
Appeal Decision

Site visit made on 16 May 2017

by Alex Hutson MATP CMLI MArborA

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

Decision date: 8 June 2017

Appeal Ref: APP/N5090/W/16/3165594
31B Hertford Road, East Finchley N2 9BX

- 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 Andrew Ferguson against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/4354/FUL, dated 12 February 2016, was refused by notice dated 6 September 2016.
 - The development proposed is the formation of a rear dormer and bathroom extension within and including the loft space.
-

Decision

1. The appeal is dismissed.

Main issue

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

Reasons

3. The appeal property, located within a wider residential area, comprises the first floor flat of an end of terrace dwelling. The appeal property and the other dwellings which make up the terraced block are traditional in appearance and display broadly consistent ridge heights. This affords a strong level of uniformity and symmetry across the terraced block as a whole which contributes positively to the character and appearance of the streetscene and area. The Council states that the appeal property is a Locally Listed Building. Whilst I have not been provided with any further details of the local listing, the appellant does not dispute this to be the case. I therefore have no reason to consider otherwise.
 4. I observed that many dwellings in the area, including some within the terraced block, display large rear dormers within their rear roofslopes. Many of these also extend part way over the two storey rear projections of these properties in an L-shape formation. Though these L-shaped dormers may have been constructed on single family dwellings, their presence is an established feature of the area. Moreover, there is no substantive evidence before me to demonstrate that any of these have been constructed unlawfully.
-

5. The proposal seeks to construct a full width rear dormer on the rear roof slope which would also extend part way over the two storey rear projection of the appeal property in an L-shaped formation. According to the submitted plans, this would involve raising the main ridge height of the appeal property by a considerable degree.
6. The Council's adopted Residential Design Guidance Supplementary Planning Document 2013 (RDGSPD) advises that rear roof dormers should normally be subordinate features to the host dwelling and should not rise above the ridge. In addition, that they should normally maintain adequate roof slope above and below and should be set in at least 1 metre (m) from the party wall, flank wall and chimney stack.
7. I acknowledge that the conversion of the appeal property into flats is largely indistinguishable from other single family dwellings in the area. I also recognise that the addition of an L-shaped rear dormer in this location would not appear wholly out of character given the high frequency of other such dormers in the area. This is notwithstanding that the rear projection of the appeal property is somewhat different from those of other dwellings, in that it has a dual pitched roof. In addition, whilst the proposal would fail to maintain a 1m setback from the party wall, flank wall and chimney stack, and would not maintain any roof slope above or below, it would not appear significantly different to many other rear dormers in the area in this regard.
8. However, as a result of the raising of the ridge height to the degree proposed, the proposal would fail to maintain a subordinate relationship with the appeal property and would appear at considerable odds with the broadly consistent ridge height of other dwellings within the terraced block. This would unbalance to a substantial degree the characteristic uniformity and symmetry of the terraced block as a whole. This would be apparent in public views from along Hertford Road and in views from the rear gardens of adjoining properties. Consequently, the proposal would result in an incongruous form of development that would give rise to significant harm to the character and appearance of the appeal property, streetscene and area.
9. The proposal would therefore be contrary to Policy DM01: Protecting Barnet's Character and Amenity, of Barnet's Local Plan (Development Management Policies) Development Plan Document 2012; Policy CS5: Protecting and Enhancing Barnet's Character to Create High Quality Places, of Barnet's Local Plan (Core Strategy) Development Plan Document 2012 (Core Strategy); and Policy 7.6 Architecture, of the London Plan The Spatial Development Strategy for London Consolidated with Alterations Since 2011 March 2016. These policies require, amongst other things, development to preserve or enhance local context and character, to be of a design appropriate to its context and to protect and enhance Barnet's heritage including locally listed buildings.
10. The proposal would also conflict with the guidance of the RDGSPD which broadly supports Barnet's policies to protect and enhance the character of areas and which advises, amongst other things, that rear roof dormers should normally be subordinate features to the host dwelling.
11. The Council also cites conflict with Policy CS1: Barnet's Placeshaping Strategy- Protection, Enhancement and Consolidated Growth- the Three Strands Approach, of the Core Strategy. However, this policy relates primarily to new

housing development and economic growth and is therefore of limited relevance to this appeal.

Other matters

12. The appellant has raised some concerns over the Council's procedures in dealing with his application. Nevertheless, this is not a matter for my consideration in an appeal under section 78 of the Town and Country Planning Act 1990.
13. Whilst I acknowledge that the proposal would provide additional living space within the appeal property, this personal benefit to the appellant is not sufficient, in my view, to outweigh the harm I have identified.

Conclusion

14. For the reasons set out above and having regard to all other matters, I conclude that the appeal should be dismissed.

Alex Hutson

INSPECTOR