

Appeal Decision

Site visit made on 16 January 2024

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30.01.2024

Appeal Ref: APP/M5450/D/23/3331765

141 Kingshill Drive, Kenton, Harrow, HA3 8QT

- 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 Mahadra Patel against the decision of the Council of the London District of Harrow.
 - The application Ref P/2426/23, dated 22 August 2023, was refused by notice dated 17 October 2023.
 - The development proposed is removal of rear roof windows to enlarge the existing rear loft dormer.
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Decision

1. The appeal is allowed and planning permission is granted for removal of rear roof windows to enlarge the existing rear loft dormer at 141 Kingshill Drive, Kenton, Harrow, HA3 8QT in accordance with the terms of the application Ref P/2426/23, dated 22 August 2023 and in accordance with the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision;
 - 2) 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;
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed First Floor Plans; Proposed Roof Plans; and Proposed Elevations.

Procedural Matters

2. In its questionnaire, the Council ticked boxes stating that conditions relating to the timescale of the permission, the control of materials and the need for the development to be carried out in accordance with the approved plans are unnecessary. However, as addressed below, I consider each of these conditions to be necessary and there is no evidence before me to the contrary.

Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of the area.
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Reasons

4. The appeal property is a detached two storey dwelling, with a crown roof and rear dormer extension providing for rooms at roof level.
5. The appeal property is located in a residential area characterised by the presence of detached and semi-detached two storey dwellings set back from the road behind short gardens and/or parking areas and with longer gardens to the rear.
6. I observed during my site visit that the presence of occasional street trees, planting and glimpses towards gardens via gaps between dwellings and pairs of dwellings provides for a sense of greenery and spaciousness. I also noted there to be plentiful examples of rear dormers looking out across rear garden areas, such that the presence of rear dormers can be considered as being characteristic of the area.
7. The appeal property has an existing rear dormer. This is centrally located and is visually dominated by the presence of glazing, which largely fills the width of the dormer. The presence of roof lights to either side of the dormer add to the amount of glazing visible on the rear roof slope.
8. The proposed development would extend the width of the existing dormer, but rather than add to the extent of glazing, the additional area would be hung with matching roof tiles. Further, the proposed extended dormer would replace the existing roof lights.
9. I find that the resultant dormer would enhance the appearance of the rear roof slope. It would significantly lessen the amount of glazing visible on the rear roof slope by removing two roof lights and I find that the dormer extension would, due to the use of sensitively chosen materials, lessen the visual impact of the dormer's existing glazing.
10. Consequently, I find that whilst it would create a larger dormer, the proposed development would not appear awkward, dominant or incongruous, but would result in a more attractive rear roof slope.
11. Taking all of the above into account the proposal would not harm the character and appearance of the area and would not be contrary to the National Planning Policy Framework or to London Plan (2021) Policies D3 and D11; to DMP¹ Policy DM1; to Core Policy² CS1; or to the Council's Supplementary Planning Document: Residential Design Guide (2010), which together amongst other things seek to protect local character.

Conditions

12. I have considered the conditions against the tests set out in Paragraph 56 of the Framework. A condition specifying the approved plans is necessary for the avoidance of doubt and in the interests of proper planning.
13. A condition controlling external surfaces is necessary in the interests of local character.

¹ Reference: Harrow Development Management Policies (2013).

² Reference: Harrow Council Core Strategy (2012).

Conclusion

14. For the reasons given above, the appeal is successful.

N McGurk

INSPECTOR