



Appeal Decision

Site visit made on 16 July 2025

by A Hunter LLB (Hons) PG Dip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 August 2025

Appeal Ref: APP/M5450/W/25/3365176

16 Carmelite Walk, Harrow Weald, Harrow HA3 5NQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Usama Sharif against the decision of the Council of the London Borough of Harrow.
 - The application Ref is PL/2972/24.
 - The development proposed is described as “demolition of existing 2 storey side extension and erection for new to provide a new dwelling house.”
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has referred to policies within its emerging plan on its notice of decision. The information before me indicates that the Draft Harrow Local Plan 2021-2041 (DHLP) is at Regulation 19 stage. Given that the DHLP is not the adopted development plan, and it is at an early stage, which is understood not to have been examined, and in view of the requirements of paragraph 49 of the National Planning Policy Framework, I attach limited weight to any relevant policies of the DHLP at this stage.

Main Issue

3. The main issue is flood risk.

Reasons

4. The appeal site includes an extended end terraced dwelling, together with its front, side and rear garden. Despite the appeal site being located within Flood Zone 1, representing the lowest risk of flooding from rivers and the sea, the Council has said it is located within an area with an increased surface water flood risk.
5. Paragraph 4.5 of the supporting text to Policy DM9 of the Harrow Development Management Policies Local Plan, dated July 2013 (DMP) says rainwater falling onto impermeable surfaces such as buildings and hard surfaces has traditionally been disposed of via Harrow’s surface water drainage network. However, with the incremental urbanisation of the Borough and finite drainage network capacity there has said to have been increasing incidence of surface water flooding in recent years. It adds that Harrow’s Surface Water Management Plan (2012) identifies 15 critical drainage areas susceptible to flooding from surface water and other sources. These critical drainage areas are shown on an accompanying plan within

the supporting information to DMP Policy DM9. It shows the appeal site to be within one of these critical drainage areas.

6. To try and counter this, the appellant has said the appeal site is located above the road level and the proposed dwelling would also be located at a higher level. The appellant has also submitted extracts of documents stating that the appeal site has no recognised increased risks of flooding. However, one of these documents is dated from 20 February 2017, and the others are undated. I therefore cannot be certain that they contain up-to-date and reliable information, nor do they contain any mapping of surface water flood risks at the appeal site. Against this background of information, I am not persuaded that the appeal site is not at a higher risk of flooding from surface water.
7. The National Planning Policy Framework at paragraph 181 says that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. It says within footnote 63 that this includes land that may be subject to sources of flooding (other than from rivers and the sea), where the proposed development would introduce a more vulnerable use. In addition, DMP Policy DM9 says development requiring a flood risk assessment must demonstrate that the development will be resistant and resilient to all relevant sources of flooding including surface water, and must contribute to flood risk management.
8. The proposed development would introduce a new dwelling onto part of the appeal site, making 2 no. dwellings in total. The removal of an existing extension to the host property and the creation of a new residential dwelling would create a more vulnerable use, with it being a new self-contained dwellinghouse. Moreover, Annex 3 of the Framework (flood risk vulnerability classifications) states that a building used for a dwellinghouse is classed as a 'More Vulnerable' use. Therefore, and in view of the above, a site-specific flood risk assessment would need to be provided at application stage to assess the flood risks arising from the proposed development.
9. The appellant's Flood Risk Assessment (FRA) has provided some details of flood resilience measures regarding the construction of the proposed dwelling. However, it has not taken into account the Council's reference to it being within a high-risk surface water drainage area, alongside what, if any, further mitigation would be required to address such risks. The Council has also said that the appellant should have sought agreement from Thames Water for the acceptance of the additional foul drainage, and provided other information, amongst which should have included cross-sections of the proposed ground surfacing materials. I see no reason to disagree, and this additional information is reasonably required to assess the flood risks arising from the proposed development.
10. Whilst the application form specifies that surface water is to drain via a soakaway, it is unclear how effective this would be, or how it could affect flood risk at, and beyond the appeal site. Furthermore, none of the additional information said to be required by the Council has been provided. Therefore, the FRA does not contain sufficient information to properly assess and manage surface water, along with any associated flood risks that could arise.

11. I therefore conclude that in the absence of a satisfactory site-specific flood risk assessment there is insufficient information to properly assess the flood risks of the proposed development, and there would be conflict with Policy SI 12 of The London Plan, The Spatial Development Strategy for Greater London, dated March 2021, Policy CS1.U of the Harrow Core Strategy, dated February 2012, DMP Policies DM9 and DM10, and DHLP Policy GR1, that collectively seek to reduce and mitigate flood risks and flood events, ensure new development is resilient to emergencies, and that flood risk assessments minimise the risk of flooding on site and elsewhere, and provide measures to control surface water run-off.

Other Matters

12. The appellant has said that the extension to the side of the appeal property is already being used unlawfully as a dwelling. Be that as it may, it does not alter my findings above. It is noted that the proposed development would not be harmful to the character and appearance of the area; it would provide adequate bin and cycle storage space; and that there has been no harm identified in terms of parking provision. However, these matters do not either individually or collectively outweigh the identified conflicts above.

Conclusion

13. I therefore conclude that the proposal conflicts with the development plan taken as a whole, and there are no other considerations, including those raised by the appellant and the Framework, which outweigh that conflict. For the reasons outlined above, the appeal should be dismissed.

A Hunter

INSPECTOR