



Appeal Decision

Site visit made on 16 September 2019

by Felicity Thompson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th October 2019

Appeal Ref: APP/M5450/D/19/3232277

35 Whittlesea Road, Harrow, HA3 6LR

- 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 Jatinkumar Savalia against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/3822/18, dated 24 August 2018, was refused by notice dated 5 June 2019.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is allowed, and planning permission is granted for single storey rear extension at 35 Whittlesea Road, Harrow, HA3 6LR, in accordance with the details submitted.

Procedural Matters

2. The extension has been erected. Whilst I note that the submitted plans show a small gap between the extension and the neighbouring 37 Whittlesea Road, where it meets the house, as built there is no such gap. Nevertheless, the extension is materially in accordance with the submitted plans and I have considered this appeal on the basis of those plans and what I observed on site.
3. The description of development given in the banner heading above and used in my formal decision, is taken from the appellant's appeal form and is the same as that on the decision notice, as none was given on the original planning application form.

Main Issues

4. The main issues are:
 - the effect on character and appearance; and
 - the effect on the living conditions of the occupants of 37 Whittlesea Road with particular regard to outlook and daylight/sunlight matters.

Reasons

Character and appearance

5. 35 Whittlesea Road is a modest mid-terrace house constructed of red brick with a straightforward appearance, located in a residential area comprising mostly

houses of similar ages and styles. The houses in this terrace have reasonably large and long back gardens.

6. The extension has a flat roof which does not reflect the roof form of the existing house nevertheless, it has a straightforward appearance, with fenestration details which reflect the size and appearance of those in the existing house and materials which also match those used in the existing house. Whilst the depth of the extension at 6 metres is almost the same as the existing house, as a mid-terrace property this depth would only be appreciable to those occupiers of the nearest neighbouring houses. Further, close views of the extension are limited to the nearest neighbouring houses and gardens and a small number of houses to the rear, albeit those views are limited in some cases by established trees and vegetation at the bottom of gardens.
7. At my site visit I observed that the rear elevations of a number of neighbouring and surrounding houses include modern additions, including a flat roof extension to the neighbouring 33 Whittlesea Road. When viewed in this context and considering the extension is only visible in limited private views, overall, I consider that the extension does not cause material harm to the character and appearance of the area.
8. For the reasons given above, I conclude that the extension has an acceptable effect upon the character and appearance of the area. Whilst there may be a technical breach of Harrow Council Supplementary Planning Document Residential Design Guide (15 December 2010) (SPD) in respect of the roof form, the proposal is consistent with the overall design aims of Policy DM1 of Harrow Council Development Management Policies (July 2013) (DMP), Policy CS1 of Harrow Core Strategy (February 2012) (Core Strategy) and Policy 7.4 of the London Plan (2016) (TLP).

Living conditions

9. The extension is approximately 2.687m in height where it meets the rear wall of the existing house rising to around 3m at its highest point due to sloping ground. The extension forms the common boundary with no.37 where it meets the house however, the distance between the extension and the boundary increases further away from the house as the garden is irregular in shape and widens away from the house.
10. No.37 is an end of terrace house with a reasonably large, long and wide back garden. There is a kitchen window in the rear elevation of no.37 which as the Council pointed out is larger than shown on the submitted plans. This window is located relatively close to the shared boundary with no.35 however, whilst the extension is visible from this window, I conclude that it will not have an overbearing impact on the outlook from either within the house or garden due to no.37's end of terrace position and the length and width of the garden which offers an otherwise open aspect.
11. The extension is located broadly south east of no.37 however, because of its single storey, flat roof form and as the rear of no.37 faces broadly south west, I find that the extension will not reduce the amount of daylight no.37 receives and there will be no materially harmful effect as a result of overshadowing of either the house or garden. Consequently, the extension accords with the overall amenity protection aims of Policy DM1 of the DMP, Policy 7.6 of TLP and the SPD.

Conclusion

12. Having had regard to all other matters raised, it is concluded that the appeal should succeed, and planning permission be granted. As the extension is complete the standard time limit condition and plans condition are not necessary.

Felicity Thompson

INSPECTOR