



Appeal Decision

Site visit made on 8 April 2025 by E Street BSc (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 May 2025

Appeal Ref: APP/M5450/D/25/3360650

40 Clewer Crescent, Harrow Weald, Harrow HA3 5PZ

- 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 Duran Ozcan against the decision of the Council of the London Borough of Harrow.
 - The application Ref is PL/2920/24.
 - The development is described as “retrospective planning application of the gym room outbuilding”.
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Decision

1. The appeal is allowed, and planning permission is granted for development described as “retrospective planning application of the gym room outbuilding” at 40 Clewer Crescent, Harrow Weald, Harrow HA3 5PZ in accordance with the terms of the application, Ref PL/2920/24, subject to the following conditions:
 - 1) The development hereby permitted is as shown on approved plan references: HA3 003, HA3 002 and HA3 001
 - 2) The building hereby permitted shall not be used at any time other than for purposes incidental to the residential use of the host dwelling known as Number 40 Clewer Crescent as shown on the plans hereby approved.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters and Main Issue

3. The Council have an issue with the accuracy of the plans. The building has been subdivided and a second door has been installed on the front elevation. There is no compelling reason that these changes would drastically change the form and principle of the building and there is sufficient information to consider the impact the proposal would have on the character and appearance of the area. I therefore have considered the appeal on the basis of the drawings provided.
4. One of the reasons for refusal refers to flood risk and lack of demonstration that the development would not increase such. The Council has reaffirmed that the development is in zone 3a. The appellant has provided a map from the Environment Agency, showing it clearly to be in zone 1. In the absence of compelling information to counter, I have no reason to disagree with the appellant

and have therefore not considered the matter further. Resultantly, the main issue is the effect of the building on the character and appearance of the area.

Reasons for the Recommendation

5. The appeal site is a semi-detached dwelling. The outbuilding is situated to the bottom of the garden. Surrounding sites are characterised by long plots and modestly sized dwellings. Outbuildings to the rear of neighbouring properties are not uncommon and mostly obscure in the street scene. This lends a pleasant consistency to the built form of the area.
6. Even if the outbuilding is the larger scale stated by the Council, it sits comfortably within the plot due to the overall length and separation distance from the property. It is proportionate with the site and therefore does not compete with the dwelling. Its overall appearance is as an outbuilding aiming to be subservient. A building such as this is not an uncommon feature given the surrounding context. I am unconvinced that the building would be used for anything other than in conjunction with the dwelling. The description of development clearly states it is intended to be a gym and any deviation from this would require a separate permission. The use is reflected on the plans which have been approved above.
7. With this and the above in mind, the outbuilding does not harm the character and appearance of the area. Therefore, the proposal complies with Policy D3 of the London Plan 2021, Policy DM1 of the Harrow Development Management Policies Local Plan 2013, the National Planning Policy Framework 2024 and the adopted Supplementary Planning Document: Residential Design Guide 2010. Together, and amongst other things, these seek to ensure that development is of a high quality and contextually appropriate design and appearance amongst other things.

Conditions

8. I have not included time or materials conditions due to the retrospective nature of the scheme and my findings. I have referred to the approved plans for enforcement purposes considering the discrepancies identified. The main parties have been consulted on a condition to secure the building to be incidental. Given the current sub-division of the outbuilding, this would be necessary to affirm the proposed use.

Conclusion and Recommendation

9. For the reasons set out above, the appeal scheme complies with the development plan. I therefore recommend it be allowed, subject to the above conditions.

E Street

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed, and planning permission granted, subject to the conditions set out above.

John Morrison

INSPECTOR