
Appeal Decision

Site visit made on 3 May 2017

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 19 May 2017

Appeal Ref: APP/M5450/D/17/3169894

1 Ash Close, Stanmore HA7 3RH

- 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 D Vekaria against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/4733/16, dated 5 October 2016, was refused by notice dated 1 December 2016.
 - The development proposed is the erection of a first floor side extension over an existing single storey; part single storey/part two storey rear extension; single storey side extension; single storey front porch extension and garage conversion.
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Decision

1. The appeal is allowed and planning permission granted for the erection of a first floor side extension over an existing single storey; part single storey/part two storey rear extension; single storey side extension; single storey front porch extension and garage conversion at 1 Ash Close, Stanmore HA7 3RH in accordance with the terms of the application, Ref P/4733/16, dated 5 October 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 development hereby permitted shall be carried out in accordance with the following approved plans: D034_A_100 Rev P01; D034_A_101 Rev P01; D034_A_102 Rev P01; D034_A_103 Rev P01; D034_A_105 Rev P02; D034_A_106 Rev P01; D034_A_107 Rev P01; Arbor 002 Tree Protection Plan and Arbor 002 Tree Constraints Plan.
 3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those identified on approved plans: D034_A_106 Rev P01 and D034_A_107 Rev P01.

Main Issues

2. It is considered that the main issues are the effects of the proposed development on (a) the character and appearance of the host property and the surrounding area, in particular the streetscene, and (b) the living conditions of the occupiers of the surrounding properties.
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Reasons

Character and Appearance

3. The appeal property comprises a 2-storey dwelling with a single storey side addition situated at the junction of Ash Close and Gordon Avenue. The property is located within a predominantly residential area with dwellings of varying designs and external materials. There are examples of dwellings which were originally of a similar design as the property but some of these have been altered, including 3 Ash Close. The property and No. 3 are the only 2 dwellings which front this side of Ash Close.
4. The proposed development includes a front porch, a 2-storey rear extension of a similar form as the property, a first floor side extension and single storey side extension which would also wrap around the rear extension. These alterations would cumulatively represent a large increase in the size of the property rather than being subservient additions. The guidance for householder developments contained in the *Supplementary Planning Document: Residential Design Guide* (SPD) refers to extensions not dominating the original building or the surrounding streetscape.
5. However, although cumulatively the proposed extensions are large in scale, this is a case where the plot is of sufficient size to enable the resulting property to be accommodated without appearing a cramped form of development. The scale of the resulting property would also not be significantly larger than No. 3. Further, the spacious character and appearance of the area around the junction and the wider streetscape along the adjacent roads would be respected.
6. The Council has not specifically objected to the 2-storey rear and first floor side extensions. There are no reasons to disagree with the Council's assessment. As noted by the Council, the proposed porch would be larger than could normally be erected as permitted development. However, in the context of a similar addition to No. 3, and other dwellings with front additions, the proposed porch would not appear an incongruous addition to this property, particularly in circumstances where the other elements of the appeal scheme are found to be acceptable.
7. By reason of the existing boundary and the change in ground levels, the proposed single storey side and rear extension would not be a conspicuous or unsympathetic addition to the property when viewed from the roads, particularly from Gordon Avenue. The appearance of the proposed extension's front elevation would not result in an unsympathetically designed or bulky addition to the host property. Instead, it would appear to be a subservient single storey garage with a pitched roof.
8. The proposed single storey side extension would have both pitched and flat roof elements. However, from the adjacent roads, the proposed flat roof form would not be a particularly noticeable or visually dominant form of development. The pitched part of the roof, the property, the existing fence supplemented by a hedge along the boundary with Gordon Avenue and the tree, subject of a Tree Preservation Order (TPO), within the front garden would assist with assimilating the proposed extension with its flat roof element into the streetscape.

9. The property's painted brickwork does not positively contribute to the character and appearance of the streetscene. Although there are limited examples of cladding within the surrounding area, the buildings are already erected with a wide variety of external materials, including brick, render, wooden detailing and hanging tiles. The erection of cladding at first floor level and use of render at ground floor level would improve the appearance of the property.
10. Overall, by reason of siting, materials, design and size, the resulting dwelling would not be an unduly bulky, conspicuous or visually dominant form of development on this corner plot when viewed from adjacent roads. Instead, of being a discordant or visually intrusive feature within the streetscene, the enlarged property would be assimilated into the diverse character and appearance of dwellings within the surrounding residential area.
11. For the reasons given, it is concluded that the proposed development would not cause unacceptable harm to the character and appearance of the host property and the surrounding area, in particular the streetscene, and, as such, it would not conflict with Policies 7.4 and 7.6 of The London Plan (LP), Policy CS1 of the Core Strategy (CS), Policy DM 1 of the Harrow Development Management Policies Local Plan (DM) and the general guidance contained in the SPD. Amongst other matters these policies require development to be of high quality design which is not detrimental to local character and appearance and for extensions to respect their host buildings. These policies are consistent with the National Planning Policy Framework's (the Framework) core principle of securing high quality design.

Living Conditions

12. The Planning Officer's report refers to paragraph 6.74 of the SPD concerning floor-to-ceiling French doors or windows being avoided because they might result in direct or perceived overlooking. However, this paragraph is included in the SPD section which considers roof alterations. There would be no roof level opening of this type associated with the appeal scheme. However, the SPD has general guidance concerning overlooking and loss of privacy against which the proposed development has been assessed.
13. At first floor level there is an existing rear bedroom window which has an outlook towards the side elevation of 102 Gordon Avenue and rear part of the amenity area of No. 3. This amenity area includes a large outbuilding. The appeal scheme includes the erection of a first floor Juliette balcony within the rear elevation of the 2-storey extension.
14. Although a larger opening than the current window and also sited further rearwards, the proposed Juliette balcony would have a similar outlook towards Nos. 3 and 102. When compared to the prevailing situation, there would be no significant change to the perceived or actual levels of overlooking and associated loss of privacy to the occupiers of these neighbouring properties caused by the proposed opening. No conflict would arise with the SPD's general guidance concerning extensions not resulting in any significant loss of privacy to neighbouring houses and gardens.
15. On this issue, it is concluded that the proposed development would not cause unacceptable harm to the living conditions of the occupiers of neighbouring

properties and, as such, it would not conflict with LP Policy 7.6, DM Policy DM 1 and the general guidance contained in the SPD. Amongst other matters these policies require development not to cause unacceptable harm to the amenity of surrounding buildings and land, particularly to residential buildings, and achieve a high standard of privacy taking into account the prevailing character of privacy and amenity in the area. These policies are consistent with the Framework's core principle of securing a good standard of amenity for all existing and future occupiers of land and buildings.

Conditions

16. The Council has suggested a number of conditions in the event this appeal succeeds which have been assessed against the tests in the Framework and the National Planning Practice Guidance. For reasons of proper planning and for the avoidance of doubt, the proposed development should be constructed in accordance with the approved drawings. Developing in accordance with the approved drawings would also secure the protection of the tree within the front garden, subject of the TPO, during the construction period.
17. By reason of the nature of the proposed development, it is inappropriate for a condition to be imposed requiring the external materials to match those of the existing building. Instead, the external material should be those identified on the approved drawings. Accordingly, and taking into account all other matters including the Framework's presumption in favour of sustainable development, it is concluded that this appeal should succeed.

D J Barnes

INSPECTOR