
Appeal Decision

Site visit made on 25 November 2023

by Elaine Benson BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2023

Appeal Ref: APP/N5090/D/23/3329457

12 Osborne Close, Barnet EN4 9TU

- 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 and Mrs Duddy against the decision of the Barnet London Borough Council.
 - The application Ref 23/1840/HSE, dated 26 April 2023, was refused by notice dated 8 August 2023.
 - The development proposed is 'loft conversion consisting of two side dormers with flat roof and two smaller side dormers with pitched roof and four velux windows'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The Council raises no objections to the proposed gable end and rooflights shown in the appeal proposal. There are no reasons to take a different view. The main issue therefore is the effect of the proposed dormer windows on the character and appearance of the host property and the surrounding area.

Reasons

3. The appeal property, No 12 Osborne Close (No 12), stands on an estate where permitted development rights have removed. As a result, the roofs of the properties in the surrounding area are largely as originally built and dormer windows are not a common feature. Nonetheless, this would not necessarily preclude roof level alterations of high design quality.
4. No 12 is one of the first properties seen when entering the cul-de-sac as there is an open landscaped area at the corner with Verwood Drive. This contains trees protected by a group Tree Preservation Order (TPO). The side of No 12 faces onto this open area and its steeply sloping roof is a distinctive design element.
5. Due to the orientation of the appeal property, the proposed dormers on the side elevations, particularly on the side facing Verwood Drive would be highly visible. Whilst the dormer windows would comply with some of the requirements of the design guidance set out in the Council's Adopted Residential Design Guidance SPD (2016) (SPD), they would not be set down from the ridge. There would be two dormer windows of different design on each of the main roof slopes. The proposed mix of smaller dormers with a pitched roof and larger flat roof dormers on the same roof slope would result in an

incongruous and unbalanced appearance. In combination, the dormers would dominate the roof and result in an unacceptable form of development which would harm the appearance of No 12.

6. Furthermore, the visual prominence of the dormers and their poor design quality would harm the street scene. The presence of the adjacent TPO protected landscaping would soften the appearance of the proposed development to a small degree. However, landscaping should not be relied upon to screen unacceptable development.
7. Reference is made to several properties which have dormer windows, including Nos 24 and 28 Verwood Drive, to the north of the appeal site. The evidence with the appeal indicates that they were constructed without planning permission some years ago and are immune from enforcement action. Nonetheless, these and the other dormer windows referred to do not form part of the immediate visual context of the appeal property. But in any event, in my judgement it is the design of the appeal proposal, rather than the principle of roof alterations which is at issue in this appeal.
8. I conclude that by reason of their size, scale, siting and design the dormer windows would not be subordinate, proportionate or sympathetic extensions to the existing dwelling house. The development would harm the character and appearance of the host property and would be at odds with the established character of the area. Accordingly, the proposal is contrary to Policies CS1 and CS5 of Barnet's Adopted Core Strategy (2012), Policy DM01 of the Adopted Development Management Policies DPD (2012) and the SPD which, in combination and of relevance to this appeal, can be summarised as seeking to minimise the impact of extensions on the local environment and requiring high quality design.
9. For the reasons set out above and having regard to all other matters raised, the appeal is dismissed.

Elaine Benson

INSPECTOR