



Appeal Decision

Site visit made on 24 November 2025

by **D Marley BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5th December 2025

Appeal Ref: APP/M5450/W/25/3373172

Land To Rear Of 237 Burnt Oak Broadway, Edgware, HA8 5EG

- 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 Mohammad Amin Abdul Rasoul Mohammad against the decision of the Council of the London Borough of Harrow.
 - The application Ref is PL/1132/25.
 - The development proposed is described on the application form as "Erection of a 1 new 1 person residential dwelling".
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the site address used in my decision from the appeal form, as this more accurately describes the site.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the area;
 - the effect of the proposed development on highway safety, with particular regard to vehicular and cycle parking, and bin storage; and
 - whether the proposed development would provide satisfactory living conditions for future occupiers.

Reasons

Character and appearance

4. The appeal site comprises a small area of land used for commercial storage. Nearby residential dwellings are typically either terraced or semi-detached dwellings of two or three storeys laid out in a broadly consistent pattern, and set back from the highway. Where existing gardens are provided, these are typically of moderate size.
5. The proposed development would introduce a single storey detached dwelling immediately adjacent to the footway, and encompassing the majority of the plot. A small rear garden would also be provided, accessed via the proposed bedroom.

6. The proposed development would be significantly smaller in terms of size and scale when compared to nearby surrounding development. Given the relatively small size of the plot, the proposed dwelling would encompass a significantly greater proportion of the site when compared to typical nearby dwellings and their associated rear gardens. In addition, within the street scene the proposed development would appear as the only single storey detached dwelling on the residential street, when compared to the prevailing pattern of multi-storey terraced and semi-detached dwellings. The contrast between the proposed development and the prevailing style and character of existing development would be emphasised by the proximity of the front elevation to the footway, which would further highlight the presence of the proposed development and underscore its difference when compared to nearby existing dwellings.
7. As a result, the proposed development would appear out of character with surrounding residential development, conflicting with the established scale and pattern of development. In addition, given the size of the proposed development when compared to its rear garden, the proposed development would appear cramped when compared to the scale of its own plot, and out of proportion when compared to the prevailing character of surrounding development.
8. The proposed development would also fail to comply with the guidelines of the Residential Design Guide Supplementary Planning Document (2010) (the 'SPD'), which sets guidance for new residential development, including having regard to the prevailing pattern of development, local character, and existing scale and massing.
9. The appellant has noted that the size of the proposed dwelling has been reduced. Whilst I have not been provided with copies of previous proposals, in any event I have made my assessment against the plans before me. Whilst the appellant has noted that the garden would be located to the rear of the property and would not be visible from public vantage points, and that the proposed development would draw from local materials and has drawn aspects of its design from a Victorian style, this does not alter my conclusions with regards matters of character and appearance.
10. Overall, I conclude that the proposed development would harm the character and appearance of the area. The proposal would therefore conflict with the relevant provisions of Policies D3 and D6 of the London Plan 2021, Policy CS 1 of the Harrow Core Strategy 2012, and Policy DM 1 of the Development Management Policies 2013. Amongst other matters, these policies require development proposals to be of high quality, respond to local form, context and distinctiveness, and have regard to the massing, scale and height of the proposal in relation to the surroundings.

Highway safety

11. The proposed dwelling would include a bin store in the rear garden, accessed via the proposed bedroom. A bicycle rack would be mounted to the front of the property. No vehicular parking is proposed. The Council identify that the site has a Public Transport Access Level (PTAL) of 3. At my site visit, whilst only representing a snapshot in time, I noted that there was very limited on-street parking available, including in marked bays within the Controlled Parking Zone.
12. In terms of vehicular parking, whilst the appellant notes that the proposed dwelling would constitute 'car free development', no mechanism has been suggested to

secure this matter. Given the site's PTAL, there would be moderate access to public transport. As a result, I cannot be certain that future residents would not seek to use a private car. Given the limited parking available locally there would be a risk that future occupiers would seek to park on the street and could exacerbate local parking issues. I cannot be certain therefore that the proposed development would not result in an unacceptable impact on highway safety as a result of parking matters.

13. Whilst the appellant notes the proposed development would include a cycle bay, on the evidence before me this would only allow a future occupant to lock a bicycle to the front of the proposed dwelling. In such circumstances a bicycle would be visible from the street, which may increase the likelihood of theft. Such an arrangement would neither be fit for purpose nor secure, and would not constitute the weather protected cycle parking built of high-quality materials required by the SPD. As a result, the arrangement would be likely to disincentivise future occupiers from using a bicycle, and thus fail to provide an alternative to the private car.
14. Although not expressly set out in the decision notice, the Council has raised concerns with regards the location and functionality of the proposed bin storage. To utilise the proposed bin store, it would be necessary for future occupiers to carry household waste and recycling through their bedroom. This may act as an impediment to the provision of an effective bin store, conflicting with the requirements of the SPD. In such an instance, future occupiers would be more likely to store rubbish to the front of the dwelling, which could obstruct the footway and present a risk to pedestrians.
15. For these reasons, the proposed development would have an unacceptable impact on highway safety, with particular regard to vehicular and cycle parking, and bin storage. The proposed development would therefore conflict with Policies T5 and T6 of the London Plan 2021, Policy CS 1 of the Harrow Core Strategy 2012, and Policy DM 42 of the Development Management Policies 2013. Amongst other matters, these policies require development proposals to provide fit for purpose and secure cycle parking, to restrict and manage parking in line with levels of existing and future public transport accessibility, address waste management, and avoid impacts to highway safety.

Living conditions – future occupiers

16. The proposed development would include a living and open plan kitchen, and small rear garden. Views from the proposed rear garden and proposed rear windows would be of the garden itself and adjoining residential rear gardens. There are 5 mature trees located broadly to the north of the proposed development. The Council identify that the proposed development may affect the living conditions of future occupiers with regards internal space, natural light, outlook and privacy.
17. The Council has identified that the proposed development would fall below the minimum guideline size for internal living, kitchen and dining space for a one-person dwelling set out in the London Plan Housing Design Standards 2023. This matter has not been substantively challenged by the appellant. As a result of the undersized living, kitchen and dining area, future occupiers would likely have insufficient internal space to undertake day-to-day activities such as cooking, dining or the private enjoyment of their home. In line with the SPD, the proposed

development would not achieve an internal layout that would be fit for purpose, which would be harmful to living conditions.

18. In terms of natural light, whilst the presence of the 5 trees may act to limit the extent of natural light that would reach the front elevation of the dwelling, the main living and sleeping areas of the proposed dwelling would additionally be provided with rear windows serving the rear elevations. These rear elevations would face broadly south and east, with the rear garden similarly located. Whilst adjoining boundary treatments would be present, these are of relatively low height. Surrounding built development would be a further distance from both the rear windows of the proposed dwelling and its garden. Collectively, these matters would likely allow sufficient natural light to be provided both internally and within the rear garden.
19. The Council has raised concerns with regards the outlook from the proposed rear garden and from the windows located in the living and open plan kitchen, and bedroom. Outlook from the rear garden and these windows would be primarily of the rear garden itself or, given the relatively low height of the boundary treatment, over the rear gardens of adjoining properties. The boundary treatments are additionally not of such height that they would act to unduly enclose the garden space. As a result of this, I consider that satisfactory outlook would be available to future occupiers.
20. Whilst not a matter set out in the Decision Notice, the Council has also raised concerns that the proposed development would not provide sufficient privacy for future occupiers. Whilst I accept that the front elevations are directly adjacent to the street, views from the street would be into rooms serving the front elevation. These are either less private, such as the living and open plan kitchen, or the bathroom where privacy matters could have been satisfactorily addressed through condition to incorporate an obscured window. More private areas such as the proposed bedroom and rear garden would not be overlooked by passersby. I have already considered comments within the officer report related to the functionality of the proposed bin and cycle storage under matters of highway safety. On the evidence before me, I conclude that sufficient privacy would be available for future occupiers.
21. Whilst the appellant has identified that future occupiers could be limited by condition to certain ages, I do not consider such a condition to be necessary or relevant, nor would this outweigh the harm identified. The appellant has additionally stated that the proposed private external amenity space has been increased since a previous proposal. However, neither this, nor my identification that the proposed development would be acceptable with regards matters of privacy, outlook and natural light, would outweigh the wider harm to living conditions identified.
22. I therefore conclude that the proposed development would fail to provide satisfactory living conditions for future occupiers. The proposed development would therefore conflict with Policy D3 of the London Plan 2021, Policy CS 1 of the Harrow Core Strategy 2012, and Policy DM 1 of the Development Management Policies 2013. Amongst other matters, these policies require development proposals to deliver appropriate amenity that meets the needs of occupiers, and for development proposals to achieve adequate, comfortable and inviting indoor environments.

Other matters

23. The Council has also raised concerns with regards the potential effect of the development upon the living conditions of the occupiers of 235 Burnt Oak Broadway. However, this matter is not a reason for refusal in the Decision Notice, nor have I been directed to a specific policy conflict that would arise, nor has substantive harm been identified. Therefore, whilst I have had regard to the statements made on this matter by the Council, I have afforded this limited weight in my decision.
24. I have been provided with extracts of pre-application feedback provided to the appellant prior to the submission of the planning application now considered at appeal. Whilst pre-application advice cannot pre-empt a particular outcome on a future planning application, in any event I have limited details of the scheme submitted at pre-application stage before me. I therefore afford the pre-application advice limited weight in my decision.
25. Whilst the appellant identifies that the proposal would not result in harm to the significance of locally listed buildings or their setting, would provide sufficiently sized external amenity space, would be located in proximity to public transport, and would not adversely affect neighbouring occupiers, these matters are effectively neutral in the planning balance and do not outweigh the harm identified.

Conclusion

26. For the above reasons, having had regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

D Marley

INSPECTOR