
Appeal Decision

Site visit made on 11 November 2020

by Jan Hebblethwaite MA Solicitor

an Inspector appointed by the Secretary of State

Decision date: 04 January 2021

Appeal Ref: APP/M5450/W/20/3251445

5 Somerset Road, Harrow HA1 4NF.

- 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 Taz Dass against the decision of the London of Harrow Council.
 - The application Ref P/5063/19 dated 6 December 2019, was refused by notice dated 30 January 2020.
 - The development proposed is the conversion of single dwellinghouse into two self-contained flats.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are (1) the impact of the proposed development on the character and appearance of the host property and on the street scene; and (2) the amenities of future occupiers of the proposed development.

Reasons

Character and appearance

3. The host property is a mid-terraced house in a wholly residential street of houses of broadly the same style, design, and age. The host property has previously been extended at the rear. The proposed development would result in little change to the external appearance of the structure of the host property, as the alterations are to the internal layout to create to separate flats. However, the open space at the front of the house would need to provide refuse storage space for both flats and facilities for cycle storage for the upper storey flat, to comply with the Harrow Residential Design Guide ("SPD") and the code of practice which provides the system of wheeled refuse bins to be provided.
4. Although the SPD states that the preferred location for the siting of storage bins is to the side or rear of the property, that is not practicable for terraced houses. I saw on my site visit that most of the properties in Somerset Road have their storage bins on their respective forecourts. Policy DM26C of the Council's Development Management Policies (July 2013) ("DMP") requires that for terraced houses, there must be adequate space on the forecourt to

accommodate the bins and provide suitable screening in conjunction with other forecourt uses.

5. Policies in the London Plan (2017) deal with the effect of development on transport capacity. The Council accepts that the proposed development would not result in a significant highways impact, but there is no off-street parking provision for the host property and access to public transport is less than excellent. Policy 6.9 and Table 6.3 of the London Plan set out minimum cycle standards for development, including a requirement for two secure spaces for all dwellings with two or more bedrooms. The cycle provision for the downstairs flat would be in the rear garden accessed from a path behind the neighbouring properties, 1 and 3 Somerset Road.
6. On that basis, the forecourt would need to accommodate four 240L wheely bins, two 23L food caddies, one optional 240L garden waste wheely bin and cycle storage for two cycles for the upstairs flat. I do not have details of the size or type of secure cycle storage, other than the sketch on drawing 1280-8 rev B. The forecourt would appear cramped and access to at least one of the five larger bins would be awkward. I accept that there are other houses in the road which appear to have been converted to flats notably No 7, next door to the host property. Those houses would require the same number of bins, but none appear to have secure cycle storage on the front forecourt. I understand that the permission for the conversion at No 7 was granted in 2014, which predated the London Plan 2016 and the requirement for secure cycle storage. I also note that the Publication London Plan was the subject of a notice of intention to publish on 20 December. That plan requires the design stage to have maximum detail to avoid the need for later decisions which might affect scheme quality.
7. The provision of the facilities required by the development plan would result in a cramped and cluttered forecourt with little or no space to soften its appearance with landscaping. For that reason, I conclude that the proposed development would cause harm to the appearance of the host property and the character and appearance of the street scene.

Amenities of future occupiers

8. The SPD provides guidance on the layout of residential accommodation. Paragraph 5.12 requires that vertical stacking of rooms between flats which results in bedrooms overlapping living rooms, kitchens, and bathrooms in other flats, does not occur.
9. The proposed development would have bedroom 1 of the ground floor flat underneath the living room of the upper flat, and bedroom 1 of the upper flat over the living room/kitchen of the ground floor flat. Although the Appellant has provided the name of a sound proofing system, I have no information as to its viability within the proposed development nor whether it would satisfactorily deal with the potential for noise transmission between the rooms identified above.
10. On that basis, I conclude that the proposed layout would not be in line with the SPD and would therefore be contrary to Policy DM1A of the DMP, which seeks to ensure that development achieves a high standard of design and layout.

Planning balance and conclusion

11. I have taken into account the Development Plan comprising the Councils DMP and the adopted London Plan. I have also given weight to the Publication London Plan, in the light of its advanced stage. I conclude that the proposed development is contrary to the Development Plan and that there are no material considerations which would indicate that the decision should not be made in accordance with the Development Plan. The appeal is dismissed.

Jan Hebblethwaite

INSPECTOR