
Appeal Decision

Site visit made on 16 October 2020

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2020

Appeal Ref: APP/N5090/W/20/3249483

35A Warwick Road, New Barnet, Barnet EN5 5EQ

- 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 Alexander Paschali against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/6695/FUL, dated 18 December 2019, was refused by notice dated 14 February 2020.
 - The development proposed is the insertion of dormer windows to the side elevations and insertion of rooflights to allow for a room in the attic.
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Decision

1. The appeal is allowed and planning permission is granted for the insertion of dormer windows to the side elevations and insertion of rooflights to allow for a room in the attic in accordance with the terms of the application Ref 19/6695/FUL, dated 18 December 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: D01, D02, D03, D04, D05, D06, D07, D08, D09 and D10.
 - 3) The materials to be used in the construction of the external surfaces of the dormer windows hereby permitted shall match those used in the roof of the existing building.
 - 4) The new second floor accommodation hereby permitted shall not be occupied until all roof level glazing in the side elevations facing Nos 33 and 37 Warwick Road has been glazed with obscure glass only and the glazing is fixed shut unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the glazing is installed. All such glazing shall be retained in this condition thereafter.

Main issues

2. The main issue is the effect of the proposal on the character and appearance of the building and the local area.

Reasons

3. No 35A is a first floor flat in a modern, detached, 2 storey gable fronted building set within a residential area of houses and flats. The proposal would create additional accommodation in the roof space, to be lit by 2 dormer windows on each side, 2 side facing rooflights on one side and a window at the back. The Council's Supplementary Planning Document *Residential Design Guidance* (SPD), advises that dormers should be subordinate features which are sympathetic to the main roof of the house, including by not being more than half the width of the roof. The only specific guidance for side dormers is to say that these should be sympathetic to the main roof, set away from the ridge and clear of any roof hips.
4. The architecture of the area is mixed, with various periods and styles represented and including a number of gable fronted houses. Some of these have had their lofts converted with the addition of side-facing dormer windows similar to those proposed here. These generally cause no significant harm within the diverse street scene and are part of the established character of the area. No 35A is not a tall building and the proposed dormers would be set well back on the side roofs, so that they would be largely screened from view by neighbouring buildings. They would be set just down from the ridgeline, would not be particularly tall or deep and would occupy under half of the width of the roofs. They would therefore be appropriately subordinate in scale and would not be prominent or intrusive features in the street scene.
5. I conclude that the proposal would not harm the character or the appearance of the building or the local area. It therefore accords with the shared aims of Barnet's Local Plan Core Strategy Development Plan Document Policies CS1 and CS5, Barnet's Local Plan Development Management Policies Development Plan Document Policy DM01 and the SPD, to secure high quality design based on an understanding of local characteristics and respecting local distinctiveness.
6. I impose a condition specifying the relevant plans to provide certainty and a condition requiring the use of matching materials to preserve the character and appearance of the local area. Approval of specific materials as requested by the Council is not necessary. A condition requiring obscure glazing as shown on the submitted plans is also necessary to protect neighbours' privacy. I have modified the Council's suggested condition for clarity and to make it somewhat less onerous. The Council also suggests a condition limiting construction hours, but this is not justified for such a small scale development.
7. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR