

Appeal Decision

Site visit made on 24 January 2017

by Elizabeth Pleasant DipTP MRTPI

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

Decision date: 9 February 2017

Appeal Ref: APP/T5150/D/16/3163172
23 Amery Road, Harrow HA1 3UH

- 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 M Grewal against the decision of the Council of the London Borough of Brent.
 - The application Ref 16/3386, dated 1 August 2016, was refused by a notice dated 25 October 2016.
 - The development proposed is the demolition of existing attached garage, single storey rear extension and erection of a part single storey side to rear, two storey rear and two storey side extension to dwellinghouse.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the description of development from the Council's decision and the appeal form, rather than that used in the original application which described the proposal as a side and rear 2 storey extensions with existing shed as habitable space, single storey rear extension. I consider that the amended description set out in the banner heading above provides a more accurate description of the appeal proposal.
 3. The original application form stated that Mr Sundeep Saxena was the applicant. However, the appeal form identifies Mr Grewal as the appellant. It has been subsequently confirmed to me that an error was made on the original application form and Mr Grewal is indeed the appellant, and Mr Sundeep Saxena his agent. I have therefore dealt with the appeal on this basis.
 4. Policies from the Brent Unitary Development Plan, 2004 referred to by the Council in its decision notice have been superseded by policies from Brent's Development Management Policies, Development Plan Document (DMPDPD) 2016, which has been adopted since this appeal was submitted. The Council's decision notice referred to Policy DMP 1 of the Emerging DMPDPD and therefore neither party has been prejudiced.
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Main Issues

5. The main issues in the case are the effect on the:

- Character and appearance of the host property and surrounding area; and
- Living conditions of the occupants of 21 Amery Road, with particular regard to outlook.

Reasons

Character and appearance

6. Amery Road is characterised by a rich mix a predominantly post war detached dwellings which, although differing in their individual design characteristics, are relatively consistent in their form and layout. Overall they create an attractive and harmonious street scene.
7. The appeal property, like many of the other properties within this street, displays a simple hipped roof and a projecting front gable. The absence of development above its attached single storey garage provides a clear visual break at first floor level between the appeal property and its neighbour No 25 Amery Road. The proposed development would remove the garage and replace it with a two-storey extension which would sit flush with the front elevation of the house and also wrap around its rear elevation. A crown roof would encompass the first floor of the property, whilst the single storey additions to the side and rear would have predominantly flat roofs with a mono pitch element across the rear elevation.
8. The scale and design of the proposed extensions are such that it would be difficult to discern the original form of the host property, and consequently its original character would be significantly diminished. Whilst a number of properties within this street have been extended, in most cases, although not exclusively, any two-storey or first floor side extensions have been recessed behind the original front walls of their host dwellings and consequently appear subservient to them. In this case the proposed two-storey side extension would sit flush with host property's front wall and have a dominant crown roof. Furthermore, the overall bulk of the proposal, in such proximity to No 25, would appear cramped. This cramped appearance is not evident within other parts of the street where side additions are either single storey, or any first floor elements are clearly subservient to their host property which provides a visual separation between neighbouring dwellings. The use of matching materials of external construction would not mitigate the harm I have identified to the character of the host property and surrounding area.
9. I conclude that the proposed development would cause harm to the character and appearance of the host property and the surrounding area. It would not therefore comply with the development plan, and in particular I find conflict with Policy DMP1 of the DMPDPD and the Council's Altering and Extending Your Home, Supplementary Planning Guidance, 2011 (SPG5) which seek to ensure, amongst other things, that new development is of a scale and design that complements the locality, and is of a size, shape and height which will not unbalance the appearance and character of the existing house.

Living conditions

10. The proposed single storey side/rear extension would abut the appeal site's common boundary with the rear garden of No 21 Amery Road. In this location the boundary is delineated by a 1.8metre (m) high close boarded fence. To accommodate the extension it is proposed to remove an existing outbuilding which lies within the appeal site's rear garden and also adjacent to this boundary.
11. The single storey element of the proposal would be 3m in height, have a flat roof and extend to a depth of 7.5m beyond the rear wall of No 21.¹ However, No 21 has a substantial rear garden and on my site visit I estimated its nearest rear facing habitable room windows at ground floor level to be at least 2m away from the boundary fence. Moreover, only just over a metre of the facing side wall of the extension would be visible above the fence. Consequently, despite the depth of the extension, given its limited visibility and distance from No 21's rear windows, I do not think the proposal would have an overbearing impact or be materially harmful to the outlook from neighbouring habitable room windows or from within their garden area.
12. I therefore conclude that the proposed development would not have a harmful effect on the living conditions of the occupants of 21 Amery Road, with particular regard to outlook. Despite technical breaches of the SPG5, which seeks to restrict the depth of single storey rear extensions on detached houses to 3.5m, the site specific circumstances of this case mean that the proposal would still comply with the development plan and there would be no conflict with the overall amenity aims of Policy DMP1 of the DMPDPD which seeks to ensure that new development provides, amongst other things, high levels of internal and external amenity and complements the locality.

Conclusion

13. Although I have found that the appeal proposal would not have a harmful effect on the living conditions of the occupants of 21 Amery Road, I have found that it would cause substantial harm to the character and appearance of the host property and the surrounding area. Therefore, for the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Elizabeth Pleasant

INSPECTOR

¹ Measurements taken from the Council Officer's Delegated Report, ref 16/3386.