

Appeal Decision

Site visit made on 18 February 2022

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 11th March 2022

Appeal Reference: APP/N5090/D/21/3289864

Land at 54 Lewes Road, North Finchley, London N12 9NL

- 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 Mrs R. Xhika against the decision of the London Borough of Barnet Council.
 - The application (reference 21/4452/HSE, dated 11 August 2021) was refused by notice dated 6 October 2021.
 - The development proposed is described in the application form as follows: "Single Storey Rear Extension, Rear Dormer and Replace Flat Roof with Tile Covered Pitch Roof".
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Decision

1. The appeal is allowed and planning permission is granted for a "single storey rear extension and new pitched roof with rear dormer window to replace existing flat roof", at 54 Lewes Road, North Finchley, London N12 9NL, in accordance with the terms of the application (reference 21/4452/HSE, dated 11 August 2021), subject to the conditions set out in the attached Schedule of Conditions.

Preliminary points

2. Notwithstanding the description of the application that was given in the application form, the nature of the proposal can more clearly be expressed as set out in the Council's decision notice and in the appeal form, as a "single storey rear extension and new pitched roof with rear dormer window to replace existing flat roof".

Main issues

3. The first main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the host building and its surroundings. The second is the effect of the proposed development on the residential amenities of neighbours (whether unacceptable harm would be caused by overbearing appearance or loss of outlook).

Reasons

4. The appeal site lies within a tightly developed area of North Finchley that is characterised by residential development along the road frontages. The houses are set back from the highway behind their front gardens, with modest back gardens. Many of the houses in Lewes Road have been altered and extended over the years and the frontage is closely built up, with some newer buildings as well as older semi-detached properties. Lewes Road rises away from the junction with Buxted Road and the change in levels adds to variety and interest in the streetscene.
5. Number 54 Lewes Road forms a semi-detached pair with number 56 (to the north) but, whereas the latter has largely retained its original character, the main part of the appeal building has been substantially renovated. The reformed building is clearly contemporary in character, with a crisp white rendered finish, although the front elevation retains the pitched roof forms of the basic house. At the rear, the conversion of the original hipped roof to form a gabled roof has also incorporated a large "box" dormer.
6. On the south, number 54 is built up to the boundary with number 52b, one of a more recent pair that has been inserted between older properties. This part of the appeal building is an ugly two storey, flat roofed garage building (with a room on the first floor, above the garage). The garage building is partially attached to the main house, above ground floor level.
7. There is a clear change in level between numbers 54 and 56, which breaks up the standardised form of a typical semi-detached pair, and there is considerable variety and interest in the streetscene. In spite of the clear difference in styles between these two properties (and others), the locality provides an attractive residential environment.
8. It is now proposed to construct single storey rear extension to the house and to carry out other alterations, including the replacement of the existing flat roof with a tiled, pitched roof and the construction of a new rear dormer.
9. The 'National Planning Policy Framework' (which was revised in July 2021) emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, by adding to the overall quality of the area and creating development that is visually attractive and sympathetic to local character and history (while not preventing or discouraging appropriate innovation or change). It also seeks to protect existing residential amenities and provide good standards of accommodation.
10. An emphasis on the importance of good design is also to be found in the 'The London Plan' and in local policies. Policy CS1 of 'Barnet's Local Plan (Core Strategy)', dated September 2012, is a general Policy that includes the aim of creating an attractive environment, while Policy CS5 is more directly focussed on achieving "high quality places". Policy DM01 of 'Barnet's Local Plan (Development Management Policies)', also dated September 2012, provides more specific criteria, aimed at achieving high quality design and protecting residential amenities.

11. Attention has also been drawn to the Council's Supplementary Planning Document, entitled 'Residential Design Guidance' dated October 2016, which addresses relevant design criteria and considerations, although it does not have the same force as Policies in the Development Plan.
12. The roof structure of the main part of the house has already been extended by converting the hipped roof to a gable and adding a large "box" dormer to the rear elevation. It has been pointed out that the "box" dormer scheme amounted to "permitted development". The current proposals would add a new extension to the roof, with a lower ridge line, together with a smaller dormer on the rear elevation.
13. The lower ridge line of the new roof would give it a subservient character, in relation to the main roof, and the design approach would be appropriate in this case. The half-hipped gable (referred to as a "Dutch gable roof") would contrast with the gabled structure of the main roof, to some extent, resulting in a somewhat awkward composition (by comparison with a continuation of the traditional gabled form), but the scheme as a whole would not be unattractive or unacceptable in the streetscene. Indeed, it would amount to a clear improvement on the appearance of the existing two-storey garage building. At the rear, the new dormer would be modest in scale, especially by comparison with the existing large dormer.
14. Although some alternative design ideas have been mooted, I have considered the scheme as it comes before me and I am convinced that the various roof alterations would enhance the character and appearance of the host building and the surroundings, rather than the opposite.
15. The proposed single storey rear extension would not have an effect on the streetscene and would be in keeping with other rear extensions in the locality. Nor would it be overly dominant architecturally. It would, however, be built up to the side boundary of the property (adjoining number 52b) and would extend beyond the rear elevation of the neighbouring house, which is located further forward on its plot.
16. Even so, the ground level at the appeal site is significantly lower than that of the adjoining plot and the single storey extension would also be much lower than would be the case if ground levels were more even. In consequence, the proposed extension would not have an undue impact on the outlook from the rear of the neighbouring house, nor would it cause unacceptable harm to the neighbours' living conditions, bearing in mind the urban context.
17. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, and the proposed extension would be a useful addition to the accommodation at 54 Lewes Road. The contribution that the appeal scheme would make to the provision of residential accommodation in the locality, even though it would be limited, weighs in favour of the appeal. Hence, I have concluded that the project would not be in conflict with the Development Plan, in principle. In short, I am persuaded that the scheme before me can properly be permitted and, although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

18. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of the conditions suggested by the Council in the usual way (without prejudice to their main arguments in the appeal). I have concluded that conditions are necessary, to define the planning permission and to ensure that quality is maintained.

Roger C Shrimplin

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:
 - drawing number LwR10/B/NP1 (floor plans of existing dwelling);
 - drawing number LwR10/B/NP2 (site plan, block plan, loft and roof plans);
 - drawing number LwR10/B/NP3 (front, side and rear elevations of existing dwelling);
 - drawing number LwR10/B/NP4 (floor plans of proposed extensions);
 - drawing number LwR10/B/NP5 (floor and roof plans of proposed extensions);
 - drawing number LwR10/B/NP6 (front, side and rear elevations of proposed extensions).
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 house.