



Appeal Decision

Site visit made on 29 December 2022

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 02 February 2022.

Appeal Ref: APP/N5090/D/22/3307000

35 Ridge Hill, Golders Green, London NW11 8PR

- 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 and Mrs Vorhand against the decision of the London Borough of Barnet.
- The application Ref 22/3192/HSE, dated 16 June 2022, was refused by notice dated 10 August 2022.
- The development proposed is described as a Part single part two storey front, side and rear extensions. Alterations and extension to existing roof to include extension involving rear and side dormer windows, 2no front facing rooflight. Relocation of front door to centre of front bay window.

Decision

1. The appeal is allowed and planning permission is granted for a Part single part two storey front, side and rear extensions. Alterations and extension to existing roof to include extension involving rear and side dormer windows, 2no front facing rooflight. Relocation of front door to centre of front bay window; at 35 Ridge Hill, Golders Green, London NW11 8PR in accordance with the terms of the application Ref 22/3192/HSE, dated 16 June 2022, subject to the following conditions:

1) The proposed single storey rear extension hereby permitted shall begin not later than three [3] years from the date of this decision.

2) The development hereby permitted shall be maintained in perpetuity and in accordance with the approved drawings listed below, unless further planning permission is sought from the Local Planning Authority:

- 'Proposed North East and South East Elevations,' Drawing No.2119-NMA-00-ZZ-DR-A-00201 Rev P6, Dated 10/3/2022;
- 'Proposed North West and South West Elevations,' Drawing No.2119-NMA-00-ZZ-DR-A-00200 Rev P5, Dated 10/3/2022;
- 'Proposed Ground and First Floor Plans,' Drawing No.2119-NMA-00-ZZ-DR-A-00100 Rev P5, Dated 10/3/2022;
- 'Proposed Loft and Roof Plans,' Drawing No.2119-NMA-00-ZZ-DR-A-00101 Rev P6, Dated 10/3/2022;
- 'Proposed Sections AA and BB,' Drawing No.2119-NMA-00-ZZ-DR-A-00300 Rev P5, Dated 10/3/2022;

3) The materials to be used in the external surfaces of the single storey rear extension shall match those used in the existing building.

4) Once the proposed side dormer window(s) in the side elevations facing 33 and 37 Ridge Hill have been installed, they 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.

5) The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Preliminary Matter

2. Both parties refer to a planning consent¹ on the appeal site which permitted a part single part two storey front, side and rear extensions; alterations and extensions to existing roof to include extension involving rear and side dormer windows, and 2no front facing rooflights; and relocation of front door to centre of front bay window. The planning consent is still able to be implemented and the Council in the Planning Officer Report comment except for the proposed rear dormer window, that all of the elements within the planning application have previously been approved under this existing consent. As such, the existing consent is a material consideration and I am therefore satisfied that I do not need to address these elements. Given the only matter in dispute refers to the rear dormer window, this will be the focus of this letter.

Main Issue

3. The main issue is the effect of the proposed rear dormer window upon the character and appearance of the host building and the surrounding locality.

Reasons

4. The appeal site is located along Ridge Hill, which forms one of a number of streets in the local area that contains formally laid out speculative housing which appears to date from the early-mid twentieth century. The dwellings within this location are two storey semi-detached dwellings with hipped roofs with a number of dwellings having a two storey protruding canted bay window with bracketed overhanging hipped roof over, and clad in pebbledash which are arts and crafts inspired. The dwellings are positioned to follow the road and have a consistent setback and positioning in relation to the road edge and surrounding dwellings. The tops of trees in rear gardens are visible from gaps in between dwellings. These elements together with vegetated front boundary treatments, street trees and front gardens assist in reinforcing positive qualities that contribute to local character and distinctiveness. A number of additions and extensions are evident throughout the estate, which have a subservient appearance that does not detract from the original proportions of the dwellings that make up the planned estate.
5. The appeal site displays a number of positive qualities which are experienced within the locality, and appears to be one of the original semi-detached properties of the estate, and with the front garden and similar design elements to surrounding buildings, contributes positively alongside the other dwellings which make up the locality. The remaining half of the pair of semi-detached dwellings has had previous side and rear extensions, including a dormer window to the rear roof plane.

¹ Barnet Planning Ref: 21/2802/HSE

6. In undertaking extensions and alterations to existing buildings, the London Borough of Barnet Local Plan Core Strategy (CS) Policy CS5 seeks to ensure that redevelopment delivers a high quality design by respecting local context and distinctive local character. The London Borough of Barnet Development Management Policies (DMP) Policy DM01 seeks to encourage development that provides positive characteristics such as understanding context, be high quality in design, form, scale, layout and the spaces around them, amongst others. These policies are supported by the Residential Design Guidance Supplementary Planning Document (RDG) which offers guidance on specific elements of designing new schemes and alterations, taking into account context and character, amongst others.
7. The RDG suggests that not all houses can be extended and that extensions can individually and cumulatively have a profound effect on the appearance of an area. As such it is necessary to give consideration to elements such as amenity, harmony, materials and details and fitting into the street, amongst others. For rear dormer windows the RDG suggests that the dormer should not overlap the hip or rise above the ridge, be set in at least a metre from the party wall or chimney stack; and should not occupy more than half the width or depth of the roof slope, amongst others.
8. The proposed dormer window would be less than half the depth of the roof slope and would not protrude over the edge of the hip, however would not meet the guidance in areas such as the 1 metre setback from the party wall. I can appreciate the concerns expressed by the Council, particularly the width and juxtaposition of the dormer window with the roof of the two storey rear extension and the lack of compliance of the width to the RDG. However the RDG represents guidance and also seeks to understand other matters such as harmony and symmetry which in this case the proposal would comply with considering its relationship with the remaining half of the pair of semi-detached dwellings. As such, the width of the dormer window would be the same as on the remaining half of the pair of semi-detached buildings, which adds an element of symmetry which partly offsets the somewhat poor relationship between the dormer window and the roof of the two storey rear extension. Given the extent of poor extensions in the locality such as hip to gable roof extensions with overly large dormer windows located further along the street, the proposal would be a more appropriate and subservient addition which is an appropriate design response.
9. In conclusion of this matter, the proposed scheme would present an appropriate architectural approach which is subservient, and would be in keeping with the site and its context. Consequently, the rear dormer would be an appropriate alteration to the existing dwelling that would not cause detriment to the character and appearance of the existing building or the greater locality. The scheme would therefore be compliant with CS Policy CS5 and DMP Policy DM01, which is supported by the RDG.
10. I note that the Decision Notice refers to CS Policy CS1, which is a strategic policy which illustrates housing supply and delivery and does not give guidance in relation to the assessment of character, design or appearance. As such the policy is not relevant to the assessment of this matter.

Conclusion and Conditions

11. For these reasons, and having considered all matters raised in evidence and from what I saw during my site visit, I conclude that the appeal should be allowed and planning permission granted, subject to the conditions as detailed in the annex accompanying this decision.
12. I refer to the suggested conditions specified by the Council in their Questionnaire and Planning Officer Report, if the appeal was to be allowed and have considered them in accordance with the Planning Practice Guidance (PPG). The standard conditions which specify time limit, approved plans and a matching materials condition is considered necessary and for the avoidance of doubt, and to ensure the satisfactory appearance of the proposed scheme. Suggested Condition No.3 seeks to restrict occupancy until the proposed side dormer windows are obscurely glazed. Given that the building is already occupied and the owners may choose to live within the building whilst development is taking place, and may also not choose to implement the full permission in one phase; it would be unreasonable to restrict existing occupancy. As the issue is with the dormer window, it would be more appropriate to cite within the condition that it is the installation of the dormer window that would trigger it to be obscurely glazed. The condition has been amended accordingly to make it reasonable.
13. Suggested condition No.5 seeks to prevent the flat roof of the rear extension from being utilised as a sitting out area which is necessary in that it avoids potential issues to living conditions of surrounding residents. Suggested Condition No.6 seeks to remove permitted development rights for windows to be installed on the side facades. This condition is not considered necessary, given that the General Permitted Development Order (as Amended) 1995 places conditions on such installations with regards to obscure glazing and opening. This condition is therefore not necessary and is deleted.

J Somers
INSPECTOR