



Appeal Decision

Site visit made on 3 May 2023

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2023

Appeal Ref: APP/N5090/W/22/3306439

277 Oakleigh Road North, London N20 0DG

- 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 Adriatik Kadiu against the decision of the Council of the London Borough of Barnet.
 - The application Ref 22/2594/RCU, dated 14 May 2022, was refused by notice dated 8 August 2022.
 - The development proposed is 'single storey rear extension (storage) and detached outbuilding.'
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Decision

1. The appeal is allowed and planning permission is granted for 'single storey rear extension (storage) and detached outbuilding' at 277 Oakleigh Road North, London N20 0DG in accordance with the terms of the application, Ref 22/2594/RCU, dated 14 May 2022, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: MAY22_277ORN_01 Existing Plans as Built; MAY22_277ORN_02 Proposed Plans; and MAY22_277ORN_02A rev B Pre-existing Plan.
 - 2) The rear outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of 277 Oakleigh Road North, London N20 0DG.

Preliminary Matters

2. The development has already been constructed. I have considered the appeal on the basis that planning permission is sought for the development that has already been carried out.
3. 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.
4. The address on the original application form and decision notices states No 277 Oakleigh Road and does not refer to Flat 2. I have therefore used this in the banner heading above and in the decision.

Main Issue

5. The main issue is the effect of the proposed development upon the character and appearance of the host dwelling and the area.

Reasons

6. The appeal site comprises is a two-storey semi-detached building and its gardens. The building is positioned towards the end of a row of similar hipped and gabled semi-detached properties, many of which have had alterations to the roof, side and to the rear. As such the character of the area is mixed but tied together by the consistent heights and building line on Oakleigh Road. The buildings are also sited in relatively generous plots, with rear garden of the properties sloping down. The ground floor level of the rear of buildings are therefore highly visible from the side and rear from Denham Road. However, the rear of properties present a much more varied character including large extensions, roof dormer windows and outbuildings. The space at the rear of properties is an important noticeable characteristic which adds to the generally overall ambient residential and suburban quality of the area.
7. The appeal Building has been subject to extensive alterations, which are evident from the front, side and rear, this includes a lower ground floor extension¹. The appeal proposal comprises a modest single storey extension to the side of the lower ground floor of the two-storey extension. It has been designed to be subservient and although the lower ground is now wider than the original dwelling, it would not extend further than the approved side extensions.
8. I note the Council's concerns in relation to the overdevelopment of the site, and negotiations were sought to ensure the extension did not cross over the original building. However, in this instance, the now substantially scaled host dwelling has various contemporary, flat roof additions and alterations, which this element would reflect. As such this modest addition relates well to the host dwelling and due to its limited scale would not subsume it. Matching materials also integrates the proposed development with the host building, which retains its prominence.
9. When viewed from the side and rear, the ground floor extension, dominate views. Unlike the ground floor, the lower ground floor extension is not visually dominant from the surrounding area. The lower ground floor is concealed by adjacent land levels and fences in some views. Thus, in both near and distant views, the proposed extension would not appear obtrusive.
10. The outbuilding is detached from the host dwelling, and it is visible from the rear of the site along the footpath to allotments and from Denham Road, and neighbouring gardens. Whilst I acknowledge that other outbuildings and garages in the area tend to be of more traditional design and appear smaller, the appeal outbuilding is not visually prominent given the extent of vegetation around the site and its flat roof design, appearing as a boundary wall.
11. The outbuilding is higher than the suggested 2 metres set out in the Council's design guide. However due to the sloping site it does not compromise the spatial quality of the area, or the views between or across gardens. Whilst the outbuilding extends across most of the width of the site, there would be a

¹ Council Reference: 20/5673/HSE

generous space between it and the dwelling providing a reasonably sized garden. The building would be situated away from the surrounding buildings. Therefore, the proposal would not appear cramped or contrived in this context and would appear as a proportionate addition to the host building. Although I appreciate why the Council seeks the reduction in size, based on my observations of the character of the area this would not be necessary.

12. Consequently, although it is clear there is significant development at the site, in this instance, the development of both the lower ground rear extension being of a relatively smaller scale, subservient, and flat roof in appearance would preserve the character and appearance of the host dwelling in terms of scale and form. Similarly, the outbuilding would be an appropriate reasonable and proportionate addition. Cumulatively given the relatively concealed nature of the proposals they do not appear obtrusive or harm the character and appearance of the area. Furthermore, the Council have not raised any concerns with regard to other matters such as the impact of the proposal on the living conditions of the occupants of the appeal dwelling or the occupants of dwellings nearby.
13. The proposal would therefore accord with Policies CS NPPF, CS1 and CS5 of the Local Plan Core Strategy (September 2012), Policy DM01 of the Barnet Local Plan Development Management Policies DPD (September 2012). The proposal would also not conflict with Policy D3 of the London Plan (March 2021). Combined and insofar as they are relevant to the appeal these require proposals to preserve local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.
14. Similarly, the proposals would not conflict with the Council's Residential Design Guidance Supplementary Planning Document (SPD) 2016 as the character and appearance of the area would not be dominated by the proposed extension and outbuilding.

Conditions

15. As the application was submitted retrospectively, a time limit condition and specific condition regarding materials are not required. However, in order to provide certainty, I am satisfied that a condition [1] specifying the plans in accordance with which the proposal is to be retained would be. I have given both parties the opportunity to comment on the condition the Council suggested, which I have amended, as Planning permission would be required for the creation of any new dwelling. A condition [2] to ensure that the outbuilding remains ancillary to the No 277 is therefore necessary in the interests of the living conditions of neighbouring occupiers.

Conclusion

16. The proposed development would comply with the development plan as a whole and for the reasons given above and having had regard to all other matters raised. I therefore conclude that the appeal should be allowed.

K Williams

INSPECTOR