

**Location** 20 Shirehall Close London NW4 2QP

**Reference:** 22/4795/FUL Received: 28th September 2022  
Accepted: 30th September 2022

**Ward:** Hendon Expiry: 25th November 2022

**Case Officer:** Keshni Patel-Rayani

**Applicant:** Mr & Mrs Conway

**Proposal:** Conversion of existing 2no. self-contained flats into 1no. single family dwellinghouse including; Single storey rear extension; Alterations and extensions to roof including 2no. rear dormer windows, 1no. dormer windows to both sides and 3no. rooflights to front roofslope; Conversion of garage into habitable room; Alterations to front elevation including 2no. two storey square bay windows, and new front entrance and porch (Amended Description)

## **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 ground floor rear extension, by reason of its scale, design and excessive rearward projection, is considered to result in a disproportionate and incongruous form of development that would fail to respect the established pattern of development, to the detriment of the character and appearance of the host property and surrounding area, contrary to Policy D3 of the London Plan (2021), Policies CS1 and CS5 of the LB Barnet: Local Plan (Core Strategy) DPD (2012); Policy DM01 of the LB Barnet: Local Plan (Development Management Policies) DPD (2012) and the LB Barnet: Residential Design Guidance SPD (2016)
- 2 The proposed ground floor rear extension, by reason of its scale, design, siting and excessive rearward projection, would result in an overbearing form of development, leading to an undue loss of outlook and increased sense of enclosure to the detriment of the residential amenities of the neighbouring occupiers, contrary to Policy D3 of the London Plan (2021), Policies DM01 of the LB Barnet: Local Plan

(Development Management Policies) DPD (2012), Policies CS NPPF, CS1 and CS5 of the LB Barnet: Local Plan (Core Strategy) DPD (2012), the LB Barnet: Residential Design Guidance SPD (2016) and the LB Barnet: Sustainable Design and Construction SPD (2016).

- 3 The proposed additional two storey front bay, steepened roof pitch and corresponding roof extension incorporating enlarged crown, by reason of its scale, massing and design, would result in a disproportionate and incongruous form of development, appearing unduly bulky, prominent and failing to respect the established pattern of development, to the detriment of the character and appearance of the host property and surrounding area, contrary to Policy D3 of the London Plan (2021), Policies CS1 and CS5 of the LB Barnet: Local Plan (Core Strategy) DPD (2012); Policy DM01 of the LB Barnet: Local Plan (Development Management Policies) DPD (2012) and the LB Barnet: Residential Design Guidance SPD (2016)

#### **Informative(s):**

- 1 The plans accompanying this application are:

Drawing Number 20SC/P01 Existing Plans and Elevations dated Sept 2022

Drawing Number 20SC/P02 Proposed Plans and Elevations dated Jan 2023 Rev A

- 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. 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 brought before the Committee as the property is owned by Cllr Conway

### **1. Site Description**

The application site is located at 20 Shirehall Close, consists of a two-storey semi-detached dwelling formed of 2 self-contained flats located in the electoral ward of Hendon.

The site is not located within a Conservation Area and the host property is not a Listed Building.

### **2. Relevant Planning History**

Reference: W03415

Address: 20 Shirehall Close, London, NW4 2QP

Decision: Approved subject to conditions

Decision Date: 14.06.1972

Description: two-storey side extension and conversion of house into two self-contained flats

Reference: 18/3738/FUL

Address: 20A Shirehall Close, London, NW4 2QP

Decision: Refused

Decision Date: 23.08.2018

Description: Roof extension involving side and rear dormer window and 2no front rooflights

Reference: 18/4531/FUL

Address: 20A Shirehall Close, London, NW4 2QP

Decision: Refused

Decision Date: 28.09.2018

Description: Conversion of garage into habitable room, insertion of new window and door to replace existing door

Reference: 18/6946/FUL

Address: 20A Shirehall Close, London, NW4 2QP

Decision: Approved subject to conditions

Decision Date: 11.01.2019

Description: Roof extension involving side and rear dormer window and 2no front rooflights

### **3. Proposal**

During the lifetime of the application amendments were sought, in which now the application seeks permission for conversion of existing 2no. self-contained flats into 1no. single family dwellinghouse including Single storey rear extension; Alterations and extensions to roof including 2no. rear dormer windows, 1no. dormer windows to both sides

and 3no. rooflights to front roofslope; Conversion of garage into habitable room; Alterations to front elevation including 2no. two storey square bay windows, and new front entrance and porch.

The proposed single storey rear extension would have a width of 12.5m. The rear building line is staggered and has a total depth of 6m from the boundary between 20 and 22 Shirehall Close and a depth of 2.5m between 20 and 18 Shirehall Close. The proposed single storey rear extension would support a hipped roof with a ridge height of 3.8 and an eaves height 2.6m from the ground level at the application site.

The rear elevation includes changes where the existing chimney is removed, the application also involves alteration to the roof of the two-storey rear bay window, to a gabled end.

The application also involves 2no rear dormers which both measure 1.7m in width, 1.5m in depth and 1.5m in height. The applicant has been amended to propose 1no dormers to each side of the property which both measure 1.5m in width, 1.4m in depth and 1.5m in height. Alterations to the roof also include the addition of three rooflights to the front elevation, increase in the pitch of the roof and creation of a broader crown measuring width (roof ridge) of 6.1m, a depth of the roof ridge as 3.5m.

The proposal includes alterations to the front elevation which incorporates two storey square bay windows supported by a gabled roof feature. The two storey bay windows have a depth of 0.7m, a width of 3.3m and a total height to the ridge of 8.1m and eaves height of 5.5m.

The proposal also includes the conversion of the existing garage into a habitable room.

#### **4. Public Consultation**

Consultation letters were sent to 50 neighbouring properties.  
2no responses have been received to support the proposal

#### **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 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.

The new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous 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 (2021)

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, semidetached 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 the 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:

- i. Principle of the conversion of the 2 units back into single family dwelling
- ii. The impact on the appearance and character of the area
- iii. The impact on the amenities of neighbouring occupiers

## **5.3 Assessment of proposals**

### Principle of the proposed conversion and additional dwelling

The property is currently configured as 2 self-contained flats. The ground floor flat supports a 2-bed 4-person unit across 1-level, whilst 4 bedrooms have been shown two bedrooms would not comply with the nationally described space standard and therefore the first floor supports 2-bed 3-person unit across 2-level. The proposal seeks to convert back to a single family involving a 7-bed 12-person dwelling.

The application would provide a single-family dwelling, which would make a welcome contribution to the housing stock in the area. Although the proposal would result in the loss of flats, increasing the supply of family housing is a priority in Barnet according to policy and the proposal would not result in the loss of a family-sized unit and instead represent a

net gain of priority dwelling types and be consistent with the characteristic use of properties in Shirehall Close. Taking the above into account, the principle of the proposed works is acceptable subject to the other planning considerations set out in this report.

Impact on the character and appearance of the existing site, street scene and 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), D4 and D5 of the London Plan 2021.

To revert back into family dwelling would require internal alterations, which would not be visible from the public realm and are not considered to unduly impact on the appearance of the dwelling. However, the following proposed alterations have been assessed accordingly.

Single storey rear extension:

The Council's adopted SPD 'Residential Design Guidance' states that the depth of a single storey rear extension, normally considered acceptable for terraced properties is 3 metres, for semi-detached properties it is 3.5 metres, and detached property is 4 metres. Single storey rear extensions to the original house, need to ensure that:

- the depth and/or height of the extension does not cause a significant sense of enclosure, or loss of outlook from, or light to, principal windows of habitable rooms of neighbouring properties
- they do not look too bulky and prominent compared to the size of the main building and garden to which they relate
- if the garden space is in breach of amenity standards, then application will normally be refused
- in addition, if the adjoining house is at a lower level or has a rear building line set back from your rear building line, the depth of the proposed extension may need to be reduced in order to protect amenity of your neighbour.

Officers note that the proposal would not be viewable from the front of the host dwelling, thus it is considered that the rear extension would not impact adversely on the existing street scene of Shirehall Close.

However, LB Barnet's Residential Design Guidance outlines that a depth of 4 metres is normally considered acceptable for a single storey rear extension to a detached house.

The proposed single storey rear extension expands the full width of the original dwelling and consists of a staggered rear building line in which the rear extension closest to no 22 would project a depth of 6m with a width of 5.5m, the remaining width of the proposed rear extension will have a depth of 2.5m.

As the property is configured as flats, the PD fallback position is not a material consideration that officers are able to consider in their assessment of this application and therefore mitigate the detrimental impact to the character the host property and the

surrounding area by virtue of being disproportionate and incongruous with regard to scale and relationship with the established rear building line.

Conversion of garage into habitable room and alterations to front elevation:

Shirehall is characterised by large single-family dwelling properties, predominantly with front doors and garages to the front facades. Officers note that there are some examples of garage conversions along the street, the fenestration introduced in these other examples is predominantly a single window to match those of the existing property.

Within this application the proposed garage would be converted into four separate rooms with the external façade of the existing garage proposed to change into a two-storey square bay window. The proposed development involves the existing bay window to be re shaped to a square bay supported by a gable end roof. This bay feature is mirrored to where the existing garage is located. During the life of the application amendments were requested to set the proposed bay back and lower than the existing, however this was not demonstrated in the revised plans. It is therefore considered that the additional bay feature would create an insubordinate addition to the dwelling.

Given that there are limited examples of anything similar within the locality, officers consider the proposed introduction of a competing two-storey square bay would have a detrimental impact on the established character of the existing property, street scene and wider locality contrary to Policy DM01 of the Development Management Policies DPD.

Alterations to the front elevation include the addition of a new front entrance and porch which has a depth of 0.8m and width of 3.2m. The proposed front porch will have an area of 2.56square meters. The proportions and scale of the porch would relate well to the main building(s) and add a level of articulation to the façade which when combined with its central positioning would have an acceptable impact on the subject building.

The proposed development also includes the addition of window to the front elevation on the first floor, during the life of the application this was revised into smaller and similar style as the original windows.

Alterations and extensions to roof:

The street scene is comprised of a number of variations in the massing and architectural detailing of the properties, the roofs are typically hipped, and the pitch extends from that of their individual front gables - as is currently the case at No 20. This remains a distinct characteristic of Shirehall Close, the proposed alterations of the roof include creation of a crown roof measuring width (roof ridge) of 6.1m, a depth of the roof ridge as 3.5m to support the additions of three rooflights to the front and a total of 4no dormer windows; two would be sited on the rear roofslope and one would be sited to either side roofslope all similar in size, scale and design. Alterations to the roof of the rear bay window to hip to gable.

During the course of the application amendments were requested for the roof extensions to be scaled down and for the rear gable projection to remain hipped. The revised plans now show the rear bay window supported with a hipped roof, which is considered to be in keeping and character of the existing roof style.

The initial plans showed 2no dormers to each side elevation however amendments incorporated during the course of the application saw the removal of 1no roof dormer to



each side of the roofslope to reduce the overall mass and bulk of these additions. It is acknowledged that the dormers would not exceed half the height and width of the roofslope, it is considered that the amended dormers would be centrally and visually contained within the respective roof slopes and would thus read as subordinate additions.

These additions are therefore considered to ensure enlargements feature as subordinate additions and respect the scale, mass, and design of the subject property. In conclusion, the proposed roof dormers are not considered to harm the character and appearance of the host property, neighbouring properties, and street scene.

The Council recognises that the addition of rooflights to the front roofslope is a common characteristic along Shirehall Close, it is therefore considered that this addition would not deter from the characteristic of the street scene.

Notwithstanding the above, the increased bulk brought about by the steeper pitch and the enlarged crown roof would be considered to create an overly dominant roof form - resulting in a significantly larger mass and prominent slope and massing at-odds with the generally established roof form.

Overall, officers are of the opinion that due to the scale, design and prominence of the additional bay feature to the front elevation, the scale of the rear extension and the additional bulk and enlargement of the crown roof, the proposal would affect the established character and appearance of the existing dwelling and be contrary to Policy DM01 of Barnet's Development Management Policies DPD.

### Residential Amenity

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

Para.14.40 of Barnet's Residential Design Guide (2016) states that extensions to properties should not be overbearing or unduly obtrusive and care should be taken to ensure they do not result in harmful: loss of privacy by overlooking adjoining properties; loss of light or overshadowing of adjoining properties, particularly loss of light to main windows serving principal rooms such as living or dining rooms; loss of outlook from adjoining properties; sense of enclosure or overbearing impact on adjoining properties; loss of garden, landscaping or open space, which contributes to local amenity; loss of parking space that is desirable to retain.

Neighbouring No. 18 Shirehall Close sits to the southeast of the applicant site.

The proposed single storey rear extension will have a depth of 2.5m along the boundary between no 18 and the application site. This is within the advised 4.00 metres under the residential design guidance, which is seen to have an acceptable impact on neighbouring amenity. It is therefore considered that the single storey rear extension would not have a significantly adverse impact to the neighbouring property at no 18.

The proposed side dormer and first floor bedroom which would be facing no18 Shirehall which may cause invasion of privacy. It is therefore essential that any side windows above the ground floor be glazed and non-opening unless the opening is 1.70 metres above the

corresponding room floor to avoid intrusion on neighbour's privacy. Should this application be approved, a condition would be added to mitigate overlooking in neighbouring property.

Neighbouring No. 22 Shirehall Close sits to the northwest of the applicant site.

Barnet's Residential Design Guidance SPD states that for detached house a 4m deep rear extension is generally considered to be acceptable. However, the proposed single storey rear extension would project 6m in depth along the boundary between no 20 and 22 which is far greater than the guidance.

The neighbour at No.22 benefits from a rear extension, however it is set away from the boundary. The neighbouring property consists of a rear bay window which sited closest to the boundary of the application site. It is considered that the proposed development would cause undesirable impact on the amenity at No.22 causing loss of outlook and a sense of enclosure. The proposed single storey rear extension causes a sense of enclosure and appears overbearing to this neighbour due to its extensive depth.

2no first floor windows are proposed to face No.22 and 1no dormer window, these windows are considered to result in a loss of privacy and overlooking into the property.

1no of first floor widows will serve a bathroom and the other will serve a bedroom. While it is assumed that the bathroom window will be obscure glazed, there is no indication that the bedroom window will be. This window is considered to have potential to allow overlooking to No.22 Shirehall which in turn will impact their privacy. Should this application be approved, a condition would be added to mitigate overlooking in neighbouring property.

On the balance of matters, officers believe that the proposed rear extension would give rise to an adverse amenity impact of a degree that would warrant refusal.

#### **5.4 Response to Public Consultation**

No objections received

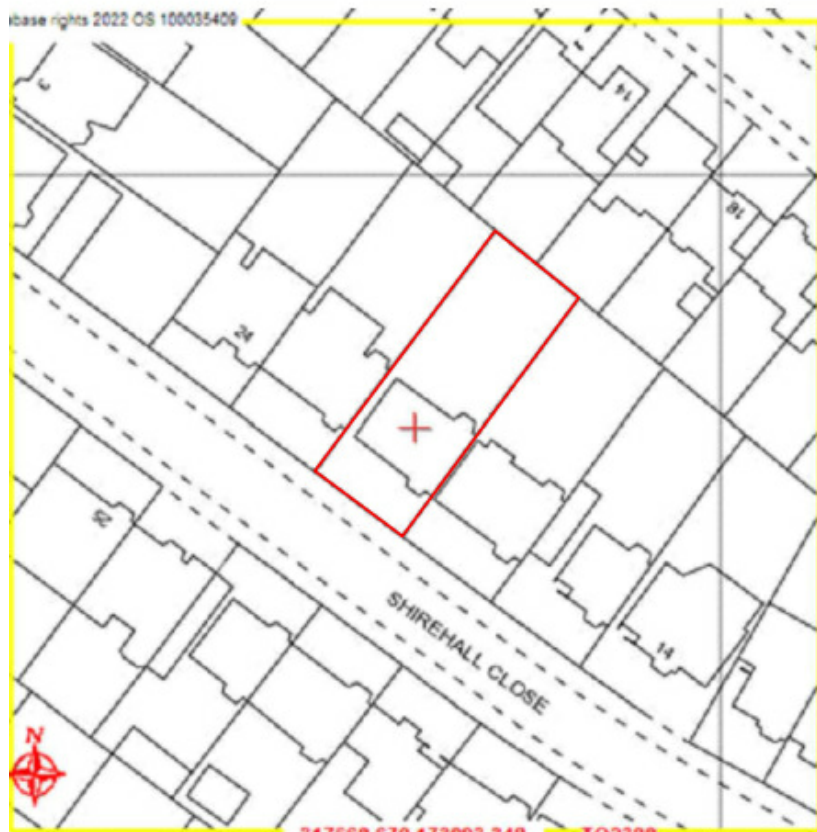
#### **6. Equality and Diversity Issues**

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 the proposed development would have an unacceptable impact on the character and appearance of the application site and the locality. This application is therefore recommended for REFUSAL.

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