

Appeal Decision

Site visit made on 17 August 2021

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 October 2021

Appeal Ref: APP/M5450/W/21/3266965

25A Merivale Road, Harrow, Middlesex HA1 4BJ

- 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 Robert Murphy against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/3849/20, dated 14 October 2020, was refused by notice dated 11 December 2020.
 - The development proposed is a loft conversion, formation of rear dormer, insertion of front roof lights.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion, formation of rear dormer, insertion of front roof lights at 25A Merivale Road, Harrow, Middlesex HA1 4BJ. The permission is granted in accordance with the terms of the application, Ref: P/3849/20, dated 14 October 2020, 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: Site Location Plan; Proposed First and Second Floor, ref: KS/2020/02; Section A-A, ref KS/2020/03; Existing and Proposed Elevations, ref KS/2020/04.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. During the course of the appeal, the revised London Plan (March 2021) (the LP) was published. The Council was asked to provide the relevant policies from the new plan but did not respond. Policy D6 advises the same minimum space standards for new dwellings as policy 3.5 in the 2016 London Plan, which is referenced in the reason for refusal. The appellant was provided an opportunity to comment on the relevance of this revised policy, but no response was received. I have proceeded to determine the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of future occupiers of the appeal property with regards to the floor area created.

Reasons

4. The appeal property is a first floor flat with unused loft space. The host building forms part of a long terrace in a residential area. The proposal seeks to convert the loft space into an additional bedroom by constructing a dormer window to the rear elevation and installing rooflights to the front.
5. The Council contend that the proposed development does not meet the minimum requirements of Policy D6 of the LP, in particular table 3.1, and the 'Technical Housing Standards – Nationally Described Space Standard' (the Standard) with regard to the gross internal area of the resulting flat due to uncertainty as to the number of occupants who could potentially reside at the property.
6. However, both Policy D6 and guidance in the Standard clearly state these space requirements relate to the creation of new dwellings. The appeal proposal would not result in the creation of a new dwelling, which is confirmed in the application form, nor would it result in the conversion of the premises to multiple homes. From the submitted plans it is clear the proposal is to extend an existing residential flat.
7. Moreover, the Council raise no objection in relation to the design of the dormer, the floor to ceiling heights and/or provision of daylight or outlook. The proposal would make a more efficient use of the existing building, including its attic space. I observed dormer windows and loft conversions to be a common feature of other houses in the terrace and the surrounding streets. This aligns with advice contained within the Residential Design Guide Supplementary Planning Document (the SPD) (adopted December 2010), which states that attics can provide additional bedroom space as part of a split-level flat.
8. I therefore conclude that the proposed development would provide suitable living conditions for future occupiers of the property. It would comply with the relevant requirements of policies DM1 and DM26 of the Harrow Council Development Management Policies (adopted July 2013). These seek to ensure all development achieves a high standard of privacy and amenity, including the adequacy of the internal layout of buildings in relation to the needs of future occupiers.

Conditions

9. I have imposed the standard time limit condition. A condition requiring that the development is carried out in accordance with the approved plans is necessary to provide certainty for all parties. In the interests of the character and appearance of the host building, terrace and local area, a condition is necessary to ensure that the external materials of the new extension match those of the existing house.

Conclusion

10. For the above reasons, having had regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be allowed subject to the conditions as set out.

C McDonagh

INSPECTOR