
Appeal Decision

Site visit made on 27 October 2020

by C Osgathorp BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 November 2020

Appeal Ref: APP/M5450/D/20/3256015
20 Blenheim Road, Harrow HA2 7AH

- 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 Ms Chui Luan Seah against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/0961/20, dated 11 March 2020, was refused by notice dated 6 May 2020.
 - The development proposed is single storey rear extension; pitched roof over existing side extension; external alterations.
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Decision

1. The appeal is allowed and planning permission is granted for single storey rear extension; pitched roof over existing side extension; external alterations at 20 Blenheim Road, Harrow HA2 7AH in accordance with the terms of the application, Ref P/0961/20, dated 11 March 2020, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan; Site Plan; and BR.01.
 - 4) 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 window(s) or door(s), other than those shown on the approved plans, shall be installed in the side flank elevation(s) of the development hereby permitted.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers of No 18 Blenheim Road, with particular regard to light and outlook.

Reasons

3. Paragraph 6.59 of the Harrow Residential Design Guide Supplementary Planning Document 2010 (the SPD) sets out that the acceptable depth of single

storey rear extensions will be determined by the need for consistency with permitted development and other factors, including: site considerations; the scale of the development; and impact on the amenity of neighbouring residents. Paragraph 6.60 of the SPD outlines the special circumstances where a greater depth may be allowed. Furthermore, paragraph 6.61 states that the additional depth should be set away from any side boundaries of the property by twice the amount of the additional depth sought.

4. I have had regard to the guidance in the SPD, nevertheless each case must be considered on its own merits. In this case, the proposed single storey rear extension would project about 4 metres beyond the rear elevation of the adjoining property at No 18 Blenheim Road, which includes ground floor patio doors. Whilst the proposed extension would be positioned close to the boundary, it would have a low eaves height of around 2.5 metres and a shallow hipped roof that would rise away from the neighbouring property. Taken together, these factors ensure that the proposal would not cause a significant loss of light or outlook to the patio doors or garden of the neighbouring property.
5. For these reasons, I conclude that the proposed development would not be detrimental to the living conditions of the occupiers of No 18 Blenheim Road. The proposal would therefore accord with Policy 7.6.B of the London Plan 2016, Policy DM1 of the Harrow Development Management Policies 2013 and the aims of the SPD, which, amongst other things, seek to protect the amenity of neighbouring occupiers.

Conditions

6. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is for the avoidance of doubt and in the interests of certainty.
7. In order to maintain the character and appearance of the area, I have imposed a condition requiring the external surfaces of the development to be finished in materials to match those used in the existing building. Furthermore, I have attached a condition to remove permitted development rights for the insertion of additional windows and doors in the side elevations of the proposed development. This is to protect the privacy of the occupiers of the adjacent properties.

Conclusion

8. For the above reasons, I conclude that the appeal should be allowed.

C Osgathorp

INSPECTOR