



Appeal Decision

Site visit made on 28 October 2019

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 November 2019

Appeal Ref: APP/M5450/W/19/3235970

47 Newnham Way, Harrow HA3 9NU

- 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 Khimji Wagjiani against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/1394/19, dated 21 March 2019, was refused by notice dated 4 June 2019.
 - The development proposed is described as "Conversion of dwellinghouse to two flats and single storey rear extension."
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of dwellinghouse to two flats and single storey rear extension at 47 Newnham Way, Harrow HA3 9NU, in accordance with the terms of the application, Ref P/1394/19, dated 21 March 2019, subject to the conditions in the attached schedule.

Preliminary Matter

2. The Council have not raised any concerns with regards to the conversion of the dwellinghouse to two flats. I have therefore assessed this appeal only on the proposed single storey rear extension.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the appeal site and the surrounding area.

Reasons

4. The surrounding area is characterised predominantly by residential properties of traditional architectural detailing. The appeal property has existing rear extensions and there are variant styles of rear extensions within the surrounding area. It is this mix of different built forms that contribute to the character of the surrounding area.
5. The proposed extension would be modest in scale and would not have a dominating appearance on the appeal property and neighbouring properties. Due to the design and scale of the proposal, it would appear subordinate to the existing property and not be an intrusive feature within the surrounding area.
6. The proposal, including the existing extensions, would not be excessively large and would not result in a disproportionate environment that would dominate

the surrounding area. Due to the bulk and massing of the extension, it would respect the scale of the surrounding buildings and not have an adverse effect on the existing pattern of development.

7. Accordingly, I find that the proposal would not introduce an incongruous feature and therefore would not be harmful to the character and appearance of the appeal site, neighbouring properties and the surrounding area. The proposal would be in accordance with Policies 7.4 and 7.6 of the London Plan 2016, Policy CS1 of the Harrow Core Strategy 2012, Policy DM1 of the Harrow Council Development Management Policies 2013, the National Planning Policy Framework and the Supplementary Planning Document Residential Design Guide 2010 which seeks development to achieve a high standard of design and layout which should not be detrimental to local character and appearance.

Conditions

8. The conditions imposed are those which have been mainly suggested by the Council. In the interests of precision and clarity I have undertaken some editing and rationalisation.
9. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty. To protect the character and appearance of the area it is necessary to attach conditions relating to materials and landscaping. To protect the living conditions of occupiers of neighbouring properties it is necessary to include conditions in respect of restricting further openings in the side elevations, the use of the proposed roof and restricting the properties from changing into houses of multiple occupation. It is also necessary to include a condition ensuring the cycle parking is provided in the interests of sustainable transport.
10. The Council had requested that conditions are imposed in relation to refuse storage and fencing. These conditions are not necessary or, in respect of the requested refuse storage condition, enforceable.

Conclusion

11. For the reasons set out above I conclude that the appeal should be allowed.

Chris Baxter

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Numbers 01; 02; 03; 04A; 05; 06; 07.
- 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
- 4) The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.
- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no windows or doors, other than those shown on approved plans shall be installed in the side walls of the development hereby permitted.
- 6) The properties hereby permitted shall not be occupied until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.
- 7) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 8) The properties hereby permitted shall not be occupied until a minimum of 4 secure and weather-protected residents bicycle parking spaces have been provided in the locations identified for cycle parking on the approved drawing number 04A, or such alternative drawing as may first have been submitted to, and agreed in writing by, the local planning authority. The on-site transport infrastructure so provided shall thereafter be retained and made available for the use of future occupiers of the development.
- 9) The properties hereby permitted shall be used for Class C3 dwellinghouses only and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 3, Class L shall take place.