



Appeal Decision

Site visit made on 03 July 2019

by N Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 January 2020

Appeal Ref: APP/T5150/W/19/3224889
75 Woodgrange Avenue, Harrow, HA3 0XG

- 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 D Shah against the decision of London Borough of Brent.
 - The application Ref 18/4102, dated 22 October 2018, was refused by notice dated 19 December 2018.
 - The development proposed is demolition of existing detached house. Erection of three-storey building with a crown roof, providing six residential units (1x3bed, 1x2bed, 4x1bed studios). The proposal includes refuse storage, cycle storage and two on-site parking spaces.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Appellant has provided amended drawings with the appeal. There is nothing before me to indicate that these drawings have been consulted upon and so I am not satisfied that third parties would not be prejudiced by my considering them. In any event, an appeal is not an opportunity to advance a development proposal. Accordingly, I have considered these amended plans no further.

Main Issues

3. The main issues in the case are:
 - a) Whether the effect of the proposal on the character and appearance of the area would be acceptable;
 - b) Whether the effect of the development on the safe and free flow of traffic would be acceptable, with regard to the amount of on-site car parking provided; and
 - c) Whether the quality of accommodation provided by the development would be acceptable, with regard to internal living space and amenity space.

Reasons

Character and appearance

4. The appeal site contains a single-storey bungalow on a broadly triangular shaped corner site. The proposal is that it is replaced by a three-storey building containing six flats.
5. The character of the area is varied, with a mix of building styles and scales. In my view, the proposal relates well to its context when viewed from Woodgrange Avenue, reflecting the bay design of the adjacent housing, whilst utilising the opportunity presented by the corner location and the taller buildings opposite for a degree of change and a slightly larger building.
6. However, and whilst noting that tree screening would assist at certain times of the year, when viewed from the rear and from Woodcock Hill, the building would appear bulky and discordant, as a result of the large, complex crown roof and the use of glazing and balconies up to second floor level. The result would be an imposing structure that I do not consider would relate well to its context. That is particularly problematic given the exposed nature of the site rendering those elevations highly visible.
7. Overall, I am not satisfied that the design of the building would be appropriate in its context and it would conflict with Policy CP17 of the London Borough of Brent Core Strategy 2010 (CS) and Policy SPD1 of the London Borough of Brent Development Management Policies 2016 (DMP) in so far as they seek to secure a high quality of design and that new buildings respect their context.

Car parking

8. Two on-site parking spaces would be provided. With reference to 2011 census data, the Council says that between four and five spaces should be provided to meet the likely need generated by the development. This is within the maximum parking standards for a location with a Public Transport Accessibility Level (PTAL) of 3 (moderate), as set out at Appendix 1 to Policy DMP12, which is up to 6.5 spaces.
9. The Appellant provided a parking survey with their application, which showed that within a 200m radius of the site, parking stress was at around 69%. On balance, I share the view of the Council that whilst such a search area may comply with industry norms, in practice, future residents would be much less likely to park on the other side of Kenton Road to the appeal site.
10. This is because the road is a busy main road, and whilst there are a number of crossing points, it appears to me that occupiers would be much less likely to park their car on the other side of the road and cross, as opposed to look to find a space on the same side of the main road as the site. This is particularly the case if people were carrying shopping, for example.
11. When considering the area to the south of Kenton Road only, parking stress rises to around 83%, which is very near to the point that the Appellant's survey cites as a sign of concern.
12. This is particularly problematic in this case because of the unsatisfactory on-street parking practices that are evident along Woodgrange Avenue, with the narrow highway width resulting in the use of parts of the pavement for parking.

The result is that free passage along the footway for pedestrians is quite significantly reduced and whilst I did not witness wheelchair or buggy users on my visit, it must be very difficult for such residents to travel freely along this road. Adding to that situation would, in my view, be a matter of concern.

13. In these circumstances, I consider that any increase in on-street car parking could result in the types of disruptive impacts that Policy DMP12 seeks to prevent, and on the basis of the evidence before me, I find that the proposal would be in conflict with that development plan policy.
14. I am mindful that smaller units may generate a reduced car parking demand than larger properties and that by not providing on-site car parking, the flats could be more attractive to non-car owners, but these factors do not persuade me that the amount of on-site car parking proposed would be acceptable in the circumstances that I have described.

Living conditions

15. Each of the flats would be provided with an area of private amenity space, although in all cases these would fall well below the standard sought by Policy DMP18, which is 20m² or 50m² for a ground floor family sized unit. That policy recognises that in some cases, a shortfall can be made up by communal amenity space.
16. In the case of the appeal proposal, a large area of communal space would be provided at the rear of the site and whilst it would be fairly narrow, it would be usable and suitable for families with children. In my view, this space compensates for the modest sized balconies and when taken together with them, would appear to exceed the overall minimum of 150m² required. In the event that my overall conclusions on this case were different, a planning condition could have required further details of the communal space, including how ground floor windows serving the flats could be protected from overlooking through the introduction of defensible space.
17. The ground floor unit would be marginally smaller than the appropriate internal space standard of 74m², at 72m². The Council also identifies that the bedrooms are smaller than the Nationally Described Space Standards say that they should be. Whilst I appreciate that those standards are minima, given the usable layout and the ground floor location, I cannot reach the same conclusion that the Council has that the flat would be substandard.
18. Overall, I consider that the standard of accommodation that would be provided by the development would be acceptably high and in accordance with the objectives of policies DMP18 and 19 of the DMP and Policy 3.5 of the LP.

Other Matters

19. Third party representations have raised concerns other than those expressed by the Council, relating to flood risk, waste storage and anti-social behaviour. Given the overall conclusions that I have reached, I have considered those no further.
20. In reaching my overall conclusions, I have carefully considered the benefits that would be brought forward by the development, including the delivery of housing in a sustainable location and on a previously developed site and

economic benefits associated with construction on occupation. These do not, however, override the concerns that I have described.

Conclusions

21. Whilst I have found with the Appellant on the matter of the quality of accommodation, I have found with the Council on the matters of character and appearance and car parking provision.
22. Accordingly, the appeal is dismissed.

N Smith

INSPECTOR