

Location **123 Abbots Gardens London N2 0JJ**

Reference: **22/0951/HSE** Received: 22nd February 2022
Accepted: 22nd February 2022

Ward: East Finchley Expiry 19th April 2022

Case Officer: **Will Collier**

Applicant: Colin Gay

Proposal: First floor side extension. Roof extension involving hip to gable, rear dormer with juliette balcony and 2no front facing rooflights. New front porch

OFFICER'S RECOMMENDATION

Refuse

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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 Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The proposed development, by reason of the design, bulk and materials of the side hip-to-gable in combination with the first floor extension and rear dormer, would unbalance the pair of semi-detached properties, appear dominant in the street scene in the context of the area and detract from the character and appearance of the property and wider locality, contrary to policies CS1 and CS5 of Barnet's Adopted Core Strategy (2012), policy DM01 of the Adopted Development Management Policies DPD (2012) and the Adopted Residential Design Guidance SPD (2016).

Informative(s):

- 1 The plans accompanying this application are:

Existing and Proposed Ground Floor, A102+A202
Existing and Proposed First Floor, A103+A203
Existing and Proposed Loft Plan, A104-A204
Existing and Proposed Roof Plan, A105-A205
Existing and Proposed Section 1, A106+A206
Existing and Proposed Section 1, A107+A207
Existing and Proposed Front Elevation, A108+A208
Existing and Proposed Rear Elevation, A109+A209
Existing and Proposed Side Elevation 1, A110+A210
Existing and Proposed Side Elevation 2, A111+A211
Location Plan
Existing and Proposed Block Plan, A101+A201

- 2 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. In accordance with paragraph 189 of the NPPF, the applicant is encouraged to utilise this service prior to the submission of any future formal planning applications, in order to engage pro-actively with the LPA to discuss possible solutions to the reasons for refusal.

OFFICER'S ASSESSMENT

1. Site Description

The site comprises a semi-detached dwelling on a plot splayed around a small cul-de-sac off the main part of Abbots Gardens. It has a distinctive timber frame external appearance with front gable, in symmetry with the adjoining semi and matching other similar semis

around the close.

Abbots Gardens is a large circular cul-de-sac of predominantly semi detached properties, and the application site is found on a small subsidiary cul-de-sac consisting of about 10 dwellings splayed around a central turning area.

The site is not within a designated conservation area.

The site does not contain any statutory or locally listed buildings, nor is it immediately adjacent to any. It is not within an Area of Special Archaeological Interest.

2. Site History

None.

3. Proposal

The applicant seeks planning permission for a first floor side extension; roof extension involving hip to gable; rear dormer with juliette balcony; 2no front facing rooflights; and a new front porch.

The application was called in by Councillor Farrier on 4th July on the grounds that it appears to cause no harm and to have support of local residents.

4. Public Consultation

Consultation letters were sent to 8 neighbouring properties.

Two letters of support received confirming no objections and support for the design and materials.

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 revised National Planning Policy Framework (NPPF) was published on 20th July 2021. 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 2021

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.

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 Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. 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 the policies and site proposals in the draft Local Plan and the stage that it has reached.

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 of proposals

- 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 sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01 which states that all proposals should preserve and enhance the local character of the area, as well as policies CS05 (both of the Barnet Local Plan), D1, D3 and D6 (of the London Plan).

The Barnet Residential Design Guide (RDG) sets out the council's supplementary planning guidance concerning extensions and house alterations. With regards to hip-to-gable roof alterations the following design guidance is given;

Consideration will be given to whether or not gable end extensions are a characteristic feature of the street and wider area (para 14.34).

Proposed hip to gable roof extensions need to take into account the following criteria:

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

In this case the proposal is to convert the side hipped roof to side gable in combination with a rear dormer and first floor side extension. As described above in the site description,

the site is located on a small cul-de-sac of about ten semi detached properties splayed around a small circular turning area. All these properties have hipped side roofs forming a common characteristic: there have been no hip-to-gable conversions. Indeed, further beyond on the main part of Abbots Gardens, the common characteristic is side hipped roofs. The proposal to convert the side hip to a gable would therefore unbalance the property against the adjoining semi, No. 125. Furthermore, it is considered to be prominent in the street scene because of the unique arrangement of the properties around a small turning area where the unbalancing effect would have greater impact on the street scene, in contrast to other areas of Abbots Gardens where a side gable might be less conspicuous within straighter parts of Abbots Gardens. Together with the observation that most of the properties in this part of Abbots Gardens have a distinctive appearance characterised by timber frame external appearance, and hipped roofs and that none have side gables, it is assessed that the proposed hip to gable in this case, due to the specific site context, would be detrimental to the streetscene and character of the area, which would be exacerbated in bulk and prominence by the proposed first floor side extension and rear box dormer.

It is noted that No. 127 has a two storey side extension, however this has retained hipped roofs having no side gables, and therefore is not a sufficient precedent.

The proposed first floor side extension would match the footprint of the existing side extension and has a maximum width of three metres, narrowing at the front to 2.1 metres in line with the front wall of the house. The extension would have a hipped roof arranged around its asymmetric footprint, set 1 metre below the ridge of the main house. The width is compliant with the RDG, being about half the original width of the house, however the extension is not set back from the front of house, and thus conflicts with the RDG which states: "First floor side extensions should normally be set back 1 metre from the front main wall of the existing house" (para 14.15, RDG).

It is considered the first floor side extension does not relate well to the side gable, given the contrast in hipped roof and side gable design which relate poorly together. The first floor extension also exacerbates the prominence and bulk of the side gable and its unbalancing effect on the pair of semis, to the detriment of the character of the area given the qualities and characteristics of the properties in the cul-de-sac.

The proposed rear dormer is non-compliant with the RDG, because it fills the majority of the roof space. It would therefore look bulky and contribute further to the overall bulk of the extensions and impact on the street scene. No calculations have been submitted to show that the total roof volume increase of the extensions combined would be less than the permitted development limit of 50 cubic metres and thus there is not a case for the permitted development fallback position, particularly as the first floor side extension would require planning permission.

The proposed rendering in replacement of the existing timber framed appearance would also highlight the difference of the dwelling against the adjoining semi and its prominence and unbalancing effect as described.

The proposed front extension is merely enclosing the existing open porch area and therefore is of acceptable scale and proportions.

Thus, in conclusion in respect to the visual impact of the proposal it is assessed to be detrimental to the character of the area, unbalancing the pair of semis and appearing dominant in the street scene, taking into account the site context, design and cumulative

impact of the side extension and roof alterations in contrast to the neighbouring dwellings. The proposal thus conflicts with Policy DM01 of the adopted local plan.

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

It is important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan policy D6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

The proposed side extension and roof alterations would be approximately 1.3 metres from the side boundary of the rear garden of No. 121 Abbots Gardens. Given the depth of the garden of 121 and the distance to the proposed extension, it is considered that it would not appear dominant or overbearing to the rear garden of No. 121 and would not be detrimental to the amenities of this neighbouring property.

The first floor study window would result in direct overlooking of the rear garden of no. 121, however it is considered that a condition could be imposed on any permission requiring the window to be obscure glazed.

The rear dormer window would have oblique views of the garden of no. 125 Abbots Gardens, however it is considered that this would not give rise to a level of overlooking that would be harmful to the amenities of the occupiers.

5.4 Response to Public Consultation

N/A

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 proposal would be overly dominant in the streetscene and wider locality by its bulk and prominence and unbalancing effect on the pair of semis. The proposal is therefore recommended for REFUSAL.

In the event of an appeal that is allowed, the following conditions are recommended:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: [insert plan numbers].

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

2. This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The materials to be used in the external surfaces of the building(s) shall be as specified in the approved plans and application form.

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

4. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevation(s), of the extension(s) hereby approved, facing 121 Abbots Gardens.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

5. Before the building hereby permitted is first occupied the proposed window(s) in the first floor side elevation facing 121 Abbots Gardens shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).



