

Appeal Decision

Site visit made on 25 October 2016

by Jameson Bridgwater DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4th November 2016

Appeal Ref: APP/M5450/D/16/3157306

20 Malpas Drive, Pinner HA5 1DQ

- 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 Rikee Verma against the decision of the London Borough of Harrow.
 - The application Ref P/2262/16 was refused by notice dated 8 August 2016.
 - The development proposed is described as 'Front porch; single storey side extension to both sides; single and two storey rear extension; insertion of rooflights in both side roofslopes; external alterations; detached garage at rear; hardsurfacing of front garden; alterations to existing vehicle access at front; front boundary wall'.
-

Decision

1. The appeal is dismissed.

Main issues

2. The main issues in the appeal are:
 - the effect of the proposal on the character and appearance of the area, with particular regard to street scene and protected trees.
 - the effect of the proposal on the living conditions of the occupiers of No 22 Malpas Drive (No 22), with particular regard to privacy.

Reasons

3. Malpas Drive is a residential street which is suburban in character. The area as a whole is a largely intact and a high quality example of classic Metro-land architecture and urban design. The houses in the area are predominantly detached and two-storey with tiled roofs. The houses are constructed from a combination of brick and render, with many retaining their original timber fenestration. The majority of the properties have private off street parking and generous rear gardens. The space between the dwellings, materials and fenestration contribute to character and appearance of the area.
 4. Number 20 is a two-storey detached property finished in render with timber and brick fenestration with gardens to the front and rear. Occupying a prominent corner location No 20 is one of two dwellings that form the gateway to Winchester Drive. The property has two protected trees within the rear garden that have been pollarded over time. Notwithstanding the pollarding, the protected trees are highly visible and make a positive contribution to the suburban street scene.
-

Character and appearance

5. I have carefully considered the appellant's representations in relation to detailed pre-application discussions with the Local Planning Authority in relation to the proposed extensions to the property and the erection of a detached garage. However, the proposed side extension on the northern elevation (adjoining No 24) would fail to relate to the design and character of the host dwelling, due to the overall height and bulk of the hipped roof which would not be subordinate to the original scale or architectural style of the host dwelling. Therefore, the proposed development would appear incongruous and have an adverse impact on the suburban (Metro-land) character and appearance of the area.
6. With regard to the proposed detached garage, based on my observations and the evidence before me, it has not been substantively demonstrated that the siting and construction of the proposed garage would not result in the potential loss of the protected Beech tree. Moreover, I have carefully considered if the imposition of conditions relating to construction and tree protection could overcome the harm I have identified. However, even with the imposition of conditions a significant level of root loss would be unavoidable and therefore planning conditions in this specific circumstance would not overcome or mitigate the identified harm.
7. Having reached the conclusions above the proposed development would appear incongruous and unduly dominant in relation to the host dwelling and the street scene. Furthermore, the siting of the proposed garage would be likely to result in the loss of a protected Beech tree. Consequently, the cumulative effects of the proposal would therefore result in material harm to the suburban (Metro-land) character and appearance of the area.
8. The proposed development therefore conflicts with Policies DM1 and DM22 of the Harrow Development Management Policies Local Plan and Policies 7.4B and 7.21 of the London Plan. These policies amongst other things seek to ensure that new buildings and extensions relate to their setting to protect and enhance local character. In reaching my conclusions I have also taken into account the Harrow Residential Design Guide SPD (2010).

Living conditions

9. The appellant has confirmed in an email dated 30 August 2016 that they would be prepared to remove all ground floor side facing windows from the single storey side extension facing No 22. Had I been minded to allow the appeal I would have sought the view of the Council with regard to the alternative proposal prior to issuing a decision. However, as I intend to dismiss the appeal for other reasons, I have not pursued this matter further as ultimately the deletion of the windows from the scheme would not affect the overall outcome of the appeal and consequently the decision does not turn on this matter.

Other considerations

10. The appellant has submitted a copy of pre-application correspondence between themselves and the Council in relation to the administration and decision making process of their application. However, this is a matter of local government accountability and even if the decision had been reached without the issues set out in the correspondence, I have no evidence before me to suggest that the decision would have been different.

Conclusion

11. For the above reasons and having regard to all other matters I conclude that the appeal should be dismissed.

Jameson Bridgwater

INSPECTOR