



Appeal Decision

Site visit made on 14 October 2020

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 21 October 2020

Appeal Ref: APP/T5150/W/20/3251561

2 Bowrons Avenue, Wembley HA0 4QP

- 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 Mrs Sneha Hirani against the decision of the Council of the London Borough of Brent.
 - The application Ref: 19/4173 dated 23 November 2019, was refused by notice dated 30 January 2020.
 - The development proposed is conversion of existing dwelling into 2 self contained flats.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The property benefits from approvals for extensions and alterations to the property, but these have not been implemented. The proposal the subject of this appeal has been submitted on the basis of the property as existing, and that is, therefore, the basis on which I have considered the proposals and determined the appeal.
3. The Council has not provided copies of all the policies and other guidance to which it has made reference in its reasons for refusal. However, I am satisfied from the information provided by the Council and the Appellant that I have all the information I require to determine this appeal. Unless otherwise stated, relevant policies relating to new residential development also relate to the conversion of existing properties to provide new dwellings.

Main Issues

4. The main issues in this appeal are:
 - a) The effect of the proposal on the balance of family housing within the Borough, including with consideration to the form of the living accommodation proposed;
 - b) Whether the proposed parking layout would provide adequate soft landscaping and drainage.

Reasons

Issue a) Size and Form of Proposed Accommodation

5. The appeal property is a semi-detached residential property on the northern side of Bowrons Avenue, close to the junction with Ealing Road. A service road to access the rear of shops and premises on the western side of Ealing Road, runs along the side of the appeal property.
6. The proposal would convert the dwelling to two flats. As existing, the house benefits from 3 bedrooms and a study on the first floor and a further room at loft level, marked as a bedroom on the plans, although at the time of my site visit it appeared to be used primarily for storage purposes. The plans for the conversion show a two bedroom flat on the ground floor and a two bedroom flat on the first floor; the loft level is not shown.
7. Policy DMP 17 of the London Borough of Brent Local Plan, Development Management Policies (2016) (the DMP) seeks to protect family sized dwellings with 3 bedrooms or more from conversion to multiple dwellings unless specific criteria are met. There is no dispute that the first criterion requiring the existing home to be 130 sqm would be met.
8. The second criterion requires the conversion to result in at least a 3-bedroom dwelling, preferably with direct access to a garden/amenity space. In this instance the ground floor flat, which would have direct access to the rear garden, would be 2 bedrooms. Furthermore, the second bedroom would only have a high level window over the service road and this lack of outlook would significantly impair it from offering a satisfactory living environment for use as a bedroom.
9. It is not clear to me from the information provided by the Appellant whether the loft room is to be regarded as part of the proposals for the first floor flat. There are also different floorspace figures presented by both the Appellant and the Council over the size of the flat, if the loft room were to be included. The Council has questioned whether the loft room would offer sufficient headroom to be counted as a bedroom. Although not specified in relation to a marked plan, the further information provided by the Appellant at the appeal stage together with my site visit indicates that the loft room would provide enough headroom over part of its area to be used as a bedroom.
10. However, even with the inclusion of the loft room, I am not satisfied, on the basis of the information before me, that this flat would meet the floorspace requirements under the Technical Housing Standards – Nationally Described Space Standards for a 3 bedroom flat. Furthermore, the bedroom at first floor level in the middle of the flat would appear to rely on an internal window over the staircase and an obscure glazed window to the side. This lack of outlook would significantly impair it from offering a satisfactory living environment for use as a bedroom.
11. There would also be no direct access to the rear garden from the first floor flat; the plan shows the access to the first floor flat from the access road serving the shops in Ealing Road and then an access further along the side boundary into the rear garden. However, I do not consider that this would provide direct and safe access to the rear garden.

12. The first floor flat would not therefore in my view offer accommodation to provide a family sized dwelling. I am not persuaded that either flat would meet the second criterion of Policy DMP17 in terms of providing a three bedroom dwelling. Whilst I have no doubt that there is a demand for more housing across the Borough, I have not been provided with any information to suggest that this should outweigh the policy objective to protect family sized dwellings.
13. I conclude that the development would harm the balance of family sized housing within the Borough, including with consideration to the form of the living accommodation proposed. This would conflict with Policies DMP1, DMP17 and DMP18 of the DMP which amongst other things seek to maintain and provide a balanced housing stock within the Borough.
14. The Appellant has drawn my attention to a number of other flat conversions that have been undertaken in the same road, albeit some appear to have been converted without permission and other proposals have been rejected. Each proposal must be considered on its individual planning merits, and I have been provided with very limited information in relation to these other conversions. Nonetheless, I have taken into account the other conversions to which my attention has been drawn. However, I find no reason to reach a different conclusion on the basis of the harm I have concluded in the particular circumstances of the case before me.

Issue b) Parking Layout

15. The existing front forecourt is hard surfaced, and similar in layout and appearance to many of the forecourts along the road. The proposal would provide an opportunity to upgrade the layout to introduce soft landscaping and improve drainage. I consider that were there no other issues of concern and planning permission were to be granted, these matters could be addressed by condition, requiring further details to be submitted prior to occupation, to meet the requirements of Policy DMP12 of the DMP.

Conclusion

16. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

L J Evans

INSPECTOR