
Appeal Decision

Site visit made on 2 October 2020

by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 20 October 2020.

Appeal Ref: APP/M5450/D/20/3251239

Tanglewood Cottage, Tanglewood Close, Stanmore HA7 3JA

- 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 Lawrence Finger against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/4740/19 dated 5 November 2019, was refused by notice dated 28 February 2020.
 - The proposed development is described as single storey glazed link extension between main dwelling and detached garage; conversion of detached garage to bedroom with installation of French doors to front and door to side; external alterations; re-location and extension of pedestrian access (demolition of timber pergola).
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the determination of the application, the description of development changed to encompass a wider range of development. I have therefore used the description shown in the decision notice, for clarity and precision.

Main Issues

3. The main issues are:
 - Whether or not the proposals would be inappropriate development in the Green Belt, having regard to the Framework and relevant development plan policies;
 - The effect on the openness of the Green Belt;
 - The effect on the character and appearance of the area, having regard to the locally listed main house;
 - Whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations. If so, whether this would amount to the very special circumstances required to justify the proposal (the Green Belt balance).

Reasons

4. Tanglewood Cottage is situated at the head of a private residential cul-de-sac which is characterised by detached dwellings on large plots. It is set back

behind a gated entrance and long driveway which is flanked by substantial vegetation.

5. It comprises a main house (which is locally listed) and a more contemporary brick-built garage/outbuilding which has been partly converted to a playroom and washroom. Between the two buildings is a pathway, lined by a timber pergola.
6. The site falls within the Green Belt, which is protected by Policy DM16 (Maintaining the Openness of the Green Belt and Metropolitan Open Land) of the Harrow Development Management Policies Local Plan (2013) (LP) as well as Section 13 of the Framework.
7. Further, policy 7.4B (Local Character) of the London Plan (2016); Core Policy CS1.B of the Harrow Core Strategy (2012) (CS) and the Harrow Residential Design Guide Supplementary Planning Document (2010) (SPD) all seek the delivery of well-designed development that does not result in harm to the character and appearance of an area.

Whether Inappropriate Development in Green Belt

8. The proposals would firstly lead to the creation of new built form linking the main dwelling and garage/outbuilding. The council have provided evidence to demonstrate that when assessing the proposed increase in external footprint, this would amount to over 30%. The appellant contends this figure is more like 8%, but it is not clear from the appellant's evidence whether this is based on the existing dwelling and outbuilding or the original dwelling and no detailed calculations are provided demonstrating how this figure has been reached.
9. The Framework, at Paragraph 145 states that the construction of new buildings is inappropriate in the Green Belt. Exceptions to this include sub-paragraph (c) which include the extension or alteration of a building provided it does not result in a 'disproportionate addition' over and above the size of the original building.
10. In light of the increase in the amount of built form proposed, I consider this to be inappropriate development in the Green Belt, contrary to Paragraph 145 of the Framework and Policy DM16 of the LP.
11. The conversion of the remainder of the garage space would fall within the definition of Paragraph 146 (d) of the Framework where the re-use of buildings in Green Belt is supported, provided they are of permanent and substantial construction.
12. The conversion of the remainder of the garage space is therefore not inappropriate development in the Green Belt.

The effect of the proposal on the openness of the Green Belt

13. There is no definition of openness in the Framework but, in the Green Belt context, it is generally held to refer to freedom from, or the absence of, development.
14. The informal, low density arrangement of the housing in Tanglewood Close helps preserve a degree of openness to this part of the Green Belt. The proposal would add new built form to an area which has not been previously developed, and as a result would reduce green belt openness.

The effect on the character and appearance of the area, having regard to the locally listed main house

15. I note that there are no heritage objections to the proposals, however the addition of a permanent structure linking the two buildings would result in a substantial building overall. This would, in my view, harm the character of the area through the cumulative additions to the main house. This would be contrary to Policy DM1 of the LP, Policy 7.4 of the London Plan (2016), CS1.B of the CS and the relevant parts of the SPD.

Whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal (the Green Belt balance).

16. I have considered the appellant's case which does not advance a specific set of very special circumstances in order to justify the proposals. To that end, I am unable to see how the proposals outweigh the harm to the Green Belt that I have identified.
17. I therefore consider the proposals to be contrary to Paragraphs 143 and 144 of the Framework, albeit I do not find harm to the green belt in relation to the proposed conversion of the remainder of the garage/outbuilding.

Other Matters

18. I have considered the letter in the Appendix to the Appellant's statement which was sent by the Council (to the appellant) in 2008 in relation to an existing permission to extend the main house. However, the details of that permission are not before me and therefore do not change my conclusions above.

Conclusions

19. For the above reasons, I conclude that the appeal is dismissed.

Sian Griffiths

INSPECTOR