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## Appeal Decision

Site visit made on 15 September 2021

**by David Troy BSc (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 29 September 2021**

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**Appeal Ref: APP/M5450/D/21/3276341**  
**242 Cannon Lane, Pinner HA5 1JD**

- 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 & Mrs Arora against the decision of the Council of the London Borough of Harrow.
  - The application Ref P/1047/21, dated 15 March 2021, was refused by notice dated 10 May 2021.
  - The development proposed is single storey side to rear extension and garage conversion into habitable room.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effect of the proposed development on:
  - (i) the character and appearance of the host property and the area, and
  - (ii) the living conditions of the occupiers of the neighbouring property at No. 240 Cannon Lane with particular regard to overshadowing and outlook.

### Reasons

#### *Character and appearance*

3. The appeal property is a two storey extended semi-detached dwelling situated on a corner plot at the junction of Cannon Lane and Durley Avenue. It is located in a mature well-established residential area, typically characterised by detached and semi-detached properties set back from the road behind a front garden/driveway. No. 242 Cannon Lane being situated on a corner plot has even more expansive grounds, which add to the open character and appearance of the street scene.
4. The appeal site has an extensive planning history relating to proposals to extend the property, including a large flat roofed two storey side extension. The proposal would entail the construction of a single storey L-shaped side and rear extension with a shallow pitched tiled roof that would wrap around the south-east corner of the property set back from the Durley Avenue running along the rear of the site. It would extend across the full width of the house and project out by about 3.6m from the rear elevation of the property.

5. Although the proposed extension would not appear overlarge, relative to the overall plot size, the scale and form of the proposed extension would nevertheless still be a significant addition relative to the main property. Whilst it would be set back, the proposed extension would result in substantial bulk on this side of the dwelling, which would detract from the architectural integrity of the host property and compromise the sense of space and openness in the area.
6. These shortcomings would be exacerbated by the proposal's prominent position, which would be visible from a number of public vantage points along Cannon Lane and Durley Avenue. The proposed extension, by virtue of its scale, siting and design, would fail to achieve an appropriate degree of subordination to the host property and would create an unbalanced and awkward appearance set against the existing extensions and alterations to the property. As such, I consider that the proposed extension would result in an incongruous and out-of-keeping addition that would cause unacceptable harm to the host property and the area.
7. I have considered the appellants arguments that the design and layout of the proposed development has been carefully considered and redesigned in response to the previously refused scheme at the site<sup>1</sup> in order to provide innovative design solution to the development of the appeal property and minimise any impacts on the area. Whilst the use of matching materials, fenestrations and the boundary treatment would assist in integrating the proposal with the area, these aspects do not overcome the adverse effects outlined above.
8. Consequently, I conclude that the proposed development would have a harmful effect on the character and appearance of the host property and the area. It would be contrary to the overall aims of Policy D3.D(1) of the London Plan 2021 (LP), Core Policy CS1.B of the Harrow Core Strategy 2012, Policy DM1 of the Harrow Development Management Policies Local Plan 2013 (DMP) and the Council's Supplementary Planning Document: Residential Design Guide 2010 (SPD). These policies and guidance, amongst other things, seek to ensure that new development demonstrates a high quality design that respects and responds positively to existing buildings and the local character and distinctiveness of the area.

*Living conditions of the occupiers of the neighbouring property*

9. The proposed single storey rear extension would be located adjacent to the two storey property at No. 240 Cannon Lane (No. 240), to the north of the site. The adjoining property at No. 240 has a small single storey flat roofed rear extension leading out to a small patio area covered by a canopy awning and enclosed garden area at the rear. The proposed rear extension would project out about 3.6m along the common shared boundary with No. 240 and would be separated from the rooms and garden at the rear of the adjacent property by some established vegetation and a high close boarded fence running between the properties.
10. Whilst I accept that there would be some impact from the development, given the proposed design and layout of the development, together with the

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<sup>1</sup> P/3037/17 & APP/M5450/D/18/3196049

boundary treatment, the separation distance between the properties and the orientation of the buildings, I consider that the proposed rear extension would not result in significant overshadowing to the main habitable rooms and gardens at the rear of No. 240, nor significantly dominate the views to cause an overbearing effect and an unacceptable sense of enclosure at the rear of No. 240. The patio area at the rear of No. 240 is already enclosed by the existing building and structures and the outlook at the rear of No. 240 is already toward the boundary fence running between the properties.

11. Consequently, I conclude that the proposed rear extension would not result in an unacceptable impact on the living conditions of the occupiers of the neighbouring property at No. 240 Cannon Lane with particular regard to overshadowing and outlook. It would be consistent with the overall aims of Policy D3.D(7) of the London Plan 2021, Policy DM1 of the DMP and the Council's SPD, which I consider are relevant in this case. These policies and guidance seek, amongst other things, to ensure that new development achieves a high standard of amenity that deliver appropriate outlook and amenity to future and neighbouring occupiers.

### **Other Matters**

12. I have considered the appellants comments regarding the lack of formal objections from the neighbours or third parties to the appeal proposal. Whilst this maybe so, this does not preclude the proper planning assessment of the impact of the proposal on the host property and the area and is not a determinative factor on its own.
13. I have considered the appellants arguments regarding the larger home extensions that can be built on a dwellinghouse through the prior approval process. Whilst this may be so, this does not set a precedent for such an inappropriate development in this location for the reasons set out above.
14. I have considered the various benefits put forward by the appellants that the proposal would bring including the scheme's high quality design and providing additional accommodation to meet the needs of the appellants. While I have given them some weight, these benefits would not be sufficient to outweigh the harm I have identified. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

### **Conclusion**

15. Notwithstanding my findings on the lack of significant harm to the living conditions of the occupiers of the neighbouring property, this is significantly outweighed by the harm found regarding the character and appearance of the host property and the area. The proposal would conflict with the development plan taken as a whole. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*David Troy*

INSPECTOR