



Appeal Decision

Site visit made on 11 May 2021

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 June 2021

Appeal Ref: APP/T5150/W/21/3267620

27a Oak Tree Dell, London NW9 0AB

- 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 Mrs Cristina Oungur against the decision of the Council of the London Borough of Brent.
 - The application Ref 20/2593, dated 17 August 2020, was refused by notice dated 19 October 2020.
 - The development proposed is dropped kerb for driveway.
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Decision

1. The appeal is allowed and planning permission is granted for dropped kerb for driveway at 27a Oak Tree Dell, London NW9 0AB in accordance with the terms of the application Ref 20/2593, dated 17 August 2020, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall be commenced within three years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan 1:1250; Existing front garden layout -Drawing No. PL-100-01 and Proposed front garden layout Drawing number PL-100-011. Thereafter, the development shall be maintained in accordance with the approved plans.

Preliminary matters

2. Although the Council's Decision refers to draft policies DMP1, BT2 and BT4 of Brent's Local Plan 2020 and guidance set out in SPD2 - Residential Extensions and Alterations, 2018. The full details of these are not before me and therefore do not influence my findings on the main issues.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area and highway safety.

Reasons

Character and appearance

4. Oak Tree Dell is a small cul-de-sac comprising mainly terraced properties. The frontages of these properties include some which are largely enclosed by fencing and hedges and used as amenity areas and others that incorporate

hard standing areas which are utilised for vehicle parking. Together, these contribute to the varied appearance of the street scene along this cul-de-sac.

5. The appeal property forms part of a larger building that has been sub-divided to create two separate dwellings (27 and 27a). The frontage to the appeal property is largely enclosed by a front boundary hedge, beyond this it is grassed and incorporates a gravelled path. The remainder of the adjacent frontage to the wider property is open with a gravelled surface and is of a sufficient size to accommodate the parking of a single vehicle. This does not form part of the appeal site and is physically separated and delineated by an existing hedge.
6. Although the proposal would result in the loss of the front boundary hedge, the other which delineates the two frontages is shown to be retained. Furthermore, the submitted scheme proposes permeable pavers for the surface of the proposed car parking area. These would allow the existing grassed surface to show through whilst also facilitating its drainage. In addition, a flower bed is proposed along one side of the proposed parking space.
7. Consequently, the proposed arrangement would strike a reasonable balance between soft and hard landscaping. As such, when not in use, the frontage of the appeal property would retain a landscaped appearance and when in use and notwithstanding the existing parking space on the adjacent frontage, the proposal would not have any unacceptable harmful effect on the varied street scene along Oak Tree Dell.
8. For the above reasons, the proposal would not harm the character and appearance of the area and I find no conflict with the design aims of Policies DMP1, DMP 11 and DMP 12 of Brent's Development Management Policies 2016 ('DMP'). Amongst other things, these Policies require that new developments are of a design that provides high levels of external amenity and that the amount of off-street parking proposed would be visually acceptable. Further, that any additional parking provision should not have a negative impact on the environment and provide adequate soft landscaping and permeable surfaces. I also find no conflict with similar design aims of Brent's Vehicle Footway Crossover Policy.

Highway safety

9. The crossover and single parking space are intended to serve a modest sized residential property. Therefore, the number of vehicle movements associated with this are likely to be low. Furthermore, although Oak Tree Dell is a two-way street, because of its narrow width and associated on-street parking of vehicles on both sides, it mainly allows one-way traffic, and vehicles travelling and manoeuvring along here do so at relatively low speeds.
10. Although there is a hedge between 27 and 27a, this would not unacceptably impact on the visibility splays from the site. Particularly, given that the lack of any front boundary treatment would assist with intervisibility between the proposed parking area and other road users. I am also mindful that there are other similar parking arrangements along the cul-de-sac, including at 27, and there is nothing to suggest that the use of these unacceptably compromises highway safety.

11. Therefore, although a vehicle using the proposed parking space would be unable to enter and leave in a forward gear, for the above reasons, the proposed arrangement would not have any unacceptable effect on highway safety and the proposal would not be contrary to Policies DMP1, DMP11 and DMP12 of the DMP. Together, these Policies require that developments are satisfactory in terms of means of access for all, parking, manoeuvring and do not have an adverse impact on highway safety. I also find no conflict with similar highway safety aims of Brent's Domestic Vehicle Footway Crossover Policy.

Conditions

12. In addition to the standard timescale condition, I have imposed a condition specifying the relevant plans as this provides certainty.

Conclusion

13. For the above reasons, I conclude that appeal should be allowed.

M Aqbal

INSPECTOR