

Appeal Decision

Site visit made on 14 September 2022

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2022.

Appeal Ref: APP/M5450/D/22/3303094
597 Uxbridge Road, Hatch End, HA5 4SN

- 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 and Mrs Kumar against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/4850/21, dated 10 December 2021, was refused by notice dated 15 June 2022.
 - The development proposed is a single storey side/rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. An application¹ for prior approval, for a single storey rear extension, was refused in October 2021.
3. The Council confirmed in December 2021 that a different application² for prior approval, for a single storey rear extension, did not require prior approval. The Council is satisfied that the proposal the subject of this appeal is acceptable in respect of impacts on local character and residential amenity, but not in respect of flood risk.
4. The appeal property is located within a critical drainage area, in Flood Zone 3a. A flood risk assessment submitted by the appellants confirms this.

Main Issue

5. The main issue in this case is whether the proposal has satisfactorily addressed the issue of flood risk.

Reasons

6. The appeal property is a two storey semi-detached dwelling with a single storey outbuilding to the rear. The dwelling is set back from the road behind a front garden and driveway and has a long garden to the rear.

¹ Ref: P/3713/21/PRIOR.

² Ref: P/4500/21/PRIOR.

7. The surrounding area is residential and is characterised by the presence of two storey detached and semi-detached dwellings set back from the road behind gardens and/or parking areas and with longer gardens to the rear. During my site visit, I observed the area to appear green and spacious due in part to the presence of trees, hedgerows, gardens and grass verges.
8. As noted above, the proposed development is located in a critical drainage area. Whilst I note that the appellants consider the risk of flooding to be very low, Policy DM9 of the Development Management Plan (DMP) 2013 states that proposals requiring a flood risk assessment must demonstrate that the development will be resilient to all relevant sources of flooding including surface water. The policy goes on to note that proposals which fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.
9. The proposal would result in an increased development footprint and consequently, it would present an increased risk of flooding within an area at the highest risk of flooding. However, whilst I have considered the flood risk assessment submitted in support of the proposal, it is not apparent to me, due to the absence of clear and relevant detailed information in respect of compensatory flood storage measures, how the proposed development meets the requirements of the DMP.
10. Consequently, given the limited evidence before me, I am unable to conclude that the proposal satisfactorily addresses flood risk and find it contrary to the National Planning Policy Framework; to London Plan (2021) Policies SI12 and SI13; and to DMP Policies DM9 and DM10, which together amongst other things, seek to prevent development from exacerbating flood risk.

Conclusion

11. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR