
Appeal Decision

Site visit made 5 August 2019

by Jan Hebblethwaite MA Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: 15th August 2019

Appeal Ref: APP/M5450/D/19/3231046
27 Northolme Gardens, Edgware HA8 5AY

- 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 Jaimin Patel against the decision of The London Borough of Harrow.
 - The application Ref P/1474/19 dated 25 March 2019, was refused by notice dated 21 May 2019.
 - The development proposed is single storey front extension incorporating front porch; two storey side to rear extension and single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council's decision notice amends the description of the development by the addition of "(part demolition of single storey side extension to rear)" to the end of the description in the application. The appellant has not taken issue with that amendment and I shall determine the appeal on the basis of the amended description.
3. The Council's refusal notice refers to the front and rear single storey extensions but not the two-storey side extension. However as, the front, side and rear extensions form one structure, I shall consider the development as a whole.
4. I also note that reason (2) in the decision notice refers to "the proposed *single storey* rear extension ... adjacent to the rear boundary with no. 29". (My emphasis). The single storey rear element of the proposed development is on the boundary with 25 Northolme Gardens (No 25). The Council's report finds that part of the proposed development would not detrimentally harm the amenity of the occupiers of No 25. I have therefore read reason (2) of the decision notice as referring to the two-storey extension on the boundary with No 29.

Main Issues

5. The main issues are the effect of the proposal on:
 - 1) the character and appearance of the host building; and

- 2) the living conditions of neighbouring residents with regard to outlook and light.

Reasons

Character and appearance

6. The appeal property is a modest semi-detached house in an exclusively residential suburban area. The houses are of differing types but appear to be of approximately the same age. The pairs of semi-detached houses along Northolme Gardens are staggered and do not sit front and square to the road. As a result, the appeal property has a larger front garden than its unattached neighbour at 29 Northolme Gardens (No.29). Several houses in the immediate neighbourhood have been extended in various designs. No. 29 has been extensively extended, including a single storey side extension with pitched roof to the boundary between it and the appeal site.
7. The house on the appeal site has an existing porch extension with a pitched roof which projects significantly forward of the original bay window. A few of the other extended properties also have this feature in varying degrees and the Council confirms that the porch would have been within the scope of the permission granted for such development by the GDPO¹. The garage to the property has been demolished but would have been either flush with the original front of the house, or marginally set back.
8. The proposed development would bring forward the front wall of the extension on the ground floor, flush with the porch, thereby further diminishing the importance of the ground floor bay window in the appearance of the host building. As the windows are a significant feature of the design of the original houses in Northolme Gardens, I consider that the proposed ground floor of the extension at the front would have a detrimental effect on the character and appearance of the host building.
9. I conclude that the front single storey side element of the proposed development would be contrary to Policy DM1 of the Harrow Council Development Management Policies document (DMP) which requires that development is carried out to a high-quality design. It would also be contrary to Policy CS1B of the Council's Core Strategy which, amongst other things, states that extensions should respect their host building. These policies are reinforced by the SPD² in which paragraph 6.35 confirms that permission would not be granted for extensions which project significantly forward of a front bay window.

Living conditions

10. The proposed two storey extension would wrap around the rear of the original house. The flank wall of the side extension and a wall wrapping around the rear of the house have been partially constructed. However, as constructed the rear wall is over 4m back from the rear wall of the house and over 2m back from a small older extension (which would be demolished). The appeal proposal would require that the partially constructed rear wall is demolished. At ground floor level, the rear wall in the appeal development would be over 3.5m back from the original rear wall across the whole width of the house. For roughly half the

¹ Town and Country Planning (General Permitted Development) (England) Order 2015

² Supplementary Planning Document Residential Design Guide 2010

width of the house, the rear wall of the second storey would remain as the original rear wall. The result would be a two-storey extension on the boundary with No 29 and a single storey on the boundary with 25 Northolme Gardens.

11. The wrap around extension at No 29 has a window of a habitable room close to the flank wall and therefore close to the boundary between No 29 and the appeal property. The rear wall of the extension at No 29 is roughly level with the rear wall of the appeal property. This is due to the staggered nature of the houses along the road, referred to above. The appeal development would result in a two-storey extension within 20cm of the boundary, extending 3.5m from the line of the rear walls.
12. Policy DM1B contains a list of matters to which regard should be given in assessing development proposals. One of these requires (amongst other things) that the massing, bulk and height of the proposed building is considered in relation to impact on neighbouring occupiers. Policy DM1C confirms that proposals which would be detrimental to the privacy and amenity of neighbouring occupiers will be resisted. The SPD confirms at paragraph 6.37 that side extensions can cause harm to the amenity of adjacent residents and paragraph 6.38 states that they require particular care and attention in relation to the side boundary and rear elevation of the neighbouring property.
13. Paragraph 6.65 of the SPD deals with two-storey rear extensions and confirms that such extensions on the boundary have the potential to have a detrimental impact on the neighbouring property by reason of excessive bulk and loss of light.
14. The Council's report refers to paragraph 6.59 of the SPD which seeks to limit the depth of a rear extension to 3m. That paragraph relates to single storey extensions. However, the proposed two-storey extension would exceed the recommended depth of a single storey extension and would have an even greater impact on neighbouring occupiers.
15. I conclude that as the two-storey rear extension would have a depth of over 3.5m from the rear wall of the appeal property, it would have an overbearing impact on the occupiers of No 25 and would cause overshadowing to a large part of the garden of No 25. As a result, the proposed development would be contrary to Policy DM1 of the DMP in relation to design and to the guidelines in the SPD.

Conclusion

16. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jan Hebblethwaite

INSPECTOR