



Appeal Decision

Site visit made on 31 May 2022

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21ST June 29022

Appeal Ref: APP/M5450/W/21/3286556

165 Locket Road, HARROW, HA3 7NY

- 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 Jenny Fernandez against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/2997/21, dated 19 July 2021, was refused by notice dated 24 September 2021.
 - The development proposed is described as the demolition of a garage; the construction of a single-storey side extension, with separate amenity space, and bin and cycle storage; and the conversion of the dwelling into two flats (1 X 2 bed and 1 X studio).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effects of the conversion of the dwelling into two flats on:
 - The living conditions of the occupiers of the flats by way of internal space, cycle parking and noise, and
 - The character and appearance of the area around Locket Road.

Reasons

3. No 165 is a semi-detached house situated on the northern side of Locket Road. It has a single-storey side extension and full-width single-storey rear extension. It has a large front porch with steps up from the forecourt. The proposal, which is largely completed, involves the conversion of the property into two self-contained flats. The larger flat (Flat A) occupies part of the ground floor and the whole of the first-floor. The smaller flat (Flat B) takes the form of a studio flat and occupies part of the ground-floor only. Each flat has a part of the large rear garden area allocated to it.
4. Policy CS1 of the Council's Core Strategy (CS) indicates that new development should protect the character of Harrow's suburbs. Policy DM1 of the Council's Development Management Policies document (DMP) indicates that all development must achieve a high standard of design and layout. It also seeks to ensure that proposals which would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted.

5. Policy DM23 of the DMP indicates that proposals that fail to make appropriate provision for hard and soft landscaping of forecourts, or which fail to contribute to streetside greenery where required, will be refused. Policy DM26 indicates that proposals for the conversion of houses to multiple homes will be supported where they provide a satisfactory standard of accommodation. This includes achieving configurations that are practical and fit for purpose; ensuring that all habitable rooms have a satisfactory environment in terms of privacy, daylight, outlook and exposure to external noise; and ensuring that the balance of hard and soft landscaping on the forecourt (including forecourts that are already substantially hard-surfaced) does not detract from the appearance of the property or the streetscene.
6. Policy DM45 requires all proposals to make 'on-site' provision for general waste, recyclable materials and organic material. Furthermore, the refuse and waste storage must be located and screened to avoid nuisance to occupiers and adverse visual impacts. Policy DM42 requires new development to comply with relevant London Plan standards with regard to cycle parking.
7. Policy D6 of The London Plan (2021) (LP) requires new residential development to provide accommodation which is adequate to meet people's needs. In this regard, minimum gross internal areas (GIA) are required for different types of accommodation, and new residential accommodation should have a layout that provides a functional space.
8. Policy T5 of the LP states that development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. This will be achieved through, amongst other things, securing the provision of appropriate levels of cycle parking which should be fit for purpose, secure and well-located. Paragraph 8.5.3 of the London Cycling Design Standards indicates that parking serving all types of home should be designed to be well located, close to the entrance of the property, and avoiding obstacles such as stairs, multiple doors, narrow doorways and tight corners.
9. The Harrow Residential Design Guide (SPD) includes guidance for Householder Development. Section 5 provides guidance on such issues as Forecourt Treatment; Refuse and Recycling; Size and Layout of Residential Accommodation; and amenity space.
10. The Council contends that the occupancy and internal layout shown on the submitted drawings are inaccurate and do not reflect that of existing site circumstances, such that it is unable to make a fully informed and comprehensive assessment of the impact or otherwise of the proposed development. In addition, the proposal, by reason of the shortfall in the minimum gross internal floor space and bedroom standards for flat B; the lack of primary windows serving the bedroom; and its poor and unsatisfactory layout and stacking arrangement, would result in a cramped and poor quality of living accommodation for existing and future occupiers. Finally, it contends that the side extension would prevent satisfactory access between the forecourt and rear gardens for the flats, impinging upon their functionality, and resulting in visual clutter associated with the location of the refuse/waste storage in the forecourt, and undermining the provision of fit for purpose, secure and well-located cycle parking.
11. The appellant contends that each flat meets the floorspace standards of the Technical Housing Standards (2015) (THS); that issues of internal layout and

light could be dealt with by amendments to the submitted plans; that issues of noise transmitted between flats could be remedied by appropriate condition relating to noise attenuation; that a side extension was in place prior to the conversion of the property into flats; and that landscaping of the forecourt could be governed by condition.

Living conditions

12. Flat A is considered to be a two-bedroom, four-person flat and the floorspace associated with this dwelling is appropriate for such a unit. It would have a large area of rear garden allocated to it, although part of this would wrap around the garden area allocated to Flat B. Other than the issue of cycle parking, as shown on the submitted plans, which I will deal with later, there would appear to be no significant issues relating to adequacy of living space associated with this unit.
13. Flat B is a studio apartment occupying the whole of the side extension area and part of the rear of the original dwelling. The front/side element of the flat would be taken up by a kitchen, hallway, storage area and wc/shower room, while the living/sleeping space would be within what was part of the rear of the original dwelling house. The submitted plans indicate that the flat has a Gross Internal Area (GIA) of 37 sq metres, which represents the minimum acceptable space for such a unit as given in the THS. Although the flat, therefore, just meets the required floorspace standard, I have significant concerns regarding its ability to provide a configuration that is practical and fit for purpose, and ensure that all habitable rooms have a satisfactory environment in terms of exposure to external noise.
14. The Council note that at the time of the officer's visit, Flat B had a separate bedroom that did not meet the minimum size required by THS. The appellant has provided amended drawings which show a wall partially removed to create a combined living/sleeping space. While this would overcome the issue of inadequate bedroom floorspace, it results in an overall space with an awkward pillar left by the need to maintain the original corner support to the main house. Moreover, the rear of the combined space would be some distance from the window in the rear elevation. The appellants have indicated that this window, coupled with a roof skylight, would meet daylight standards, but I have little specific information on this, and I note that the Council has not had the opportunity to comment on the proposed amendments.
15. The first-floor bathroom associated with Flat A would appear to be located immediately above part of the living/sleeping space of Flat B. Moreover, it appears that the kitchen of Flat A is situated adjacent to the living/sleeping area in Flat B, with only a thin internal wall to provide separation. This arrangement appears likely to result in external noise effects detrimental to the occupiers of Flat B. The appellant contends that a planning condition relating to the installation of noise insulation could be applied. However, from the limited information before me, it appears likely that, in the case of the adjacent kitchen, this would only be possible on the Flat B side of the wall, which would result in a loss of useable floorspace – albeit by a small amount – which would impact on the already minimal GIA available to that unit.
16. No 165, including its side extension, occupies the full width of the plot. As a result, the only access from the rear garden area to the forecourt is through the flats themselves. However, cycle storage is shown for both units within the

rear garden areas, such that cycles would have to be carried through the flats. The Highway Authority notes that the location of the cycle stores in the rear garden is not practical as cycles would need to be taken through the properties via several doorways and tight turns. I concur with this view and consider that the arrangement would not be conducive to a satisfactory living environment. The appellant notes the existence of a development permitted elsewhere in which some cycle storage would be located in a rear garden with no direct access to the front of the property. I have only limited details of this case, but I note that the two flats were separated vertically and that only the occupiers of the ground-floor flat, which had a more spacious internal floorspace arrangement, would need to bring cycles through to the forecourt.

17. On this issue, therefore, I find that the proposed conversion would result in units that failed to achieve configurations practical and fit for purpose, and which would not ensure that all habitable rooms have a satisfactory internal living environment.

Character and appearance

18. The appearance of the building in the street scene is not such that it has a detrimental impact on the appearance of its surroundings. However, I have concerns regarding the impact of the proposal on the overall forecourt area. There is no landscaping scheme submitted with the proposal, but I note that the requirement for such a scheme could be covered by a suitable condition. Nevertheless, the layout of the flats and the unsatisfactory nature of the provisions for cycle parking at the rear would mean that secure and convenient cycle parking provision for three cycles in total, in two separate secure units, would be required on the forecourt. In addition, there would need to be provision for six refuse and recycling bins.
19. Whilst I acknowledge that the existing front hedge could, to a degree, screen some of this provision, it would appear that the rest of the forecourt would effectively be taken up with a car parking space and pedestrian access to the projecting front door and steps. On this basis, I do not consider that an adequate balance of hard and soft landscaping could be provided. I note that certain of the properties in the immediate vicinity of the appeal property have very limited or no effective soft landscaping to the forecourt. However, most would appear to have side access, or access through a garage, to enable bins and cycles to be brought from back to front of the property, and that significant bin and cycle storage on the forecourts is not a characteristic feature of the locality. The fronts of properties along the road therefore appear relatively open and spacious. By way of contrast, the forecourt at No 165 would appear cluttered.
20. In the light of the above, on this issue I therefore find that the proposed development would be harmful to the character and appearance of the surrounding area along Locket Road.

Conclusion

21. I find that the proposal would be harmful to the living conditions of the occupiers of the flats by way of unsatisfactory internal space, cycle parking arrangements and noise, and that it would be detrimental to the character and appearance of the area around Locket Road, by virtue of the resultant cluttered appearance of the forecourt.

22. On the basis of the above, the proposal would conflict with Policy CS1 of the CS; Policies DM1, DM23, DM42 and DM45 of the DMP; Policies D6 and T5 of the LP (incorporating paragraph 8.5.3 of the London Cycling Design Standards); and with guidance in Section 5 of the SPD. Accordingly, I dismiss the appeal.

J D Westbrook

INSPECTOR