



Appeal Decision

Site visit made on 2 August 2021

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 August 2021.

Appeal Ref: APP/N5090/D/21/3273438

30 County Gate, Barnet EN5 1EH

- 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 Josceline Day against the decision of the Council of the London Borough of Barnet.
 - The application Ref 20/6006/HSE, dated 11 December 2020, was refused by notice dated 18 February 2021.
 - The development proposed is described as 'rear dormer by way of hip to gable plus roof lights on the front slope'.
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Decision

1. The appeal is allowed and planning permission is granted for a rear dormer by way of a hip to gable extension plus roof lights on the front slope at 30 County Gate, Barnet EN5 1EH in accordance with the terms of the application, Ref 20/6006/HSE, dated 11 December 2020, 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: A01, A02, A03, A04, A05, A06, A07, A08, A09, A10 and A11.
 - 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.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property, the terrace and the area.

Reasons

Character and appearance

3. Amongst other things the Council's Residential Design Guidance Supplementary Planning Document 2016 ('SPD') states that roof extensions should be sympathetic to the main roof of the house, with dormers subordinate in scale and not normally occupying more than half its width or depth. It continues that hip to gable extensions should not unbalance short terraces, and that development generally should recognise the scale, massing and roof form of surrounding buildings, and reflect these where they are a positive attribute of the area's character.

4. The properties along County Gate are typically arranged in short terraces. Although some have been altered or extended, most here and many others in the surrounding area, are of a similar architectural style. That style includes regular pairs of front-facing gables and hipped roofs at the end of each terrace.
5. As a result of this scheme, the host's ridge would be raised by about 0.35m. However, as other terraces in County Gate and the area have small step-ups along the ridgeline, the slightly raised roof here would not appear out of place.
6. The proposed hip to gable extension would be contrary to the prevailing hipped roof form at the end of similar style terraces in County Gate. Indeed, even where the end of terrace units have a two storey side projection these are typically topped with a hipped roof which is sympathetic to the host's character.
7. Although 38 County Gate finishes with a gable end, it forms part of a terrace which is of a significantly different style to most of the others in this road. That said, in the wider area, and as illustrated by Photos 3 and 4 in the appellant's Personal Statement, there is an example of a hip to gable extension on a similar style terraced property at 19 Dale Close.
8. Turning to the proposed dormer, as it would be flush with the host's raised ridge, and would be set in only slightly from the gable and up slightly from the eaves, it would occupy most of No 30's rear roof, thus contrary to the SPD. However, given its rearward location, it would have a very limited impact on the streetscene. Additionally, whilst there are no similar dormers on this terrace, according to the Council there is a rear dormer at 21 County Gate, and I observed others on this side of the road to the east of Amber Close.
9. For the above reasons, the proposed hip to gable extension and rear dormer would have a limited harmful impact on the character and appearance of the host property, the terrace, and the area. Consequently, there would be a modest conflict with those parts of Policies CS1 and CS5 of the Barnet Local Plan Core Strategy 2012, and Policy DM01 of the Barnet Local Plan Development Management Policies 2012, which require high quality design based on an understanding of local character, having regard to matters such as appearance, scale and mass. The scheme would also conflict with the SPD.
10. However, the host property benefits from a Certificate of Lawfulness (Ref: 20/3277/192) ('CoL') for a roof extension involving a hip to gable, a rear dormer and rooflights. Unlike the CoL, this scheme includes a raised ridge, but I have found that that element would not be harmful. In other respects, although this rear dormer would be taller, its width would be the same, and it would occupy a broadly similar proportion of the roof.
11. The appellant states that the appeal scheme would avoid the need to lower ceiling heights as a result of the CoL scheme. However, given the appellant's need for additional space as set out in her Personal Statement, particularly to enable her family to work from home, I have no cogent reason to doubt that the CoL scheme would be implemented should the appeal be dismissed.
12. For the above reasons, I am also satisfied that the appeal scheme's impact on the character and appearance of the host property and the area would be very similar. The CoL scheme is therefore a fallback to which I ascribe significant weight.

Other matters

13. From the proposed dormer's rear windows there would be an outlook over the host's own garden to other gardens and dwellings beyond. However, given the distance to those other properties, and in the context of a residential area such as this where a degree of overlooking is commonplace, I am satisfied that the impact on surrounding occupiers' privacy, including at 40 Cherry Hill, would not be harmful.

Planning Balance, Conditions and Conclusion

14. I have found that the scheme would cause limited harm to the character and appearance of the host property, the terrace and the area, contrary to the development plan and the SPD. However, its impact would be very similar to the CoL scheme, which I have no reason to doubt would be implemented should the appeal be dismissed. I have therefore ascribed significant weight to this fallback position; and given this other consideration, the appeal will be allowed.
15. Turning to the matter of conditions, I have imposed the standard time limit condition and, in the interests of certainty, a condition requiring that the development be carried out in accordance with the approved plans. In the interests of the character and appearance of the host property and the area, a matching materials condition is also necessary.
16. Finally, whilst the Council's fourth suggested condition states that conservation type rooflights would be required, as this site is not in a Conservation Area, its reasoning is flawed. In the context of other rooflights in County Gate, I am satisfied that these two small ones as proposed, situated high up on the host's front roof, would not harm the character and appearance of the area. The condition is therefore unnecessary.
17. For the above reasons, and having regard to all other matters raised, the appeal is allowed.

Chris Couper

INSPECTOR