



Appeal Decision

Site visit made on 8 October 2019

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2019

Appeal Ref: APP/M5450/D/19/3233182

48A Paines Lane, Pinner HA5 3DA

- 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 Shamir Budhdeo against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/0780/19, dated 19 February 2019, was refused by notice dated 20 May 2019.
 - The development proposed is described as a "full Application for Single Storey Rear Extension, Double Storey Rear Extension with Loft Conversion to create 02 additional bedroom multigenerational dwelling. With extension alterations to the front porch and to front elevation along with alterations to the proposed new roof on the existing passage way".
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Decision

1. I dismiss this appeal.

Main Issues

2. The main issues are the effect of the development on:
 - the character and appearance of the area; and
 - the living conditions of the neighbours of 48 and 48b Paines Lane with particular regard to outlook.

Reasons

Character and appearance

3. The appeal site is a modern two-storey detached dwelling located on the outskirts of Pinner. It is set amongst a row of four houses which are largely identical in house type and design with large open plan front gardens and are set well back from the road. The fronts of the dwellings are recognised for their flat roof projecting garages to the right-hand side of the main entrance with bay window to the other side, although some garages have been converted into living accommodation. The houses sit along a slightly staggered building line with a slight step in ridge lines as the land falls from north to south.
4. The London Borough of Harrow Supplementary Planning Document Residential Design Guide 2010 (SPD) recommends front extensions to complement the scale, design and pattern of development in the street scene, relate to existing

architectural design, and advises that front extensions do not project significantly forward of the existing bay.

5. It is noticeable that three of the other dwellings along this row have converted the garage to habitable space with the removal of the garage door and insertion of windows and new entrance doors. These dwellings still retain the flat roof above the garage with the bay window unaltered, as well as retaining the symmetry of this row.
6. However, the combination of the wide frontage, projecting flat fronted extension of approximately 1.3m, and hipped roof above of the proposed development, would distort the symmetry that is a defining feature of this row. The rhythm of the building line to the front of existing properties would also be compromised in this location and as this is a recognised feature of the row, it would become less pronounced within the street scene.
7. A further extension is proposed to the rear of the dwelling. In terms of the SPD's guidance, it advises that rear extensions should be designed to respect the character and scale of the original house and for new roofs to be designed to reflect the character of the existing dwelling.
8. The proposed extension would be set in from each side of the property and designed in a stepped down arrangement. However, due to the excessively wide and deep extension, its combined mass would be out of scale and architectural style with the original dwelling. It would not complement the proportions of the original dwelling, but rather, its bulk and inappropriate design would dominate the host property, thereby losing and ultimately harming its original identity.
9. Furthermore, as the two-storey extension is proposed to extend into the attic with a mansard roof above projecting from the ridgeline, the elaborate design of the roof with an uncharacteristic eaves level, would also emphasise the scale and massing of the proposed development. In respect of solar panels, these currently exists to both roof slopes of the dwelling and are a common feature to residential properties. Whilst they are included within this development, I have nonetheless found harm to the character of the property in other areas.
10. The development would therefore not appear subordinate to the host property as advocated within the SPD, but would appear as an incongruous and out of character addition that is harmful to the dwelling and would not respond positively to the overall character of this host building or and character and appearance of the area, to which is it moderately visible from outside the site, notably from Barrow Point Avenue. Moreover, the front extension would not relate well to the host dwelling or harmonise with the character and appearance of the area, thus resulting in a combined harmful impact.
11. I conclude, therefore, that the development would significantly alter the appearance of the front and rear of the property with a resultant harmful effect on the character and appearance of the area. The development would therefore not only conflict with the SPD, but also Policy DM1 of the London Borough of Harrow Development Management Policies Local Plan 2013 (DMPLP), that seeks to achieve a high standard of design and layout having regard to, amongst other matters, mass, bulk, scale and its relationship with local character and pattern of development.

12. I also find the development conflicts with the National Planning Policy Framework (the Framework) as it would not improve the character and quality of the area which is advocated. In respect of the London Plan 2016, I consider the development does not accord with policies 7.4B to provide high quality design, and, amongst other matters, have regard to matters relating to scale, proportion and mass.

Living conditions

13. Having assessed the impact of the development on the character and appearance of the area, to which I have found harm, the scale, mass and inappropriate design of the rear extension would appear visually intrusive when viewed from the close proximity of neighbouring properties of both 48 and 48b Paines Lane. This visual dominance would therefore significantly harm their living conditions.
14. Furthermore, I have considered the outlook from within the houses that the neighbours would experience. I have taken account of the SPD's guidance that recommends applying the 45-degree rule to assess the impact of a two-storey extension on neighbour's outlook, with the 45-degree line taken from the nearest first floor windows. Having viewed the location of the neighbouring windows and their relationship with the appeal site, the proposed two-storey extension would significantly compromise their outlook and impact upon their living conditions.
15. In conclusion, the proposal does not uphold the aims of policy DM1 of the DMPLP for new development to protect amenity of adjoining occupiers by consideration of, amongst other matters, relationship between buildings, the visual impact of the development, light and outlook from buildings. It also conflicts with the London Plan 2016 policies to 7.4B and 7.6B and the Framework that, in short, seeks development to provide high quality design, and specifically, not to cause unacceptable harm to residential buildings.

Other Matters

16. The matter of discrepancies of floor plans and the relationship between this site and the neighbouring site has been raised as a reason for refusal. Whilst floor plans may not be entirely precise, I have nevertheless assessed the proposal before me, and have come to the view that the proposal is unacceptable for the reasons I have identified.
17. In respect of local objections to the proposal relating to the impact of the development on the character or appearance of the near-by Moss Lane Conservation Area (CA), due to the distance of the development to the CA, I do not consider the proposed development would impact upon views into or out of the CA, or its setting. I therefore conclude on that basis that the development would have a neutral impact on the character and appearance of the CA.
18. Other concerns raised in respect of loss of parking space and highway safety are noted. However, as I have dismissed this appeal for other reasons, it is not necessary for me to consider these matters in detail. Other issues such as neighbour disputes and disagreements do not form part of this appeal consideration.
19. Whilst I acknowledge the concerns of the appellant in relation to the handling of the planning application, and advice from the Council, however the matters

referred to are not for me to consider as part of this appeal as other mechanisms exists to resolve such issues.

20. An extension to a neighbouring property between 46 and 48 Paines Lane has been brought to my attention by the appellant as an example of similar development. However, I am not of the view that this is comparable, and furthermore, I have not been given the circumstances that has led to the approval of this extension. I have assessed this proposal on its own individual merits which is a fundamental principle that underpins the planning system.

Conclusion

21. I have considered the development before me and I find harm would arise to the character and appearance of the area. In addition, I find harm would arise to the living conditions of the occupants of both 48 and 48b Paines Lane. For these reasons, and having regard to the development plan when read as a whole, I conclude the appeal should be dismissed.

Alison Scott

INSPECTOR