



Appeal Decision

Site visit made on 7 October 2024

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2024

Appeal Ref: APP/M5450/D/24/3350256

'Wings' 118 Rowlands Avenue, Hatch End, Harrow, HA5 4AP

- 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 Keval Malde against the decision of the Council of the London Borough of Harrow.
 - The application Ref is PL/1275/24.
 - The development proposed is the demolition of an existing side extension and the construction of a new side and rear single storey extension; and landscaping works to the front garden, including the erection of a brick wall with railings close to the front boundary.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of an existing side extension and the construction of a new side and rear single storey extension; and landscaping works to the front garden, including the erection of a brick wall with railings close to the front boundary at 'Wings', 118 Rowlands Avenue, Hatch End, Harrow, HA5 4AP, in accordance with the terms of the application Ref PL/1275/24, 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: CN_001, CN_002 Rev A, CN_100, CN_101, CN_110, CN_120, CN_200, CN_201, CN_210, CN_211 and CN_220.
 - 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 space.
 - 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.

Background

2. Prior to its decision on the scheme before me, the Council granted planning permission for extensions to the side of the host property and a front porch

(Ref: PL/0276/24) ('the previous permission'). As both principal parties refer to the previous permission, and I have been provided with the decision notice and drawings, I refer to it in my reasoning below.

Main Issues

3. The main issues are the effect of the proposal on:

- the character and appearance of the host property and the area; and
- the living conditions of adjacent occupiers, with particular regard to the outlook from, and availability of natural light to, 120 Rowlands Avenue.

Reasons

Character and appearance

4. The Harrow Residential Design Guide Supplementary Planning Document 2010 ('SPD') advises that extensions should have a sense of proportion and balance, and that they should not dominate the original building or the surrounding streetscape. It continues that as front extensions have the greatest potential impact on visual amenity, they should reflect and complement the scale, design, quality and pattern of the streetscene.
5. Wings comprises a chalet bungalow, with first floor accommodation contained within its roof space, and with a flat-roofed, forward projecting garage to one side. That garage is linked to the matching garage at 120 Rowlands Avenue ('No 120'). The style and form of the house at No 120 is also broadly similar to this property. Elsewhere along Rowlands Avenue, the houses are mainly two storeys high, but individually designed, and of varied proportions.
6. The proposed side extension would be taller and larger than the garage it would replace. However, its steeply pitched roof and materials would match the existing house, whilst its gable would be narrower and its ridge would be notably lower, thus ensuring a suitably subordinate appearance.
7. The flat-roofed lobby, which would infill between the side extension and the existing dwelling, would be centrally located. Given its position and its largely glazed front face, it would provide a clearly legible entrance, such that the resultant building would continue to 'read' as a single dwelling from Rowlands Avenue.
8. As a result of this scheme, the sense of symmetry with No 120 would be slightly diminished, but given the varied form, style and proportions of nearby dwellings, that would not result in a harmful impact on the streetscene.
9. At just 1.1 metres high the proposed brick wall would be fairly low and the rails above would allow views into the site from the road. The siting towards the front of the plot would broadly reflect the position of other nearby boundary treatment, and it would thereby assimilate into its surroundings.
10. For these reasons, the scheme would not harm the character and appearance of the host property or the area. On this issue, it would not therefore conflict with London Plan 2021 Policy D3, Harrow Core Strategy 2012 Policy CS 1, or with Harrow Development Management Policies 2013 ('HDMP') Policy DM 1. Amongst other things, and in general terms, these require a high standard of design, which responds positively to local character and distinctiveness, having

regard to matters including massing, bulk, scale, roof form, entrances, materials, proportions and height; and that extensions should respect the host building.

11. 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 approach in the SPD.

Living conditions

12. The proposed extension would abut the boundary with No 120, but only its rear section would protrude beyond that property's garage. It would extend beyond No 120's principal rear elevation, which is angled towards the common boundary. However No 120's twin sets of patio doors, which provide the main outlook down that property's wide garden, are set away from that boundary, and that property is also at a significantly higher level.
13. For those reasons, and given the limited height and flat-roofed profile of this part of the scheme, and the presence of a boundary fence, the proposal would not have a harmfully overbearing impact on those occupiers, nor cause them to suffer from a significant loss of light. In reaching that conclusion, I also note that compared to the previous permission, this part of the scheme would have a similar height and only a marginally greater depth along the boundary.
14. The scheme would not therefore harmfully affect the living conditions within the house at No 120 or in its garden. It would not conflict with that part of HDMP Policy DM 1 which requires proposals to avoid a detrimental impact on neighbouring occupiers' amenities, having regard to matters such as visual impact, outlook and the adequacy of light. Nor would it conflict with the similar approach in the SPD.

Conditions and Conclusion

15. I have considered the matter of conditions against those suggested by the Council in its questionnaire, and those that it imposed in the previous permission. As well as the standard time limit, in the interests of certainty, a condition is necessary requiring that the development be carried out in accordance with the approved plans. Additionally, having regard to the Framework's tests, and in the interests of good design, I have imposed a matching materials condition.
16. Given that there would be a large area of flat-roof along the boundary with No 120, a condition preventing its use as a balcony or roof garden is necessary in order to protect the adjacent occupiers' living conditions. For the same reason, and given the location of the scheme's side wall relative to No 120, a condition is necessary removing permitted development rights for the installation of additional windows or doors in its flanks.
17. Summing up, the scheme would not harmfully affect the character and appearance of the host property or the area, or the living conditions at No 120. Consequently, having regard to all other matters raised, including representations by interested parties, the appeal is allowed.

Chris Couper

INSPECTOR