

Appeal Decision

Site visit made on 26 January 2021

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 February 2021

Appeal Ref: APP/M5450/W/3260090

2A Dale Avenue, Edgware, London HA8 6AE

- 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 D Kerai against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/1642/20, dated 15 May 2020, was refused by notice dated 7 August 2020.
 - The development proposed is the demolition of existing dwelling and erection of 2 semi-detached houses.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has submitted, at final comments stage, amended drawings which show a reduction in scale of each of the dwellings at first floor level. They suggest that this alteration to the scheme should be considered in the appeal decision, as it seeks to address both the reason for refusal and elements of a recent appeal decision¹ on the same site.
3. The Procedural Guide to Planning Appeals – England states that the appeal process should not be used to evolve proposals and is clear that revisions intended to overcome reasons for refusal should normally be tested through a fresh application. Having had regard to the Procedural Guide, the Wheatcroft Principles, the interests of fairness and the stage at which the amended plan was produced, I have determined the appeal on the basis of the plans that were before the Council when it made its decision and on which parties were consulted.
4. As noted, since this appeal was submitted, another appeal has been determined on the same site. Both parties have provided me with extracts from it and have commented on it in relation to this appeal.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the area.

¹ Appeal Reference APP/M5450/W/20/3252986

Reasons

6. The appeal site lies on the end of Dale Avenue, at its junction with Camrose Avenue, opposite the entrance to St Bride's Avenue. This area around the junction has a wide, open character. Changing levels, wide pavements, wide carriageways with bus stops and priority lanes, relatively generous front gardens and access roads all add to this open, spacious character. The existing property on the appeal site itself has a somewhat different appearance to surrounding properties, with a relatively narrow first floor and large ground floor area, which appears to extend to the side boundary.
7. The design of the proposal, with a hipped roof form, full height bay windows topped with gable projections is clearly based on and takes cues from the form and design of surrounding buildings. Whilst the proposal will be taller than the neighbouring semi-detached bungalows, the overall height would not be unusual for the area. As such, I consider that the overall width, scale, bulk and design of the proposal is broadly consistent with the admittedly mixed appearance of the area. I do not consider that policy and guidance references to the control of development of rear gardens mean that the appeal proposal is unacceptable in principle.
8. Turning to the siting of the proposal however, I consider that towards the edges of the plot, where it would run along the back edge of the Camrose Avenue pavement, it would appear unduly prominent and incongruous. This close relationship of the proposal to the Camrose Avenue pavement would lead to an uncharacteristic sense of enclosure and dominance to that part of the pavement.
9. Whilst I accept that there are individual examples cited by the appellant where properties adjoin pavements, I do not consider that they lend support to this proposal or the effects it would have, or that they undermine the overall, established open and spacious character of the area. As I have noted, at present, the area around the site has an open, spacious character, with properties generally set back and away from pavement edges. The proposal would not respect this character.
10. The prominence of both the site and the particular form of the proposal within it and the street-scene, particularly in longer views along Camrose Avenue and from St Bride's Avenue would highlight and reinforce this incongruity. In my opinion, the location of the proposal, and its relationship to the wider street-scene would appear starkly and obviously different to that which surrounds it. This would cause significant harm to the well-established open and spacious character and appearance of the area.
11. As such, the proposal would be contrary to Policies 7.4B and 7.6B of the London Plan 2016, Policies D1 and D3 of the draft London Plan 2019, Core Policy CS1.B of the Harrow Core Strategy 2012, Policy DM1 of the Development Management Policies 2013 and guidance in the Harrow Residential Design Guide SPD. All of these policies seek, amongst other things, to ensure that development is of a high standard of design which respects local character and appearance, and has appropriate regard to the massing, bulk, scale, height and appearance of its surroundings.

Conclusion

12. I note the support in the National Planning Policy Framework for the delivery of housing, and the contribution that small sites can make, as well as the acceptability in principle of the proposal. However, in light of the harm significant conflict I have found with the development plan as a result of the harm to the character and appearance of the area, I do not consider that these are material considerations of such weight to indicate that a decision be taken other than in accordance with the development plan.
13. For the reasons given above I therefore conclude that the appeal should be dismissed.

S Dean

INSPECTOR