
Appeal Decision

Site visit made on 18 November 2019 by L Wilson BA (Hons) MA

Decision by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th December 2019

Appeal Ref: APP/M5450/W/19/3236985

7 Elms Road, Harrow Weald, Harrow HA3 6BB

- 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 Neil Nagle against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/0255/19, dated 8 January 2019, was refused by notice dated 15 March 2019.
 - The development proposed is described on the application form as the demolition of the existing property and the erection of 6 No. apartments (4 No. two bed and 2 No. one bed) within a two-storey building and accommodation within the roof space, and associated car parking, refuse and cycle storage, and landscaping.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. These are, the effect of the proposal upon: (1) the character and appearance of the street scene; and (2) whether or not the proposal would provide appropriate living conditions of future occupiers, having regard to outlook.

Reasons for the Recommendation

4. The proposal follows a previous Appeal decision¹ and an attempt has been made to overcome the Inspector's concerns. I note the Council are no longer concerned with the following matters: the proposal constituting garden land development, the living conditions for future residents, with particular regard to internal space and noise and disturbance, and the living conditions of neighbouring residents.

Character and Appearance

5. Elms Road is characterised by mainly large residential dwellings set within generous plots. No.7 is a traditional two-storey dwelling which has been extended over the years. The existing dwelling is set back from the highway

¹ APP/M5450/W/17/3168229

behind a driveway and has a large garden to the rear. The existing single storey outbuildings to the side of No.7 are well screened from the highway and read as subordinate additions. Consequently, when viewed from the highway, the appeal property appears to have gaps to the side boundaries. Buildings within the street scene generally have gaps to at least one side or have a subordinate side extension adjacent to the side boundary which results in a sense of spaciousness.

6. The Council highlight that, in comparison to the existing dwelling, the scheme would increase the first-floor footprint by 167%, the appellant has not disputed this figure. The scale and overall massing of the proposal would be substantial and would be clearly evident from the street scene because the two-storey building would fill the majority of the plot's width. Additionally, the depth of the building and proposed crown roof would be visible from the street scene due to the siting of the neighbouring properties, land level differences and low boundary treatment. As a result, the development would appear cramped within the plot and thus would not reflect the prevailing character of this section of Elms Road.
7. As observed during my site visit, there are differing building heights along Elms Road and the land slopes from east to west. No.5 and No.3 are dormer bungalows and to the east are two-storey dwellings. The apartment building would be read within the context of these properties and would appear significantly more dominant than the neighbouring dormer bungalows because of its scale and massing. The land level difference would exacerbate this imbalance.
8. The proposed front building line would be 1 metre further forward than the previously refused scheme. The apartment building would be clearly sited further forwards than the neighbouring dormer bungalow, No.5. Whilst I agree with the appellant that there is not an established uniform front building line along this section of Elms Road, the siting would further increase the prominence of the apartment building. I acknowledge that the height of the building per se would be acceptable and the width of the building has reduced. However, the proposal would still appear at odds with the established character and appearance of this section of Elms Road due to its scale, bulk and siting.
9. My attention has been drawn to No.11 and other flatted developments within Elms Road. At the time of my site visit, building work for the approved scheme at No.11 had not yet commenced. It is understood from the evidence submitted that No.11 was formerly a care home. The existing building is considerably larger than No.7 and fills the majority of the plot's width. In contrast to the scheme before me, the approved flatted development would be between two-storey dwellings and is not considerably larger than the existing building and thus cannot be directly compared. Similarly, the other flatted developments referred to by the appellant are also not directly comparable, to the scheme before me, as they do not appear cramped within their plots as they have larger gaps to the side boundaries.
10. For these reasons, I find that the proposed development would be visually harmful to the character and appearance of the street scene. Consequently, the scheme would conflict with Policies 7.1D, 7.4B and 7.6B of The London Plan (2016) (TLP), Policy CS1B of the Harrow Core Strategy (2012), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) (DMP), along with the Residential Design Guide: Supplementary Planning Document (2010) (RDG) and the National Planning Policy Framework (the 'Framework'). Collectively

these policies seek, amongst other matters, to promote good design and prevent development which harms the character and appearance of areas.

11. The Council's reasons for refusal refer to Policies D1 and D2 of the draft London Plan (2017). Given the current status of the plan, I have given it limited weight in my consideration of the appeal, in line with Paragraph 48 of the Framework. Nonetheless, the proposal would also conflict with Policies D1 and D2 of the draft London Plan (2017).

Living Conditions

12. The Council is concerned that the proposed rooflights within the second-floor units would not provide an adequate outlook. The appellant has submitted a section drawing to demonstrate that the middle of the rooflight would be approximately 1.5 metres above the internal floor area.
13. Whilst the large roof lights would provide adequate light provision, due to their angle, the outlook from these bedrooms would be limited. Flat 5 and 6 would be modest, one-bedroomed units with an open-plan kitchen-dining-living space; therefore, it is likely any future occupants would spend a reasonable amount of time within the bedroom. In this instance, because these would be one-bedroomed units, the proposed roof lights would result in low-quality accommodation as they would not provide a meaningful outlook.
14. Accordingly, the proposed second floor units would not provide satisfactory living conditions for future occupants, having regard to outlook. The proposal would therefore be contrary to Policy 3.5 A and C of TLP, Policy DM1 of the DMP, along with the Mayor of London Housing: Supplementary Planning Guidance, RDG and the Framework. These policies seek to promote a high standard of amenity for future residents.

Conclusion and Recommendation

15. The proposal would make a net contribution of five dwellings to the local housing stock, in a reasonably accessible location, in line with the aim of paragraph 59 of the Framework to significantly boost the supply of homes.
16. Although such benefits would be significant, they are not sufficient to outweigh the harm that I have identified would be a consequence of the development proposed.
17. For the reasons given above I recommend that the appeal should be dismissed.

L M Wilson

APPEALS PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree and conclude that the appeal should be dismissed.

Zoe Raygen

INSPECTOR