

Appeal Decision

Site visit made on 5 December 2023

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 January 2024

Appeal Ref: APP/M5450/D/23/3332056

31 Uxbridge Road, Stanmore, Middlesex, HA7 3JL

- 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 Duxha Patel against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/1748/23, dated 20 April 2023, was refused by notice dated 10 August 2023.
 - The development proposed is two storey front extensions with bay windows; single storey front extension; front entrance canopy; two storey side extension; single and two storey rear extension with roof terrace; alterations to roof; rear dormer; rooflights in side roof slopes; conversion of garage to habitable room; external alterations (demolition of side to rear extension and entrance canopy).
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Decision

1. The appeal is allowed and planning permission is granted for two storey front extensions with bay windows; single storey front extension; front entrance canopy; two storey side extension; single and two storey rear extension with roof terrace; alterations to roof; rear dormer; rooflights in side roofslopes; conversion of garage to habitable room; external alterations (demolition of side to rear extension and entrance canopy) at 31 Uxbridge Road, Stanmore, Middlesex, HA7 3JL in accordance with the terms of the application Ref P/1748/23, dated 20 April 2023, subject to the conditions set out in the attached Schedule.

Preliminary matter

2. The Council's officer report clarifies that, taking account of the planning history and its most recent assessment, most of the elements of the proposed development are acceptable. I have no reason to disagree with the Council's view on these aspects of the proposals. The Council's concerns centres solely on the proposed single storey front extension.

Main issue

3. Having regard to the above, the main issue is the effect of the proposed single storey front extension on the character and appearance of the host property and its surroundings.

Reasons

4. The appeal property is a substantial detached property standing on the southern frontage of the busy Uxbridge Road (A410). However, it is well set

back from road. Alongside the appeal property to the west is the flank wall of 41 Jellicoe Gardens whose rear elevation stands closer to Uxbridge Road than the appeal property's front elevation. The proposed front extension, designed as a garage, would sit close to and alongside 41 Jellicoe Garden's plain side elevation.

5. In opposing this aspect of the proposals, the Council relies largely on the content of its SPD¹, in particular, paragraph 6.35, which provides:

"Front extensions have the greatest potential impact on the character and visual amenity of the street scene. Residential buildings in Harrow generally follow a clear building line, with building facades sited on the same plane and often enriched with architectural features reflecting the period of building construction. These features include bay windows, window and door surrounds and other architectural features. Modern front extensions beyond the established building line can disrupt the harmony and architectural coherence of the streetscape...".

6. In support of its contention that the development would breach the building line the Council relies in part on an observation made by an Inspector conducting a previous appeal at the property². However, the Inspector in that decision also makes it clear that there is a 'staggered built form along the Uxbridge Road'. That is also what I found, there is no clear building line along this frontage as a whole. Indeed, the appeal property, along with its immediate two neighbours to the east, appear well set back from the positions of other dwellings along the remainder of the frontage.
7. When approaching the site from the west along Uxbridge Road, the garage, if built, would not only be screened by the bulk of 41 Jellicoe Gardens but also by the fences, trees and other vegetation apparent along the street frontage. Vegetation would also partly screen the proposal when approaching from the east, even in winter when, as I saw, defoliation was complete. Moreover, the appeal property's front garden and parking area is partly fenced and surrounded by a tall evergreen hedge, thus augmenting the external screening. Such is the degree of screening afforded, within and outside the site, that the garage would hardly be seen from outside, and that which could be seen would not prove particularly noticeable.
8. I acknowledge however that the garage would protrude forward of features in the appeal property's front elevation when other works are complete. However, its roof design and small scale is such to ensure that, despite its function, the extension would marry well with the general composition and large scale of the front elevation.
9. I conclude that the proposals as a whole, including the front extension, would be acceptably assimilated into the local 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

¹ Harrow Residential Design Guide - Supplementary Planning Document

² APP/M54450/D/20/3244638

with the relevant policies of the development plan and much of the SPD's guidance on householder design, paragraph 6.35 of the SPD attracts little weight especially having regard to the prevailing site and local environmental conditions.

Conditions

10. 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.
11. The Council has also suggested a landscaping condition, boundary treatments and details of the proposed new access gates. Having regard to the submitted plans and the full description of the development provided, there is no indication that I can find that the appellant sought consent for new gates or that existing boundary treatments were to be altered. In circumstances where, following the construction period, new planting and surface materials may be required, judging from the extant condition of the gardens, residents could be trusted to choose their preferred plants and surface materials for their garden. I therefore consider the Council's proposed condition to be both excessive and unnecessary.
12. The Council's suggested condition on side elevation windows is imposed so as to protect neighbouring amenity, albeit in a modified form.

Other matters

13. I have taken account of all other matters raised in the representations, including the references made by the appellant to other examples of similar development in the locality. 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.
14. 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: 105/EX/001; 105/EX/100; 105/EX/101; 105/EX/102; 105/EX/103; 105/EX/104; 105/EX/120; 105/EX/121; 105/EX/161; 105/PL/200 Revision E; 105/PL/201 Revision D;

105/PL/202 Revision D; 105/PL/203 Revision D; 105/PL/220 Revision B;
105/PL/221 Revision C.

4. Any new windows to be inserted in the side elevations of the appeal property shall be obscurely glazed and non-openable below a height of 1.7m above internal finished floor level. Once inserted the windows shall be retained in that form.