
Appeal Decision

Site visit made on 5 February 2020

by N Holdsworth MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 February 2020

Appeal Ref: APP/M5450/W/19/3241721

2 Bentley Way, Stanmore, HA7 3RP

- 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 and Mrs Khakhria against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/0556/19, dated 5 February 2019, was refused by notice dated 7 August 2019.
 - The development proposed is 6 bedroom house, areas of hardstanding including for vehicles, boundary treatments including front gate and new landscaping.
-

Decision

1. The appeal is dismissed.

Background and Main Issue

2. This appeal relates to the refusal of a retrospective planning application, seeking to retain the existing building at 2 Bentley Way. This has been completed, but not entirely in accordance with the planning permission previously granted by the Council.
3. The Council's concerns relate to the appearance of the roof of the building in combination with its overall scale and mass, and the extent of hardstanding to the front of the property. The main issue in this appeal is the effect of these parts of the building on the character and appearance of the area.

Reasons

4. Bentley Way is a cul-de-sac primarily characterised by large detached residential buildings in a 20th Century suburban style. Many of these properties have some form of mature landscaping within their front gardens alongside their driveways. This helps to create a soft, verdant character which is a positive attribute of the road. The roofs are typically pitched with most of the buildings exhibiting a hipped roof. There is a consistent maximum ridge height on each side of the road but the detailed roof design varies, reflecting the individual style adopted on each building.

Hardstanding

5. The positioning of the building on an irregularly shaped plot, together with its set back from the road means that its front forecourt is noticeably larger than many of the other properties along this road. However, this area as built is almost entirely given over to a hardstanding. The verges are of a relatively

small size, and the planting that has taken place has not softened the appearance of the area to the front of this building.

6. In this respect the proposal differs from other buildings along the road many of which, as noted previously, retain significant pockets of soft landscaping which contribute positively to the character of this road. This was also reflected in the photographs provided of the original building on the site, which appears to have included a large front garden¹. The approved site plan also suggests that it this was previously envisaged that the lawn to the front of the building would be partially retained².
7. Consequently, the design of the as-built hardstanding to the front of the property has not taken the opportunity, upon redevelopment, to improve the character and quality of the area and the way it functions. As a result, the front of this property now has an unduly hard appearance, which detracts from the prevailing soft and verdant character found along Bentley Way.
8. There are references to landscaping measures being prepared. However, the plans that are before me do not deal with the landscaping of the front forecourt in an adequate way. Given the very large area of hardstanding that currently exists on the site, the works necessary to address the identified harm are likely to be significant. On this occasion they go beyond the type of detail that can be reasonably dealt with through the use of planning conditions.

Roof design

9. The property exhibits a hipped roof and, in this respect, adheres to the prevailing roof form found along this road. The maximum ridge height follows the precedent set by other existing buildings on this side of the road. In consequence, at roof level the building appears as an unobtrusive continuation of an existing row of residential properties. Whilst habitable accommodation has been included within the roof, this does not significantly affect the external appearance of this building at roof level.
10. The size of the building reflects the wider than average proportions of the plot. As noted previously, there is a degree of variation in the design of buildings along this road, which also manifests itself in a range of building sizes. In this context the proposed building, including its roof, does not appear unduly large. It was previously envisaged that the roof would be broken up into two main sections, with one subordinate to the other. Whilst this approach would have reduced the overall mass of the roof, it would have also resulted in the creation of a building with a lopsided appearance, with greater bulk and height found on the eastern part of the roof. The alternative design adopted here is acceptable in its own right and does not represent a deterioration in design quality over what was previously approved.
11. Overall the roof design responds effectively to the existing built environment. This part of the development is acceptable in terms of its effect on the character and appearance of the area.

¹ See page 3 of the supporting planning statement.

² As depicted on plan entitled 'site plan comparison' reference 1171-P-120

Overall conclusions: Character and Appearance

12. The overall footprint of the building was previously found to be acceptable by the Council. The principle of a building of this scale was also endorsed in an earlier planning appeal decision on the site³. Upon inspection the building appears as an acceptable structure in most respects, broadly sympathetic to the character and appearance of the existing residential buildings along this road. However, whilst I have found that the main building and the as-built roof is acceptable, the front hardstanding is not. The slight improvement in the roof design over the approved position does not justify the harm identified.
13. Consequently the proposal conflicts with policies 7.4, 7.5 and 7.6 of the London Plan (March 2016), Policy CS 1 of the Harrow Council: Harrow Core Strategy (2012) and DM 1 and DM 23 of the Harrow Council: Development Management Policies (July 2013) which seek to achieve a high standard of design where new development is proposed and also require, amongst other things, that proposals that fail to make appropriate provision for hard and soft landscaping on forecourts will be refused.
14. The proposal would also conflict with guidance found in the Harrow Council: Supplementary Planning Document: Residential Design Guide (2010) which also seeks to achieve a high standard of design in residential development. Whilst not part of the development plan, this supplementary guidance is consistent with the requirements of the development plan policies cited above.

Other Matters

15. The proposal provides a good quality replacement dwelling in an accessible location, with a large amount of off street parking. It represents an effective use of land providing high quality living accommodation and, in this respect, accords with a number of local and national planning policies⁴. These considerations, together with the other benefits identified by the appellant, weigh in favour of the proposal. However, the National Planning Policy Framework places a strong emphasis on the creation of well-designed places. For the reasons set out above, that would not be achieved here and I attach substantial weight to the harm that would arise, in consequence. As such, the considerations that weigh in favour of the proposal do not, even cumulatively, outweigh the harm identified. The proposal conflicts with the development plan, and the presumption in favour of sustainable development does not apply.
16. There are objections to the proposal from statutory consultees and interested parties raising other concerns to those discussed above. However, these were not reflected in the Council's reasons for refusing the planning application, and do not in my view materially add to the harm identified.

Conclusion

17. For the reasons given above, the appeal should be dismissed.

Neil Holdsworth

INSPECTOR

³ APP/M5450/A/13/2201155

⁴ As identified in the planning statement.