



Appeal Decision

Site visit made on 03 July 2019

by N Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2019

Appeal Ref: APP/T5150/W/19/3223165

296 North Circular Road, Stonebridge, London, NW10 0JR

- 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 A Gluck against the decision of London Borough of Brent.
 - The application Ref 18/4723, dated 11 December 2018, was refused by notice dated 06 February 2019.
 - The development proposed is change of use to 6 bedroom HMO.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the standard of accommodation provided by the development would be acceptable, with regard to the amount of communal amenity space.

Reasons

3. The appeal site comprises a two-storey property used as a House in Multiple Occupation (HMO) for five people. In terms of communal living space, it is served by a kitchen area and a separate living room. The proposal is that the living room, which is on the ground floor, would become a sixth bedroom.
4. The result would be that the only remaining communal space for the occupiers of the property, which could be as many as six, would be the kitchen area. It is a fairly narrow area and I do not consider that in itself, it would provide enough space for residents to relax, socialise or perhaps study. In reality, it would likely only be large enough to be used for cooking and possibly eating.
5. I accept that occupiers in shared accommodation may have a lesser need for communal space than, say, a family living together, but that is not to say that a reasonable provision should not be made. I consider that the existing provision is reasonable, as it allows for residents to carry out different recreational activities at the same time. The proposed provision would not do so. If one or two residents were cooking in the kitchen area, it would be difficult for other occupiers to use it for other purposes. I note that the appellant has identified that the use of the existing lounge is limited, but that may not always be the case.

6. The kitchen leads out onto a good-sized garden area but given that its use would be largely weather dependent, I do not find that it adequately compensates for the lack of communal facilities that would be found at the property.
7. The appellant has highlighted need for non-self-contained accommodation in the Borough and an additional bedroom at the appeal site would make a contribution towards that need, albeit a modest one. I have weighed that in favour of the proposal, but do not find that it would outweigh the harm that I have identified.
8. Whilst the Council's policies do not set minimum requirements for communal living space in accommodation like this, they do require appropriate provision to meet the needs of occupants. I do not consider that would be the case here and accordingly, the proposal would conflict with policies DMP1 and DMP20 of the London Borough of Brent Local Plan Development Management Policies 2016 in so far as they seek to secure a high quality of living accommodation.
9. I note that a HMO for five people and one for six people fall within the same planning use class, but I have assessed the proposal before me, which I have found to be unacceptable for the reasons I have described.
10. I also note that there is no dispute between the parties as to the impacts of the proposal on character and appearance and neighbours, but I find acceptable impacts in these areas to be neutral matters.

Conclusion

11. For the reasons that I have described, the appeal is dismissed.

N Smith

INSPECTOR