

Appeal Decision

Site visit made on 27 January 2022

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd February 2022

Appeal Ref. APP/N5090/D/21/3287576

38 Bohun Grove, Barnet EN4 8UA

- 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 and Mrs Adelusi against the decision of the Council of the London Borough of Barnet.
 - The application ref. 21/3750/RCU, dated 6 July 2021, was refused by notice dated 9 September 2021.
 - The development proposed is described on the application form as "*Conversion of existing Attic into habitable space, leading to roof extension with rooflights at front and dormer at rear.*"
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Decision

1. The appeal is dismissed.

Procedural matter

2. The application was submitted retrospectively, the works having started in September 2020. At the time of my visit, the roof-level development was substantially, but not fully, complete, with windows still to be inserted in the rear dormer and internal works to be finished.

Main issue

3. The main issue is the impact of the roof-level development upon the character and appearance of the dwelling and the surrounding area.

Reasons

4. The appeal property is a 2-storey house situated at the end of a short terrace and on a corner plot at the junction of Bohun Grove with Windsor Drive. The surrounding area is residential in character with short terraced blocks of 2-storey houses being the main built form.
 5. The original hipped end to the roof at no. 38 has been reflected in a 2-storey side extension which reaches out towards Windsor Drive. The rear dormer that has been built relied on the original hipped end to the roof being changed to a gable end. Given that there is a gable end to no. 32 at the opposite end of the short host terrace, the hipped end to the 2-storey side extension remains and the 3 rooflights in the front roof slope are not objectionable, the scheme does
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not have a disruptive visual effect upon the front elevations of the appeal property and the host terrace which face Bohun Grove.

6. The rear dormer is more problematical as it is not modest in design terms and it cannot be described as having limited visibility. Rather, owing to its size and the prominence of the rear elevation in the Windsor Drive street scene, the rear dormer has a considerable impact on the public realm. This is magnified by the upward approach along Windsor Drive, the extent of the public views of the rear dormer along that road, the way the appeal property is actually angled towards Windsor Drive and the absence of rear roof additions to the companion property (no. 40) on the corner plot on the opposite side of the junction.
7. Both horizontally and vertically, the rear dormer covers a significant proportion of the rear roof slope including the section that has come about from the hip-to-gable loft conversion. Being only very marginally set away from the ridge, eaves and sides of the roof, the dormer creates the appearance of a bulky large box and gives the property a top-heavy appearance. The openings in the rear of the dormer broadly align with the first floor windows below but the glazed doors (with the Juliet balcony) would be notably taller than the bedroom window opening directly below. This would add to the adverse visual impact of the rear dormer. Even though complementary roof tiles have been used in its construction, I consider that the rear dormer, by virtue of its size, siting, design, scale, mass and bulk, is out of keeping with the form and scale of the host property and amounts to an incongruous addition that dominates its rear roof slope. In turn, given the prominent corner location, the rear dormer is harmful to the character and appearance of its surroundings.
8. That the scheme disregards the guidance in the Council's Residential Design Guidance Supplementary Planning Document (SPD), adopted in October 2016, confirms the decision I have reached in this case. The SPD explains that adequate roof slope above and below the dormer is required on terraced properties and that any dormer extension should be set in at least one metre from the party wall, flank wall or chimney stack. Dormer roof extensions should also normally be subordinate features on the roof and should not occupy more than half the width or half the depth of the roof slope. The Council had a reasonable expectation for these stipulations to be met given the prominence of the relevant roof slope in the public realm.
9. There are other sizeable rear dormers within Bohun Grove. There are several rear dormers in the terraces between nos 1-19 but these all face towards the grounds of a school. There are several more in the terraces between nos 2 and 38, including one at no. 36, but none of them is as prominently positioned as the one at the appeal property. The example at no. 58 is clearly visible to observers approaching along Ridgeway Avenue but I have no evidence of the Council granting planning permission for this rear dormer, or for any of the others, and therefore considering them acceptable. On close inspection of the 2 planning permissions provided in the appellants' appendices (ref. N15723/07 for no. 13 and ref. B/02209/14 for no. 58), it seems that the rear dormers originally proposed were removed from the final permitted schemes. It is reasonable to assume that all or most of the other rear dormers on Bohun Grove came about through permitted development rights or certificates of lawfulness.

10. No evidence has been brought that a rear dormer could be built at no. 38 utilizing permitted development rights and appear less desirable in visual terms than the one the subject of this appeal.
11. I consider that the roof-level development does not represent a visually attractive solution that adds to the overall quality of the area. The development is not sufficiently respectful of or complementary to the host building's character, the local character and the general area. I find on the main issue that the roof-level development harms the character and appearance of the dwelling and the surrounding area. There would be conflict with Policy DM01 of Barnet's Local Plan Development Management Policies September 2012 and with Policies CS1 and CS5 of Barnet's Local Plan Core Strategy September 2012. Viewed in the round these policies, amongst other things, seek to ensure development respects local context and distinctive local character by creating places and buildings of high quality design and respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets. The policies are consistent with the aims of the National Planning Policy Framework insofar as it relates to achieving well-designed places.
12. The Council, correctly in my view, did not identify an excessive loss of amenity for neighbouring properties for any reason. The lack of harm in that regard does not outweigh the harm I have found under the main issue.
13. My finding on the main issue is decisive to the outcome of this appeal. There is conflict with the development plan. The harm cannot be mitigated by the imposition of planning conditions and it is not outweighed by other material considerations including the enhanced accommodation and additional internal habitable floor space the scheme would bring about.
14. For the reasons given above and taking into account all other matters raised and the absence of objections from local residents, I conclude that this appeal should not succeed.

Andrew Dale

INSPECTOR