

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: 9 July 2024.

Appeal Ref: APP/M5450/D/24/3342152
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 PL/0126/24, dated 17 January 2024, was refused by notice dated 14 March 2024.
 - The development proposed is a ground floor single storey rear extension. External alterations (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. Planning permission was granted in 2022 for a first floor rear extension¹. The extension was not built in accordance with the permitted plans.
4. 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 first floor rear extension is the subject of a separate decision³.

Main Issue

5. The main issue in this case is the effect of the proposal on the living conditions of the occupiers of Number 17 Buckingham Road, with regards to outlook and daylight.

Reasons

6. 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.

¹ Reference: P/4654/21.

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

³ Reference: APP/M5450/D/24/3337819.

7. 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 area to be characterised by 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.
8. 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.
9. These green and spacious attributes are especially prevalent to the rear of Buckingham Road in this location, where long gardens back on to long gardens. Whilst, during my site visit, I observed the presence of outbuildings towards the rear of gardens, I noted that garden areas and particularly those close to the rear elevations of dwellings, tend to provide for pleasantly green and spacious outlooks.
10. During my site visit, I observed there to be a tall boundary wall along the appeal property's shared rear boundary with Number 17 Buckingham Road, the appeal dwelling's attached neighbour. Whilst No 17 has a small rear extension, this does not project very far and it is set away from the shared boundary.
11. The development the subject of this appeal comprises a tall single storey rear extension which projects to the rear of the appeal dwelling along this shared boundary for a significant distance. During my site visit, I observed that in doing so, the extension appears as a tall and prominent feature from No 17.
12. I find that the combination of the extension's height, significant projection and immediate proximity results in a development that looms above the rear garden of No 17 to an overbearing degree, such that it appears as an obtrusive feature and unduly dominates the outlook from the rear of this neighbouring property.
13. Further to the above, the development results in the creation of a very tall, very long area of wall stretching along No 17's rear boundary. In so doing, I find it inevitable that this results in a reduction in the amount of natural daylight reaching the rear of No 17. I consider that this adds to the development's detrimental impact on the neighbouring occupiers of No 17.
14. Taking all of the above into account, I find that the development harms the living conditions of the occupiers of Number 17 Buckingham Road, with regards to outlook and daylight, contrary to the National Planning Policy Framework; to London Plan Policy D3; to Harrow Development Management Policies (2013) 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

15. The appellant, in support of his case, points out that an occupier of No 17 "disclosed that...the extension at the appeal site had no effects on living conditions." Whilst I note this, I am mindful that this may or may not be the case for other occupiers of No 17 at a future point in time.

Conclusion

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

N McGurk

INSPECTOR