



# Planning Committee Agenda

**Date:** Wednesday 13 March 2024

**Time:** 6.30 pm

**Venue:** The Auditorium - Harrow Council Hub, Kenmore Avenue, Harrow, HA3 8LU

## Membership (Quorum 3)

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**Chair:** Councillor Marilyn Ashton

**Conservative Councillors:** Christopher Baxter (VC)  
Samir Sumaria  
Zak Wagman

**Labour Councillors:** Ghazanfar Ali  
Peymana Assad  
Nitin Parekh

**Conservative Reserve Members:**

1. Anjana Patel
2. Norman Stevenson
3. Salim Chowdhury
4. Nicola Blackman

**Labour Reserve Members:**

1. Simon Brown
2. Kandy Dolor
3. Rashmi Kalu

**Contact:** Rita Magdani, Senior Democratic & Electoral Services Officer  
Tel: 07707 138582 E-mail: rita.magdani@harrow.gov.uk

Scan this code for the electronic agenda:



# Useful Information

## Joining the Meeting virtually

The meeting is open to the public and can be viewed online at [London Borough of Harrow webcasts](#)

## Attending the Meeting in person

### Directions by car:

Go along Kenmore Avenue and head towards the Kenton Recreation Ground. When approaching the end of the Kenmore Avenue turn right before reaching the Kadwa Patidar Centre.

The venue is accessible to people with special needs. If you have specific requirements, please contact the officer listed on the front page of this agenda.

You will be admitted on a first-come-first basis and directed to seats.

Please:

- (1) Stay seated.
- (2) Access the meeting agenda online at [Browse meetings - Planning Committee](#)
- (3) Put mobile devices on silent.
- (4) Follow instructions of the Security Officers.
- (5) Advise Security on your arrival if you are a registered speaker.

## Filming / recording

This meeting may be recorded or filmed, and if you choose to attend, you will be deemed to have consented to this. Any recording may be published on the Council website.

**Agenda publication date: Tuesday 5 March 2024**

# Agenda - Part I

## Guidance Note for Members of the Public attending the Planning Committee (Pages 5 - 8)

1. **Attendance by Reserve Members**  
To note the attendance at this meeting of any duly appointed Reserve Members.
2. **Right of Members to Speak**  
To agree requests to speak from Councillors who are not Members of the Committee.
3. **Declarations of Interest**  
To receive declarations of disclosable pecuniary or non pecuniary interests, arising from business to be transacted at this meeting, from all Members present.
4. **Minutes** (Pages 9 - 12)  
That the minutes of the meeting held on 14 February 2024 be taken as read and signed as a correct record.
5. **Public Questions**  
To note any public questions received.

Questions will be asked in the order in which they were received. There will be a time limit of 15 minutes for the asking and answering of public questions.

**[The deadline for receipt of public questions is 3.00 pm, 8 March 2024. Questions should be sent to [publicquestions@harrow.gov.uk](mailto:publicquestions@harrow.gov.uk)**

**No person may submit more than one question].**

6. **Petitions**  
To receive petitions (if any) submitted by members of the public/Councillors.
7. **Deputations**  
To receive deputations (if any).
8. **References from Council and other Committees/Panels**  
To receive references from Council and any other Committees or Panels (if any).
9. **Addendum**  
To follow
10. **Quarterly Calendar Year Appeals Report (Quarter 4)** (Pages 13 - 68)
11. **Representations on Planning Applications**  
To confirm whether representations are to be received, under Committee Procedure Rule 29 (Part 4B of the Constitution), from objectors and applicants regarding planning applications on the agenda.

### Planning Applications Received

Report of the Chief Planning Officer - circulated separately.

Members are reminded that, in accordance with the Planning Protocol, where Councillors disagree with the advice of the Chief Planning Officer, it will be the Members' responsibility to clearly set out the reasons for refusal where the Officer recommendation is for grant. The planning reasons for rejecting the Officer's advice must be clearly stated, whatever the recommendation and recorded in the minutes. The Officer must be given the opportunity to explain the implications of the contrary decision.

12. **Section 2 - Other Applications recommended for Grant**

- |     |   |             |       |                        |
|-----|---|-------------|-------|------------------------|
| (a) | 2/01 Canons High School,<br>Shaldon Road, HA8 6AL<br>PL/0117/23                   | EDGWARE     | GRANT | (Pages<br>69 - 90)     |
| (b) | 2/02 Unit 15, Waverley<br>Industrial Estate, Hailsham<br>Drive, HA1 4TR P/2698/23 | MARLBOROUGH | GRANT | (Pages<br>91 -<br>118) |

13. **Section 3 - Other Applications recommended for Refusal**

14. **3/01 8 Tintagel Drive, Stanmore, HA7 4SR PL/0817/23**      CANONS      REFUSE  
(Pages 119 - 142)

## **Agenda - Part II - NIL**

15. **Any Other Urgent Business**  
Which cannot otherwise be dealt with.

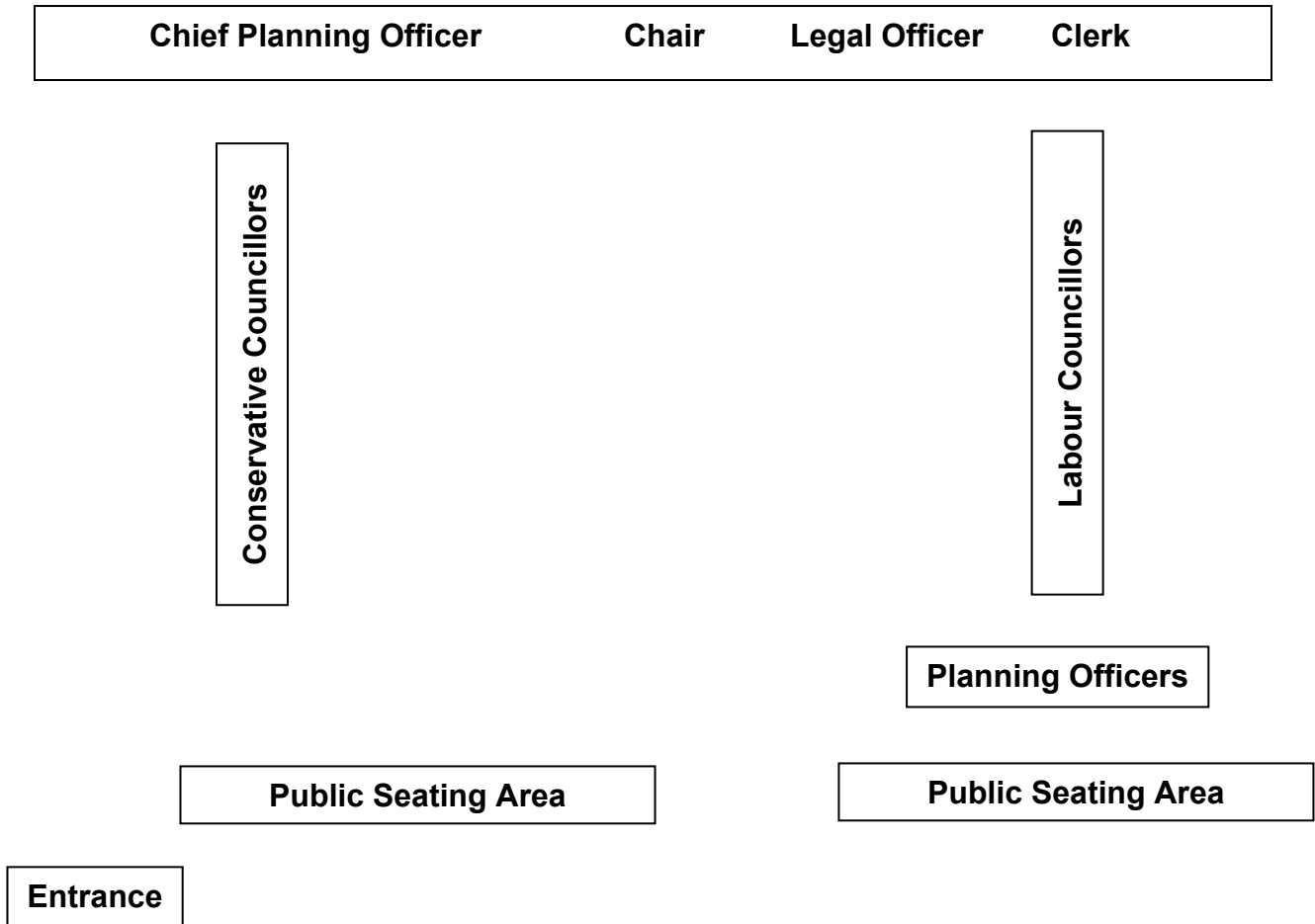
### **Data Protection Act Notice**

The Council will record the meeting and will place the recording on the Council's website.

**[Note:** The questions and answers will not be reproduced in the minutes.]

## Guidance Note for Members of the Public attending the Planning Committee

### Typical Planning Committee layout for the Auditorium



### Order of Committee Business

It is the usual practice for the Committee to bring forward to the early part of the meeting, those planning applications where notice has been given that objectors wish to speak, or where members of the public have come to hear the debate. However, often the agendas are quite long and the Committee may want to raise questions with officers and enter into detailed discussion over particular applications. This means that members of the public may have to wait some time before the application they are interested in is discussed. Additionally, the Committee may take a short break around 8.30 pm.

### Rights of Objectors & Applicants to speak at Planning Committees

***[Please note that objectors may only speak if they requested to do so by 5.00 pm on the working day before the meeting]***

In summary, where a planning application is recommended for grant by the Chief Planning Officer, a representative of the objectors may address the Committee for up to 3 minutes. Where an objector speaks, the applicant has a right of reply. The Planning Service advises neighbouring residents and applicants of this procedure.

The Planning Committee is a formal quasi-judicial body of the Council with responsibility for determining applications, hence the need to apply rules governing the rights of public to speak. Full details of this procedure are set out in the Council's Constitution, which also provides useful information for Members of the public wishing to present petitions, deputations or ask public questions at Planning Committee, and the rules governing these. The relevant pages of the Constitution can be accessed via this link:

[Harrow Council Constitution - Part 4B Committee Procedure Rules](#)

## **Addendum**

In addition to the agenda, an Addendum is produced on the day before the meeting, with any final updates included in a second Addendum on the day of the meeting. These documents update the Committee on any additional information received since the formal agenda was published and also identifies any applications which have been withdrawn by applicants or which officers are recommending for deferral.

**A limited number of hard copy agendas and addendums are available for the public in the Auditorium from approximately 6.00 pm onwards on the day of the meeting.**

## **Decisions taken by the Planning Committee**

The types of decisions commonly taken by the Planning Committee are set out below:

### **Refuse permission:**

Where a proposal does not comply with the Council's (or national) policies or guidance and the proposal is considered unacceptable, the Committee may refuse planning permission. The applicant can appeal to the Secretary of State against such a decision. Where the Committee refuse permission contrary to the officer recommendation, clear reasons will be specified by the Committee at the meeting.

### **Grant permission as recommended:**

Where a proposal complies with the Council's (or national) policies or guidance and the proposal is considered acceptable, the Committee may grant permission. Conditions are normally imposed.

### **Minded to grant permission contrary to officer's recommendation:**

On occasions, the Committee may consider the proposal put before them is acceptable, notwithstanding an officer recommendation of refusal. In this event, the application will be deferred and brought back to a subsequent meeting. Renotification will be carried out to advise that the Committee is minded to grant the application.

### **Defer for a site visit:**

If the Committee decides that it can better consider an application after visiting the site and seeing the likely impact of a proposal for themselves, then the application may be deferred until the next meeting, for an organised Member site visit to take place.

### **Defer for further information/to seek amendments:**

If the Committee considers that it does not have sufficient information to make a decision, or if it wishes to seek amendments to a proposal, the application may be deferred to a subsequent meeting.

**Grant permission subject to a legal agreement:**

Sometimes requirements need to be attached to a planning permission which cannot be dealt with satisfactorily by conditions. The Committee therefore may grant permission subject to a legal agreement being entered into by the Council and the Applicant/Land owner to ensure these additional requirements are met.

**(Important Note:** *This is intended to be a general guide to help members of the public understand the Planning Committee procedures. It is not an authoritative statement of the law. Also, the Committee may, on occasion, vary procedures).*

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# Planning Committee

## Minutes

### 14 February 2024

**Present:**

**Chair:** Councillor Marilyn Ashton

**Councillors:** Ghazanfar Ali  
Peymana Assad  
Christopher Baxter  
Rashmi Kalu  
Samir Sumaria  
Zak Wagman

**Apologies received:** Councillor Nitin Parekh

**303. Attendance by Reserve Members**

**RESOLVED:** To note the attendance at this meeting of the following duly appointed Reserve Members: -

Ordinary Member

Reserve Member

Councillor Nitin Parekh

Councillor Rashmi Kalu

**304. Right of Members to Speak**

**RESOLVED:** That no Members, who were not members of the Committee, had indicated that they wished to speak at the meeting.

**305. Declarations of Interest**

**RESOLVED:** To note that there were none.

**306. Minutes**

**RESOLVED:** That the minutes of the meeting held on 17 January 2024 be taken as read and signed as a correct record.

**307. Public Questions, Petitions, Deputations**

**RESOLVED:** To note that no public questions were put, or petitions or deputations received.

**308. References from Council and other Committees/Panels**

**RESOLVED:** To note that there were none.

**309. Addendum**

**RESOLVED:** To accept the Addendum.

**Resolved Items**

**310. Quarterly Calendar Year Appeals Report (Quarter 3)**

The Committee received a report on the latest appeals received from August to October 2023.

**DECISION:** Noted.

**311. Representations on Planning Applications**

**RESOLVED:** That in accordance with the provisions of Committee Procedure Rule 29 (Part 4B of the Constitution), representations be received in respect of item No. 2/02 on the list of planning applications.

**312. 2/01, 8 Tintagel Drive, HA7 4SR, P/2309/22**

**PROPOSAL:**

First floor side and rear extension; Single storey rear infill extension; External alterations.

**RECOMMENDATION:**

The Planning Committee were asked to:

- 1) Agree the reasons for approval as set out in the report, and
- 2) Grant planning permission subject to the conditions listed in Appendix 1 of the report:

**DECISION: GRANTED** subject to the conditions set out in the Officer's report.

The Committee wished it to be recorded that the decision to approve the application was unanimous.

**313. 2/02, 6 Woodstead Grove, HA8 6PQ, P/2495/22**

**PROPOSAL:**

Conversion of dwellinghouse into two flats (2 x 3 bed), single and two-storey side to rear extension and single-storey rear extension, rear dormer, external alterations, parking, separate amenity space, associated landscaping, refuse and cycle storage (Demolition of single-storey rear extension and detached garage and store at side).

**RECOMMENDATION:**

The Planning Committee were asked to:

- 1) Agree the reasons for approval as set out in the report, and
- 2) Grant planning permission subject to the Conditions listed in Appendix 1 of the report.

The Committee received a representation from Mrs Amparo Villamil who spoke and urged the Committee to refuse the application.

The Committee received representation from the applicant, Mr Iosif Utale.

**DECISION: GRANTED** subject to the conditions set out in the Officer's report and tabled addendum.

The Committee wished it to be recorded that the decision to approve the application was unanimous.

**The recording of this meeting can be found at the following link:**

<https://www.harrow.gov.uk/virtualmeeting>

(Note: The meeting, having commenced at 6.30 pm, closed at 7.11 pm).

(Signed) Councillor Marilyn Ashton  
Chair





### **Quarterly (Q4 Calendar Year) Appeals Report for March 13<sup>th</sup>, 2024, Planning Committee**

Planning Inspectorate statistical release dated November 23<sup>rd</sup>, 2023, revealed that the Planning Inspectorate made 1,660 appeal decisions in in October 2023. There were 1,566 written representations decisions in October 2023 (16,984 over the course of 12 months). The median decision time for appeals procedure type 'Written Representations' cases was 30 weeks (identical to that of the previous 12 months). There were 54 decisions issued on appeal type 'Hearings' during October 2023 (916 over the course of 12 months). The median time for appeals procedure type 'Hearings' was 28 weeks (12-month median being 44 weeks). There were 40 decisions issued on appeal type 'Inquiries' during October 2023 (518 over the course of 12 months). The median time for appeals procedure type 'Inquiries' was 39 weeks (12-month median being 50 weeks). The Official Statistics for the month of October can be read by clicking [here](#).

Planning Inspectorate statistical release dated December 21<sup>st</sup>, 2023, revealed that the Planning Inspectorate made 1,614 appeal decisions in in November 2023. There were 1,498 written representations decisions in November 2023 (17,006 over the course of 12 months). The median decision time for appeals procedure type 'Written Representations' cases was 32 weeks (12-month median being 30 weeks). There were 68 decisions issued on appeal type 'Hearings' during November 2023 (893 over the course of 12 months). The median time for appeals procedure type 'Hearings' was 32 weeks (12-month median being 41 weeks). There were 48 decisions issued on appeal type 'Inquiries' during November 2023 (533 over the course of 12 months). The median time for appeals procedure type 'Inquiries' was 41 weeks (12-month median being 50 weeks). The Official Statistics for the month of November can be read by clicking [here](#).

Planning Inspectorate statistical release dated January 25<sup>th</sup>, 2024, revealed that the Planning Inspectorate made 1,428 appeal decisions in in December 2023. There were 1,315 written representations decisions in December 2023 (16.974 over the course of 12 months). The median decision time for appeals procedure type 'Written Representations' cases was 29 weeks (12-month median being 30 weeks). There were 65 decisions issued on appeal type 'Hearings' during December 2023 (801 over the course of 12 months). The median time for appeals procedure type 'Hearings' was 34 weeks (12-month median being 37 weeks). There were 48 decisions issued on appeal type 'Inquiries' during December 2023 (535 over the course of 12 months). The median time for appeals procedure type 'Inquiries' was 68 weeks (12-month median being 55 weeks). The Official Statistics for the month of December can be read by clicking [here](#).

In conclusion, the above data reveals that, in comparison to the preceding 12 months, the Planning Inspectorate issued less appeal decisions each month in the months leading the end of Q4. The data revealed that submissions made under "Written Representations" spiked in November but later decreased in December by 12%, with the decision timeline dropping by 6%. Submissions made under "Hearings" had also spiked in November by 24% later stabilising at 20%, with the decision timeline dropping by 16%. Submissions made under "Inquiries" had also spiked in November and December by 20%, with the decision timeline rising by 66%.

The Planning Service at London Borough of Harrow Council had received 62 appeal decisions (including 8 awards for costs applications) during the periods of November 1<sup>st</sup>, 2023, up until December 31<sup>st</sup>, 2023. Of the above-mentioned, (excluding the 2 invalid, 2 withdrawn and 2 split) the remaining 56 appeal decisions represented 39 dismissed versus 17 allowed. The dismissed appeals represent 70% success rate for the Council, whilst the allowed appeals represent 30%. Eight costs

applications were made. All applications for costs were refused (6 applications for costs by the appellants against the Council and 2 applications for costs by the Council against the appellants).

A summary of each appeal decision received for the periods above (in no particular date order) can be found in the following pages to include hyperlinks to the London Borough of Harrow Councils Planning Portal and that of the Planning Inspectorate's Appeals Casework Portal.

### Summary of Appeal Decisions:

Item	Site Address	Planning Reference	Description of Development	Decision Type	Status and Costs
1	147 Eastcote Lane, Harrow, HA2 8RR	Appeal A Ref: <a href="#">3334454</a>  Appeal B Ref: <a href="#">3334613</a>  LPA Ref: <a href="#">P/1837/23</a>	Two-storey front extension with bay windows; two storey side extension; alterations and extension to form crown roof; side and rear dormers; single storey rear extension; front entrance canopy; external alterations (demolition of porch and front bay windows).	Delegated Refusal on 07.09.2023	Invalid 28.12.2023  Invalid 28.12.2023
2	Power House, 87 West Street, Harrow, HA1 3EL	Appeal Ref: <a href="#">3319536</a>  LPA Ref: <a href="#">P/2190/22</a>	Creation of flat at second floor (1 x 1bed); external alterations; rooflights; bin and cycle stores.	Delegated Refusal on 22.11.2022	Withdrawn 16.10.2023
3	93 Headstone Road, Harrow, HA1 1PG	Appeal Ref: <a href="#">3316618</a>  LPA Ref: <a href="#">P/4068/22</a>	Change of use from C4 small House in Multiple Occupation for up to 6 people to large House in Multiple Occupation (Sui Generis) for up to 7 people.	Delegated Refusal on 31.01.2023	Dismissed 26.10.2023  Costs Award Refused 26.10.2023
4	113 Village Way, Pinner, Harrow HA5 5AA	Appeal Ref: <a href="#">3321073</a>  LPA Ref: <a href="#">P/3477/22</a>	The erection of a single and two-storey front extension incorporating porch; external alterations (demolition of porch).	Delegated Refusal on 23.02.2023	Dismissed 15.12.2023
5	Land at Hive Farm, Hive Road, Bushey, WD23 1JQ	Appeal Ref: <a href="#">3294681</a>  LPA Ref: ENF/0012/21/P	The unauthorised construction of a new dwelling.	Enforcement Notice on 07.02.2022	Allowed 21.11.2023  Applicants Costs Award Refused 21.11.2023  Councils Costs Award Refused 21.11.2023

<b>6</b>	46 Longley Road, Harrow, HA1 4TH	Appeal Ref: <a href="#">3324724</a>  LPA Ref: <a href="#">P/0210/23</a>	The erection of a detached outbuilding at rear for use as Gym/Storage.	Delegated Refusal on 08.06.2023	Withdrawn 24.10.2023
<b>7</b>	1 Ash Hill Drive, Pinner, Harrow, HA5 2AG	Appeal Ref: <a href="#">3314704</a>  LPA Ref: <a href="#">P/0719/22</a>	3 storey new build residential development comprising 1x1 bed apartments & 7x2 bed apartments with associated car parking and secure cycle storage, ancillary and amenity space	Committee Refusal on 14.12.2022	Allowed 05.12.2023  Applicants Costs Award Refused 05.12.2023
<b>8</b>	1 Fallowfield, Stanmore, Harrow, HA7 3DF	Appeal Ref: <a href="#">3323697</a>  LPA Ref: <a href="#">P/0173/23</a>	The erection of a single storey front to side extension; external steps to side; external alterations.	Delegated Refusal on 06.04.2023	Dismissed 02.11.2023  Applicants Costs Award Refused 02.11.2023
<b>9</b>	41 Argyle Road, Harrow, HA2 7AL	Appeal A Ref: <a href="#">3316669</a>  Appeal B Ref: <a href="#">3316670</a>  LPA Ref: ENF/0475/21/ P	The unauthorised construction of a first-floor side extension ("the unauthorised extension") and 2. the unauthorised construction of a hip to gable and rear dormer roof extension. ("the unauthorised loft conversion").	Enforcement Notice on 17.01.2023	Dismissed and Notice Upheld 14.12.2023  Applicants Costs Award Refused 14.12.2023  Councils Costs Award Refused 14.12.2023
<b>10</b>	16 Thistlecroft Gardens, Stanmore, HA7 1PN	Appeal A Ref: <a href="#">3317088</a>  LPA Ref: <a href="#">P/2829/22/PR IOR</a>	The erection of a single storey rear extension: 6.00 metres deep, 3.10 metres maximum height, 3.00 metres high to the eaves.	Delegated Refusal on 08.09.2023	Dismissed 02.11.2023  Applicants Costs Award Refused 02.11.2023
<b>11</b>	128-128A Pinner Road, Harrow, HA1 4JE	Appeal Ref: <a href="#">3316836</a>  LPA Ref: <a href="#">P/3828/22</a>	Part conversion of shop storage area at ground and first floor rear into one self-contained flat; External alterations; Refuse and Cycle Storage.	Delegated Refusal on 22.12.2022	Dismissed 23.10.2023

<b>12</b>	91, 91A and 91 B High Street, Wealdstone, Harrow, HA3 5DL	Appeal Ref: <a href="#">3318085</a>  LPA Ref: ENF/0259/19/ P	The unauthorised construction of a side to rear dormer on the land (“Unauthorised Development”).	Enforcement Notice on 09.02.2023	Dismissed and Notice Upheld 20.11.2023
<b>13</b>	18 Orchard Grove, Edgware, Harrow, HA8 5BH	Appeal Ref: <a href="#">3315347</a>  LPA Ref: <a href="#">P/2484/22/PR</a> <a href="#">IOR</a>	The erection of a single storey rear extension.	Delegated Refusal on 24.01.2023	Allowed 08.12.2023
<b>14</b>	12 Newbolt Road, Harrow, Stanmore, HA7 3LT	Appeal Ref: <a href="#">3317624</a>  LPA Ref: <a href="#">P/2807/22</a>	The conversion of dwelling into two flats (2 x 2 bed); Single and two storey side extension; Single storey rear extension; External alterations; Parking; Separate amenity space; bin and cycle stores.	Delegated Refusal on 14.11.2022	Dismissed 18.10.2023
<b>15</b>	8 South Way, Harrow, HA2 6EP	Appeal Ref: <a href="#">3320156</a>  LPA Ref: <a href="#">P/1585/22</a>	The erection of a single storey side and rear extension.	Delegated Refusal on 16.03.2023	Allowed 30.10.2023
<b>16</b>	14 Goodhall Close, Stanmore, HA7 4FR	Appeal Ref: <a href="#">3329225</a>  LPA Ref: <a href="#">P/1860/23</a>	The erection of a single storey rear extension and alterations to a first-floor window and a garage conversion.	Delegated Refusal on 18.08.2023	Split 18.12.2023
<b>17</b>	15 Flambard Road, Harrow, HA1 2NB	Appeal A Ref: <a href="#">3323579</a>  LPA Ref: <a href="#">P/0792/23</a>  Appeal B Ref: <a href="#">3327238</a>  LPA Ref: <a href="#">P/1610/23</a>	Alterations to roof; front and rear dormers; rooflights in rear and both side roof slopes, external alterations.  Alterations to roof; front and rear dormers, rooflights in rear and both side roof slopes, alterations to front porch, front entrance canopy, external alterations (demolition of front porch).	Delegated Refusal on 11.05.2023  Delegated Refusal on 27.07.2023	Dismissed 21.11.2023  Allowed 21.11.2023
<b>18</b>	Temple Lodge, Rectory Lane, Stanmore, Harrow, HA7 4AQ	Appeal Ref: <a href="#">3327046</a>  LPA Ref: <a href="#">P/0064/23</a>	The replacement of all external wooden windows and doors to aluminium double glazed.	Delegated Refusal on 26.06.2023	Dismissed 29.12.2023



<b>19</b>	Albury Drive street works, Albury Drive, Harrow, HA5 3RN	Appeal Ref: <a href="#">3322953</a> LPA Ref: <a href="#">P/3872/22</a>	5G telecoms installation: H3G 20m street pole and additional equipment cabinets.	Delegated Refusal on 03.01.2023	Dismissed 29.12.2023
<b>20</b>	21 Connaught Road, Harrow, HA3 7LE	Appeal Ref: <a href="#">3330775</a> LPA Ref: <a href="#">P/1729/23</a>	The erection of a single storey rear extension featuring a chimney for a wood burner and laundry room in the rear garden.	Delegated Refusal on 14.08.2023	Dismissed 18.12.2023
<b>21</b>	63 Southfield Park, Harrow, HA2 6HF	Appeal Ref: <a href="#">3320455</a> LPA Ref: <a href="#">P/4399/22</a>	First floor rear bedroom extension.	Delegated Refusal on 23.02.2023	Dismissed 28.11.2023
<b>22</b>	Little Northolt Streetworks, Northolt Road, Harrow, HA2 8EJ	Appeal Ref: <a href="#">3322857</a> LPA Ref: <a href="#">P/3685/22</a>	5G telecoms installation: H3G 20m street pole and additional equipment cabinets.	Delegated Refusal on 15.12.2022	Dismissed 05.12.2023
<b>23</b>	227 Whitchurch Lane, Edgware, HA8 6QT	Appeal Ref: <a href="#">3324442</a> LPA Ref: <a href="#">P/3230/22</a>	The erection of a ground and first floor extension and alterations to a single dwelling house.	Delegated Refusal on 16.05.2023	Dismissed 14.12.2023
<b>24</b>	20 Whitby Road, Harrow, HA2 8LH	Appeal A Ref: <a href="#">3302840</a> Appeal B Ref: <a href="#">3302841</a> LPA Ref: ENF/0460/18/P	The unauthorised installation of solar panels that project over the main ridge of the dwelling situated on the land ("unauthorised solar panels").	Enforcement Notice on 13.06.2022	Dismissed and Notice Upheld 20.11.2023
<b>25</b>	Land at 104 Lynton Road, Harrow, HA2 0PR	Appeal Ref: <a href="#">3305496</a> LPA Ref: ENF/0269/21/P	The unauthorised construction of a single-storey wooden and perspex extension on the Land as shown hatched on the attached site Plan ("the Unauthorised Development").	Enforcement Notice on 28.07.2022	Dismissed and Notice Upheld 06.12.2023
<b>26</b>	88 St Andrews Drive, Stanmore, HA7 2ND	Appeal Ref: <a href="#">3329407</a> LPA Ref: <a href="#">P/0049/23</a>	The erection of a single storey front extension incorporating porch, single and two storey side extension, single and two storey rear extension; rear dormer, external alterations (demolition of porch, attached garage, rear extension and bay window).	Delegated Refusal on 21.06.2023	Dismissed 14.12.2023

<b>27</b>	53 Suffolk Road, Harrow, HA2 7QF	Appeal Ref: <a href="#">3318226</a>  LPA Ref: <a href="#">P/3338/22</a>	Redevelopment to provide two storey (6 bed) detached dwelling with habitable roofspace; landscaping; parking; bin and cycle storage, new outbuilding to the rear, new boundary treatment including new front vehicular and pedestrian access gates (demolition of existing dwelling and greenhouse to the rear).	Delegated Refusal on 24.11.2022	Dismissed 20.10.2023
<b>28</b>	176 Camrose Avenue, Edgware, HA8 6BU	Appeal Ref: <a href="#">3318551</a>  LPA Ref: <a href="#">P/4961/21</a>	The demolition of side garage and erection of two storey side and single storey rear extension and conversion of the dwellinghouse into 2 self-contained dwellinghouses (1x2 bed and 1x3 bed) and subdivision of rear garden.	Delegated Refusal on 05.12.2022	Dismissed 05.12.2023
<b>29</b>	52 Bacon Lane, Edgware, HA8 5AP	Appeal Ref: <a href="#">3325191</a>  LPA Ref: <a href="#">P/0850/23</a>	Add additional storey; extend to front, rear and side; alter elevations and roof form, and all associated works.	Delegated Refusal on 16.05.2023	Dismissed 31.10.2023
<b>30</b>	16 Parkthorne Close, Harrow, HA2 7BX	Appeal Ref: <a href="#">3315137</a>  LPA Ref: <a href="#">P/1314/22</a>	The change of use from residential dwelling (Use Class C3) to mixed use of dwelling (Use Class C3) and daycare nursery (Use Class E(f)).	Delegated Refusal on 21.07.2022	Dismissed 03.10.2023
<b>31</b>	24 Dryden Road, Harrow, HA3 7JZ	Appeal Ref: <a href="#">3318739</a>  LPA Ref: <a href="#">P/3350/22</a>	The erection of a single storey side and rear extension to outbuilding (retrospective), part demolition of outbuilding.	Committee Refusal Refusal on 02.03.2023	Allowed 07.12.2023
<b>32</b>	101-103 Headstone Road, Harrow, HA1 1PG	Appeal Ref: <a href="#">3316920</a>  LPA Ref: <a href="#">P/3108/22</a>	Change of use of ground floor commercial space (sui generis to Class E), extension and remodelling of two no. existing first floor flats with rear dormer extensions and new entrance, cycle and refuse storage provision.	Delegated Refusal on 14.12.2022	Allowed 20.10.2023
<b>33</b>	419 Pinner Road, Harrow, HA1 4HN	Appeal Ref: <a href="#">3311634</a>  LPA Ref: <a href="#">P/3218/22/PR IOR</a>	The proposed rear conservatory (materials to match the property)".	Delegated Refusal on 21.11.2022	Allowed 20.11.2023
<b>34</b>	20 Georgian Close, Stanmore HA7 3QT	Appeal Ref: <a href="#">3329342</a>  LPA Ref: <a href="#">P/0847/23</a>	Alterations and extension to raise roof height, three rear dormers, rooflights in front roofslope, two-storey front extension incorporating porch, front entrance canopy, single storey front garage extension, single and two-storey rear extension with conservatory.	Delegated Refusal on 30.06.2023	Allowed 18.12.2023

<b>35</b>	31 Brinsley Road, Harrow, HA5 5HY	Appeal Ref: <a href="#">3328347</a>  LPA Ref: <a href="#">P/1001/23</a>	The erection of a front porch, single storey rear extension, alterations to roof to form end gable, rear dormer and insertion of one rooflight in front roofslope, external alterations.	Delegated Refusal on 20.06.2023	Split 14.12.2023
<b>36</b>	65 Lulworth Drive, Pinner, Middlesex, HA5 1NF	Appeal Ref: <a href="#">3326367</a>  LPA Ref: <a href="#">P/0746/23</a>	First floor side extension including rooflight to each front and rear roof slopes.	Delegated Refusal on 05.05.2023	Allowed 31.10.2023
<b>37</b>	76 Birchmead Avenue, Harrow, Pinner, HA5 2BH	Appeal Ref: <a href="#">3317600</a>  LPA Ref: <a href="#">P/3964/22</a>	Conversion of detached garage/outbuilding into self-contained 2 bed residential unit, external alterations; bin and cycle stores.	Delegated Refusal on 18.01.2023	Dismissed 14.12.2023
<b>38</b>	161 Whitchurch Lane, Harrow, Edgware, HA8 6QS	Appeal Ref: <a href="#">3312446</a>  LPA Ref: <a href="#">P/2848/22/PR IOR</a>	The demolishing of existing part rear extension and replacing with part 3m and part 6 metre rear extension with 1 No rooflight.	Delegated Refusal on 13.09.2022	Allowed 06.11.2023
<b>39</b>	138 Arundel Drive, Harrow, HA2 8PP	Appeal Ref: <a href="#">3329158</a>  LPA Ref: <a href="#">P/1283/23</a>	Ground and first floor rear extension.	Delegated Refusal on 10.08.2023	Allowed 28.12.2023
<b>40</b>	316 Station Road, Harrow, HA1 2DX	Appeal Ref: <a href="#">3314989</a>  LPA Ref: <a href="#">P/3201/21</a>	The demolition and redevelopment to include 6 residential flats and commercial premises at ground floor.	Non-Determination on 26.07.2021	Dismissed 08.12.2023
<b>41</b>	36 Roxborough Park, Harrow, HA1 3AY	Appeal Ref: <a href="#">3321873</a>  LPA Ref: ENF/0507/19/ P/6202	The unauthorised construction of hard surfacing on the forecourt of the dwellinghouse in a conservation area. ("Unauthorised Hardstanding"). The unauthorised installation of a black gate fitted at the northern elevation of the dwellinghouse in a conservation area ("Unauthorised Gate") ("Unauthorised Development").	Enforcement Notice on 11.04.2023	Dismissed and Notice Upheld 15.12.2023
<b>42</b>	Willow Mead, Pinner Hill, Pinner, Harrow, HA5 3XU	Appeal Ref: <a href="#">3317014</a>  LPA Ref: <a href="#">P/3623/22</a>	The demolition of existing dwellinghouse and replacement with new dwellinghouse.	Delegated Refusal on 23.12.2022	Dismissed 12.12.2023

<b>43</b>	34 Roxborough Park, Harrow, HA1 3AY	Appeal Ref: <a href="#">3321875</a>  LPA Ref: ENF/0506/19/ P/6201	The unauthorised construction of hard surfacing on the forecourt of the dwellinghouse in a conservation area. ("Unauthorised Hardstanding"). The unauthorised installation of a black gate fitted at the northern elevation of the dwellinghouse in a conservation area ("Unauthorised Gate") ("Unauthorised Development").	Enforcement Notice on 11.04.2023	Dismissed and Notice Upheld 15.12.2023
<b>44</b>	2 Roxborough Park, Harrow, HA1 3BE	Appeal Ref: <a href="#">3322738</a>  LPA Ref: <a href="#">P/3560/22</a>	Landscape works including amphitheatre feature and shed on raised base.	Delegated Refusal on 01.03.2023	Allowed 22.11.2023
<b>45</b>	Garages adjacent to 5 Pinewood Close, Pinner, Harrow, HA5 4BW	Appeal Ref: <a href="#">3323290</a>  LPA Ref: <a href="#">P/0094/23</a>	The demolition of a single storey row of garage and the erection of a 2-storey building comprising of 2 residential dwellings (Class C3) with associated car parking, cycle and waste storage and landscaping.	Delegated Refusal on 30.03.2023	Dismissed 14.12.2023
<b>46</b>	2 Fallowfield, Harrow, Stanmore, HA7 3DF	Appeal Ref: <a href="#">3315394</a>  LPA Ref: <a href="#">P/4009/22</a>	The demolition of existing house and erection of a new building housing 1 replacement and 5 new dwellings across ground, first and roof level with associated bins, cycle store, new and extended drop kerbs and parking bays.	Non-Determination on 21.11.2022	Dismissed 30.10.2023
<b>47</b>	125 and 125a Vaughan Road, West Harrow, Harrow, HA1 4EF	Appeal Ref: <a href="#">3313970</a>  LPA Ref: <a href="#">P/2816/22</a>	The demolition of a pair of existing dwellinghouses and the construction of six flats and associated amenity space.	Delegated Refusal on 01.12.2022	Allowed 20.10.2023
<b>48</b>	12 Savernake Court, Wolverton Road, Stanmore, HA7 2RA	Appeal Ref: <a href="#">3316489</a>  LPA Ref: <a href="#">P/2937/22</a>	The erection of a new detached dwelling.	Delegated Refusal on 05.10.2022	Dismissed 07.11.2023
<b>49</b>	165 Locket Road, Wealdstone, Harrow, HA3 7NY	Appeal Ref: <a href="#">3305405</a>  LPA Ref: ENF/0207/21/ P/6070	The material change of use of the land from use as a single-family dwelling house to use as two separate self-contained flats ('the unauthorised use'), and the unauthorised construction of a single storey wooden and perplex canopy structure to the rear of the dwelling house ('the unauthorised development').	Enforcement Notice on 22.07.2022	Dismissed and Notice Upheld 07.11.2023
<b>50</b>	Land at 29 Westleigh Gardens, Edgware, HA8 5SQ	Appeal Ref: <a href="#">3296808</a>  LPA Ref: ENF/0440/19/ P	The material change of use of the land from a single family dwellinghouse to use as three self-contained flats ('the unauthorised use').	Enforcement Notice on 03.03.2022	Allowed and Notice Quashed 03.11.2023

<b>51</b>	The Castle Public House, 30 West Street, Harrow, HA1 3EF	Appeal A Ref: <a href="#">3310606</a>  LPA Ref: <a href="#">P/0643/22</a>  Appeal B Ref: <a href="#">3315578</a>  LPA Ref: ENF/0546/21/P/1641	Concrete steps and handrail.   The installation of access steps with handrail to the rear section of the Land as shown hatched black on Plan 2 attached hereto (“the Unauthorised Steps”) and the erection of a timber fence and door enclosing the north western elevation shown edged in blue of the pergola which is located within the Land as shown cross-hatched black (“the Unauthorised Pergola Enclosure”).	Committee Refusal on 04.10.2022   Enforcement Notice on 09.12.2022	Appeal A Allowed 04.10.2023   Appeal B Allowed and Notice Quashed 04.10.2023
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**Summary of Appeal Decisions:**

**1. 147 Eastcote Lane, Harrow, HA2 8RR (Appeal Ref: [3334454](#) and [3334613](#))**

- 1.1. The appeals were made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the erection of a *“Two storey front extension with bay windows; two storey side extension; alterations and extension to form crown roof; side and rear dormers; single storey rear extension; front entrance canopy; external alterations (demolition of porch and front bay windows)”*.
- 1.2. As a procedural matter, the inspectorate highlighted that both the Householder Appeals had been received on December 4<sup>th</sup>, 2023, following the Decision Notice issued on September 7<sup>th</sup>, 2023. Since appeals and all of the essential supporting documentation must reach the Planning Inspectorate within 12 weeks of the date of the Local Planning Authority's notice of the decision. The inspectorate commented that they had received the appeals after the time limit and they were unable to take any action on it.
- 1.3. The Decision Notice, on page 2 informs applicants and agents that *“an appeal must be submitted within 12 weeks of the date shown on this decision. The appeal form and all supporting documentation must be submitted to the Planning Inspectorate within this period. Please note that the appeal period is 12 weeks not 3 months”*.
- 1.4. The appeal was turned-away as it was deemed invalid.

**2. Power House, 87 West Street, Harrow, HA1 3EL (Appeal Ref: [3319536](#))**

- 2.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the *“creation of flat at second floor (1 x 1bed); external alterations; rooflights; bin and cycle stores”*.
- 2.2. The appellant withdrew the appeal and the inspectorate acknowledged and actioned it.

**3. 93 Headstone Road, Harrow, HA1 1PG (Appeal Ref: [3316618](#))**

- 3.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the *“change of use from C4 small House in Multiple Occupation for up to 6 people to large House in Multiple Occupation (Sui Generis) for up to 7 people”*.
- 3.2. The main issues were whether the proposed development would provide appropriate living conditions for future occupiers, with regard to internal and external communal living space, privacy and outlook.
- 3.3. The inspectorate commented that, whilst he/she was satisfied that together the bedroom sizes, external amenity space and kitchen provide sufficient communal/social space for the use of the HMO occupants, the appeal proposal would not provide an acceptable standard of living conditions for the occupiers of Bedroom 3.
- 3.4. As such, the proposal falls in clear conflict with Policies DM1, DM27 and DM30 of the London Borough of Harrow Council’s *‘Development Management Policies’* (2013) and Policy D3 of the *‘London Plan’* (2021) and paragraph 130(f) of the National Planning Policy Framework 2023.
- 3.5. The inspectorate concluded that, for the reasons given above, the appeal ought to be dismissed.
- 3.6. An award for costs application against the London Borough of Harrow Council by the appellant was made under Section 78, 322 and Schedule 6 of the Town and Country Planning Act 1990 and Section 250(5) of the Local Government Act 1972, against the refusal of planning permission for *“change of use from C4 small House in Multiple Occupation for up to 6 people to large House in Multiple Occupation (Sui Generis) for up to 7 people”*.
- 3.7. The applicant alleges that the grounds for the cost claim are that the Council prevented a development which should clearly have been permitted, failed to properly substantiate their reasons for refusal, and used vague, generalised and inaccurate assertions lacking in objective analysis.
- 3.8. The inspectorate stated that, the Council’s reason for refusal on the Decision Notice, when read alongside the Officer Report, provides an adequate assessment of the proposal with reference to the relevant development plan policies. As such, I am satisfied that the LPA’s overall assessment of the proposal, the site, the relevant development plan policies and all other considerations, is supported by sufficient analysis which substantiate the reason for refusal, and has not used vague, generalised and inaccurate assertions lacking in objective analysis.
- 3.9. The inspectorate found that unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted and the award for costs application ought to be refused.

**4. 113 Village Way, Pinner, Harrow HA5 5AA (Appeal Ref: [3321073](#))**

- 4.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for *“part first floor front extension, part ground floor front extension, external alterations”*.

- 4.2. The main issue were the effect of the proposed development on the character and appearance of the host property and the pair of semi-detached houses comprising 113 and 115 Village Way.
- 4.3. The inspectorate observed that catslide roofs at the appeal property and its two immediate neighbours are a design feature significant to local character.
- 4.4. The inspectorate commented that the first-floor front extension would result in the total loss of the catslide roof. That the proposed changes would considerably exceed just minor differences in detail and would alter the overall design of the property to such a degree that it would have a vastly different and incongruous appearance.
- 4.5. The inspectorate concluded that the proposed front extension and associated alterations to the roof would alter the dwellinghouse in an obtrusive and incongruous manner. It would unbalance the pair of semi-detached properties and would appear out of character in the street scene. The proposal would therefore be contrary to the high-quality design aspirations of the *'Harrow Core Strategy'* (2012), Policy DM1 A, DM1 B (a), (b) and (c) of the *'Harrow Council Development Management Policies'* (2013) and Harrow Council's adopted Supplementary Planning Documents entitled *'Residential Design Guide'* (2010). It would conflict with the similar requirements of Policy D3 (D(1) and D(11)) the *'London Plan'* (2021) and guidance contained within the *'National Planning Policy Framework'* (2021).
- 4.6. For the above reasons, the inspectorate concluded that the appeal ought to be dismissed.

**5. Land at Hive Farm, Hive Road, Bushey, WD23 1JQ (Appeal Ref: [3294681](#))**

- 5.1. The appeal was made under Section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991 against an enforcement notice issued by the London Borough of Harrow on February 7<sup>th</sup>, 2022.
- 5.2. The breach of planning control as alleged in the notice is, without planning permission:
  - the unauthorised construction of a new dwelling.
- 5.3. The requirements of the notice were:
  - Cease the use of the Unauthorised Development;
  - Remove all kitchens from the Unauthorised Development;
  - Remove all bathrooms from the Unauthorised Development;
  - Demolish the Unauthorised Development;
  - Remove from the Land all materials and debris arising from compliance with the aforementioned requirements of the notice;
  - The period for compliance with the requirements is six (6) calendar months.
- 5.4. A Hearing had been held on October 10<sup>th</sup>, 2023, a site inspection made on the same day.
- 5.5. As a procedural matter, the appellant initially contended that the enforcement notice was a nullity. However, at the Hearing the appellant accepted that the notice was not a nullity but was defective in one respect. The appellant accepted that the notice could be corrected in that respect without causing injustice.

- 5.6. The inspectorate commented that the appeal on ground (d) is that, at the date on which the notice was issued, no enforcement action could be taken in respect of any breach of planning control that may be constituted by those matters. In order to succeed on this ground, the appellant must show that the development had been substantially complete on a date four years prior to the date on which the notice was issued: the relevant date in this case is therefore February 7<sup>th</sup>, 2018. The test in this regard is the balance of probability and the burden of proof is on the appellant.
- 5.7. In this respect, the inspectorate commented that the evidence provided by the appellant in relation to the early stages of construction are of little value (clearance of the land, the laying of the concrete slab and the installation of the septic tank) since they pre-date any possible substantial completion of the dwelling. Similarly, the signed statements both relate to the very early stages of construction and provide no evidence as to whether the dwelling was ultimately capable of providing the facilities required for day-to-day private domestic existence on or before February 7<sup>th</sup>, 2018. The Statutory Declaration dated March 10<sup>th</sup>, 2022, relates to a period long after the relevant date and is of no assistance in relation to whether the building was substantially complete on that date.
- 5.8. The inspectorate observed that the chronologically first piece of evidence that is directly relevant is the photograph of the building taken on August 11<sup>th</sup>, 2017. The building shown in that photograph has four walls and a fully formed roof with doors and windows. The inspectorate was therefore satisfied that, as a structure, the building was complete on that date.
- 5.9. The inspectorate, after having established on the balance of probability that the building existed as a weatherproof structure on August 11<sup>th</sup>, 2017, it was then necessary to determine whether the building provided the facilities required for day-to-day private domestic existence internally on or before February 7<sup>th</sup>, 2018. The principal evidence in that respect was the appellant's Statutory Declaration dated March 8<sup>th</sup>, 2022. The inspectorate commented that there is no dispute that the Statutory Declaration is properly made, and accordingly afford it due weight.
- 5.10. As part of the evidence submitted at the Hearing, the appellant provided a photograph showing members of his family in the building on Christmas Day 2017. The inspectorate was satisfied that this photograph was taken inside the property and on that date, that on the balance of probability the building was being occupied as a dwelling by that date, which in turn is consistent with the appellant's Statutory Declaration.
- 5.11. The inspectorate commented that the aerial photograph taken in May 2108 on which the Council primarily relies is open to interpretation and is far from being conclusive. The Council has no other evidence relating to the period prior to the relevant date.
- 5.12. The inspectorate concluded that, as a matter of fact and degree and on the balance of probability, the construction of the new dwelling was substantially complete on a date four years prior to the date on which the notice was issued, such that it provided the facilities required for day-to-day private domestic existence on or before February 7<sup>th</sup>, 2018. The appeal should succeed on ground (d) and that the enforcement notice will be quashed.
- 5.13. An award for costs application against the London Borough of Harrow Council by the appellant was made under Section 78, 322 and Schedule 6 of the Town and Country Planning Act 1990 and Section 250(5) of the Local Government Act 1972, against the enforcement notice alleging the "*construction of a new dwelling*".



- 5.14. The applicant alleges that they had responded to the Planning Contravention Notice (PCN) served by the Council, used their reasonable best endeavours to provide all the information that they could in relation to the breach of planning control however the Council nonetheless issued the notice. The appellant cannot understand why the aerial photographs relied on by the Council outweigh the evidence provided by him to the contrary.
- 5.15. The Council alleges that there was a total lack of evidence provided in the appellant's response to the PCN. Based on the information that was provided, it was entirely reasonable for the Council to issue the enforcement notice. The appellant had not identified any unreasonable behaviour on the part of the Council and has not previously made a formal complaint about the Council's behaviour. Notwithstanding that he was legally and professionally represented throughout, it is the appellant who has acted behaved unreasonably.
- 5.16. The inspectorate commented that, this application for costs is fundamentally misconceived. During the Hearing, the applicant's representative made it clear that an application for costs would only be made if the Council itself made an application for costs. This created the immediate impression that the applicant did not genuinely believe that the Council had acted unreasonably and that this application for costs was merely an attempt to offset any application for costs that may be made by the Council. That impression was confirmed by the fact that in making this application the applicant made no reference whatsoever to the guidance in the PPG relating to the award of costs and did not identify even a single example of unreasonable behaviour on the part of the Council.
- 5.17. The inspectorate concluded that, this application for costs is entirely without merit, never had any prospect of succeeding and should never have been made.
- 5.18. An award for costs application against the appellant by the London Borough of Harrow Council was made under Section 78, 322 and Schedule 6 of the Town and Country Planning Act 1990 and Section 250(5) of the Local Government Act 1972, in connection with an appeal against an enforcement notice alleging the "*construction of a new dwelling*".
- 5.19. The inspectorate commented that, the eight additional photographs adduced by the appellant on the day of the Hearing were highly relevant evidence in relation to the ground (d) appeal. Citing that, If the photographs were considered relevant to the appellant's appeal on ground (d) in the week before the Hearing, it inexorably follows that they must have been equally relevant when the appeal was originally lodged.
- 5.20. The inspectorate went onto further express that, if the appellant intended to rely upon them at all, those photographs should have been provided in accordance with the appeal timetable set out in the Rules. I therefore have no hesitation in finding that the appellant acted unreasonably in submitting those photographs on the morning of the Hearing itself.
- 5.21. The inspectorate concluded that, in this case, whilst the appellant did behave unreasonably in the submission of additional evidence on the morning of the Hearing itself, in the event the Council did not incur any unnecessary or wasted expense in responding to that evidence. The two conditions necessary for an award of costs are not met, such that an award of costs is not justified.

**6. 46 Longley Road, Harrow, HA1 4TH (Appeal Ref: [3324724](#))**

- 6.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for a *“Detached outbuilding at rear for use as Gym/Storage”*.
- 6.2. The appellant withdrew the appeal and the inspectorate acknowledged and actioned it.

**7. 1 Ash Hill Drive, Pinner, Harrow, HA5 2AG (Appeal Ref: [3314704](#))**

- 7.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the erection of a *“3 storey new build residential development comprising 1x1 bed apartments & 7x2 bed apartments with associated car parking and secure cycle storage, ancillary and amenity space”*.
- 7.2. As a preliminary matter, the inspectorate comments that the description of development set out in the heading above is taken from the application form. However, it is clear from the plans and accompanying details that the development proposed comprises 8x2 bed apartments rather than 7x2 bed and 1x1 bed apartments. The inspectorate observed that the Council dealt with the proposal on the above basis and too shall they, accordingly, the description in the decision has been amended.
- 7.3. The main issue is the effect of the proposed development on the character and appearance of the surrounding area, including the setting of the locally listed cottages at Nos 1-20 Camden Road, Cuckoo Hill.
- 7.4. The inspectorate observed that, the proposal would introduce a three-storey block of flats next to and opposite predominantly two-storey houses. The block’s mass would rise gently to follow the natural gradient up Cuckoo Hill towards the railway bridge. The difference in height between the new and existing buildings would anyway be modest, so it would not seem prominent in the street scene.
- 7.5. The inspectorate also commented that a landscaped strip would separate the flats from the footway on Cuckoo Hill, with trees helping to soften the new block’s appearance. Little of the development would be visible when viewed from in front of the locally listed cottages and there would be no change to the view of sky behind them. Therefore, the development would not be overbearing in relation to the cottages, nor cause any harm to their setting.
- 7.6. The inspectorate further commented that, although the new building’s rectilinear design would contrast with the more traditional style of the existing houses along both sides of Cuckoo Hill. Its external materials and design details would add visual interest and reinforce the rhythm of its fenestration. Consequently, the new building would complement its surrounding context rather than appearing incongruous.
- 7.7. The inspectorate concluded that the proposed development would not have a harmful effect on the character and appearance of the surrounding area, including the setting of the locally listed cottages at Nos 1-20 Camden Row, Cuckoo Hill. Accordingly, I find no conflict with Policy D3 of the *‘London Plan’* (2021), Policy CS1 of the *‘Harrow Core Strategy’* (2012), or Policies DM1 and DM7 of the London Borough of Harrow Council’s *‘Development Management Policies’* (2013).

- 7.8. For the reasons given above, the appeal ought to be allowed, and planning permission is granted subject to condition and planning obligation to secure a financial contribution towards replacement tree planting.
- 7.9. An award for costs application against the London Borough of Harrow Council by the appellant was made under Section 78, 322 and Schedule 6 of the Town and Country Planning Act 1990 and Section 250(5) of the Local Government Act 1972, against the refusal of planning permission for the erection of a *“3 storey new build residential development comprising 1x1 bed apartments & 7x2 bed apartments with associated car parking and secure cycle storage, ancillary and amenity space.”*.
- 7.10. The applicant considers the Council has exhibited unreasonable behaviour with respect to the substance of the matter under appeal. The applicant argues the Council failed to apply full weight to all material considerations in its assessment and subsequently drew a wholly inaccurate assertion that the proposal would result in an overdevelopment of the site with impacts on the setting of the locally listed cottages on Cuckoo Hill. The applicant goes on to state that the Council refused the proposal based on vague and generalised statements rather than direct reference to policy or guidance. The applicant also argues the Council’s statement of case fails to present a respectable case to show clearly why the appeal proposals should not be permitted.
- 7.11. The Council state that the Planning Committee (PC) were within their rights to come to a decision which differs from the officer’s recommendation and that the minutes of the PC set out the justification for the refusal. They add that this justification, and the reason for refusal itself, relate to material considerations relevant to the proposal, with clear reference made to relevant planning policy. The Council further state that the reason for refusal relates to matters of character and design, which are subjective.
- 7.12. The inspectorate commented that, as decision-maker, the PC was not bound to accept the recommendation of officers, so long as it justified its decision and showed it to be reasonable. The reasons for the PC’s decision are recorded in its reason for refusal, with specific reference to relevant development plan policies. The inspectorate therefore found the PC’s alternative conclusion was appropriately justified. Those reasons were further explained, succinctly and reasonably, in the Council’s statement of case for this appeal.
- 7.13. The inspectorate concluded that, whilst he/she did not agree with the PC’s conclusion, on balance, the action taken was not unreasonable. For the above reasons, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.
- 8. 1 Fallowfield, Stanmore, Harrow, HA7 3DF (Appeal Ref: [3323697](#))**
- 8.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the erection of a *“single storey front to side extension; external steps to side; external alterations”*.
- 8.2. As a preliminary matter, the inspectorate comments that the description of development differs from that on the application form. There does not appear to be an agreement between the main parties for the change. He has therefore used the description above which is from the application form and, in any case, adequately describes the development to which the appeal relates.

- 8.3. The main issue was whether the proposed development would preserve or enhance the character or appearance of the Little Common Conservation Area.
  - 8.4. The inspectorate observed that the introduction of an incongruous flat roof on the sensitive front elevation would jar against the existing more traditional approaches and in some cases historic architecture. The inspectorate went onto further observe that the front extension would bring the footprint of the dwelling further forward, disturbing the composition of the front elevation of the building itself, blurring the subserviency of the side addition and introducing further mass and scale.
  - 8.5. The inspectorate further commented that the proposed fenestration changes would not harmonise with the existing design, follow the guidance set out in the Little Common Conservation Area Appraisal & Management Strategy Supplementary Planning Document (2013) (SPD) nor specify the materials to be used.
  - 8.6. The inspectorate concluded that the proposal would fail to comply with Policy D3 (D(1) and (11)) and HC 1 C of the 'London Plan' (2021), Policy CS1 of the 'Harrow Core Strategy' (2012), Policies DM1 A, DM1 B (a), (b) (c) and DM7 of the London Borough of Harrow Council's 'Development Management Policies' (2013). The proposal would further fail to comply with Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010) and the adopted Stanmore and Edgware Conservation Areas SPD (2013) including appendix 1: Little Common Conservation Area Appraisal and Management Strategy for the same reasons.
  - 8.7. For the above reasons, the inspectorate concluded that the appeal ought to be dismissed.
  - 8.8. An award for costs application against the London Borough of Harrow Council by the appellant was made under Section 78, 322 and Schedule 6 of the Town and Country Planning Act 1990 and Section 250(5) of the Local Government Act 1972, against the refusal of planning permission for "*part single storey front/side extension*".
  - 8.9. The applicant states that the Council's pre-application advice reference P/2086/22/PREAPP supported the principle of a single storey front extension. However, that application was for a different scheme to the appeal proposal. Regardless, the PPG is clear that pre-application advice is not binding, and it cannot pre-empt the democratic decision-making process in the event that an application is made. On further detailed consideration of the submitted application, with plans that differed from that pre-application, the Council found issues with the scheme and refused on this basis. These are matters of planning judgement that were clearly articulated within the supporting evidence.
  - 8.10. The inspectorate found that unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not justified and the award for costs application ought to be refused.
- 9. 41 Argyle Road, Harrow, HA2 7AL (Appeal A Ref: [3316669](#) and Appeal B Ref: [3316670](#))**
- 9.1. The appeal was made under Section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991 against an enforcement notice issued by the London Borough of Harrow on January 17<sup>th</sup>, 2022.
  - 9.2. The breach of planning control as alleged in the notice is, without planning permission:

- the unauthorised construction of a first-floor side extension ("the unauthorised extension");
- the unauthorised construction of a hip to gable and rear dormer roof extension. ("the unauthorised loft conversion").

9.3. The requirements of the notice were:

- Demolish the unauthorised development or build in accordance with the approved drawing for planning application reference P/2648/18.
- Make good any damage caused to the building as a result of the above step and ensure that all materials used shall match those used in the existing building.
- Remove from the land all materials and debris arising from compliance with the aforementioned requirements of the notice.
- The period for compliance with the requirements is: Six (6) months.

9.4. The inspectorate observed that in August 2018 planning permission was granted at the appeal property for a *'Single storey front extension incorporating front porch, first floor and two storey side extension, single and two storey rear extension'*. A lawful development certificate was also granted in August 2018 for *'Alterations to roof to form end gable, rear dormer with juliette balcony and insertion of two rooflights in front roofslope'*. It is accepted that the works carried out on site, which are essentially a combination of these two approvals, are unauthorised and did not benefit from the necessary planning permission.

9.5. The inspectorate observed that the Council subsequently refused a retrospective planning application<sup>3</sup> in March 2022 for the retention of the development as built. An appeal against that decision was dismissed in June 2022, with the appointed Inspector finding harm in relation to the effect of the development on the character and appearance of the host property and the immediate locality along Argyle Road.

9.6. The main issues were the effect of the development on the character and appearance of the host property and surrounding area, whether there was a fallback position that would justify the development as built and whether the proposed alternative schemes would be part of the matters stated in the notice, and if so, their effect on the character and appearance of the host property and surrounding area.

9.7. The inspectorate commented that a recent appeal decision relating to the development that is the subject of the notice is clearly a material consideration and regard should be had to it. The inspectorate highlighted that the previous Inspector concluded that the development was harmful to the character and appearance of the host property and surrounding area. The inspectorate concluded that in this case there is nothing that leads him to reach a different conclusion and, based on his own observations, he find no reason to disagree with the previous Inspector's findings.

9.8. On the topic of character and appearance, the inspectorate concluded that the development is harmful to the character and appearance of the host building and surrounding area. contrary to Policy CS1.8 of the *'Harrow Core Strategy'* (2012), Policies D3.D(1) and D3.D(11) of the *'London Plan'* (2021), Policies DM1A and DM1B (a), (b) and (c) of the London Borough of Harrow Council's *'Development Management Policies'* (2013) and Harrow Council's adopted Supplementary Planning Documents entitled *'Residential Design Guide'* (2010).

- 9.9. With regards to the fallback position, the inspectorate observed that the Council disputed whether, following the development being built in accordance with the 2018 permission, a hip to gable extension could be constructed under permitted development rights at all by virtue of the limitation set out under paragraph B.1(c). The 2018 LDC can also not be relied upon in relation to this matter, given that it relates to proposed alterations to the roof to form an end gable without the existence of the development approved under the 2018 permission. The inspectorate commented that the fallback position should be identified in sufficient detail so that it can be compared to the development as built. The appellants have not provided drawings or calculations to show how large an extension could be built or clarify whether those extensions would amount to permitted development. Concluding that the lack of detail on this matter, he was unable to assess whether any fallback that may take place would have similar or worse visual consequences than that for which planning permission is sought.
- 9.10. The inspectorate took note that a number of local residents have written in support of the development, including several who live on Argyle Road. However, concluded that this did not outweigh or alter his findings on the main issues in this case.
- 9.11. The inspectorate took note the appellants argument drawing attention to extensions at other residential properties, which they consider are similar forms of development and in many cases demonstrate a lack of consistency in the Council's decision making. The inspectorate concluded that none of the properties are in view of the appeal site and it is therefore not necessarily the case that their circumstances are directly comparable. In any event, he had determined the appeal on its own merits and the existence of other similar developments did not alter his findings on the main issues in this case.
- 9.12. The inspectorate concluded that the appeals do not succeed, save for ground (g) and he has upheld the enforcement notice with a variation and refuse to grant planning permission on the deemed application.
- 9.13. An award for costs application against the London Borough of Harrow Council by the appellant was made under Section 78, 322 and Schedule 6 of the Town and Country Planning Act 1990 and Section 250(5) of the Local Government Act 1972, against an enforcement notice alleging "*the unauthorised construction of a first-floor side extension*" and "*the unauthorised construction of a hip to gable and rear dormer roof extension*".
- 9.14. The applicants claim that the Council had not substantiated its position as they had acknowledged the existence of a fallback position which would enlarge the roof following compliance with the notice, that the fallback position would be worse than the existing development or the alternative schemes, and that the previous Inspector found that the main adverse impacts of the development were to the rear only. It is also considered that the Council acted unreasonably by introducing a new argument during the hearing, and by not disputing the appellants ground (g) appeal.
- 9.15. The inspectorate commented that given the detail provided, it was not possible to assess whether any fallback would have similar or worse visual consequences than that for which planning permission was sought. Stating further that the Council did not act unreasonably by stating their position on the matter. The inspectorate did not agree with the applicant that the main adverse impacts of the development were found to be at the rear of the property only, here reference to the 2022 appeal decision had been cited.

- 9.16. The inspectorate concluded that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated and the award for costs application ought to be refused.
- 9.17. An award for costs application against the appellant by the London Borough of Harrow Council was made under Section 78, 322 and Schedule 6 of the Town and Country Planning Act 1990 and Section 250(5) of the Local Government Act 1972, in connection with an appeal against an enforcement notice alleging *“the unauthorised construction of a first-floor side extension”* and *“the unauthorised construction of a hip to gable and rear dormer roof extension”*.
- 9.18. The Council sought an award of costs in respect of the appellants ground (a) appeal. The main thrust of the Council’s costs claim was that the appeal was unreasonable as the development had been found to be unacceptable in a recent appeal decision, and that the alternative schemes proposed were not *“part of the matters enforced against”* meaning that the appeal was bound to fail. Consequently, the Council considers that the appellants should have instead sought an extension to the compliance period underground (g) to allow sufficient time to seek permission for the alternative schemes, potentially avoiding the need for a hearing and the associated costs.
- 9.19. The inspectorate commented that for the planning merits of those schemes to potentially be considered fully, an appeal underground (a) was required. Given what was at stake for the appellants, he did not share the Council’s view that this could have been sufficiently achieved via a ground (g) appeal only. I also acknowledge that, instead of submitting their appeal, the appellants could have submitted a request to the Council under S173A(1)(b) of the 1990 Act for the compliance period to be extended. However, they could not be certain that this request would have been accepted.
- 9.20. In view of the above, the inspectorate concluded that the appellants right to appeal was exercised in a reasonable manner, and that the ground (a) appeal was a reasonable and necessary course of action for them to take. The inspectorate therefore found that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated.

**10. 16 Thistlecroft Gardens, Stanmore, HA7 1PN (Appeal Ref: [3317088](#))**

- 10.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission under Schedule 2, Part 1, Class A, Paragraph A4 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the erection of a *“single storey rear extension: 6.00 metres deep, 3.10 metres maximum height, 3.00 metres high to the eaves.”*.
- 10.2. As a preliminary matter, the inspectorate highlighted that the description of development has been changed by the Council and there was no evidence of an agreement between the main parties. The inspectorate had therefore used the description as it appears on the application form which, in any event, adequately describes the development to which the appeal relates, being *“single storey rear extension 6m deep”*.
- 10.3. The main issue in this case was whether the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO), under Schedule 2, Part 1, Class A, Part A.4(7) require an assessment as to the impact of a given scheme on the amenity of any adjoining premises (living conditions), taking into account any representations received. This has

formed the main issue, with specific regard to the occupants of No 14 Thistlecroft Gardens and their outlook.

- 10.4. The inspectorate observed that, the appellant has submitted a proposal that seeks to be sympathetic to the outlook of No 14 by lowering the scheme below current floor level. The inspectorate commented that, given the declining gradient of the rear gardens, the close proximity and height of the development, the proposal would dominate outlook from the kitchen window of No 14, making it oppressive and enclosing.
  - 10.5. The inspectorate observed that, the appellant states that the fence is tall and the extension flank wall would be entirely concealed behind it. The inspectorate commented that, the fence was not up to this height, by some measure, and would not conceal the proposal and he remained unconvinced that the fence would conceal the proposed development sufficiently to make it acceptable.
  - 10.6. The inspectorate commented that, the proposal would harmfully affect outlook from within the kitchen at No 14. Accordingly, and as far as it is a material consideration to the main issue, it would fail to comply with the aims of Policy DM1 of the '*Harrow Development Management Policies*' (2013), insofar as it seeks to safeguard the adequacy of outlook.
  - 10.7. For the above reasons, the inspectorate concluded that the appeal ought to be dismissed.
  - 10.8. An award for costs application against the London Borough of Harrow Council by the appellant was made under Section 78, 322 and Schedule 6 of the Town and Country Planning Act 1990 and Section 250(5) of the Local Government Act 1972, against the refusal of planning permission for "*single storey rear extension 6m deep*".
  - 10.9. The appellant alleges unreasonable behaviour of the Council on a number of grounds, firstly suggesting that the Council failed to produce evidence to substantiate each reason for refusal as well as not providing reasonably requested information, when a more helpful approach would probably have resulted in either the appeal being avoided altogether, or the issues to be considered being narrowed, thus reducing the expense associated with the appeal.
  - 10.10. The inspectorate commented that the delegated report sets out the Council's reasons for refusal in sufficient detail so as to explain their case. The inspectorate further commented that, the reasons for receiving a refusal notice are set out in the delegated report and it is not unreasonable for the Council to conclude communication with an appellant at the point of issuing a decision. In the event of an unsatisfactory outcome the appropriate channel for further discussion is an appeal.
  - 10.11. The inspectorate concluded that unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not justified and ought to be refused.
- 11. 128-128A Pinner Road, Harrow, HA1 4JE (Appeal A Ref: [3316836](#))**
- 11.1. Appeal made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the "*part conversion of shop storage area at ground and first floor rear into one self-contained flat; External alterations; Refuse and Cycle Storage*".



- 11.2. The main issues was whether the proposal would provide adequate living conditions for future occupiers, with particular reference to light and outlook.
- 11.3. The inspectorate observed that, despite this proportion of glazing, the level of light entering the room would be significantly constrained by the high flank wall of the outbuilding at the back of the neighbouring premises and by the boundary fence with that property. Consequently, the principal habitable room in the proposed dwelling would be gloomy.
- 11.4. The inspectorate further observed that, the proximity of the neighbouring wall and fence would also significantly limit the outlook for future occupiers of the proposed flat. The space between them and the proposed patio doors and windows would be very narrow, so they would be overbearing in views from these openings, contributing to a sense of enclosure within the room. Moreover, the proposed bin and cycle stores would be located directly opposite the patio doors, so the outlook through them would also be dominated by these utilitarian structures.
- 11.5. The inspectorate concluded that, the proposal would not provide adequate living conditions for future occupiers, with particular reference to light and outlook. This fell contrary to Policies D3 and D6 of the 'London Plan' (2021), Policy DM1 of the London Borough of Harrow Council's 'Development Management Policies' (2013) and the 'London Plan Housing Supplementary Planning Guidance' (2016), and Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010). Further, it is contrary to the National Planning Policy Framework where it seeks a high standard of amenity for future users.
- 11.6. For the above reasons, the inspectorate concluded that the appeal ought to be dismissed.
- 12. 91, 91A and 91 B High Street, Wealdstone, Harrow, HA3 5DL (Appeal A Ref: [3318085](#))**
- 12.1. The appeal was made under Section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991 against an enforcement notice issued by the London Borough of Harrow on February 9<sup>th</sup>, 2023.
- 12.2. The breach of planning control as alleged in the notice is, without planning permission:
- the unauthorised construction of a side to rear dormer on the land ("Unauthorised Development").
- 12.3. The requirements of the notice were:
- Demolish the Unauthorised Development and revert back to the pre-existing elevation plans with reference AE202 submitted with the planning application reference P/4246/19 and attached at Appendix 1.
  - Make good any damage caused to the building as a result of the above step and ensure that all materials used shall match those used in the existing building.
  - Remove from the Land all materials and debris arising from compliance with the aforementioned requirements of the notice.
  - The period for compliance with the requirements is 6 months.
- 12.4. As a preliminary matter, the inspectorate highlighted that there were originally two duplicate cases for this appeal, which have since been closed.

- 12.5. The appeal on ground (g) is that any period specified in the notice falls short of what should reasonably be allowed. The appellant asks that the time for compliance is extended from 6 months in order to provide sufficient time to re-home current vulnerable occupiers and carry out the remedial works, preferably during the warmer summer months.
- 12.6. The inspectorate commented that he acknowledges that the occupiers need to vacate the premises in order to carry out the requirements of the notice. He therefore considers that in the particular circumstances of this case, a 11-month compliance period is proportionate and reasonable. The inspectorate therefore varied the period for compliance prior to upholding the notice to 11 months.
- 12.7. The inspectorate concluded that, the appeal should not succeed, that he shall uphold the enforcement notice with a variation.

**13. 18 Orchard Grove, Edgware, Harrow, HA8 5BH (Appeal Ref: [3315347](#))**

- 13.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a “*single storey rear extension*”.
- 13.2. The main issues were whether or not the proposal is permitted under Schedule 2, Part 1, Class A, paragraph A.1 of the above Order, with particular regard to the terms of paragraph A.1(g)(i).
- 13.3. The Council asserts that the proposal would result in a structure that would extend more than 6 metres beyond the rear wall of the original dwelling and would not satisfy the limitations of the Order in this regard.
- 13.4. The inspectorate observed that, the gap between the extension and the outbuilding would be 0.25 metres and the Council states that this should be increase to 0.5 metres, otherwise, cumulatively, the extension and outbuilding would extend more than 6 metres beyond the rear of the dwelling.
- 13.5. The inspectorate commented that, the outbuilding is not physically attached to the dwelling. Moreover, the plans show that the external wall of the proposed extension would be attached to the rear elevation of the dwelling and would be built separate to the outbuilding. Therefore, even though the proposed gap would be small, the outbuilding would remain physically and visually separated from the extended rear elevation of this dwelling when viewed from the rear.
- 13.6. The inspectorate concluded that, the proposal would satisfy the limitations set out in paragraph A.1, therefore be permitted for the purposes of this part of the Order and the appeal should be allowed and prior approval should be granted.

**14. 12 Newbolt Road, Harrow, Stanmore, HA7 3LT (Appeal Ref: [3317624](#))**

- 14.1. Appeal made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the “*conversion of dwelling into two flats (2 x 2 bed); Single and two storey*”

*side extension; Single storey rear extension; External alterations; Parking; Separate amenity space; bin and cycle stores”.*

- 14.2. The main issue is the effect of the proposed development on the character and appearance of the building and wider area.
- 14.3. The inspectorate observed that, the north-eastern corner of this roof would have a chamfered edge to accommodate the angled boundary line with No. 10 Newbolt Road. The inspectorate commented that the addition, combined with the existing gable and visible flat roof of the existing dormer, would create a bulky and somewhat contrived roof design. The resulting form and complexity would be far more prominent than the current situation and it would appear unsympathetic both to the appearance of the host property and the wider street scene.
- 14.4. The inspectorate further commented that the dwelling attached to the appeal property is No. 2 Sitwell Grove. It is evident that the alterations to No. 2 somewhat undermine the simplicity of its original appearance and the balance it no doubt once had with the appeal property. These works have added bulk and changed the roof form which to an extent detract from the street scene.
- 14.5. The inspectorate concluded that, the proposal would cause harm to the character and appearance of the building and wider area. It was therefore contrary to Policy D3 of the *‘London Plan’* (2021), Policy CS1.B of the *‘Harrow Core Strategy’* (2012) and Policy DM1 of the London Borough of Harrow Council’s *‘Development Management Policies’* (2013).
- 14.6. For the above reasons, the inspectorate concluded that the appeal ought to be dismissed.

**15. 8 South Way, Harrow, HA2 6EP (Appeal Ref: [3320156](#))**

- 15.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for a *“single storey side and rear extension”*.
- 15.2. The main issue was the effect of the proposed extension on the living conditions of the residents of 10 South Way with reference to daylight, sunlight, and outlook.
- 15.3. The inspectorate commented that, the extension proposed would have no greater impact on daylight or sunlight entering the window of concern than if it were reduced in depth to the dimensions suggested in the SPD. Nor, it seems to him, has the Council given sufficient weight to extant conditions on the boundary close to the window of concern, which is marked by a high solid fence, which itself significantly impacts on day and sunlight. The extension would make little perceptible different to the current position in respect of the levels of daylight and sunlight currently enjoyed on No 10’s ground floor habitable rooms.
- 15.4. The inspectorate further commented that, the direct outlook towards the garden from the window of concern would remain unimpeded. The extension’s side wall would be seen in an oblique view from the room served by the window. However, this view is already affected to a significant extent by a high solid fence.

- 15.5. The inspectorate concluded that the proposal would not harm the living conditions currently enjoyed by the residents of No 10 or fall in conflict with Policy DM1 of the London Borough of Harrow Council's 'Development Management Policies' (2013).
- 15.6. For the above reasons, the inspectorate concluded that the appeal, subject to conditions ought to be allowed.
- 16. 14 Goodhall Close, Stanmore, HA7 4FR (Appeal Ref: [3329225](#))**
- 16.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the erection of a "single storey rear extension and alterations to a first-floor window and a garage conversion".
- 16.2. The main issue was the effect of the proposed development on the living conditions of the occupiers of 16 Goodhall Close.
- 16.3. The inspectorate observed that, in combination, the balconies, wooden fences and trees create a sense of enclosure to the rear of the dwellings when viewed from the nearest windows and the patio areas immediately adjacent to the rear elevations.
- 16.4. The inspectorate comments that, in its reason for refusal, the Council had not specifically objected to the conversion of the garage to a habitable room and that there were no reasons to disagree with the Council's assessment. Therefore, consideration has been given to the potential for a split decision to be issued.
- 16.5. The inspectorate observed that, the proposed extension's siting adjacent to the shared boundary, together with its length and height, it would represent an unacceptable overbearing form of development when viewed from the rear windows and the patio area immediately to the rear of No. 19. Also, the proposed extension would unacceptably contribute to a further increase the sense of enclosure for the occupiers of No. 19 which has been identified.
- 16.6. The inspectorate concluded that, the erection of the proposed single storey rear extension and alterations to a first-floor window would conflict with Policy CS1(B) of the 'Harrow Core Strategy' (2012) and Policy DM1 of the London Borough of Harrow Council's 'Development Management Policies' (2013) and Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010).
- 16.7. The inspectorate further concluded that, the proposed garage conversion would not cause unacceptable harm to the living conditions of the occupiers of No. 16 and, as such, it would not conflict with the requirements of with the above-mentioned policies and guidance and Policy D3 of the 'London Plan' (2021).
- 16.8. For the above reasons, the inspectorate concluded that the appeal is dismissed insofar as it relates to the erection of a single storey rear extension and alterations to a first-floor window. The appeal, insofar as it relates to the garage conversion is allowed and planning permission granted subject to conditions.

**17. 15 Flambard Road, Harrow, HA1 2NB (Appeal Ref A: [3323579](#) and Appeal B Ref: [3327238](#))**

- 17.1. Appeal A was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for *“alterations to roof; front and rear dormers; rooflights in rear and both side roof slopes, external alterations”*.
- 17.2. Appeal B was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for *“alterations to roof; front and rear dormers, rooflights in rear and both side roof slopes, alterations to front porch, front entrance canopy, external alterations (demolition of front porch)”*.
- 17.3. The main issue in both appeals is the effect of the proposed front dormer on the character and appearance of the host property and its surroundings. The Council’s concerns relate solely to the front dormer proposed in each case, and this aspect forms the basis of the only reason for refusal used in both decision letters.
- 17.4. The inspectorate commented that the dormer subject of appeal A is far larger than that subject of appeal B. Such is its size and bulkiness that in his/her opinion it would dominate the roof, resulting in the host property becoming perceived as top-heavy, materially harming its character and appearance, and that of its surroundings. The dormer subject of appeal B is more modest in scale and would be seen as subservient and proportionate within the overall mass of the roof and would have far less of an impact than the dormer subject of appeal A and would sit acceptably in its visual context.
- 17.5. The inspectorate concluded that, the proposal subject of appeal A would harm the character and appearance of the host property and its surroundings. Accordingly, a clear conflict arises with those provisions of Policies 7.4B and 7.6B of the ‘*London Plan*’ (2021), Policy CS1B of the ‘*Harrow Core Strategy*’ (2012) and Policy DM1 of the ‘*Harrow Council Development Management Policies*’ (2013). On the other hand, the inspectorate concluded that he/she found that the scheme subject of Appeal B complies with the above-mentioned policies.
- 17.6. For the above reasons, the inspectorate concluded that the Appeal A is dismissed, Appeal B subject to conditions is allowed and planning permission is granted for *“alterations to roof; front and rear dormers, rooflights in rear and both side roof slopes, alterations to front porch, front entrance canopy, external alterations (demolition of front porch)”*.

**18. Temple Lodge, Rectory Lane, Stanmore, Harrow, HA7 4AQ (Appeal Ref: [3327046](#))**

- 18.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the *“replacement of all external wooden windows and doors to aluminium double glazed”*.
- 18.2. The main issue is the effect of the proposal upon the character and appearance of the Old Church Lane Conservation Area and the setting of a grade II listed wall.
- 18.3. The inspectorate observed that the existing windows to Temple Lodge are numerous and mostly consistent throughout, appearing as timber framed casements of various sizes in a Georgian style with glazing bars in a grid pattern (except for some ground floor patio style doors and windows) and all painted dark brown. The inspectorate commented that he shared the Council’s view that they appear

in keeping with other traditional timber windows in the CA and that they are an important feature of the dwelling that contributes towards its positive presence.

- 18.4. The inspectorate commented that, the precise details of the proposed windows and doors are vague and confusing. Much of the supporting information provided was technical and he found the appellant's assertion within their grounds of appeal that the proposal would comprise '*aluminium double-glazed windows within an overall timber frame*' inconsistent in part with the materials information on the application form and other information provided. The inspectorate expressed that the information provided lacks sufficient clarity and therefore he cannot be satisfied that the proposed replacement windows in terms of their material, profile, detail, or colour would complement the dwelling.
- 18.5. The inspectorate concluded that the proposal would potentially harm the character and appearance of the Old Church Lane Conservation Area and the setting of a grade II listed wall. As such, there would be conflict with Policy CS1 (parts B and D) of the '*Harlow Core Strategy*' (2012), Policies DM1 and DM7 of the London Borough of Harrow Council's '*Development Management Policies*' (2013) and Policy HC1 of the '*London Plan*' (2021).
- 18.6. For the above reasons, the inspectorate concluded that the appeal ought to be dismissed.

**19. Albury Drive street works, Albury Drive, Harrow, HA5 3RN (Appeal Ref: [3322953](#))**

- 19.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16, Class A of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a "*5G telecoms installation: H3G 20m street pole and additional equipment cabinets.*".
- 19.2. The main issues were the effect of the siting and appearance of the proposed installation on the character and appearance of the area, including designated open space and, whether it would preserve or enhance the character or appearance of the Pinnerwood Park Estate Conservation Area; and if any harm would occur, whether this is outweighed by the need for the installation to be sited as proposed taking into account any suitable alternatives.
- 19.3. The inspectorate observed that the appeal site is on a designated open space, acknowledging that these open spaces are found throughout the CA, are characteristic of the estate and considered in the Conservation Area Appraisal and Management Strategy to make a significant contribution to the CA.
- 19.4. On the topic of character and design, the inspectorate observed that the 20-metre-high street pole, equipment cabinets and paving slabs would be located on the open space and the pole would be taller than any other features around it, it would therefore stand out in this location. Concluding that, the pole would dominate the site and tower over views of the housing surrounding the green, with the cabinets being highly visible in this location, as their proportions and appearance would contrast with this open, green area of land and trees, this would appear intrusive in this designated open space.
- 19.5. The inspectorate further commented that, whilst the proposal would not prevent the use of the open space by residents, it would introduce equipment on an otherwise uncluttered area. Concluding that the proposal would be visually intrusive and have an adverse effect on the character and appearance of the area and/or fail to preserve or enhance the character or appearance of the CA.

- 19.6. On the topic of availability of alternative sites, the inspectorate commented that whilst the appellant carried out a desktop survey and physical search of the area, there is no substantive evidence of the methods employed and why other potential options, such as mast sharing were discounted.
- 19.7. The inspectorate drew attention to the appellant list of four discounted sites, however, commented that there had been no detailed evidence justifying why these locations have been discounted.
- 19.8. The inspectorate concluded that, for the reasons given above, the appeal ought to be dismissed.
- 20. 21 Connaught Road, Harrow, HA3 7LE (Appeal Ref: [3330775](#))**
- 20.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the *“erection of a single storey rear extension featuring a chimney for a wood burner and laundry room in the rear garden”*.
- 20.2. As a Procedural Matter, the inspectorate highlighted that, although the Council has not provided the Appeal Questionnaire, there is sufficient information available for the assessment of the development from the policies provided for other appeals being determined at the same time and the documents and drawings posted on the Council’s application portal.
- 20.3. The main issue were the effects of the development on (a) the character and appearance of the host property and the surrounding area and (b) the living conditions of the occupiers of 19 and 23 Connaught Road.
- 20.4. On the topic of character and appearance, the inspectorate commented that prior approval exists for a similar form of development. However, because of its close relationship with the extension, the siting of the modest sized outbuilding does visually and, to a lesser extent, physically add to the perceived length of the extension. Concluding that, when assessed cumulatively, it is considered that the development causes unacceptable harm to the character and appearance of the host property and the surrounding area and, as such, it conflicts with Policy CS.1B of the *‘Harrow Core Strategy’* (2012), Policy DM 1 of the London Borough of Harrow Council’s *‘Development Management Policies’* (2013) together with Policy D3 of the *‘London Plan’* (2021).
- 20.5. On the topic of living conditions, the inspectorate commented that, the siting of the outbuilding visually and, in terms of perception, physically increases the extent of built development along the shared boundary with No. 19 and increases the sense of enclosure for the occupiers of this neighbouring property, including from the rear windows and garden. When combined, the extension and the outbuilding represent an unacceptably overbearing form of development for the occupiers of No. 19.
- 20.6. The inspectorate concluded that, the development would cause unacceptable harm to the living conditions of the occupiers of 19 and 23 Connaught Road and, as such, it conflicts with DMP Policy DM 1 of the London Borough of Harrow Council’s *‘Development Management Policies’* (2013).
- 20.7. For the above reasons, the inspectorate concluded that the appeal ought to be dismissed.

**21. 63 Southfield Park, Harrow, HA2 6HF (Appeal Ref: [3320455](#))**

- 21.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for a *“First floor rear bedroom extension”*.
- 21.2. As a preliminary matter, the inspectorate highlighted that they have taken the description of development from the application form, although different to that on the decision notice, no confirmation that a change was agreed had been provided.
- 21.3. The inspectorate highlights that, the appellant had submitted an amended plan with the appeal which shows revised proposed west (side) and south (rear) elevations. This change relates to a substance of concern expressed by the Council. The inspectorate highlights procedural guidance which states that the appeal process should not be used to evolve proposals and is clear that revisions intended to overcome reasons for refusal should normally be tested through a fresh application. The inspectorate has had regard to the Wheatcroft Principles and conclude that it would not be fair or reasonable to determine the appeal against the amended plan, as to do so would prejudice interested parties.
- 21.4. The main issue were the effect of the proposal on the character and appearance of the host building and the area and the living conditions of the occupiers of Nos. 61 and 65 Southfield Park, with particular regard to outlook.
- 21.5. On the topic of character and appearance, the inspectorate commented that although the proposal would be modest in scale, it would however project rearward at first floor with a built form that would present as an awkwardly designed and conspicuous enlargement. Given the resultant combination of various eaves heights and roof forms that would be noticeable on this elevation, the proposal would be an incongruous form of development. Moreover, due to the substantial gap along Station Road from No. 1b Station Road to the rear elevation of properties along Southfield Park, the proposed development would be clearly visible. The inharmonious form of the proposal would be exacerbated by its projection forward of the general first floor building line of the rear of other properties along this part of Southfield Park. As a result, it would be visibly at odds with, and diminish the prevailing character of the property and the area.
- 21.6. As such, the proposal conflicts with Policy CS.1B of the *‘Harrow Core Strategy’* (2012), Policy DM 1 of the London Borough of Harrow Council’s *‘Development Management Policies’* (2013) together with Policy D3 (D(1) and D(11)) of the *‘London Plan’* (2021).
- 21.7. On the topic of living conditions of the occupiers of Nos. 61 and 65 Southfield Park, the inspectorate commented that, the proposal would not have an unacceptably harmful effect with particular regard to outlook.
- 21.8. For the above reasons, the inspectorate concluded that the appeal ought to be dismissed.

**22. Little Northolt Streetworks, Northolt Road, Harrow, HA2 8EJ (Appeal Ref: [3322857](#))**

- 22.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16, Class A of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a *“5G telecoms installation: H3G 20m street pole and additional equipment cabinets”*.



- 22.2. The main issues were the effect of the siting and appearance of the proposed installation on the character and appearance of the area and, if any harm would occur, whether this would be outweighed by the need for the installation to be sited as proposed taking into account any suitable alternatives.
- 22.3. On the topic of character and design, the inspectorate observed that, the height of the proposed monopole would be significantly taller than the surrounding street furniture and the column width would be bulky in comparison. The monopole would be significantly taller than nearby trees, in this context the height and bulk of the proposal would be discordant and conspicuous.
- 22.4. The inspectorate concluded that, the proposed monopole would, therefore, be a highly visible, prominent, and incongruous feature that would be out of proportion with the surrounding scale of the buildings and street furniture. Its harmful visual impact would be readily perceived by some residents and people passing along Northolt Road. As such, this element of the proposal conflicts with Policies DM1 and DM49 of the London Borough of Harrow Council's *'Development Management Policies'* (2013).
- 22.5. On the topic of alternative sites, the inspectorate considered the sequential approach undertaken by the appellant (identifying five alternative ground-based sites) and the level of information for each ground-based site discounted to be extremely limited with a vague justification for discounting each site.
- 22.6. The inspectorate concluded that, for the reasons given above, the appeal ought to be dismissed.
- 23. 227 Whitchurch Lane, Edgware, HA8 6QT (Appeal Ref: [3324442](#))**
- 23.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the erection of a *"ground and first floor extension and alterations to a single dwelling house"*.
- 23.2. The main issues were the effect of the proposed development on the character and appearance of the host property and the streetscene.
- 23.3. The inspectorate commented that the scale and design of the proposed alterations would change the character and appearance of the host property with Council's objection being focused upon the proposed front porch and the alterations to the fenestration of the property.
- 23.4. The inspectorate observed that, the proposed front extension would create an overlap between the porch and the bay window. The proposed porch would also project forward of the bay window. The combination of the overlap with the bay window, the degree of forward projection, the fenestration and the timber detailing would cause this element of the appeal scheme to unacceptably unbalance the character and appearance of this pair of semi-detached dwellings.
- 23.5. The inspectorate concluded the above elements conflicted against Policy CS.1B of the *'Harrow Core Strategy'* (2012), Policy DM1 of the London Borough of Harrow Council's *'Development Management Policies'* (2013) and Policy D3 of the *'London Plan'* (2021).

23.6. The inspectorate concluded that, for the reasons given above, the appeal ought to be dismissed.

**24. 20 Whitby Road, Harrow, HA2 8LH (Appeal A Ref: [3302840](#) and Appeal B Ref: [3302841](#))**

24.1. The appeal was made under Section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991 against an enforcement notice issued by the London Borough of Harrow on June 13<sup>th</sup>, 2022.

24.2. The breach of planning control as alleged in the notice is, without planning permission:

- the unauthorised installation of solar panels that project over the main ridge of the dwelling situated on the land ("unauthorised solar panels").

24.3. The requirements of the notice were:

- Remove all Solar Panels that protrude higher than the main ridge of the existing dwelling;
- Make good any damage caused to the building as a result of the above step and ensure that all materials used shall match those used in the existing building;
- Remove from the Land all materials and debris arising from compliance with the aforementioned requirements of the notice;
- The period for compliance with the requirements is 3 months.

24.4. As a procedural matter, the inspectorate highlighted that, the appeal was originally lodged on grounds (a), (d) and (f). However, ground (d) has since been withdrawn. As such the appeal will proceed on grounds (a) and (f) only. For Appeal A, the fee was paid on the ground (a) application, and therefore that appeal is proceeding on grounds: (a) and (f). However, for Appeal B, the fee was not paid, and therefore this appeal will proceed on ground (f) only.

24.5. The main issues were the effect of the development on the character and appearance of the host building and area.

24.6. On the topic of character and appearance, the inspectorate observed that, the solar panels protrudes well above the main ridgeline of the appeal property and both neighbouring properties and is at odds with the prevailing character of the area. This results in an unduly dominant and incongruous feature which is clearly visible from various public and private vantage points along Whitby Road.

24.7. As such, the proposal conflicts with Policy CS1 of the '*Harrow Core Strategy*' (2012), Policy D4 of the '*London Plan*' (2021) and Policy DM1 of the London Borough of Harrow Council's '*Development Management Policies*' (2013).

24.8. The inspectorate concluded that both appeals are dismissed, and the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

**25. Land at 104 Lynton Road, Harrow, HA2 0PR (Appeal Ref: [3305496](#))**

- 25.1. The appeal was made under Section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991 against an enforcement notice issued by the London Borough of Harrow on July 28<sup>th</sup>, 2022.
- 25.2. The breach of planning control as alleged in the notice is, without planning permission:
- the unauthorised construction of a single-storey wooden and perspex extension on the Land as shown hatched on the attached site Plan (“the Unauthorised Development”).
- 25.3. The requirements of the notice were:
- Demolish the Unauthorised Development;
  - Make good any damage caused to the building as a result of the above actions; and
  - Remove from the Land all materials, rubbish, and debris resulting from compliance with the above requirements, and restore the Land to its condition prior to the breach taking place.
  - The period for compliance with the requirements is: Six (6) months.
- 25.4. As a procedural matter, the inspectorate highlighted that, the appellant ticked ground (a) on the appeal form. However, the appellant has subsequently confirmed that they do not wish to continue with the ground (a) appeal. Planning merits do not, therefore, fall to be considered.
- 25.5. An appeal under ground (c) is made on the basis that the matters stated in the notice (if they occurred) do not constitute a breach of planning control. The main thrust of the appellant’s case under ground (c) is that the appeal scheme is permitted development and does not require planning permission.
- 25.6. The inspectorate observed that, the appeal scheme, together with the previous single storey extension, extends beyond the rear wall of the original dwellinghouse by more than 6 metres and so exceeds the limitations set out under Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended). The inspectorate concludes that, the appeal scheme is not permitted by the above Order and is development for which planning permission is required. Consequently, the appeal under ground (c) must fail.
- 25.7. As such, the proposal conflicts with Policy CS1 of the ‘*Harrow Core Strategy*’ (2012), Policy D4 of the ‘*London Plan*’ (2021) and Policy DM1 of the London Borough of Harrow Council’s ‘*Development Management Policies*’ (2013).
- 25.8. The inspectorate concluded that both appeals are dismissed, and the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.
- 25.9. An appeal under ground (f) is made on the basis that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach.

25.10. The inspectorate comments that, the appellant's case under ground (f) largely repeats their case under ground (c). The inspectorate concluded that it would fall within the limitations set out within paragraph A.1(f) of the above Order.

25.11. The inspectorate concluded that that the appeal should not succeed and the enforcement notice should be upheld with a correction to the address.

**26. 88 St Andrews Drive, Stanmore, HA7 2ND (Appeal Ref: [3329407](#))**

26.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the *"the demolition of a garage and the erection of a single storey front extension; two storey side and rear extension and a partial single storey rear extension"*.

26.2. The main issues were 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 90 St Andrews Drive.

26.3. On the topic of character and appearance, the inspectorate commented that, individually, the scale, siting, and design of the elements of the appeal scheme may be acceptable. However, when assessed cumulatively, the scale and siting proposed development would fail to respect the host property and would represent a bulky and disproportionate addition to the property. Cumulatively the proposed extensions would physically and visually dominate the original property. Also by reason of scale and siting, the appeal scheme would also be detrimental to the character and appearance of the surrounding area.

26.4. As such, the proposal conflicts with Policy CS1.B of the *'Harrow Core Strategy'* (2012), Policy D3 of the *'London Plan'* (2021) and Policy DM1 of the London Borough of Harrow Council's *'Development Management Policies'* (2013).

26.5. On the topic of living conditions, the inspectorate commented that, the proximity, orientation, and size of one building can impact upon the outlook and visual environment of the occupiers of an adjoining building. The combined length of the proposed side elevations sited close to the shared boundary would represent an overbearing form of development, including in the outlook from the kitchen window and the garden area immediately to the rear of No. 90. For this reason there would be unacceptable harm caused to the living conditions of the occupiers of No. 90

26.6. As such, the proposal conflicts with the above-mentioned policies and guidance contained within the Council's adopted Supplementary Planning Documents entitled *'Residential Design Guide'* (2010).

26.7. The inspectorate concluded that, for the reasons given above, the appeal ought to be dismissed.

**27. 53 Suffolk Road, Harrow, HA2 7QF (Appeal Ref: [3318226](#))**

27.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the *"Redevelopment to provide two storey (6 bed) detached dwelling with habitable roofspace; landscaping; parking; bin and cycle storage, new outbuilding to the rear,*

*new boundary treatment including new front vehicular and pedestrian access gates (demolition of existing dwelling and greenhouse to the rear)”.*

- 27.2. As a preliminary matter, an amended plan had been submitted with the appeal which omits the proposed outbuilding. The inspectorate had therefore determined the appeal based on the amended drawings as this would overcome the Council’s third reason for refusal. In light of the amended plans the appellant has requested the description of the development be amended, however the description *“demolition of existing dwelling and all associated hardstanding and structures and replacement with new dwelling and associated and ancillary development”* adequately describes the proposed development.
- 27.3. The main issues were the effect of the proposal upon the character and appearance of the surrounding area.
- 27.4. On the topic of character and appearance, the inspectorate observed that, the various projecting and recessed elements, including the square three storey bay window in a strongly angular design would not sit comfortably with the curved bay windows of the typical houses adjacent to it. The additional height of the squared bay window, and second-floor front roof terrace, would be at odds with the appearance of the surrounding structures and as a three-storey flat roof property, would be out of keeping with the existing roofscape found on Suffolk Road. The second floor completed in white render would harmfully contrast with the tiled roofs of the adjacent properties. Consequently, the form and bulk of the proposed dwelling, its materials and detailing would not be sensitive to the defining characteristics of the area, would appear prominent and incongruous when viewed from the road frontage and would look harmfully out of place.
- 27.5. Moreover, the inspectorate observed that, the proposed front and flank boundary walls and solid timber gates, would enclose the front garden and would be notably different to the enclosure of adjacent sites, drawing attention to the development and resulting in some loss of the spaciousness within the street scene, adding to my concern about the harmful visual effects of the development.
- 27.6. The inspectorate concluded that, the proposal would have a detrimental impact upon the character and appearance of the surrounding area contrary to Policy CS1.B of the *‘Harrow Core Strategy’* (2012), Policy D3 of the *‘London Plan’* (2021), Policy DM1 of the London Borough of Harrow Council’s *‘Development Management Policies’* (2013) and guidance contained within the Council’s adopted Supplementary Planning Documents entitled *‘Residential Design Guide’* (2010).
- 27.7. The inspectorate took note of the appellants statement of case, referring to a previous planning application dismissed at appeal. However, the inspectorate commented that appeal was in relation to various extensions and alterations to the dwelling and thus is significantly different to the current appeal proposal and has therefore not been determinative.
- 27.8. The inspectorate concluded that, for the reasons given above, the appeal ought to be dismissed.
- 28. 176 Camrose Avenue, Edgware, HA8 6BU (Appeal Ref: [3318551](#))**
- 28.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the *“demolition of side garage and erection of two storey side and*

*single storey rear extension and conversion of the dwellinghouse into 2 self-contained dwellinghouses (1x2 bed and 1x3 bed) and subdivision of rear garden”.*

- 28.2. The main issues were the effect of the proposed two storey rear extension on the character and appearance of the host property and surrounding area, and whether future intended occupiers would be likely to experience acceptable living conditions, with particular regards to internal living space and storage.
- 28.3. On the topic of character and appearance, the inspectorate commented that, the incorporation of a stepped building line and staggered roof which also incorporates an extended overhang to the eaves, would increase the bulk of the extension. This would result in both the extension and roof appearing at odds with the overall proportions of the host property and appearing as an incongruent addition within the surrounding area.
- 28.4. As such, various elements from the proposal would conflict with Policy CS1.B of the ‘*Harrow Core Strategy*’ (2012), Policies D3 of the ‘*London Plan*’ (2021), Policy DM1 of the London Borough of Harrow Council’s ‘*Development Management Policies*’ (2013) and guidance contained with the Council’s adopted Supplementary Planning Documents entitled ‘*Residential Design Guide*’ (2010).
- 28.5. On the topic of living conditions, the inspectorate concluded that, whilst volumes of storage have not been included, I consider the proposed locations would provide sufficient storage to meet the requirements. As such, the proposed dwelling would provide future intended occupiers with adequate living conditions to accord with Policy D6 of the ‘*London Plan*’ (2021), Policies DM1 and DM26 of the London Borough of Harrow Council’s ‘*Development Management Policies*’ (2013), guidance contained with the Council’s adopted Supplementary Planning Documents entitled ‘*Residential Design Guide*’ (2010) and with the Nationally Described Space Standards and the Mayor of London Housing Supplementary Planning Guidance.
- 28.6. The inspectorate concluded that, for the reasons given above, the appeal ought to be dismissed.

**29. 52 Bacon Lane, Edgware, HA8 5AP (Appeal Ref: [3325191](#))**

- 29.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission to “*Add additional storey; extend to front, rear and side; alter elevations and roof form, and all associated works*”.
- 29.2. The main issues were the effect of the proposed development on the character and appearance of the host property and its surroundings, and whether the proposal would constitute an overdevelopment of the site.
- 29.3. The inspectorate observed that, the extension’s rear wall would line up with the rear building line of 50 Bacon Lane, but No 50’s rear wall is sited that much further away from its rear garden boundary than would be the case with the appeal proposal. The inspectorate further commented that, in his opinion, the two-storey element, in view of its closeness to the rear boundary would be justifiably perceived by the closest of Camrose Avenue’s residents as dominating and overbearing when viewed from their gardens. Additionally, and taking account of its position south of Camrose Gardens, the two-storey element would cause harmful overshadowing of some of the gardens to the north at different times of the day and year. These aspects, to him, represent clear symptoms of

overdevelopment of the site as a result of the intention to build a two-storey proposal so close to the site's boundaries.

- 29.4. The inspectorate took onboard the appellants statement of case that the scheme would bring some benefits, such as upgrading a dwelling appearing to be in need of attention, and providing additional, enlarged family sized accommodation, thus enhancing the range of house types in a sustainable location. However, the inspectorate commented that the benefits did not outweigh the disadvantages of the scheme.
- 29.5. The inspectorate concluded that the proposal failed to accord with the aims of Policy DM1 of the London Borough of Harrow Council's *'Development Management Policies'* (2013) and Policy CS1B of the *'Harrow Core Strategy'* (2012), together with Policy D3 of the *'London Plan'* (2021).
- 29.6. The inspectorate concluded that, for the reasons given above, the appeal ought to be dismissed.

**30. 16 Parkthorne Close, Harrow, HA2 7BX (Appeal Ref: [3315137](#))**

- 30.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the *"change of use from residential dwelling (Use Class C3) to mixed use of dwelling (Use Class C3) and daycare nursery (Use Class E(f))"*.
- 30.2. The main issues were the effect of the proposed development on the living conditions of occupiers of neighbouring properties with particular regard to noise and disturbance, highway safety and the character and appearance of the area.
- 30.3. On topic of living conditions of occupiers of neighbouring properties, the inspectorate noted the presence of an external play area at the site. The inspectorate commented, due to its potential use by up to 9 children throughout the day, this would be likely to result in significant noise and activity through playing, talking and shouting. Given the very close relationship of this area with neighbouring properties and rear gardens, this would give rise to unacceptable noise levels that would unduly impact the peace and quiet that occupiers can reasonably expect in this residential area. Further noise and disturbance would arise from the vehicular and pedestrian comings and goings related to the picking up and dropping off of children.
- 30.4. As such, this aspect of the proposal would fail to comply with Policy D3(7) of the *'London Plan'* (2021) and Policies DM1 and DM46 of the London Borough of Harrow Council's *'Development Management Policies'* (2013).
- 30.5. On topic of highway safety, the inspectorate commented that, the increased movements and potential levels of on-street parking associated with the proposal would unduly affect the safe and efficient operation of the immediate highway network at Parkthorne Close.
- 30.6. As such, this aspect of the proposal would fail to comply with Policy T4 of the *'London Plan'* (2021) and Policies DM1, DM42 and DM46 of the London Borough of Harrow Council's *'Development Management Policies'* (2013).
- 30.7. On topic of character and appearance, the inspectorate commented that, the nature of the proposal is such that it would introduce a non-residential use to an otherwise residential area. The inspectorate

commented that the proposed change of use would result in a level of pedestrian and vehicular movements and noise and disturbance that would be out of character in a residential setting.

30.8. As such, this aspect of the proposal would fail to comply with Policy D3(7) and (11) of the '*London Plan*' (2021) and Policy DM1 of the London Borough of Harrow Council's '*Development Management Policies*' (2013).

30.9. The inspectorate concluded that, for the reasons given above, the appeal ought to be dismissed.

**31. 24 Dryden Road, Harrow, HA3 7JZ (Appeal Ref: [3318739](#))**

31.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the erection of a "*single storey side and rear extension to outbuilding (retrospective), part demolition of outbuilding*".

31.2. As a preliminary matter, the inspectorate highlighted that they have removed the term retention from the decision heading above as it is not a description of development which now reads "*demolition of link extension between the two outbuildings, retention of single storey side and rear extension to outbuilding*".

31.3. The main issues were whether the size and use of the extension affects the character of the area and the living conditions of neighbouring occupiers.

31.4. The inspectorate commented that, the extension sits tight in the rear corners of the site with limited views from public areas. The rear location ensures that the extension has little effect on the street scene. Given that an outbuilding of a similar size, covering the garden, could be built without planning permission, the inspectorate saw no reason why the effect of the extension on the character of the area would be any greater.

31.5. The inspectorate observed that the extension's height was reasonable, and its position at the bottom of the garden, was sufficiently distanced from the rear windows of the adjacent houses, so that there is no adverse overshadowing or significantly reduced levels of light to neighbouring houses.

31.6. The inspectorate commented further that, the purposes for which the extension is used are unlikely to generate a level of noise and disturbance to a degree that is harmful to neighbours, particularly given the size of the floorspace created.

31.7. As such, the inspectorate concluded that, the size and use of the extension would not have a harmful effect on the character of the area and the living conditions of neighbouring occupiers. Accordingly, there is no conflict with Policy CS1 of the '*Harrow Core Strategy*' (2012), Policy DM1 of the London Borough of Harrow Council's '*Development Management Policies*' (2013) and Policy D3 of the '*London Plan*' (2021).

31.8. For the reasons given above, the inspectorate concluded that the appeal ought to be allowed.



**32. 101-103 Headstone Road, Harrow, HA1 1PG (Appeal Ref: [3316920](#))**

- 32.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the *“Change of use of ground floor commercial space (sui generis to Class E), extension and remodelling of two no. existing first floor flats with rear dormer extensions and new entrance, cycle and refuse storage provision”*.
- 32.2. As a preliminary matter, the inspectorate highlighted that the description of development in the heading above has been taken from the planning application form.
- 32.3. The main issues was the effect of the proposal with particular regard to the dormer windows on the character and appearance of the host building and the surrounding area.
- 32.4. The inspectorate commented that, the dormer windows occupy a substantial proportion of the roof, leaving none of the original roof visible. I appreciate that the dormer windows are not set in from the gable end or from the eaves and are therefore not ‘visually contained’ which means that they do not technically accord with the Residential Design Guide Supplementary Planning Document (the SPD) (2010). However, notwithstanding the assessment of the Council, the SPD should not be applied prescriptively to the exclusion of all other factors, including the physical circumstances and context of a site.
- 32.5. The inspectorate took on board the Council’s point that there is no overriding character of overly large wide dormers in the area, like at the appeal site. However, the appellant drew to the inspectorate’s attention to other ‘box-like’ dormer windows and raised gable developments that are within the local area. Following site inspection, the inspectorate saw that there were some examples of dormer windows present on the upper floors of nearby mixed-use properties and a dormer window present on the roof of a nearby house, however, cannot be certain of their planning status.
- 32.6. The inspectorate observed that, whilst there are some views of the side of the dormer as it extends from the original gable end when approaching the site. The main extent and bulk of the dormer windows are not visible from the front street scene, the dormer windows are visible from properties within the terrace and whilst they are larger in scale and massing than the other existing dormer windows, they do not appear as incongruous.
- 32.7. As such, the inspectorate concluded that, that the dormer windows do not cause harm to the character and appearance of the host building and the surrounding area. Accordingly, there is no conflict with Policy CS1.B of the *‘Harrow Core Strategy’* (2012), Policy DM1 of the London Borough of Harrow Council’s *‘Development Management Policies’* (2013) and Policy D3 of the *‘London Plan’* (2021).
- 32.8. For the reasons given above, the inspectorate concluded that the appeal ought to be allowed.

**33. 419 Pinner Road, Harrow, HA1 4HN (Appeal Ref: [3311634](#))**

- 33.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission under Schedule 2, Part 1, Class A, Paragraph A4 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the *“proposed rear conservatory (materials to match the property)”*.

- 33.2. As a preliminary matter, the inspectorate highlighted that description of development used in the heading has been taken from the application form. The Council's Decision Notice uses a different description, but they have not been provided with any confirmation that this amended description had been agreed.
- 33.3. The main issue was whether the proposed development would be permitted development under Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 33.4. The Council refused the application citing that the developer has failed to provide consistent information on the application form and submitted drawings in relation to the maximum eaves height of the proposed development and therefore has failed to provide the information required by condition A.4(2) (a (iii)) of the above Order.
- 33.5. The inspectorate acknowledges that there is a difference between the measurement provided on the application form, however, the inspectorate observed that the submitted plans, which were drawn to scale and annotated with those measurements provided sufficient clarity to demonstrate that the proposed development falls within the permitted development allowances. Accordingly, the inspectorate found that the proposed development would comply with the conditions and limitations set out in the above Order.
- 33.6. For the above reasons, the inspectorate concluded that the appeal ought to be allowed, and prior approval is not required.
- 34. 20 Georgian Close, Stanmore HA7 3QT (Appeal Ref: [3329342](#))**
- 34.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for *"alterations and extension to raise roof height; three rear dormers, rooflights in front roofslope, two-storey front extension incorporating porch, front entrance canopy, single storey front garage extension, single and two-storey rear extension with conservatory"*.
- 34.2. As a procedural matter, the inspectorate draws reference to the Council's second reason for refusal over insufficient information being provided to assess the proposed raising of the appeal property's roof height within the context of the adjoining properties and the wider streetscene. The inspectorate highlights such information had been submitted as part of the appeal and has been considered, which was available to the Council in the determination of the appeal application.
- 34.3. The main issues were the effects of the proposed development on (a) the character and appearance of the host property and the streetscene and (b) the living conditions of the occupiers of 21 Georgian Close.
- 34.4. On the topic of character and appearance, the inspectorate commented that, the proposed enlargement of the garage would not be so conspicuous or obtrusive so as to adversely affect the character and appearance of the varied streetscene. There would remain a landscaped front garden associated with the property and the pattern of development in the streetscene would not be disrupted by the proposed single storey extension.

- 34.5. The inspectorate further observed that, although there would be an increase in the ridge height of the property, the resulting property would not be materially taller than No. 21 and it would still maintain the appearance of a 2-storey dwelling. The proposed roof alterations would not alter the hipped roof form and would not significantly affect the appearance of the property.
- 34.6. As such, various design elements would not conflict with Policy CS1.B of the '*Harrow Core Strategy*' (2012), Policy D3 of the '*London Plan*' (2021) or Policy DM1 of the London Borough of Harrow Council's '*Development Management Policies*' (2013).
- 34.7. On the topic of living conditions, the inspectorate observed that, although there would be some overshadowing and loss of outlook, the degree of change would not amount to unacceptable harm being caused to the occupiers of No. 21. Accordingly, on this issue it is concluded that the proposed development would not cause unacceptable harm to the living conditions of the occupiers of 21 Georgian Close and, as such, there would not be a conflict with Policy CS1.B of the '*Harrow Core Strategy*' (2012) or Policy DM1 of the London Borough of Harrow Council's '*Development Management Policies*' (2013).
- 34.8. The inspectorate concluded that, for the reasons given above, the appeal ought to be allowed.
- 35. 31 Brinsley Road, Harrow, HA5 5HY (Appeal Ref: [3328347](#))**
- 35.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the "*erection of a front porch, single storey rear extension, alterations to roof to form end gable, rear dormer and insertion of one rooflight in front roofslope; external alterations*".
- 35.2. As a procedural matter, the inspectorate highlighted that, although the Council had not provided the Appeal Questionnaire, there was sufficient information available for the assessment of the proposed development from the policies provided for other appeals being determined at the same time and the documents and drawings posted on the Council's application portal.
- 35.3. The main issues were the effect of the proposed development on the character and appearance of the host property and the surrounding area, including the streetscene.
- 35.4. The inspectorate observed that, the Council had not specifically objected to the single storey rear extension and front porch in its reason for refusal. Based upon what was observed during the site visit, there were no reasons to disagree with the Council's assessment. Thus, in response to the appellant's request, consideration has been given to the potential for a split decision to be issued.
- 35.5. The inspectorate drew attention to the scale and siting of the proposed rear dormer, considering it to be a visually and physically conspicuous addition to the property when viewed from Cypress Road. By reason of its width, the proposed dormer would not accord with the SPD's guidance because it would not be set in from either the edge of the extended gable roof or the midline shared between the property and No. 29. There would also only be limited setbacks from the ridge and eaves and would appear as an additional storey added to the property.
- 35.6. As such, it was concluded that the proposed alterations to the roof to form an end gable, rear dormer and the insertion of one rooflight in the front roofslope would conflict with Policy CS1.B of the '*Harrow*

*Core Strategy*’ (2012), Policy D3 of the *‘London Plan’* (2021), Policy DM1 of the London Borough of Harrow Council’s *‘Development Management Policies’* (2013) and guidance contained within the Council’s adopted Supplementary Planning Documents entitled *‘Residential Design Guide’* (2010).

35.7. The appeal is dismissed insofar as it relates to the alterations to the roof to form an end gable, rear dormer and the insertion of one rooflight in the front roofslope. The appeal is allowed and planning permission granted (subject to conditions) insofar as it relates to the erection of a front porch and single storey rear extension.

**36. 65 Lulworth Drive, Pinner, Middlesex, HA5 1NF (Appeal Ref: [3326367](#))**

36.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for a *“first floor side extension including rooflight to each front and rear roof slopes.”*

36.2. The main issues was the effect of the proposed extension on the character and appearance of the host property and its surroundings.

36.3. On the character and appearance, the inspectorate observed that, the extension would be entirely proportionate in scale to that of the host property. The design takes full account of other aspects of the SPD’s guidance in that its front wall would be slightly recessed and the ridge would be lower than that of the host property, thus ensuring subservience.

36.4. The inspectorate further observed that the extension would be set away from the side boundary thus avoiding a terracing effect (should next door’s residents ever contemplate a side extension). The fenestration proposed, including the rooflights, would sit comfortably with the main house’s window pattern.

36.5. The inspectorate concluded that the proposal adheres with Policy D3 of the *‘London Plan’* (2021) and Policy DM1 of the London Borough of Harrow Council’s *‘Development Management Policies’* (2013) together with Policy CS1.B of the *‘Harrow Core Strategy’* (2012) and guidance contained within the Council’s adopted Supplementary Planning Documents entitled *‘Residential Design Guide’* (2010).

36.6. For the reasons set out above, the inspectorate concluded that the appeal ought to be allowed subject to conditions.

**37. 76 Birchmead Avenue, Harrow, Pinner, HA5 2BH (Appeal Ref: [3317600](#))**

37.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the *“conversion of detached garage/outbuilding into self-contained 2 bed residential unit, external alterations; bin and cycle stores.”*

37.2. As a preliminary matter, the inspectorate highlighted the slightly amended description of the development proposed given in the appeal form, which reads *“conversion of single storey outbuilding to a residential unit (revised scheme)”*.

- 37.3. The main issues were the effect of the proposed development upon the character and appearance of the surrounding area, and whether the proposed development would provide acceptable living conditions for future occupiers; and whether the proposed development would be inappropriate development, with regard to the use of garden land.
- 37.4. On topic of character and appearance, the inspectorate observed the proposed development would be uncharacteristically shorter in height than other residential dwellings in the area. Stressing that this variation in the visual profile of the buildings would result in the proposed development becoming a discordant presence.
- 37.5. The inspectorate also commented that, there was no hedging and tree planting proposed which would be able to effectively lessen the overall visibility of the proposed development. Instead, the appeal site would be bounded by close boarded fences and an electric sliding entrance gate. Although views of the proposed building may be constrained, the gate and fencing itself would be highly visible, and would introduce a new form of segregation which would be uncharacteristic with the open, spacious design of the existing area.
- 37.6. Additionally, the front garden of the proposed development would be self-contained behind the sliding gate and would also be smaller than those found at nearby dwellings. In combination, these would highlight the contrasting effect the proposed development would have with the prevailing pattern of built form and established pattern of development along the road.
- 37.7. As such, the inspectorate concludes that the appeal scheme would harm the character and appearance of the surrounding area contrary to Policies D3.D(1) and D3.D(11) of the *'London Plan'* (2021), Policy CS1.B of the *'Harrow Core Strategy'* (2012) and Policies DM1 A., DM1 B. (a), (c) and (d), DM22 and DM23 of the London Borough of Harrow Council's *'Development Management Policies'* (2013) and guidance contained within the National Planning Policy Framework (2023).
- 37.8. On topic of living conditions, the inspectorate concluded that the proposed development would provide acceptable living conditions for future occupiers, delivering appropriate outlook, privacy and amenity in compliance with Policy D3.D(7) of the *'London Plan'* (2021) and Policies DM1 and DM23 of the London Borough of Harrow Council's *'Development Management Policies'* (2013) as well as guidance contained under Section 12 of the National Planning Policy Framework (2023).
- 37.9. On the topic of inappropriate development, the inspectorate concluded that, the proposed development would constitute inappropriate garden development, contrary to Policy CS1.B of the *'Harrow Core Strategy'* (2012), contrary to guidance contained within the Council's adopted Supplementary Planning Documents entitled *'Residential Design Guide'* (2010) as well as guidance contained under Section 5 of the National Planning Policy Framework (2023).
- 37.10. For the reasons given above, the inspectorate concluded that the appeal ought to be dismissed.

**38. 161 Whitchurch Lane, Harrow, Edgware, HA8 6QS (Appeal Ref: [3312446](#))**

- 38.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) for

the “*demolishing of existing part rear extension and replacing with part 3m and part 6 metre rear extension with 1 No rooflight.*”.

- 38.2. The main issue of the appeal is whether the proposed development would be granted planning permission by Article 3, Schedule 2, Part 1, Class A of the GPDO and the impact of the proposed development on the amenity of adjoining premises with regard to outlook and daylight/sunlight.
- 38.3. The inspectorate observed that, based on the evidence before them, there appeared to be limited change from the previous scheme under reference P/1138/21/PRIOR with the main change being that the rearmost part of the extension would move slightly closer to the neighbouring property at No 159.
- 38.4. The inspectorate commented that, only a limited proportion of the proposed extension would be readily visible on the neighbouring property No 163. and there is sufficient separation distance to ensure that the proposed development would not result in an unreasonable degree of harm in terms of outlook and daylight/sunlight.
- 38.5. The inspectorate concluded that, the proposed development would not have an unacceptable impact on the amenity of adjoining premises with regard to outlook and daylight/sunlight. It would therefore meet the requirements of the above Order and also accord with Policy DM1 of the London Borough of Harrow Council’s ‘*Development Management Policies*’ (2013).
- 38.6. For the reasons given above, the inspectorate concluded that the appeal ought to be allowed and prior approval should be granted.

**39. 138 Arundel Drive, Harrow, HA2 8PP (Appeal Ref: [3329158](#))**

- 39.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for a “*ground and first-floor rear extension*”.
- 39.2. The main issues of the proposed extensions are the effects on the character and appearance of the host property and its surroundings, and on the living conditions of the neighbouring residents at 136 Arundel Drive with particular reference to light and visual impact.
- 39.3. On topic of character and appearance, the inspectorate commented that the link would extend the dwelling excessively, but to my mind its unobtrusive nature and simple design would not prove harmful, in the context of the dwelling’s design and siting. The inspectorate went onto further express that the first-floor extension would be of a modest size and its design, particularly that of its roof, would mean that the finished product would blend harmoniously with the host property.
- 39.4. As such, the inspectorate concludes that proposals as a whole could be built without harming the character and appearance of the host property or its surroundings in accordance with Policy D3 of the ‘*London Plan*’ (2021), Policy CS1.B of the ‘*Harrow Core Strategy*’ (2012) and Policies DM1 of the London Borough of Harrow Council’s ‘*Development Management Policies*’ (2013).
- 39.5. On topic of living conditions, the inspectorate concluded that the proposed development would not harm the living conditions of the neighbouring residents at No 136 by reason of loss of light or visual impact. The proposed development would not therefore be in conflict with those provisions of Policy

D3 D(7) of the *'London Plan'* (2021) and Policy DM1 of the London Borough of Harrow Council's *'Development Management Policies'* (2013).

39.6. For the reasons given above, the inspectorate concluded that, subject to conditions, the appeal ought to be allowed.

**40. 316 Station Road, Harrow, HA1 2DX (Appeal Ref: [3314989](#))**

40.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a failure to give notice within the prescribed period of a decision on an application for planning permission for the *"demolition and redevelopment to include 6 residential flats and commercial premises at ground floor"*.

40.2. The main issues was the effect of the proposal on the character and appearance of the area, and the living conditions of the occupants of 318 Station Road (No.318) and Flat 7, 314 Station Road (Flat 7) with particular regard to outlook, daylight and sunlight.

40.3. On the character and appearance, the inspectorate commented that, the massing and scale of the proposed development would be significantly larger than No.318. It would substantially alter the balance of the principal elevations of the properties and dwarf the remaining half of the pair. The proposal would unduly remove the sense of symmetry.

40.4. The inspectorate further emphasised that, it would result in a relatively narrow and incongruous gap in the street scene at upper level. There would be a harmful visual contrast in both appearance and scale between the remaining property at No.318 and the immediately surrounding buildings which would diminish the character of the area contrary to the objectives of Harrow and Wealdstone Area Action Plan (2013) in efforts to create a harmonious street scene.

40.5. As such, the inspectorate concluded that the above harm would lead to conflict with Policy D3 of the *'London Plan'* (2021), Policy CS1.B of the *'Harrow Core Strategy'* (2012) and Policy DM1 (A and B) of the London Borough of Harrow Council's *'Development Management Policies'* (2013).

40.6. On topic of living conditions, the inspectorate concluded that, on the basis of the information them, the location and scale of the proposed development would have an unacceptably harmful effect on the living conditions of the occupants of No.318 with particular regard to outlook. The proposal would also have an unacceptably harmful effect on the living conditions of the occupants of No.314, Flat 7 with particular regard to outlook, daylight and sunlight.

40.7. As such, the inspectorate concluded that the above harm would lead to conflict with Policy DM1 (C and D) of the London Borough of Harrow Council's *'Development Management Policies'* (2013) and objectives of Policy AAP4 (B) of Harrow and Wealdstone Area Action Plan (2013) and Harrow Council's adopted Supplementary Planning Documents entitled *'Residential Design Guide'* (2010).

40.8. For the above-mentioned reasons, the inspectorate concluded that the appeal ought to be dismissed.

**41. 36 Roxborough Park, Harrow, HA1 3AY (Appeal A Ref: [3321873](#))**

41.1. The appeal was made under Section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991 against an enforcement notice issued by the London Borough of Harrow on April 11<sup>th</sup>, 2023.

41.2. The breach of planning control as alleged in the notice is, without planning permission:

- the unauthorised construction of hard surfacing on the forecourt of the dwellinghouse in a conservation area. (“Unauthorised Hardstanding”).
- The unauthorised installation of a black gate fitted at the northern elevation of the dwellinghouse in a conservation area (“Unauthorised Gate”) (“Unauthorised Development”).

41.3. The requirements of the notice were:

- Remove the Unauthorised Hardsurfacing and reinstate soft landscaping;
- Remove the Unauthorised Gate positioned at the northern elevation and reinstate pre-existing boundary treatment;
- Remove from the Land all materials and debris arising from compliance with the aforementioned requirement of the notice.
- The period for compliance with the requirements is: Three (3) calendar months.

41.4. As a preliminary matter, it is directed that the enforcement notice be corrected and varied by:

- At paragraph 5.1, the insertion of the words ‘which has been removed to facilitate the Unauthorised Development’ so that it reads ‘Remove the Unauthorised Hardsurfacing and reinstate soft landscaping which has been removed to facilitate the Unauthorised Development’.
- At paragraph 5.2, the deletion of the words ‘and reinstate pre-existing boundary treatment’ and the insertion of the words ‘OR reduce the height of the Unauthorised Gate to no more than 2 metres above ground level.’, so that it reads ‘Remove the Unauthorised Gate positioned at the northern elevation OR reduce the height of the Unauthorised Gate to no more than 2 metres above ground level.’

41.5. The appeal on ground (c) is made on the basis that the matters stated in the notice (if they occurred) do not constitute a breach of planning control. In an appeal under ground (c), the burden of proof<sup>1</sup> is firmly on the appellant. The main thrust of the appellant’s case under ground (c) is that the gate and hard surfacing are permitted by the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended)(the GPDO).

41.6. The inspectorate acknowledged the appellant suggestion that the substantial parts of the gate are 1.8m high, with parts of the decorative framework only marginally exceeding 2m. However, the inspectorate did not consider the exceedance to be marginal. Commenting that, since permitted development rights only apply when the development fully accords with the limitations set out in the GPDO, there cannot be any, even a ‘*de minimis*’ infringement of that requirement. Since the gate exceeds 2m in height, planning permission is not granted by the GPDO.

41.7. With regards to the area of hard surfacing, the inspectorate commented that, it had not been shown that the hard surfacing is made of porous materials or that it would comply with the conditions and



limitations of the GPDO. The appellant states they are willing to reinforce its permeability with a drainage channel, however, the GPDO does not grant retrospective planning permission. Consequently, permission is not granted by the GPDO.

- 41.8. An appeal under ground (a) was made on the basis that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted. The inspectorate concluded that the appeal scheme conflicts with the development plan as a whole and there are no material considerations which indicate that the decision should be taken otherwise in accordance with the development plan.
- 41.9. An appeal under ground (f) was made on the basis that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach. The inspectorate commented on the removal of “the upper decorative framework of each gate and ensure that no part of the gate exceeds 2m in height from the finished floor level” so to accord with the wording of the GPDO, the requirement should be varied to give the appellant the option to ‘reduce the height of the gate to no more than 2 metres above ground level.’ However, with regards to overcoming the hard surfacing through installation of a drainage channel along the front edge of the site the inspectorate considered it not sufficiently precise to do so and so the appellant would not know what they had to do. For this reason, the appeal under ground (f) succeeds in part and I shall vary the notice accordingly.
- 41.10. The inspectorate concluded that, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended. Notwithstanding the above, they shall vary the enforcement notice.

**42. Willow Mead, Pinner Hill, Pinner, Harrow, HA5 3XU (Appeal Ref: [3317014](#))**

- 42.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the “*demolition of existing dwellinghouse and replacement with new dwellinghouse*”.
- 42.2. The main issues was the effect of the proposed development on the character and appearance of the area, including whether it would preserve or enhance the character or appearance of the Pinner Hill Estate Conservation Area and the effect of the proposed development on biodiversity and ecology.
- 42.3. On the topic of character and appearance, the inspectorate commented that, whilst the scale and massing of the proposed dwelling would be in keeping with what currently exists on the site, the proposed new dwellinghouse would have a modern/contemporary form and design.
- 42.4. The inspectorate observed that, the proposal would fail to reflect the style and appearance of the existing property and those nearby, including their characterful features such as, prominent gabled ends facing various directions, tall chimney stacks and fenestration detailing. To this end, the design and type of the proposed fenestration detailing which lacks the more traditional proportions and vertical emphasis, inset terraces at first floor level and roof lights would not correspond with the architectural detailing of the existing property and other buildings in the area which would appear overly prominent in this setting in comparison to other properties.

- 42.5. As such, the inspectorate concluded that, the proposal fell contrary to Policies D3 D(1), D3 D(11) and Policy HC1 C of the '*London Plan*' (2021), Policies CS1.B, CS1.D, and CS6.A of the '*Harrow Core Strategy*' (2012), Policies DM1 A, DM1 B (a), (b), (c), DM6 A (a), (b), DM6 C, DM7 A, DM7 B (a), (b), and DM7 D of the London Borough of Harrow Council's '*Development Management Policies*' (2013), guidance contained within the Council's adopted Supplementary Planning Documents entitled '*Residential Design Guide*' (2010) and the Pinner Hill Conservation Area Appraisal and Management Strategy (2009).
- 42.6. On the topic of biodiversity and ecology, the inspectorate commented that, whilst the proposed biodiversity net gain was under 20% which is claimed to be the required figure, he/she was persuaded that the uplift in Biodiversity Net Gain on site is considered suitable enhancement for a single replacement dwelling. On this basis, concluded that the proposed development would not have an unacceptable impact on biodiversity and ecology in accordance with Policies G6 A, G6 C and G6 D of the '*London Plan*' (2021), Policies DM20 A, DM20 B and DM21 A (e) of the London Borough of Harrow Council's '*Development Management Policies*' (2013) and the Harrow Council Biodiversity Action Plan (2015-2020).
- 42.7. For the reasons set out above, the inspectorate concluded that the appeal ought to be dismissed.

**43. 34 Roxborough Park, Harrow, HA1 3AY (Appeal Ref: [3321875](#))**

- 43.1. The appeal was made under Section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991 against an enforcement notice issued by the London Borough of Harrow on April 11<sup>th</sup>, 2023.
- 43.2. The breach of planning control as alleged in the notice is, without planning permission:
- the unauthorised construction of hard surfacing on the forecourt of the dwellinghouse in a conservation area. ("Unauthorised Hardstanding").
  - The unauthorised installation of a black gate fitted at the northern elevation of the dwellinghouse in a conservation area ("Unauthorised Gate").
- 43.3. The requirements of the notice were:
- Remove the Unauthorised Hardsurfacing and reinstate soft landscaping;
  - Remove the Unauthorised Gate positioned at the northern elevation and reinstate pre-existing boundary treatment;
  - Remove from the Land all materials and debris arising from compliance with the aforementioned requirement of the notice.
  - The period for compliance with the requirements is: Three (3) calendar months.
- 43.4. As a preliminary matter, it is directed that the enforcement notice be corrected and varied by:
- At paragraph 3.2, the deletion of the word 'northern' and the substitution with 'southern' so that it reads 'The installation of a black gate fitted at the southern elevation of the dwellinghouse in a conservation area ("Unauthorised Gate")'

- At paragraph 5.1, the insertion of the words ‘which has been removed to facilitate the Unauthorised Development’, so that it reads ‘Remove the Unauthorised Hardsurfacing and reinstate soft landscaping which has been removed to facilitate the Unauthorised Development’.
- At paragraph 5.2, the deletion of the word ‘northern’ and the insertion of the word ‘southern’ and the deletion of the words ‘and reinstate pre-existing boundary treatment’ and the insertion of the words ‘OR reduce the height of the Unauthorised Gate to no more than 2 metres above ground level.’, so that it reads ‘Remove the Unauthorised Gate positioned at the southern elevation OR reduce the height of the Unauthorised Gate to no more than 2 metres above ground level.’

43.5. The appeal on ground (c) is made on the basis that the matters stated in the notice (if they occurred) do not constitute a breach of planning control. In an appeal under ground (c), the burden of proof<sup>1</sup> is firmly on the appellant. The main thrust of the appellant’s case under ground (c) is that the gate and hard surfacing are permitted by the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended)(the GPDO).

43.6. The inspectorate acknowledged the appellant suggestion that the substantial parts of the gate are 1.8m high, with parts of the decorative framework only marginally exceeding 2m. However, the inspectorate did not consider the exceedance to be marginal. Commenting that, since permitted development rights only apply when the development fully accords with the limitations set out in the GPDO, there cannot be any, even a ‘*de minimis*’ infringement of that requirement. Since the gate exceeds 2m in height, planning permission is not granted by the GPDO.

43.7. With regards to the area of hard surfacing, the inspectorate commented that, it had not been shown that the hard surfacing is made of porous materials or that it would comply with the conditions and limitations of the GPDO. The appellant states they are willing to reinforce its permeability with a drainage channel, however, the GPDO does not grant retrospective planning permission. Consequently, permission is not granted by the GPDO.

43.8. The inspectorate further observed that the hard surface has been constructed of paving blocks, with a channel drain between the appeal site and the pavement. While the appellant may believe that the hard surface is constructed of a porous material, I have no substantive evidence to show that this is the case. The inspectorate concluded that, the gate and hard surfacing are not permitted by the GPDO and express planning permission is required. The appeal under ground (c) must therefore fail.

43.9. The inspectorate concluded that, on appeal ground (a), the appeal scheme harms the character and appearance of the area and the setting of the nearby locally listed buildings and fails to preserve the character or appearance of the Conservation Area, contrary to policy HC1 of the ‘*London Plan*’ (2021), Policy CS1 of the ‘*Harrow Core Strategy*’ (2012) and Policies DM1 and DM7 of the London Borough of Harrow Council’s ‘*Development Management Policies*’ (2013) and the Roxborough Park and the Grove Conservation Area Appraisal and Management Strategy (2008).

43.10. The inspectorate concluded that, on appeal ground (g), with regards to the gate, the requirement could read “remove the upper decorative framework of each gate and ensure that no part of the gate exceeds 2m in height from the finished floor level.” However, to accord with the wording of the GPDO and to ensure that the requirement is not overly restrictive, I consider the requirement should be varied to give the appellant the option to ‘reduce the height of the gate to no more than 2 metres above ground level.’.

43.11. With regards to the hard surfacing, the suggestion made by the appellant to its wording: to allow a remedy, the inspectorate considered it is not sufficiently precise to enable the appellant to know what they had to do, therefore variation here was rejected.

43.12. For the reasons above, the inspectorate concluded that, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended. Notwithstanding the above, variations to the enforcement notice as mentioned above shall be made.

**44. 2 Roxborough Park, Harrow, HA1 3BE (Appeal Ref: [3322738](#))**

44.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for *“landscape works including amphitheatre feature and shed on raised base”*.

44.2. The main issue was the effect of the proposed development on the character and appearance of the locally listed host property and surrounding area, including whether it would preserve or enhance the character or appearance of the Roxborough Park and the Grove Conservation Area.

44.3. The inspectorate, commented that, in light of the nature of the development and its location to the west at basement level, the main property continues to be the most visible element from public vantage points and is of a larger scale and mass in comparison to the basement level.

44.4. Consequently, the inspectorate concluded that the development does not unacceptably harm the character and appearance of the locally listed host property and surrounding area and preserves the character and appearance of the Conservation Area in accordance with Policies D3 (D(1) and (11)) and HC1 of the *‘London Plan’* (2021), Policies CS1.B of the *‘Harrow Core Strategy’* (2012), Policies DM1 A, DM1 B (a), (b) and (c) and DM7 of the London Borough of Harrow Council’s *‘Development Management Policies’* (2013) and Harrow Council’s adopted Supplementary Planning Documents entitled *‘Residential Design Guide’* (2010).

44.5. For the above-mentioned reasons, the inspectorate concluded that the appeal ought to be allowed.

**45. Garages adjacent to 5 Pinewood Close, Pinner, Harrow, HA5 4BW (Appeal Ref: [3323290](#))**

45.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the *“demolition of a single storey row of garage and the erection of a 2-storey building comprising of 2 residential dwellings (Class C3) with associated car parking, cycle and waste storage and landscaping”*.

45.2. The main issue in this case are the effects of the proposed development on the living conditions of the occupants of 66, 68 and 70 Rowlands Avenue, 4 and 5 Pinewood Close, with regards to outlook and privacy. The effect of the proposal in the character and appearance of the area, and whether the proposed dwellings would provide satisfactory living conditions for future occupants, having regard to light and outlook.

- 45.3. On topic of living conditions (existing occupiers), the inspectorate commented that, the outlook in the modest rear gardens of Nos 68 and 70 would be dominated by the close proximity of a solid wall, and this would make these outside spaces significantly less pleasant for the occupants of these dwellings to use. Concluding that, the proposal would have a significant harmful effect on the living conditions of the occupants of 68 and 70 Rowlands Avenue with regards outlook, and the occupants of 4 and 5 Pinewood Close, with regards privacy. The inspectorate did not find harm arising on the living conditions of future occupants since there was adequate outlook and natural light.
- 45.4. As such, the inspectorate concluded that, the proposal falls contrary to Policy CS1 of the *'Harrow Core Strategy'* (2012), Policies DM1 of the London Borough of Harrow Council's *'Development Management Policies'* (2013), and guidance contained within the Council's adopted Supplementary Planning Documents entitled *'Residential Design Guide'* (2010).
- 45.5. On topic of character and appearance, the inspectorate commented that, on various elements he/she found the proposal would have a significant harmful effect on the character and appearance of the area. In this regard, the proposal would conflict with Policies D3 and G7 of the *'London Plan'* (2021), Policies DM1 and DM22 of the London Borough of Harrow Council's *'Development Management Policies'* (2013) and CS1 of the *'Harrow Core Strategy'* (2012).
- 45.6. For the reasons stated above, the inspectorate concluded that the appeal ought to be dismissed.

**46. 2 Fallowfield, Harrow, Stanmore, HA7 3DF (Appeal Ref: [3315394](#))**

- 46.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a failure to give notice within the prescribed period of a decision on an application for planning permission for the *"demolition of existing house and erection of a new building housing 1 replacement and 5 new dwellings across ground, first and roof level with associated bins, cycle store, new and extended drop kerbs and parking bays"*.
- 46.2. The inspectorate acknowledges that, the Council advised that had it made a decision, the application would have been refused for various reasons, on which the appellant has had the opportunity to comment.
- 46.3. The main issues were the effect of the proposal on the character and appearance of the area. Whether the proposed development would provide appropriate living conditions for future occupiers, with particular regard to internal space provision and privacy. The effect of the proposed development on the living conditions of surrounding occupiers, with particular regard to outlook, privacy, and noise and disturbance. The effect of the proposed development on highway safety. The effect of the proposal on local drainage, and the risk of flooding.
- 46.4. On the topic of character and design, the inspectorate observed that, in addition to incongruity with its surroundings outside of the Little Common Conservation Area, the proposal would fail to preserve or enhance the character or appearance of the Conservation Area itself. The inspectorate concluded that the proposed development would conflict with Policy CS1 of the *'Harrow Core Strategy'* (2012), Policies DM1, DM7 and DM22 of the London Borough of Harrow Council's *'Development Management Policies'* (2013) and Policies D1, D3, HC1 and G7 of the *'London Plan'* (2021).

- 46.5. On the topic of living conditions (future occupiers), the inspectorate observed that, less than 75% of the gross internal area of each dwelling would achieve the minimum floor-to-ceiling height of 2.5 metres. Moreover, usability of the rear gardens of the ground floor flats would be compromised by overshadowing, inaccessible or impractical for use. The inspectorate concluded that the proposed development would not provide acceptable living conditions for future occupiers, thus in conflict with Policies DM1 and DM27 of the London Borough of Harrow Council's *'Development Management Policies'* (2013) as well as Policies D3 and D6 of the *'London Plan'* (2021).
- 46.6. On the topic of living conditions (surrounding occupiers), the inspectorate observed that, the height and position of the building would lead to an overbearing impact on the occupiers of No. 3 in views from areas to the front and rear of that property, leading to a sense of enclosure and restriction of outlook. The inspectorate concluded that the proposed development would have a harmful impact on the living conditions of surrounding occupiers with regard to outlook and privacy and would conflict with Policy DM1 of the London Borough of Harrow Council's *'Development Management Policies'* (2013) and Policy D3 of the *'London Plan'* (2021).
- 46.7. On the topic of highway safety, the inspectorate observed that, the additional demand for on-street parking could lead to excess parking demand, which could potentially lead to unsafe on-street parking and congestion, this would harm highway safety. Moreover, the proposed width of one of the planned vehicular crossovers would limit any opportunity for pedestrian refuge and present a hazard to users of the pavement, which would also be harmful to highway safety. The inspectorate concluded that the proposed development would conflict with Policies DM1 and DM42 of the London Borough of Harrow Council's *'Development Management Policies'* (2013) and Policies T4, T5 and T6 of the *'London Plan'* (2021).
- 46.8. On the topic of drainage and flood risk, the inspectorate acknowledged that, flooding from the watercourse to adjacent properties occurred some years ago during works on the appeal site. In the absence of information, the proposed development would have a harmful impact on local drainage and potentially increase the risk of flooding. The inspectorate concluded that the proposed development would conflict with Policy CS1 of the *'Harrow Core Strategy'* (2012), Policies DM 9, DM10 and DM11 of the London Borough of Harrow Council's *'Development Management Policies'* (2013), Policies SI12 and SI13 of the *'London Plan'* (2021).
- 46.9. For the reasons stated above, the inspectorate concluded that the appeal ought to be dismissed.

**47. 125 and 125a Vaughan Road, West Harrow, Harrow, HA1 4EF (Appeal Ref: [3313970](#))**

- 47.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the *"demolition of a pair of existing dwellinghouses and the construction of six flats and associated amenity space"*.
- 47.2. As a preliminary matter, the inspectorate highlights that, the appellant has submitted an amended internal layout for proposed Flat 1, in order to overcome the Council's concern in respect of the vertical stacking between proposed Flats 1 and 3. Whilst no comments had been provided by the Council in respect of this amended layout, they have had an opportunity to do so.
- 47.3. The main issues were the effect of the proposal on the character and appearance of the area. Whether the proposed development would provide appropriate living conditions for future occupiers, with

regard to outlook, as well as noise and disturbance from 'vertical stacking'. Whether the proposal makes adequate provision for car parking.

- 47.4. On the topic of character and appearance, the inspectorate observed that, from angled views the depth of the flat roof section would be visible, however it would be partially screened by the neighbouring properties either side, and there are other examples of crown roofs and dormers in the vicinity. As such, the inspectorate concluded that, the roof design is not considered to be an unduly bulky, excessive or incongruous feature that is at odds with the wider street scene and found no conflict against Policy CS1 of the '*Harrow Core Strategy*' (2012), Policy DM1 of the London Borough of Harrow Council's '*Development Management Policies*' (2013), Policy D3 of the '*London Plan*' (2021) or against guidance contained within Harrow Council's adopted Supplementary Planning Documents entitled '*Residential Design Guide*' (2010).
- 47.5. On the topic of living conditions, the inspectorate commented that future occupiers of the flats within the roof space, as well as the flats at ground and first floor levels, would be provided with acceptable levels of daylight, sunlight and outlook. The inspectorate concluded that, in view of the amended layout, the appeal proposal would comply with Policy DM26(b) of the London Borough of Harrow Council's '*Development Management Policies*' (2013) and guidance contained within Harrow Council's adopted Supplementary Planning Documents entitled '*Residential Design Guide*' (2010).
- 47.6. On the topic of car parking, the inspectorate observed that the site lies within a sustainable location, the removal of a parking space, including the reinstatement of the footway as detailed on the proposed plans, would allow for more on-street parking to be provided as compensation. The inspectorate concluded that, in light of the above, the proposal complies with Policies T5, T6 and T6.1 of the '*London Plan*' (2021) and Policy CS1 of the '*Harrow Core Strategy*' (2012).
- 47.7. For the reasons stated above, the inspectorate concluded that, subject to conditions, the appeal ought to be allowed.

**48. 12 Savernake Court, Wolverton Road, Stanmore, HA7 2RA (Appeal Ref: [3316489](#))**

- 48.1. The appeal was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the "*erection of a new detached dwelling*".
- 48.2. The main issue were whether the principle of developing the land is acceptable, the effect of the development on the character and appearance of its surroundings, and the effect of the development on the living conditions of the residents of 12 Savernake Court with reference to light, outlook and visual impact.
- 48.3. On the principle of development in the area proposed, the inspectorate commented that the space in this frontage between 12 Savernake Court and Omega Cottage represents a clear gap both visually and physically. Concluding that whilst the proposal conflicts with the provisions of Policy CS1(B) of the '*Harrow Core Strategy*' (2012) directed to the development of garden land, this is a case the inspectorate was persuaded that an exception is justified having regard to the content from the Council's Supplementary Planning Documents entitled '*Residential Design Guide*' (2010) on gap sites, which he/she regarded as a weighty material consideration.

48.4. On the topic of character and appearance, the inspectorate observed the appearance of the adjacent semi-detached properties, which display dormer windows, therefore the inspectorate did not share the Council's view that the design of the dwelling would prove harmful. Instead, the inspectorate commented that that the resultant dwelling would be perceived as having been squeezed onto the site, and the site would thus take on a cramped and overdeveloped appearance. Concluding that the proposal would harm the character and appearance of its surroundings in clear conflict with the provisions of Policies CS1B of the '*Harrow Core Strategy*' (2012) and Policy DM1 of the London Borough of Harrow Council's '*Development Management Policies*' (2013).

48.5. On the topic of living conditions, the inspectorate commented that, in his/her opinion, No 12's residents, taking account of the loss of openness now experienced at the rear, would feel oppressed and hemmed-in by this development were it built. Concluding that it's visual impact upon them would prove harmful contrary to the provisions of Policy DM1 of the London Borough of Harrow Council's '*Development Management Policies*' (2013) designed to protect residential amenity.

48.6. For the reasons stated above, the inspectorate concluded that, the appeal ought to be dismissed.

**49. 165 Locket Road, Wealdstone, Harrow, HA3 7NY (Appeal Ref: [3305405](#))**

49.1. The appeal was made under Section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991 against an enforcement notice issued by the London Borough of Harrow on July 22<sup>nd</sup>, 2023.

49.2. The breach of planning control as alleged in the notice is, without planning permission:

- the material change of use of the land from use as a single-family dwelling house to use as two separate self-contained flats ('the unauthorised use'); and
- the unauthorised construction of a single storey wooden and perplex canopy structure to the rear of the dwelling house ('the unauthorised development').

49.3. The requirements of the notice were:

- Cease the unauthorised use of the land as flats;
- Remove all kitchens from the land except one;
- Remove all bathrooms from the land except two;
- Remove all internal partitions from the main dwelling house that enables (*sic*) the unauthorised use and altered (*sic*) the ground floor layout in accordance with the drawing no P-02 for the planning application reference P/0298/21.
- Remove the boundary fence from the rear garden that enables the separation of the rear garden, as shown with a solid blue line on the plan attached to the notice;
- Demolish the unauthorised development hatched in black on the attached plan;
- Remove from the land all materials and debris arising from compliance with the aforementioned requirements of the notice;
- The period for compliance with the requirements is six months.

49.4. Ground (a) appeal was the effect of the canopy on the character and appearance of the area. The inspectorate observed that the footprint of the canopy has led to a markedly more built-up feel, entirely at odds with the greater sense of spaciousness at properties in the environs. The inspectorate



concluded that the canopy causes unacceptable harm to the character and appearance of the area in conflict with Policy DM1 of the London Borough of Harrow Council's *'Development Management Policies'* (2013) and Policy D3 of the *'London Plan'* (2021) and that the ground (a) appeal should not succeed.

49.5. Ground (b) appeal was that the matters alleged in the notice have not, in fact, occurred and ground (c) that those matters (if they occurred) did not constitute a breach of planning control. The inspectorate observed that a smaller area on the ground floor provides one-bedroom accommodation and is separate from the rest of the property, with its own kitchen and bathroom. This area also has access to part of the rear garden which has been fenced off from the remainder. The inspectorate commented that, in light of the above, it has the ability to afford to those who use it the facilities required for day-to-day private domestic existence, this being the distinctive characteristic of a dwellinghouse according to established case law. The inspectorate concluded that the matters alleged have in fact occurred and the ground (b) appeal fails.

49.6. Ground (c) appeal was that the living accommodation is all part and parcel of the same residential planning unit in use as a single dwellinghouse and that the property is not in use as more than one dwelling. The inspectorate concluded that, from the evidence before him, as a matter of fact and degree and on the balance of probability, g. It follows that there is no material change of use and in the absence of any development no breach of planning control in this respect. The consequences of the above findings are that the ground (c) appeal succeeds in part. Therefore, it is necessary to correct the notice by deleting reference to the material change of use to two self-contained flats in the allegation.

49.7. Ground (d) appeal was that it was too late to take enforcement action against the matter alleged in the notice. The inspectorate examined the Council's aerial images showing that a building with a footprint similar to that of the canopy was not in situ prior to March 2020, therefore, it is highly likely that the operations involved in its erection were undertaken less than four years prior to the date of the notice (although not substantially complete due to its roof). The inspectorate concluded that, based on the available evidence and on the balance of probability, it was not too late to take enforcement action against the canopy, the appellant has been unable to show otherwise and the ground (d) appeal fails.

49.8. Ground (f) appeal was that the notice requirements are excessive. The inspectorate concluded the notice requirements are not excessive-they are a proportionate remedy being the minimum necessary to remedy the breach. The ground (f) appeal also fails.

49.9. For the reasons given above, the inspectorate concludes that the appeal should not succeed and upholds the enforcement notice (with corrections) and refuse to grant planning permission on the deemed application.

**50. 1 Land at 29 Westleigh Gardens, Edgware, HA8 5SQ (Appeal Ref: [3296808](#))**

50.1. The appeal was made under Section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991 against an enforcement notice issued by the London Borough of Harrow on March 3<sup>rd</sup>, 2023.

50.2. The breach of planning control as alleged in the notice is, without planning permission:

- the material change of use of the land from a single family dwellinghouse to use as three self-contained flats.

50.3. The requirements of the notice are:

- Cease the unauthorised use as flats;
- Remove all kitchens from the land except one;
- Removal (*sic*) all bathrooms from the land except two;
- Remove all internal partitions, doorbells and other paraphernalia from the host building on the land that enables the unauthorised use of the land as flats;
- Remove from the land all materials and debris arising from compliance with the aforementioned requirements of the notice;
- The period for compliance with the requirement is six months.

50.4. As a preliminary matter, the inspectorate highlights that, during the course of these proceedings, the Council suggested that I should exercise the power available in s176 (1) of the Act to correct the notice so that the allegation is one of a mixed use as an HMO and a flat. The inspectorate stressed that, to correct the notice as suggested would cause injustice to the appellant. It would undermine the basis of their ground (d) appeal, a mixed use being subject to the ten-year period for taking enforcement action in s171B (3) of the Act.

50.5. Ground (d) appeal was that it was too late to take enforcement action against the matter alleged in the notice. The inspectorate found that on the balance of probability the appellant had provided sufficiently precise and unambiguous evidence in respect of the continuity in the use of the property as three self-contained flats for a period of more than four years prior to the date of the notice. The matters raised by the Council did not materially affect the weight that should be given to the appellant's evidence. Those matters did not cast doubt on the appellant's evidence or make their version of events less than probable.

50.6. For the reasons given above, the inspectorate concluded that, the appeal should succeed on ground (d). Accordingly, the enforcement notice will be quashed.

**51. The Castle Public House, 30 West Street, Harrow, HA1 3EF (Appeal A Ref: [3310606](#)) (Appeal B Ref: [3315578](#))**

51.1. Appeal A was made under Section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the installation and erection of a "concrete steps and handrail".

51.2. The breach of planning control as alleged in the notice is, without planning permission:

- the installation of access steps with handrail to the rear section of the Land as shown hatched black on Plan 2 attached hereto ("the Unauthorised Steps") and the erection of a timber fence and door enclosing the north western elevation shown edged in blue of the pergola which is located within the Land as shown cross-hatched black ("the Unauthorised Pergola Enclosure").

51.3. The requirements of the notice were:

- Remove the Unauthorised Steps from the Land;
- Remove the Unauthorised Pergola Enclosure edged in blue and carry out works to the pergola in accordance with the approved plan of planning permission reference P/3890/21 dated 16 November 2021;
- Remove from the Land all materials and debris arising from compliance with paragraphs 4.1 and 4.2 of this notice;
- The period for compliance with the requirements is 2 calendar months.

51.4. As a preliminary matter, the inspectorate highlights that, the development in each appeal is essentially the same, except that Appeal A proposes an alternative handrail design for the steps and Appeal B additionally includes a section of a timber fence and door enclosing the north western elevation of an existing pergola. Therefore, the inspectorate has considered both appeals together.

51.5. The main issues for both appeals were the effect of the appeal development on the character and appearance of the area, including the Harrow on the Hill Conservation Area and the setting of the adjacent listed building on the appeal site and the effect of the appeal development on the living conditions of adjoining occupiers, with particular regard to privacy, noise and disturbance.

51.6. The inspectorate observed that, the appeals concern development in the back garden of the public house, for this reason there would be no effect on the listed building itself or any of its features. The wrought iron handrail proposed in Appeal A, would reflect traditional treatments seen elsewhere in the Conservation Area. The inspectorate did not consider the timber fence and door attacked by the notice to have a harmful effect on openness as identified by the Council.

51.7. In respect of noise and disturbance, the inspectorate commented that the steps did not change the lawful use of the entire appeal site as a public house. Nor did they increase the number of covers, a substantial number of which already exist in the rear garden. The inspectorate concluded that he/she did not believe that the steps result in any intensification of the use and nothing has been provided to lead him/her to a different view in this regard.

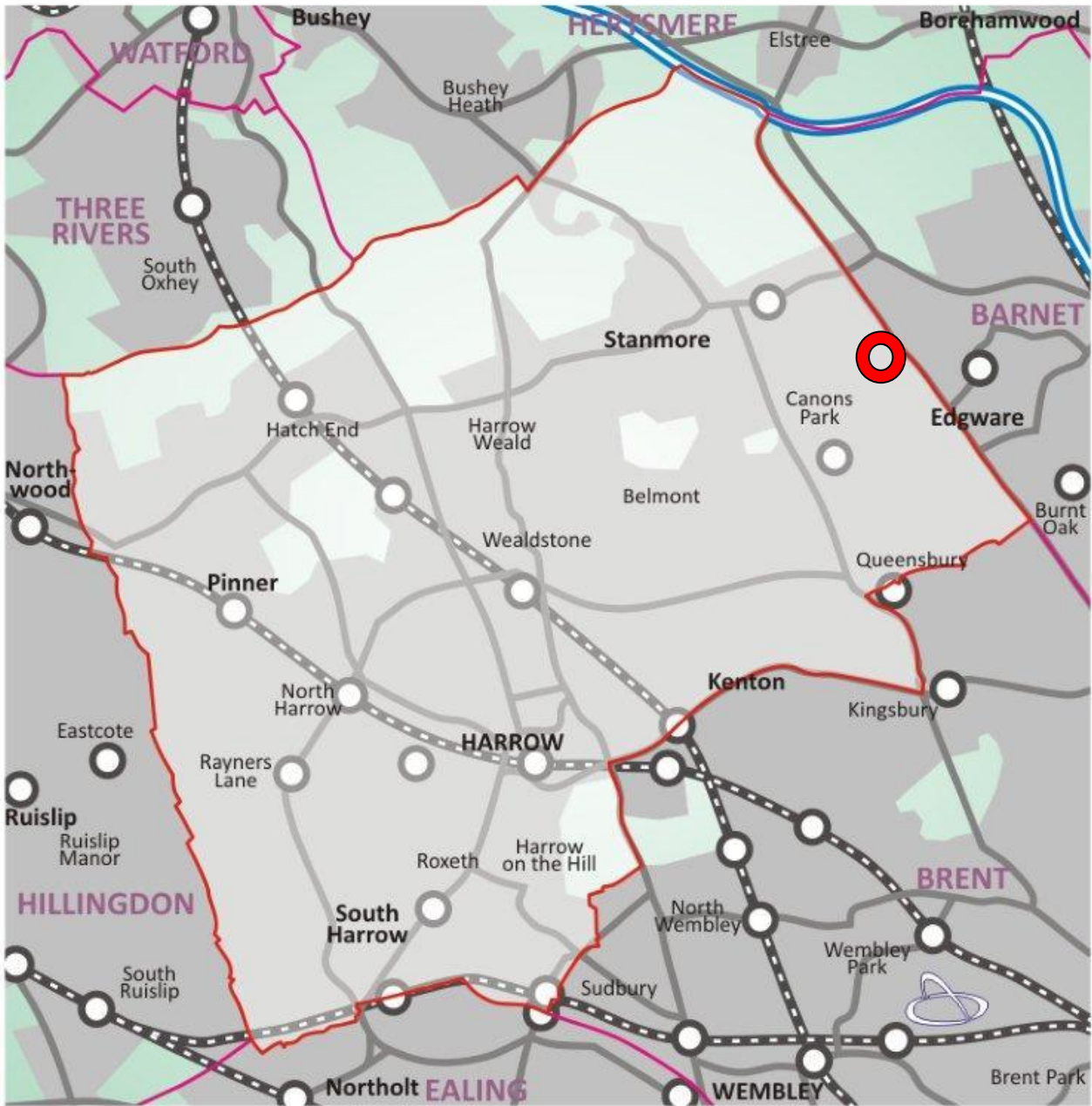
51.8. The inspectorate's observations were drawn taking into context of the above, he/she saw no reason to object to the stairs which are the subject of Appeal A and Appeal B, or the handrail which is the subject of Appeal B. The inspectorate concluded that those features merely reflect similar development seen elsewhere on the appeal site and so in their judgement, they preserve the character and appearance of the conservation area.

51.9. The inspectorate notes concerns about disregard for planning regulations, but comments that planning enforcement is intended to be remedial rather than punitive and so it makes no difference whether development has already occurred without planning permission or not. The inspectorate also notes concerns raised over potential security risk to surrounding gardens and comments that based on his/her observations, he/she did not see that this is the case and no changes have been made to boundary treatments as a result of the appeal development which was before them.

51.10. For the above-mentioned reasons, the inspectorate concluded that appeal A should be allowed, subject to a condition. Appeal B, that the appeal succeeds on ground (a).

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 = application site



<b>Canons High School, Shaldon Road, HA8 6AL</b>	<b>PL/0117/23</b>
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## Location Plan



**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**14<sup>th</sup> February 2024**

**APPLICATION NUMBER:** PL/0117/23  
**VALID DATE:** 5<sup>th</sup> October 2023  
**LOCATION:** CANONS HIGH SCHOOL, SHALDON ROAD,  
EDGWARE, HA8 6AL  
**WARD:** EDGWARE  
**POSTCODE:** HA8 6AL  
**APPLICANT:** SIMON NEWTON  
**AGENT:** STREETSPACE GROUP  
**CASE OFFICER:** NICOLA RANKIN  
**EXPIRY DATE:** 10<sup>TH</sup> JANUARY 2024 (EXTENDED EXPIRY DATE 18<sup>th</sup>  
MARCH 2024)

**PROPOSAL**

Creation of a single storey building (use class F1(a))

**RECOMMENDATION**

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to the Conditions listed in Appendix 1 of this report.

**REASON FOR THE RECOMMENDATION**

The form, scale and siting of the proposed extension is appropriate in this location and does not appear at odds with the existing character of development in the immediate area and would not have an adverse impact on the amenity of the occupiers of adjoining properties in accordance with Policy D3 of The London Plan (2021) and Policy DM1 of the DMP (2013).

## **INFORMATION**

This application is reported to Planning Committee as it would provide an extension to a school in excess of 100m<sup>2</sup> floorspace, on land where the Council holds an interest. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 12th December 2018.

Statutory Return Type:	Minor
Council Interest:	Council has ownership of land in subject application
Net additional Floorspace:	165sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/A
Local CIL requirement:	N/A

## **HUMAN RIGHTS ACT**

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

## **EQUALITIES**

In determining this planning application, the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

## **S17 CRIME & DISORDER ACT**

Policy D11 of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, a condition has been recommended for evidence of certification of Secure by Design Accreditation for the development to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.



## **1.0 SITE DESCRIPTION**

- 1.1 The subject site comprises the Canons High School complex. The main access to the school is via Shaldon Road which adjoins the site to the north.
- 1.2 The immediate locality around the school is residential in character with the rear gardens of residential properties being sited adjacent to the boundaries of the complex and playing fields.
- 1.3 The buildings on the application site comprise a variety of buildings ranging from single to three storeys. The main buildings are sited in the middle of the site and are internally connected, whilst detached buildings used as a dining hall, a gym are sited around the main building whilst mobile units and sports courts are sited in the south-east quarter of the site.
- 1.4 To the west of the school is the Canons School Playing Fields which can be accessed via Coombe Close and Bridgewater Gardens. The school playing fields are sited to the west of the application site and are a Designated Open Space.

## **2.0 PROPOSAL**

- 2.1 The proposal involves the construction of a single storey building situated adjacent to the north eastern elevation of the main school complex. The extension is to provide an indoor dining and informal learning space within the school grounds.
- 2.2 The proposed building would span 10 metres in depth and 16 metres in width and would have a mono-pitch roof. The front (north-eastern) elevation eaves height would be 3.2 metres whilst the height to the rear (western elevation) would measure 3.8 metres. The front and rear elevation of the proposed building would be glazed and would have steel side panels, powder coated to match the existing buildings.
- 2.3 The area of the proposed building would span approx. 165m<sup>2</sup>, and would have four doorways, two in each of the front and rear elevation.
- 2.4 It is proposed that the existing canopy walkway adjacent to the structure would be removed.

### **Amendments in relation to previous application P/0937/20**

- The proposal would form a separate building and would not be attached to the adjacent wall of the existing school building.
- The depth of the extension is marginally reduced from 11 metres to 10 metres
- The height at the rear would be marginally higher at 3.8 metres compared to 3.1 metres previously proposed.

### 3.0 **RELEVANT PLANNING HISTORY**

3.1 A summary of the relevant planning history is set out below:

<b>Ref no.</b>	<b>Description</b>	<b>Status &amp; date of decision</b>
LBH/11424/2	Alterations and single storey extensions to existing school buildings for educational purpose (outline)	Granted (02/12/1976)
EAST/366/99/LA3	Alterations and single storey extensions to existing school buildings	Granted (28/06/1999)
P/3556/06	Construction of three storey extension to school in two phases to provide sixth form teaching block	Granted (19/04/2007)
P/2162/20	Two single storey temporary buildings to provide classroom and dance studio with ancillary accommodation (3 years) two single storey extensions to dining hall	Granted (06/11/2009)
P/0937/20	Single storey infill Extension	Granted 24/07/2020

### 4.0 **Consultation**

4.1 A site notice was erected on 29<sup>th</sup> November 2023

4.2 The overall public consultation period expired on 20th December 2023. No representations were received.

4.3 Statutory and Non-Statutory Consultation

4.4 A summary of the consultation responses received along with the Officer comments are set out in the table below.

<b>Consultee and Summary of Comments</b>
<p><b>LBH Drainage</b> <b><u>Surface &amp; Foul Water Disposal</u></b> In order to review how surface water from the new construction is managed, to make use of sustainable drainage measures and to ensure separation of surface and foul water systems (in line with our Development Management Policy 9 &amp; 10) the following details are required for the proposed construction:</p> <p>The applicant should submit drainage layout drawing showing two separate surface &amp; foul water connections and outfall details. Combined drainage system</p>

are not acceptable.

If a soakaway is provided, full construction details of the soakaway with its location, size, storage volume and calculations should also be provided.

**Please be informed that the requested details can be conditioned attached are our standard pre commencement drainage conditions/informative for your reference.**

Should any further clarification be required, please advise the applicant to contact [infrastructure@harrow.gov.uk](mailto:infrastructure@harrow.gov.uk)

## **5.0 POLICIES**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

5.2 'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

5.3 In this instance, the Development Plan comprises The London Plan 2021 [LP], The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

5.4 A full list of all the policies used in the consideration of this application is provided as Informative 1 in Appendix 1 of this report.

## **6.0 ASSESSMENT**

6.1 The main issues are;

- Principle of Development
- Character and Appearance of the Area
- Residential Amenity
- Development and Flood Risk
- Accessibility
- Fire Safety

### **6.2 Principle of Development**

The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2021): S3
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM46, DM47

- 6.2.1 The NPPF (December 2023) requires that Local planning authorities give great weight to the need to create, expand or alter schools through the preparation of plans and decision on applications (paragraph 99(a)).
- 6.2.2 Policy DM46 of the Harrow Development Management Policies Local Plan (2013) supports the provision of new educational facilities subject to compliance with Policy DM1. Whilst Policy 47(B) of the Harrow Development Management Policies Local Plan (2013) supports proposals that secure enhanced re-provision of educational facilities on site.
- 6.2.3 The proposal would provide an indoor recreational and learning space for students of Canons High School. The proposal is largely a resubmission of a previous application granted planning permission under P/0937/20, aside from a few minor deviations as noted above. The accompanying Design and Access Statement notes that the school has a shortage of indoor dining, social and informal learning space which is exacerbated during periods of inclement weather.
- 6.2.4 The proposal would provide additional facilities to support the function of the school and provide additional needed learning facilities and would accord with the relevant development plan policies. As noted, a very similar proposal was granted previously and there has been no substantial change in planning policy since that decision that would warrant a different conclusion. There development is therefore considered to be acceptable in principle.

## **6.3 Character and Appearance of the Area**

6.3.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan 2021: D3
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM1

6.3.2 The proposed development would be sited within the middle of the school complex and being single storey would not exceed the heights of the surrounding buildings. The proposal would be of a scale subordinate to the main buildings and due to its siting in the middle of the main complex would not appear discordant or obtrusive in its surrounding environment.

6.3.3 The design of the single storey building would be predominately glazed and would not be of similar brick work finish to the main buildings. However, the proposal does retain a modular appearance which would not serve to compete nor detract from the surrounding buildings and ergo would not provide an incongruous nor intrusive form of development.

6.3.4 It is noted the rear elevations of properties along Dale Avenue could be able to view the extension (potentially from first floor level) however, the extension would be sited over 40m away from the site boundary and in any case the proposal would not be out of character within the school and would not be considered to be a detriment as outlined above.

6.3.5 It is acknowledged that the proposed building would be situated to the north of an existing classroom window which would give rise to some loss of outlook. However, this classroom is served by a further large window on the other southern side of the building which would ensure acceptable levels of light and outlook are retained for this classroom. On balance, this is considered to be acceptable when considered in relation to the enhanced facilities that would benefit the school.

6.3.6 In conclusion, it is considered that the proposal would have an acceptable impact on the character and appearance of Canons High School and the wider area in accordance with the NPPF (2023), Harrow Core Strategy (2012) CS1.B, policy D3 of The London Plan (2021) and Policy DM1 of the Development Management Local Plan Policies (2013).

## **6.4 Residential Amenity**

6.4.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2021): D3
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013): DM1

## Residential Amenity of neighbouring Occupiers

6.4.2 The proposed extension is sited over 40m from the closest neighbouring residential properties, and as such it is considered the proposal would not have any significant detriment to neighbouring residential occupiers in terms of loss of privacy, light and outlook.

6.4.3 It is considered the proposal would not have an unacceptable impact on the residential amenities of adjoining occupiers in accordance with London Plan policy D3 D.7 and Development Management Policies Local Plan (2013) Policy DM1 and would therefore have an acceptable impact on neighbouring amenity.

### **6.5 Development and Flood Risk**

6.5.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2021): S113
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013): DM9, DM10

6.5.2 The proposed development sites is situated within flood zone 1 and as such is at low risk of flooding. The Drainage Authority have been consulted regarding the proposal and have not raised any objections to the proposal, subject to conditions relating to the management of surface water. As such, the proposal would be acceptable in relation to drainage and flood risk considerations.

### **6.6 Accessibility**

6.6.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2021): D5
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013): DM2

6.6.2 The building has been designed to comply with DDA requirements and would have wide level access and there would be acceptable circulation within the building for wheelchairs users. The proposed development is considered acceptable in relation to the above policies.

### **6.7 Fire Safety**

6.7.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2021): D12

6.7.2 The applicant had provided supporting information in relation to Fire Safety. The applicant had outlined that the proposals will not have any negative implications on the sites existing arrangements for fire appliances and assembly points. The building will be located directly adjacent to an access roadway which is an ideal

location for a fire appliance. The proposed building will be fitted with an automatic fire detection and alarm system and all the materials used in construction will be in accordance with the relevant building control requirements. The proposal is considered to be satisfactory in relation to the requirements of policy D12.

## **7.0 CONCLUSION AND REASONS FOR APPROVAL**

7.1 The proposed development would provide enhanced educational facilities for Canons High School. The proposed development would have a satisfactory, layout and design as to not detract from the host building. It is considered that the proposed building would have an acceptable design and external appearance and would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers. The development would accord with development plan policies and is recommended for approval.

## **APPENDIX 1: CONDITIONS AND INFORMATIVES**

### **Conditions**

1. **Timing**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. **Approved Plans and Documents**

The development hereby permitted shall be carried out in accordance with the following documents and plans: Site Location Plan; 15196-CHS-P-RFP-P; 15196-CHS-P-RFP-E; 15196-CHS-P-G; 15196-CHS-P-E-P; 15196-CHS-P-E-E; Design and Access Statement; 15196-CHS-P-BP-P; 15196-CHS-P-BP-E

REASON: For the avoidance of doubt and in the interests of proper planning.

3. **Materials**

The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those detailed in the approved Design and Access Statement.

REASON: To safeguard the character and appearance of the area.

4. **Surface Water Storage and Attenuation**

The building hereby permitted shall not be commenced until works for the disposal of surface water and surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk in accordance with the National Planning Policy Framework (2023) and policy DM 10 of the Harrow Development Management Policies Local Plan (2013).

5. **Foul Drainage**

The development hereby permitted shall not be commenced until works for the disposal of sewage have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided in accordance with Sewers for Adoption and to ensure appropriate on site water management in accordance with policy DM 10 of the Harrow Development Management Policies Local Plan (2013).



## **INFORMATIVES:**

### 1. Policies

**The following policies are relevant to this decision:**

#### **National Planning Policy Framework (2023)**

##### **London Plan (2021):**

D3 Inclusive Design

D5 Inclusive Access

D12 Fire Safety

S3 Education and childcare facilities

SI13 Sustainable Drainage

##### **Harrow Core Strategy 2012**

Core Policy CS 1 – Overarching Policy Objectives

##### **Harrow Development Management Policies Local Plan (2013)**

DM 1 - Achieving a High Standard of Development Policy

DM10 On Site Water Management and Surface Water Attenuation

DM 46 - New Community, Sport and Education Facilities

### 2. Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.

### 3. Liability For Damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to [nrswa@harrow.gov.uk](mailto:nrswa@harrow.gov.uk) or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicant's expense. Failure to report any damage could result in a charge being levied against the property.

### 4. Sustainable Drainage Systems

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible.

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer

significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. The London Plan requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information.

**CHECKED**

 <p>Orla Murphy Head of Development Management 29<sup>th</sup> February 2024</p>	 <p>Viv Evans Chief Planning Officer 29<sup>th</sup> February 2024</p>
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## APPENDIX 2: SITE PLAN



**APPENDIX 3: SITE PHOTOS**





# APPENDIX 4: PLANS AND ELEVATIONS

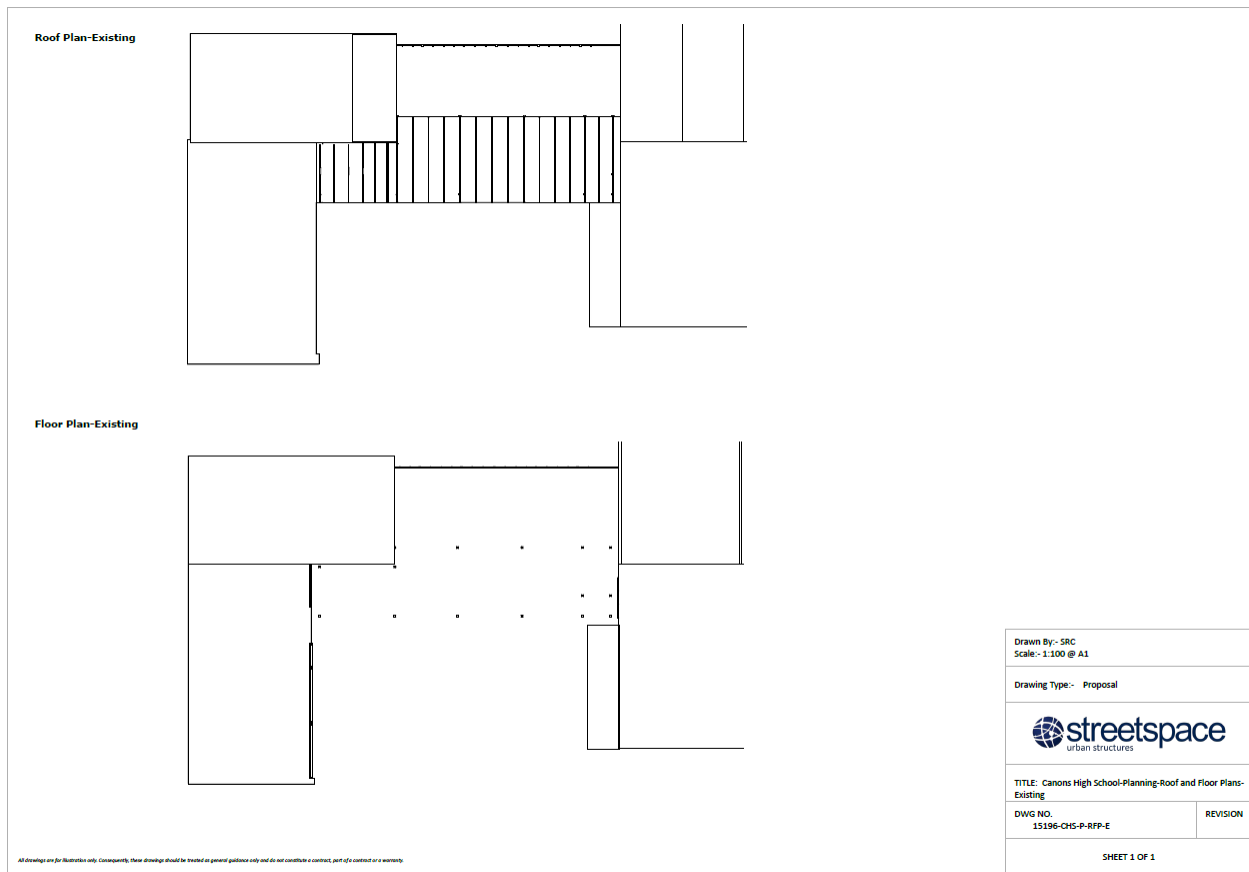
**North East Elevation-Existing**

**North West Elevation-Existing**

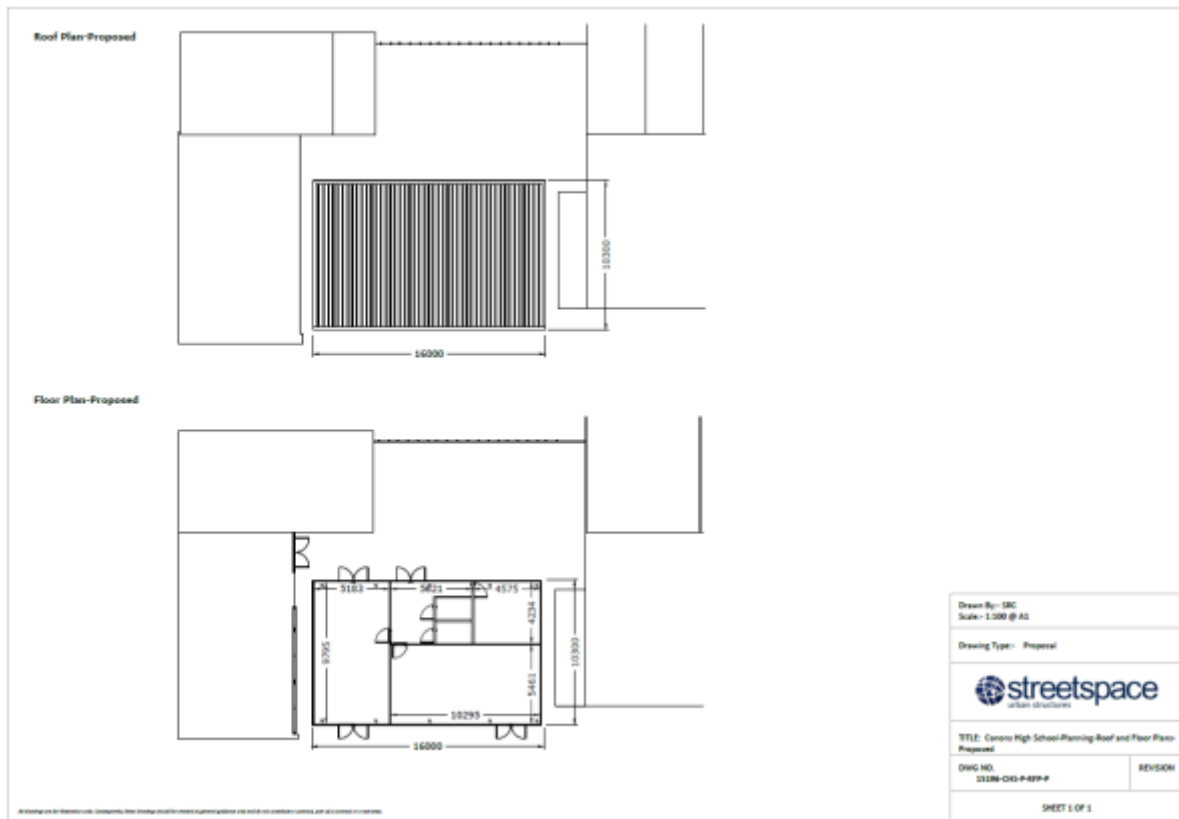
All drawings are for illustration only. Consequently, these drawings should be treated as general guidance only and do not constitute a contract, part of a contract or a warranty.

Drawn By:- SRC Scale:- 1:50 @ A1	
Drawing Type:- Proposal	
TITLE: Canons High School-Planning-Elevations-Existing	
DWG NO. 15196-CHS-P-E-E	REVISION
SHEET 1 OF 1	

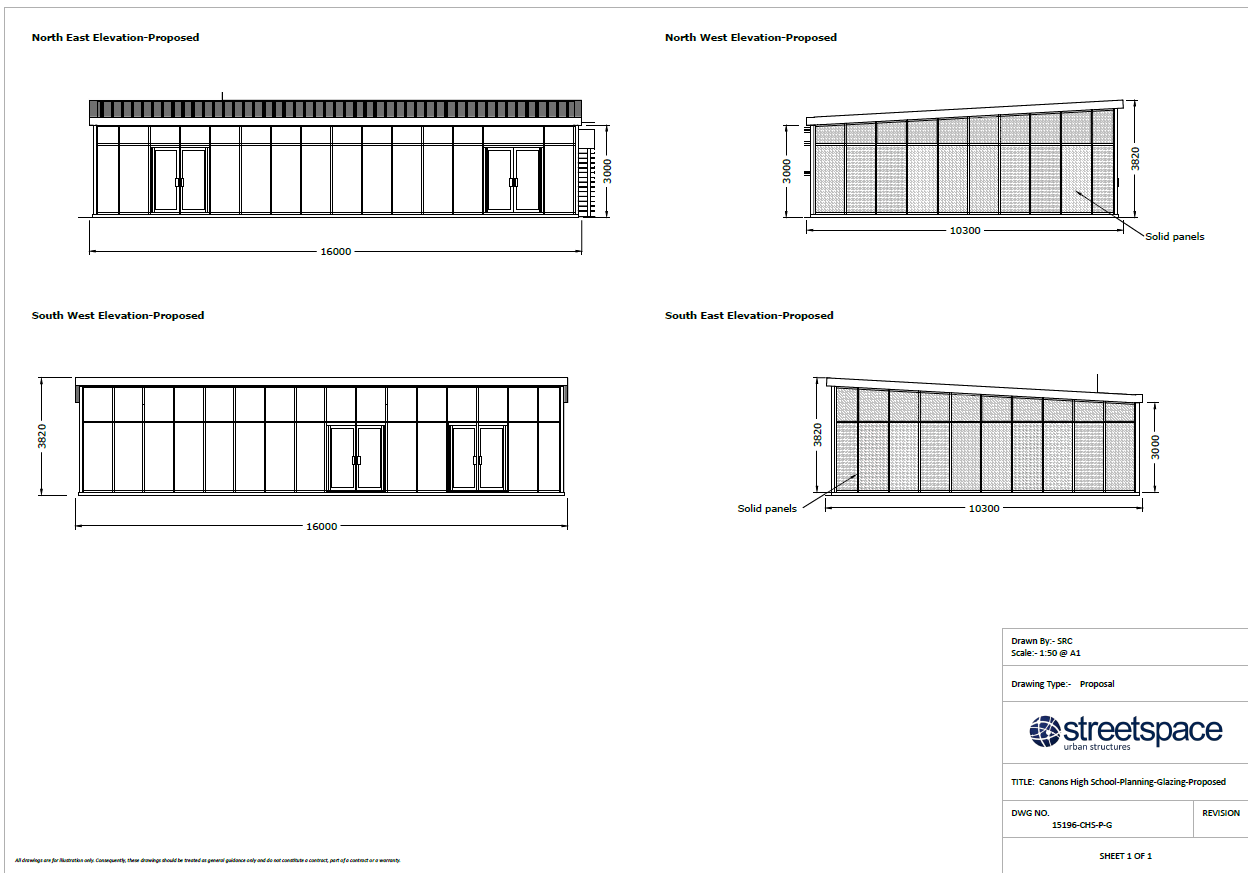
## Existing Elevation



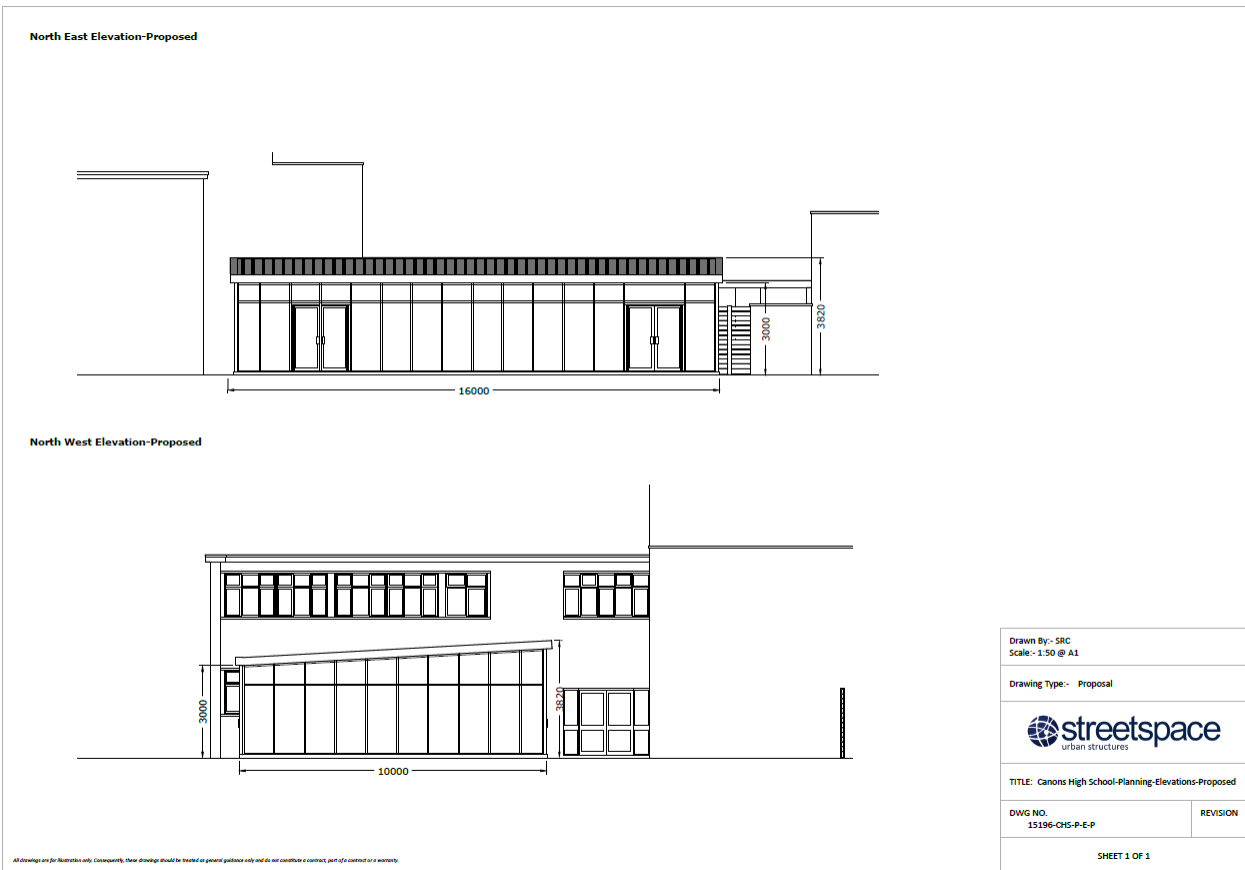
**Existing Roof Plan**



**Proposed Roof Plan and Floor Plan**



## Proposed Elevations



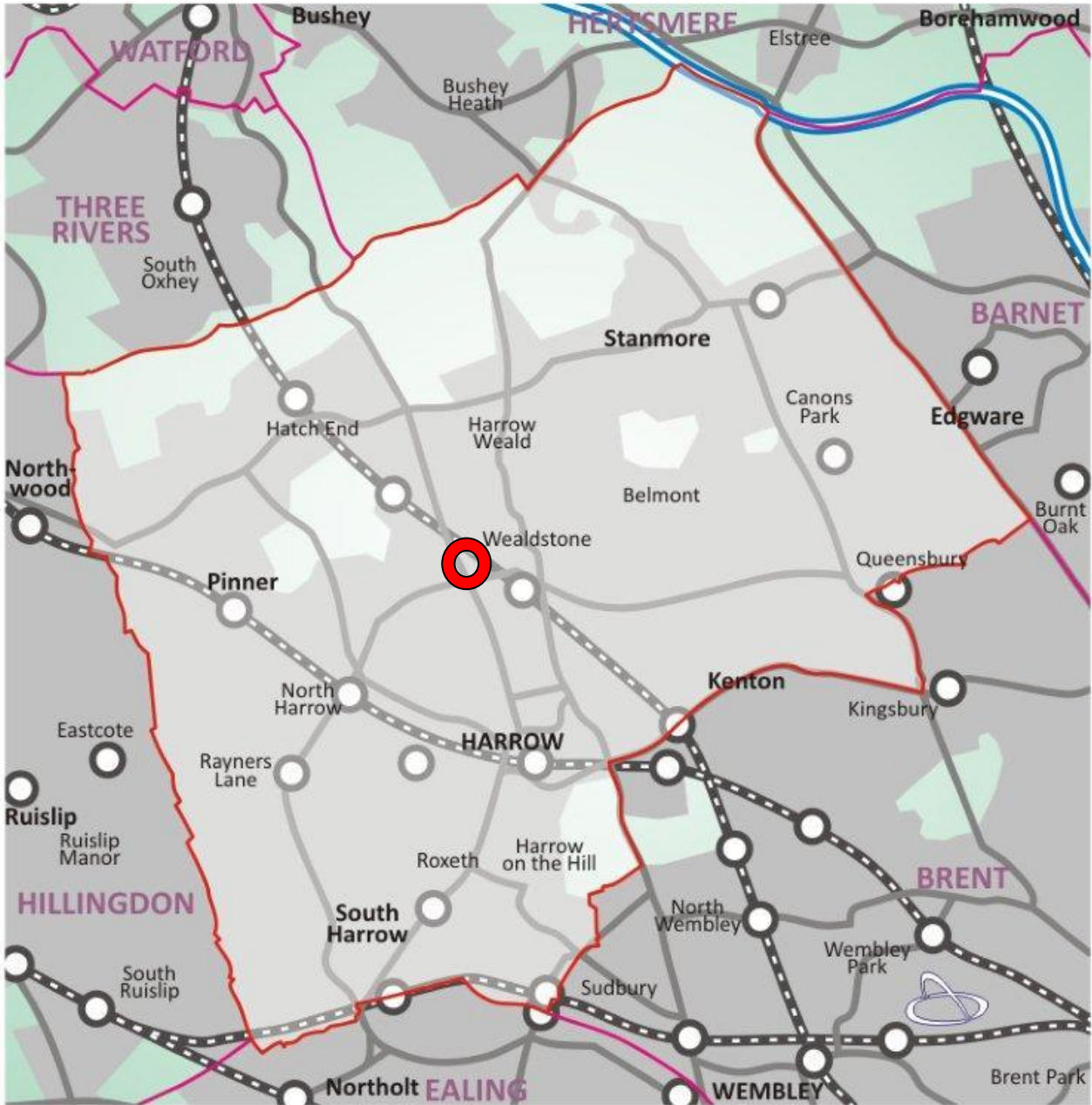
## Proposed Elevations



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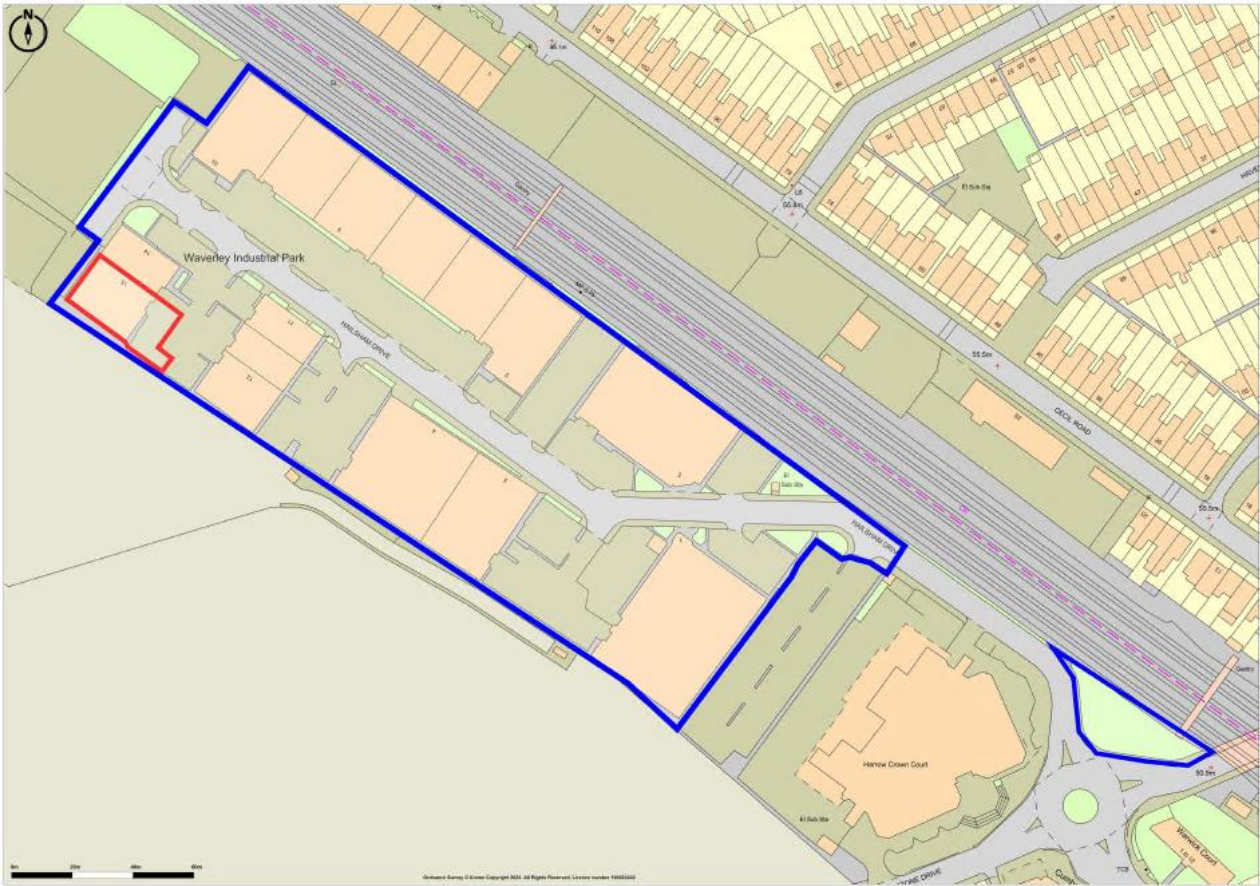
 = application site



**Unit 15, Waverley Industrial Estate, Hailsham Drive,  
Harrow, HA1 4TR**

**P/2698/23**

# Location Plan



# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

13<sup>th</sup> March 2024

**APPLICATION NUMBER:** P/2698/23  
**VALID DATE:** 13<sup>th</sup> NOVEMBER 2023  
**LOCATION:** UNIT 15, WAVERLEY INDUSTRIAL ESTATE,  
HAILSHAM DRIVE, HARROW  
**WARD:** MARLBOROUGH  
**POSTCODE:** HA1 4TR  
**APPLICANT:** -  
**AGENT:** SAVILLS  
**CASE OFFICER:** DENISS NIKANDROVS  
**EXPIRY DATE:** 08/01/2024 (EOT)

### PROPOSAL

Change of use from B2 to flexible use of classes E(g)(ii) and/or E(g)(iii) and/or or B2 and/or B8.

### RECOMMENDATION

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to the Conditions listed in Appendix 1 of this report.

### REASON FOR THE RECOMMENDATION

The proposed development complies with all relevant land use policies by providing a flexible and suitable mixed-use site to support and sustain the existing industrial and employment use. The proposed development is also considered to be acceptable on grounds of character and design, it is considered to have an acceptable residential amenity impact, it is considered acceptable on grounds of highways safety, parking and servicing, and furthermore the site is not considered to be susceptible to harmful flooding and would not unduly exacerbate flood risk elsewhere. The applicant has provided a Reasonable Exemption Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site. As such the development accords with the NPPF (2023), Policies D3, D11, D12, D13, D14, E2, E4, E6, SD 1, SI 12, SI 13, T3, T5, T6, T6.2 and T7 of the London Plan (2021), Policies CS1.B, CS1.N, CS1.O, CS1.P, CS1.Q, CS1.R, CS1.S, CS1.U and CS1.W of the Harrow Core Strategy (2012), Policies DM1, DM2, DM10, DM31, DM42, DM44 and DM45 of the Harrow Development Management Policies Plan (2013), and Policies AAP3, AAP4, AAP9, AAP14, AAP15 and AAP19 of the Harrow and Wealdstone Area Action Plan (2013).

## **INFORMATION**

This application is reported to Planning Committee due to the amount of floor space changing use, as per Part 1 (f) of the Scheme of Delegation dated 12<sup>th</sup> December 2018.

Statutory Return Type:	E(20) Change of Use
Council Interest:	None
Net additional Floorspace:	N/A
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/A
Local CIL requirement:	N/A

## **HUMAN RIGHTS ACT**

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

## **EQUALITIES**

In determining this planning application, the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

## **S17 CRIME & DISORDER ACT**

It is considered that the proposed development would not adversely impact upon community safety issues or conflict with development plan policies in this regard.

## **1.0 SITE DESCRIPTION**

- 1.1 The application site comprises a vacant two storey purpose-built industrial building (Unit 15) with part brick and part metal cladded exterior on the southwestern side of Hailsham Drive. The total gross internal floor area of the building is 482m<sup>2</sup>.
- 1.2 The site is situated within the Waverley Industrial Estate and which forms part of the designated Wealdstone Strategic Industrial Location. Hailsham Drive forms the main thoroughfare into the industrial estate.
- 1.3 The building has a lawful use of B2 (General Industrial). It is currently occupied by an Velstone LTD. Its use was granted (and controlled) by planning permission reference P/3233/10. This permitted a flexible use for classes B1 (now E), B2, and B8 uses in March 2011. Under Part 2 Class V of the GPDO the use of the unit could have changed to Class E or B2 under the terms of that permission up until March 2021. That opportunity has expired, hence the submission of this planning application.
- 1.4 The site is bounded to the north by railway tracks that serve the nearby Harrow & Wealdstone rail station and the neighbouring units within the estate incorporate a range of existing light industrial, industrial and commercial uses.
- 1.5 The site has a hardsurfaced front forecourt, with 10.no car parking spaces associated with the unit.
- 1.6 The host building is not listed and is not located within a designated Conservation Area.
- 1.7 The site is located within a Critical Drainage Area but is not located within a high risk flood zone.

## **2.0 PROPOSAL**

- 2.1 A change of use of the site from Class B2 (General Industrial) to a flexible use of Classes including E(g)(ii) (Research and development of products or processes) and/or E(g)(iii) (Industrial Processes - which can be carried out in a residential area without detriment to its amenity), and/or B2 (General Industrial) and/or B8 (Storage or Distribution).
- 2.2 No external or internal alterations are proposed as part of this application. The application is solely for the change of use of the premises.
- 2.3 Existing parking, delivery and servicing arrangements are to remain unchanged from existing arrangements.

### 3.0 **RELEVANT PLANNING HISTORY**

3.1. A summary of the relevant planning application history is set out below:

Ref no.	Description	Status & date of decision
LBH/35017	24 INDUSTRIAL/WAREHOUSING UNITS WITH ANCILLARY OFFICES, PARKING AREAS AND ACCESS ROAD	Granted 07/04/1988
P/3233/10	Change of use to a flexible permission for either b1 (c) or b2 or b8 use	Granted: 17/02/2011
P/2746/21 (Unit 9)	Change of use from Class B8 to flexible use comprising Classes E(g), B2 and B8	Granted: 30/09/2021
P/2730/21 (Unit 8)	Change of use from storage and distribution (Use Class B8) to flexible use Class E(g) or Class B2 or Class B8	Granted: 30/09/2021
P/0216/23 (Unit 10)	Change of use from B2 to flexible use of classes E(g)(ii) and/or E(g)(iii) and/or or B2 and/or B8.	Granted: 24/04/2023
P/0240/23 (Unit 11)	Change of use from B2 to flexible use of classes E(g)(ii) and/or E(g)(iii) and/or or B2 and/or B8.	Granted: 24/04/2023

### 4.0 **CONSULTATION**

4.1 A total of 4 consultation letters were sent to neighbouring properties regarding this application. The overall public consultation expired on 02/03/2023 and no objections were received.

4.2 A site notice was posted on 06/12/2023 and this expired on 27/12/2023.

#### 4.3 **Statutory Consultation**

4.4 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee and Summary of Comments
<p><b><u>Policy Officer</u></b></p> <p>Raised no objection to the proposal and confirmed that all appropriate uses for the site are set out within Policy E4A(1-10) of the London Plan (2021) and previous approved schemes subject to a condition ensuring there would be no permitted development rights to change use out of the use class which becomes the authorised use on the site.</p>



Highways Officer:

Harrow Highway Authority has considered the proposal and does not wish to restrict the granting of planning permission. The proposal is unlikely to result in a severe or harmful impact for the surrounding highway network, therefore, Highways have no objection.

## **5.0 POLICIES**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- 5.2 'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'
- 5.3 The National Planning Policy Framework [NPPF 2023] is a material consideration in the determination of this application.
- 5.4 In this instance, the Development Plan comprises The London Plan 2021 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP]. The relevant policies are referenced within the report below and a summary within Informative 1

## **6.0 ASSESSMENT**

6.1 The main issues are;

- Principle of the Development
- Character, Appearance and Design
- Residential Amenity
- Traffic, Parking and Servicing
- Development and Flood Risk
- Fire Safety

### **6.2 Principle of Development**

6.2.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2021): D13, E2, E4, E6, SD1
- Harrow Core Strategy (2012): CS1.N, CS1.O, CS1.P
- Harrow Development Management Policies Local Plan (2013): DM31
- Harrow and Wealdstone Area Action Plan (2013): AAP3, AAP14, AAP15

6.2.2 Policy E2 of the London Plan relates to the provision of suitable business space. Part B of the policy notes that the development of Class B uses should ensure that the space is fit for purpose having regard to the type and use of the space.

- 6.2.3 Policy E4 of the London Plan relates to land for industry, logistics, and services to support London's economic function. Within Part A of the policy it is noted that a sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions should be provided and maintained, taking into account strategic and local employment land reviews, industrial land audits and the potential for intensification, colocation and substitution. This policy specifically notes (E4 A (8)) that industrial provision should take into account the varied operational requirements of flexible B1c/B2/B8 hybrid space to accommodate services that support the wider London economy and population. E4 A (10) notes that industrial provision should take into account research and development of industrial and related products or processes (falling within Use Class B1b). It should be noted that Use Class B1 was revoked from 01/09/2020 and was replaced by Class E(g) with B1(b) being replaced by E(g)(ii) – the research and development of products or processes and B1(c) being replaced by E(g)(iii) – any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.
- 6.2.4 Policy E6 of the London Plan relates to the designation of Locally Significant Industrial Sites (LSIS) taking into account intensification, co-location and substitution. Part 2 notes that development plans should make clear the range of industrial and related uses that are acceptable in LSIS including, where appropriate hybrid or flexible B2/B8 uses.
- 6.2.5 Policy CS1.N of the Council's Core Strategy notes that through the Area Action Plan, consideration will be given to the consolidation of the Wealdstone Strategic Industrial Location.
- 6.2.6 Policy CS1.O notes that the Borough's stock of business and industrial premises will be monitored and managed to meet economic needs. Any release of surplus stock for other uses, having regard to the most up-to-date monitoring of the demand and supply balance will be considered in accordance with a sequential approach (further outlined within the policy).
- 6.2.7 Policy CS1.P relates to mixed use development. It is noted that mixed use development will be supported, where this secures employment generating development and diversification of Harrow's economy. The Development Management Policies DPD or the Area Action Plan, as appropriate, will set out criteria for the managed release of surplus employment land.
- 6.2.8 Policy DM31 of the Council's Development Management Policies document relates to 'Supporting Economic Activity and Development'. Part A of the policy states that proposals for the intensification, renewal and modernisation of existing industrial and business floorspace will be supported where the development complies with other relevant policy considerations and the new industrial or business floorspace allows for future flexibility, including future subdivision and / or amalgamation to provide for a range of accommodation, particularly for small businesses.
- 6.2.9 Policy AAP3 of the Harrow and Wealdstone Area Action Plan relates to development within the three Wealdstone Sub Areas (Wealdstone Central, Wealdstone West and Wealdstone East). Part A of Policy AAP3 notes that development within all three Wealdstone Sub Areas will be required to improve the environment and identity of the Wealdstone area as a location for business and industrial activity. The

application site is located within the Wealdstone West Sub Area. Part E (a) of Policy AAP3 notes that within the Wealdstone West sub area proposals should also support Wealdstone's strategic employment function, and help nurture existing and new uses, seeking creative non-residential re-use of industrial buildings and sites where possible.

- 6.2.10 Policy AAP14 of the Harrow and Wealdstone Area Action Plan relates to 'The Consolidation of the Wealdstone Strategic Industrial Location'. This policy specifies that economic development and uses, and any appropriate ancillary uses on sites within the consolidated Wealdstone Strategic Industrial Location will be supported where these do not conflict with The London Plan and criteria a-e of Policy AAP15 of the Area Action Plan.
- 6.2.11 Policy AAP15 of the Harrow and Wealdstone Area Action Plan relates to 'Supporting the Business Sector in Wealdstone' Part A of the Policy notes that proposals for economic development and uses, including appropriate supporting ancillary uses, will be permitted on existing designated business and industrial use land except where the proposal:
- a) Involves development or uses that should be located within a town centre;
  - b) Would adversely impact upon the amenity of surrounding uses or the character of the area;
  - c) Would prejudice the proper functioning of any neighbouring economic activity;
  - d) Is detrimental to highway safety considerations; and
  - e) Involves inadequate arrangements for servicing, parking and inclusive access
- 6.2.12 All the proposed uses would be industrial and employment generating uses which would not result in unacceptable harm on the vitality and viability of the unit and the Wealdstone Strategic Industrial Location within which the application site is located. Policy E4 of the London Plan clearly emphasises that industrial provision should take into account varied operational requirements of flexible E(g)(iii)/B2/B8 hybrid space, and the development of industrial and related products or processes (E(g)(ii)). The proposed hybrid use is expected to generate greater interest from small industrial occupiers, allowing for the unit to be more easily occupied. The proposed change of use would not conflict with the interests of Policy DM31 of the Council's Development Management Plan, the proposal would allow for a more flexible occupation of the premises in line with more modern needs, and as previously suggested, this flexible form of accommodation would be particularly enticing for small businesses. The proposed development would also be in accordance with the interests of Policy AAP3 of the Harrow and Wealdstone Area Action Plan with the development retaining the site's employment function and allowing the currently vacant building to be more easily occupied in an industrial format. Likewise, the proposed development would not be in conflict with Policies AAP14 and AAP15 of the Harrow and Wealdstone Area Action Plan with the proposed use according with relevant London Plan policy, and the relevant requirements of AAP15 A. Please refer to the pertinent sections of this committee report for an assessment on the development's compliance with requirements of AAP15 A (b-e).
- 6.2.13 It is worth recognising that planning permission was previously obtained on the site in February 2011 under application P/3233/10 for a flexible change of use of the site to Use Classes B1(c)/B2/B8, however that permission can no longer be implemented due to changes in legislation relating to use classes. The applicant is simply seeking to reapply, with the previous B1(c) component being updated to its appropriate current use of E(g)(iii), and the applicant is now introducing the option

of changing the use to E(g)(ii) also, which is another appropriate industrial use. It should be added that planning permission has already been obtained at Units 8, 9, 10 and 11 for a very similar development. For the avoidance of doubt, a condition has been recommended restricting the use of the building to only those that have been agreed.

- 6.2.14 As per the Agent of Change principles outlined within Policy D13 B of the London Plan, development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them.
- 6.2.15 The site is located within an industrial area which is already subject to considerable levels of noise. Noise exposure from the proposed use(s) are likely to be comparable to pre-existing noise levels when the site was last occupied. Based on the context of the area, the continued operation of established noise generating uses within the area would not be compromised. Likewise surrounding noise generating uses are not considered to unduly restrict the operation of the application site.

### **6.3 Character, Appearance and Design**

6.3.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1.B
- Harrow Development Management Policies Local Plan (2013): DM1
- Harrow and Wealdstone Area Action Plan (2013): AAP3, AAP4

6.3.2 Policy D3.D(1) of the London Plan states that development should in terms of form and layout, enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. Policy D3.D(11) goes on to states that in terms of quality and character, developments should respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

6.3.3 Policy CS1.B of Harrow's Core Strategy notes that proposals that would harm the character of suburban areas and garden development will be resisted. All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design.

6.3.4 Policy DM1 of the Development Management Policies Local Plan states that all development proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted.

- 6.3.5 Policy AAP3 E (c) of the Harrow and Wealdstone Area Action Plan notes that development within the Wealdstone West Sub Area should provide a design which creates a sense of place but one that is clearly related to, and an extension of Wealdstone; AAP3 E (d) notes that development proposals should ensure that the design and character of both the leading land use and any enabling development conforms to the relevant policies of the Area Action Plan.
- 6.3.6 Policy AAP4 of the Area Action Plan notes that all development throughout the Heart of Harrow should use high quality, durable and serviceable materials to the external finishes of the building, conserve and enhance the significance of heritage assets, including their setting, and seek to integrate fully with, and be respectful of the existing street grain and character.
- 6.3.7 The proposed development is considered to be acceptable on character and design grounds, no external or internal alterations are proposed as part of the application, the applicant is simply seeking permission for the principle of the change of use.

## **6.4 Residential Amenity**

6.4.1 The relevant policies are:

- National Planning Policy Framework (2023)
- London Plan (2021) Policy: D3, D13, D14
- Harrow Development Management Policies Local Plan (2013): DM1

6.4.2 Policy D3 D (7) of the London Plan notes that development proposals should deliver appropriate outlook, privacy and amenity, meanwhile Policy D3 D (9) notes that development proposals should help prevent or mitigate the impacts of noise and poor air quality.

6.4.3 Part C of Policy D13 of the London Plan notes that new noise and other nuisance-generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage any noise impacts for neighbouring residents and businesses.

6.4.4 Policy D14 of the London Plan relates to Policy D14 of the London Plan relates to noise. It sets out that development proposals should manage noise by:

- 1) avoiding significant adverse noise impacts on health and quality of life
- 2) reflecting the Agent of Change principle as set out in Policy D13 Agent of Change
- 3) mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses
- 4) improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity)
- 5) separating new noise-sensitive development from major noise sources (such as road, rail, air transport and some types of industrial use) through the use of distance, screening, layout, orientation, uses and materials – in preference to sole reliance on sound insulation

- 6) where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles
- 7) promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

6.4.5 Policy DM1 of the Development Management Policies Local Plan notes that proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted".

6.4.6 As mentioned previously (paragraph 6.2.15) noise exposure from the proposed use(s) are likely to be comparable to pre-existing noise levels when the site was last occupied, taking this into account alongside the fact that the site is located within a noisy industrial area, any resulting noise intensification is not considered to result in significant harm upon the amenity of surrounding properties. Given the fact that no external alterations are proposed to the building, there would be no harmful neighbouring amenity impacts relating to loss of light, outlook and visual amenity.

6.4.7 The application does not indicate existing and proposed operation hours for the site, however given that the site is located within a Strategic Industrial Location and is not within immediate proximity of surrounding neighbouring properties, it is not considered appropriate to restrict proposed hours of operation. Part D of London Plan Policy E5 notes that development proposals within or adjacent to Strategic Industrial Locations should not compromise the integrity or effectiveness of these locations in accommodating industrial type activities and their ability to operate on a 24-hour basis. By leaving operation hours unrestricted, the Council are following the requirements set out in London Plan Policy.

## **6.5 Traffic, Parking and Servicing**

6.5.1 The relevant policies are:

- National Planning Policy Framework (2023)
- London Plan (2021) Policy T5, T6, T6.2, T7
- Harrow Core Strategy (2012): CS1.Q, CS1.R, CS1.S
- Harrow Development Management Policies Local Plan (2013): DM42, DM44 DM45
- Harrow and Wealdstone Area Action Plan (2013): AAP19

6.5.2 London Plan maximum car parking standards are outlined within Policies T6 and T6.2 of the London Plan. Policy T5 outlines minimum cycle parking standards.

6.5.3 Policy T7 of the London Plan relates to deliveries servicing and construction. Part G of this policy notes that development proposals should facilitate safe, clean and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street parking bays used only when this is not possible.

- 6.5.4 Policy DM42 of the Development Management Plan relates to the Council's parking standards. Criterion (F) of this Policy notes that proposals that would result in inappropriate on-site parking provision and those which would create significant on-street parking problems, prejudice highway safety or diminish the convenience of pedestrians and cyclists will be resisted.
- 6.5.5 Policy DM44 of the Council's Development Management Plan relates to servicing. Within Part C, it is emphasised that proposals that will be detrimental to safety, traffic flow or the amenity of neighbouring occupiers will be resisted.
- 6.5.6 Policy DM45 relates to Waste Management. Part A of the policy notes that all proposals will be required to make on-site provision for general waste, the separation of recyclable materials and the collection of organic materials for composting.
- 6.5.7 The application site is served by 10 no on-site parking spaces. As indicated within the applicant's submitted covering letter, car parking and servicing arrangements for the proposed use(s) will remain the same as existing. On the basis that the proposed use(s) would remain industrial, and there is no net increase in floor space, existing arrangements for parking, deliveries and servicing are considered acceptable. As per the development granted for Units 8 (P/2730/21), 9 (P/2746/21), 10 (P/0216/23) and 11 (P/0240/23), a condition has been imposed to ensure that no goods, materials, plant or machinery is stored within the designated parking areas or within areas of land surrounding the site which feature soft landscaping.

## **6.6 Development and Flood Risk**

- 6.6.1 The relevant policies are:
- National Planning Policy Framework (2023)
  - Harrow Core Strategy 2012: CS1.U, CS1.W
  - Harrow Development Management Policies Local Plan (2013): DM10
  - London Plan Policy: SI 12, SI 13
  - Harrow and Wealdstone Area Action Plan (2013): AAP9
- 6.6.2 Policy SI 12 C of the London Plan notes that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses.
- 6.6.3 Policy SI 13 relates to Sustainable Drainage and encourages the use of Sustainable Urban Drainage systems where appropriate.
- 6.6.4 Policy DM10 A of the Council's Development Management Policies document notes that proposals for new development will be required to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water runoff.
- 6.6.5 Policy AAP9 E of the Harrow and Wealdstone Area Action Plan notes that proposals that fail to reduce surface water run-off, and/or fail to make appropriate provision for flood risk mitigation or that would increase the risk of flooding or water pollution, will be refused.

6.6.6 The site is located within a Critical Drainage Area, however the development relates only to a change of use of the premises with no external changes and no increase in development footprint on site, and is therefore not considered to result in any worsened flood risk and is not considered to exacerbate flood risk to the site's surroundings

## **6.7 Fire Safety**

6.7.1 The relevant policies are:

- National Planning Policy Framework (2021)
- London Plan Policy: D12

6.7.2 Part A of Policy D12 of the London Plan (2021), requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply.

6.7.3 The applicant has completed a Reasonable Exemption Statement to confirm that the proposed development will not adversely affect the appropriate fire safety measures of the site.

## **7.0 CONCLUSION AND REASONS FOR RECOMMENDING APPROVAL**

7.1 The proposed development complies with all relevant land use policies by providing a flexible and suitable mixed-use site to support and sustain the existing industrial and employment use. The proposed development is also considered to be acceptable on grounds of character and design, it is considered to have an acceptable residential amenity impact, it is considered acceptable on grounds of highways safety, parking and servicing, and furthermore the site is not considered to be susceptible to harmful flooding and would not unduly exacerbate flood risk elsewhere. The applicant has provided a Reasonable Exemption Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site.

7.2 In light of all of the above, the proposed development would be in accordance with the NPPF (2023), Policies D3, D11, D12, D13, D14, E2, E4, E6, SD 1, SI 12, SI 13, T3, T5, T6, T6.2 and T7 of the London Plan (2021), Policies CS1.B, CS1.N, CS1.O, CS1.P, CS1.Q, CS1.R, CS1.S, CS1.U and CS1.W of the Harrow Core Strategy (2012), Policies DM1, DM2, DM10, DM31, DM42, DM44 and DM45 of the Harrow Development Management Policies Plan (2013), and Policies AAP3, AAP4, AAP14, AAP15 and AAP19 of the Harrow and Wealdstone Area Action Plan (2013).



## **APPENDIX 1: CONDITIONS AND INFORMATIVES**

### **Conditions**

1. **Timing**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. **Approved Plans and Documents**

The development hereby permitted shall be carried out in accordance with the following documents and plans:

Covering Letter (Dated 22/09/2023), EX01-GF-15WP, EX02-1F-15WP, EX03-SL-15WP, Site Location Plan, Reasonable Exemption Statement.

REASON: For the avoidance of doubt and in the interests of proper planning.

3. **Access Parking and Servicing Space**

The unit's existing access, parking and servicing spaces, shall be permanently retained for such uses and shall not be used for any other purposes.

REASON: To ensure that adequate provision for parking and servicing is retained at the site in accordance with Policy T7 of the London Plan (2021), Policies DM42 and DM44 of the Harrow Development Management Policies Local Plan (2013), and Policy AAP19 of the Harrow and Wealdstone Area Action Plan (2013).

4. **No Storage within Parking Areas and Soft Landscaped Areas**

No goods, materials, plant or machinery shall be stored within the unit's designated parking areas, or within surrounding areas that feature soft landscaping, without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and to ensure that the areas dedicated for parking and servicing and landscaping within the site are retained, in accordance with Policies D3 and T7 of the London Plan, Policies DM1, DM42 and DM44 of the Harrow Development Management Policies Local Plan (2013), and Policy AAP19 of the Harrow and Wealdstone Area Action Plan (2013).

5. Restricted Use

The premises shall be used only as flexible E(g)(ii) and/or E(g)(iii) and/or or B2 and/or B8 uses and for no other purposes, unless an alternative use is agreed in writing by the Local Planning Authority.

REASON: To safeguard the character and functioning of the Waverley Industrial Estate and wider Wealdstone Strategic Industrial Location and to accord with Policies E2, E4 and E6 of The London Plan (2021), Policy DM31 of the Harrow Development Management Policies Plan (2013), Policies CS1.N CS1.O and CS1.P of the Harrow Core Strategy (2012) and Policies AAP3, AAP14 and AAP15 of the Harrow and Wealdstone Area Action Plan (2013).

## INFORMATIVES:

### 1. Policies

The following policies are relevant to this decision:

**The National Planning Policy Framework (2023)**

**London Plan 2021:** D3, D11, D12, D13, D14, E2, E4, E6, SD 1, SI 12, SI 13, T3, T5, T6, T6.2, T7

**The Harrow Core Strategy 2012:** CS1.B, CS1.N, CS1.O, CS1.P, CS1.Q, CS1.R, CS1.S, CS1.U, CS1.W

**Harrow Development Management Policies Local Plan 2013:**

DM1, DM2, DM10, DM31, DM42, DM44, DM45

**Harrow and Wealdstone Area Action Plan 2013:** AAP3, AAP4, AAP9, AAP14, AAP15, AAP19

### 2. Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows: 0800-1800 hours Monday - Friday (not including Bank Holidays) 0800-1300 hours Saturday

### 3. Party Wall Act:

The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building work which involves:

1. work on an existing wall shared with another property;
2. building on the boundary with a neighbouring property;
3. excavating near a neighbouring building, and that work falls within the scope of the Act.

Procedures under this Act are quite separate from the need for planning permission or building regulations approval.

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:

Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the Portal website:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

### 4. Liability For Damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to [nrswa@harrow.gov.uk](mailto:nrswa@harrow.gov.uk) or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicant's expense.

Failure to report any damage could result in a charge being levied against the property.

5. Grant without Pre-App Advice



Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015

This decision has been taken in accordance with paragraphs 39-42 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

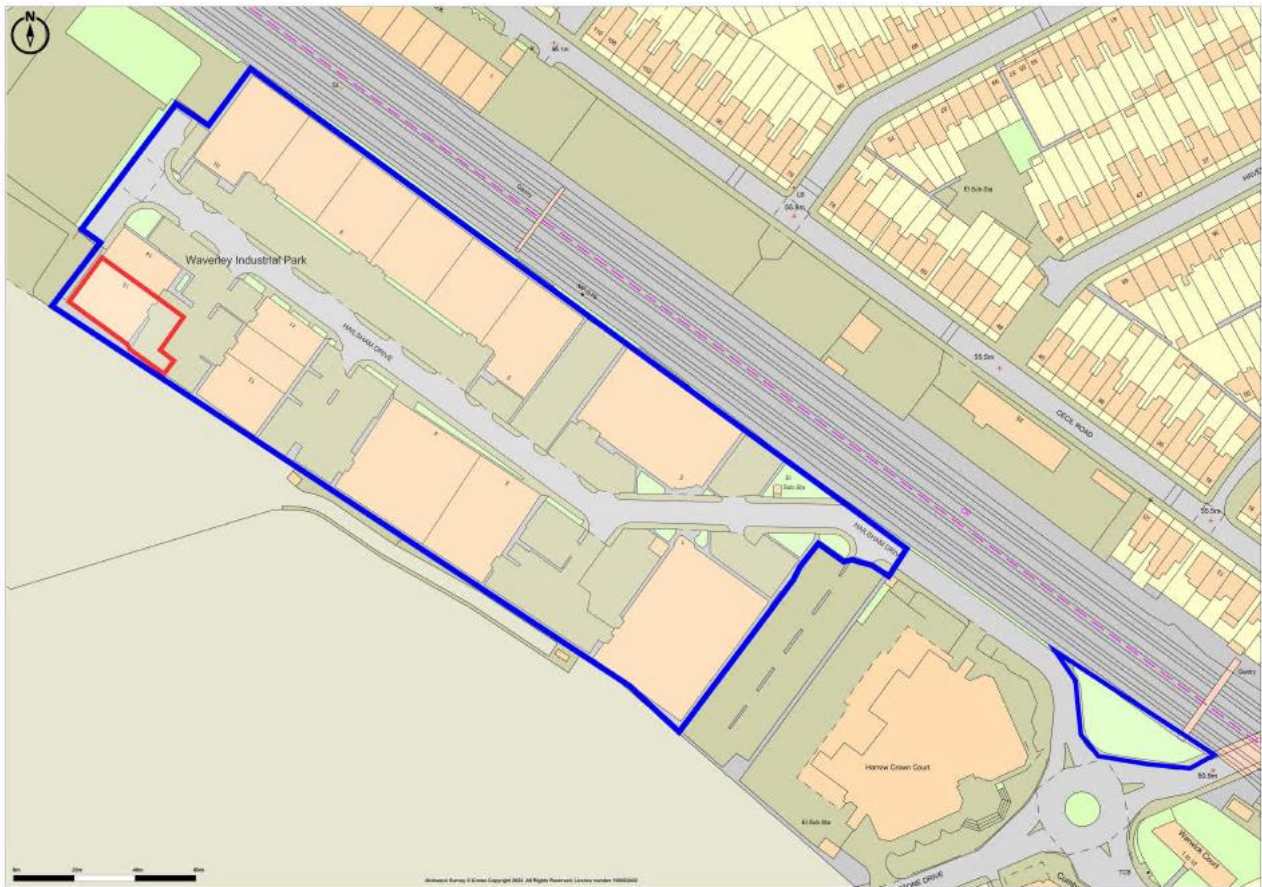
6. No External Changes.

The applicant is reminded that this planning permission does not grant any external mechanical plant, cooling ventilation equipment, or any other similar equipment. Any external works, including those for external plant and similar works will require planning permission.

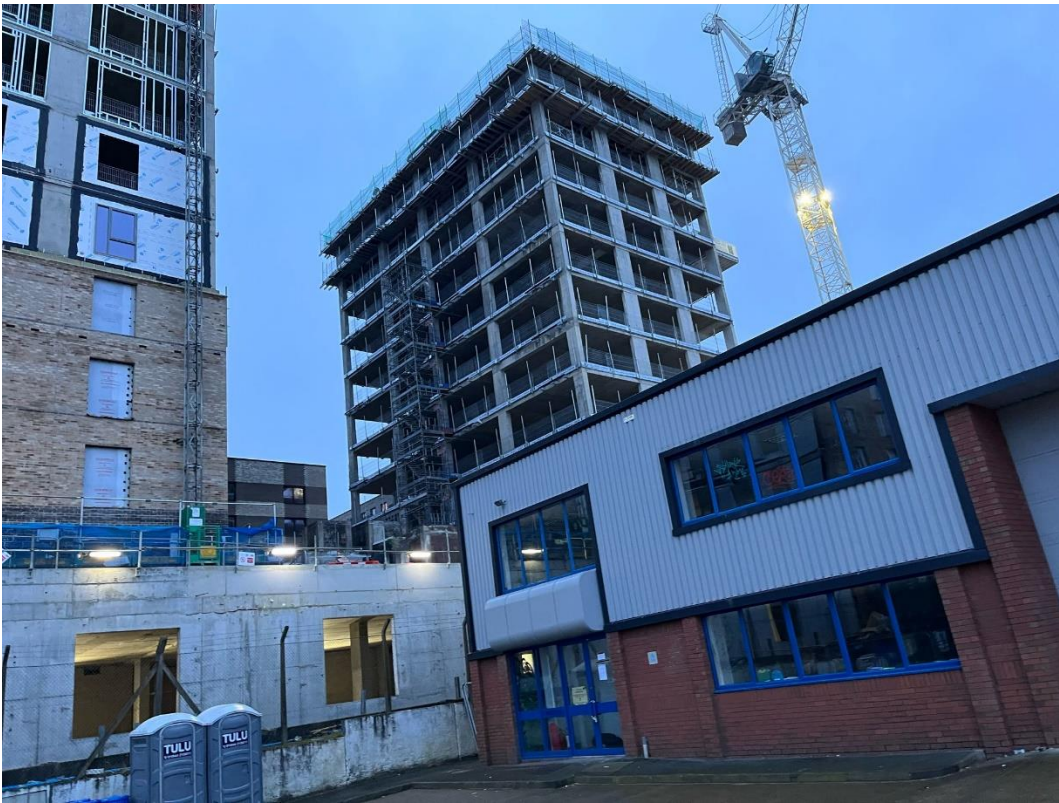
**CHECKED**

 <p>Orla Murphy Head of Development Management 29<sup>th</sup> February 2024</p>	 <p>Viv Evans Chief Planning Officer 29<sup>th</sup> February 2024</p>
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## APPENDIX 2: SITE PLAN



**APPENDIX 3: SITE PHOTOS**





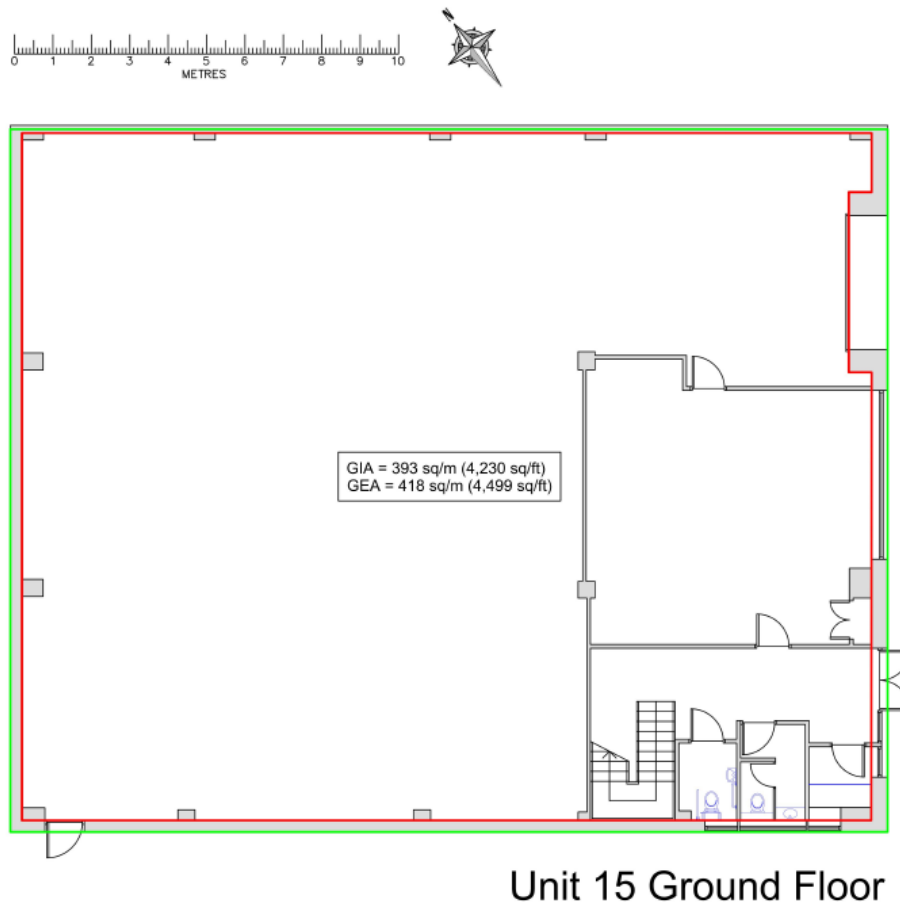




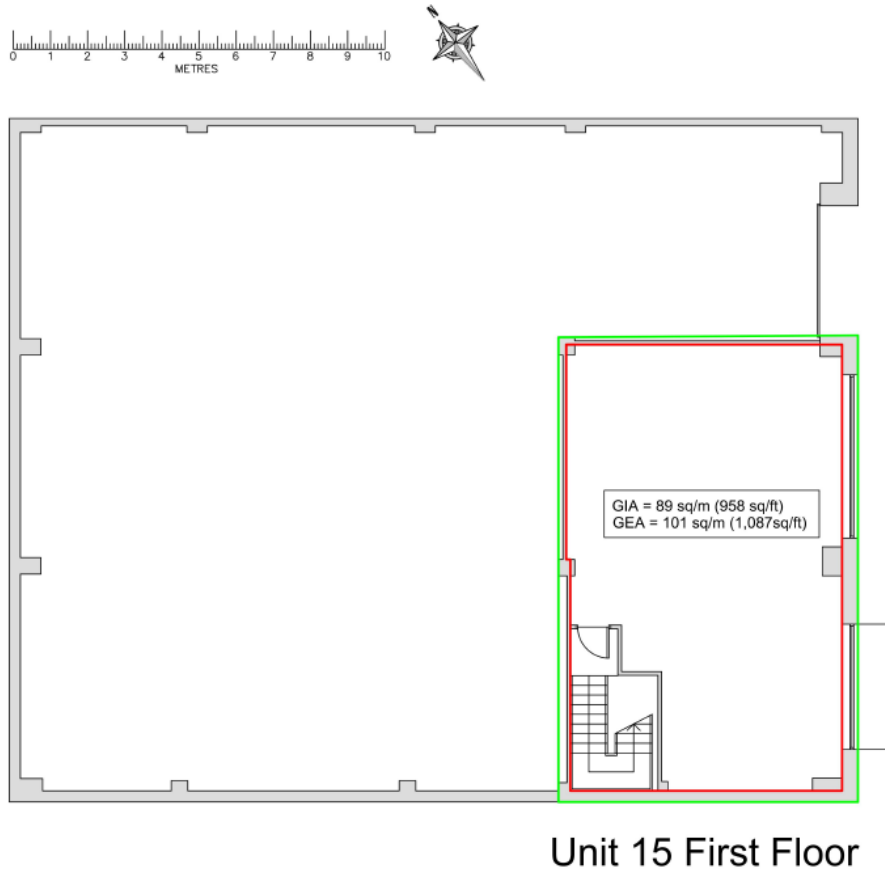


## APPENDIX 4: PLANS

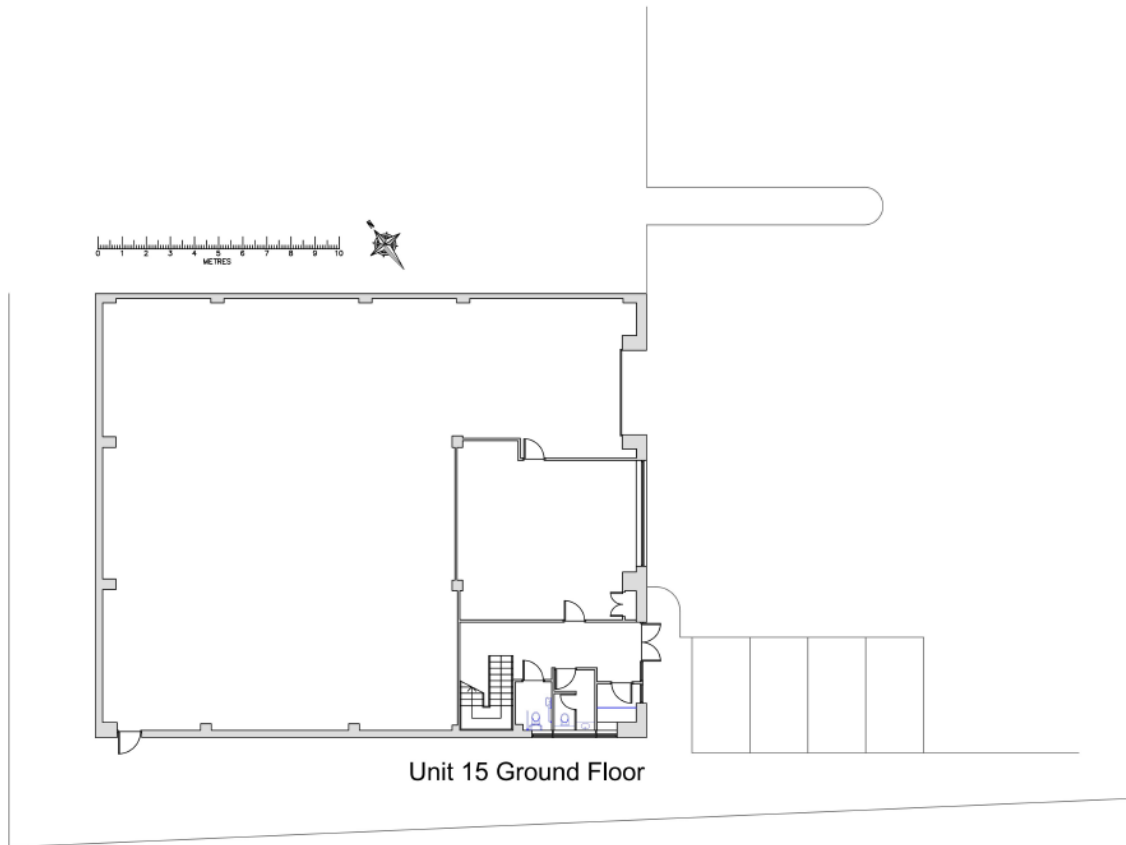
Existing and Proposed Ground Floor Plan:



# Existing and Proposed First Floor Plan:



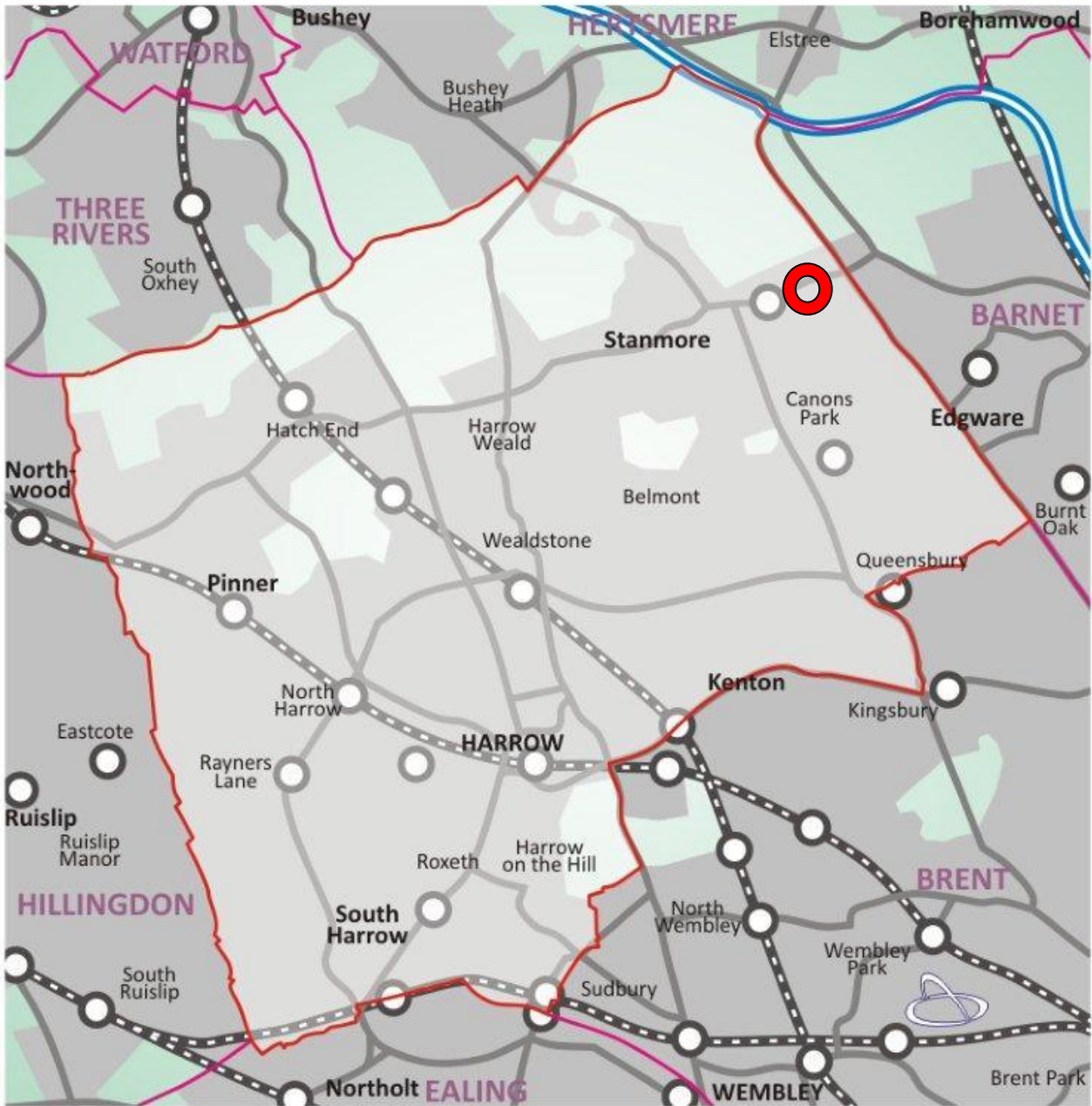
Existing and Proposed Site Layout:



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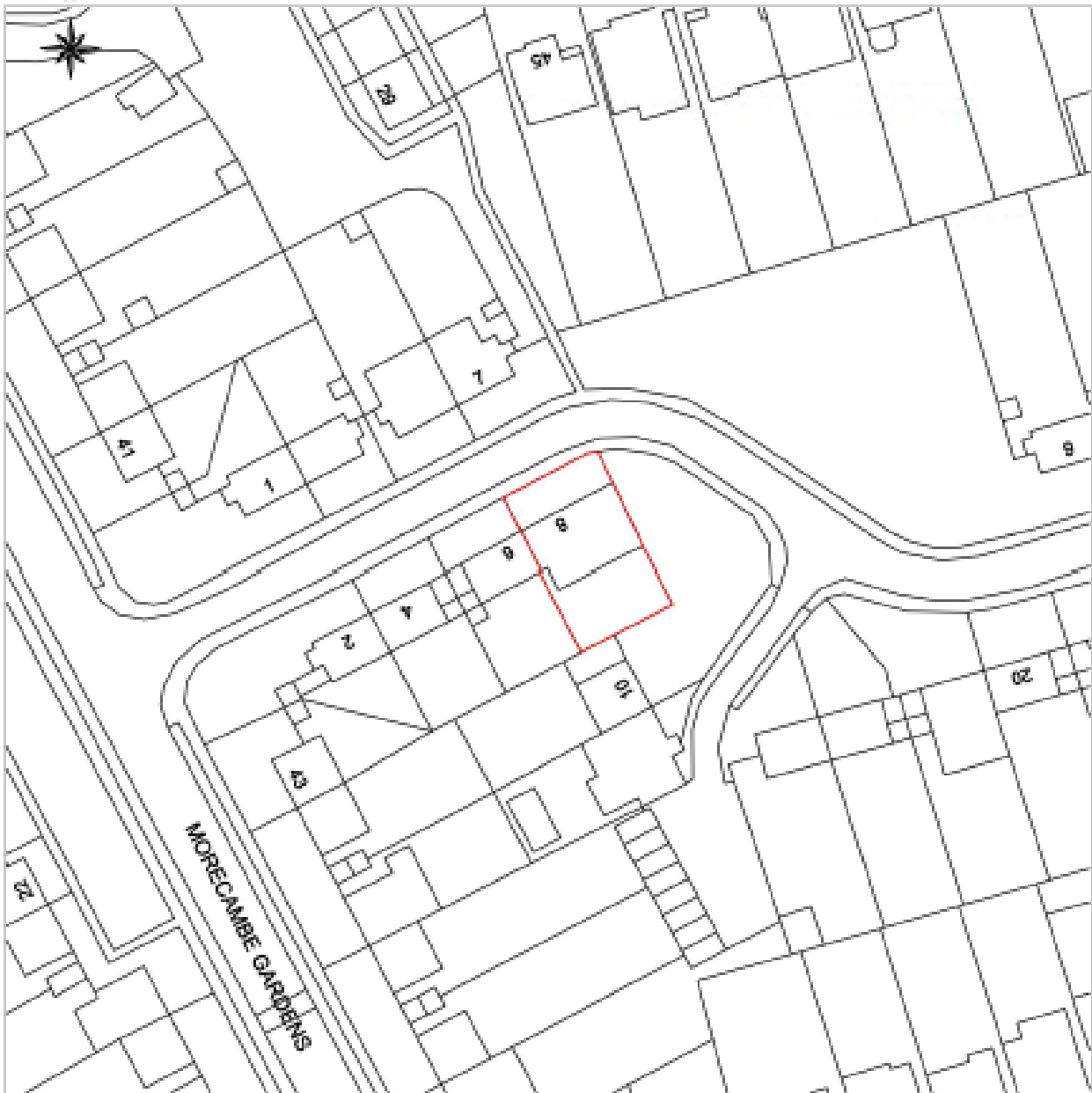
 = application site



**8 Tintagel Drive Stanmore HA7 4SR**

**PL/0817/23**

## Location Plan



Location Plan



# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

13<sup>th</sup> March 2024

**APPLICATION NUMBER:** PL/0817/23  
**VALID DATE:** 14/12/2023  
**LOCATION:** 8 TINTAGEL DRIVE, STANMORE  
**WARD:** CANONS  
**POSTCODE:** HA7 4SR  
**APPLICANT:** MR JOSHUA NG  
**AGENT:** N/A  
**CASE OFFICER:** DENISS NIKANDROVS  
**EXTENDED EXPIRY DATE:** 08/02/2024 (Extended Expiry to 31/03/2024)

### PROPOSAL

First Floor Side to Rear Extension; Single Storey Rear Extension; External Alterations.

### RECOMMENDATION

The Planning Committee is asked to refuse the application for the following reason:

The proposed first floor side to rear extension by reason of its cumulative poor design and the excessive depth of the first floor rear element of the extension, in conjunction with its prominent corner siting would result in an unneighbourly, dominant and incongruous form of development and an uncharacteristic loss of openness to the spatial setting of the locality, as well as resulting in an overbearing impact and perceived overlooking of the front garden of no.10 Tintagel Drive, to the detriment of the character and appearance of the existing dwellinghouse and the area, and the residential amenity of the occupiers of the adjacent dwelling, no. 10 Tintagel Drive contrary to the National Planning Policy Framework (2023), Policy D3.D(1), (7) and (11) of The London Plan (2021), Core Policy CS1 B of the Harrow Core Strategy (2012), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010).

### REASON FOR THE RECOMMENDATION

The proposed additions and alterations are inappropriate in this location and would have an adverse impact on the visual appearance of the host building and the character and appearance of the streetscene and wider area. The proposal would also result in an overbearing impact on the neighbouring properties with perceived loss of light over the front garden of no. 10 Tintagel Drive which is sited at the rear.

Accordingly, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out below, officers conclude that the application should be refused.

## **INFORMATION**

This application is reported to Planning Committee as the land associated with the site is owned by an employee of the Council and therefore falls within provision C(ii) of the Scheme of Delegation.

Statutory Return Type:	(E)21. Householder Development
Council Interest:	None
Net additional Floorspace:	45sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/A
Local CIL requirement:	N/A

## **HUMAN RIGHTS ACT**

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

## **EQUALITIES**

In determining this planning application, the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

## **S17 CRIME & DISORDER ACT**

It is considered that the proposed development would not adversely impact upon community safety issues or conflict with development plan policies in this regard.

## 1.0 SITE DESCRIPTION

- 1.1 The application site comprises of a two-storey semi-detached dwellinghouse located on the south side of Tintagel Drive
- 1.2 The dwelling is sited on a curve in the road and benefits from a single storey side to rear extension.
- 1.3 The attached neighbour No. 6 adjoins the subject site to the north and features a single storey side extension, whilst No. 10 adjoins the host property at the rear.
- 1.4 The site is located within a critical drainage area.

## 2.0 PROPOSAL

- 2.1 Single storey rear extension with an additional width of 0.7 metres to the existing extension and an increase in depth to 3.4 metres sited adjacent to the neighbouring property at no.6 Tintagel Drive.
- 2.2 First floor side to rear extension; 4.6m front width, 3.4m rearward depth, 5m rear width. External alterations.

## 3.0 RELEVANT PLANNING HISTORY

Ref no.	Description	Status & date of decision
LBH/20334/E	Single storey side extension	Grant 10/11/1981
LBH/22366	Single storey rear extension	Grant 24/11/1982
EAST/287/95/FUL	Alterations and single storey side/rear extension	Grant 12/07/1995
P/2309/22	First Floor Side To Rear Extension; External Alterations	Refused 02/08/2023

### Reason for Refusal:

The proposed first floor side to rear extension by reason of its cumulative poor design and the excessive depth of the first floor rear element of the extension, in conjunction with its prominent corner siting would result in an unneighborly, dominant and incongruous form of development and an uncharacteristic loss of openness to the spatial setting of the locality, as well as resulting in an overbearing impact and perceived overlooking of the front garden of no.10 Tintagel Drive, to the detriment of the character and appearance of the existing

dwellinghouse and the area, and the residential amenity of the occupiers of the adjacent dwelling, no. 10 Tintagel Drive contrary to the National Planning Policy Framework (2021), Policy D3.D(1), (7) and (11) of The London Plan (2021), Core Policy CS1 B of the Harrow Core Strategy (2012), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010).		
P/2600/23	First Floor Side to Rear Extension; Single Storey Rear Extension; External Alterations	Grant 15/02/2024

#### **4.0 CONSULTATION**

- 4.1 A total of 2.no consultation letters were sent to neighbouring properties regarding this application. The overall public consultation period expired on 5<sup>th</sup> February 2024.
- 4.2 1 objection was received which can be summarised as follows:  
 - already existing substantial extensions on the side of the garden and rear and side of the house  
 - demolition will bring noise and dust causing neighbours to suffer

#### **5.0 POLICIES**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:  
 'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'
- 5.2 The Government has issued the National Planning Policy Framework [NPPF 2023] which sets out the Government's planning policies for England and how these should be applied and is a material consideration in the determination of this application.
- 5.3 In this instance, the Development Plan comprises The London Plan 2021 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP]. The relevant polices are referenced within the report below and a summary within Informative 1.

#### **6.0 ASSESSMENT**

- 6.1 The main issues are:
- Character and Appearance Area
  - Residential Amenity
  - Drainage and Flood Risk
  - Fire Safety

## 6.2 Character and Appearance of the Area

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2023)
- The London Plan (2021): D3,
- Harrow Core Strategy (2012): CS1.B
- Harrow Development Management Policies (2013): DM1

Relevant Supplementary Documents

- Residential Design Guide (2010)

### Single Storey Rear Extension

6.2.2 The proposed single storey rear extension would infill a gap between the boundary with no.6 Tintagel Drive and the existing extension. The single storey infill extension will have a width of 0.9m and will align with the original side elevation. The extension would have a depth of 3.4m and a maximum height of 3.1 metres, although deeper than the existing extensions on the property, it would be low in nature and would not have a significant impact on the wider area, it would also be largely obscured by the first-floor element of the scheme, on balance, the ground floor element is acceptable.

### First Floor Side and Rear Extension

6.2.3 Tintagel Drive is a residential road which features multiple corner sites. The area comprises of mainly semi-detached dwellings with a small element of terraced housing. However, it is considered that corner and end sites have maintained a significant character of openness with two storey extensions not projecting significantly beyond the rear elevation. The first-floor side extension would not be set back from the front elevation and its width would match the existing ground floor flank elevation thereby spanning 4.65m on the front elevation but increasing at the rear to 5 metres. As first floor extension projects rearwards, it would not be set in from the flank elevation. The built form of the side extension would appear incongruous and dominate built form in relation to the original building.

6.2.4 The proposed first-floor side and rear element would have a profound, unacceptable impact on the character of the host site and surrounding area. The proposed extension would not be set back from the principal elevation, nor down from the ridge, with the rear element of the extension projecting beyond the rear elevation also not being set in from the side elevation. This would result in a dominating extension which appears incongruous within the setting of the host property and the surrounding street scene; ultimately resulting in significant harm to the character of the host site and surrounding area.

6.2.5 Furthermore, the proposed first-floor rear element would project a significant depth beyond the rear elevation of the host property with a maximum depth of 3.4 metres. Although not a significant depth beyond the normally acceptable 3 metres, the first-floor and corner plot nature of the extension would exacerbate its impact within the

surrounding locale, adding exceptional massing to the existing development. Furthermore, as noted in the previous proposal, “...it is considered that corner and end sites have maintained a significant character of openness with two storey extensions not projecting significantly beyond the rear elevation.” The proposed first-floor rear projection would disrupt the openness of the surrounding area to the detriment of the wider character. The visually prominent extension would only serve to close the gap which is characteristic of the corner plots in the immediate locale.

- 6.2.6 In the previous application (P/2309/22), the depth of the first-floor rear extension was 3m which was considered excessive particularly at this prominent corner site. The current proposals seek a depth of 3.4m, exceeding what was initially considered unacceptable and excessive to the detriment of the openness on this corner site. The proposed roof over the first-floor extension would also not be set down from the ridge of the existing roof with the eaves of the extension above those of the original property. The extension would in no way appear subordinate to the original property and would reduce the openness of the site further than what was previously refused and deemed unacceptable. As such, the proposals are considered unacceptable.
- 6.2.7 In summary, proposed first floor side to rear extension by reason of its cumulative poor design and the excessive depth of the first floor rear element of the extension, in conjunction with its prominent corner siting would result in an unneighborly, dominant and incongruous form of development and an uncharacteristic loss of openness to the spatial setting of the locality, contrary to the National Planning Policy Framework (2023), Policy D3 of the London Plan (2021), Core Policy CS1 (B) of the Harrow Core Strategy (2012), policy DM 1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).

### 6.3 Residential Amenity

6.3.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1

Relevant Supplementary Documents

- Residential Design Guide (2010)

#### Impacts on No. 6 Tintagel Drive

- 6.3.2 The proposed single storey rear extension would have a depth of 3.4m. This would be greater than the 3 metres normally permissible for single storey rear extensions, however, on balance, the additional 0.4 metres would be unlikely to cause detrimental loss of light or outlook to the adjoining semi-detached unit and therefore this element is acceptable. The proposed first floor side to rear extension would be set away from the shared boundary. The rear element would protrude 3.4m from the rear wall of the dwellinghouse and would be sited 8.7m away from neighbouring property. Paragraph 6.39 of the Council's SPD determines the suitability of extensions in relation to neighbouring protected windows and amenity areas by using a '45-degree rule' measured from the nearest corner of the neighbouring property. As per the proposed floor plans the first-floor element would not intersect

a 45 degree splay from the shared boundary and is therefore considered to be an acceptable distance away from the shared boundary as to not have any significant impact to no.6 Tintagel Drive.

- 6.3.3 A window is located in the first-floor side elevation facing 6 Tintagel Drive, and would cause some overlooking issues, had this application been otherwise recommended for grant then it would have been reasonable to seek removal of this window via condition in the interests of protecting the amenities of these neighbours due to actual and perceived overlooking from this window.

#### Impacts on No. 10 Tintagel Drive

- 6.3.4 The application property is sited perpendicular to no.10 Tintagel Drive to the rear. In particular, the front door and front garden area of no. 10 has direct visibility toward the proposed extension. The previous application (P/2309/22) was refused due to the prominence of the depth of the first-floor extension and its impact on no.10. The current proposals have a first-floor rear extension with a depth of 3.4m which would project closer to no 10 than the previously refused scheme. It is noted that the extent of glazing on the rear elevation has been reduced but there would still be a rearward facing bedroom window at first floor level, resulting in perceived overlooking of the front garden space of no 10. The encompassing and overbearing nature of the development over the neighbouring unit would be exacerbated by the short garden. This would result in considerable harm to the amenities of the neighbouring dwellinghouse through the perceived loss of privacy to the front amenity space as
- 6.3.5 In summary, scheme would harming the neighbouring amenity through perceived loss of privacy and the scale and massing of the scheme resulting in an overbearing and encompassing structure, contrary to the National Planning Policy Framework (2023), Policy D3 of the London Plan (2021), Core Policy CS1 (B) of the Harrow Core Strategy (2012), policy DM 1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).

## **6.4 Drainage**

- 6.4.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2021): SI 13
- Harrow Development Management Policies (2013): DM10

- 6.4.2 The development would not result in a minimal increase in the development footprint. As the site is located within a Critical Drainage Area, were the scheme to be approved, sustainable urban drainage [SUDs] is encouraged and an informative would have been added.

## **6.5 Fire Safety**

- 6.5.1 The relevant policies are:

- National Planning Policy Framework (2023)
- London Plan Policy: D12

6.5.2 Part A of Policy D12 of the London Plan (2021) requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply. A Reasonable Exception Statement has been provided and therefore the application is acceptable on Fire Safety terms.

## **7.0 CONCLUSION AND REASONS FOR REFUSAL**

7.1 The proposed first floor side to rear extension by reason of its cumulative poor design and the excessive depth of the first floor rear element of the extension, in conjunction with its prominent corner siting would result in an unneighbourly, dominant and incongruous form of development and an uncharacteristic loss of openness to the spatial setting of the locality, as well as resulting in an overbearing impact and perceived over looking of the front garden of no.10 Tintagel Drive, to the detriment of the character and appearance of the existing dwellinghouse and the area, and the residential amenity of the occupiers of the adjacent dwelling, no. 10 Tintagel Drive contrary to the National Planning Policy Framework (2021), Policy D3.D(1), (7) and (11) of The London Plan (2021), Core Policy CS1 B of the Harrow Core Strategy (2012), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010).



## APPENDIX 1: CONDITIONS AND INFORMATIVES

### INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

**The National Planning Policy Framework 2023**

**London Plan 2021:**

D3, D12, S1 13

**The Harrow Core Strategy 2012:**

CS1.B

**Harrow Development Management Policies Local Plan 2013:**

DM1, DM10

**Supplementary Planning Document - Residential Design Guide 2010**

2. Pre-application engagement


Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015

This decision has been taken in accordance with paragraphs 39-42 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

PLAN LIST

Reasonable Exception Statement; PL000\_Rev C; PL001\_Rev C ; PL002\_Rev C; PL003\_Rev C; PLEX2\_Rev C.

CHECKED

 <p>Orla Murphy Head of Development Management 29<sup>th</sup> February 2024</p>	 <p>Viv Evans Chief Planning Officer 29<sup>th</sup> February 2024</p>
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**APPENDIX 2: LOCATION PLAN**



Location Plan

## **APPENDIX 3: SITE PHOTOGRAPHS**

Front View











Rear View

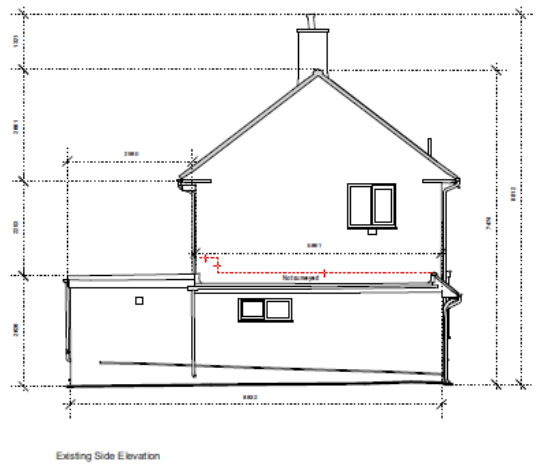
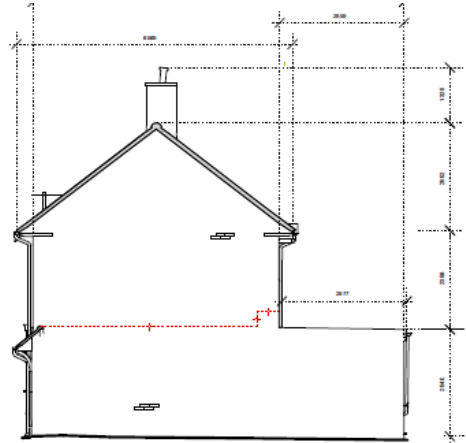
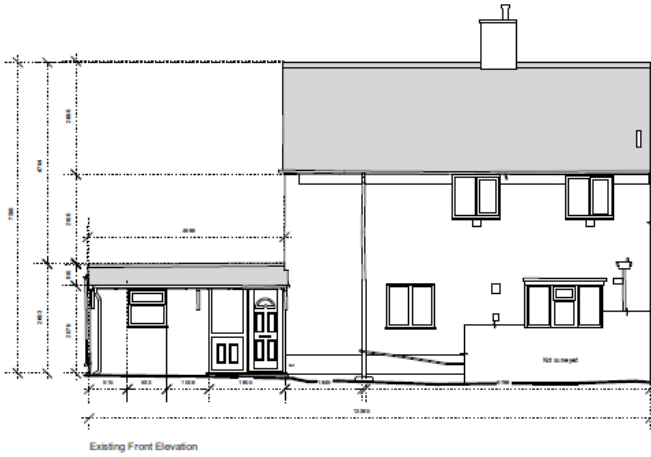




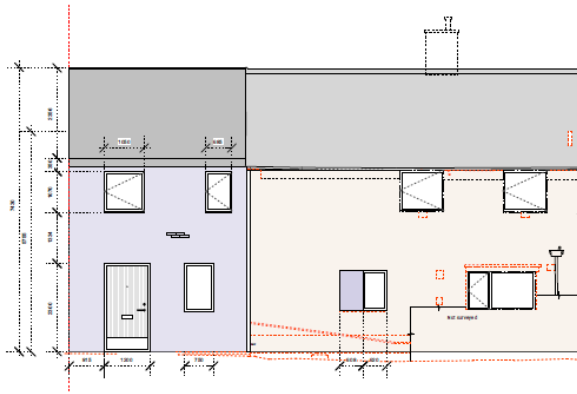


# APPENDIX 4: PLANS AND ELEVATIONS

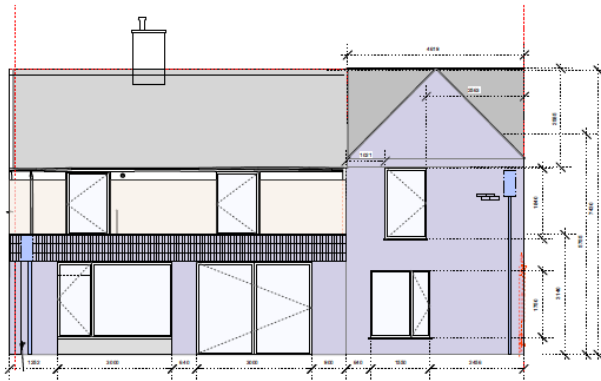
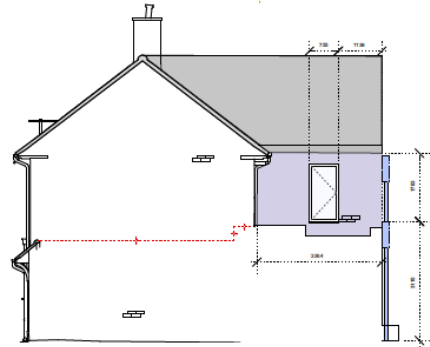
## Existing Elevations



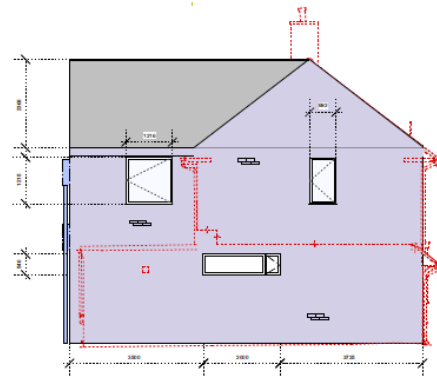
# Proposed Elevations



Proposed Front Elevation



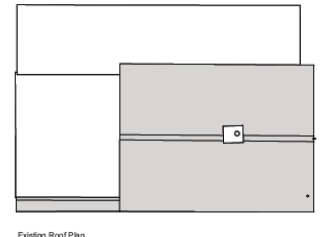
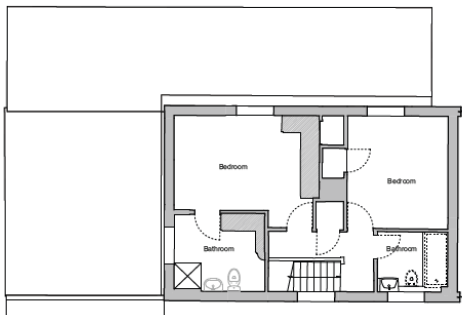
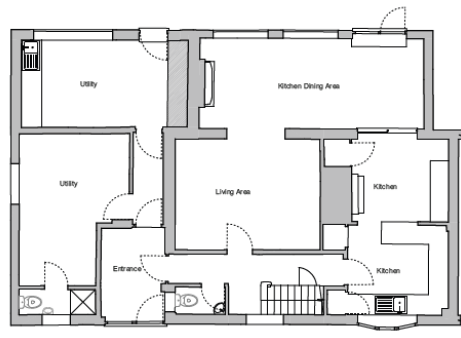
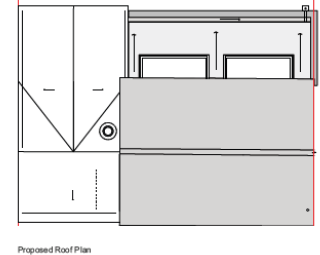
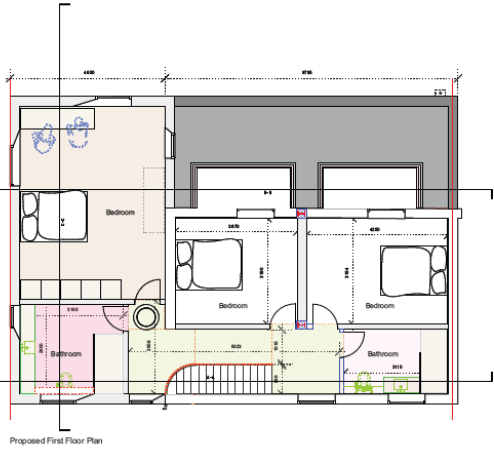
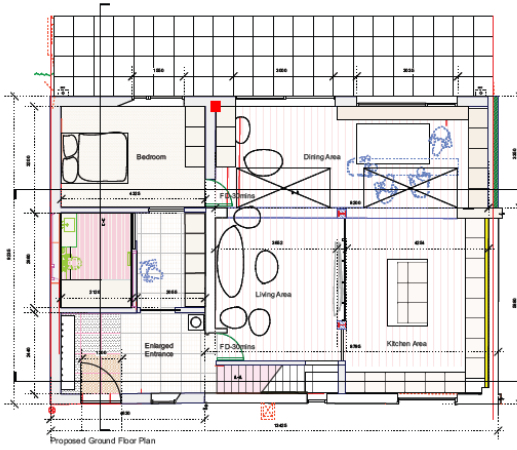
Proposed Back Elevation



Proposed Side Elevation

# Existing and Proposed Plans

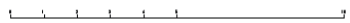
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THIS DRAWING IS FOR DESIGN DIRECTION ONLY AND MAY ONLY BE USED FOR PLANNING PURPOSES ONLY  
ALL DIMENSIONS ARE TO BE CONFIRMED ON-SITE BY THE CONTRACTOR  
FURTHER DETAILS ARE TO BE WORKED OUT BY THE CONTRACTOR / PRINCIPLE DESIGNER. WHERE THERE ARE DISCREPANCIES THIS SHOULD BE HIGHLIGHTED TO THE PRINCIPLE DESIGNER IMMEDIATELY.



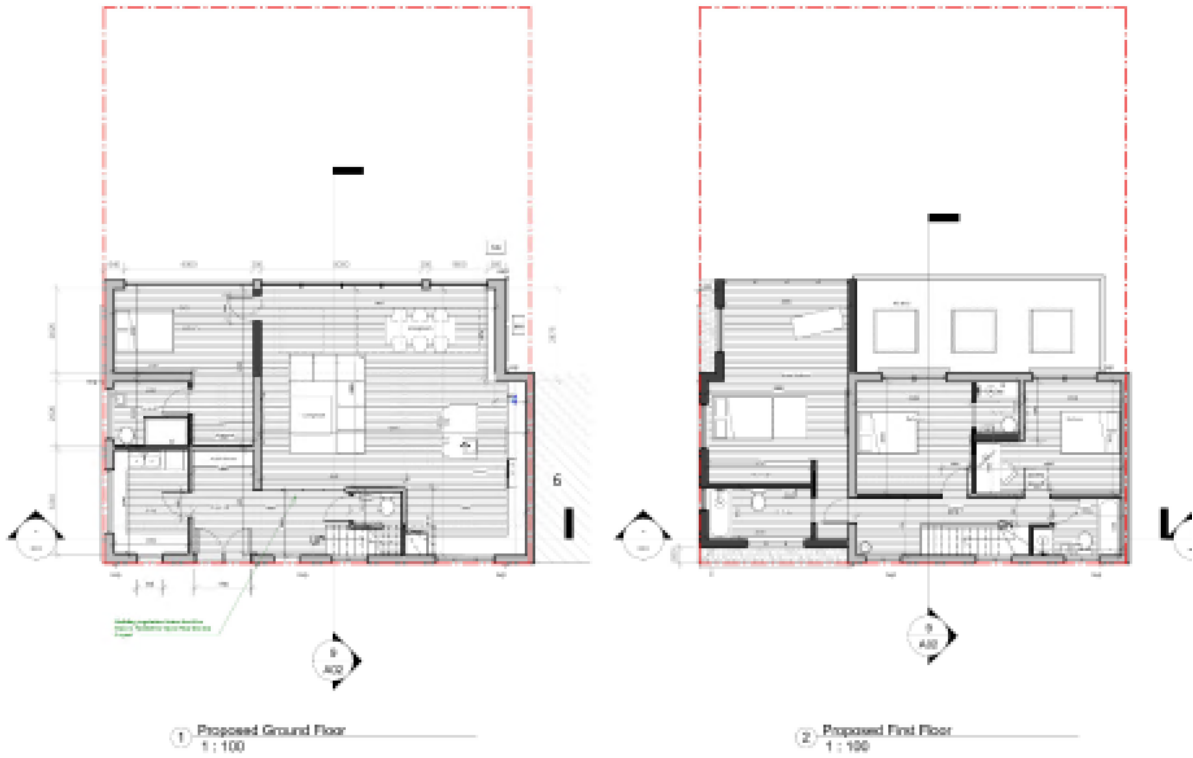
**TMWY**

job	Tintagel
address	8 Tintagel Drive, Stanmore HA7 4SR
titb	General Arrangement PL001
scale	1:100 @ A3
date	26 JUL 2023
job reference	PL001
drawing number	
revision	A C

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**Refused Elevations and Floor Plans P/2309/22**



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