



Appeal Decision

Site visit made on 30 November 2021

by Ian McHugh Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19TH January 2022

Appeal Ref: APP/T5150/D/21/3279961
62 Brunswick Crescent, London, N11 1EB

- 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 Ms Seney Yesil against the decision of The London Borough of Barnet.
 - The application Ref 21/1885/HSE, dated 22 March 2021, was refused by notice dated 1 June 2021.
 - The development proposed is a roof extension involving rear dormer window.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the development stated on both the appeal form and the Council's decision notice differs from that stated on the planning application form. Whilst the normal convention is to use the wording on the application form, I have used that given on the appeal form and decision notice in my decision, as it gives a clearer description of the development.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the appeal property and the area; and the effect on the living conditions of the occupants of neighbouring property, with particular regard to privacy.

Reasons

Character and Appearance

4. The appeal property is a terraced two-storey dwelling, which is situated in a residential area. The property has been extended previously at the rear, as have a number of other properties in the terrace and elsewhere on Brunswick Crescent. These include roof/dormer extensions on properties nearby. The appellant has supplied a number of photographs of these in her grounds of appeal.
5. The rear of the dwelling is visible from an area of open space and play area.
6. The proposal is to extend the dwelling at roof level, by constructing a dormer that would be formed across both the main roof and rear outrigger. It would occupy most of the external roof areas and it would be slightly higher than the existing ridge of the dwelling. I acknowledge that the additional space created

would be of benefit to the appellant's living conditions. I have also taken note of the appellant's modern approach to the design of the extension and its fenestration.

7. Reference is made by the Council in its decision notice to Policies CS1 and CS5 of the Local Plan Core Strategy 2012 (LPCS) and to Policy DM01 of the Local Plan Development Management Policies 2012 (LPDMP). These policies generally seek to ensure a high standard of design and to protect the character of the area. I consider these to be consistent with the provisions of paragraph 130 of the National Planning Policy Framework 2021 (the Framework), which states (amongst other things) that developments should be sympathetic to local character and be visually attractive. Paragraph 130 also states that developments should add to the overall quality of the area
8. In addition, the Council's Supplementary Planning Document – Residential Design Guidance 2016 (SPD), states (amongst other things) that dormer roof extensions should be subordinate features and not occupy more than half the width or half the depth of the roof slope.
9. The appeal proposal would be a bulky and visually dominating feature on the existing dwelling, because of its height, width and overall mass. I consider that it would not respect the existing scale or character and appearance of the property. Furthermore, it would have an unacceptably harmful appearance on the existing terrace of dwellings. Consequently, the proposal fails to accord with the provisions of the Development Plan and with the Framework, as referred to above.
10. The appellant points to other similar extensions on properties along Brunswick Crescent and I shall return to this matter later in this decision.

Living Conditions

11. Policy DM01 of the LPDMP, which I consider to be the most relevant to this issue, states (amongst other things) that development proposals should be designed to "allow for adequate privacy for adjoining and potential occupiers". The Council's SPD also advises that care should be taken in the design and location of new dormers to minimise overlooking.
12. Whilst there are existing first floor windows on the rear of the appeal dwelling, the proposal would create large windows at roof level. Although one of the windows would serve a wc, the larger window would serve a new bedroom. In my opinion, the proposed fenestration would create an increased threat to the privacy of the occupants of numbers 60 and 64 Brunswick Crescent when in their respective gardens, making them less enjoyable places in which to be. Therefore, the proposal conflicts with Policy DM01 of LPDMP and with the Council's SPD.

Other Matter

13. I have determined this appeal on its planning merits. The appellant, however, points to similar dormer extensions that have been built, or are in the process of being built on other properties in Brunswick Crescent. These include two examples nearby. I was able to observe these during my site visit and I agree that they appear similar.

14. Prior to reaching my decision, I sought comments from the Council. The response indicates that the others may have been permitted development. It is not within my remit to explore this issue and the Council's response any further, but it is open to the appellant to discuss the matter with the Council.

Conclusion

15. For the reasons given above, it is concluded that the appeal be dismissed.

Ian McHugh

INSPECTOR