



Appeal Decision

Site visit made on 16 July 2024

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 24 July 2024

Appeal Ref: APP/N5090/W/23/3330001

First Floor Flat, 22 Pollard Road, Whetstone, Barnet, London N20 0UB

- 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 Mrs Anna Eriksson against the decision of the Council of the London Borough of Barnet.
 - The application Ref is 23/1966/FUL.
 - The development proposed is a loft extension.
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Decision

- 1) The appeal is allowed, and planning permission is granted for a loft extension at First Floor Flat, 22 Pollard Road, Whetstone, Barnet, London N20 0UB, in accordance with the terms of the application, Ref. 23/1966/FUL, and the plans submitted with it, subject to the following 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 drawing numbers: ELA/3A, ELA/6A, ELA/13A, ELA14A, ELA/17A.
 3. The external materials of the extension hereby permitted shall match those used in the existing building.

Preliminary Matters

- 2) Although a different name was given on the appeal form, it has been confirmed by the appellant that the appeal should proceed in the name of the applicant stated on the Council's application form.
- 3) A revised version of the National Planning Policy Framework (the Framework) has been published since the Council issued its decision. In this instance, the relevant changes only relate to paragraph numbering and do not fundamentally affect the substance of the matters under appeal.

Main Issue

- 4) The main issue is the effect of the proposal on the character and appearance of the dwelling and its surroundings.

Reasons

- 5) Near to the appeal site, Pollard Road is mainly characterised by 2-storey semi-detached houses of similar character and appearance within a suburban residential area. The appeal property is a first floor flat and part of a semi-

detached pair of dwellings which together appear to have historically shared a similar form and symmetry, including a hipped roof and rear two-storey extensions. Notably, the adjoining property (No.24) has a rear box dormer extension which the appellant suggests was added under permitted development rights, a matter not disputed by the Council.

- 6) The appellant wishes to construct a loft extension at No.22 comprising a rear, flat-roofed dormer, extending across a large part of the existing roof of the building. It appears to me that this would largely mirror the box dormer of the adjoining property. However, whilst the dormer extension at No.24 appears to extend across the full width of that roof, the proposed extension at No.22 would be set further in from its parapets, especially on the eastern side. It would therefore be an improved design in this regard.
- 7) The Council refers to its Residential Design Guidance Supplementary Planning Document (SPD) (2016). This document clearly carries weight as a material consideration in decision making but it should be recognised that this is guidance and should not be applied prescriptively to the exclusion of all other factors, including the physical circumstances and context of a site.
- 8) In relation to dormer roof extensions, the SPD explains that in terms of scale, they should normally be subordinate features on the roof and should not occupy more than half the width or half the depth of the roof slope. In terms of positioning, the SPD states more generally that adequate roof slope should be retained above and below the dormer on semi-detached properties, and that dormer extensions should be set in at least a metre from a party wall, flank wall or chimney stack.
- 9) The appeal scheme, because of its width and depth, would not comply with the above guidance in the SPD. However, I note from the appeal documentation that the Council has suggested a design for the rear dormer that would be acceptable to them. Whilst this design would extend over approximately half of the width of the roof it would appear to occupy the whole depth of the roof slope. To my mind, the Council's proposal, whilst neater and more contained, would not be much smaller than the width proposed by the appellant.
- 10) The Council has been dismissive of the size and design of the adjoining dormer extension at No.24. However, whilst this is large and would not comply with the above guidance in the SPD, it appears to have been allowed under permitted development rights and is a material consideration. Furthermore, I note that in the SPD guidance, in relation to proposed hip to gable end roof extensions, it states that an extension should not unbalance a pair of semi-detached houses. Whilst technically the appeal proposal before me is not a gable end extension, this guidance is relevant as the semi-detached property that I am considering is currently visually unbalanced because of the neighbouring dormer roof extension. The proposal, because of the similar shared design, would therefore reinstate a sense of balance to the rear roofscape of these buildings.
- 11) Furthermore, from the rear garden of the appeal property I saw that several nearby properties on the same side of Pollard Road, have large box-style dormers on their rear roof slopes. The aerial view of these properties in the appellant's appeal submission shows five such examples which would represent approximately a third of the dwellings in this view which are to either side of the appeal site. Furthermore, there is no adequate evidence to suggest that they are unauthorised. Even if some or all of them have come about through

permitted development rights, such dormers in this immediate area are now established features to the extent that, the introduction of another large rear dormer would not be out of character with this locality, especially given the one already alongside. It may be that in more distant views along Pollard Road that there are fewer similar dormers, but I have not been presented with sufficient evidence to demonstrate this and given that these are rear elevations they are often difficult to see in public views. Nevertheless, I have assessed this proposal based on the appeal site's immediate context.

- 12) Recognizing that the rear roof slope of the appeal property is not readily visible from public vantage points, noting the proposed use of matching facing materials and the improved design compared to the adjoining property, I consider that the proposed rear dormer would not appear at odds with the established character of the locality. Owing to the presence of the adjoining box dormer it would not appear a disproportionate or unsympathetic addition and would not dominate the rear elevation or surrounding area. Therefore, taking account of these factors and the design advice of the Council, there is sufficient justification for a departure from the guidance in the SPD having regard to the circumstances and context of this site.
- 13) I find, therefore, that the proposal would not have a harmful effect on the character and appearance of the dwelling and its surroundings. There would be no conflict with Policy DM01 of Barnet's Local Plan Development Management Policies (2012), Policies CS1 and CS5 of Barnet's Local Plan Core Strategy (2012), or Policy D3 of the London Plan (2021). These policies, amongst other things, seek to ensure that development respects local context and distinctiveness and achieves high quality design. They are consistent with the National Planning Policy Framework (the Framework) insofar as it relates to achieving well-designed places.
- 14) The absence of any material conflict with the development plan and the avoidance of visual harm together outweighs the conflict with the guidance in the SPD. A departure from the SPD is therefore justified for the reasons previously stated relating to the circumstances of the property and its surroundings.
- 15) I have considered the conditions put forward by the Council and have amended the wording where necessary in the interests of clarity and to accord with the advice in the Framework and Planning Practice Guidance. In addition to a condition setting a time limit for the commencement of development, a condition requiring the development to be carried out in accordance with the approved drawings is necessary to provide certainty. I have also imposed the Council's other suggested condition to secure matching materials so that the development preserves the character and appearance of the dwelling and the locality.

Conclusion

- 16) For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be allowed.

G Bayliss

INSPECTOR