



Appeal Decision

Site visit made on 11 December 2020

by Mark Caine BSc (Hons) MTPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02/02/2021

Appeal Ref: APP/N5090/D/20/3257475

18 Raydean Road, Barnet, EN5 1AN

- 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 Dino Kumar against the decision of the Council of the London Borough of Barnet.
 - The application Ref 20/2599/HSE, dated 9 June 2020, was refused by notice dated 5 August 2020.
 - The development proposed is described as a 'side extension to garage'.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The application form describes the development proposed as provided in the final bullet header above. This was subsequently altered by the Council to a 'single storey front and side extension'. In making the appeal, this revised description was accepted by the appellant, and I have determined the appeal on this basis.

Main Issues

3. The main issues are the effect of the development proposed on the character and appearance of the dwelling, the street scene, and on the living conditions of the occupiers of 16 Raydean Road, with particular regard to outlook.

Reasons

Character and appearance

4. The appeal relates to one half of a pair of two-storey semi-detached hipped roof dwellings that are situated on the eastern side of Raydean Road. This side of the highway is characterised by similar semi-detached properties that are laid out in a linear pattern and have single storey linked garages that are set well back from the front face of the main dwellings. Some of these garages have already been extended and converted into living accommodation.
5. I recognise that the Council's Residential Design Guidance Supplementary Planning Document (2016) (SPD) advises that large, front extensions will not normally be permitted because of their effect on the street scene and character of the area in general.

6. However, the proposal would be of a single storey height, and would not protrude beyond the front face of the original dwelling. As such its depth would not be excessive or result in a development that would appear dominant or visually jarring along Raydean Road.
7. Furthermore, despite the proposed parapet wall and the difference in levels between the appeal site and No 16, it would be of a similar size and scale as some of the other side extensions that are located in the immediate area and benefit from planning permission. These include the neighbouring properties at No 20, and at No 22, which I do not consider to appear disproportionate when seen against the larger scale main dwellings.
8. Whilst the Council argues that one of these neighbouring extensions was granted permission under the provisions of the previous development plan, there is no evidence before me of how the previous planning policies differ from those contained in the current development plan in respect of assessing residential extensions. In any case, these now form a part of the established character and appearance of the immediate surroundings.
9. I therefore find the size, scale, siting and design of the proposal to be such that it would appear as a subordinate addition to the main building and would not be incongruous in its context. As a result, it would not cause material harm to the character and appearance of the existing dwelling or the street scene.
10. It would thereby not conflict with Policy DM01 of Barnet's Development Management Policies (DMP) Development Plan Document (2012), Policies CS1 and CS5 of Barnet's Local Plan (Core Strategy) Development Plan Document (2012) and advice contained in the SPD in this respect. Amongst other things, these policies require that all development should respect local context and distinctive local character.

Living conditions

11. The appellant argues that there would still be an approximate 2.4 metre gap maintained between the appeal dwelling and No 16 and that a side door would allow light into this neighbouring property. However, the linked garage to this neighbouring property, which is set back from the side door, has been converted into living accommodation. This contains a window within its façade that is positioned in close proximity to the shared boundary with the appeal site. It is uncontested that this window serves a habitable room, and I have no substantive reason to question this.
12. Given the difference in levels between the appeal site and No 16, in addition to the increased height and massing that would be created from the proposed parapet wall, I consider that the proposal would present a substantial elevation along this shared boundary when viewed from the front window of the converted garage. Although the proposal would only be approximately 2.7 metres in depth these factors would combine to create an undue sense of enclosure. This would significantly prejudice the level of outlook from this neighbouring window and reduce the amount of natural light to it.
13. As such I find that the development proposed would have a significantly harmful effect on the occupiers of 16 Raydean Road, with particular regard to outlook. In this respect it would therefore conflict with Policy DM01 of the DMP, Policies CS1 and CS5 of the Core Strategy and advice contained in the SPD.

Amongst other things, these policies seek to allow for adequate daylight, sunlight and outlook for adjoining and potential occupiers.

Other matters

14. I note that the appellant is disappointed with the Council's processing of the application given their discussions with planning officers and the resubmission of an amended planning application. Nonetheless, these factors have had no bearing on the outcome of this appeal as I have only had regard to the planning merits of the proposal that is before me.
15. The appellant has also suggested that they would be willing to make minor adjustments to meet requirements. However, I must deal with the application as submitted and on the basis of the evidence before me.

Conclusion

16. The proposal would not conflict with the intentions of the development plan concerning the effect on the character and appearance of the dwelling or the street scene. These factors, however, do not outweigh the significant harm that would be caused in respect of the living conditions of neighbouring residents. Therefore, my overall conclusion is that the appeal should be dismissed.

Mark Caine

INSPECTOR