



Appeal Decision

Site visit made on 19 November 2024

by D Cleary MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 December 2024

Appeal Ref: APP/N5090/D/24/3352809

1 Folkington Corner, North Finchley, Barnet, London N12 7BH

- 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 K Kaura against the decision of the London Borough of Barnet Council.
 - The application Ref is 24/2693/HSE.
 - The development proposed was originally described as a part double storey side and rear extension. New porch. Construction of first floor extension over garage. Garage conversion and alterations to roof and rear and side dormers and vellum to front and side elevations.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on:
 - i) the character and appearance of the building and surrounding area; and,
 - ii) the living conditions of the occupants of No.1a and No.2 Folkington Corner with particular regard to outlook and overbearing.

Reasons

Character and Appearance

3. No.1 Folkington Corner (No.1) is a two-storey detached dwelling which is located on a cul-de-sac comprising a mix of two-storey detached and semi-detached dwellings. No.1 has an attached flat roof garage and recessed first-floor side projection to one side. There is some degree of variety in dwelling design along Folkington Corner, although hipped roofs are a regular characteristic. The street has a generally close spacing with numerous examples of two-storey development positioned on, or very close to, their side boundaries. No.1 is set within a wide plot and set back from the street behind a garden and driveway. The site is affected by a change in land levels from front to back with the dwelling set slightly below the street, and rear garden at a lower level beyond a raised patio. Levels also change side to side with No.1 being set a higher land level than No.1a Folkington Corner (No.1a), and lower than No.2 Folkington Corner (No.2).
4. The appeal scheme proposes various extensions and alterations to No.1. The extensions would result in two-storey additions being provided to both sides of

the property. The side extensions are not excessive in width, when compared to that of the existing dwelling. Furthermore, the extensions would be recessed at first-floor level and would have a ridge height that is set lower than that of the central part of the dwelling. Together, the width, first-floor set back and reduced ridge height would ensure that the side extensions would appear subservient to the host dwelling, which would remain visually dominant when viewed from Folkington Corner.

5. I acknowledge that the extensions would fill much of the width of the plot across two-storeys and, when entering Folkington Corner, the undeveloped gap between No.1 and No.1a would be eroded. Nonetheless, a modest gap from both side boundaries would be retained which would ensure that the plot would not appear overdeveloped from the street. Importantly, Folkington Corner is not characterised by its openness between properties and the proposed spacing from the side boundaries would be similar to other dwellings in the street. Therefore, the width of the extended dwelling and spacing from the boundaries would not be at odds with the established pattern of development in the area.
6. The two-storey side extension (adjacent to No.1a) would also project to the rear, resulting in a two-storey wraparound. A single storey flat roofed extension is also proposed to the rear, along with a central gable feature which projects above the eaves, and the installation of other dormer additions within the roof are also proposed.
7. While the alterations to the rear are numerous, the two-storey rear extension would not erode a significant proportion of the rear elevation and is set well away from the opposite side elevation. As such, I find that the overall width of the two-storey wraparound would appear proportionate to the existing dwelling. This, together with the single storey extension, would ensure that a sense of visual hierarchy with the original dwelling is provided.
8. Furthermore, the additions to the roof, including central gable, would be relatively modest in scale and would be surrounded by roof slope. An appropriate ratio between roof additions and roof slope would be provided to ensure that the character of original roof form is not lost. I also note that No.2 has a similar gable feature to its rear elevation and, as such, the proposed gable would be viewed in this context. Therefore, neither individually or cumulatively, I do not consider that these additions would dominate the roof or be at odds with the character of the dwelling or surrounding area.
9. I acknowledge that the degree of rearward projection of the two-storey wraparound extension would exceed the general advice set out in the Local Plan Supplementary Planning Document: The Residential Design Guide (2016) (the RDG). However, I am mindful that this is guidance only and not policy. Nonetheless, the depth of the extension is not so significant when compared to the depth of the original dwelling. Furthermore, the size of the plot is generous and spacious and the extensions would not result in any significant erosion of garden space for the site to appear overdeveloped or cramped. Therefore, I do not find that the extensions would appear disproportionate to the existing dwelling.
10. For the above reasons, I conclude that the development would not have a harmful effect on the character and appearance of the building or surrounding area. Therefore, the development complies with Policies CS1 and CS5 of

Barnet's Local Plan (Core Strategy) Development Plan Document (2012) (the BLPCS); Policy DM01 of Barnet's Local Plan (Development Management Policies) Development Plan Document (2012) (the BLPDMP); and, D3 of The London Plan (2021) (the LP). Together, amongst other things, these seek to deliver sustainable development that is of high-quality design which respects the local context. The development also accords with the guidance contained within the RDG which requires extensions to be consistent with the form, scale and architectural style of the original building.

Living Conditions

11. No.1a is a two-storey detached dwelling with rear facing windows to habitable rooms. It is set within an irregular shaped plot which is smaller than its neighbours. The rear garden is triangular in shape and has an intimate and enclosed feel created by its shape and extent of landscaping along and beyond its boundaries. To the rear is a raised patio of modest depth which is set above the soft landscaped garden beyond. As observed above, No.1a is set at a lower land level than the appeal site. The change in levels are not insignificant. A close board fence defined the shared boundary between the two properties.
12. The proposed two-storey side and rear extension would be positioned close to the shared boundary with No.1a, and adjacent to its raised patio area and garden. The size and shaped of the plot is such that the raised patio is intimately associated with the dwelling and is likely to be the primary external space used by occupants of that property. Due to the change in land levels, the submitted plans suggest that the ground floor level of the extension would be similar to the height of the boundary fence. Therefore, the extension would project significantly above the boundary fence and at close proximity to the rear patio and garden are. Due to the change in levels, along with the modest size and shape of the rear garden area, the two-storey extension would result in considerable built form and mass adjacent to the rear garden space. This would appear as a dominant and oppressive development which would also result in an unwelcome additional sense of enclosure. The extension therefore would have a significant overbearing effect on the external spaces of No.1a, which would be to the detriment of the living conditions of its occupants.
13. No.1a is positioned at an angle to No.1, and as such the rear façade of that dwelling is oriented slightly away from No.1. Notwithstanding my findings on the effect on external spaces, this juxtaposition would be sufficient to ensure that the scale of the extension would not be dominant in the outlook from rear facing windows as to adversely affect outlook.
14. No.2 is also a two-storey detached dwelling with windows within its rear façade which face over the garden of that property. It is set within a wide rectilinear plot, with raised patio adjacent to the rear elevation and soft landscaped garden beyond. The rear garden space has a more spacious and open character compared to No.1a. As observed earlier, the change in land levels means that No.2 is sited at a slightly higher level than the appeal dwelling.
15. A single storey rear extension is proposed close to the boundary with No.2. The extension would have a parapet roof and would appear as a flat roofed extension from the neighbouring property. The extension would be visible above the boundary fence although the slight change in land levels, and the proposed roof form, would ensure that the degree of projection above the

fence would not be significant. Furthermore, the length of the extension along the boundary would not occupy a significant proportion of the overall length of boundary. The rear garden of No.2 is also wide and deep and has a good degree of openness. Therefore, when considering these factors together, I do not consider that the extension would appear dominant or result in an unreasonable level of overbearing on the rear garden space of No.2.

16. The rear extension would be visible from internal spaces, particularly the nearest ground floor rear window. Although I note that this is set away from the boundary. The position of the window, along with the relatively modest height and depth of the extension, together with the change in levels, would mean that the extension would not be dominant in views from the window. Furthermore, due to the width of the plot, the rear windows would maintain largely uninterrupted wide views across the rear garden.
17. I acknowledge that the scheme includes a raised patio which would add additional built form projecting to the rear. Notwithstanding this, it would have a similar height to the fence adjacent to No.1a, while it would be set well below the height of the fence adjacent to No.2. Therefore, this part of the development itself would not appear prominent from neighbouring properties and I am not persuaded that the patio would contribute towards any additional overbearing or visual intrusion over that which I have identified.
18. For the above reasons, I conclude that the development would not have a harmful effect on the living conditions of the occupants of No.1a or No.2 with particular regard to loss of outlook, or No.2 with regard to overbearing. However, the development would have an unacceptable harmful effect on the living conditions of the occupants of No.1a with particular regard to overbearing to its external area. Therefore, the development conflicts with Policies CS1 and CS5 of the BLPCS; Policy DM01 of the BLPDMP; and, D3 of the LP. Together, amongst other things, these seek to deliver development that protects gardens, and to allow for outlook for adjoining users to be maintained.
19. The development also fails to adhere with the guidance contained within the RDG. This seeks to ensure that two-storey rear extensions do not result in an unacceptable sense of enclosure to, and an overbearing impact on, neighbouring gardens.

Conclusion

20. For the above reasons the appeal is dismissed.

D Cleary

INSPECTOR