
Appeal Decision

Site visit made on 12 October 2020 by Hilary Senior BA (Hons) MCD MRTPI

by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 December 2020

Appeal Ref: APP/M5450/D/19/3239869
63 Taunton Way, London HA7 1DJ

- 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 Hiten Vekaria against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/2535/19, dated 5 June 2019, was refused by notice dated 20 August 2019.
 - The development proposed is outbuilding and a car port at the end of the garden for ancillary use ie gym and games room.
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Decision

1. The appeal is allowed and planning permission is granted for outbuilding and a car port at the end of the garden for ancillary use at 63 Taunton Way, London HA7 1DJ in accordance with the terms of the application, Ref P/2535/19, dated 5 June 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: Site Plan and Proposed Floor Plan and Proposed Elevations (received December 2020).

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. A revised proposed elevations plan was requested and received during the appeal process, to correct inconsistencies in respect of the position of the proposed garage door. While the Council and neighbouring occupants have not had the chance to provide comments on these revised drawings, I consider that they would not be prejudiced by my acceptance of them as the scheme would remain broadly unchanged. I therefore accept the revised drawings and have considered the proposal on this basis.

Main Issues

4. The main issues are:

- the effect of the proposal on the character and appearance of the area; and
- the effect of the proposal on the living conditions of the occupiers of 65 Taunton Way

Reasons

Character and appearance

3. 63 Taunton Way is a semi-detached dwelling in a well-established residential area. To the rear of the property is a private access road which serves dwellings on both Taunton Road and Honeypot Lane and which is characterised by a variety of types and sizes of garages and outbuildings.
4. The appeal proposal is a single storey, flat roof outbuilding which would be sited at the end of the garden area and would replace an existing double garage. It would be approximately 10 metres by 8 metres with a flat roof to the height of 2.8 metres and span the fullwidth of the garden area. It would be accessed via the private service road to the rear. The building would be used as a garage and gym/games room as ancillary accommodation to the dwelling.
5. Guidance in the Residential Design Guide: Supplementary Planning Document (2010) (SPD) states that if a structure is within 2 metres of a boundary, it should be a maximum height of 2.5 metres and that it should be proportionate in size to the original building. The appeal proposal would be 2.8 metres height so would not meet the guidance in the SPD.
6. However, although the proposed outbuilding would be large, it would not be out of character with the long-established existing garages along the service road, many of which span the full width of the plots. In addition, it would be seen against the outbuilding at 61 Taunton Way which has a pitched roof and is higher than the proposed building. Given the variety of styles of buildings along the service road this small increase in height over that suggested in the SPD would not cause harm to the character and appearance of the street scene.
7. I acknowledge that the planning history of some of the other outbuildings with access off the lane is unknown. Nevertheless, I am unaware that any are the subject of enforcement action and moreover, from all I have seen and read, they form part of the established character and appearance of the area.
8. In terms of the footprint of the outbuilding compared to that of the house, the garage is sizeable. Nevertheless, the structure is considerably lower in height than the dwelling and moreover would be set at distance from it. The structure, which would have a simple design and appearance reflecting its function as an outbuilding, would not therefore be overbearing in its context or appear disproportionate to the dwelling.
9. For these reasons, I find that the proposed development would not be visually harmful to the character and appearance of the street scene. Consequently, the scheme would not conflict with Policies, 7.4B and 7.6B of The London Plan (2016), Policy CS1B of the Harrow Core Strategy (2012), Policy DM1 of the Harrow Development Management Policies Local Plan (2013), and the National Planning Policy Framework (the 'Framework'). Collectively these policies seek, amongst other matters, to promote good design and prevent development which harms the character and appearance of areas.

Living conditions

10. Due to the distance from the neighbouring property, whilst the proposed outbuilding would be visible from 65 Taunton Way, due to the presence of the boundary fence and an existing outbuilding in the garden, the proposal would not be sufficiently obtrusive to cause harm to the living conditions of neighbouring occupiers.
11. For these reasons, I find that the proposed development would not harm the living conditions of the neighbouring occupiers. Consequently, the scheme would not conflict with Policies, 7.4B and 7.6B of The London Plan (2016), Policy CS1B of the Harrow Core Strategy (2012), Policy DM1 of the Harrow Development Management Policies Local Plan (2013), and the Framework. Collectively these policies seek, amongst other matters, to promote good design and prevent development which would be detrimental to privacy and amenity of neighbouring occupiers

Conditions

12. In addition to the standard time period for commencement of the development, I have attached a condition requiring the development to accord with the approved plans, as this provides certainty. A condition requiring the use of materials matching that of the existing building is suggested by the Council. However, details of the proposed materials, to match the house, are indicated on the plans. Accordingly, such a condition is not necessary.

Conclusion and Recommendation

13. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is allowed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Susan Ashworth

INSPECTOR