



Appeal Decision

Site visit made on 6 August 2019

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2019

Appeal Ref: APP/M5450/W/19/3230301

12 Alpine Walk, Stanmore, London HA7 3HU

- 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 Amit Dixit against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/5316/18, dated 1 December 2018, was refused by notice dated 31 January 2019.
 - The development proposed is the approval of existing rear facing windows after the changes in pre-existing layout which affected the rear elevation on the first floor flat.
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Decision

1. The appeal is allowed and planning permission is granted for the repositioning and enlargement of windows to the rear elevation at 12 Alpine Walk, Stanmore, London HA7 3HU in accordance with the terms of the application, Ref P/5316/18, dated 1 December 2018 and the plans submitted with it.

Procedural Matter

2. The Council have described the development as the 'repositioning and enlargement of windows to rear elevation (retrospective)'. It is noted that the Appellant has also utilised this description on the appeal form. Whilst it is not strictly necessary to refer to the retrospective nature of the development, I consider that this revised description accurately reflects what is before me and I have therefore determined the appeal on this basis.

Main Issues

3. The main issues are the effect of the development on the character and appearance of the area and on the living conditions of the occupiers of the adjoining residential properties with particular regard to privacy.

Reasons

Character and appearance

4. The appeal site is located on a cul-de-sac just off the A4140 close to its junction with the A409. The properties in the area I observed were residential in use and there is a large amount of tree coverage. Alpine Walk consists of three buildings all of which are two storeys in design. The appeal property itself is a first floor flat located at the western end of a block of eight flats.

5. From my site visit I observed that the rear elevation of the property is not readily visible from any public vantage point. That said, it is visible from the rear windows and rear amenity areas from several of the flats on Alpine Walk.
6. As noted by the Council, the rear elevation of the buildings on Alpine Walk have a uniform appearance in terms of their fenestration. However, from my visit I noted that where the first floor windows are above the ground floor rear door/windows, there is a difference in the vertical alignment of the respective doors/windows between the ground and first floor windows.
7. Whilst the appeal development results in further differences in the vertical alignment of the ground and first floor windows, I am conscious that the visual impact of such is minimal. Furthermore, the amount of garden outbuildings and boundary treatments in the immediate vicinity of the building significantly restrict views. From what I observed the only clear views of the rear elevation of the host building would be from elevated positions. Taking the above into account I am of the view that the development does not harm the character of the immediate locality or the host building.
8. For the above reasons the development would not harm the character and appearance of the area and would accord with Policies 7.4 and 7.6 of The London Plan (2016), Policy CS1(B) of the Harrow Council Core Strategy (2012), Policy DM1 of the Harrow Council Development Management Policies Document (2013) (DMPD) and the Residential Design Guide Supplementary Planning Document (2010) (RDGSPD) which amongst other matters seek to ensure that development is of a high standard of design which complements the character and appearance of the area and respects the host building.

Living conditions

9. The Council's concerns over privacy stem from the increased width of the bedroom window when compared to the previous narrower kitchen window.
10. At my site visit I looked out from both the bedroom and kitchen windows over the rear amenity areas associated with the nearby residential properties, including the areas associated with 14-17 Alpine Walk. Whilst these amenity areas are overlooked, the same could be said from several of the windows from the properties which also face onto these areas. To my mind, the change in the size and position of the windows has had a negligible adverse impact on privacy of these areas.
11. Turning to potential views into the rear windows of Nos 14-17, the increased width of the window clearly has the potential for increased overlooking. However, this is at an acute angle and any impact is clearly very minimal.
12. Taking both of these factors into account, I am of the opinion that the alterations to the windows has not resulted in an unacceptable level of overlooking.
13. For the above reasons the development would not harm the living conditions of the occupiers of the adjoining and nearby residential property and would accord with Policy 7.6 (B) of The London Plan, Policy DM1 of the DMPD and the RDSPD which amongst other matters seek to ensure that development is not detrimental to the privacy and amenity of neighbouring occupiers when taking into account the prevailing character of privacy and amenity in the area and the overlooking relationship between windows and outdoor spaces.

Conditions

14. Given that the development has already been carried out and is in all aspects acceptable I consider that it is not necessary to impose any planning conditions.

Conclusion

15. Taking all matters into consideration, I conclude that the appeal should be allowed.

Chris Forrett

INSPECTOR