

Appeal Decision

Site visit made on 27 March 2017

by P Eggleton BSc(Hons) MRTPI

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

Decision date: 13 April 2017

Appeal Ref: APP/M5450/D/17/3167746

20 Cornbury Road, Edgware HA8 6RT

- 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 D Pereira against the decision of Harrow Council.
 - The application Ref P/4807/16, dated 11 October 2016, was refused by notice dated 13 December 2016.
 - The development proposed is a rear conservatory.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on the character and appearance of the area: and the effect on the living conditions of the residents of 22 Cornbury Road with regard to outlook.

Reasons

3. The proposal would result in the addition of a conservatory to the rear of this property. The structure would be of limited depth and of a relatively standard construction. Being to the rear, it would not be visible from public vantage points and given its limited height, it would have little wider impact on private views. Whilst it would be attached to a rear extension, rather than the original house, it would nevertheless represent the type of structure normally expected in this situation. I find the Council's concern with regard to the impact on the character and appearance of the area to be unfounded. Policy CS1.B of the Harrow Core Strategy 2012 and Policies 7.4B and 7.6B of The London Plan 2016 relate to local character and architecture and I find no conflict with their requirements.
 4. With regard to the outlook from 22 Cornbury Road, that dwelling is set back from the rear building line of the appeal property and therefore the existing extension is already clearly apparent on the shared boundary. It appears that the nearest window is obscure glazed and serves a bathroom. The proposal would therefore have little impact on the outlook from that room. The nearest habitable room window is a greater distance from the boundary and is set further back. Its outlook, in the direction of the proposal, is already reduced by
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the wall that accommodates the bathroom. I am satisfied that there would be only a very limited impact on the outlook from that room.

5. The patio area of the adjacent property is immediately to its rear and it is already enclosed, to some extent, by the rear extension of number 20 and the building works associated with number 24. The combination of these existing extensions and the addition of this further glazed conservatory, on the shared boundary, would result in a greater feeling of enclosure for the residents of 22 Cornbury Road. I acknowledge that the structure itself would be only 2.4 metres deep but this would add to the significant depth of the existing extension. Its position on the boundary, rather than set away from it, would increase its prominence. It would be of only limited height but it would nevertheless be clearly apparent above the fence, even if this were to be raised to the full height normally accepted as permitted development.
6. Although it would be a relatively lightweight structure, I am not satisfied that this would reduce its impact, particularly when illuminated from within, during the evenings. Overall, I find that the addition of the conservatory would result in it being overbearing and it would harm the living conditions of the neighbouring residents when using their patio area due to the reduction in outlook.
7. As the positioning of the conservatory has failed to take into account the living conditions of the residents of 22 Cornbury Road, it represents poor design in this context. It would therefore be contrary to the design and amenity requirements of Policy DM1 (A, B(a), C and D(f)) of the Harrow Development Management Policies Local Plan 2013. As the policy generally accords with the design and amenity requirements of the *National Planning Policy Framework*, I afford it considerable weight. Given the circumstances of this case, the proposal would not gain support from the guidance contained in the Supplementary Planning Document: Residential Design Guide 2010 in relation to extensions that exceed permitted development limits.
8. I have considered all the matters put forward by the appellant, including the examples of other extensions in the locality. Whilst I accept that the proposal would not result in harm to the character or appearance of the area, the matters put forward are not sufficient to outweigh my concerns with regard to the amenities of the residents of 22 Cornbury Road. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR