



Appeal Decision

Site visit made on 5 January 2021

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 January 2021

Appeal Ref: APP/T5150/W/20/3257686
69 Beresford Avenue, Wembley HA0 1NU

- 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 Muraleeswaran Murugesu against the decision of the Council of the London Borough of Brent.
 - The application Ref 20/0223, dated 23 January 2020, was refused by notice dated 8 April 2020.
 - The development proposed is domestic vehicle crossover.
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Decision

1. The appeal is allowed and planning permission is granted for a domestic vehicle crossover at 69 Beresford Avenue, Wembley HA0 1NU in accordance with the terms of the application, Ref 20/0223 dated 23 January 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan and Existing and Proposed Plan Drawing Number AR-011 Revision 03

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issues

3. The main issues are:
 - The effect of the proposed development upon the character and appearance of the area; and
 - The effect of the proposal on the safe movement of pedestrians.

Reasons

Character and appearance

4. The appeal site is a mid-terrace dwelling located on the northern side of Beresford Avenue subdivided into flats. Properties along this side of the road are similar in terms of design, scale and set back from the road. Frontages vary along the road but are generally open laid out to hard surfacing with limited soft landscaping and few front boundaries.
5. Guidance contained in the Council's SPD 2 – Residential Extensions and Alterations sets out that front gardens should maintain a 50/50 balance between soft and hard landscaping, but where this is not possible a minimum of 30% soft landscaping should be provided. This guidance is echoed in the Council's Domestic Vehicle Footway Crossover Policy (DVFCP).
6. Notwithstanding the disagreement between the parties regarding the percentage of soft landscaping to be retained, the soft landscaping in front of the host property is very limited which is the case for many of the neighbouring properties. As such, the proposed development would not appear unsympathetic or out of keeping within the area. Moreover, the proposal includes new soft landscaping which would be a significant improvement from the existing situation.
7. The proposed development would enhance the character and appearance of the site and the space available for drainage within the site overall, notwithstanding the absence of a drainage channel. I am satisfied that it would not result in an adverse visual impact or an increase in surface water run-off. These considerations would outweigh the guidance set out within the SPD and the DVFCP.
8. I conclude that the proposed development would not harm the character and appearance of the area and would accord with Policies DMP1, DMP11 and DMP12 of the Development Management Policy (2016) (DMP) which, amongst other things, seek satisfactory access and parking that is visually acceptable and provides adequate soft landscaping.

The safe movement of pedestrians

9. The existing frontage is currently predominantly hard surfaced with no front boundary. Based on the evidence before me the proposal would accommodate a car without overhanging the footway. Given the sufficient length of the driveway I am satisfied that the proposed development and the absence of a front boundary would not result in vehicles overhanging the footway adversely affecting the safety of pedestrians.
10. There is no credible evidence before me that the absence of a front boundary would result in vehicles obstructing the highway or would lead to attempts to access the driveway beyond the bounds of the footway crossing.
11. I conclude that the proposed development would not unduly affect the safe movement of pedestrians and would accord with Policies DMP1, DMP11 and DMP12 of the DMP which, amongst other things, seek satisfactory access and parking which does not negatively impact on existing parking, highways or other forms of movement.

Conditions

12. In addition to the standard time limit condition, I have imposed a condition specifying the relevant drawings as this provides certainty.

Conclusion

13. For the reasons set out above the appeal succeeds.

B Thandi

INSPECTOR