
Appeal Decision

Site visit made on 8 December 2020

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 January 2021

Appeal Ref: APP/T5150/W/20/3259351

57 Trevelyan Crescent, Harrow HA3 0RH

- 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 Tariq Shafique against the decision of the Council of the London Borough of Brent.
 - The application Ref 20/2049, dated 10 July 2020, was refused by notice dated 8 September 2020.
 - The development proposed is demolition of existing detached single garage and erection of replacement detached double garage with associated landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on
 - (i) the character and appearance of the area, having particular regard to the site's location within the Mount Stewart Conservation Area; and
 - (ii) whether the proposal makes appropriate provision for off-street parking in the interest of highway safety.

Reasons

Character and appearance of the area

3. The appeal property at No. 57 Trevelyan Crescent (No. 57) comprises of a large two storey detached property that occupies a prominent corner plot at the junction of Trevelyan Crescent and Bouverie Gardens. A single detached garage with flared eaves and a gabled tiled roof is situated set back from the road at the rear of the site.
4. The appeal site is located in a mature well-established residential area, typically characterised by a mixture of two storey detached and semi-detached dwellings set back from the road behind front gardens/driveways. Where garages and other structures exist between the residential properties, these are very low, small in scale, clearly subsidiary, and have little impact upon the sense of space and openness in the area. No. 57 being situated on a corner plot has more expansive grounds, which add to the open character and appearance of the street scene.

5. The proposal would involve the demolition of the existing detached single garage and the erection of a replacement detached double garage with a crowned hipped pitched roof. It would be set back from the front boundary behind a new electric cantilevered metal framed timber sliding gate across the accessway to the proposed garage at the rear of the site.
6. Although the proposed garage would not appear overlarge, relative to the overall plot size, the proposed building would nevertheless still be a significant addition in this location. Although it would be set back, the overall scale and form of the proposed garage, combined with the bulkiness of the crowned hipped roof over the building, would be out of character with the generally more modest garage buildings found in the area and would compromise the sense of space and openness in the area.
7. These shortcomings would be exacerbated by the proposal's prominent position which would be visible from a number of public vantage points along Trevelyan Crescent. I therefore consider that the proposed garage, by virtue of its scale, siting and design, would fail to promote or reinforce the distinctive characteristic of the area and would adversely harm rather than positively contribute to the character and appearance of the area.
8. Given the location of the appeal site within the Mount Stewart Conservation Area (CA), special attention has to be paid to the desirability of preserving or enhancing the character or appearance of the area. I consider that the appeal scheme, by virtue of its scale, siting and design would have a negative material impact and would fail to preserve or enhance the CA.
9. Given the modest scale of the development, the harm would be less than substantial but in accordance with paragraphs 196 of the National Planning Policy Framework (the Framework), that harm should be weighed against any public benefits to the proposal. I note the appellant's desire is to improve the garage facilities, security and to secure the optimum viable use of the under-utilised site. However, I find insufficient public benefit arising from this proposal to offset the identified harm to which I attach significant weight.
10. I have considered the appellant's arguments that the scale and design of the proposed garage would be in keeping with the other properties in the area and has been carefully designed in order to minimise any impacts on adjacent dwellings and the area. Whilst the use of matching materials, boundary treatment and the landscaping would assist in integrating the proposal with the area, these aspects do not overcome the adverse effects outlined above.
11. Consequently, I conclude that the proposed development would have a harmful effect on the character and appearance of the area, including the CA. It would conflict with the overall design and conservation aims of Policy CP17 of the Brent Core Strategy 2010, Policies DMP1 and DMP7 of the Brent Development Management Policies Local Plan 2016 (DMP), the Council's Supplementary Planning Guidance No. 20: Buildings in Gardens within Conservation Areas and the Mount Stewart Conservation Area Design Guide 1994. These policies and guidance, amongst other things, seek to ensure that new development demonstrates a high quality design that protects and complements the local character and distinctiveness of the area; preserve or enhance the character of the conservation area and conserve or enhance the significance of heritage assets and their settings.

Parking

12. The appeal site accommodates about 4-5 cars at the front and rear of the appeal property. The proposed double garage and associated hardstanding would result in an additional parking space on the site. There are no parking restrictions outside the appeal site and at the time of my site visit, there were parking spaces available along Trevelyan Crescent and the nearby streets, although this was obviously only a snapshot in time.
13. Policy DMP12 of the DMP set out maximum parking standards for car parking and requires the provision of two spaces for a dwelling with four or more bedrooms in this location. Policy DMP12 of the DMP goes on to state that additional parking provision should not have negative impacts on existing parking, highways, other forms of movement or the environment.
14. The Council's Transportation Section has objected to the proposal on the basis that the existing property already accommodates in excess of the maximum parking standards and a further increase in the number of off-street parking spaces on the site would encourage car ownership and increased travel by car. However, the existing property was developed some time ago in a different policy context and the application of the maximum parking standards to the current redevelopment of the garage is neither reasonable nor justified.
15. Consequently, whilst the proposed double garage would result in an additional parking space on the site, in view of the scale of development and the evidence before me, I consider that the extra demand for parking generated by the development is relatively small and would not be significantly materially different to the existing situation on the site. Therefore, I consider that the effect is likely to be only marginal and certainly not severe, the test set by the Framework for preventing development on highway grounds¹.
16. For the above reasons, I conclude that the development would not conflict with Policy DMP12 of the DMP and would not have a significant adverse effect on parking or highway safety in the area.

Other Matters

17. I have noted the other developments in the area drawn to my attention by the appellant. However, the existing double garages at corner of Shaftesbury Avenue and Southwell Road, Mount Stewart Avenue, Carlisle Gardens and the building at 2a Shaftesbury Avenue relate to a different scale and form of development to the appeal scheme. The other examples of double garages are located on different streets with different locational characteristics. In any event, each proposal falls to be assessed primarily on its own merits and I am unaware of the full circumstances associated with these other cases. I therefore accord them limited weight as precedents in this case.
18. I have noted the comments received from third parties, including the petition of support for the proposal. However, in light of my findings on the main issues of the appeal, my decision does not turn on these matters.

¹ Paragraph 109 of the Framework

19. I have noted the issues raised by the appellant regarding the way in which the application was processed by the Council. However, these are a material consideration to which I can attach only limited weight in making this decision.
20. I have considered the various benefits put forward by the appellant that the proposal would bring, including providing new garage facilities to meet the needs of the appellant's family, improved security and to make use of a site that is currently underused. While I have given them some weight, these benefits would not be sufficient to outweigh the harm I have identified. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

Conclusion

21. Notwithstanding my findings on the lack of significant adverse harm to the parking or highway safety in the area, this does not outweigh the harm found to the character and appearance of the area, including the CA. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR