
Appeal Decision

Site visit made on 23 January 2024

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th February 2024

Appeal Ref: APP/N5090/D/23/3329583

25 Ravenscroft Avenue, Golders Green, London NW11 8BH

- 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 Gabriel Ben Soussan against the decision of the Council of the London Borough of Barnet.
 - The application Ref 23/2412/HSE, dated 30 May 2023, was refused by notice dated 27 July 2023.
 - The development proposed is described as the erection of a roof extension including hip to gable, L-shaped rear dormer window with Juliette balconies, 2no. rooflights to front roof slope and 1no. side gable window and rear ground floor extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a roof extension including hip to gable, L-shaped rear dormer window with a Juliette balcony, 1no. rooflight to front roof slope and 1no. side gable window and rear ground floor extension at 25 Ravenscroft Avenue, Golders Green, London NW11 8BH in accordance with the terms of the application Ref 23/2412/HSE, dated 30 May 2023, subject to the conditions set out in the schedule to this decision.

Procedural matters

2. While the appellant has referred to the proposal as in the above heading, the submitted plans show one new roof light is proposed on the main front roof slope and a single Juliette style balcony is sought to the rear. As this revised description more accurately reflects the development sought, and the Council dealt with the proposal as it illustrated on the drawings, I have used it in my decision. I am satisfied that no interests would be prejudiced as a result.
3. Since the appeal was lodged, a revised National Planning Policy Framework (the Framework) has been published. The Framework does not raise any new matters that are determinative to the outcome of this appeal.

Main issue

4. The main issue is the effect of the proposed development on the character and appearance of the local area.

Reasons

5. The Council raises no objection to the proposed development apart from the new L-shaped rear dormer. I, too, find the new ground floor rear addition, hip

to gable extension, front roof light and upper window in the side elevation acceptable in their design, scale, and general appearance. The intrinsic character of No 25 would be retained with these changes in place and I saw that several properties in the local area have been enlarged and altered in similar ways to those proposed. Therefore, I shall focus on the new dormer.

6. This element of the appeal scheme would be placed onto the enlarged roof slopes at the back of No 25, which is a 2-storey semi-detached dwelling of traditional style within a mainly residential area. I observed that several properties in the vicinity of the site have been extended and altered at a high-level and that some included sizeable rear dormers. Specifically, each of the dwellings in the semi-detached pair just to one side of the site, which are 27 and 29 Ravenscroft Avenue, has a large flat roof rear dormer that extends across the main roof slope and over the outrigger.
7. The Council has recently confirmed that a dormer could also be introduced onto the main rear roof slope of No 25 through the exercise of permitted development (PD) rights. Although few details of this scheme are before me, the Officer's report notes that the dormer would span more than half the width of the main building. There is nothing before me to indicate that a PD compliant scheme that includes a sizeable rear dormer could not come forward if planning permission were to be withheld in this case. To my mind, it is a realistic fall-back position against which the proposal should be assessed.
8. The proposed dormer would extend across almost the full width of the main roof slope with a modest set down from the ridge and along the 2-storey outrigger. It would significantly add to the scale and mass of the dwelling at roof level and alter its shape and general appearance. Having regard to its considerable size and elevated position, the proposed dormer would be a dominant feature in the new rear façade, even with a sizeable ground floor extension in place, as proposed. The dormer could not reasonably be described a subordinate addition, as the appellant suggests, nor would it fully comply with the advice in the Council's Supplementary Planning Document, *Residential Design Guidance* (SPD) with regard to dormers.
9. It is from a short section of Elmcroft Avenue, beyond the rear of the site, that the new dormer would be most evident. From this public vantage point, the proposal would not look out of place particularly with the varied roof profile of nearby properties and the large dormers of Nos 27 and 29 just beyond. The same impression would be gained from a more distant location on Beechcroft Avenue with 2 large existing dormers in the foreground. Similarly, the new dormer would not draw the eye from the rear gardens and windows of some nearby properties given the highly varied built context within which it would be seen. Given these circumstances, the new dormer, while evident, would not be an uncharacteristic addition to the local area. Furthermore, I note that a sizeable rear dormer could be introduced at No 25 through PD in any event.
10. I recognise that the rear dormer at No 27 was granted planning permission on appeal and that the Inspector in that case considered that it would not set a precedent. In particular, the Inspector in that instance found the dormer to be acceptable primarily as an effective counterbalance to the large existing dormer at No 25 that had previously been approved on application. In contrast, the attached counterpart to No 25 includes a part hip, part gable end and the proposal would be seen closely with, and largely replicate the pattern of, the

large dormers at both Nos 27 and 29. As a result, the context of the proposal before me differs to that of No 27 and the particular circumstances in which the Inspector in that case found the scheme to be acceptable.

11. On the main issue, I therefore conclude that the proposed development would be in keeping with the character and appearance of the local area. As such, it does not conflict with Policy D3 of The London Plan, Policies CS1 and CS5 of Barnet's Local Plan (Core Strategy) Development Plan Document, or Policy DM01 of Barnet's Local Plan (Development Management Policies) Development Plan Document. These policies broadly seek to protect and enhance Barnet's character and require proposals to be based on an understanding of local characteristics and to respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces, and streets. Given my findings on the main issue, a conflict with some of the detailed advice within the Council's SPD is insufficient reason to withhold planning permission.

Conditions

12. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. To ensure the satisfactory appearance of the development, a condition is also imposed to require that the external materials match those of the existing building.
13. A condition is required to prevent the use of the flat roof to the ground floor rear extension being used as a terrace or balcony to safeguard the privacy of adjacent occupiers. For the same reason, a condition is imposed requiring that the new bathroom window in the side elevation includes obscure glazing and is fixed shut save for a fanlight. The conditions listed in the schedule below reflect those suggested in the Officer's report, with amendments, where necessary, mainly for clarity and precision.

Conclusion

14. There are no material considerations that indicate the proposal should be determined other than in accordance with the development plan, when read as a whole. For the reasons set out above, I therefore conclude that the appeal should be allowed.

Gary Deane

INSPECTOR

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Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Refs SV.01A, SV.02A, SV.03, SV.04, SV.05A, SV.06, SV.07A, SV.08, GA.01, GA.02, GA.03, GA.04, GA.05, GA.06, GA.07, GA.08 and the Location Plan.
- 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.
- 4) The roof area of the ground floor extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.
- 5) The extensions hereby permitted shall not be occupied until the new window in the side elevation facing 27 Ravenscroft Avenue has been fitted with obscured glazing, and no part of that window that is less than 1.7-metres above the floor of the room in which it is installed shall be capable of being opened. Once installed, the obscured glazing shall be permanently retained thereafter.