



Appeal Decision

Site visit made on 31 October 2023

by C Livingstone MA(SocSci) (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 November 2023

Appeal Ref: APP/N5090/W/23/3322697

Thorverton Court, Thorverton Road, London NW2 1RD

- 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 D Lederman, Smallbrook Ltd, against the decision of the Council of London Borough of Barnet.
 - The application Ref 23/0615/FUL, dated 14 February 2023, was refused by notice dated 11 May 2023.
 - The development proposed is described as 'formation of studio flat at third floor level within new pitched roof.'
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The application site is located on Thorverton Road, which slopes gently upwards from its junction with Cricklewood Lane. Thorverton Road is primarily residential and most properties are traditional, two storey and semi-detached, with hipped roofs. The neighbouring properties on Cricklewood Lane are two storey and a mix of semi-detached and detached, with pitched roofs. There is therefore a degree of variance in terms of the existing architecture in the area, with larger scale commercial buildings nearby on Cricklewood Lane.
4. The application relates to a modern three storey, flat roofed block of flats of a large blockish design with simple detailing. The building forms a continuation of the building line of the properties on Thorverton Road in contrast with the proportions of the finely detailed, traditional, neighbouring properties.
5. A previous appeal¹ (the previous appeal) for an additional storey on the building was dismissed in 2017. The previous appeal proposal was for an additional flat roofed storey on the existing roof. The inspector considered it to be a 'bulky and discordant feature' and the appeal was dismissed.
6. The proposed development before me is for the formation of a crown roof over the existing flat roof, with dormers to the front rear and side; to allow for the creation of a flatted dwelling in the attic space. As a result of the development the height of the building would be significantly higher than the closest neighbouring properties on Thorverton Road.

¹ APP/N5090/W/17/3175173

7. I acknowledge the proposed crown roof would create the required internal height, over the width and depth of the existing building. I note there are examples of extensions on neighbouring properties with roof forms that are not sympathetic to the original. However, these extensions are of a lesser scale and prominence and do not set a precedent for the proposed development. Furthermore, none of the neighbouring properties in the immediate vicinity of the appeal site have roofs of a similar design to that proposed.
8. It is noted that the appeal proposal aims to address the concerns raised in the previous appeal, as the roof includes a pitched element. However, for the reasons detailed above the proposal would be a visually dominant, unsympathetic addition to the appeal property and an incongruous feature of the street scene.
9. Having regard to all of the above, I conclude that the proposal would harm the character and appearance of the area. It would therefore conflict with Policies CS NPPF, CS1 and CS5 of Barnet's Local Plan-Core Strategy and Policy DM01 of the Barnet's Local Plan-Development Management Policies and the associated guidance in the LB Barnet: Residential Design Guidance Supplementary Planning Document. These policies and guidance, amongst other things, seek to deliver sustainable development while conserving and enhancing the distinctiveness in the area through high quality design.

Other Matters

10. The proposal would not harm the living conditions of nearby residential occupiers. However, the absence of harm in this respect is a neutral factor. I acknowledge that the proposal would include the introduction of an automatic smoke ventilation system to the building. The benefits of this system are noted, however, there is no evidence before me to suggest that the appeal scheme is the only mechanism to secure the introduction of such a system. I also note the proposal would provide an additional flat in a sustainable location, incorporating improved insulation and solar panels resulting in social, economic and environmental benefits. However, all these matters or any others raised are insufficient to outweigh the harm I have identified.

Conclusion

11. For the reasons given above I conclude that the appeal is dismissed.

C Livingstone

INSPECTOR