
Appeal Decision

Site visit made on 13 October 2023

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 31st October 2023

Appeal Ref: APP/M5450/D/23/3326367

65 Lulworth Drive, Pinner, Middlesex, HA5 1NF

- 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 Azam Sultan against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/0746/23, dated 10 March 2023, was refused by notice dated 5 May 2023.
 - The development proposed is a first floor side extension, internal alterations and rooflights.
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Decision

1. The appeal is allowed and planning permission is granted for first floor side extension, internal alterations and rooflights at 65 Lulworth Drive, Pinner, Middlesex, HA5 1NF in accordance with the terms of the application Ref P/0746/23, dated 10 March 2023, subject to the conditions set out in the attached Schedule.

Main issue

2. The main issue is the effect of the proposed extension on the character and appearance of the host property and its surroundings.

Reasons

3. The appeal property is set in a street of a distinct suburban appearance comprised in the main of semi-detached dwellings, although bungalows are evident at either end of the street. The appeal property is itself a semi-detached house and it and its attached neighbour have undergone hip to gable extensions.
4. The fact that the dwelling has already been altered at roof level appears to most concern the Council. In this regard reliance was attached to the content of its SPD¹, or that section dealing with householder development, in particular, paragraph 6.57, which provides:

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. Such developments are incompatible with the design, character, bulk and appearance of the locality.

¹ Harrow Residential Design Guide - Supplementary Planning Document

5. This aspect of the guidance would thus appear to reflect a desire to impose a blanket ban on development as proposed throughout the Borough, irrespective of site-specific circumstances. My task, however, is to determine the appeal having regard to the provisions of the development plan, and other material considerations. The SPD ranks as an important material consideration, but the weight to be attributed to it, or parts of it, is a matter for me.
6. Many of the houses in the street have been extended to the side or at roof level, some in a more sympathetic manner than others. Nevertheless, the street overall displays a pleasant, unified appearance. I find, however, for the reasons set out below, and notwithstanding the proposal's conflict with SPD paragraph 6.57, that the proposal would have minimal impact on the dwelling itself, as it stands, or on the street scene.
7. The extension would be entirely proportionate in scale to that of the host property. The design takes full account of other aspects of the SPD's guidance in that its front wall would be slightly recessed and the ridge would be lower than that of the host property, thus ensuring subservience. It would be set away from the side boundary thus avoiding a terracing effect, should next door's residents ever contemplate a side extension. The fenestration proposed, including the rooflights, would sit comfortably with the main house's window pattern. All in all, I find that this modest extension has been carefully and tastefully designed.
8. I conclude that the proposal would sit acceptably in its visual and spatial context without harming the character and appearance of the host property or its surroundings. The proposal accords with those provisions of policy D3 of The London Plan, policy CS1 B of the Harrow Core Strategy and policy DM1 of the Harrow Development Management Local Plan Policies which, in combination, require new development to be of a high standard of design, respectful of local architecture and character, and for house extensions to respect their host buildings. Since the proposal accords with the relevant policies of the development plan and much of the SPD's guidance on householder design, paragraph 6.57 of the SPD attracts little weight.

Conditions

9. The Council's suggested conditions regarding materials and that the development shall be carried out in accordance with the approved plans shall be imposed in the interests of visual amenity and certainty respectively.

Other matters

10. I have taken account of all other matters raised in the representations, including the references made by both parties to various decisions made on appeal or by the Council in respect of other householder development. I do not have the full details of those cases before nor I am aware of the specific site circumstances, accordingly they attract little weight.
11. No other matter is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
3. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos: 01; 03; 04; 05; 06; 07; 08; 12; 13; 14 & 15.