
Appeal Decision

Site visit made on 21 February 2017

by Mike Fox BA (Hons) DipTP MRTPI

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

Decision date: 10th March 2017

Appeal Ref: APP/M5450/D/16/3161398

1 Field House, Orchard Grove, Kenton, Harrow, HA3 9QS

- 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 C Mehta against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/3210/16, dated 4 July 2016, was refused by notice dated 16 September 2016.
 - The development proposed is single storey side to rear extension and single storey outbuilding in rear garden.
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Decision

1. The appeal is allowed and planning permission is granted for single storey side to rear extension and single storey outbuilding in rear garden at 1 Field House, Orchard Grove, Kenton, Harrow, HA3 9QS, in accordance with the terms of application Ref P/3210/16, dated 4 July 2016, and the plans submitted with it, subject to 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 in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: *Location Plan* (undated); *Existing Ground Floor/Block Plan*; *Proposed Ground Floor Block Plan*; and *Proposed Side Elevation* (all dated 4 July 2016).

Procedural matter

2. Planning permission has already been granted for the outbuilding and the single storey rear extension¹, which is effectively the fall back position for the determination of the appeal. The remit of the appeal is therefore limited to assessing the effect of the additional element of the proposal, i.e. the single storey side extension, either individually or cumulatively, in relation to the main issues which are set out below.

¹ Application Ref P/4409/15, dated 24 November 2015.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the area, and on the living conditions of existing neighbouring occupiers and future occupiers of the proposed development.

Reasons

4. The appeal property is a compact detached dwelling, within a mixed residential/commercial area. There is an open hard standing parking area at the front of the property, whilst the back garden is contained by high timber fencing. There are access lanes running along both sides of the property, which serve a range of properties and parking areas. The lane to the east in particular shows evidence of high levels of fly tipping.
5. In relation to character and appearance, the Council expresses concern that the overall massing of the proposal would appear disproportionate in relation to the original building and would give rise to an extremely urbanised plot which would detract from the prevailing character and pattern of development within the locality.
6. The existing dwelling on the appeal property is a simple 'box' form house, which whilst not unattractive has no architectural distinctiveness. The neighbouring residential and commercial properties likewise set an unprepossessing architectural context to the appeal site, added to which the immediate area appears highly urbanised. The proposed side extension would be constructed up against the side boundary fence and occupy a narrow finger of land which borders the access lane to the east of the property. In my judgment, this additional slender single storey element would have a minimal impact on the appearance of the property, and would not appear overly dominant. Its effect on the streetscene, over and above the rear extension and outhouse, which already have planning permission, would be minimal.
7. Taking the above matters into consideration, I conclude on the first main issue that the proposed side extension, both individually and cumulatively, would not detract significantly from the character and appearance of the area. As such it would not be contrary to the design principles in section 7 of *the Framework*², policies 7.4.B and 7.6.B of the London Plan, policies DM1 and DM26D of the Council's Development Management Policies Local Plan and the Council's SPD Residential Design Guide.
8. I now turn to the effect of the proposal on the living conditions of neighbouring occupiers and future occupiers of the proposed development. The proposed side extension would have a sufficient separation from the nearest properties for there to be no adverse impact on their living conditions, for example in terms of overlooking or loss of outlook.
9. Regarding impact on future occupiers of the proposed development, the Council refers to the loss of amenity space in the plot, but these comments are aimed at the impact of the rear extension and outbuilding which already have planning permission. The side extension on the other hand would occupy a thin sliver of land which by its configuration already has minimal use for amenity purposes.

² DCLG: National Planning Policy Framework (*the Framework*); March 2012.

10. In view of the above considerations, I conclude on the second main issue that the proposed side extension would not result in the loss of privacy or outlook in relation to the living conditions of neighbouring occupiers. It would also not result in the loss of usable private amenity space for future occupiers of the proposed development. As such, it would not be contrary to core principle 17 [4] of *the Framework*, which addresses amenity (living conditions) requirements. It would also not be contrary to policy 7.6 of the London Plan, policy DM1 of the Council's Development Management Policies Local Plan or the Council's SPD Residential Design Guide.
11. The Council has not suggested any conditions in the event that the appeal should be successful. In addition to the standard time condition and a condition referring to the approved plans, I have included condition (2) which is to safeguard the character and appearance of the area.

Conclusion

12. I have found that the proposed development would not harm the character and appearance of either the existing house or the streetscene; and neither would it harm the living conditions of neighbouring occupiers or future occupiers of the proposed development. It would therefore accord with national policy and the development plan. For the reasons given and having regard to all other matters raised, I conclude that the appeal should be allowed.

Mike Fox

INSPECTOR