

Appeal Decision

Site visit made on 3 April 2023

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

an Inspector appointed by the Secretary of State

Decision date: 15th May 2023

Appeal Reference: APP/M5450/W/22/3303368 Land at 11-13 Canterbury Road, Harrow HA2 6AA

- 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 P. Patel (Lampco Management Limited) against the decision of Harrow Council.
 - The application (reference P/4525/21, dated 18 August 2021) was refused by notice dated 18 January 2022.
 - The development proposed is described in the application form as follows: *"Demolition of pair of semi-detached houses and erection of a 3 storey development with 7 self-contained flats, with 4 integral parking spaces to the rear of the building with a new crossover and 1 parking space to the front"*.
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Decision

1. The appeal is dismissed.

Main issues

2. There are a number of main issues to be determined in this appeal. The first is the effect of the proposed development on the character and appearance of the surroundings. The second is whether the scheme would provide satisfactory living conditions for occupiers of the proposed new residential accommodation. The third is whether the proposed development would be susceptible to an unacceptable risk to people or to property in the event of flooding.

Reasons

3. The appeal site lies close to the intersection of Pinner Road and Station Road, which are both important thoroughfares, and a short way from the North Harrow Underground Station. There is a concentration of business and retail premises around the junction, although the locality is some way from the main urban centre at Harrow-on-the-Hill.
4. A short section of Canterbury Road connects Pinner Road and Station Road, north of their junction. The frontages on this section are mixed in character and exhibit a variety of architectural styles. Residential buildings predominate, especially on the north-west side of the road, with a large building that is primarily dedicated to automobile repairs and similar businesses immediately opposite the appeal site. In some cases, the various residential buildings on

the north-west frontage are more modern, although built in traditional styles, to create a denser pattern of development, including flats.

5. The appeal site itself comprises a corner plot at the junction of Canterbury Road and Hooking Green, a residential cul-de-sac with houses arranged around a broad open space. The site accommodates a pair of semi-detached houses, with white painted walls under hipped roofs, and the houses each have small back gardens, with a car parking area at the front. An additional area within the rear part of the appeal site has a separate access from Hooking Green and has been concreted to provide an area for car parking that is not related directly to the residential use.
6. It is now proposed to demolish the existing houses and to redevelop the site as a whole, to create a new three-storey building providing seven flats, together with ancillary parking spaces, refuse and cycle stores and landscaping.
7. The 'National Planning Policy Framework' emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, by adding to the overall quality of the area and being visually attractive and sympathetic to local character and history (while not preventing or discouraging appropriate innovation or change). Of course, it is also recognised that appropriate change may include increased densities.
8. The aim of promoting good design evidently includes protecting existing residential amenities and providing good standards of accommodation in new residential development. In this case, the 'Technical housing standards – nationally described space standard' is also relevant. It was published by the government in March 2015 and it deals with internal space within new dwellings.
9. Section 14 of the 'National Planning Policy Framework' draws particular attention to the need to meet "the challenge of climate change, flooding and coastal change" and explains that new development should be directed away from areas at highest risk. Even where development is necessary in such areas, it should be made safe for its lifetime without increasing flood risk elsewhere.
10. Policies in the Development Plan also encapsulate these basic principles. In particular, Policy D3 of 'The London Plan' (dated March 2021) promotes a "design-led approach" to development and identifies some important design criteria, including the need to "deliver appropriate outlook, privacy and amenity". It recognises the need to optimise site capacity but not at the expense of good design, nor of the requirement for "indoor and outdoor environments that are comfortable and inviting for people to use". In this context, 'The London Plan' sets out in Policy D6 a series of "housing quality and standards" that should be achieved in principle.
11. Policy CS1 of the 'Harrow Core Strategy' (dated February 2012) sets out an overarching policy that is aimed at achieving growth while protecting local character. It includes specific policy objectives in relation to garden land and suburban areas and also aims to focus growth on town centres. Policies DM1 of the 'Harrow Council Development Management Policies' (dated July 2013)

- likewise promotes good design, having regard to such matters as the appearance and bulk of new buildings and aiming to create good living conditions for new residents.
12. Policies in the Development Plan also specifically identify the need to mitigate flood risks generally, notably at Policy DM9 of the 'Harrow Development Management Policies'.
 13. The Mayor of London's 'Housing Supplementary Planning Guidance' (dated March 2016) and Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (adopted in December 2010) and 'Garden Land Development' (adopted in April 2013) are also relevant but they do not have the force of the statutory Development Plan. Indeed, the latter, in particular, must be considered in the specific context of this appeal site, which has a more urban developed character, and the nature of the proposed redevelopment.
 14. The appeal site is located close to a busy local centre, with good transport connections, in a sustainable location for new residential development. The proposed new block of flats would make a modest but useful contribution to local housing needs, and I accept that the redevelopment of the site would accord with a sensible spatial strategy for the area.
 15. The existing semi-detached houses on the site are architecturally undistinguished and they do not make a special contribution to the character or appearance of the area. Their loss need not be regretted and the development of the site could offer an opportunity to enhance the area while contributing to housing needs.
 16. The proposed new building would create a large block on the corner site at Canterbury Road and Hooking Green. Buildings in the vicinity are very varied in appearance and the streetscene does not have a coherent character. I accept that a three-storey building could be appropriate for this site (even allowing for the elevated ground floor to accommodate flood risk design) and that a "crown roof" design would not necessarily be unacceptable in architectural terms.
 17. Nevertheless, I find that the proposed design suffers from a lack of articulation to relieve the basic mass of the structure, while the architectural detailing does not enhance the overall design, for example in the incongruous "pointed" windows and the glazed balconies. Moreover, the overall impact of the development would include the construction of a cycle store and parking space at the front of the building and a refuse store and parking area at the rear, which would reinforce the developed character of the site as a whole and thus would limit the benefit to be derived from removing existing parking spaces on the frontage.
 18. In addition, the proposed "amenity space" at the rear would be limited in size and somewhat unattractive, due to its proximity to car parking areas, reducing its value as a residential amenity. At the same time, the parking and manoeuvring area would be sited very close to the rear of the building, with an inevitable impact on the windows of habitable rooms, detracting from the quality of the new homes.

19. All these factors indicate that the scheme would create an overly dense development as a whole, with an unduly cramped character on its site, and I have formed the opinion that the proposed development would have a harmful effect on the character and appearance of the surroundings, due to its excessive impact on the streetscene and its poor detailed design.
20. Turning to the quality of the flats to be created, the Council has pointed out some shortcomings in relation to floor space standards derived from 'The London Plan'. Various design criteria are set out in the 'Technical housing standards' and in Development Plan policies, although some flexibility may be permissible if a scheme is otherwise acceptable and there are good reasons for the variation, for example to achieve a desirable mix of flat types. In this case the technical deficiencies referred to might not have been sufficient to justify a refusal of planning permission if the proposed development had otherwise been acceptable, therefore.
21. Nonetheless, I should observe that the internal layout of the flats would have been generally acceptable in the proposed new building, since insulation could have been controlled by condition as well as by the Building Regulations, thus overcoming concerns about the "vertical stacking" of rooms.
22. In response to flood risk considerations, the ground floor of the proposed new building would be raised above street level in Canterbury Road, providing a level access to the car park at the rear, with an exit towards Hooking Green. The flood risk has been satisfactorily mitigated in the design, therefore. Indeed, the building would better resist the potential danger than other relatively new buildings in the vicinity.
23. Some further design work would have been required in relation to flood risk measures, specifically in relation to such matters as finished floor levels, permeable paving and drainage details. These could have been controlled by suitable conditions, however (also bearing in mind the previously developed nature of the existing site), if the proposals had otherwise been acceptable. Hence, I am not persuaded that the proposed development would necessarily have been susceptible to an unacceptable risk to people or to property in the event of flooding.
24. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, and the contribution that the appeal scheme would make to local housing needs and to generating economic activity both weigh in favour of the appeal. Nevertheless, I am convinced that the scheme that is the subject of this appeal amounts to an overdevelopment of the site that would not be of sufficient design quality nor would it make a positive visual contribution to the enhancement of the area.
25. In short, I have concluded, on balance, that the scheme before me would not achieve the aim of producing high quality design, that it would conflict with both national and local planning policies (including the Development Plan) and that it ought not to be allowed in consequence. 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 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 to the project and that therefore the appeal must be dismissed.

Roger C. Shrimplin

INSPECTOR