

Appeal Decision

Site visit made on 10 August 2017

by D Cramond BSc MRTPI

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

Decision date: 18 August 2017

Appeal Ref: APP/M5450/D/17/3177155

4 Powell Close, Edgware, HA8 7QU

- 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 Eddie Ezra against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/5894/16, dated 12 December 2016, was refused by notice dated 23 March 2017.
 - The development proposed is a dormer window to the side elevation.
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Decision

1. The appeal is allowed and planning permission is granted for a dormer window to the side elevation at 4 Powell Close, Edgware, HA8 7QU in accordance with the terms of the application, Ref P/5894/16, dated 12 December 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 construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 3. The development hereby permitted shall be carried out in accordance with the following approved plans: EZ/16/12/01, 02 & 03.
 4. The enlarged room hereby permitted shall not be occupied until the dormer window has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and the locality.

Reasons

Character and appearance

3. The appeal property is an aesthetically pleasing semi-detached dwelling in an area of varied, broadly, Tudor revival dwellings which come together to form a
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locality of established residential character and very agreeable appearance. The proposal is for a hipped side dormer to enlarge and improve the existing attic bedroom accommodation.

4. The site lies within Canons Park Estate Conservation Area. There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Policy DM7 of the Development Management Policies Development Plan Document (2013) (DMP) along with Policy 7.8 of the London Plan (LP) include wording which broadly reflect this.
5. The Council is concerned that the dormer would over-sized, obtrusive and incongruous on this property in this locality bearing in mind the nature of the host dwelling, its semi-detached relationship and the qualities of the Conservation Area. I would agree with the inherent philosophy that great care needs to be given to determining the suitability of the addition of dormers in all situations but especially in Conservation Areas. In this case certainly the dormer would be not insignificant in scale. However this is a large roof slope and it would be set down from the ridge and up from the eaves and thus not ungainly or imbalanced in that respect and in this instance neither would it be 'top heavy', overly bulky or include excessive glazing.
6. The host property is set further to the rear than its neighbour and angled a little away from the road; in streetscene terms the dormer would not catch the eye. The narrowing of the visual gap between properties would be minimal and the street does not have a fixed rhythm such that one would need to be over-concerned in relation to continuity. Looking at the road as a whole well-designed dormers are not an unusual phenomena with some original and some added structures in various positions all forming part of the roof scape and contributing to local interest.
7. The Council is right that the dormer would mean that the roofs of the semi-detached pair were no longer completely matching but I see this as less important than on most occasions given the foregoing and not least because the front elevations of these two houses are at considerable variance.
8. Having regard to the above I conclude that there would not be conflict with S72(1) of the Act, DMP Policy DM7, or LP Policy 7.8; there would be preservation of the character and appearance of the Conservation Area. Additionally, Policy DM1 of the DMP, Policy CS1 of the Harrow Core Strategy and Policies 7.4 and 7.6 of the LP, taken together and amongst other matters, call for development to be appropriately designed for its site and setting, of a suitable form and character and protective of local distinctiveness. I conclude that the appeal scheme would not run contrary to these policies which share similar *objectives* to the Council's Supplementary Planning Document: Residential Design Guide (2010) and the Canons Park Estate Conservation Area Appraisal and Management Strategy SPD 2013, albeit these documents can not be expected to cover every eventuality.

Conditions

9. The Council suggests the standard commencement condition along with the requirement for materials to match the existing building. I agree this latter condition would be appropriate in the interests of visual amenity. I also agree

that there should be a condition that works are to be carried out in accordance with listed, approved, plans; to provide certainty. The use of obscure glazing is advocated by both the Council and the Appellant and I would agree with this for the protection of neighbours' privacy; the Council's commentary on opening restrictions is also valid for the same reason.

Overall conclusion

10. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on the character and appearance of the host property or the locality. Accordingly the appeal is allowed.

D Cramond

INSPECTOR