



Appeal Decision

Site visit made on 13 July 2021

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 July 2021

Appeal Ref: APP/M5450/D/21/3272085

18 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 H Vyas against the decision of London Borough of Harrow.
 - The application Ref P/4519/20, dated 11 December 2020, was refused by notice dated 12 March 2021.
 - The development proposed is single storey front extension incorporating porch; two storey side to rear extension; single storey rear extension; external alterations (demolition of attached garage).
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Decision

1. The appeal is allowed and planning permission is granted for a single storey front extension incorporating porch; two storey side to rear extension; single storey rear extension; external alterations (demolition of attached garage) at 18 Blenheim Road, Harrow HA2 7AH in accordance with the terms of the application, Ref P/4519/20, dated 11 December 2020, subject to the following conditions:
 - 1) The development hereby permitted shall be completed 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: Proposed Elevations 1267 drg no. 04 and Proposed Floor Plans 1267 dwg no. 03.
 - 3) 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.

Application for Costs

2. An application for costs was made by Ms H Vyas against London Borough of Harrow. This application is the subject of a separate Decision.

Preliminary Matters

3. The description of development was amended following submission of the application. The amended description better reflects the development proposed and I have referred it for the purposes of this appeal.

4. The Revised National Planning Policy Framework (the Framework) was published on 20 July 2021. I am satisfied that the equivalent policies in the revised Framework have broadly the same approach as their counterparts, and they do not alter my conclusions on the matter in any case.

Main Issues

5. The main issue is the effect of the proposal on the living conditions of the occupiers of No 20 Blenheim Road, with particular regard to light (including overshadowing) and outlook.

Reasons

6. The reasons for refusal refer to the projection of the proposal and its proximity to the shared boundary of No 20 Blenheim Road, relative to guidance contained in the Harrow Residential Design Guide Supplementary Planning Document 2020 (the SPD). Paragraph 6.59 of 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 development; and the 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 additional depth sought.
7. I have had regard to the guidance of the SPD, nevertheless each case must be considered on its own merits. Indeed, the SPD invites consideration of other factors, including site conditions addressed below. In this case, the proposed single storey rear extension would project approximately 4 metres from the rear elevation of the adjoining No 20 Blenheim Road and would have low eaves of approximately 2.55 metres, rising to 3.7 metres at its mono-pitch. Whilst the proposed extension would be close to the boundary, its mono-pitch design would ensure its height reduces across its depth. Taken together, these factors ensure that the proposal would not cause a significant loss of light or outlook to the rear elevation or garden of No 20 Blenheim Road.
8. Furthermore, No 20 Blenheim Road benefits from an extant permission, granted by way of appeal decision Ref. 3256015, dated 04 November 2020. There is no information before me to suggest that the permission will not be implemented. Indeed, at the time of my visit, preliminary construction work was taking place at Nos 20 and 22 Blenheim Road, which may be in relation to the permitted extension. Whilst the permitted rear extension at No 20 Blenheim Road would have a hipped roof, the eaves height and depth would be similar to that of the appeal proposal. Although I have concluded that the appeal proposal would have an acceptable effect on the living conditions of No 20 Blenheim Road in any case, the permitted rear extension would negate any effects of the appeal proposal on the living conditions of No 20 Blenheim Road.
9. For these reasons, the proposed development would not have an unacceptable detrimental impact on the living conditions of the occupiers of No 20 Blenheim Road. The proposal would therefore accord with Policy D3 of the London Plan, adopted 2021, policy DM 1 of the Harrow Development Management Policies Local Plan, adopted 2013, the SPD, and the Revised Framework. These policies seek, amongst other things, high quality design and standards of privacy and amenity.

Conditions

10. I have imposed standard conditions requiring the development is carried out in a timely fashion, in accordance with the approved plans. As those approved plans specify that the external surface materials of the proposal will match the existing building, I do not consider it necessary to impose a further condition in this regard. In addition, I have imposed 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

11. For the reasons given above, the appeal is allowed.

Kim Langford Tejrar

INSPECTOR