



Appeal Decision

Site visit made on 15 October 2024

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 November 2024

Appeal Ref: APP/M5450/D/24/3349355

2 Leabank Close, Sudbury, Harrow HA1 3QA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Louai Al Abed against the decision of the Council of the London Borough of Harrow.
 - The application Ref is PL/1279/24.
 - The development proposed is the erection of a dormer to the front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a dormer to the front elevation at 2 Leabank Close, Sudbury, Harrow HA1 3QA in accordance with the terms of the application, Ref PL/1279/24, subject to the following 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: 0476/01.
 - 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.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the character and appearance of the host property and surrounding area.

Reasons

3. The appeal property is a detached 2-storey dwelling, of a similar design as the neighbouring 4 Leabank Close, which includes a balcony cut back into the front roofslope. The property and its balcony are visible from Leabank Close and around its junction with South Hill Avenue. The proposed development includes the enclosure of the balcony by the erection of a dormer window. As identified by the appellant and seen during the site visit, adjacent to the property there are dwellings of varying designs some of which have front and side dormer windows which are visible from the roads.
4. The property is situated within the Sudbury Hill Conservation Area where there is a statutory duty to preserve or enhance the character or appearance of the

- area. This duty is echoed in Policy HC1 of the London Plan (LP), Policy CS1 of the Harrow Core Strategy (CS) and Policy DM7 of the Harrow Development Management Policies Local Plan (DMP).
5. No details concerning the heritage significance of the Conservation Area have been provided. However, the appellant and the Planning Officer refer to the Conservation Area largely being characterised by prominent detached and largely unchanged Victorian villas of great charm and character. A significant proportion of these villas comprise a linear form of residential development fronting Sudbury Hill. The undulating topography, the siting of the villas, the gaps between buildings and the extensive tree cover give the Conservation Area a spacious and verdant character and appearance.
 6. This assessment contrasts with the area around the appeal property where there are dwellings and apartment buildings of more contemporary design rather than being villas. The dwellings fronting Leabank Close and South Hill Avenue are of a higher density of development with less landscaping and do not share the same design characteristics as the remainder of the Conservation Area. Indeed, the Planning Officer's report notes the dwellings along Leabank Close as being neutral contributors to the character of the Conservation Area. There are no reasons to disagree with this assessment.
 7. The property is sited close to the boundary of the South Hill Conservation Area and, as such, is within its setting. Again, no details about the heritage significance of this Conservation Area have been provided. From what was observed adjacent to the property, this Conservation Area is similar to the character and appearance of the Sudbury Hill Conservation Area by comprising late Victorian and Edwardian villas, undulating topography and some tree cover.
 8. The proposed dormer would alter the character and appearance of the property because the balcony would be lost. However, the degree of change is not such that the resulting property would cause unacceptable harm to the heritage significance, character and appearance of the Conservation Area. The resulting property would be preserved as a neutral contributor to the character and appearance of the Conservation Area.
 9. By reason of scale and siting, the appeal scheme would also not visually dominate the property's roofslope and it would not be an incongruous form of development. Instead, the appeal scheme would echo other near-by dwellings within this part of the Conservation Area that have front dormers of varying designs. By reason of being a detached dwelling, the proposed dormer would not cause a loss of symmetry with No.4 which is the only other dwelling of a similar design. There would not be a detrimental impact on the appearance of the property's front elevation so as to cause a conflict with Policy 4 of the *Sudbury Hill Conservation Area Management Study* referenced in the Planning Officer's report.
 10. For the reasons given, it is concluded that the proposed development would not cause unacceptable harm to the character and appearance of the host property and the surrounding area and, as such, it would not conflict with LP Policy HC1, CS Policy CS1 and DMP Policies DM1 and DM7. In addition to heritage considerations, these policies also seek a high standard of design and for development not being detrimental to local character and appearance. No

specific conflict has been identified by the council with the *Residential Design Guide Supplementary Planning Document*.

Conditions

11. The Council has suggested several conditions in the event this appeal succeeds which have been assessed against the tests in the National Planning Policy Framework and the Planning Practice Guidance. For reasons of clarity, a condition is necessary to secure the erection of the proposed extension in accordance with the approved drawings. To assist with the assimilation of the appeal scheme into the surrounding area a condition for the external materials to match those of the property is necessary.
12. By reason of nature and modest scale of the appeal scheme, a condition requiring a construction management strategy is considered unnecessary. Accordingly, it is concluded that the appeal should be allowed.

D J Barnes

INSPECTOR