
Appeal Decision

Site visit made on 18 September 2019

by J Gibson BUEP MPIA

an Inspector appointed by the Secretary of State

Decision date: 21 November 2019

Appeal Ref: APP/M5450/D/19/3232816

88 Kenilworth Avenue, Harrow HA2 8SA

- 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 P Mathankumar against the decision of Harrow Council.
 - The application Ref P/0859/19, dated 22 February 2019, was refused by notice dated 18 April 2019.
 - The development proposed is a loft conversion with rear dormer.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal property comprises a two storey semi-detached dwelling, which is currently the subject of construction works for a side and rear extension under separate permissions. The surrounding area is predominantly characterised by semi-detached dwellings which maintain a consistent appearance through the height, design and roof line of the dwellings throughout the street scene and from rear gardens. The proposed dormer window will face the rear garden of the appeal property and builds upon the works already underway.
4. The Harrow Residential Design Guide Supplementary Planning Document (SPD) provides criteria to help guide the design of dormer windows. Specifically, the SPD sets out that dormer windows should appear subordinate and be contained within the roof plane by maintaining clear sections of roof around the dormer window, the principle ridge height and roof hip/valley design.
5. The proposal would sit below the existing ridge height, but would not achieve the necessary separation distances from the ridge, eaves, or roof hips/valleys for the dormer to achieve a subordinate appearance within this roof plane. Of particular significance, the proposed dormer would breach the roof plane of the host dwelling by extending onto the protruding crown roof which extends into the rear garden, overlapping the valley connecting the two roof planes. These cumulative effects would result in an oversized and disproportionate feature within the existing roof design, lacking appropriate visual containment within the roof plane of the host dwelling.

6. I note that the proposed dormer window may not be visible from within the street scene but would appear prominent within the rear gardens of the appeal property and neighbouring properties. The resulting prominence of the dormer window would overwhelm the original roof design of the host dwelling, and would appear harmfully inconsistent with the character and appearance of roof designs on surrounding buildings, which more generally appear orderly, uncluttered, and subdued. In my judgement the proposed dormer being obscured from the street scene would not negate the harm of what I consider to be a poorly designed extension to the host dwelling. Having regard to the design criteria under the SPD and the Planning Practice Guidance (PPG), I am satisfied that the proposal would not align with the objectives of the relevant policies to facilitate high quality design which respects existing development.
7. Paragraph 212 of the National Planning Policy Framework (the Framework) states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the latest Framework. The amount of weight to be given to development plan policies is a matter of planning judgement for the decision maker. The policies referenced by the Council in their reason of refusal, and their assessment of the proposed development more generally, remain consistent with each other and broadly compliant with the objectives of the Framework. These policies therefore carry significant weight. Accordingly, for the reasons explained above, I have found conflict with the relevant London Plan policies, Core Strategy and Development Management Policies which weigh against the proposal.
8. The appellant has suggested that the proposed dormer window would be acceptable as it would ordinarily be allowed under permitted development rights, and there are dormer windows elsewhere in the surrounding area. No specific details of any such fallback have been provided for consideration, nor the specific details of the dormer window examples. Notwithstanding this, I have decided the appeal based on the information before me, on their merits, and such considerations would not outweigh the harm I have identified.
9. Accordingly, the proposed enlargement of the dormer window for a loft conversion would harm the character and appearance of the host dwelling and the surrounding area. It would therefore conflict with Policies 7.4.B and 7.6.B of the London Plan (adopted March 2016), Policy CS1.B of the Harrow Core Strategy (adopted February 2012), Policy DM1 of the Development Management Policies (adopted July 2013) and Harrow Residential Design Guide Supplementary Planning Document (SPD) (adopted December 2010). These policies and guidance seek amongst other things, to promote high quality design which enhance host dwellings and respect the scale, mass and design of surrounding buildings in the local context.

Conclusion

10. For the reasons given above I conclude that the appeal should be dismissed.

J Gibson

INSPECTOR