

Appeal Decision

Site visit made on 26 June 2024

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th July 2024

Appeal Ref: APP/M5450/D/24/3337819
15 Buckingham Road, Edgware, Harrow, HA8 6LY

- 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 Ritesh Shah against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/2013/23, dated 10 July 2023, was refused by notice dated 22 December 2023.
 - The development proposed is a first floor rear extension (retrospective).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The development the subject of this appeal has already taken place and is referred to below as "the development."
3. The description of development above is taken from the application form. In its reasons for refusal, the Council adds a reference to "external alterations."
4. Planning permission was granted in 2022 for a first floor rear extension¹. The extension was not built in accordance with the permitted plans.
5. The appellant subsequently submitted two planning applications², both of which were refused. This appeal relates to the development described above. A separate appeal for retrospective consent for a ground floor single storey rear extension is the subject of a separate decision³.

Main Issues

6. The main issues in this case are the effect of the proposal on the character and appearance of the area; and its effect on the living conditions of the occupiers of Number 17 Buckingham Road, with regards to outlook.

¹ Reference: P/4654/21.

² Reference: PL/0126/24 and P/2013/23.

³ Reference: APP/M5450/D/24/3342152.

Reasons

Character and appearance

7. The appeal property is a two storey semi-detached dwelling located in a largely residential area characterised by the presence of two storey semi-detached dwellings of similar appearance.
8. Houses in the area are set back from the road behind short parking areas and have long gardens to the rear. During my site visit, I observed the surrounding area to provide an attractive sense of uniformity, derived from the similar design of dwellings, the common use of render and tiles, the prevalence of hipped roofs of similar height and the regular set-back and spacing of pairs of dwellings.
9. Further to the above, I also noted that the presence of significant gaps between pairs of dwellings provides for views through to gardens and that this factor, combined with the generally modest depth of dwellings and the presence of street trees, lends the area a sense of greenery and spaciousness.
10. The development extends the dwelling to the rear at first storey height. The extension projects to the rear for a considerable distance, such that it visually dominates the gap between the appeal dwelling and Number 13 Buckingham Road.
11. Further to the above, the scale of the first floor rear extension is such that, even though it extends to the rear of the dwelling rather than fronts the street, it draws attention to itself as a dominant and bulky feature that appears to overwhelm the original appearance of the host dwelling. The harm arising from this is exacerbated as a result of it appearing incongruous in surroundings otherwise partly characterised by a sense of uniformity.
12. Taking all of the above into account, I find that the development harms the character and appearance of the area, contrary to the National Planning Policy Framework; to London Plan Policy D3; to Harrow Core Strategy (2012) Policy CS1; to DMP⁴ Policy DM1; and to the Council's Supplementary Planning Document Residential Design Guide (2010), which together amongst other things, seek to protect local character.

Living conditions

13. The height, width and significant projection of the first floor rear extension is such that it appears as a dominant feature to the rear of the appeal property.
14. During my site visit, I observed the first floor extension to be located within close proximity of the shared rear boundary with Number 17 Buckingham Road, the appeal dwelling's attached neighbour. This close proximity, combined with the height and projection of the first floor extension, results in the extension looming above the rear of No 17 to an overbearing degree, such that it appears as a dominant and obtrusive feature when seen from the ground floor and rear garden of that dwelling.

⁴ Reference: Harrow Development Management Policies (2013).

15. Consequently, I find that the development harms the living conditions of the occupiers of Number 17 Buckingham Road, with regards to outlook, contrary to the National Planning Policy Framework; to London Plan Policy D3; to DMP Policy DM1; and to the Council's Supplementary Planning Document Residential Design Guide (2010), which together amongst other things, seek to protect residential amenity.

Other Matters

16. The appellant, in support of his case, points out that the development would not breach a 45 degree line taken from the neighbours' window serving a first floor bathroom. Whilst I acknowledge this, I have found that the development harms the outlook of the occupiers of No 15 when seen from the ground floor and rear garden of that dwelling.

Conclusion

17. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR