



Appeal Decision

Site Visit made on 21 June 2021

by Alexander O'Doherty LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 August 2021

Appeal Ref: APP/M5450/W/21/3268743

21 Moss Lane, Pinner HA5 3BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Bob Bhamra against the Council of the London Borough of Harrow.
 - The application Ref P/4525/20, is dated 4 December 2020.
 - The development proposed was originally described as, "rear extension and loft conversion".
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Decision

1. The appeal is allowed and planning permission is granted for alterations and extension to roof; rooflights in front, side and rear roofslopes; installation of solar panels on side roofslope; two storey rear infill extension; external alterations at 21 Moss Lane, Pinner, HA5 3BB in accordance with the terms of the application, Ref P/4525/20, dated 4 December 2020, 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 following approved plans: Location Plan (EX LP), Proposed First Floor Plan (PR P1) (Rev D), Proposed Second Floor Plan (PR P2) (Rev C), Proposed West Elevation (Front) (PR E1) (Rev A), Proposed Ground Floor Plan (PR P0) (Rev D), Proposed East Elevation (Back) (PR E3) (Rev A), Proposed Roof Plan (PR PR) (Rev A), Proposed Section 2 (PR S2), Proposed Section 1 (PR S1), Proposed South Elevation (Side) (PR E4) (Rev A), Proposed North Elevation (Side) (PR E2) (Rev A), Proposed Site Plan (PR PS).
 - 3) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no windows / dormer windows or doors other than those expressly authorised by this permission shall be constructed on the flank (North and South) elevations.

Preliminary Matters

2. The appeal has been accepted as one against the non-determination of the planning application by the Council. Notwithstanding this, the Council has made it clear that it would have been refused and has provided the reasons it would have used for the refusal.

3. Notwithstanding the description of development set out above, which is taken from the application form, it is clear from the plans and accompanying details that the development comprises alterations and extension to roof; rooflights in front, side and rear roofslopes; installation of solar panels on side roofslope; two storey rear infill extension; external alterations. The reference to raising the ridge height and forming a crown roof, found in the description of development given in the Council's appeal Statement of Case, has been omitted, as this does not form part of the proposal. Therefore, the appeal has been determined on this basis.
4. During the course of the appeal the revised National Planning Policy Framework (the Framework) was published, which replaced the February 2019 version. The parties were provided with an opportunity to comment on its relevance to this appeal. Although no comments were received, as the Framework is a material consideration in planning decisions, I have had regard to it in the determination of this appeal.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the host property and the surrounding area.

Reasons

6. The appeal site comprises a detached 2-storey dwelling sat within a fairly large plot in an attractive residential area. The dwelling has previously been extended via a 2-storey rear extension.
7. The Council have referred to a 'crown roof'. However, the flat roof proposed would be hidden behind the front-facing roof slope, and no 'cap' is proposed. Therefore, it would not be visible from the street. Accordingly, this element of the proposal would comply with paragraph 6.64 of the Residential Design Guide Supplementary Planning Document (adopted 2010), which provides that, amongst other things, all roofs should be designed to reflect the character of the dwelling house and those adjoining to provide a satisfactory appearance.
8. The proposed 2-storey rear extension would infill the space between the 2 rear external walls, effectively 'squaring off' the built form of the dwelling. In my view, it would fit seamlessly and coherently with its host property and would complement its built form, including in terms of its size and scale. Moreover, the combination of render and the large windows proposed, interspersed with timber, would provide an attractive contemporary update, whilst still respecting the traditional character of the host property. Furthermore, it would not be visible from the street, meaning that the impact on the rhythm of development in the vicinity would be very limited.
9. The proposed rooflights and solar panels would add extra visual elements to the dwelling. However, these elements would be positioned such that they would not appear out-of-place. Additionally, considering the orientation of the dwelling relative to the street and the presence of dwellings either side, the visual impact of these new elements would be quite muted in the street scene.
10. I therefore find that the proposal would have an acceptable effect on the character and appearance of the host property and the surrounding area. It would comply with Policy DM1 of the Harrow Council Development Management Policies (adopted 2013) which provides that, amongst other things, proposals

which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted. It would comply with Policy D3 of The London Plan (adopted 2021), which provides that, amongst other things, development proposals should respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality.

11. It would also comply with paragraph 130 of the Framework, which provides that, amongst other things, planning decisions should ensure that developments are sympathetic to local character, and with the guidance given in the Residential Design Guide Supplementary Planning Document (adopted 2010), which provides that, amongst other things, rear extensions should be designed to respect the character and scale of the original house.

Other Matters

12. I have carefully considered the representations made by the occupiers of No 23 Moss Lane (No 23) and No 4 Holly Grove (No 4), with respect to the potential for a loss of privacy via overlooking. I note that the roof pitch of the appeal property would not change under the proposal, and that, apart from the attic shower room, skylights / rooflights would be fitted in the roof, which would not be vertical windows. Additionally, there would be generous separation distances between all the new windows proposed and No 4 and its rear garden. As such, the potential for overlooking towards both those properties and their rear garden areas would be very limited. I therefore find that the proposal would have an acceptable effect on the living conditions of the occupiers of No 23 and No 4, with respect to privacy.

Conditions

13. I have had regard to the conditions suggested by the Council. I have considered them against the advice on conditions set out in the Framework and the Planning Practice Guidance. A condition is necessary, in the interests of clarity and enforceability, setting out the approved plans. A condition is also necessary requiring that no windows / dormer windows or doors other than those expressly authorised by this permission shall be constructed on the flank elevations, to protect the living conditions of the occupiers of neighbouring properties, with respect to privacy.
14. An occupier of No 23 has requested that any roof lights should be opaque, which could be secured by condition. However, considering my findings under 'Other Matters' above, I find that such a condition would not be necessary, as no material harm would be caused by the proposal to the living conditions of the occupiers of neighbouring properties.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed.

Alexander O'Doherty

INSPECTOR