



Appeal Decision

Site visit made on 2 February 2021

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 February 2021

Appeal Ref: APP/M5450/D/20/3261586

76 Birchmead Avenue, Pinner, HA5 2BH

- 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 Mark Reeves against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/2327/20, dated 6 July 2020, was refused by notice dated 18 September 2020.
 - The development proposed is a two storey rear extension, alterations and extension to existing garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposed development is taken from the application form. The decision notice describes the proposed development as "Part single, part two storey rear extension; Single storey side extension and roof alterations to detached garage to create habitable room."

Main Issues

3. The main issues in this case are the effect of the proposed development on the character and appearance of the area; and its effect on the living conditions of the occupiers of No 78 Birchmead Avenue, with regards to outlook.

Reasons

Character and appearance

4. The appeal property is a two storey detached dwelling of brick and tile construction, located within a residential area.
 5. The dwelling is situated in a corner location at the end of a cul-de-sac. The siting of the appeal property means that its front elevation and that of its neighbour, No 78 Birchmead Avenue, appear at right angles to one another. These two dwellings are located close to each other. The appeal property's driveway runs alongside the boundary with No 78 to a small garage positioned immediately adjacent to No 78's side elevation and rear garden boundary.
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6. The surrounding area is characterised to a large degree by the presence of similar two storey detached dwellings set back from the road behind small gardens and driveways and with longer gardens to the rear. This, along with spaces between dwellings, provides for an attractive sense of uniformity within a spacious and green environment.
7. During my site visit I observed that many properties have been altered and/or extended and that such changes generally appear subservient to host properties and in keeping with the character of the area.
8. The proposed development would extend the appeal property across the majority of the rear elevation at a two storey height and would do so in a manner that would introduce two tall gable features. I find that, when combined with the depth of the projection proposed, the proposal would appear as an unduly bulky addition to the host property.
9. Further to the above, the scale and design of the proposal would result in the extension failing to appear subordinate to the host property. Rather, the proposal would be of such a scale that it would overwhelm the appearance of the property and would be out of keeping with the prevailing character of the area.
10. Whilst located immediately alongside No 78, as noted above, the appeal property's existing garage, with its flat roof, appears quite small and unobtrusive. By way of contrast, the proposed development would result in the creation of a very large building. Unlike the existing garage, which appears ancillary to the appeal property, the proposed garage would, due to its large size, draw attention to itself as a dominant feature.
11. The harm arising from this would be exacerbated as a result of the proposed first floor dormer adding significant bulk and this would have the effect of leading the building to appear to compete with, rather than appear proportion to, the host dwelling. Furthermore, the proposed garage would, as a result of its size and immediate proximity to No 78, appear as a large and incongruous feature out of keeping with the spacious attributes of the area.
12. Consequently, I find that the proposal would harm the character and appearance of the area, contrary to the Framework, to London Plan (2016) Policies 7.4B and 7.6B, to Core Strategy¹ Policy CS1.B, DMP² Policy DM1 and to the Council's Supplementary Planning Document: Residential Design Guide (2010), which together amongst other things, seek to protect local character.

Living conditions

13. The proposed garage would replace a small unobtrusive garage with a large and bulky building. It would result in the development of a building of considerable height in immediate proximity to the rear garden of No 78.
14. I find that the proposal, due to its height and immediate proximity, would "loom above" the area of garden closest to the rear elevation of No 78 in such a way that it would draw attention to itself as an overbearing feature. The harm arising from this is not something that would be lessened to an acceptable

¹ Reference: Harrow Core Strategy (2012).

² Reference: Harrow Development Management Policies Local Plan (2013).

degree by the proposed pitch of the roof, due to the overall height of the proposal and its immediate proximity to No 78.

15. Taking this into account, I find that the proposal would harm the living conditions of the occupiers of No 78 Birchmead Avenue, with regards to outlook, contrary to London Plan (2016) Policy 7.6B, to DMP Policy DM1 and to the Council's Supplementary Planning Document: Residential Design Guide (2010), which together amongst other things, seek to protect residential amenity.

Other Matters

16. The appellant, in support of his case, draws my attention to other developments nearby. However, the specific circumstances relating to each of these examples are not the same as those the subject of this appeal. Notwithstanding this, I have found that the proposed development would result in harm to both the character and appearance of the area, and to the living conditions of neighbouring occupiers. This harm is significant and it is not something that is mitigated by the presence of other developments elsewhere.
17. The appellant also refers to a "fallback position" in respect of a lawful development certificate (P/2130/19). In this respect, I note that the proposal the subject of this appeal is different to that the subject of the lawful development certificate, both in respect of the size and design of the rear extension and the design and the location of the garage.

Conclusion

18. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR