



Appeal Decision

Site visit made on 15 October 2024

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 November 2024

Appeal Ref: APP/M5450/D/24/3348449

19 Sudbury Court Drive, Sudbury, Harrow HA1 3SZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Gurjeet Dhillon against the decision of the Council of the London Borough of Harrow.
 - The application Ref is PL/1041/24.
 - The development proposed is the erection of a first floor rear extension and loft extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal site visit was originally scheduled to be an unaccompanied basis but because of the siting of the proposed development the appellant facilitated an access required site visit.

Main Issues

3. 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 17 Sudbury Court Drive by reason of outlook.

Reasons

4. The appeal property is an already altered detached 2-storey dwelling situated on a large plot. The proposed development includes a first floor rear extension that would project rearwards above a ground floor addition. The width of the appeal scheme would extend across the majority of the existing rear elevation. From what was observed during the site visit, other near-by dwellings have been altered, including rear extensions varying in scale and design. However, none of the observed rear additions were of the same scale, design and siting as the appeal scheme.
5. Although large in size, and even when assessed in conjunction with previous alterations to the property, the appeal scheme would not result in an overdevelopment of the plot. Further, the resulting property would not cause unacceptable harm to the character and appearance of the other near-by detached dwellings sited on large verdant plots.

6. However, the scale of the proposed extension, together with the lack of any setting down of the ridge below the main roof, would result in the appeal scheme dominating the host building rather than being a subservient addition to the property as sought by the council's *Residential Design Guide Supplementary Planning Document* (RDG).
7. The appeal scheme would be a visually dominant and conspicuous addition to the property which would be seen from the landscaped gardens of neighbouring properties. The large opening at eaves level would accentuate the visual prominence of the proposed development. By reason of scale and design, the proposed extension would not be of a high quality of design and would conflict with Policy DM1 of the Harrow Development Management Policies Local Plan (LP) and Policy CS1 of the Harrow Core Strategy (CS). Amongst other matters, these policies require proposals to achieve a high standard of design, including considerations of massing, bulk, scale and height, and for extensions to respect their host buildings.
8. Although there would not be material harm to the character and appearance of the surrounding area, it is concluded that this is outweighed by the identified unacceptable harm caused to the character and appearance of the host property and the conflict with CS Policy CS1 and LP Policy DM1.

Living Conditions

9. Based upon the RDG and as referenced in LP Policy DM1, the siting of the proposed extension would not accord with the 45° design code when measured from the closest corner of 17 Sudbury Court Drive. However, the RDG is only guidance and used to assist in the assessment of proposals.
10. In this case, the nearest first floor habitable room window of No. 17 is sited away from this dwelling's side elevation. The outlook from this window is primarily towards the rear garden of No. 17 across this property's single storey rear addition. By reason of siting, the predominant outlook would remain the same and the proposed extension's bulk would not have an overbearing visual impact on the occupiers of No. 17. An acceptable relationship between No. 17 and the appeal scheme would exist.
11. On this issue, it is concluded that the proposed development would not adversely affect the living conditions of the occupiers of 17 Sudbury Court Drive by reason of outlook and, as such, there would not be a conflict with LP Policy DM1, which amongst other matters, requires proposals not to be detrimental to the amenity of neighbouring occupiers.

Conclusion

12. Although the proposed development would not adversely affect the living conditions of the occupiers of 17 Sudbury Court Drive by reason of outlook, this matter is demonstrably outweighed by the significant harm which would be caused to the character and appearance of the host property. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR