



Appeal Decision

Site visit made on 8 September 2025

by **A.Graham BA(hons) MAued IHBC**

an Inspector appointed by the Secretary of State

Decision date: 06 October 2025

Appeal Ref: APP/N5090/D/25/3368702

26 Rankin Close, London, NW9 6SR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Adaora Okoli against the decision of London Borough of Barnet Council.
 - The application Ref is 25/1301/HSE.
 - The application is for rear ground floor extension, full width and rear first floor extension (2 storey extension).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal upon the character and appearance of the area and upon the living conditions of neighbours.

Reasons

3. The appeal property is a mid terrace house dating to around the later 20th century. It is part of a row of seven houses occupying the head of a cul de sac. The row of houses is staggered with the neighbour's party wall protruding extensively beyond the rear elevation of number 26. Despite this, number 26 has a relatively long and thin rear garden with a patio nearest the house and a high screen fence extending to around 2 metres in height marking the boundary between the appeal site and the adjoining neighbours.
4. The property is currently a two bedroomed dwelling with a central staircase giving access to two bedrooms, one to the front and one to the rear of the property. There is a rear footpath that gives access to the rears of all the houses along this row.
5. The proposal before me seeks to extend by around 3 metres to the ground floor so as to create more generous living accommodation to the main living spaces. Subsequent to this, a smaller first floor extension would extend to around 1.9 metres at first floor level. This first floor extension appears to be required due to the proposed installation of a new stair that would access the roof area that would become a third bedroom. In doing this the size of the rear bedroom would be significantly reduced and as such the solution proposed is to extend to the rear. Both extensions would extend over the full width of the house and hipped roofs and a set down to the ridge would be used to achieve a level of subservience.

6. The main issues here are concerned with the effect of the proposal upon both the character and appearance of the area and upon the living conditions of neighbours.
7. In this regard, although it would represent an extension where there currently is none, the design would be sufficiently contextual and sensitive to its surroundings to enable it to appear as a credible evolution of the area. The hipped roof form and step down in the ridge together with the details of fenestration would therefore ensure that such an extension, in design terms at least, would be acceptable.
8. In this regard the appearance and principle of such an extension would meet the policy requirements of policies CDH01 and CDH05 of the Barnet Local Plan in so far as they seek to ensure a high standard of design that is contextual.
9. In assessing this appeal with regards the effect it may have upon the living conditions of neighbours, I can see that the orientation of the properties here is along a North/South Alignment. This means that the sun travels around the plot from the direction of Rankin Avenue. The protruding siting of the adjoining neighbour at number 27, means that for much of the day the rear elevation of the appeal property would be in shade, especially in the winter months.
10. Despite this unusual and unfortunate layout of housing here the proposal would extend along the party wall alignment of the boundary between the appeal site and number 25 Rankin Avenue. In so doing it would present a strong two storey wall immediately on the boundary between the two houses. Although, in this case, the protrusion would be much less than that to number 27, nevertheless it would still have a noticeable effect of both enclosure and overshadowing that currently does not exist for those at number 25 Rankin Avenue.
11. Despite the 45 degree rule being met and despite the opportunity of the neighbour to fell coniferous trees within their rear garden, the tight knit plots and orientation of the row of houses here would mean that, even by only extending by 1.9 metres, the neighbours would still see a harmful enclosure that would adversely effect their living conditions.
12. In summary, I consider that the ground floor extension would be entirely appropriate. I also feel confident that there could be a design solution to help mitigate the impact of a first floor extension here, perhaps through a smaller protrusion along the common boundary or through a slight set in from the boundary to further mitigate its impact. However, it is not within my gift to consider such possibilities and, as such, the effect of the scheme before me would lead me to conclude that it would be harmful to the living conditions of those next door.
13. In conclusion and on balance, although the proposal would meet those parts of the Barnet Local Plan that seek to achieve contextual design, it would fall short of meeting those parts of Policies CDH01 and CDH05 in respect of their requirement to protect to the living conditions of neighbours.

Other Matters

14. I have before me concerns from neighbours with regards the potential for structural harm through such a proposal. Such matters are however protected through other legalisation and through the application of building regulations. As such I can give these matters only limited weight.

15. The Appellant's agent has made me aware of the personal circumstances of the resident's here with regards the caring of a vulnerable or less able child. Although I give these important personal circumstances great weight in this decision, I do not consider that the harm to the living conditions of neighbours is outweighed because of this and that the improvement of one family's living conditions should not necessarily come at the expense of harming those living conditions of another family.

Conclusion

16. The proposal would cause noticeable harm to the living conditions of those at number 25 Rankin Avenue and as such, for the reasons given above, whilst taking into account all other matters raised, I must dismiss this appeal.

A Graham

INSPECTOR