

**Report for: Planning Policy
Advisory Panel**

Date of Meeting:	9 th January 2023
Subject:	Scoping report – Residential Conversion Guidance & Residential Extension Guidance Chapters – Draft Small Site Design Code Supplementary Planning Document (SPD)
Key Decision:	No
Responsible Officer:	Dipti Patel, Corporate Director Place Viv Evans, Chief Planning Officer
Portfolio Holder:	Cllr Marilyn Ashton Deputy Leader of the Council, Portfolio Holder for Planning & Regeneration
Exempt:	No
Decision subject to Call-in:	No
Wards affected:	All Wards
Enclosures:	Appendix 1: Draft Residential Conversions Guidance Principles

Section 1 – Summary and Recommendations

This report sets out the proposed approach to be taken to prepare specific design guidance for residential conversions (dwelling houses into flats, regardless of whether extensions are also proposed), which is proposed to be progressed as a chapter within the draft Small Sites Design Code Supplementary Planning Document (SPD). This report also provides a further detail on householder extension guidance as initially drafted within the draft Small Sites Design Code SPD.

Once drafted, the guidance will be presented to a subsequent meeting of the Panel for consideration, and Cabinet thereafter seeking adoption as part of the draft Small Sites Design Code SPD.

Recommendations:

The Panel is requested to:

- A. Note the contents of the report and the recommended approach to bringing forward residential conversion design guidance, by way of a specific chapter within the draft Small Sites Design Code Supplementary Planning Document

- B. Note the further detail to be provided in relation to householder extension guidance
- C. Note the proposed draft residential conversion design principles and images contained in Appendix 1
- D. Note the proposed timetable headlines contained within paragraph 4.5
- E. Provide comments / feedback in relation to the information set out in this report and associated appendices.

Reason: (for recommendation)

To outline the approach to preparing design guidance for residential conversions (dwelling houses into flats, regardless of whether extensions are also proposed), as an additional chapter within the draft Small Sites Design Code Supplementary Planning Document, and to provide further detail to the draft residential design guidance.

Section 2 – Report

1.0 Introduction

- 1.1 The Council has committed to prepare design guidance for the conversion of dwelling houses into flats¹. Accordingly, the following report sets out an approach to progressing a residential conversion guidance chapter as part of the draft Small Sites Design Code SPD, which will directly respond to meeting a stated priority of the Council.
- 1.2 The Draft Small Site Design Code SPD provides borough wide design principles for small site development, however by reason of feedback through the consultation undertaken for this document (December 2021 – January 2022), it was requested that more guidance on residential conversions and residential extensions be provided within the document.

2.0 Options considered

- 2.1 To do nothing would require relying on the existing local policy framework (Core Strategy and Development Management Policies adopted in 2012 and 2013 respectively), and the existing Residential Design Code Supplementary Planning Document (2010). The London Plan 2021 has been subsequently published and the update to the Local Plan will not be completed and adopted for at least three years meaning to do nothing would leave a significant period without contemporary and user-friendly local guidance relating to residential conversions. It would also not reflect the stated priority of the Council to bring forward design guidance in relation to residential conversions across the borough.

¹ See Cabinet meeting 24 May 2022, item 5
<https://moderngov.harrow.gov.uk/documents/s176909/Cabinet%20Report%20-%20May%202022%20-%20Tall%20Buildings%20and%20Conversions%20-%20FINAL%20V2%20-%20220517.pdf>

- 2.2 An alternative option would be to progress a separate SPD focusing on residential conversions only. This would have the benefit of being clear, visible guidance relating to residential conversions. It would however mean that the benefits of combining such guidance alongside the general design principles relating to small sites / residential extensions (as proposed within this report) would be diminished. The London Plan (through Policy H2: Small Sites) includes residential conversions within the scope of 'small site' development and including residential conversion guidance as a chapter within the draft Small Sites Design Code SPD would be consistent with that and give the conversions guidance greater weight. Additionally, a separate SPD would mean starting the SPD process from the start (including consultation) as it would be a new SPD. A separate SPD however remains a valid alternative option for the Panel to comment on. If it was decided to proceed with incorporating the residential conversion guidance in the draft SPD, consideration could be given to incorporating reference to residential conversions within the SPD title or subtitle.

3.0 Background

- 3.1 Concern has been expressed about the standard of accommodation and design quality of residential conversions. These concerns include the quality of streetscape created through any physical alterations / extensions to the building itself, as well as additional infrastructure required to support the additional dwellings (i.e. hard standing for car parking, refuse containers, access to amenity space etc). Many of these issues can apply regardless of whether or not extensions are also proposed.
- 3.2 The Council has previously committed to preparing a Small Site Design Code Supplementary Planning Document, which includes updated design guidance in relation to small sites and householder development. This draft SPD was consulted on in December 2021 – January 2022. The draft guidance subject to that consultation covered a range of design considerations that are applicable to residential conversions. Feedback received in relation to the two consultation events that were held, and written feedback also, made it clear that more guidance is required to improve front gardens through residential conversions.
- 3.3 As part of the Small Sites Design Code SPD that was consulted upon, it included residential extension guidance which is anticipated to replace the existing guidance within the Harrow Residential Design Guide SPD (2010). Following the consultation process, feedback sought a greater level of detail in the document to support applications for householder extensions.
- 3.4 The Small Sites Design Code SPD has a range of borough wide design principles, and whilst specifically progressed to assist in bringing forward successful small site applications, would be appropriate as general guidance only for residential conversions and householder extension guidance. The draft Small Sites Design Code SPD is attached as a

background paper. This document is still draft and as such continues to evolve, and accordingly has not been formally adopted by the Council.

4.0 Why a change is needed

- 4.1 The Local Plan process can span several years as it involves evidence gathering, policy development, at least two statutory periods of consultation and independent examination of the draft Local Plan by the Planning Inspectorate (which may also trigger further consultation).
- 4.2 Proposals for residential conversions (generally dwelling houses into flats, but sometimes flats into additional flats) are coming forward in the meantime, with limited contemporary, visual design guidance in the current Local Plan to assist with ensuring a high quality of design is achieved.
- 4.3 It is considered that to introduce specific design guidance through a specific chapter, which would build upon the borough wide design principles within the Small Sites Design Code Supplementary Planning Document, would provide greater clarity across the borough for any applications that would involve the conversion of single dwellings into flats. The guidance provided will also be applicable for applications that seek to convert an existing flat into multiple flats. The guidance would apply regardless of whether any extensions are also proposed as part of the conversion.
- 4.4 Additional guidance is also required to supplement the residential design guidance drafted as part of the Small Site Design Code SPD, to provide more detailed imagery to assist householder extension applications being made successfully. The need for additional detail to the initially drafted residential design guidance was received as part of the consultation process in early 2022.
- 4.5 In bringing forward a residential conversion design guidance chapter, the following sets out the key timetable actions required to be undertaken (Dates may be subject to change);
 - a. Report for Planning Policy Advisory Panel (this report) 9th January 2023
 - b. Draft Chapters for Residential Conversions and Residential Design Guidance within the draft Small Sites Design Code SPD to a future Planning Policy Advisory Panel in 2023 (meeting date to be confirmed).
 - c. Cabinet Approval to adopt the Small Sites Design Code SPD: 2023 – following PPAP under bullet point 2 above (inclusive of residential conversion design guidance / more detailed residential extension guidance).
- 4.6 In the preparation of the residential conversion design guidance and residential extension guidance, officers will also engage internally with relevant departments (Development Management, Highways Authority,

and the Waste Authority for example). This will assist in ensuring a more robust and defensible SPD is achieved.

5.0 Residential Conversion Design Guidance Chapter: Small Sites Design Code Supplementary Planning Document

5.1 Policy Context

National Policy Framework

5.2 The NPPF 2021 has placed a greater emphasis on the design quality of all developments, recognising the importance that this has on how people view their surroundings.

5.3 Paragraph 126 of the NPPF (2021) states that *the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.*

5.4 Paragraph 127 goes on to state *Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable*

5.5 It is clear that since the adoption of the Harrow Local Plan, there has been a significant shift in increasing the design quality of development, which has been lead through the NPPF (2021). The residential conversion guidance would assist in meeting this aspiration.

London Plan (2021)

5.6 The London Plan (2021) is the spatial plan for Greater London and sets out several policies that seek to ensure new development is of a high-quality design, and that new housing meets minimum standards to ensure a satisfactory level of accommodation. Whilst any guidance set out within a proposed SPD would be giving further guidance to identified policies within the Harrow Local Plan (HDMPLP (2013)), proposals must consider the development plan (which the London Plan (2021) forms part of) in the round. Accordingly, the following policies are the most relevant that are currently being used by Development Management (DM) in the assessment of planning applications seeking to convert existing single dwellings into flats.

Policy D1 London's form, character and capacity for growth

Policy D3 Optimising site capacity through the design-led approach

- *Applies a design-led approach*
- *Form & Layout*
- *Experience*
- *Quality and Character*

Policy D6 Housing Quality & Standards

- *Private internal space*
- *Private outside space*
- *Communal play space – needs to be assessed against Policy S4*

Policy H2 (Small Sites)

- *Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making;*
- *significantly increase the contribution of small sites to meeting London's housing needs*
- *diversify the sources, locations, type and mix of housing supply*

Para 4.2.8 Where existing houses are redeveloped or subdivided, boroughs may require the provision of family-sized units (3 bed + units) providing sufficient design flexibility is provided to allow the existing footprint of a house to be enlarged in order to meet this requirement.

6.0 Harrow Local Development Framework

6.1 The following section sets out the documents that comprise the Harrow Local Development Framework (LDF) (forming part of the development plan with the London Plan (2021)), and goes on to set out the relevant policies that are used by planning officers in the determination of planning applications relating to conversion of single dwellings to multiple flats. It also sets out the relevant, existing SPDs referred to in such applications.

- a. Harrow Core Strategy (2012)
- b. Harrow Development Management Policies Local Plan (2013)
- c. Harrow & Wealdstone Area Action Plan (2013)
- d. Site allocations DPD (2013)
- e. Policies Maps (2013)

6.2 Policy CS1B of the Harrow Core Strategy (2012) states that proposals that would harm the character of suburban areas and garden development will be resisted. All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.

6.3 The Harrow Development Management Policies Local Plan (2013) (HDMPLP (2013)) has a number of policies that are relevant to flat conversions and also for appropriate extensions to dwellings.

- DM1 (Achieving a High Standard of Development),
- DM23 (Streetscene Greenness and Forecourt Greenery)
- DM24 (Housing Mix)
- DM26 (Conversion of Houses and other Residential Premises).
- DM27 (Amenity Space)

- 6.4 The policies identified above provide a sound policy basis for a SPD to provide further guidance in relation to residential conversions. Whilst any SPD will be providing further guidance to the policies noted here, proposals will still need to be considered against the development plan, which includes the London Plan (2021) and its relevant policies.
- 6.5 Whilst each of the policies noted provide a clear policy direction and a useful explanatory text, more detailed guidance including visual aids would be more helpful to assist improving the design quality of residential conversions across the borough. Guidance set out in a SPD will provide nuanced guidance for flat conversions with appropriate visuals to demonstrate good quality design examples. Conversely, visually the SPD will set out examples of poor design that would not be supported by the Council.
- 6.6 Whilst the SPD would be providing guidance to the existing local plan (policies noted above), the guidance would also need to be flexible enough to reflect any new policies within the new local plan which will be forthcoming.

7.0 Residential Conversion Chapter – Small Sites Design Code Supplementary Planning Document

- 7.1 As set out above, there are sufficient policies within the current Development Plan that relate to the conversion of single dwellings to multiple flats, and also in relation to design and character of developments, that allow further guidance through a SPD to be progressed. It is expected that any new principles/guidance (over and above the borough wide design principles) would be limited. This approach would not only build upon previously consulted upon borough wide design principles, it would also seek to address specific feedback on the impacts of such developments that were made during the consultation process.
- 7.2 Appendix A sets out the existing relevant borough wide design principles, which are listed as A through to H (inclusive). These principles provide guidance which assist in achieving good design for developments. However, further guidance can be added to these principles that pick up on bespoke issues that relate to residential conversions.
- 7.3 Beyond the existing relevant borough design principles noted above, further principles are proposed from I through to O. These additional principles are proposed as they are bespoke issues that relate to residential conversions, and are not directly addressed under the more general borough wide guidance in principles A to H. Such principles are considered relevant to conversions regardless of whether or not extensions are also proposed
- 7.4 Following on from the principles, the residential conversion guidance will set out supporting text to each of the principles to assist developments address the relevant issues that can lead to a poor-quality development.

Any guidance will be supported by visual representations of both good and poor design examples, which enable schemes to be brought forward with a clear understanding of what will and what will not be supported by the Local Planning Authority (LPA). It is considered that this approach will provide sufficient guidance to set out the LPA's expectation for high quality design for residential conversions.

- 7.5 The draft Small Sites Design Code SPD as consulted upon, through Chapters 3.1.20 to 3.1.24 sets out design guidance for householder extensions. However, responses to consultation suggested that the draft guidance did not provide enough detailed design guidance to assist applicants. Further guidance and diagrams / images are proposed to be developed to assist applicants in bringing forward successful applications for householder extensions.
- 7.6 The draft Small Sites Design Code SPD principles and the proposed bespoke residential conversion principles (attached at Appendix 1) will form the basis for the additional guidance. These principles have been informed by a review of relevant planning appeals, which are able to be used to inform the drafting of the subsequent detailed guidance to ensure it is robust.

8.0 Conclusion

- 8.1 The policy context above is considered to provide sufficient policy basis within the existing Local Plan relating to the conversion of single-family homes / larger flats to multiple flats, which are able to form the basis for further guidance through a SPD. The policies listed above provide a certain level of written guidance to assist applicants bringing forward applications to convert homes to flats. However, further guidance is sought to be provided to assist applicants and planning officers to ensure that residential conversions achieve a higher quality design than currently is achieved. Issues arising with applications are able to be considered in the context of the area wide design principles that have been progressed as part of the draft Small Sites Design Code SPD. As such, it is proposed that residential conversion guidance sit as a chapter within this document.
- 8.2 Where the area wide design principles set out for borough wide development within the draft Small Sites Design Code SPD are not specific enough to address design quality issues specific to residential conversions, a chapter that deals specifically with such matters will ensure that more detailed guidance is able to be provided.
- 8.3 Whilst any guidance brought forward as set out above would provide guidance to relevant current local plan policies (as set out above), guidance would be flexible to ensure that it would still remain relevant following the local plan review (where new/revised policies may be included).

9.0 Matters to be considered with respect to the proposed approach

- 9.1 Developing further guidance to the existing policy context is likely to result in a change in the approach to assessing planning application for flat conversions or householder extensions, where guidance in a SPD will have material weight in the decision taking. Officers have identified some potential issues with applying such guidance.
- a. Approach will result in a shift in recent practice, which is likely to lead to initial frustration for planning agents / increase in appeals.
 - b. Insisting on a family unit to be provided had a tenuous link to Policy DM24 (Housing Mix) of the HDMPLP (2013), and may be subject to challenge as it is more in relation to design outcomes rather than housing delivery. A stronger policy basis for this would need to be progressed through the local plan review process.
 - c. Family homes that are being lost are difficult to replace as new larger scale development is often directed to town centre locations, and therefore not necessarily the character of the area to provide such homes.
 - d. A position will need to be taken in relation to considering an application based on the prevailing pattern of development, or seeking to improve the quality of area where the character has been eroded.

10.0 Implications of the Recommendation

Considerations

11.0 Resourcing

- 11.1 The project is being resourced internally by the Planning Policy Team, from the existing revenue budget. Significant input will be required from the Council's Principal Urban Design Officer (located within Development Management).

12.0 Ward Councillors' comments

- 12.1 Ward Councillor input was sought during the formal consultation period for the draft Small Sites Design Code SPD (December 2021 – January 2022). The guidance proposed here is in response to consultation feedback from that process.

13.0 Performance Issues

- 13.1 None: Report is for information purposes and comment only. Performance issues will be considered as part of any future Cabinet Report.

14.0 Environmental Implications

14.1 None: Report is for information purposes and comment only. Environmental implications will be considered as part of any future Cabinet Report.

15.0 Data Protection Implications

15.1 None: The report is prepared for information purposes and comment only for the Planning Policy Advisory Panel, which is noted as being a publicly accessible forum

16.0 Risk Management Implications

Risks included on corporate or directorate risk register? **No**

Separate risk register in place? **No**

The relevant risks contained in the register are attached/summarised below.
N/A

The following key risks should be taken into account when agreeing the recommendations in this report:

Risk Description	Mitigations	RAG Status
PPAP do not agree for the flat conversion guidance to sit as a chapter within the draft Small Site Design Code SPD, instead seeking that it is progressed as a standalone SPD (with additional resource implications i.e. consultation).	<ul style="list-style-type: none"> Flat conversion design guidance chapter would build upon borough wide design principles that have been through the consultation process. 	Amber
Non-compliance with regulatory requirements for the preparation of any guidance (i.e. scope of guidance, process.)	<ul style="list-style-type: none"> Process managed to ensure it complies with regulatory requirements 	Green
Negative feedback from PPAP – regarding design guidance	<ul style="list-style-type: none"> Guidance to follow contemporary design guidance from Mayor of London and Central Government. Draft guidance is able to be amended where appropriate to reflect feedback / comments from PPAP 	Green
Non-(general) conformity / consistency with Harrow development plan (i.e.	<ul style="list-style-type: none"> Drafting to be undertaken in context of existing development plan. 	Green

Risk Description	Mitigations	RAG Status
London Plan, Harrow Local Plan)	<ul style="list-style-type: none"> ▪ Guidance will reflect cotemporary legislation, strategic policy/guidance 	
Broader Planning Policy / Urban Design work programs impacted upon should additional resources to undertake the work outlined in this report not be forthcoming	<ul style="list-style-type: none"> ▪ Broader work programmes adjusted to reflect the priority given to the preparation of the SPD within existing resources 	Green
Not undertaking full consultation as part of the flat conversion guidance, rather, including it as part of a document that has already been though consultation (Draft Small Sites Design Code SPD).	<ul style="list-style-type: none"> ▪ Flat conversion guidance would be brought forward consistent with borough wide design principles and residential design guidance that have already been through the consultation process as per the draft Small Sites Design Code SPD. ▪ New principles and guidance not previously consulted upon, have been introduced to directly respond to specific consultation feedback, being the improvement of flat conversions. 	Amber

17.0 Legal Implications

- 17.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 17.2 Although the proposed SPD is not a development plan document it will, on adoption, be a material consideration in the determination of small site developments, that will also include flat conversions and residential extension development proposals within Harrow.
- 17.3 The Town and Country Planning (Local Planning) (England) Regulations 2012 (“Regulations”) provide guidance on the preparation and adoption of supplementary planning documents.
- 17.4 Under Regulation 12 of the Regulations, the Council is required to consult on the SPD and to take into account all consultation responses received before adopting the SPD.

17.5 Further, Regulation 14 of the Regulations requires that as soon as reasonably practicable after adopting an SPD, the Council must (i) make available the SPD and an adoption statement and (ii) send a copy of the adoption statement to any person who asked to be notified of the adoption of the SPD.

18.0 Financial Implications

18.1 The cost of preparing and implementing the guidance the draft Small Sites Design Code SPD (including the inclusion of design guidance for flat conversions and residential conversions) will be met from Planning Policy Team and Development Management (Urban Design) resources.

19.0 Equalities implications / Public Sector Equality Duty

19.1 The Council has a public sector equality duty under section 149 of the Equality Act 2010 (“the Act”) to have ‘due regard’ to the following when exercising any of its functions:

- a. Eliminating unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- b. advancing equality of opportunity; and
- c. fostering good relations between persons who share a relevant protected characteristic and those who do not share it.

19.2 The relevant protected characteristics are age, race, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation.

19.3 The proposed SPD the subject of this report aims to provide detailed design principles and guidance for small site development, flat conversions and residential extensions within the borough and therefore advances equality of opportunity for all and is not considered to adversely impact on persons within the protected characteristics.

19.4 Further, the proposed SPD will supplement adopted policies within the Harrow Core Strategy and subsequent Development Management Policies Local Plan. A full equalities impact assessment was carried out at each formal stage in the preparation of the Core Strategy.

20.0 Council Priorities

21.1 Putting residents first.

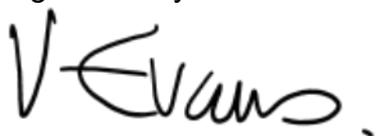
21.2 The progression of flat conversion design guidance was a manifesto commitment by the administration. This report sets out the proposed approach by the Council to deliver a chapter within the draft Small Site Design Code SPD with regard to improving the quality of flat conversions (and residential extensions), which would reflect the priorities of the Council to put residents first.

Section 3 - Statutory Officer Clearance

Statutory Officer: Abiodun Kolawole
Signed on behalf of the Monitoring Officer

Date: 20 December 2022 – by email

Chief Officer: Viv Evans
Signed off by the Chief Officer



Date: 22 December 2022

Mandatory Checks

Ward Councillors notified: No, as it impacts on all Wards /
Information only

EqIA carried out: No: refer to paragraph 19 above

EqIA cleared by: N/A

Section 4 - Contact Details and Background Papers

Contact: Callum Sayers, Principal Planning Policy Officer, 077
3159 1724, callum.sayers@harrow.gov.uk

Background Papers:

- [National Planning Policy Framework \(2021\)](#)
- [London Plan \(2021\)](#)
- [Harrow Local Plan](#)
- [Draft Small Sites Design Code Supplementary Planning Document \(as originally consulted on\)](#)

Appendix 1: Draft Residential Conversions Guidance Principles

	Existing Borough Wide Principles (Draft Small Sites Design Code SPD) (relevant to residential conversions)
Principle A	<p><u>3.1.7 Defensible Space</u></p> <p>Ground floor dwellings to have defensible space</p> <p>Bin and bike stores to be integrated</p> <p>No street facing bedrooms at ground floor</p>
Principle B	<p><u>3.1.8 Boundary treatment</u></p> <p>Design and dimensions for treatment</p>
Principle C	<p><u>3.1.9 Greening</u></p>
Principle D	<p><u>3.1.10 Communal Amenity Space</u></p> <p>Distinction between private, public and communal</p> <p>Accessible</p>
Principle E	<p><u>3.1.11 Entrances</u></p> <p>Predominantly for new build</p>
Principle F	<p><u>3.1.13 Private Amenity Space</u></p> <p>Directly accessible kitchen/living space as opposed to bedrooms</p>
Principle G	<p><u>3.1.14 Cycle Storage</u></p> <p>Provides some guidance and an image for a new build</p> <p>Internal store within the dwelling is shown</p>
Principle H	<p><u>3.1.15 Refuse Storage</u></p> <p>Avoid visual clutter in streetscape</p> <p>Limited to 5m wide on building façade</p>
Principle I	<p><u>3.1.16 Car parking</u></p> <p>Car free development is the preferred approach on small sites (London Plan T6)</p> <p>Off street parking only where it already exists</p>

Proposed New Principles – Specific to Residential Conversions

Principle J	Forecourt treatment / arrangement
Principle K	Over-intensive development
Principle L	Providing family-sized unit
Principle M	Window & door openings
Principle N	Other associated paraphernalia Matters such as foul and rainwater goods, gas meters and aerials etc
Principle O	Internal layout
Principle P	Climate change