



Appeal Decision

Site visit made on 14 June 2023

by K L Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 August 2023

Appeal Ref: APP/M5450/D/22/3313254

North Lodge, Brookshill, Harrow Weald, Harrow HA3 6RT

- 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 Sunil Nayar against the decision of the Council of the London Borough of Harrow.
- The application Ref P/2880/22, dated 5 August 2022, was refused by notice dated 7 October 2022.
- The development proposed is the demolition of existing side/rear kitchen extension; erection of replacement side/rear single storey extension, accessibility ramp and associated works.

Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing side/rear kitchen extension; erection of replacement side/rear single storey extension, accessibility ramp and associated works at North Lodge, Harrow Weald, Harrow HA3 6RT in accordance with the terms of the application, Ref P/2880/22, dated 5 August 2022, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; NL PA03 EX 01 Existing Ground Floor Plan; NL PA03 EX 1.1 Existing Front / Rear Elevations; NL PA03 EX 1.2 Existing Side Elevations; NL PA03 EX 01 Existing Roof Plan; NL PA03 GA01 Proposed Ground Floor Plan; NL PA03 GA 1.1 Proposed Front / Rear Elevations; NL PA03 GA 1.2 Proposed Side Elevations; NL PA03 GA 02 Proposed Roof Plan.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Applications for costs

2. An application for costs has been made by Mr Sunil Nayar against the London Borough of Harrow. This is the subject of a separate Decision.

Main Issues

3. The main issues are:
 - Whether or not the proposed development would amount to inappropriate development in the Green Belt having regard to the

National Planning Policy Framework (the Framework) and any other relevant planning policies; and

- The effect of the proposed development on the character and appearance of the appeal property (non-designated heritage asset), the setting of nearby listed buildings, locally listed Park and Garden and the Harrow Weald Park Conservation Area.

Reasons

Whether Inappropriate Development

4. The appeal site lies within the Green Belt. Harrow's Core Strategy 2012 (Core Strategy) Policy CS1(F) and Policy DM16 of the Harrow's Development Management Policies 2013 (DMP) set out the Council's approach to development in the Green Belt which is consistent with that of the Framework.
5. These policies states that the Council will resist inappropriate development (as defined by the Framework) unless very special circumstances can be demonstrated. Paragraph 149, of the Framework, establishes that buildings in the Green Belt would be inappropriate unless they would meet a listed exception. Paragraph 149(c) explains that the extension or alteration of a building would not be inappropriate provided that it would not result in a disproportionate addition over and above the size of the original dwelling.
6. The Framework does not define 'disproportionate'. Nor do the development plan policies cited above. As such, consideration of proportionality is a matter of planning judgement taking into account a range of factors including height, floorspace, volume, design and the configuration of the plot, dwelling and proposal.
7. The host dwelling is a detached stone-built lodge house, situated on Brookshill. The plot is enclosed primarily by high hedges on all sides. It is located adjacent to Harrow Weald Park and the listed gate piers at the park's entrance and is viewed against a backdrop of mature trees.
8. The proposed extension would be located to the rear of the property and would replace an existing smaller timber-clad pitched roofed extension. It would be flat roofed, lower than the crenelated parapet which sits around the cruciform element of the building and would be built of stone to match the existing dwelling. The extension would represent an increase of between 39% (appellant) and 43% (Council) over the floorspace of the original dwelling.
9. The Council's officer report advocates that as a rule of thumb extensions of between 20% - 30% increase in footprint, floorspace and volume (my emphasis) are considered generally acceptable. However, this is an informal rule of thumb and is not set out in any of the Council's planning policies or guidance with which I have been provided. Furthermore, I have only been provided with floorspace and footprint figures and not volumetric figures by the Council. These differ from the calculations provided by the appellant in his planning statement provided to the Council at the time of the planning application, which also include a volumetric calculation.
10. Although the proposal would be materially larger than the existing extension, the proposal would represent a relatively modest addition to the living accommodation. The visual impact of the development on the host dwelling in

its context would be limited and even when compared with the existing extension would not, in visual terms, appear disproportionate to the size of the original building. Nor, in the absence of compelling development plan support would it be disproportionate in numerical terms whether measured by footprint, floorspace or volume.

11. Accordingly, I find that the proposal would not be inappropriate development in the Green Belt and would accord with Core Strategy Policy CS1(F) and DMP Policies DM1 and DM16 and Policy G2 of the London Plan and the provisions of the Framework.

Character and Appearance

12. The appeal site is located in the Harrow Weald Park Conservation Area (HWPCA). Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (the 1990 Act) requires that, in making decisions on planning applications and appeals within a Conservation Area, special attention is paid to the desirability of preserving or enhancing the character and appearance of the area. The appeal site is also in proximity to a pair of Grade II listed gate piers. Section 66(1) the 1990 Act states that in considering whether to grant planning permission for development which affects a listed building or its setting, that special regard is had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
13. The significance of the HWPCA is derived from the area's historical development associated with the Harrow Weald Park Estate (the Estate). The significance of the Grade II listed gate piers is derived from their location at the entrance to the Estate. They are separated from the appeal site by a high laurel hedge. The appeal dwelling is locally listed as a 19th century lodge house built in connection with the Estate which is of importance to the Borough. It is stone built in a cruciform plan with Gothic detailing.
14. The proposal would replace a smaller existing extension. It would be deeper and wider than the existing extension and would have a flat roof. Although the original cruciform floorplan form of the building would be lost, the current extension has already eroded that form. Furthermore, the proposal's flat roof would mean that the pitched cruciform roof plan would not be altered. Moreover, the proposal would remove elements of the existing extension which currently obscure parts of the cruciform roof and crenelations of the original building which would be a benefit of the proposal. Given the location of the proposal on the rear of the property and its flat roofed design it would appear subservient to the main dwelling and as a result, it would not appear excessively bulky or overly large in its context.
15. Although the proposed extension would be closer to the boundary than the original house and the current extension, the proposal would be set back from and clearly separated from the gate piers and would not affect their significance. Furthermore, there would be limited visibility of the proposal from Brookshill. The proposed extension would be constructed of matching materials, with window openings to the rear. Consequently, it would not result in a significant change to the character of the dwelling from this viewpoint.
16. There is concern that the boundary hedge along the southern boundary of the site may not be a permanent feature. However, I have no evidence before me that it is in poor health nor is it under threat of removal. Furthermore, I

observed a high close boarded fence behind the hedge providing a further permanent visual barrier between the appeal property and the listed gates.

17. Given that the appeal property's operational association with the Estate has long since been lost, the significance of the dwelling within the HWPCA would not be diminished as a result of the proposal. As the proposal would be visible from very few vantage points from within the HWPCA, the proposal would result in a neutral effect on its character and appearance.
18. Given the scale and siting of the proposal, I am satisfied from all I have seen and read that it would have a neutral impact on the significance of these heritage assets. Accordingly, it would meet the requirements of S66 (1) and S72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which require me to pay special attention to the desirability of preserving the character or appearance of the conservation area and preserving the listed building and its setting.
19. I therefore conclude that the proposal would not appear incongruous or obtrusive in its context and would preserve or enhance the character or appearance of the HWPCA and the setting of the Grade II listed gate piers, and the significance of the locally listed building. Consequently, the proposal would accord with Core Strategy Policy CS1(B and D), DMP Policies DM1 and DM7 and London Plan Policy D3. In combination, these seek to protect, conserve and where appropriate enhance the significance of these designate and non-designated heritage asserts. The proposal would also meet the Framework's aim to conserve and enhance the historic environment. There would also be no conflict with the Council's Residential Design Guide Supplementary Planning Document.

Conditions

20. I have had regard to the Council's suggested conditions, in the event of the appeal being allowed, in the light of advice in the Planning Practice Guidance (PPG) and I have considered them against the six tests, as outlined within the Framework and the PPG. In the interests of proper planning and to provide certainty I have recommended the standard time limit condition and specified that the development should be carried out in accordance with the approved plans. In order to protect the character and appearance of the conservation area, a condition requiring that matching materials are used in the development is necessary.

Conclusion

21. The Framework indicates that inappropriate development is, by definition harmful to the Green Belt. I have identified that the development would not be inappropriate development in the Green Belt and consequently no very special circumstances are necessary to justify a planning permission. Furthermore, I have found that there would be no harm to the heritage assets identified. Therefore, for the reasons set out above, having considered the development plan as a whole and all other matters raised, I conclude that the appeal should be allowed.

KL Robbie

INSPECTOR