



Appeal Decision

Site visit made on 18 December 2024

by **Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4TH February 2025

Appeal Ref: APP/N5090/D/24/3351986

31 West Heath Avenue, Golders Green, Barnet, London NW11 7QJ

- 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 Yiqiao Deng against the decision of the London Borough of Barnet Council.
 - The application Ref is 24/2422/HSE.
 - The development proposed is a part single, part two storey rear extension with associated alterations to rear patio following demolition of conservatory. Alterations to designs of rear balcony and front porch. Alterations and extensions to roof including raising of the existing crown roof and ridge height by 500mm 2no. rear dormer windows, 3no. rooflights on the crown roof and removal of 2no. chimney stacks. Conversion of garage into habitable room including new window to replace garage door. Changes to fenestration including insertion of new windows to side elevations and replacement of existing windows and doors.
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Decision

1. The appeal is allowed and planning permission is granted for a part single, part two storey rear extension with associated alterations to rear patio following demolition of conservatory. Alterations to designs of rear balcony and front porch. Alterations and extensions to roof including raising of the existing crown roof and ridge height by 500mm 2no. rear dormer windows, 3 no. rooflights on the crown roof and removal of 2no. chimney stacks. Conversion of garage into habitable room including new window to replace garage door. Changes to fenestration including insertion of new windows to side elevations and replacement of existing windows and doors at 31 West Heath Avenue, Golders Green, Barnet, London NW11 7QJ in accordance with the terms of the application, Ref 24/2422/HSE, 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 the following approved plans: PA-01 and PA-02.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building.

Procedural Matters

2. Subsequent to the decision made by the Council on the application to which this appeal relates, the Government published a revised National Planning Policy Framework (December 2024) (the Framework). I consider that there have been no major changes relevant to the main issues in this appeal. It will therefore not prejudice any party by making my decision with regard to the revised Framework.

3. As the description of development varies between documents submitted, I have used that from the Council's decision notice, as this is a full and accurate description of the proposal that has also been used by the appellant in their statement.

Main Issues

4. The main issues are the effect on:
 - The character and appearance of the appeal dwelling and that of the local area; and
 - The living conditions of neighbouring residential occupiers.

Reasons

Character and Appearance

5. The appeal dwelling is a large two storey detached house on a generous plot. It is located on a street and in an area with other large properties, including apartment blocks and other single large, detached houses.
6. The appeal proposal is substantially similar to an earlier approved application¹ for the extension and alteration of the appeal dwelling, but with the inclusion of a larger raised crown roof form for the proposed alteration and extension at roof level. From my site visit it is apparent that the variety of design and scale of residential properties in the area was also reflected in a variety and scale of roof forms. This includes crown roof and flat roofs, including a large flat roof to the apartment block located opposite the appeal site.
7. The existing form of the roof of the central range of the appeal dwelling is a narrow crown roof that is surrounded by, and is the same height, as the hipped roof forms of the two side ranges. The proposal would raise the roof level of this central crown roof across the whole of the central range of the appeal dwelling by approximately 0.5 metres.
8. Given the scale of the appeal dwelling this proposed additional height of the crown roof area would result in a roof that would substantially maintain the existing roof form of the appeal dwelling. This raised crown roof would not, therefore, be of an extent or scale that would result in additional bulk or massing that would cause it to appear as dominating the appeal dwelling or unduly prominent in street and wider views. Rather, due to the limited height and replication of the existing crown roof form, it would appear as a secondary and subordinate addition that would reflect the scale and variety of residential buildings and roof forms to be found in the local area. As such, the appeal proposal, when considered as a whole, would accord with the aims of the Barnet Residential Design Guidance Supplementary Planning Document (2016) (the SPD), which concern the design of such additions and alterations.

Living Conditions

9. Given the replication of the existing crown roof form at approximately 0.5 metres taller than existing, and distance to other properties, the increase in height and the bulk and massing of the proposed crown roof would not result in any significant loss of outlook to neighbouring properties, including those that back on to the side boundary

¹ Planning ref:24/0969/HSE

of the appeal plot at 558 and 560 Finchley Road (No. 558 and 560). Rather, the proposed raised crown roof would be a relatively minor visual change, which would be so distant from neighbouring dwellings as to result in no significant sense of enclosure.

10. Similarly, I am satisfied, as demonstrated by the appellants daylight and sunlight assessment² submitted as part of their statement, that the additional 0.5 metres increase in height of the crown roof of the appeal dwelling and the distance to other properties, would not result in any significant loss of daylight or sunlight, including to No. 558 and 560. As such the amount of daylight and sunlight available to windows to living spaces and garden areas of neighbouring dwellings would have no significant adverse effect on living conditions of their occupiers. Consequently, I find that the appeal proposal would accord with the aims of the guidance set out in the SPD with regard to safeguarding the amenity of neighbouring residential occupiers
11. For the reasons given above, I find that the proposed development, when considered as a whole, would not result in any significant harm to the character and appearance of the appeal dwelling and that of the local area, or to the living conditions of neighbouring residential occupiers. As such it would comply with Policies CS1 and CS5 of Barnet's Local Plan: Core Strategy (2012), Policy DM01 of Barnet's Local Plan: Development Management Policies (2012), Policy D3 of the London Plan (2021) and section 12 of the Framework. Collectively these seek development that is of a high standard of design, including urban design, respects local context, preserves or enhances local character and results in no detrimental effects on the amenity of neighbouring residential occupiers.

Conditions

12. Along with the standard condition relating to the timing of implementation, I have attached conditions to ensure design quality that require compliance with the approved drawings and materials that match existing.

Conclusion

13. For the reasons given, the appeal is allowed.

Victor Callister

INSPECTOR

² The Daylight Lab: Bre Daylight and Sunlight Assessment Ref: 2445/DSA Dated Sept 2024