



Appeal Decision

Site visit made on 18 October 2022

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 DECEMBER 2022

Appeal Ref: APP/N5090/D/22/3304238

27 York Road, New Barnet, Barnet EN5 1LL

- 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 Syed Naseer against the decision of the Council of the London Borough of Barnet.
 - The application Ref 22/1608/HSE, dated 26 March 2022, was refused by notice dated 23 May 2022.
 - The development proposed is roof extension including hip to gable and rear dormer to facilitate a loft conversion.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. There is an inconsistency between the red line boundary shown on the site location plan, which includes the adjoining single storey garage, and the floor plans, which label the adjoining garage as belonging to the neighbouring property. This has not affected my decision.

Main Issues

3. The main issues are the effect of the proposed development on i) the character and appearance of the area and ii) the living conditions of occupiers of No.102 Gloucester Road, with regard to sunlight and privacy.

Reasons

Character and appearance

4. The appeal property is a relatively modern detached house, located in a prominent position, on the corner of York Road and Gloucester Road. There are much older, two-storey, semi-detached houses, with large gable fronted bay windows, located directly to either side of the appeal site. Although No.27 York Road does not match the houses on either side, its modest scale and design ensures that the older, more traditional, dwellings remain dominant in the street scene.
5. It is proposed to replace the existing shallow pitched roof with a steeper pitched roof. The eaves height would be unchanged but the height between the eaves and the ridge would be approximately doubled. The new roof would contain a large L shaped box dormer to the rear and 3 roof lights to the front.

6. It is also proposed to add two, two-storey, pitched roof, gable fronted bay window extensions to the York Road and Gloucester Road frontages. Although these are clearly intended to replicate those on the adjacent older properties, the design and proportions would not be the same.
7. Contrary to what is shown on the street scene drawings, the neighbouring properties have higher eaves, the windows are taller with a strong vertical emphasis and the bay window projections are on the outer edges of the pairs of semi's.
8. The proposal would bring the roof pitch and ridgeline of the appeal property more in line with the adjacent dwellings. However, this increased height, together with the addition of the mock bay window projections, which would be located closely together on the corner of the building and would contain no side windows, would result in an overly dominant building which would harmfully detract from the more distinctive and traditional dwellings in the immediate surrounding area.
9. The large L shaped box dormer, which would wrap around and fill most of the two rear roof slopes, would not be visually prominent from the street and I note that there are other large rear dormers in the area. However, the need for good design relates to all new development and does not exclude rear elevations simply because they are less visible. The dormer, despite being substantial in scale, would contain only two small windows. It is unclear if it is to be finished in render to match the walls of the house or hanging tiles to match the roof, but either way it would be a stark and unattractive feature.
10. I therefore conclude that the proposals would, due to their size, design, siting and bulk, appear as visually obtrusive and dominant additions that would further detract from and be harmful to the prevailing character and appearance of the area. The proposal is therefore contrary to Policy CS5 of Barnet's Local Plan Core Strategy (September 2012)(CS) and Policy DM01 of Barnet's Local Plan Development Management Policies (September 2012) (DMP), which seek amongst other things to ensure that development is of high-quality design that respects local context.
11. The proposal would also conflict with the Council's Residential Design Guidance Supplementary Planning Document (October 2016) (SPD), which advises that extensions should be consistent with the form, scale and architectural style of the original building. However, I do not find Policies CS NPPF or CS1 of the Core Strategy to be directly relevant to this small-scale proposal.

Living conditions

12. I am satisfied that the proposal would have no effect on the occupiers of No.25 York Road, due to its relationship with the appeal property and the absence of any side windows facing the appeal site. No.102 Gloucester Road, extends further back than the appeal property and is on much higher ground. It also has windows in its side elevation, which are quite large and appear to serve habitable rooms. Due to the difference in ground levels, both the ground and first floor side windows of No.102 are above the top of the high boundary fence.
13. Currently, there are only two first floor windows at the rear of the appeal property. One is to a bedroom, which faces the blank gable wall of No.25 York

Road, the other is a small hallway window facing the side windows and garden of No.102 Gloucester Road.

14. The proposal would introduce additional dormer windows to the rear. The elevation plans suggest these would be high level, non-opening or obscure glazed. As no floor plans or sectional drawings have been submitted, it is unclear which rooms these dormer windows would serve, how high they would be above the internal floor level or whether fixed or obscure glazing would be suitable for them. In the absence of such information, it is not possible to fully assess the effect of the proposed new windows on the living conditions of occupiers of No.102 or indeed occupiers of the appeal property.
15. At the time of my visit, at 10am, the whole of the rear garden of the appeal property was in the shade. Despite No.102 Gloucester Road being on higher ground, its ground floor side window and rear garden were also overshadowed by the appeal property. The proposal to increase the height of the appeal property would increase the overshadowing to No.102, which the occupier of this property advises already occurs from sunrise until after 11am.
16. Based on the evidence before me, I cannot be satisfied that the living conditions of neighbouring occupiers would be protected, in accordance with Policy DM01 of the DMP and advice contained within the SPD, which require, amongst other things, proposals to be designed to allow for adequate sunlight and privacy for potential occupiers of the development and adjoining occupiers.

Conclusion

17. For the reasons given above I conclude that the appeal should be dismissed.

R Bartlett

INSPECTOR