
Appeal Decision

Site visit made on 7 November 2016

by Helen Cassini BSc(Hons) DipTP MRTPI

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

Decision date: 24 November 2016

Appeal Ref: APP/M5450/D/16/3156822

6 Waxwell Close, Pinner, Middlesex HA5 3ET

- 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 Mrs Gemma Bithell against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/1978/16, dated 20 April 2016, was refused by notice 8 July 2016.
 - The development proposed is a single storey rear extension & roof lights. Internal alterations.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension & roof lights and internal alterations at 6 Waxwell Close, Pinner, Middlesex HA5 3ET in accordance with the terms of the application, Ref P/1978/16, dated 20 April 2106, subject to the following conditions:
 - (1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - (2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Drawing Titles & Location Plan dwg. no. 01, Existing Ground Floor dwg. no. 02, Existing Roof Plan dwg. no. 03, Existing Elevations dwg. no. 04, Existing Elevations dwg. no. 05, Existing Views dwg. no. 06, Existing Details dwg. no.07, Proposed Design and Access Statement dwg. no. 08 (dated 21/03/16), Proposed Ground Floor dwg. no. 09, Proposed Roof Plan dwg. no. 10, Proposed Elevations dwg. no.11, Proposed Elevations dwg. no. 12, Flood Risk Assessment dwg.no.13 (dated 20/04/16).
 - (3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Waxwell Close Conservation Area (the CA).

Reasons

3. The CA comprises of a curve of semi-detached two storey dwellings which date back to the early 20th century. The special character of the CA relates mainly
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to the uniformity of dwellings and the attractive high quality residential architecture. The Harrow Council Conservation Area Appraisal and Management Strategy – Waxwell Close 2009 (the CAAMS) further states that the interest of the CA also relates to the private crescent shaped area which consists of mature vegetation and provides a semi-secluded character. As a result of the crescent and vegetation, the host dwelling is well screened from the surrounding residential area.

4. My impression was that the fronts of the dwellings within the CA are generally 'as original' and in my view they make a positive contribution to the character and appearance of the CA. Nevertheless, it was apparent from my observations that some of the dwellings within the CA have undergone side extensions. Whilst relatively modest in scale these have, to an extent, detracted from the uniformity of the locality.
5. As the appeal site is located within the CA, in assessing the effect of the proposal I therefore have a duty to pay special attention to the desirability of preserving or enhancing its character and appearance. As heritage assets are irreplaceable, any harm or loss requires clear and convincing justification.
6. I acknowledge the concerns of the Council in relation to the increased mass of the proposal in relation to the existing extension, as the scheme would span the entire width of the rear of the host dwelling. However, although the proposal would lead to an increase of approximately 10 square metres of floor space, the proposal would result in a shallower depth and height than the existing rear extension. In addition, as the side elevation which faces 7 Waxwell Close is to be retained, no increase in bulk in proximity to the neighbouring dwelling would be experienced.
7. Accordingly, I do not consider that the proposal be substantially out of scale or overly dominant and bulky in the context of the host building and the wider CA.
8. Furthermore, I note the appellant's contention that subject to prior approval, it may be possible to construct a larger scale extension. I have no evidence before me to doubt that this is a realistic alternative option and as such, I consider this to be a valid fall back option. I therefore attach significant weight to this position.
9. Turning my attention to the brickwork, given the increase in width of the proposal, I accept that some loss of brickwork would result. However, it is evident that the proposal would utilise facing brickwork and pointing to that of the host dwelling. In addition the proposed red brick quoins to the corners of the wall would also match the existing features on the host dwelling.
10. I further acknowledge that the proposal would result in the loss of the existing set of patio doors on the rear elevation. However, the existing fenestration within the extension currently fails to reflect the original fenestration of the first floor. Whilst it is accepted that the proposal includes significant folding doors, the use of wooden frames and the surrounding quoins would largely reflect the original fenestration detail. In addition, the proposed windows on either side of the folding doors have also been designed to match those on the first floor. Consequently, I find that the fenestration in the extension is of a sympathetic design, both in relation to scale and materials and would not therefore appear as an incongruous feature.

11. The CAAMS confirms that flat roofs are the most appropriate in terms of limiting the bulk of extensions. Nevertheless, given the relatively modest pitch proposed, the existing first floor windows would not be obscured. Concern has been raised by the Council in terms of the use of zinc cladding on the roof. The dark grey colour of the zinc cladding may correlate more readily with slate, however the use of this material is likely to give a more lightweight and less bulky appearance than if using roof tiles. In addition, as the canopy on the front elevation appears to be constructed from a similar material, I am not persuaded that the use of zinc as an external material would be inappropriate in this instance, as it would not appear at odds with the existing materials used on the host dwelling.
12. My attention has also been drawn to the existence of rear extensions with sloping roofs in proximity to the appeal site. However, I have little information relating to these developments and whether the circumstances which lead to the developments are comparable. As such, a comparison is of limited relevance in this instance and I have considered the appeal before me on its individual planning merits.
13. On the basis of the above, and taking into consideration the fall back position which may result in a larger scale extension being constructed, I find that the proposal would not materially harm the external appearance of the host dwelling and as such, the proposal would preserve the character and appearance of the CA. Therefore the proposal would not conflict with Policies 7.4B, 7.6 B and 7.8 D of The London Plan (2015), Policy CS 1 B and D of the Harrow Core Strategy 2012, Policies DM 1 and DM 7 of the Harrow Development Management Policies: Local Plan 2013 and guidance contained within the Harrow Council Local Development Framework Supplementary Planning Guidance; Residential Design Guide 2010 and the CAAMS. These policies and guidance when taken together, amongst other things, require that extensions should be compatible with the scale and character of existing development, their neighbours and their setting, including the character of conservation areas.

Conditions

14. The Council has suggested a number of conditions which it considers would be appropriate were the appeal to be allowed. I have considered these in light of both the National Planning Policy Framework and Planning Policy Guidance and find the majority to be reasonable and necessary in the circumstances of this case.
15. In addition to the standard commencement condition, a condition is necessary requiring that the development is carried out in accordance with the approved plans in order to provide certainty. In order to ensure a high quality development, a condition relating to the materials to be used in the construction of the external surfaces of the proposal is also necessary.
16. The Council has requested a condition prohibiting windows in the flank elevations in order to protect the amenities of neighbouring dwellings. No windows are proposed within the flank elevations, apart from the existing two small windows on the elevation adjacent to the neighbouring dwelling at No 7. Therefore, I do not consider that the proposal would result in any undue loss of privacy to the neighbouring occupiers. As such, I do not find it necessary to impose a condition restricting windows in the flank elevations.

17. I further note the concern raised in relation to the site being located in Flood Zone 3 and further acknowledge the comments from the Drainage Authority in relation to the content of the submitted Flood Risk Assessment. However, as confirmed by paragraph 10 of the Technical Guidance to the National Planning Policy Framework, the development represents minor development and the submitted scheme indicates that the finished floor level will be 300mm above the lowest ground level. Therefore there is no evidence before me to confirm that the proposal would give rise to flood risk or increase local drainage issues. Accordingly, I find no reason to impose a flood or drainage condition.

Conclusion

18. I therefore conclude that, subject to appropriate conditions, the appeal should be allowed.

Helen Cassini

INSPECTOR