



Appeal Decision

Site visit made on 29 September 2020

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 October 2020

Appeal Ref: APP/M5450/D/20/3251310

Waitemata, Green Lane, Stanmore HA7 3AH

- 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 Beriwal against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/5046/19, dated 5 December 2019, was refused by notice dated 29 January 2020.
 - The development proposed is a single and two storey rear extension; rooflights in front, both sides and rear roofslopes; pitched roof over garage; conversion of garage to bedroom with installation of two windows in front elevation; external alterations (demolition of rear extension).
-

Decision

1. The appeal is allowed and planning permission is granted for a single and two storey rear extension; rooflights in front, both sides and rear roofslopes; pitched roof over garage; conversion of garage to bedroom with installation of two windows in front elevation; external alterations (demolition of rear extension) at Waitemata, Green Lane, Stanmore HA7 3AH in accordance with the terms of the application, Ref P/5046/19, dated 5 December 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans: PA3-1965-00; PA3-1965-01; PA3-1965-02; PA3-1965-03; PA3-1965-04; PA3-1965-05; PA3-1965-06; PA3-1965-07; PA3-1965-08 Rev A; PA3-1965-09 Rev A; PA3-1965-10 Rev A; PA3-1965-11 Rev A.
 - 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 details on the proposed plans hereby permitted, the rooflights shall not protrude more than 0.15m beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof. The rooflights shall be retained as such for the lifetime of the development.

Procedural Matter

2. I have used the Council's description of the development in reaching my decision as it more fully describes the details of the development than that given on the original planning application form. The appellant's appeal form also makes reference to the updated description.

Main Issues

3. The main issues are the effect of the proposed single and two rear extension on
 - (i) the character and appearance of the host property and the area; and
 - (ii) the living conditions of the occupiers of the neighbouring property, High Trees, with particular regard to outlook.

Reasons

Character and appearance

4. The appeal property consists of a two storey detached dwelling with an integral garage at the front and a single storey extension and conservatory at the rear. The property is located in a mature well-established residential area, typically characterised by large detached properties set back from the road in relatively spacious landscaped plots, that provides an open and verdant character in the area.
5. The appeal site has an extensive planning history relating to proposals to extend the property. These include prior approval for a 8m deep single storey rear extension in 2019¹ and planning permission for a similar development to the appeal scheme including, amongst other things, conversion of the garage to a bedroom, a part 6m deep single storey and a part 3.3m deep two storey rear extension in 2020². I observed during my site visit that development had commenced, but not yet been completed on the approved works.
6. The appeal proposal seeks to modify the single storey element of the recently approved rear extension. The new single storey flat roofed extension would project out an additional 2m, to about 8.0m from the rear elevation of the property across the width of the house.
7. The appellant states that this proposed single storey rear extension would be identical to the extension issued with prior approval by the Council. Based on the evidence before me and my observations during my site visit, there is a reasonable likelihood that this extension together with the recently approved scheme would be built if this appeal is dismissed. In my view, the scale and form of the appeal proposal would have no greater impact on the character and appearance of the host property and the area than the cumulative impact of the recently approved developments at the appeal property. I therefore accord these matters significant weight in making this decision.
8. The appeal property is on a relatively spacious plot and as such the extension would not appear overlarge, relative to the overall plot size. Given the site's location, the proposed rear extension would only be visible over short

¹ P/3970/19/PRIOR

² P/4758/19

distances between the buildings when passing the site. The proposed rear extension would be seen in the context of the current varied architectural styles at the rear of the host property and the surrounding properties.

9. Against this backdrop, the scale, form and siting of the single and two storey rear extension would not look significantly out of place or excessive in relation to the built form of the host property and the adjacent properties. The modest overall changes in the scale and proportions of the extension together with use of matching materials and fenestrations would ensure the development would sit relatively unobtrusively against the built form of the host property. The development would therefore achieve an appropriate degree of subordination to the host property and as such would limit any significant adverse impacts on the street scene.
10. Given the location of the appeal property adjacent to the Stanmore Hill Conservation Area (CA), special attention has to be paid to the desirability of preserving or enhancing the character or appearance of the CA and its setting. I consider that the appeal scheme, by virtue of its scale, siting and design, would have a neutral material impact and would preserve the setting of the CA.
11. Consequently, I conclude that the proposed development would not have a harmful effect on the character and appearance of the host property and the area. It would be consistent with the overall aims of Policies 7.4B and 7.6B of the London Plan 2016 (LP), Core Policy CS1.B of the Harrow Core Strategy 2012, Policy DM1 of the Harrow Development Management Policies Local Plan 2013 (DMP) and the Council's Supplementary Planning Document: Residential Design Guide 2010 (SPD). These policies and guidance, amongst other things, seek to ensure that new development demonstrates a high quality design that respects and responds positively to existing buildings and the local character and distinctiveness of the area. In addition, the proposal would accord with the National Planning Policy Framework (the Framework) that developments should seek to secure a high quality of design (paragraph 124) that are sympathetic to the local character (paragraph 127).

Living conditions of the occupiers of the neighbouring property

12. The proposed single and two storey rear extension would be located adjacent to the two storey detached property, High Trees, to the north of the site. The rear extension would be set back from the side boundary with High Trees and is separated from the rooms and garden at the rear of the adjacent property by vegetation and a high close boarded fence running along the common shared boundary between the properties.
13. Whilst I accept that there would be some impact from the development, given the overall height and design of the single and two storey rear extension, set back, together with the boundary treatment and the separation distance between the properties, I consider that the extension would not significantly dominate the views to cause an overbearing effect and an unacceptable sense of enclosure from the rear windows and garden at the rear of High Trees.
14. Consequently, I conclude that the proposed development would not result in an unacceptable impact on the living conditions of the occupiers of the neighbouring property, High Trees with particular regard to outlook. It would be consistent with the overall aims of Policy 7.6B of the LP, Policy DM1 of the

DMP and the SPD. These policies and guidance seek, amongst other things, to ensure that new development achieves a high standard of amenity and does not cause unacceptable harm to the amenities of existing and neighbouring occupiers. It would also accord with the Framework that development should seek to create places with a high standard of amenity for existing and future users (paragraph 127).

Other Matters

15. I have noted the objections from a third party relating to the impact on the amenities of a neighbouring property, overdevelopment of the plot and the character and appearance of the area. However, I have addressed the matters relating to the living conditions of the occupiers of the neighbouring property and the character and appearance of the area in the main issues above. The other matters raised did not form part of the Council's reason for refusal. I have considered the appeal entirely on its own merit and, in the light of all the evidence before me, this does not lead me to conclude that these other matters, either individually or cumulatively, would be an over-riding issue warranting dismissal of the appeal.

Conditions

16. Having regard to the Framework, and in particular paragraph 55, I have considered the conditions suggested by the Council. In addition to the standard time limit condition, I have specified the approved plans as this provides certainty. In order to protect the character and appearance of the area and the CA, I have also imposed conditions relating to the roof lights and the external finish of the development.

Conclusion

17. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be allowed.

David Troy

INSPECTOR