

Appeal Decisions

Site visit made on 26 April 2017

by Terry G Phillimore MA MCD MRTPI

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

Decision date: 23 May 2017

Appeal Ref: APP/M5450/W/17/3167268 (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/4775/16, dated 7 October 2016, was refused by notice dated 2 December 2016.
 - The development proposed is 'extensive refurbishment of the external fabric of the building including new roof, replacement windows, new conservatory, 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 - all described fully in the Planning Statement; 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; new opening between Rooms R006 and R007; enlargement of window W115 in Room 102; new single storey extension to the service wing'.
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Appeal Ref: APP/M5450/Y/17/3167264 (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/4814/16, dated 7 October 2016, was refused by notice dated 12 December 2016.
 - The works proposed are 'extensive refurbishment of the external fabric of the building including new roof, replacement windows, new conservatory, 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 - all described fully in the Planning Statement; 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; new opening between Rooms R006 and R007; enlargement of window W115 in Room 102; new single storey extension to the service wing'.
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Decisions

1. Appeals A and B are dismissed.
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Main Issue

2. 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 Estate Conservation Area.

Background

3. 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

4. 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.
5. 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.
6. 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.

7. 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.
8. I now consider the three items in dispute as these arise from the Council's decisions on the appeal applications.

Ground floor opening

9. At ground floor level on the south-west side of the house it is proposed to create an opening in the existing dividing wall between the original drawing room and sitting room, which are the rear and front rooms respectively. The new opening would be around 1.7m wide and 2.1m high. The removed part of the wall would be replaced by a set of double opening doors, which the appellant suggests would in likelihood be left open.
10. 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. These two rooms were intended to perform particular household purposes with distinct social functions, as the Council points out. The enclosed nature and separation of the spaces as provided by dividing walls and restricted entrance doorways is a strong residual reflection of this. While the proposal would retain much of the plan form and decorative features, the linking of the rooms by the new door opening would erode this aspect of the character of the spaces and lessen the ability to appreciate the original design intent.
11. The appellant argues that the opening would help realign the house as a whole towards the extended garden at the rear and provide the owner with a larger entertaining space. I regard these factors as less important than the intact original subdivision. I note that a large space would already be created by way of a proposed new opening between the dining room and kitchen on the north-east side of the house, which also forms part of the approved scheme. While that similarly involves a removal of original sub-dividing wall between rooms, it does not justify the further erosion of historic plan form that would result from this proposal. The appellant suggests that jib doors could be used in place of the double doors shown in the plans, but that would not overcome the adverse impact of loss of the original dividing wall fabric.
12. This aspect of the proposal would result in moderate heritage harm which has not been adequately justified.

Single storey extension

13. To the north-east of the main building is an existing single-storey wing which is U-shaped and open to the front. The evidence indicates that only part of this wing was an element of the original building. This part was subsequently extended outwards in pre-1914 and pre-1947 stages, the latter extension creating the semi-enclosed space now referred to as a courtyard.
14. The current proposal would infill around a third of the space by way of an attachment to the inner part of the latter extension, creating added accommodation for a home-office area. This extension would not affect important historic fabric, nor materially intrude on the original Arnold Mitchell

design. Most of the open yard area would remain, keeping a separation between the original house and later parts of the wing. The Council contends that the extension would result in an awkward roof junction, but this could be appropriately detailed such as to be in keeping with the built context.

15. I find that this aspect of the proposal would have a neutral effect on heritage significance.

Window enlargement

16. It is proposed to enlarge a window in a first floor rear room in the north-west corner of the house.
17. As noted in the listing description, the rear elevation of the house is of interest with its tall staircase windows. It is apparent that care was taken with this elevation, and understatement was a feature of it. There is an existing degree of symmetry in the elevation, but the two side projecting bays differ in that one is flat fronted and the other a faceted bay. Similarly, the windows within these bays are not entirely matching. The deepening of one first floor window as proposed would therefore not harmfully intrude on the symmetry of the elevation or disturb the balance of the original composition.
18. However, the proposal would involve the removal of some timberwork and part of the wall below the window which are original, together with a section of external decorative tiles. The listing description records the presence of tile hanging to the upper floor, and it is a notable feature of the original external materials.
19. The appellant suggests that some of the existing window timber could be re-used and some tile hanging recycled to replace existing damaged tiling. Such possibilities do not adequately mitigate the loss of elements of the original construction and fabric, and this would result in a minor degree of harm to heritage significance.
20. The appellant argues that the cill of this window is higher than those of the other two much narrower windows in the relevant room, and that lowering this would enable an improved view of the extended garden from the room. I give little weight to these arguments as justification for the harm in the context of the importance of the original design and construction.

Other aspects of the scheme and overall balance

21. 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. The linking of the kitchen to the dining room by way of a 2m wide opening, referred to above, would be moderately harmful due to the erosion of an original sub-division and loss of fabric. There would be minor harm from a rear conservatory due to the disruption of the simplicity of the rear elevation and the integrity of this as an expression of the internal layout.
22. However, reinstatement of the kitchen to the original location would be beneficial, as would replacement rear dormers. Also on the positive side would be works of repair and refurbishment, which are fairly extensive and include

- opening up and reinstatement of fireplaces and energy conservation. These works could be expected to bring the building into a significantly improved condition.
23. 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 combined adverse impacts of the ground floor openings, the window enlargement and the conservatory. The latter two elements would also involve minor harm to the character and appearance of the Conservation Area since the original features of the house contribute towards this.
24. 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.
25. 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.
26. 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

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

T G Phillimore

INSPECTOR