
Appeal Decision

Site visit made on 9 October 2017

by Philip Lewis BA (Hons) MA MRTPI

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

Decision date: 31 October 2017

Appeal Ref: APP/M5450/D/17/3180131

12 Tenby Road, Edgware HA8 6DR

- 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 Mrs Bharti Chandarana against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/1500/17, dated 30 March 2017, was refused by notice dated 25 May 2017.
 - The development proposed is single storey rear and part side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear and part side extension at 12 Tenby Road, Edgware HA8 6DR in accordance with the terms of the application, Ref P/1500/17, dated 30 March 2017, subject to the attached schedule of conditions.

Main Issues

2. The main issues for the appeal are:
 - The effect of the proposed extension on the character and appearance of the area; and
 - The effect of the proposed extension on the living conditions of the occupiers of 14 Tenby Road, with particular reference to privacy.

Reasons

Character and appearance

3. I saw at my site visit that the host dwelling has a single storey rear extension. There is a sectional concrete garage situated close to the rear of the extension, next to the brick built garage of the neighbouring 14 Tenby Road. It is proposed that the existing garage is demolished and an extension erected which would occupy the same footprint, with the addition of a link to the existing rear extension.
4. The proposed extension would have an elongated form and project significantly into the rear garden of the host dwelling, cumulatively about 9.4 metres from the rear of the original dwelling. I note this is greater than the depth of the original dwelling. However, whilst the proposed extension may not follow the form of the host or nearby dwellings, due to the extension largely following the form of the existing garage, it would not significantly increase the built form to the rear of the host dwelling over what is presently there. Therefore it would

not appear as a bulky, incongruous, dominant or obtrusive form of development in this particular context. Consequently, I do not find the proposed extension would sit uncomfortably with the host dwelling and neighbouring properties in terms of its character and appearance.

5. The Harrow Council Supplementary Planning Document Residential Design Guide 2010 (SPD) includes in paragraph 6.59 that where planning permission is required, the acceptable depth of extensions will be determined by the need for consistency with permitted development and site considerations, the scale of the development, impact on the amenity of neighbouring residents, and the established character of the area and the pattern of development. In this case, the special circumstances listed in the SPD do not apply. However, I have had regard to the neighbouring garage to one side of the proposed extension which would screen it from the rear of No 14 and that the proposed extension would largely follow the form and scale of the existing garage.
6. I have had regard to the appeal decision relating to a rear extension at 108 Kingshill Drive, Kenton¹. From the limited details before me, I note that the form of development in that case differs to that before me and I am not convinced that the Kenton proposal is so similar to that before me, that it should set an example which should inevitably be followed in this case.
7. To conclude on this matter, the appeal scheme would not have an unacceptable effect on the character and appearance of the area. The appeal scheme does not therefore conflict with London Plan Policy 7.4 which is concerned with local character and includes amongst other things that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass and London Policy 7.6 which is concerned with architecture. It also does not conflict with Harrow Core Strategy Policy CS1 which in part B is concerned with local character including amongst other things that proposals which harm the character of suburban areas will be resisted. The appeal scheme also does not conflict with Policy DM1 of the Harrow Development Management Policies (HDMP) which is concerned with design, layout, privacy and amenity and sets design and layout considerations. Additionally I do not consider that the proposed development conflicts with the National Planning Policy Framework. Whilst the proposed scheme does not accord with the guidance contained within the Councils SPD, I nevertheless do not find it unacceptable given the particular circumstances of the case.

Living conditions

8. The proposed extension includes a window to the kitchen/dining area which would face towards the flank wall of 14 Tenby Road, across the driveway which separates the properties. I saw at my site visit that there is a ground floor window in the flank wall of No 14 which is glazed in clear glass, close to the location of the proposed window. In order to safeguard the privacy of the occupiers of No 14 and those of the host dwelling, I attach a planning condition to ensure that the proposed window is glazed with obscure glass. This would prevent any direct overlooking from the proposed window and reduce the perception of being overlooked. Consequently, the appeal scheme would not give rise to unacceptable effects on the living conditions of the occupiers of No

¹ APP/M5450/D/16/3164155

14 and does not conflict with London Plan Policy 7.6B, HDMP Policy DM1 or the SPD.

Conditions

9. I have attached conditions regarding timescale and specifying the approved plans as that provides certainty. I have attached a condition regarding external construction materials in the interests of the character and appearance of the area. Additionally, I impose conditions to ensure that the proposed window facing No 14 is glazed in obscure glass and that the roof of the extension shall not be used as a balcony or a roof garden to safeguard the living conditions of neighbours.

Conclusion

10. For the above reasons and having considered all matters raised, I conclude that the appeal should be allowed.

Philip Lewis

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan; DRG.No.-01 existing floor plan; existing proposed elevations DRG.No.-02; existing proposed elevations DRG.No.-03; proposed ground floor plan DRG.No.-04; existing/proposed block plan DRG.No.-05.
- 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) The extension hereby permitted shall not be occupied until the window on the side elevation facing 14 Tenby Road has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.
- 5) The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.