



Appeal Decision

Site visit made on 25 September 2024

by C Skelly BA (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 October 2024

Appeal Ref: APP/M5450/W/24/3344274

97 Streatfield Road, Harrow, Kenton HA3 9BW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ravji Bhanderi against the decision of the Council of the London Borough of Harrow.
 - The application Ref is PL/0202/24.
 - The development proposed is double storey side and part rear extension, single storey rear extension and conversion to 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 the host property and surrounding area; and
 - The living conditions of future occupiers with particular reference to internal living space and noise.

Reasons

Character and appearance

3. The appeal site is one of a pair of two-storey, semi-detached dwellings which sit on the corner of a roundabout and have a projecting gable feature in their centre, which gives them a balanced visual appearance. The property has a garage, accessed via high double gates from Streatfield Road and additional off-road parking to the front accessed from the roundabout. The property sits on a large, prominent, triangular shaped plot, which is enclosed by a mix of timber fence panels and red brick walling.
4. The surrounding area is characterised by semi-detached dwellings of a similar style to the appeal property fronting onto the street, with off road parking or garden areas and long rear gardens. Although there have been some side extensions to dwellings along Streatfield Road, in general, the gaps between pairs of houses are retained and this provides an evenly spaced, uniform pattern to the street scene.
5. The proposed development would substantially extend the property through a two-storey side extension and a single storey extension which would run across the full rear width of the property in order to create three flats

comprising 2 one-bedroom and 1 two-bedroom. The two-storey side extension would extend beyond the depth of the host property and align with the front face of the property at the ground floor level. As a result, the proposed extension would create a large expanse of walling, which would be prominent due to its location. Furthermore, the alignment of the extension with the front elevation, would over dominate the simple, balanced proportions of the host property, thereby harming its character and appearance.

6. Despite the extension of the neighbouring property No 95, the orientation of the host property means that there is a gap between the dwellings, which offers views towards the landscaping of rear gardens. The proposed side extension would further enclose this gap between the built form and therefore disrupt the spacious, uniform pattern of the street scene, thereby harming the character and appearance of the surrounding area.
7. Although some of the rear gardens in the surrounding area are smaller, due to being on corners, they are generally of a good size and this creates a spacious pattern to the street scene. The proposal would subdivide the outdoor space of the appeal site to provide amenity areas for each of the individual flats and a separate bin storage area. Although this would meet the requirements of Policy D6 of the London Plan (2021) (LDNP), it would visually break up the garden space of the appeal site, creating compact spaces, which would break up the well-spaced pattern of rear gardens, thereby causing harm to the character and appearance of the surrounding area.
8. The appellant has referred me to similar developments at Nos 77 and 95, which I viewed on my site visit, however I do not have the full details of these cases before me, including whether they have permission or the circumstances which led to any permission being granted. Therefore, I cannot be confident that they are directly comparable to the appeal scheme.
9. The appellant has referred me to a recent application granted by Harrow Council at 20 Corfe Avenue, which involved the subdivision of gardens. However, this is some distance from the appeal site and I do not have any details before me of the similarities that this has with the character and appearance of the appeal site and therefore cannot be certain that they are directly comparable.
10. I conclude that the proposed development would harm the character and appearance of the host property and surrounding area and thereby would conflict with policies D3 D (1) (7) and (11), of the LDNP, policy CS.1B of the Harrow Core Strategy (2012), policies DM1, DM26, DM27 of the Harrow Development Management Policies Local Plan (2013) (HDMP), the Mayor of London Supplementary Planning Guidance Housing (2016) (MLSPG) and the adopted Supplementary Planning Document: Residential Design Guide (2010) (SPD). These policies seek amongst other things to ensure that new development does not detract from the appearance of the property or the street scene and enhances local context by delivering buildings and spaces that positively respond to local distinctiveness in terms of design, siting, density and spacing. The proposal also conflicts with paragraph 135 (c) of the National Planning Policy Framework (2023) (the Framework), which says that new development should be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

Living conditions

11. Policy D6 of the LDNP sets out minimum space standards for new housing development. The policy requires that the minimum gross internal area standards for a 1 bedroom, 2 person flat should be 50sqm plus 1.5m storage and for a 2 bedroom, 4 person flat should be 70 sqm plus 2.0 storage. Although the proposed flats meet the requirement set out in policy D6 in terms of gross internal area, they do not provide sufficient storage space and therefore the proposal conflicts with the policy.
12. The appellant has put forward that modern flats can be filled with space saving devices in order to reduce storage, nevertheless future occupiers would require space for the storage of clothes and other items of personal effects and the lack of suitable space would not meet the requirements of the policy which seeks to ensure that dwellings are comfortable and functional. The proposal would thereby harm the living conditions of future occupiers with particular reference to internal living space.
13. The SPD says that the vertical stacking of rooms between flats should not overlap living rooms, kitchens and bathrooms on other floors. The proposed layout of the flats would mean that the living room and kitchen area of flat 1 would sit beneath the bedroom of flat 3. Whilst the living room of flat 3 would be above the bedroom of flat 2. This overlapping arrangement would therefore cause harm to the living conditions of future occupiers with particular reference to noise. Although the appellant says that this matter would be dealt with through building regulations, I have no details before me and therefore cannot be certain that this harm could be appropriately mitigated.
14. The proposal would therefore cause harm to the living conditions of future occupiers with particular reference to internal living space and noise and consequently conflicts with policies D3 D (7), (11) and D6 of the LDNP, policies DM1 and DM26 of the HDMP, the MSPG and the SPD. These policies seek amongst other things to ensure that new housing provides adequately sized rooms, which comply with minimum space standards and that the arrangement of rooms secures the separation of bedrooms and other room uses between homes within the development and neighbouring dwellings having regard to the adequacy of any measures to prevent noise transference. The proposal also conflicts with paragraph 135 (f) of the Framework which says that new development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Other Matters

15. Planning permission has been granted for the conversion of the dwelling into two flats (1 three bedroom and 1 two bedroom) under reference P/1912/23. The width of the side extension of this fallback position would be of a similar size to the appeal, however its depth would be set back from the front elevation of the property and would not extend as far to the rear. In addition, the garden area would only be subdivided into two gardens and the vertical stacking arrangements would be different. Therefore, the fallback position is a different scheme that in my judgement would be less harmful than the appeal proposal.

16. The Officers Report refers to the requirement for the provision of five secure cycle parking spaces. The proposed plans identify 3 cycle stands and this would not provide for the appropriate levels required. However, given that I am dismissing the appeal for other reasons I have not considered it necessary to consider this matter further.
17. The proposal would provide two additional homes, would have a small economic benefit during the construction phase and given its location could support car-free travel. The proposal would also meet at least 10% of predicted energy from onsite renewable energy technologies and has the opportunity to make the ground floor dwellings more accessible for wheelchair access should a future occupant require it. Nevertheless, these benefits do not outweigh the significant harms that I have found.

Conclusion

18. I have found that the proposed development would cause harm to the character and appearance of the host property and the surrounding area and the living conditions of future occupiers with particular reference to internal living space and noise. These harms are not outweighed by the benefits which I have identified and are sufficient to justify dismissing the appeal.
19. The proposed development would conflict with the Development Plan, when taken as a whole, and the Framework. There are no material considerations that indicate that the decision should be made other than in accordance with the Development Plan. Accordingly, for the reasons given above the appeal should be dismissed.

C Skelly

INSPECTOR