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## Appeal Decision

Site visit made on 9 March 2020

**by Rachael Pipkin, BA (Hons), MPhil, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 24<sup>th</sup> March 2020**

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**Appeal Ref: APP/M5450/D/19/3242662**

**11 Grove Road, Pinner, Middlesex, HA5 5HW**

- 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 Prashant Shah against the decision of the Council of the London Borough of Harrow.
  - The application Ref: P/3996/19 dated 5 September 2019, was refused by notice dated 15 November 2019.
  - The development proposed is first floor side and part first floor rear extension.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. A neighbour has raised living conditions as a concern. I have had regard to this in my decision.

### Main Issues

3. The main issues are the effect of the proposed development on:
  - the living conditions of the occupiers of 9 Grove Road, with regard to light, privacy and outlook; and
  - the character and appearance of the host property and the surrounding area.

### Reasons

#### *Living conditions*

4. Although not a reason for refusal, the Council did deal with matters in respect of living conditions within its delegated report. It referred to the proposed Juliet balcony giving rise to the perception of overlooking; the loss of light, although not specified as daylight or sunlight, to non-protected windows and the rear garden; and that the proposed development would be overbearing when viewed from 9 Grove Road (No. 9). The report concluded that the proposal would result in unacceptable impacts on neighbours. The appellant has therefore had an opportunity to address these matters as part of his appeal.

5. The proposed extension would extend along the boundary with No. 9 at first floor level. The proposed rear extension would be set in from the boundary but positioned slightly south-west of No. 9. Due to its position and height, it could lead to overshadowing of No. 9 and its rear garden. Notwithstanding the Council's assessment of the impacted windows, the occupier of No. 9 has indicated that a kitchen window faces towards the appeal property which could experience a loss of light. In the absence of firm evidence, I cannot be certain that the proposed development would not cause an unacceptable loss of daylight or sunlight to this neighbour. I am therefore not satisfied that the proposal would not have an adverse effect on this neighbour in respect of light.
6. The rear elevation of the proposed extension would have a wide window and Juliet balcony. This would be at first floor level and closer to the boundary of No. 9 than the existing obscurely glazed bathroom window in the rear elevation of 11 Grove Road (No. 11). It would be possible to look directly into the rear garden of No 9 from this window. The addition of railings to form a Juliet balcony would increase the perception of overlooking of this neighbouring property. There would be some loss of privacy arising from this.
7. The proposed side extension would extend along the boundary with No. 9 at first floor terminating at the rear elevation of the existing building. This part of the proposed development would face towards windows in the side elevation of No. 9 which the Council has indicated are a bathroom and first floor hallway window. There would be some reduction in outlook from these windows, however as these are non-habitable rooms, there would be no material harm to the living conditions of this neighbour from the adjacent development. The set back of the proposed rear extension from the boundary would limit its visual impact on No. 9 and it would not therefore appear overbearing.
8. I conclude that the proposed development would adversely affect the living conditions of the occupiers of No. 9, with regard to light and privacy. It would therefore conflict with Policy 7.6B of the London 2016<sup>1</sup> (LP) and Policy DM1 of the Harrow Development Management Policies 2013 (HDMP). It would also not comply with the Harrow Residential Design Guide Supplementary Planning Document 2010 (SPD). These policies and guidance together seek to protect the living conditions of neighbouring properties from inappropriate development.

#### *Character and appearance*

9. No 11 is a traditional, two-storey semi-detached house located close to the junction of Grove Road and Mount Drive from where the rear of the house is clearly visible. No. 11 has a hipped roof and a cat slide roof to its front elevation. It has a single storey extension which wraps around the property to the side and rear. The surrounding area is suburban in character with a mix of semi-detached and detached residential properties, several of which have been extended to the side.
10. The proposed development would be above the existing single storey extension set back from the front elevation with a hipped roof set below the ridge height of the main roof. The design of the extension with a hipped roof would reflect the character of the existing building, and due to its lower height and set back, it would appear subservient to the main house. Whilst the flank wall of the

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<sup>1</sup> The Spatial Development Strategy for London consolidated with alterations since 2011

extension would be visible in the gap between Nos. 9 and 11, the extension would not be dissimilar to other extensions within the locality and as such it would not harm the character and appearance of either the host property or the street scene.

11. The rear extension would be clearly visible from Mount Drive at the rear. It would be set in from both adjoining boundaries and would have a hipped roof which would be below the ridge height of both the main roof and proposed side extension. The size, position and height of this extension would reduce its overall bulk. Consequently, it would not appear as a dominant feature. The roof, being hipped, would reflect the design of the host property and would help the extension integrate with it.
12. I conclude that the proposed development would not harm the character and appearance of the host property or the surrounding area. It would therefore comply with Policy CS1B of the Harrow Core Strategy 2012 and Policy DM1 of the HDMP and Policies 7.4B and 7.6B of the LP which together and amongst other things, seek high quality design that enhances the public realm and respects local character. It would also accord with the design objectives of the National Planning Policy Framework. It would also conform with the design advice set out in the SPD which sets out, amongst other things, that extensions should harmonise with the scale of the original building.

### **Planning Balance and Conclusion**

13. The proposed development, whilst providing additional living accommodation for the appellant in an accessible location, does not contribute to the supply of housing. I therefore give this very limited weight.
14. I have found that the scheme would not harm the character and appearance of the area. However, the proposed development would result in unacceptable harm to the living conditions of neighbouring occupiers. As a result, the scheme would be in conflict with the development plan. I attach significant weight to this finding which is not altered or outweighed by my conclusions on the other issues.
15. For this reason, I conclude the appeal should be dismissed.

*Rachael Pipkin*

INSPECTOR