



Appeal Decision

Site visit made on 10 April 2019

By A. J. Boughton MA (IPSD) Dip. Arch. Dip. (Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 9th July 2019

Appeal Ref: APP/N5090/W/19/3219625

3 Ashbourne Avenue, Temple Fortune, London NW11 0DP

- 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 Darren Rose against the decision of London Borough of Barnet.
 - The application Ref 18/3866/FUL, dated 20 June 2018, was refused by notice dated 15 August 2018.
 - The development is 'Proposed roof extension involving 2 rear dormer windows, juliet balcony and front rooflights to provide 1 x 1 person studio flat'.
-

Decision

1. The appeal is allowed and planning permission is granted for 'roof extension involving 2 rear dormer windows, juliet balcony and front rooflights to provide 1 x 1 person studio flat' at 3 Ashbourne Avenue, Temple Fortune, London NW11 0DP in accordance with the terms of the application, Ref 18/3866/FUL, dated 20 June 2018, 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; Drawing No.110 (revision 12) floor plans, Drawing No.115 (revision 03) elevations, and Drawing No.111 (revision 04) site layout.
 - 3) The materials to be used in the external surfaces of the development shall match those currently used in the existing building.
 - 4) The flat roof area formed by the development shall not at any time be converted to, or used as, an outdoor sitting area, balcony or roof garden.

Preliminary Matter

2. I have, also noting the description used by the Council, adjusted the description of development to more accurately reflect the development proposed.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the host building and surrounding area, and

- whether future occupiers of the flat would have satisfactory living conditions having particular regard to outlook.

Reasons

Character and Appearance

4. Ashbourne Avenue is a relatively spacious residential street of inter-war housing characterised by larger dwellings in large plots, mostly semi-detached. The host building sits within a block of such housing, the terraced form of which is made up of conjoined pairs having the appearance of semi-detached housing. The side boundary of the adjoining, symmetrical, property No.1 Ashbourne Avenue, is formed by a service lane. This lane marks a point of change in the predominantly suburban character of the street to a more urban character. Views along the service lane from either end, and therefore from the rear of properties close to the appeal site are dominated by the rear of the tall mansion building facing Finchley Road.
5. The roof form of the host building, reflective of its 'arts and crafts' derivation, has primary and secondary ridges fronting the road and a tertiary hipped roof over a two-storey rear wing. The larger of the two proposed dormers would cover a large proportion of the rear roof slopes, wrapping around the main rear and side roof slopes. The extension would curtail the pitched form of this tertiary roof, resulting in a flat roof surface at a lower level.
6. Although the Barnet Residential Design Guidance SPD (2016) (BRDG) states that roof extensions which wrap around the hip of roofs are not normally acceptable, the roof extension in this case is not adding to a prominently placed hip as might be found on a semi-detached dwelling but to a receding roof surface within a terraced block. Therefore, the circumstances of the appeal site are not those envisaged in the guidance.
7. Notwithstanding the extent and width of the proposed main rear dormer and the change to the roof form, this change would only be visible from certain angles and would not be overbearing to the adjoining properties. Although the proposal would cause a degree of harm to the appearance of the host building which might be unacceptable in other parts of Ashbourne Avenue, in the context of the urbanising effect of the large mansion block facing Finchley Road and the multiple and varied accretions at its rear, that harm is limited.
8. Whilst conversions of large dwellings into flats can increase activity, the Council considers that as the host building is already subdivided, the degree of change from the addition of a studio unit is not likely to have a harmful impact on the character and appearance of the area. The roof extension and smaller dormer would not be visible from the road frontage. Overall, notwithstanding the insertion of rooflights to the front roof slope, the proposal would not change the essentially suburban character of the street nor cause undue visual harm to the character and appearance of the host building and terraced block.
9. I therefore conclude that having regard to the particular circumstances and setting of the site, the proposal would not be harmful to the character and appearance of the host building and surrounding area and would not conflict with Policy DM01 of the Barnet Local Plan (Development Management Policies) (2012) (BLP), which requires development to be based on an understanding of local characteristics nor with the guidance set out in the BRDG as to roof

extensions. I also conclude that the proposal does not conflict with Policy CS5 of the Local Plan Core Strategy (2012) (CS) which seeks (amongst other things) to protect high quality suburbs. Policy CS1 which sets out the approach to housing growth is not directly relevant to the issues identified in this appeal.

Living Conditions

10. The Council considers that the proposed studio unit complies with the relevant space standards, but that it would not have an acceptable outlook relying on dormer windows, one of which is subject to a juliet balcony with 'rails and grills' which would obscure outlook. Rooflights are proposed to be inserted/replaced on the southerly (front) roof slope which would not provide outlook but would admit sunlight and would mean that the dwelling will be dual aspect with both access to sunlight and an outlook over the garden. The studio flat would have three windows within the proposed dormers, two of which would not be affected by the juliet balcony, with safety barriers only affecting the lower part of a full-length window. Having regard to the size and open plan nature of the flat together with the size and position of the windows, I am satisfied that future occupiers of the flat would have an acceptable outlook.
11. Consequently, the proposal accords with Policy DM02 of the BLP which seeks to maintain adequate standards in development, and with the Barnet Sustainable Design and Construction Management Supplementary Planning Document which requires dwellings arising from conversion to have satisfactory living conditions, adequate space, outlook and daylight/sunlight.

Conditions

12. I have considered the conditions suggested by the Council. I have imposed a condition specifying the approved plans as this provides certainty. I have also imposed a condition requiring the development to be constructed from materials to match the host building in order to ensure that it has a satisfactory appearance. Finally, I have imposed a condition restricting the use of the flat roofed area in order to protect the living conditions of occupiers of neighbouring properties

Conclusion

13. Consequently, for the reasons given and having regard to all matters raised, I conclude that the appeal should be allowed.

Andrew Boughton

INSPECTOR