
Appeal Decision

Site visit made on 29 September 2020

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th October 2020

Appeal Ref: APP/M5450/D/20/3250216

15 Little Common, Stanmore HA7 3BZ

- 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 Paul Connolly of Beazer Investments Ltd against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/5329/19, dated 30 December 2019, was refused by notice dated 20 March 2020.
 - The development proposed is single storey rear extension; rear dormer; rooflight in side and boundary fence.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension; rear dormer; rooflight in side and boundary fence at 15 Little Common, Stanmore HA7 3BZ in accordance with the terms of the application, Ref P/5329/19, dated 30 December 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans: Site Location Plan, 001, 002, 003, 004, 005.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The roof area of the rear extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Procedural Matters

2. The Council's Decision Notice refers to Policy G2 from the Draft London Plan 2019 – Intend to Publish (DLP). In accordance with paragraph 48 of the National Planning Policy Framework (the Framework) weight may be given to emerging policies subject to the stage of preparation and extent of unresolved objections. There is little substantive evidence before me which allows me to make this judgement. However, as this plan is at an advanced stage but has not yet been adopted, I give this policy in the emerging Draft London Plan moderate weight as a material consideration.

3. The Council indicate that a Certificate of Lawfulness was approved in December 2019¹ for a 2m high boundary fence and entrance gate to the side of the appeal property. This originally formed part of the appeal scheme before me and I have had regard to this in making my decision.

Main Issue

4. The main issue is whether the proposed single storey rear extension would be inappropriate development in the Green Belt.

Reasons

Inappropriate development

5. The appeal property comprises a two storey end terraced dwelling on a relatively narrow spacious plot. It forms part of a small terrace of properties set back from the road within a mature well-established residential area and the Green Belt. The proposal entails the construction of a single storey flat roofed extension that would project out about 4m from the rear of the property and across the full width of the house. The proposal would also involve a rear dormer and a new rooflight at the side of the property.
6. Paragraph 145 of the Framework establishes that, within Green Belts, the construction of new buildings is inappropriate, subject to a number of exceptions. These exceptions include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. This national guidance is to be read in conjunction with Policy 7.16 of the London Plan (2016) (LP), Core Policy CS1.F of the Harrow Core Strategy (2012) (CS), Policy DM16 of the Harrow Development Management Policies Local Plan (2013) (DMP) and Policy G2 of the DLP, that seek to protect the Green Belt from inappropriate development in line with the aims of the Framework.
7. Neither the Framework, the relevant Policies from the LP, CS nor the DMP provide further detail on the term 'disproportionate additions'. As a rule of thumb, the Council apply an increase of 30% over the footprint and floor area of the original house as generally being acceptable. In this case, the Council indicates that the extended building would result in an increase of more than 49% of the floor print and a 30.3% increase of the floor area of the original dwelling, which the appellant considers is not disproportionate.
8. However, fundamentally these complications and the dispute between the main parties are not crucial to my determination of the appeal. The proposed development would represent around a 30% increase of the floor area of the original dwelling which generally falls within the locally defined parameter of what is proportionate according to the Council. I take the view that such an increase in the size cannot reasonably be considered anything other than proportionate additions over and above the size of the original building.
9. Given the above factors, and in light of its overall size, I consider that the proposed single storey rear extension would not be a disproportionate addition and so would fall within one of the exceptions listed in the Framework. Consequently, I conclude that the proposal would not constitute inappropriate development in the Green Belt and would be consistent with Policy 7.16 of the

¹ P/4534/19

LP, Policy G2 of the DLP, Core Policy CS1.F of the CS, Policy DM16 of the DMP and the aims of the Framework.

Openness

10. The impact on openness is implicitly taken into account in the exceptions in the Framework, unless there is a specific requirement within them to consider the actual effect on it. Therefore, where the effect of the development on openness is not expressly stated as a determinative factor in gauging inappropriateness, there is no requirement in national policy to assess the impact of the development on the openness of the Green Belt.
11. As the proposal would not be inappropriate development, it would, by definition, not have an adverse impact on the openness of the Green Belt.

Other Matters

12. A Grade II listed property at No. 13 Little Common is located immediately to the east of the appeal site. However, given the modest scale and siting of the development, proposed boundary treatment and the separation distance between the appeal site and the listed building, there is only limited inter-visibility. The proposed development would have a neutral material impact on the setting of the listed building. The setting would therefore be preserved.
13. Given the location of the appeal property within the Little Common Conservation Area, special attention has to be paid to the desirability of preserving or enhancing the character or appearance of the area. I consider that the appeal scheme, by virtue of its scale, siting and design, would have a neutral material impact and would preserve the character and appearance of the Little Common Conservation Area.

Conditions

14. Having regard to the Framework, and in particular paragraph 55, I have considered the conditions suggested by the Council. In addition to the standard time limit condition, I have specified the approved plans as this provides certainty. A condition requiring that the external surfaces of the development match those of the existing property is necessary to protect the character and appearance of the area. In order to protect the amenities of neighbouring properties, I have also imposed a condition restricting the use of the flat roof over the single storey rear extension.

Conclusion

15. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be allowed.

David Troy

INSPECTOR