



## Appeal Decision

Site visit made on 19 October 2017

**by Graeme Robbie BA(Hons) BPI MRTPI**

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

**Decision date: 9 November 2017**

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**Appeal Ref: APP/M5450/W/17/3179145**

**188b Harrow View, Harrow HA1 4TN**

- 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 Sushil Kulkarni against the decision of the Council of the London Borough of Harrow.
  - The application Ref P/1337/17, dated 22 March 2017, was refused by notice dated 17 May 2017.
  - The development proposed is a ground floor rear extension and alterations.
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### Decision

1. The appeal is allowed and planning permission is granted for a ground floor rear extension and alterations at 188b Harrow View, Harrow HA1 4TN in accordance with the terms of the application, Ref P/1337/17, dated 22 March 2017, 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: 1437.1 Rev D; unnumbered floor plan with measurements and site location plan.
  - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

### Procedural Matters

2. Although the Council adopted a different development description in their formal decision, I am satisfied that the appellant's description, as originally set out in the application form and repeated in the banner heading above, provides a sufficiently accurate description of the proposal. I have determined the appeal accordingly.

### Main Issue

3. The main issue is the effect of the proposed development on the living conditions of future occupiers of the host property, with particular regard to internal living accommodation and outlook.

### Reasons

4. The appeal property is a ground floor flat, for which permission is sought for the construction of a single storey rear extension. The internal layout of the flat would also be remodelled as part of the proposals.

5. The Council refer to a previous application for planning permission<sup>1</sup> in which the existing bedroom was described as a double bedroom. However, based upon the information before me, the existing bedroom is described as being a single bedroom. The '*Technical housing standards – nationally described space standard*'<sup>2</sup> (THS) state that in order to provide two bedspaces a double bedroom (or twin bedroom) has to have a floor area of at least 11.5 square metres (sqm).
6. The existing bedroom is shown as having a floor area of 10.6sqm. The Council dispute this, citing a floor area in excess of 14sqm using the figures set out on the appellant's unnumbered floor plan with measurements. However, I note that those figures include parts of the adjoining bathroom and corridor, not to mention the existing shower room. The THS explicitly states that storage areas should be included as part of a bedroom's floor area, but does not make the same provision with regard to shower rooms.
7. The evidence before me does not therefore lead me to conclude that the existing bedroom is larger than the 10.6sqm shown on the submitted plans, or that it should be considered to be anything other than the single bedroom shown on those plans. The additional bedroom, located within the proposed extension, is described as a double bedroom, which the Council appear to accept. I have no reason to disagree and conclude that, as a consequence, the resulting ground floor flat would be appropriately and reasonably described as a two bedroom / three person (2b3p) flat, not the 2b4p flat that the Council claim.
8. The appellant's calculations regarding the resulting gross internal floor area (GIA) have not been challenged. At 61.1sqm the extended flat would exceed, albeit only marginally, the minimum GIA required of a flat of this nature by the THS. Thus, I am satisfied that the proposed extension would provide the extended ground floor flat with an adequate amount of internal living accommodation, having regard to the THS, the Council's '*Supplementary Planning Document: Residential Design Guide*' (SPD) and the provisions of policy DM1 of the Harrow Development Management Policies Local Plan (DMP).
9. The refusal reason also states that the proposal would result in a poor outlook from the lounge/kitchen/dining room area. Whilst I have noted the Council's dissection of the various elements of this room, it seems to me that this would be a reasonably generous open plan living area with a dual aspect outlook. The southwest facing elevation would feature fully glazed patio doors that would open out to the outdoor amenity space associated with the ground floor flat, whilst the existing side window would be brought within this open-plan room and provide a secondary source of light into the room.
10. I acknowledge that the lounge patio doors would be set within an elevation recessed approximately 1.15 metres behind the longer bedroom element of the proposed extension. I noted, too, the presence of trees to the rear of the property and the limited size of the side facing window. However, the side facing window would provide an additional source of light and outlook to supplement that from the glazed patio doors which provide an outlook towards the rear garden and its sylvan backdrop. I am satisfied therefore that, in this

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<sup>1</sup> P/4263/16

<sup>2</sup> Department for Communities and Local Government: March 2015

context, the proposal would provide a satisfactory quality, and quantity, of living accommodation.

11. Thus, for the reasons I have set out, I do not consider that the proposal would result in a cramped or poor standard of living accommodation, or one that would provide its occupants with a poor outlook. There would, therefore, be no conflict with London Plan policies 3.5 or 7.6B, DMP policy DM1, the THS or the guidance set out in Council's SPD.

### **Conditions**

12. I have considered the Council's suggested conditions in light of the National Planning Policy Framework (the Framework) and Planning Practice Guidance. In addition to the time limit condition, I agree that a condition specifying the approved plans is necessary in order to provide certainty. A materials condition will ensure that the external surfaces of the hereby approved extension match those of the main house, in the interests of character and appearance.
13. I have not imposed conditions restricting permitted development rights or the use of the roof of the hereby approved extension as the host property is not a dwellinghouse and does not therefore benefit from permitted development rights associated with dwellinghouses. The suggested conditions are not therefore necessary.

### **Conclusion**

14. For the reasons set out, and having regard to all other matters raised, I conclude that the appeal should be allowed.

*Graeme Robbie*

INSPECTOR