



Appeal Decision

Site visit made on 18 July 2020

by M Savage BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 September 2020

Appeal Ref: APP/M5450/C/19/3236425

Land at 32 Lady Aylesford Avenue, Stanmore HA7 4FH

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr Naresh Mepani against an enforcement notice issued by the Council of the London Borough of Harrow.
 - The enforcement notice was issued on 5 August 2019.
 - The breach of planning control as alleged in the notice is without planning permission: the construction of hardstanding on the front forecourt of the dwellinghouse on the Land as shown hatched black on the annexed Plan 2 ("Unauthorised Hardstanding").
 - The requirements of the notice are:
 - 1) Remove the Unauthorised Hardstanding from the Land as shown hatched black on the annexed Plan 2.
 - 2) Reinstate the pre-existing hard and soft landscaping design as identified on the annexed Photo A.
 - 3) Remove from the Land all materials and debris arising from compliance with the above steps.
 - The period for compliance with the requirements is one (1) calendar month after the Notice takes effect.
 - The appeal is proceeding on the grounds set out in section 174(2)[a] and [g] of the Town and Country Planning Act ('the Act') 1990 as amended.
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Decision

1. The appeal is allowed and the enforcement notice is quashed. Planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act (as amended) for the construction of hardstanding on the front forecourt of the dwellinghouse at 32 Lady Aylesford Avenue, Stanmore HA7 4FH.

Ground (a)

Main Issue

2. The main issue is the effect of the appeal scheme on the character and appearance of the area.

Reasons

3. The appeal property comprises an end terraced property located in a generally residential area. I saw that parking to the front of dwellings is a common feature of properties along this section of Lady Aylesford Avenue. Front gardens in the area are generally modest, with a mix of landscaping and hardstanding. Landscaping to the front of dwellings provides a sense of spaciousness which makes a positive contribution to the character and appearance of the area.

4. The appeal site comprises part of a residential development which was granted planning permission, reference EAST/1058/99/FUL, subject to Condition 14, which restricts permitted development rights within Class A to F. The reason given for the condition is to safeguard the character of the area by restricting the amount of site coverage and size of dwelling in relation to the size of the plot and availability of:- (a) amenity space and to safeguard the amenity of neighbouring residents and the appearance of the development. The Council has previously considered and refused applications at the site, reference P/0226/12 and P/1606/12 for, amongst other things, the extension of hardsurfacing on front forecourt to provide an additional parking space.
5. Policy 7.4B of the London Plan (LP)(2016) seeks to ensure that buildings, streets and open spaces provide a high quality design response that, amongst other things, contributes to a positive relationship between the urban structure and natural landscape features and Core Policy CS1B of the Harrow Core Strategy (HCS)(2012) seeks to ensure that development responds positively to the local and historic context in terms of siting, density and spacing, amongst other things. Policy DM1 of the Harrow Development Management Policies Local Plan (HDMPLP)(2013) seeks to ensure, amongst other things, the provision of appropriate space around buildings for setting and landscaping, as a resource for occupiers and to secure privacy and amenity.
6. There is an area of landscaping to the front of the property and a hard-surfaced area, which has been extended to provide an additional parking space. Whilst the additional hardstanding has resulted in the loss of some green space, an area of green space has been retained to the front of the property which helps maintain the sense of spaciousness and retain the general pattern of development. Whilst the hardstanding will have changed the view from the neighbouring property, given the above, there is no harm to the character and appearance of the area from the appeal scheme and no conflict with Policies 7.4B of the LP, CS1B of the HCS and DM1 of the HDMPLP, the requirements of which are set out above.

Other Matters

7. I note concerns raised by an interested party that the appeal scheme makes it difficult to mow the neighbouring lawn, however, the neighbouring lawn appeared fairly well maintained during my visit. The hardstanding to the front of the property appears sufficiently wide to accommodate two parked cars without blocking the pathway to the neighbouring rear garden.

Conclusion

8. For the reasons given above, I conclude that the appeal under ground (a) should be allowed and the enforcement notice should be quashed. As such, there is no need for me to consider ground (g) further.

M Savage

INSPECTOR