



Appeal Decision

Site visit made on 1 September 2020

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th September 2020

Appeal Ref: APP/N5090/D/20/3244723

45 Friern Mount Drive, Whetstone, London N20 9DJ

- 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 and Mrs M Mitchell against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/4662/HSE, dated 14 August 2019, was refused by notice dated 22 October 2019.
 - The development proposed is side and rear dormers, garage conversion into habitable room and internal alterations.
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Decision

1. The appeal is allowed and planning permission is granted for a roof extension involving side and rear dormer windows. Conversion of the existing garage into habitable room, insertion of window to replace the existing garage door at 45 Friern Mount Drive, Whetstone, London N20 9DJ in accordance with the terms of the application, Ref 19/4662/HSE dated 14 August 2019, subject to the conditions in the attached schedule.

Procedural Matter

2. The development description in the banner heading above is taken from the application form. However, I consider the description stated on the Council's decision notice to be a more accurate description of the proposal. As it is also the description entered by the appellant on the appeal form, I have considered the appeal accordingly, and used the amended description within my formal decision.

Main Issue

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

Reasons

4. The appeal site includes a detached dwelling set within a street scene characterised by detached and semi-detached dwellings of broadly similar scales but of varied detailed designs and appearance. This variety extends to the roofs of the buildings, and I saw a range of different forms as well as assorted dormers and other roof alterations.
5. The Council does not object to the proposed conversion of the garage and replacement of the garage door with a window. Given the relatively minor nature of those alterations and the limited effect on the appearance of the dwelling, I see no reason to take a different view. My decision therefore focuses on the proposed roof extension involving a side and a rear dormer.

6. Guidance on dormers within the Council's Residential Design Guidance Supplementary Planning Document 2016 (SPD) includes that they should normally be subordinate features and should not occupy more than half the width or half the depth of the roof slope. To retain the balance of the house, they should not normally be wider than the window below it, and side dormers should additionally be set away from the ridge and clear of the hips.
7. The proposed rear dormer would span much of the width of the roof ridgeline. However, it would be set in significantly from the sides of the roof at eaves level, and would be clear of the hips with spacing to either side. It would also be set down from the highest part of the roof and with a distinct set back from the eaves and the plane of the rear wall. To the side of the roof closest to 43 Friern Mount Drive, the dormer would be seen against the higher section of the host roof, with an appreciable set down from this ridge. There would also be significant spacing below and to either side of the dormer, and it would be noticeably set back from the chimneys at the outer edge of the roofslope which would reduce both its bulk and visual impact.
8. The windows to the rear dormer would not align with those directly below, but their arrangement would strike a balance between the positioning of the ground-floor and first-floor fenestration. In my view, this composition, together with the more central positioning of the dormer within the roofslope, would be more sympathetic than the relationship of the existing dormer which is set far to one side of the roof causing it to appear somewhat unbalanced. As a result, I find that the dormer would assimilate well with the existing dwelling. The window to the side dormer would be fairly large, but there are no first-floor windows here and it would not appear incongruous or out of keeping.
9. Notwithstanding their dimensions, the dormers therefore appear proportionate and sympathetic to the host roofslopes overall and even taken together, I find that they would not dominate the form or scale of the existing roof or building. The Council indicate that the development would rely on an existing two-storey extension to the dwelling and extend beyond the original roofslope, and I note guidance within the SPD that extensions should normally be subordinate to the original house. Even so, given the subservient appearance of the dormers, I see no reason that the further increase to the scale of the dwelling would be detrimental to its overall character or appearance.
10. Moreover, the size and design of the dormers would not be inconsistent with the many varied roof additions that I observed to dwellings on and around Friern Mount Drive, including assorted dormers. The roof as extended would also remain broadly comparable to the general scale and proportions of nearby buildings, including those adjacent to the site. As a consequence, the development would not be out of keeping against the established character of the area. In addition, the visual impact and prominence of the development would be very limited as a consequence of the position of the larger dormer to the rear roofslope, and the screening of the side dormer from many viewpoints by the existing dwelling or No 43 which is at a higher land level.
11. Taking these factors into account, the development would integrate well with the existing building and area, and would not be disproportionate or excessive against the host dwelling or surrounding buildings. Accordingly, a departure from the detailed guidance within the SPD is therefore justified in this case.

12. I therefore conclude that the proposal would not harm the character or appearance of either the host dwelling or surrounding area. Accordingly, I find no conflict with Policies CS NPPF, CS1 or CS5 of Barnet's Local Plan Core Strategy 2012 or Policy DM01 of Barnet's Local Plan Development Management Policies 2012. Together, these policies broadly seek high quality design that respects local context and distinctiveness and makes a positive contribution to the borough, including through respect for the appearance, scale, mass, height and pattern of surrounding buildings.

Conditions

13. The Council's report on the application sets out suggested conditions. I have considered these having regard to the tests set out at paragraph 55 of the National Planning Policy Framework, and amended them for the sake of clarity and precision where necessary. In addition to the standard time limit condition, a condition specifying the approved plans is necessary for the avoidance of doubt and in the interest of certainty. A condition to require the use of materials to match the existing building is necessary to ensure a satisfactory appearance, and I have also imposed conditions to control windows to the sides of the dormers in the interests of the living conditions of neighbouring occupiers.

Conclusion

14. For the reasons given above, I conclude that the appeal should be allowed.

J Bowyer

INSPECTOR

Schedule of 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: 2018-1292 (existing elevations and ground and first floor plans), 2018-1292 (existing second floor plan and roof/site plan), 2018-1292/1 REV 1 and 2018-1292/2 REV.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) The roof extension shall not be occupied until the second-floor window in the side dormer facing 43 Friern Mount Drive has been fitted with obscured glazing, and no part of that window that is less than 1.7m above the floor of the room in which it is installed shall be capable of being opened. Once installed, the window shall be permanently retained as such thereafter.
- 5) Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevations of the extensions hereby approved facing 43 or 47 Friern Mount Drive.