
Appeal Decision

Site visit made on 16 May 2017

by O. Blower MA (T&CP)

a person appointed by the Secretary of State for Communities and Local Government

Decision date: 14 June 2017

Appeal Ref: APP/M5450/D/17/3171042

98 Whitchurch Gardens, Harrow, Edgware HA8 6PB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms Ajaib Azam against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/4886/16, dated 15 October 2016, was refused by notice dated 12 December 2016.
 - The development proposed is described as "side/rear/front extension to house".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host building and immediate area.

Reasons

3. The appeal site is one of a pair of two-storey semi-detached houses located on a corner where the road bends. The appeal building has a hipped roof and a single-storey flat roof side extension. The adjoining house has had a hip to gable roof extension with a rear dormer; however the proportions of the pair remain broadly symmetrical when viewed from the front.
4. The area is predominantly characterised by a mixture of traditional two-storey detached and semi-detached houses, of modest proportions, with hipped roofs and open verdant front and rear gardens.
5. The proposal seeks, in part, the erection of a two-storey side extension which narrows at first floor level. Projecting approximately 3m from the rear elevation of the original house would be a two-storey extension which would span part of the width of the side extension and part of the original house. To the front would be a single-storey extension to the side of the existing porch.
6. The width of the two-storey side extension, although set back from the front of the house and narrower at first floor level, would nonetheless come close to doubling the width of the original house. It would thus look excessively wide, appearing significantly out of proportion with the scale of the original house, dominating rather than appearing subordinate to it.

7. The proposed two-storey rear extension would span the majority of both the proposed side extension and a portion of the original house and its overall width would broadly match that of the original house. Thus it too would appear excessively wide and out of proportion with the modest scale of the original house.
8. The single-storey extension to the front porch would have a large expanse of blank wall and a high hipped roof. This would accentuate its width and bulk, leading to an oddly lopsided appearance both in relationship to the modest scale of the original house and by breaking the broad symmetry of scale with the porch of the adjacent house. Thus it would have a contrived and incongruous appearance.
9. I note that the two-storey side extension would be set back from the front of the house and set back from the boundary with a lower ridge height than the original house. The two-storey rear extension would be set in from the flank wall of the side extension with a lower ridge height. Although these features would help to delineate the extensions from the original house, somewhat reduce their scale, and conform in part to the Council's residential design guidance; these features are not sufficient to adequately mitigate the harm caused by the excessive width and bulk of the extensions for the reasons given above.
10. Although the site has a high fence and vegetation along its side boundary there would nonetheless be clear views of the porch and side extension when seen from the front, and of the first floors of the two-storey side and rear extensions in long views from Whitchurch Gardens – particularly due to its prominent corner location. I note that the appellant suggests the appeal site is not located on a sharp corner due to the oval curvature of the road; nevertheless the house is the last in its row and located at the apex of a bend in the road, thus its flank elevation is readily visible from the public realm.
11. Consequently, for the reasons given above, I conclude that the proposed development would cause unacceptable harm to the character and appearance of the host building and immediate area.
12. The proposed development is therefore contrary to policy CS1.B of The Harrow Core Strategy (2012) which seeks to ensure, amongst other things, that proposals that would harm the character of suburban areas are resisted; that all development shall respond positively to the local context in terms of design; that extensions should respect their host building; and that proposals achieve a high standard of residential design.
13. It is also contrary to policy DM1 of the Development Management Policies Local Plan (2013) which seeks, amongst other things, to ensure that development proposals which fail to achieve a high standard of design or which are detrimental to local character and appearance are resisted; with particular regard to the massing, bulk, scale and height of proposed buildings in relation to the location and the context provided by neighbouring buildings and the local character and pattern of development.
14. It is also contrary to the broad aims of guidance contained in the adopted Supplementary Planning Document: Residential Design Guide (2010) (SPD) which advises, amongst other things, that an extension should have a sense of

proportion and balance, both in its own right and in its relationship to the original building and should not dominate the original building.

15. It is also contrary to policies 7.4B and 7.6B of the London Plan which seek, amongst other things, that buildings have regard to the pattern and grain of the existing spaces and streets in scale, proportion and mass; and be of the highest architectural quality.
16. My attention has been drawn to rear dormer roof extensions on nearby houses, including to the adjoining property, which somewhat increase the bulk of these houses. The appellant argues that the proposed first-floor extensions should not be considered overly dominant or overbearing when, in comparison, the nearby dormers give the impression of three-storey houses. These dormer extensions, however, are contained within the roof plane of houses and do not substantially increase their width or overall footprint, nor cover the full height of elevations. Thus these dormers are not directly comparable to the proposed development, which would cause unacceptable harm for the reasons outlined above.
17. I acknowledge that there are examples of two-storey extensions in the immediate area, such as to the front of 66 Whitchurch Gardens and 8 Whitchurch Close. However, I have not been provided with their planning history and, in any event, they are neither on corner plots nor representative of the prevailing character of the area. The appellant has referred to several other extensions although I have not been provided with their full planning history. I note that 124 Whitchurch Gardens is located on a similar corner plot, but the extension is single-storey and thus not comparable to the appeal proposal. Numbers 19 and 102 Whitchurch Gardens are not comparable to the appeal site as they are detached houses which appear separate from neighbouring houses rather than forming one of a pair of semi-detached houses.

Other Matters

18. I note that the Council granted permission at the appeal site for a similar – if not larger – proposal in January 2009 (Ref. P/3002/08). This permission, however, has since lapsed and thus is not a valid fallback position. Moreover, the previous permission predates the publication of the National Planning Policy Framework (2012), the Council's Core Strategy (2012), the Council's Local Plan (2013) and the Council's SPD (2010). All these documents broadly seek to ensure amongst other things a high standard of design and, for the reasons given above, the proposal falls short of this aim. I therefore give the previous lapsed scheme very limited weight, which does not outweigh the harm that would be caused by the appeal proposal, which I've assessed on its own merits and in light of the latest relevant planning policies.
19. The appellant states that the design of the front porch extension has evolved through pre-application discussion with Council officers. Although noted, officer advice is not binding to the decision maker and, in my assessment, I find it would cause harm.
20. I am sympathetic to the appellant's special circumstances and her resultant desire to provide a wet-room on the ground floor, which I do give some weight. However, the harm arising from the proposed development would pertain after these circumstances ceased to be material; thus the appellant's personal circumstances do not outweigh the permanent harm identified above. I have

given serious consideration to issuing a split decision to allow the wet-room, as the appellant has requested in her grounds. In my assessment, however, the wet-room is not readily severable from the harmful elements of the scheme.

Conclusion

21. I am satisfied the proposed development would not cause harm to the living conditions of neighbouring occupiers and I note that the Council did not refuse permission on those grounds. Nonetheless, for the reasons given above and having had regard to all other matters raised, I conclude that the proposed development would have an unacceptably harmful effect on the character and appearance of the host building and area. Accordingly the appeal is dismissed.

O Blower

Appointed Person