



Appeal Decision

Site visit made on 12 April 2022

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 April 2022

Appeal Ref: APP/N5090/W/21/3284072

First Floor Flat, 47 Castle Road, North Finchley, London N12 9EE

- 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 Ms Sabrina Forde against the decision of the Council of the London Borough of Barnet.
 - The application Ref 21/2663/FUL, dated 11 May 2021, was refused by notice dated 13 August 2021.
 - The development proposed is loft conversion comprising of rear dormer and front velux windows.
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Decision

1. The appeal is allowed and planning permission is granted for loft conversion comprising of rear dormer and front velux windows at First Floor Flat, 47 Castle Road, North Finchley, London N12 9EE in accordance with the terms of the application Ref 21/2663/FUL dated 11 May 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: Location Plan, 3252/1, 3252/2 and 3252/3.
 - 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 building.

Preliminary Matter

2. The Council's decision notice describes the proposal as 'roof extension involving rear dormer window with juliette balcony and 2no front facing rooflights'. This description has been entered on the appeal form, but neither party has provided written confirmation that a revised description of development from that stated on the planning application form has been agreed. I have therefore used this original description in the banner heading and my formal decision above.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host building and area.

Reasons

4. The appeal relates to a first floor flat within a semi-detached building close to the junction of Castle Road with Grove Road. Near to the appeal site, Castle Road is generally characterised by two-storey semi-detached and terraced buildings of similar appearance which are positioned on strong building lines. This contributes a distinctive rhythm and sense of uniformity to the street scene. However, the rear building line and roofline are more diverse, including as a result of extensions and alterations to a number of the buildings, and despite a fairly regular pattern of two-storey outriggers, the overall impression of consistency is consequently less pronounced to the rear of buildings on this side of the street.
5. The Council has not raised objections to the proposed front rooflights. From the evidence before me and my visit, I see no reason to take a different view, and I am satisfied that the rooflights would be sympathetic to the host building and area.
6. The proposed rear dormer would be set back slightly from the eaves of the roof, but would occupy nearly the full height and width of the main rear roof slope of the host building. This would be contrary to guidance within the Council's Residential Design Guidance Supplementary Planning Document 2016 (SPD) that dormers should normally be subordinate features of the roof and should not occupy more than half the width or the depth of the roof slope.
7. However, the dormer would be lower than the protruding parapets to either side of the roof, and it would not extend onto the roof of the fairly deep two-storey outrigger to the building. These factors would help to limit perceptions of its overall scale and bulk relative to the host roof, and while it would undoubtedly be large, the development would not in my judgement appear excessively so nor unacceptably dominant against the host building. In addition, the application form indicates that the development would be finished in tile hanging to match the existing building. This would distinguish it visually from the dormer to the attached neighbour at 49 Castle Road which is of different external finish. In combination with the raised parapet wall and chimneys which would separate the dormer both physically and visually from No 49, I am satisfied that this would ensure that the proposed development would not appear as one continuous feature with the dormer to No 49.
8. Furthermore, the dormer would also be of broadly comparable scale to the dormer at No 49. I note that there are no other dormers presently between No 49 and 37 Castle Road where there is a dormer of much smaller scale than is proposed here. Even so, I observed dormers occupying substantial proportions of the roofslopes of a number of buildings on Grove Road nearby as well as at 31 Castle Road; and while some such as the dormers at 49 and 51 Grove Road are set back from the eaves, others are much larger including in some cases projections onto outrigger roofs. I appreciate that these dormers may have been the result of the exercise of permitted development rights, or in the case of No 49, approval having regard to a potential fallback development using permitted development rights, and I acknowledge that such rights are not applicable to the appeal property. Nevertheless, the development would be seen together with these examples, and while not all buildings have dormers, I find that a dormer of the scale proposed would not therefore be incongruous or out of keeping with the established character of the area.

9. Moreover, the dormer would be largely screened to views from the street scenes of Castle Road and Grove Road by the existing dormer to No 49 and the roofs of the host and neighbouring buildings. There would be some views from surrounding properties and gardens, but these would not be widespread given the height and depth of the rear projections to the host building and the adjacent semi-detached pair at 43 and 45 Castle Road which would serve to obstruct, at least partially, views of the dormer from many points.
10. These factors taken together would significantly limit the prominence and visual impact of the development, and I consider having regard to the specific circumstances of the site and proposal that the development would integrate suitably with the host building and area, and it would not be a striking or discordant feature.
11. Although the dormer would not comply with the detailed guidance within the SPD, I conclude for these reasons that the proposal would not cause unacceptable harm to the character or appearance of the host building or area. Accordingly, I find no conflict with Policies CS1 or CS5 of Barnet's Local Plan (Core Strategy) Development Plan Document 2012 or Policy DM01 of Barnet's Local Plan (Development Management Policies) Development Plan Document 2012. Amongst other things, these policies broadly seek high quality design that respects local context and distinctiveness and makes a positive contribution to the borough, including through respect for the appearance, scale, mass, height and pattern of surrounding buildings. A departure from the detailed guidance within the SPD is therefore justified in this case.

Conditions

12. In addition to the standard time limit, I have imposed a condition specifying the approved plans for the avoidance of doubt and in the interest of certainty. I have also imposed a condition to require external materials to match the existing building to ensure a satisfactory appearance.

Conclusion

13. For the reasons given above, I find that the proposal would accord 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 allowed.

J Bowyer

INSPECTOR