
Appeal Decision

Site visit made on 6 February 2017

by Helen Cassini BSc(Hons) DipTP MRTPI

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

Decision date: 01 March 2017

Appeal Ref: APP/N5090/W/16/3164409

373 Oakleigh Road North, Whetstone, London N20 0RS

- 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 Mrs Patel against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/6136/FUL, dated 21 September 2016, was refused by notice dated 18 November 2016.
 - The development proposed is a rear dormer to facilitate a loft conversion.
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Decision

1. The appeal is allowed and planning permission is granted for a rear dormer to facilitate a loft conversion at 373 Oakleigh Road North, Whetstone, London N20 0RS in accordance with the terms of the application, Ref 16/6136/FUL, dated 21 September 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 and Block Plan, Plans and Elevations – 373N200RS-1-Rev A, Aerial Photo – 373N200RS-1.
 - 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 host building.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows or doors shall be constructed on the side elevations of the dormer.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site comprises a traditional two storey mid-terraced property containing two flats. The front and rear roof slopes of the host building are unaltered. The property is located on a road of similar properties, some of which have roof lights, though none appear to have more than three roof lights
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on the front roof slope. From the evidence before me, I note that a number of properties in the surrounding area also have large rear dormers of almost full height and width of the roof slopes. In addition, from observations made during my site visit a substantial, full width dormer was evident at 385 Oakleigh Road North, which is sited within the same terrace as the appeal site.

4. Three roof lights are proposed in the front roof slope of the host building. The roof lights would break up the existing unaltered front roof slope. However, due to their positioning and scale, I do not consider they would be detrimental to either the character or appearance of the host building or the wider surrounding area.
5. The Council's adopted Supplementary Planning Document (SPD) on Residential Design Guidance 2013 provides detailed guidance for undertaking extensions and alterations to private dwellings. It advises that dormer roof extensions should normally be subordinate features on the roof and should not occupy more than half the width and half the depth of the roof slope. Furthermore, the guidance states that adequate roof slope above and below the dormer is required on semi-detached and terraced properties, with the dormer extension should be set in by at least 1 metre from the party wall, flank wall or chimney stack. In smaller terraced houses where, due to internal physical constraints, dormers that are set in less than 1 metre will be taken into account providing such constraints and any minimum Building Regulation or fire regulation requirements are clearly and robustly demonstrated.
6. I acknowledge that the proposal would occupy almost the full width of the roof space. However, I am also aware of the amendment made to the proposal which reduced the depth. Moreover, the proposal would have a flat roof design and would be faced in tiles to match the existing roof. From the evidence submitted by the appellant the proposed design would comply with Building Regulation requirements in respect of head clearance. Being on the rear roof slope of a mid-terraced property, I do not consider that the dormer would be overly prominent and views of it would be limited to the rear gardens of the adjoining dwellings within the terrace and from limited views on Fernwood Crescent.
7. As stated, there are a number of larger rear dormers already existing within the immediate vicinity of the site, and moreover an almost identical dormer is located on the rear roof slope of this terrace. The appeal proposal would not therefore be the first such feature within the rear of the terrace, and consequently in my opinion would not appear as unduly incongruous addition.
8. Despite a technical breach of the general guidelines for rear dormer extensions within the SPD, in this context the proposal would have limited visual impact. As such, I do not consider that either the proposed roof lights or the dormer would be harmful to the character and appearance of either the host building or the surrounding area. I therefore find no conflict with Policy DM01 of the London Borough of Barnet Development Management Policies: Development Plan Document 2012, Policies CS1 and CS5 of the London Borough of Barnet Core Strategy: Development Plan Document 2012, Policy 7.6 of The London Plan 2016 and guidance contained within the SPD. These policies and guidance when taken together seek, amongst other things, to secure a high quality design which respects the visual integrity and established character of the locality.

Conditions

9. I have considered the conditions suggested by the Council against the tests of the National Planning Policy Framework and advice provided by the Government's Planning Practice Guidance. I find them to be reasonable and necessary in the circumstances of this case. I have however amended the wording of some in the interests of clarity.
10. In addition to the standard commencement condition, a condition is necessary requiring that the development is carried out in accordance with the approved plans in order to provide certainty. A condition relating to materials is appropriate in the interests of safeguarding the character and appearance of the area. Finally, I consider that the provision of windows and doors on the side elevations of the dormer should be subject to control in order to protect the living conditions of neighbouring residential occupiers.

Conclusion

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

Helen Cassini

INSPECTOR