
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 for Housing, Communities and Local Government

Decision date: 18TH December 2023

Appeal Ref: APP/M5450/D/23/3330775

21 Connaught Road, Harrow HA3 7LE

- 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 Bosco Braganza against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/1729/23, dated 14 June 2023, was refused by notice dated 14 August 2023.
 - The development the erection of a single storey rear extension featuring a chimney for a wood burner and laundry room in the rear garden.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Although the Council has not provided the Appeal Questionnaire, there is sufficient information available for the assessment of the development from the policies provided for other appeals being determined at the same time and the documents and drawings posted on the Council's application portal.

Main Issues

3. It is considered that the main issues are the effects of the development on (a) the character and appearance of the host property and the surrounding area and (b) the living conditions of the occupiers of 19 and 23 Connaught Road.

Reasons

Character and Appearance

4. The appeal property is a 2-storey mid-terraced dwelling situated within a primarily residential area. Prior approval was granted by the Council for the erection of an extension to the rear of the property with a length of 6 metres and height of 2.9 metres (Ref P/3380/20/PRIOR). However, the extension which has been erected varies from the approved scheme because it is around 6.12 metres in length, about 3.2 metres in height and sits on a raised patio area. The appeal scheme also includes a flue for a wood burner projecting above the extension's roof and an outbuilding used for laundry purposes.
5. Although not built in accordance with the approved scheme, the granting of prior approval for the extension is a material consideration to which significant weight is given in the determination of this appeal. The degree of variation

between the erected extension and the approved scheme is not considered to be so significant that there is a materially different physical or visual impact upon the character and appearance of either the host property or the terrace of dwellings.

6. In reaching this judgement it is acknowledged that the size of this addition is in excess of the guidelines concerning the height and length of extensions contained in the Council's *Harrow Residential Design Guide Supplementary Planning Document* (SPD) but, as identified, prior approval exists for a similar form of development. However, because of its close relationship with the extension, the siting of the modest sized outbuilding does visually and, to a lesser extent, physically add to the perceived length of the extension.
7. Within the surrounding area, chimneys and flues of are associated with the dwellings rather than any rear extensions. Although painted black, the flue does not relate to the host property and, as such, it is an incongruous physical and visual feature within the context of the character and appearance of the rear amenity spaces associated with the surrounding dwellings.
8. Accordingly, when assessed cumulatively, it is concluded that the development causes unacceptable harm to the character and appearance of the host property and the surrounding area and, as such, it conflicts with Policy CS.1B of the Core Strategy (CS) and Policy DM 1 of the Harrow Development Management Policies Local Plan (DMP). Amongst other matters, these policies require development to be of high-quality design which is not detrimental to local character and appearance and for extensions to respect their host buildings. Policy D3 of The London Plan is more particularly directed at optimising site capacity through the design-led approach rather than being a detailed development management policy for householder extensions.

Living Conditions

9. The side elevations of the extension are sited adjacent to the shared boundaries with 19 and 23 Connaught Road. The gardens of these neighbouring properties are long and spacious. In this case, when viewed from the rear ground floor windows and gardens of these neighbouring properties there is not a material difference between the scale of the extension as built and the scheme subject to prior approval in terms of the effect on outlook, day and sunlight, overshadowing and whether the development is overbearing.
10. The siting of the outbuilding visually and, in terms of perception, physically increases the extent of built development along the shared boundary with No. 19 and increases the sense of enclosure for the occupiers of this neighbouring property, including from the rear windows and garden. When combined, the extension and the outbuilding represent an unacceptably overbearing form of development for the occupiers of No. 19.
11. The flue is a noticeable feature from, in particular, the garden of No. 23. On its own, the flue is not overbearing for the occupiers of No. 23 but it is visually and physically conspicuous and does add to the unacceptable harm which has been identified.
12. Some emissions from the flue are associated with burning wood but the property is situated within a smoke controlled area so any smoke emissions are subject to other legislative controls. The height of the flue above the extension

ensures that any emissions are not a significant source of pollutants which adversely affect the air quality for the occupiers of the surrounding properties. However, the absence of any significant adverse effects on air quality associated with the flue does not outweigh the unacceptable harm which has been identified.

13. On this issue, it is concluded that the development does cause unacceptable harm to the living conditions of the occupiers of 19 and 23 Connaught Road and, as such, it conflicts with DMP Policy DM 1, including the consideration of the adequacy of outlook within buildings and outdoor spaces. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR