



Appeal Decision

Site visit made on 5 August 2019

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 August 2019

Appeal Ref: APP/N5090/D/19/3230670

21 Greenway Close, Totteridge, London N20 8ES

- 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 A Rose against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/1877/HSE, dated 29 March 2019, was refused by notice dated 24 May 2019.
 - The development proposed is the erection of a two storey side/front extension. Part single part two storey rear/side extension. Single storey side extension including demolition of existing garage. Side dormer roof extension. Side dormer roof extension.
-

Decision

1. The appeal is dismissed.

Main issues

2. The main issues are whether or not the new dormer extension would provide satisfactory living conditions for its future occupiers and the effect of the proposed development on the character and appearance of the local area.

Reasons

3. The appeal property is a detached 2-storey house in a predominantly residential area. Like several properties along this section of Greenway Close, No 21 has a gable facing the road. The proposal is to enlarge the host building with extensions on each side and at roof level following the demolition and removal of the existing chimneystacks and the garage at the side and rear of the main building.
4. The Council has recently granted planning permission for the proposed development apart from the new dormer extension for which a certificate of lawfulness has been issued. As a result, the Council has approved the proposed side and rear additions to the existing house, which is hereafter referred to as the approved scheme. It has also confirmed in a separate decision that the proposed dormer would be lawful. Each of these options represents a realistic fall back position against which to evaluate the proposal and are considerations to which I attach significant weight.
5. To prevent overlooking problems towards the adjacent property to one side of the site, the windows in the new dormer extension would need to include obscure glazing and be fixed shut 1.7m above the internal floor level. These windows would provide the main outlook from and source of natural light to a

bedroom and study save for a small roof light. To my mind, obscure glazing would make this main habitable room, within which future occupiers could be expected to spend a reasonable amount of time, feel gloomy and uninviting, as the external outlook from it would be unacceptably poor. That the living space created within the new dormer would form part of an enlarged house would not diminish the harmful effect on the living conditions of future users.

6. With regard to the second main issue, the proposed dormer would not project above the ridge and it would be set up from the eaves and in from each side of the main side roof slope. Even so, it would be a sizeable addition. The considerable scale, bulk and length of the new dormer and its elevated position would cause it to visually dominate the side elevation of No 21. By also introducing substantial new built form on either side of the dwelling as well as at roof level, the combined effect of the changes would be to compromise the original form of the host building and spoil its intrinsic character. This would be evident from various locations along Greenway Close from which the proposal would draw the eye as an unsympathetic form of development.
7. The appellant states that the proposed development could come forward in its entirety through the exercise of the PD rights in relation to the proposed dormer and then by separately implementing the approved scheme. However, to do so would involve two separate building operations, which would be less cost effective than a single construction project, as proposed. The Council contests this approach because it says that the new dormer would change the 'existing' building to the extent that there would be a change in circumstances from those that were in place when its decision for the now approved scheme was originally made. For the avoidance of doubt, my assessment relates to the development as it is shown on the submitted plans. It differs to the certificate of lawfulness scheme because planning permission is sought and it includes side and rear additions. It contrasts with the approved scheme because the proposal also includes a dormer extension. To reiterate, it is the combined effect of the side and dormer extensions that is objectionable in this instance.
8. On the main issues, I conclude that the new dormer extension would not provide satisfactory living conditions for future occupiers and that the proposed development would cause significant harm to the character and appearance of the local area. Accordingly, the appeal scheme conflicts with Policy CS5 of Barnet's Local Plan (Core Strategy) and Policy DM01 of Barnet's Local Plan (Development Management Policies). These policies aim to ensure that development represents high quality design and allows for an adequate outlook for potential occupiers and users. The proposal is also at odds with the guidance within the Council's Supplementary Planning Documents, *Residential Design Guide* and *Sustainable Design and Construction* insofar as they aim to safeguard residential amenity.
9. Once complete, the additional living space would enhance the living conditions of the appellant and his family. However, this consideration does not outweigh the significant harm that I have identified.
10. Overall, for the reasons set out above, and taking into account the absence of objections from others, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR