
Appeal Decision

Site visit made on 11 February 2020

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 February 2020

Appeal Ref: APP/M5450/W/19/3236855
2A St Kildas Road, Harrow HA1 1QA

- 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 Pradeep Warden against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/2256/19, dated 30 April 2019, was refused by notice dated 15 July 2019.
 - The development proposed is described as a 'roof extension involving rear dormer window with 2 no. rooflights to front elevation'.
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Decision

1. The appeal is allowed and planning permission is granted for a 'roof extension involving rear dormer window with 2 no. rooflights to front elevation' at 2A St Kildas Road, Harrow HA1 1QA in accordance with the terms of the application, Ref P/2256/19, dated 30 April 2019, 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: PR18-098D (Site Plan), PR18-098D (Proposed Elevations), PR18-098B Rev 02 (Proposed Floorplans), and PR1-098F Rev 02 (Section Detail).
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials detailed on the hereby approved plans and application form.

Procedural matter

2. I have had regard to the Council's 'Response for Award of Costs'. However, the appellant has not sought an award of costs. Therefore, I have considered these comments as part of the Council's evidence to support their decision. The appellant has been provided with opportunity to comment and made none.

Main Issue

3. The main issue is whether the proposal would provide satisfactory living conditions for future occupiers having regard to the internal floor area created.

Reasons

4. The proposal seeks to enlarge an existing split-level, first floor flat to provide a bedroom within the existing attic space. The appellant states that it has a gross

- internal area (GIA) below the adopted space standards¹ for a 1-bedroom, 1-person (1b 1p) flat with one storey. The Council have not challenged this.
5. The additional room would provide a double bedroom and therefore generate space for the dwelling to be considered as a 2-bedroom, 3-person (2b 3p) unit with a GIA of 61.53 square metres (sqm). The space standards indicate that such units with one storey require a GIA of 61 sqm, and 70 sqm when 2-storeys.
 6. However, the space standards and development plan policies relate to the creation of new dwellings. Whilst this may include housing resulting from a change of use or conversion, I am not convinced it is applicable in these circumstances where an existing home is being extended through an attic conversion.
 7. Even if I were to apply the standards, I am mindful of the Council's guidance at 5.11 of its Supplementary Planning Document: Residential Design Guide, Adopted 15 December 2010 (RDG). This states that some flexibility and pragmatism will be required at the margins of each space standard. Furthermore, at 5.14 it states that attics can provide additional bedroom space as part of a split-level flat. I consider that this acknowledges the need for a planning judgement, that homes may not always reflect the uniformity of the space standards and that attic space can be made into useful accommodation.
 8. The existing dwelling does not meet current space standards and, as a split-level property, it does not neatly fit the various categories of dwelling types set out within the space standards. Furthermore, the extended flat would be around the margins for a 2b 3p dwelling, being within the requirements for a single storey unit. Moreover, the room created would have a dual aspect and a good layout without compromising the layout of the existing accommodation. Furthermore, the Council raise no objection in relation to the floor to ceiling heights and storage space provision. The proposal would make a more efficient use of the existing building, including its attic space.
 9. Finally, the Council have referred to other appeals² in the area for similar development where the Council's refusal has been upheld by Inspectors. However, whilst I have had regard to these decisions, I have not been provided with full details and as such I have afforded them limited weight.
 10. In conclusion, the proposal would provide satisfactory living conditions for future occupiers having regard to the internal floor area created. As such the proposal would comply with Policy 3.5C of the London Plan March 2016, Policy DM1 of the Harrow Council Development Management Policies, July 2013 and the Council's RDG. These policies and the guidance seek to ensure a high standard of design, layout and living conditions.
 11. For the reasons given above I conclude that the appeal should be allowed.

James Taylor

INSPECTOR

¹ Technical housing standards – nationally described space standard, March 2015

² APP/M5450/W/17/3188384 and APP/M5450/W/17/3181431