
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: 21 October 2020.

Appeal Ref: APP/M5450/D/20/3249894

Broad Oaks, The Common, Stanmore HA7 3HP

- 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 Sean Ambrose against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/4414/19, dated 17 October 2019, was refused by notice dated 24 February 2020.
 - The development proposed is described as alterations and extension to roof, side and two rear dormers; rooflights in both side roofslopes and crown roof; single storey rear infill extension; two storey side extension, and external alterations.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development was changed during the determination of the application to include a more complete development proposed. I have taken the description of development from the decision notice for the purposes of 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 Harrow Weald Ridge Area of Special Character;
 - 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), and
 - The effect of the development on flood risk.

Reasons

4. Broad Oaks is a large detached house set within a substantial plot located on The Common, which is a residential road with a low density semi-rural character. Dwellings are generally set back from the road behind significant trees and vegetation. The Common itself is partly bordered by a substantial area of open countryside to the north east.
5. The house itself is two storey in height with a further floor of accommodation within a loft conversion. The top floor has rooflights to the eastern elevation and full height dormer which faces the rear garden. On the ground floor, there is a brick-pillared projection to the rear which contains a veranda area and at the first floor there are full height glass doors over the main entrance porch and above the veranda.
6. As well as the house, there is a large garage with accommodation above, which is linked by another pitched and flat roofed structure at ground floor level. The garage, at first floor level has rooflights and a full height dormer facing the rear garden.
7. The appeal proposal would result in substantial alterations to the roof of the house to accommodate a further bedroom and ensuite bathroom. The first floor would be enlarged to accommodate a further bedroom and ensuite bathroom.
8. On the ground floor, the proposals would enclose the existing veranda, with internal alterations to the layout of the kitchen to include a new dining area and to relocate the study.
9. 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.
10. The site also falls within the Harrow Weald Area of Special Character, and policy CS7.A (Stanmore and Harrow Weald) of the Harrow Core Strategy(2012) (CS) seeks to manage development that would '*maintain the special character and identified views*' of the area. Policy DM.6 (Areas of Special Character) of the LP seeks to protect against development that would substantially harm an area of special character or its setting.
11. Further, the character of the area is also protected by 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) also seek well-designed development that does not result in harm to the character and appearance of an area.

Whether Inappropriate Development in Green Belt

12. The council have provided evidence to demonstrate that the proposed increase over the original dwelling would amount to at least 104%. Whilst the appellant maintains the appeal proposals would not be inappropriate, no detailed calculations are provided demonstrating that this figure is incorrect.
13. 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.

14. 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.

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

15. 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.
16. The low density development that characterises The Common does, in my view, make some positive contribute to the openness of the Green Belt. The proposal would substantially enlarge the property, thereby harming the openness of the Green Belt.

The effect on the character and appearance of the area

17. The rural edge of The Common and the low density nature of the existing residential development is what defines the semi-rural character of the area.
18. The substantial increase in the size of the property would have, in my view a harmful effect on the character of the area. I consider this harm would be minor, albeit it would still be contrary to policy CS7.A of the CS and DM6 of the LP.

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)

19. I have considered the case made by the appellant where they conclude the proposals would not be harmful or unacceptable in terms of scale and that they would be of an appropriate design.
20. However, I am not convinced that the appellant's case amounts to very special circumstances, taken together.

The Effect on Flood Risk

21. The appeal site falls within surface water flood zone 3a and 3b of the council's surface water flood maps.
22. The council considered that the Flood Risk Assessment submitted by the appellant was insufficient and lacked a plan for Compensatory Flood Storage (CFS). Policy DM9 (Managing Flood Risk) of the Harrow Development Management Policies (2013) seeks development that is 'resistant and resilient' to flooding and that appropriate mitigation should be in place.
23. However, in light of the evidence submitted and given the scale of the proposals, I consider it would be possible to address the council's concerns through an appropriately worded planning condition to ensure CPS is provided as appropriate. I therefore consider that Policy DM9 could be addressed appropriately.

Conclusions

24. Whilst I have considered the potential for a planning condition to address the third refusal reason, it does not overcome the other harms I have identified in relation to the character and appearance of the area and the impact on the Green Belt.

25. To that end and for the reasons given, the appeal is dismissed.

Sian Griffiths

INSPECTOR