



Appeal Decision

Site visit made on 15 November 2023

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 December 2023

Appeal Ref: APP/N5090/D/23/3325994

89 Waterfall Road, Southgate, Enfield, N11 1BT

- 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 A Vukaj, H&H Properties Investment Ltd against the decision of the Council of the London Borough of Barnet.
 - The application Ref 23/1777/HSE, dated 24 April 2023, was refused by notice dated 19 June 2023.
 - The development proposed is a single storey rear extension involving demolition of existing conservatory.
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Decision

1. The appeal is dismissed.

Main Issues

2. There are two main issues. Firstly, the effect of the proposed extension on the character and appearance of the host dwelling and surrounding area; and secondly, the effect of the extension on the living conditions of occupiers of 91 Waterfall Road with respect to light and outlook.

Reasons

3. The appeal dwelling is a traditional chalet bungalow with a front facing first floor window. To the rear the roof of the original dwelling is hipped. The bungalow has an attached, single storey garage to the side. It has been extended previously, behind the garage and to the rear across about a third of the rear elevation to a depth of some 4m behind the original rear elevation. A conservatory sits in part of the L created between the original rear elevation and the side elevation of the rear extension. This is shallower than the rear extension and less than the remaining width of the dwelling.
 4. The bungalow is situated on a busy street and on a hill that falls away to the north-east, towards No 91, another chalet bungalow of different design. Dwellings to the south-west comprise a pair of semi-detached houses. Overall, the street is characterised by a mix of traditional, detached and semi-detached houses and bungalows of varying designs, such that there is little uniformity.
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5. The proposed single storey extension would replace the existing conservatory and extend some 4m from the original rear elevation of the dwelling and out to the original side wall facing No 91. It would be of a flat roofed design, joining seamlessly to the existing rear extension. A window in the existing side elevation would be blocked and replaced by a similar sized window that would serve a bedroom. The Council does not object to the removal of the existing conservatory, and I agree it is of little architectural merit. Neither is an objection raised to the new side window which I agree would be acceptable.
6. The existing side and rear extension has a roof that is higher than the eaves of the original bungalow. This means that it joins into the original pitched roof above the eave which disrupts the original roof form. Moreover, its height and flat roof mean that it obscures views of the pitched roof and the original dwelling when seen from the rear. By comparison, the existing conservatory joins the original building just below the level of the eave and its mono-pitched roof ensures that the original eave remains visible, thus preserving the primacy of the bungalow.
7. The proposed extension would result in the entire original rear elevation becoming hidden and, in particular, the original line of the eaves being lost. This would materially detract from the character and appearance of the original bungalow and would dominate the rear elevation. The height of the extension, coupled with its flat roof would lead to it appearing as a bulky and incongruous addition that would fail to be subordinate to the host dwelling. Although it would be similar in design and height to the existing rear and side extension its effect would cause greater harm because it would, notwithstanding the extent of glazing proposed, obscure the remaining two thirds of the rear elevation and, in particular, the roof and eaves through a failure to respect the proportions of the original bungalow or to use an appropriate roof form.
8. Although the Council is concerned that the proposed extension would be overly deep and, in combination with existing additions, would lead to a significant increase in floor area overall, the Council's Residential Design Guidance, 2016, states that a 4m single storey rear extension is normally acceptable on a detached property. Moreover, I consider that it is primarily the design of the proposed extension which makes it unacceptable because, as proposed, it would overwhelm the rear elevation.
9. It is concluded on the first main issue that the proposed extension would have a materially detrimental effect on the character and appearance of the host dwelling. In consequence, it would conflict with Policy CS5 of Barnet's Local Plan (Core Strategy) (CS), 2012, Policy DM01 of Barnet's Local Plan (Development Management Policies) (DPD), 2012 and with the Council's Residential Design Guidance SPD (SPD), 2016.
10. Taken together, and amongst other things, these expect new development to preserve or enhance distinctive local character and respect the appearance, scale, mass height and pattern of surrounding buildings. In particular, extensions should be consistent with the form, scale and architectural style of the original building. Consistency with the original building should be achieved by, amongst other things, respecting the proportions of the existing house and using an appropriate roof form.

11. Turning to living conditions, although No 91 is set at a lower level than the appeal dwelling and its rear building line is set back by some 1.4m from the rear building line at the appeal dwelling, there is a gap of some 1.8m between the proposed side wall of the extension and the shared boundary, which is marked by a close boarded fence of some 1.5m in height, and a similar distance to the closest rear corner of No 91. Given the open aspect to the rear of No 91, the gap between the appeal proposal and its neighbour and its limited height, I consider that there would be no material loss of daylight or sunlight to the rear of that building or its garden. Moreover, the separation distance and limited height of the proposed extension would ensure that it was not overbearing when seen from No 91.
12. It is concluded on the second main issue that the proposed extension would have no materially harmful effect on living conditions of occupiers at 91 Waterfall Road with respect to light or outlook. In consequence, there would be no conflict with CS Policy CS5, DPD Policy DM01 or the Council's SPD insofar as they expect development proposals to allow for adequate daylight, sunlight and outlook for adjoining occupiers and users.
13. Notwithstanding my findings on the second main issue, these do not alter or outweigh the identified harm to character and appearance. For the reasons set out above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

KE Down
INSPECTOR