



Appeal Decision

Site visit made on 28 February 2022

by Julie Dale Clark BA (Hons) DipTP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th March 2022

Appeal Ref: APP/N5090/D/22/3290334

16 Galley Lane, Barnet EN5 4AJ

- 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 Stuart Cook against the decision of the London Borough of Barnet Council.
 - The application Ref 21/3190/RCU, dated 9 June 2021, was refused by notice dated 9 December 2021.
 - The development proposed is Single storey rear extension. Conversion of garage to habitable room including insertion of windows to replace garage door. Extension to roof including 3no. rooflights to front roofslope, 1no. rooflight to the west (right side) roofslope, one no. side dormer to both sides and proposed change to their existing material, and 1no. rear dormer. Installation of solar panels to rear extension and rear dormer window. Installation of 2no. electrical outlet for recharging vehicles. (Retrospective application for changes made to approved lawful development).
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development quoted above is taken from the decision notice and the appeal form. This differs from the description on the application form in that the latter more specifically describes the differences between the works constructed and proposed amendments and those proposed under an earlier Certificate of Lawfulness¹. The description above is more succinct.
3. In the interests of clarity, I have taken the appeal address from the decision notice and appeal form rather than the application form.
4. The Design and Access Statement submitted with the planning application refers to 16 Galley Lane being in the Green Belt. However, the Questionnaire submitted by the Council indicates that the appeal site is not in the Green Belt. The reason for refusal makes no reference to the Green Belt. I have therefore considered this appeal on the basis of it not being in the Green Belt and therefore Green Belt policy is not applicable.

¹ Ref: 19/4415/192.

Main Issue

5. I consider that the main issue is the effect of the development on the character and appearance of the existing dwelling and the area.

Reasons

6. The appeal site is a detached property that has been extended. Of the elements subject to this appeal, those with the greatest impact involve alterations to the roof including dormer extensions to the sides and rear. The works have also involved alterations to the shape of the roof in terms of creating a crown roof. The proposal is in part retrospective in that much of the work has already been carried out but further alterations would involve alternative facing materials to the side dormers. These are currently lead clad but tile hanging to match the rest of the roof is proposed.
7. The appellant previously received approval for a Certificate of Lawfulness for works to the house as permitted development (PD)². I have not been supplied with a copy of the approval notice but plans have been submitted and the appellant and the Council have explained the works that could be carried out as PD and those constructed and proposed.
8. The description of development involves elements that do not seem to concern the Council and I too see no harm in them. For example, a single storey rear extension; conversion of the garage to a habitable room and the installation of electric outlets for recharging vehicles. The works to the roof also include elements that in themselves would be acceptable. For example, rooflights and solar panels. However, works to the roof also includes a rear dormer extension and further dormer extensions to both sides of the dwelling. Alterations to the roof also includes the creation of a flat roofed area, or a 'crown roof'.
9. I am mindful that dormer extensions can be built as PD and the appellant and the Council seem to agree that a rear dormer and side dormers could be built without the need for planning permission. The Council, however, argue that the dormers together with the roof alterations to create a crown roof take it beyond permitted development.
10. The works have been carried out for the most part but the side dormers are lead clad whilst it is proposed to tile these to match the roof. This would help to lessen their impact. The original character of No 16 would have been as a traditional style bungalow lower in height than its neighbours to either side; both Nos 14 and No 18 are taller than No 16. I am also mindful that the styles of neighbouring dwellings are different than the appeal site and a mix of styles is a characteristic of the area.
11. The appellant points out that crown roofs and dormers are generally to be found in the area and therefore the alterations to No 16 would not introduce features that cannot be otherwise seen in the locality. I do not dispute this. I am also mindful that the larger dormer is to the rear of the dwelling and the side dormers can only be seen from particular points along the road. The position of No 16 in Galley Lane is such that it is not in a specifically prominent location and the long rear garden and open field beyond mean that the rear of the house is not widely visible.

² The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended).

12. However, the roof alterations are significantly at odds with the character of this property. They appear as ill-conceived additions that may achieve their objective of increasing living accommodation in the roof space but do so at significant cost to the appearance of the property itself. Whilst the appellant breaks down each component in explaining its impact, the totality of the works appear as incongruous and discordant additions to the property. Notwithstanding No 16's siting in the lane and the position of the dormers, such obvious additions to this property, have a negative impact on the area generally.
13. I do not consider that the proposal is consistent with the Council's Core Strategy Policy CS5³ which seeks to ensure that development respects local context and distinctive local character that creates places and buildings of high quality design or that of Development Management Policy DM01⁴ which also establishes the Council's requirement for high quality design based on an understanding of local characteristics and the preservation and enhancement of local character. Furthermore, DM01 requires development to respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets and whilst the types of dwelling are varied in terms of their styles, size and materials of construction, the alterations to this property have resulted in a confused and poorly designed dwelling contrary to this policy.
14. The council's SPD Residential Design Guidance⁵ indicates that extensions should be consistent with the form, scale and architectural style of the original building. This can be achieved by, amongst other things, respecting the proportions of the existing house; using an appropriate roof form; matching materials; and reflecting the character of the original house. For the reasons already stated, the proposal fails to follow this guidance.
15. I am mindful that extensions and alterations to the roof of a dwelling can be permitted development but this Section 78 appeal is not the place to determine what is or what is not lawful. I acknowledge that the overall development includes elements that are to be commended in terms of its green credentials including solar panels and electric charging points for vehicles, but these do not overcome the concerns I have raised. From the evidence submitted, and taking all matters into consideration, I consider that the proposal would conflict with the objectives of policies CS5 and DM01 and the SPD.
16. Having carefully assessed the proposal and taking into account the further changes proposed to what has been constructed, I conclude that the proposal would have a harmful effect on the character and appearance of the dwelling and the area. The appeal therefore fails.

J D Clark

INSPECTOR

³ Barnet London Borough – Barnet's Local Plan (Core Strategy) Development Plan Document September 2012.

⁴ Barnet London Borough – Barnet's Local Plan (Development Management Policies) Development Plan Document September 2012.

⁵ Barnet London Borough Local Plan Supplementary Planning Document: Residential Design Guidance October 2016. (Part 3 Design Guidance for Existing Residential Development in Barnet).