



Appeal Decision

Site visit made on 4 May 2022

by H Miles BA(hons), MA, MRTPI

bbc appointed by the Secretary of State

Decision date: 16 MAY 2022

Appeal Ref: APP/M5450/D/21/3287913

15 Farmstead Road, Harrow HA3 5HQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
 - The appeal is made by Mr Samir Ene against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/3155/21/PRIOR, dated 27 July 2021, was refused by notice dated 5 November 2021.
 - The development proposed is rear extension on to an existing 3m extension, making the total length 5m out.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 1, Class A, paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for rear extension on to an existing 3m extension, making the total length 5m out at 15 Farmstead Road, Harrow HA3 5HQ in accordance with the application P/3155/21/PRIOR, dated 27 July 2021, and the details submitted with it including plan no 104 and site plan, pursuant to Article 3(1) and Schedule 2, Part 1, Class A, paragraph A.4(2) and subject to the following condition:
 - 1) 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 windows or doors shall be installed in the side elevations of the development hereby permitted.

Preliminary Matters

2. Under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), planning permission is granted for the enlargement of a dwellinghouse subject to limitations and conditions.
3. Where an application is made for a determination as to whether prior approval is required for development which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g) to Part 1, paragraph A.4(7) to Part 1 requires the local planning authority to assess the impact of the proposed development on the amenity of any adjoining premises, where any owner or occupier of any adjoining premises objects to the proposed development.

Main Issue

4. The main issue in this appeal is the impact of the proposed development on the amenity of adjoining premises with particular regard to light and outlook at 17 Farmstead Road.

Reasons

5. There is an existing 3m long single storey extension along the boundary between no. 15 and 17. The proposed development would increase this to a 5m single storey extension. There is a main window to a living room to the ground floor rear elevation of 17 Farmstead Road.
6. Taking into account the proposed height of the extension along with the existing relationship between the rear ground floor windows at no. 17 and the built form at no. 15, the proposed development would be unlikely to result in an inappropriately harmful loss of light to the occupiers of 17 Farmstead Road.
7. The main outlook from the rear ground floor windows at no. 17 is across the rear garden. Although the proposed extension would be visible in peripheral views, and given the existing extension in a similar location, the main outlook would not significantly alter.
8. Considering the temporary nature and limited scale of any noise and disturbance during building work, this would not result in unacceptable harm to the living conditions of nearby occupiers.
9. I have taken into account Policy DM1 of the Harrow Council Development Management Policies July 2013 insofar as it relates to this matter. This sets out that all proposals detrimental to the privacy and amenity of neighbouring occupiers will be resisted. For the reasons set out above, I find that the proposed development complies with this policy. Albeit that the principle of development is established through the grant of permission by the GPDO.
10. Consequently, the proposed development would have an acceptable impact on the amenity of adjoining premises, with particular regard to light and outlook at 17 Farmstead Road.

Conditions

11. The development is required to comply with the conditions, limitations and restrictions set out in the Order. In addition, the extension would be adjacent to neighbouring gardens and replace existing boundary treatment. Therefore, windows in the flank walls would be harmful to the privacy of the neighbouring occupiers. Consequently, a condition is required to ensure windows would not be inserted in these side elevations in the future, in the interests of the living conditions of neighbouring occupiers.

Conclusion

12. For the reasons given above, I conclude that the appeal should be allowed and prior approval should be granted.

H Miles

INSPECTOR