



Appeal Decision

Site visit made on 7 October 2025

by **F Harrison BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10th November 2025

Appeal Ref: APP/M5450/W/25/3369647

4 Whitby Road, Harrow, South Harrow HA2 8LH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Pyrosome Ltd against the decision of the Council of the London Borough of Harrow.
 - The application Ref is PL/0080/25.
 - The development proposed is described as outline application for appearance, layout, scale and landscaping, demolition of existing bungalow and construction of two storey building with loft accommodation comprising five flats.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was made in outline, with access reserved for future consideration and I have considered the appeal on this basis.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the area;
 - the effect of the proposal on the living conditions of the future occupiers, with regard to noise/vibration, outlook and privacy;
 - the effect of the proposal on the living conditions of the occupiers of 6 Whitby Road, with regard to outlook, daylight/sunlight and privacy;
 - whether adequate bin storage would be provided;
 - whether adequate cycle storage would be provided; and
 - whether flood risk and drainage have been adequately assessed.

Reasons

Character and appearance

4. The appeal site accommodates a detached bungalow and garage and is in between an access road and another bungalow. To the rear is an electrical substation and the rear gardens of the properties that front Eastcote Road. The site is located on Whitby Road, a residential street characterised by a row of uniform terraces, with relatively long linear rear gardens. The single storey built form at the

appeal site and the neighbouring bungalow creates a sense of spaciousness at the end of the street, in an otherwise dense urban environment, which contributes positively to the character and appearance of the area.

5. The proposal's main elevation would have the appearance of a pair of semi-detached properties, and the scheme is said to have been deliberately designed in two parts, with traditional materials at the front and more modern features including reflective mirror glass cladding at the rear. Irrespective of the precise numerical increase in built footprint from the existing bungalow, the scale and massing of the proposal would draw the eye. The proposal's depth in combination with its height would result in a substantial development that would erode the existing visual break in the street scene and would not respond positively to local distinctiveness. Much of the proposal would not be separated from its plot boundaries, on either side, and owing to its significant depth the incongruous form of development would stand very prominently within the street scene, overly intensifying the quantum of built form and altering the spacious character in this section of the street.
6. It is suggested that the mirror glass cladding would break up the proposed building's mass, however as highlighted by the appellant, the rear section of the proposal would not be readily seen from Whitby Road. It would not therefore mitigate the bulk of the proposal in views from Whitby Road from which the full extent of the extensive side elevation would be experienced. In bringing development closer to the access road and the street, the bulky form of the proposal would also be appreciable on approach from the junction of Whitby Road with Northolt Road.
7. Even if the use of reflective mirror glass cladding has been found to be an acceptable material elsewhere in London, including in a conservation area, this does not indicate that the use of this material at the appeal site would sit comfortably within its immediate context. The Supplementary Planning Document Residential Design Guide (2010) (the SPD) advises that architectural features and details on buildings can greatly influence their overall visual appearance and, therefore, design quality. The guidance sets out that where development is to be integrated into the existing urban fabric, it will often be most appropriate to match closely the appearance of the materials of the neighbouring buildings.
8. In the appeal site location, the visual intrusion of the scale and massing of the proposal would be exacerbated by its design and appearance which, in my view, has a somewhat confused architectural narrative. As a consequence, the proposed development neither compliments its neighbours, nor seeks to innovate and create a distinctive new identity. On this basis, the proposal does not help to strengthen local character and distinctiveness. In particular, the use of glass cladding and opaque glass balustrades on the proposed balconies would have a limited relationship and visual connection with the surrounding uniform rows of terraces. The disruption to the prevailing character and appearance of the area would be readily apparent when viewed from surrounding properties and gardens.
9. It is indicated that landscaping at the rear and side boundary with No 6 would include plant species to grow taller than the boundary treatment to screen the proposal and provide privacy for the future occupiers. However, it is not certain that such planting would be realistic and achievable. In any event, it would not be in character with the landscape of the surrounding rear gardens and would instead draw attention to the development.

10. Owing to the quantum of built form and layout within the site, the appeal scheme features limited soft landscaping at the street frontage and no landscaping at its side elevation with the access road. Soft landscaping is limited along Whitby Road, however, in achieving a high standard of design and layout, Policy DM1 of the Harrow Council Development Management Policies Local Plan (2013) (DMPLP) requires development to provide appropriate space around buildings for setting and landscaping. Irrespective of the amount of biodiversity net gain that would be delivered, and notwithstanding that the maintenance of the proposed vegetation, including tree planting could be secured through a planning condition, in views from Whitby Road the appeal site would be dominated by built form. There would be limited streetside greenness as required by the development plan and overall, the proposal would not create a high-quality place which the National Planning Policy Framework (the Framework) sets out is fundamental to what the planning and development process should achieve.
11. To conclude on this main issue, the proposal would be unduly harmful to the character and appearance of the area and would be in conflict with Policy D3 of the London Plan (2021) (LP), Policy CS1 of the Harrow Core Strategy (2012) (CS) and DMPLP Policies DM1 and DM23. These policies include a requirement for development to optimise site capacity through a design led approach that includes positively responding to the existing local character of a place and achieving a high standard of design, including streetside greenness.
12. The Council also refers to DMPLP Policy DM12 on the decision notice. However, this policy primarily relates to using less energy through sustainable design and layout and as such, has not been determinative in relation to this main issues.

Living conditions – future occupiers

13. The proposal would bring development closer to the electricity substation. The rear wall of Flat 1 would share a boundary with it and the living room/kitchen window would be in proximity to it. There is no specific evidence to objectively establish the noise/vibration levels associated with the substation. As such, it is not clear whether an acceptable standard of living conditions for the future occupiers would be secured. The proposal would be in such proximity to the substation that it is appropriate to take a precautionary approach. As such this is a matter that should be resolved before planning permission is granted rather than leaving it to a planning condition to ensure that any necessary mitigation could be achieved.
14. While the bedroom windows would not be unduly small in Flat 1, outlook would be poor, with the proposed windows looking directly onto the access road with limited views and in the case of Bedroom 1, onto the cycle storage at close range that would dominate the outlook. Furthermore, there would be an uninviting outlook from the living room and kitchen in Flat 2, owing to the proximity of the cycle and bin storage to these windows.
15. Privacy would also be poor for the occupiers of Flat 1 because of the lack of defensible space in front of the side bedroom windows which would look directly onto the access road. Other occupiers would also be able to easily see into the front bedroom of Flat 1 and the living room and kitchen in Flat 2 when using the cycle and bin storage. The occupiers of the ground floor flats would not therefore be provided with acceptable levels of privacy, notwithstanding that expectations of privacy can vary within the urban environment. Blinds and curtains could be drawn,

or obscure glazing installed as suggested by the appellant to address privacy concerns. However, this would be to the detriment of outlook and could limit the amount of daylight and sunlight entering the rooms. Overall, the proposal would not fulfil the provisions of the Framework which seek development that is appropriate for its location and a high standard of amenity for future users. It would also not deliver successful living space as advised by the SPD.

16. For the reasons given, I conclude that the proposal would be harmful to the living conditions of the future occupiers, with regard to noise/vibration, outlook and privacy. It would be in conflict with LP Policies D4 and D14 and DMPLP Policy DM1. Amongst other things, these policies require development to deliver good design, which achieves a high standard of privacy and amenity, avoiding significant adverse noise impacts on health and quality of life.
17. Reference to Policy 7 of a superseded iteration of the London Plan on the decision notice in relation to this main issue was in error. Nor has DMPLP Policy D12 been determinative on this main issue.

Living conditions – occupiers of No 6

18. Given the set back from the shared boundary of the rearmost portion of the proposal and taking account of the existing garage and covered patio at No 6 no undue harm would arise to outlook or daylight/sunlight levels to the rear facing windows of this property. However, at the front, the proposal would bring development closer to No 6 with no set back from the shared boundary. A relatively narrow gap would be created between the properties which in combination with the proposal's height, would create an enclosing effect, to the detriment of the outlook and daylight/sunlight levels experienced by the occupiers of No 6 from the side windows facing the appeal site.
19. As a result of the separation distance between the rear balconies and the garden of No 6 and given the height and opaque glazing of the balustrades, privacy levels in the rear garden of No 6 would not be unreasonably diminished. On this basis, the proposal would be in accordance with DMPLP Policy 27 which requires amenity space to have regard to the need to safeguard the privacy and amenity of neighbouring occupiers. Nonetheless, overall, the proposal would not achieve a high standard of amenity for existing users, as required by the Framework.
20. In conclusion, the proposal would be harmful to the living conditions of the occupiers of No 6, with regard to outlook and daylight/sunlight and would be in conflict with LP Policy D4 and DMPLP Policy DM1. These policies include a requirement for development to deliver good design which achieves a high standard of privacy and amenity.

Bin storage

21. It is not disputed that there would be sufficient space for bin storage for general waste and recycling. However, the proposed on-site provision would not be located to avoid nuisance to occupiers given its proximity to the windows of the living room and kitchen of Flat 2, and could give rise to odour nuisance, particularly when the windows are open. Furthermore, no provision is made for the storage of organic food waste arising from the site, a requirement of DMPLP Policy 45. The proposal would therefore fail to provide integrated and functional waste and recycling facilities to allow for the segregation of all waste at source.

22. Although it is indicated that the ground floor layout could be altered to accommodate organic waste internally, which is said to also prevent any odour issues for the occupiers of Flat 2, there are no plans to show this. As such it is not clear that there is sufficient space to provide satisfactory storage volume to meet the organic waste material arising from the proposed number of occupiers. It is also not known what effect a different layout would have on the internal arrangements and levels of floorspace at the ground floor flats. Without such information, this is a concern that could not be rectified by the imposition of a planning condition.
23. I therefore conclude that the proposal would not provide adequate bin storage and would be in conflict with DMPLP Policy DM45 which requires proposals to make on-site provision for general, recycling and organic waste materials. On the decision notice, the Council also refers to LP Policy SI8. As this relates to waste capacity and self-sufficiency at a strategic and borough wide level it is not determinative in this appeal.

Cycle storage

24. In line with LP Policy T5, development proposals should help to remove barriers to cycling and create a healthy environment in which people choose to cycle, achieved through securing the provision of appropriate levels of cycle parking that is fit for purpose, secure and well-located. That would not be the case for the proposal. The proposed cycle storage is not covered, it has not been shown that it would be safe and secure, nor has it been demonstrated how cycle parking facilities would cater for larger cycles, including adapted cycles for disabled people. Therefore, the proposal would fail to meet the requirements of the framework to encourage cycling and enable and support healthy lives.
25. While it has been suggested that alternative provision could be made to the rear of the appeal site no clear details have been provided and it is not known what affect any reconfiguration of the site layout would have on the floorspace of Flat 1. As such it would not be appropriate to comment on a scheme I have not seen. Similarly, there is no substantive evidence that off-site, or on-street cycle parking provision is available or could be achieved. Given the absence of any precise details on alternative provision the imposition of a planning condition on this matter would not meet the prescribed tests set out in Framework Paragraph 57.
26. This leads me to conclude that the proposal would not provide adequate cycle storage and would be in conflict with LP Policy T5 and DMPLP Policy DM42, which include a requirement for development to provide cycle parking spaces that meet or exceed the minimum LP standards.

Flood risk and drainage

27. The appeal site lies within Flood Zone 1 and within a critical drainage area that is susceptible to flooding from surface water and other sources. In line with Framework Footnote 63 a site-specific flood-risk assessment (FRA) is required. Further, Framework Paragraph 182 advises that applications that could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of run off. DMPLP Policy DM9 requires the design and layout of proposals subject to an FRA to contribute to flood risk management and reduction. While it is suggested that such matters are beyond the

scope of the outline application, Planning Policy Guidance¹ is clear that this information should be provided at the planning application stage, including at the outline stage.

28. Limited evidence has been provided in respect of the existing and proposed surface water management arrangements to demonstrate what effect the proposal would have on flood risk. It is not therefore possible to reach a judgment on the effects of the proposal on flood risk from all sources now or in the future and it is not clear how the design and layout of the scheme contribute to flood risk management, as required by the development plan. I note that the Council's drainage officer also raised an objection on this basis.
29. To conclude, flood risk and drainage has not been adequately assessed, and the proposal would be in conflict with LP Policies SI12 and SI13 and DMPLP Policy DM9. Amongst other things, these policies require development to minimise and mitigate flood risk, including the management of surface water run-off, to ensure that the development will be resistant and resilient to all relevant sources of flooding, including surface water.

Other Matters

30. The principle of residential development at the site, in proximity to underground and bus services, is not in dispute, and there is considerable support for boosting the supply of housing with good access to services. The proposed development would make a positive contribution to the supply of housing in the area on a small windfall site that the Framework recognises are often built out relatively quickly. This is a clear benefit which given the scale of the proposal attracts limited positive weight.
31. The proposal is said to offer a solution to improving the existing antisocial behaviour that takes place on the access road. While a benefit of the scheme, it has not been shown that the proposal is the only way to achieve the appellant's aim and so this matter attracts limited positive weight. The proposed development would meet the relevant inclusive design building regulations requirements, however this matter, and any other regulatory and policy compliance would be a neutral factor weighing neither for nor against the proposal. Overall, the above matters are insufficient to outweigh the harm and conflict with the development plan identified under the main issues. The appellant has expressed frustrations with the Council's handling of the case. However, this has not affected my consideration of the scheme's planning merits.

Conclusion

32. My above findings bring the proposal into conflict with the development plan, read as a whole. There are no material considerations that indicate a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

F Harrison

INSPECTOR

¹ Paragraph: 059 Reference ID: 7-059-20220825