



Appeal Decision

Site visit made on 4 March 2024

by C Livingstone MA(SocSci) (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th April 2024

Appeal Ref: APP/M5450/W/23/3329305

95 Howberry Road, Harrow, Edgware HA8 6TG

- 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 Seeta Haria against the decision of the Council of the London Borough of Harrow.
 - The application Ref is P/0796/23.
 - The development proposed is full demolition of existing bungalow and erection of new build two storey dwelling with habitable roof.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was revised in December 2023. As the changes do not materially affect the main issues in this case, the parties have not been invited to make further comments.
3. The plans submitted as part of the planning application did not include internal sections of the proposed dwelling. An amended plan, submitted as part of this appeal, shows that 87% of internal floor to ceiling heights within the proposed property would be 2.5m.
4. As the Council have had a chance to comment and the amended plan and no internal or external changes are proposed, accepting the plan would not cause any unlawful procedural unfairness to any parties. I accept the amended plan for consideration as part of the appeal proposal. As the plan demonstrates that more than 75% of internal floor to ceiling heights of the proposed dwelling would be 2.5m, I am satisfied that the plan submitted as part of this appeal addresses the Council's second reason for refusal.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area and the significance of Cannons Park Conservation Area (CA) as a designated heritage asset through development within its setting.

Reasons

6. The application site is located within a mid-century, high density, housing estate. The linear pattern of development allows for strong building lines which establish a formal street scene. The majority of properties are two storey, a mix of detached and semi-detached and retain traditional design details such as hipped roofs and double height bays. This traditional detailing coupled with a consistent palate of external materials, including red brick and brown roof tiles,

give the properties in the area a sense of cohesiveness. The appeal relates to 95 Howberry Road which is a brick single storey bungalow that is bounded to the north by a tree lined avenue that intersects Howberry Road, running from Canons Park to Marsh Lane, and forms part of the neighbouring CA.

7. The significance of the CA is derived in part by the quality and variance of the predominantly Tudor Revival architecture, low to moderate housing density and public and private green spaces and tree lined avenues that give the area a spacious, verdant quality. The appeal site forms part of the setting of the CA where the higher building density and the uniform layout and design of the properties form a backdrop and contrast to the CA, emphasising its significant qualities.
8. The proposal is for the demolition of the existing bungalow and its replacement with a two storey property. The front elevation of the proposed dwelling would maintain the established building line and would be set back from the northern boundary of the application site. The proposed dwelling would incorporate contemporary design details such as a zinc, asymmetric, mono-pitched roof and large square windows with recessed brick panels.
9. The main parties are in agreement that the existing bungalow does not reflect other properties on the street and the principle of its replacement with a two storey dwelling is acceptable. Given that the other properties on the street are two storey I see no reason to disagree. However, while the proposed dwelling would be a similar height, it would represent a departure from the existing properties in the street in terms of design. The roof type would result in an eaves height that would be significantly higher, in places, than neighbouring properties, which would result in greater massing at first floor level. The proposed design coupled with a palette of materials that are unique to the area would increase the prominence of the building within the street scene and at the northern elevation that faces the boundary shared with the CA.
10. The extent of the set back from the northern boundary would be quite small and would not be sufficient to mitigate the prominence of the building when viewed from the CA. While the existing mature trees within the CA would screen the proposed dwelling to some extent. I am not satisfied that the screening provided would be sufficient or consistent throughout the year.
11. The Canons Park Estate Conservation Area Appraisal does not specifically identify the erection of replacement dwellings outside the CA as a potential issue or pressure on its significance. However, the brief list of 'Problems, Pressures and Potential for Enhancement' listed in Section 6.3.2 is not considered to be exhaustive, and its focus is specifically on the land within the CA rather than its setting. The proposed replacement dwelling would not respond positively to the distinctive qualities of other properties within the estate in regard to their massing, appearance and shape. It would result in a dominant and incongruous addition within both the street scene and when viewed from the CA, as such the significance of the designated heritage asset would be harmed.
12. Paragraph 202 of the National Planning Policy Framework ('the Framework') explains that where, as I find in this case, the harm to the significance of the CA would be less than substantial, that harm should be weighed against the public benefits. The proposed development would provide improved living conditions for future occupants, there may also be economic benefits

associated with construction. However, any specific public benefits there may be in this case, would be insufficient to outweigh the great weight I must attach to the harm I have identified to the designated heritage asset.

13. For the reasons detailed above the proposed development would have a harmful effect on the character and appearance of the area and the significance of the CA as a designated heritage asset through development within its setting. As such, the proposal would be contrary to Policies D3 and HC1 of the London Plan (2021), Policy CS1 of the Harrow Core Strategy (2012), Policies DM1 and DM7 of the Harrow Council Development Management Policies (2013). These policies are consistent with the National Planning Policy Framework in requiring new development achieves a high standard of design and responds positively to local distinctiveness through their scale, appearance and shape with due regard to existing building forms and proportions and resisting proposals that harm suburban character. They also require that development proposals conserve the significance of designated heritage assets and their settings.

Other Matters

14. The appellant has pointed out that there is extant planning permission for the upward extension of 95 Howberry Road which would result in a two storey property of similar proportions in terms of scale and massing. While the proposed replacement dwelling is also two storey it would be larger and is also a considerable departure from the previously approved scheme in terms of design. I therefore attach limited weight to the previously approved scheme as a fallback position.
15. In support of the appeal my attention has been drawn to 97 Howberry Road and the property on the opposite side of the road as they have been extended on their southern elevations, which are adjacent to the boundary with the CA. I do not have full details of the circumstances that led to these developments being accepted. However, I note that both extensions were designed to reflect their respective host properties in terms of massing, roof form, design and external materials. Both properties remain unremarkable within the street scene and do not form a direct comparison to the appeal proposal.
16. The proposed development would provide improved family accommodation, would be energy efficient, and would incorporate measures to improve biodiversity. These benefits are not sufficient to outweigh the harm I have identified above.
17. It is acknowledged that the proposed development would not harm the living conditions of the occupants of neighbouring properties and the proposal includes measures to protect the trees within the neighbouring CA. However, the absence of harm in these respects are a neutral factor that weighs neither for nor against my determination of this appeal.

Conclusion

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

C Livingstone

INSPECTOR