



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/19/3232743

5 The Circuits, Pinner HA5 2BD

- 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 Mark Reeves against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/2132/19, dated 9 May 2019, was refused by notice dated 4 July 2019.
 - The development proposed is alterations and extension to roof to form end gables; three front dormers; three rear dormers; rooflight in front roofslope; single storey side extension; front porch; part conversion of garage to kitchen and hardsurfacing to front (external alterations).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The original description of the proposed development as set out on the application form read as follows; *'Single storey side extension, front porch, alterations to existing roof including dormer windows to front and rear elevation & new permeable driveway'*. This has been amended by the Council to read as set out in the heading above. From what is before me, I consider that the description used by the Council on its Decision Notice and in the delegated officer report, more accurately describes the proposal for which planning permission is sought. Accordingly, I have used that description in my Decision.

Main Issues

3. The main issues are the effect of the proposed development on the:
 - character and appearance of the host property and surrounding area; and
 - living conditions of neighbouring occupiers with regard to outlook.

Reasons

Character and appearance

4. The host property is within a cul-de-sac of six properties of various designs. When viewed from the public highway, four of the six properties have visible dormer windows. The host property and its neighbouring dwelling at 4 The Circuits (No.4) had no such windows visible at the time of my visit. Although these properties have individually distinct designs, I note that they all have a hipped roof form in

- common. This is a distinct and prominent characteristic of the group of dwellings within The Circuits and as such is considered a key characteristic of the local area.
5. The appeal proposal seeks to alter the form of the host property's roof from a hipped gable roof form to two end gables. It would also involve the elongation of the property and the proposed roof within the streetscene. As a result, I find that the proposed roof form would appear out of keeping with the predominant roof form in the local area and would visually overly increase the presence and scale of the property within the cul-de-sac. This would cause the host property to appear overly dominant and bulky within its plot and within the cul-de-sac. Furthermore, it would create an overly large addition to the dwelling which would not be subservient in scale or design to its original form. In light of this, I find that the increased visual prominence and dominance of the property due to the proposed scheme would be contrary to Paragraph 6.73 of the Council's Residential Design Guide (RDG).
 6. From the evidence I have seen and my observations during my visit, the proposed dormers within the front roofslope of the host property would be acceptable in principle. Notwithstanding that four of the six properties within the cul-de-sac have a dormer window in some form, I consider that the three proposed front dormers would present the appearance of the property as an over development of the property on its plot with disproportionate additions. Therefore, the property as proposed would be of a scale and design at odds with its surrounding properties.
 7. The appellant argues that the proposed scheme would be of high design quality which would respect and reflect the characteristics of its surroundings. Moreover, it is stated that the side extension proposed would be permitted development were it to have a flat roof, as would rooflights within the front roof slope of the property rather than dormers. It is also argued that the scheme has sought to provide a more considered design which, in the appellant's view, would benefit the wider character and appearance of the area and street scene.
 8. I have had due regard to all related matters raised in this matter. However, whilst elements of the proposed scheme would reflect features of the wider area and other nearby buildings, I find that the overall impact of the proposal in terms of its roof design, scale and positioning on its plot and the number of dormer windows, would result in it having a significant adverse visual impact on the original property and the adjacent dwellings as a group within the cul-de-sac.
 9. I note that a similar scheme may be constructed using permitted development rights. However, such a potential scheme undertaken through permitted development rights is not before me. Nonetheless, I accept that the potential for such is a material consideration. Nevertheless, regardless of whether that possibility may or may not be the case, I must assess the submitted proposal before me now on its own individual merits and circumstances whilst having due regard to the evidence submitted and all other material considerations. Moreover, I confirm that I have assessed and determined the appeal scheme on that basis.
 10. Consequently, I conclude that the proposed development would have a significant detrimental effect on the character and appearance of the host property and its surrounding area. Therefore, it would be contrary to Core Policy CS1.B of the Harrow Core Strategy (the CS), Policy DM1 of the Harrow Development Management Policies Local Plan (the DMPLP), the RDG adopted Residential Design Guide, Policy 7.4B of the London Plan (the LP) and the National Planning Policy Framework (the Framework). Amongst other things, these policies and guidance seek to ensure that development respects existing features, has no adverse effect on the character or appearance of its surroundings and is of high design quality.

Living conditions - outlook

11. The host property, and therefore the proposed development, is set at about 90 degrees to the neighbouring property at No.4. Moreover, the proposed side extension and gable end roof form at the east end of the appeal property would move to within about 4 metres of the front elevation of No.4. As such, taking account of the cumulative effect of the height of the proposed side gable end wall, its proximity to No.4 and its nearest window serving a habitable room, I find that the proposal would result in a development which would be significantly visually intrusive to neighbouring occupiers and detrimental to their residential amenity.
12. Elements of the proposed development would have limited adverse impact on the residential amenity of neighbouring occupiers. However, from my observations, I find that the scale, bulk and proximity of the proposed roof and side extension would have a prominent impact on the outlook of the occupiers of No.4 from the nearest front window of that property.
13. I have carefully considered the appellant's points made in support of the appeal. These include the proposal respecting the '45 degree' line rule set out in the Council's RDG and references to other properties in the local area which are argued to have similarities to the appeal proposal. I also note all other arguments for the proposal, particularly with regard to meeting relevant policy requirements that have been set out in the appellants' statement.
14. Notwithstanding this, based on the evidence submitted, in my assessment, the proposal would result in substantive harm to the outlook of the occupiers of No.4. Moreover, such harm would not likely be overcome or addressed by conditions. This harm would result from the set-back position of No.4 and the host property within the street scene, particular the positioning and proximity of the proposed side extension and gable end roof to No.4. This would lead to closer proximity of the two properties were the proposal allowed. As such, the harm identified would be unacceptable in terms of limiting the outlook from the nearest front window at No.4, resulting in a significant loss of amenity for its occupants.
15. Accordingly, I conclude that the proposed development would have a substantive adverse impact on the living conditions of neighbouring occupiers with regard to a loss of outlook. It would therefore be contrary to Policy DM1 of the DMPLP, the adopted RDG and Policy 7.6B of the LP. Amongst other matters, these policies and guidance seek to ensure that new development has a high standard of layout and no unacceptable impact on residential amenity.

Conclusion

16. The proposed scheme would have a number of merits in its favour which the appellant has set out. However, on balance, taking account of the impact of the proposed development on its host property, its surroundings and its neighbouring occupiers, I find that such benefits would be outweighed by the harm identified.
17. Therefore, for the above reasons, and having had regard to all other matters raised, I conclude that the appeal should not succeed.

A McCormack

INSPECTOR