

## Appeal Decisions

Site visit made on 22 November 2021

**by P Eggleton BSc(Hons) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 22<sup>nd</sup> December 2021**

---

### **Appeal 1 Ref: APP/M5450/D/21/3281688**

#### **33 High View, Pinner HA5 3PE**

- 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 & Mrs Meena Bakshi against the decision of Harrow Council.
  - The application Ref P/1635/21, dated 16 April 2021, was refused by notice dated 14 June 2021.
  - The development proposed is a single storey side extension; part double/part single storey rear extension; and a double storey front extension.
- 

### **Appeal 2 Ref: APP/M5450/D/21/3286529**

#### **33 High View, Pinner HA5 3PE**

- 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 M Bakshi against the decision of Harrow Council.
  - The application Ref P/3390/21, dated 10 August 2021, was refused by notice dated 6 October 2021.
  - The development proposed is a two storey front extension; single storey side extension; single and two storey rear extension; relocation of front entrance door; and external alterations.
- 

### **Decision**

1. Appeal 1 is dismissed.
2. Appeal 2 is dismissed.

### **Main Issues**

3. The main issues, for both appeals, are the effect on the character and appearance of the area; and the effect on the living conditions of the residents of 31 and 35 High View with regard to outlook.

### **Reasons**

4. Two similar applications have been refused by the Council and each decision is the subject of a separate appeal. I have referred to the proposals as Appeal 1 and Appeal 2 based on the dates of each application and decision, as set out above.
-

5. Appeal 1 would result in changes to the front elevation, including a new feature gable. The main ridge and associated two storey element of the house would be brought forward resulting in a crown section of roof forward of the chimneys which are located centrally on both existing side facing gables. The forward projection would foreshorten the perceived depth of the existing forward projecting front gable and would alter the front building line between the gables. The garage section would extend further forward at single storey. A substantial first floor extension to the rear would extend across the full width of the two storey section of the house and a slightly deeper ground floor addition would extend across the full width of the rear of the house including the garage.
6. Appeal 2 shares many of the above details but would include a hipped roof to the crown section of roof rather than the truncated side gable. The first floor rear extension would also be marginally reduced in depth and there would be some changes to the positions of roof lights.

#### *Character and appearance*

7. The new front gable, in each proposal, would reflect the smaller front gable associated with the neighbouring property, which is generally of very similar design. The introduction of windows to the existing forward projecting gable would enliven its appearance. These elements would be acceptable. However, bringing the main ridge line forward would result in a substantial side elevation with a truncated gable and crown roof with regard to Appeal 1; and a similar but hipped roof leading to a crown roof in Appeal 2. The existing side gables and chimneys are clearly evident in views from the street and represent distinctive design elements that compliment the prominent front projecting gable. Both proposals would be at odds with the original design of the property and that of its similar neighbour, number 31. Together with the perceived foreshortening of the distinctive gable, the proposals would detract from the proportions of the dwelling and increase its overall perceived bulk.
8. The neighbouring property, number 35, has a large side extension that results in that property appearing large and imposing within the street scene. However, this does not take away from the more articulated side elevation of the appeal property. This side elevation is screened to some extent by its neighbour at number 35 and the street trees that line the road, but the proposed changes would nevertheless be clearly visible in public views. The side gable facing number 31 is more exposed to view due to the greater gap between properties. Although the hipped roof of Appeal 2 would be marginally less intrusive than the truncated gable of Appeal 1, both would detract from the existing character of the property and the appearance of both side elevations. Both schemes would represent poor design in this particular context. Furthermore, bringing the main ridge forward of the chimneys on both sides would accentuate this uncharacteristic element of new roof, particularly with regard to Appeal 1.
9. The rear first floor extension would also be visible between the properties in views from the street. This would be more evident in the larger gap between the appeal property and number 31. As the rear extension would not be set in from the side elevations, as advocated in the Council's Supplementary Planning Document: Residential Design Guide 2010 (SPD), this would increase the

perceived bulk of the proposed side elevations. Whilst this may not be a matter of critical importance, given the limited prominence of these rear areas, it adds to the overall shortcomings with regard to the increased bulk and the quality of the design of the side elevations in both cases.

10. There are a variety of roof forms in the area but this does not justify reducing the quality of the design of this property. I am also mindful that what is being proposed, in both cases, is a relatively fundamental re-modelling of the dwelling. The Council's design guide does not anticipate such a scale of alteration and generally seeks to maintain the character of the original dwelling. Whilst there may be merit in such a comprehensive approach if the final composition has a more cohesive design that is of a high quality, in this case, for both appeals, the final compositions would have a less satisfactory appearance and would make a much poorer contribution to the character of the area.
11. Overall, the changes that would be visible within the public domain for both appeals, particularly the forward position of the main roof ridge and the accompanying changes to the side elevations, would reduce the quality of the dwelling and erode its character. Both proposals would detract from the character and appearance of the area and be at odds with the design expectations of Policy D3.D(1 & 11) of The London Plan 2021 (LP); Core Policy CS1.B of the Harrow Core Strategy 2012; and Policy DM1 B (a & b) of the Harrow Development Management Policies Local Plan 2013 (DMP). The proposal would also conflict with the SPD which seeks to prevent proposals that do not harmonise with the scale and architectural style of the original building. These policies are consistent with the design aspirations of the National Planning Policy Framework and can be afforded full weight.

#### *Living conditions of neighbouring residents*

12. The Council is concerned with regard to the impact of the first floor rear additions. With regard to Appeal 1 and the neighbour to the east, number 31, the first floor element would be set in from the boundary by the width of the existing garage. The roof form would result in the eaves being the nearest part of the new built form with the higher ridge of the nearest of the twin gables being more central within the plot. Whilst this increase in higher level development would be more imposing when in the neighbouring rear garden, this would not be unacceptable. Extending the main ridge forwards in the plot would have little impact on the neighbouring residents. The separation distance from the nearest rear facing windows would be sufficient to avoid an unacceptable loss of outlook from within the dwelling and although exact calculations have not been provided, the separation distances would appear to exceed the numerical requirements of the SPD. With regard to Appeal 2, the depth of the first floor element would be slightly reduced and as a result, it would be less harmful with regard to the outlook from 31 High View.
13. The relationship with number 35 would differ because the separation distance between the two storey elements would not be as great. The rear of the appeal property is also set marginally deeper in the plot than its neighbour, effectively adding relative depth to the proposed rear extensions. However, the nearest neighbouring first floor window is set in from the corner of the building and there is an access path to the side of that property. Similarly, there is a wider

access path to the side of the appeal property. With regard to Appeal 1, no plans or detailed calculations have been provided but it would appear that the position of the corner of the proposed extension, in relation to the nearest neighbouring first floor window, would be close to the 45 degree requirement of the SPD. However, as the nearest window is obscure glazed and was approved as a bathroom, it has no discernible outlook. Any loss of direct sunlight to that room would be limited to a very short period in the mornings. The extension would have little impact on the neighbouring garden as number 35 already has a large ground floor extension which sets the nearest part of its rear garden deeper into the plot.

14. Whilst there may be a technical infringement of the SPD, the living conditions of the occupiers of 35 High View would not be harmed with regard to Appeal 1. Appeal 2 includes a similar relationship except the depth of the extension would be reduced. It would therefore have a lesser impact.
15. Whilst the scale of the new development would undoubtedly have an impact on some of the rear facing rooms of the neighbouring properties and the rear garden of number 31, it would not result in unacceptable harm to the living conditions of those neighbouring residents with regard to outlook or light. It would not therefore conflict with LP Policy D3.D(7) or DMP Policy DM1 (B(a) & D(d & e)). Whilst it has not been demonstrated conclusively that there would not be a technical conflict with the SPD, the proposals would not be at odds with its objectives of protecting the living conditions of neighbouring residents.

#### *Conclusions*

16. The proposals would not result in harm to the living conditions of the neighbouring residents. Both appeals would however result in harm to the character and appearance of the host dwelling and the wider area. Whilst I have considered the matters put forward by the appellants, these do not outweigh my concerns. I therefore dismiss the appeals.

*Peter Eggleton*

**INSPECTOR**