



Appeal Decision

Site visit made on 7 February 2025

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th February 2025

Appeal Ref: APP/M5450/D/24/3350377

5 The Highway, Stanmore, Harrow HA7 3PJ

- 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 Martin Sheridan against the decision of the Council of the London Borough of Harrow.
 - The application reference is PL/0670/24.
 - The development proposed is the erection of a 6m single-storey rear extension.
-

Decision

1. The appeal is dismissed.

Procedural matter

2. On 12 December 2024, a revised National Planning Policy Framework (the Framework 2024) was published. The Framework 2024 does not raise any new matters that are determinative to the outcome of this appeal.

Main Issue

3. The main issue is the effect of the proposed development on the living conditions of the occupiers of 3 and 7 The Highway with particular regard to outlook, visual impact and light.

Reasons

4. The proposal is to erect a single storey extension at the back of the appeal property, which is a 2-storey house within a mainly residential area. The new addition would extend across the full width of the host building and project outwards from the main rear wall by about 6-metres. An existing full width rear projection would be demolished and removed to make way for the proposed extension.
5. The new flank walls would be close to and run parallel with the rear boundaries that are shared with 3 and 7 The Highway, which are residential properties on either side of the site. As a result, the external space nearest to the rear of these neighbouring dwellings would be partly enclosed and the proposal would be evident from both here and their rear windows. Specifically, it would be evident from the conservatory and full-length ground floor windows at the back of No 3. It would also be visible at close range from the rear ground floor window of No 7 nearest to the common boundary with the site, which appears to serve a main habitable room.
6. Due to its considerable length and proximity to the boundary, the presence of the new flank wall would be so great as to overbear and visually dominate the outlook

when seen from the rear of each neighbouring property. There would also be some loss of sunlight to the rear of No 7 later in the day especially during winter months when the sun is lower in the sky. That loss would be caused by the overshadowing effect of the proposal broadly just to the west. The loss of natural light would exacerbate the visual impact of the proposal to the extent that it would feel oppressive to the occupiers of No 7. In contrast, overshadowing to the rear of No 3 would be limited in both extent and duration in the early morning and so it would not, in itself, have an appreciable effect on living conditions.

7. I agree that there are good-sized gardens to the rear of Nos 3 and 7 and that the extension to be replaced has a visual effect on neighbouring occupiers. However, the proposed flank wall on each side would be roughly double the length of its existing counterpart. Consequently, its visual impact would be greater than that of the current extension. I also saw that a tall hedge marks part of the rear boundary between No 3 and the site, a section of which would be removed. This existing hedge would also be evident from the rear windows of No 3. Nevertheless, the existing hedge is visually softer and easier on the eye than would be a long, uncompromisingly solid and permanent wall. Consequently, the visual impact of the proposal on the occupiers of No 3 would be greater than the existing hedge.
8. On the main issue, I therefore conclude that the proposed development would cause significant harm to the living conditions of the occupiers of Nos 3 and 7. As such, it conflicts with Policy D3 of The London Plan, Policy DM 1 of the Harrow Development Management Policies Document and the Council's Supplementary Planning Document *Residential Design Guide*. Taken together, these policies and guidance aim to ensure that new development safeguards residential amenity.
9. Reference is made to the Council's decisions to issue a prior approval notice or grant planning permission for rear extensions at other properties on The Highway and Drummond Drive with background details and plans provided. From the submitted information, it is unclear whether any of these cases is the same or very similar to the proposal insofar as their relationship with neighbouring properties is concerned. In any event, each development should be assessed on its own merits. Having done so, I find that the proposal is objectionable for the reasons given.
10. I share the Council's view that the proposal would not be an uncharacteristic addition to the local area and note that matching external materials would be used. Once complete, the proposal would provide valuable living accommodation and would improve the living conditions of the appellant and his family. Others raise no objection. On the other hand, the Framework 2024, like its predecessor, seeks to ensure that development achieves a high standard of amenity for all users. As the proposal would not do so, the balance of national policy, when the Framework 2024 is read as a whole, is tipped against the appeal scheme.
11. Overall, the development conflicts with the development plan, when read as a whole. There are no material considerations, including the policies of the Framework 2024, which indicate that the decision should be taken other than in accordance with the development plan. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR