



Appeal Decision

Site visit made on 17 January 2022

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2022

Appeal Ref: APP/R5510/W/21/3277082

Krown House, Colham Green Road, Uxbridge, Middlesex UB8 3QH

- 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 M Edwards, Komfort Services, against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 3318/APP/2020/1540, dated 18 May 2020, was refused by notice dated 21 December 2020.
 - The development was originally described as proposed rear extension to existing offices to provide COVID-19 staff safe distancing.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the Council determined the planning application, the London Plan (2021) (LP) has been adopted. Therefore, Policy 7.16 of the London Plan (2016) referred to in the reason for refusal is no longer relevant. Based on the evidence before me, the most relevant LP policy to this appeal is Policy G2.

Main Issues

3. The main issues are:
 - Whether or not the proposal is inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
 - The effect of the proposal on the openness of the Green Belt; and
 - If the development is inappropriate, whether the harm, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriate development

4. Paragraph 149 of the Framework states that new buildings are inappropriate in the Green Belt unless they fall within the given list of exceptions. Under section c) of that paragraph an extension to a building will not be inappropriate

- provided that it would not result in disproportionate additions over and above the size of the original building.
5. Policy DMEI 4 of the Hillingdon Local Plan: Part 2 – Development Management Policies (2020) (LPP2) is relevant to the appeal although it refers to the existing development/building rather than the original building, as set out in the Framework. The Framework defines an original building as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. However, it does not specify what might be considered a disproportionate addition over and above the size of the original building.
 6. It is evident from the information before me and my site visit observations that the building has been extended over the years. The Council assert that the scheme would result in the level of extensions being more than 50% of the original footprint of the building. There is no planning policy which states that existing and proposed extensions should not exceed a 50% increase over and above the original footprint of the building. This threshold provides a reasonable benchmark to assess the proportionality of a proposed extension to its original building and thus its appropriateness in the Green Belt. However, it is not contained in any planning policy and has not therefore, been determinative in my considerations.
 7. I have had regard to the Ordnance Survey plans which include an outshoot, which the appellant suggests was likely to be two-storey in height, and a terrace. The outshoot and terrace have since been demolished. The information presented does not robustly demonstrate the scale and massing of the outshoot or that the proposed extension, along with previous extensions, would not be more than 50% of the original footprint of the building.
 8. Although the proposed extension would be single storey, having regard to the previous extensions, the scheme would individually and cumulatively add significantly to the bulk and massing of the building. The proposal, along with the previous extensions, would substantially increase the footprint of the building compared to the original building. Thus, the scheme would result in a disproportionate addition over and above the size of the original building.
 9. The appellant has drawn my attention to Framework paragraph 149 g). Even if the proposal amounted to development on previously developed land, the scheme would have a greater impact upon the openness of the Green Belt than the existing development. This matter is addressed in more detail in the following section.
 10. Accordingly, the proposal would not fall under any of the exceptions listed in the Framework and would be inappropriate development in the Green Belt, having regard to Policy EM2 of The Hillingdon Local Plan: Part 1 – Strategic Policies (2012) (LPP1), Policy DMEI 4 of The LPP2, Policy G2 of the LP and paragraph 149 of the Framework.

Openness

11. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
12. The appeal site adjoins an open field and Colham Green Recreation Ground. Krown House is close to existing built development, including the residential

properties on the opposite side of Colham Green Road. Due to the siting and height of the proposed extension, the existing building would to a degree screen views of the development from the road. The extension would not be conspicuous from the surrounding area.

13. The development would have a spatial impact upon the Green Belt, regardless of any views, because of the increase in bulk, scale and massing proposed. Although the extension would be located in the existing car park, it would result in an erosion of space where there are currently no buildings.
14. Consequently, the development would therefore not preserve the openness of the Green Belt, albeit the harm would be moderate due to the context of the appeal site and location of the extension. As such, the proposal would conflict with the fundamental aim of Green Belt policy, as stated in the Framework, to keep land permanently open.

Other considerations

15. The proposed extension would provide additional office floor space and a revised entrance hall. The appellant states that this would facilitate a better working environment in response to restrictions and considerations arising from the pandemic. Based on the information provided, I give this matter limited weight. This is because restrictions relating to the pandemic are temporary and there is no substantive evidence to demonstrate that the scheme would substantially improve the working environment or help support the business.
16. I acknowledge that the scheme would not cause harm to the character and appearance of the host building and area or the amenities of neighbouring occupiers. The absence of harm and compliance with local and national planning policies does not amount to a positive factor in favour of the scheme.

Whether very special circumstances exist

17. The appeal proposal would be inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. It would also cause moderate harm to the openness of the Green Belt. The Framework is clear that substantial weight should be given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
18. The considerations relating to the reasons for the scheme are given limited weight. The other considerations are given neutral weight in that they neither weigh in favour nor against the proposal.
19. When drawing this together, the other considerations advanced in support of the appeal, whether taken individually or cumulatively, do not, clearly outweigh the totality of the harm that I have found. Therefore, the very special circumstances necessary to justify the development do not exist.

Conclusion

20. For the reasons given above, the proposal would amount to 'inappropriate development' in the Green Belt. It would also cause moderate harm to the openness of the Green Belt. There are no very special circumstances to outweigh this harm. Consequently, the proposed development would conflict

with Policy EM2 of the LPP1, Policy DMEI 4 of The LPP2, Policy G2 of the LP and paragraph 149 of the Framework.

21. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal is dismissed.

L M Wilson

INSPECTOR