



Appeal Decision

Site visit made on 4 July 2022

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

an Inspector appointed by the Secretary of State

Decision date: 28TH July 2022

Appeal Ref: APP/N5090/D/22/3291619

84 Northumberland Road, New Barnet, Barnet EN5 1EE

- 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 Nick Dekker against the decision of the London Borough of Barnet.
 - The application Ref 21/6281/HSE, dated 30 November 2021, was refused by notice dated 25 January 2022.
 - The development proposed is described as a part single, part two storey rear extension with Juliette balconies at ground and first floor levels. Alterations to existing ground floor rear extension roof including insertion of a lantern rooflight. Conversion of garage into habitable room with new window to replace existing door. New windows to existing basement.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the description of the development from the Council's Decision Notice as this provides greater detail regarding the specific elements which require consent. I note that this description is also present on the appellant's appeal form.
3. I have also been notified within the appeal documents¹ that the first name given on the application form for the appellant is incorrect. This has been amended accordingly within this letter.
4. The application proposal contains a number of elements requiring planning permission. From a review of the appeal documents it would appear that the main concerns expressed by the Council relate to the rear ground and first floor extensions. As such this letter will focus only on these elements.

Main Issue

5. The main issues are the effect of the proposed ground and first floor rear extensions upon:
 - The existing building and the character and appearance of the locality; and
 - The living conditions of No.86 Northumberland Road, with particular regards to access to light and sense of enclosure.

¹ Email from Sam Bennett to Planning Inspectorate, Dated 14 February 2022.

Reasons

Character and appearance

6. The appeal site is located along Northumberland Road, which like the locality, is formed of a number of streets that contains formally laid out speculative housing which appears to date from the early to mid-twentieth century. The local area contains detached and semi-detached dwellings which have a symmetry in their placement with a consistent building line and setback with front gardens and low boundary walls. There are also visual gaps to the first floor level in between properties where glimpses to the tops of trees in rear gardens are experienced and is a positive characteristic of the area alongside street trees and vegetated front gardens. The dwellings along Northumberland Road have similar design and size characteristics with brown concrete roof tiles, the use of pebbledash with brick quoins, large two storey forward projecting bay windows, hipped roof forms, and chimney stacks which are a dominant feature to the locality and design of the dwellings, amongst others. These positive elements reinforce the local character, appearance and distinctiveness of the area.
7. The appeal site is one of the characteristic original detached dwellings and comprises of a main two storey component with hipped roof where the apex of the roof has been replaced by oversized box dormers on both the rear and front roof planes. To the rear the land appears to slope away from the street with the building having a basement level and three storey appearance from the rear garden. The basement level protrudes out from the original rear facade and has a terrace above with a ground floor extension that is setback from the edge of the basement level and runs half way across the rear façade above the basement extension.
8. In undertaking extensions and alterations to existing buildings, the London Borough of Barnet Local Plan Core Strategy (CS) Policies CS1 and CS5 seeks to ensure that redevelopment delivers a high quality design by respecting local context and distinctive local character. The London Borough of Barnet Development Management Policies (DMP) Policy DM01 seeks to encourage development that provides positive characteristics such as understanding context, be high quality in design, form, scale, layout and the spaces around them, amongst others. These policies are supported by the Residential Design Guidance Supplementary Planning Document (RDG) which outlines overarching design considerations for enhancing character such as local character, pattern of development, building line and setbacks, scale, massing and height, materials, colour and architectural detailing, amongst others.
9. With regards to the ground floor and first floor rear extensions, the proposal would extend the ground floor extension so that half of the extension would be in line with the basement level and allow a small walkway with glass balustrade to access a stairway to the rear garden. The first floor component would be constructed above the proposed ground floor extension for half of the façade and be slightly setback from the ground floor. Currently the setbacks between the basement, ground and first floor levels play an important role in setting back the built form in a staggered approach which is effective in reducing the presence of visual massing and bulk. I appreciate that the RDG states that ground floor extensions of this depth are typically acceptable, however the guidance does not cover all scenarios and also places an emphasis on further

assessments of the pattern of development, setbacks, scale, massing, height, amongst others.

10. In this particular context there is evidence of large rear extensions in the surrounding area, however there is an emphasis on setbacks and subservience. The proposed extensions would remove many of the setbacks where particularly at basement and ground floor levels the built form would be experienced as a single visual mass which would appear overly bulky. This appearance is accentuated by the addition of a further extension at first floor level which when experienced with the oversized dormer windows within the roof plane, has an awkward and visually bulky appearance. Whilst the architectural integrity and authenticity of the existing building has experienced a number of alterations, the proposal at ground and first floor levels would be a dominant addition that would be incongruous to the existing building and would not reinforce the qualities of character, appearance and local distinctiveness.
11. I appreciate comments in the appellant's Statement of Case (SoC) that the neighbouring property at No.82 has had rear extensions, however these extensions do appear to have been undertaken some time ago and do not incorporate a first floor rear element as proposed to the appeal dwelling. The appellant also mentions that they have gained approval for various applications to extend across the full width of detached dwellings at both ground, first floor and roof levels. I have not been presented with any evidence of this in the appeal documents and therefore am unable to base a judgement around whether these applications are similar considerations to the appeal site. As such these elements do not provide additional justification for the proposal.
12. In conclusion of this matter, the proposed extensions when combined would be clearly disproportionate and the additional visual bulk and massing would be unlike other extensions constructed within the immediate vicinity. Consequently, the proposal would be harmful to the character and appearance of the existing building, and the local distinctiveness of the locality and be contrary to CS Policies CS1, CS5, and DMP Policy DM01, which is supported by the RDG as described previously.

Living Conditions

13. The main concerns from the Council Officer Report relate to sense of enclosure and loss of light to No.86, however the Officer Report does not detail exactly how this occurs and whether the loss of light or sense of enclosure is from the enjoyment of the rear garden or from within the neighbouring premises. The appeal site shares a boundary with No.86 which also contains an extension at basement and ground floor levels. No.86 has an accessway to the rear garden along the shared boundary which leads to a larger garden area with paved section to the rear of the dwelling for sitting outside. Whilst the presence of the extension along the property boundary of No.86 would increase the amount of built form with a blank boundary wall that is taller than existing, given the relationship of the proposed extension to the extensions of No.86, I am not convinced that the increased height would cause adverse material detriment to this neighbouring property.
14. Given the length of the garden of the neighbouring property, there is ample ability to enjoy the rear garden of the property away from the extension which would not create a sense of enclosure. I also note within the appellant's SoC that the proposed first floor extension would not encroach upon the 45 degree

line from the centre point of the window as discussed within the RDG. Given the position of the sun, there may be some slight loss of light towards the afternoon, however this would not appear to be to the extent that it would cause adverse material detriment to the living conditions of No.86. The rear windows and garden would still achieve an adequate amount of light as a result of the proposed extension.

15. Taking the above into account and in conclusion of this matter, I therefore disagree with the Planning Officer's report that the proposal would be overbearing and cause an inappropriate level of loss of light. Consequently, the proposal would be compliant with DMP Policy DM01 which seeks that development proposals be design to allow for adequate privacy and light for adjoining and potential occupiers and users which is supported by the RDG.
16. I note reference in the Reason for Refusal No.2 in the Council's Decision notice to CS Policies CS1 and CS5 which are design orientated policies that seek to protect and enhance character to create high quality spaces. The policy contains no reference to assessment of living conditions and is therefore not relevant to the assessment of this matter.

Conclusion

17. Whilst I have agreed with the appellant and find that there is no detriment caused to living conditions, when the development plan is taken as a whole, this would not be sufficient to override the conflict with the development plan with relation to character and appearance. For the reasons given above, I conclude that the appeal is dismissed.

J Somers
INSPECTOR