



Appeal Decision

Site visit made on 12 April 2022

by Mr S Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 April 2022

Appeal Ref: APP/T5150/W/21/3284949

290 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 Dr Ibrahim Hamami against the decision of London Borough of Brent.
 - The application Ref 21/2889, dated 27 July 2021, was refused by notice dated 7 October 2021.
 - The development proposed is for internal alterations and conversion of dwelling house into 2 self-contained flats.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the determination of the planning application there has been the adoption of the London Borough of Brent adopted Local Plan 2019-41 on 24 February 2022. The Council has provided an update with regards the most relevant policies. The appellant has returned comments on this matter.

Main Issue

3. The main issues are the effect of the development on the living conditions of future occupiers of the proposed development.

Reasons

4. Policy D6 of the London sets housing standards for new development. This includes a minimum size of dwelling based on the likely number of occupants.
5. The ground-floor flat would have three bedrooms. All three bedrooms are of a size that could accommodate a double bed or twin beds, as they are all over 12sqm, whereas policy D6 states that a two bedspace double (or twin) bedroom must have a floor area of at least 11.5sqm. To my mind, this indicates that all three bedrooms of the proposed ground floor flat could accommodate two people, resulting in a 3 bedroom-6 person flat. Indeed, this was also my observation on site. Policy D6 states that this level of accommodation should see a dwelling of at least 95sqm in total, whereas the proposed ground-floor flat has a floor area indicated on the plans as 89sqm. This is a significant shortfall against the policy requirement.
6. Likewise, the first floor flat has a total floor area of 55sqm, but this could accommodate three people over the two bedrooms. On this basis policy D6

requires a floor area for the flat of 61sqm. Again, this is another significant shortfall.

7. It is unclear the widths of the bedrooms, which should measure 2.55m minimum. It did appear from my visit to be of a reasonable width, approximately the minimum set by policy D6.
8. The outlook from Bedroom 2 of the ground floor is limited in its quality. It has a view over a private lane between houses. However, it does provide some light and outlook quality. Furthermore, this window currently serves a bedroom, as I observed on my visit, and so the situation would not change, and I am not of the opinion that obscure glazing would be necessary.
9. In terms of the layouts, the proposals are restricted with narrow corridors and shower room for example, but I do not consider the layouts to be overly contrived as to be harmful to living conditions of occupants. However, they are an indication of the cramped nature of the proposed flats.
10. Overall, due to the substandard size of both flats the proposal would result in an overly cramped form of accommodation for future occupiers of the flats, to the detriment of the living conditions of future occupiers. This is contrary to policy D6 of the London Plan, which relates to standard of housing accommodation. The proposal is also contrary to policy DMP1 which requires development to provide high levels of internal and external amenity.
11. The proposal is also contrary to the National Planning Policy Framework which requires that there is a high standard of amenity for existing and future users of development (paragraph 130).

Planning Balance

12. The appellant has provided details of pre-application responses from the Council which seemed to suggest that a planning application may be given a positive decision. However, this advice is not binding on the Council when it comes to a final decision on a planning application. It is this planning application decision that has led to this appeal and provides the reasons for refusal for me to consider.
13. The proposal would result in the net increase of one dwelling to the local housing supply in what is an accessible location. I note the appellant states that these would be high quality flats. However, the benefits of the proposal would be limited. There may be other conversions in the area, but I do not have substantive details of these. I have considered the proposal based on the merits of this particular case.
14. Overall, the harm that I have found in respect of living standards of future occupants significantly and demonstrably outweighs these benefits and is a compelling reason to dismiss the appeal.

Conclusion

15. For the reasons given above the appeal should be dismissed.

Mr S Rennie

INSPECTOR