
Appeal Decision

Site visit made on 12 April 2017

by G Powys Jones MSc FRTPI

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

Decision date: 05 May 2017

Appeal Ref: APP/M5450/D/17/3169014

17 South Hill Grove, Harrow, Middlesex, HA1 3PR

- 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 & Mrs Jolapara against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/5473/16, dated 22 November 2016, was refused by notice dated 17 January 2017.
 - The development proposed is a single storey side/rear extension & front porch extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side/rear extension & front porch extension at 17 South Hill Grove, Harrow, Middlesex, HA1 3PR in accordance with the terms of the application Ref P/5473/16, dated 22 November 2016, subject to the conditions set out in the attached Schedule.

Main issues

2. The main issues are the effect of the proposed development on (a) the character and appearance of the host property and its surroundings and (b) on the living conditions of the residents of the neighbouring dwelling, 18 South Hill Grove, with particular reference to outlook and visual impact.

Reasons

Character & appearance

3. The appellants propose what the Council describes as a 'wrap-around' side and rear extensions and a front porch extension. In its objection to both aspects of the proposals the Council relies considerably on design guidance in its Supplementary Planning Document entitled 'Residential Design Guide' (SPD).
 4. The side extension would be located partly on the site of the extant, but to be demolished, flat roofed garage, which is itself located on the side boundary with 18 South Hill Grove, the property immediately to the west. The main part of the side extension, like the garage, would be flat roofed, albeit that it would be slightly higher. It would also extend further into the site where it would 'meet' the rear extension.
 5. Porch extension apart, the wrap around extension would not be readily seen or noticeable from the street. Accordingly, most of the extensions would have no material impact on the public realm. To the rear, close neighbours would see
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- part of the development particularly from their gardens, but that seen would not prove objectionable, judged solely in terms of its appearance. I consider the Council to have exaggerated the impact of this aspect of the development.
6. Paragraph 6.35 of the SPD supplies guidance on front extensions. It provides that *'front extensions have the greatest potential impact on the character and visual amenity of the street scene'*. However, this is partly promulgated on the basis that *'residential buildings in Harrow generally follow a clear building line, with building facades sited on the same plane..'*
 7. In this case however, as the Council acknowledges, the building line on the southern frontage of South Hill Grove, a short cul-de-sac, is staggered and the front elevations of properties are not therefore set on the same plane. The appeal property's front elevation is set well back from that of its adjacent neighbour to the west.
 8. The proposed front extension would project forward of an existing bay window at ground floor level by about 0.8m. The Council's concern, in the light of the SPD's guidance, is that the front extension would project *'significantly'* forward of the bay and would be wider than it. I do not consider such a projection to be *'significant'* in this visual context, not least since the front extension would be set back from No 18's adjacent garage, and would be largely screened from view when approaching from the west. From those limited points at the end of the cul-de-sac where it could be seen, the bay would retain its visual coherence, and the front extension, which to my mind is proportionate and well-designed, would not cause offence.
 9. I conclude that this proposal would sit acceptably in its visual context, without harming local character or the character and appearance of the host property. Accordingly, there is no conflict with those provisions of policies 7.4 & 7.6 of The London Plan (TLP), policy CS1 B of the Harrow Core Strategy and policy DM1 of the Harrow Development Management Local Plan Policies (LP), which, in combination, require new development to be of a high standard of design, respectful of local architecture and character, and for house extensions to respect their host buildings.

Living conditions

10. The Council is content that the proposed rear extension to the rear would not cause significant harm to the residents of the dwelling immediately to the east, No 16. I share that assessment.
11. The Council's concern relates to the alleged effects on the residents of No 18 which is expressed as follows:

'The main concern is the impact of the extension on No18. No 18 is set forward of No 17 and has been extended, however because of the site orientation that extension lines up with the rear elevation of No 17. Although No 18 has been extended the resultant depth of the proposed extension at 7.53m would significantly impact on their ground floor living windows. When viewed from the adjacent rear patio area at no. 18 the flank wall of the proposal, by reason of its 7.53 metre depth and siting adjacent to the boundary, would appear unduly obtrusive and overbearing. In this regard, the extension would unreasonably affect the amenity of the neighbouring occupiers at no. 18 in terms of visual and overbearing impact'.
12. I share the appellants' view that the Council's use of the 7.53m dimension could be regarded as misleading, since the proposed extension would not

projected beyond No 18's extended rear elevation by that distance. I also consider the windows referred to by the Council to be of a sufficient distance from the proposed extension not to be materially affected.

13. Moreover, the proposed extension would necessitate the removal of an extant timber posted, perspex roofed structure of a rather utilitarian appearance attached to the rear of the appeal property. This already impacts on the outlook available from No 18's curtilage, and its removal in my view ranks as a benefit of the scheme.
14. The extension would project along the common boundary with No 18 approximately 4.5m beyond the appeal property's rear elevation. However, in view of its limited height, at 3m or so, I do not consider that it would be perceived as obtrusive or overbearing by No 18 residents. Although not decisive in my considerations, the fact that No 18's residents have not objected to the proposal adds considerable succour to my view.
15. I conclude that the proposed development would not harm the living conditions of No 18's residents with particular reference to outlook and visual impact. Accordingly, no conflict arises with those provisions of TLP policies 7.4 & 7.6 and LP policy DM1 designed to protect the residential amenity of neighbouring residents from any adverse effects of development.

Conditions

16. The Council's suggested condition in respect of materials shall be imposed in the interests of visual amenity.
17. It is also necessary in the interests of certainty that the development shall be carried out in accordance with the approved plans.

Other matters

18. I have noted the planning history of the site, in particular the two prior approval submissions referred to by the appellants and the reliance placed on the judgment in the case of *Hilton v Secretary of State for Communities and Local Government (CO/309/2016)*. I am also conscious of the recently published amendments contained in the *Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2017*. However, since I have determined the appeal on its merits having regard to the provisions of the development plan and other material considerations, notably the SPD, the planning history is attributed very limited weight.
19. I have taken account of all other matters raised in the representations, but none is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

Schedule of 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 used in the existing building.
3. The development hereby permitted shall be carried out in accordance with the following approved drawings: Nos. SHG PA 01 Rev D, SHG PA 02 Rev D & SHG PA 03 Rev D.