



Appeal Decision

Site visit made on 4 November 2022

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 7 December 2022

Appeal Ref: APP/M5450/D/22/3303468

24 Cavendish Drive, Edgware HA8 7NS

- 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 James Hart against the decision of Harrow Council.
 - The application Ref: P/1081/22 dated 17 March 2022, was refused by notice dated 1 June 2022.
 - The application is for proposed single and two storey side extension; single and two storey rear extension; first floor front extension; alterations and extension to raise roof height to create habitable roofspace; external alterations (demolition of detached garage).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the Council's decision notice and differs from that used on the Appellant's original application. In Part E of the appeal form it is stated that the description of development is the same as that used by the Council and as such I have used this description accordingly which I feel accurately represents the scope of the proposals.

Main Issues

3. The main issues are:
 - i) The impact of the proposal upon character and appearance of the area including upon the Canons Park Conservation Area;
 - ii) The effect of the proposal upon flood risk and;
 - iii) The living conditions of occupants using the proposed loft room.

Reasons

4. The appeal property is a mid century detached house within Cavendish Drive which is largely made up on 1920's/30's style suburban houses. The majority of the properties were built around the same time as much of the Canons Park

housing was constructed somewhere between 1911 and 1932¹. In this regard there are obvious similarities between the early speculative developments both within and without the Canons Park Conservation Area and I consider that Cavendish Drive exhibits many of these attributes.

5. Such design features as large plot sizes, Mock Tudor Details and Arts and Crafts architectural features are synonymous with the area and help define the architectural and aesthetic interest of both Cavendish Drive and those properties within the Conservation Area.
6. The appeal property itself exhibits several of these mid century design elements such as its heavily protruded and tile hung front gable roof along with its front bay windows and catslide roof, all of which echo other, similar properties within Cavendish Drive, many of which appear to have been extended in a manner which retains such architectural elements.
7. To the rear the property has what appears to be an original detached garage that is in some state of disrepair. The rear garden extends slightly uphill towards Canons Drive which marks the southern boundary of the Canons Park Conservation Area. From here I saw on my site visit that the rear of the appeal property is visible between foliage and from the raised level of Canons Drive itself. Despite this, the rear of the property appears to have been modified in the past and presents a relatively bland appearance in this direction primarily through parts of the first floor rear elevation being devoid of fenestration.

The impact of the proposal upon character and appearance of the area including upon the Canons Park Conservation Area

8. The appeal property shares a boundary with the Canons Park Conservation Area and as such I am required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to give 'Special Attention' to the desirability of preserving or enhancing the character or appearance of the Conservation Area. This is reflected in The National Planning Policy Framework (The Framework), which states that 'Great Weight' should be given to the heritage assets' conservation.
9. This guidance is also supported through the emphasis within the Framework upon the importance of good design which in turn is reflected within both The London Plan and Local plan Policies DM1 of the Harrow Development Management Policies Local Plan (DMP) and Core Policy CS1.B of the Harrow Core Strategy.
10. The proposals before me seek to significantly enlarge the existing dwellinghouse both upwards, to the rear and to the side. In doing so the proposals would almost fill the width of the existing plot and considerably alter the architectural character of the existing building.
11. As mentioned above, Cavendish Drive exhibits many typical Arts and Crafts elements most notably in this case the pitched gables and catslide roofs with dormers. The proposal before me however seeks to radically alter the front of the property and remove the catslide element. It also seeks to raise the roof height which would have the effect of diluting the appearance of the existing, albeit retained, front gable element. Furthermore, the accommodation within

¹ See Canons Park Conservation Area Appraisal Pages 9 and 10 that shows Ordnance Survey Plans of the area at this time.

the roof has necessitated the provision of a large area of flat roof that I consider fails to respond to the local context and introduces a contrived architectural device intended solely to reduce the need for an even higher roof pitch.

12. To the rear the proposal would extend further into the rear garden and as such would be more apparent when seen from the adjacent Conservation Area. Although in some ways the elevations would be improved, the large scale roof lights would introduce another element that would increase the visibility of the proposal from the Conservation Area.
13. When taken as a whole, I consider that the proposals represent a notable overdevelopment of this plot which contributes to eroding the attractive architectural elements of the original house to the detriment of both the host property and the wider streetscene of Cavendish Avenue. Furthermore, I find that there would be the potential for less than substantial harm to the Conservation Area due primarily to the proposal's increased scale and also its flat roof, which I consider could well be more noticeable from the footway along Canons Drive.
14. Although I consider that there are demonstrable means with which to extend this property sensitively, I consider that the proposals before me fail to preserve the character or appearance of the Canons Park Conservation Area and also fail in their duty to provide a contextual and sensitive design response to the local character of Cavendish Drive. As such the proposals are contrary to Policies DM1 and DM7 of the Harrow Development Management Policies Local Plan (DMP) and Core Policy CS1.B and CS1.D of the Harrow Core Strategy as well as the guidance set out in the Framework and The London Plan.

The effect of the proposal upon flood risk

15. The proposal would extend the existing property into an area of significant surface water flood risk. Despite the Council raising no issues in principle with such an extension the flood risk would need to be addressed in order to ensure no adverse impacts are sustained by future occupants of the dwellinghouse.
16. As the Council's Infrastructure consultee points out the available demonstration through a Flood Risk Assessment (FRA) that the site would not be at risk of flooding has not yet been made fully available. Similarly, I have no such information before me so as to help determine this element of the appeal to the contrary. As such I must concur with the Council's opinion that this proposal would remain contrary to Policy SI 12 of The London Plan and Core Strategy CS1.U of the Harrow Core Strategy along with Policies DM9 and DM10 of the Harrow DPM.

The living conditions of occupants using the proposed loft room.

17. The proposal would intend to create accommodation within the loft area of the proposed upwards extension. The Council feel that such a room without the benefit of a vertical window would be something of a substandard space within the dwelling through loss of outlook, despite this room having the benefit of roof light windows.
18. I consider that any space within the roof would be well regarded and pleasant when having access to such rooflights, even were these rooflights to be smaller and not provide direct views to the ground outside. On the contrary I would

consider such windows would provide pleasant illumination and give both privacy and, in the case of this site, likely views to the tops of trees. I also consider that, should it be desired, that the street level could be seen through looking out of such windows. Therefore, I fail to see how such a space could be considered unsuitable and I consider that such a space would meet the policies recommendations outlined in Policy DM1 of the Harrow DPM.

Other Matters

19. I note the objection from the neighbouring property at number 22 Cavendish Drive regarding the potential impact of windows upon this proposed gable elevation. Although I consider that such windows would be obscured and as such alleviate any direct overlooking, I do consider that the proximity of the proposed side extension, together with its scale, would further compromise the defined character and appearance of the area through the reduction in the gap between dwellings. As such I consider that there would be a further conflict with the above mentioned policies in terms of design.

Conclusion

20. Although I find no harm to the amenities of potential occupiers using the proposed loft room, the overall design and execution of the proposals before me would fail to preserve the character and appearance of the Canons Park Conservation Area as well as the defining characteristics of Cavendish Drive itself. As such, for the reasons given above, and taking into account of all other matters raised, I dismiss the appeal.

A Graham

INSPECTOR