
Appeal Decision

Site visit made on 29 September 2020

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th October 2020

Appeal Ref: APP/M5450/D/20/3252502

16 Thistlecroft Gardens, Stanmore HA7 1PN

- 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 Chetan Patel against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/0515/20, dated 11 February 2020, was refused by notice dated 21 April 2020.
 - The development proposed is single storey front, two storey side and single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council's Decision Notice refers to Policies from the Draft London Plan 2019 (DLP). In accordance with paragraph 48 of the National Planning Policy Framework (the Framework) weight may be given to emerging policies subject to the stage of preparation and extent of unresolved objections. There is little substantive evidence before me which allows me to make this judgement. However, as this plan is at an advanced stage but not yet adopted, I give these policies in the emerging DLP moderate weight as a material consideration.
3. I have used the Council's description of the development in reaching my decision as it more fully describes the details of the development than that given on the original planning application form. The appellant's appeal form also makes reference to the updated description.

Main Issues

4. The main issues are the effect of:
 - (i) the proposed single storey rear extension on the living conditions of the occupiers of the neighbouring property at No. 14 Thistlecroft Gardens with particular regard to light, overshadowing and outlook, and
 - (ii) the proposed single storey rear extension and front porch extension on the character and appearance of the host property and the area.

Reasons

Living conditions of the occupiers of the neighbouring property

5. The appeal property at No. 16 Thistlecroft Gardens (No. 16) is a two storey semi-detached dwelling with a front porch extension and detached garage at the rear. The proposal would involve the construction of a single storey pitched roofed front extension incorporating a front porch, two storey pitched roof side extension and a single storey rear extension.
6. The single storey flat roofed extension would extend across the full width of the extended house and project out by about 6.0m from the rear elevation of the property. The extension would be built along the common shared boundary with No. 14 to the north of the site and would be separated from the rooms, garden and the patio area at the rear of the adjacent property by a fence/wall measuring about 2m in height running between the properties.
7. The adjacent unextended property at No. 14 currently has largely uninterrupted views from the rooms and patio area at the rear over the open garden areas at the rear of the appeal site and the neighbouring properties, that gradually slope down due to the sloping topography of the site and the surroundings, that provide space and light between the properties.
8. The appellant has submitted a daylight, sunlight and overshadowing assessment to examine the impact of the proposed development. The appellant indicates that the assessment shows that the loss of light to the nearest ground floor window to a habitable room at rear of No. 14 would be limited and the proposed rear extension would create a limited area of shadow on the rear elevation of No. 14. However, whilst I accept that the assessment shows that the impact of the proposal would be limited at the date specified, the assessment is limited in scope showing a single snapshot in time and is only for guidance.
9. Given the overall height and position of the proposed extension, separation distance between the properties, site levels and the orientation of the building together with the modest size of the nearest ground floor window and the patio area at the rear of No. 14, I consider that the proposed rear extension would impact on the views and available light currently enjoyed by the occupiers of the neighbouring property.
10. The proposed rear extension would introduce a dominant and enclosing structure that would restrict the outlook from the nearest ground floor window to the habitable room at the rear of No. 14 and, to a more limited extent, the outlook from the patio area at the rear of No. 14. It would also restrict the available light at different parts of the day reaching the nearest ground floor habitable room window and the patio area immediately adjoining the rear of No. 14. I therefore consider that the proposal would result in a poor quality living environment and an unacceptable change in the living conditions for the occupiers of the neighbouring property.
11. I have considered the appellant's statement that the scale and design of the proposed rear extension has been carefully designed in order to minimise any impacts on the adjacent properties. Whilst the flat roof design and boundary treatment would assist in integrating the proposed extension with the host property, these aspects do not overcome the adverse effects outlined above.

12. Consequently, I conclude that the proposed single storey rear extension would result in an unacceptable impact on the living conditions of the occupiers of the neighbouring property at No. 14 Thistlecroft Gardens with particular regard to light, overshadowing and outlook. It would be contrary with the overall aims of Policy 7.6B of the London Plan 2016 (LP), Policy D3 of the DLP, Policy DM1 of the Harrow Development Management Policies Local Plan 2013 (DMP) and the Council's Supplementary Planning Document: Residential Design Guide 2010 (SPD), which I consider are relevant in this case. These policies and guidance seek, amongst other things, to ensure that new development achieves a high standard of amenity and does not cause unacceptable harm to the amenities of existing and neighbouring occupiers. It would also not accord with the Framework that development should seek to create places with a high standard of amenity for existing and future users (paragraph 127).

Character and appearance

13. The appeal property is located in a mature well-established residential area, typically characterised by semi-detached two storey properties set back from the road behind a front garden/driveway. No. 16 has a traditional brick frontage with bay windows projecting from the front of the property.
14. The Council's SPD states that extensions should be subordinate to and harmonise with the scale and architectural style of the original building and the character of the area, which is broadly in line with the Framework and national policy guidance.
15. The appeal property is on a relatively narrow spacious plot and as such the extensions would not appear overlarge, relative to the overall plot size. I observed on my site visit that a number of the adjacent properties had single storey extensions projecting out from the rear of the buildings. The proposed rear extension would be seen in the context of the current varied architectural styles at the rear of the host property and the surrounding properties.
16. Against this backdrop, the scale, form and siting of the single storey rear extension would not look significantly out of place or excessive in relation to the built form of the host property and the adjacent properties. The overall scale and proportions of the rear extension together with use of matching materials and fenestrations would ensure the development sits relatively unobtrusively against the two storey form of the host property. The development therefore achieves an appropriate degree of subordination to the host property. In addition, the rear extension would not be visible from the road at the front and as such would not adversely impact on the street scene in the surrounding area.
17. Paragraph 6.35 of the SPD specifies that small front porch and garages extensions may be permitted provided that they do not project significantly forward of front bays windows and do not link into and have clear separation from the existing bay windows. In this case, the single storey front extension incorporating a front porch would be set slightly in front of the existing ground floor bay window on the appeal property and stepped back behind the adjacent front porch and garage extension at No. 18.
18. However, whilst the proposed front porch extension would not project significantly forward of the front bay windows nor be directly linked into the

bay windows, the lack of clear separation would result in a material alteration to the property's bay frontage, which currently makes a positive contribution to the host building. These shortcomings would be exacerbated by the proposal's position, where the proposed front porch extension would be visible from a number of public vantage points along Thistlecroft Gardens.

19. The proposed front porch extension, by virtue of its siting and design, would fail to achieve an appropriate degree of subordination to the host property and would detract from the architectural integrity of the host property. As such, I consider that the proposed front porch extension would result in an incongruous and out-of-keeping addition that would cause unacceptable harm to the host property and the area.
20. I have considered the appellant's statement that the design and layout of the proposed front porch extension has been carefully considered in order to take into account the character of the host property, including the existing front porch and the other front porch extensions in the area. Whilst the use of matching materials and fenestrations would assist in integrating the proposed extension with the host property, these aspects again do not overcome the adverse effects outlined above.
21. Consequently, I conclude that the proposed front porch extension would have a harmful effect on the character and appearance of the host property and the area. It would be contrary to Policies 7.4B and 7.6B of the LP, Policy D3 of the DLP, Core Policy CS1.B of the Harrow Core Strategy 2012, Policy DM1 of the DMP and the Council's SPD which I consider are relevant in this case. These policies and guidance, amongst other things, seek to ensure that new development demonstrates a high quality design that respects and responds positively to existing buildings and the local character and distinctiveness of the area. In addition, the proposal would not accord with the Framework that developments should seek to secure a high quality of design (paragraph 124) that are sympathetic to the local character (paragraph 127).

Other Matters

22. I have noted the other developments in the area drawn to my attention by the appellant. However, the single storey rear extensions allowed at Nos. 12 & 25 Thistlecroft Gardens¹ have different development characteristics to the appeal scheme and were permitted under the prior approval process. The various front porches and extensions to the properties along Thistlecroft Gardens and elsewhere in the Borough relate to a different scale and form of development. In any event, each proposal falls to be assessed primarily on its own merits and I am unaware of the full circumstances associated with these other cases. I therefore accord them limited weight as precedents in this case.
23. I have considered the appellant's arguments regarding the type of extensions that can be built on a dwellinghouse under General Permitted Development Rights. Whilst this may be so, this does not set a precedent for such an inappropriate development in this location for the reasons set out above.
24. I have considered the various benefits put forward by the appellant that the proposal would bring, including the scheme's high quality design and to create additional accommodation to meet the needs of the appellant's family. While I

¹ P/007/18/PRIOR & P/3513/19/PRIOR, APP/M5450/D/19/3238969

have given them some weight, these benefits would not be sufficient to outweigh the harm I have identified. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

Conclusion

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

David Troy

INSPECTOR