
Appeal Decision

Site visit made on 23 January 2023

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th February 2023

Appeal Ref: APP/M5450/D/22/3313031

3 Chartwell Place, Harrow HA2 0HE

- 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 Ms Sheharbano Khattak against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/3140/22, dated 1 September 2022, was refused by notice dated 20 October 2022.
 - The development proposed is a ground floor conservatory to the rear of the house and linked to the existing garage, conversion of part of the garage into habitable rooms and a ground floor extension to the converted garage with new windows, doors and rooflights to the converted garage.
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Decision

1. The appeal is allowed and planning permission is granted for a ground floor conservatory to the rear of the house and linked to the existing garage, conversion of part of the garage into habitable rooms and a ground floor extension to the converted garage with new windows, doors and rooflights to the converted garage in accordance with the terms of the application Ref P/3140/22, dated 1 September 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three 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, 2331.1 Rev A, 2331.2 Rev A and 2331.3 Rev A.
 - 3) The materials to be used in the construction of the external surfaces of the outbuilding extension hereby permitted shall match those used in the existing building.

Main issues

2. The main issues are:
 - i) Whether the proposal would preserve or enhance the character or appearance of the Roxeth Hill Conservation Area and the setting of listed buildings; and

- ii) The effect on living conditions at 4 Chartwell Place next door, in terms of the impact on outlook and light.

Reasons

Character and appearance

3. 3 Chartwell Place is a late 20th Century detached house situated in a backland position within the Roxeth Hill Conservation Area and near to the grade II listed Roxeth Primary School. In assessing this proposal, I am required by Sections 72 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area and preserving the setting of listed buildings. This is reflected in Section 16 of the National Planning Policy Framework (the Framework), which gives great weight to the conservation of heritage assets.
4. Chartwell Close is a spacious, gated cul-de-sac of modern houses with a leafy feel due to the number of street trees. The architecture of these houses is well mannered but not of particular distinction. The openness of Chartwell Place provides a pleasant contrast with the more densely built up, more historic street frontages nearby.
5. The Council raises no objection to the proposals for the new rear conservatory, the glazed link (between conservatory and garage) or the conversion of the garage to accommodation. Its objection is to a proposed rear extension to the garage. This would continue the outbuilding's linear form further to the rear, where it would be cut into rising ground.
6. Although the extended building would be much longer than normal for an outbuilding, it would be discreetly sited where it could only be seen from a limited part of Chartwell Place. In those views it would be seen in the context of other development and a tall evergreen hedge so would not be intrusive. It would not appear in any important views within or out of the conservation area. It would fit comfortably onto the plot and, due to its low height, would be subservient in scale to the houses. Sufficient garden area would remain so that the building would not detract significantly from the comparatively open character of Chartwell Place. Its design and materials would match the existing building.
7. Due to the sloping land and intervening features, the appeal proposal would not be seen in context with the historic sections of the listed school building. The proposal would not have any significant affect on the setting of that building.
8. I note that the Conservation Area Advisory Committee raises no objection to the proposal. I find myself in agreement with that position, concluding that the proposal would preserve the character and appearance of the conservation area and the setting of the listed school. It therefore accords with the shared aims of London Plan 2021 (LP) policies D3 and HC1, Harrow Core Strategy policy CS1(B), Harrow Council Development Management Policies (DMP) policies DM1 and DM7, the Council's Residential Design Guide Supplementary Planning Document (RDG) and the Framework, to ensure that development responds to the existing character of a place and achieves a high standard of design, conserving the significance of heritage assets.

9. The Council's decision notice also refers to conflict with the Council's 2007 Roxeth Hill Conservation Area Management Strategy, but a copy of that document was not provided. I am satisfied that I have enough information to make this decision without it.

Living conditions

10. Again, the Council's concern relates only to the proposed garage extension. The existing garage runs alongside the boundary with 4 Chartwell Place. The proposal would extend the structure further along that boundary. I note that No 4's garden is cut into the rear slope, so that it is at a low level, and that the high wall of a school building is set near to No 4's rear boundary. It is therefore necessary to be careful about additional built structures further enclosing the garden space.
11. No 3's garage is, however, set well away from this neighbouring house and is immediately adjacent to only a small portion of its large garden. The garage is a low single storey structure and the extension would be the same height. There would be a minor impact on the outlook from part of No 4's garden and some degree of additional overshadowing, but these effects would be limited in extent and well within reasonable limits. There would be no significant impact on living conditions at the house itself.
12. I conclude that the proposal would not harm living conditions at the next door property, No 4. It would therefore also accord with the shared aims of LP policy D3, DMP policy DM1 and the RDG, to ensure that proposals are not detrimental to the amenity of neighbouring occupiers.

Conditions

13. I impose a condition specifying the relevant plans to provide certainty. A further condition requiring the use of matching materials for the garage extension is needed to protect the character and appearance of the conservation area.

Conclusion

14. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR