



Appeal Decision

Inquiry Held on 6 & 7 September 2022

Site visit made on 7 September 2022

by Elizabeth Pleasant BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 October 2022

Appeal Ref: APP/M5450/C/21/3274522

Land at 14 Langland Crescent, Stanmore HA7 1NG

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr Aladdin Jetha against an enforcement notice issued by the Council of the London Borough of Harrow.
- The enforcement notice was issued on 6 April 2021.
- The breach of planning control as alleged in the notice is: Without planning permission, the material change of use of the detached outbuilding shown hatched in the plan in the rear garden of the Land from a use incidental to the enjoyment of the dwellinghouse to a use as a self-contained flat ("the Unauthorised Use").
- The requirements of the notice are:
 - Cease the Unauthorised Use.
 - Remove the kitchen, toilet and shower facilities from the outbuilding.
 - Remove all internal partition walls and doors that facilitate the Unauthorised Use.
 - Remove from the Land all materials and debris arising from compliance with the aforementioned requirements of this Notice.
- The period for compliance with the requirements is Six (6) calendar months.
- The appeal is proceeding on the grounds set out in section 174(2) (a) (c) (d) and (f) of the Town and Country Planning Act 1990 as amended. Since an appeal has been brought on ground (a) an application for planning permission is deemed to have been made under section 177(5) of the Act as amended.

Summary of Decision: The appeal is allowed, the enforcement notice is quashed, and planning permission is granted in the terms set out below in the formal decision.

Application for costs

1. An application for costs has been made by the Council of the London Borough of Harrow against the Mr Aladdin Jetha. This application is the subject of a separate Decision.

Preliminary Matters

2. The Inquiry sat for 2 days and evidence at the Inquiry was taken under solemn affirmation.
3. I have been provided with correspondence from a health professional in relation to the medical history of the occupier (Surat) of the unauthorised dwelling. The correspondence includes matters which relate to his protected characteristic. I do not need to refer to the detail of that document. However, the evidence confirms, amongst other things, that Surat has been having

treatment and travelling abroad in relation to that treatment for several years. I am aware that the public sector equality duty (PSED) applies¹.

Appeal on ground (c)

4. The ground of appeal is that the matters alleged in the notice do not constitute a breach of planning control.
5. It is the Appellant's case that should his appeal fail on ground (d), then he further submits that the use of the outbuilding as living accommodation is ancillary to the residential use of No 14 Langland Crescent and a material change of use has not therefore occurred.
6. The onus of proof on this legal ground of appeal lies with the Appellant. It is difficult to see how the Appellant can claim on the one hand that the outbuilding has been occupied as a single dwellinghouse (ground (d)) and on the other claim that its use is ancillary to the use of the adjacent dwelling No 14. Nevertheless, I shall consider the matter on the evidence before me.
7. There is no dispute between the parties that the outbuilding is self-contained and has all the facilities it needs to function as a dwellinghouse. The Appellant's planning witness (IC) told the inquiry that he accepted the use of the outbuilding would meet the *Gravesham test*², as it affords all the facilities required for day-to-day private domestic existence. Moreover, in answer to my questioning, IC stated that he considered that the outbuilding and its occupation had resulted in the creation of a new planning unit.
8. I observed on my site visit that the building had a full kitchen, bathroom, and bedroom. In addition, the outbuilding has its own means of access, which is separate to the adjacent property No 14. The accommodation is therefore physically and functionally separate from No 14. Although we heard from the occupier of the outbuilding (Surat) that he considered himself to be a close family friend of the Appellant at No 14, we also heard at the Inquiry that Surat is a very private man and likes to have his own accommodation and lives independently.
9. I have had regard to *Uttlesford DC v SSE* [1991] 2 PLR 76 which was brought to my attention by the Appellant. However, in that case the elderly relative who occupied a converted garage shared her living activity in the company of the family in the main dwelling. That is clearly not the situation in this case, where Surat lives independently. I therefore give this consideration little weight and have considered the appeal in relation to the individual circumstances of this case.
10. From the evidence before me and observations on my site visit, a new planning unit has been created and there has been a material change of use of the outbuilding to a self-contained flat. There is no planning permission granted by the local planning authority for that change of use and that change of use is not permitted under any provision of the Town and Country Planning (General Permitted Development) (England) Order 1995, as amended. A breach of planning control has occurred and the appeal on ground (c) fails.

¹ Section 149 of the Equality Act 2010.

² *Gravesham BC v SSE and Another* [1984] 47P. & CR 142

Appeal on ground (d)

11. In relation to a breach of planning control consisting of a material change of use of any building to use as a single dwellinghouse, no enforcement action may be taken after the end of the period of four years beginning with the date of the Breach (s171B(2)).
12. The main issue is whether the material change of use took place before the 6 April 2017, with the use as a single dwellinghouse continuing for at least four years thereafter. The onus of proof is on the appellant and the test is on the balance of probability.
13. In summary, the Appellant maintains that the outbuilding was initially converted for use by his family as ancillary accommodation for leisure/entertainment between 2013 -2015. However, since March 2016, when Surat moved in, it has been in use as a single dwellinghouse. To support his case, assured tenancy agreements (AST) commencing 1 March 2016 and running through to 28 February 2022, together with bank statements have been provided. The bank statements show that each month between 1 February 2016 and July 2021, payments of £400.00 have been made by Surat to the Appellant. In addition, copies of correspondence addressed to Surat at 14 Langland Crescent, dating back to 12 February 2016, have been provided, plus invoices dated 2013 which are made out to the Appellant and relate to the purchase/delivery of building materials to No 14. Finally, two letters of support have also been submitted from neighbouring residents stating that they have been aware of Surat's residency in the outbuilding/annex for the last six years.
14. The Council advise that the use of the outbuilding as residential accommodation was brought to their attention by a neighbour in 2020. Following an initial visit and investigation in November 2020, the Appellant's wife (SJ) confirmed in an email that the outbuilding was being occupied by a tenant who rented a room in their house for £400 a month, but due to travelling, needed to self-isolate due to COVID-19 restrictions. She further advised that the outbuilding had been occupied by this tenant since March 2020 and before that it had been used by their family for entertaining and guests³.
15. Subsequently, a Planning Contravention Notice (PCN) was served and completed by the Appellant and SJ on 27 December 2020. In answer to questions within the PCN, the Appellant stated that the works to the outbuilding were completed in April/May 2013 and that it was not in use for residential purposes. It was used by themselves to entertain and for leisure purposes.
16. The evidence produced by the Council clearly illustrates that there are inconsistencies in the information provided in correspondence to the Council in November and December 2020 by the Appellant and SJ. Furthermore, both of those versions of events conflict with the case now being put by the Appellant to support this appeal.
17. SJ told the Inquiry that when the Council first visited the property she panicked. It was during the first period of the COVID-19 pandemic in a period

³ Appendix 1 Local Planning Authority's Statement of Case.

when she had lost friends and family. She was worried that Surat would lose his home and given his personal circumstances, she was concerned about the effect this would have on his health and well-being. She admitted to the Inquiry that she had lied to protect Surat. In these circumstances, I can see that may have been a natural first reaction. However, it does not explain why a different version of events was provided in the PCN completed over a month later. Furthermore, the Appellant would have been made aware by the Council when served with the PCN, that if any person makes a statement purporting to comply with a requirement of a PCN which he knows to be false or misleading in a material particular; or recklessly make such a statement which is false or misleading in a material particular, he shall be guilty of an offence (s171D of the Act).

18. Evidence given by SJ at the Inquiry in relation to the works on the outbuilding and its use were also not clear. I appreciate that if the conversion works were undertaken in 2013, this is now some years ago. However, SJ could not recall on questioning whether the garage/outbuilding had been rebuilt, and I find that surprising given its position within her rear garden close to her kitchen window. Furthermore, she could not provide a reasonable explanation as to why it had been necessary to equip the outbuilding with a fully fitted kitchen, toilet/shower room and bedroom when they intended it to be used as a gym and leisure/entertainment space. Moreover, it was unclear from her evidence as to when the conversion works were completed and to what extent it had ever been used for the Appellant's stated intended purpose. Photographs provided by SJ to the Council⁴, which she told the Inquiry were taken in 2015 prior to Surat moving in, show the building fitted and furnished for use as a dwelling. The photographs also show a paved terrace, although in the statement produced for the Inquiry by Surat, he states that this terrace was constructed in Spring 2020 by the Appellant for his use.
19. Furthermore, whilst SJ and Surat were both clear in their evidence that Surat moved into the outbuilding and started paying rent in March 2016, there was much less clarity over a payment made by Surat to the Appellant on 1 February 2016 for rent. Moreover, SJ referred to a period of "trying out Surat" prior to this formal arrangement which she said took place from December 2015, and when he would stay in the outbuilding on the sofa. She stated that since 2013 Surat had been pestering to move in, but she was reluctant as the building was their private home. Surat's recollection of this period was less clear, and it seems strange that he would have slept on the sofa when the 2015 photographs show there was a bed available. Nor was SJ able to say why she had changed her mind in 2015 and agreed to let Surat have a trial period.
20. Turning now to the documentary evidence that has been provided. The ASTs are generally in the same format, signed by the landlord and Surat and independently witnessed, albeit there is no date for the signatories. However, those ASTs all relate to the dwelling known as 14 Langland Crescent and do not specify that they are in relation to separate accommodation within the outbuilding. I appreciate that there is no separate postal address for the outbuilding, however, it is unusual for a tenancy agreement not to specify a flat/room number, or annex/garden room/outbuilding within the tenancy agreement.

⁴ Appendix 1 Local Planning Authority's Statement of Case.

21. That is also the case with all the other miscellaneous correspondence which simply indicates that Surat has been residing at No 14. Moreover, within that correspondence are letters in relation to Surat's Bank Account and his Virgin Active Membership. Both of those letters are dated 12 February 2016 and addressed to Surat at No 14 Langland Crescent. However, according to Surat and SJ he didn't reside at No 14 or move into the outbuilding until March 2016. No explanation has been provided as to why he was receiving letters at No 14 when he didn't move there until March 2016.
22. Similarly, the bank transfers show that Surat has paid £400 a month to the Appellant since at least the 1 February 2016, which is before the use of the outbuilding as a single dwelling is said to have commenced. It is clear from the Appellant's bank statements that he receives rent from other tenants in relation to other properties he rents out. However, in the case of those other tenants a reference is given on the statement which identifies the property rented. That is not the case with the payments from Surat, which only gives his name and does not reference what the payment is being made for.
23. It was acknowledged by SJ in cross-examination, that £400 a month would generally be the level of rent payable for a room in a house, and that the market rent for self-contained accommodation would be at least double that amount. She told the Inquiry that she and her husband were happy to receive a lower rent given Surat's personal circumstances and his friendship with her daughter. However, neither SJ nor Surat was able to advise how that rental amount had been agreed. I am also mindful that the £400 monthly payments correspond with the amount SJ stated in her November 2020 communication with the Council that she was charging a tenant for a room in her house. Albeit she later stated at the Inquiry that she has never rented a room in her house.
24. SJ and Surat both gave evidence on oath and were clear that the outbuilding had been in use as a single dwelling since 2016. However, for the reasons set out above there are inconsistencies in their evidence which casts doubt on that evidence. Although the adjacent neighbours at Nos.12 and 16 have sent letters of support, those letters are not in the form of a Statutory Declaration, and one of the residents is a tenant of the Appellant. The weight that can be afforded to those letters is therefore limited. Furthermore, there is no sworn evidence from any other third parties that would corroborate the Appellant's version of events. For the reasons I have set out above, the documentary evidence is also not sufficiently precise or unambiguous for me to be certain that it relates to the occupation of the outbuilding.
25. Consequently, the circumstances of this case are such that I am not satisfied that the Appellant's evidence is sufficiently precise and unambiguous to conclude, on the balance of probability, that the use in question is immune from enforcement action.
26. I conclude that the use has not become lawful due to the passage of time. The appeal on ground (d) does not succeed.

Appeal on ground (a), deemed planning application

Main Issues

27. The main issues in this case are:

- Whether the development is acceptable in principle, having regard to local planning policies in relation to the location of new housing; and
- Whether the development provides for acceptable living conditions for existing occupiers, having regard to the personal circumstances of the existing occupier.

Reasons

Location

28. The outbuilding is situated within the rear garden of No 14 Langland Crescent. No 14 is a semi-detached dwelling with a generous rear garden and it is situated within a residential area. The outbuilding was originally a garage and has been altered and improved for use as a separate dwelling.
29. Core Policy CS1 (A) of the Harrow Core Strategy 2012 (CS) states that growth will be managed in accordance with the Spatial Strategy, and the Harrow Wealdstone Intensification Area will be the focus for regeneration. Core Policy CS1 (B) states that proposals that would harm the character of the suburban areas and garden development will be resisted.
30. Harrow's Supplementary Planning Document – Garden Land Development (SPD) provides that for the purposes of implementing Policy CS1 (B), garden land means any land within the curtilage of a building the principal use of which is residential. It further clarifies that garden land includes any hardstanding, outbuilding and other structure located on the garden land and includes resisting development that results in the formation of one or more new dwellings, including the construction or conversion of domestic outbuildings for use as independent dwellings.
31. Considering the definitions and clarification set out in the SPD above, the use of the outbuilding as a separate dwelling is clearly a form of development which would conflict with the aims and purposes of the Council's Spatial Strategy.
32. I conclude that the development is not acceptable in principle in this location. It would conflict with Policy CS1 of the CS as well as the Council's adopted SPD, the aims of which are set out above.

Living conditions

33. In accordance with the National Planning Policy Framework, the development plan, including the London Plan, 2021 and Harrow Council Development Management Policies, 2013 (DMP) (Policy DM1) seek to ensure that all developments achieve a high standard of development, including amenity, for future occupiers of residential development.
34. Policy D3 of the London Plan seeks to deliver, amongst other things, new development with appropriate outlook, privacy and amenity, including indoor and outdoor environments, that are comfortable and inviting for people to use. Policy D6 of the London Plan requires housing development to provide adequately designed rooms and sets out the need to comply with minimum internal space standards for dwellings of different sizes as set out in Table 3.1 of the Plan.
35. Policy DM26 of the DMP requires development which involves the conversion of residential premises to provide a satisfactory standard of accommodation and

contribute positively to their surroundings. It requires compliance with the London Plan minimum space standards as well as other design and amenity considerations.

36. The Appellant does not dispute that the accommodation created within the outbuilding does not comply with the London Plan minimum standards set out in Table 3.1. Measurements were taken on my site visit which confirmed that the dwelling has a gross internal floor area of just under 30sqm, which is less than the 37sqm required for a one person single storey dwelling. However, measurements taken did confirm that the bedroom met the required standard for a single bedroom with a width of more than 2.5m and a floor area of approximately 9sqm (min standard 7.5sqm).
37. I observed on my site visit that the accommodation is generally well designed. Although the kitchen/living room is restricted in area, it is well laid out with a fully fitted kitchen, and there was a small bench/table with chairs for eating at, a sofa and shelving/bookcase. In addition, the amount of available natural light in the kitchen was good and it has a pleasant outlook over the garden. There is a small bathroom with a toilet with shower/sink and a bedroom with a bed, desk with shelves and wardrobe. Outlook from the bedroom is towards No 14's flank wall, however, the bedroom was not oppressive or dark as the window is quite large.
38. Access to the outbuilding is however through No 14's rear garden. To get to its front door it is necessary to cross No 14's patio and pass close to No 14's rear patio windows. There is therefore no private amenity space for these neighbouring dwellings, as both properties have direct access into the rear garden which currently appears to be shared. In addition, by reason of the position and proximity of the outbuilding to No 14, situated within its rear garden, there are inherent privacy issues between the two properties. There is also the potential for noise and disturbance from their respective comings and goings, including from visitors and deliveries.
39. However, from the evidence before me Surat is a very private man and I understand has few visitors. Furthermore, considering his relationship with the Appellant and SJ, sharing the garden space has not been a concern to either party. Indeed, we were told that SJ has encouraged Surat to utilise the outdoor space and plant flowers and vegetables. Furthermore, Surat has a key to No 14 to enable him to collect his post which is delivered there. Consequently, I am satisfied that in the circumstances of this case the shared garden and access arrangements do not result in any significant harm to the living conditions of Surat nor the Appellant.
40. We heard at the Inquiry and the evidence shows that Surat has a good relationship and friendship with the Appellant and his family. SJ told the Inquiry that she wanted to help Surat. She recognised the difficulties he faced in his previous accommodation, where he was having to share bathroom facilities, and wanted to support his health and mental wellbeing.
41. The outbuilding provides Surat with his own private/personal space, and considering his protected characteristic, I recognise the importance of this to him. He told the Inquiry that he would not be able to afford a self-contained dwelling if he had to pay a market rent. Whilst he has a job, his medical condition and matters relating to his protected characteristic have required him to travel abroad for appointments and increase his outgoings. The reduced

- rent and 'parental' support that the Appellant and SJ provide him have a substantial positive impact on his personal circumstances.
42. The accommodation fails to meet the minimum space standards set out in the London Plan, and considering the position of the dwelling within the rear garden of No 14 it is unsuitable for use as an unrestricted self-contained dwelling and would not provide for acceptable living conditions for future occupiers. There would be conflict with the development plan and in particular with Policies D3 and D6 of the London Plan, 2021 and Policies DM1 and DM26 of the DMP, and the Framework, the aims of which are set out above.
43. However, it is also necessary to consider whether a personal permission could be granted. Granting a personal permission would provide Surat with affordable self-contained accommodation which would give him the privacy he needs. Although the accommodation falls below the minimum space standards, I have found that it is generally well designed, and Surat told the Inquiry that it provides him with all the facilities he needs for day-to-day living. Given his relationship with the Appellant, the shared garden and proximity to No 14 does not raise any privacy issues and he would continue to benefit from the support of the Appellant. Furthermore, the reduced rent would allow him to continue to be able to afford to travel abroad for medical appointments.
44. I appreciate that it would not be possible to control the amount of rent payable. However, if the rent was to increase to an amount that Surat could no longer afford, then the accommodation would not be a benefit to him. Moreover, a personal permission would ensure that the accommodation would only be available to Surat and on his departure its use as a single dwellinghouse would cease.
45. I have taken into consideration the advice in Planning Policy Guidance⁵ (PPG) and recognise that planning permission usually runs with the land, and it is rarely appropriate to provide otherwise. However, the PPG also advises that there may be exceptional occasions where development that would not normally be permitted may be justified on planning grounds because of who would benefit from the permission.
46. For the reasons set out above, I conclude that the personal circumstances of Surat are such, that the use of the dwellinghouse provides acceptable living conditions for his purposes only.

Other Matters

I have taken into consideration the other appeal decisions which the Council has provided to support their case. However, whilst I have read them, what is clear is that the individual circumstances of each appeal case are seldom, if ever replicated. That is the situation in this case, whereby the personal circumstance of the existing occupier is central to my decision. Whilst I have borne in mind the general conclusions of those other appeal decisions, I have determined this case in relation to the individual circumstances of the case and evidence before me.

⁵ PPG Paragraph:015 Reference ID: 21a-015-20140306.

Planning Balance

47. I have found that the use of the outbuilding as a single dwellinghouse would not be acceptable in principle in this location, given the aims and purposes of the Council's Spatial Strategy. I have also found that it would not provide for acceptable living conditions as an unrestricted dwelling for future occupiers.
48. In favour of the appeal, I have found that it provides acceptable living conditions for the existing occupier, Surat, who has a pressing personal need for affordable self-contained living accommodation and emotional support. I attach significant weight to these considerations.
49. On balance, I am satisfied that the harm which would be caused by the development is such that planning permission should not be granted for an unrestricted dwelling. However, as set out above I have found that there would be positive benefits to Surat by the grant of a personal permission.
50. I have had regard to the rights of Surat under Article 8 of the European Convention on Human Rights as incorporated into the Human Rights Act 1998. Article 8 affords the right in respect for private and family life and home. It is a qualified right, and interference may be justified where that is lawful and in the public interest. The concept of proportionality is crucial.
51. Dismissing the appeal would interfere with Surat's rights under Article 8, since the consequence would be that he would be rendered homeless. However, the interference would be in accordance with the law and in pursuance of a well-established and legitimate aim, the protection of future occupiers living conditions and protecting the character of the area through the implementation of the Council's Spatial Strategy.
52. Surat also shares a protected characteristic for the purposes of the PSED. Given the foregoing, it is necessary and proportionate to permit the development on a personal basis in order to eliminate discrimination against and advance equality of opportunity for Surat, and to foster good relations between him the community.
53. For these reasons, I conclude that there are material considerations in favour of the appeal that outweigh the conflict with the development plan. The appeal should be allowed on ground (a) and planning permission should be granted subject to a personal and other conditions discussed further below.

Conditions

54. The Council suggested several other conditions which I have considered against the advice in the Framework and PPG.
55. A condition requiring details of cycle storage facilities is necessary to promote sustainable travel. Details of refuse storage facilities are also required to ensure suitable provision is made within the site to protect the living conditions of existing and neighbouring occupiers. It is not however necessary for new fencing to be erected given the personal permission granted and the existing occupiers relationship with the occupiers of the neighbouring dwelling, No 14.
56. It is necessary to remove the benefits of permitted development rights to protect the character and appearance of the area and living conditions of

neighbouring residents considering the proximity and relationship of the dwelling to its neighbours.

57. The purpose of Condition 3 in the Schedule below is to require the appellant to comply with a strict timetable for dealing with cycle and refuse storage facilities which needs to be addressed in order to make the development acceptable. The condition is drafted in this form because, unlike an application for planning permission for development yet to commence, in the case of a retrospective grant of permission it is not possible to use a negatively worded condition precedent to secure the subsequent approval and implementation of the outstanding detailed matter. The condition therefore provides for the loss of the effective benefit of the grant of planning permission where the detailed matters in question are not submitted for approval during the time set by the condition, approved (either by the local planning authority ("LPA") or by the Secretary of State on appeal), and then implemented in accordance with an approved timetable. Should the requirements of the condition not be met in line with the strict timetable, then the use would have to cease.
58. Furthermore, in the circumstances that the use ceases, as set out in Conditions 2 and 3, it is also necessary to require all the equipment and materials brought onto the premises in connection with and facilitating that use, to be removed. I have had regard to the Appellant's submissions on ground (f), which does not fall to be considered. However, from the evidence before me and as set out in ground (d) above, I have not been provided with any substantive evidence that the outbuilding in its current form, was ever used as accommodation ancillary to the use of No 14. The kitchen, toilet and shower facilities have all facilitated the use of the outbuilding as a self-contained dwelling and therefore, when its use for that purpose ceases, they should be removed.

Overall Conclusions

59. For the reasons given above, I conclude that the appeal succeeds on ground (a). I shall grant planning permission for the use as described in the notice and as set out in the Formal Decision below. The appeal on ground (f) does not fall to be considered.

Decision

60. The appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the Act as amended for the development already carried out, namely the use of the detached outbuilding in the rear garden of the Land at 14 Langland Crescent, Stanmore HA7 1NG as shown on the plan attached to the notice, for use as a self-contained flat subject to the conditions set out in the Schedule below:

Elizabeth Pleasant

INSPECTOR

Schedule of Conditions

1. The use of the building hereby permitted shall be only for the use of the current occupier Surat Shaan Rathgeber Knan.

2. When the premises cease to be occupied by Surat Shaan Rathgeber Knan, the use hereby permitted shall cease and all materials and equipment brought on to the premises in connection with and facilitating the use shall be removed, including the kitchen, toilet and shower facilities.
3. The use hereby permitted shall cease and all equipment and materials brought on to the premises in connection with and facilitating the use, including the kitchen, toilet and shower facilities, shall be removed within 3 months of the date of failure to meet any one of the requirements set out in i) to iv) below:
 - i) Within 3 months of the date of this decision a scheme for cycle storage and refuse storage facilities shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.
 - ii) If within 5 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
 - iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.
 - iv) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter be maintained and remain in use.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development which would otherwise fall within Classes AA, A, B, C, D, E, F, G or H in Part 1, Schedule 2 to that order shall be carried out.

APPEARANCES

FOR THE APPELLANT

Georgina Fenton Of Counsel, Landmark Chambers.

She called

Shamina Jetha The Appellant's wife.

Surat Shaan Rathgeber Occupier of the outbuilding.

Ian Coward Collins Coward, Planning and Development Consultancy.

FOR THE LOCAL PLANNING AUTHORITY

Merrow Golden of Counsel, Francis Taylor Building.

She called

Mark Olding Senior Planning Enforcement Officer, LB of Harrow.

Muhammad Sheikh Planning Enforcement Officer LB of Harrow.

Will Hossack Planning Officer, LB of Harrow

Documents submitted at the Inquiry:

1. Statement of Common Ground, dated 5 September 2022.