The Planning Inspectorate

Appeal Decision

Site visit made on 3 November 2020

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12/01/2021

Appeal Ref: APP/N5090/W/20/3250097
77A Colindeep Lane, London, NW9 6DJ

- 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 Stuart Freeman against the decision of the Council of the London Borough of Barnet.
- The application Ref 18/5727/FUL, dated 26 September 2018, was refused by notice dated 15 January 2020.
- The development proposed is an extension to roof including hip to gable end, with 2no rear dormers and 2no rooflights to front elevation.

Decision

1. The appeal is dismissed.

Reasons

2. The main issue in this case is the effect of the proposed development on the character and appearance of the property and the area.

3. 77A Colindeep Lane forms part of a semi-detached property which has been divided into flats and is located on a busy road and within a row of similar, inter-war dwellings mostly with a hipped roof over the main block and a smaller gabled roof over the projecting bay. The gaps between dwellings are narrow and the hipped roofs provide a much needed sense of space at roof level, contributing positively to the character and quality of the area.

4. I have noted that a previous application for a wrap around dormer in 2018 was also refused in terms of its effect on the character of the area and dismissed at appeal but that the current scheme is materially different from that.

5. The proposed development would provide a second floor with two bedrooms and a bathroom. The hipped roof would be replaced with a gabled roof, two flat roof dormers in the rear part of the roof and two rooflights in the front part of the roof. I have noted that the Council raised no objection to the proposed rooflights and I agree that these would not be unduly dominating in the street scene. I have therefore based my decision on the proposed roof form and the rear dormers.

6. The adjoining property at no 75 which forms the other half of this pair of semi-detached properties has retained its original hipped roof form. As a result, the proposed change to a gabled roof at the appeal property would severely unbalance the pair. Although the dormers would not be seen from the street, the increased bulk of the roof would be clearly apparent in the street scene and

would substantially erode the gap between the appeal property and the neighbouring property at no 79 which also retains its original hipped roof form.

7. Furthermore, the proposed dormers occupy more than half the width of the roof and would not be 1m or more from the party wall and flank elevation, contrary to the Council's Residential Design Guidance SPD. They would therefore be overly dominant and would not be subordinate to the original dwelling. Although those would not be seen clearly from the street, by reason of their size and siting they would harm the traditional character of the property.

8. I saw at my visit that a neighbouring dwelling has large flat roof dormers in its side and rear elevations but that property has retained its original hipped roof form. It may be that other similar extensions to the current proposal exist in the area but it is unclear to me whether or not those are lawful. Although a hip to gable roof is allowed under permitted development rights for houses, the appeal property as flats does not benefit from that. Where control can be exercised, decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

9. I conclude, therefore, that the proposal would cause significant harm to the character and appearance of the property and the area. It would fail to accord with the development plan which includes policies CS1 and CS5 in the Council's Core Strategy and DM01 in its Development Management Policies document which seek to protect and enhance the character and quality of the area. The London Plan has similar objectives. For these reasons, the proposal should be dismissed.

Sarah Colebourne

Inspector