
Appeal Decision

Site visit made on 5 January 2021

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 August 2021

Appeal Ref: APP/N5090/D/20/3261298

12 Langham Gardens, Edgware HA8 9EG

- 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 Miss Priscilla Fernandes against the decision of the Council of the London Borough of Barnet.
 - The application Ref 20/3386/HSE, dated 20 July 2020, was refused by notice dated 17 September 2020.
 - The development proposed is described as a roof extension involving rear dormer window (Retrospective Application). Alterations to front hip roof including insertion of 1no conservation skylight.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council's decision letter describes the rear roof dormer extension as retrospective. It is clear from the evidence provided and my site visit that the rear roof dormer extension had been constructed. I shall determine the appeal on this basis accordingly.
3. The appeal site has an extensive planning history relating to proposals to extend the property, including an appeal dismissed and enforcement notice upheld for a rear roof dormer extension in 2019¹. The appeal before me includes a number of proposed works, but also covers the unauthorised development that is subject to the enforcement notice. Nonetheless, I have appraised the proposal on the merits of the case before me.
4. I have used the Council's description of the development in reaching my decision as it more fully describes the details of the development than that given on the original planning application form. The appellant's appeal form also makes reference to the updated description.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the host property and the area, including the Watling Estate Conservation Area.

¹ APP/N5090/C/19/3220814

Reasons

6. The appeal property is a two storey mid-terrace dwelling located within a row of terraced houses within a short well-established residential cul-de-sac and the Watling Estate Conservation Area (CA). The adjoining end terrace property has a hipped roof set at a lower level that create an attractive book-end feature to each of the block of terraces.
7. The surrounding terraced properties are of comparable scale and form, with distinctive steeply pitched and hipped roofs. The uniform architectural character makes a positive contribution to the character of this part of the CA and is acknowledged in the Council's Character Appraisal Statement for the Watling Estate CA². The significance of these buildings to the CA can be readily appreciated within the immediate vicinity of the site.
8. The proposal involves the construction of a hipped to gabled roof extension that would infill the gap between the existing chimney stack and the original hipped roof at the side of the property. The rear flat roof dormer extension is inset from the eaves and shared party wall with the adjoining properties and built up to the ridge line of the host property. A rooflight would also be inserted on the front roofslope.
9. Whilst the resultant gabled roof extension would remove the conspicuous rear vertical section of the dormer from public views along the front roofslope, the proposed roof alterations would be very much at odds with the more traditional hipped roof design of the original dwelling and the adjoining end-terrace property. The gabled roof extension and the rear dormer would result in substantial bulk being added to the roof plane with only very narrow peripheral parts of the sloping roof being evident.
10. These shortcomings would be exacerbated by the proposal's prominent position, which would be visible from a number of public vantage points along Langham Gardens and Langham Road. The gabled roof extension and the rear dormer, by virtue of their scale, siting and design, would fail to achieve an appropriate degree of subordination to the host property and would create an unbalanced and awkward appearance that would detract from the architectural integrity of the host property and the adjoining terrace. As such, I consider that the development would result in incongruous and out-of-keeping additions that would cause harm to the host property and the area.
11. I have considered the appellant's arguments that the design and layout of the proposed roof alterations has been carefully considered and redesigned in response to the previously dismissed scheme at the property³. Whilst the use of matching materials and fenestrations would assist in integrating the proposed roof extensions with the host property, these aspects do not overcome the adverse effects outlined above. As such, I consider that the development would adversely harm rather than positively contribute to the character and appearance of the host property and the area.
12. Given the location of the appeal site within the CA, special attention must be paid to the desirability of preserving or enhancing the character or appearance of the area. I consider that the gabled roof extension and the rear dormer, by

² Paragraphs 5.5 and 6.1 of the Council's Watling Estate Conservation Area Character Appraisal Statement 2007

³ APP/N5090/C/19/3220814

virtue of their scale, siting and design, would have a negative material impact and would fail to preserve or enhance the CA.

13. Given the modest scale of the development, the harm would be less than substantial but in accordance with paragraph 196 of the National Planning Policy Framework, that harm should be weighed against any public benefits to the proposal. I note the appellant's desire is to provide additional living accommodation within the host property and secure its optimum viable use. However, I find insufficient public benefit arising from this proposal to offset the identified harm to which I attach significant weight.
14. Consequently, I conclude that the development would have a harmful effect on the character and appearance of the area, including the Watling Estate Conservation Area. It is contrary to Policies DM01 and DM06 of the Barnet's Development Management Policies Document 2012, Policies CS1 and CS5 of the Barnet's Core Strategy 2012 and the Council's Residential Design Guidance Supplementary Planning Document 2016. These policies and guidance, amongst other things, seek to ensure that development is of a high standard of design that respects the local context in terms of appearance, scale and design of the development; responds to the overall character of the area; and preserves or enhances the character and appearance of the conservation areas.

Other Matters

15. I have noted the other developments in the area drawn to my attention by the appellant. However, the various examples of roof alterations and extensions to the properties in the CA have different development and locational characteristics to the appeal scheme and in some cases were built in a different policy context. Whilst I observed some gabled roof extensions and rear dormers during my site visit these are unrepresentative of the overall character and appearance of the area and do not set a precedent for such an inappropriate development in this location. In any event, each proposal falls to be assessed primarily on its own merits and I am unaware of the full circumstances associated with these other cases. I therefore accord them limited weight as precedents in this case.
16. I note the appellant's comments regarding the various benefits arising from the proposal including the scheme's high quality design and providing additional accommodation to meet the appellant's needs. While I have given them some weight, these benefits would not be sufficient to outweigh the harm I have identified. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

Conclusion

17. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR