



Appeal Decisions

Site visit made on 26 February 2020

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd March 2020

Appeal Ref: APP/M5450/D/20/3246597

121 Spencer Road, Harrow, London HA3 7AW

- 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 Muneer-Uddin Mohammed against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/4766/19, dated 13 November 2019, was refused by notice dated 9 January 2020.
 - The development proposed is the erection of single storey side and rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of single storey side and rear extension at 121 Spencer Road, Harrow, London HA3 7AW in accordance with the terms of the application, Ref P/4766/19, dated 13 November 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1319 Site Plan, 1319 Proposed Floor Plans (revision B) and 1319 Proposed Elevations Plan (revision C).
 - 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) The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.
 - 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no windows or doors shall be installed in the flank wall facing 123 Spencer Road without the prior permission in writing of the local planning authority.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal site is located on the north side of Spencer Road which is a residential street. The appeal property itself is a semi-detached dwelling with a driveway to the side and a detached concrete sectional garage to the rear. The adjoining property (No 123) has an attached garage to the side which appears to be located on the common boundary between the respective properties.
4. The appeal proposal includes a single storey side extension which would be set well back from the front main wall of the dwelling. This part of the extension would be the only element which would be visible in the streetscene and would largely be consistent with other extensions in the vicinity of the site. As a result, I consider that no harm would result in this respect.
5. The appeal proposal also includes an extension across the rear of the dwelling and a further projection rearward, broadly in the position of the existing garage. That said, this rearward projection would be wider than the existing garage.
6. Whilst I agree with the Council that the proposed extension would have a footprint which would be disproportionate to the original dwelling, I am also conscious that this would be largely as a result of the rearward projection where the existing garage is located. Furthermore, at my site visit I saw that 129 Spencer Road also has a large single storey rear projection with a flat roof which is highly visible from High Street owing to its corner location.
7. The design of the proposed extension incorporates a flat roof which would assist in reducing the bulk and massing of the extension. It would also be consistent in that respect with other single storey side and rear extensions in the area which I saw at my site visit. Indeed, it could be said that the proposal therefore follows the pattern and grain of some of the existing development in the area and is not out of scale. This is particularly the case given the presence of the existing garage.
8. Taking all of the above factors into account, I am of the view that the proposed development would not give rise to a significant level of harm to either the host property or to the wider area as a whole.
9. For the above reasons the development would not harm the character and appearance of the area and would accord with Policies 7.4 (B) and 7.6 (B) of The London Plan (2016), Policy CS 1 (B) of the Harrow Core Strategy (2012) and Policy DM 1 (B) of the Harrow Development Management Policies Document (2013) which amongst other matters seek to ensure that all new development respects the existing pattern of development in the area including its bulk and scale. It would also accord with the design aims of the National Planning Policy Framework.

Conditions

10. The Council has provided a list of suggested conditions that it considers would be appropriate. Other than the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for the reason of certainty. A condition relating to the external materials of the development is also necessary in the interests of the character and appearance of the area.

11. The Council have also suggested conditions relating to the removal of permitted development rights in respect of windows and doors in the flank wall of the development, and that the roof of the extension shall not be used as a balcony, roof garden or similar amenity area.
12. I agree that the use of the roofspace as a balcony or other outdoor amenity space could result in significant amenity harm to the occupiers of the neighbouring residential properties and therefore such a condition is clearly necessary to prevent such harm.
13. Given the location of the flank wall, effectively on the boundary to the neighbouring property, a condition restricting any windows or doors on that elevation is also necessary.

Conclusion

14. Taking all matters into consideration, I conclude that the appeal should be allowed.

Chris Forrett

INSPECTOR