



Appeal Decision

Site visit made on 12 October 2021

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 December 2021

Appeal Ref: APP/M5450/D/21/3277316

4 Rose Garden Close, Edgware, HA8 7RF

- 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 Mrs J Dallal against the decision of the Council to the London Borough of Harrow.
 - The application Ref P/0412/21, dated 2 February 2021, was refused by notice dated 15 April 2021.
 - The development proposed is described as proposed garden/driveway alterations to form new permeable hardstanding and flower beds.
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This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 01 November 2021.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the locality and the Canons Park Conservation Area (CPCA).

Reasons

3. The CPCA comprises a significant part of the original Canons Park Estate and includes a listed mansion, its grounds and a Metroland estate influenced by 'Tudor revival' designs and a street layout planned within a spacious and tranquil green, sylvan setting. Both individually and together the planting within and around the dwellings and the parkland around the listed mansion make a significant contribution to the verdant and sylvan character and appearance of the CPCA and to its significance.
4. The southern part of Rose Green Gardens comprises a narrow road flanked by narrow paths and tall fences and planting that runs along the boundaries of the adjacent dwellings. The highway then opens into a spacious treed and grassed island and six family houses set behind a mixture of open plan and enclosed front gardens. Some of the gardens include good levels of soft planting which contribute to the soft appearance of the cul-de-sac. Others have large expanses of hard surfacing which are visually hard and undermine the original verdant character and appearance of the cul-de-sac and the approach to the parkland beyond.

5. The appeal site is located at the end of the cul-de-sac. It borders onto the parkland lakeside and the pedestrian access to the parkland (Metropolitan open land) is located immediately adjacent to the appeal site. Within the front garden is a large detached double garage, with a hardstanding to the front of it. This area is of sufficient width and depth for a car to be parked across the front of the garage building and has direct access onto Rose Garden Close. The garden areas on either side of the garage are primarily soft landscaped.
6. The area to the front of the dwelling is currently being reinstated with grass, shrubs and paths following works to the dwelling. The photograph submitted with the appellant's heritage statement shows how the landscaping looked prior to the building works. Whilst not original it clearly contributed to the sylvan appearance of the street scene and provided a planted buffer between the dwelling and the garage building, as well as the dwelling and the highway. This area also provides views over the boundary wall and into the parkland, which adds both to the verdant appearance and spaciousness of the street scene.
7. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act) requires that when assessing proposals for new development within a conservation area, special attention shall be paid to the desirability of preserving or enhancing its character or appearance. Section 16 of the National Planning Policy Framework 2021 (Framework) states that when considering the impact of a development on the significance of a designated heritage asset great weight should be given to its conservation. Any harm requires clear and convincing justification. Where a proposal would lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
8. Policy HC1 of The London Plan 2021 (LP), policies CS1.B and CS1.D of the Harrow Core Strategy 2012 (CS), policy DM7 of the Harrow Council Development Management Policies 2013 (DMP) and section 12 of the Framework, similarly seek to resist development which would harm the significance of heritage assets. LP Policy D3 and DMP Policy DM1.A, seek to protect and enhance local character and appearance. DMP Policies DM23.A and DM23.C deal specifically with hard surfacing and front gardens. Together they require proposals to respect the character of the area and to provide appropriate soft landscaping and street side greenery where required.
9. Canons Park Conservation Area Appraisal and Management Strategy 2013 (MS), states that street scene greenery within gardens, grass verges and central grassed, treed and planted islands in the closes are important for creating a soft and informal character that adds to the sylvan setting of the houses. The MS explains that typically half to 2/3 of the front gardens are covered with greenery and that its reduction along Lake View has had an undermining impact on the intended soft Metroland character. For this reason, it is particularly important along Canons Drive and other offshoots that soft landscaping is retained. There is an Article 4 direction in place to manage this and guidance to encourage residents to retain the soft landscaped character of the CPCA and to keep hard surfacing to a minimum.
10. The proposed parking and turning area would be sited immediately to the front of the dwelling and adjacent to the boundary with 3 Rose Garden Close (No.3). The area between the existing garage and the dwelling would be laid to grass and shrubs would be planted along the boundary with the parkland and

adjacent to the garage wall. In views from the top of the cul-de-sac and the entrance to the park this planted area would be partly screened by the existing garage, whilst the proposed parking area and the cars parked in it would be prominent. When approaching the appeal site along Rose Garden Close any parked cars in the proposed parking area would partially screen the soft planting between the garage and the dwelling.

11. The situation is not helped by the fact that much of the frontage to the property would be hard surfaced and that the proposed parking area would be sited adjacent to the crossover and parking area at No.3. The wide hard frontages created elsewhere in Rose Garden Close serve to illustrate the visually hard and urbanising impact large expanses of hard surfacing and the cars parked on them can have on the character and appearance of the street scene and the CPCA. As such they do not set a favourable precedent for the appeal proposal, which would add to the harm they cause. The proposal would undermine further the character, appearance and quality of the CPCA.
12. For these reasons I find that the proposal would materially detract from the character and appearance of the locality and would fail to preserve the character or appearance of the CPCA. It would harm the significance of the CPCA and whilst this harm would be less than substantial, it needs to be weighed against the public benefits of the proposal. At the same time, great weight needs to be given to the conservation of the CPCA.
13. The constraints and problems arising from the width of the highway and on-street parking are acknowledged. However, on street parking is not prohibited and cars clearly do park within the highway. Also, the appellants have access to three on-site parking spaces within and to the front of the garage in the front garden. As such the public benefits arising from the proposal are limited and clearly fail to outweigh the harm that would be caused to the significance of the conservation area.
14. The benefits for the appellant and their family that would result from the availability of additional on-site parking are noted, although even considered alongside the public benefit referred to above, would fail to outweigh the harm that would be caused. This harm could not be satisfactorily addressed through the imposition of conditions.
15. I conclude that the proposal would harm the character and appearance of the locality and would fail to preserve the character or appearance of the CPCA. It would harm the significance of the CPCA and this harm would not be outweighed by any public benefits. Accordingly, the proposal would conflict with LP Policies HC1 & D3, CS Policies CS1.B and CS1.D, DMP Policies DM1A, DM7, DM23.A & DM23.C, the MS and sections 12 & 16 of the Framework.

Elizabeth Lawrence

INSPECTOR