



Appeal Decision

Site visit made on 16 September 2024

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 September 2024

Appeal Ref: APP/M5450/D/24/3346771

76 Whitchurch Gardens, Harrow, Edgware HA8 6PD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr R Desai against the decision of the Council of the London Borough of Harrow.
 - The application Ref is PL/0625/24.
 - The development proposed is a single storey side to rear extension and a front porch.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side to rear extension and a front porch at 76 Whitchurch Gardens, Harrow, Edgware HA8 6PD in accordance with the terms of the application, Ref PL/0625/24, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2024106PA101 Rev PO1, 2024106PA102 Rev PO1, 2024106PA103 Rev PO1, 2024106PA104 Rev PO1, 2024106PA105 Rev PO1, 2024106PA106 Rev PO1 and 2024106PA109 Rev PO1.
 - 3) The materials to be used in the construction of the external surfaces of the development shall match those used in the existing building.
 - 4) The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.
 - 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no windows or doors shall be installed in the flanks of the development hereby permitted.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and the area.

Reasons

Character and appearance

3. Whitchurch Gardens comprises a mix of predominantly two storey houses, along with a scattering of detached bungalows, including the host and its neighbour at 'No 78'. Many properties are built-up close to their side boundaries. Compared to most nearby properties, the host and No 78, with their single storey form and low hipped roof, have a modest scale and bulk.
4. The Harrow Residential Design Guide Supplementary Planning Document 2010 ('SPD') provides guidance in relation to house extensions, but states that it should not be applied on a mechanical basis, but should instead be interpreted taking account of site circumstances and other relevant considerations.
5. Amongst other things, it advises that extensions should have a sense of proportion and balance, and that they should not dominate the original building or the streetscape. At paragraph 6.59 it sets out that the acceptable depth of extensions will be determined by the need for consistency with permitted development rights, whilst having regard to matters including site considerations, scale, and the established character and pattern of development.
6. The proposal would involve a wrap-around single storey extension, with a flat-roofed form. The Council and the appellant disagree about its footprint, owing, it would appear, from the latter deducting the floor area of a garage and a shed which would be demolished. Whatever the precise calculation, it is clear to me from the drawings that the proposed extension would have a fairly large floorspace and footprint relative to the existing house.
7. That said, its bulk and scale would be tempered by its low flat roof, which would align with the host's eaves, and which would be set well down from its ridge. Notwithstanding its proximity to the plot boundaries, it would thereby achieve a subordinate appearance. Additionally, as it would be mainly to the rear, only the narrow front face of the single storey extension would be visible in the streetscene where, with its matching materials, it would not be a prominent feature, and it would respect the host's character and appearance.
8. The scheme would not appear out of place amongst the generally bulkier properties in the area. That includes 94 and 98 Whitchurch Gardens, broadly opposite this site, and which have been extended. Given that those extensions are on two storey semi-detached houses, they are not directly comparable to the proposal before me, but they do serve to illustrate nearby examples of wrap-around development located close to plot boundaries.
9. For the above reasons, I conclude that the proposal would not harm the character and appearance of the host property or the area. It would not therefore conflict with London Plan 2021 Policy D3 Parts D1) and D11), or with Harrow Development Management Policies 2013 Policy DM 1. Amongst other things, these require a high standard of design, which respects the host building, and responds positively to local character and distinctiveness, having regard to matters including massing, bulk, scale, form, appearance, materials, proportions and height.

10. Nor would it conflict with the National Planning Policy Framework ('Framework') requirement for high quality design which is sympathetic to the surrounding built environment, or with the general thrust of the SPD.

Other matters

11. The proposed extension would abut the garden boundary with 1 Whitchurch Close. However, the host already has a garage in that location. Compared to the garage, which would be replaced, this scheme would not extend any further to the rear. In the context of that existing development, and given the limited height of the proposed extension, the scheme would not harmfully impact the availability of sunlight at that property.
12. Turning to No 78, I observed that it has windows in its side wall facing the host across a narrow passageway and a low fence. However, the proposed rear extension would be set in slightly from that boundary to align with the host's existing flank wall. Moreover, an existing shed, which abuts the boundary, would be demolished to make way for the proposed extension, which would be located opposite a part of No 78's side wall which does not contain any windows.
13. Thus, having regard to the context of the existing development and to the sun's trajectory, the scheme would not result in significant overshadowing of No 78, nor cause those occupiers to suffer from a harmful loss of natural light.

Conditions and Conclusion

14. Turning to the matter of conditions, I have imposed the standard time limit and, in the interests of certainty, a condition requiring that the development be carried out in accordance with the approved plans. In the interests of good design and the character and appearance of the area, a matching materials condition is also necessary.
15. Given the size of the elevated flat-roofed area that would be created, and its proximity to the plot's boundaries, having regard to the Framework's tests, the suggested condition preventing its use as a balcony or roof garden is necessary in order to protect nearby occupiers' living conditions.
16. Finally, for the same reason, given the location of the scheme's flanks relative to neighbouring properties, a condition is also necessary removing permitted development rights for the installation of additional windows or doors in those areas.
17. Summing up, for the above reasons, the scheme would not harm the character and appearance of the host property or the area. Consequently, having regard to all other matters raised, including representations by interested parties, the appeal is allowed.

Chris Couper

INSPECTOR