



Appeal Decision

Site visit made on 14 November 2017

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 1 December 2017

Appeal Ref: APP/M5450/W/17/3181431

75A Harrow View, Harrow HA1 1RF

- 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 Nav Mistry against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/1196/17, dated 14 March 2017, was refused by notice dated 10 May 2017.
 - The development proposed is proposed loft conversion with two side dormer windows to first floor flat.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. It is noted that the appellant has re-served the ownership certificate (Certificate B) in response to a third party query regarding joint freehold ownership in relation to the appeal property. Whilst matters of ownership are matters between those parties directly involved, I am satisfied that the correct certificates have now been completed for the purposes of this appeal, and I have determined it accordingly.

Main Issues

3. The main issues are:-
 - The effect of the proposed development upon the character and appearance of the host property and the surrounding area; and
 - Whether or not the proposal would provide satisfactory living conditions for future occupiers of the extended property, with particular reference to internal living accommodation.

Reasons

Character and Appearance

4. Harrow View in the area around the appeal site is typified largely by semi-detached dwellings with hipped roofs, creating a pleasing rise-and-fall at roof level, with spacing and gaps between that create a regular rhythm along the street. The appeal property however is an example of an occasionally-found detached dwelling interspersed amongst the larger semi-detached properties. It is oriented so that it presents its gable-end towards Harrow View. Its dual-pitch roof, together with that of the adjacent property at 84 Radnor Road, maintains the rise-and-fall of hipped roofs found elsewhere along the street

and as such I saw that it does not obviously stand out from the prevailing pattern of development.

5. Although not itself located on the corner of Radnor Road and Harrow View, the extra height of No.75A, particularly with regard to the relative height of its roof compared with the adjacent property at No. 84 means that its north-facing roof plane is clearly seen across the inside of the junction and over the top of No. 84. It is from this aspect that the proposed dormer window extension would be particularly visible and would introduce an awkwardly bulky and incongruously protruding element to the host property's roof. Furthermore, the predominantly glazed structure would jar with the otherwise relatively plain roof-planes of No. 84 and the existing roof at No 75A. The form, proportions and extent of glazing would combine to emphasise the scale and bulk of the proposed dormer, emphasising its incongruous nature.
6. The dormer windows would be set in from the front and rear gable ends of the host property. From Harrow View this would reduce the prominence of, but not altogether block, views of the dormer cheeks from street level. From Radnor Road the dormer cheeks would be more readily visible but, in both instances, the protruding cheeks would be visible above the gable elevations. As a consequence, the roof level rise-and-fall at No. 75A would be clearly disrupted and the proposal would erode the contribution that this otherwise simply proportioned property makes to the overall rhythm along Harrow View.
7. Thus, I find that the proposed dormer window extensions on both roof-planes would fail to respect the form, character and appearance of the host property. The resulting roof form would disrupt the prevailing rise-and-fall that can be seen along this stretch of Harrow View and this would, I conclude, cause harm to the character and appearance of the host property and the surrounding area. The proposal would therefore be in conflict with London Plan (LP) policies 7.4B and 7.6B, Core Strategy (CS) Core Policy CS1.B and Development Management Policies Local Plan (DMPLP) policy DM1. Together with the Council's Supplementary Planning Document: Residential Design Guide (SPD), these policies seek to secure a high standard of design that has regard to local character, form, proportions and avoids harm thereto. In failing to secure high quality design the proposal would also fail to secure one of the National Planning Policy Framework's core planning principles.
8. I accept that the appellant has maintained the set-in distances around the edges of the proposed dormer windows that are set out at paragraph 6.70 of the SPD. However, these are given in the context of rear roof and dormer extensions, not those to the side, where the SPD recognises that in such locations dormer window extensions can be objectionable. I find that to be the case in this instance.

Living Conditions

9. The Council are satisfied that both bedrooms are of sufficient size to be considered as double bedrooms. In the parlance of the '*Technical housing standards – nationally described space standard*¹' (NDSS) No. 75A would become a two bedroom / four person (2b4p) residential unit with accommodation over two floors. As such, the NDSS requires a minimum gross internal floor area (GIA) of 79m² for a 2b/4p unit.

¹ Department for Communities and Local Government: March 2015

10. The dimensions cited by the Council state that the proposed floor area (GIA) of the extended host flat would be 73.23m². Although the appellant has questioned the Council's failure to view the interior of the appeal property that figure has not been challenged. As the proposal would create a two bedroomed unit over two floors, the resulting GIA would fall short of the minimum standard that the NDSS requires. Whilst I saw there to be adequate head-heights in the middle of the loft area under the roof's ridge, the fall of the roof would result in restricted headroom in significant parts of the proposed room, which would be further compromised by the position of the stairs and the en-suite shower room.
11. Whilst a revised floorplan was submitted with the appeal which deleted the second floor en-suite shower room, I do not consider that it has not been satisfactorily demonstrated that the proposal would achieve the levels of internal living accommodation sought by the NDSS. Thus, for the reasons I have set out, I find that the proposal would fall short of the required space standards set out in the NDSS and would not create the standard of accommodation that LP policies 3.5C and 7.6B and DMPLP policies DM1 and DM26 seek. The proposal would also fail to secure the good standard of amenity that the Framework seeks for all existing and future occupiers of land and buildings as one of its core planning principles.

Other Matters

12. I have noted the appellant's concerns regarding the Council's arrangements for viewing the property. Whilst I understand that this might have been frustrating for the appellant and client this is not a material consideration to which I can give any weight.

Conclusion

13. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR