
Appeal Decision

Site visit made on 22 September 2020

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Thursday, 08 October 2020

Appeal Ref: APP/T5150/W/20/3253195

Land next to Haynes House, Haynes Road, Wembley HA0 4BP

- 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 Shree Padmavati Exports (UK) Ltd against the decision of the Council of the London Borough of Brent.
 - The application Ref: 20/0834, dated 9 March 2020, was refused by notice dated 5 May 2020.
 - The development is the retention of a single storey detached storage outbuilding (retrospectively) (previously approved application Ref. 16/4495)
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Decision

1. The appeal is dismissed.

Procedural Matters

2. At my site visit, I noted that the development had already been carried out, in accordance with the submitted plans.
3. The evidence before me includes references to the draft Brent Local Plan (2020). However, given the current status of this plan, the amount of weight that I can attach to this document is reduced.

Main Issue

4. The Main Issue is the effect of the development upon highway safety.

Reasons

5. The appeal site is in Haynes Road, which is relatively narrow and does not feature separate environments for pedestrians or street lighting. Haynes Road features a significant number of commercial properties. Both ends of Haynes Road join Ealing Road, which contains several commercial properties. Some of the properties that are accessed from Haynes Road also have accesses in Ealing Road.
6. The development encompasses a very large proportion of the appeal site. In consequence, there is insufficient room for any off-street vehicle parking within the appeal site itself. This is a concern as the appeal site is in use for commercial purposes. In consequence, deliveries and collections by larger vehicles can be reasonably anticipated. Whilst the development operates in tandem with an existing retail unit, the building allows for a greater intensity of activities to take place. In consequence, it can be considered to be new commercial floorspace.

7. Owing to the lack of off-street parking and the increase in the level of floorspace, any additional vehicles servicing the appeal site would need to park in Haynes Road. Whilst Haynes Road is relatively narrow, there remains the likelihood that it could be accessed by an array of vehicles, including some commercial vehicles, such as vans.
8. Furthermore, the appeal site is close to a sharp corner in Haynes Road. In consequence, the driver of another vehicle approaching the site would not have significant amounts of advanced warning of a parked vehicle near to the appeal site. This would not be conducive to securing a satisfactory level of highway safety, particularly if vehicles are queueing close to the appeal site.
9. Haynes Road does not feature any streetlighting and therefore other road users would not necessarily have enough visibility to take appropriate avoiding action should the road be blocked by vehicles serving the development, or the associated retail unit.
10. On my site visit, I noted that, elsewhere in Haynes Road, there were several instances of vehicles being parked adjacent to the road, plus open-air storage alongside Haynes Road itself. Whilst I acknowledge that my site visit represents a single point in time, should this occur on a regular basis, my concerns would be increased as this has the potential to further reduce visibility for other road users.
11. In reaching these views, I have had regard to the National Planning Policy Framework (the Framework), which states that developments should not result in an adverse effect upon highway safety.
12. I have had regard to the appellant's suggestion that a parking space could be accommodated within the building. However, I note that the ceiling height of the building is comparatively low. In consequence, the building has a diminished ability to accommodate a larger vehicle. In addition, the building has been constructed in proximity to the side of Haynes Road. In result, the doors to the building do not have any adjacent visibility splays. This means that the drivers of any vehicles leaving the building would not have enough warning of any approaching vehicles or passers-by. This would not be conducive to securing a satisfactory level of highway safety.
13. I therefore do not find that the potential creating of a parking space within the building would overcome my previous concerns regarding the effects of the development upon highway safety.
14. I am aware that there are some facilities for parking within Ealing Road, however, there are some parking restrictions which are likely to restrict the availability of such spaces. Furthermore, the possibility exists that some deliveries or collections to and from the appeal site might be relatively bulky. In result, some vehicles might be parked closer to the appeal site owing to the potentially greater convenience and resultant ease in moving such items. As such, the concerns as described previously would be apparent.
15. In consequence, I conclude that the development has an adverse effect on highway safety. The development, in this regard, fails to accord with Policy DMP13 of the Brent Local Plan (2016); and the Framework. These, amongst other matters, require that servicing be provided; and that highway safety is maintained.

Other Matter

16. The evidence before me is indicative that the development does not affect the occupiers and users of neighbouring properties and is of an appropriate appearance. Whilst these are matters of note, they are only some of the matters that must be considered and does not allow me to disregard my previous conclusion.

Conclusion

17. For the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR