



Appeal Decision

Site visit made on 7 December 2022

by A Edgington BSc (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 29 December 2022

Appeal Ref: APP/N5090/W/22/3296889

Fir Island, The Ridgeway, London, NW7 1AX

- 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 Boys & Girls Nursery Ltd against the decision of London Borough of Barnet.
 - The application Ref 21/5821/FUL, dated 1 November 2021, was refused by notice dated 16 March 2022.
 - The development proposed is Change of use of, and alterations to, the existing building including a two storey side extension to provide a children's day nursery (Use Class E) with associated changes to hard and soft landscaping. Provision of off-street parking, refuse storage and cycle parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's statement notes that the proposed contributions towards travel plan monitoring, parking restrictions and off-site highways works would provide acceptable mitigation for the development's impact on the highway network and pedestrian safety. As such, the Council has rescinded its concern in this regard since the application was determined. Nonetheless, there is a significant body of evidence from interested parties in respect of existing parking stress and traffic congestion, with a concern that this would be exacerbated by the development. Having reviewed the evidence I have concluded that highway congestion and parking demand merit consideration as a main issue. I am able to determine the appeal as if the application had been made to me in the first instance, and as the representations were lodged at application and appeal stages, I see no reason why the appellant should be prejudiced in this regard.
3. The description of development was changed by agreement between the parties.

Main Issues

4. The main issues are:
 - Whether the development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - The effect of the development on the openness of the Green Belt;

- Whether the development would preserve or enhance the character or appearance of the Mill Hill Conservation Area (CA), including the loss of protected trees, and the effect of the development on the non-designated heritage asset (NDHA) known as Fir Island;
- The effect of the development on highway operations, safety and parking stress;
- Whether the development would accord with local policies with regard to the availability of residential accommodation; and,
- Whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Green Belt and Openness

Inappropriateness

5. The appeal site lies within the Green Belt. The Framework states that inappropriate development is by definition harmful to the Green Belt. However, the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building, is set out in Paragraph 149 of the Framework as an exception.
6. Policy DM15 of the Development Management Policies (DM) is slightly more restrictive than the Framework, as it adds the caveat that extensions will only be acceptable where they do not also result in an over-intensification of the use of the site. As such, and in accordance with Paragraph 213 of the Framework, which states that the weight to be given to policies which pre-date the Framework are to be given weight according to their consistency with the Framework, this policy carries less than full weight in this regard.
7. Residential Design Guidance 2016 (SPD) sets out that the Council considers extensions of up to around 25 per cent in volume to be proportionate additions to dwellings in the Green Belt. Demolitions can be included if they are an integral part of the building. I acknowledge that the SPD is concerned with residential development. Nonetheless, it is an indication of what the Council might consider to be an acceptable level of extension in the Green Belt. I see no reason to disagree with the Council's recommendation of 25 per cent for consideration of the proportionality of additions.
8. The appeal statement sets out that the building's footprint would increase by 36 per cent and its volume by 39 per cent. These figures are disputed by the Council. Moreover, in both cases, the demolition of an attached side block to the host dwelling and a detached garage is taken into account. I agree with the Council that the detached garage is not an integral part of the building, and in any case it does not appear on the maps until after 1935. Nonetheless, even using the appellant's figures and irrespective of whether the increase in volume or footprint is taken into account, the extension would be well in excess of 25 per cent.
9. Moreover, the extension would present as a large box with flat elevations attached to the side of Fir Island. It would appear to be as long as the original

front elevation of the host building and would be as deep. The extension's massing and bulk would appear neither subservient nor in keeping with the articulation and proportions of the host building. I conclude that the extension would appear disproportionately large.

10. I recognise that the Framework does not set out any definitions of disproportionality but where councils set out their own guidance, it is incumbent upon the decision maker to give those guidelines appropriate weight. I also acknowledge that the SPD indicates that extensions of more than 25 per cent might produce a better design solution. However, that is not the case here for the reasons set out in this decision.
11. As such, both visually and mathematically, the extension would be a disproportionate addition over and above the size of the original building and in that regard, it would be inappropriate development. Whilst I acknowledge that there is major flatted development within the Green Belt on a nearby site, this does not alter my reasoning. The development does not meet the criteria for exceptions set out in the Framework. Paragraph 147 of the Framework states that inappropriate development is by definition harmful, and any harm to the Green Belt carries substantial weight.

Openness

12. One of the purposes of the Green Belt set out in Paragraph 138 of the Framework is to assist in safeguarding the countryside from encroachment. When considering the impact of development on the Green Belt, openness is generally considered to mean the lack of development or activity.
13. In this case the two-storey extension would be bulky and disproportionately large compared to the host building, and would intrude into the site to the north of the host building.
14. Moreover, the premises would provide daily childcare for up to 100 children, requiring around 38 staff members. There would be a significant uplift in activity associated with the use of the site, including the comings and goings of staff and the centre's clients, play activity and paraphernalia in the grounds, including parking areas for buggies and cycles, and a car parking area. That activity would be very much in excess of that generated by the existing six self-contained flats, and would therefore also contribute to a loss of openness.
15. The site is fairly well screened on all boundaries by mature vegetation. Nonetheless, case law¹ has determined that openness has a spatial and visual aspect and that the absence of visual intrusion does not necessarily mean that there is no impact on the openness of the Green Belt.
16. Furthermore, the proposed use of the rear garden for play is very likely to require works to reduce the extent or raise the canopies of, existing trees, which is discussed further below. Moreover, two trees on the site's frontage would be removed to accommodate a new vehicular entrance. It seems very likely that the extent and spread of the existing mature vegetation would need to be reduced. There would be more direct views into the site as a consequence of altering the access and removing those trees. I conclude that there would be a loss of openness and I give this harm moderate weight.

¹ ¹ Lee Valley Regional Park Authority, R (on the application of) V Epping Forest District Council & Anor (Rev 1) [2016] EWCA Civ 404

17. There would therefore be harm arising from inappropriateness and loss of openness, which would be contrary to the Framework, and which are to be given substantial and moderate weight respectively. The proposals would also conflict with Policy CS7 of the Core Strategy (CS) which is concerned with the protection of the Green Belt, and CS Policy CS1 which identifies Mill Hill as a future growth area, but also expects that Green Belt land will continue to be protected as set out in CS Policy CS5. There would be conflict with Policy DM01 of the Development Management Plan (DM) which requires development to safeguard the character and amenity of the Council's area, and DM Policy DM15 which requires proposals to conform to the Framework with regard to development in the Green Belt. In addition, the proposals would be contrary to Policy G2 of the London Plan (LP) which requires the Green Belt to be protected from inappropriate development. The Council has also cited CS Policy CSNPPF. This reinforces the guidance set out in the Framework.

Conservation Area and NDHA

18. The CA is a large designation centred on the historic road, The Ridgeway. The route of The Ridgeway reflects the early development pattern of locating settlement on elevated ground to avoid the poorly drained valleys. Institutional buildings and dwellings line The Ridgeway in an inconsistent building pattern and there are long views over open countryside and the Green Belt to the east and west. The CA is particularly notable for the presence of mature vegetation and large period dwellings set in generous plots, and a pleasing mix of architectural style and period. The CA appraisal states that *The Ridgeway is a green, open and spacious main road which curves gently through lush surroundings*. I see no reason to disagree with this description in the vicinity of the appeal site.
19. A very large flatted development is under construction near the appeal site on what appears to have been the site of the former Medical Research Centre (MRC). Nonetheless, the CA, particularly in the vicinity of the appeal site has a pleasant semi-rural character arising from the mature vegetation, the loose and generous building pattern, the fairly narrow roads and the quality and mix of grand and rather more domestic buildings. A very large proportion of the period buildings are designated or non-designated heritage assets.
20. The significance of the CA is derived from the attractive combination of a semi-rural setting, the underlying topography and proximity of open countryside, and the quality and diversity of the building pattern. This reflects the area's development from an agrarian economy to a sought-after location on the rural fringes of London.

Fir Island

21. Fir Island is a two storey largely rectangular red brick building with attic and basement, decorative stone lintels, cills and string courses, with a projecting arched stone entrance porch with balcony, pilasters framing each window and balustrading on the parapet. It was built in the early 20th century, and sits on a large residential island plot opposite the notably similar Oakfields House. Fir Island remained in residential use until sold to the MRC just before the Second World war, and is now used for short-term accommodation.
22. In design terms Fir Island appears as a respectable and solid family dwelling of some size, likely reflecting the social aspirations of its first owner. Although

the heritage statement describes Fir Island as *clumsy and blocky*, it is reflective of its period, has a distinct visual and typological consistency with Oakfields House and occupies a prominent position on The Ridgeway. It is distinctive and not unattractive.

23. Moreover, Oakfields House and Fir Island are strikingly similar in their design, articulation, materials and detailing, particularly with regard to the corner turrets with the slate covered faceted spires. Indeed, the proportions, projecting porches, stone window surrounds and pilasters, parapet balustrading and corner turrets appear to be identical.
24. Oakfields House has a larger footprint than Fir Island, but even if they were not designed or built by the same person, there is clearly a very strong similarity between the buildings. The heritage statement indicates that Oakfields House, which is also locally listed, is mentioned in Pevsner². In my experience Pevsner recorded details of buildings of architectural importance. The design consistency between Oakfields House and Fir Island suggests that if Oakfields House was considered to be of interest, then Fir Island might also be of architectural interest. The appellant may disagree that Fir Island merits inclusion in the Council's list of non-designated heritage assets but nevertheless, it is on that list, as is Oakfields House.
25. I conclude that the significance of Fir Island lies in its largely intact external envelope, its size and location within the spacious island plot, and its spatial relationship with the underlying building and road pattern, including Oakfields House.
26. The proposals would add a simple flat-roofed box-like extension of contemporary design to the side of the host building. It would effectively double the length of Fir Island's front and rear elevations and would be as deep as the host building. The extension would have a flat-faced elevations, with black weatherboarding and sections of full height glazing. The front and rear elevations would not be set back, and the bulk of the extension would not appear subservient in any way. The extension would appear wholly unrelated to Fir Island in design terms, other than the height of the flat roof would correspond with the base of the parapet balustrade, and the top of the ground floor would align more or less with the string course between ground and first floors on the host building.
27. Moreover, the contrast between the stolid detailing and proportions of the host building would appear very incongruous against the bold and minimalist detailing of the extension. The window openings in particular would be disproportionately scaled compared to the fenestration of Fir Island, and the extension would intrude into the generous plot. Whilst I acknowledge that the flattened development of the MRC site has a distinctive contemporary appearance, there is sufficient separation between it and the older building pattern to provide spatial buffers.
28. The extension would also require the removal of the narrow stair block which is set back from both the front and rear elevations. This was clearly built as an integral part of the original dwelling as the stone ornamentation continues seamlessly around its perimeter, and the arched stonework of the upper

² Reference in Heritage Statement: B. Cherry and N. Pevsner, *The Buildings of England*, London 4: North, 1998

window mirrors the form of the entrance porch. The stair block's removal would detract from appreciation of the host building's original form.

Trees

29. The site's trees are protected by an Area Order³ dating from 1957. Two specimens along the site's frontage would be removed to accommodate the new vehicular entrance. Both trees are prominent in the street scene and effectively screen Fir Island from view, particularly from the junction of Burtonhole Lane and The Ridgeway. They make a positive contribution to the verdant nature and visual amenity of the CA, as well as contributing to the diversity and spread of mature tree cover on the appeal site.
30. The tree survey categorises both trees as 'C' but given their contribution to the local landscape a higher categorisation could be appropriate, as set out in Table 1 of BS 5837. Their removal would be detrimental to the street scene and therefore to the CA.
31. Moreover, I agree with interested parties that there is a lack of clarity regarding the proposed use of Fir Island's rear garden and the likely effect of the proposals on the existing mature vegetation. The canopies of the existing trees are fairly low and extend across much of the site. Although I visited in the winter months, the site was heavily shaded. When the sun is higher in the sky, the deciduous trees would be in leaf, and the site would remain heavily shaded for much of the day. This could be seen as having a negative impact on the play areas.
32. Moreover, there are two notable oaks, both categorised as 'B' amongst the tree cover in the rear garden. For the reasons set out above, it seems highly likely that there would be pressure to lift canopies or remove more specimens. In any case, the area of amenity space appears limited for a centre catering for 100 pre-school children and the indicative plans, with no formal pathways linking play areas, seem highly impractical. Hardstanding could be required by a landscape plan and condition, but I am not satisfied that an amenity area for so many children would not have an adverse impact on other trees on the site and by implication on the character and appearance of the CA, and the setting of Fir Island. Concerns were raised in this regard by the Council's Environmental Health Officer who suggested that a reduction in the numbers of children would be advisable given the lack of available play space. This reinforces my concerns regarding future pressure on the existing tree cover. Moreover, the intensified use of the site would limit the extent to which a requirement to plant tree replacements would be practical.
33. As such, on the basis of what is before me, I conclude that the proposals would be detrimental to the CA.
34. The extension would diminish Fir Island's appreciation as a detached dwelling of substance formerly located between the building pattern of Mill Hill and open countryside. It would be incongruous, and remove an integral part of the NDHA, as well as trees which also contribute to the CA. The development would therefore fail to preserve or enhance the character or appearance of the CA and amount to less than substantial harm in relation to the CA and the NDHA. Although the courts have found there is no requirement to quantify less

³ TRE/HE/3

than substantial harm, I give moderate weight to the overall harm in this regard.

35. There would therefore be conflict with Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 (the Act) and Section 16 of the Framework. There would also be conflict with the design aims of LP Policy D3, LP Policy HC1 and CS Policy CS5 which taken together are concerned with the safeguarding of heritage assets, as well as DM Policy DM01 as set out above. The proposals would be contrary to DM Policy DM06, which is concerned with heritage assets and which specifically requires the retention of locally listed buildings, or NDHAs. Furthermore, the proposals would be contrary to the guidelines set out in the adopted CA Appraisal which requires the Council to protect NDHAs from inappropriate development and to ensure sensitive control of the re-use of buildings and sites as required to safeguard the character of conservation areas.
36. There would also be conflict with LP Policy G7 which requires development to retain trees of value and to ensure replacements where removal is necessary to accommodate development, as well as CS Policy CSNPPF which reinforces the Framework.

Heritage balance

37. Paragraph 202 of the Framework states that where there is less than substantial harm, the harm to heritage assets is to be weighed against public benefits and consideration of a building's optimum viable use.
38. The appeal statement notes that the current accommodation within Fir Island is undersized, of poor quality and damp. However, the principal repairs set out in the structural survey⁴ would need to be carried out whatever Fir Island's future use. The damp appears to be caused by poor thermal insulation and defective rainwater goods, and although the finishes are described as tired, the survey notes only that the building would benefit from refurbishment.
39. In addition, although the floor plans suggest that there has been some sub-division of the original plan form, there is nothing before me to indicate that this would preclude future residential use that could conform to space standards. Indeed, the proposed conversion of the building to a childcare centre indicates that the building is worth renovating. As such, there is nothing before me that provides compelling evidence that Fir Island could not continue in residential use or that its incorporation into a larger childcare complex is its only optimal viable use.
40. Whilst I appreciate that the proposals would have local benefits in terms of childcare places, local employment and a contribution to the local economy, I am not satisfied that these benefits would outweigh the harm to the CA and NDHA.
41. With regard to the potential ecological benefits, although a landscape scheme could be implemented through the imposition of a condition, it is difficult to reconcile any meaningful contribution to biodiversity with the need to provide parking and play facilities for up to 100 pre-school children on a site surrounded by what at peak times at least, are very busy roads.

⁴ Knight Frank

42. I conclude that the limited benefits arising from the development would not outweigh the harm to the CA, including the loss of protected trees, and the NDHA.

Highway operations, safety and parking stress

43. I visited the site mid-morning but noticed congestion on The Ridgeway adjacent to the site, involving a bus and a skip lorry, and arising from the inability of two running lanes of traffic to pass alongside the line of parked cars. This required the skip lorry to have to reverse along The Ridgeway which delayed traffic travelling in both directions. I also noticed, separately, similar disruption outside St Vincent's School, a short distance away where again, a long line of parked cars on one side of the road prevented the passage of two running lanes of traffic. Traffic flows at my visit were relatively light compared to other parts of London, particularly compared to what I noticed at Mill Hill Broadway.
44. Nonetheless, on the basis of my observations and evidence from interested parties, I conclude that it seems highly likely that there is already severe congestion at peak periods in the vicinity of the site. Although there is a transport report⁵, it does not provide any indication of baseline traffic flow to counter the arguments advanced from third parties in respect of congestion.
45. The transport survey has used TRICS⁶ data to model proposed traffic generation. The modelling with regard to journeys is based on data collected between 2010 and 2017, and in areas with PTAL ratings that might be as high as 2. The site area is categorised as 1b PTAL. The data is therefore out of date and might include childcare centres with greater connectivity to public transport than would be the case here. As such, I give the modelling less than full weight.
46. Even if the modelling data is accurate, it estimates 252 trips per day would be generated. The modelling identifies the hour between 0800–0900 hrs as generating the most journeys. The transport survey sets out that most people using the site will use public transport but there is no base data to back up this statement, particularly as the TRICS data is not directly comparable.
47. Moreover, having travelled by public transport via both Mill Hill Broadway and Mill Hill East for the site visit, I concluded that walking from Mill Hill East station would be unrealistic for most people with young children and babies given the steep and steady incline. Although there is a bus that links Mill Hill Broadway and Mill Hill East stations and passes the site, there is very limited space on the bus for buggies. Such space as there is, would in any case be competing with wheelchairs and mobility aids for that space. This service runs about every 15-20 minutes and given the very limited space for buggies, there would be very limited capacity for the transport of the numbers of children proposed here. There might also be passengers with buggies travelling to other schools or childcare centres in and around Mill Hill, which would further reduce capacity.
48. As such, I find the presumption that most people would travel by public transport, or walk, cycle or scoot, with pre-school children including babies, on very busy roads and probably at peak times, to be highly unlikely. I conclude

⁵Transport Planning Associates, Transport Statement, October 2021

⁶ Trip Rate Information Computer System

that a significant proportion of parents or carers would wish to drop off and collect children by car. Given that I find the presumption in favour of public transport to be unrealistic, it seems highly that the increase in traffic associated with the proposed movement of staff and parents or carers, would be greater than modelled and would aggravate underlying congestion in morning peak hours in particular, to a significant extent. Nor can it be presumed that the customer base would necessarily be based in the new housing developments and be able to walk to the site.

49. I appreciate that a S106 agreement could require a travel plan to promote walking, cycling and scooting. However, young children in transit are particularly vulnerable. Whilst a travel plan might promote more sustainable modes of travel, those modes would not be mandatory. It seems unlikely that the take-up of alternative modes would have a significant impact on travel to the site, particularly as travel would be needed at peak hours, in bad weather and in the dark. I am therefore unable to conclude that a travel plan would significantly reduce the number of private car journeys generated by the development.
50. The transport report presumes that around half the centre's staff will use private transport to get to work and this is broadly in line with the officer's report. This would result in a need for around 18-19 parking spaces. However, only eight parking spaces will be provided and although there is some lack of consistency in the evidence, it seems that only one disabled space will be available for all-day staff use. Centre staff will be expected to find off-street parking.
51. The parking and waiting restrictions I noticed at my visit appeared to be more restrictive than those shown in the transport report. This concurs with information received at appeal from interested parties. It appears that the parking beat survey pre-dates these changes. I also noticed that there was no on-street parking availability between St Vincent's school and the start of the permit parking on Bittacy Hill, to the south of the appeal site at my visit.
52. My observations conflict with the results of the parking beat survey. Nonetheless, given the current restrictions, I have concluded that there is less available parking now than at the time of that survey, and that an additional 18-19 cars seeking a parking space would significantly increase local parking stress. Moreover, the existing parking availability leads to significant congestion, even at off-peak times due to the restricted width of running lanes alongside parked cars on some sections of road near the site.
53. The Council has agreed that a contribution to further parking restrictions would mitigate the additional parking stress. However, additional parking restrictions near the site this would apply to everybody wanting to park in the area, including residents and their visitors, as well as the staff and customers of the nursery. This would exacerbate parking stress. My observations lead me to conclude that there is already severe parking stress, and additional parking restrictions would not mitigate the effects of parking stress caused by staff members. In fact, it seems unrealistic to expect the existing on-street parking availability to accommodate the centre's staff members without knock-on effects on other local people or visitors wishing to park in the area.
54. The transport survey appears to presume that parents dropping children off will arrive at regular intervals, allotting a typical dwell time of 8 minutes for a

vehicle to enter the site, drop children off, and then turn the car and leave the car park. This is the basis of the argument that the car park with dedicated spaces for customers would be sufficient to accommodate the projected trip generation.

55. Even if parents were agreeable to arriving at staggered times between 0800–0900 hrs, which in itself seems highly unlikely for a childcare centre that opens at 0800 hrs, arrival times would be affected by local traffic conditions. It would be near impossible to ensure that vehicles arrive at precise and timed intervals.
56. Moreover, the car park is very limited in size and lacks a hammerhead to facilitate turning. It seems very likely that at peak times there will be delays whilst vehicles park to drop off or pick up children, and then have to turn and manoeuvre before other vehicles can enter the car park. This would lead to conflict between vehicles parking and turning, and those waiting to enter the site. The only space available for vehicles to wait for cars to unload, turn and leave, would be on Burtonhole Road. Given the very short distance between the entrance to the car park and the junction with The Ridgeway, it seems highly likely that there would be backing up on The Ridgeway, which as noted above, has only one running lane. This would lead to further congestion, particularly at peak hours. There is nothing in the evidence before me to lead me to conclude other than that there would be severe operational congestion in the area arising from the proposals.
57. Furthermore, the highway authority sets out in its advice for a previous application that drop-offs would take 10-15 minutes. This up to twice as much as the timings presumed in the transport report and reinforces my conclusions that the assumptions made in the transport report are unrealistic.
58. It is unclear to me why the highways authority has concluded that the provision of a pedestrian road crossing, a new footway, a loading bay of limited length and dropped kerbs and tactile paving near the site would mitigate the likely and aggravated congestion arising from the development. As such, although there is a signed S106 agreement before me, I am unable to conclude that these works would fully mitigate the effects of the development with regard to congestion, safety and parking stress.
59. There would therefore be an adverse effect on highways operations, safety and parking stress with severe cumulative effects. This would be contrary to Paragraph 110d) of the Framework which sets out that significant impacts from development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. This is supported by Paragraph 111 of the Framework which states that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or that the residual cumulative impacts on the road network would be severe. There would also be conflict with CS Policies CS9 and CS15, DM Policy DM17, and LP Policy T6 insofar as these are concerned with the effective operation of the transport infrastructure, highway safety and parking provision.

Availability of residential accommodation

60. Policy DM07 sets out that the loss of residential accommodation is not permitted unless it is replaced by a local facility, is not detrimental to

residential amenity, that the need can be demonstrated and that the demand cannot adequately be met elsewhere. The supporting text notes that any proposal should be on a small scale and will be considered on its merits having regard to the impact on nearby residents, car parking and traffic.

61. The Council's early years team gives qualified support to the development, and notes that the support would be based on the centre providing an appropriate level of two-year places and 30 hours free entitlements. There is nothing before me to indicate that the centre could not meet the Council's expectations in this regard.
62. There is some ambiguity in the Council's position as the Council's recent report on local childcare provision notes that there is no local insufficiency. Moreover, interested parties have highlighted that there is current availability locally and I noticed advertising to that effect at my visit⁷. However, not all local centres are open out of term time, and there is nothing before me to explain why the take-up of early years childcare provision in Barnet should be significantly less than the national average. Furthermore, the selection of childcare provision is based on qualitative choices and even if the demand for places was shown to be equal to local availability, I acknowledge that additional provision would provide public benefits as there would be additional choice.
63. However, there is nothing before me to indicate that new local provision should have a minimum threshold of 100 places. As such, the arguments that there are no other suitable sites carry reduced weight. Nonetheless, I give moderate weight to the argument that additional provision would have public benefit.
64. The appeal statement notes that the nearby redevelopment has resulted in low residential quality at Fir Island. However, notwithstanding that the existing flats provide now redundant accommodation for a local institution, and that the units fall below national space standards, there is nothing before me to suggest that the quality of the accommodation could not be improved. Moreover, although I appreciate that Fir Island may currently be in a poor state of repair, the repairs identified in the survey would need to be carried out whatever its future use.
65. The noise assessment focusses on the impact of ambient noise on the development and whether noise mitigation would be required for that use. There is no measurement or indication of the likely noise emanating from children playing outside, or the noise and disturbance likely to arise from additional traffic movements and the increased congestion identified above. As such, in this regard I give the noise assessment no weight.
66. I conclude that even if I give significant weight to the need for a new childcare centre, and the local support set out in the evidence, this would not outweigh the harm likely to be experienced by residents with regard to amenity, car parking and traffic. As such the proposals would not accord with local policies with regard to the availability of residential accommodation, contrary to DM Policy DM07. There would also be conflict with Paragraph 130f) of the Framework which requires development to provide a high standard of amenity for existing and future users.

⁷ Belmont Farm

Other considerations

67. I acknowledge the considerable benefits arising from what would be essentially a purpose built and modern childcare facility, particularly in an area undergoing significant growth, and the degree of support. Nonetheless, in addition to the significant harm identified in respect of the Green Belt, openness and heritage assets, I have concluded that the benefits arising from the centre would not be sufficient to outweigh the harm arising from the loss of existing residential accommodation, highways congestion and parking stress, and residential amenity.

Other Matters

68. The appellant has highlighted previous appeal statements where extensions were allowed. In the case of Bluebell Cemetery, the development plan did not define disproportionate, and the extension increased the floor area of a chapel by around one third. The Inspector concluded that in the context of the original building the extension would not be overly large and nor would it be a bulky addition. In the case before me, the extension would be both overly large and a bulky addition.
69. At Spring Bank, the Inspector concluded that the extensions would result in a 51 per cent increase in floor space, which was close enough to the Council's guidance of 50 per cent to be deemed acceptable. At Vicarage Hill, the extension was to be of a domestic scale and design and would replace earlier additions. The Inspector concluded that the extensions would not constitute disproportionate additions. At Deepdene Lodge the Inspector concluded that the Council had misapplied the openness test and the development fell within the Council's guidelines. At Coombe Hay, the extension was considered in its context rather than the mathematical increase in volume.
70. These appeal decisions are all in different council areas with different guidance, if any. Moreover, whilst each decision demonstrates that varying degrees of weight have been given to material considerations, each appeal is determined on its merits. None of these examples is directly comparable to what is before me, and the reasons given by the inspectors differ from my reasoning, or are supported by local guidance. Consequently, these examples weigh neither for nor against this appeal.

Planning Balance and Conclusion

71. Notwithstanding the benefits identified by the appellant, which I acknowledge, those benefits do not outweigh the harm identified. Even if I gave great weight to the benefits arising from a new childcare centre it would not be sufficient to outweigh the cumulative harm identified with regard to the Green Belt, heritage assets, highways operations, safety and parking stress, and the loss of residential accommodation. As such, other considerations amounting to very special circumstances sufficient to outweigh the harm to the Green Belt do not exist.

Conclusion

72. The proposals would conflict with the Act, the guidance in the Framework, relevant policies of the local development plan and the London Plan and there are no material considerations of such weight to lead me to conclude otherwise. The appeal is dismissed.

A Edgington

INSPECTOR