



Appeal Decision

Site visit made on 28 November 2023

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14.12.2023

Appeal Ref: APP/M5450/D/23/3329407

88 St Andrews Drive, Stanmore HA7 2ND

- 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 Mohamed Abdulla against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/0049/23, dated 4 January 2023, was refused by notice dated 21 June 2023.
 - The development proposed is the demolition of a garage and the erection of a single storey front extension; two storey side and rear extension and a partial single storey rear extension.
-

Decision

The appeal is dismissed.

Main Issues

1. It is considered that the main issues are the effects of the proposed development on (a) the character and appearance of the host property and the surrounding area and (b) the living conditions of the occupiers of 90 St Andrews Drive.

Reasons

Character and Appearance

2. The appeal property is a 2-storey semi-detached dwelling situated within a primarily residential area comprising similar forms of dwellings albeit varying in design. Several of the near-by dwellings have been altered by the erection of side and rear additions and alterations to their roofs. The proposed development includes the erection of extensions to the roof, side and rear of the property.
3. The Council's *Harrow Residential Design Guide Supplementary Planning Document* (SPD) includes guidance that an extension should have a sense of proportion and balance, both in its own right and in its relationship to the original building and should not dominate the original building or the surrounding streetscape. This guidance extends the approach contained in Policy CS.1B of the Core Strategy (CS) and Policy DM 1 of the Harrow Development Management Policies Local Plan (DMP) which, amongst other matters, requires development to be of high quality design which is not detrimental to local character and appearance and for extensions to respect their host buildings.

4. Individually, the scale, siting and design of the elements of the appeal scheme may be acceptable. However, when assessed cumulatively, the scale and siting proposed development would fail to respect the host property and would represent a bulky and disproportionate addition to the property. Cumulatively the proposed extensions would physically and visually dominate the original property. Also by reason of scale and siting, the appeal scheme would also be detrimental to the character and appearance of the surrounding area. It would be particularly obtrusive when viewed from the rear gardens of near-by dwellings.
5. On this issue, it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the host property and the surrounding area and, as such, it would conflict with CS Policy CS.1B, DMP Policy DM 1 and the guidance contained in the SPD. Policy D3 of The London Plan is more particularly directed at optimising site capacity through a designed approach rather than being a detailed development management policy for householder extensions.

Living Conditions

6. DMP Policy DM 1 refers to the consideration the adequacy of light and outlook within buildings (habitable rooms and kitchens) and outdoor spaces. There is guidance contained in the SPD stating that extensions should not cause any unreasonable loss of light or overshadowing to any habitable rooms and kitchens in neighbouring properties, or to gardens, in particular to the area immediately to the rear of the house. For the purposes of the SPD, a kitchen is normally considered to be a habitable room if it is over 13sq m in floor area and, in such circumstances, the main opening becomes a protected window.
7. Based upon the neighbouring dwelling being of a similar design to the appeal property, the floorspace of the kitchen of 90 St Andrews Drive is less than 13sq m. In this case, the siting and scale of the side elevations of the 2-storey and single storey extensions would reduce levels of daylight and sunlight reaching the kitchen window but it is not a protected window and, as such, this alone would not be a reason for this appeal to fail. The lean-to timber construction of the extension to the rear of No. 90 does not alter this assessment.
8. The guidance in the SPD also refers to the relationship between buildings being a significant determinant of the amenity enjoyed by residents. The proximity, orientation and size of one building can impact upon the outlook and visual environment of the occupiers of an adjoining building. The combined length of the proposed side elevations sited close to the shared boundary would represent an overbearing form of development, including in the outlook from the kitchen window and the garden area immediately to the rear of No. 90. For this reason there would be unacceptable harm caused to the living conditions of the occupiers of No. 90 which is accentuated by the concerns associated with the reduction in levels of day and sunlight reaching the kitchen window.
9. Accordingly, it is concluded that the proposed development would cause unacceptable harm to the living conditions of the occupiers of 90 St Andrews Drive and, as such, it would conflict with CS Policy CS.1B, DMP Policy DM 1 and the guidance contained in the SPD.

Other Matters

10. The appellant has referred to appeal application being indicated as being approved on the Council's application portal. However, why such a notification was posted is not a matter for consideration as part of this appeal which has been assessed based upon the Council's reason for refusal. Accordingly, and for the reasons given, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR