



Appeal Decision

Site visit made on 4 February 2020

by C L Humphrey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th February 2020

Appeal Ref: APP/M5450/D/19/3242874

16 George V Avenue, Pinner HA5 5SD

- 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 Y Jeyaparan against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/3621/19, dated 13 August 2019, was refused by notice dated 24 October 2019.
 - The development is 'Conversion of existing detached garage into utility cum non-veg kitchen and erection of store building'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. At the time of my site visit the development had already taken place. I have considered the appeal on that basis.

Main Issues

3. The effect of the development on the character and appearance of the area and the living conditions of neighbouring occupiers with particular regard to noise and disturbance and to sense of enclosure within the garden.

Reasons

Character and appearance

4. The store building is constructed of timber supports partly infilled by low brick walls with polycarbonate sheet cladding above and on the roof. It is attached to the back of the pre-existing detached garage, adjacent to the boundary with the dwelling at 14 George V Avenue. The store extends along the boundary with No.14 and, at around 4.4m long, is almost the same length as the garage.
5. Although, in combination with the garage, the store occupies less than 50% of the rear garden area, it nevertheless represents a significant incursion into it. Modest detached outbuildings are a feature within the locality; however, the cumulative size of the outbuildings in this case fails to respect the established pattern of development. By reason of its size, design and use of polycarbonate sheeting material the store building has a low quality, unsightly and ungainly appearance.

6. For the foregoing reasons I conclude that the development has a harmful effect on the character and appearance of the area, contrary to the design aims of Policies 7.4B and 7.6B of the London Plan, Core Policy CS1.B of the Harrow Core Strategy (CS), Policy DM1 of the Harrow Development Management Policies Local Plan (DMP), the Harrow Residential Design Guide Supplementary Planning Document and the National Planning Policy Framework (Framework).

Living conditions

7. At the time of my site visit the building was being used to store domestic paraphernalia and the garage was fitted out as a utility room with some limited cooking equipment. I have no evidence that the development is being used for anything other than domestic purposes associated with the main house or that its use is likely to give rise to noise and disturbance harmful to the neighbours. If non-domestic use were to take place, it would be open to the Council to take appropriate enforcement action.
8. However, because of its siting, height and length, the store creates an overbearing form of development, increasing the sense of enclosure along the boundary with the neighbouring back garden at No.14.
9. For the reasons given above, whilst I have found no harm in relation to noise and disturbance, I conclude that the development has a harmful effect on the living conditions of neighbouring occupiers with particular regard to sense of enclosure within the garden. As such, the appeal scheme is contrary to the amenity protection aims of London Plan Policy 7.6B, DMP Policy DM1 and the Framework.
10. The Council has referred to CS Policy CS1.B in the second reason for refusal. This appears to relate to local character rather than amenity protection and is therefore not directly relevant to the second main issue. Accordingly, I have not had regard to it on this occasion.

Conclusion

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

CL Humphrey

INSPECTOR