



Quarterly (Q2 Calendar Year) Appeals Report for September 27th, 2023, Planning Committee

Planning Inspectorate statistical release dated 18th May 2023 revealed that for the month of April, there were 1,225 written representations decisions and 15,997 in the last 12 months. Enforcement decisions made in April had a median decision time of 58 weeks, with the 12-month median being 55 weeks. The median decision time for Written Representations cases was 29 weeks, compared to the past 12 months which sat at 28 weeks. The Official Statistics for the month of April can be read by clicking [here](#).

Planning Inspectorate statistical release dated 22nd June 2023 revealed that for the month of May, there were 1,315 written representations decisions and 16,029 in the last 12 months. Enforcement decisions made in May had a median decision time of 58 weeks, with the 12-month median being 56 weeks. The median decision time for Written Representations cases was 30 weeks, compared to the past 12 months which sat at 28 weeks. The Official Statistics for the month of May can be read by clicking [here](#).

Planning Inspectorate statistical release dated 20th July 2023 revealed that for the month of June, there were 1,402 written representations decisions and 16,326 in the last 12 months. Enforcement decisions made in June had a median decision time of 53 weeks, with the 12-month median being 56 weeks. The median decision time for Written Representations cases was 31 weeks, compared to the past 12 months which sat at 29 weeks. The Official Statistics for the month of June can be read by clicking [here](#).

Harrow Councils Planning Service had received the following Appeal Decisions between April 1st, 2023 and June 30th, 2023 (in no particular date order).

Summary of Appeal Decisions:

Item	Site Address	Planning Reference	Description of Development	Decision Type	Status and Costs
1	31 Barrow Point Avenue, Pinner, Harrow, HA5 3HD	Appeal Ref: 3307100 LPA Ref: P/2287/22	Alterations and extensions to existing detached bungalow including changes to roof to form barn hip end roof extensions enclosing garage conversion and extended pitched roof at the rear, 3 front roof lights, one rear dormer, 2 roof lights in rear roof slope, single storey side and rear extension with skylights.	Non-Determination	Dismissed 11.05.2023
2	13 Harley Crescent, Harrow, HA1 4XQ	Appeal Ref: 3311563 LPA Ref: P/2776/22/PR IOR	Erection of a single storey rear extension.	Delegated Refusal on 07.09.2022	Dismissed 30.06.2023
3	29 Malpas Drive, Pinner, Harrow, HA5 1DQ	Appeal Ref: 3315624 LPA Ref: P/3246/22	First-floor front and rear extension, single storey front and rear extension, loft extension with rear dormer.	Delegated Refusal on 07.11.2022	Dismissed 20.04.2023



4	39 Curzon Avenue, Stanmore, Harrow, HA7 2AL	Appeal Ref: 3306772 LPA Ref: P/2041/21	Erection of a single storey and two storey rear extension.	Delegated Refusal on 02.08.2022	Dismissed 14.04.2023
5	81 Woodlands, North Harrow, Harrow, HA2 6EN	Appeal Ref: 3318455 LPA Ref: P/3830/22	Erection of two-storey side extension above existing single storey side extension.	Delegated Refusal on 21.12.2022	Allowed 29.06.2023
6	27 Elms Road, Harrow Weald, Harrow, HA3 6BB	Appeal Ref: 3315547 LPA Ref: P/3672/22	Erection of a single storey side garage extension, two-storey front extension, first-floor front extension with gable, first-floor rear extension, alterations, and extension to roof, rear dormer, rooflights in front, both side roof slopes and crown, external alterations.	Delegated Refusal on 22.12.2022	Dismissed 20.04.2023
7	203 Whitchurch Lane, Edgware, Harrow, HA8 6QT	Appeal Ref: 3316932 LPA Ref: P/3018/22	Double storey side and rear extensions and front porch.	Delegated Refusal on 28.11.2022	Dismissed 16.05.2023
8	203 Whitchurch Lane, Edgware, Harrow, HA8 6QT	Appeal Ref: 3318139 LPA Ref: P/4059/22	Erection of a front porch, single storey side extension, two storey side to rear extension, single storey rear extension and external alterations (demolition of rear extension and detached garage).	Delegated Refusal on 23.01.2023	Dismissed 17.05.2023
9	147 Eastcote Lane, Harrow, HA2 8RR	Appeal Ref: 3307397 LPA Ref: P/1366/22	Erection of a semi-detached house to No 147 Eastcote Lane and alterations to existing dwelling.	Delegated Refusal on 18.07.2022	Dismissed 31.05.2023
10	Pavement outside 34 Station Road, Harrow, HA2 7SE	Appeal A Ref: 3308485 LPA Ref: P/2439/22	Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator.	Delegated Refusal on 24.08.2022	Dismissed 05.06.2023
11	Pavement outside 34 Station Road, Harrow, HA2 7SE	Appeal B Ref: 3308487 LPA Ref: P/2481/22	Display of freestanding LCD sign.	Delegated Refusal on 24.08.2022	Dismissed 05.06.2023



12	53 Wood End Avenue, Harrow, HA2 8NU	Appeal Ref: 3308413 LPA Ref: P/2272/22	Single storey side to rear extensions, front extension incorporating front porch and alterations to the boundary wall along with conversion into two flats.	Delegated Refusal on 24.08.2022	Dismissed 11.05.2023
13	31 Fairview Crescent, Harrow, HA2 9UB	Appeal Ref: 3314136 LPA Ref: P/3195/22	Erection of first floor wrap-around side/rear extension and ground floor infill rear extension with new rooflight.	Delegated Refusal on 02.11.2022	Split Decision 20.04.2023
14	12 Kelvin Crescent, Harrow, HA3 6DP	Appeal Ref: 3303177 LPA Ref: P/0530/22	First-floor extension over garage and alterations to porch.	Delegated Refusal on 12.05.2022	Dismissed 19.04.2023
15	97 Moss Lane, Pinner, Harrow, HA5 3AT	Appeal Ref: 3317461 LPA Ref: P/3118/22	Erection of single storey rear extension, demolition of existing extension.	Delegated Refusal on 22.12.2022	Allowed 16.05.2023
16	Pavement outside 43 Bridge Street, Harrow, HA5 3HR	Appeal Ref: 3308480 LPA Ref: P/2438/22	Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator.	Delegated Refusal on 25.08.2022	Allowed 05.06.2023
17	Pavement outside 43 Bridge Street, Harrow, HA5 3HR	Appeal Ref: 3308483 LPA Ref: P/2474/22	Display of a freestanding LCD sign.	Delegated Refusal on 24.08.2022	Allowed 05.06.2023
18	12 Powell Close, Edgware, Harrow, HA8 7QU	Appeal Ref: 3315066 LPA Ref: P/2041/22	Roof alterations to create habitable roof space (bedroom), a side dormer, first floor rear extension, rooflights on side roof slope and external alterations to dwellinghouse.	Delegated Refusal on 10.11.2022	Dismissed 20.04.2023
19	Pavement outside Royal Oak, St Ann's Road, Harrow, HA1 1JP	Appeal Ref: 3308469 LPA Ref: P/2434/22	Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator.	Delegated Refusal on 24.08.2022	Dismissed 05.06.2023
20	Pavement outside Royal Oak, St Ann's Road, Harrow, HA1 1JP	Appeal Ref: 3308470 LPA Ref: P/2466/22	Display of one freestanding LCD sign.	Delegated Refusal on 24.08.2022	Dismissed 05.06.2023



21	Pavement outside 309 Station Road, Harrow, HA1 2TA	Appeal Ref: 3308471 LPA Ref: P/2435/22	Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator	Delegated Refusal on 24.08.2022	Dismissed 05.06.2023
22	Pavement outside 309 Station Road, Harrow, HA1 2TA	Appeal Ref: 3308472 LPA Ref: P/2467/22	Display of one freestanding LCD sign.	Delegated Refusal on 24.08.2022	Dismissed 05.06.2023
23	Pavement outside 341 Station Road, Harrow, HA1 2AA	Appeal Ref: 3308474 LPA Ref: P/2436/22	Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator.	Delegated Refusal on 24.08.2022	Allowed 05.06.2023
24	Pavement outside 341 Station Road, Harrow, HA1 2AA	Appeal Ref: 3308475 LPA Ref: P/2468/22	Display of one freestanding LCD sign.	Delegated Refusal on 24.08.2022	Allowed 05.06.2023
25	Pavement outside 4 Red Lion Parade, Bridge Street, Harrow, HA5 3JD	Appeal Ref: 3308477 LPA Ref: P/2437/22	Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator.	Delegated Refusal on 24.08.2022	Dismissed 05.06.2023
26	Pavement outside 4 Red Lion Parade, Bridge Street, Harrow, HA5 3JD	Appeal Ref: 3308479 LPA Ref: P/2471/22	Display of one freestanding LCD sign.	Delegated Refusal on 24.08.2022	Dismissed 05.06.2023
27	69 Yeading Avenue, Rayners Lane, Harrow, HA2 9RL	Appeal Ref: 3318133 LPA Ref: P/3678/22	Installation of decking over existing patio.	Delegated Refusal on 19.12.2022	Allowed 22.06.2023
28	89 Weston Drive, Stanmore, Harrow, HA7 2EW	Appeal Ref: 3293724 LPA Ref: P/2063/21	Conversion of dwellinghouse to 3 flats with refuse, cycle storage and landscaping/amenity space and a single and two storey side extension, single and two storey rear extension, two storey side infill extension, external alterations.	Non-Determination	Allowed 30.06.2023
29	179 Uxbridge Road, Harrow Weald, Harrow, HA3 6TP	Appeal Ref: 3315288 LPA Ref: P/3675/22	First-floor side extension plus first-floor rear extension plus loft conversion with rear dormer and minor internal and external alterations.	Delegated Refusal on 19.12.2022	Allowed 30.06.2023 15.05.2023



30	147 Eastcote Lane, South Harrow, Harrow, HA2 8RR	Appeal Ref: 3307386 LPA Ref: P/1367/22	Erection of a detached dwelling.	Delegated Refusal on 18.08.2022	Dismissed 19.06.2023
31	Bramber, Porlock Avenue, Harrow, HA2 0AP	Appeal Ref: 3295639 LPA Ref: P/0261/22	Certificate of lawful use or development is sought for 'building a single-storey side-extension that does not exceed half the width of the original dwelling'.	Delegated Refusal on 22.03.2022	Dismissed 20.04.2023
32	Blandings, Potter Street Hill, Pinner, Harrow, HA5 3YH	Appeal Ref: 3310969 LPA Ref: P/1772/22	Front ground floor side extension, side porch with new first-floor extension with pitch roof with associated internal changes.	Delegated Refusal on 08.11.2022	Dismissed 26.05.2023
33	Land at 11-13 Canterbury Road, Harrow, HA2 6AA	Appeal Ref: 3303368 LPA Ref: P/4525/21	Demolition of pair of semi-detached houses and erection of a 3-storey development with 7 self-contained flats, with 4 integral parking spaces to the rear of the building with a new crossover and 1 parking space to the front.	Delegated Refusal on 18.01.2022	Dismissed 15.05.2023
34	11 High View, Pinner, Harrow, HA5 3NZ	Appeal Ref: 3319196 LPA Ref: P/2539/22	Demolition of the existing house to be replaced with a new build 3 storey house.	Delegated Refusal on 26.09.2022	Dismissed 01.06.2023
35	27 Derwent Avenue, Pinner, Harrow, HA5 4QH	Appeal Ref: 3301234 LPA Ref: P/0126/22	Removal of existing roof, first-floor extension including front and rear dormers, part two-storey, part single storey side extension, facade changes and internal alterations.	Non- Determination	Allowed 25.05.2023
36	Land adjacent to Shandon, Poplar Close, Pinner, Harrow, HA5 3PZ	Appeal Ref: 3299024 LPA Ref: P/4433/21	Erection of bungalow with habitable rooms in roof space.	Delegated Refusal on 01.04.2022	Dismissed 13.04.2023
37	26 Merivale Road, Harrow, HA1 4BH	Appeal Ref: 3301565 LPA Ref: P/0523/22 Costs Ref: 3301565	Certificate of lawful use or development for the construction of a rear dormer and 2 velux windows.	Delegated Refusal on 13.04.2022	Allowed 01.06.2023 Costs Award Allowed 01.06.2023



38	Land at 24 Maricas Avenue, Weald, Harrow, HA3 6JA	Appeal Ref: 3291026 LPA Ref: ENF/0238/20/ P/6004	Enforcement Notice Appeal issued on 03.12.2021 by procedure type Written Representation by the landowner. The breach of planning control as alleged in the notice is without planning permission, the unauthorised construction of a single-storey side to rear extension including raised decking area, and, unauthorised construction of first-floor side to rear extension.	Enforcement Notice	Withdrawal by Appellant 23.06.2023
39	Land at 187a Cannon Lane, Pinner, Harrow, HA5 1HY	Appeal Ref: 3310121 LPA Ref: ENF/0153/19/ P/6104	Enforcement Notice Appeal by procedure type Written Representation from landowner following Enforcement Notice being issued on 30.09.2022. The breach of planning control as alleged in the notice is without planning permission, the unauthorised construction of an outbuilding extension (part demolition of outbuilding).	Enforcement Notice	Withdrawal by Appellant 19.05.2023
40	Honeypot Medical Centre, 404 Honeypot Lane, Stanmore, Harrow, HA7 1JP	Appeal Ref: 3305556 LPA Ref: ENF/0239/19/ P/6069	Enforcement Notice Appeal by procedure type Written Representation from landowner following Enforcement Notice being issued on 22.07.2022. The breach of planning control as alleged in the notice is without planning permission, the unauthorised construction of a front ramp, an enclosed front canopy, first floor side to rear extension and rear dormer.	Enforcement Notice	Withdrawal by Appellant 03.05.2023
41	Land at 27 Silver Close, Harrow, HA3 6JT	Appeal Ref: 3299789 LPA Ref: ENF/0021/22/ P/6045	Enforcement Notice Appeal by procedure type Written Representation from landowner following Enforcement Notice being served on 03.05.2022 with effective date being 03.07.2023. The breach of planning control as alleged in the notice is without planning permission, the unauthorised construction of a single storey wooden and Perspex canopy structure to the rear of the dwellinghouse.	Enforcement Notice	Allowed and Notice Quashed 15.05.2023
42	208 Whitchurch Lane, Edgware, Harrow, HA8 6QH	Appeal Ref: 3295582 LPA Ref: ENF/0078/18/ P/6018	Enforcement Notice Appeal by procedure type Written Representation from landowner following Enforcement Notice being served on 21.02.2022 with effective date being 21.08.2022. The breach of planning control as alleged in the notice is without planning permission, the unauthorised construction of a first-floor rear extension and roof alteration comprising hip to gable end and rear dormer.	Enforcement Notice	Allowed and Notice Quashed 17.04.2023



Summary of Appeal Decisions:

1. 31 Barrow Point Avenue, Pinner, HA5 3HD (Appeal Ref: 3307100)

- 1.1. 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 alterations and extensions to existing detached bungalow including changes to roof to form barn hip end roof extensions enclosing garage conversion and extended pitched roof at the rear, 3 front roof lights, one rear dormer, 2 roof lights in rear roof slope, single storey side and rear extension with skylights
- 1.2. The Council had provided a reason for which they would have refused planning permission, the main concerns being the effect of the proposals on the character and appearance of the host dwelling and the area.
- 1.3. The inspectorate observed that extending the roof upwards and to the side to create barn hips would create additional mass at roof level which would result in a bulky and top-heavy appearance to the dwelling when viewed from the road, which would not reflect the proportions of the existing dwelling or others in the area. The inspectorate further commented that the design of the roof including the barn hips, combined with the wide front facing gable, would result in an alien and incongruous addition to the street scene, at odds with the existing character that comprises dwellings of conventional, domestic proportions.
- 1.4. The inspectorate came to the conclusion that the proposal would be harmful to the character and appearance of the host dwelling and the area, contrary to Policy D3 of 'The London Plan' (2021) and Policy CS1 of the 'Harrow Core Strategy' (2012), Policy DM1 of the 'Harrow Council Development Management Policies' (2013), Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010) which together, among other things, seek to ensure development proposals respond positively to local context and distinctiveness and are of a high quality design and harmonise with the scale/architectural style of the original building, and character of the area.

2. 13 Harley Crescent, HA1 4XQ (Appeal Ref: 3311563)

- 2.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("GPDO") for a single storey rear extension. The main concerns being whether the proposed extension would comply with the permitted development requirements set out at Class A of the GPDO.
- 2.2. The inspectorate observed that the proposed extension would not comply with the requirement under Class A.1(j)(iii) of the GPDO. The inspectorate took note of the case made by the appellant that the proposal would bring an important built feature within the locality, however expressed that this does not relate to the GPDO requirements.
- 2.3. The inspectorate came to the conclusion that the proposal is not permitted development under Schedule 2, Part 1, Class A of the GPDO, it is a development for which an application for planning permission would be required, and cannot be addressed through the prior approval provisions.



3. 29 Malpas Drive, Pinner, HA5 1DQ (Appeal Ref: 3315624)

- 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 a first-floor front and rear extension, single storey front and rear extension, loft extension with rear dormer. The main concerns were impact on the character and appearance of the building and surrounding area.
- 3.2. The inspectorate observed that the proposal includes extending the ground floor projecting porch across the full frontage of the house and that its single pitched roof would be interrupted by a first floor extension would create a gable ended bay above the front door with a floor to ceiling window.
- 3.3. The inspectorate commented that both the above elements would appear incongruous and at odds with the design of similar houses nearby, that the floor to ceiling window would be out of proportion with existing windows and its offset position would interrupt the symmetry that he had identified as contributing to the character of the host property and similar buildings.
- 3.4. The inspectorate also highlighted that the roof would be raised higher than that of both neighbouring houses which further draws attention to the differences in scale and architectural style that would result from the proposed development, and its failure to harmonise with the existing building and those like it.
- 3.5. The inspectorate concluded that the proposal would conflict with the 'National Planning Policy Framework' (2021), Policy D3 of 'The London Plan' (2021), Policy CS1 of the 'Harrow Core Strategy' (2012), Policy DM1 of the 'Harrow Council Development Management Policies' (2013) and the SPD which require high quality design that positively responds to local distinctiveness and character.

4. 39 Curzon Avenue, Stanmore, HA7 2AL (Appeal Ref: 3306772)

- 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 a single storey and two-storey rear extension. The main concerns were the effect of the development on the living conditions of adjoining users, with specific reference to 37 Curzon Avenue.
- 4.2. The inspectorate observed that by virtue of its position and cumulative impact, there would be an unacceptable enclosing effect upon the modest rear amenity space of No.37 due to the angled disposition of the two dwellings. Highlighting that the proposal would increase the bulk and mass of the building on the eastern boundary to No.37, thereby reducing access to sunlight/daylight and creating an overbearing effect.
- 4.3. The inspectorate took note of the case made by the appellant in that the proposal would not reduce access to sunlight for those neighbouring users, however, stressed that no solar path or other information had been provided to support this aspect of the appellant's case.
- 4.4. The inspectorate concluded that the proposal would, conflict with Policy DM1 of the 'Harrow Council Development Management Policies' (2013) and the Design SPD which together seek to protect neighbouring users from unacceptable impacts arising from residential extensions.



5. 81 Woodlands, North Harrow, HA2 6EN (Appeal Ref: 3318455)

- 5.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for a two-storey side extension above existing single storey side extension. The main concerns were the effect of the appeal proposal on the character and appearance of the host property and the wider street scene.
- 5.2. The inspectorate commented that the existing dormer extension is somewhat bulky, having a scale and mass that results in an unsympathetic and top-heavy form of development, emphasising that the property's appearance is already significantly different to the design of the neighbouring houses that form its immediate context.
- 5.3. The inspectorate observed that since the proposed extension would be set back from the front elevation of the property, this would help minimise its visual impact when viewed in the context of other buildings in the road. Moreover, the reintroduction of a hipped roof would improve the balance of the pair of semi-detached houses.
- 5.4. The inspectorate concluded that subject to conditions requiring the use of matching materials, the proposal would conform with the requirement for high quality design which respects local character as set out in the 'National Planning Policy Framework' (2021) and the similar requirements of Policy D3 sections D(1) and (11) of 'The London Plan' (2021), Policy CS1.B of the 'Harrow Core Strategy' (2012) and Policy DM1 of the 'Harrow Council Development Management Policies' (2013) and Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010).

6. 27 Elms Road, Harrow Weald, HA3 6BB (Appeal Ref: 3315547)

- 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 single storey side garage extension, two-storey front extension, first-floor front extension with gable, first-floor rear extension, alterations and extension to roof, rear dormer, rooflights in front, both side roofslopes and crown, external alterations. The main concerns were the effect of the appeal proposal upon the character and appearance of the building and surrounding area.
- 6.2. The inspectorate observed that the proposed front pitched roof gable would be an incongruous addition with a roof pitch and design at odds with the rest of the building. Overall, the elements of symmetry and subordination that characterise the existing house would be lost and replaced with a top heavy and dominant roof which would harm the property's appearance. With regards to the proposed side garage, the inspectorate observed that this element would retain a gap between the host property and the neighbouring house, thus preventing a terracing effect, however, in combination with other existing extensions it would widen the frontage to a degree that, despite its single storey, would over elongate the frontage and appear excessive.
- 6.3. The inspectorate took note of the planning appeal decision referred to in the appellant's statement and commented that the building allowed by the appeal was substantial and included a crown roof, concluding that development comprised of flats rather than extensions to an existing house and as such it is not directly comparable to the scheme before him, and accorded it limited weight.



6.4. The inspectorate concluded that the proposed development would harm the character and appearance of the host property and wider street scene contrary to the 'National Planning Policy Framework' (2021), Policy D3 of 'The London Plan' (2021), Core policy CS1.B of the 'Harrow Core Strategy' (2012), Policy DM1 of the 'Harrow Council Development Management Policies' (2013) and Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010) which require development to be of a high standard of design and that extensions should respect and not dominate the original building or surrounding street.

7. 203 Whitchurch Lane, Edgware, HA8 6QT (Appeal Ref: 3316932)

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 a double storey side and rear extensions and front porch. The main concerns were the effect of the appeal proposal upon the character and appearance of the appeal property and the surrounding area.

7.2. The inspectorate observed that the streetscene has a spacious and verdant character and appearance, however, the proposed two-storey side extension would result in there being no gap between the resulting property and No. 205. The lack of a gap would preclude views towards Cannons Park and this would have a detrimental effect on the spacious and verdant streetscene.

7.3. The inspectorate took note of the Council's concerns regarding the design of the proposed alterations to the rear of the property and commented that those concerns were well founded since the hipped roof design of the proposed two-storey extension would not reflect the gable roof form of the main property. Furthermore, observed that there would also be an awkward visual and physical juxtaposition between the roof of the proposed extension and the rear dormer and that this element of the appeal scheme would not respect the character and appearance of the appeal property and would not represent a high quality of design.

7.4. The inspectorate concluded that the proposed development would cause unacceptable harm to the character and appearance of the appeal property and the streetscene and, as such, it would be contrary to Policy D3 of 'The London Plan' (2021), Policy CS1.B of the 'Harrow Core Strategy' (2012) and Policy DM1 of the 'Harrow Development Management Policies' (2013) and Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010) which require development to be of a high standard of design and that extensions should respect and not dominate the original building or surrounding street.

8. 203 Whitchurch Lane, Edgware, HA8 6QT (Appeal Ref: 3318139)

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 front porch, single storey side extension, two storey side to rear extension, single storey rear extension and external alterations (demolition of rear extension and detached garage). The main concerns were the effect of the appeal proposal upon the character and appearance of the appeal property and the surrounding area.

8.2. The inspectorate observed that by reason of siting, there would not be an obvious terracing effect created by the proposed single storey and two-storey side extensions. The inspectorate further commented that the two-storey side extension would result in there being no gap between the



resulting property and No. 205 and the lack of a gap would preclude views towards Cannons Park and this would have a detrimental effect on the spacious and verdant streetscene.

- 8.3. The inspectorate took note of the Council's concerns regarding the design of the proposed alterations to the rear of the property and commented that the proposed two-storey extension would echo the appearance of the original catslide roof and would also reflect the gable roof form of the main property and that there would not be an awkward visual and physical juxtaposition between the roof of the proposed extension. However, this matter does not outweigh the unacceptable harm to the streetscene which has already been identified.
- 8.4. The inspectorate concluded that the proposed development would cause unacceptable harm to the character and appearance of the streetscene and, as such, it would be contrary to Policy D3 of 'The London Plan' (2021), Policy CS1.B of the 'Harrow Core Strategy' (2012) and Policy DM1 of the 'Harrow Council Development Management Policies' (2013) which amongst other matters seek to promote high quality design which respects and reflects the positive attributes and local distinctiveness of the local area.

9. 147 Eastcote Lane, HA2 8RR (Appeal Ref: 3307397)

- 9.1. 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 semi-detached house to No 147 Eastcote Lane and alterations to existing dwelling. The main concerns were the effect of the appeal proposal upon the character and appearance of the area.
- 9.2. The inspectorate commented that the land described as unadopted highway land, when taken together with the existing verge, cycleway and pavement, created an important open area between Alexandra Avenue and the existing dwelling on the appeal site, resulting in a strong sense of spaciousness at this prominent location at the junction of Eastcote Lane and Alexandra Avenue. This feature is an important positive attribute of the character and appearance of the locality and complements the open character of Alexandra Avenue.
- 9.3. The inspectorate observed that the proposed development would nevertheless result in a significant part of the area to the side of the existing house being occupied by a semi-detached house with a substantial mass. As a result of its siting and overall scale, the proposed dwelling would harmfully erode the sense of spaciousness at this prominent location.
- 9.4. The inspectorate took note of the case made by the appellant in that the proposal would contribute to meeting the Council's target for new housing on small sites and therefore accord with the housing growth objectives as set out in Policies H1 and H2 of 'The London Plan' (2021). However, the inspectorate commented that the proposal would only add one dwelling and that any benefit is clearly outweighed by their finding that the proposal would harm the character and appearance of the area.
- 9.5. The inspectorate concluded that the proposed development would be harmful to the character and appearance of the area in conflict with Policy D3 of 'The London Plan' (2021), Policy CS1.B of the 'Harrow Core Strategy' (2012), Policies DM1 and DM23 of the 'Harrow Council Development Management Policies' (2013) which amongst other matters seek to ensure new development comprises high quality design appropriate for its surroundings which responds positively to the local context and seeks to maintain grass verges on public and private streets.



10. Pavement outside 34 Station Road, HA2 7SE (Appeal A Ref: 3308485)

- 10.1. 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 of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator. The main issue in the appeals is the effect of the proposal on the character, appearance, and visual amenity of the locality.
- 10.2. The inspectorate observed that between the junction and end of the bays are a range of street furniture items including a CCTV pole, streetlights, litter bins, bollards, cycle stands, parking meter, parking signage, electronics cabinet, a community partnership notice board, a combined communications hub/advertising unit and a freestanding doublesided internally illuminated advertising unit. The inspectorate went onto comment that the introduction of another sizeable structure and display within the existing line of street furniture would create a sense of visual clutter that would reduce the quality of this part of the streetscene.
- 10.3. The inspectorate concluded that the proposal under Appeal A would conflict with Policies D3 and D8 of 'The London Plan' (2021), Policy CS1.B of the 'Harrow Core Strategy' (2012) and Policies DM1, DM5 and DM49 of the 'Harrow Council Development Management Policies' (2013) as they require development to respond positively to the local context, provide an attractive public realm, minimise effects on amenity and avoid detrimental impacts on the character and appearance of locations.

11. Pavement outside 34 Station Road, HA2 7SE (Appeal A Ref: 3308485) (Appeal B Ref: 3308487)

- 11.1. Appeal B was made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent for the display of a freestanding LCD sign. The main issue in the appeals is the effect of the proposal on the character, appearance, and visual amenity of the locality. The inspectorate commented that the proposal under Appeal A and Appeal B should be read in conjunction with one another.
- 11.2. The inspectorate observed that between the junction and end of the bays are a range of street furniture items including a CCTV pole, streetlights, litter bins, bollards, cycle stands, parking meter, parking signage, electronics cabinet, a community partnership notice board, a combined communications hub/advertising unit and a freestanding doublesided internally illuminated advertising unit. The inspectorate went onto comment that the introduction of another sizeable structure and display within the existing line of street furniture would create a sense of visual clutter that would reduce the quality of this part of the streetscene.
- 11.3. The inspectorate concluded that the freestanding LCD sign, when seen in conjunction with existing building mounted adverts, signage attached to lamp posts, forecourt 'A' boards, street signage and the existing information and advertisement displays, the cumulative effect of advertising would appear excessive and would compound the cluttering effect to become a detracting aspect of the visual amenity of the area.
- 11.4. The inspectorate concluded that the proposal under Appeal B would similarly conflict with the development plan read as a whole and the requirement to control advertisements in the interests of amenity.



12. 53 Wood End Avenue, HA2 8NU (Appeal A Ref: 3308413)

- 12.1. Appeal made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for a single storey side to rear extensions, front extension incorporating front porch and alterations to the boundary wall along with conversion into two flats. The main issue is the effect of the proposal on the living conditions of the future occupiers of the first floor flat with particular reference to the provision of private outdoor open space.
- 12.2. The inspectorate took note of the appellant's case in that occupants of the property could access the front garden where there is an area of soft landscaping, and that this area would meet the relevant space requirements. The inspectorate commented that this area would not be sufficiently private and as it would be close to the proposed parking area and refuse bins it would not provide a desirable outside space. I am also not persuaded that additional landscaping would sufficiently ameliorate the situation.
- 12.3. The inspectorate took note of the appellant's case in that the appeal site is within an easy walk of several public open spaces, including Wood End East, Wood End West and Roxeth Recreation Grounds and Alexandra Park. The inspectorate commented that these are public areas and would not adequately overcome the harm that would result from the fact that future occupants of the first floor flat would not be able to access appropriate private outdoor open space.
- 12.4. The inspectorate considers the proposed extensions and other alterations would be acceptable in planning terms, although, that alone would not justify harmful development at the appeal site.
- 12.5. The inspectorate concluded that the proposed development would harm the living conditions of future occupiers of the first floor flat due to the lack of access to a private outdoor open space and therefore conflicts with Policies D3 and D6 of 'The London Plan' (2021) and Policies CS1 of the 'Harrow Core Strategy' (2012) and Policies DM1 and DM26 of the 'Harrow Council Development Management Policies' (2013) which amongst other matters seek to ensure that development is of a high standard that delivers appropriate privacy and amenity and sets minimum standards for the provision of private outdoor space which should be practical in terms of its shape and utility, should be useable and offer good amenity.

13. 31 Fairview Crescent, HA2 9UB (Appeal A Ref: 3314136)

- 13.1. Appeal made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the erection of first floor wrap-around side/rear extension and ground floor infill rear extension with new roofline. The main issue is the effect of the proposed development upon the character and appearance of the building and surrounding area.
- 13.2. The inspectorate observed that several houses, including the appeal property, have hip to gable extensions which give an unbalanced appearance that is particularly noticeable on semi-detached houses, such as the appeal property, where the adjoining house retains its original hipped roof. The inspectorate commented that the proposed two-storey pitched roof side extension would add to the visual imbalance that currently exists and would conflict with Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010) which advises that further side extensions are inappropriate where a property has already had a hip to gable roof extension. Concluding that these elements of the proposal would not therefore accord with the



'National Planning Policy Framework' (2021), Policy D3 of 'The London Plan' (2021), Core Policy CS1.B of the 'Harrow Core Strategy' (2012), Policy DM1 of the 'Harrow Council Development Management Policies' (2013) and the SPD which require a high standard of design that respects the host dwelling and responds to local character.

- 13.3. The inspectorate agrees with the assessment in the Council's Officer Report that the ground floor infill rear extension with new rooflight would be an acceptable form of development since this element of the proposal respects the proportion, scale and form of the host property and that of its neighbour. As such, the inspectorate observed that, since this element is physically and functionally severable from the first-floor extensions, a split decision would be appropriate to allow planning permission for this element of the proposal.
- 13.4. The inspectorate concluded that the appeal is dismissed insofar as it relates to the first-floor wrap-around side/rear extension. However, the appeal is allowed insofar as it relates to the ground floor infill rear extension with new rooflight and planning permission is granted for ground floor infill rear extension with new rooflight (subject to three conditions).

14. 12 Kelvin Crescent, HA3 6DP (Appeal Ref: 3303177)

- 14.1. 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 extension over garage and alterations to porch. The main issue in this case is the effect of the proposed development on the character and appearance of the area.
- 14.2. As a procedural matter, the description of development is taken from the application form since the Council's decision notice describes the proposed development as "single storey front infill extension and First floor side extension."
- 14.3. The inspectorate commented that the proposed development, when combined with the existing first floor extension to the other side of the dwelling, the proposal would result in additions of such scale and volume as to overwhelm and subsume the original appearance of the host dwelling.
- 14.4. The inspectorate further commented that the proposed extension would, due to its height, scale and minimal set back from the front elevation, add considerable bulk to the appeal property. I find that it would result in the creation of an overly wide dwelling that would unduly dominate its plot and appear out of keeping with neighbouring dwellings that do not appear unduly dominant in their surroundings.
- 14.5. The inspectorate concluded that the proposed development would harm the character and appearance of the area, contrary to the 'National Planning Policy Framework' (2021), Policy D3 of 'The London Plan' (2021), and Policy CS1 of the 'Harrow Core Strategy' (2012), Policies DM1 of the 'Harrow Council Development Management Policies' (2013), together with Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010), which together amongst other things, seek to ensure that development proposals have regard to any impact on neighbouring occupiers, delivering appropriate outlook, privacy, and amenity.



15. 97 Moss Lane, Pinner, HA5 3AT (Appeal Ref: 3317461)

- 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 rear extension, demolition of existing extension. The main issues are the effect of the proposal upon the character and appearance of the area and upon the amenity of neighbouring users.
- 15.2. As a preliminary matter, the inspectorate highlights that their attention has been drawn to a previously submitted appeal for a one and two-storey rear extension at this property and that their decision is consistent with the approach taken in that matter.
- 15.3. The inspectorate observed that the proposal would be located within an established plot with good screening and out of view from the public realm. The inspectorate observed that he did not consider the proposed ground floor extension to increase the potential for overlooking or cause any further loss of privacy from what currently exists due to the spacious setting and orientation of windows proposed.
- 15.4. The inspectorate noted the comments of the Council's Conservation Officer, expressing that the proposal would have little impact, if any, as to the contribution of the host dwelling to the character and appearance of the Conservation Area due to its well screened location at the rear of the host dwelling.
- 15.5. The inspectorate concluded the proposal to be a well-considered design solution that accords with Policies D3.D(1) and (11) of the 'Harrow Core Strategy' (2012) and HC1.C of 'The London Plan' (2021) which seek to ensure development proposals complement local distinctiveness. Therefore, the appeal is allowed and planning permission is granted for erection of single storey rear extension, demolition of existing extension in accordance with the terms of the application Ref: P/2118/22 dated 31st August 2022 and the plans submitted with it, subject to the schedule of conditions attached within the Appeals Decision.

16. Pavement outside 43 Bridge Street, HA5 3HR (Appeal Ref: 3308480)

- 16.1. Appeal A was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator. The main issues are the effect of the proposal on the character, appearance and visual amenity of the locality.
- 16.2. As a preliminary matter, the inspectorate highlights that he has considered both Appeal A and B on their individual merits, however, Appeal B would be an integral part of the proposed hub sought under Appeal A. Therefore, to avoid repetition, the inspectorate has dealt with the relevant issues concurrently.
- 16.3. The inspectorate observed that in its context, the scale of the hub and display would be moderated by the space about it. Although it would be viewed as a notable feature, as it is intended to be, it would respect the human scale of the streetscape and not be unduly prominent or obtrusive within it. The inspectorate acknowledges that it would be set within a cluster of street furniture, including a lamp stand, parking meter, cycle stands and a zebra crossing, however, concludes that in the broad scale of the footway, the group would not appear overly cluttered.



- 16.4. The inspectorate noted the concerns of the Council's highway advisor in respect of a potential conflict with the Pinner Fair, however, concluded that there was little before him to demonstrate how the proposal would be incompatible with that use of the highway, according to its limited weight in the appeal.
- 16.5. The inspectorate concluded the proposal would preserve the character, appearance and visual amenity of the locality, that it would align with Policy D3 of 'The London Plan' (2021), Policy CS1 of the 'Harrow Core Strategy' (2012) and Policies DM1, DM5 and DM49 of the 'Harrow Council Development Management Policies' (2013) which require well designed development to positively respond to the character of their locations.
- 16.6. Appeal A is allowed and planning permission is granted for the installation of a modern, multifunction hub unit featuring an integral advertisement display and defibrillator on the pavement outside 43 Bridge Street, Harrow HA5 3HR, in accordance with the terms of application Ref P/2438/22, dated 29 June 2022, subject to the conditions set out in a Schedule attached to this Decision.
- 17. Pavement outside 43 Bridge Street, HA5 3HR (Appeal Ref: 3308483)**
- 17.1. Appeal B was made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent for the display of a freestanding LCD sign. The main issues are the effect of the proposal on the character, appearance and visual amenity of the locality.
- 17.2. As a preliminary matter, the inspectorate highlights that he has considered both Appeal A and B on their individual merits, however, Appeal B would be an integral part of the proposed hub sought under Appeal A. Therefore, to avoid repetition, the inspectorate has dealt with the relevant issues concurrently.
- 17.3. The inspectorate observed that during darkness hours, it would appear more pronounced on account of the internal illumination. However, subject to controlled lighting intensity, which could be controlled by condition, he found there is little reason to consider it might appear incongruous or overtly imposing in the commercial setting. The inspectorate noted the concerns of the Council's highway advisor in respect of a potential conflict with the Pinner Fair, however, concluded that there was little before him to demonstrate how the proposal would be incompatible with that use of the highway, according to its limited weight in the appeal.
- 17.4. The inspectorate concluded the proposal would preserve the character, appearance and visual amenity of the locality, that it would align with Policy D3 of 'The London Plan' (2021), Policy CS1 of the 'Harrow Core Strategy' (2012) and Policies DM1, DM5 and DM49 of the 'Harrow Council Development Management Policies' (2013) which require well designed development to positively respond to the character of their locations.
- 17.5. Appeal B is allowed, and express consent is granted for the display of a freestanding LCD sign as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the additional conditions set out in the Schedule attached to this Decision.



18. 12 Powell Close, Edgware, HA8 7QU (Appeal Ref: 3315066)

- 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 a roof alteration to create habitable roof space (bedroom), a side dormer, first floor rear extension, rooflights on side roof slope and external alterations to dwellinghouse. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Canons Park Conservation Area (CA).
- 18.2. The inspectorate observed that the pitched roofs differ in height and the proposed crowned roof between them would be an awkward and incongruous addition. The inspectorate further commented that proposed side rooflights are shown on the plans projecting out from the roof plane, rather than flush with it, and as such would be conspicuous and visible from the street.
- 18.3. The inspectorate observed that the design of the gable loft windows would appear at odds with that of the first-floor windows and would be larger and more obtrusive than the gable windows on neighbouring houses.
- 18.4. The inspectorate concluded the harm would be localised, limited and less than substantial but would nevertheless be contrary to the 'National Planning Policy Framework' (2021), Policies D3 and HC1 of 'The London Plan' (2021), Core Policy CS1 of the 'Harrow Core Strategy' (2012), Policies DM 1 and DM 7 of the 'Harrow Council Development Management Policies' (2013), the SPD and the CAAMP which require high quality design that positively responds to local distinctiveness and conserves or enhances heritage assets.

19. Pavement outside Royal Oak, St Ann's Road, HA1 1JP (Appeal Ref: 3308469)

- 19.1. Appeal A was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator. The main issue in the appeal is the effect of the proposal on local amenity including the area's character and appearance, the setting of the locally listed Royal Oak Public House, and the use of the area as designated public open space.
- 19.2. The inspectorate observed that the commercial area has a high degree of advertising. Shop fascias, projecting signage, freestanding shop 'A' boards and digital display units are present. That the proposal, in conjunction with the existing displays, the scale and appearance of the unit would appear overly imposing and intrusive within the open space. It would result in a cluttered appearance to the detriment of the visual amenity of the locality.
- 19.3. The inspectorate concluded the proposal would cause significant harm to local amenity through an adverse effect on the character and appearance of the area, an indirect effect on the Royal Oak Public House non-designated heritage asset, and the use of the area as a designated public open space. It would conflict with Policies D3 (D(1) and D(11)) and HC1 of 'The London Plan' (2021), Policy CS1.B of the 'Harrow Core Strategy' (2012) and Policies DM1, DM5, DM7, DM18 and DM49 of the 'Harrow Council Development Management Policies' (2013) as together they seek to protect the amenity of locations, respond positively to their character and appearance, conserve the historic environment and avoid adverse impacts on designated open spaces.



20. Pavement outside Royal Oak, St Ann's Road, HA1 1JP (Appeal Ref: 3308470)

- 20.1. Appeal B was made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent for the display of a freestanding LCD sign. The main issue in the appeal is the effect of the proposal on local amenity including the area's character and appearance, the setting of the locally listed Royal Oak Public House, and the use of the area as designated public open space.
- 20.2. The inspectorate observed that while 'amenity' is not defined exhaustively in the Regulations, it indicates that relevant factors include the general characteristic of the locality, including the presence of any features of historic, architectural, cultural or similar interest. Planning Practice Guidance provides similar advice on this matter, with the 'National Planning Policy Framework' (2021) highlighting that the quality and character of places can suffer when advertisements are poorly sited and designed.
- 20.3. The inspectorate observed that the introduction of the large unit with illuminated changing images would be a detracting element in the visual appreciation of the heritage asset.
- 20.4. The inspectorate concluded the proposal would cause significant harm to local amenity through an adverse effect on the character and appearance of the area, an indirect effect on the Royal Oak Public House non-designated heritage asset, conflicting with Policies D3 (D(1) and D(11)) and HC1 of 'The London Plan' (2021), Policy CS1.B of the 'Harrow Core Strategy' (2012) and Policies DM1, DM5, DM7, DM18 and DM49 of the 'Harrow Council Development Management Policies' (2013) as together they seek to protect the amenity of locations, respond positively to their character and appearance, conserve the historic environment, and avoid adverse impacts on designated open spaces.

21. Pavement outside 309 Station Road, HA1 2TA (Appeal Ref: 3308471)

- 21.1. Appeal A was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator. The main issue in the appeal is the effect of the proposal on pedestrian movement and safety and the character, appearance and visual amenity of the area.
- 21.2. The inspectorate observed that the introduction of the hub in this location would create a new obstruction to pedestrian flows. In addition, it would act as a visual block to those moving along the pavement and fail to strengthen the pedestrian route and conflict with the aim of providing inclusive and accessible environments for all.
- 21.3. The inspectorate concluded the proposal under Appeal A would conflict with Policies D3.(D(1) and D(11)) and D8 of 'The London Plan' (2021), Policy CS1.B of the 'Harrow Core Strategy' (2012) and Policies DM1, DM2 and DM49 of the 'Harrow Council Development Management Policies' (2013), as they require development to respond positively to the local context, provide an attractive public realm, minimise effects on amenity and avoid detrimental impacts on the character and appearance of locations. For similar reasons, it would conflict with the 'National Planning Policy Framework' (2021).



22. Pavement outside 309 Station Road, HA1 2TA (Appeal Ref: 3308472)

- 22.1. Appeal B was made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent for the display of a freestanding LCD sign. The main issue in the appeal is the effect of the proposal on pedestrian movement and safety and the character, appearance, and visual amenity of the area.
- 22.2. The inspectorate concluded that the proposal under Appeal B would impede the pavement to a degree that would prejudice the safety of public users, therefore conflicting with the aim of Policy DM5 of the 'Harrow Council Development Management Policies' (2013) which seeks to protect the safety of the environment for pedestrians. The inspectorate further commented that the display would appear imposing due to its dimensions and intended highly visible presence.

23. Pavement outside 341 Station Road, HA1 2AA (Appeal Ref: 3308474)

- 23.1. Appeal A was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator. The main issues in the appeals are the effect of the proposal on the character, appearance and visual amenity of the locality and highway safety.
- 23.2. As a preliminary matter, the inspectorate highlights that he has considered both Appeal A and B on their individual merits, however, Appeal B would be an integral part of the proposed hub sought under Appeal A. Therefore, to avoid repetition, the inspectorate has dealt with the relevant issues concurrently.
- 23.3. The inspectorate observed that the proposed modern hub design would be comparable to existing examples of integrated communication facilities and free-standing electronic advertisements visible in the area. Although it would have a greater visual presence than much of the street furniture, as is intended, it would not appear overtly prominent or incongruous in this location. Furthermore, it would appear distinct from the more slender forms of nearby street furniture to avoid a collective appearance of clutter.
- 23.4. The inspectorate added that the hub would also be sited distant from other units and have sufficient separation to the shop advertising and similarly scaled bus shelter displays to avoid an excessive clutter of advertising in the locality.
- 23.5. The inspectorate concluded the proposal under Appeal A would preserve the character, appearance and visual amenity of the locality and align with requirements of Policies D3 and D8 of 'The London Plan' (2021), Policy CS1 of the 'Harrow Core Strategy' (2012) and Policies DM1, DM2 and DM49 of the 'Harrow Council Development Management Policies' (2013) since they require well designed development to positively respond to the character of their locations.
- 23.6. Appeal A is allowed and planning permission is granted for the installation of a modern, multifunction hub unit featuring an integral advertisement display and defibrillator in accordance with the terms of application Ref P/2436/22, dated 29 June 2022, subject to the conditions set out in a Schedule attached to this Decision.



24. Pavement outside 341 Station Road, HA1 2AA (Appeal Ref: 3308475)

- 24.1. Appeal B was made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent for the display of a freestanding LCD sign. The main issues in the appeals are the effect of the proposal on the character, appearance and visual amenity of the locality and highway safety.
- 24.2. As a preliminary matter, the inspectorate highlights that he has considered both Appeal A and B on their individual merits, however, Appeal B would be an integral part of the proposed hub sought under Appeal A. Therefore, to avoid repetition, the inspectorate has dealt with the relevant issues concurrently.
- 24.3. The inspectorate concluded that the advertisement proposal under Appeal B, subject to 5.No of standard conditions would preserve the amenity of the locality and fall consistent with requirements of Policy DM5 of the 'Harrow Council Development Management Policies' (2013) and Paragraph 136 of the 'National Planning Policy Framework' (2021). Accordingly, the inspectorate found the proposal would not materially affect highway safety or movement in the locality. It would be consistent with the requirements of Policies D3 and D8 of the LP, Policy CS1 of the 'Harrow Core Strategy' and Policies DM1, DM2 and DM5 of the 'Harrow Development Management Policies' (2013) as, amongst other things, they seek new development and advertisements to achieve safe, secure and inclusive environments.

25. Pavement outside 4 Red Lion Parade, Bridge Street, HA5 3JD (Appeal Ref: 3308477)

- 25.1. Appeal A was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator. The main issues in both appeals are the effect of the proposal on the character, appearance and visual amenity of the locality and pedestrian safety.
- 25.2. As a preliminary matter, the inspectorate highlights that he has considered both Appeal A and B on their individual merits, however, Appeal B would be an integral part of the proposed hub sought under Appeal A. and shall deal with the relevant issues concurrently.
- 25.3. The inspectorate observed that the position and scale of the hub would limit views to those wishing to cross close to the junction, due to its height and siting, the hub would restrict views to an existing road sign announcing the pedestrian crossing a short distance beyond the bus stop. It would not therefore be conducive to protecting the best interests of pedestrians on the southern arm of Bridge Street.
- 25.4. The inspectorate concluded the proposal under Appeal A would conflict with Policies D3 and D8 of 'The London Plan' (2021), Policy CS1.B of the 'Harrow Core Strategy' (2012), Policies DM1, DM2 and DM49 of the 'Harrow Development Management Policies' (2013), as they require development to respond positively to the local context, provide an attractive public realm, minimise effects on amenity and avoid detrimental impacts on the character and appearance of locations. For similar reasons, it would conflict with the 'National Planning Policy Framework' (2021).



26. Pavement outside 4 Red Lion Parade, Bridge Street, HA5 3JD (Appeal Ref: 3308479)

- 26.1. Appeal B was made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent for the display of a freestanding LCD sign. The main issues in both appeals are the effect of the proposal on the character, appearance and visual amenity of the locality and pedestrian safety.
- 26.2. As a preliminary matter, the inspectorate highlights that he has considered both Appeal A and B on their individual merits, however, Appeal B would be an integral part of the proposed hub sought under Appeal A. Therefore, to avoid repetition, the inspectorate has dealt with the relevant issues concurrently.
- 26.3. The inspectorate observed that the sign, due to its size and illumination would cause it to appear unduly intrusive and impose significantly on the vista to the highly prominent corner and seen in conjunction with the immediate street furniture and backed by the visually successive bus stop and call boxes, it would appear overly dominant in its setting.
- 26.4. Furthermore, the inspectorate emphasised that the proposed siting near to the existing bench would mean that people sitting there would be faced with the large display in close proximity, in addition to reducing outward views, the changing illuminated images would be substantially unavoidable and impose on users of that existing facility.
- 26.5. The inspectorate concluded that the proposal under Appeal B would impede the pavement to a degree that would prejudice the safety of public users, therefore conflicting with the aim of Policy DM5 of the 'Harrow Development Management Policies' (2013) which seeks to protect the safety of the environment for pedestrians.

27. 69 Yeading Avenue, Rayners Lane, HA2 9RL (Appeal Ref: 3318133)

- 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 installation of decking over existing patio. The main concerns were the effect of the development on the living conditions of the occupiers of Nos.71 and 67 Yeading Avenue in respect of privacy and outlook.
- 27.2. As a preliminary matter, the inspectorate highlights that he has determined this appeal based on the Council's description of development as "installation of raised decking with balustrade and steps to rear; external alterations".
- 27.3. The inspectorate commented that the rear extension at the appeal building was granted permission in 2015, as part of a joint application for rear extensions and raised patios for Nos.67, 69 and 71 Yeading Avenue.
- 27.4. The inspectorate observed that gardens at either side of the appeal site would already be capable of being overlooked from the windows in the rear elevation of No.69, therefore considers that there would be no significant increased loss of privacy for neighbours from the raised patio at No.69.
- 27.5. The inspectorate commented that No.71 also has a raised patio and an extension with glazed patio doors, the principle of an extension and raised patio has been previously established through the grant

of permissions and he found that the appeal development has no significant increased harm on the outlook from No.71, also No.67 has a rear extension and a rear patio.

- 27.6. The inspectorate concluded that perceived sense of enclosure for Nos.67 and 71 from the development has a limited impact because they are both end properties of the short terrace with a slightly more spacious setting than the appeal building. Concluding that the appeal development has no significant increased harmful effect the on the living conditions of the occupiers of Nos.71 and 67 Yeading Avenue in respect of privacy and outlook. The development therefore does not conflict with policy D3.D(7) of 'The London Plan' (2021) or Policy DM1 of the 'Harrow Development Management Policies' (2013), both of which seek to protect residential amenity.
- 27.7. The appeal is allowed and planning permission is granted for raised decking with balustrade and steps to rear, external alterations in accordance with the terms of the application, Ref: P/3678/22, dated 24th October 2022 and the plans submitted with it, subject to condition to be carried out in accordance with the approved plans: Location plan, Block plan, Drawing No. YA101 - Existing and proposed plans and elevations.

28. 89 Weston Drive, Stanmore, HA7 2EW (Appeal Ref: 3293724)

- 28.1. 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 conversion of dwellinghouse to 3 flats with refuse, cycle storage and landscaping/amenity space and a single and two storey side extension, single and two storey rear extension, two storey side infill extension, external alterations.
- 28.2. As a preliminary matter, the inspectorate highlights that amended plans were submitted with the application, the inspectorate remains satisfied that no prejudice would occur to any party as a result of the consideration of their content, accordingly he has determined the appeal on the basis of the most recent version of the plans.
- 28.3. The inspectorate comments that the Council has not stated whether it would have approved or refused planning permission for the proposed development. The main issues are the effect of the development on the character and appearance of the area, and/or whether future occupiers of the proposed flats would have satisfactory living conditions with particular regard to garden space.
- 28.4. The inspectorate observed that the sub-division of the garden would not impact on the pattern of built development experienced from the public realm and would only be visible from the rear windows of adjacent houses. That the two-storey element of the proposed extensions would be lower than the main roof and subservient to the original design and materials which are proposed shall match the original house.
- 28.5. On the topic of character and appearance, the inspectorate concluded that the proposed development would not harm the character or appearance of the surrounding area, since there is no conflict with Policy CS1B of the 'Harrow Core Strategy' (2012), Policies DM1, DM26 and DM27 of the 'Harrow Development Management Policies' (2013), and guidance provided in the SPD. These policies and this guidance seek, amongst other things, that all development and change of use proposals must achieve a high standard of design and layout.



28.6. On the topic of living conditions, the inspectorate concluded that the proposed garden layouts and sizes would provide satisfactory living conditions for future occupants. As such there was no conflict with Policy CS1B of the of the 'Harrow Core Strategy' (2012), Policies DM1, DM26 and DM27 of the 'Harrow Development Management Policies' (2013), and guidance provided in the SPD. These policies and this guidance seek, amongst other things, to ensure the provision of appropriate space to secure privacy and amenity.

29. 179 Uxbridge Road, Harrow Weald, HA3 6TP (Appeal Ref: 3315288)

29.1. 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 plus first floor rear extension plus loft conversion with rear dormer and minor internal and external alterations.

29.2. The first main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the host building and its surroundings. The second is the effect of the proposed development on the residential amenities of neighbours (whether unacceptable harm would be caused by overbearing appearance or loss of sunlight or daylight).

29.3. On the topic of character and appearance, the inspectorate observes that the proposed extensions and alterations would have only a limited effect on the streetscene, that the new flat roofed section, at the apex of pitched roof slopes that imitate the existing structure would not be unduly dominant or intrusive and would be in keeping with the existing design. The inspectorate concludes that the proposed development would not cause undue harm to the character and appearance of the host building or its surroundings.

29.4. On the topic of neighbour amenities, the inspectorate comments that they have noted reference to the to "the 45-degree code" but observes this is a matter of design guidance rather than a strict rule since each proposal must be considered on its merits and in this case. The inspectorate concludes that the additional depth that is proposed for the side section of the house would have an effect on the outlook from the rear part of the neighbouring property, but it would not be so intrusive, in his view, as to justify a refusal of planning permission, nor would it overshadow the neighbouring property (or reduce sunlight generally) to an unacceptable degree.

29.5. The appeal is allowed and planning permission is granted for a first-floor side extension plus first floor rear extension plus loft conversion with rear dormer and minor internal and external alterations, in accordance with the terms of the application ref: P/3675/22, dated 24 October 2022, subject to the three standard conditions set out in the Schedule of Conditions.

30. 147 Eastcote Lane, South Harrow, HA2 8RR (Appeal Ref: 3307386)

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 erection of a detached dwelling.

30.2. As a preliminary matter, the inspectorate highlights that they have dealt with another appeal (Ref: APP/M5450/W/22/3307397) on this site which is subject of a separate decision.



- 30.3. The main issues are whether or not the proposal would accord with the Council's spatial strategy for growth, the effect of the proposal on the living conditions of future residents of the dwelling with particular reference to defensible space in front of the proposed ground floor bay window, and the effect of the proposal on highway safety and pedestrian and cyclist convenience.
- 30.4. On the topic of spatial strategy for growth, the inspectorate observes that the proposal would involve the development of the end of the garden requiring the existing garage to be removed, and the new dwelling to be sited partially on the footprint of the garage and partially on the existing garden area.
- 30.5. The inspectorate highlights the Council has also adopted the Harrow Garden Land Development Supplementary Planning Document (GL SPD) which explains that the presumption against garden land development exists to ensure that the Borough's housing growth is delivered in accordance with the spatial strategy by preventing incremental residential growth on garden land leading to a harmful degree of dispersal. Including Policy CS1 of the 'Harrow Core Strategy' (2012) which sets out a strategy to manage housing growth in Harrow, including resisting development on gardens.
- 30.6. The inspectorate concludes that the proposal would undermine the Council's spatial strategy for growth and is at odds with Policy CS1 of the 'Harrow Core Strategy' (2012) and the guidance provided in the GL SPD and the 'National Planning Policy Framework' (2021) in so far as these policies and guidance seek to ensure that growth will be managed in accordance with the Council's spatial strategy and that in support of that strategy development of garden land will be resisted.
- 30.7. On the topic of living conditions, the inspectorate concludes that the proposal would not have an adverse impact on the living conditions of future occupants with particular reference to defensible space in front of the proposed ground floor bay window since they allow surveillance of this area. This aspect of the proposed development would therefore in his opinion accord with Policy D3 of 'The London Plan' (2021), Policy CS1 of the 'Harrow Core Strategy' (2012) and Policies DM1 and DM23 of the 'Harrow Development Management Policies' (2013), which amongst other things seek to ensure that development is of a high standard that delivers appropriate privacy and amenity.
- 30.8. On the topic of highway safety, the inspectorate concludes that the proposal would not have an adverse impact on highway safety, nor would it unacceptably diminish the convenience of pedestrians or cyclists. This aspect of the proposed development would therefore in his opinion accord with Policies T4, T6 and T6.1 of 'The London Plan' (2021) or with Policy DM42 of the 'Harrow Development Management Policies' (2013), which amongst other things resist proposals that result in inappropriate on-site parking provision, that prejudice highway safety, increase road danger and diminish the convenience of pedestrians and cyclists.

31. Bramber, Porlock Avenue, HA2 0AP (Appeal Ref: 3295639)

- 31.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("GPDO") for a single-storey side-extension that does not exceed half the width of the original dwelling.
- 31.2. As a preliminary matter, the inspectorate highlights that the description of the proposed development set out on the Council's decision notice differs to that provided on the application form, and a different form of words is provided by the appellant on the appeal form. The inspectorate has therefore



adopted the description set out by the appellant on the application form, as this was the basis upon which a LDC was sought.

- 31.3. The main issue is whether the Council's refusal to grant a certificate of lawfulness was well-founded. This turns on whether the proposed extension would be permitted development, having regard to the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).
- 31.4. The inspectorate highlights that under Section 192 of the Town & Country Planning Act 1990 (as amended), the onus is on the appellant to demonstrate, on the balance of probabilities, that the development would have been lawful on the date of application.
- 31.5. The inspectorate commented that the appellant had not demonstrated, on the balance of probabilities, that the proposed extension would be permitted development, having regard to the provisions of GPDO. Therefore, it had not been demonstrated that express planning permission would not be required.
- 31.6. The inspectorate concluded that the Council's refusal to grant a certificate of lawful use or development in respect of building a single-storey side-extension that does not exceed half the width of the original dwelling was well-founded and that the appeal should fail. The inspectorate has exercised accordingly the powers transferred to him under Section 195(3) of the Town and Country Planning Act 1990 (as amended).

32. Blandings, Potter Street Hill, Pinner, HA5 3YH (Appeal Ref: 3310969)

- 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 a front ground floor side extension, side porch with new first-floor extension with pitch roof with associated internal changes.
- 32.2. As a preliminary matter, the inspectorate highlights that the site address on the application form is slightly out of order and that the site is in Pinner, thus he has used the correctly ordered address on the Council's Decision Notice in the banner heading of the Notice.
- 32.3. The main issues are whether the proposal would be inappropriate development in the Green Belt having regard to the 'National Planning Policy Framework' (2021) and relevant development plan policies. The effect of the proposal on the openness of the Green Belt. The effect of the proposal on the character and appearance of the Pinner Hill Estate Conservation Area. If the development is inappropriate, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.
- 32.4. On the topic of inappropriate development in the Green Belt, the inspectorate observed that the proposed development would increase the footprint of the dwelling by some 6m² and would add a first floor thereby increasing the total floorspace to some 274m². This would be an increase of some 107.3m², or more than 64%, over the floorspace of the original building. In the inspectorate's opinion, this would be a very significant increase and would result in a very substantial change to the appearance of the building. In my view, the scale and massing of the proposal would mean it would be a disproportionate addition to the original building. The inspectorate concludes that for these

reasons, the proposal would be inappropriate development in the Green Belt and would, therefore, conflict with Policy G2 of 'The London Plan' (2021) and with the 'National Planning Policy Framework' (2021) in this regard.

- 32.5. On the topic of openness of the Green Belt, for the reasons mentioned above the inspectorate concludes that the proposal would adversely affect the openness of the Green Belt and conflicts with Policy CS1(F) of the 'Harrow Core Strategy' (2012), which concerns Open Space, Sport and Recreation, with Policy DM16 of the 'Harrow Development Management Policies' (2013), and with the 'National Planning Policy Framework' (2021) in this regard.
- 32.6. On the topic of character and appearance, the inspectorate commented that the appeal site is located within the PHECA, the significance of which stems from its historic development, acknowledging the Council's Conservation Area Appraisal and Management Strategy 2009 (CAAMS) which further identifies the existing dwelling as one that preserves the Conservation Area, which he agrees with.
- 32.7. The inspector observes the proposal would increase the scale and massing of the dwelling significantly and so the comparatively lacklustre design would be more visually prominent and obtrusive in the streetscene. Concluding that the proposal would adversely affect the character and appearance of the PHECA, therefore, conflicting with Policy CS1(D) of the 'Harrow Core Strategy' (2012), which concerns local character including harm to the significance of heritage assets, Policy DM1 of the 'Harrow Development Management Policies' (2013), and with the 'National Planning Policy Framework' (2021), in this regard.

33. Land at 11-13 Canterbury Road, HA2 6AA (Appeal Ref: 3303368)

- 33.1. 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 pair of semi-detached houses and erection of a 3-storey development with 7 self-contained flats, with 4 integral parking spaces to the rear of the building with a new crossover and 1 parking space to the front.
- 33.2. The main issues to be determined in this appeal include the effect of the proposed development on the character and appearance of the surroundings. Whether the scheme would provide satisfactory living conditions for occupiers of the proposed new residential accommodation. Whether the proposed development would be susceptible to an unacceptable risk to people or to property in the event of flooding.
- 33.3. The inspectorate commented that it is now proposed to demolish the existing houses and to redevelop the site as a whole, to create a new three-storey building providing seven flats, together with ancillary parking spaces, refuse and cycle stores and landscaping.
- 33.4. The inspectorate observed that the proposed new building would create a large block on the corner site at Canterbury Road and Hooking Green, accepting that a three-storey building could be appropriate for this site. However, the inspectorate observes that the proposed design suffers from a lack of articulation to relieve the basic mass of the structure. The inspectorate further observes the proposed "amenity space" at the rear would be limited in size and somewhat unattractive, due to its proximity to car parking areas, reducing its value as a residential amenity.



33.5. The inspector concludes that all the above-mentioned factors indicate that the scheme would create an overly dense development as a whole, with an unduly cramped character on its site, and he has thus formed the opinion that the proposed development would have a harmful effect on the character and appearance of the surroundings, due to its excessive impact on the streetscene and its poor detailed design.

33.6. The inspectorate has drawn reference to guidance within the 'National Planning Policy Framework' (2021), the 'Technical housing standards - nationally described space standard' (2015), Policy D3 of 'The London Plan' (2021), Policy CS1 of the 'Harrow Core Strategy' (2012), Policies DM1 and DM9 of the 'Harrow Council Development Management Policies' (2013), Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010).

34. 11 High View, Pinner, HA5 3NZ (Appeal Ref: 3319196)

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 the demolition of the existing house to be replaced with a new build 3 storey house. The main issues are the effect of the proposal on the character and appearance of the area, the living conditions of nearby occupiers, with particular regard to privacy and the living conditions of nearby occupiers at No 15 High View, with particular regard to natural light and outlook.

34.2. As a preliminary matter, the inspectorate highlights that the Council's second reason for refusal concerns '...neighbouring properties at Nos. 9 and 11 High View'. However, 11 High View is the appeal site. The inspectorate concludes by stating that he has considered the effects of the proposal on the privacy of the occupiers of both next-door properties, Nos 9 and 15 High View.

34.3. The inspectorate highlights that the Council has not submitted a Statement of Case in accordance with the timetable set out in the Appeal Start Letter dated 6th April 2023. The inspectorate concludes by expressing that he has determined this appeal on the basis of the evidence before him, and his observations on site.

34.4. On the topic of character and appearance, the inspectorate commented that the flat-roofed, tiered design of the proposal, with the second-floor weathered steel cladding, would be greatly out of keeping with the predominant 'Arts and Crafts' style of the dwellings on High View, with their pitched, tiled roofs. Concluding that the proposal would adversely affect the character and appearance of the area, conflicting with Policy D3 of 'The London Plan' (2021), with Policy CS1B of the 'Harrow Core Strategy' (2012), with Policy DM1 of the 'Harrow Development Management Policies' (2013), and with the 'National Planning Policy Framework' (2021).

34.5. The inspectorate notes the appellant's rationale for the proposal in that High View is not in a Conservation Area. However, the inspectorate observes that he does not consider the design to be innovative or outstanding, simply very different in appearance to nearby dwellings and the prevailing architecture of High View and thus would be an incongruous feature in the streetscene.

34.6. The inspectorate also noted the appellant's concerns that various policies referenced by the Council are not fully consistent with the 'National Planning Policy Framework' (2021). However, the inspectorate concluded that he did not find the appellant's arguments to be compelling, that consistency does not mean replicating the words contained in the Framework in development plan



policies, but ensuring the policies are capable of delivering a comparable outcome to that sought by the Framework, whilst reflecting local circumstances.

- 34.7. On the topic of living conditions of nearby occupiers (privacy), the inspectorate commented that on balance, he found that the scale and position of the proposed rear fenestration at first and second floor levels, and the position of the proposed second floor terrace would lead to a harmful increase in overlooking of the next-door properties which would not be adequately offset by reciprocal overlooking. Concluding that these elements of the proposal would adversely affect the living conditions of nearby occupiers, with particular regard to privacy, conflicting with Policy D3 of 'The London Plan' (2021), with Policy CS1B of the 'Harrow Core Strategy' (2012), with Policy DM1 of the 'Harrow Development Management Policies' (2013), and with the 'National Planning Policy Framework' (2021).
- 34.8. On the topic of living conditions of nearby occupiers (natural light and outlook), the inspectorate commented that the proposed development would have an acceptable effect on the living conditions of the occupiers of 15 High View, with particular regard to natural light and outlook. It would, therefore, accord with Policy D3 of 'The London Plan' (2021), with Policy CS1B of the 'Harrow Core Strategy' (2012), with Policy DM1 of the 'Harrow Development Management Policies' (2013), and with and with the 'National Planning Policy Framework' (2021), in this regard.
- 34.9. The inspectorate also noted the appellant's comments regarding what they consider to be the benefits of the proposal, including the stated environmental benefits. The inspectorate commented that although there may be some benefits, he did not consider those to outweigh the harm that he had identified, as set out above.

35. 27 Derwent Avenue, Pinner, HA5 4QH (Appeal Ref: 3301234)

- 35.1. 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 removal of existing roof, first-floor extension including front and rear dormers, part two-storey, part single storey side extension, facade changes and internal alterations.
- 35.2. As a preliminary matter, the inspectorate highlights that the Council had not issued a refusal notice, however, additional evidence was sought as to the reasons why the Council would have refused planning permission had it been able to do so. The inspectorate has had regard to the Council's response and subsequent appeal statement, in so far that it provides clarity in terms of the reasons why the Council would have refused planning permission. In the interests of natural justice, the appellant has had the opportunity to make representation on this additional evidence and the inspectorate has claimed to have dealt with the appeal on this basis.
- 35.3. The main issues are the effect of the proposed development on the character and appearance of the host building and the surrounding area, the effect of the proposed development on the living conditions of the occupants of No. 29 Derwent Avenue (No.29), with particular reference to outlook, sunlight and daylight.
- 35.4. The inspectorate observed that the new front dormer would be less than half of the overall front width of the bungalow and lower than the ridge height of the main roof, so it would not appear disproportionate or overly large in scale in relation to the main roof and house when viewed as a



whole. Highlighting further that the proposed dormer gable design would also reflect the architectural style of the original host building with its single feature gable. The inspectorate took into account that the additions were limited to views from neighbouring gardens, with similar alterations at neighbouring houses which are of a similar depth to that proposed by this appeal. Concluding that the proposed development would not harm the character and appearance of the host building and surrounding area.

- 35.5. On the topic of living conditions, the inspectorate commented that the Council has not made an assessment on the effect of the proposal on outlook, sunlight or daylight experienced by occupiers of No.29, but have expressed concern on the impact on existing occupiers living conditions. Concluding that the proposed development by virtue of its design would not have an unacceptable effect on the living conditions of the occupants of No. 29, with particular reference to outlook, sunlight and daylight.
- 35.6. As such considers there to be no conflict with Policy CS1 of the 'Harrow Core Strategy' (2012), Policy DM1 of the 'Harrow Development Management Policies' (2013), Policy D3 of 'The London Plan' (2021), and guidance within Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010), which, amongst other things, seek that new development should not result in any significant loss of privacy to neighbouring houses and not cause any unreasonable loss of light or overshadowing to any habitable rooms.
- 35.7. The appeal is allowed and planning permission is granted for the removal of existing roof, first-floor extension including front and rear dormers, part two storey, part single storey side extension, facade changes and internal alterations, in accordance with the terms of the application Ref: P/0126/22, dated 16th January 2022, subject to three standard conditions outlined within the Appeals Decision.

36. Land adjacent to Shandon, Poplar Close, Pinner, HA5 3PZ (Appeal Ref: 3299024)

- 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 the erection of bungalow with habitable rooms in roof space.
- 36.2. The main issues in this appeal were whether the appeal site was an appropriate location for new residential development having regard to the development plan. The effect of the proposed development on the character and appearance of the area. The effect of the proposed development on the living conditions of the occupiers of the neighbouring residential property, Shandon, with particular regard to sunlight, daylight, and outlook.
- 36.3. The inspectorate observes that the appeal site is an area of approximately 600m² that currently forms part of the garden area of a bungalow property known as Shandon. That the appeal site is adjacent to the boundary of the Pinnerwood Park Estate Conservation Area, albeit there would be equally restricted opportunities for the proposal to be seen in context to the Conservation Area.
- 36.4. The appellant contends that the development does not fall within any of the categories identified as examples in the SPD, the inspectorate acknowledges that although the Core Strategy pre-dates the 'National Planning Policy Framework' (2021) ("NPPF") and the SPD is now some ten years old, the NPPF does allow local planning authorities to set out policies to restrict inappropriate development of residential gardens and in this respect the Core Strategy and SPD are consistent with the NPPF.



- 36.5. The inspectorate draws attention to Core Policy CS1 the 'Harrow Core Strategy' (2012) which sets out at part A the growth strategy for the Borough which seeks to focus development in the Harrow and Wealdstone Intensification Area, in town centres and on strategic, previously developed, sites. Policy Highlighting that CS1.B states that garden development will be resisted, although it does not preclude all development within garden areas. Concluding that the appeal site is not an appropriate location for new residential development having regard to the provisions of the development plan, that it would not comply with the relevant requirements of Core Strategy Policy CS1.A and CS1.B, the SPD, or the NPPF.
- 36.6. On the topic of character and appearance, the inspectorate commented that the Council had not raised any fundamental objections regarding the design and appearance of the proposed new dwelling apart from a concern in respect of the overall height. The inspectorate concluded that the proposed development would not cause harm to the character and appearance of the area. It would comply with the relevant requirements of Policy D3 of 'The London Plan' (2021), Policy CS1 of the 'Harrow Core Strategy' (2012), Policy DM1 of the 'Harrow Development Management Policies' (2013), and guidance within Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010) which, when read together, seek a high standard of design in new developments that has regard to its context and local character.
- 36.7. On the topic of living conditions of the occupiers of the neighbouring residential property, the inspectorate commented with regards to the 45-degree rule, observing the guidance within Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010) to be convoluted, and not entirely clear how it is to be applied to the situation in this case. In this context, the inspectorate concludes that the proposed development would not cause harm to the living conditions of the occupiers of the neighbouring property, with particular regards to sunlight, daylight, and outlook. It would not conflict with the relevant requirements of London Plan Policy D3, Policy DM1 of the 'Harrow Development Management Policies' (2013), or the Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010), it would also be consistent with the policies in the 'National Planning Policy Framework' (2021) which seek to ensure a good standard of amenity for all occupiers of land and buildings.
- 36.8. The inspectorate concluded that the appeal site is not an appropriate location for new residential development and as such would conflict with policies in the development plan which are most important for determining the appeal.

37. 26 Merivale Road, HA1 4BH (Appeal Ref: 3301565, Costs Ref: 3301565)

- 37.1. The appellant sought a Certificate of lawful use or development for the construction of a rear dormer and 2 velux windows. The main issue is whether the Council's refusal to grant a Certificate of Lawfulness was well-founded, having regard to the relevant provisions (Schedule 2, Part 1, Class B and C) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).
- 37.2. The inspectorate observed the Council's views in that the proposed rear dormer would not be wholly contained within the roof slope of the dwellinghouse and effectively creates a second storey extension that will sit above the outrigger. As a result, the Council was of the view that the proposal should be assessed against the limitations and conditions set out in Class A (for the enlargement, improvement or other alteration of a dwellinghouse). Having done so, considered that the proposal failed to meet



the limitations set out at paragraphs A.1 (i) and A.1(k)(iv), and on that basis the proposal would not be permitted development.

- 37.3. The inspectorate commented that there is nothing within the limitations or conditions set out in Class B to suggest that an enlargement cannot extend over the flat roof of an existing rear outrigger or that such an enlargement must be wholly contained within a roof slope, opposed to that of a flat roof. Furthermore, he cited that paragraph A.1(k)(iv) states that development is not permitted by Class A if it would consist of or include an alteration to any part of the roof of the dwellinghouse. Therefore, the application of the limitations and conditions set out in Class A are irrelevant to the proposed development, which amounts to an addition and alteration to the roof of a dwellinghouse.
- 37.4. The inspectorate concluded that in this case, non-compliance with paragraph A.1(k)(iv) of Class A does not prevent the proposal from being permitted development, it merely means that the Class A provisions do not apply to this type of development. Therefore, given the type of development proposed, it is clear to him that the proposal should be assessed under the criteria set out in Classes B and C of Schedule 2, Part 1 of the GPDO. Commenting further that, the appellant had demonstrated, on the balance of probabilities, that the proposed operations would have been permitted development having regard to the relevant provisions of the GPDO, and the inspectorate will exercise the powers transferred to him under section 195(2) of the Town and Country Planning Act 1990 (as amended).
- 37.5. On the application for award of costs, the applicant's case is that the Council incorrectly assessed the proposal against the provisions of Schedule 2, Part 1, Class A of GPDO. That they consider the Council have ignored the fact that Schedule 2, Part 1, Class B of the GPDO is the only class under which roof alterations and extensions are permitted, thus consider the Council's refusal is based on stipulations that are not included within the relevant provisions of the GPDO, and that the Council had failed to determine similar cases along the same street in a consistent manner.
- 37.6. The inspectorate commented that they found the Council's justification for assessing the proposed development under the criteria set out in Class A to be unclear and incoherent. Therefore, was not satisfied that the Council has been able to clearly substantiate its reason for refusal and instead has relied on vague and inaccurate assertions, and the misapplication of relevant legislative provisions as set out in the GPDO. Concluding that, in doing so, the Council's refusal has prevented development which should clearly have been permitted.
- 37.7. The inspectorate concluded that, the application for award of costs against the Council was allowed in exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 (as amended).

38. Land at 24 Maricas Avenue, Weald, HA3 6JA (Appeal Ref: 3291026)

- 38.1. Enforcement Notice Appeal served on 03.12.2021 by procedure type Written Representation was withdrawn by the landowner for the unauthorised construction of a single-storey side to rear extension including raised decking area, and, unauthorised construction of first-floor side to rear extension.
- 38.2. Appeal withdrawal by appellant on 23.06.2023, case is ongoing and the Enforcement Notice stands.



39. Land at 187a Cannon Lane, Pinner, HA5 1HY (Appeal Ref: 3310121)

- 39.1. Enforcement Notice Appeal by procedure type Written Representation from landowner following Enforcement Notice being issued on 30.09.2022 for the unauthorised construction of an outbuilding extension.
- 39.2. Appeal withdrawal by appellant on 19.05.2023 following attempt to regularise the works under planning submission: P/4185/22 for the “reduction to depth of outbuilding extension (part demolition of outbuilding)” which was approved on 01.02.2023.

40. Honeypot Medical Centre, 404 Honeypot Lane, Stanmore,, HA7 1JP (Appeal Ref: 3305556)

- 40.1. Enforcement Notice Appeal by procedure type Written Representation from landowner following Enforcement Notice being issued on 22.07.2022 for the unauthorised construction of a front ramp, an enclosed front canopy, first floor side to rear extension and rear dormer.
- 40.2. Appeal withdrawal by appellant on 03.05.2023 following attempt to regularise the works under planning submission: P/4072/22 for retrospective submission for first-floor side to rear extension, single storey rear extension, removal of the existing central covered porch and chimney new part enclosed canopy installation of front ramps alterations to front facade and windows inside and rear elevations alteration, which were approved on 14.04.2023.

41. Land at 27 Silver Close, Harrow, HA3 6JT (Appeal Ref: 3299789)

- 41.1. Enforcement Notice Appeal by procedure type Written Representation from landowner following Enforcement Notice being served on 03.05.2022 for the unauthorised construction of a single storey wooden and Perspex canopy structure to the rear of the dwellinghouse.
- 41.2. The main issues for consideration in this Appeal is the effect of the development on the character and appearance of the surrounding area, and the living conditions of neighbouring residents, with particular regard to outlook.
- 41.3. On ground (a), the subject of character and appearance, the inspectorate observed that there are limited views of the development, which are confined to views from the rear gardens of adjacent neighbouring properties and that the site is not visible from the street nor were there any wider public views. The inspectorate also commented that he did not find it to have a makeshift or incongruous appearance within this domestic setting the development since it had been constructed to a high standard with professional joinery and the discreet use of Perspex sheets. Concluding that this aspect of the development accords with Policy DM1 of the ‘Harrow Development Management Policies’ (2013), and Policy D3 of ‘The London Plan’ (2021) in so far as these policies seek to achieve a high standard of design that responds to the character of its surroundings.
- 41.4. On ground (a), the subject of living conditions of neighbouring residents, with particular regard to outlook, the inspectorate acknowledged that the development is visible from the rear gardens of neighbouring properties and, its sizable scale and footprint. However, the inspectorate observed that

the development is set well back from the shared boundaries with neighbouring properties with the lack of full height solid elevations that further reduces its visual presence.

- 41.5. The inspectorate also commented that he did not find it to appear as an overly assertive or oppressive form of development, nor did he consider it to dominate the view from any neighbouring property or adversely affect the living conditions of neighbouring residents. Concluding that there is no conflict Policy DM1 of the 'Harrow Development Management Policies' (2013), and Policy D3 of 'The London Plan' (2021) which together, among other things, seek to ensure that development proposals have regard to any impact on neighbouring occupiers, delivering appropriate outlook, privacy, and amenity.
- 41.6. The appeal on ground (a) is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the Town and Country Planning Act 1990.

42. 208 Whitchurch Lane, Edgware, HA8 6QH (Appeal Ref: 3295582)

- 42.1. Enforcement Notice Appeal by procedure type Written Representation from landowner following Enforcement Notice being served on 21.02.2022 for the unauthorised construction of a first-floor rear extension and roof alteration comprising hip to gable end and rear dormer. The main issues for consideration in this Appeal is the date by which the operations were substantially completed and/or the effect of the development on the character and appearance of the surrounding area.
- 42.2. On ground (d), the subject of substantial completion date and evidence submitted, the inspectorate commented that the appellant has not demonstrated, on the balance of probabilities, that the unauthorised development subject of the notice was substantially completed for at least four years before the notice was issued. Concluding that the appeal on ground (d) fails against Section 171B(1) of the Town and Country Planning Act 1990.
- 42.3. On ground (a), the subject of character and appearance, the inspectorate observed that although the hip to gable extension has altered the appeal property's roof form, it respects the scale, massing and design of the host property, and the wider street scene since there are numerous examples of similar extensions. The dormer window, having regard to the locality, appeared to reflect the numerous large dormer windows which occupy the rear roof planes of neighbouring properties on the southern side of the road near to the site. It had therefore responded to this existing character.
- 42.4. The inspectorate further commented that the first-floor extension projects away from the property's rear elevation, projects no further than the ground floor extensions, together with its straightforward design and scale and massing, the first-floor extension responds to the host property and the surrounding area. Concluding that there is no conflict Policy DM1 of the 'Harrow Development Management Policies' (2013), and Policy D3.D(1) and D3.D(11) of 'The London Plan' (2021), and Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010) which Jointly seek, among other things, a high standard of design and layout, and an appropriate shape, scale/appearance with due regard to the character and appearance of the area.
- 42.5. The appeal on ground (a) is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the Town and Country Planning Act 1990.