

Appeal Decision

Site visit made on 21 March 2024

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 April 2024

Appeal Ref: APP/N5090/D/23/3335815

59 Bulwer Road, New Barnet, EN5 5EU

- 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 and Mrs A Egerton against the decision of the Council of the London Borough of Barnet.
 - The application Ref 23/4407/HSE, dated 13 October 2023, was refused by notice dated 8 December 2023.
 - The development proposed is front and rear single storey extensions.
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Decision

1. The appeal is dismissed.

Main Issues

2. There are two main issues. Firstly, the effect of the proposed single storey rear extension on the character and appearance of the host dwelling and the surrounding area; and secondly, the effect of the proposed single storey rear extension on the living conditions of occupiers of Nos 57 and 61 Bulwer Road with respect to outlook.

Reasons

3. The appeal dwelling is a semi-detached house on a street of established dwellings including other semi-detached pairs and detached houses. Although most dwellings appear to be of a similar age, there are differences in design. The appeal dwelling and its attached neighbour, No 61, are different from others nearby in the street. In particular, each dwelling has a two storey element set back from the main front elevation with the original front door set into this narrow, side projection. The appeal dwelling has a further, single storey side extension that infills the gap between it and its non-attached neighbour, No 57.
 4. The proposed front extension would create a new entrance and hall that would project in front of the existing set-back and single storey side extension but sit behind the main façade. It would link the original hallway with the single storey side extension. I agree with the Council that this modest addition would appear subservient to the host dwelling and would not be prominent in the street
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scene. I therefore agree that it would be acceptable. In consequence, I shall restrict my further consideration to the single storey rear extension.

5. The original dwelling included a two storey rear outrigger, set away from the shared boundary with No 61 and occupying just over half the original rear elevation. A modest single storey extension has been added to the outrigger which is wider than the outrigger and hence creates a disjointed appearance.
6. It is proposed to remove the single storey extension and replace it with a larger single storey addition that would occupy the full width of the plot and infill the side returns to both sides of the outrigger. It would extend beyond it by about 6m. The extension would have low eaves on each boundary of some 2m rising to a central ridge.
7. The width of the proposed extension and its design that would wrap around both sides of the outrigger and extend well beyond it would result in an extension that overwhelmed the original rear elevation. The wide, shallow pitched roof with a ridge that would be offset from that of the outrigger would add to its incongruous appearance. This, combined with the size of the extension would lead to a dominant and discordant addition that was unsympathetic to the original dwelling.
8. Although the Council considers the use of extensive glazing in the proposed rear elevation to be excessive, I find this acceptable in principle.
9. The appellants suggest that the Council's assessment is purely subjective and that there are other rear extensions with similar building lines nearby. However, the appeal dwelling has a different design to other neighbouring dwellings and in particular the rear outrigger is shallower and differently arranged. Therefore, although other extensions share a similar rear building line to that proposed their relationship with their host dwellings is not comparable with the appeal proposal.
10. It is concluded on the first main issue that the proposed single storey rear extension would have a materially detrimental effect on the character and appearance of the host dwelling and the surrounding area. In consequence, it would conflict with Policies CS1 and CS5 of Barnet's Local Plan (Core Strategy) (CS), September 2012, Policy DM01 of Barnet's Local Plan (Development Management Policies) (DPD), September 2012, and with the Council's Supplementary Planning Document: Residential Design Guide (SPD), October 2016. Taken together and amongst other things, these expect development to be of a high quality design that respects local context, distinctive local character and appearance, scale, mass and pattern of surrounding buildings. In particular extensions should not be overly dominant and should respect the original building in terms of form, scale and architecture.
11. Turning to living conditions, the appeal dwelling and its attached neighbour both have side returns created by the two storey outriggers. Both have patio doors serving habitable rooms at the rear of the side return. The proposed development would infill the side return at the appeal dwelling and extend along the shared boundary for some 9m, including some 6m beyond the two storey outrigger. Although the eaves of the extension would be low at 2m, the roof would rise up away from the boundary to some 3.4m. In combination, the proximity, overall height and depth of the extension would result in a feeling of

enclosure at No 61 that would restrict outlook from that dwelling, leading to an unacceptably overbearing effect.

- 12.I note that the current occupier of 61 Bulwer Road has no objection to the proposed extension. That is a material consideration but is a personal view and carries limited weight. This is because it is necessary to reach an objective view in order to protect the interests of not only existing but also future occupiers.
- 13.In respect of No 57, the flat roof of the existing single storey side extension at the appeal dwelling, coupled with the deeper rear outrigger at No 57, already results in a restricted outlook from and tunnelling effect to a window in the side return. The proposed extension, with its lower eaves height and roof in part hidden from the window by the existing side extension, would thus have a limited effect on outlook, despite its rearward projection. I am therefore satisfied that overall, it would not materially harm the living conditions of occupiers of No 57.
- 14.It is concluded on the second main issue that although there would be no material harm to outlook from No 57, the proposed single storey rear extension would have a materially harmful effect on the living conditions of occupiers of No 61 Bulwer Road with respect to outlook. In consequence, it would conflict with CS Policies CS1 and CS5 and DPD Policy DM01 and the SPD. Taken together and amongst other things, these expect new development to adopt a high standard of design that allows for adequate outlook for adjoining occupiers.
- 15.For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

KE Down
INSPECTOR