
Appeal Decision

Site visit made on 20 June 2017

by Janet Wilson BA (Hons) BTP MRTPI DMS

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

Decision date: 28 July 2017

Appeal Ref: APP/M5450/W/17/3171701

98 Morley Crescent East, Stanmore HA7 2LQ

- 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 Dr Ziya Arif against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/5128/16, dated 21 October 2016, was refused by notice dated 22 December 2016.
 - The development proposed is first floor extension and conversion to 2 Flats.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area; and the effect on the living conditions of the occupants of neighbouring residential properties, with specific reference to outlook

Reasons

Character and appearance

3. This proposal would be set within an established residential area of semi-detached houses. Tiled pitched roofs with hipped details are the prevailing characteristic of the street, though there are examples of flat roofed two storey extensions and a number of single storey rear extensions which have flat roofs. These are predominantly to the rear of properties and the streetscene displays a relatively consistent rhythm of semi-detached pairs with visible gaps providing shared access to the rear. This form is well-established and is a key component of the coherent suburban character.
4. The introduction of an enlarged side extension on the existing rear two storey extension incorporating a crown roof would lead to a substantial cumulative enlargement of the original property. This would result in a dominant and incongruous extension which would lack architectural subtlety and be out of keeping with the prevailing character of the area. The structure would be at odds with the appearance of the host property particularly when viewed from between the buildings from the street.
5. Whilst I accept that this view is somewhat constrained, and despite its set back of around 10 metres, the additional bulk and massing and height of the

proposed extension would lead to a terracing effect. Though this effect would be localised it would unacceptably diminish the integrity of the host building with resulting harm to the character and appearance of the area.

6. I note the findings of the previous appeal on the site¹, but this related predominantly to ground floor extensions, particularly when considering the impact on the streetscene. For the above reasons, I consider the proposal would be in conflict with Policies 7.4 B and 7.6 B of the London Plan - The Spatial Development Strategy for London Consolidated with Alterations since 2011 (2016) (the London Plan); Policy CS1(B) of the Harrow Core Strategy (2012)(Core Strategy); Policy DM 1 of the Harrow Development Management Policies Local Plan (2013) (DMPLP) and to adopted Supplementary Planning Guidance (2010) (SPG) and to the high design aspirations of the National Planning Policy Framework. These together seek to ensure that developments have regard to local context, contribute positively to the urban landscape, promote local distinctiveness and do not harm the character of an area.

Living conditions

7. The development would be on the boundary with the neighbouring property. While I accept that the previous appeal noted that the ground floor extension would not be harmful, the proposal before me would be set above this. This location combined with the height of the structure would increase the impact of the extension on the neighbour.
8. There would be no material difference in the relationship between windows, as a view is already afforded from the rear of one property to the other. However, the bulk and massing would increase to such an extent that it would result in an overbearing effect on the occupants of the adjacent property which would materially detract from their living conditions.
9. For these reasons the development would be in conflict with: Policies 7.4 B and 7.6 B of the London Plan; Policy CS1.B of the Core Strategy; Policy DM1 of the Harrow DPD and the adopted SPG. These policies and guidance seek to ensure that development does not have any harmful effect or detract from the living conditions of neighbouring properties.

Other matters

10. The Council indicated a third reason for refusal relating to visual clutter associated with refuse storage and landscaping of the forecourt. I note that the Council's officer report found no particular concerns with refuse bin storage and I am satisfied that landscaping matters could have been addressed through a condition were the appeal to have been allowed.
11. The appellant stresses that the additional floor space would enhance the space in the kitchen of the proposed first floor flat significantly improving its facilities. I note that the dimensions quoted show an additional 5.5 m² which would increase the floor space to 55.6 m². However this fact alone is insufficient to outweigh the harm which I have identified above.
12. My attention has been drawn to multiple designs in the local area, including at Nos 5, 18, 61, 63 and 72, which the appellant considers are material to the consideration of this appeal. I saw on my visit that a large number of

¹ APP/M5450/C/11/2157816

properties have been extended. I was not provided with full details of the cases but was able to see that the two storey flat roofed extensions in the locality appeared to be of some age and I do not know the parameters which were in place at the time of their determination. Nonetheless several of them serve to demonstrate a poor architectural relationship with their host buildings and the impact that this has on the character and appearance of the area and they should not be used to allow similar works at the appeal site.

13. I was able to view the new extension at No 63, and see that it is set on the angle of the road such that there is significant separation between this property and its neighbour. To my mind none of the examples referred to form any sort of precedent in support of the proposal before me. In any event, I have made my decision on the basis of the evidence before me.

Conclusion

14. The appellant appears to seek a split decision as set out in paragraph 3.2 of the appeal statement. However, I consider that the extension is inextricably linked to the proposed conversion to two flats and the two parts of the proposal are not severable; a split decision would not be appropriate in such circumstances.
15. In the light of the above and having considered all other matters the appeal should be dismissed.

Janet Wilson

INSPECTOR