



Appeal Decision

Site visit made on 26 June 2024

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th July 2024

Appeal Ref: APP/M5450/D/24/3344056

20 The Spinney, Stanmore, Harrow, HA7 4QJ

- 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 Tamara Franks against the decision of the Council of the London Borough of Harrow.
 - The application Ref PL/0705/23 dated 1 December 2023, was refused by notice dated 11 April 2024.
 - The development proposed is conversion of garage to habitable room with installation of window to front; front porch; single storey rear extension; pitched roof over existing rear extension; roof alterations to raise ridge height; side and rear dormers; 3no external air conditioning units; external alterations (demolition of porch).
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Decision

1. The appeal is allowed and planning permission is granted for conversion of garage to habitable room with installation of window to front; front porch; single storey rear extension; pitched roof over existing rear extension; roof alterations to raise ridge height; side and rear dormers; 3no external air conditioning units; external alterations (demolition of porch) at 20 The Spinney, Stanmore, Harrow, HA7 4QJ in accordance with the terms of the application Ref PL/0705/23, dated 1 December 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 GF Plan 02-300; Proposed 2F Plan 02-302; Proposed Roof Plan 02-303; Proposed Section B-B 03-301; Proposed Section C-C 03-302; and Proposed Front Elevation 04-300; Proposed Side Elevation 04-301; and Proposed Rear Elevation 04-302.

Procedural Matters

2. The description of development is taken from the Council's decision notice. The application form sets out a long list of proposed works.
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3. The name of the appellant is taken from the appeal form (the application form only provides a surname).
4. The appellant applied for and received a Certificate of Lawful Development¹ for a proposal extremely similar to the proposal the subject of this appeal.

Main Issues

5. The main issues in this case are the effect of the proposed development on the character and appearance of the area; and its effect on the living conditions of neighbouring occupiers.

Reasons

Character and appearance

6. The appeal property is a detached two storey dwelling which has been extended to the side such that it extends across much of the width of its plot. Like other dwellings in the area, it is set back from the street behind a short parking area and has a longer garden to the rear.
7. The appeal property is located in a residential area which is characterised by the presence of two storey detached dwellings which largely fill the width of their plots. Many dwellings have been altered and/or extended and as noted by the Council, the design of dwellings reflects varying architectural styles.
8. During my site visit, I observed that, whilst many dwellings have been developed such that they appear to largely "fill" their plots, the regular setting back of dwellings from the street provides for a sense of spaciousness.
9. The proposed development would extend the dwelling to the rear and upwards. Whilst this would result in a dwelling a little taller and larger than neighbouring dwellings, the proposed development would appear in character with surroundings notable for the presence of extended dwellings of varying architectural form.
10. Proposed changes to the roof, including dormers, would result in significant additional living space whilst respecting the integrity of the host dwelling's appearance. Whilst the additions would result in a taller roof, the resultant mixed roof form would add visual interest to and appear in keeping with, its surroundings where, during my site visit, I observed the roofscape to be interesting and varied in form.
11. Consequently, the proposals would appear neither incongruous nor dominant. They would not be visually intrusive and would respect the scale and proportions of the existing roof form.
12. Taking 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) Policy D3; to DMP² Policy DM1; or to the Council's Supplementary Planning Document: Residential Design Guide (2010), which together amongst other things seek to protect local character.

¹ Reference: P/2474/20.

² Reference: Harrow Development Management Policies (2013).

Living Conditions

13. The proposal the subject of the Certificate of Lawful Development referred to above included a rear dormer with floor to ceiling glazing and a Juliette balcony. The proposal the subject of this appeal would appear largely the same as that the subject of the Certificate of Lawful Development, other than it would not have a Juliette balcony. Consequently, there would be little if any difference in respect of the effect of the proposal on the privacy of neighbours.
14. Notwithstanding the above, during my site visit I observed that the rear windows of the appeal dwelling and its neighbours already give rise to some views across neighbouring gardens and the proposed rear dormer would not change this situation to any notable degree.
15. Noting all of the above, I find that the proposed development would not result in harm to the living conditions of neighbouring occupiers, with regards to privacy. The proposal would not be contrary to the National Planning Policy Framework or to London Plan (2021) Policy D3; to DMP Policy DM1; or to the Council's Supplementary Planning Document: Residential Design Guide (2010), which together amongst other things seek to protect residential amenity.

Conditions

16. I have considered the conditions against the tests set out in Paragraph 56 of the Framework. Whilst the Council suggested that no conditions are necessary, I find that a condition specifying the approved plans is necessary for the avoidance of doubt and in the interests of proper planning.
17. A condition controlling external surfaces is necessary in the interests of local character.

Conclusion

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

N McGurk

INSPECTOR