

Appeal Decision

Site visit made on 10 October 2017

by John D Allan BA(Hons) BTP MRTPI

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

Decision date: 23 October 2017

Appeal Ref: APP/M5450/D/17/3179027

108 Kingshill Drive, Kenton, Harrow, HA3 8QB

- 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 Jayshree Patel against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/1815/17, dated 19 April 2017, was refused by notice dated 12 June 2017.
 - The development proposed is the erection of a ground floor rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on: - (i) the character and appearance of the area; and (ii) the living conditions of neighbouring occupiers at Nos 106 and 110 Kingshill Drive with particular regard to visual impact.

Reasons

3. The appeal property is a semi-detached, two-storey dwelling that has previously been extended, including with a single-storey extension to the rear across the full width of the property and measuring 3m deep according to the Council. The attached neighbouring property at No 110 has also been extended to the rear in a similar fashion but to a slighter greater depth. To the rear of No 108, and adjacent to the side boundary with No 106, there is a detached, single-storey outbuilding, marked for storage use on the application drawings.
4. The proposal is for a further single-storey extension to the rear, to a depth of around 3.5m and set away from the common side boundary with No 110 by around 1.5m in my estimate. The extension to the main dwelling would project along the side of the outbuilding, connecting the two.
5. My attention has been drawn to a recent appeal decision in February 2017 affecting the appeal property (Ref APP/M5450/D/16/3164155). This was for a similar proposal for a single-storey rear infill extension connecting the dwelling

to the outbuilding but to a depth of 4.5m. In that case the Inspector concluded that in the context of the existing single-storey extension, and the outbuilding abutting No 106, the proposal would cumulatively have the effect of dominating the rear of the dwelling. He also found that it would have a significant adverse impact upon the living conditions at No 110 Kingshill Drive in respect of loss of outlook.

6. I recognise that this current proposal is for a shorter extension, reduced in depth from that previously proposed by around 1m. Nevertheless, when taken with the existing extension, it would project well over 6m beyond the property's original rear wall. This is well beyond the 3m that is normally considered acceptable by paragraph 6.59 of the Council's Supplementary Planning Document *Residential Design Guide* 2010 (SPD). Furthermore, consistent with the previous Inspector's findings, I am not persuaded that the special circumstances given within the SPD's paragraph 6.60 for allowing extensions with a greater depth are satisfied. As before, the extension would not be positioned significantly away from the boundary with the neighbouring property at No 110; the rear building lines of these adjoining properties are not staggered; the neighbouring property at No 110 is attached to the appeal property and not sited away from the boundary; and the neighbouring property at No 110 does not have a deeper extension compared to that proposed.
7. When considered in the context of the existing extension and the detached outbuilding, to which it would become physically attached, I find that the proposed addition would still dominate the rear of the dwelling, appearing out of proportion and scale with the original house. Although it would not be seen from the public realm it would be visible from neighbouring properties, particularly from No 110. As such, it would appear harmful to the character and appearance of No 108 and the wider area.
8. In relation to No 106, the extension would be largely screened from view by the existing outbuilding and the separation distances involved. However, it would be clearly noticeable from the adjoining garden to No 110 and partly in the outlook from the neighbours' rear facing windows. When seen in context with the existing detached outbuilding, there would be a significant mass of building extending deep into the rear garden of the appeal site and close to the common boundary with No 110. This would be visually intrusive and detrimental to the outlook enjoyed by the neighbouring occupiers.

Other Matters

9. The appellant has referred to a development at 104 Kingshill Drive, but as with the last appeal, no details have been provided. I am therefore unaware of the circumstances to that case. Regardless, I have considered this appeal on its own merits and in light of the specific circumstances that are relevant to the appeal property.

Conclusions

10. For the reasons given, I have found that the proposal would be harmful to the character and appearance of the area, and to the living conditions at 110 Kingshill Drive. As such there would be conflict with the aims and objectives of Policy CS1 of the Harrow Core Strategy (2012), as it relates to the impact of development upon local character, and the design and amenity considerations

of Policy DM1 of the Harrow Development Management Policies Local Plan (2013). For these same reasons there would be conflict with Policies 7.4B and 7.6B of The London Plan (2016) and the National Planning Policy Framework insofar as it seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings as one of its core planning principles.

11. Overall therefore, and having regard to all other matters raised, the appeal is dismissed.

John D Allan

INSPECTOR