



Appeal Decision

Site visit made on 6 July 2021

by Caroline Mulloy BSc (Hons) DipTP MRTPI

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

Decision date: 27 July 2021

Appeal Ref: APP/M5450/D/21/3272493

37 Greenhill Road, Harrow HA1 1LD

- 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 Zahid Siddiqui against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/4421/20, dated 3 December 2020, was refused by notice dated 22 March 2021.
 - The development proposed is two-storey back extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - The effect of the proposal on the character and appearance of the host property; and
 - The effect of the proposal on the living conditions of existing occupiers at number 35 Greenhill Road (ground floor flat) with specific reference to privacy.

Reasons

Character and appearance

3. The appeal property is a two-storey, semi-detached dwelling with two-storey bays and gable feature to the front. To the rear is a two-storey projection with a flat roof and a dormer window. A small, single storey extension is attached to the rear projection. The surrounding area is characterised by similar traditional semi-detached and terraced properties, with a mix of single and two storey rear projections.
4. The existing rear projections to this and similar properties to the north are set in adjoining pairs and generally occupy only a small proportion of the rear elevations. The proposed two-storey rear projection would infill the gap between the existing rear projection and the side of the dwelling at the same height as the rear projection and with a flat roof and small parapet wall.
5. According to the appellant's submissions, the proposed extension would be 3.016m in depth in order to sit flush with the rear elevation of the existing two storey projection. This would exceed the recommended 3m in the Council's Residential Design Supplementary Planning Document (2010) (SPD) by only a

marginal amount and the flat roof design would mimic that of the existing projection. However, the proposal would extend across the full width of the property at first storey level and would dominate the rear elevation. Due to the significant additional mass and bulk and lack of a set-in from the flank elevation the proposal would fail to appear subservient to the host property. Direct conflict would, therefore, arise with paragraph 6.58 of the SPD which requires rear extensions to respect the character and scale of the original house.

6. I acknowledge that planning permission has been granted for a single storey, full width extension; however, this would achieve a greater degree of subservience than the appeal proposal due to the single storey nature of the proposal. Whilst the proposal would not be visible from the street, there is a high degree of intervisibility between neighbouring gardens to the rear and so the proposal would be visible to occupiers of neighbouring properties.
7. For the reasons stated, the proposal would be harmful to the character and appearance of the host property. It would, therefore, be contrary to Policies D1 and D3 of the London Plan (2021), Policy CS1.B of the Harrow Core Strategy (CS) (2012), Policy DM1 of the Harrow Development Management Policies Local Plan (DMP) (2013) and the SPD which collectively seek to achieve a high standard of development which reflects the character of the area. Conflict also arises with paragraph 130 of the National Planning Policy Framework (the Framework) (2021) which seeks to ensure that developments are visually attractive and sympathetic to local character.

Living conditions of existing occupiers

8. The appeal property is situated adjacent to numbers 35 and 35A Greenhill Road (Nos 35/35A), a two-storey semi-detached property which was previously converted into two flats and which has a single storey rear projection. The south side of the proposed extension would be set in around 0.9m from the shared boundary with Nos 35/35A and around 2.4m from the side wall of Nos 35/35A.
9. The side wall facing Nos 35/35A would have a ground floor window only around 0.9m from the side boundary. The single storey rear projection of the Nos 35/35A has two ground floor windows facing the appeal property, one of which is obscured. The larger window appears to serve a kitchen area and is unobscured. Whilst the proposed ground floor window would be obscure and non-opening it would, nevertheless, result in the perception of overlooking to both the ground floor flat and the garden area, in direct conflict with paragraph 6.22 of the SPD which states that large windows in the wall of a side extension would be unacceptable.
10. I acknowledge the presence of the wall; however, views over the wall would still be available. The appellant has offered to erect a new tall boundary fence along the shared boundary in an attempt to mitigate any perceived overlooking issues; however, this would only serve to reduce the outlook available to existing and future occupiers from the windows facing onto the boundary.
11. For the reasons stated, the proposal would affect the living conditions of existing occupiers at No 35 Greenhill Road (ground floor flat) with specific reference to privacy. The proposal would, therefore, conflict with Policy D3 of the London Plan (2021), Core Policy CS1 (B) of the CS (2012), Policy DM 1 of the DMP and the SPD which collectively seek to maintain a high standard of amenity for existing and

future occupiers. Conflict also arises with paragraph 130 of the Framework which seeks to ensure a high standard of amenity for existing and future users.

Conclusion

12. For the reasons stated the appeal is dismissed.

Caroline Mulloy

Inspector