel of the site and its surroundings. However, I find that it would not unreasonably harm or reduce the spatial feel of the site as the proposed roof profile would remain relatively low and discreet owing to its flat crown design. It would also remain to be substantially lower than the houses on Laurel View and the flats at Holden Heights and so would provide a gradual transition in scale between those dwellings and the MOL. Furthermore, there is dense screening along the northern boundary which only allows for very restricted views of the appeal site from the allotments. I find that the resultant dwelling would therefore not appear prominently from within the protected MOL to the north. At most, only fleeting glimpses of the proposed roof would be possible during the winter months and I do not find that this would have an adverse impact on the setting or open character of the MOL.
6. Also, the proposed design would adequately harmonise with the existing dwelling and not jar with the surrounding area which is not characterised by any particular architectural style.
7. I have had regard to the previous proposal for this site which was dismissed at appeal in September 2018 (ref APP/N5090/D/18/3204856). Although the Council asserts that the proposed development would have the same detrimental visual impact as the previously refused scheme, I consider that there are significant differences between the two proposals. The previous scheme appeared to be more imposing in light of its full double storey height whilst the proposed development in this case would be read as a 1.5 storey bungalow-type dwelling. I acknowledge the first-floor element of the proposal would cover the whole footprint of the existing dwelling, however, the pitched roof would give the resultant dwelling a less bulky and sufficiently unobtrusive profile.
8. Given the above, I therefore find the proposal would not result in poor design or unacceptably harm the established character and appearance of the area and the adjoining MOL. I therefore consider that the proposed development would accord with Policy CS5 of the Barnet Core Strategy (the 'Core Strategy') and Policy DM01 of Barnet's Development Management Policies Development Plan Document (the 'Local Plan') which together seek to ensure development is well-designed and respects the character of their surroundings. It would also adhere to Policy DM15 of the local plan which seeks to ensure development adjacent to MOL should not have a detrimental impact on visual amenity and should respect the character of its surroundings.

Living Conditions

9. The Council contends that the proposal would negatively impact the living conditions of the occupiers of the ground floor flats within Holden Heights at No. 161 with regards to a loss of outlook, and I note some neighbours' comments which support this. There is presently a mix of bushes and mature evergreen trees at the bottom of the lawn to the rear of No. 161 which offers

an effective amount of screening. Hence any views through the gaps in this vegetation would be quite restricted and, in light of the difference in ground levels, would mainly be of the roof sloping away, as opposed to a vertical side elevation in the previously refused scheme.

10. I therefore find that the residents of the ground floor flats at No. 161 would still enjoy a satisfactory outlook from their homes and from their communal garden, and the proposed development would not adversely impact their living conditions.
11. The development would thus accord with the aims of Policy CS5 of the Core Strategy and Policy DM01 of the Local Plan which together require developments to respect their context and ensure adequate outlook for adjoining occupiers. I have also had regard to the 'Residential Design Guidance' and 'Sustainable Design and Construction' Supplementary Planning Documents which seeks the same.

Other Matters

12. I do not consider there would be any adverse impacts on the living conditions of occupiers of the properties along Laurel View with regards to overlooking and loss of outlook. There would only be a single small roof light within the southern elevation facing the rear gardens of the dwellings on Laurel View and given the separation distance between the window and the rear gardens I am satisfied this would not result in overlooking. Similarly, this separation distance would negate any overbearing effect.
13. I also note concerns have been raised with regards to the proposal resulting in overdevelopment. However, due to the modest profile and height of the proposed development, I do not agree.
14. Furthermore, concerns regarding noise and disruption during the construction process, as well as regarding vehicular access to the appeal site via the side lane by construction workers, would be for only a temporary period and could be controlled by condition.

Conditions

15. The Council has suggested a number of conditions that it would wish to see imposed in the event that the appeal was successful. I have considered the suggested conditions against the advice on conditions set out in the National Planning Policy Framework and the Planning Practice Guidance.
16. I have imposed the standard conditions relating to the commencement of development and specifying the relevant plans in order to provide certainty. I have not included the Council's suggested condition requiring the external materials match the existing building, as the roof tiles would be a new material. However, they are indicated on the plans, would be acceptable, and so are controlled by the plans condition.
17. To protect the amenity of neighbouring residents I have included a condition requiring the submission of a construction management plan and controlling the hours of construction.
18. I do not consider it necessary to impose conditions preventing the use of the roof as an amenity area, as I consider this would be a very unlikely scenario

especially given the garden available to the dwelling. Also, although I note the appellant's intention to have a green roof, I see no reason why this needs to be subject of a planning condition. Lastly, I do not consider it necessary to insist that the east facing rooflight be obscurely glazed. This window would be relatively high up the roof slope and would serve a landing, so it is unlikely residents would linger here to look out towards Holden Heights even if it was at a height that would allow that. In any case, as noted above, the eastern boundary is well vegetated which would preclude clear views of the communal garden.

Recommendation

19. 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

20. 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

Schedule of conditions

- 1) The development hereby permitted shall begin no 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: Drawing Nos. 161HOLD-LP01 and 161HOLD-PPE03.
- 3) No development shall take place, until a Construction Management and Logistics Plan has been submitted to and approved in writing by the local planning authority. The Plan shall provide for:
 - the access, egress and routing arrangements, including hours of access, of construction vehicles;
 - a scheme for recycling/disposing of waste resulting from construction works;
 - loading, unloading and storage of plant and materials used in constructing the development;
 - wheel washing facilities;
 - measures to control the emission of dust and noise during construction;
 - parking of vehicles of site operatives and visitors; and
 - details of a community liaison contact for the duration of all works associated with the development.

The approved Construction Management and Logistics Plan shall be adhered to throughout the construction period for the development.

- 4) Construction works shall take place only between 0800 and 1800 on Mondays to Fridays, 0800 to 1300 on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.