



Appeal Decision

Site visit made on 12 November 2021

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 07 DECEMBER 2021

Appeal Ref: APP/N5090/D/21/3279251

22 Decoy Avenue, Golders Green, London NW11 0ET

- 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 Eytan Weisz against the decision of the London Borough of Barnet.
 - The application Ref 21/2287/HSE, dated 22 April 2021, was refused by notice dated 24 June 2021.
 - The development proposed is a ground floor extension and lower ground floor extension of existing dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for a Ground floor extension and lower ground floor extension of existing dwelling; in accordance with the terms of the application Ref 21/2287/HSE, dated 22 April 2021, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the approved drawings listed below:
 - 3D Views, Drg.no. 2700 rev.P5
 - Boundary Section, Drg.no. 3001 rev.P2
 - Proposed Elevations, Drg.no. 2000 rev.P3
 - Proposed First Floor Plan, Drg.no. 1102 rev.P2
 - Proposed Ground Floor Plan, Drg.no. 1101 rev.P6
 - Proposed Lower Ground Floor Plan, Drg.no. 1100 rev.P5
 - Proposed Roof Plan, Drg.no. 1110 rev.P3
 - Section, Drg.no. 3000 rev.P5
 - Site Levels, Drg.no. 1910 rev.P2
 - 2) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues are the effect of the proposed development upon:
 - The character and appearance of the host building and the surrounding locality; and
 - Living conditions of No.24 Decoy Avenue with particular regard to outlook and sense of enclosure.

Reasons

Character and Appearance

3. The appeal site is located along Decoy Avenue, which forms one of a number of streets in the local area that contains formally laid out speculative housing which appears to date from the mid-late twentieth century. Whilst there is evidence of original dwellings, many of which are detached bungalows with accommodation within the roof space, the area is experiencing a change in its character. It would appear that dwellings were originally a much more modest size with a number of dwellings along Decoy Avenue having undergone large extensions which have changed the character somewhat to larger dwellings with a reduction of visual gap between properties. Existing buildings along the street such as No.16 and No.18 have been demolished for new larger dwellings, whilst there are a number of later alterations to existing dwellings along the street which have increased in size via side and rear extensions and roof extensions. The character along this street is therefore more varied with new development and alterations taking a modern and enlarged form.
4. The topography of the land in this area also has affected the way dwellings have been developed. At the appeal site, the land slopes from the road to the rear where the rear garden has a sloping ground level which is mirrored to the dwellings along this side of the road. The dwellings have been positioned in a regimented fashion with similar front and rear setbacks, and gaps in between dwellings which allows views to the tops of vegetation within rear gardens. The regimented layout of dwellings in their positioning with similar setbacks, hipped roof forms, building height and the use of well planted front gardens with low boundary walls presents a leafy and open character where gaps in and around properties are part of the positive qualities of the area. These positive qualities reinforce local character and distinctiveness.
5. The appeal site displays a number of positive qualities which are experienced within the street scene, and appears to be one of the original properties of the estate with single storey construction with accommodation within the roof space which maintains setbacks to the side boundaries, with visual gaps in between the properties and the regimented layout in terms of setback from Decoy Avenue. The appeal building has been extended to the rear with a rear terrace and rear extension, side extension as well as alterations to the roof space. Side boundary fences follow the topography of the garden and are quite tall to screen some of the views to the rear garden of neighbouring properties from the rear terrace.
6. In undertaking extensions and alterations to existing dwellings, the Barnet Core Strategy (CS) Policies CS1 and CS5 seeks that new development respect local context and distinctive local character creating places of high quality design. The Development Management Policies Development Plan Document

2012 (DPD) Policy DM01 seeks that development be based upon and understanding of local characteristic and should preserve or enhance local character in terms of appearance, massing, height and their relationship to the surrounding layout. These policies are supported by a Residential Design Guidance Supplementary Planning Document (SPD) which provides further guidance and advice with regards to appropriate design principles employed in extensions and alterations.

7. The main concerns expressed in the Planning Officer's report relate to the overall depth of the lower ground and ground floor extensions, giving an effect of a 3 storey dwelling and a large amount of visual massing and bulk. Whilst I agree that the proposed extension would be large in that it alters and extends much of the dwelling, particularly to the rear and with the addition of a basement level, I disagree that the extensions are not subordinate.
8. The extensions proposed would be designed in a way that they would be proportionate to the dwelling and utilise the topography of the site with the basement set into the ground level and partly exposed to the rear. The SPD detailing rear extensions seeks that whilst in most cases detached dwellings should not exceed a depth of 3 metres, it does depend on the merits of the scheme and the local context and constraints of the area. In this particular case, it is evident the extent of rear extensions in the surrounding area and that this proposed extension would not be out of character in this respect. The ground floor extension takes a modern and honest approach with its lightweight construction and large areas of glazing and does not extend beyond the sides of the dwelling and is subordinate to the depth of the original footprint of the dwelling.
9. Turning to the lower ground floor, this would be partly set into the ground with approximately half of its height being visible. The windows of the lower ground floor would align with and reflect the alignment and lightweight proportions of the floor above; and whilst being partly visible, I do not agree that it would present as a three storey dwelling in this respect. I note that the SPD recommends that basement extensions should project no further than 3 metres past the rear façade of the dwelling, however it is unclear whether this refers to the original dwelling or the rear façade of the proposed extension. Either way, the setback of the lower ground to first level assists in reducing visual bulk and does not appear excessive when considering surrounding development, the constraints of this particular site and the character and appearance of the existing building.
10. In conclusion of this matter, when experienced within the context of the locality, the proposed development would be in keeping with its surroundings in terms of the height, materials, setback, roof forms and visual gaps in and around the buildings which are important elements of local character and distinctiveness in this particular street scene. Consequently, the scheme would be made in accordance with CS Policies CS1 and CS5 and DPD Policy DM01, which are supported by the SPD as described above.

Living conditions of No.24 Decoy Avenue with particular regard to outlook and sense of enclosure.

11. No.24 Decoy Avenue, like the appeal site appears to be one of the original dwellings along Decoy Avenue, and contains a single storey detached dwelling with accommodation in its roof space. The dwelling is setback from its shared

boundary with the appeal site, and whilst the building has a side extension along the boundary with the appeal site, this neighbouring dwelling does not contain rear extensions to the extent of the appeal site.

12. The ground floor of the proposed rear extension is setback from the shared boundary with No.24 and whilst I agree with the Council that the proposed form of the rear extension will be noticeable from No.24, the width of the garden of No.24 combined with the setback, height of the boundary fence and vegetation along the boundary should not create a 'tunnelling effect' for No.24 between the rear extension of No.26 and the appeal site with an appreciable ability to have an acceptable outlook from the rear of this property.
13. That said, and in conclusion of this matter, whilst I agree that there may be some change in how the extension is experienced from the rear of No.24, taking all of the above into account, I do not feel that this would be to an extent that would cause adverse detriment to the living conditions of this neighbouring property as a result of outlook and sense of enclosure. As such the proposed scheme would be compliant with CS Policies CS1 and CS5 and DPD Policy DM01 as described above.

Conclusion and Conditions

14. For these reasons, and having considered all matters raised in evidence and from what I saw during my site visit, I conclude that the appeal should be allowed and planning permission granted, subject to the conditions as detailed previously.
15. The Council in their Appeal Form response detailed that should the appeal be allowed, that conditions regarding time limit, approved plans and materials which match existing be placed on any decision notice. I have considered the conditions as specified in the beginning of this letter in accordance with the Planning Practice Guidance (PPG). Conditions 1 and 2 are standard conditions which set the standard time limit and approved plans which are necessary for the avoidance of doubt and in the interests of proper planning. Condition 3 seeks that the scheme is constructed in matching materials which are necessary as this condition enables the development to fit in with the character and appearance of the existing dwelling and the locality.

J Somers
INSPECTOR