



Appeal Decision

Site visit made on 23 April 2018

by **J D Westbrook BSc(hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2 May 2018

Appeal Ref: APP/N5090/D/18/3195187

35 Hillside Gardens, Edgware, HA8 8HA

- 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 Shimon Fhima MBE against the decision of the Council of the London Borough of Barnet.
 - The application Ref 17/7551/HSE, dated 28 November 2017, was refused by notice dated 23 January 2018.
 - The development proposed is the construction of a roof extension involving a hip to gable conversion, a rear dormer window, and 4no. rooflights to the front elevation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed roof extension on the character and appearance of the area around Hillside Gardens.

Reasons

3. No 35 is a semi-detached house situated on the western side of Hillside Gardens. There is a degree of uniformity in the design of the houses along the road, in that they are generally wide-fronted with large front gable bays and hipped roofs. There is no clear building line with many buildings set at a slight angle to the road such that there is often a set-back between adjacent pairs of houses. No 35 is set back behind the front elevation of No 33. It has a single-storey side extension in the gap between the two properties.
4. The proposed development would involve a hip-to-gable conversion and the insertion of a full-width and full-height dormer in the extended rear roof-slope. There would also be 4 roof-lights in the front roof-slope, but the Council has raised no issues with these and I concur with this viewpoint.
5. The Council contends that the proposed roof extension in terms of the rear dormer window, by reason of its size, siting and design would be inappropriate and result in an overly prominent and dominant development which is out of context with the prevailing character of the area and would introduce features detrimental to the character and appearance of the host property, streetscene, and wider locality. The appellant contends that the hip-to-gable conversion, on its own, would be permitted development (PD), as would the dormer extension, but that the cubic content of the resultant roof space would be over PD limits.

6. Whilst I fully understand the appellant's contention that the proposal would involve an increase in roof space by only a relatively small amount above the PD limits, and have some sympathy with that perspective, it is the totality of the proposal that results in this situation. There are very few hip-to-gable type conversions along the road and, whilst there are some examples of dormer extensions in the vicinity, none appear to occupy the whole of the relevant roof slope. The combination of proposals at No 35, as submitted, would result in a dominant, top heavy appearance to the host property that would be harmful to its character.
7. No 35 is set back a little behind the front elevation of No 33, such that the proposed dormer extension would not be unduly prominent in the wider street scene. However, since the side elevation of the dormer would be flush with the side elevation of the main body of the house, it would be visible and would appear as a dominant and somewhat incongruous feature in the context of both the host property and also its immediate surroundings.
8. Policy CS5 of the Council's Core Strategy (CS) indicates that development in Barnet should respect local context and distinctive local character creating buildings of high quality design. The Development Management Policies document (DMP) continues this theme in Policy DM01 by noting that development proposals should be based on an understanding of local characteristics, and that proposals should preserve or enhance local character and respect the appearance, scale, and mass of surrounding buildings and streets. The proposals at No 35 would not comply with these policies.
9. The Council's Residential Design Guidance document (SPD) contains guidance on dormer roof extensions. Amongst other things, the guidance indicates that dormers should normally align with windows below; should be set in from party walls, flank walls and chimney stacks; and should be subordinate features on the roof. In this case, the dormer would not be set in, it would not appear as a subordinate feature, and one of the windows in the dormer would not align with the relevant window below. For these reasons, I find that the proposal would fail to comply with guidance in the SPD.
10. In conclusion, I find that the proposed roof extension would be harmful to the character and appearance of the area around Hillside Gardens, and that it would conflict with Policies in the Council's CS and DMP, as well as with guidance in the SDP.

J D Westbrook

INSPECTOR