



Appeal Decision

Site visit made on 1 November 2021

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 November 2021.

Appeal Ref: APP/T5150/D/21/3282687

4 The Garth, Harrow HA3 9TQ

- 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 Davies against the decision of the Council of the London Borough of Brent.
 - The application Ref 21/1457, dated 28 September 2020, was refused by notice dated 18 August 2021.
 - The development proposed is a front porch, single storey rear extension, two storey side extension and rear dormer roof extension.
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Decision

1. The appeal is allowed and planning permission is granted for a front porch, a single storey rear extension, a two storey side extension and a rear dormer roof extension at 4 The Garth, Harrow HA3 9TQ in accordance with the terms of the application, Ref 21/1457, dated 28 September 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin 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: 200912/01, 200912/02, 200912/03, 200912/04, 200912/05, 200912/06, 200912/10 Rev D, 200912/11 Rev D, 200912/12 Rev D, 200912/13 Rev D, 200912/14, and 200912/15 Rev B.
 - 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.

Background

2. In a split decision, an appeal was previously allowed at this property for a front porch, a two storey side extension and a rear dormer roof extension, but was dismissed in respect of a single storey rear extension (Ref: APP/T5150/D/21/3267968) ('previous appeal').
3. The Council sets out in its delegated report that the only difference between the two storey extension in this scheme compared to the previous appeal is the eaves detailing, and that the proposed extension now includes a parapet wall. It therefore considers that part of this proposal to be acceptable, along with the roof alterations and the porch which were allowed in the previous appeal.

4. I have no cogent reason to disagree with those conclusions, and I have therefore focused in my decision on the impact of the proposed single storey rear extension.

Main Issue

5. The main issue is the effect of the proposed single storey rear extension on the living conditions at 2 The Garth with particular regard to those occupiers' outlook.

Reasons

6. The semi-detached dwelling at 4 The Garth ('No 4') sits on a roughly wedge-shaped plot. Given the siting of 2 The Garth ('No 2'), that dwelling's rear elevation, which is at a slightly higher elevation than No 4, is angled slightly towards the timber fence which separates these two properties' gardens.
7. As the proposed single storey rear extension would project roughly 4 metres from the rear wall of No 4, it would exceed the depth generally allowed by the Brent Residential Extensions and Alterations Supplementary Planning Document 2018 ('SPD'). However, unlike in the previous appeal, that part of the proposed extension next to the boundary would have a sloping roof, and its side wall would thus be just 2 metres, rather than 3 metres, tall.
8. Although No 2 has rear facing patio doors leading onto a paved area, they are located some distance from the boundary with No 4, and have an outlook principally down that property's rear garden. No 2's nearest ground floor opening comprises a glazed door.
9. As a result of the proposed rear extension's depth and its siting abutting the boundary, along with the layout of these two properties, it would be clearly visible from No 2's rear glazing and from its garden. However, as that part of the extension closest to the boundary would have a modest height, and given the position of No 2's principal windows, it would not have a significant overbearing impact.
10. In reaching that conclusion I have also considered the relative levels of these two properties, and that a light coloured render finish to match the host would assist in limiting the proposed extension's visual impact.
11. Whilst concerns were also raised regarding overlooking from the proposed Juliet balcony, I have no reason to disagree with the Inspector in the previous appeal that, given the existing arrangement of upper floor windows in the area and the distances involved, it would not cause a significant loss of privacy.
12. Summing up, although the rear extension would exceed the 3 metres depth normally permitted by the SPD, I am satisfied that it would not impact the living conditions at No 2 to a harmful degree. It would not therefore conflict with Policy DMP1 of the Brent Local Plan Development Management Policies 2016 which, amongst other things, requires development to be of a layout, scale and siting that provides high levels of internal and external amenity.
13. Concerns were also raised regarding the amount of traffic that a property of this proposed size could generate. However, notwithstanding that pupils pass the property on their way to school, I have no evidence that No 4 would be used other than as a single dwelling, and I am not persuaded that the limited

vehicular movements associated with such a use would pose a significant risk to highway safety.

14. Turning to the matter of conditions, I have imposed the standard time limit condition and, in the interests of certainty, a condition requiring that the development be carried out in accordance with the approved plans.
15. Additionally, in the interests of the living conditions at No 2, and to protect the character and appearance of the host property and the area, a condition is necessary requiring that the development be faced in materials to match those used in the existing building.
16. For the above reasons, I conclude that the scheme would not impact the living conditions at 2 The Garth to a harmful degree. Consequently, having regard to all other matters raised, including a representation by an interested party, the appeal is allowed.

Chris Couper

INSPECTOR