
Appeal Decision

Site visit made on 6 December 2021

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 December 2021

Appeal Ref: APP/N5090/D/21/3279603

67 Oakleigh Park North, Whetstone, London N20 9AU

- 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 Dinos Ioannou against the decision of London Borough of Barnet.
 - The application Ref 21/0160/HSE, dated 23 December 2020, was refused by notice dated 6 May 2021.
 - The development proposed is front and rear extensions plus roof alteration.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
3. Following determination of the planning application by the Council, the appellant has prepared existing and proposed 'Field of Vision' plans. I have paid regard to these plans in consideration of the appeal. Having regard to the Wheatcroft Principles I am satisfied that no interested parties have been prejudiced by my approach.

Main Issues

4. The main issues are:
 - The effect of the proposed development upon the living conditions of the occupiers of No 65 and No 69 with regard to outlook and privacy; and
 - The effect of the proposed development upon the character and appearance of the host property and the area.

Reasons

Living conditions of existing occupiers

5. To the front the host dwelling is recessed at first floor level along the boundary with No 69. I acknowledge that the appeal property sits on a higher ground level and to the north of No 69. However, the area in front of the dwellings is

open and the front extension would maintain adequate separation between them. It's form and scale would not result in a sense of enclosure or diminish the outlook experienced to a degree that would be overbearing for neighbouring occupiers.

6. To the rear of properties in the area, there is a degree of mutual overlooking between dwellings typical of its suburban setting. Whilst the rear extension would project further outwards, it would not be any closer to the side boundaries. In this context, this would not result in significant harm to the living conditions of existing neighbouring occupiers given that views would be towards the rear of the garden rather than towards the areas closest to the rear of the dwellings.
7. Whilst the edge of the roof terrace would extend along the boundary with No 65, I am satisfied that the tall glass screen would prove effective in protecting neighbouring privacy when the roof terrace would be in use. Moreover, given the position of the terrace in relation to neighbouring windows and the garden any overlooking would be at oblique angles preventing any undue loss of privacy.
8. I have been directed to a previous appeal at the property, which the Council consider is relevant. However, based on the limited information provided I am not persuaded the schemes are comparable nor am I bound by the Inspector's findings or decision. I have considered the appeal on the basis of its individual merits and the evidence before me.
9. I therefore find that the proposal would not adversely harm the living conditions of the occupiers of No 65 and No 69 by reason of loss of privacy or outlook. The proposal therefore accords with Policy CS5 of the Barnet Local Plan Core Strategy (2012) (CS) and Policies DM01 and DM02 of the Development Management Policies Development Plan Document (2012) (DMP) which, amongst other things, require development to respect local context and allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.
10. It would also accord with guidance contained within Supplementary Planning Documents 'Sustainable Design and Construction' (2016) and 'Residential Design Guidance' (2016) (RDG) which, amongst other things, seek to ensure that developments do not significantly overshadow neighbouring buildings, block daylight, reduce sunlight and protect the privacy of existing and future developments and gardens.

Character and appearance

11. The appeal property comprises a detached two storey dwelling located within a residential area. The property has been previously extended including in the form of a single storey rear extension.
12. Dwellings in the area are largely individual and vary in terms of design. The set back of houses from the roadside, planted and open frontages together with the gaps between houses gives the road an open feel. Many properties have been extended including some that have been substantially altered resulting in a varied street scene.
13. Whilst the proposed front extension would increase the scale of the dwelling it would retain a noticeable gap between the host property and No 69. The front

extension would be built over the existing footprint of the ground floor with a consistent parapet being a proportionate addition squaring off the corner of the house and creating a more visually coherent front elevation.

14. I acknowledge that the RDG provides a degree of flexibility in relation to rear extensions. However, I find that the proposed rear extension would extend the host property considerably. The combination of the overall width and scale extending over almost the entire ground floor extension would be significantly large and disproportionate to the host property resulting in an unduly elongated building. The proposed roof design would be sympathetic to the appearance of the host building, but it would not disguise the overall bulk of the rear extension.
15. The bulk of the rear extension would be overly dominant and whilst reasonably localised, the proposal would unacceptably harm the character and appearance of the host property and the area.
16. My attention has been drawn to No 71 which has been extended. However, the circumstances in each case is likely to be different and in any event every appeal must be considered on its own merits, as I have done. This example is not a reason to allow unacceptable development and does not lead me to reach a different conclusion on this matter.
17. I conclude that the proposed development would harm the character and appearance of the host property and area contrary to CS Policies CS1 and CS5 and Policy DM01 of the DMP which, amongst other things, seek to create quality environments, developments to respect local context and distinctive local character and to enhance the borough's high-quality suburbs.
18. It would also be contrary to guidance contained within the RDG which, amongst other things, seeks to ensure that rear extensions do not harm the character or appearance of the property and area.

Other Matters

19. I note the appellant's comments that the proposal would provide additional living space for their family. However, whilst this is a personal benefit of the proposals, it is insufficient to outweigh the harm I have identified in relation to character and appearance.
20. As identified above, I have found the front extension to be acceptable. However, the appellant has not indicated that they would wish to implement this in isolation, or that it is severable from the remainder of the proposal. I have therefore determined the appeal on that basis.

Conclusion

21. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR