
Appeal Decision

Site visit made on 17 October 2017

by Peter D Biggers BSC Hons MRTPI

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

Decision date: 1 November 2017

Appeal Ref: APP/M5450/D/17/3181002
143 Belmont Road, Harrow HA3 7PL

- 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 Patrick Guidi against the decision of the London Borough of Harrow Council.
 - The application Ref P/0884/17, dated 26 February 2017, was refused by notice dated 10 May 2017.
 - The development proposed is rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the proposed extension would have a detrimental impact on the living conditions of present and future occupants of Nos 141 and 145 Belmont Road in terms of overshadowing, light, proximity and outlook and the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area of Belmont Road.

Reasons

3. Belmont Road, in the vicinity of the appeal site, is comprised of a mix of semi-detached single storey and 2 storey properties finished in render under tiled roofs. No 143 and its semi-detached neighbour No 145 are designed with a shared half-timbered gable feature facing the road.

Living conditions

4. To the rear, No 143 already has a flat roof single storey extension that projects beyond the rear elevation of No 145 but the extension is set back where it adjoins the boundary with No 145. The proposal would remove this set back and extend along the boundary by a further 4 metres from the existing extension. No 145 has a window to a habitable room and a lean to porch/conservatory immediately adjacent to the shared boundary with No 143.
5. I acknowledge that the height of the proposed extension would be no greater than the existing rear extension and that in part this area is already enclosed by the close-boarded boundary fence and the climbers along it. However the extension would stand above the fence by around 1 metre and because of this increased height and depth beyond the rear elevation of No 145 it would have an enclosing and overbearing impact on the porch, the habitable room behind and the patio area to the rear of No 145.

6. It has been put to me that the extension would also adversely impact levels of light to No 145. The rear of the houses and their gardens face due south and therefore benefit from good levels of sunlight. Over a large part of the day this would continue to be the case with the extension in place. Although the extension would be on the west side of No 145, the fact that the construction would be only a single storey flat roof, would mean that there would be only a minor reduction in sunlight, largely limited to winter afternoons when the sun is low in the west.
7. Regarding the other neighbouring property, No 141, there would be a considerable separation between the proposed extension and the closest window in the rear elevation. The extension would not conflict with the 45° rule applied to this window and because of the orientation there would be unlikely to be any significant loss of sunlight. Although the council is concerned that the extension would be dominating and overbearing on the patio area of No 141 I am not persuaded that there would be any adverse impact because of the separation and the fact that the additional depth of extension on this side would be modest at only c1.8 metres.
8. Policy 7.6 of the *London Plan* (LP) and policy DM1 of the *Harrow Development Management Policies* (HDMP) both seek to ensure development does not adversely affect the residential amenity of neighbouring occupiers. These policies are both consistent with the *National Planning Policy Framework* (the Framework) at paragraph 17 where the core principles state that planning should “*always seek to ensurea good standard of amenity for all existing and future occupants of land and buildings*”.
9. It has been put to me that neither neighbour has objected to the proposal. However, I must consider the impact on living conditions in respect of present and future occupants and, for the reasons above, the impact of the proposed extension on the living conditions of present and future occupants of No 145 would be unacceptable in respect of its overbearing and enclosing effect. As such it would conflict with LP policy 7.6, HDMP policy DM1 and the Framework.

Character and Appearance

10. Policy DM1 of the HDMP seeks to assess the impact of development to ensure it achieves a high standard of design in respect of its location, surroundings and neighbouring properties and its appearance in the context within which it sits. To that extent it is consistent with the Framework in seeking a high quality of design. The Council has also produced the *Harrow Residential Design Guide Supplementary Planning Document* (SPD) to provide guidance, amongst other things, on the design of extensions.
11. The guide at paragraph 6.11 states that “*an extension should have a sense of proportion and balance, both in its own right and in its relationship to the original building and should not dominate the original building or the surrounding streetscape*”. At paragraph 6.58 it states that “*rear extensions should be designed to respect the character and scale of the original house and garden*”. Whilst the SPD at paragraph 6.60 does accept that in certain cases deeper single storey extensions than that allowed under permitted development may be permissible, none of the circumstances quoted applies in this case. It has been put to me that the proposed extension is modest in scale at only 20m². However it is the cumulative effect of the extensions on the existing house that is the issue.

12. I have been referred to the fact that No 143 originally had a rear offshoot similar to that still attached to No 145 and that this has not been considered in calculating the cumulative scale of the rear extension. I acknowledge that the shape of the roof to this offshoot could still be seen on the rear elevation of No 143. However, based on the scale of the offshoot at No 145 these sections of the original houses were relatively small. The existing rear extension at No 143 is much greater in width, depth and area.
13. The cumulative depth of the extensions overall (existing and proposed) would be substantial in the context of the existing house and, combined, the footprint of the extensions would exceed that of the original house. As such it would be disproportionate to the scale of the main house. The cumulative effect of the rear extensions, viewed from the garden, materially and detrimentally changes the character and appearance of the house and is contrary to HDMP policy DM1 and the objectives of the SPD guidance.
14. Notwithstanding the detrimental visual impact of the proposed extension on the original house I acknowledge that from Belmont Road and indeed from the public domain generally, the extension would not be seen. As such there would be no significant impact on the character and appearance of the surrounding area although it would be out of keeping with the general development pattern of extensions to the rear of the houses in the immediate vicinity.

Conclusions

15. I acknowledge that the appellant is seeking to make sustainable and effective use of an existing home and optimise the potential of the site, an objective which is encouraged by the Framework. Nevertheless I am not persuaded that the benefits which the extension would bring in maximising floorspace outweigh the detrimental impact the extension would have, on the living conditions for neighbouring occupants at No 145 and on the character and appearance of the host dwelling as set out above. Accordingly the appeal should be dismissed.

P. D. Biggers

INSPECTOR