



Appeal Decision

Site visit made on 2 March 2022

by Martin Small BA(Hons) BPI DipCM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th March 2022

Appeal Ref: APP/Q5300/W/21/3278970

First Floor Flat, 102 New River Crescent, Southgate, N13 5RJ

- 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 Nicholas Dounetas against the decision of the Council of the London Borough of Enfield.
 - The application Ref 21/00875/FUL, dated 8 March 2021, was refused by notice dated 27 April 2021.
 - The development proposed is described as a dormer loft conversion to a first floor flat within an existing terrace dwellinghouse, converting the property into a two bedroom two-storey unit. The replacement of existing windows to front and rear elevation with modern double glazed windows.
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Decision

1. The appeal is allowed and planning permission is granted for a dormer loft conversion to a first floor flat within an existing terrace dwellinghouse, converting the property into a two bedroom two-storey unit, and the replacement of existing windows to front and rear elevation with modern double glazed windows at First Floor Flat, 102 New River Crescent, Southgate, N13 5RJ in accordance with the terms of the application, Ref 21/00875/FUL, dated 8 March 2021, subject to the following conditions:

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

015 – A – 001 P01 Location Plan
015 – A – 002 P01 Block Plan
015 – A – 003 P01 Site Plan – Existing
015 – A – 004 P01 Site Plan – Proposed
015 – A – 010 P02 GA Plans - Existing Ground Floor
015 – A – 011 P02 GA Plans – Existing Upper Floors
015 – A – 020 P02 GA Plans – Proposed Ground Floor
015 – A – 021 P02 GA Plans – Proposed Upper Floors
015 – A – 110 P01 Elevations – Existing
015 – A – 111 P01 Elevations / Section - Existing
015 – A – 120 P01 Elevations – Proposed
015 – A – 121 P01 Elevation / Section – Proposed
015 – A – 301 P01 Perspective Views of Proposed

- 3) The materials to be used in the construction of the external surfaces of the dormer loft conversion hereby permitted shall match those used in the existing building unless otherwise agreed in writing by the local planning authority.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and area.

Reasons

3. New River Crescent is within a mature residential area characterised by primarily 2-storey terraced dwellings, some with rooms in the roofspace. A number of these properties have been converted to flats but retain the appearance of the original single dwellings from the street. These include the appeal property. These properties have paired outriggers to the rear.
4. A significant number of the properties have rear dormer extensions to which the appellant draws my attention and I observed during my site visit. Whether these alterations were constructed as permitted development or received a specific grant of planning permission, they exist and are sufficiently numerous to form part of the character and appearance of the area.
5. The proposed development is an 'L' shaped dormer to the rear of the appeal property, extending across the width of the main roof and out over part of the outrigger. Although it would project above the ridge of the outrigger, it would not project above the ridge of the main roof. The dormer would be set up slightly from the eaves by a minimum of 200mm and be set back from the rear elevation of the outrigger.
6. Policy DMD 13 of the Development Management Document (2014) (DMD) sets out criteria against which proposals for roof extensions shall be assessed. These include that the extension should be of an appropriate size and location within the roof plane and, in the case of rear dormers, inset from the eaves, ridge and edges of the roof, normally by between 500mm – 700mm. In addition, roof extensions should also be in keeping with the character of the property and not dominant when viewed from the surrounding area.
7. Whilst the proposed dormer insets would be less than those specified in Policy DMD 13 of the DMD, the use of the word 'normally' indicates that the policy has a degree of flexibility in this regard. In this case, the proposed dormer would be of a simple design and form and of an appropriate size and location within the roof planes. It would thus sit reasonably comfortably on the property.
8. The elevations of the dormer would be tiled to match the existing roof and the proposed window above the rear elevation of the main dwelling would reflect the form of the existing first floor window below it. The proposed window in the rear elevation of the dormer above the outrigger would not be in keeping with the existing fenestration but would be set back from the windows below and would reduce the apparent mass of the extension. It is thus acceptable. Overall, the design, scale and massing of the proposed dormer would respect the character and appearance of the host property and have a satisfactory relationship with the existing roof.

9. The dormer would project only slightly above the ridge of the outrigger, would not extend the full depth of the outrigger and would be a significant distance from the footpath alongside New River to the rear of the appeal property. Consequently, it would not be unduly prominent or dominant when viewed from the rear gardens of neighbouring properties or the footpath. The proposed dormer would therefore not have unacceptable negative impacts on the properties to either side.
10. The dormer would not be visible from the front of the property and would be set back from the rear elevation of the outrigger. Consequently, the property would retain the appearance of a principally 2-storey dwelling. Existing dormer extensions at Nos 92, 96 and 98 New River Crescent just to the south of the appeal property are visible from the footpath alongside the river. Permission has also been granted on appeal for a rear dormer extension at the neighbouring property to the north, No 104A (APP/Q5300/W/19/3221133).
11. Therefore, whilst the proposal could disrupt the symmetry of the paired outriggers to the appeal property and No 104A, it would not appear as an incongruous addition when seen in the context of the existing dormers of similar height on other properties in proximity to the appeal property.
12. Furthermore, the proposed dormer would satisfy the limitations and conditions to be permitted development on a single dwelling. I accept that such rights do not pertain to the appeal property as it is divided into flats but it is pertinent that dormers of the size and form proposed could be constructed on remaining single dwellings in the area without a further specific grant of permission.
13. I therefore conclude that the proposed development would not be harmful to the character and appearance of the host property or area. Accordingly, in this respect, it would comply overall with the aims and objectives of Policy DMD 13. It would also comply with the more general design aims and objectives of Policy CP30 of The Enfield Plan Core Strategy (2010-2025), Policies DMD 8 and DMD 37 of the DMD and Policy D4 of the London Plan, which seek to ensure high quality design and protect character.
14. The Planning Officer's Report refers to Policies DMD 6 and DMD 11 of the DMD which seek to protect residential character and avoid adverse visual impacts from proposed extensions. Although not cited in the reason for refusal, for the sake of completeness, I find no conflict with either of these policies.

Conditions

15. In addition to the standard 3 years implementation condition, the Council has suggested conditions regarding the approved plans and matching materials in the event that planning permission is granted. I consider these conditions necessary for the avoidance of doubt and to ensure a satisfactory appearance.

Conclusion

16. I have found above that the proposed development would comply with the development plan. There are no material considerations that indicate that a decision should be made other than in accordance with the development plan. For this reason the appeal is allowed and planning permission granted.

Martin Small INSPECTOR