



Appeal Decision

Site visit made on 22 June 2021 by Max Webb BA (Hons)

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 June 2021

Appeal Ref: APP/N5090/D/21/3272145

12A 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 Asif Bashir against the decision of the Council of the London Borough of Barnet.
 - The application Ref 20/5597/HSE, dated 21 November 2020, was refused by notice dated 19 January 2021.
 - The development proposed is a first-floor rear extension to box room only.
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Decision

1. The appeal is dismissed.

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 Issue

3. The main issues in the appeal are the effect of the proposed development on:
 - the character and appearance of the host dwelling and the surrounding area; and
 - the living conditions of the occupiers of the 14 Oakdene Park, with particular regard to outlook and whether there would be an overbearing impact.

Reasons for the Recommendation

Character and Appearance

4. The appeal property is located at the end of a street and has a public footpath running along the side and rear. The property has undergone significant previous development, notably a large ground-floor rear extension. Other properties on the street have also been extended, however not to the extent of the appeal dwelling.
5. The proposal seeks to extend an existing first-floor projection. As the property has already been extended, the proposal would add further bulk and therefore be out of proportion with the host dwelling, even though the actual size of the proposal may be relatively small. Properties in the vicinity appear to have a smaller scale, as none have been extended as significantly as the appeal dwelling. Therefore, the appeal property would not be in keeping with the scale of the surrounding area.

6. The proposal would be highly visible from public footpaths at both the side and rear of the property. The extension would be particularly visible from the side elevation and, with the additional mass of the proposal, this elevation would appear overly large and not subservient. There is a pair of properties that have a first-floor projection on the appeal street, however these are less visible and have an overall size that better suits the scale of the surrounding area.
7. Therefore, the proposal would harm the character and appearance of the host dwelling and the surrounding area. It would thus be contrary to Policies CS1 and CS5 of Barnet's Local Plan Core Strategy Development Plan Document (2012), which together aim to ensure development respects local context and distinctive local character. It would likewise go against the aims of Policy DM01 of Barnet's Local Plan Development Management Policies Development Plan Document (2012), which seeks to ensure proposals respect the appearance, scale and mass of the surrounding buildings. It would also not comply with the aims of the Barnet Supplementary Planning Document Residential Design Guidance (2016), which suggests that new development should recognise the scale of surrounding buildings and respect local character.

Living Conditions

8. The appeal property forms part of a semi-detached pair with 14 Oakdene Park. The rear elevation of this semi-detached pair is not level, with the main part of the appeal dwelling extending slightly further than No.14.
9. The proposed extension would, despite being on the opposite side of the dwelling to the shared boundary, be large enough to provide a sense of enclosure to the neighbour at No.14. It would be visible from the rear amenity space of No.14 and from the large first-floor window. This is the only window serving the first floor on the rear elevation of No.14, so even though the 45-degree line would not be breached, there would be a detrimental loss of outlook. Furthermore, when the proposal is combined with the existing extensions and the slight difference in depth between this semi-detached pair, it would appear as an overbearing and dominant addition that would impose on the outlook of No.14.
10. Overall, the proposal would be an overbearing addition that would impinge upon the outlook of the neighbouring property and would thus cause harm to the living conditions of the occupiers of No.14. It would therefore be contrary to Policy CS5 of Barnet's Local Plan Core Strategy Development Plan Document (2012) and Policy DM01 of Barnet's Local Plan Development Management Policies Development Plan Document (2012), which together aim to ensure high quality design that allows adequate outlook for adjoining neighbours. It would also go against the Barnet Supplementary Planning Document Residential Design Guidance (2016), which seeks to protect neighbouring amenity.

Other Matters

11. The proposal would provide more space in the property for the appellant, and this has been considered. However, this would not outweigh the harm to the character and appearance of the host dwelling and the surrounding area and the living conditions of the occupiers of 14 Oakdene Park.

Conclusion and Recommendation

12. For the reasons given above and having had regard for the Development Plan when it is considered as a whole, I recommend that the appeal is dismissed.

Max Webb

APPEAL PLANNING OFFICER

Inspector's Decision

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

K Taylor

INSPECTOR