



Appeal Decision

Site visit made on 14 October 2019

by R E Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2019

Appeal Ref: APP/M5450/W/19/3234139 212 Headstone Lane, Harrow HA2 6LY

- 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 Mr P Khakharia against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/2185/19, dated 13 May 2019, was refused by notice dated 19 July 2019.
 - The development proposed was originally described as “planning permission for demolition of existing dwelling and outbuilding and erection of new residential building housing 1 replacement dwelling and 5 new dwellings across ground, first and roof level with associated parking, bins, cycle store and alteration to drop kerb”.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, the wording from the planning application form has been entered and this differs from the wording on the Council’s decision notice. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the application and appeal form which accurately describes the proposal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal building is a detached bungalow located within a residential area containing a mixture of properties including bungalows, 2 storey semidetached and large detached houses. The property is set back from Headstone Lane with a grassed amenity space in between. There are several trees within the grassed space and in the locality, which contribute to the areas verdant character.
5. The overall footprint of the proposed development and its distance to the neighbouring buildings would, in my view, appear compatible with the pattern

of the built form in this part of Headstone Lane. However, at present the pattern of housing in this part of the street steps down from 2 storey semidetached properties, to slightly smaller semidetached properties before stepping down to detached bungalows. The proposed development would disrupt this pattern and would appear greater in scale than both the adjacent pair of semidetached properties and the adjacent bungalow. Whilst I recognise that the gable projections draw from other design features in the locality, the design incorporating windows serving the upper floor flats and their resulting height would fail to harmonise with the existing pattern of development in this part of Headstone Lane. It would consequently appear, adjacent to the neighbouring properties, as a discordant feature in the street scene.

6. I note the appellant's comments regarding the principle of a replacement building and intensifying the use of the site in relation to local and national planning policy. I observed that there is a mix of housing including 3 storey properties and flats within the surrounding area. However, my concerns relate not to the principle of development or the introduction of flats but to the specific height and scale of the resulting building and its appearance in this part of Headstone Lane.
7. I therefore conclude that the proposals would not harmonise with the established pattern of development in this part of Headstone Lane, and thus would result in significant harm to the character and appearance of the area. The proposal would therefore conflict with Policies 3.5, 7.4 and 7.6 of the London Plan adopted 2016, Policy CS1 of the Harrow Core Strategy adopted 2012 and Policy DM1 of the Harrow Council Development Management Policies adopted 2013 which, when read together, expect new development to be of a high standard of design that has regard to its context. The development would also be contrary to Paragraph 130 of the National Planning Policy Framework (the Framework) which states permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.
8. In reaching this conclusion I have also given regard to the Harrow Supplementary Planning Document Residential Design Guide (2010) which amongst other things states that the design and layout of new development should be informed by the pattern of development of the area in which it is situated.

Other Matters

9. Due to the proposed development's position within the site the proposal would not result in any significant loss of privacy or outlook for the occupants of neighbouring houses. Whilst there would be additional activity at the property, the level would not be such that it would result in significant noise and disturbance to the occupants of neighbouring houses. I recognise that the proposal would increase the parking demand on site and the access road from Headstone Lane is relatively narrow. However, I note that the Council raised no concerns on this matter, and I have no reason to disagree. Based on the evidence before me the proposal is unlikely to result in significant levels of on-street parking within the area.
10. The Council did not make findings of harm with respect to the layout, living conditions of future occupants of the flats or existing occupants of neighbouring properties, flood risk, accessibility or landscaping. I have no reason to disagree

with these findings. However, the absence of harm in these respects is a neutral matter weighing neither for nor against the proposal.

11. The appellant notes the emerging draft London Plan places a higher housing burden upon the Council's current housing targets. Moreover, reference has been made by the appellant to Policy H1 and H2 of the draft London Plan which encourage development on windfall sites and small residential schemes subject to there being no overriding harm. Although the plan does not have the status or statutory force of a development plan, I have taken it into consideration in my decision. However, there is no substantive evidence before me to suggest the Council cannot demonstrate a deliverable five-year housing land supply at present.
12. I recognise that the appeal site is in a sustainable location, would contribute to the overall objective to boost housing supply, including from a small residential site incorporating some sustainable design and construction features, and would result in some social and economic benefits. However, local and national planning policy expects housing to be located sustainably. As such it is not a matter that attracts substantial weight over and above what would normally be expected. Moreover, a net gain of 5 additional residential units would only have modest social and economic benefits, and I attach limited weight to the benefits in that regard.

Conclusion

13. The proposal would be in a sustainable location, would contribute to the overall objective to boost housing supply, including from a small residential site incorporating some sustainable design and construction features, and would result in some social and economic benefits. It would also result in no harm with respect to the layout, living conditions of future occupants of the flats or existing occupants of neighbouring properties, parking and cycling provision, flood risk, accessibility and landscaping. However, the lack of harm in those respects and the limited benefit I afford to 5 additional residential units does not outweigh the significant harm I have identified to the character and appearance of the area.
14. Taking all these matters into account, even if the presumption in favour of sustainable development as set out in paragraph 11 of the Framework was engaged, I find that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.
15. For these reasons, and having had regard to all matters raised, the appeal is dismissed.

Robert Walker

INSPECTOR