



Appeal Decision

Site visit made on 18 July 2017

by Mike Worden BA (Hons) DipTP MRTPI

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

Decision date: 16th August 2017

Appeal Ref: APP/T5150/W/17/3172596

28 Salusbury Road, London NW6 6NL

- 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 Mr and Mrs Patel against the decision of the Council of the London Borough of Brent.
 - The application Ref 16/4597, dated 20 October 2016, was refused by notice dated 29 December 2016.
 - The development proposed is demolition of existing single storey rear addition and two rear detached storage units, erection of a single storey rear extension to lower ground floor and alterations to the shopfront of shop.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site is a small shop unit and rear yard in a parade of shops on Salusbury Road, immediately adjacent to Queens Park station. The yard lies at a lower level than the shop and is separated from the railway line at the station by a wall. The railway line runs parallel to the wall and then under the adjacent property at 26 Salusbury Road. The yard is currently occupied by storage facilities including a number of wooden sheds. Behind the yard there are rear gardens to the flats on nearby Harvist Road.
4. The proposal is to extend the shop unit out to the rear to almost the full depth of the existing yard creating a larger shop at ground floor level and a storage area at lower ground level.
5. The proposal also involves an alteration to the shop front. However very little detail has been submitted with the application in this regard and I note from the Council officer's report that whilst the Council considers that the proposed alteration is acceptable in principle, a more detailed application would be necessary. I therefore am unable to fully consider the proposal for this part of the appeal given the lack of detail and evidence before me, although this does not stop me determining the other parts of the appeal.

6. The rear extension would be around 15m long and run the full width of the plot. Although the lower floor would not be very prominent due to the ground level, the upper storey would be prominent especially from the station where it would extend beyond the existing retaining wall facing the station platform by the full height of the upper storey, which would be around 2.5m in height for its full length.
7. From the platform which faces it this wall is already a dominant feature but the proposed development would add to its height and would appear bulky and overbearing. This is a busy station and the platform and stairs which access it are very well used and consequently the proposed development would be apparent to many members of the public each day.
8. The proposed development would also appear dominant and overbearing from the rear yard of 32 Salusbury Road. From my site visit this yard appeared to be connected to the commercial use of the premises at street level and was in use for storage. Whilst not affecting living conditions, the proposed development because of its height and mass, would be detrimental to the character and appearance of the area between the street level buildings and the rear gardens of the Harvist Road flats. I recognise that there is a bulky extension already constructed behind one of the units closer to Harvist Road, but this emphasises the harm which would result to the character and appearance of this area should it be replicated at the railway end.
9. I consider that the proposed development would not be harmful to the outlook from the flats of Harvist Road or their gardens given the presence of trees and vegetation along that boundary which would help to mitigate the impact of the proposal. This vegetation would be significant even in the winter months according to the photographic evidence provided. I also do not consider that the proposed development would be harmful in outlook from Claremont Road which runs parallel to the south side of the station due to the separation distance and the prominence of station infrastructure and canopy.
10. For the reasons above I conclude that the proposed development would be harmful to the character and appearance of the area, contrary to Policies 7.4 and 7.6 of The London Plan 2016 which respectively seek to ensure that new development respects local character and is of good design. It would also be contrary to Policy DMP1 of the London Borough of Brent Local Plan Development Management Policies Development Plan Document 2016 which, amongst other matters, seeks to ensure that development is appropriate for its surroundings in terms of mass, scale and design. I do not consider that Policy CP 17 of the London Borough of Brent Core Strategy 2010 is particularly relevant as that policy more relates to suburban garden space and infilling of plots, and does not add to the Council's case.

Other matters

11. In its statement of case, the Council refers to the potential precedent effect should the appeal be allowed and loss of potential future amenity space. However, I have considered this proposal on its merits on the basis of the evidence before me and concluded that it would be harmful to the character and appearance of the area. I have no evidence relating to potential future use of the rear yard or adjacent yards as private amenity areas connected to residential use. The appeal site and the yard adjacent to it are in current use as storage areas and I have determined this appeal accordingly.

12. I recognise that the proposal would provide additional space for the operation of the business and indoor storage provision and would mean that the current outdoor storage would not be necessary or visible. However, I conclude that these benefits are not outweighed by the significant harm to the character and appearance of the area which I consider would result if the appeal was allowed.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

Mike Worden

INSPECTOR