



Appeal Decision

Site visit made on 19 October 2020

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 November 2020

Appeal Ref: APP/N5090/W/20/3247464

11 Hall Lane, Hendon, London NW4 4TJ

- 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 Mrs Bushra Choudhry against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/05022/HSE, dated 12 September 2019, was refused by notice dated 29 November 2019.
 - The development proposed was originally described as "I plan to re-roof the whole of my property. In the process I wish to extend the existing dormer to the rear elevation wall of the original house to be set back by 0.2m as specified by the regulations. It appears that many houses in the neighbourhood have been extended in a similar manner".
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Decision

1. The appeal is allowed, and planning permission is granted for the enlargement of an existing dormer window at 11 Hall Lane, London NW4 4TJ in accordance with the terms of application Ref 19/05022/HSE dated 12 September 2019, and subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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: Location Plan, Site Plan XEVA/11HL/105 rev A, Existing and Proposed Loft Plan XEVA/11HL/201 rev B, Proposed Elevations XEVA/11HL/202 rev B and Proposed Roof Plan XEVA/11HL/203 rev A.
 - 3) All external materials to be used in the development shall match the appearance of those of the existing building.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)(or any order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission shall be formed in the side elevation of the permitted roof extension.

Procedural matters

2. The appellant has stated, at section E of the appeal form, that the description has not changed, but yet has used the revised description used in the Council's

Decision Notice. Despite this contradiction, I have used the revised description that I find it more accurately describes the proposal.

3. The appellant has submitted amended plans that seek to correct an inaccuracy in the set of plans that were submitted to the Council. This shows a minor increase in the width of the proposal. I have dealt with this appeal on the basis of the amended plans that would not materially change the substance of the proposal.
4. The appeal was originally lodged under the Householder Appeals Service. However, following the receipt of amended plans, it was decided that further comments were required from interested parties and the Council. I have taken the further responses received into account.

Main Issue

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

Reasons

6. Hall Lane is a residential street. It consists predominantly of semi-detached dwellings with hipped roofs. Many dwellings close to the appeal site have been adapted and expanded. These include large rear dormer windows and 'hip to gable' side additions. The site itself has been previously extended with both two-storey and single-storey extensions. It also has a side and rear dormer window 'wraparound' addition within the roof. The side element of the existing dormer is relatively subdued. It includes a pitched roof to the front and is set back towards the rear of the roof. Consequently, the side dormer has a limited impact on the appearance of the dwelling from the highway. As such, the dwelling makes a positive contribution to the character and appearance of the area.
7. The proposal would increase the extent of the existing 'wraparound' dormer by projecting it further towards the rear of the dwelling. The existing two-storey rear extension includes a hipped roof that would partially obscure views of the proposed dormer window feature from rear gardens. Furthermore, the adjacent dwelling, at 15 Hall Lane, has a similar two storey rear extension that would also screen parts of the proposal from longer views. The proposal would increase the existing dormer feature with additional mass. However, in consideration of the volume and scale of existing extensions on the host dwelling it would represent a proportionate extension to the existing roof form and dwelling.
8. From the rear garden of the appeal site I observed several roof additions that were similar or larger in scale to the proposal. Of particular note these include large roof additions at 23, 29 and 31 Hall Lane. The Council has explained that No 23 gained a certificate of lawfulness in 2013 and that No 31 was approved in 2003. Accordingly, many of the roof alterations evident locally have been constructed under permitted development rights. It is also recognised that there are local examples of proposals that have been rejected by the Council. However, it is nevertheless evident that the large number of local properties subject to roof alterations contribute towards the character of the area. This adds further weight to my view that the proposal would be in keeping with the character of the area despite its overall mass.

9. The Council's Residential Guidance SPD (2016) includes guidance for dormer roof extensions. This requires such development to be in proportion and be subordinate to the existing house, to not include wrap-around hip roofs and to minimise overlooking. The existing roof alterations have significantly altered the original simple roof form of the dwelling. In comparison to the existing form of the host dwelling, the proposed alterations would have a limited further impact on the dwelling or the wider area. Moreover, the proposal would not appreciably reduce the gap between the host dwelling and its neighbour as it would align with the side elevation of the existing dormer. Consequently, for these reasons the proposal would be proportionate to the existing dwelling and accord with the character and appearance of the host property and surrounding area.
10. I have considered the use of conditions in line with the guidance set out in the Government's Planning Practice Guidance (PPG). I have applied the standard conditions recommended by the PPG. I have also removed the Permitted Development Right to add a side window to the lobby. Such a window would have the capability to overlook the neighbouring garden. This condition was not requested by the Council. I have therefore sought views from main parties before its imposition. The appellant and Council have not objected to its application. This condition is necessary as a further side window would demonstrably harm the living conditions of occupiers of the neighbouring dwelling.
11. Accordingly, the proposal would satisfy policies CS NPPF, CS1 and CS5 of Barnet's Local Plan Core Strategy DPD 2012 which seeks development to conserve and enhance the district and respect the local context and character of an area. Furthermore, the proposed addition would satisfy policy DM1 of the Local Plan 2012 which requires development to respect the appearance, scale, mass and height of surrounding buildings, spaces and streets. Also, the proposed development would satisfy the Council's Residential Design Guidance.

Conclusion

12. For the above reasons the appeal is allowed, and planning permission is granted subject to the attached conditions.

Ben Plenty

INSPECTOR