

Appeal Decision

Site visit made on 8 November 2016

by Elaine Gray MA(Hons) MSc IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 November 2016

Appeal Ref: APP/T5150/W/16/3154924

384 Neasden Lane North, London NW10 0BT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms Loretta Coyne against the decision of the Council of the London Borough of Brent.
 - The application Ref 16/1561, dated 14 April 2016, was refused by notice dated 1 July 2016.
 - The development proposed is conversion of existing upper floor maisonette into 3x1 bed studio flats.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the development varies between the application form and the subsequent documents. I have used the description on the appeal form as it describes the development more clearly.

Main Issues

3. The main issues are:
 - Whether the proposal would result in the loss of a family-sized residential unit;
 - The effect of the proposal on parking provision and highway safety in the area;
 - Whether the proposal would provide satisfactory facilities for cycle storage, and;
 - Whether the proposal would provide satisfactory facilities for refuse storage.

Reasons

Loss of family-sized residential unit

4. The appeal site comprises the upper three floors of the property at 384 Neasden Lane North. The proposal is to convert the existing accommodation to three studio flats, with one unit on each floor. I consider that this would represent the efficient use of the land.
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5. Policy DMP17 of the Draft London Borough of Brent Local Plan Development Management Policies (Draft DMP, November 2016) seeks to maintain family-sized housing, which is defined as having three or more bedrooms. I note that the Draft DMP has not yet been adopted. However, it is at an advanced stage in the adoption process, and so I afford it substantial weight in my consideration of the appeal.
6. Draft DMP Policy DMP17 sets out exceptions whereby the loss of a family-sized unit will be considered if the amenity of the existing residence is so deficient that family occupation is unlikely and it could not reasonably be changed to overcome such deficiencies. From the evidence before me, it appears that the appeal site was previously a single dwelling of four bedrooms. The appellant suggests that it may previously have been divided into two residential units, but this matter is inconclusive.
7. The appeal site has no access to a garden or any other form of outdoor amenity space, and there is no realistic possibility of such space being provided. In addition, the location of the site raises suitability issues. Firstly, there is a variety of commercial uses within the ground floor premises of the surrounding properties, and these could give rise to noise and disturbance problems related to, for example, opening hours and deliveries. Also, the planning officer's report voices concern in respect the Jackman Mews access, specifically its secluded, dead end nature. Although this did not form part of the Council's reasons for refusal, I share the concerns over the suitability of the access, which would be still less attractive after dark. Taking these factors in combination, I conclude that the appeal site would not offer a good family environment, and it would be difficult to envisage reasonable changes that would overcome these deficiencies.
8. I therefore find that the proposed loss of a family-sized residential unit would be justified in this instance. The proposal would thus comply with Draft DMP Policy DMP17. It would also comply with Policy CP 21 of the Brent Core Strategy (CS, July 2010), which seeks to maintain and provide a balanced housing stock.

Parking provision and highway safety

9. The appeal site lies within an area with a PTAL rating of 1, which is regarded as 'low', and therefore full residential parking allowances should be applied. Policy PS14 of Brent's Unitary Development Plan (UDP, January 2004) requires the provision of one parking space per unit, and so three spaces would be required for the proposal.
10. The scheme does not provide any assigned car parking facilities for the use of the three new units. The appellant argues that the proposal does not increase the floorspace or density of occupation over and above the previous use, that the car parking pressure generated by a family unit would be broadly comparable to that of the three new units, and that occupants of studio flats would be less likely to have cars than occupants with children.
11. Whilst occupants of the proposed studio flats might not need to drive children and luggage around, the appeal site is located in an area with limited access to public transport options. That being the case, I consider that they would still be likely to rely on their own private car for transport needs. A single family unit would most likely comprise two adults and their child or children, whereas

the three new units would be most likely to accommodate one adult each. I agree that the proposal would not generate any additional floorspace. However, the Council confirms that the previous residential unit would have required two spaces, and so the proposal would require one extra space, generating a materially greater demand for parking provision.

12. Jackman Mews is narrow, with little room for the turning of vehicles. I observed that quite a few vehicles were parked along it at the time of my visit. The Council defines Jackman Mews as a Heavily Parked Street, and therefore the proposal would be likely to place significant additional pressure on parking provision. In such a confined location, this would be likely to increase congestion, which would unacceptably harm highway safety for drivers, pedestrians and other road users in the area.
13. I therefore conclude that the proposal would be contrary to UDP Policy TRN3, which seeks to resist development which would cause or worsen an unacceptable environmental impact from traffic generated.

Cycle storage

14. The Council have voiced concern over the lack of provision for cycle storage for the proposed units. In view of the constraints of the site, the appellant proposes to provide a system whereby bicycles would be suspended from the ceiling within the communal entrance hall area. Drawing 0464/203 Rev A shows provision for three bicycles to be stored in this manner.
15. UDP Policy PS16 sets out cycle parking standards of one space per housing unit, and requires that such provision should normally be by 'Sheffield' type stands or wall mounted stands of similar utility. The planning officer's report states that four spaces should be provided for the proposal, but this figure does not appear to tally with the standards set out in UDP Policy PS16.
16. In any case, whether three or four were required, there would be no option to store the bicycles on the ground due to the site constraints. I am concerned about the quality and practicality of the proposed method of storage. Lifting bicycles in this way might be difficult for some, and the arrangement might be inconvenient, if, for example, two residents wished to access their cycles at the same time.
17. I therefore conclude that the proposal would not provide satisfactory facilities for cycle storage, and so would conflict with UDP Policy PS16.

Refuse facilities

18. UDP Policy H18 sets out criteria relating to the quality of flat conversions, and stipulates that they should each be restricted to one 120L bin per flat with accompanying bin stores and screening. No facilities for bin storage are detailed within the scheme. The appellant states that refuse facilities would be provided by way of bins on the street within Jackman Mews, which would be similar to the provision for other nearby properties.
19. I accept that there is nowhere on the land within the appellant's control on which to store bins. However, three separate residential units are proposed, and these would be likely to require one bin each, thus materially increasing pressure for these facilities in comparison to a single residential unit. In view of the existing problems on Jackman Mews, including fly-tipping and the

potentially difficult access for refuse vehicles, I am concerned that these issues would be exacerbated by the development.

20. I conclude that the proposal would fail to provide satisfactory facilities for refuse storage, and would therefore be contrary to UDP Policy H18.

Conclusion

21. In conclusion, I have found that appeal site is unsuitable for family accommodation. I accept that the site currently has a residential use, and so would place some pressure on parking, cycling and refuse facilities if it were occupied. I acknowledge that the site offers significant constraints and is located in a poor quality environment. Nonetheless, the creation of three separate residential units would materially add to these pressures, and I am not convinced that these issues have been satisfactorily addressed within the proposal.
22. For those reasons, and taking all other matters into consideration, I conclude that the appeal should be dismissed

Elaine Gray

INSPECTOR