
Appeal Decision

Site visit made on 16 April 2024

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08.05.2024

Appeal Ref: APP/N5090/W/23/3332850

First Floor Flat, 28 Caddington Road, Cricklewood, London NW2 1RS

- 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 Himanshu Wani against the decision of the Council of the London Borough of Barnet.
 - The application Ref 23/3006/FUL, dated 11 July 2023, was refused by notice dated 6 September 2023.
 - The development proposed is the erection of a rear roof extension at 2nd floor level.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a rear roof extension at 2nd floor level at the First Floor Flat, 28 Caddington Road, Cricklewood, London NW2 1RS in accordance with the terms of the application Ref 23/3006/FUL, dated 11 July 2023, subject to the conditions set out in the schedule to this decision.

Procedural matter

2. While the appellants have described the proposal as in the above heading, the Council has clarified that the roof extension includes a rear dormer with a Juliette style balcony and has additionally referred to new roof lights on the front roof slope. From my inspection of the plans, I consider that the Council's description more fully reflects the development sought. I have assessed the proposal on that basis.

Main issue

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

Reasons

4. The appeal property is the first floor flat in a mainly 2-storey semi-detached building within a predominantly residential area. Along the same side of Caddington Road, semi-detached pairs of traditional design are set back from the road behind front gardens. Variety in the detailing of the buildings adds interest but does not detract from the overall harmonious nature that the generally uniform layout and similar style of the buildings give to the streetscape. I saw greater variation in the existing built form at the rear of the buildings along Caddington Road and on nearby streets, with several properties that include extensions and alterations at roof level.

5. A dormer extension is to be placed onto the main rear roof slope of No 28. The Council's Supplementary Planning Document, *Residential Design Guidance* (SPD) contains advice in relation to this type of extension. It states that dormer extensions should be set in by at least 1 metre from the party wall. The SPD also advises such 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. As the appeal scheme would not meet any of these requirements, it would conflict with the guidance within the SPD.
6. The new addition would occupy most of the main rear roof slope. As a result, it would add scale and bulk to the upper building and alter its original form. Nevertheless, the new dormer would be a proportionate extension given the scale of the host building. It would be set down below the ridge, in from each side boundary, and up from the eaves. The new dormer would, therefore, be well-contained within the rear roof and it would not be readily visible from the public realm. As a result, the character and qualities of the local street scene to which No 28 belongs would be unaffected by the proposed dormer.
7. The new addition would be seen from a small number of properties mostly beyond the rear of the site. From these private vantage points, the depth and extent of the existing 2-storey rear wing would partly screen the new dormer from the rear windows of these properties. The modest length of back gardens would also limit upward views from ground floor level. This arrangement would make it difficult to see the full extent of the proposed dormer from any single location nor appreciate its effect on the roof form of the pair. In that context, I am not convinced that the proposal would be overly dominant, appear top heavy nor unbalance the rear roofs of No 28 and its attached counterpart.
8. Appropriate external materials would be used, and the size and position of the new openings would be in keeping with the pattern of fenestration in the rear façade. Consequently, the proposal would not draw the eye because the traditional style and intrinsic character of the host building would be maintained with the new built form in place. Other properties in the area around the site have high-level rear extensions, including sizeable dormers without detriment to the character or appearance of the locality. Thus, I am not persuaded that the proposal would be an uncharacteristic addition or obtrusive.
9. I appreciate that many existing roof level extensions have come forward through the exercise of permitted development (PD) rights. As the host building is in use as flats, PD rights do not apply in this instance. Nonetheless, these existing extensions are substantial and permanent features of the area to which the site belongs. While the form and roofscape of the host building would change, the outward appearance of the completed development would not be significantly different than if the property were in use as a dwelling.
10. The Council raises no objection to the new roof lights on the front roof slope of the host building. These elements of the appeal scheme would be appropriate in design and size, and inconspicuous features of the building. There would be no discernible effect on the character and qualities of the streetscape.
11. Reference is also made to several extensions to properties along Caddington Road with background details provided together with an appeal decision, dated March 2017, relating to a site in a different local authority area. While I have carefully considered all these cases, I have assessed the proposal on its own merits and find it to be acceptable for the reasons given.

12. On the main issue, I therefore conclude that the proposed development would not materially harm the character and appearance of the host building or the local area. Accordingly, the proposal does not conflict with Policy D3 of The London Plan, Policies CS1 and CS5 of Barnet's Local Plan (Core Strategy) or Policy DM01 of Barnet's Local Plan (Development Management Policies). These policies aim to ensure that new development represents high quality design, preserves or enhances local character and respects local context. Given my favourable findings on the main issue, a conflict with some of the guidance within the SPD is insufficient to withhold planning permission in this instance.

Conditions

13. 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 imposed to require that the external materials match those of the existing building. These conditions reflect those suggested by the Council.

Conclusion

14. Overall, 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

Schedule of conditions

- 1) The development hereby permitted shall begin no 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 plan: Refs W/CR 23 3 01, W/CR 23 3 02, W/CR 23 3 03, W/CR 23 3 04, W/CR 23 3 05, W/CR 23 3 06, W/CR 23 3 07, W/CR 23 3 08, W/CR 23 3 09, W/CR 23 3 10, W/CR 23 4 11, W/CR 23 3 12, W/CR 23 3 13, the Location Plan and the Site Location Plan.
- 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.