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## Appeal Decision

Site visit made on 24 February 2023

**by Sarah Colebourne MA, MRTPI**

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

**Decision date: 21<sup>st</sup> March 2023**

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**Appeal Ref: APP/M5450/D/23/3314147**

**14 Chantry Road, Harrow, HA3 6NT**

- 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 Dr Dona Alhashimi against the decision of the Council of the London Borough of Harrow.
  - The application Ref P/3106/22, dated 29 August 2022, was refused by notice dated 20 October 2022.
  - The development proposed is described as a 'single storey rear and side extension'.
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### Decision

1. The appeal is dismissed.

### Preliminary matter

2. The Council's decision includes in its description of the development 'external alterations' and as this describes the proposal in more detail, I have considered it on this basis.

### Reasons

3. The main issue in this appeal is the effect of the proposed development on the living conditions of the existing and future occupiers of the dwelling in terms of garden space. The development plan includes policy D3 D(7) of the London Plan (2021), policy CS1 B of the Harrow Core Strategy (2012) and policy DM 1 of the Council's Development Management Policies (2013) which together seek to ensure that proposals have regard to a high standard of layout that has regard to the provision of space around buildings for the outlook, privacy and amenity of occupiers. National policy in the National Planning Policy Framework has a similar objective in requiring high quality design.
4. The appeal site lies within a residential street of mainly modestly sized dwellings that have small gardens that are generally the width of the plot but shallow in depth. The appeal dwelling is a semi-detached house that has been previously extended with a single storey side extension and a two storey rear extension. The existing rear garden is very small, some 40 sq m according to the Council. It extends across the width of the property and has a small return to the side and is very shallow in depth. Along the side and rear boundary there is a fence of around 1.8m in height. On the other side, the side wall of the adjoining dwelling at no 15 forms the boundary. The garden is paved with a shallow planted border along the rear boundary fence. A small brick outbuilding is sited adjacent to that fence, leaving only a very small gap

between this and the house. Despite its limited size, the garden has a good degree of privacy with only limited overlooking from neighbouring windows and is of a sufficient size to provide space for sitting out.

5. The proposed development would extend to the side and rear of the property with a single storey extension with a lean-to roof, providing a study/office and a bathroom. It would be sited in the north-west corner of the garden and would fill in the area between the rear boundary fence and the existing side extension. It would occupy most of the remaining space in the garden, leaving an extremely small area of some 19 sq m, according to the Council.
6. That figure does not appear to take into account the outbuilding which would sit in the middle of the remaining area, resulting in a U-shaped configuration. It would be insufficient to provide a sitting out area and given its proximity to the fence along the rear, western boundary and the rear projection of the adjacent dwelling to the south, would be overshadowed for much of the day.
7. Together with the projection of the adjoining property and the close proximity of the rear boundary, the extension would also have an enclosing effect on the remaining garden area and this would result in a poor outlook from the garden.
8. I have noted that there are playing fields nearby but that would not compensate for the loss of a private area of outside space of a satisfactory amount and quality which the occupiers of a family-sized house would expect to enjoy. Whilst this might be acceptable to the existing occupiers, the Council's policies also seek to protect the amenity of future occupiers.
9. The Council's Supplementary Planning Document 'Residential Design Guide' (2010) requires that extensions should not exceed 50% of the rear garden area. The proposal is certainly close to this figure but whether or not it exceeds it is not material in this case.
10. By reason of its size and siting and the specific site circumstances outlined above, the proposal would fail to provide a reasonable area and quality of outside space for the occupiers. I conclude that this would significantly harm the living conditions of the existing and future occupiers of the dwelling and the proposal is contrary to the development plan policies referred to earlier.

## **Conclusion**

11. For the reasons given above, I conclude that the appeal should be dismissed and there are no material considerations that justify determining the appeal otherwise.

*Sarah Colebourne*

Inspector