



Appeal Decision

Site visit made on 27 June 2023

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th July 2023

Appeal Ref: APP/M5450/W/22/3308268

74 Radnor Road, Harrow HA1 1SA

- 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 A Theivendra, Arkwood Property Group Ltd against the decision of London Borough of Harrow.
 - The application Ref P/2373/22, dated 24 June 2022, was refused by notice dated 19 August 2022.
 - The development proposed is conversion of existing house to 3 flats with associated amenities space, bin stores, cycle stores, green roof and solar panels.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of existing house to 3 flats with associated amenities space, bin stores, cycle stores, green roof and solar panels, at 74 Radnor Road, Harrow HA1 1SA in accordance with the terms of the application Ref P/2373/22, dated 19 August 2022, subject to the following conditions:
 - 1) The development hereby permitted, shall be begun not later than 3 years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following drawings and plans: Site & Block Plans : Dwg No : PL-DR-00-00; Proposed Ground Floor Plan - Dwg No : PL-DR-PR1-00-11 – Rev 1; Proposed First Floor Plan - Dwg No : PL-DR-PR1-01-12; Proposed Loft Plan : Dwg No : PL-DR-PR1-02-12 -REV 1; Proposed Roof Plan - Dwg No : PL-DR-PR1-RL-14 - Rev 1; Proposed Front & Rear Elevations : Dwg No : PL-DR-PR1-XX-60 – Rev 1; Proposed LHS & RHS Elevations : Dwg No : PL-DR-PR1-XX-61 0 – Rev 1; Proposed Sections : Dwg No : PL-DR-PR1-XX-65 -Rev 1; Flat Areas and Plans : Dwg No : PL-DR-PR1-XX-100 – Rev 2; Individual Cycle Stores : Dwg No : PL-DR-PR-XX-103 – Rev 1, Bins Plan & Elevation - Dwg No : PL-DR-PR-XX-105 – Rev 1; Landscape Plan : Dwg No : PL-DR-PR-XX-106 – Rev 1; and Landscape Plan - Green Roof : Dwg No : PL-DR-PR-XX-109 – Rev 1.
 - 3) Before any of the flats hereby permitted are occupied, the approved soft and hard landscaping, along with the proposed cycle storage and bin storage and collection facilities, shall be completed and provided in accordance with the approved drawings. Thereafter, the approved landscaping, cycle storage, and bin storage and collection facilities shall be maintained for the life of the development hereby permitted.
 - 4) Before any of the flats hereby permitted are occupied, a scheme including a timescale for implementation, to reinstate the existing vehicle crossing

serving the site to standard footway with full height kerb shall be submitted to and approved in writing by the local planning authority.

Thereafter the works to the highway shall be carried out in accordance with the approved scheme and retained for the life of the development.

- 5) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Main Issues

2. The main issues are whether the proposal provides suitable and accessible cycle storage facilities and the effect of the proposed refuse and recycling storage facilities on the character and appearance of the area.

Reasons

Cycle storage

3. The submitted plans show that each proposed flat would be provided with a cycle store sufficient to accommodate 2 bicycles. This quantum of cycle parking spaces would be broadly in accordance with the standards referenced under Policy T5 of the London Plan.
4. The cycle store for each flat would be located within the respective amenity space for that flat, to the rear of the building. The cycle stores would be accessed via the existing side access. Whilst this access is constrained by the side gable of the appeal property and a shared boundary fence, the access is relatively straight and without any obstructions and is not dissimilar to others which serve properties in this road, including those which have been converted to flats. The proposed landscape plan also shows that, the side access would be paved. Also, based on the information before me and my observations, this would be of a sufficient width to allow access for residents with cycles.
5. Therefore, the proposed cycle storage facilities would be suitable and accessible.
6. The Council has referred me to another appeal where the proposed cycle storage arrangements were considered unacceptable. However, I have limited information available to me in respect of this to draw any meaningful comparisons and conclusions in respect of the scheme before me.
7. For the above reasons, the proposal accords with Policy T5 of the London Plan, Policy DM1 of the Council's Development Management Policies document ('DMP') which indicates that all development must achieve a high standard of design and layout and DMP Policy DM42, which requires new development to comply with relevant London Plan standards with regard to cycle parking.

Character and appearance

8. The bin storage for garden waste, for all 3 flats would be logically located near the amenity areas to the rear of the property. For the reasons already given, the side access would also be suitable for moving bins on collection days, to and from the proposed bin collection area along the frontage of the property.
9. All bins for general and recycling waste would be located along the frontage of the appeal property. Presently, this frontage is largely hard surfaced and open.

The frontages of other properties along this road are varied and include those which are open and others incorporating boundary treatments. Therefore, these contribute to a varied street scene. Most notably, some storage of bins already takes place on the frontage of the appeal property and others nearby.

10. The proposed scheme includes two areas for general and recycling waste bin storage, these would comprise simple brick enclosures covered by sedum grass roofs of a height that is similar to nearby boundary treatments. The larger enclosure would be adjacent to the shared front side boundary with the adjoining dwelling. The smaller enclosure would be built off the front of the building. The scale of these enclosures would be modest relative to the size of the overall frontage and the proposed layout also allows sufficient space for soft and hard landscaping. As such, the bin stores would assimilate with the proposed frontage. These, along with the proposed soft and hard landscaping would enhance the frontage of the appeal property, to complement the varied frontages along the road.
11. There are no clear reasons why the proposed bin storage arrangement would result in the risk of rodent infestation. Even so, this can be addressed through other legislation.
12. For the above reasons, the proposed refuse and recycling storage facilities would not harm the character and appearance of the area.
13. Consequently, the proposal accords with the aims of DMP Policy DM26 and DM45, which together require that bin storage within amenity areas have suitable access for them to be wheeled to the forecourt for collection. Also, that where such storage is provided on forecourts this should incorporate suitable screening to avoid nuisance to occupiers and adverse visual impacts.
14. I also find no conflict with Policy DM23 of the DMP which requires proposals to make appropriate provision for hard and soft landscaping of forecourts.
15. Accordingly, I also find no conflict with the design aims of Policy CS1B of the Harrow Core Strategy (2012), Policy D3 of The London Plan, Policy DM1 of the DMP, which seek to secure high standards and quality developments.

Other Matters

16. Third parties have raised a number of matters concerning previous extensions and alterations to the appeal property. However, there is insufficient evidence for me to conclude on such matters. Furthermore, matters relating to any alleged unauthorised works and associated health and safety and building regulations implications are for the Council. On the evidence before me, I am not persuaded that the proposal would have any unacceptable effect on the living conditions of neighbours or raises any significant flood risk or drainage issues. Matters relating to party-wall agreements are outside the scope of this appeal.
17. Third parties have questioned the suitability of the side access for wheelchair users. This is an existing access and I have not been directed to any specific legislative requirement for this. Internal configurations and the suitability of the conversion if necessary for wheelchair use are considered as part of Building Regulations requirements.

18. The Council and others have expressed concern about the implications of the proposal for on-street parking demand. The Council advise that there are already more permits issued in this zone than parking spaces available and it would be appropriate to apply a restriction in parking permits for the proposed development to minimise the impact of additional parking demand and also encourage more sustainable, active travel. Such a restriction is secured by a legal agreement.
19. However, I have limited information to substantiate the extent of any such existing on-street parking demand, specifically associated with Radnor Road. Furthermore, the proposal includes the provision of suitable and accessible cycle storage to encourage more sustainable travel. Also, and notwithstanding the Council's reasoning, the planning application was not refused on grounds relating to impacts on car parking. For these reasons, the alleged effect of the proposal in respect of on-street parking is not a sufficient reason to justify dismissal of the appeal.
20. Whilst it has been alleged that the property would be occupied as 5 flats or a house in multiple occupancy, the proposal before me is for a change of use to 3 flats and I have determined the appeal on this basis.

Conditions

21. In addition to the standard timescale condition, I have included a condition specifying the relevant drawings and plans as this provides certainty.
22. A condition requiring materials to match those on the existing dwelling is necessary to ensure the satisfactory appearance of the development and area.
23. I have also specified a condition requiring the provision of the proposed cycle and bin stores, amenity spaces and landscaping before any of the flats are occupied. This is necessary to ensure the satisfactory functioning of the development, the amenity of the area and to promote sustainable travel.
24. A condition to reinstate the vehicle crossing serving the site to standard footway with full height kerb is necessary to ensure the satisfactory functioning of the frontage and in the interests of highway safety.
25. Conditions 3 and 4 which prevent any development approved from commencing until they have been complied with, are considered fundamental to the development hereby approved. It is necessary for them to take the form of 'pre-commencement' conditions in order to have their intended effect. Where necessary and in the interests of clarity and precision, I have altered my suggested conditions to better reflect the relevant guidance.

Conclusion

26. For the above reasons, I conclude that the appeal should be allowed.

M Aqbal

INSPECTOR