

**Location** **16 Hillside Gardens Edgware HA8 8HE**

**Reference:** **24/0414/HSE** Received: 1st February 2024  
Accepted: 1st February 2024

Ward: Edgware Expiry 28th March 2024

**Case Officer:** **Radhika Bedi**

Applicant: Mr & Mrs Joseph

Proposal: Roof extension involving hip to gable, rear dormer window with Juliette balcony and 5no. front facing rooflights.

## **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 roof extension by reason of its siting, design, size and scale would result in an unduly bulky, visually obtrusive form of development which would result in an incongruous addition which would fail to respect the character and appearance of the host dwelling and character of the surrounding area contrary to policies CS1 and CS5 of Barnet's Core Strategy (2012), policy DM01 of the 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. 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.

- 2 The plans accompanying this application are:

Drg No 2022/1585/1 - Existing Plans and Elevations  
Drg No 2022/1585/2 - Proposed Plans and Elevations

## **OFFICER'S ASSESSMENT**

This application was called into the committee by Cllr Shuey Gordon on 5th February 2024.

This is for the following reason:

This will not be detrimental to fitting in with the surrounding area.

### **1. Site Description**

The application site is located at 16 Hillside Gardens, consisting of a semi-detached dwellinghouse within the Edgware ward.

The site is not located within a conservation area and is not a listed building. There are no onsite TPOs.

### **2. Site History**

Reference: 23/4895/HSE

Address: 16 Hillside Gardens, Edgware, HA8 8HE

Decision: Refused

Decision Date: 11 January 2024

Description: Roof extension involving hip to gable, rear dormer window with Juliette balcony and 5no. front facing rooflights.

Reason for refusal: The proposed roof extension by reason of its siting, design, size and scale would result in an unduly bulky, visually obtrusive form of development which would result in an incongruous addition which would fails to respect the character and appearance of the host dwelling and character of the surrounding area contrary to policies CS1 and CS5 of Barnet's Core Strategy (2012), policy DM01 of the Development Management Policies DPD (2012) and the Residential Design Guidance SPD (2016).

Reference: 23/3257/HSE

Address: 16 Hillside Gardens, Edgware, HA8 8HE

Decision: Refused

Decision Date: 20 September 2023

Description: Roof extension involving hip to gable, rear dormer window with juliette balcony and 5no. front facing rooflights

Reason for refusal: The proposed roof extension by reason of its siting, design, size and scale would result in an unduly bulky, visually obtrusive form of development which would result in an incongruous addition which would fails to respect the character and appearance of the host dwelling and character of the surrounding area contrary to policies CS1 and CS5 of Barnet's Core Strategy (2012), policy DM01 of the Development Management Policies DPD (2012) and the Residential Design Guidance SPD (2016).

Reference: 20/5372/HSE

Address: 16 Hillside Gardens, Edgware, HA8 8HE

Decision: Refused

Decision Date: 5 January 2021

Description: Roof extension involving hip to gable, rear dormer windows with Juliet balcony and 5 no front facing rooflights

Reason for refusal: The proposed roof extension by reason of its siting, design, size and scale would result in an unduly bulky, visually obtrusive form of development which would result in an incongruous addition which would fails to respect the character and appearance of the host dwelling and character of the surrounding area 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).

Reference: W13360/03

Address: 16 Hillside Gardens, Edgware, HA8 8HE

Decision: Approved subject to conditions

Decision Date: 15 August 2003

Description: First floor side extension

### **3. Proposal**

The planning application seeks permission for:

Roof extension involving hip to gable, rear dormer window with Juliette balcony and 5no. front facing rooflights.

The hip to gable would have a height of 3.0m, width of 6.2m and depth of 9.4m. =29m<sup>3</sup>

The rear dormer would have a height of 2.8m, width of 9m and depth of 4.8m.= 60m<sup>3</sup>

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

Consultation letters were sent to 6 neighbouring properties. No comments received.

#### **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 revised National Planning Policy Framework (NPPF) was updated on 5 September 2023 and sets out the government's planning policies for England and how these are expected to be applied. This is a key part of the Government's 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 New Local Plan (Reg 24)

Barnet's Draft Local Plan - Reg 24: The Reg 22 version of the draft new Local Plan was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission, the Local Plan underwent an Examination in Public (Reg 24). The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites.

As part of this stage (Reg 24), the Inspector in his Interim Findings and Next Steps letter of August 17th has set out how the Council can through making Main Modifications to the Local Plan address issues of legal compliance and deficiencies in soundness. These interim findings are a clear indication of what the Local Plan and the policies and site proposals within will look like at adoption, subject to making the Inspector's suggested Main Modifications. Whilst the Council moves forward to formal consultation on the Main Modifications (expected to commence in January 2024) the Interim Findings and Next Steps letter of August 17th shall be considered, in the interim, a relevant material consideration in the Council's decision making on planning applications.

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

### Background information

It should be noted that identical proposals of a hip to gable and rear dormer roof extension have previously been refused three times on this site (20/5372/HSE - refused on 05.01.2021, 23/3257/HSE - refused on 20.09.2023 and 23/4895/HSE - refused on 11.01.2024).

It should also be noted that upon review of planning records, the application site has previously received planning permission to build a "First floor side extension" (ref: W13360/03, dated: 15.08.2003). This suggests that the existing side roof of the application property is non-original.

The hip to gable would have a height of 3.0m, width of 6.2m and depth of 9.4m. =29m<sup>3</sup>  
The rear dormer would have a height of 2.8m, width of 9m and depth of 4.8m. = 60m<sup>3</sup>

It is noted that when calculating from these measurements, the proposed total volume increase to the roof of the dwellinghouse would be 89 cubic meters. As such, this would comfortably exceed the volume of the increase to the roof space under permitted development for a semi-detached house, which is 50 cubic metres. Therefore, a meaningful "fallback" position of permitted development cannot be given to the proposed roof extension.

- 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).

Paragraph 14.33 of Barnet's Residential Design Guidance states that dormer roof extensions should:

- + reflect style and proportion of windows on the existing house. Dormers may have flat, gabled, hipped or curved roofs and subject to the criteria on position, should normally align with the windows below.
- + have an adequate roof slope above and below for semi-detached and terrace properties.

- + not occupy more than half the width or the half the depth of the roof slope.
- + not be wider than the window below it and the dormer cheeks kept as narrow as possible.

It is noted that the proposed rear dormer would fail to meet all the requirements listed above.

For instance, the proposed rear dormer does not align with the windows below, would have nearly the full width and depth of the roof slope and would be wider than all the windows below and have wide dormer cheeks. There is also little to no space left above and below the proposed rear dormer.

Paragraph 14.35 of Barnet's Residential Design Guidance states that hip to gable roof extensions need to take into account the following criteria:

- + 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

Upon site visit, it is noted that the other house of the pair of semis, no. 14 Hillside Gardens, does not currently have a gable roof. Therefore, it is considered that the proposed hip to gable at the application site would unbalance a pair of semi-detached houses.

Although there are similar roof extensions in the surrounding area, such as Nos. 10 and 35 Hillside Gardens, it is important to note that No. 35 does not currently benefit from first floor side extension or two-storey side extension, and the width of the whole main roof after the extension is significantly less than the proposed roof extension at the application site.

While No. 10 has received planning permission for its roof extension, it should be noted that it is a committee decision and upon review of planning records, it is noted that officers did not consider the impact on the character of the roof extension at No. 10 is acceptable as it does not comply with the policies set out in the Residential Design Guidance and have recommended for refusal before going onto the planning committee.

The application property currently benefits from an existing two-storey side extension. This proposal to add a full width rear dormer alongside a hip to gable roof extension is found to fail to respect the established character or the original dwelling as it currently stands. The proposed roof extensions are considered to be disproportionate additions to the host dwelling which are not sympathetic to the original house and are in fact dominant and unduly bulky. The cumulative impact of the existing extensions as well as the proposed roof extensions would therefore constitute as overdevelopment of the site.

#### - 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 hip to gable and rear dormer extension is not seen to have any impact on the amenity of neighbouring dwellings.

The proposed rooflight would not give rise to unacceptable loss of amenities due to the location being within the main roof scape of the dwellinghouse.

Due to the siting of the proposed developments, the proposal is not considered to have an adverse impact on the amenity of neighbouring 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 proposed development would NOT have an acceptable impact on the character and appearance of the application site and the locality. This application is therefore recommended for REFUSAL.



## 8. Site Location Plan



**EXISTING LOCATION PLAN 1:1250**