



Appeal Decision

Site visit made on 8 March 2022

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 March 2022

Appeal Ref: APP/N5090/W/21/3279539

68 The Ridgeway, Golders Green, London NW11 8PG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by 68 Ridgeway Ltd against the decision of the Council of the London Borough of Barnet.
 - The application Ref 21/2050/S73, dated 12 April 2021, was refused by notice dated 15 June 2021.
 - The application sought planning permission for 'conversion of the existing dwelling into 5 no self-contained flats. Roof extension including erection of dormer windows to front, rear and side elevations. Associated refuse and recycling, parking, cycle store and amenity space' without complying with a condition attached to planning permission Ref 19/6271/FUL, dated 25 November 2020.
 - The condition in dispute is No 1 which states that: the development hereby permitted shall be carried out in accordance with the following approved plans: U-BY-LP001; U-BY--EP001; U-BY- EP002; U-BY -EP003; U-BY -EE001; U-BY -EE002; U-BY-PLL001; U-BY -PP001; U-BY -PP002; U-BY -PP003; U-BY -PE001; U-BY -PE002 Proposed Side Elevations; and U-BY -PE002 Proposed Section.
 - The reason given for the condition is: for the avoidance of doubt and in the interest of certainty.
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. The appeal relates to an application made under Section 73 of the Town and Country Planning Act 1990 for a minor material amendment to planning permission granted on appeal under application reference 19/6271/FUL ('the original permission'). The appellant is seeking to vary the disputed condition to substitute amended plans which include revisions to fenestration and the internal layout of the development, and the addition of a rear dormer and a front rooflight.
3. The main issue is the effect of the proposed variation of condition on the character and appearance of the host building and area.

Reasons

4. The appeal site includes a semi-detached building which is being extended and converted to flats. With the exception of the additional rear dormer, the Council indicate that the revisions to the original permission proposed by the appeal have already been approved under application reference 21/0103/S73. From

the evidence before me and my visit, I am also satisfied that these previously approved revisions would be sympathetic to the character and appearance of the host building and area.

5. The additional dormer that is now proposed would be of very modest size, and even taken together with the 2 existing dormers to the rear roofslope of the appeal building, I find that the scale of development would be generally subordinate to the host roofslope. In this regard, it would comply with guidance within the Supplementary Planning Document: Residential Design Guidance 2016 that dormer roof extensions should normally be subordinate features on the roof. It would also be of lesser width than the windows below, maintaining an overall vertical hierarchy to the building.
6. However, the dormer would be positioned above the larger of the existing dormers which are set low in the host roof. The appeal building already provides for 4 floors of accommodation, but the topmost floor is served by rooflights, and consequently I did not find its presence above the third floor to be particularly apparent from outside of the site. In contrast, the proposal would draw greater attention to the existence of the upper level of accommodation, and would result in an unmistakable four-storey appearance to this part of the building. I find that this would be significantly at odds with neighbouring buildings of similar original design which are generally of two-storey height, albeit in some cases with a third storey of accommodation within the roof level. I acknowledge that Sundridge Court close to the site is four-storey, but this is a large building of different form and appearance, and I do not consider it offers a direct visual comparison for the appeal development.
7. Moreover, dormers that I saw to other nearby buildings were of varied scale and design, but were typically set well down from the host roofs, and while some properties include multiple dormers, I have not been directed to any similar examples of dormers positioned directly above one another. I acknowledge the large overall size of the roof and spacing that would be provided to the other dormers, and that the dormer would be smaller than many others nearby. Even so, the dormer roof would extend very close to the main roof ridge. In combination with the unusual vertical stacking of dormers, I find that it would relate awkwardly to the host roof, and would result in a cluttered appearance that would stand out against the simpler roofscapes of other buildings nearby.
8. In my assessment, the proposal would therefore introduce a jarring and incongruous form of development that would undermine the architectural character of the building. I appreciate that the Council did not receive representations in response to its consultation on the planning application and that public views of the development would be restricted to a relatively short stretch of Gresham Gardens in the gap between 66 The Ridgeway and 2 Gresham Gardens. However, it was apparent from my visit that the rear of the building is a prominent feature in these views, and that there would also be clear views of the development in the host roofslope despite some nearby vegetation. The development would also be clearly visible from neighbouring properties and gardens.
9. For these reasons, I conclude that the proposed variation of condition would result in a conspicuous and visually discordant feature that would cause unacceptable harm to the character and appearance of the host building and

area in conflict with Policies CS1 and CS5 of the Core Strategy 2012 and Policy DM01 of the Development Management Policies 2012. Amongst other things, these policies together broadly seek to ensure high quality design and that development preserves and enhances local character.

Other Matters

10. Any damage caused to property during construction works would be a private matter between the parties involved, and while there may have been a number of applications made on the site, neither of these factors affect the planning merits of the scheme that is before me to consider. I have taken into account other comments made by interested parties at appeal stage, but none of the matters raised either individually or collectively alter my conclusions on the main issue.
11. I do not doubt that the proposal could improve the quality of the room that would be served by the additional dormer. However, I do not consider that the resulting benefit to future occupiers of the dwelling would be sufficient to outweigh the harm that would be caused to the character and appearance of the host building and area and subsequent conflict with the development plan.

Conclusion

12. For the reasons given above, I find that the proposal would result in conflict with the development plan when it is read as a whole, and material considerations do not indicate that a decision contrary to the development plan should be reached. I therefore conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR