



Appeal Decision

Site visit made on 29 July 2019

by L Gilbert BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21th January 2020

Appeal Ref: APP/M5450/D/19/3228990

Alpha Cottage, Wolverton Road, Stanmore HA7 2RW

- 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 Hayden Pronto-Hussey against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/0847/19, dated 22 February 2019, was refused by notice dated 1 May 2019.
 - The development proposed is demolition of rear raised decking, construction of raised single-storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on:
 - The character and appearance of the dwellinghouse and surrounding area;
 - The living conditions of adjoining occupiers, with particular reference to outlook, overbearing and loss of light; and
 - Flood risk.

Reasons

Character and appearance

3. The appeal site contains a semi-detached three storey property, which adjoins Omega Cottage. Both properties have catslide roofs and front roof dormers, with raised decked platforms at first floor to the rear. Wolverton Road is a residential street. Beyond this are a mixture of uses including a golf course. The appeal site's rear garden is terraced, rising away from the back of the property.
4. The appeal development is just over three quarters of the width of the house at first floor level. The proposed extension is around 3m in depth, with external stairs beyond. Due to the change in levels (rising) at the rear of the house, the proposal would appear as a single storey extension from some views. Also owing to its position at the rear of the property, it would not be highly visible from the street. I find that the scale and position of the proposed extension, along with the sloping nature of the site, would help to create an extension that would not appear overly bulky or incongruous.

5. The Residential Design Guide 2010, Supplementary Planning Document (SPG) seeks for all first floor roofs to be designed to reflect the character of the dwellinghouse and those adjoining to provide a satisfactory appearance. The diagrams in the SPG only illustrate extensions that meet the original roof. However, the property is three storeys high and the new extension's roof would be located a storey below the original roof. In these circumstances, I do not consider it is necessary to tie in and directly reflect the original roof. Therefore, I consider the proposed roof would be acceptable in terms of its appearance.
6. Accordingly, I find that the appeal development would not detrimentally harm the character and appearance of the dwellinghouse and surrounding area. It complies with Policies 7.4 and 7.6 of The London Plan (2016) (LP), Policy CS1 of the Harrow Core Strategy (2012) (CS), Policy DM1 of the Harrow Council Development Management Policies (2013) (DMP) and Supplementary Planning Document Residential Design Guide (2010). These policies seek, amongst other things, for development to provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in scale, proportion and mass. All development must achieve a high standard of design and layout with regard to: massing, bulk, scale and roof form.

Living conditions

7. Positioned close to the boundary with Omega Cottage, the appeal extension would extend above the shared wooden boundary fence. It would be located close to the raised platform at this neighbouring house and have first floor rear glazed sliding doors. The appellant has argued the proposal should be considered as a single storey extension because of the sloped nature of the site and lack of ground floor rear windows on the appeal property and its adjoining neighbour. However, the proposed extension would not be located on the raised part of the garden and would extend to around 5.5 metres above ground level. Therefore, from certain views it would appear as a first floor addition but from others as a single storey extension.
8. The appeal development would breach the 45 Degree Code as required by the SPG. However, both the appeal property and its adjoining neighbour have an unusual layout, with living spaces and terraced areas at first floor level to the rear. An extension of around 3 metres in depth is not uncommon adjacent to a living space or garden. I therefore do not consider it would be excessively overbearing or harm outlook from Omega Cottage. The rear elevation and garden at Omega Cottage both face north, and I therefore do not consider the proposal would lead to a significant loss of sunlight or daylight to this neighbour. It therefore is my view, that the scale and position of the appeal development would not detrimentally harm the living conditions at Omega Cottage with respect to loss of sunlight or daylight, outlook and sense of enclosure.
9. Accordingly, I find that the appeal development would not detrimentally harm the living conditions of adjoining occupiers, with particular reference to outlook, overbearing and loss of sunlight or daylight. It complies with Policies 7.6 of the LP, Policy DM1 of the DMP and Supplementary Planning Document Residential Design Guide (2010). These policies seek, amongst other things, for development to not cause unacceptable harm to the amenity of residential buildings. This includes neighbouring occupiers.

Flood risk

10. The site is within fluvial flood zone 2 and 3 and surface water flood zone 3a and 3b. There is also a piped main river located within the site. A reason for refusal was due to insufficient information about an undeveloped buffer zone. The Council's Drainage response found the Flood Risk Assessment to be satisfactory and suggested the matter could be dealt with by way of condition. However, and importantly they also advised for the applicant to contact the Environment Agency. It is unclear if the Environment Agency has been consulted and if they have any comments on the appeal proposal. Consequently, it is my view there is insufficient information to reach a conclusion on the flood risk matters due to the absence of any comments from the Environment Agency. I therefore cannot be satisfied that the appeal development would be acceptable.
11. I find that the appeal proposal is unable to demonstrate that it would be acceptable in terms of flood risk. I therefore cannot be certain that the proposal would comply with Paragraph 155 of the National Planning Policy Framework (the Framework), Policy 5.12 of the LP, and Policy CS1 of the CS and DM11 of the DMP that together seek to direct development away from areas at highest risk from flooding.

Conclusion

12. The proposal would be acceptable in terms of its effect on the character and appearance of the area, and in terms of the effect on living conditions at neighbouring properties. However, on the information before me, I cannot safely conclude it would be acceptable in terms of flood risk. Until this matter is satisfactorily resolved, I have no option but to dismiss this appeal.

L Gilbert

INSPECTOR