The Planning Inspectorate

Appeal Decision

Site visit made on 10 February 2017

by F Rafiq BSc (Hons), MCD, MRTPI

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

Decision date: 01 March 2017

Appeal Ref: APP/M5450/D/16/3162891
271 Torbay Road, Harrow, HA2 9QE

- 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 L Sargent against the decision of the Council of the London Borough of Harrow.
- The application Ref P/3312/16 dated 8 July 2016 was refused by notice dated 19 October 2016.
- The development proposed is described as the retention of existing outbuilding previously approved, but with amended roof height.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The outbuilding was externally complete at the time of my visit. The folding doors on the front elevation consisted of three sections whereas the submitted plans show four folding sections. For clarity, I am dealing with the appeal based on the submitted plans.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area and on the living conditions of the occupiers of neighbouring residential occupiers with regard to outlook.

Reasons

Character and Appearance

4. The appeal property is a two-storey end-terraced property situated in an area with similar properties. These buildings have regular features such as curved bay windows, front porches and make consistent use of render and pebble-dash wall materials, which contribute to the pleasant, suburban residential character of the area.

5. The appeal development consists of a single storey outbuilding which extends across the full width of the plot and has been constructed at the end of the rear garden of the host property. Reference has been made to a previous approval of an outbuilding but I have not been provided with the full details of that

permission. It is however clear from the representations made by the Council and the appellant that the height of the outbuilding is higher than the previous approval. It has a large footprint which in combination with its height of around 3.9m, results in a building of a substantial mass. Its close proximity to the rear and side boundaries also gives rise to the outbuilding appearing as a dominant and incongruous addition to the host property. The outbuilding has been constructed in yellow brick which is different to the predominant use of render and pebble dash as a facing material on the host and neighbouring properties. This further accentuates the unsympathetic nature of this addition.

6. I was able to see other outbuildings in the locality from the appeal property. These however tended to be of a smaller scale than this development and did not dominate the rear aspect of the respective host properties in the way this outbuilding does. Reference has been made to similar buildings in the wider area but I have not been provided with any details of these cases for me to make a comparison. In any case, each development falls to be considered on its own merits.

7. Taking all the above factors into account I conclude on this issue that the appeal scheme is materially harmful to the character and appearance of the area and as such it does not accord with Policies 7.4 and 7.6 of The London Plan, Policy CS1 of the Harrow Core Strategy and Policy DM1 of the Harrow Development Management Policies DPD, which require, amongst other matters, development to achieve a high standard of design and seek to resist proposals that would harm the character of suburban areas. It would also be contrary to the Residential Design Guide Supplementary Planning Document (SPD), which seeks to achieve a consistently high standard of design.

Living Conditions

8. The Council have raised concerns about the excessive height, scale and the proximity to the site boundaries of the outbuilding and the consequential effects on the occupiers of No's 269 and 273 Torbay Road. Whilst I note that the outbuilding is higher than what the SPD recommends when positioned close to the boundary, it is sited at the end of the garden and some distance from the rear of the neighbouring properties such that it would not appear as an obtrusive and dominant form of development. The appeal and adjoining properties also have large rear gardens and I do not consider that the outbuilding has an unduly detrimental effect on the use of these spaces.

9. I therefore conclude that the development would not be materially harmful to the living conditions of neighbouring residential occupiers. I consider Policy 7.6 of The London Plan and Policy DM1 of the Harrow Development Management Policies DPD to be of most relevance to this aspect of the appeal development. There would be no conflict with these policies which require consideration of any impacts on neighbouring occupiers nor with the aims of the SPD, which seeks to protect the amenity of neighbouring occupiers.

Conclusion

10. I have found in the appellant's favour in relation to the issue of living conditions. However, I conclude that the appeal proposal would be unacceptable in relation to the impact on the character and appearance of the area.

11. For the reasons given above and having considered all other matters raised, including those relating to flood risk, the appeal should be dismissed.

F Rafiq

INSPECTOR