



Appeal Decision

Site visit made on 30 October 2019

by A McCormack BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th November 2019

Appeal Ref: APP/M5450/D/19/3237822

54 Embry Way, Stanmore HA7 3AZ

- 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 Mrs Fiona Chan against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/2098/19, dated 7 May 2019, was refused by notice dated 3 July 2019.
 - The development proposed is extensions and alterations to form a first floor; two rooflights to the front roofslope and one rooflight to each side elevation; part two-storey rear extension with Juliet balcony to the rear elevation (first floor) and fenestration alterations to the entire property.
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Decision

1. The appeal is allowed and planning permission granted for extensions and alterations to form a first floor; two rooflights to the front roofslope and one rooflight to each side elevation; part two-storey extension with Juliet balcony to the rear elevation (first floor) and fenestration alterations to the entire property at 54 Embry Way, Stanmore HA7 3AZ, in accordance with the terms of application Ref: P/2098/19, dated 7 May 2019, and 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 development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No: 540519/1 – ‘Ground Floor and Roof Plan – Existing’;
Drawing No: 540519/2 – ‘Elevations – Existing’;
Drawing No: 540519/3 – ‘Ground Floor & Loft Plan – Proposed’;
Drawing No: 540519/4 – ‘Elevations – Proposed’;
Drawing No: 520519/5 – ‘Site Plan’; and
Drawing No: 540519/6 – ‘Location Plan’.
 - 3) 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.

Procedural Matter

2. From the submitted drawings, I note that the drawing marked ‘Site Plan’ showing the plot and dwelling with the proposed rear extension, has a Drawing Number printed as 520519/5. However, this is stated in Section 5 of the application form as ‘Site Plan’ with a Drawing Number 540519/5. Based on the submitted plans and evidence, due to the nature and limited content of the drawing in question in terms

of detail relating to the proposal, I find that this anomaly is not so significant as to affect my Decision. As such, in order to rectify this discrepancy, I have referred to the Drawing number printed on the submitted drawing within Condition 2 above.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and surrounding area.

Reasons

4. The appeal property is located at the head of a cul-de-sac and occupies an elevated position above nearby properties within Embry Way. These properties are predominantly single storey. However, several properties have been altered and extended to accommodate an upper floor as denoted by rooflights within the front roofslope, visible from the public highway.
5. The Council states that whilst some properties have been extended in the local area, these extensions appear subordinate to the original properties and are proportionate in scale. As such, these extensions have no detrimental impact on their properties and in terms of the character and appearance of the locality. From what I have seen and read, I find that the proposed development in this case would similarly have no substantive adverse impact.
6. When viewed from the public highway, I note that the only discernible difference in the appearance of the front elevation of the property is the insertion of two rooflights into the front roofslope. Whilst these would introduce a visual change to the appearance of the property, I find that this would not significantly impact on the character of the property or the area. This is supported by the presence of several nearby properties with similar rooflights within their front elevations. As such, I consider rooflights to be an acceptable feature in the local streetscene and therefore find the effect of the proposal on its locality in this regard to be limited.
7. From the evidence, I find that the proposal has been designed in such a way as to minimise its visual impact on the public realm and wider locality. The most significant changes in the character and appearance of the host property would occur at the rear. The introduction of an upper floor window and Juliet balcony increases the visual impact and dynamic of the property when viewed from the rear. Nonetheless, I find that the design of the scheme maintains the extent and form of the existing roofslopes when viewed directly from the front and the rear. The increased extent of the property in terms of size, bulk and mass is more apparent when viewed from the sides, from the south east and north west. However, from my observations at the site, I find that this increase would not be substantively harmful in terms of the character or appearance of the property.
8. The greatest visual impact of the proposal would also be at the rear of the host property. Whilst its appearance would be altered substantially in terms of introducing a first floor elevation, I find that the proposed development would not be excessive in terms of its rear extension. Nor would it appear overly disproportionate and incongruous to the original building. I accept that when viewed from the north west, the proposal would appear slightly awkward and at odds with its host property. However, taking account of views from several other points around the property, the resulting visual harm would be limited. Moreover, I consider the rear of the host property to be in a reasonably secluded location mostly due to the topography of the local area but also given the presence of established and mature tree and hedge planting which is evident along the boundaries of the appeal property.

9. The proposal would alter the appearance of the host property to an extent when viewed from certain limited vantage points. Notwithstanding this, I find that its impact on the character of the host property and the surrounding area would be limited. In addition, the impact of the proposal would be mitigated further as the materials proposed for the external surfaces of the appeal scheme could be matched to those of the existing host property. Therefore, based on all before me with regard to this matter, I find that the proposed development would be an acceptable and proportionate addition to the host property and would not appear excessive or awkward in its context.
10. Consequently, I conclude that the proposed development would have no significant adverse effect on the character or appearance of the host property or surrounding area. Therefore, it would comply with Policy CS1.B of the Harrow Core Strategy (CS), Policy DM1 of the Harrow Development Management Plan (DMP), the Council's Residential Design Guide (RDG) and Policies 7.4B and 7.6B of the London Plan 2016 (LP).

Other Matters

11. I note concerns raised regarding the impact of the proposal on the privacy of neighbouring occupiers of surrounding properties, particularly with regard to the first floor window and the Juliet balcony. However, from what I have seen and read, due to the separation distances involved, the topography of the locality and angled relationship between the host property and nearest dwellings on Adelaide Close, I find that there would be no significant adverse impact with regard to overlooking or a loss of privacy for nearby occupiers due to the proposed scheme.
12. I have also had regard to other amenity concerns which, it is argued, would result from the proposed development. Taking account of the evidence before me, my observations at the site and noting the Council's assessment of these other matters, I have seen nothing to lead me to take a differing view from the Council. As a result, I give only limited weight to such matters as material considerations.

Conditions

13. In addition to the standard conditions relating to time and the approved plans, I have attached a further condition regarding matching materials or external surfaces to those of the host property. I consider this condition to be necessary and reasonable for reasons of character and appearance.

Conclusion

14. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should succeed.

A McCormack

INSPECTOR