



Appeal Decision

Site visit made on 29 and 30 September 2020

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2020

Appeal Ref: APP/T5150/W/20/3252377

William Hill Bookmakers, 4-6 Watford Road, Sudbury, Wembley, Middlesex HA0 3EW

- 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 Altomart Ltd against the decision of the Council of the London Borough of Brent.
 - The application Ref 19/3477, dated 28 September 2019, was refused by notice dated 27 November 2019.
 - The development proposed is a two storey rear extension to provide new office with new stair access to first floor flats.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on i) the character and appearance of the area, ii) the living conditions of the occupiers of 2 Eton Avenue with specific regard to overdominance and loss of light, iii) traffic movement in the area, and iv) trees around the site.

Reasons

Character and appearance

3. The appeal site is part of a paved yard to the rear of properties fronting onto Watford Road. It is accessed from Eton Avenue, across what appears to be a shared route serving flats above the Watford Road frontage and 1 and 2 Eton Avenue (No 1 and No 2). A mixture of formal and informal parking takes place in the yard, some of which appears to be on the appeal site itself. A short line of trees and vegetation separates the appeal site from another part of the yard.
4. The site is clearly visible from Eton Avenue, as are the variously altered and extended host buildings and the car garage buildings beyond. The views of the rear of these buildings and car garage beyond are somewhat softened by the short line of trees along the site boundary, and the vegetation which has grown over and along a section of fencing between the yard and Eton Avenue. The section of Eton Avenue around the appeal site does not have a particularly strong character or consistent appearance. The form of the buildings on Eton Avenue changes, becoming taller, more commercial the closer one gets to Watford Road, compared to the more regular residential scale and rhythm further away from it.

5. Against the mixed character of the street-scene immediately surrounding the site, and on what is clearly a rear yard area, I do not consider that the proposal would appear disproportionate in scale.
6. However, I consider that the relationship of the proposal to the host building would be somewhat awkward and contrived. In particular the relative levels of the proposed flat roof sections and the existing flat roof areas, the rear windows of the host building, and the proposed arrangement of the access stairs for the existing flats. I acknowledge that at present the rear of the host building, and indeed other surrounding buildings, have been subject to change and alterations. However, to my mind, those changes have an obvious character and development, whereas the appeal proposal does not. The impression that this then gives is of an over-development of the site which has driven that awkward, contrived appearance and relationship to the host building.
7. As a result, I consider that the appeal proposal would represent an overdevelopment of the site, and would as a result, harm the character and appearance of the area. It would therefore be contrary to Policy DMP1 of the London Borough of Brent Local Plan Development Management Policies 2016 (the Local Plan) and guidance in the Supplementary Planning Document 1 – Brent Design Guide 2018 (the SPD). These seek, amongst other things, to ensure that development is of a design, siting, layout, scale and quality which complements the area around it, creates a positive sense of place and ensures the delivery of high-quality buildings, streets and spaces.

Living conditions

8. Eton Avenue runs roughly along the same line as the appeal proposal, and No 2 is one of a pair with No 1 of what appear to be later, infill dwellings which are themselves perpendicular to Eton Avenue. Both No 1 and No 2 are accessed from the same yard area as the appeal proposal, and the large gable-end windows of No 2 would have a view of the appeal site.
9. Although the proposal would be set away from these windows and the rear of No 2, the mass and bulk of the appeal proposal would enclose both the outlook from these windows and over-dominate the outdoor space. I consider that even if a boundary fence, not in place when I made my site visit, were to be reinstated at No 2, the presence of the appeal proposal would still cause the harm I have identified. Although there is an existing tall building to the rear of No 2, I consider that the appeal proposal, which would be closer and taller, would have a greater effect, and that effect would be combined with the effects of the existing buildings.
10. The proposal would therefore cause harm to the living conditions of the occupiers of No 2 with specific regard to overdominance and loss of light and be contrary to Policy DMP1 of the Local Plan, which seeks to ensure that development provides and maintains high levels of amenity.

Traffic movement

11. From my site visit and the appeal submissions, the site appears to be used for a mixture of formal and informal parking. I note the comments of the appellant that there is now no formal parking arrangement, beyond the single space which is retained in the proposal. However, despite parking controls in the area

around the site, there is evidence of both formal, controlled, parking, as well as informal, somewhat uncontrolled parking. I do not know what uses or activities this parking is connected with, but I do not consider that it has been satisfactorily demonstrated that any parking which takes place on the site would not be displaced and then cause issues or congestion elsewhere on the highway network surrounding the site.

12. Coupled with the concerns of the Council over access and servicing of the proposal, which I consider are reasonable given the potential uses for both the proposal and the existing Watford Road units, I consider that the proposal could therefore cause harm to traffic movement in the area, either through displaced parking activity or increased congestion.
13. I note the comments of the appellant around the general policy imperative to reduce the use of the private car, and the provision within the proposal of cycle parking. However, that does not address or allay concerns over the displacement of current parking or provision of suitable servicing arrangements. As such, the proposal would be contrary to Policy DMP1 and DMP13 of the Local Plan, in their aim to ensure that development makes appropriate provision for parking and servicing, preferably off the highway, and with no adverse impact on the wider highway network.

Trees

14. In the appeal submission and the decision of the Council, reference is made to a tree within the site as well as trees along the site boundary. At the time of my visit, the tree within the site had been felled, but from the appeal submissions the issue relates more to the effect of the proposal on the trees along, and apparently beyond the site boundary.
15. The appellant has not demonstrated or sought to demonstrate the effect of the proposal on these trees. I have found above that these trees do contribute to the character and appearance of the area. Given that ground-works are proposed adjacent to them, I consider that it would be appropriate to assess any potential impacts of the proposal. I do not consider that a condition requiring a root protection plan would necessarily be sufficient without further supporting information.
16. As Policy DMP1 of the Local Plan seeks to retain green infrastructure in the face of development proposals, within the overall aim of ensuring that development complements the locality, the proposal would therefore be contrary to it.

Conclusion

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

S Dean

INSPECTOR