
Appeal Decision

Site visit made on 30 December 2020

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 January 2021

Appeal Ref: APP/N5090/D/20/3261357

53 Oakleigh Park North, Whetstone, London N20 9AT

- 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 Kamal Atwal against the decision of the Council of the London Borough of Barnet.
 - The application Ref 20/3172/HSE, dated 10 June 2020, was refused by notice dated 18 September 2020.
 - The development proposed is the erection of extensions and alterations to detached dwelling; part single part two storey rear extension, new mansard roof incorporating dormer window roof extensions to front and rear, extended existing garage. New double storey entrance extension (portico). Alteration to front wall fenestration.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effect of the proposed development on the character and appearance of the local area and on the living conditions of the occupiers of 53A Oakleigh Park North with particular regard to privacy.

Reasons

Character and appearance

3. The proposal is to enlarge and externally alter the appeal property, which is a 2-storey detached dwelling with single storey front and rear projections in a predominantly residential area. It faces Oakfield Park North along which properties vary in style, scale, roof form and general appearance. Consequently, there is variety to the appearance of existing built form within the local street scene to which No 53 belongs. The site is not within a conservation area and the appeal property is not a listed building.
4. The Council has recently granted planning permission¹ to extend and alter No 53 in a manner that is similar to the proposal before me. The main differences between the approved scheme and the proposal are that the latter includes a steeper pitch to the new mansard roof, the number, size and position of the dormers and roof lights differ, as do some of the windows and the overall height and fenestration of the new 2-storey front addition. To my mind, the approved scheme is a realistic fall back position against which the appeal proposal should be assessed.

¹ Ref 19/6717/HSE dated 9 April 2020

5. The new mansard style roof would increase the scale and mass of the dwelling at a high level. Nevertheless, this element of the appeal scheme would be proportionate to the overall scale of the finished building and the profile of the new roof would not cause it to appear overly large, bulky or 'top heavy'. Appropriate external materials would be used and the size and position of the new front dormers and their windows would be in keeping with the style, proportions and fenestration of the completed dwelling. No visual disharmony or incongruity would result from these elements of the appeal scheme nor would they draw the eye among the varied built form in the local area.
6. A new 2-storey extension with a gable facing the road would also be introduced within the front façade. The new addition would be no deeper or wider than its approved counterpart although it would be taller but the top would be set well below the main ridge. The proposed extension would include a large feature window at first floor level that would extend from just above the main entrance to well above the eaves. A long vertical line dividing the window into two equal panes would visually accentuate its considerable length. When seen from just in front of the house and along the road, this new window would appear overly large and ill proportioned relative to the scale of the host building even with the glazed apex angled to follow the profile of the gable. As a result, the proposed window would have an overly dominant impact on the front façade and draw the eye as a discordant feature within the local street scene.
7. I saw that several properties further along Oakfield Park North and on nearby roads included sizeable front projections and had extensive glazing including those to which the appellant has referred and provided photographs. However, none of the examples provided or that I observed were comparable with the proposal in terms of the relationship to the host building and the street scene of which they form part. Consequently, these cases do not lend support to the appellant's case.
8. At the rear, 4 dormers would be placed onto the extended roof slope with each set back from the main ridge, eaves and the sides of the building. Although each dormer would be modest in scale, their collective presence in a row would introduce a prominent and repetitive feature that would noticeably add to the bulk of the property at roof level. This arrangement would add even more visual clutter on the rear roof slope than the 3 rear dormers that formed part of the approved scheme. It would also differ to the simple design and unfussy rear roofscape of the existing dwelling. That the new rear dormers would be unevenly spaced apart and neither align with nor successfully relate to the windows below would also conflict unsatisfactorily with the fenestration in the rear façade of the completed building.
9. None of the proposed rear dormers would be evident from the road given their position at the back of the property. Even so, the awkward relationship between this element of the appeal scheme and the rear façade of the host building would be obtrusive when seen from the rear garden of the adjacent property, which is 53A Oakleigh Park North. While I saw that some properties in the local area also included dormers and I have taken into account those examples that the appellant has referred to, none were the same or very similar to the proposal.
10. For all of these reasons, the proposal, when taken as a whole, would fail to achieve the high quality design sought by Policy CS5 of the Barnet's Local Plan

(Core Strategy) (CS), Policy DM01 of the Barnet's Local Plan (Development Management Policies) (DMP) and the National Planning Policy Framework (the Framework). This policy applies whether or not the proposal is available to public view or involves a heritage asset such as a conservation area.

11. On the first main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the host building and the local area. Accordingly, it is contrary to DMP Policy DM01 and CS Policies CS1 and CS5, which aim to ensure that development respects the local context and preserves or enhances local character. These principles underpin the advice given in the Council's Supplementary Planning Document, *Residential Design Guide*, (SPD) with which the proposal would conflict. It is also at odds with the Framework, which states that development should be sympathetic to local character and add to the overall qualities of the area.

Living conditions

12. A 1.8-metre high privacy screen is proposed to one side of the new balcony above the proposed ground floor rear extension to avoid overlooking problems towards the rear of No 53A. This new screen would also provide privacy to users of the new balcony. It might be possible to peer over the top of the new screen towards the back garden of No 53A although I doubt this would be a common occurrence. When seen from the rear of No 53A, the privacy screen would signal the presence of the proposed balcony that may heighten a sense of being overlooked. However, the new screen would be set back from the shared boundary between Nos 53 and 53A. It would also be modest in length. Together, these features would diminish the presence of the new screen and the balcony beyond when seen from the rear of the adjacent property.
13. In my experience, some overlooking is a feature of properties that stand side by side in built up areas such as this. With that in mind, and taking into account the above points, I consider that the potential for additional overlooking and the sense of being overlooked as a result of the new balcony would not have a significant impact on the living conditions of the occupiers of No 53A.
14. Accordingly, I find that the proposal does not conflict with DMP Policy DM01, CS Policies CS1 and CS5, the Council's SPD or the Framework insofar as they aim to safeguard residential amenity. My favourable finding on this issue does not outweigh the harm that I have identified in relation to the effect of the proposed development on the character and appearance of the local area.

Conclusion

15. For the reasons set out above, and taking into account the absence of objections from others, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR