



Appeal Decision

Site visit made on 7 July 2020 by Thomas Courtney BA(Hons) MA

Decision by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 July 2020

Appeal Ref: APP/M5450/D/20/3248514

21 Wetheral Drive, Stanmore HA7 2HQ

- 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 R. Angelou against the decision of the London Borough of Harrow Council.
 - The application Ref P/4678/19, dated 6 November 2019, was refused by notice dated 16 December 2019.
 - The development proposed is a part first floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a part first floor rear extension at 21 Wetheral Drive, Stanmore, HA7 2HQ, in accordance with the terms of application Ref P/4678/19, dated 6 November 2019 and subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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 plan: Drawing No. 21WD/P100.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no windows/doors shall be installed in the flank elevations of the development hereby permitted.

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. The main issues are:
 - the effect of the development on the character and appearance of the area; and
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- the effect of the proposed development on the living conditions of the occupants of No.23 Wetheral Drive, having particular regard to privacy.

Reasons for the Recommendation

Character and appearance

4. The appeal site accommodates a two-storey, semi-detached dwelling located on the eastern side of Wetheral Drive. The dwelling benefits from an existing two-storey side extension and a single-storey side to rear extension. It features distinctive rear bay windows and lies within an established residential area characterised by pairs of semi-detached properties.
5. The proposal would result in the erection of a first-floor side and rear extension abutting the boundary with the neighbouring property at No.23. Whilst the Council is concerned with the depth and width of the extension, I find that the resulting dwelling would be adequately proportioned. In my view, the proposed design would not unbalance the scale and form of the house and so would not fail to reflect the character and appearance of the host dwelling. Also, although the proposed roof form would be slightly modified and would result in the inclusion of a flat-roof crowned segment, it would be small in extent and have limited visual impact when seen from street level. It would not drastically alter the profile of the roof and would not appear out of place given there are properties in the immediate area that also feature crowned segments within their roofs such as at 17 Wetheral Drive and at 71 Coledale Drive. The development would thus not have an unacceptable detrimental impact on the appearance of the property and would thus not constitute poor design.
6. I acknowledge that the neighbouring properties on the eastern side of Wetheral Drive do not benefit from first floor rear extensions, however, I observed many similar developments in the immediate area including at 48 Kynance Gardens to the south-east of the appeal site. I have also had regard to the references to similar developments provided to me by the appellant which highlight that the proposed development would not be an uncharacteristic or architecturally discordant feature of the area.
7. Furthermore, although the 'Residential Design Guide' Supplementary Planning Document (SPD) discourages large two-storey rear extensions, in this instance, the development would only marginally protrude past No.23's rear first floor elevation and so would not appear excessively prominent or bulky. I therefore find the proposal would be compatible with the existing dwelling and would not result in a visually discordant feature that would harm the character and appearance of the surrounding area.
8. Given the above, the proposed development would not conflict with Policy CS1 of the Harrow Core Strategy, Policy DM1 of the Development management Policies Local Plan document (the 'Local Plan') as well as Policies 7.4 and 7.6 of the London Plan which together seek to ensure proposals are well designed, compliment the appearance of the host building and the character of the locality. I have also had regard to the 'Residential Design Guide' (SPD) which seeks the same. This is consistent with the National Planning Policy Framework (NPPF) which aims to ensure proposals are sympathetic to local character.

Living conditions

9. Whilst the proposed Juliet windows would allow some overlooking of No.23's rear garden, I am satisfied that there would be no significant loss of privacy for the adjoining occupiers. The proposed windows do not directly face the neighbouring garden and their outlook would be comparable to the typical view from other first floor windows. They would therefore not have a harmful impact on the living conditions of the occupants of 23 Wetheral Drive. The Council raise concern in respect of the proposal's dominating effect on No. 23, but accept that it is not sufficient to constitute a reason for refusal, and I agree there is no unacceptable impact in this regard.
10. The development therefore would be in accordance with Policy DM1 of the Local Plan and Policy 7.6 of the London Plan which aim to ensure proposals are not detrimental to the privacy and amenity of occupiers of neighbouring buildings. It would also adhere to the guidance set out in the SPD and would tie-in with the NPPF which aims to ensure a high standard of amenity for residents.

Conditions

11. I have considered the suggested conditions against the advice in the NPPF and the Planning Practice Guidance. I have imposed the standard conditions relating to the commencement of development and specifying the relevant plans in order to provide certainty. I have also imposed a condition requiring the external materials match the existing building to protect the character and appearance of the area.
12. I have included the suggested condition prohibiting the installation of windows and doors to the flank elevations of the development. This condition is necessary to protect the privacy of the occupiers of the neighbouring properties at 19 & 23 Wetheral Drive. The suggested condition restricting the use of the roof of the existing ground floor extension is not relevant to the proposal so would not meet the test outlined in paragraph 55 of the NPPF which states that planning conditions should only be imposed where they are relevant to the development to be permitted.

Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Andrew Owen

INSPECTOR