



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: 28 October 2025

Appeal Ref: APP/M5450/W/25/3363319

41 Moat Drive, Harrow HA1 4RY

- 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 Mrs Geetanjali Gujar against the decision of the Council of the London Borough of Harrow.
 - The application Ref is PL/2050/24.
 - The development proposed is Sub-division of a 3-bedroom dwelling into two dwelling units (2- & 3-bedroom dwellings) including: Two storey side extension; Single storey rear extension; Rear dormer; Front Porch; External alterations; Common & separate amenity space; Additional Vehicle crossing; Separate car & cycle parking spaces; and Refuse storage.
-

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mrs Geetanjali Gujar against the Council of the London Borough of Harrow. This application is the subject of a separate decision

Preliminary Matter

3. Additional plans were submitted with the appeal identifying built-in storage areas. Parties had the opportunity to comment on these documents, and I am therefore satisfied that no prejudice would be caused by my consideration of them as part of this appeal.

Main Issues

4. The Council's delegated report raises concerns regarding the effect of the proposal on the character and appearance of the area and the loss of soft landscaping. Nevertheless, the decision notice only refers to pedestrian safety and the living conditions of future occupiers. Therefore, the main issues of the appeal are the effect of the proposal on:
 - pedestrian safety; and
 - the living conditions of future occupiers with specific regard to internal space, noise, and location of bin storage.

Reasons

Pedestrian Safety

5. The appeal dwelling is set back from the public footway by a single parking and grassed area. This section of highway comprises multiple residential vehicular accesses which has resulted in short pedestrian refuges between each access. The appeal site currently benefits from a large pedestrian refuge between the existing vehicular access and that of the neighbouring properties, allowing pedestrians travelling along the footway a safe area to wait whilst vehicles enter and exit the off-street parking areas.
6. The proposal would create an additional vehicular access and parking area close to the boundary with the existing adjoining property. This would significantly reduce the existing pedestrian refuge to approximately 1.5 metres at the highway and 2.12 metres at the pavement.
7. The appellant contends that there are no specific policies dictating a minimum standard for a pedestrian refuge, with Haringey requiring a minimum 1.2 metres. They additionally state that Brent only permits a second crossover if the frontage exceeds 12 metres. Nevertheless, given the high number of vehicular accesses and short pedestrian refuges within the vicinity, the proposal would further reduce the area in which pedestrians can safely wait.
8. Further, the configuration of the proposal would necessitate vehicles to reverse in or out of the site. This would limit the driver's visibility and in so doing, give rise to potential conflict with vehicles travelling along the highway and pedestrians utilising the pavement. When combined with the reduction in the pedestrian refuge, the proposal would increase the likelihood of conflict between vehicles and pedestrians, harming pedestrian safety.
9. For the above reasons, the proposed development would have an unacceptable and detrimental effect on pedestrian safety. Consequently, the proposal conflicts with the relevant provisions of Policies T4, T6, and T6.1 of the Spatial Development Strategy for Greater London (2021) (London Plan), and Policy DM42 of the Harrow Development Management Policies (2013) (DMP). When read together these policies require development to not increase road danger.

Living conditions

10. The London Plan Guidance Housing Design Standards (2023) (Housing Standards) requires two bed dwellings to have a minimum combined floor area of living, dining and kitchen spaces of 27 square metres. The Council's delegated report calculated the floor area of the living, dining and kitchen of the two bed unit as 24.77 square metres. The appellant contends that the addition of the under stair storage and utility room, the floor area would be 26.33 square metres. The internal floor area of this room is only marginally below that of the Housing Standards guidance. Further, the Council have confirmed that both units meet the minimum gross internal floor area set out within the London Plan. As such, I find the floor area of living, dining and kitchen spaces acceptable and in this instance, it is acceptable to depart from the Housing Standards guidance.

11. The Housing Standards guidance goes on to give best practice guidance for internal storage of three bedroom dwellings of 3 square metres and 2.5 square metres for two bedroom dwellings. The plans submitted with the appeal demonstrate an internal storage area for the three bedroom unit of approximately 4.4 square metres and 2.17 square metres for the two bedroom unit not including the bin store within the common vestibule.
12. Whilst the two bedroom unit is marginally below the Housing Standards guidance internal storage, it meets the 2 square metres for two bedroom dwellings within the London Plan. When combined with the two bedroom units' compliance with the minimum gross internal floor area of the London Plan, the proposed internal storage is acceptable and in this instance it is acceptable to depart from the Housing Standards guidance.
13. The ground floor bedroom of the three bedroom unit would adjoin part of the kitchen and dining area of the two bedroom unit. The Council raise concerns regarding noise transfer between the kitchen and bedroom. Whilst the kitchen and dining area may be used frequently, given the nature of its use, it is not unreasonable to consider that occupiers would primarily utilise this area during waking hours. Further, a condition could be utilised to secure sufficient sound insulation so as to acceptably mitigate noise transfer.
14. The submitted plans identify a bin store comprising two bins within the common vestibule and three bins stored externally at the front of the building. I note that the Council state that such a development would require six bins, nevertheless, based on the submitted plans there is sufficient external space to store an additional bin and a condition could be attached to identify its location. Whilst the arc of the door to the internal bin store would overlap with that of the front entrance to both units, the common vestibule would be large enough to manoeuvre the bins in and out for collection.
15. The Council contend that the relationship of the proposed external bin store to the off-street parking would result in a conflict, particularly when the bins are required to be moved. Nonetheless, based on the submitted plans I consider it likely that there is sufficient room within the appeal site for these to be adequately moved when a vehicle is parked. Further, the Council confirm that any such conflict could be overcome by a condition requiring additional details of their location.
16. The Council contend that the design of the bin store would also be unacceptable as no future occupants could access the bins individually. Based on the submitted plans and the dimensions of the proposed bin store, I see no reason why the proposed bins could not be accessed individually by occupiers.
17. For the above reasons, the proposed development would not have an unacceptable and detrimental effect on the living conditions of future occupiers with particular regard to internal space, noise, and location of bin storage. As such, in this specific regard the proposal would comply with the relevant provisions of Policies D3 and D6 of the London Plan and Policies DM1 and DM26 of the DMP. When read together these policies require development to help prevent or mitigate the impacts of noise, comply with the London Plan minimum space standards, and achieve configurations that are practical and fit for purpose.

Other Matters

18. The Council raise no concern regarding the effect of the proposal on the character and appearance of the area within the decision notice. However, this would be expected of any well-designed development and as such is a neutral factor and does not justify the above identified harm.
19. The proposal would enable off-street electric vehicle charging and provide an additional dwelling to the existing housing stock. Nevertheless, given the small scale of the proposal these benefits would be limited and would not outweigh the above identified harm to pedestrian safety.

Conclusion

20. Whilst I have found that the proposal would not harm the living conditions of future residents, I conclude that the proposal would conflict with the development plan, as a whole, and there are no material considerations, which indicate that the development should be determined other than in accordance with it. Therefore, the appeal is dismissed.

N Unwin

INSPECTOR