
Appeal Decision

Site visit made on 21 January 2021

by Baljit K Muston BA(Hons) PGDip MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 February 2021

Appeal Ref: APP/N5090/D/20/3261545

41 and 41A Oakdene Park, Finchley, London N3 1EU

- 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 Kevin Mansouri against the decision of the Council of the London Borough of Barnet.
 - The application Ref 20/3595/FUL, dated 25 June 2020, was refused by notice dated 29 September 2020.
 - The development proposed is a part single storey, part two-storey rear extension, and roof extension including roof lights to existing two dwellings.
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Decision

1. The appeal is allowed and planning permission is granted for a part single storey, part two-storey rear extension, and roof extension including roof lights to existing two dwellings at 41 and 41A Oakdene Park, Finchley, London N3 1EU, in accordance with the terms of the application, Ref 20/3595/FUL, dated 25 June 2020, and the plans submitted with it, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan, block plan and drawings numbered 3913/P001, P002, P003, P004, P005, P006, P007, P008, P009, P010, P011, P012, P013.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site is located in a residential area, characterised by two storey semi-detached houses, many of which have been extended, particularly at roof level. The existing property has already been extended to the side, to create an additional house, and the appeal proposal includes a two storey projection to the existing rear elevation of both the original and additional dwellings. The

rear extension would project behind the existing rear elevations of these two houses. The appeal property is located on a corner plot in Oakdene Park, which results in its rear elevation being prominent in the street scene when viewed from that part of Oakdene Park that descends the hill from Gordon Road. As a result, the proposed extension would be a noticeable feature when seen from this location, and from houses on the south-western side of Oakdene Park.

4. Although the appeal proposal would be visible from a number of public and private viewpoints, it would not be unduly large. I am told by the Council that the two storey extension, which would be the most prominent part of the proposal, would extend by about 1.5 metres beyond the existing rear elevations of the two houses, and be some 6.1 metres wide. However, it has been designed so that it is set down from the main roof of the two houses, and would incorporate a hipped roof to match those already present on this property and the wider area. Whilst it would be visible, it would not be harmful to the street scene or character of the area.
5. The proposed extension would comply with Policy CS5 of Barnet's Local Plan (Core Strategy) (2012) (CS), and Policy DM01 of Barnet's Local Plan (Development Management Policies) (2012) (DMP) which require development to respect local context and distinctive local character, and to preserve or enhance local character. The Council also adopted Residential Design Guidance as a Supplementary Planning Document (SPD) in 2016. This deals with two storey rear extensions in paragraph 14.24. As recommended by that advice, the appeal property would not lead to harm to the character or appearance of the property or area.
6. The Council argues that "*the proposal would result in a development which is bulky and not subordinate in scale to the original design of the application site*". However, the proposal is a modest addition to an existing extended building. Each application must be considered on its merits and, regardless of whether the host building has been extended before or not, there is nothing in the appeal proposal that would result in unacceptable harm to the character or appearance of the area.
7. I conclude that the proposed development would not have an adverse effect on the character and appearance of the area, and would comply with Policies CS5 of the CS and DM01 of the DMP, as well as with advice in the SPD.

Other matters

8. Local residents objected to the application on grounds that included those raised by the Council, but also raised other matters, including an increase in the number of residents living on the appeal site, which may result in problems with parking, and the adequacy of the drainage system. However, the appellant says that this appeal proposal is creating better living accommodation for the two dwellings, and does not include an increase in the number of bedrooms within the two properties. I have no evidence before me to suggest that the problems envisaged by neighbours are likely to come about.

Conditions

9. As well as standard conditions relating to when the development should commence and compliance with the approved plans, a condition requiring the

external materials used to match the existing building is necessary, to protect the character and appearance of the area.

Conclusion

10. For the reasons set out above, I conclude that the appeal should be allowed, subject to the conditions set out above.

Baljit K Muston

INSPECTOR