



Appeal Decision

Site visit made on 2 August 2022

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12TH August 2022

Appeal Ref: APP/M5450/W/21/3289902

56 Radcliffe Road, Harrow HA3 7QB

- 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 Patel against the decision of Harrow Council.
 - The application Ref P/1832/21, dated 1 May 2021, was refused by notice dated 29 June 2021.
 - The development proposed is the conversion of the dwellinghouse to 2 flats, with refuse, cycle storage and landscaping/amenity space.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of the dwellinghouse to 2 flats, with refuse, cycle storage and landscaping/amenity space at 56 Radcliffe Road, Harrow HA3 7QB in accordance with the terms of the application, Ref P/1832/21, dated 1 May 2021, 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: 03746-01, 03746-03, 03746-04, 03746-05, 03746-07, 03746-08, and 03746-09.
 - 3) Prior to the first occupation of the flats, cycle and waste storage facilities shall be provided in accordance with details which shall be first submitted to and approved in writing by the local planning authority. The facilities shall thereafter be retained in accordance with the approved details.
 - 4) Prior to the first occupation of the flats, the existing garden shall be divided as set out on drawing no. 03746-09, in accordance with boundary treatment details which shall be first submitted to and approved in writing by the local planning authority. The separate gardens shall thereafter be retained in accordance with those approved details.

Procedural Matter

2. I observed on my visit that the existing floor plan and the existing rear elevation as depicted on drawing nos. 03746-02 and 03746-06, do not reflect the development as built. Additionally, I note that there is a discrepancy between the proposed rear elevation as depicted on drawing no. 03746-06 and the proposed ground floor plan as depicted on drawing nos. 03746-03 and 03746-09.

3. I have therefore considered the scheme on the basis of the layout shown on drawing nos. 03746-03 and 03746-09. The kitchen/living/dining space in Flat A would thus be served by patio doors with narrow windows either side, and its proposed bedroom 2 would be served by a single window.

Main Issue

4. The main issue is whether the occupants of the proposed flats would experience satisfactory living conditions.

Reasons

5. The proposed ground floor flat ('Flat A') would have two bedrooms and a gross internal area which would exceed the minimum stipulated in the London Plan 2021 ('LP'), along with in the Council's Residential Design Guide Supplementary Planning Document 2010 ('SPD'), and in the DCLG Technical Housing Standards – Nationally Described Space Standard 2015 ('THS'). It would have a spacious kitchen/living/dining space which would provide an ample area for the occupants to sit, relax or undertake typical domestic activities.
6. That space would have a good outlook from the area closest to the patio doors, which is depicted as the living area, and which faces Flat A's rear garden. This area would face broadly south-west, not to the north as stated in the Council's delegated report ('DR'). Consequently, and given the large area of glazing, that area would also receive plentiful natural daylight.
7. Having regard to the elongated dimensions of the kitchen/living/dining space, there would be a more limited outlook and less natural light at its other end. However, daylight would still reach that area, particularly given the presence of a skylight. Moreover, as kitchen units are depicted here, this is an area where the occupants would be less likely to dwell, and is where some artificial lighting is typically required to prepare and to cook food.
8. I have few details of appeal reference APP/M5450/W/19/3221993 at 5 Weald Lane, but for the above reasons I am satisfied that the occupants of Flat A here would experience appropriate living conditions. The DR raises no objections to the living conditions in Flat B, and having regard to its size, layout and similar dual aspect, neither do I.
9. Amongst other things, and in general terms, LP Policies D3 and D6, along with Harrow Development Management Policies 2013 Policies DM1 and DM26, require proposals to deliver a high standard of design and amenity, with a practical configuration and an appropriate outlook and light, and indoor environments that are comfortable and inviting for people to use.
10. That approach is reflected in the SPD and in the Mayor of London Housing Supplementary Planning Guidance 2016. The National Planning Policy Framework ('Framework') also requires the creation of places with a high standard of amenity for existing and future users. For the above reasons, the scheme would not conflict with those policies and guidance; and I have no evidence to conclude that the scheme would conflict with the THS.
11. The Council has not suggested any conditions in the event that the appeal is allowed. However, having regard to the tests in the Framework, the standard time limit condition is necessary, as is, in the interests of certainty, a condition requiring that the development be carried out in accordance with the approved

drawings. For the above reasons I have not included drawing nos. 03746-02 and 03746-06 in that list.

12. Having regard to the DR, in the interests of ensuring appropriate living conditions for the future occupants, and to ensure a sustainable form of development, appropriate cycle and waste storage facilities are required. Whilst some details are shown on drawing no. 03746-09, I am not persuaded that the proposed bike locker would allow the occupants of both flats to independently and conveniently access their bicycles, and I have limited information regarding the proposed bin store area. I have therefore imposed a condition requiring further details prior to the first occupation of the flats.
13. In the interests of the character and appearance of the area, and to ensure good living conditions, a condition is also necessary requiring that the garden be divided in accordance with details to be approved.
14. I have no cogent evidence to indicate that a condition is necessary to ensure an appropriate level of privacy, and to prevent overlooking between these two proposed flats, or between them and neighbouring properties. Finally, although the site is in a critical drainage area, the front yard is already covered with brick pavements, and I have no evidence that the scheme would increase the risk or consequences of flooding. I have not been provided with the wording of a sustainable urban drainage condition, and on the basis of the available evidence I do not consider one to be necessary.
15. For the above reasons, the scheme would provide appropriate living conditions for the future occupants of the proposed flats. Consequently, having regard to all other matters raised, the appeal is allowed.

Chris Couper

INSPECTOR