



Appeal Decision

Site visit made on 12 April 2021

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th April 2021

Appeal Ref: APP/T5150/W/20/3262981

1 Melrose Gardens, Edgware HA8 5LN

- 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 Gerry McCarthy (Teamforce Property Ltd) against the decision of the Council of the London Borough of Brent.
 - The application Ref 20/0984, dated 23 March 2020, was refused by notice dated 19 May 2020.
 - The development proposed is a new 3 bedroom house adjacent to 1 Melrose Gardens and a new drop kerb / driveway.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. A new London Plan (LP) was published in March 2021. This forms part of the development plan for the area. I have had regard to the policies in the LP as part of the determination of this appeal.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal site relates to No 1 Melrose Gardens which is a semi-detached dwelling positioned on a corner plot. When approaching Melrose Gardens from Stag Lane, the more landscaped and open land to the sides of the appeal property and the other corner plot at No 34 Melrose Gardens (even accounting for its extension) provides a very pleasing sense of open and landscaped land which positively frames views into the rest of Melrose Gardens which comprises a mixture of semi-detached and detached dwellings positioned around a triangular shaped area of landscaped open space.
5. Whilst a number of the dwellings located around the open space have to varying degrees been extended, the area does nonetheless retain a general consistency of property design features including similar plot widths, double height bay windows, dwelling types of a similar height and the use of brick walls. Many of these dwellings do have less space around them than Nos 1 and 34 Melrose Gardens, but this does not diminish the very positive contribution that the sides of the aforementioned dwellings make, in conjunction with the

- triangular open space land, to what is otherwise a more built up residential environment.
6. The proposed dwelling would be positioned very tight up against the northern boundary with Melrose Gardens. This would unacceptably diminish the positive open and green effect that the side of No 1 Melrose Gardens offers when appreciated by those travelling to and from Stag Lane. Indeed, the house would appear as a cramped and unacceptably imposing building when seen from this area.
 7. The above harm would be compounded by the fact that the detached dwelling, and its irregularly shaped plot, would be noticeably narrower than others in the area particularly when seen from the front. In addition, the property would have a ridge height which would be considerably lower than No 1 Melrose Gardens, and indeed many other dwellings in the area, and this would seek to further emphasise what would appear as an incongruous and out of place addition in the wider street-scene.
 8. Whilst I do not disagree that it would be possible to address the Highway Authority concerns about the position of the proposed drop kerb by way of the imposition of a planning condition, it is of note that the historic frontage of the property included a pleasant hedge, front lawn and single driveway. It is proposed that this would be given over to mainly a large expanse of hard surfaced driveway. In this regard, the proposal would have the effect of creating a harsher and less green environment in relative terms.
 9. For the collective reasons outlined above, I therefore conclude that the proposed development would have a significantly adverse impact on the character and appearance of the area and that it would not constitute good design. It would therefore fail to accord with the design requirements of policy CP17 of the London Borough of Brent Local Development Framework Core Strategy 2010; policy DMP1 of the London Borough of Brent Local Plan Development Management Policies 2016; the Brent Design Guide SPD1 and Policy D6 of the LP. These policies are consistent with design aims of Chapter 12 of the National Planning Policy Framework (the Framework) and in that sense are not out of date.
 10. Given my finding that the proposal would not represent good design, and that significant harm would be caused to the character and appearance of the area, I also find that the proposal would not accord with the design requirements of Chapter 12 of the Framework or Policies D4 and D6 of the LP.

Other Considerations

11. The proposal would boost the supply of housing in the area. However, the contribution to the supply of houses from one dwelling would not be significant in the overall planning balance. I acknowledge that the development would make efficient use of land. However, this would be at the expense of good design. None of the other considerations carry sufficient weight to override my conclusion on the main issue.

Conclusion

12. I conclude that the proposal would not accord with the development plan for the area when considered as whole. There are no material considerations which outweigh the identified conflict with the development plan. Therefore, the appeal should be dismissed.

D Hartley

INSPECTOR