
Appeal Decision

Site visit made on 19 August 2019

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 September 2019

Appeal Ref: APP/M5450/W/19/3229979
72 Brancker Road, Harrow HA3 9AJ

- 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 S Jadavji against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/0025/19, dated 28 December 2018, was refused by notice dated 6 March 2019.
 - The development proposed is the conversion of a dwelling house into 1x2 bed unit and a studio.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposed development would provide satisfactory living conditions for future occupiers of the studio flat with particular regard to external and internal space; and
 - The effect of the proposed development on the character and appearance of the area.

Reasons

Living conditions of future occupiers

3. The proposed development would convert an existing semi-detached two bedroom house into two flats. That on the ground floor would have two bedrooms, while the upper flat would be a studio with shower room.
4. Policy DM27 of Harrow's 2013 Development Management Policies Local Plan (the DMP) requires residential developments to provide appropriate amenity space. Policy DM26 of the DMP requires that existing gardens of dwellings being subdivided should be used to provide private amenity space for all future occupiers. Standard 26 of the 2016 London Plan Housing Supplementary Planning Guidance (the SPG) provides minimum size standards for private outdoor amenity space of 5 m² for 1-2 person dwellings.
5. Occupiers of the ground floor flat would have access to the entire existing rear garden. No private outdoor amenity space would be provided for the occupiers

of the studio flat. While there are public parks in the wider neighbourhood, these are several minutes' walk away and so are not a suitable alternative to the provision of private space. I therefore consider that the lack of private outdoor amenity space would result in poor living conditions for future occupiers of the studio flat.

6. Turning to internal space, the Nationally Described Space Standard is applied through Policy 3.5 of the 2016 London Plan¹. The Council calculate the gross internal floor area of the studio flat would be 30.5 m², against a requirement for a single person dwelling in the space standard of 37 m². The plans provided by the appellant indicate that 37 m² would be provided. However, this would include the staircase and entrance area on the ground floor. As not all of this additional space would be private to the studio flat, there would be a shortfall of internal space against the space standard. While Policy 3.5 of the London Plan indicates that developments which do not meet the space standards may be permitted if they demonstrate exemplary design, none of the evidence before me suggests that this description could be applied in this case. Moreover, it is not clear from the plans provided where kitchen facilities would be located within the flat. Consequently, while the appellant argues that the space shortfall is marginal, from the information provided I am not satisfied that the proposed development would provide adequate living conditions for future residents in respect of internal living space.
7. I conclude that the proposed development would not provide adequate living conditions for future occupiers of the studio flat with particular regard to internal and external space. It would therefore conflict with Policy 3.5 of the London Plan, Policies DM1, DM26 and DM27 of the DMP, Policy CS1 of the 2012 Harrow Core Strategy, as well as guidance in the London Plan SPG and the 2010 Harrow Residential Design Guide Supplementary Planning Document (the SPD). Taken together these policies and guidance seek to ensure that housing developments provide satisfactory living space and private outdoor amenity space for future occupiers. For the same reasons it would fail to accord with the provisions of the 2019 National Planning Policy Framework, in particular paragraph 127 which seeks to create places which have a high standard of amenity for existing and future users.

Character and appearance

8. Policy DM45 of the DMP requires waste and recycling storage areas to be located and screened so as to avoid nuisance and adverse visual impact. The proposal plans show dedicated bin and cycle storage areas would be located within the forecourt. No detailed design information has been provided, but from the application plans it appears that the bin storage would be an open area along the boundary with the neighbouring property at 70 Brancker Road.
9. It is argued that this is a common arrangement in Brancker Road and the wider neighbourhood, although no specific examples have been provided. I saw very few waste and recycling stores located in front gardens at the time of my site visit. Several properties did have large numbers of bins stored within front gardens and forecourts, and such arrangements appeared unduly harmful to the street scene. As a result, allowing further open storage of waste and recycling bins in this manner would only be detrimental to the character and appearance of the area.

¹ The London Plan: The Spatial Development Strategy for London, consolidated with alterations since 2011 (2016)

10. From the information before me I conclude that the open storage area would have a harmful effect on the character and appearance of the area. The proposal would conflict with the specific requirements of DMP Policy DM45 relating to waste storage, as well as Policy CS1 of the Core Strategy, Policy DM1 of the DMP, and guidance in Chapter 5 of the SPD, which together require developments to be well designed.

Conclusion

11. For the reasons given above, and having had regard to all other relevant matters raised, I conclude that the proposal conflicts with the development plan as a whole and the appeal should be dismissed.

M Cryan

Inspector