
Appeal Decision

Site visit made on 21 November 2016

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 7 December 2016

Appeal Ref: APP/T5150/D/16/3160362

6 Regent Close, Harrow, Middx HA3 0SF

- 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 Ruth Cohen against the decision of the Council of the London Borough of Brent.
 - The application Ref 16/2031, dated 13 May 2016, was refused by notice dated 18 July 2016.
 - The development proposed is a single storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are;
 - The effects of the proposal on the street-scene
 - The effects of the proposal on the living conditions of neighbours.

Reasons

The effects of the proposal on the street-scene

3. The proposal relates to this semi-detached 2 storey house, located within an area of similar houses. Properties within Regent Close are set around a small cul-de-sac, the first pair of houses on each side of the Close are set forward of the next pairs and the houses follow a very rough circular pattern.
4. No 6, and its attached neighbour at No 8, are set significantly rearwards of the neighbouring house at No 4. Photographs submitted with the appeal show a single storey element at No 4 sited adjacent to the boundary with No 6. At the time of my site visit considerable building works were under way at No 4 and the side extension shown on the photographs had been removed although a replacement structure was under way in a similar position. Having noted the building works at No 4, the works were not sufficiently advanced for me to be certain of the final finished appearance or form, particularly at the rear.
5. At the front, the proposal would project by 2.8m in front of the existing house at No 6, according to the plans. This would be set behind the front of No 4 as a result of the difference in siting. To some extent I acknowledge the point made by the appellant that, in relation to No 4, the proposed extension would be set

back and would have an appropriate relationship with No 4, taken in isolation. However, the proposal would clearly relate to No 6 and form an extension to it. When seen as part of No 6, I consider that its projection forward of the main body of the house would result in an awkward appearance which would visually disrupt No 6 and to some extent its attached neighbour at No 8. I consider that the proposal would have a significantly harmful visual effect on No 6 and, as a consequence, on the street-scene within Regent Close. As a result, the proposal is contrary to Policy CP 17 of the Core Strategy, Policies BE2, BE7 and BE9 of the Unitary Development Plan and the aims of the Supplementary Planning Guidance 5; Altering and Extending Your Home (SPG).

The effects of the proposal on the living conditions of neighbours

6. At the rear No 6 extends significantly deeper than the neighbouring property at No 4. The documents submitted with the appeal indicate that the proposed rear section would have a depth of 3.5m beyond the rear wall of No 6 and that, due to the difference in siting, this would be 10.3m beyond the original rear wall of No 4.
7. Whilst I note that a previous extension to No 4 existed and that the on-going building works at No 4 may result in some extension at the rear, from what I could see, the appeal scheme would still result in an extension significantly deeper than No 4.
8. The Council's SPG advises that single storey extensions at the rear should be no greater in depth than 3m and should also have a height of no greater than 3m. It adds that if the properties have a different rear building line, the acceptable depth may need to be reduced. In relation to the appeal scheme, not only is the proposed extension at 3.5m depth, greater than is advised in the SPG but the different rear building lines work to significantly compound the likely effects on neighbours at No 4. I also note that it is marginally higher than is advised.
9. In this respect, I consider that the significant depth beyond the rear of No 4 would mean that the proposal would appear overbearing when viewed from the house and garden at No 4. Some reference is made by the appellant to the effects on daylight; however, I note that no ill-effects are alleged in this respect by the Council in their submissions or reasons for refusal, which specifically refer to outlook and overbearingness. I have taken account of the submitted letter of support from the neighbour at No 4 who mentions only the effects on light; I find nothing in this letter to alter my view that the proposal would have an unacceptable effect on those who may live, now and in the future, at No 4.
10. I have also taken account of the appellant's comments in relation to the improvements in the appearance of the extension compared to the existing one. Whilst this may be the case, I do not find that this is sufficient to outweigh the harm that I have identified. As a result of my findings in relation to the effects on neighbours, the proposal is contrary to Policies BE2, BE7 and BE9 of the UDP and the advice in the SPG.

Conclusion

11. I have taken account of all matter raised in the representations, including the alleged benefits of the scheme and also to the support of a neighbour.

However, I find that these are insufficient to outweigh the harm to the street-scene and to the living conditions of neighbours that would arise from the proposal. Therefore, the appeal is dismissed.

S T Wood

INSPECTOR