



Appeal Decision

Site Visit made on 27 October 2020 by Emma Worby BSc (Hons) MSc

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 November 2020

Appeal Ref: APP/N5090/D/20/3253767

59 Longmore Avenue, East Barnet, Barnet EN5 1LA

- 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 Steve Hoskins against the decision of London Borough of Barnet.
 - The application Ref 20/0803/HSE, dated 13 February 2020, was refused by notice dated 10 April 2020.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeals 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 issue in the appeal is the effect of the proposed development on the living conditions of the occupiers of the neighbouring dwelling, 57 Longmore Avenue, in relation to outlook and privacy.

Reasons for the Recommendation

4. The appeal property is a two-storey mid-terrace dwelling located within a residential setting. It currently has a single storey outrigger to the rear with a raised decking area and steps down into the garden. The ground level is highest to the front of the site and decreases to the rear of the site, with the dwelling at a higher ground level than the rear garden. The proposal would infill the area adjacent to the existing outrigger to create a single storey rear extension the full width of the dwelling with a mono-pitched roof.
5. The appeal property currently has a small canopy to the rear of the dwelling, which the proposal would replace. The current boundary between the appeal site and No.57 comprises the side of the canopy and a small trellis. This would be replaced by the side elevation of the proposed extension which would be directly adjacent to this boundary and significantly larger in depth and height than the current boundary treatment. Due to this, and the opaque nature of the materials to be used for the proposed extension, the side elevation of the proposal would have a more imposing appearance to this neighbouring occupier.

6. The adjoining house is at a slightly lower level than the appeal site. Due to this, the proximity of the proposed extension to the neighbouring property and its significant height and depth, the proposal would result in a detrimental sense of enclosure for the occupiers of No.57. This would be particularly noticeable from the neighbouring rear terrace and rear patio doors closest to the boundary, to where the proposal would also be likely to result in a loss of daylight.
7. The Residential Design Guidance Supplementary Planning Document (2016) (SPD) states that the depth of a single storey rear extension, normally considered acceptable for terraced properties is 3 metres. The proposal would be about 3.4metres deep so would breach this guidance.
8. Although the depth of the proposal would match the current rear structure and does not extend further than others within the terrace, this would not overcome the harm found. It is also noted that there are other similar rear extensions on other dwellings in the row. However, they are not comparable to the appeal before me as these dwellings are largely semi-detached properties where the SPD allows for deeper extensions.
9. The Council's report also highlights concerns regarding the loss of privacy to the neighbouring property, however these concerns are not included within the reason for refusal. Nevertheless, it is not considered that overlooking into the neighbouring gardens would be any worse than currently experienced from the existing raised decking and therefore the proposal would not result in a loss of privacy.
10. In conclusion, the proposed development would result in harm to the living conditions of the occupiers of the neighbouring dwelling in relation to outlook only. It would therefore be contrary to Policy CS5 of Barnet's Local Plan Core Strategy (2012) and Policy DM01 of Barnet's Local Plan Development Management Policies (2012), which seek to protect and enhance the gardens of residential properties, allowing for adequate daylight and outlook for adjoining occupiers.
11. It would also not comply with the SPD as stated above, and which also advises that single storey rear extensions should ensure that the depth and/or height of the extension does not cause a significant sense of enclosure, or loss of outlook from, or light to, principal windows of habitable rooms of neighbouring properties.

Other Matters

12. It is noted that no objections to the proposed development were received from neighbouring occupiers. However, proposals must be assessed with regard to both current and future occupiers and therefore this would not outweigh the harm identified.

Conclusions and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

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

Andrew Owen

INSPECTOR