



Appeal Decision

Site visit made on 18 January 2022

by A. J. Boughton MA(IPSD), Dip.Arch, Dip.Conservation, RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 04 FEBRUARY 2022

Appeal Ref: APP/M5450/D/21/3288467
34 Lulworth Gardens, Harrow, HA2 9NP

- 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 Mr and Mrs Shanthi Suresh against the decision of The London Borough of Harrow.
 - The application Ref P/2961/21, dated 15 July 2021, was refused by notice dated 16 September 2021.
 - The development proposed is two storey rear extension with pitched roof.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed extension:
 - on the appearance of the host dwelling and upon the character and appearance of the area and
 - upon the living conditions of neighbouring occupiers.

Reasons

Character and Appearance

3. Lulworth Gardens is a quiet suburban cul-de-sac comprised of substantial two storey semi-detached family homes of broadly similar design with good-sized outdoor amenity areas. The character of the appeal locality is generated by generous plot sizes, a broad consistency in frontage alignment and ubiquity of design, albeit variously altered and extended but not obtrusively so in that variety. This is the starting point for considering the effect of the proposal.
4. The appeal property has benefitted from both roof and side extensions with a prominently wide rear-facing dormer and a flat-roofed single-storey extension at the rear. The proposal would add a pitched-roof hipped bay at first floor level projecting some 3m from the rear wall of the original house with a width of 4.0m. Notwithstanding the rear location of the proposed extension, it would be widely visible due to the generally open and expansive nature of the gardens between Lulworth Gardens and Kings Road and therefore, by extension of its impact upon the appearance of the host dwelling, capable of harming the character and appearance of the area.

5. The proposed extension would relate poorly to the existing wide dormer where it intersects at roof level and would fail to comply with the guidance in the Harrow Residential Design Guide SPD at 6.71 which directs a separation distance in such circumstances. In addition the proposed extension would have an entirely arbitrary relationship with the much wider and deeper ground floor extension from which it would emerge. Overall the proposal would fail to have a satisfactory visual relationship with the existing building and therefore conflict with the objective of high design standards set out in policy DM1 of the Harrow Development Management Policies Local Plan.
6. I am aware that this is a response to a previously-refused larger proposal¹ (which the appellant pleads as reason to allow) but that does not constrain the necessary application of judgement upon the issues before me subject always to the need for consistency in decision-taking.
7. In that regard I have noted the decision of Inspector Manning² for a broadly similar proposal at this address and, further, that the Council suggest that the proposal before me is 'larger' than that disallowed. Even if that is not the case there has been no intervening change of policy or circumstances that might direct a different conclusion. Certainly, the appellant has not advanced any justification in that direction and I find nothing in the proposal that would cause me to consider a differing outcome to that reached in February 2017².
8. For these reasons I conclude the proposal would not achieve the high standard of design sought by policy CS1 of the Harrow Core Strategy (2012) or with the relevant sections of policy DM1 of the Harrow Development Management Policies Local Plan (2013) which seek to protect the character and appearance of residential areas.

Neighbouring Occupiers

9. The Harrow Residential Design Guide SPD (2010) guides the relationships to be sought between extensions and neighbouring properties to protect outlook and prevent overbearing impacts. The Council refer to an intersection of the proposed extension with the '45-degree splay' projected from No. 32 Lulworth Gardens; I have no information before me from the appellant or any other quarter to contradict that assertion, with which my observations concur.
10. Although there have been no objections to the proposal from neighbouring occupiers, this does not indicate no harm would arise. Contrary reasoning absent, and given the limited separation distance between these adjacent dwellings, I attach significant weight to this breach of guidance set out in section 6 of the Harrow Residential Design Guide SPD and therefore conclude that the proposal would also conflict with the relevant policy DM1 of the Harrow Design Management Policies Local Plan (2013).
11. Having regard to all matters raised, and for the reasons given, I conclude that the proposal would not accord with the development plan taken as a whole and that, in consequence, the appeal must fail.

Andrew Boughton

INSPECTOR

¹ P/4287/21 dated 28 May 2021

²Appeal ref: APP/M5450/D/16/3165590