



Appeal Decision

Site visit made on 8 July 2025

by N Unwin BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 August 2025

Appeal Ref: APP/M5450/W/25/3362743

7A Village Way East, Rayners Lane, Harrow HA2 7LX

- 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 M Sharmielan against the decision of the Council of the London Borough of Harrow.
 - The application Ref is PL/2328/24.
 - The development proposed is described as the: Demolition and development to provide two-storey building, comprising offices to ground floor (Use Class E), and self-contained 1 bedroom flat to first floor, bin and cycle stores.
-

Decision

1. The appeal is dismissed.

Main Issue

2. Whether the proposed development would provide acceptable living conditions for future occupants, with regard to outlook, noise, and security.

Reasons

3. The appeal site forms a single-storey rectangular building currently utilised as storage/warehouse. The site is located to the rear of the buildings adjoining Rayners Lane and Village Way East. This back land area primarily comprises parking, refuse bins, outbuildings, and external plant equipment mostly associated with businesses adjoining the highway. Manoeuvring vehicles and plant equipment result in a modest level of background noise within the area.
4. The first-floor of the proposal would comprise a one bedroom dwelling. There would be windows to the bedroom and living area, with a balcony adjoining the living room. The windows to these habitable rooms and the balcony would be adjacent to the parking and refuse bin area, close to the surrounding external plant equipment and therefore subject to the modest levels of background noise. As such, this would not provide acceptable living conditions for future occupiers of the proposed dwelling. Whilst sound insulation and triple glazing could mitigate some of this external noise, this would do little to mitigate external noise when opened. Further, this would not mitigate the noise levels when using the balcony which forms the only useable external living space.
5. The backland location offers little natural surveillance from the properties adjoining the highway and, based on my site visit observations, the low level of footfall. The minimal external lighting within the area exacerbates this issue during non-daylight hours. Further, the evidence indicates that the area is a well-known crime and an

anti-social behaviour hot spot and that the unsecured refuse bins create a climbing aid to access the proposed balcony. Whilst the use of CCTV and security lighting could reduce the risk of crime, this would not affect the low footfall and lack of natural surveillance of the appeal site, resulting in unacceptable harm to the safety of future occupiers.

6. The windows to the proposed bedroom and living areas would look out over the adjoining parking area and surrounding buildings beyond. Given their first-floor location being elevated above the parking area and the low level of the closest surrounding buildings to the proposed windows, the views would be relatively open providing an acceptable level of outlook for future occupiers.
7. Nevertheless, for the above reasons the proposed development would not provide acceptable living conditions for future occupants, with regard to noise and security. As such the proposal would conflict with the relevant provisions of Policies D3, D11, D13, and D14 of The London Plan - The Spatial Strategy for Greater London (2021) and Policies DM1 and DM2 of the Harrow Development Management Policies (2013). When read together these policies require new development to achieve safe and secure environments, and mitigate and minimise the existing and potential adverse impacts of noise.

Other Matters

8. The appellant suggests that the proposal would replace the existing warehouse in addition to being constructed of high-quality materials and finishes. They go on to say that the proposed dwelling would be let to Harrow Council residents, however no mechanism has been presented to secure this and so this consideration makes no difference to my overall conclusion. The proposal would be lower than the surrounding larger blocks of flats and there are other structures and back land development within the vicinity. Nevertheless, this does not justify the above identified harm to the living conditions of future occupiers.
9. The appellant maintains that the existing warehouse is defunct and has not been functioning as a viable business, however I have been provided with little evidence to substantiate this.
10. I note the appellant raises concerns regarding communication from the Council. Nonetheless, this is a procedural matter and not something I can take into consideration as part of this appeal.
11. Whilst there maybe other backland development within the area, this does not justify the above identified harm to the living conditions of future occupiers.

Conclusion

12. For the reasons given above the appeal should be dismissed.

N Unwin

INSPECTOR