



Appeal Decision

Site visit made on 29 December 2020

by Steven Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 05 January 2021

Appeal Ref: APP/M5450/W/20/3255988

35-69 Imperial Drive, North Harrow HA2 7DT

- 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 Aniket Chhipa (Hansa Estates Ltd) against the decision of Harrow Council.
 - The application Ref P/0247/20, dated 21 January 2020, was refused by notice dated 22 June 2020.
 - The development proposed is described as the erection of an additional floor of residential accommodation on each block, providing a total of six additional 1 bed flats, external works including car parking, cycle parking and landscaping.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The London Plan 2016 (LP) forms part of the development plan. Reference is made to the emerging London Plan 2019 (ELP). It has now been referred to the Secretary of State for approval but has not yet been published. In view of the stage which it has now reached, I afford it significant weight.

Main Issues

3. The main issues are the effect of the proposed development upon (i) the character and appearance of the buildings and the area and (ii) the living conditions of the occupiers of neighbouring properties and gardens to the rear in terms of outlook.

Character and appearance

4. The appeal buildings are set within a suburban residential area consisting mainly of two storey dwellings with front bays, usually within a landscape setting. Although the appeal buildings are 3 storey high apartments compared to the two storey dwellings around them, there is a consistency of design reflected in the use of brick of a similar colour and roofs with similar angles and colour, all of which add to the cohesive design appearance of the area.
5. The appeal buildings have each three stories and are set at an angle to the road and to surrounding dwellings. Each apartment block has a regular pattern of windows and front balconies. All are set within lawned front areas. Car

parking is to the south of the site where there are some 15 spaces for the use of occupiers.

6. The proposal is to remove the existing pitched roofs and to replace each of them with an additional floor so as to provide a total of 6 extra one-bedroom, two person flats. This would introduce a box like upper floor to each apartment block, set in by approximately 2.7 metres from the flank walls and by 1.2 metres from the front elevations, with mansard roofs to the rear which would contain the stairwells. The proposed upper floors would be faced with plain tile hanging to external vertical spaces. Each new apartment would have a balcony of approximately 2.25 square metres. Other changes would include front porches and the provision of three spaces per apartment block for disabled drivers, to be located in front of each of them. Changes are proposed to the hard and soft landscaped areas around the blocks.
7. I find that the replacement of the double pitched roofs by box-like structures, by their overall shape, would be a major and incongruous change to the appearance of the buildings and to the character and appearance of the immediate area when seen from the road in front of them and by the occupants of the houses opposite. I accept that the colour of the proposed tile hanging could be controlled by condition. Nevertheless, the proposed changes would have a significant and adverse impact upon the current consistency of design to which I have referred.
8. The LPA raises no objections to the proposed front porches and I find, that by their proportions and scale, they would not have any adverse impact upon the character and appearance of the buildings or to the area.
9. Therefore, I conclude that, for the above reasons, the proposal would not accord with the design aims of policies 7.4B and 7.6B of the LP, policy D3 of ELP, policy DM1 of the Harrow Council Development Management Policies 2013 (DMP), policy CS1B of the Core Strategy 2012 (CS) or with the Harrow Residential Design Guide Supplementary Planning Document 2010 (SPD).

Outlook for occupiers of properties to the rear.

10. The proposed development would show a marginal increase to the overall height of each of the existing apartment blocks. The extra floors would be set back from the existing rear elevations and would add approximately 0.5 metres to the existing height of each of them. They would not, therefore, be any closer to the gardens and elevations to the properties to the rear.
11. Having considered the distances involved, the angled nature of the existing apartment blocks, the marginal increase to the overall height and the setting back of the proposed extra space from the existing elevations, I find that the proposed development would not have an adverse impact upon the visual amenities enjoyed by the occupants of the properties to the rear in terms of outlook.
12. Therefore, I conclude that, for the above reasons, the proposal would accord with the amenity requirements of policy 7.6B of the LP, policy DM1 of the DMP and with the SPD. Policy D2 of the ELP is concerned with infrastructure capacity and is not relevant to the issue of outlook.

Other Matters

13. The proposed development would provide additional accommodation in a sustainable location. This counts in its favour. However, this is not sufficient to outweigh the harm which I have found with regard to the main issue concerning character and appearance.

Conclusion

14. For the reasons outlined above, I conclude that the appeal should be dismissed.

Steven Hartley

INSPECTOR