



Appeal Decision

Site visit made on 5 November 2019

by F Cullen BA(Hons) MSc DipTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 25 November 2019

Appeal Ref: APP/M5450/D/19/3235720

2 Lytton Road, Pinner HA5 4RH

- 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 & Mrs P Bhudia against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/1781/19, dated 11 April 2019, was refused by notice dated 12 June 2019.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council refers to the Draft London Plan 2017 (DLP) and policies relevant to the appeal within its delegated report and informatives, but no policies from the DLP are referred to in its refusal notice. In accordance with Paragraph 48 of the National Planning Policy Framework (the Framework), weight may be given to policies within emerging plans. The weight given is determined by the stage of preparation of the emerging plan subject to the extent of unresolved objections and the degree of consistency of the relevant policies to the Framework. I have not been provided with any substantive details in this regard, therefore, I can only afford limited weight to the DLP.

Main Issues

3. The main issues are:
 - The effect of the proposed extension on the character and appearance of the host building and the surrounding area; and
 - The effect of the proposed extension on the living conditions of the occupiers of Nos 10 and 12 Altham Road, with regard to outlook and light.

Reasons

Character and appearance

4. The appeal site is located on the northern side of Lytton Road within an established residential area. The rear boundary of the site adjoins Pinnerwood Park Estate Conservation Area. The appeal property is a large detached, two storey house, set back from the road with a driveway to the front and a large

garden to the rear. It has a rendered finish with a tiled roof. The building has previously been extended with a two storey extension to the side and a single storey extension to the rear.

5. The properties in the immediately surrounding area are all large, detached, two storey dwellings. Although there are variations in the form and design of the dwellings, they possess some unifying features, such as projecting gables with bay windows to the front, which give a degree of visual harmony to the street scene. They display a strong building line to the front which combines with the wide tree lined streets to provide a formal character but pleasing spacious and verdant appearance to the area.
6. The proposed extension to the rear would be 15.6m in width, a total of 6.9m in depth including the existing extension and 3m in height. It would have a flat roof and a render finish.
7. I acknowledge that the host building is substantial in size and scale and sited within a large plot, and that the proposed extension would be seen in this context. However, taking into account the previous extensions and the considerable width, depth and flat roof form and design of the proposed extension, I consider that it would be an unduly large and discordant addition to the host building which would not respect its character and appearance.
8. Furthermore, I recognise that the proposed extension is to the rear of the property and so not visible from Lytton Road. However, it was apparent from my site visit that, given its excessive width and depth, it would be readily visible and overly prominent in short range views when looking south west from public routes on Altham Road. This would cause it to have a detrimental impact on the character and appearance of the host building and the immediately adjacent street scene.
9. I have had regard to the fact that the appeal property is located just outside the boundary of Pinnerwood Park Estate Conservation Area and given consideration to any impact of the proposed extension on the setting and significance of this designated heritage asset. The Council's Conservation Area Appraisal and Management Strategy 2009 (A&MS) for Pinnerwood Park Estate states that it is a combination of social, historical and architectural interest that makes Pinnerwood Park Estate important. The continuity of building type and materials in an interesting street layout is central to the area's character. As well as this, the good open and enclosed spaces, alongside a streetscape furnished with trees and grass verges, complements the architecture and gives way to a high quality of area, in line with the garden suburb ideal.
10. Taking into account the location and form of the proposed extension, I consider that it would not impact on the setting of, or any key views identified in the A&MS into or out of, the Conservation Area and, therefore, would not harm the setting or significance of this designated heritage asset. As such, the proposed extension would not conflict with provisions within the Framework which seek to protect the significance of designated heritage assets. However, the avoidance of harm in this regard weighs neutrally and does not amount to a consideration in support of the appeal.
11. For the reasons given above, I conclude that the proposed extension would have a harmful effect on the character and appearance of the host building and the surrounding area. As such it would conflict with Policies 7.4 and 7.6 of the

London Plan 2016 (LP) which, together, seek to ensure that proposals have regard to the local context, be of the highest quality and make a positive contribution to the streetscape. It would also conflict with Policy CS1 B of the Harrow Core Strategy 2012 (CS) which, amongst other things, states that extensions should respect their host building. It would also be contrary to Policy DM1 of the Harrow Development Management Policies 2013 (DMP) which, amongst other things, states that proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance will be resisted. It would also fail to comply with the Council's Residential Design Guide Supplementary Planning Document 2010 (RDG SPD) which, in relation to rear extensions, states that they should be designed to respect the character and scale of the original house.

Living conditions of the occupiers of Nos 10 and 12 Altham Road

12. On the eastern side of the appeal property the proposed extension would be located in close proximity to the shared boundary with Nos 10 and 12 Altham Road (Nos 10 and 12) which is currently separated by a high, close boarded, timber fence. The western side elevation of Nos 10 and 12 is sited only a short distance away from the shared boundary and contains windows to habitable rooms at ground floor level. There also appears to be a small area of outside amenity space between the western side elevation of Nos 10 and 12 and the shared boundary fence.
13. I acknowledge that the proposed extension would be slightly lower in height than the existing single storey extension and only slightly higher than the existing shared boundary fence. However, I consider that its close proximity to the shared boundary, combined with its substantial depth, which would extend the full length of the west elevation of Nos 10 and 12, would cause it to be an overbearing and oppressive structure when viewed from the ground floor windows of the west elevation and the adjacent outside amenity space of Nos 10 and 12. This would create an uncomfortable sense of enclosure and harm the outlook of the occupiers of Nos 10 and 12.
14. Although not included in its refusal notice, in its delegated report the Council consider that the proposed extension would result in the loss of light to the occupiers of Nos 10 and 12. I recognise that, given the orientation of Nos 10 and 12 and the presence of the existing boundary fence, the ground floor windows and the adjacent outside amenity space already receive a reduced level of light during parts of the day. However, I consider that the height and additional depth of the proposed extension would result in further overshadowing and loss of light to the ground floor windows of the west elevation and the adjacent outside amenity space to the detriment of the occupiers of Nos 10 and 12.
15. Taking the above into account, I conclude that the proposed extension would harm the living conditions of the occupiers of Nos 10 and 12, with regard to outlook and light. As such it would conflict with Policy 7.6 B of the LP which, amongst other things, states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. It would also conflict with Policy DM1 of the DMP which, amongst other things, states that proposals that would be detrimental to the amenity of neighbouring occupiers will be resisted. It would also not comply with the

RDG SPD which, in relation to amenity considerations, states that extensions should not cause any unreasonable loss of light or overshadowing to any habitable rooms and kitchens in neighbouring properties, or to gardens, in particular to the area immediately to the rear of the house.

Other Matters

16. The appellant contends that if the application had been determined as a larger home extension the property could have been extended to the rear up to a maximum of 8m from the original house, and that the proposed extension of 6.9m is an acceptable compromise given the area of the site and the scale of development being proposed. However, I note that prior approval for a larger home extension has not previously been applied for. Furthermore, even if an application for prior approval for a larger home extension could be submitted to the Council, there is no guarantee that such an application would be approved. This is, therefore, a matter to which I afford limited weight in the overall planning balance and it does not alter or outweigh my conclusions on the main issues.
17. The appellant states that all of the houses on the road are detached with their own character and most have been extended to the rear or side or into the roof. I viewed other properties along the street during my site visit and, from what I could see from public routes, I consider that, with respect to their location and form in relation to adjacent houses, the extension and alteration of those properties are not comparable to the appeal before me and, therefore, do not justify the harm that I have found. Moreover, I am not aware of the detailed circumstances of these developments and, in any event, I must consider the proposed extension on its own planning merits.
18. I am aware that no objections were raised by the occupiers of No 4 Lytton Road. However, this is a neutral consideration in the balance and does not outweigh the harm that I have found.

Conclusion

19. For the reasons given above, I conclude that the appeal should be dismissed.

F Cullen

INSPECTOR