

Appeal Decision

Site visit made on 9 May 2024

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI
an Inspector appointed by the Secretary of State

Decision date: 23.05.2024

Appeal Ref: APP/M5450/D/24/3340672
40 Chestnut Drive, Harrow HA3 7DJ

- 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 Keith Hulme against the decision of the Council of the London Borough of Harrow.
 - The application, Ref. PL/0557/23, dated 21 November 2023 was refused by notice dated 16 January 2024.
 - The development proposed is a double and single storey side and rear extension & loft conversion (retrospective).
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Decision

1. The appeal is allowed and planning permission is granted for a double and single storey side and rear extension & loft conversion at 40 Chestnut Drive, Harrow in accordance with the terms of the application, Ref. PL/0557/23, dated 21 November 2023 and subject to the following conditions:
 - 1) The development to which this permission relates shall begin not later than the expiration of three years beginning with 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: OS based Location Plan: Drawing Sheet No. 1 (as amended 30/6/23); Drawing Sheet No. 2 (as amended 21/11/23).

Main Issue

2. The main issue is the effect of the development on the character and appearance of the host dwelling, the semi-detached pair with No.42 and their immediate surroundings.

Reasons

3. The appeal dwelling is one half of a semi-detached pair with No. 42, the latter property occupying a corner position at the junction of Chestnut Drive with Robin Hood Drive. Because of this relationship, both the front of No. 40 (to
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Chestnut Drive) and the rear (from Robin Hood Drive across the back garden of No. 42) are visible from the public realm.

4. The officer's report on the application explains that although two storey front/side extensions to No. 40 were approved under application ref. P/4554/19, there is no permission for the full extent of development as carried out. Retrospective permission under application ref. P/1385/23 was refused for a hip to gable roof extension, a partial hipped two storey side extension and a rear dormer extension. The application the subject of this appeal seeks to address the previous reasons for refusal through the introduction of a gable end to the two storey side extension.
5. In terms of the main issue I consider that as one half of a semi-detached pair with No. 42, the extensions (both as already constructed and as proposed to be amended in this appeal) need to be assessed as regards 'the building as a whole' – both houses together. In that context I saw on my visit that the full size rear dormer at No. 42 is particularly prominent in the street scene. This is not only because of its size with a flat roof at ridge height extending over the full extent of the roof plane, but also because as part of the street scene of Robin Hood Drive the rear of the dwelling is fully exposed to public views.
6. The appeal dwelling has a very similar dormer which, as is the case with No. 42, would have been permitted development had it not been built as part of the side extension approved by the Council under application ref. P/4554/19. The presence of the dormer has the benefit of balancing that at No. 42 in both front and rear views. However, this positive point is partially offset by the fact that it is oversized in relation to the original roof with the result that the combined roof area to the rear of both dwellings is perceived in views from Robin Hood Drive as being overly bulky.
7. Despite this, it has to be recognised that the roof extension to No. 42 both exists and is beyond the remit of planning control. And together with the balancing effect I consider that in itself the hip to gable roof extension at No. 40 has an essentially neutral impact the 'the building as a whole'.
8. However, the combination of the above development and the side extension as built reads awkwardly in the Chestnut Drive street scene and this is to some degree acknowledged in the grounds of appeal. I consider that this would be resolved through the amendments to provide a gable ended roof on the side extension to match the loft conversion roof.
9. When the set down and set back of the extension is taken into account together with the reasonable gap to the side gable of No. 38, I consider that the development as a whole would be seen as acceptable in the street scene. This is of a road that whilst including similar dwellings to the original form of Nos. 40 and 42 also includes several with significant extensions and others of an entirely different appearance.
10. For these reasons I find on balance that the proposal would not harm the character and appearance of No. 40 or the building as a whole and the street scene. Accordingly, there would be no unacceptable conflict with Policy CS1 Section B of the Harrow Core Strategy 2012; Policy DM1 of the Harrow Development Management Policies Local Plan 2013; Policies D3: D1) & 11) of the London Plan 2021; the Council's Residential Design Guide Supplementary

Planning Document 2010, and Government policy to achieve well-designed places in Section 12 of the National Planning Policy Framework December 2023.

11. I shall therefore allow the appeal. A condition requiring matching external materials is needed to facilitate a harmonious form of development, whilst a condition requiring the development to be carried out in accordance with the approved plans will avoid uncertainty and is in the interests of proper planning.

Martin Andrews

INSPECTOR