



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: 13 December 2023

Appeal Ref: APP/N5090/W/23/3323423

53A Abercorn Road, Mill Hill, Barnet, London NW7 1JS

- 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 Neal Hollenbery of Mayfair Trading Co Ltd against the decision of the Council of the London Borough of Barnet.
 - The application Ref 22/5737/FUL, dated 2 December 2022, was refused by notice dated 3 March 2023.
 - The development proposed is described as 'loft conversion incorporating new dormer and roof-lights and removal of rear chimney.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Government has updated the National Planning Policy Framework (the framework), after the planning application was determined. The update, on 5 September 2023, relates to onshore wind development. The remaining wording has been retained, unaltered, from the previous version which was adopted in July 2021. I have determined this appeal having regard to the Framework.
3. The name in the banner heading is taken from the planning application form which reflects the correct spelling of the appellant's name.

Main Issue

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

Reasons

5. The application site is located in a quiet, leafy, residential area. There are a variety of house types on the Abercorn Road, which have varied roof forms. Based on the evidence before me, and my own observations, the majority of properties in the immediate area have not had dormer roof extensions. The appeal property is a first floor flat in a two-storey semi-detached building, with a two storey projecting section on the rear elevation.
6. The Council conclude that the proposed rooflights are considered acceptable. Based on the evidence before me and my site visit, I see no reason to disagree. The focus of the Council's concerns is the rear dormer extension.
7. Whilst the dormer would be set in from the eaves and slightly down from the main ridge, it would extend above the ridge of the rear projecting section and occupy over half the width and depth of the rear roof slope. As such the

dormer would appear overly bulky in terms of scale and massing, resulting in an unduly dominant and incongruous feature. Although the dormer would not be visible from the street, it would be clearly visible from a number of neighbouring properties and their gardens.

8. It is acknowledged that the appellant has proposed to utilise a palette of materials that would match the existing dwelling. While this would ensure that the extension reflects the existing dwelling it does not ameliorate the harm I have identified.
9. I conclude that the development would have a harmful effect on the character and appearance of 53A Abercorn Road and the surrounding area. Therefore, it would conflict with Policy CS5 of Barnet's Local Plan Core Strategy, Policy DM01 of Barnet's Local Plan Development Management Policies DPD and the associated Residential Design Guidance SPD. These policies are consistent with the National Planning Policy Framework (the Framework) in seeking to ensure that new development respects the character and appearance of the local area. The SPD provides detailed guidance on extensions to dwellings and stipulates that dormer roof extensions should not occupy more than half the width or depth of the roof slope.

Other Matters

10. Like the LPA, I have found the rooflights to be acceptable in principle and have considered whether a split decision could be issued. However, having studied the proposed plans, section and elevations, it is my view that this is not appropriate in this case. This is because the proposal involved access to the whole of the roof space including the unacceptable dormer. It is a comprehensive scheme which included the rooflights. Without the dormer a new scheme is likely to be necessary since the locations of the roof lights could change. In my view this cannot be resolved in the context of this appeal. It would be a matter for further consideration by the appellant and the LPA.
11. The proposed development would not have a harmful impact on the living conditions of the occupants of neighbouring properties. Also, it is recognised that both the appeal property and surrounding area are not heritage assets. However, the absence of harm in these respects are neutral factors and do not outweigh the harm I have identified.

Conclusion

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

C Livingstone

INSPECTOR