



Appeal Decision

Site visit made on 22 May 2025

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24th June 2025

Appeal Ref: APP/N5090/W/25/3360124

Flat 1 And 2, 52 Bridge Lane, London NW11 0EG

- 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 Shmuel Lew against the decision of the Council of the London Borough of Barnet.
 - The application Ref is 24/2612/FUL.
 - The development proposed is erection of a rear outbuilding. Roof extension involving hip to gable, rear dormer window and 2no. front facing rooflights.
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Decision

1. The appeal is dismissed insofar as it relates to the rear outbuilding.
2. The appeal is allowed and planning permission is granted insofar as it relates to the roof extension involving hip to gable, rear dormer and 2 no. front facing rooflights at Flat 1 and 2, 52 Bridge Lane, London NW11 0EG in accordance with the terms of the application, Ref: 24/21612/FUL, dated 2 July 2024, so far as relevant to that part of the development hereby permitted and 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 roof extension involving hip to gable, rear dormer window and 2no. front facing rooflights hereby permitted shall be carried out in accordance with drawing nos. EX – L001 Existing Location Plan OS Map, PR – P001 Proposed Ground & First Floor, PR -P002 Proposed Loft & Roof Plan, PR – E001 Proposed Front Rear Elevations, PR – E002 Proposed Side Elevations, PR – S001 Proposed Section AA BB, and PR - ED Proposed 3D.
 - 3) The external materials of the roof extension hereby permitted shall match those used in the existing building.

Preliminary Matters

3. The Government published a minor revision to the National Planning Policy Framework (the Framework) on 7 February 2025. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought comments on the minor revision to the Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.
4. The address on the application form is Flat 1, 52 Bridge Lane whilst the address on the appeal form is Flat 1 and 2, 52 Bridge Lane. As the proposal before me relates to both of these properties, I have used the address given in the appeal form.

5. I have used the description of the development from the decision notice and the appeal form in the banner heading above, in the interests of clarity.
6. The Council has confirmed that the policies from Barnet's Local Plan (Core Strategy) Development Plan Document (September 2012) and Barnet's Local Plan (Development Management Policies) Development Plan Document (September 2012) referred to in the Decision Notice have been superseded by policies from the Barnet Local Plan 2021-2036 (March 2025) (BLP), which was adopted on 4 March 2025. The main parties to this appeal have had the opportunity to comment on the BLP in the context of this planning appeal.
7. Appeal decisions must be based on the policies from the development plan prevailing at the time of determination. Policies referred to in the reasons for refusal, relating to the planning application subject to this appeal from the Barnet Local Plan 2012, are no longer relevant and are disregarded. A matrix detailing which BLP policies replace which old Barnet Local Plan 2012 policies is provided at Appendix B of the BLP. The Council has also indicated the particular policies of relevance to this appeal.
8. It has been suggested that the proposed rear outbuilding and roof extension would comply with the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO). However, it is not for me, under a Section 78 appeal, to determine whether these extensions would comply with the GPDO. I have determined the appeal on the basis of the proposed scheme before me.
9. I am satisfied that the rear outbuilding is clearly severable from the roof extension, as it is physically and functionally independent. Therefore, under section 79(1)(b) of the Town and Country Planning Act 1990, I have the power to issue a split decision in this case.

Main Issue

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

Reasons

11. The appeal building is one half of a pair of semi-detached properties, that has been subdivided into 2 flats and occupies the corner plot at the junction between Bridge Lane and Hayes Crescent.
12. The surrounding area is predominantly residential, though there are 2 places of worship in close proximity to the site, including to the opposite side of Hayes Crescent. There is some variety to the residential properties in the surrounding area with a 3-storey mansion block and a post-war 3-storey flatted development nearby. Surrounding houses are broadly 2-storey detached and semi-detached, and I observed that many have undergone alterations including roof extensions with dormers to the rear and sides as well as a number with a mansard roof. There is also a greater concentration of street trees along Hayes Crescent, around the appeal site, giving it a more verdant feel than Bridge Lane.

Roof extension

13. The dormer would be set down from the ridge and set in slightly from the sides. I understand that a roof extension involving hip to gable and a rear dormer has

previously been undertaken at 50 Bridge Lane, and the Council has confirmed that this does not have any formal permission and has been in existence for longer than 10 years.

14. I saw several examples along Bridge Lane and Hayes Crescent where one half of a pair of semi-detached houses has a gable end whilst the other half has a hip. Due to the prevalence of a wide variety of roof extensions to properties in the surrounding area, including gable ends with large rear dormers, it is a significant factor that contributes to the overall character and appearance of the street scene. Consequently, the proposed roof extension would not unbalance the pair of semi-detached properties, nor would it be unsympathetic to its corner plot location or to the wider street scene.
15. Therefore, I conclude that the proposed roof extension involving hip to gable, rear dormer window and 2no. front facing rooflights would not harm the character and appearance of the host building and the surrounding area. This would accord with Policies CDH01 and CDH05 of the BLP, Policy D3 of the London Plan, and the Supplementary Planning Document: Residential Design Guidance. Taken together these seek, amongst other things, a design-led approach that responds to the existing character of a place.

Rear outbuilding

16. The area of the appeal site that would be occupied by the proposed outbuilding currently consists of an off-street parking space, with access off Hayes Crescent, and part of the rear garden that includes a large tree. The outbuilding, which would be used as a garden office, would be built almost to the rear and side boundaries and whilst the application form indicates that there are no trees on the proposed development site, it appears to me that the existing tree would have to be removed to implement this part of the proposal.
17. There is a strong building line to the houses that face Hayes Crescent, which follows the curve in the road. The side elevation of the appeal building sits forward of this building line and this contrast is partly diluted by the distance between this and 19 Hayes Crescent.
18. The proposed outbuilding would sit forward of the building line to Hayes Crescent, almost to the back of the pavement and taller than the high boundary fence, and due to its close proximity to No. 19, the contrast in its positioning would be stark. Its prominence in the street scene would be further compounded by being located on the inside of the bend and the removal of the large tree within the site would diminish the verdant feel of this part of Hayes Crescent.
19. High wooden boundary fencing to the back of the pavement and visible outbuildings are found in the locality on corner plots, such as the place of worship on the opposite side of Hayes Crescent. However, I did not observe an outbuilding with the siting, size and prominence of that before me.
20. I note that the proposal would reinstate a boundary fence along Hayes Crescent that was removed to accommodate the off-street parking space, but this does not overcome the harm that I have otherwise found.
21. For the above reasons, the proposed rear outbuilding would be harmful to the character and appearance of the surrounding area. This would conflict with Policies

CDH01 and CDH05 of the BLP, Policy D3 of the London Plan and the Supplementary Planning Document: Residential Design Guidance. These support a design-led approach where development proposals are expected to, amongst other things, respond sensitively to the distinctive local character.

Other Matters

22. Whilst the Council does not raise any objection to the proposed development in terms of impact upon neighbour amenity, this is a matter which does not weigh in favour or against the proposal. As such, it has a neutral effect on the planning balance.

Conditions

23. With regards to the proposed roof extension, and in addition to the standard time condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans, as this provides certainty. A condition is also necessary for materials to match those used on the existing building to protect the character and appearance of the area.

Conclusion

24. The appeal proposal includes two different elements. Having had regard to the development plan as a whole, the Framework and all other matters raised, I dismiss the appeal in respect of the rear outbuilding. However, I allow the appeal in respect of the roof extension.

P Barton

INSPECTOR