
Appeal Decision

Site visit made on 20 January 2017

by Julie Dale Clark BA (Hons) MCD DMS MRTPI

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

Decision date: 6 February 2017

Appeal Ref: APP/M5450/D/16/3164191

32 Willowcourt Avenue, Kenton, Harrow, Middlesex HA3 8ES

- 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 Karsan Bhudia against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/4194/16, dated 22 August 2016, was refused by notice dated 4 November 2016.
 - The development proposed is 2 - storey side + rear extension + single - storey side + rear extension.
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Procedural Matter

1. The proposed development is described as a single and two storey side to rear extension; single storey rear extension on the decision notice. This is a more accurate description of the development and so I shall refer to this description accordingly.

Decision

2. The appeal is allowed and planning permission is granted for a single and two storey side to rear extension; single storey rear extension at 32 Willowcourt Avenue, Kenton, Harrow, Middlesex HA3 8ES in accordance with the terms of the application, Ref P/4194/16, dated 22 August 2016, subject to the following conditions:-
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no windows shall be installed in the first floor flank elevation facing No 30 Willowcourt Avenue.
 - 4) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 1:1250 Location Plan; Drawing Nos: W1; W2; W3; W4; W5; and W6.
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Main Issue

3. I consider that the main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site is a semi-detached house with bay windows to both ground and first floor levels and a gable feature above the bays. There is also a porch to the front elevation. The adjacent house, No 34 has a two-storey side extension which is set back from the front wall of the house at first floor level. The proposed two-storey side extension would be set back from the front porch in line with the front wall of the house but set back by 1metre at first floor level. The extension would have a hipped roof to match that of the original house. A single storey rear extension is also proposed. No concerns have been raised by either a neighbour or the Council about the single storey rear extension and I too have no concerns about it.
5. The requirement for high quality design runs through national and local policy in terms of the National Planning Policy Framework¹, Policies 7.4 and 7.6 of the London Plan² and Development Management Policy DM 1³. DM 1 in particular indicates that proposals which fail to achieve a high standard of design or which are detrimental to local character and appearance will be resisted. Core Strategy Policy CS 1⁴ also clarifies that proposals that would harm the character of suburban areas will be resisted and all development should respond positively to the local context in terms of design, siting, density and spacing; extensions should respect their host building.
6. Further guidance is also provided in the Council's Residential Design Guide (SPD)⁵. In particular for first floor or two-storey side extensions, a pitched roof should be provided to reflect the form of the original roof. A hipped rather than a gable roof is stated as being preferred as it reduces roof bulk and prevents a 'terracing' effect on detached and semi-detached properties. The SPD further advises that for detached and semi-detached houses, the minimum requirements are a set-back of the first floor front wall by at least 1 metre behind the adjacent front corner of the front elevation and a subordinate pitched roof⁶. The following paragraph⁷ sets out circumstances where a different or no set-back may be justified.
7. In this case there would be a 1 metre set-back at first floor level; the roof would be hipped; and the ridge would be lower than the existing ridge. The proposal would therefore comply with the guidance in the SPD. Whilst the space between Nos 32 and 34 would be filled in by the extension, given the design of the proposal and the existing porch, bay windows and gable feature, I find the proposal acceptable. I do not consider that the proposal would conflict with the policies referred to or the SPD.

¹ Department for Communities and Local Government National Planning Policy Framework, March 2012.

² Mayor of London The London Plan The Spatial Development Strategy for London Consolidated with Alterations Since 2011, March 2016.

³ Harrow Council Development Management Policies, July 2013.

⁴ Harrow Core Strategy, February 2012.

⁵ Local Development Framework Supplementary Planning Document Residential Design Guide, Adopted 15 December 2010 (SPD).

⁶ SPD Paragraph 6.46.

⁷ SPD Paragraph 6.47.

8. I have considered the conditions suggested by the Council in the light of the Planning Practice Guidance⁸. The Council has suggested a condition requiring the materials to match the existing building. This is necessary in order to achieve a satisfactory appearance. A condition is also suggested preventing any windows or doors to be installed in the flank elevations. I consider that the only flank elevation requiring any restriction for new openings would be that at first floor level in the two-storey side to rear extension facing No 30. However, I consider it unlikely that a door would be inserted given the elevated position of this flank wall. It is necessary and reasonable though to restrict any new window opening in order to safeguard the amenity of the occupiers of the neighbouring property. The Council has also suggested that the roof area of the single storey rear extension shall not be used as a balcony, roof garden or similar amenity area. However, the single storey extension would have a sloping roof and I see no need to impose this condition. Otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. I shall impose a condition accordingly.
9. I have considered all matters raised including the various alterations to other dwellings in Willowcourt Avenue and the overall impact on the streetscene but neither this nor any other matter raised alters my conclusion. I conclude that the proposal would be acceptable and the appeal therefore succeeds.

J D Clark

INSPECTOR

⁸ Planning Practice Guidance, 6 March 2014.