
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/19/3227475
23 Princes Avenue, Finchley, London N3 2DA

- 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 Ms Folwell against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/0262/HSE, dated 16 January 2019, was refused by notice dated 13 March 2019.
 - The development proposed is the erection of a loft extension under householder application.
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Decision

1. The appeal is dismissed.

Procedural matter

2. An application for costs has been made by Ms Folwell against the Council. This application is the subject of a separate decision.

Main issue

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

Reasons

4. The appeal property is an end terrace 2-storey dwelling of traditional style within a mainly residential area wherein buildings vary in size, height and roof form. It is not part of a conservation area nor is the appeal building listed. I saw that several buildings in the vicinity of the site have been extended and altered at high-level, including those to which the appellant has referred.
5. The proposal is to erect a split-level 'L' shaped dormer extension on the rear roof slopes of the existing dwelling. In addition, 3 new roof lights would be placed onto the front roof slope with a new window in the side elevation.
6. The new dormer would be noticeably set back from the existing rear elevation. It would not project above the main ridgeline. The proposed external materials would also match those of the host building. However, the new addition would extend across almost the full width of the main roof slope and along part of the 2-storey rear outrigger. It would significantly add to the scale and mass of the dwelling at roof level and fundamentally alter its shape and appearance. Having regard to its considerable size and prominent high-level position, the proposed dormer would be a visually dominant feature in the new rear façade.

It could not reasonably be described nor would be perceived as modest in scale or a subordinate addition to the dwelling, as the appellant suggests.

7. From Dorset Mews just beyond the rear of the site, the new dormer would be a conspicuous feature of the host building given its scale and elevated position. Whether or not this highway is regarded to be a secondary road, a side street, a private cul-de-sac or lightly used, public views of the proposal from it would be direct and at reasonably close range. From various vantage points along Dorset Mews, the proposal would draw the eye because its considerable scale would give the completed dwelling an awkward top-heavy appearance. Part of the new dormer would also be visible from the rear garden of the adjacent property to one side of the site. From each of these locations, the proposal would appear as an obtrusive and unsympathetic addition to the local area.
8. The Council's Supplementary Planning Document, *Residential Design Guidance* (SPD) includes guidelines with regard to dormer extensions. The SPD states that such additions should, amongst other things, be set in at least 1-metre from the party wall and should not occupy more than half the width or half the depth of the roof slope. Even applying some flexibility to these thresholds to reflect local circumstances such as the end of terrace position of No 23, the proposal would clearly exceed the tolerances given in the SPD by some margin.
9. The appellant places some reliance on roof level extensions to other properties mainly along Princes Avenue that she says mostly benefit from planning permission or have been erected through the exercise of permitted development (PD) rights. Few background details have also been provided of these extensions and so I cannot be sure that their circumstances are the same or are very similar to those of the appeal scheme. From what I observed, most of the examples cited differ in design and scale to the proposal and in their relationship to the host building. In any event, a central principle of the planning system is that each development should be assessed on its own merits. Having done so, my own conclusion is that the proposed dormer would unduly compromise the form of the existing building and there would be a significant adverse impact on the surrounding area. 
10. On the main issue, I conclude that the proposed development would cause significant harm the character or appearance of the local area. It is contrary to Policies CS1 and CS5 of Barnet's Local Plan (Core Strategy) and Policy DM01 of the Barnet's Local Plan (Development Management Policies). These policies aim to ensure that development represents high quality design, respects local context and preserves or enhances local character. It would also be at odds with the National Planning Policy Framework, which requires new development to be sympathetic to local character and add to the overall quality of the area.
11. The appellant considers that a similar extension could be introduced through the exercise of PD rights. From the information provided, a PD compliant dormer extension would be smaller than the proposal and so its visual impact would differ. The existence of PD rights is insufficient reason to permit what would otherwise be unacceptable development.
12. Once complete, the proposal would provide additional living space, which I note is much needed. I acknowledge that the accommodation to be provided would exceed relevant minimum space standards. I have no reason to doubt that the existing space at roof level is under used and that the proposal would make efficient use of the property. However, in my view there are less harmful ways

of achieving these outcomes than in the manner proposed. The absence of objections from others does not necessarily indicate that the proposal is therefore acceptable.

Conclusion

13. For the reasons set out above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR