



Appeal Decision

Site visit made on 11 October 2022

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 November 2022

Appeal Ref: APP/T5150/W/22/3297843

807 Harrow Road, Wembley HA0 2LP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
- The appeal is made by Dr Merali of Merali Dental against the decision of London Borough of Brent.
- The application Ref 21/3644, dated 27 September 2021, was refused by notice dated 7 February 2022.
- The development proposed is a single storey rear extension for existing dental practice.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council's Decision Notice refers to Policies contained within the Brent's Development Management Policies 2016 and also Brent's Draft Local Plan 2020. The Brent Local Plan was adopted in February 2022 and has therefore superseded the policies contained within the Brent's Development Management Policies 2016. I have been provided with a copy of the relevant Policies of the adopted Local Plan and have had due regard to this.

Main Issue

3. Whether the proposed development would provide acceptable living conditions for the occupiers of 805A Harrow Road in relation to outlook, light and privacy.

Reasons

4. The appeal site relates to a two-storey semi-detached property which is used as a dental practice at ground floor level with residential above and is enclosed by a boundary wall to the rear which separates the property from 805A Harrow Road which is the other attached semi-detached property.
5. The proposed development would result in a single storey rear extension which would infill a gap which currently exists between the rear elevation and the joint boundary wall. Given that the proposed extension is higher than the existing boundary wall, its height and overall depth would be clearly visible when viewed from 805A Harrow Road.
6. The configuration of the neighbouring property is very similar to that of the appeal site in so far that it also has a gap between the rear elevation of the property and the joint boundary wall. From my site visit, I noted that this area is a narrow and enclosed private amenity space and is accessed via a French door. A window within the side elevation also provides outlook onto this area.

The proposed development as a result of its height, significant depth and siting on the boundary would further enclose this area and hence the outlook from inside the property would be severely restricted and visually oppressive.

7. Moreover, the increased sense of enclosure would reduce the usability and quality of the outside amenity space whilst unduly affecting light within this area and also light entering the window within the side elevation despite the south facing aspect of the rear elevations.
8. In terms of privacy, there are no windows proposed on the side elevation facing onto 805A Harrow Road and there would therefore be no loss of privacy to the neighbouring property.
9. For the above reasons, I conclude that the proposed development would harm the living conditions of occupiers of 805A Harrow Road in relation to outlook and light. The proposed development would therefore be contrary to Policy DMP1 of Brent Local Plan, and the guidance set out within Supplementary Planning Document 2 – Residential Extensions and Alterations which together, amongst other things, seek to provide high levels of amenity.

Other Matters

10. The property is listed as a Local Heritage Asset and the Council's Conservation Officer has deemed that there would be no harm to the heritage asset. I have no reason to disagree with this based on my observations onsite.

Conclusion

11. For the reasons given above and taking account of the development plan as a whole, I conclude that the appeal should be dismissed.

N Teasdale

INSPECTOR