



---

## Appeal Decision

Site visit made on 16 August 2022

**by J Davis BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 04 November 2022.**

---

**Appeal Ref: APP/N5090/D/22/3294602**

**49 Albert Road, Hendon, London, NW4 2SH**

- 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 Levy against the decision of the Council of the London Borough of Barnet.
  - The application Ref 21/5587/HSE, dated 15 October 2021, was refused by notice dated 17 December 2021.
  - The development proposed is a rear dormer window.
- 

### Decision

1. The appeal is allowed and planning permission is granted for a rear dormer window at 49 Albert Road, Hendon, London, NW4 2SH in accordance with the terms of the application, Ref 21/5587/HSE, dated 15 October 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: 12111/P001; 12111/P002 Rev P1; 12111/P003 Rev P1; 12111/P004 Rev P1; 12111/P005 Rev P1; 12111/P006; and 12111/P007.
  - 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.

### Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host dwelling and the surrounding area.

### Reasons

3. The appeal property is a mid-terrace dwelling, located in a residential area comprising mainly of terraced and semi-detached dwellings. The property already benefits from a large extension to the main roof involving a rear dormer window and 2no front facing roof lights.
4. The proposed dormer window would sit beneath the existing roof extension on the rearmost roof slope of the building. It would not be attached to the existing roof dormer as it would be separated from it by the existing flat roof section.

5. The Council's Residential Design Guidance Supplementary Planning Document (2016) (SPD) advises, among other things, that there should be adequate roof slope above and below the dormer and that dormer roof extensions should normally be subordinate features of the roof and should not occupy more than half the width or half the depth of the roof slope. The window materials and design should be in keeping with those on the rest of the house.
6. Whilst the rear dormer would only be set down slightly from the top of the roof slope, it would be read against the existing larger roof extension above. It would not occupy more than half of the width of the roof slope and would be constructed in materials to match the host building. It would also align with the window openings below.
7. In my view the proposed dormer would be a subordinate feature of the roof and the existing roof extension would remain the more dominant addition. I consider that it would be in keeping with the overall design and appearance of the host dwelling and would not be harmful to its existing character.
8. I noted at my site visit that there are several examples of similarly sited dormer windows on the rear elevation of nearby terraced dwellings in Albert Road, some of which are also combined with larger roof extensions. I acknowledge that the proposed dormer window would be visible in the street scene as views of the rear of the appeal property and neighbouring dwellings, are obtainable through gaps in between the houses along Albert Road. However, the proposed dormer window would be modest in size and would not appear discordant or incongruous in relation to the existing roofscape. Given the size and scale of the proposal, I am also satisfied that it would not amount to an overdevelopment of the property even when considered cumulatively with the existing additions.
9. I therefore conclude that the proposal would not have a harmful effect on the character and appearance of the host dwelling and the surrounding area. It would comply with Policy D3 of the London Plan (2021), Policies CS1 and CS5 of the Barnet's Local Plan (Core Strategy) Development Plan Document 2012, Policy DM01 of the Barnet's Local Plan (Development Management Policies) Development Plan Document 2012 and the aims and objectives of the SPD. These policies and guidance seek to ensure that, amongst other matters, new development is of a high quality design that respects the appearance, scale, height and mass of surrounding buildings and respects local context and distinctive local character.

#### *Other Matters*

10. I have had regard to the planning history of the site as set out in the Council's officer report. In particular I note that a condition removing certain permitted development rights was imposed in relation to an earlier proposal. I also note that the original proposal for the roof extension approved under LPA ref. 19/5118/HSE was amended to ensure that it was more subordinate, although I do not have precise details before me. Whilst acknowledged, neither of the above matters alters my above findings on the main issue.

#### **Conditions**

11. In addition to the standard implementation condition, the approved plans condition is imposed for certainty. A condition requiring the use of matching

materials is necessary to protect the character and appearance of the dwelling and the local area.

### **Conclusion**

12. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be allowed.

*J Davis*

INSPECTOR