



Appeal Decision

Site visit made on 31 January 2025

by **Gary Deane BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17th February 2025

Appeal Ref: APP/M5450/W/24/3349856

5 Goodhall Close, Stanmore, Harrow HA7 4FR

- 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 Netanel Galer against the decision of the Council of the London Borough of Harrow.
 - The application reference is PL/0717/23.
 - The development proposed is the erection of a single storey rear extension; convert the garage (partly) to habitable room/utility/study; convert the house to two flats: 1. A ground floor of 2-bedroom 2-bathroom garden flat. 2. First and Second floor 4-bedroom 3-bathroom flat.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of a single storey rear extension; convert the garage (partly) to habitable room/utility/study; convert the house to two flats: 1. A ground floor of 2-bedroom 2-bathroom garden flat. 2. First and Second floor 4-bedroom 3-bathroom flat at 5 Goodhall Close, Stanmore, Harrow HA7 4FR in accordance with the terms of the application, Ref PL/0717/23, subject to the conditions set out in the schedule to this decision.

Procedural matter

2. On 12 December 2024, a revised National Planning Policy Framework (the Framework 2024) was published with an amendment issued on 7 February 2025. The Framework 2024, as amended, does not raise any new matters that are determinative to the outcome of this appeal.

Main Issues

3. The main issues are the effect of the proposed development firstly, on the character and appearance of the host building and the local area; secondly, on highway safety and movements for users of Goodhall Close; and thirdly, whether the proposal would provide satisfactory living conditions for the future occupiers with particular regard to external amenity space.

Reasons

Character and appearance

4. The appeal property is a 2-storey mid-terrace dwelling with an attached garage that lies within a modern estate style residential area. Along Goodhall Close and nearby roads, I saw that properties are arranged in clusters that are similar in style, layout and materials with some variety within each grouping in detailed design. In the immediate area to which No 5 belongs, properties appeared to largely comprise dwellings with gardens with blocks of flats a little further away.

5. The proposal is to extend, alter and convert the building to form 2 self-contained flats with a shared front entrance and hallway. Flat 1 would include 2-bedrooms and be on the ground floor with Flat 2 with 4-bedrooms above. Space for off-road parking and the storage of bins and cycles would be provided within the site.
6. Although the proposed use of No 5 as flats would differ from nearby houses, there would be few, if any, obvious visual clues that would disclose this. No external changes to the front elevation of the building are proposed and so the outward appearance of the host building in the street scene would remain the same. Despite the conversion, and the introduction of rear extension following the removal of a first-floor balcony, No 5 would still resemble a family house. Furthermore, the arrangements to store bins and cycles within the site would not necessarily differ to those associated with a single dwelling. The details of these arrangements could be covered by a condition to ensure a satisfactory appearance and avoid a sense of clutter within the streetscape. For these reasons, the appeal scheme would not manifest itself significantly differently from the use of the property as a single dwelling in terms of its effect on the visual character of the local area.
7. On the first main issue, I therefore conclude that the proposed development would be in keeping with the character and appearance of the host building and the local area. As such, it complies with Policy D3 of the London Plan (LP), Core Policy 1 of the Harrow Core Strategy (CS), Policy DM 1 of the Harrow Development Management Policies Document (DMPD) and the advice within the Council's Supplementary Planning Document: *Residential Design Guide* (SPD). These policies and guidance promote high standards of design and aim to ensure that development enhances the local context. The appeal scheme also complies with the policies of the Framework 2024 which, like its predecessor, states that development should be sympathetic to local character.

Highway safety

8. To meet its relevant parking standard, the Council states that up to 3 off-road parking spaces would be required to serve the new flats. Since this is a maximum figure, the provision of fewer parking spaces would not necessarily result in a conflict with the Council's parking requirement. Nevertheless, as only 1 on-site space is to be provided, the Council and others raise concern that the proposal would cause or exacerbate local parking and congestion problems by significantly adding to on-street parking demand.
9. Taking into account the Council's parking standard, the proposal could create an additional demand for up to 2 on-street spaces. According to the Council and several others, there is a high demand for on-street parking, with the area described as being under parking stress. However, there is no evidence before me that an increased demand for up to 2 spaces could not be accommodated on Goodhall Close along which vehicle parking is unrestricted or on nearby roads.
10. If no space were available close to the site, occupiers of and visitors to the new flats may decide to park inconsiderately, illegally or obstructively on the nearby highways and thereby impede traffic flows, prejudice highway safety or cause an inconvenience to other road users. While that is a possibility, I saw no instances of such behaviour during my late afternoon site visit although I do note that some interested parties have experienced situations where motorists using roads within the wider estate have overrun the footway and emergency vehicles have been obstructed by parked vehicles. I am not convinced that these problems would necessarily worsen if the appeal scheme were to proceed. While car users

associated with the proposal could park in front of other buildings, they have a right to do so as any other highway user.

11. Secure storage space for cycles would be provided for use by future occupiers, and some local shops and bus services would be within walking distance of the site. Future occupiers of the new flats would therefore have a genuine choice of transport other than the private car. As a result, not all future occupiers of the new development will necessarily have regular access to a car and thus seek to use the street for vehicle parking. I also note that the Council's Highways Officer raises no objection subject to a condition to cover cycle storage details.
12. On the second main issue, I conclude that the proposed development makes adequate provision for vehicle parking and would not cause significant harm to highway safety or unduly disrupt traffic movements. As such, it complies with LP Policies T5, T6, T6.1 and DMPD Policy DM 42. Together, these policies aim to ensure that development provides appropriate on-site parking and does not create significant on-street parking problems or prejudice highway safety.

Living conditions

13. The Council is critical of the proposal in failing to provide any outdoor amenity space (OAS) to serve the future occupiers of Flat 2. The lack of such provision would be at odds with the advice within the Council's SPD, which aims to ensure that all flats have access to a garden, most likely in the form of a subdivision of an existing garden into private garden areas.
14. The submitted plans show a single area of OAS to the rear of the building, as proposed to be extended. On that basis, the OAS could either be shared between future occupiers or its use split between the 2 flats. While the occupiers of Flat 1 would have direct access to the back garden, residents of Flat 2 could potentially use the passageway that runs along the side and rear of the terrace. From what I saw, the back garden of No 5 is capable of being subdivided into good-sized areas of private OAS to allow future occupiers to carry out a range of typical activities such as sitting out, drying clothes or children's play. These matters could be resolved if details relating to the subdivision and boundary treatment of the OAS were to be provided, which could be covered by a condition.
15. With a suitable condition in place, I find that the proposal would provide satisfactory living conditions for future occupiers. Accordingly, there is no conflict with LP Policies D3 and D6 or the Council's SPD insofar as they aim to ensure that developments provide adequate amenity space.

Other matters

16. Each of the new flats would exceed minimum space standards and the enlarged building would continue to stand comfortably within a good-sized plot. As such, the proposal would not amount to an overly intensive use of the building nor represent over development of the site. A future proposal to convert the property into a House in Multiple Occupation would be assessed on its own merits should it come forward. For the same reason, a decision to grant planning permission would not necessarily set a precedent. There is no evidence that the proposal would encourage anti-social behaviour nor lead to an appreciable loss of natural light to neighbouring properties given the southeasterly orientation of their rear elevations.
17. The removal of the rear balcony, as proposed, along with the introduction of a rear extension, would set the finished building apart from others within the same terrace.

However, this element of the appeal scheme would be a proportionate addition and appropriate in design with matching external materials. No visual disharmony with the wider terrace would therefore result. Inevitably, there would be some noise and potential general disturbance to other residents during the construction phase. However, this is likely to take place over a short period of time and is insufficient reason to withhold planning permission.

Conditions

18. The Council has not suggested any conditions be imposed if the appeal were to be allowed. Nevertheless, several conditions are necessary in this case to make the development acceptable.
19. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. To ensure the satisfactory appearance of the development, a condition is imposed to require the use of external materials to match the existing dwelling, as proposed. For the same reason, and to protect the visual character of the local area, conditions are imposed to require details of the OAS, and the storage arrangements for refuse and cycles.

Conclusion

20. There are no material considerations that indicate the proposal should be determined other than in accordance with the development plan. For the reasons set out above, I therefore conclude that the appeal should be allowed.

Gary Deane

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin no later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Entitled Site Block Plan, Existing Front and Side Elevations, Existing Rear and Side Elevations, Existing Floor Plan, Proposed Front and Side Elevations, Proposed Rear and Side Elevations, Proposed Floor Plan and the HM Land Registry Plan which shows the site edged red.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) No flat hereby permitted shall be occupied until outdoor amenity space and associated boundary fencing has been provided for both flats, in accordance with a scheme that has previously been submitted to and approved in writing by the local planning authority. The approved outdoor amenity space and associated boundary fencing shall be permanently retained thereafter.
- 5) Notwithstanding the details shown on the approved plans, no flat hereby permitted shall be occupied until cycle storage, refuse storage, recycling and collection facilities have been provided in accordance with a scheme that has previously been submitted to and approved in writing by the local planning authority. The approved cycle storage, refuse storage, recycling and collection facilities shall be permanently retained.