



Appeal Decision

Site visit made on 19 February 2026

by **P Storey BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 March 2026

Appeal Ref: APP/M5450/D/25/3376106

26 Thistlecroft Gardens, Stanmore, Harrow HA7 1PN

- 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 Mrs Susan Schechter against the decision of the Council of the London Borough of Harrow.
- The application Ref is PL/1665/25.
- The development proposed is described as:
*"The proposal includes a two-storey side and rear extension with a single-storey infill extension at the back. On the ground floor, the infill extension will enlarge the living space, allowing separate living and dining rooms. The existing garage will be converted into a study/bedroom, utility room, and bathroom. The garage floor will be raised to match the main ground floor level, and the new utility and bathroom will be accessed from the hallway.
A new patio at the rear will connect to the garden from the dining area. The current curved steps will be replaced with straight steps, and the manhole inside the kitchen will be moved to the patio. To make space for the larger patio, the existing tree in the rear garden will be removed.
On the first floor, a large new bathroom will be added above the kitchen and dining area, with space for a bathtub. The angled bay window wall of the bedroom next to the bathroom will be replaced with a straight wall.
The staircase will be changed from a winder to a straight flight but will stay in the same location, accessed from the hallway. The new roof will have a hipped design that connects to the existing roof. The current flat roof at the back will be replaced with the same hipped design. No skylights are included in the proposal."*

Decision

1. The appeal is allowed and planning permission is granted for single and two storey side to rear extensions; conversion of garage to habitable room; rear patio with steps; external alterations, at 26 Thistlecroft Gardens, Stanmore, Harrow HA7 1PN, in accordance with the terms of the application, Ref PL/1665/25, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
Supporting Drawing Set – 01
Proposed Floor Plans – 06
Proposed Elevations – 08
Proposed Elevations – 09
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The description of development in the banner heading above is taken from the planning application form. The appeal form more concisely describes the development as “*Single and two storey side to rear extensions; conversion of garage to habitable room; rear patio with steps; external alterations*”. This is consistent with the description used on the Council’s formal decision notice and accurately describes the development. I have therefore adopted this shorter description for the purposes of determining the appeal.
3. The formal decision notice refers to conflict with “Policy DMC” of the Harrow Council Development Management Policies, July 2013 (the DMP). The Council has since confirmed that this was a typographical error, and that the correct reference is DMP Policy DM1, specifically Part C, which deals with amenity considerations. I have determined the appeal on this basis.

Main Issue

4. The main issue is the effect of the proposed development on the living conditions of the occupiers of the neighbouring property at No 24 Thistlecroft Gardens, having specific regard to sunlight, outlook and sense of enclosure.

Reasons

5. Taken together, Policy D3.D of the London Plan, March 2021 (the LP) and Policy DM1 of the DMP seek to ensure developments deliver appropriate outlook, privacy and amenity for existing and future occupiers. The Supplementary Planning Document Residential Design Guide (the SPD) provides detailed guidance for the design of house extensions to support the development plan policies.
6. The SPD prescribes a “45 Degree Code”, and the Council contends that the first-floor rear element would breach its horizontal and vertical tests and harm a “protected window” at No 24 Thistlecroft Gardens (No 24). This is the ground floor window on the recessed part of No 24’s rear elevation, adjacent to the shared boundary with the appeal site.
7. The evidence before me does not allow for a confident determination of which of the various openings constitutes the “primary” or “protected” window for the purposes of SPD paragraph 6.26. The appellant’s description of the external arrangement aligns with my own observations, and their account of the internal layout would, if correct, indicate that the main outlook is taken from the rear-facing windows within No 24’s ground-floor rear extension. However, no party has provided sufficiently detailed internal evidence to confirm this. In these circumstances, and applying SPD paragraph 6.29, which cautions against mechanical use of the 45 degree code, I cannot be satisfied that material harm has been demonstrated, and there is no clear conflict with LP Policy D3 or DMP Policy DM1.
8. I have also had regard to the neighbour objection, which expresses understandable concern regarding loss of natural light to a kitchen. Based on the evidence, this objection is likely, though not confirmed, to have come from No 24. Although I give this some weight, it does not provide the level of detail necessary to identify the primary window or to resolve the underlying uncertainty noted above.

9. In any event, the window identified by the Council sits within a recessed area formed by the adjoining single-storey extensions at Nos 24 and 26. From my own observations, it already appears constrained by the existing built form to the extent that it fails both the horizontal and vertical elements of the 45 degree code. Whilst the proposed extension would add mass above the single-storey structure, and its position to the south of the window may lead to some further reduction in sunlight, the existing arrangement already creates a pronounced sense of enclosure. I am therefore not persuaded that the proposal would result in a significant additional loss of sunlight or outlook, or materially increase the sense of enclosure currently experienced.
10. Accordingly, in the absence of a reliable evidential basis to demonstrate material harm, I conclude that the proposed development would not harm the living conditions of the occupiers of No 24 having regard to sunlight, outlook and sense of enclosure. The proposed development would therefore accord with Policy D3 of the LP and Policy DM1 of the DMP, the aims of which have previously been set out, as well as the relevant guidance within the SPD.

Conditions

11. Conditions requiring the development to commence within the statutory time limit and to be carried out in accordance with the approved plans are necessary to provide certainty and ensure compliance with the development plan. A condition requiring the external materials to match those of the existing building is necessary to safeguard the character and appearance of the area.

Conclusion

12. For the reasons given above, I conclude that the appeal should be allowed subject to the conditions listed in my formal decision.

P Storey

INSPECTOR