
Appeal Decision

Site visit made on 22 November 2016

by D Boffin BSc (Hons) DipTP MRTPI Dip Bldg Cons (RICS) IHBC

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

Decision date: 16 December 2016

Appeal Ref: APP/N5090/W/16/3153621

First Floor Flat, 6 Wilton Road, Muswell Hill, London N10 1LS

- 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 Christiaan Ehlers against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/2586/FUL, dated 19 April 2016, was refused by notice dated 21 June 2016.
 - The development proposed is a roof extension involving rear dormer window and 3no rooflights to front elevation to facilitate a loft conversion.
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Decision

1. The appeal is allowed and planning permission is granted for a roof extension involving rear dormer window and 3no rooflights to front elevation to facilitate a loft conversion at First Floor Flat, 6 Wilton Road, Muswell Hill, London N10 1LS in accordance with the terms of the application, Ref 16/2586/FUL, dated 19 April 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 06/01 and 06/02.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matter

2. The application form describes the development as 'rear dormer loft conversion' whereas the decision notice issued by the Council describes it as 'roof extension involving rear dormer window and 3no rooflights to front elevation to facilitate a loft conversion'. I consider that the description used by the Council more accurately reflects the proposal and I have used this within the formal decision and banner heading.

Main Issue

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

Reasons

4. The appeal property is a two storey, mid-terrace dwelling that has been subdivided into flats. The immediate vicinity is characterised by streets that are primarily straight, arranged in a grid configuration creating a pattern of
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rectangular blocks. The rear gardens form the central area of the blocks surrounded by dwellings and as such the majority are not visible from the public domain. I note that the appeal building is not located in a Conservation Area.

5. The proposal would involve a dormer window to the rear that would essentially fill the full width and height of the rear roof slope and rooflights to the front elevation. There is no suggestion that the insertion of rooflights into the front roof slope is inherently objectionable. During my site visit I observed that a significant proportion of properties nearby have similar roof extensions to that proposed, most notably at the 2 adjoining properties, 4 and 8 Wilton Road. Whether or not the other dormer windows were constructed under permitted development rights or are historical, I have to consider this proposal on its own merits but these other dormers have an impact upon the character of the area.
6. Policy DM01 of the Barnet Development Management Policies Development Plan Document (DPD) sets out various criteria for new development in order to protect the areas character and amenity. Criteria b. of this Policy requires that development proposals be based on an understanding of local characteristics and respect the appearance, scale, mass, height and pattern of the surrounding buildings. The existing dormer window extensions, in close proximity to the appeal building, are now part of the local character of the surrounding area.
7. The Barnet Residential Design Guidance Supplementary Planning Document (SPD) sets out various design criteria for dormer roof extensions. In particular, it states that roof extensions should not normally dominate the original roof or project above the ridgeline, and that dormer windows should be set in from the edges and eaves of the roof and not normally occupy more than half the width or half the depth of the roof slope. Due to its height and width, the proposed development does not wholly comply with this guidance.
8. The appeal building is a substantial two storey building with a large two storey addition projecting to the rear and I appreciate that the appearance of the host property would change. Whilst the proposed dormer extension would be large, in the context of the existing substantial building it would not be so large that it would overwhelm the massing of the original structure or detract from the appearance of the rear elevation.
9. Moreover, whilst the proposed dormer would be visible from the rear of a number of neighbouring properties the use of tile hanging on the front face of the dormer to match the surrounding roofs will limit any visual impact and it would be seen in context with the similarly designed dormers on the adjoining houses. Consequently, whilst I appreciate the Council's position, I do not consider the development would be so incongruous and bulky as to cause significant harm to the character and appearance of the host property.
10. Furthermore, in my assessment, the materials proposed would be similar to those existing and, in its wider context, it would be difficult for anyone to discern the difference between the existing dormers and the proposed scheme. As a result of the similarity with, and prevalence of, such dormers in the locality I conclude that the overall effect of the proposal would not cause significant harm to the character and appearance of the surrounding area.
11. I note that the Council suggest that the dormer could be reduced in width and that the appellant has stated that this would require the staircase configuration

to be altered. Whilst that may be the case, I have to consider the merits of the proposal that is before me.

12. In conclusion the proposed development would not cause significant harm to the character and appearance of the host building and the surrounding area. It follows that the proposal complies with the aims of Policies 7.4 and 7.6 of the London Plan 2015, Policies CS1 and CS5 of the Barnet Core Strategy 2012, DPD Policy DM01 and the SPD. These seek, amongst other things, high quality design in new developments which respects the local context and characteristics.

Conditions

13. I have had regard to the various planning conditions that have been suggested by the Council. Where necessary and in the interests of clarity and precision I have altered the conditions to better reflect the relevant guidance. In order to provide certainty as to what has been permitted I have imposed a condition specifying the relevant drawings. In the interests of character and appearance, it is necessary to impose a condition requiring that the materials used in the development match those of the existing building.

Conclusion

14. For the above reasons, and taking account of all other matters raised, I conclude that the appeal should be allowed.

D. Boffin

INSPECTOR