



Appeal Decision

Site visit made on 26 September 2023

by C Carpenter BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd October 2023

Appeal Ref: APP/M5450/W/23/3316836

128-128A Pinner Road, Harrow, Middlesex HA1 4JE

- 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 Pavin Baxshi (A&P Properties Ltd) against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/3828/22, dated 1 October 2022, was refused by notice dated 22 December 2022.
 - The development proposed is conversion of shop rear storage area into a self-contained one bed studio flat with refuse storage and cycle stand at rear garden.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would provide adequate living conditions for future occupiers, with particular reference to light and outlook.

Reasons

3. The proposal would create an open plan living/dining/kitchen area at ground floor level. This habitable space would have fully glazed double patio doors, two windows and a glazed entrance door. There would therefore be a reasonable quantum of glazing relative to the proposed floor area of the room.
4. However, despite this proportion of glazing, the level of light entering the room would be significantly constrained by the high flank wall of the outbuilding at the back of the neighbouring premises and by the boundary fence with that property. These structures would be situated at a very short distance from the new windows, thereby obstructing natural light and casting shadow. There would be little to compensate for this, such as a secondary aspect or favourable orientation for sunlight. Consequently, the principal habitable room in the proposed dwelling would be gloomy.
5. The proximity of the neighbouring wall and fence would also significantly limit the outlook for future occupiers of the proposed flat. The space between them and the proposed patio doors and windows would be very narrow, so they would be overbearing in views from these openings, contributing to a sense of enclosure within the room. Moreover, the proposed bin and cycle stores would be located directly opposite the patio doors, so the outlook through them would also be dominated by these utilitarian structures. This would further aggravate the sense of enclosure and gloominess described above.

6. For the above reasons, I conclude the proposal would not provide adequate living conditions for future occupiers, with particular reference to light and outlook. This is contrary to Policies D3 and D6 of the London Plan 2021 and Policy DM1 of the Harrow Council Development Management Policies 2013. Together, these policies require, among other things, adequate natural light and outlook for habitable rooms, including kitchen/dining areas. It is also contrary to London Plan Housing Supplementary Planning Guidance 2016, and Harrow Local Development Framework Residential Design Guide Supplementary Planning Document 2010, which include similar requirements. Further, it is contrary to the National Planning Policy Framework (the Framework) where it seeks a high standard of amenity for future users.
7. Technical Housing Standards – Nationally Described Space Standard 2015 deals with internal space standards, so is not directly relevant to this decision.

Conclusion

8. I have found the proposal conflicts with the development plan, read as a whole. No other material considerations, including the Framework, have been shown to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

C Carpenter

INSPECTOR