



Appeal Decision

Site visit made on 19 April 2024

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st July 2024

Appeal Ref: APP/M5450/W/23/3333384

Grimsdyke Hotel Old Redding, Harrow Weald, Harrow HA3 6SH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Skerritts of Nottingham Ltd against the decision of London Borough of Harrow.
 - The application Ref is P/0947/23 dated 19 May 2023 was refused by notice dated 24 May 2023.
 - The development proposed is the replacement windows to all elevations.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal concerns development to Garden Lodge, an annex accommodation building to Grimsdyke, now a hotel, which is a Grade II* listed building (List Entry Number:1079676, listed on 4 September 1969). In addition, the site is situated within the Grimsdyke Estate and Brookshill Drive Conservation Area (CA).
3. As the proposal relates to the setting of a listed building, and is within a conservation area, I am therefore mindful of my statutory duties in respect 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act (the Act). Furthermore, it is set within a Grade II Registered Historic Park and Garden, a designated heritage asset in its own right. The Registered Park and Garden has its own List Entry Number:1001254, listed 4 July 1996.
4. As the absence of a bat survey forms a reason for refusal, an up to date survey has now been undertaken by a competent person and submitted by the appellant with the appeal submission. This is with a view to removing the reason for refusal number two within the Council's decision notice. The survey has been shared with the Council and comments sought.
5. The description of development in the banner heading is taken from the Council's refusal notice. This is more succinct than the description in the application form, while it also removes superfluous information.
6. The National Planning Policy Framework (the Framework) has been updated on 19 December 2023, and after the submission of the appeal. The historic environment policies have remained unchanged within the updated version of the Framework which is a material consideration.

Main Issues

7. The main issues are:

- The effect of the proposed development on the setting of the heritage asset of the Grade II* listed building, Grimsdyke or any features of special interest that it possesses, and the effect on the Grade II registered Historic Park and Garden, and whether the character and appearance of the Grimsdyke Estate and Brookshill Drive Conservation Area would be preserved or enhanced, and;
- The effect on ecology and biodiversity with specific regard to bats.

Reasons

Special interest and significance

8. The land to which the appeal building is situated was purchased from the Marquess of Abercorn by Frederick Goodall in 1856 for the intended purpose of laying out gardens and pleasure grounds to surround the magnificent mansion house of Grimsdyke he would later build. It was originally built to the Tudor Revival style around 1872 and designed by the reputable architect Richard Norman Shaw, recognised for his country house designs. The asset would later change hands and was owned by the dramatist Gilbert, from the famed Gilbert and Sullivan theatrical composer partnership. I consider the significance and special interest of Grimsdyke, for the purposes of this appeal, derives largely from its intact architecture and historic interest from its bold exterior design of two and three storeys, red brick with exposed timber framed gables and large mullion windows and dark timber wooden windows. The irregular shape to the build form with high tiled roof and tall brick chimney stacks contributes to a striking architectural set piece nestled in landscaped grounds and set well back and invisible from the main road. Its grandeur is made more significant as it is experienced within a large rural landscape setting of the Historic Park and Garden with formal garden and pleasure ground, kitchen garden, ponds and moat constructed along the Ancient Scheduled Monument of Grim's Ditch, and where the long serpentine drive and loosely scattered buildings are surrounded by landscaping and woodland creating a peaceful sylvan setting to the heritage asset. The significance of the Historic Park and Garden for the purposes of this appeal is largely derived from the layout of a formal and informal garden space to serve the principal listed building and ancillary buildings.
9. The layout of the estate buildings of the Grimsdyke Estate defines the area's architectural character and context. The estate architecture has been considerably planned in a Tudor style with the smaller ancillary service buildings of gate lodge, stables, kitchen garden and wall, and other structures imitating the design of the main house. The later model farm (now outside the curtilage of the appeal site) and flint bridges over the dyke were designed around the principal house and surrounding formal gardens. The late 20th century building, Garden Lodge is the annex overflow accommodation serving the main hotel building and the most recent addition to the estate with lawned garden and car parking area.
10. The listed building is located within the Grimsdyke Estate and Brookshill Drive Conservation Area and one of architectural, historic, and scenic importance. Its significance derives from the late 19th Century historic planned layout of the

estate that encapsulates a rural character consisting of low density and high architectural quality buildings creating an intimate character arising from the lush landscaping and neighbouring woodland. The grand house of Grimsdyke and the layout of the estate buildings with its purposefully built ancillary buildings defines the area's architectural character and context.

11. Garden Lodge forms an integral part of the historical complex of Grimsdyke although its overall scale has an intentional subservience to that of the impressive listed asset. From my assessment I can appreciate how Garden Lodge was authentically designed to respond to other local vernacular, intentionally orchestrated to express modest proportions and its simple detailing has assimilated the characteristics of the integral estate buildings. The original use of materiality to its construction has also been carefully considered using quality facing brick, hanging tiles and timber doors and windows taking reference from neighbouring buildings. While it is largely hidden from view of the listed building, its careful and sympathetic design means it integrates well into the estate and it therefore contributes positively to the significance of the listed building, the Historic Park and Garden, and the CA.

Appeal proposal and effects

12. The appeal proposes the wholesale replacement of the timber, side hung and single glazed casement windows that are original to Garden Lodge constructed around the early 1980's. They would be replaced with chamfered casement upvc windows, finished in rosewood colour.
13. It is clear from my inspection that the casement windows are in poor condition and are deteriorating as there was evidence of considerable rot, especially to sills to more than half the casement windows. In some areas, there was signs of decay to the window opening itself, notably from the exterior side. I could see that they have had some maintenance intervention but require further attention to which the appellant's solution is to replace all timber windows with double glazed upvc casement windows.
14. A small number of the proposed replacement windows have been installed using upvc that they intend to wholesale repeat, and I was able to view these upvc windows side by side with the original windows. I could see that the upvc casement windows would have a similar sectional profile to the existing timber windows although the Heritage and Design and Access Statement demonstrate some slight differences including narrower frames to the original windows. Nevertheless, they would be instantly recognisable as a different material to the original timber joinery.
15. Windows are often amongst the most prominent features and a component part of the design of a building. Bearing this in mind, I am not convinced that the modern and reflective characteristics of upvc, and rosewood colour that would be an integral component-part of their make-up, would respect the original and intentional design for Garden Lodge when it was first conceived; planned to respond to its historic surroundings using design accents acquired from other historic buildings. To that end, Garden Lodge has been sensitively designed to reflect these characteristics and interpreted in its execution with the careful use of appropriate materiality including timber doors and windows.
16. The installation of this quantity of upvc windows would not be an authentic replacement but instead appear as an alien and obtrusive characteristic. This

would be further reinforced as the existing timber doors would not be replaced. The materiality of the timber doors complements the building with its traditional style timber windows. The complete replacement of windows would only jar with the natural and traditional qualities of the timber doors, significantly affecting its appearance. Consequently, the use of upvc would directly and negatively affect the setting of the heritage asset as well as the significance of the Historic Park and Garden, detracting from its special interest. As well as the above, it would also harmfully erode the cohesive and authentic contribution that timber makes to the CA. Therefore, the extensive use of upvc would not preserve or enhance the character or appearance of the CA.

17. Paragraph 205 of the National Planning Policy Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 206 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, Paragraph 208 of the Framework requires the less than substantial harm be weighed against the public benefits of the proposal, including where appropriate, securing the optimum viable use. Bearing in mind the scale and nature of the proposal, I judge that the degree of the harm to the heritage assets would be less than substantial.
18. Considering the benefits of the proposal, the positives of entire window replacement would provide better thermal properties thus reducing heat loss through apertures, and improve energy efficiency, also providing a more comfortable experience for the customer. However, there is no substantive evidence presented to demonstrate that this scheme is the only way to deliver those benefits. There are also economic benefits in the purchase and installation of the proposed windows.
19. Even though I have found the harm to the heritage assets is less than substantial, it is not treated as less than substantial objection to the proposal. The public benefits I have identified would not be sufficient to override the harm to the heritage assets to which I give considerable importance and weight. Garden Lodge was in use at the time of my visit and there is no evidence presented to indicate it was not already in its optimum viable use. There is nothing before me to suggest that by not permitting this proposal would compromise its optimum viable use.
20. For the reasons above I conclude that the proposal would fail to preserve the significance of the listed building and the Historic Park and Garden and would fail to preserve or enhance the character and appearance of the CA. As such, the proposal would fail to satisfy the requirements of the Act, paragraph 202 of the Framework, and not comply with the broad local character and historic environment safeguarding objectives of Policies CS1 B and D of the Harrow Core Strategy (2012), policies DM1 and DM7 of the Harrow Development Management Policies Local Plan (2013), and the Brookshill Drive and Grimsdyke Estate Conservation Area Appraisal and Management Strategy, or the broad design, character and historic environment Policies D3 and HC1 of the London Plan.

Protected species

21. The appeal site is located within the Harrow Weald Common and Grimsdyke Farm Sites of Importance for Nature Conservation. As a site of substantive nature conservation importance, it forms a vital component of the ecological and biodiversity of Grimsdyke. Bats are known to be present within the local area and there is potential for Garden Lodge to support roosting bats. As works would involve replacement windows, there is potential to detrimentally impact upon their roosting opportunities within the building. A bat survey has therefore been undertaken through a desk and field-based assessment. The report concludes that replacement windows would not directly impact upon roosting bats. However, given the roosting opportunities present within the building, the noise and vibration associated with the works could have an effect. In order to provide biodiversity enhancement opportunities, the findings of the report recommend bat boxes installed to the building and additional planting of native trees to encourage foraging.
22. The Council was asked to provide a response to the bat survey but none has been forthcoming. Despite this, there is nothing before me to dispute the findings of the study. Should I find in favour of the proposal, based on the findings of the survey, the use of appropriate conditions can mitigate the effects upon protected species. Therefore, to conclude on this main issue, the proposal would comply with the aims and objectives to safeguard and enhance biodiversity in accordance with Policies DM 20 and DM 21 of the Harrow Development Management Policies Local Plan (2013), and the same broad natural environment and biodiversity principles within the National Planning Policy Framework and Policy G6 of the London Plan (2021).

Other Matters

23. A further Grade II listed building, South Lodge to Grimsdyke (List entry number 119343, listed 24 May 1983) is located within the historic complex of the Grimsdyke Estate. This building is not sufficiently close to the appeal property to be adversely affected by the proposed scheme. The pleasure grounds are enclosed to the west and north by Grim's Ditch, the scheduled ancient monument (List entry number 1003530, listed 17 February 1955) also forms part of the historic estate although I consider there is no direct impact of the proposed development upon this heritage asset.

Planning Balance and Conclusion

24. Although I have found no harm to protected species, the proposal would be harmful to the significance of heritage assets contrary to local and national policy and therefore the development plan when taken as a whole. The benefits I outline above would not be sufficient to outweigh that conflict and therefore for the above reasons and having regard to all other matters raised, I conclude that the appeal is dismissed.

Alison Scott

INSPECTOR

