

Appeal Decision

Site visit made on 23 August 2024

by B Astley-Serougi BA(Hons) LLM MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th November 2024

Appeal Ref: APP/N5090/W/24/3339816

17 and 19A Glendor Gardens, London, NW7 3JY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Gutwirth against the decision of the Council of the London Borough of Barnet.
 - The application Ref is 23/5392/FUL.
 - The development proposed is Roof extension involving hip to gable, rear dormer and 2no. front facing rooflights to no 19a. Roof extension involving hip to gable, rear dormer and 2no. front facing rooflights to no.17 (Amended Description).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has referred to an emerging Local Plan at examination. I have not been provided with the emerging Local Plan. I have determined this appeal with reference to policies from the existing adopted development plan.
3. The application form states that the site address is '17 Glendor Gardens, Mill Hill, Barnet, London, NW7 3JY'. This does not accurately reflect the location of the proposed development. Therefore, I have used the site address given in the appeal form and decision notice for clarity in the banner heading. Additionally, the name of the appellant differs from that of the original applicant. The banner heading reflects the clarification which was given by the appellant.
4. The application form states the development is a 'Retrospective application for a hip-to-gable roof conversion with a rear dormer at no.19a and proposed application for a hip-to-gable roof conversion with a rear dormer at No.17'. This is not an accurate reflection of the development. Therefore, I have used the description of development from the appeal form and decision notice for clarity in the banner heading. I have removed the term 'retrospective' as it is not an act of development.
5. The Council has issued an enforcement notice in relation to the works that have been carried out at 19a Glendor Gardens. Whilst I am aware of ongoing

enforcement matters at the site, this has not had a bearing on my determination of this appeal against the refusal of planning permission.

6. I saw during my site visit that the development at 19a Glendor Gardens has commenced on site. However, I have considered the appeal on the plans before me, as did the Council.

Main Issue

7. The effect of the development on the character and appearance of Nos. 17 & 19A Glendor Gardens and the surrounding area.

Reasons

8. 17 & 19A Glendor Gardens (Nos 17 & 19A) are located in an established residential area. Glendor Gardens is a quiet cul-de-sac characterised predominantly by pairs of semi-detached dwellings with a high level of symmetry. The appeal properties are a pair of semi-detached dwellings with hipped roofs. The hipped roof design adds to the balanced and pleasant character of the dwellings.
9. The scale and bulk of the dormers would be substantial when viewed in relation to the original roof scape on the appeal properties. The development would be more than half the width and height of the original roof and thus result in a prominent addition to the modest roofs of Nos 17 & 19a. Moreover, the appeal scheme would result in the erosion of the original hipped roofs which remain a fundamental aspect of the roofscape on Glendor Gardens despite some gable end developments. Consequently, the appeal scheme would introduce prominent and incongruous additions to the roofscape.
10. The appellant has drawn my attention to other development in Glendor Gardens that has resulted in an unbalanced character to properties as well as large two storey extensions. However, I do not have the full details of these schemes before me and therefore do not know the detailed circumstances which resulted in permission being granted. Moreover, given the harm I have identified above, the existence of these developments does not provide justification for a development that I consider to result in harm to the character and appearance of the appeal properties and the surrounding area.
11. A previous appeal decision¹ regarding No 19a was dismissed. I do not have the full details of the appeal before me. The owners of No 17 have stated that they would not consent to development on the roofscape of their property. There is no legal agreement before me which would secure that both roof developments would be implemented. Consequently, I am not satisfied that Nos 17 & 19a would become a balanced pair. However, even if I was satisfied that both roof developments would be implemented, it would still not address the consequent harm I have identified above with regard to the proposed roof design and scale and bulk of the dormers.
12. Given the above, the appeal scheme would fail to accord with the Barnet Residential Design Guide SPD 2016 (the SPD) which states that '*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.*'

¹ Planning Appeal reference: APP/N5090/W/22/3313551

Furthermore, paragraph 14.35 of the SPD outlines the criteria that should be considered when assessing a hip to gable development. An important requirement is that *'The gable should not appear out of character within the street scene'*. This is further supported by paragraph 14.34 which states that *'Consideration will be given to whether or not gable end extensions are a characteristic feature of the street and wider area.'*

13. In conclusion, the appeal scheme would result in harm to the character and appearance of Nos 17 & 19a and the surrounding area. Therefore, the proposal would conflict with Policy D3 of the London Plan 2012, Policy CS5 of the Barnet Local Plan Core Strategy DPD 2012 and Policy DM01 of the Barnet Local Plan Development Management Policies DPD 2012. All of which seek, amongst other things, to ensure new development is of a high level of design which respects and assimilates with the character of the surrounding area. In addition, the proposed development would fail to accord with Barnet's Residential Design Guide Supplementary Planning Document 2016 which provides detailed guidance on roof extensions and dormers to ensure they respect the character and appearance of the surrounding area.

Conclusion

14. The proposal conflicts with the development plan, and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

B Astley-Serougi

INSPECTOR