



Appeal Decision

Site visit made on 31 May 2022

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 June 2022

Appeal Ref: APP/M5450/D/22/3295890

41 Argyle Road, Harrow, HA2 7AL

- 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 Bhavin Shah against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/0068/22, dated 8 January 2022, was refused by notice dated 7 March 2022.
 - The development proposed is alterations and extension to the roof to form an end gable; the construction of a rear dormer; the insertion of three rooflights in the front roofslope; and the construction of a single-storey front extension, a first-floor side extension, and a single- and two-storey rear extension; and external alterations.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposed development has been completed. I note that a Certificate of Lawful Development (CLD) for alterations to the roof to form an end gable and rear dormer with Juliette balcony, and insertion of two rooflights in the front roofslope, was granted on 14 August 2018. In addition, planning permission for the construction of a single-storey front extension incorporating a front porch; a first-floor and two-storey side extension; and a single- and two-storey rear extension was granted on 15 August 2018. Both documents separately clarified that although both proposed developments were granted, neither could be built and retained together thereafter, on the basis that construction of both permissions would render the certificate application unlawful and/or the planning application in breach of condition.
3. From the current planning application, it would appear that the proposed development that is the subject of this appeal was commenced on 21 August 2018 and completed on 8 November 2018. It would appear, therefore, that the development as now completed has been constructed as something of a hybrid of the two schemes determined by the Council in August 2018. I have, therefore, dealt with the appeal on the basis that there are elements of each individual scheme that form the current single proposal. I also note, however, that the hip-to-gable alteration with the construction of the rear dormer represents a fall-back position in its own right, given the existence of a CLD.

Main Issues

4. The main issues in this case are the effects of the proposed development on:
 - The character and appearance of the host property and the immediate locality along Argyle Road, and
 - The living conditions of the occupiers of No 39 Argyle Road by way of privacy.

Reasons

5. No 41 is a semi-detached house situated on the southern side of Argyle Road. Argyle Road is characterised by semi-detached houses of generally similar design. The proposed development has already been carried out and includes a hip-to-gable roof alteration; the construction of a large rear dormer; a two-storey side extension; a two-storey rear extension; and a single-storey front extension/porch.
6. Policy CS1 of the Council's Core Strategy (CS) indicates that new development should protect the character of Harrow's suburbs. Policy DM1 of the Council's Development Management Policies document (DMP) indicates that all development must achieve a high standard of design and layout. The assessment of this should have regard to the massing, bulk, scale and height of proposed buildings in relation to the location and the surroundings; the appearance of proposed buildings, including detailing and roof form; and the context provided by neighbouring buildings and the local character.
7. The Harrow Residential Design Guide (SPD) includes guidance for Householder Development. This indicates that extensions should represent an additional volume subordinate to, and reflecting, the character of the original house, or a simple extension of the existing building form. In addition, 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, whilst roof design is very important because this will determine the overall shape of the extension. All roofs should be designed to reflect the character of the dwelling house and those adjoining to provide a satisfactory appearance.
8. With specific regard to side extensions, the SPD indicates that they should reflect the pattern of development in the street scene. The visual impact of side extensions, particularly first-floor and two-storey, will be assessed against the pattern of development in the immediate locality. Moreover, where the property has already been extended by the conversion of a hipped to a gabled roof, a further side extension (first-floor or two-storey) is inappropriate.
9. The Council contends that the first-floor side to rear extension together with the hip-to-gable and rear dormer roof extensions, form an incongruous, discordant, contrived, unduly bulky and dominant addition to the host dwelling and street scene. In addition, the single-storey front extension, by reason of its design and height forms an incongruous, discordant and dominant addition to the host dwelling. Finally, it contends that the windows on the existing flank elevation of No. 41 Argyle Road, by reason of their siting on the boundary with no defensible screening, give rise to a detrimental effect of overlooking and invasion of privacy of No. 39 Argyle Road.

10. The appellant contends that the key issue in this appeal is whether the interplay of the two earlier approved developments causes unacceptable harm in planning terms. He contends that the appeal proposal is not for a side extension to an already-existing gable roof and that the roof of the side extension does not represent an awkward design. He also notes that there are already numerous examples of hip-to-gable developments along the road. Similarly, he notes that there is a wide variety of porch designs along this part of Argyle Road and the porch at the appeal site does not look out of place in this context. Finally, he indicates that the side windows in the extension are obscure-glazed and that, if the windows are considered to cause unacceptable overlooking, he will accept a condition that they be sealed shut.

Character and appearance

11. Argyle Road consists of pairs of semi-detached houses, some of which have very narrow gaps between them and others have wider gaps, the latter of which are usually infilled at ground-floor level with garages to the side. A limited number of properties have had two-storey side extensions constructed, though all of these apart from the appeal property would appear to have used subservient hipped roofs to match the hipped roof of the main house. Some other dwellings along the road have had hip-to-gable roof alterations, many of which also include the construction of large rear dormers.
12. The proposed side extension is set back around 1 metre behind the main front elevation at first-floor level and has a roof height below that of the main roof ridge and dormer roof. In this regard, therefore, it appears subservient to the main house in the street scene. However, the rear extension, which is set in a little from the side boundary, appears as a somewhat dominant feature at the rear of the house.
13. In addition, the hipped roof of the extension, when seen in the context of the large gable-end side elevation and the dormer extension, appears out of character with its immediate surroundings, where gable-end elevations without side extensions have become a feature, and where two-storey side extensions have taken the form of a simple extension of the existing hipped roof. I consider that the hipped roof at the side appears incongruous and contrived in the context both of the host property and the neighbouring houses in the immediate locality. Moreover, the hipped roof at the rear of the extension, by virtue of its cutting across the face of the rear dormer, appears as a somewhat awkward feature in the overall appearance of the rear of the house.
14. The unsympathetic nature of the roof design of the first-floor side extension, coupled with the offset nature of the first-floor rear extension, results in a somewhat awkward and visually cluttered amalgamation of elements at first-floor and roof level, particularly as seen in conjunction with the side and rear of the dormer. I note that the side element is not an extension to an already existing gable roof, but the fact remains that the hip-to-gable alterations and new dormer have been coupled with the side and rear extensions in a manner that results in an inappropriate overall appearance in the context of the host property and the immediate surroundings along Argyle Road.
15. I acknowledge that the SPD represents guidance only, but it amplifies relevant Development Plan Policy that requires a high standard of design, and that in assessing this, regard should be had to the relationship of proposed buildings to the location and the surroundings; the appearance of the buildings, including

detailing and roof form; and the context provided by neighbouring buildings and the local character. In this case, and on the basis of the above, the SPD carries significant weight.

16. I have few details on the design or specific location of the earlier appeal cases referred to in the appellant's statement but, in any case, I have dealt with this case on its own merits, in the context of its effect on the host property and the nearby surrounding area, including its visual impact on the streetscape.
17. With regard to the front extension and porch, I note that there are a large number of front porches on houses along Argyle road, and that they exhibit a mix of gable fronts and hipped roofs. Furthermore, there are also examples of garage to habitable accommodation conversions on the road, some of which involve front extensions projecting out to porch and bay window level. On this basis, I do not consider that the front porch and extension element of the overall proposals in the scheme at No 41, on its own, results in any harm to the character and appearance of the street scene along Argyle Road.

Living conditions

18. It would appear that the windows in the side elevation of the side extension are very close to, or alongside, the boundary with No 39, such that opening these windows would enable views along the side path of No 39 and possibly minor incursion onto that property. The windows serve non-habitable rooms and are obscure-glazed. Nevertheless, as they are openable, this represents harm to the privacy of the occupiers of No 39, albeit limited. This harm to privacy could be alleviated by way of a suitable condition relating to the use of windows that cannot be opened, and it is not therefore, on its own, a reason to dismiss this appeal.

Conclusion

19. Whilst certain individual elements of this scheme do not, on their own, represent harm to the character and appearance of the area, or, subject to a suitable condition, to the living conditions of the occupiers of the adjacent property at No 39, the proposal in its entirety is harmful to the character and appearance of both the immediate locality around Argyle Road and the host property itself. This is due partly to the incongruous and uncharacteristic juxtaposition of the hipped roof of the side extension with the gable end and flat-roofed dormer elements, and also, to a lesser extent, the complex arrangement of the side and rear extensions having an awkward combination of hipped roof elements.
20. In the light of the above, I find that the proposed development is harmful to the character and appearance of the host property and the immediate locality along Argyle Road. It conflicts with Policy CS1 of the CS, Policy DM1 of the DMP, and guidance on Household Extensions given in the SPD. Accordingly, I dismiss this appeal.

J D Westbrook

INSPECTOR