
Appeal Decision

Site visit made on 28 June 2017

by C J Leigh BSc(Hons) MPhil MRTPI

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

Decision date: 11th July 2017

Appeal Ref: APP/T5150/D/17/3174577

58 Chapman Crescent, Harrow, HA3 0TE

- 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 William McGowan against the decision of the Council of the London Borough of Brent.
 - The application Ref 16/5335, dated 9 December 2016, was refused by notice dated 10 March 2017.
 - The development proposed is the erection of a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey rear extension at 58 Chapman Crescent, Harrow, HA3 0TE in accordance with the terms of the application Ref 16/5335, dated 9 December 2016, 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 used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: XEVA/58CC/101C, XEVA/58CC/102A, XEVA/58CC/103B, XEVA/58CC/104A & XEVA/58CC/105C .

Main issue

2. The main issue is the effect of the proposed development on the living conditions of adjoining occupiers.

Reasons

3. The proposed rear extension would be 3m deep. Due to a drop from the internal floor levels to the rear garden, the height of this extension would be 4m on the boundary with the adjoining property of 60 Chapman Crescent. This would be greater than the 3m height for flat roof extensions sought by the London Borough of Brent Supplementary Planning Guidance: Altering and Extending Your Home (SPG5).
 4. However, the degree to which this height exceeds the SPG is not excessive in this instance: the additional height would not be unduly imposing upon the
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outlook from No. 60, which has its rear window at ground floor set away from the mutual boundary. No. 60 is sited to the south of the proposed extension to No. 58, and based on observations at the site visit and evidence presented by the appellant it also appears that the rear garden area to the adjoining property would not be materially affected in its usability, in terms of outlook and levels of light.

5. I saw at my site visit that there have been rear extensions to some other properties in the vicinity, and the rear garden areas are also characterized by detached garages set within the gardens. The proposed rear extension would therefore fit within this character, and would represent a change to the outlook of the gardens and living environment that is established in this part of Chapman Crescent.
6. The circumstances of this case therefore indicate that a departure from the usual requirements as set out in the SPG is acceptable, and that the extension would retain a high standard of amenity, as required by Policy 7.4 of the London Plan 2016 and Policy DMP1 of the London Borough of Brent Local Plan: Development Management Policies 2016.
7. The appeal is therefore allowed. I have attached the Council's suggested conditions requiring matching materials, to ensure a satisfactory appearance to the development, and a further condition specifying the relevant drawings as this provides certainty.

C J Leigh
INSPECTOR