
Appeal Decision

Site visit made on 24 August 2021

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL
an Inspector appointed by the Secretary of State

Decision date: 01 October 2021

Appeal Reference: APP/M5450/D/21/3274501
Land at 1 Berwick Close, Stanmore HA7 3PZ

- 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 Mrs Kunaniji Athithan against the decision of Harrow Council.
 - The application (reference P/0353/21, dated 28 January 2021) was refused by notice dated 24 March 2021.
 - The development proposed is described in the application form as “single and two storey side to rear extension; single storey rear extension; alterations to roof to form end gable and rear dormer; installation of three rooflights in front roofslope; reduction of loft size (part retrospective)”.
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Decision

1. The appeal is allowed and planning permission is granted for “single and two storey side to rear extension; single storey rear extension; alterations to roof to form end gable and rear dormer; installation of three rooflights in front roofslope; reduction of loft size (part retrospective)”, at 1 Berwick Close, Stanmore HA7 3PZ, in accordance with the terms of the application (reference P/0353/21, dated 28 January 2021), subject to the conditions set out in the attached Schedule of Conditions.

Procedural matter

2. The development which is the subject of this appeal has already been carried out, in part, and I have considered the appeal on this basis.

Main issues

3. The first main issue to be determined in this appeal is the effect of the development for which permission is sought on the appearance of the host building and its surroundings. The second is the effect of the development on the residential amenities of neighbours (whether unacceptable harm would be caused by overbearing appearance or overshadowing or intrusion on privacy).

Reasons

4. Berwick Close is located within a residential area of Stanmore, which is characterised by a range of house types in an established suburban location. The Close accommodates a pair of two-storey semi-detached houses that have been built behind frontage properties in Gordon Avenue and it provides access

to these relatively new houses between the side boundaries of numbers 120 and 122 Gordon Avenue. The two houses in Berwick Close share an access drive and turning area, each with its own front garden. Of the two houses, however, number 1 has much the smaller back garden, with the longer garden at number 2 wrapping around its rear boundary.

5. Various extensions and alterations have been carried out to the house at number 1, which is now much larger than its neighbour, and planning permission is now sought to regularise the development, subject to some modification.
6. Policies in the Development Plan are aimed at protecting and enhancing the environment generally, as well as protecting residential amenities. The general aim of achieving good standards of design derives, in particular, from Policy D3 of 'The London Plan' (dated March 2021), Policy CS1B of the 'Harrow Core Strategy' (dated 2012) and Policy DM1 of the 'Harrow Development Management Policies' (dated July 2013).
7. The Council's 'Supplementary Planning Document: Residential Design Guide' (which was adopted on 15 December 2010) is also relevant, although it does not have the same force as Policies in the Development Plan.
8. Among other things, national planning policies (as set out in the 'National Planning Policy Framework') also continue to emphasise the importance of achieving good design and they make it plain that new development should be sympathetic to its surroundings. The recent revisions to the 'National Planning Policy Framework' do not fundamentally affect these basic planning principles, in the context of this appeal.
9. The house at number 1 Berwick Close has a fairly extensive planning history, as recorded in correspondence. It has been explained that, in 2019, a "record of compliance with notification procedure for larger home extensions" had been issued in relation to a single-storey rear extension to the house (reference P/3358/19/PRIOR). Separately, in September 2019, a certificate of lawful proposed development was granted for the construction of a dormer and other works to the roof (reference P/2997/19). Thirdly, planning permission was granted in November 2019 for a single-storey front extension and a two-storey side extension to the house (reference P/3898/19).
10. Nevertheless, as was pointed out in the planning permission, the proposed roof alterations could not have been carried out lawfully at the same time as the works for which planning permission had been granted, without a new grant of planning permission. Thus, the development for which planning permission is now sought includes a range of different elements, notwithstanding the previous approvals.
11. Nevertheless, the previous approvals are material considerations in this appeal.
12. The single-storey rear extension is a substantial construction, built close up to the side boundary of the plot (with number 2) and extending 6 metres from the rear of the original house (as drawn). It creates a high wall against the neighbours' boundary and no doubt has some impact on their outlook and the shadowing of their garden during the afternoon. The rear of the two houses faces approximately north, however, and the garden areas immediately

- adjacent to the pair are inevitably overshadowed to some extent. As drawn, the single-storey rear element at number 1 would not exceed 3 metres in height and the impact on the neighbours' outlook would be acceptable in planning terms, provided that the dimensions are adhered to.
13. The rear dormer window is clumsy in appearance, adding a "box dormer" structure to the rear of the original roof. Even though roof tiles have been used as a facing material, in order to match the main roof slopes, the projecting form is awkward and ungainly, and it detracts from the appearance of the original building. Nevertheless, it must be recognised that such a form of construction is commonplace and that such dormers are often constructed as "permitted development". In itself, in short, this element is acceptable in planning terms, as are the associated works to the roof.
 14. The two-storey "side to rear extension" increases the width of the building and incorporates a first-floor extension at the rear. It is inset from the side boundaries, preserving clear separation from number 2 and maintaining a minimum distance from the boundary with the back gardens of properties in Woodlands Drive (which are relatively long gardens, moreover). It is designed in a traditional style with a hipped roof that is in harmony with the existing building.
 15. The various elements reflect the previous approvals although, together, they create a very significant change to the original building, and it is necessary to consider the project as a whole as well as the individual elements.
 16. Assessing the scheme as a whole, however, I have concluded that the scheme for which planning permission is now sought would not unduly harm the amenities of nearby residents, in particular the occupants of number 2 Berwick Close, bearing in mind the urban setting and the implications of the previous approvals and normal permitted development criteria.
 17. The scheme would have a marked effect on the appearance of the building and the existing roof form has been altered by the conversion of the original hipped roof (which is still a feature of number 2) to create a "semi-hipped" structure combining a small gable with a hipped lower roof, continuing the roof of the first-floor extension. Nonetheless, the finished scheme would not cause unacceptable harm to the character or appearance of the host building and its surroundings and would not be so unsatisfactory in appearance as to justify a refusal of planning permission, in all the circumstances.
 18. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, and the proposed development makes a useful addition to the accommodation at 1 Berwick Close. I have concluded that the completed project would not be materially in conflict with the Development Plan. In short, I am persuaded that the scheme before me can properly be permitted, subject to conditions and, although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
 19. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of the conditions suggested by the Council in the usual way (without prejudice to their main arguments in the appeal), subject to modifications necessary, in my opinion, in the interests of clarity and

enforceability. In particular, I have concluded that a condition is necessary, to define the planning permission by reference to approved drawings (including “proposed” plans and elevations).

20. I also accept that an additional condition is necessary to prevent the future insertion of openings in the flank elevations of the building, in order to protect neighbours’ privacy.

Roger C Shrimplin

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall have been carried out in accordance with the following approved drawings:
 - unnumbered Ordnance Survey site plan (1:1250);
 - drawing number 02R Revision A1 ("Original Built");
 - drawing number DRW-01 REV-A1 (untitled).
2. 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 or other openings shall be installed in the flank elevations of the development hereby permitted without the prior permission in writing of the local planning authority.