



Appeal Decision

Site visit made on 13 February 2020

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 March 2020

Appeal Ref: APP/M5450/D/19/3238381

28 Chestnut Avenue, Edgware HA8 7RA

- 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 John Bye against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/2834/19, dated 25 June 2019, was refused by notice dated 27 August 2019.
 - The development proposed is re-surfacing and extension of hardstanding in front garden.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the description of development from the Council's Decision Notice as this is a more precise description of the development proposed.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area with particular regard to whether it would preserve or enhance the character or appearance of the Canons Park Conservation Area.

Reasons

4. The appeal property is a detached two storey dwelling with an existing front garden and driveway. It is located in the Canons Park Conservation Area, which is characterised as being a spacious, leafy area of predominantly residential properties of varying character. Notable features of the Conservation Area (CA) are Canons Park, the North London Collegiate School and Canons Lake, all of which are characterised by their dense tree cover.
5. When viewed from the highway, the front garden of the appeal property has the appearance of effectively being split in two; with the left half of the frontage being enclosed with a low boundary wall. Behind this is a landscaped garden area. An open driveway and footpath are on the area to the right.
6. The proposal would reduce the area of garden to approximately one third of the frontage, with the hard-surfaced area increasing to approximately two-thirds of the frontage.

7. The Canons Park Conservation Area Appraisal and Management Strategy (CAAMS) identifies that other than driveways of grey asphalt or natural stone laid in a simple, random pattern, most of the frontages were laid out as a garden, with planting and greenery. It is identified that this now contributes to the mature landscape setting and Metroland character of the estate and is particularly important that soft landscaping is retained.
8. The CAAMS also identifies that at places, inappropriate materials and designs have been used in hard surfaces which competes with the architecture of the house and are at odds with the informal style of the area. Additionally, it is commented that excessive amounts of front gardens have been covered over with hard surfacing which detracts from the intended soft and informal character of the CA.
9. I find that the increase in the width of hard surfacing which consequently reduces the amount of front garden would harm the landscape character and the appearance of the CA. The proposed material and pattern of paving would conflict with the aims of the CAAMS, which identifies the significance of informal patterns of appropriate materials. I find that, whilst the material and pattern would cause minor harm in this context, it is undoubtedly secondary to the harm that is caused through the increase in width of the driveway and amount of hard surfacing that is proposed.
10. The appellants case focuses on the volume of properties within the immediate vicinity which have extended hard standings on their frontages. I observed these on my site visit. Whilst I can empathise with the appellant's view that the existence of these other examples could be seen as setting a precedent for further similar developments, the reality of the matter is actually the opposite and the very reason why the Council has imposed a range of measures; to prevent such developments from occurring in order to prevent the further erosion of the character and appearance of the CA. Whilst I have had regard to these examples, I have considered the appeal proposal on its own individual planning merits.
11. In accordance with paragraph 196 of the National Planning Policy Framework (the Framework) it is necessary to consider any public benefits from the proposal. The appellant refers to the benefit of ensuring the family can remain in the property and make a positive contribution towards the local community. Whilst I have no reason to question the appellant's, or their family's contribution to the community, I find that this would have limited weight in relation to perceived public benefits. I also do not find it directly attributable to the appeal proposal. Furthermore, although the proposal would serve to improve access, provide additional parking, and provide a modest contribution to the local economy, I find that these benefits are relatively minor and would not outweigh the harm that the proposal would cause to the character and appearance of the CA, which carries considerable importance and weight.
12. The proposal would therefore have an unacceptable effect on the character and appearance of the area. It would fail to preserve or enhance the character or appearance of the Canons Park CA. Thus, it would be contrary to Policies DM1 and DM7 of the Harrow Development Management Policies (2013), Policy CS1 of the Harrow Core Strategy (2012) and Policy 7.8 of The London Plan (2016). Collectively, these policies seek to ensure that development either preserves or

enhances the character and appearance of CA's, and that proposals which harm the significance of CA's are resisted.

13. The proposal would also be contrary to the Canons Park Conservation Area Appraisal and Management Strategy (2013) which sets out the significance of retaining front gardens and using appropriate materials and designs for hard surfaces.

Planning Balance and Conclusion

14. Having regard to paragraph 196 of the Framework, I find that the harm to the CA is relatively localised and therefore the proposal would cause less than substantial harm to the significance of the CA. I do not, however, find that this harm is outweighed by any public benefits of the proposal.
15. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

A M Nilsson

INSPECTOR