



Appeal Decision

Site visit made on 22 October 2019 by G Sibley MPLAN MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 November 2019

Appeal Ref: APP/M5450/D/19/3234986

6 West Avenue, Pinner HA5 5BY

- 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 Naveen Thakur against the decision of London Borough of Harrow.
 - The application Ref: P/2024/19, dated 1 May 2019, was refused by notice dated 2 July 2019.
 - The development proposed is single storey front extension incorporating front porch; single storey rear extension; conversion of garage to home office; front and rear dormers; rooflights in front and rear roofslopes; external alterations.¹
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Decision

1. The appeal is allowed, and planning permission is granted for a single storey front extension incorporating front porch; single storey rear extension; conversion of garage to home office; front and rear dormers; rooflights in front and rear roofslopes; external alterations at 6 West Avenue, Pinner HA5 5BY in accordance with the terms of the application Ref: P/2024/19, dated 1 June 2019 and subject to the conditions set out in Schedule 1.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. As set out in the banner heading above, the proposal incorporates numerous elements. The Council has no objections to the front extension, including the front porch, the conversion of the garage to home office, the front and rear dormers, or the proposed rooflights. Having viewed those elements of the proposals on site I find no reason to take a different view and am satisfied that the respective elements would compromise good design in compliance with relevant planning guidance and policy.
4. Consequently, the main issue between the parties is the impact of the proposed development on the living conditions of the occupiers of no. 4 West Avenue with regard to outlook and whether the proposal would have an overbearing impact.

Reasons for the Recommendation

¹ Taken from appeal form.

5. The property is an attractive two-storey semi-detached dwelling incorporating a number of attractive features, including the two storey bay to the front, the varied and interesting roof line and coherent use of materials which are mirrored in the attached property at No. 4. Both properties have sizeable rear gardens and habitable rooms to the rear which open onto the garden through patio doors. The rear patio doors at No.4 are set in from the boundary between the two properties.
6. The proposal would extend the dwelling by 4 metres from the rear elevation. The Supplementary Planning Document Residential Design Guide (SPD) notes that where a rear extension would extend by more than 3 metres on a semi-detached property then they would be assessed against the need for consistency with permitted development and other considerations, one of which being the impact on the amenity of neighbouring residents.
7. Under Class A of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order) (GPDO) it would be possible to extend a semi detached dwelling by 6 metres from the rear wall of the original dwellinghouse where it would not exceed 4 metres in height. The proposal would not exceed either requirement as set out in the GPDO and as such the proposal would be consistent with the SPD.
8. In any event, the key consideration with respect of the guidance within the SPD is the effect of the proposal on the living conditions of the residents of No. 4. Whilst the depth of the proposal would be 4m, the height of the lean-to roof would taper away as it extended from the rear of the house and that would help to minimise the visual impact and mass of the side elevation. Moreover, as noted above, the rear patio doors of the neighbouring dwelling are set in from the side of the property and that would help to maintain a reasonable outlook. In addition, the rear garden is substantial and the over-riding sense of space would not be unduly harmed by the proposal; the view from the rear of No. 4 would remain predominantly onto the garden without being hemmed in by the proposal. Consequently, having regard to the relationship between the two properties, I am satisfied that the development would not harm the outlook or appear overbearing for the occupiers of the neighbouring dwelling.
9. Therefore, the proposed development would be in accordance with policy 7.6.B of The London Plan (2016), Policy CS1B of the Harrow Core Strategy, Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).

Conditions

10. The Council have suggested four conditions and where necessary I have reworded them for clarity. In addition to the statutory commencement condition, a condition is necessary to ensure that the development complies with the submitted plans in the interests of clarity. A condition to ensure that the external materials match those of the original dwelling is necessary in the interests of the character and appearance of the area. In addition, in the interests of the privacy of neighbouring residents a condition is necessary to ensure that no windows or doors could be installed on the flank elevations of the development permitted.

Conclusion and Recommendation

11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree that the appeal should be allowed.

Chris Preston

INSPECTOR

Schedule 1

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed: HA5/NT/001; HA5/NT/002; HA5/NT/003; HA5/NT/004; HA5/NT/005; HA5/NT/006; HA5/NT/007; HA5/NT/008
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification), no windows or doors shall be installed in the flank elevations of the development hereby permitted.