The Planning Inspectorate

Appeal Decision

Site visit made on 11 August 2020 by Emma Worby BSc (Hons) MSc

Decision by Kenneth Stone BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 September 2020

Appeal Ref: APP/N5090/D/20/3248565
28 Lyndhurst Gardens, Finchley, London N3 1TB

- 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 Emma Levy against the decision of the Council of the London Borough of Barnet.
- The application Ref 19/5660/HSE, dated 18 October 2019, was refused by notice dated 18 December 2019.
- The development proposed is a loft conversion involving roof extension/alteration, erection of a side and rear dormer and installation of roof lights.

Decision

1. The appeal is allowed and planning permission is granted for a loft conversion involving roof extension/alteration, erection of a side and rear dormer and installation of roof lights at 28 Lyndhurst Gardens, Finchley, London N3 1TB in accordance with the terms of the application, Ref 19/5660/HSE, dated 18 October 2019, 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: LC_19_28LYNDHURST_0b, LC_19_28LYNDHURST_03 Rev A, LC_19_28LYNDHURST_04 Rev A, LC_19_28LYNDHURST_05 Rev A.

   3) The materials to be used in the construction of the external surfaces of the proposed development hereby permitted shall match those used in the existing building.

   4) The extension hereby permitted shall not be occupied until the dormer window on the side elevation has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing shall be retained thereafter.

Appeal Procedure

2. The site visit was undertaken by an Appeals Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

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

Reasons for the Recommendation

4. The appeal property is a two-storey detached dwelling with an existing single storey rear extension and first floor side extension. It is located within a residential setting adjacent to a public footpath and a health club which is set back from the road, making the property highly visible from both the front and south west. The proposal would provide habitable accommodation within the loft space by levelling the height of the roof and increasing the roof pitch. The proposal also includes two shallow dormers on the north eastern side and rear elevation and two rooflights on the front elevation.

5. The proposed roof extension along with the existing additions to the roof, from when the first-floor side extension was constructed, result in a much larger roof than the original dwelling. However, the maximum height of the current roof would not be increased and therefore the property would not appear significantly more dominant within the streetscene than at present. The forward and upward projection of the roof would certainly create a more significant roof form but, as the dwelling is relatively large in size, it would appear proportionate to the host dwelling and its design would create a more symmetrical appearance, which would be sympathetic to the surrounding area.

6. The proposed development would not look at odds with the character and appearance of the area, due to the varied nature of the roof forms within the vicinity of the appeal site, many of which have also been extended in some manner. It is noted that the proposed development would be highly visible within the public realm due to the location of the site. However, the dwelling is set back from the road and therefore the alterations would not appear overly obtrusive within the streetscene.

7. The property has previously been granted planning permission for two other developments which include alterations and extensions to the roof. Although the current proposal is different in that it would increase the pitch of the roof, the other proposals would result in a greater number of large dormer windows with a similar bulk to the appeal proposal before me. Therefore, the current proposal would not have a significantly greater impact upon the character and appearance of the host dwelling and area than the previous proposals which have been granted permission.

8. Consequently, the proposed development would not result in harm to the character and appearance of the host dwelling and surrounding area and would not be contrary to Policy CS5 of Barnet's Local Plan Core Strategy Development Plan Document (2012) and Policy DM01 of Barnet's Local Plan Development Management Policies Development Plan Document (2012). These Policies require new development to represent high quality design which preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

9. The proposal would also be in accordance with the general design principles of the Residential Design Guidance SPD (2016) which states that extensions

should reflect the design of the original building, whilst having regard to the character of the area.

Conditions

10. In addition to the standard time period for commencement of the development, I have attached a condition requiring the development to accord with the approved plans, as this provides certainty. A condition requiring the use of materials matching that of the existing building is also necessary to ensure an appropriate appearance for the development.

11. A condition has also been included, which was requested by the Council, to ensure that the dormer window on the side elevation of the dwelling is obscure glazed. This is necessary to ensure there is no loss of privacy to the property which this window faces.

Conclusions and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is allowed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed subject to the above conditions.

Kenneth Stone

INSPECTOR