



Appeal Decision

Site visit made on 22 March 2022

by Mr S Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 June 2022

Appeal Ref: APP/M5450/W/21/3286570

216 Kings Road, HARROW, HA2 9JP

- 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 Breen against the decision of London Borough of Harrow.
 - The application Ref P/0300/21, dated 25 January 2021, was refused by notice dated 15 June 2022.
 - The development proposed is the removal of side garage and build three bedroom house adjacent to existing house.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the appeal site is a suitable location for the development proposed, and the effect of the proposal on the character and appearance of the area.

Reasons

Location of proposed dwelling

3. The proposal is for a dwelling in what is the side garden area of No 216 Kings Road. Policy CS1 A of the Core Strategy 2012 sets out a spatial strategy and where development should be focussed. The proposed dwelling is not set within the areas such as the Harrow and Wealdstone intensification area, town centres or other sites of previously developed land.
4. Policy CS 1B states that "Proposals that would harm the character of suburban areas and garden development will be resisted". It is my interpretation that this implies that garden land will be resisted, and not only if it would harm the character of suburban areas. This is supported by the Adopted Supplementary Planning Document: Garden Land Development (2013) (the SPD) which states in paragraph 2.14 that "in recognition of the local importance of garden land and the propensity of such sites to lead to unmanaged incremental growth, the spatial strategy directs the Borough's development needs to be met on previously developed sites and, therefore, that residential development on garden land will be resisted." Such garden land development would be at odds with Harrow's Spatial Strategy, which seeks to ensure that there is no incremental residential development on garden land leading to harmful dispersal of growth within the Borough.

5. The appeal site clearly falls within the definition of garden land in the SPD, and the proposal is the type of development which the SPD seeks to guard against, in order to support the implementation of the spatial strategy. Whilst there are exceptions within the SPD, neither the appeal site nor the proposal falls within them. There was a smaller garage on the site but this was an attached outbuilding and is now removed. Furthermore, the site is not a gap which would be considered as a clear 'missing piece' between existing buildings. As such, the proposal is contrary to Policy CS1 A and B of the Core Strategy and the guidance within the SPD.
6. From the evidence provided there is not the fallback position of a possible extension of the same or similar height, size and form as the proposed dwelling which would be permitted development. It is likely this would require planning permission for reasons such as the two storey height. The garage which existed on site has been removed at the time of the site visit also. Furthermore, I am not satisfied that an extension similar to the size and form of the proposed house would be appropriate from a design and scale perspective (see 'Character and Appearance' section below).
7. The Core Strategy and SPD are older than the London Plan 2021. However, there is no conflict between the Core Strategy and/or the SPD and the London Plan in this case. Policy H1 and H2 of the London Plan does seek to boost housing numbers and supports the development of small sites, but it does not do so at the expense of spatial strategies. The overall intention of these Core Strategy policies is consistent with the aims of the London Plan 2021 and the Framework, particularly in the way it seeks to deliver housing though based on a plan-led distribution of growth.
8. I therefore find that the appeal site is not a suitable location for the development proposed and would conflict with Policies CS1.A and B of the Core Strategy and the guidance contained in the SPD, which sets to restrict 'garden land' development.

Character and Appearance

9. The proposed dwelling would fill the majority of a gap between Nos 216 and No 216A. There is a substantial gap currently between these properties. There would remain a gap to the side of No 216A, though this would be a narrow space between the dwellings. Kings Road does have gaps, especially towards corners, which provide visual relief between the houses. The gap at the appeal site is a positive feature as it provides a clear space between houses allowing some views through. Much of this positive gap would be eroded by the proposed additional house, especially due to its two storey height, to the detriment of the street scene.
10. Similarly, an alternative extension of a similar size to the proposed house would unlikely be considered acceptable for the same reasons. An extension of the scale proposed may not be considered subservient also.
11. The design of the proposed house is similar to others in this short terrace row, especially No 216. This is considered to be appropriate. There would also be sufficient room for parking and bin storage, plus outdoor amenity space to the rear.

12. The proposal would fill much of the gap to the side of No 216 which would have an adverse impact to the street scene with a loss of this openness. As such the proposal would conflict with London Plan policy D3, together with Policies CS1 B of the Harrow Core Strategy and Policy DM1 of the Development Management Policies Local Plan 2013. These policies require development to achieves a high standard of design and layout, appropriate to its context, amongst other things.

Planning Balance

13. The proposal would be harmful to the character and appearance of the area and would conflict with the development plan regarding the spatial strategy.
14. There would be some benefits with the proposal, such as the provision of a dwelling towards local housing supply in a location near a bus route and some shops for example. It would go towards the needed boost for new housing. There would be economic benefits from the construction of the proposed house. However, all the benefits would be limited as this is a proposal for a single house only.
15. There may be other examples of extensions or infill dwellings in the area, but I do not have full details of these. In any case I have considered this proposal on its own merits and against current planning policy.
16. The harm would significantly and demonstrably outweigh the benefits. As such, there are no material considerations which indicate that a decision be taken other than in accordance with the development plan and relevant SPD.

Conclusion

17. For the reasons given above I conclude that the appeal should be dismissed.

Mr S Rennie

INSPECTOR