
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: 6 November 2020

Appeal Ref: APP/M5450/D/20/3256682

88 Oakleigh Avenue, Edgware HA8 5DP

- 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 Necula against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/0499/20, dated 11 February 2020, was refused by notice dated 5 May 2020.
 - The development proposed is single storey side to rear extension; installation of 2.4m high wall to side and rear boundaries.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of proposed development shown on the Council's decision notice in the heading above because it is more precise than that shown on the planning application form. I have, however, omitted the word 'retrospective' because this is not a description of development.
3. There is a boundary wall with railings to the front of the appeal property, which is not shown on drawing No 880A/P01 Rev B. Therefore, I have not considered this as part of the appeal.
4. A single storey side to rear extension and side boundary wall have been constructed. I cannot be certain that what I have seen on site is exactly the same as the development shown on drawing No 880A/P01 Rev B. I have therefore considered the proposal as presented upon the drawing that is the subject of the appeal and not in regard to what has actually been built.

Main Issues

5. The main issues are the effect of the proposed development on (i) the character and appearance of the area; and (ii) the living conditions of the occupiers of No 86 Oakleigh Avenue, with particular regard to outlook and overshadowing.

Reasons

Character and appearance

6. The area predominantly consists of semi-detached and terraced dwellings of modest scale. The nearby rear extensions that are visible in the street scene

are generally proportionate to the size of the dwellings to which they are attached. The appeal property is sited in a prominent position on the corner of Oakleigh Avenue and Broomgrove Gardens, and the rear elevation of the dwelling is visible in the street scene. The property has previously had a large 2 storey side extension, and a single storey rear extension.

7. Based on the information before me, the main bulk of the proposed enlargement would project around 7.3 metres beyond the original 2 storey rear wall of the dwelling. There would be another section adjacent to the boundary with Broomgrove Gardens that would extend a further 0.9 metres. The rear elevation of the proposed extension would be approximately 12 metres wide, and it would have a shallow pitched roof that would adjoin the 2 storey rear wall of the dwelling.
8. The cumulative depth and width of the proposed single storey rear enlargement would be considerable, which would create a bulky and disproportionate addition that would not respect the scale of the original building. The proposal would be visible in the street scene and it would appear as a discordant feature in the context of surrounding development. It would therefore be harmful to the character and appearance of the area.
9. The proposed side boundary wall, as shown on drawing No 880A/P01 Rev B, would be in keeping with the boundary treatments of other corner properties in the area where boundary walls or fences enclose the rear gardens. The height of the wall would not appear dominant in the street scene.
10. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the area. The proposal would therefore be contrary to Policies 7.4.B and 7.6.B of the London Plan 2016, Policy CS1.B of the Harrow Core Strategy 2012, Policy DM1 of the Harrow Development Management Policies 2013 and guidance in the Supplementary Planning Document: Residential Design Guide 2010, which, amongst other things, state that proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted.

Living conditions

11. The drawing shows that the proposed extension would project about 4.1 metres beyond the rear extension of the adjoining property at No 86 Oakleigh Avenue. The single storey nature of the proposal and its declining height to the rear would ensure that the proposal would not cause significant overshadowing of the neighbouring property.
12. Nevertheless, the side wall of the extension would rise noticeably above the boundary fence. The proposal would project a sizeable distance beyond the ground floor rear elevation of No 86 and it would be positioned close to the boundary. Taking these factors together, the proposal would appear overbearing and cause an unacceptable loss of outlook to the rear garden of the neighbouring property.
13. For these reasons, I conclude that the proposed development would be detrimental to the living conditions of the occupiers of No 86 Oakleigh Avenue. It would therefore be contrary to Policy 7.6.B of the London Plan 2016, Policy DM1 of the Harrow Development Management Policies 2013 and guidance in

the SPD, which, amongst other things, state that proposals that would be detrimental to the amenity of neighbouring occupiers will be resisted.

Conclusion

14. For the above reasons, I conclude that the appeal should be dismissed.

C Osgathorp

INSPECTOR