



Appeal Decision

Site visit made on 14 September 2022

by K L Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th October 2022

Appeal Ref: APP/N5090/D/22/3300428

57 Richmond Road, New Barnet, Barnet EN5 1SF

- 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 T Cox against the decision of the Council of the London Borough of Barnet.
 - The application Ref 22/1344/HSE, dated 14 March 2022, was refused by notice dated 3 May 2022.
 - The development proposed is described as "two storey rear extension".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was made in the name of the agent used for the planning application; however, it was subsequently clarified that the appeal should proceed in the name of the appellant.

Main Issues

3. The main issues are the effects of the proposed development on:
 - The character and appearance of the host property and the surrounding area; and
 - The living conditions of the occupiers of 55 and 59 Richmond Road with particular regard to outlook and light.

Reasons

Character and Appearance

4. The appeal property is an end terrace property in a short row of two storey houses. The appeal property is typical of this part of the road, where the houses are substantial period semi-detached and terraced properties set back from the highway by front gardens. Properties here generally have short two storey outriggers with longer extensions at ground floor and long rear gardens. Taken together these provide a clear sense of rhythm and spaciousness to the properties along this side of the road, a pattern which is evident between them and at their rears.
5. There is a considerable downward slope in the road which means that the appeal property sits slightly below its attached neighbour at 55 Richmond Road. In turn the appeal property sits higher than 59 Richmond Road, which forms part of the adjacent pair of semi-detached houses and is separated from the appeal property by a narrow gap between the houses.

6. 53 - 57 Richmond Road are locally listed as a non-designated heritage asset and, as a terrace, is noted for its aesthetic merit, group value and intactness. To the rear of the terrace, some alterations have been carried out in the past, including a longer than average outrigger extension at No.53, which is an anomaly on this part of the road. Nevertheless, the terrace forms an attractive group of properties which contribute positively to the character and appearance of the area.
7. The proposal would involve the extension of the existing two-storey outrigger on the appeal property to the same length as the existing single storey element of the outrigger. The proposal would be similar in length to that already in existence at No.53. I do not, however, have full details of how this outrigger came to being, but the Council note that it has been in existence for some years.
8. The proposal, in combination with the previously approved ground floor extension, would appear as a bulky and incongruous addition to the rear of the appeal property. The overall result of the extensions to the property would not appear as a subordinate addition to the original dwelling. Furthermore, the cumulative effect of extensions on the appeal property, and on the other two properties which form the terrace, would be to dominate the rear elevation of the terrace and erode its otherwise relatively intact appearance. This would be particularly and harmfully felt at first floor level.
9. Although views of the proposal from the road would be limited, it would be clearly visible from a number of neighbouring properties and their gardens and is part of the context and setting in which the buildings are experienced. The proposal would therefore cause less than substantial harm to the significance of the non-designated heritage asset which according to paragraph 203 of the National Planning Policy Framework (the Framework) requires a balancing judgement, which I turn to later.
10. Accordingly, I conclude that the proposed extension would have an unacceptably harmful effect on the character and appearance of the appeal property and the surrounding area. The proposed development would therefore be in conflict with Policy CS5 of Barnet's Local Plan Core Strategy 2012 (Core Strategy) and Policies DM01 and DM06 of Barnet's Development Management Policies Document 2012 (DMPD) which, amongst other things, seek to ensure that development proposals respect local character and the appearance of surrounding buildings, spaces and streets. The proposal would also fail to comply with the guidance set out in the Council's Supplementary Planning Document: Residential Design Guidance 2016 (SPD) relating to two storey rear extensions.

Living Conditions

11. A Daylight and Sunlight Assessment has been submitted with the appeal. This demonstrates that due to the orientation of the proposal on the north elevation of the appeal property its presence would have minimal impact on the amount of daylight and sunlight serving habitable rooms in the two neighbouring properties. I have no reason to disagree with this assessment and find no harm in this respect.
12. The appeal property is separated from its neighbour at No. 59 Richmond Road by a small gap between the two properties. The proposed extension would be

visible at an oblique angle from the windows on the rear of this property. However, the orientation of the proposal and the long back gardens on this side of the road would mean that there would be no unduly adverse impact on the levels of amenity enjoyed by the occupiers of this property.

13. The effect on No. 55 would be partly mitigated by the step in the terrace and both daylight and sunlight to habitable rooms in this property would be maintained to a level which would not unduly or adversely affect the living conditions of its occupiers. The position of the window at first floor level in the rear elevation of No.55 relative to that of the proposed extension would be such that the outlook from it would not be unduly compromised by the additional length that would result from the proposal.
14. Therefore, I conclude that the proposal would not unduly harm the living conditions of occupiers of Nos.55 and 59 Richmond Road with regards to outlook and light. In this respect, there would be no conflict with Core Strategy Policy CS5 or DMPD Policy DM01 insofar as they seek to safeguard appropriate standards of residential amenity. The proposal also would not conflict with the guidance contained in the SPD.

Balance

15. Paragraph 199 of the Framework sets out that great weight should be given to the conservation of heritage assets. I have identified in my reasoning above that the proposal would cause less than substantial harm to the non-designated heritage asset. Paragraph 203 of the Framework requires a balancing judgement on the less than substantial harm caused.
16. I have not been made aware of any specific benefits that would arise from the proposal over and above the private benefit of providing additional living accommodation for the occupier of the appeal property. Whilst I have not found harm to the living conditions of the occupiers of Nos.55 and 59, there would be harm to the character and appearance of the appeal property and the terrace in which it is situated. Therefore, there I consider that there are no benefits arising from the proposal which would sufficiently outweigh the less than substantial harm to the heritage asset that I have identified.

Conclusion

17. For the reasons set out above, having had regard to the development plan as a whole and all other material considerations, I conclude that the appeal should be dismissed.

K L Robbie

INSPECTOR