

Location **10 Hillside Gardens Edgware HA8 8HE**

Reference: **20/1340/HSE** Received: 11th March 2020
Accepted: 13th March 2020

Ward: Edgware Expiry 8th May 2020

Applicant: Mr & Mrs Schiller

Proposal: Loft extension involving hip-to-gable conversion, rear dormer window and
4no front facing rooflights

Recommendation: Refuse

AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The proposed roof extension, in terms of the hip to gable enlargement together with the rear dormer window, by reason of its size, siting and design, would be inappropriate and unsympathetic and result in an overly prominent and dominant form of development which would be out of context with the prevailing character of the area and would constitute features detrimental to the character and appearance of the host property, streetscene, and wider locality contrary to Policies CS1 and CS5 of the LB Barnet Core Strategy DPD (2012), Policy DM01 of the LB Barnet Development Management Policies DPD (2012) and the Residential Design Guidance SPD (2016).

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, the Local Planning Authority (LPA) has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered.

The applicant did not seek to engage with the LPA prior to the submission of this application through the established formal pre-application advice service. The LPA has discussed the proposal with the applicant/agent where necessary during the application process. Unfortunately the scheme is not considered to accord with the Development Plan. If the applicant wishes to submit a further application, the Council is willing to assist in identifying possible solutions through the pre-application advice service.

Officer's Assessment

This application has been called to the Committee at the request of Cllr Gordon

1. Site Description

The application property is a two-storey semi-detached dwellinghouse located on the north-eastern side of Hillside Gardens. The street scene comprises stylistically similar detached and semi-detached properties featuring prominent front gables and mock-Tudor timber detailing. The host property has been previously extended to the side and rear.

The site is not Listed, nor is it within a designated Conservation Area.

2. Relevant Planning History

Reference: 18/4143/HSE

Address: 35 Hillside Gardens, Edgware, HA8 8HA

Decision: Approved subject to conditions

Decision Date: 06 September 2018

Description: Roof extension involving hip to gable, rear dormer window, 4no. rooflights to front elevation to facilitate a loft conversion

Reference: W08547

Address: 10 Hillside Gardens, Edgware, HA8 8HE

Decision: Approved subject to conditions

Decision Date: 14 Jan 1988

Description: Part single/part two-storey side extension

Reference: W08547A

Address: 10 Hillside Gardens, Edgware, HA8 8HE

Decision: Approved subject to conditions

Decision Date: 03 May 1989

Description: Part single/part first floor/part two-storey side extension and single-storey front and rear extensions

Reference: W08547B

Address: 10 Hillside Gardens, Edgware, HA8 8HE

Decision: Refused

Decision Date: 06 Aug 1997

Description: Side & rear roof extension

3. Proposal

The application seeks permission for a loft conversion, involving a hip to gable, rear dormer and 4 No. front facing rooflights.

There are a number of discrepancies noted within the drawings. Notwithstanding the Proposed Front Elevation, the Proposed Rear Elevation, Proposed Side Elevation, Proposed Loft Plan and Proposed Roof Plan all illustrate that the ridge of the existing side extension will be raised to the level of the highest part of the original roof.

Proposed Section A-A is also inconsistent with the Proposed Side Elevation and Proposed Rear Elevation in terms of the relationship between the proposed rear dormer and the ridge level

For the avoidance of doubt, the application has therefore been assessed on the basis of the ridgeline being raised and the dormer being set down.

The proposed dormer would extend the full width of both the original house and existing side extension.

4. Public Consultation

Consultation letters were sent to 5no neighbouring properties. 1no response has been received and is summarised below:

- Considered that this application is less intrusive than the previous application for a library in the back garden.
- Concern raised regarding the dormer window resulting in overlooking.

This application has been called to planning committee at the request of Councillor Gordon.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published in 2019. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the

development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

The London Plan is currently under review. Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the adopted London Plan.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Barnet's Local Plan (Reg 18) 2020

Barnet's Local Plan -Reg 18 Preferred Approach was approved for consultation on 6th January 2020. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for 67 sites. It is Barnet's emerging Local Plan. The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality

- Whether harm would be caused to the living conditions of neighbouring residents

5.3 Assessment

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the site's context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both of the Barnet Local Plan).

Barnet's Residential Design Guidance SPD (2016) outlines that additional, usable space can sometimes be created by converting roof space, providing this is carried out sympathetically. This often involved the formation of dormer windows or the insertion of rooflights. A number of design considerations should be considered for dormer roof extensions.

Para.14.33 outlines that their design should reflect the style and proportion of windows on the existing house and align with those below. They should not overlap or wrap around the hip(s), or rise above the ridge. Adequate roof slope above and below the dormer is required on semi-detached properties and should be set in at least 1 metre from the party wall, flank wall or chimney stack. Dormer roof extensions 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.

With regard to hip-to-gable conversions, the SPD states that consideration [should] be given to whether or not gable end extensions are a characteristic feature of the street and wider area (Para 14.34) and should take into account the following criteria (Para 14.35):

- The gable should not unbalance a pair of semi-detached houses or a short terrace
- The gable should not reduce the degree of visual separation between houses or glimpsed views from the street
- The gable should not form an overbearing wall facing a street, neighbouring garden or other public place
- The gable should not appear out of character within the streetscape

The proposed extensions would largely be uncompliant with the abovementioned Guidance.

With regard to the hip-to-gable conversion, there is a general sense of uniformity to the roofslopes within this vicinity of Hillside Gardens in that most feature hipped roof - albeit some in modified form. Furthermore, the adjoining property (No 12) does not benefit from such a conversion and as such, the proposal would unbalance the pair.

Both No 10 and No 8 benefit from two storey side extensions with existing hipped roofs. As such, the proposal would further enclose the gap between the two properties, whilst the staggered nature of the properties and their tangential relationship to the street also renders the end elevation of No 10 more prominent in the street scene.

With regard to the dormer, adequate roof slope would not be maintained above or below and it would abut the flank wall, party wall and chimney stack. Furthermore, it would measure well above the half-width, half-height proportions sought by the SPD - therefore failing to appear as a subordinate addition.

In light of the above, Officers consider that the combined roof extensions would appear as an unsympathetic, dominant and bulky addition to the roofslope, to the detriment of the character and appearance of the host property, the street scene and the wider locality.

In addition to the above, the proposal - when considered in conjunction with the existing two-storey side extension - would exceed the permitted development tolerances for roof extensions otherwise set out under Part 1, Class B of the General Permitted Development Order (2015). Therefore, the application cannot be afforded the consideration of a 'fall back' position.

Officers acknowledge that some properties within the wider context of Hillside Gardens benefit from large roof extensions - including an extended hip-to-gable conversion at No 35 and other examples of hip-to-gable conversion of the original roof with a hip roof restored by way of further extension. However, these have in the main been achieved in part in the exercise of permitted development rights and are also not in direct proximity to the application site - for example, Nos 104, 108 and 112 at the far end of the street, together with No.40 (18/1182/192) and No.28 (16/6488/192).

It is noted that No.98 benefits from a hip to gable and rear dormer granted consent under a Householder-type application (15/05985/HSE). However, a Certificate of Lawfulness for the works had already been granted prior to submission (H/01132/14). It is therefore considered that limited weight can be given to this example.

In closer proximity to the application site, No 20 benefits from a large rear dormer together with a two-storey side extension. However, here the hipped roof is maintained and the box dormer was achieved subsequently, again in exercise of residual permitted development rights (H/04138/14).

It is also noted that permission was granted at Committee for a similar suite of roof extensions at No.35 (18/4143/HSE), notwithstanding a previous application having been dismissed at appeal (17/7551/HSE). The minutes relating to that meeting note that it was considered other properties on the road were of very similar design. However - other than No 35 - it is not apparent that the same combination of extensions are prevalent. As set out above, there are a number of other large roof extensions, however - as concluded by the Inspector and noted in the Committee Report - these are generally unsympathetic and often achieved in part or in full under permitted development.

On that basis therefore, it is not considered that the weight of material considerations indicates that the decision should be made other than in accordance with the Development Plan - as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 - and the disproportionate and unsympathetic addition is considered to have an unacceptable impact on the character or the host property, street scene and general locality, contrary to Policy DM01 of Barnet's Development Management Policies DPD and the Residential Design Guidance SPD (2016) pursuant to it.

Whether harm would be caused to the living conditions of neighbouring residents;

The adopted Residential Design Guidance SPD (2016) - pursuant to Policies DM01 and DM02 - provides clear guidance with regard to what is expected from new developments to ensure that the amenity of neighbouring occupants is not harmfully impacted. With regard to this application, the key concern is whether the proposed openings would result in any degree of overlooking to neighbouring sites and if overshadowing, loss of outlook and loss of light would occur as a result of the development.

In regard to the amenity of neighbouring occupiers at No.2 Shelley Close, located to the rear of the property, it is not considered that the proposed development would result in unacceptable levels of harm in terms of overshadowing, over dominance or overlooking given the separation distance of 23 metres that would be retained between the respective elevations. This is consistent with the minimum separation distance set out in the Sustainable Design and Construction SPD (2016)

Furthermore, given the location of the proposed development to the side and rear of the roof of the existing property, it is not considered that the proposal would unduly harm the amenity of adjoining occupiers at Nos. 8 and 12 Hillside Gardens. Any perspective afforded from the dormer would be oblique and consistent with the vantage afforded by the existing windows in the rear elevation. The relationship would not otherwise be uncharacteristic of its suburban setting.

Overall, due to the design of the proposal and the reasons above it is therefore considered that there would not be an unacceptable impact on the privacy, outlook and sunlight of neighbouring occupiers - consistent with the expectations of Policy DM01 of the Development Management Policies DPD (2012)

5.4 Response to Public Consultation

Comments regarding potential overlooking to properties in Shelley Close have been addressed in the main body of the report.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, it is considered that the proposed development would have an unacceptable impact on the character and appearance of the application site, the street scene and the general locality. Therefore, this application is recommended for REFUSAL.

