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## Appeal Decision

Site visit made on 9 September 2020

**by Mr M Brooker DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 01 February 2021**

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### **Appeal Ref: APP/M5450/W/20/3250654 36-38 Station Road, Harrow, HA1 2SQ**

- 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 Harrow Central Mosque against the decision of the Council of the London Borough of Harrow.
  - The application Ref P/2997/19, dated 18 June 2018, was refused by notice dated 9 October 2019.
  - The development proposed is described as "Conversion of former mosque to six self-contained flats (4 no. units for affordable housing, 1 unit for the Imam and 1 unit for the caretaker of the Mosque); single and two storey rear extension; side and rear dormers, insertion of rooflights in front and both side roof slopes; external alterations, amenity space, refuse and cycle storage (part demolition of side extension)."
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### **Decision**

1. The appeal is dismissed.

### **Preliminary Matters and Main Issues**

2. Part E of the appeal form states that the description of development has not changed, even though an alternative description has been entered. This matches the description of development on the decision notice. I have used this description of development because it more accurately and concisely describes the development proposed.
3. The appellant has submitted amended plans, relabelling the gardens and which flats they relate to. The changes are relatively minor and do not have a significant effect on the nature of the development. The appellant has also submitted a report by Philip Acoustics Ltd dated March 2020. I consider no injustice would be caused to interested parties by my consideration of the plans and additional evidence. I have therefore had regard to them in my decision.
4. The main issues are the effect of the proposed development on:
  - i. the character and appearance of the area; and,
  - ii. the living conditions of future occupiers of the proposed flats, with particular regards to privacy, noise and disturbance and, outlook.

### **Reasons**

#### Character and Appearance

5. Policies 7.4 and 7.6 of the London Plan, Policy CS1.B of the Harrow Core Strategy (CS), Policy DM1 of the Development Management Policies Local Plan

- (DMP) seek development of high-quality design that is respectful of the local character and appearance. The Residential Design Guide Supplementary Planning Document (SPD) seeks to ensure a high standard of development that respects the character and appearance of the area.
6. The appeal property consists of what would have originally been a pair of semi-detached residential properties, of a size and style that is typical of the area. The property has previously been converted to use as a mosque and is currently unused. In addition to the two-storey outrigger to the rear of the property, the appeal property also includes a substantial single storey extension to the rear of the property.
  7. The appeal plans show that the extensions and alterations proposed in this appeal are of a considerable scale in themselves and in proportion to the appeal property. I note that the two-storey rear extension that would extend the existing outrigger by an additional 4.4m, as detailed in the Officer's Report. Furthermore, a single storey extension would project an additional approximately 3.6m to the rear. The resulting extensions would either be flush or otherwise situated in very close proximity to the boundaries with the adjacent properties. Consequently, the proposed extensions would entirely envelope the rear of the appeal property.
  8. The proposed roof structures, being flat for the single storey extension and hipped over the proposed two storey extension, in combination with the overall size and scale of the appeal scheme are not sympathetic to the scale and character of the appeal property.
  9. The appellant has drawn my attention to the relationship of the appeal site and property with the adjacent mosque building. I saw at the site visit that this building is a considerable local landmark building and is of a size and scale that is not typical of the area. Consequently, the presence of this building does not persuade me as to the acceptability of the appeal scheme.
  10. I therefore find that the appeal scheme, with particular reference to the resulting size and scale of the proposed property, would harm the character and appearance of the area and appeal property, creating a discordant feature. Contrary to the provisions of Policies 7.4 and 7.6 of the London Plan and Policy DM1 of the DMP and the guidance set out in the SPD.

#### Living Conditions

11. Policy 3.5C of the London Plan, Policy CS1 of the CS, Policies DM1, DM26 and DM27 of the DMLP and the SPD requires new housing to be of the highest quality by creating an environment that would provide satisfactory living conditions for its occupiers.
12. I note that the revised plan submitted by the appellant have been annotated to confer the use of the segregated garden spaces to the relevant adjacent flat, thus removing a significant element of overlooking and absence of privacy.
13. Additionally, the appellant has submitted by Philip Acoustics Ltd, dated March 2020, to address the concerns of the Council regarding the layout of the proposed property, in particular where living space would be located directly adjacent to neighbours' bedrooms. The report identifies a condition to control sound insulation between dissimilar room uses and details the type of

insulation that could be constructed to reduce the effect of any noise disturbance on future occupiers.

14. The submitted plans show that bedrooms in a number of flats would have a poor outlook with the windows looking directly out on to a narrow courtyard, shared passageway or benefiting from a skylight only. The appellant states that the relevant bedrooms would be approximately 3.8m from the Mosque and approximately 4.4m from No.40. The Council puts forward different figures, relating to the distance to the boundary. I noted at the site visit that the adjacent buildings are situated close to the boundary with the appeal site and are of a size and scale that would severely limit the outlook for future residents of the scheme.
15. The appellant has provided plans and details of other developments which it is argued are comparable to the appeal scheme. Nonetheless, the existence of these other schemes does not persuade me of the acceptability of the appeal scheme before me.
16. Therefore, I am not satisfied that the proposed development as shown on the submitted plans, would provide an acceptable level of outlook for future residents and I consequently find that the appeal scheme would be contrary to Policy 3.5C of the London Plan, Policy CS1 of the CS, Policies DM1, DM26 and DM27 of the DMLP and the provisions of the SPD.

### **Other Matters**

17. The appellant identifies that the appeal scheme would provide housing in a sustainable location, converting and extending an existing property. The provision of the housing of the appeal scheme is a material consideration that weighs in favour of the appeal scheme, but it does not outweigh the harm I have previously identified.

### **Conclusion**

18. For the reasons given above I conclude that the appeal should be dismissed.

*Mark Brooker*

INSPECTOR