

Appeal Decisions

Site visit made on 15 February 2017

by Terry G Phillimore MA MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 31 March 2017

Appeal Ref: APP/M5450/W/16/3166058 (Appeal A)
St Margaret's, Mount Park Road, Harrow HA1 3JP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Drs David & Rupa Bessant against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/0719/16, dated 19 January 2016, was refused by notice dated 5 April 2016.
 - The development proposed is external alterations and refurbishment works including new rear dormers, replacement roof, replacement windows, new conservatory, installation of new services, raising of roof, removal of external cellar access and railings and blocking up the external door to the basement, new brick gate piers to both vehicular entrances and new timber gates.
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Appeal Ref: APP/M5450/Y/16/3160113 (Appeal B)
St Margaret's, Mount Park Road, Harrow HA1 3JP

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Drs David & Rupa Bessant against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/0722/16, dated 19 January 2016, was refused by notice dated 5 April 2016.
 - The works proposed are extensive refurbishment of the external fabric of the building including new roof, replacement windows, 2No. dormer windows to the rear elevation to replace existing, internal alterations and improvements to the kitchen, breakfast room and dining room, installation of new services throughout, installation of new thermal insulation to roofs, floors and parts of wall construction with high levels of heatloss; removal of external cellar access & railings and blocking up external door to basement; construction of new brick gate piers to both vehicular entrances with new timber gates.
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Decisions

1. Appeals A and B are dismissed.

Procedural Matter

2. An application for costs has been made by the appellant against the Council. This application is the subject of a separate Decision.
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Main Issue

3. The main issue is the effect the proposal would have on the character and special interest of the listed building and the character and appearance of the Mount Park Conservation Area.

Background

4. Planning permission and listed building consent have previously been granted by the Council for a similar scheme (refs P/3955/15 and P/3979/15), with a revised version of this subsequently approved (refs P/0718/16 and P/3329/16). There is no suggestion that this does not represent a viable fallback scheme. The cases of the parties made in the current appeals naturally focus on the three specific changes from the approved scheme that form the basis of the Council's reasons for refusal of the appeal applications, and I give consideration to these items. Nevertheless the representations recognise that the elements in the scheme form part of a single overall proposal and it falls to be assessed in that way. I take that approach.

Reasons

5. The substantial house of two storeys plus roof accommodation dates from 1895 and is a Grade II listed building. It was designed by Arnold Mitchell in an Arts and Crafts style, with red brick and tile hung elevations and a tiled roof with dormers. There are gabled projecting wings to the sides of the main central component, a front entrance porch flanked by columns, and small paned windows in a variety of shapes. The internal layout of the house remains largely unaltered from the original design. The division into a series of separate rooms with distinct purposes and a separation of routes and staircases between those used by family members and servants reflects an intentional hierarchical domestic segregation of the household as part of the design. The interior also retains much by way of original woodwork, fireplaces and staircases.
6. The building is an important example of a recognised English House type by a skilled architect who made a notable contribution to the development of the particular style. Heritage significance derives from the original design and surviving features of the building, with considerable architectural, artistic and historic interest in particular.
7. The house has a setting within a private garden with a frontage onto Mount Park Road, from which the house is set back. The main orientation is in this direction. The garden area has been considerably expanded since the time of construction of the house, with around a trebling in size by the addition of a large swathe at the rear. This enlarged garden has added to the curtilage and is no doubt an asset for the occupiers of the property. However, the house was designed in relation to the garden area it had at the time together with other open and vegetated land around it, and as set out above its heritage significance arises from the original layout and features. While the appellant contends that the enlarged garden has resulted in a shift in the house's orientation and views, I consider that it has not materially altered the significance of the building to the extent that this is contributed to by the setting. Further, the original features are more important in terms of heritage significance than speculation about how the architect might have responded to such a larger private garden.

8. The special interest of the Mount Park Estate Conservation Area is mainly derived from the presence of historic dwellings set in spacious gardens, and supported by abundant street side greenery combined with lush garden planting. The Conservation Area is further enhanced by the lack of through traffic, allowing for a quiet and tranquil atmosphere that provides Mount Park Estate with its distinctive character and sense of place.
9. I now consider the three items in dispute as these arise from the Council's decisions on the appeal applications.

Conservatory

10. The proposed conservatory would be attached to the rear of the house. It would extend outwards well beyond the line of the existing projections on either side. While the centre line of the French doors would align with the centre of the three deep staircase windows above, the attachment of the conservatory to the right hand wing would intrude on the existing degree of symmetry of the rear elevation, despite the slight step in of the conservatory at the point of connection. The top of the roof would extend up to just below the cills of these windows, detracting from the existing prominence that they have in the rear elevation.
11. As noted in the listing description, the rear elevation of the house is of interest with these tall staircase windows. Although the appellant argues that the rear is a less satisfactory part of the design, and currently has some detracting elements, it is apparent that care was taken with this elevation, and understatement was a feature of it. Although aspects of the conservatory details would be in keeping with the house, as a result of its scale and siting it would be an awkward addition that would disrupt the simplicity of the rear elevation and the integrity of this as an expression of the internal layout. The overall effect would be moderately harmful to heritage significance.
12. In terms of the justification for this harm, given my comments above regarding the contribution of the garden setting to significance and the importance of the original design intent, I give little weight to the appellant's argument that the conservatory would assist a reorientation of long views from the house to the north-west. In terms of adding a suitable additional space to the house, that would reasonably be provided for by a proposed conservatory forming part of the approved scheme. This would be both smaller (around 4.5m rather than 6.2m wide) and set away from the right hand bay. I agree with the Council that by comparison this would be a relatively neat addition that would sit less intrusively and be less harmful. There is not a compelling case that a conservatory should be of the larger size now sought in order to perform its intended function. The gap that would remain in the approved scheme between the flank of the conservatory and the neighbouring bay would not be so undesirable as to justify the size and siting of the current proposal. There is also insufficiently firm evidence of a comparable former structure in this position in terms of its nature or history such as to warrant this.

Ground floor opening

13. At ground floor level on the north-east side it is proposed to remove much of the existing dividing wall between the front dining room and the rear room, which would be restored as the kitchen. The proposed opening would be 2.4m wide with folding jib doors. It is clear that the expectation is these doors would

for the most part be retained in an open position. An existing door opening from the original pantry into the kitchen would be blocked.

14. As set out above, the original internal layout of the house with a subdivision into segregated spaces is an important aspect of its heritage significance. The isolation of the kitchen from the dining room, allowing for access by servants, was a key element of this. With the proposal this feature and the character of the spaces would largely be lost, with only small projecting nibs and a downstand left to mark the original subdivision between the rooms. The loss of fabric is not made acceptable on the basis that the wall is not structural and that the removal could in future be reversed.
15. With the approved scheme the separate door to the kitchen would again be concealed. However, the proposed opening between front and rear rooms at 2m wide would be materially narrower than the current proposal, allowing for an easier and more meaningful appreciation of the original sub-dividing wall. I note the appellant's concern about the detailed design of that proposal and argument that the current one would be more satisfactory in terms of the folding back of the doors, but this factor is less important than the degree of retention of the original subdivision. In terms of the aim to create a combined kitchen and dining space with improved access to the rear to meet contemporary domestic and family life requirements, that would be adequately provided for by the approved scheme. The moderate heritage harm of the current proposal has therefore not been justified in this respect.

Insulation to first floor bay windows

16. At first floor level it is proposed to provide drylining and insulation to the recessed brickwork on either side of the windows of the front and rear projecting bays. This would involve concealment of some existing skirting and window cills in situ, with replica replacements, and repositioning of picture rails and pelmets.
17. The effect on original fabric would result in minor heritage harm. The Council argues that the resultant improvement in thermal performance has not been quantified, and could be achieved in other ways. However, I consider that this benefit, in particular by way of addressing cold spots, provides a reasonable justification for the harm.

Other aspects of the scheme and overall balance

18. The current proposal includes further works which also formed part of the already approved scheme. Service wing alterations by inserting windows and French doors would result in a very minor heritage harm given previous alterations. Due to the effect on the original layout there would be minor harm from the widening of the opening between the breakfast room and kitchen. However, reinstatement of the kitchen to the original location would be beneficial. Also on the positive side would be works of repair and refurbishment, which are fairly extensive and could be expected to bring the building into a significantly improved condition.
19. Taking all of these proposed works into account I judge that the overall effect on the listed building would be harmful in heritage significance terms to a degree between minor and moderate. This is in particular as a result of the adverse effects of the proposed conservatory and ground floor opening. The

conservatory would also harm the character and appearance of the Conservation Area since the original features of the house contribute towards this.

20. The scale of the harm to the significance of the designated heritage assets would be less than substantial in the terms of the National Planning Policy Framework. Consistent with the statutory basis for the considerable importance and weight carried by harm to designated heritage assets, the Framework requires that great weight should be given to the conservation of such assets. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, it indicates that this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
21. There is a strong case that family occupation of this building which was originally constructed as a single dwelling is the optimum use. The refurbishment for family occupation and restoration of the building represent public benefits. There is no evidence on which to doubt the viability of this use as proposed in the current scheme. However, that also applies to the approved scheme, which would be less harmful to the significance of the assets. While the combined additional works included in the current proposal are regarded as desirable by the intended occupier, it is not established that they are a necessary part of securing the optimum viable use. In drawing the balance on the current scheme I find that the public benefits do not outweigh the harm, and there is insufficient clear and convincing justification for the harm.
22. The proposal does not accord with the development plan as a result of the conflict with the heritage requirements in particular of policy CS1 of the Harrow Core Strategy 2012 and policy DM7 of the Harrow Development Management Policies 2013.

Conclusions

23. I have taken into account all other matters raised including criticisms of the Council's handling of the applications.
24. For the reasons given above I conclude that the appeals should be dismissed.

T G Phillimore

INSPECTOR