
Appeal Decision

Site visit made on 23 April 2024

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th May 2024

Appeal Ref: APP/M5450/D/24/3339765

31 Cheyneys Avenue, Canons Park, Harrow HA8 6SA

- 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 Suraj Shah against the decision of the Council of the London Borough of Harrow.
 - The application Ref PL/0749/23, dated 5 December 2023, was refused by notice dated 30 January 2024.
 - The development proposed is single storey side and rear extensions and external alterations (demolition of attached garage and side extension).
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effects of the proposal on:
 - i) The character and appearance of the house and this part of Cheyneys Avenue; and
 - ii) Living conditions at No 33 next door, in terms of outlook and light.

Reasons

Character and appearance

3. Cheyneys Avenue is a suburban residential street characterised by semi-detached houses of similar design, with hipped roofs, rounded bays to the front and linked flat roofed garages to the side. No 31 is a typical example. The proposal would replace the existing garage and single storey flat roofed structure with a new single storey flat roofed extension with a dummy pitched roof linking to the porch at the front. The extension would stretch all the way along the side of the house and 6m to the rear, where it would link up with a 6m deep rear extension to be built under a consent given through the permitted development prior approval process.
4. The Council's concern in regard to this issue is that the new front section would detract from local character due to its bulk, siting and false pitched roof. The Council's Supplementary Planning Document *Residential Design Guide* (RDG)

says that front extensions have the greatest potential impact on the character and visual amenity of the street scene. The RDG allows, however, that small front porches and garage extensions may be permitted provided that they (amongst other things) reflect and complement the scale, design, quality and pattern of development in the surrounding street scene.

5. The proposed front extension would be minor in scale and nature and would be very similar in design to many other extensions nearby, where porches and garages have been linked in much the same way. These features have become an established part of local character. The proposal would be a subsidiary feature of the building, set back from the street sufficiently so that it would not be prominent or intrusive. It would therefore fit comfortably into the street scene.
6. I conclude that the proposal would not harm the character and appearance of the house and Cheyneys Avenue. It would accord in this respect with policy D3(D1 and D11) of the London Plan (LP), policy CS1(B) of the Harrow Core Strategy, policy DM1 of the Harrow Development Management Policies (DMP) and the National Planning Policy Framework (the Framework), which aim to secure a high standard of design that responds to the existing character of a place and protects the character of Harrow's suburbs.

Living conditions

7. The rear extension would stretch the building several metres further back along the boundary with No 33. At a height of about 3m, it would sit well above the top of the existing boundary fence and form an imposing and intrusive feature on the boundary. I note that the closest structure at No 33 is a garage so that there would be limited effect on habitable room windows at that property. The rear extension would, however, tend to dominate the outlook from the adjacent part of No 33's back garden. It would also sit to the south of No 33's garden where it would cause a substantial loss of direct sunlight, particularly in winter months when the sun is low in the sky.
8. I conclude that the proposal would unacceptably affect living conditions at No 33 next door, due to loss of outlook and sunlight. It therefore conflicts with LP policy D3(D7), DMP policy DM1, the SPG and the Framework, which together aim to provide satisfactory amenity for occupiers.

Other matters

9. The appellant refers to other similar rear extensions being allowed in the local area, but I do not have details of those developments. I have assessed this proposal on its own merits, in light of current policies. The prior approval scheme would have much less impact on living conditions at No 33, so does not significantly affect my assessment in that regard. The appellant suggests that building this extension would make it easier to extend No 33 in the future, but there is no such proposal in front of me and I must consider this appeal in light of current circumstances. Finally, I note that the appellant would have been willing to amend the proposed rear extension to meet the Council's requirements, but I can only assess the appeal proposal in front of me.

Conclusion

10. Although I find in favour of the appellant in respect of the first main issue, my concerns about the impact on neighbours' living conditions are sufficient for me to find that the proposal conflicts with the development plan, taken as a whole. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR