



Appeal Decision

Site visit made on 28 May 2025

by **John D Allan BA(Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 June 2025

Appeal Ref: APP/M5450/D/25/3361571

Inglenook, South Hill Avenue, South Harrow, Harrow, HA1 3PA

- 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 J K Bedi against the decision of the Council of the London Borough of Harrow.
 - The application Ref is PL/3030/24.
 - The development proposed is described as '*Retention of Replacement Timber Gates and Fencing along Front Boundary with Proposed Soft Landscaping*'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The erection of the timber gates and fencing was the subject of a retrospective planning application (Ref PL/0609/24) and subsequent appeal, which was dismissed in October 2024 (Ref APP/M5450/D/24/3344523). At that time, the previous Inspector was presented with a landscape mitigation plan as part of the appeal but judged that the amendments would be a substantial change to the proposal. The appeal was subsequently determined without consideration of the proposed landscaping. The application subject to this appeal was submitted to the Council with landscaping forming part of the proposal.
3. At the time of my visit the fence and gates were in situ and in accord with the plans which accompanied the application. No planting had been undertaken. I have considered the appeal on this basis and as a proposal for development that was partially complete.

Main Issue

4. The main issue is the effect of the proposal upon the character and appearance of the South Hill Avenue Conservation Area.

Reasons

5. Inglenook is a two-storey dwelling within a residential stretch of South Hill Avenue comprising mostly reasonably sized detached homes. In keeping with most others nearby it is set back from the road and surrounded by mature trees. South Hill Avenue is a gated private road within the wider South Hill Estate and the South Hill Conservation Area (CA). The Council's published *South Hill Avenue Conservation Area Study* describes the leafy and reasonably open streetscape which is derived

from its high levels of greenery both within private gardens and in the form of verges and boundary treatments as a key characteristic of the area. I share the previous Inspector's assertion that the traditional appearance of Inglenook, along with its large open plot surrounded by mature landscaping makes a positive contribution to the character and appearance of the CA.

6. There is no suggestion before me that the fence and gates as they currently exist are any different to those that were considered at the recent appeal. They comprise concrete posts and gravel boards with double slatted vertical timber panels and a slightly shorter gate of similar appearance set to the back edge of a grass verge along the side of the carriageway. I note the previous Inspector took account of existing timber fencing elsewhere along South Hill Avenue as well as the previous enclosure at Inglenook along with the enhanced security offered by the new fence and gates, as well as its weathering over time. However, they found that the fencing and gates as installed appeared together as a harsh and discordant feature in comparison to the softer and more open boundaries that generally prevail and that they combined to erode the open and verdant character of the street scene. I have no reason to reach any alternative conclusion with regard to the fence and gates.
7. The introduction of an evergreen hedgerow in front of the fencing within a 1m deep strip, as shown on the proposed plans, would undeniably soften its appearance through screening. If maintained at a height of 2.5m it would offer a solid means of enclosing the property's front boundary, and its natural qualities would complement and contribute positively to the verdant character of the area. However, I share the Council's concern over the efficacy of any proposed planting. Notwithstanding the ability to obtain hedge plants that would provide an instant hedgerow of up to 2m in height, its success in mitigating the visual harm of the fencing would be dependent upon many factors including the quality of the plants, their long-term health, and their future maintenance/management. Even if a condition were to be imposed upon the grant of planning permission that would require any dead or diseased plants to be replanted, there would be no reasonable means to successfully control all of these factors.
8. My concern is reinforced by the land in front of the fence and gates appearing to be outside of the appellant's control. The red line application site boundary, as shown on the application's site location and block plans, shows the site extending up to the back edge of the roadside verge. The proposed 1m deep planted hedgerow would be on land comprising the verge. This adds further doubt over the potential for any vegetation in front of the fence to be a reliable and permanent screen, which could not be guaranteed.
9. Overall, I am not persuaded that the proposed planting would mitigate the harmful impact of the fence and gates upon the open and verdant character of the CA.
10. Having regard to paragraph 212 of the National Planning Policy Framework – December 2024 (the Framework), the harm arising from the proposal to the significance of the CA would be less than substantial. However, this does not equate to a less than substantial objection and any harm to a designated heritage asset requires clear and convincing justification in line with paragraph 213 of the Framework. Furthermore, in line with the Framework's paragraph 215, such harm should be weighed against the public benefits of the proposal.

11. Given the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA, I attach significant weight to the harm that I have identified to the historic environment.
12. As with the previous Inspector's findings, there is insufficient weight attributed to any public benefits that would outweigh the harm that I have identified.

Conclusion

13. For the reasons given, I find that the proposal to include soft landscaping in front of the fence would fail to successfully mitigate the impact of the fence and gates and therefore the proposal as a whole would result in harm to the character and appearance of the South Hill Avenue Conservation Area. As such, there would be conflict with Policies HC1 C, D3 D.1 and D.11 of The London Plan (2021), Policies CS1.B and D of the Harrow Core Strategy (2012), and Policies DM1 and DM7 of the Council's Development Management Policies Local Plan (2013). Between them, and amongst other things, these seek to ensure that new development responds to local distinctiveness, enhances, and utilises the heritage assets and architectural features that contribute towards the local character, achieves a high standard of design and layout, and seeks to secure the preservation, conservation, or enhancement of heritage assets.
14. Accordingly, the appeal is dismissed.

John D Allan

INSPECTOR