



Appeal Decision

Site visit made on 11 November 2019

by Caroline Mulloy BSc (Hons) DipTP MRTPI

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

Decision date: 05 December 2019

Appeal Ref: APP/M5450/D/19/3234465

31 Lyndhurst Avenue, Pinner, HA5 3UZ

- 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 A Patel against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/1267/19, dated 15 March 2019, was refused by notice dated 9 May 2019.
 - The development proposed is demolish existing extension; single storey rear wrap around extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the host dwelling and surrounding area.

Reasons

3. The appeal property is a semi-detached house situated on the northern side of Lyndhurst Avenue. The property has previously been extended by way of a two-storey side extension and single-storey rear extension. It is proposed to demolish the existing 3m rear extension and replace with a 6m rear extension.
4. Lyndhurst Avenue is characterised by two-storey semi-detached properties with bay windows to ground and first floors and bungalows. Some of those properties have been extended to the side and rear.
5. The proposal would involve the demolition of the existing 3m rear extension and replacing it with a 6m rear extension. The extension would have a simple parapet flat roof design reflecting the style of the two-storey extension. However, the proposal would span the entire width of the original house and side extension resulting in a total width of around 8m and a depth of 6m. The significant mass and bulk of the extension would, therefore, dominate the host property. The proposal would fail to appear to subservient to the host property which is exacerbated by the lack of any set in from the boundary. The flat roof and large extent of glazing would do little to mitigate the dominating effect of the proposal. The proposal would, therefore, have a harmful effect on the character and appearance of the host property and would be directly contrary to paragraph 6.58 of the Council's Residential Design Guide Supplementary Planning Document (SPD) (2010) which seeks to ensure that rear extensions should be designed to respect the character and scale of the original house.

6. The proposal would not be visible from the street; however, there is a degree of inter-visibility between the gardens to the rear and the upstairs windows of neighbouring properties and gardens. The significant mass and bulk of the proposal would, therefore, be readily apparent to occupiers of adjacent properties. Consequently, the proposal would have a harmful effect on the character and appearance of the surrounding area.
7. The proposal would exceed the maximum depth of 3m for rear extensions set out at paragraph 6.59 of the SPD; however, I acknowledge that permitted development rights¹ now allow for a 6m deep extension. I also acknowledge that prior approval has previously been granted for a 6m single-storey rear extension. However, the previous prior approval application would not extend beyond the width of the original house and would, therefore, appear more subservient than the appeal proposal. The fall-back position of the prior approval does not, therefore, justify the harm which I have identified.
8. I noted on my site visit that the adjacent property has a 6m deep rear extension across the width of the house. However, the extension relates to a bungalow which has a larger footprint than the appeal property and therefore appears as a more proportionate addition to the property. Furthermore, the extension only spans the width of the original house and would, therefore, be permitted development.
9. Attention is drawn to rear extensions at number 15 Evelyn Drive and number 72 Evelyn Road. In the case of the former, I note that the decision was made within the context of a different national and local planning policy framework. In the case of the latter, few details are provided and so I cannot be certain that it benefits from planning permission or that it was decided within the same planning policy context as the appeal proposal. Neither of these cases are, therefore, directly comparable to the appeal proposal which limits the weight which I can attach to them in my Decision.
10. Whilst the proposal would have some benefits for the occupier in terms of providing extended living accommodation in an accessible location the harm which I have identified would outweigh these benefits.
11. For the reasons stated, the proposal would have a harmful effect on the character and appearance of the host property and the surrounding area. It would, therefore, be contrary to Policies 7.4B and 7.6B of the London Plan (2016), Policy CS1.B of the Core Strategy (CS) (2012), Policy DM1 of the Development Management Policies (DMP) (2013) and the SPD which collectively seek to ensure that development is of a high quality which respects local character. Conflict also arises with paragraph 127 of the Framework seeks to ensure that development is visually attractive and sympathetic to local character.

Conclusion

12. For the reasons stated above and taking all other matters into consideration, I conclude that the appeal should be dismissed.

Caroline Mulloy

Inspector

¹ Town and Country Planning (Permitted Development, Advertisement and Compensation Amendments) (England) Regulation 2019 which sets out amendments to the Town and Country Planning (General Permitted Development) (England) Order 2015