



Appeal Decision

Site visit made on 15 May 2023

by Emma Worley BA (Hons) Dip EP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 July 2023

Appeal Ref: APP/M5450/W/22/3307447

309A Station Road, Harrow HA1 1LF

- 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 AV London Properties LTD against the decision of the London Borough of Harrow.
 - The application Ref P/2133/22, dated 6 June 2022, was refused by notice dated 2 August 2022.
 - The development proposed is described as 'Dormer extensions to the rear of the property and conversion into 3 self contained flats'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of 309a Station Road (No 309a) and its significance as a non-designated heritage asset (NDHA) and the character and appearance of the area;
 - whether the development would provide acceptable living conditions for future occupiers of Flat 3, having regard to internal floor area and head height; and
 - the effect of the proposed development on the living conditions of the occupiers of 307a Station Road (No 307a) with specific regard to outlook and sense of enclosure.

Reasons

Character and appearance

3. The appeal property is a 3 storey terraced building in a row of similar properties fronting Station Road with commercial uses at ground floor and residential uses above. It is identified as a locally listed building and is a NDHA. Its age and architectural detailing together with the fact that it forms part of a group of locally listed buildings contribute to its significance. The group, which includes numbers 307 to 313 Station Road, are terraced buildings constructed in brick with a slate roof, with shallow semi-circular brick arches above the first floor windows to the front elevations and sash windows at second floor level.
4. The rear elevations of the buildings in the row have been subject to an eclectic mix of various extensions and alterations, including bulky flat roof additions at

the lower levels. The buildings have a staggered eaves height, the rear roof slopes are punctuated by dormers and rooflights of various sizes and designs at different heights, as well as more substantial second floor rear extensions. Nevertheless, despite the variation in the appearance of the rear elevations of the buildings in the row, and some bulk box dormers at lower levels, in the main the locally listed buildings in the group have not been subject to significant alterations to the upper floors, retaining their modest third and second floor dormers, chimneys and rear catslide roof slopes. This creates a sense of uniformity to the group.

5. The appeal proposal seeks to convert the existing 6 bedroom maisonette on the upper floors of the building to 3 one bedroom flats and includes alterations to the existing rear dormer at third floor level and a second floor rear extension.
6. Whilst the proposed dormer would be positioned below the main ridge of the host dwelling, in contrast to the one it replaces, it would be larger in scale and would extend the full width of the property. Consequently, it would be substantially greater in scale and bulk than the others at this height. As a result, it would be a visually dominant and discordant feature in the rear roof slope of the building and would diminish its character and appearance.
7. The proposed second floor extension would reflect others elsewhere in the row in terms of design and, unlike others, would only extend over part of the rear elevation of the property. In that regard it would reflect the built form of the nearby properties. Notwithstanding this, the roof extension would introduce a rear projection to the second floor of the property, which would alter the profile of the catslide roof. The extension would be inconsistent with the catslide roof form of the buildings within the group of locally listed buildings and thereby diminish its significance and that of the group.
8. For the reasons given the proposed rear dormer and second floor roof extension would detract from the appearance of the host building and would be detrimental to the character and cause less than substantial harm to the significance of the NDHA. Consequently, the proposed development would have a harmful effect on the character and appearance of the area.
9. The harm would lead to conflict with LP Policy D3 (D1 and D11) which among other things requires development to enhance local context by delivering buildings and spaces that positively respond to local distinctiveness and Policy HC1 of the LP which requires development proposals affecting heritage assets, and their settings, to conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.
10. It would also fail to accord with the collective aims of Policies CS1.B and CS1.K of the Harrow Core Strategy adopted 2012 (HCS) and Policies DM1 and DM7 of the Harrow Development Management Local Plans Policies adopted 2013 (LPP) which seek a high standard of design that responds positively to the local and historic context, securing the preservation, conservation or enhancement of a heritage asset and its setting.
11. The proposal would also conflict with advice in the Council's Supplementary Planning Document: Residential Design Guide adopted 2010 (SPD) which sets out that dormers should be subordinate features in the roof, retaining a clearly visible section of roof around the sides of a dormer window to visually contain them within the profile of the roof.

Living conditions of future occupiers of Flat 3

12. The appeal submissions indicate that the proposed third floor flat (Flat 3) would be a 1 bedroom 1 person (studio) flat, as set out in the Design and Access Statement and the submitted drawings, which show a single bed. The flat would have a gross internal floor area (GIA) that would accord with the minimum internal space standards set out in Policy D6 of the LP for this type of accommodation.
13. Notwithstanding this, the accommodation in this instance includes a separate bedroom area which would exceed the minimum floor area and width required for a double bedroom as set out in the Technical housing standards – nationally described space standard adopted March 2015 (NDSS) and Policy D6 of the LP.
14. Given that there would be no means to control the occupation of the flat by only 1 person, the size of the bedroom would likely determine how occupancy is defined. On this basis, I find that Flat 3 would constitute a 1 bedroom 2 person unit and should be assessed as such for the purposes of the minimum internal space standards. Given that the GIA would be significantly less than required in accordance with the NDSS and Policy D6 for a 1 bedroom 2 person property, it would result in unsuitable living conditions for occupiers in that regard.
15. I note the Council's concern that as the accommodation is within the roof space of the building the 2.3m head height is unlikely to extend to the full extent of the flat. However, the appeal submissions indicate that more than 75% of the GIA of Flat 3 would achieve an internal head height of 2.3m.
16. The NDSS sets out a requirement for the minimum floor to ceiling height of 2.3m for at least 75% of the GIA of a dwelling. Policy D6 of the LP sets a higher standard, stating that the minimum floor to ceiling height must be 2.5m for at least 75% of the GIA of each dwelling, as an adopted policy full weight is to be attributed to Policy D6. The shortfall in GIA, combined with the lower ceiling height and subsequent conflict with that aspect of Policy D6, would mean that living conditions of future occupiers of Flat 3 would be unsatisfactory.
17. I therefore conclude that the proposed development would not provide acceptable living conditions for future occupiers of the property.
18. In that regard the proposal would conflict with Policy D6 of the LP which requires housing development to be of high quality design and provide adequately-sized rooms. It would also fail to accord with Policy CS1 K of the HCS and Policies DM1 and DM26 of the LLP which together require development to provide a high standard of residential design and amenity and a satisfactory standard of accommodation through compliance with the London Plan minimum space standards. Furthermore, the proposal would fail to reflect advice in the SPD in so far as it relates to the provision of adequate headroom and useable circulation space in self-contained flats that are solely accommodated with the roof space of a building, as well as the requirements of the NDSS.

Living conditions of the occupiers of No 307a

19. The appeal submissions indicate that the window at second floor level in the adjoining property at 307a serves a bedroom. The window has an existing

catslide roof immediately to one side and another to the opposite side to the rear of No 309a, albeit set in from the shared side boundary between the properties. Nevertheless, the proposed second floor extension would considerably increase the height and bulk of the rear projection at the appeal property. Due to the siting and scale of the rear extension in relation to the bedroom window at No 307a it would have an overly enclosing and overbearing effect upon the outlook from the window.

20. It has been suggested by the appellant that a condition could be imposed to seek minor amendments to the scheme, which would overcome the effects of this part of the development. However, it is not for the appeal process to evolve a scheme and I must consider the proposal as shown on the submitted plans. In any case this suggestion appears to relate to the dormer window on the third floor and not the proposed second floor extension to which the harm I have identified would relate.
21. I therefore conclude that the proposal would harm the living conditions of the occupiers of No 307a through loss of outlook and creating a sense of enclosure. Accordingly, it would be contrary to LP Policy D3 (D7) which requires development proposals to deliver appropriate outlook, privacy and amenity, Policy CS1.K of the HCS and Policy DM1 of the LLP in so far as they require a high standard of design and layout. It would also fail to reflect advice in the SPD which seeks to ensure development safeguards the outlook from neighbouring properties.

Other Matters

22. I acknowledge that the proposal would provide additional dwellings which would contribute to the Council's housing supply targets in a location which benefits from accessibility to services and public transport links, and on a previously developed site. However, these benefits would not outweigh the harm I have identified in relation to the main issues.

Conclusion

23. For the reasons given above, I conclude that the appeal should be dismissed.

Emma Worley

INSPECTOR