



Appeal Decision

Site visit made on 26 June 2024

by Peter D. Biggers BSC Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th July 2024

Appeal Ref: APP/C5090/W/24/3337859

161 (Flat Above Surgery) High Street, Barnet EN5 5SU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Jeff and Karen White against the decision of the London Borough of Barnet Council.
 - The application Ref is 23/4737/FUL.
 - The development proposed is single storey rear extension at ground floor level with green roof following demolition of existing outbuilding. New green roof to existing rear extension at ground floor level. First floor rear extension with pitched tiled roof. Render to the extensions at ground and first floor level, and render repairs to range existing rear extension. Roof extension involving 1 no side dormer and the installation of 2 no. raised chimneys in replacement of the existing chimneys.
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Decision

1. The appeal is dismissed insofar as it relates to the dormer roof extension and raised chimneys. The appeal is allowed insofar as it relates to the rear extensions and green roofs. Planning permission is granted for single storey rear extension at ground floor level with green roof following demolition of existing outbuilding; new green roof to existing rear extension at ground floor level; first floor rear extension with pitched tiled roof; render to the extensions at ground and first floor level, and render repairs to the existing rear extension at 161 High Street, Barnet EN5 5SU in accordance with the terms of the application, Ref 23/4737/FUL, and the plans submitted with it, so far as relevant to those parts of the development hereby permitted and subject to the conditions in the schedule below.

Procedural Matter

2. The description of development as it appears on the application form is incomplete and is missing key aspects of the proposal. I have therefore taken the amended description from the decision notice and appeal form for the purposes of my decision on the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and on the surroundings of the High Street and the Monken Hadley Conservation Area.

Reasons

4. The appeal site is located on the west side of the High Street and is located within the Monken Hadley Conservation Area. No 161 adjoins No 159 and read as a pair of conjoined two storey buildings. The frontage to No 161 is finished in a mix of render and brick and has a chamfered parapet which screens the majority of the pitched, slated roof behind. To the rear, the property has seen a number of alterations including a large, single storey, rear extension and brick-built outbuilding close to it both with flat roofs.
5. The character of the High Street at this point is a vibrant mix of architectural styles on its mainly two and three storeyed buildings with active commercial businesses on the ground floor – some, as in this case, with residential above.
6. The appeal proposal is a resubmission of an earlier refused scheme (Ref 22/4158/FUL) dismissed on appeal (Ref APP/N5090/W/22/3312191). The roof extension remains largely as proposed then with zinc cladding proposed to be replaced with slate as the roofing material in the current scheme. However, the design approach to the rear extensions is significantly different to the previous scheme and is intended to rationalise the elevation at ground and first floor.
7. The side dormer proposed would have a substantial length of just over 10 metres as it would extend over both the existing and proposed rear roof. Whilst it would be set back by just over 2 metres from the front parapet it would still be clearly visible from the east side of the High Street. Moreover, it would not be positioned behind and inside the chimney line and instead would incorporate the chimney and extend virtually to the side property boundary. Therefore its prominence would be increased, adversely impacting on the contribution the property makes to the historic character of the street.
8. I note my colleague inspector's conclusion in respect of the dormer in his decision on the previous appeal. However, given the positioning of the dormer, the minimal set down from the ridge and the failure to set it inside and behind the easternmost chimney it would be highly intrusive particularly from the eastern side of the High Street from where there would be a direct line of sight. The harm from this viewpoint is that the dormer would unbalance the appearance of the frontage from the opposite side of the High Street appearing out of scale and top heavy. A similarly unbalancing effect would occur viewed from the rear of the property as well, where the dormer would have the same minimal set down from the ridge, no upstand from the roof valley and minimal inset from the edge of the gable. In the rear view therefore it would appear as an ill-proportioned box added at high level on the building. I accept that in large part this would be seen from private views, nevertheless it would be a material and detrimental alteration to the character and appearance of the building. Guidance in the *Residential Design Guide Supplementary Planning Document* (SPD) states that roof dormers should not take up more than half the width and height of a roof slope and this proposal would be far in excess of that.
9. I have been referred to the proposed side dormer at No 159 which has recently been permitted and which the appellant considers justifies the dormer in this appeal being allowed. However, having viewed this proposal there are a number of differences to what is proposed for No 161. The dormer proposed on No 159 would be much smaller overall with a length of just over 5 metres. Moreover, it would be set back further behind the parapet (nearly 3 metres)

and thus better screened from the street and would be set inside the chimney line on the building. The cases and their visual impacts are therefore not comparable and I have determined the proposal for No 161 on its own merits.

10. Regarding the proposals to the rear of the building at ground and first floor levels, as stated, these are substantially reworked from the previous scheme. The revised design proposes a first floor extension and its incorporation into the pitched roof gable at the rear of the property. It has been put to me that this would not be a subordinate addition to the rear elevation, where currently the rear two storey offshoot steps down from the main roof. Whilst I accept the stepdown would be lost, on balance and without the side dormer, removing the current flat roof at first floor and introducing a timber sash and case window, matching the existing windows at first floor, would be a significant improvement both on previous designs and the current rear elevation.
11. The brick built outbuilding would be demolished and a new single storey rear extension, linked to the existing, constructed in its place. It has been put to me that the resulting extension would be overlarge. However, the extension proposed would be smaller than previously proposed and to the same footprint as the existing outbuilding. Given that the outbuilding is so close to the current extension the finished extent of built development at ground floor would not appear substantially different. Moreover, the proposal would result in a more cohesive design to the ground floor at the rear.
12. The resulting rear extension would take a contemporary form. Viewed from the garden of No 161 and from the wider context, the proposed design of the extension its intended materials – white render, extensive use of glazing and green roof - would result in an extension that provided an attractive, lightweight contemporary ‘plinth’ to the main house. This would be complementary to, rather than competing with, the traditional styling of the host building and in that respect the proposal would be acceptable in terms of character and appearance.
13. In drawing the issue of character and appearance to a conclusion there would be harm to No 161 as a result of the dormer extension but the rest of the proposed works would be acceptable in that regard.
14. The impact of the dormer extension would not be limited to the house itself. The *Monken Hadley Conservation Area Appraisal* describes the High Street part of the Conservation Area as built to a tight, compact grain. It acknowledges that there are more intrusive features in this part and the character is one of variety in building heights, styles, roofscape and skyline. However, what is apparent from the site visit is that although there are some front dormers designed as part of the frontage to the High Street there appeared to be no box dormers of the type and scale proposed in this case visible from the street. The proposed development at roof level would harm the character of the High Street by introducing a prominent mass and scale at a high level on the building obscuring chimney detail in the valley between Nos 161 and 163.
15. Section 72(1) of the *Listed Buildings and Conservation Areas Act 1990* requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area. For the reasons above, the dormer extension would fail to preserve the character and appearance of the Conservation Area. I accept however that the harm to the significance of the Conservation Area would be less than substantial in the terms of the

Framework and in these circumstances, Paragraph 208 of the Framework states that the harm should be weighed against any public benefit.

16. The appellant has not specifically presented any public benefits. I note the appellant's case that the dormer extension would provide additional loft level living space. However, this benefit would accrue principally to the occupier, rather than having any wider public benefit. Notwithstanding the importance to the appellant of the proposed extension, any harm to the significance of a designated heritage asset carries great weight. Consequently, the harm to the Conservation Area would not be outweighed by public benefits. Moreover, Policy DM06 of the *Barnet Local Plan* (BLP) seeks to ensure development preserves or enhances the character and appearance of Barnet's Conservation Areas. The dormer extension would not preserve or enhance whereas, for the reasons above, the rear extensions would at least preserve character and appearance. Similarly, in respect of the *London Plan* at Policy D3 and the BLP at Policy DM01 both seek high quality from a design led approach which respects and enhances local character and the dormer extension would fail in meeting the objective. Again however, I am satisfied that the proposals to the rear of the property at ground and first floor would be acceptable.
17. It is open to me to reach a split decision on appeals, allowing the appeal in part and dismissing other elements. This is only possible where the separate parts of the proposal are clearly severable and are not functionally or physically linked. Thus, in this case the ground and first floor extension proposals and internal alterations at the rear of the house, which I have found to be acceptable, are not physically or functionally linked to the proposed dormer extension and therefore can be allowed. I will, therefore, issue a split decision allowing the appeal insofar as it relates to the rear ground and first floor extensions and green roof but dismissing it in relation to the dormer extension.

Other Matters

18. I note that the appellant, in proposing the extensions is seeking to make sustainable and effective use of their existing home, an objective which is encouraged by the Framework. However, the Framework attaches great importance to seeking a high quality of design and at Paragraph 128 it states that decisions should take into account "...the desirability of maintaining an area's prevailing character and setting". The proposal in respect of the roof extension would fail in this regard.

Conclusions and Conditions

19. Accordingly, for the reasons given above the appeal should be allowed in part and dismissed in part. I have considered the matters before me and for the reasons given above, I conclude that the appeal should be dismissed in relation to the dormer roof extension and chimney alterations. However, in relation to the rear extensions and alterations the appeal should be allowed and planning permission be granted.
20. The Council has proposed a number of conditions in its appeal questionnaire. I have considered these in the light of the advice in the Framework and *Planning Practice Guidance*. A condition requiring development to be carried out in accordance with the submitted plans is necessary in the interest of certainty.

21. In order to safeguard the character and appearance of the dwelling a condition needs to be added requiring materials to either match the existing building or otherwise be in accordance with those as permitted and specified on the plans.
22. Finally in order to protect the living conditions of neighbouring occupants and ensure highway safety during demolition and construction works a Demolition and Construction Management and Logistics Plan will be required. A condition requiring the submission and approval of the plan and to ensure works are carried out in accordance with it is therefore necessary.

P. D. Biggers

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans so far as relevant to those parts of the development hereby permitted: 710_001; 710_011; 710_111.1; 710_201.1; 710_202.1; 710_301.1
- 3) The materials to be used for the external surfaces shall match those used on the existing building or as otherwise shown on the approved plans listed in Condition No 2.
- 4) No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:
 - i. Details of the routeing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
 - ii. Details of provisions for recycling of materials;
 - iii. The provision on site of a storage/delivery area for all plant and materials;
 - iii. Details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway;
 - iv. Details of the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works
 - v. Provision of a competent banksman.