
Appeal Decision

Site visit made on 8 November 2016

by Andrew McCormack BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 November 2016

Appeal Ref: APP/N5090/D/16/3156835

372 Oakleigh Road North, Whetstone, London N20 0SP

- 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 Paul Watson against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/3073/HSE dated 10 May 2016, was refused by notice dated 11 July 2016.
 - The development is a loft conversion and creation of two new dormers.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion and creation of two new dormers at 372 Oakleigh Road North, Whetstone, London N20 0SP, in accordance with the terms of application Ref: 16/3073/HSE and subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 15-109 A.02 Revision A; Drawing No. 15-109 A.11 Revision A; Drawing No. 2016/1172/01A 'Second Floor Plan'; Drawing No. 2016/1172/01 'Site and Location Plan'; Drawing No. 2016/1172/02A 'Section A – A' and Drawing No. 2016/1172/03A 'Elevations'.

Procedural Matters

2. The original planning application sought retrospective planning permission for the development as described above. The application resulted from a variance from the approved plans during the construction of the roof extension which were submitted and allowed under permitted development. This variance from the approved plans was refused by the Council and there the appellant has lodged an appeal. As a result, I have been able to assess the completed development in situ at the time of the site visit and have, in part, determined this appeal on that basis.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the host property and the surrounding area.

Reasons

4. The appeal site is situated within a terrace row of dwellings on the south west side of Oakleigh Road North. The appeal relates to a two-storey mid-terrace
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single family dwelling with a two-storey rear outrigger projection. The terrace comprises 13 properties which are 'bookended' by a three storey property at each end. The majority of these properties have no visible extensions to the roof with the exception of a rear roof extension at 370 Oakleigh Road North (No 370) which is located adjacent to the host property and the extension that is the subject of this appeal.

5. The development constructed has resulted in the rear dormer not being half the width, height and depth of the host property's roofslope. As such, the Council argues that it does not accord with the Barnet Residential Design Guidance Supplementary Planning Document 2013 (RDG) and that it is not a subordinate addition to the host property. Furthermore, the Council state that the additional height of the roof ridge of the host property is contrary to the General Permitted Development Order 2015 (GPDO), the main roof rear dormer window is not set back from the eaves of the property by 0.2 metres and that the outrigger element of the dormer appears to project off of the first floor rear elevation. Although this may be the case, planning permission has been sought for the development before me. Therefore, I must assess the development on the basis of the evidence before me and on its own merits.
6. The Council consider the extension to be overly-dominant and unduly bulky and that the alteration to the roof ridge line is discordant with the uniformity of the terrace and the adjoining property at No 370. I appreciate that changes to the permitted development scheme have resulted in some slight changes to the appearance of the host property and the surrounding area. However, these changes are relatively minor alterations from the permitted plans and drawings, such as the small increase in roof ridge height and the lack of a set back of the rear dormer from the eaves of the host property. Furthermore, the adjacent property at No 370 has a rear roof extension which is similar in extent to the appeal extension. In this context, the extension has a limited visual impact on the character or appearance of the area to the rear of the properties.
7. Much of the development is not visible from the streetscene. The increased height of the roof ridge line which is visible from the street has a slight impact on the paired uniformity and rhythm of the terrace of properties. However, given the context of the wider locality, I find that this has only a minor impact on character and appearance.
8. As a result, and having had regard to all the evidence before me, I conclude that the alterations which have been made to the development do not amount to any significant harm being caused to the character or appearance of the host property and the surrounding area. Moreover, I find that the minor adverse effects on the character and appearance of the host property and the surrounding area, when considered cumulatively and individually, are insufficient to outweigh the benefits of the scheme such as providing addition accommodation to a family dwelling in an established and accessible location.
9. Consequently, I conclude that the appeal development complies with Policies CS1 and CS5 of the Barnet Core Strategy (2012), Policy DM01 of the Barnet Development Management Policies DPD, Policy 7.6 of The London Plan and the guidance contained within the RDG. Amongst other matters, these policies and guidance seek to ensure that development, including alterations and extensions, has no significant detrimental effect on the character and appearance of buildings and the surrounding area.

Conditions

10. I have had regard to the condition suggested by the Council. Where necessary, and in the interests of conciseness and enforceability, I have altered the suggested condition to better reflect the relevant parts of the National Planning Practice Guidance.
11. The development appears to have been constructed in accordance with the plans approved in this decision. Nevertheless, as the development has been assessed against policy on the basis of those plans, I consider it to be reasonable and necessary to impose a condition specifying that the extension must be in accordance with the approved plans for reasons of ensuring clarity and certainty and I have done so accordingly.

Conclusion

12. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

Andrew McCormack

INSPECTOR