

Appeal Decision

Site visit made on 29 November 2022

by S Crossen BA (Hons) PgCert PgDip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 December 2022

Appeal Ref: APP/M5450/W/22/3301294

18 Paines Close, Pinner HA5 3BN

- 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 & Mrs Alex Afnan against the Council of the London Borough of Harrow.
 - The application Ref P/0453/22, is dated 10 February 2022.
 - The development proposed is for a single storey rear extension, hip to gable alterations to existing roof to front and rear elevations, side extension to replace existing outbuilding on land adjacent to 18 Paines Close.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension, hip to gable alterations to existing roof to front and rear elevations, side extension to replace existing outbuilding at 18 Paines Close, Pinner, HA5 3BN in accordance with the terms of the application, Ref P/0453/22, dated 10 February 2022, and the plans submitted with it, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. There is no dispute between the parties. The Council has advised that they would have recommended that the application be approved subject to conditions.

Main Issue

3. From the Council's appeal statement the main issue is the effect of the proposed development on the character and appearance of the area, including the adjacent Pinner High Street Conservation Area.

Reasons

4. The appeal site is situated in a cul-de-sac, and comprises an extension to the side of what was formally an extension to a detached house both buildings have a number of rooflights and there is an existing outbuilding to the side of the extension with private garden to the rear, all built on lower ground than the original house. The house faces the side elevation of a neighbouring house on the same street. The side extensions benefit from a certificate of lawfulness which confirms that there is an established use at the site for two dwellings.

5. Paines Lane runs to the rear of the appeal site on lower ground. The rear elevations of neighbouring houses face this road and are prominently located on higher ground. The appeal site boundary is currently defined by planting but the existing buildings at the appeal site area were still visible from Paines Lane during my site visit. The houses on Paines Close are characterised by large, detached houses many of which have been extended to the side and rear.
6. The rear of the appeal property is adjacent to the Pinner High Street Conservation Area, and views into the Conservation Area is one of the key features of the heritage asset, identified in the Pinner High Street Conservation Area Plan, relevant to this appeal.
7. The proposed development would be seen in the context of the original house and neighbouring houses. The proposed development would take place on lower ground than the original house and first floor alterations include a roof pitch which reflects the existing design of the neighbouring houses and would be similar to the main house. The flat roof design of the single storey extensions would be the same as the existing outbuilding. This subservient relationship and complementary design would ensure the development integrates with its surroundings and have little effect on the character and appearance of the area.
8. The Council consider that the proposal has no adverse effect on the character or appearance of the Conservation Area, subject to a condition which requires details of fully flush roof lights to be submitted to and approved by the Council. I find that there would be no harm resulting from the visual presence of the roof lights as indicated on the plans subject of this appeal on the Conservation Area. This is because of the context of the existing development, located outside of the Conservation Area and which would not affect any views of the heritage asset. Accordingly, it is my view that the development proposed would preserve the character and appearance of the adjacent designated area.
9. I therefore conclude that the development does not have a detrimental effect on the character and appearance of the area and the adjacent Pinner High Street Conservation Area. As such there is no conflict with Policy CS1 of the Harrow Council Core Strategy February 2012, Policy DM1 of Harrow Council, Development Management Policies July 2013, policies D3 of The London Plan: The Spatial Development Strategy for Greater London March 2021, and guidance provided in the Residential Design Guide Supplementary Planning Document (SPD) adopted December 2010 and the Conservation Area Appraisal and Management Strategy Pinner High Street, adopted December 2009. These policies and this guidance seek, amongst other things, new development to provide good design that is sustainable and appropriate to its location, scale and setting.

Other Matters

10. I note the appellant has requested that I confirm which elevation of the dwelling is the principal elevation. However, I have not done this as it is not necessary for me to do so in determining this appeal.

Conditions

11. I have had regard to the conditions suggested by the Council. I have imposed a condition specifying the approved plans as this provides certainty. I have

imposed a condition that the external surfaces shall match the original building to safeguard the character and appearance of the area. I impose a condition to prevent the use of the large roof of the single storey portion as a balcony or amenity area which is necessary to protect the privacy of neighbouring residents.

12. I have not imposed the suggested condition for details to be submitted of the roof lights because for the reasons set out above such a condition is not necessary.

Conclusion

13. For the reasons given above, having regard to the development plan as a whole, the provisions of the National Planning Policy Framework, particularly with regard to achieving well designed places, I conclude that the appeal should be allowed.

S Crossen

INSPECTOR

Schedule of 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: SU-01; SU-02; SU-03; SU-04; P-101; P-102; P-103; P1-104.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.