



Appeal Decision

Site visit made on 21 May 2025

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

an Inspector appointed by the Secretary of State

Decision date: 02 June 2025

Appeal Ref: APP/M5450/W/25/3358795

65 Gainsborough Gardens, Edgware, Harrow HA8 5TA

- 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 Azhar Malik against the decision of the Council of the London Borough of Harrow.
 - The application reference is PL/1426/24.
 - The proposed development is the erection of a rear extension to existing dwelling and construction of new dwelling off end of terrace.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would provide satisfactory living conditions for existing and future occupiers with particular regard to living accommodation.

Reasons

3. Minimum space standards for housing are set out in Policy D6 of The London Plan (TLP). TLP Policy D6 states that the minimum floor to ceiling (FtC) height must be 2.5 metres (m) for at least 75% of the gross internal area (GIA) of each dwelling. Policy DM 26 of the Harrow Development Management Policies Document (DMPD) requires proposals to convert houses and other residential premises to multiple homes to comply with TLP minimum space standards.
4. A section and elevation of the proposed building have been provided. However, no dimensions are given on the plan to indicate the FtC height and there are difficulties of scaling accurately from the submitted drawing. Therefore, I cannot be certain that the proposal would meet the minimum FtC height stipulated in TLP Policy D6.
5. I have no reason to doubt that the scheme has been carefully designed to comply with relevant minimum space standards. However, if the appeal were to be allowed, the development would have to be carried out in accordance with the submitted plans. If a change to the scheme were necessary to achieve the minimum FtC height, this may require further consideration of the consequent effects. An opportunity may also need to be provided to interested parties to comment on the change if they so wished. Therefore, it would not be reasonable to impose a condition requiring that the FtC height must be at least 2.5m.

6. The appeal plan indicates that the GIA of the proposed dwelling would be just over 82 square metres (sqm). This element of the appeal scheme would therefore exceed the minimum space requirement for a 2-bedroom, 4-person dwelling, which the TLP states is 79 sqm GIA. TLP Policy D6 also states that at least 2 sqm of built-in storage should be provided. Although not shown on the submitted plans, any built-in storage space would be included within the overall GIA. Therefore, the new dwelling would still exceed the minimum GIA requirement set out in the TLP.
7. Nevertheless, I conclude on the main issue that the proposed development would not provide satisfactory living conditions for existing and future occupiers. Accordingly, it conflicts with DMPD Policies DM 1 and DM 26 that aim to ensure that development achieves a high standard of design and layout and a satisfactory standard of accommodation. It is also at odds with TLP Policy D6.
8. The scheme was refined because of lengthy discussions with Council Officers with an indication given by them that planning permission would be granted on receipt of further amendments. Against that background, the appellant's frustration that planning permission was refused is understandable. Had information on FtC heights and built-in storage been requested sooner in the process, it is possible that the planning application would have been approved. While I have some sympathy for the appellant's position, my remit is to determine this appeal on its own merits considering all the submitted evidence, which I have done.

Conclusion

9. The proposed development conflicts with the development plan, when read as a whole. There are no material considerations, including those of the National Planning Policy Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan.
10. For the reasons set out above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR