



Appeal Decision

Site visit made on 24 August 2020

by Conor Rafferty LLB (Hons), AIEMA, Solicitor

Decision by Kenneth Stone BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 September 2020

Appeal Ref: APP/M5450/D/20/3249333

32 East Towers, Pinner HA5 1TL

- 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 Balbir Singh Bassi against the decision of Harrow Council.
 - The application Ref P/0164/20, dated 9 December 2019, was refused by notice dated 12 March 2020.
 - The development proposed is described as a 'retrospective planning application for retention of rear dormer'.
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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.

Procedural Matter

3. There are two outstanding appeals in connection with this site. This decision deals with the retrospective planning application for the retention of a rear dormer. Appeal APP/M5450/D/20/3249318 dealing with the retrospective planning application for the retention of a rear extension is the subject of a separate appeal decision.

Preliminary Matter

4. The development plan includes the Harrow Council Core Strategy February 2012 (the Core Strategy), the Harrow Council Development Management Policies July 2013 (the DMP), and the London Plan Spatial Development Strategy for London Consolidated with Alterations Since 2011 March 2016 (the London Plan). In its decision the Council has relied on other documents including the emerging London Plan. I accord Policies D1 and D3 of the emerging London Plan substantial weight as these are included in the 'intended to publish' draft of the London Plan and thus are unlikely to change.
5. The development has already been constructed. I have considered the appeal on the basis that planning permission is sought for the development that has already been carried out.

Main Issue

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

Reasons for the Recommendation

7. The appeal site is located on the eastern side of East Towers in Pinner and comprises a two storey semi detached dwelling. The area is characterised by its residential nature where, on the eastern side of the street the properties retain a certain level of consistency in character, style and design along the front elevations, albeit with varying levels of alterations and additions. From the back garden of the appeal property rear dormer extensions are visible on surrounding dwellings, however these are not prevalent enough to become a defining characteristic of the immediate locality.
8. The development comprises a dormer extension to the rear of the property that has already been constructed in materials to match the remainder of the dwelling. The Harrow Council Local Development Framework Supplementary Planning Document Residential Design Guide, adopted 15 December 2010 (the SPD), addresses roof alterations in section six. It advises at paragraph 6.70 that a rear dormer should be set in at least 1000mm from the edge of the roof, 500mm from a shared party wall, and set back at least 1000mm above the roof eaves.
9. While the development complies with paragraph 6.70, the dormer remains a sizeable addition to the roof profile of the property. It does not appear as a subordinate feature that has been adequately contained within the roof profile due in part to the fact that a clearly visible section of the roof has not been retained at the upper corners of the former, contrary to paragraph 6.68 of the SPD. While the SPD represents guidance rather than policy, it is nonetheless a material consideration in the determination of this appeal.
10. Furthermore, the dormer intersects the first storey rear projection present at the property such that from the rear gardens there is no apparent separation between the roof slopes of this rear projection and the bottom corner of the dormer. As a result, the development leads to a complicated roof profile at the dwelling, which is awkward in appearance and does not respect the character or proportions of the property. This conflicts with paragraph 6.71 of the SPD which seeks a minimum 500mm gap from the adjacent valley where there is a rearward projecting pitched roof.
11. With regards to the impact of the development on the surrounding area, it is acknowledged that the dormer is not visible from the public highway along East Towers. Nonetheless, when viewed from the rear garden of the appeal property and surrounding properties the development is experienced alongside the other examples of rear dormer extensions in the immediate locality. Such dormers are predominantly smaller in scale than the development that is the subject of this appeal, with a clear separation from both the roof edges and rear projections. In this context, the dominant and discordant nature of the dormer at the appeal site is further highlighted, appearing as an incongruous addition to the area. Accordingly, the dormer fails to respect the surrounding development pattern or character of the area.
12. For the above reasons I find that the development would have a significantly adverse visual effect on the character and appearance of the host building and the

surrounding area. Accordingly, it would fail to comply with Policies 7.46B and 7.6B of the London Plan, Policies D1 and D3 of the emerging London Plan, Policy CS1B of the Core Strategy, Policy DM1 of the DMP and the SPD, which seek to encourage a high level of design that maintains the character of the surrounding area.

Other considerations

13. The appellant has referred to the property's permitted development rights. However, I have not been provided with details of the form of dormer extension which may be constructed under these rights and I cannot therefore be certain that this represents a valid fallback position in respect of the appeal proposal.

Conclusion and Recommendation

14. Having had regard to all matters raised, I find that the development would have a significantly adverse visual effect on the character and appearance of the host building and the surrounding area. I therefore recommend that the appeal should be dismissed.

C Rafferty

APPEAL PLANNING OFFICER

Inspector's Decision

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

Kenneth Stone

INSPECTOR