

Appeal Decision

Site visit made on 24 August 2021

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date:

Appeal Reference: APP/M5450/D/21/3274359
Wyl Lodge, Donnefield Avenue, Edgware HA8 6RH

- 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 N Alanizy (Canons Lodge Limited) against the decision of Harrow Council.
 - The application (reference P/3706/20, dated 16 October 2020) was refused by notice dated 9 February 2021.
 - The development proposed is described in the application form as the "*erection of a single-storey ground floor rear extension together with a first-floor side extension above the existing garage*".
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Decision

1. The appeal is dismissed.

Main issues

2. The first main issue to be determined in this appeal is whether the proposal is "inappropriate development" in terms of Green Belt policies. If so, it is necessary to consider whether the harm by reason of inappropriateness together with any other harm that might be caused (including the effect of the development on the openness of the Green Belt and the purposes of including land within it) would be clearly outweighed by other considerations.
3. If the proposed development is to be categorised as "not inappropriate", it is nonetheless necessary, in this case, to consider the impact of the proposed development on the surroundings (including its effect on trees).

Reasons

4. This part of London is characterised by extensive residential and other developed areas interspersed with open land and intersected by busy through routes. The appeal site is located in a corner at the western edge of Canons Park, which is a large area of public open space designated as a Historic Park and Garden within the Canons Park Estate Conservation Area. The Park is part of an area of Metropolitan Open Land.
5. The site lies at the northern end of Donnefield Avenue, which provides access to the Park. The eastern frontage of Donnefield Avenue comprises a strip of

built development, between the road and the southern part of the park, while to the west of the road there is an area of car parking, between the road and the railway line. The car park primarily serves Canons Park Underground Station (on the Jubilee Line), at the junction of Donnefield Avenue and Whitchurch Lane (the B461). Indeed, the appeal site is well served by public transport, with bus routes on the main road in addition to the Underground Station.

6. The appeal building is a detached house that was originally used as a park keeper's house before being converted to be used as a police station or community building and, more recently, reverting to residential use. It is constructed of brickwork under a tiled roof but the roof is in a pyramidal form and the building has a distinctive modern character.
7. The existing house is relatively modest in scale but it stands in a large plot that backs onto the railway line. There is a large play house at the western end of the garden, with a detached garage to the north of the house. A further outbuilding to the south of the house has been fitted out and furnished as living accommodation, and an additional construction links this building and the house itself, with a "canopy" and rear wall that shelters the space between them, behind a front wall that may have been part of the original design concept.
8. There are several large trees within the plot or nearby, which create a sense of seclusion in the garden and which limit views of the site from the parkland.
9. It is now proposed that the existing house should be extended to the north, by the addition of a first floor above the existing garage (creating a first-floor side extension to the house), together with a rear extension to the house on the ground floor.
10. The appeal site lies within an area of Metropolitan Open Land, which is equivalent to Green Belt land in the context of the relevant planning policies. Particular attention is drawn to Core Policy CS1.F of the 'Harrow Core Strategy' (dated February 2012) and Policy DM16 of the 'Harrow Development Management Policies Local Plan' (dated July 2013), which are broad planning policies that are intended to prevent development in the Green Belt or on Metropolitan Open Land, except in certain limited cases, alluding to national planning policies. Policies in 'The London Plan' (which has now been adopted) likewise seek to protect the Green Belt and Metropolitan Open Land from "inappropriate" development.
11. Policies in the Development Plan are also aimed at protecting and enhancing the environment generally, as well as protecting residential amenities. The general aim of achieving good standards of design derives, notably, from Policy CS1 of the 'Harrow Core Strategy' (dated 2012) and Policies DM1 and DM7 of the 'Harrow Development Management Policies' (dated July 2013) as well as from 'The London Plan'. All these policy documents emphasise the special importance of good design in conservation areas.
12. The Council's 'Supplementary Planning Document: Residential Design Guide' (which was adopted on 15 December 2010) is also relevant, although it does not have the same force as Policies in the Development Plan.

13. The 'National Planning Policy Framework' also makes clear the strict controls on development that apply in Green Belts. The construction of new buildings is "inappropriate in the Green Belt" and is not normally acceptable there. Paragraph 149 (previously paragraph 145) identifies some limited exceptions to this, however, including extensions to existing buildings that do not amount to "disproportionate additions" to the original building.
14. Again, of course, the 'National Planning Policy Framework' identifies the importance of good design as a general objective (notably at Section 12), although at the same time it is aimed at making effective use of land and encouraging economic activity. The recent revisions to the 'National Planning Policy Framework' do not fundamentally affect these basic planning principles, in relation to this appeal.
15. The original house has a distinctive architectural character and it stands in the corner of the park as an individualistic statement, in a rather secluded position, even though it is close to the end of a developed area along Donnefield Avenue.
16. The proposed extension would be mainly constructed at first floor level, above an existing garage, linked to the first floor of the house over an existing alleyway. The first-floor extension would accommodate two new bedrooms (and an en-suite shower room with one of them), allowing for a better arrangement of the existing first floor as part of the new layout. In addition, a ground floor rear extension would increase the living space in the house, within a more open plan layout.
17. As part of the same project, the scheme would also involve the removal of certain existing structures to the south of the house, described as an "existing canopy" and "existing cabin", respectively. The removal of those elements would evidently make a real contribution to the openness of the Metropolitan Open Land and this is a matter that could be secured by the imposition of a suitable condition, if planning permission were to be granted for an extension.
18. In this case, the proposed extension would not be excessively large and, in principle, it could be closely bound to and integrated with the existing building. I have formed the opinion that it would not be "disproportionate" in relation to the existing building and that, therefore, the scheme ought not to be classified as "inappropriate development" in terms of Green Belt policy.
19. Nevertheless, it is necessary to consider the impact of the proposals on the host building and its surroundings.
20. The proposed extension would not be out of scale with the existing building and it would be set back from the line of the front elevation (although, in this case, the concept of architectural "subservience" may well be unhelpful). The side extension has been designed in a rather different architectural style, however, and the new two-storey structure would be completed with a flat roof, alongside the existing pyramidal roof. It is the quality of the finished building as a whole that is important and, in the appeal scheme, the two principal elements would have an uncomfortable relationship, with an awkward junction between them, especially when viewed from the Park. In consequence, the finished building would have an unsatisfactory appearance, by the attachment of an incongruous addition to the existing free-standing design.

21. I accept that an alternative approach to the design might overcome the architectural concerns that have been identified. Moreover, although a design reflecting the existing structure might involve a slighter larger built volume (with a roof form more in harmony with that of the existing), that would not bring the scheme into conflict with Green Belt policies.
22. Nevertheless, the appeal scheme must be considered on its own merits and I have concluded that the extension project would not be well integrated with the host building, even though it would, in a sense, be well designed in itself. There would be an awkward juxtaposition of the new flat roof against the existing pyramidal roof and the awkwardness of that combination would harm the appearance of the host building and, hence, the character and appearance of the surroundings in the Canons Park Conservation Area. Thus, the proposals would conflict with local and national planning policies that are intended to promote good design overall and I have concluded that this appeal ought not to be allowed.
23. In relation to the impact of the proposals on the surroundings, the local planning authority have also raised a concern about the impact on nearby trees, especially those on or close to the northern boundary of the plot. I accept that construction over the existing garage would minimise the impact of construction works on the roots of nearby trees, although there would clearly be implications for pruning or crown reduction in the future.
24. Even so, the effect of the works may be somewhat uncertain and a clear assessment of the likely impact of the development on nearby trees would be desirable. Since, however, the appeal is to be dismissed on design grounds, it is unnecessary to consider whether the arboricultural issue could have been resolved merely by the imposition of a condition or conditions.
25. The proposed development would create some useful additions to the existing house but, nevertheless, I am convinced that the harm that would be done to the character and appearance of the existing house and its surroundings in the Conservation Area and Historic Park outweigh the benefits of the project. Hence, I have concluded that the scheme before me would conflict with both national and local planning policies (including the Development Plan) and that it ought not to be allowed. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
26. In reaching these conclusions, I have considered whether the appeal could be allowed but subject to conditions that might overcome the design concerns that I have identified. In view of all the uncertainties involved, however, I have formed the opinion that it would not be possible to frame precise conditions to deal with the objections that I have identified and that therefore the appeal must be dismissed.

Roger C Shrimplin

INSPECTOR