



Appeal Decision

Site visit made on 19 January 2022

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 FEBRUARY 2022

Appeal Ref: APP/M5450/W/21/3275457

7 Dean Drive, Stanmore HA7 1HB

- 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 Devji Kalyan against the decision of Harrow Council.
 - The application Ref P/0139/21, dated 13 January 2021, was refused by notice dated 29 March 2021.
 - The development proposed is described as 'double storey side and rear extensions, single storey front, side and rear extensions to existing residential house to convert into 2 self-contained flats.'
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the Council took its decision and the appeal was made the National Planning Policy Framework (the Framework) was revised in July 2021. The sections pertinent to this appeal have not materially altered and I will therefore reference the revised version going forward.

Main Issues

3. The main issues in this appeal are the effect of the proposed development on: -
 - the character and appearance of the host dwelling and the surrounding area; and
 - the living conditions of future occupants in relation to private outdoor space.

Reasons

Character and appearance

4. Dean Drive, Holly Avenue and Woodstock Close form part of the wider suburban residential area. The dwellings are all 2 storeys, similar in age and are semi-detached pairs or short terraces of four houses. Most properties have hardstanding to the front which is used for parking. Access to rear gardens and outbuildings is via a series of service roads. Most properties are single dwellings, although some have been extended and sub-divided. Notwithstanding this, there is a reasonable level of uniformity in the street scene with each pair or terrace having clear separation from the next.
5. The appeal site is an end of terrace dwelling on the inside corner of the junction of Dean Drive and Holly Avenue. This means the appeal site is wedge-

shaped, with a small triangular rear garden. This is separated from the front garden and off-road parking by a detached garage and high wall. It does not benefit from rear access from the service road

6. The proposed development would include 1 and 2 storey elements that would extend near to the full width of the appeal site and would be angled to align with the building line of the adjacent property, 5 Holly Drive. The stepping back of the upper floor to the frontage and subservient roof form would comply with the recommendations of the Council's Residential Design Guide Supplementary Planning Document (2010) (SPD). However, the proposed building line would create an awkward relationship with the host dwelling and unbalance the terrace. It would also significantly reduce the gap between the appeal property's side elevation and that of 5 Holly Drive, at odds with the wider street scene. This would be rendered more prominent by the corner location of the appeal site. Furthermore, the detailing of the proposed extension would not reflect the horizontal fenestration at ground floor level. This would introduce discord between the host dwelling and the wider terrace.
7. On viewing the properties highlighted by the appellant, I am content they do not reflect the same form of development as that proposed. In all cases the gap between the extension and adjacent property was retained above ground floor level and in the main the building line of the host dwelling was followed. It is noted that 5 Holly Hill has a 2 storey extension, however this forms part of a semi-detached pair and the extension is balanced by a similar one at the opposite end.
8. Bins are generally stored informally to the front of properties in the area. The proposal would create screened and designated bin storage to the front of the property. Although not in keeping with the recommendations of the SPD, the size of the frontage, the proposed retention of hedging and minimal amount of hardstanding would ensure that the bin storage would be discreet and would not harm the character and appearance of the area.
9. Notwithstanding the bin store and frontage treatment, the proposed development, would harm the character and appearance of the host dwelling and surrounding area. This would be contrary to paragraph 130 of the Framework, Policy D3 of the London Plan (2021), Policy CS1.B of the Harrow Core Strategy (2012) (Core Strategy), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) (DMP) and the SPD, which seek to protect local character and promote good design, amongst other things.

Living conditions

10. The existing wedge-shaped rear garden is north-westerly facing and relatively small in relation to the gardens of surrounding properties. The point of the wedge is enclosed by neighbouring properties outbuildings on either side.
11. The proposed development would extend the ground floor of the existing dwelling into the rear garden and divide the remaining garden space into two separate gardens enclosed by high timber fencing.
12. The size of the proposed gardens would comply with Policy D6 of The London Plan and the standards within the Mayor of London Housing Supplementary Planning Guidance (2016) (Housing SPG). However, the narrow triangular shape of the garden for the new dwelling would not be conducive to ease of use

and its access would be convoluted via the front door and down a narrow, shared side access. The proximity of the outbuildings along with the proposed fencing would create an enclosed and cramped space. In contrast, the proposed garden for the existing dwelling would be more regular in shape and easier to access. However, due to the size of the proposed extensions, the proposed fencing, and their orientation, both gardens would be in shadow for most of the time. This would not represent adequate private outdoor space for the future occupants of either dwelling.

13. The proximity of public open space to the site is noted. However, in this case it would not compensate for the inadequate gardens proposed. The acceptability of the private outdoor space for the properties referred to by the appellant has not been evidenced.
14. The proposed development would therefore harm the living conditions of future occupants in relation to private outdoor space. This would be contrary to paragraph 130 of the Framework, policies D3 and D6 of The London Plan, policies DM1 and DM26 of the DMP, the Housing SPG and the SPD, which seek to protect living conditions and promote well designed private outdoor spaces, amongst other things. Policy CS1B of the Core Strategy is referred to in the reason for refusal, I have however not referred to it above as it does not appear to be directly relevant to living conditions.

Other Matters

15. The appellant has referred to various paragraphs from the Framework and London Plan policies including those relating to sustainable development, provision of additional housing, and the effective use of land. I have had regard to these matters, but they do not mediate the harm caused in respect of the character and appearance and living conditions. The lack of impact the proposed development would have on the living conditions of the occupants of adjacent properties, highway safety and flood risk have also been considered but do not alter my findings.

Conclusion

16. For the reasons given above, having considered the development plan as a whole along with all other relevant material considerations including the approach in the Framework, I conclude that the appeal should be dismissed.

RJ Redford

INSPECTOR