

Appeal Decision

Site visit made on 20 December 2016

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28 December 2016

Appeal Ref: APP/M5450/W/16/3159300
87 Sandringham Crescent, Harrow HA2 9BP

- 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 Vijitha Vijayakumar against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/0865/16, dated 23 February 2016, was refused by notice dated 1 July 2016.
 - The development proposed is the conversion of existing house into two self-contained residential flat units comprising ground floor 2 bedroom 3 person flat & upper floors 1 bedroom 2 person maisonette flat.
-

Decision

1. The appeal is allowed and planning permission is granted for the conversion of existing house into two self-contained residential flat units comprising ground floor 2 bedroom 3 person flat & upper floors 1 bedroom 2 person maisonette flat at 87 Sandringham Crescent, Harrow HA2 9BP in accordance with the terms of the application, Ref P/0865/16, dated 23 February 2016, 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 plan: 15488/10 Revision B.
 - 3) Notwithstanding the details shown on the approved plan, the development hereby approved shall not be occupied until a scheme of hard and soft landscape works for the forecourt have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of boundary treatments, planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

The landscaping works shall be implemented in accordance with the approved scheme in the first planting and seeding seasons following the occupation of the flats, or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the Local Planning Authority agrees any variation in writing.
 - 4) The refuse bins shall be stored at all times, other than on collection days
-

in the designated refuse storage area shown on the approved drawing.

Procedural Matter

2. The appeal process should not usually be used to evolve a scheme and a fresh planning application should normally be made¹. An amended scheme has been submitted with a view to addressing some of the comments made by the Council. As plan Ref: 15488/10 Revision B seeks to respond to matters which are available in the public domain and on which residents have commented upon, I have considered this appeal on the basis of the amended scheme.

Main Issue

3. The main issues are the effect of the proposed development on (i) the character of the area; and (ii) the living conditions of the future occupants and nearby residents, with particular reference to the proposed parking arrangements.

Reasons

Character of the area

4. The appeal property is a two-storey end of terrace house found on a bend in Sandringham Crescent. The property has been extended at the rear. Locally, the area is largely dominated by single dwellings, with the remaining properties in Sandringham Crescent, equating to about 3.2%, used as a residential home for adults with learning disabilities, a care home (use class C2) and as flats. The proposal would, if successful, raise the number to about 4%.
5. Despite flats on Alexandra Avenue, I do not consider that the conversion of a single dwellinghouse into two self-contained flats would result in a change of character, given the vast majority of the properties in Sandringham Crescent would remain as single dwellings. Although concerns are raised regarding the social dynamic of the neighbourhood, there is no evidence to suggest that occupants of the flats would be undesirable, only stay for a short period of time or that they would not integrate into the community and look out for their neighbours in a similar way to existing residents.
6. I understand concern lies with a precedent being set. However, this appeal only relates to a single property and the overriding character of the area has, despite a handful of other uses, remained as an area characterised by single dwellinghouses. Should further applications be submitted, then they should, like this appeal, be considered on their own merits. I do not consider that a single property would result in a tangible difference to the character of the area and as such, I do not consider that this scheme sets a precedent.
7. The second aspect of this issue relates to a consequential alteration of the roof due to the internal ceiling heights not meeting the recommended standards contained in The London Plan. Policy 3.5 and table 3.3 of The London Plan reflect the minimum internal space standards in the Technical housing standards – nationally described space standard (THS) for new dwellings. While the THS sets a minimum floor to ceiling height of 2.3 metres for at least 75% of the Gross Internal Area (GIA), The London Plan specifically seeks a minimum floor to ceiling height of 2.5 metres for at least 75% of the GIA. This

¹ The Planning Inspectorate Procedural Guide, 5 August 2016, Annex M, Paragraphs M1.1 and M2.1

is to address the heat island effect of London and the density and flattened nature of most residential development. The proposal would offer floor to ceiling heights of 2.46 metres, 2.39 metres and 2.30 metres respectively.

8. As a consequence, the proposal would not strictly accord with The London Plan. However, while the explanatory notes set out that this higher figure is strongly encouraged, it is not a fundamental requirement that development proposals must satisfy. Whereas the proposal, in its amended form with its built-in storage spaces would satisfy the minimum requirements of the THS.
9. In any event, the disparity between The London Plan figure and each of the floors is not significant, with very minimal differences, especially for the ground and first floors. The aim behind the higher London Plan figure is to ensure that new housing is of adequate quality, especially in terms of light, ventilation and the sense of space. In this regard each room would be of a good size and be served by a window which would allow the living environment to be well lit, ventilated and spacious. While the appeal scheme does not propose any external alterations, I consider that it would be unnecessary to raise the roof height to facilitate higher floor to ceiling heights. Thus, the proposal would not harm the character of the area.
10. For these reasons, on this issue, while I have identified some conflict with Policy 3.5 and table 3.3 of The London Plan, I conclude that the proposal would comply with Policy DM1 of the Development Management Policies Local Plan (Local Plan), CS1 B of the Harrow Core Strategy, Policies 7.4B and 7.6B of The London Plan and the THS. These policies seek, amongst other things, a high standard of architectural design and layout that makes a positive contribution to the character of the area.

Living Conditions

11. Sandringham Crescent is well used for on-street parking. A number of properties also offer off-street parking as a result of front gardens being covered in hardstanding and crossovers installed. However not every property can rely upon off-street parking provision, including the adjoining three properties in the terrace who rely upon on-street parking if it is required. The site's location also means that occupants of the flats would be likely to travel by private vehicle rather than be able to rely upon public transport.
12. The proposal would provide one off-street parking space and three secure bicycle lockers. This represents a net gain compared to the existing situation. Still, the proposal entails the formation of two flats and the total occupation of the property could be five people. I understand there is a demand for on-street parking, but I am mindful that the property is already a five bedroom house which could support a similar number of occupants to the proposal.
13. While the reduction from two off-street parking spaces to one may lead to vehicles parking on-street, the Council's Supplementary Planning Document *Residential Design Guide* (SPD) sets out that in most cases there will only be sufficient space to satisfactorily accommodate a single car parking space on the forecourt. The SPD explains that regard does also need to be given to the design and layout of parking provision so that it does not dominate the site.
14. Despite nearby properties having larger areas of hardstanding, the proposed space would be of a suitable size for every potential user. It would also strike

a balance between providing off-street parking provision and ensuring it does not dominate the site by lining the flank boundaries with landscaping.

15. Although on-street parking near to the site is generally not restricted and it would continue to be well used, I do not consider that the proposal would lead to a greater demand than evident currently. Thus, the living conditions of residents, including the future occupants of the appeal scheme would not be adversely affected by the proposed parking arrangements which would be supported by three secure cycle parking bays. I therefore conclude, on this issue that the proposal would comply with Policy DM1 of the Local Plan, Policy 7.6B of The London Plan and the SPD. Together these policies, amongst other matters, seek to ensure development does not cause unacceptable harm to the living conditions of neighbouring residential occupants.

Other Matters

16. In my findings I have had regard to the current space standards rather than space standards originating from the 1950s and 1960s. Issues relating to the site's appearance appear to be temporary until the outcome of this appeal is known. As planning is concerned with land use in the public interest, property values is purely a private interest and has had no bearing on my decision. Finally, damage to the highway is a matter for the Council.

Conclusion

17. I have had regard, as directed by the Council, to the conditions in the officer report to committee. I have imposed a condition specifying the development permitted shall be carried out as per the approved plans in the interest of certainty. A condition is necessary requiring the submission of a hard and soft landscape scheme to ensure the development blends with the area's character and appearance. I have imposed a condition to ensure refuse and recycling bins are stored in the area identified in the interests of the environment and to allow a vehicle to park off the highway. I have not imposed a condition regarding accessible dwellings as this is covered by separate legislation.
18. For the reasons set out above, I conclude that the appeal should succeed.

Andrew McGlone

INSPECTOR