



Appeal Decision

Site visit made on 01 June 2021 by A Coombes

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 June 2021

Appeal Ref: APP/T5150/D/21/3270040

Site Address 100 Sudbury Court Drive, Harrow HA1 3TF

- 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 Akram Chaudhary against the decision of London Borough of Brent Council.
 - The application Ref 20/3852, dated 9 November 2020, was refused by notice dated 26 January 2021.
 - The development proposed is the retention of existing extension to outbuilding and proposed alterations to outbuilding roof.
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Decision

1. The appeal is allowed and planning permission is granted for the retention of existing extension to outbuilding and proposed alterations to outbuilding roof at 100 Sudbury Court Drive, Harrow HA1 3TF, in accordance with the terms of the application Ref 20/3852, dated 9 November 2020 and subject to the following conditions:
 - 1) The development is hereby permitted and shall begin no 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: the site location plan and drawing A102 (dated 11/08/2020).
 - 3) 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.

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 Matters

3. An email was received from the appellant to confirm the full name as Akram Chaudhary.
4. Part of this appeal is retrospective and has been considered on that basis. Furthermore, the description of the development as provided on the application form did not include the request for retrospective retention of the existing extension. Therefore, the encompassing description, provided by the Council, has instead been used. However, the word 'retrospective' has been omitted because, in itself, this is not an act of development.

Main Issue

5. The main issue is the effect of the proposed development on the character of the area, with particular regard to scale.

Reasons for the Recommendation

6. The appeal site is located on a busy, tree-lined road, formed of detached houses. The properties are well-sized and slightly set back from the road in generous plots. 100 Sudbury Court Drive has a gable roof and black and white detailing. The appeal seeks approval for an extension to the approved outbuilding and amendment of the part of the roof, which has a pitch, to become a flat roof.
7. Though the outbuilding fills most of the width of the plot, a small area is retained on either side between the boundaries. Furthermore, as the outbuilding is located near the rear boundary, there is sufficient distance between it and the main dwelling and adequate space remains within the large curtilage. The outbuilding, though sizeable, remains subordinate to the related dwellinghouse, which is substantially sized with visible extensions. Therefore, the scale of the development is acceptable given its siting and relationship with the host property.
8. On the site visit it was observed that there is almost no visibility of the outbuilding from the public sphere. Furthermore, the proposed change of roof to one that is entirely flat would further reduce visibility and ensure that the development would not be dominant within its context. The outbuilding is visible when viewed from the upstairs windows of the immediately neighbouring properties, and potentially visible from such windows in a small amount of properties on Bengeworth Road. However, its design and somewhat discreet siting ensure that it is not and, once amended would not be, detrimental to the character of the area, in which several other large outbuildings are situated.
9. The London Borough of Brent Council Residential Extensions and Alterations SPD2 (SPD), adopted 2018, provides guidance on outbuildings. It is noted that the development exceeds the suggested maximum size. However, this document is intended as guidance and the size thresholds only describe what is *normally* acceptable which indicates that a degree of flexibility should be afforded on a case by case basis. Notwithstanding the sqm allowances, weight should be given to elements of the SPD that the development has met or will meet, such as the height requirement, proposed roof design and intended use.
10. Notwithstanding the conflict with part of the SPD, the development is compliant with Policies CP17 of the London Borough of Brent Council Core Strategy, adopted 2010, and Policy DMP1 of the London Borough of Brent Council Local Plan Development Management Policies Document, adopted 2016. Together these Policies seek to ensure that development is appropriate and responds well to its context.

Conditions

11. In addition to the standard time period for commencement of the development, a condition has been attached to ensure the development is carried out in accordance with the approved plans, as this provides certainty and precision. A

condition requiring the use of materials matching that of the existing building is also necessary to avoid any harm to the character of the area.

Conclusion and Recommendation

12. The proposal would accord with the Development Plan when it is considered as a whole. For the reasons given above, I recommend the appeal should be allowed.

A Coombes

APPEAL PLANNING OFFICER

Inspector's Decision

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

K Taylor

INSPECTOR

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