



Appeal Decision

Site visit made on 22 August 2022

by Ann Veevers BA(Hons) PGDip (BCon) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 September 2022

Appeal Ref: APP/T5150/W/22/3294155

8 West Close, Wembley HA9 9PJ

- 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 S Chana against the decision of the Council of the London Borough of Brent.
 - The application Ref 21/4016, dated 25 October 2021, was refused by notice dated 21 December 2021.
 - The development proposed is domestic vehicle footway crossover.
-

Decision

1. The appeal is allowed and planning permission is granted for widening of vehicle crossover to the front of the dwellinghouse at 8 West Close, Wembley HA9 9PJ in accordance with the terms of the application, Ref 21/4016, dated 25 October 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: S01 Site Location Plan; S02 Existing Front Drive Plan; D01 Rev A Proposed Front Drive Plan.
 - 3) No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the local planning authority. The scheme shall include planting plans, written specifications, schedules of plants, noting species, plant supply sizes, proposed numbers/densities and a timetable for implementation.

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in accordance with the approved details in accordance with the approved timetable. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
 - 4) The development hereby permitted shall not be brought into use until the area of hardstanding shown on plan D01 Rev A has been drained and surfaced in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. The details shall include a scheme of maintenance. The area of hardstanding shall thereafter be kept available at all times for the parking of vehicles.

Preliminary Matters

2. Following submission of the appeal, the Council adopted a new development plan, the Brent Local Plan 2019-2041 (BLP). As the Council submitted an update on this, the appellant has been given the opportunity to comment as part of the appeal process. Therefore, I have considered the appeal having regard to the newly adopted Local Plan and am satisfied that any references made to it within this decision would not be unreasonable to the parties.

Main Issues

3. The main issues are the effects of the proposal on:
 - The character and appearance of the area;
 - Highway safety, with particular regard to parking provision and pedestrian safety; and,
 - Flooding.

Reasons

Character and appearance

4. The appeal site is located on a steeply sloping cul-de-sac, the prevailing character and appearance of which is dominated, to a substantial extent, by a proliferation of hardstanding to dwelling frontages with few boundary treatments.
5. Currently, the complete frontage of the appeal site is laid to hardstanding, significantly exceeding the Council's policy of 50% as advocated in Policy BT2 of the BLP, the Residential Extensions and Alterations SPD2 (2018) (SPD) and the Domestic Footway Vehicle Crossover Policy 2012 (DFVCP). Whilst the proposed development would retain an area of hardstanding, areas of soft landscaping would also be introduced.
6. The SPD states that creating parking space within a front garden is considered acceptable where 30% soft landscaping is proposed, provided the design of the front garden is high quality. No specific details of what constitutes high quality are provided within the SPD. However, the proposal clearly demonstrates that more than 30% of soft landscaping would be provided, in accordance with the SPD. Consequently, even with the provision of a pedestrian access, the proposal would soften the appearance of, and screen parts of the parking area. Therefore, the scheme would enhance the appearance of the host property and the streetscene and not be at odds with the prevailing character of the area.
7. For the above reasons, I conclude that the proposal would not harm the character and appearance of the area. As such, I find no conflict with the aim to protect, amongst other things, the appearance of an area, within Policy DMP1 and Policy BTP2 of the BLP, the DFVCP and the SPD.

Parking and highway safety

8. The current frontage to the dwelling can accommodate two vehicles and the proposed crossover widening and alterations to the frontage would not alter this position. Therefore, the proposal would not result in excessive off-street parking as suggested by the Council.

9. The cul-de-sac serves a relatively small number of properties. Therefore, pedestrian and vehicular movements would be limited. At the time of my site visit, which I appreciate is only a snapshot in time and may be greater at different times of day, although there was some on-street parking taking place, there were spaces available in the vicinity of the site.
10. Even if a vehicle were unable to fit directly outside the host dwelling, there are no parking restrictions in place and it would be possible for drivers to park in relatively close proximity to the appeal site should the need arise, without causing an obstruction. There is no evidence that kerbside parking in West Close is particularly difficult or excessive and I note that off-street parking is provided for all properties in the cul-de-sac.
11. The DFVCP advises that when considering vehicle crossovers, in order to maintain pedestrian safety and retain on-street parking provision, a vehicle crossover width should not exceed 4.2m. The appeal scheme would exceed the width suggested in the DFVCP, but not excessively so. However, there would be clear visibility for pedestrians and drivers of vehicles entering and exiting the site. Moreover, there would be sufficient space either side for pedestrians to take refuge. I noted many wider vehicle crossovers within the cul-de-sac on my site visit. All the existing crossovers are clearly defined with block paving. In the context of the cul-de-sac location and the proliferation of existing crossovers, I conclude that the modest widening proposed would not result in a significant effect on pedestrian safety.
12. Although a wall would not be constructed along the frontage of the appeal site, in order to prevent vehicles crossing the pavement access to other parts of the frontage other than from the driveway, as suggested in the SPD, the proposal includes landscaping that would achieve a similar aim.
13. Therefore, the proposed development would not harm highway safety in so far as it relates to parking and pedestrian safety. I find the proposal accords with Policy BTP2 and Policy BTP4 of the BLP along with the SPD and the DFVCP, which collectively seek to ensure highway and pedestrian safety and that the impact of parking is managed.

Surface water run-off

14. The Council refer to the provision of inadequate soft landscaping to contain surface water run-off within site boundaries within their decision. However, there is presently no soft landscaping at the frontage of the dwelling. The proposal includes provision for an 'aco' drain system to feed into the proposed landscaping, along with permeable paving. Therefore, the proposed development would not result in increased risk of flooding. I find that the proposal would comply with Policy DMP1 and Policy BT2 of the BLP and the SPD, which seek to, amongst other things, limit the increased risk of flooding.

Conditions

15. I have had regard to Paragraph 56 of the Framework and the National Planning Practice Guidance in terms of the use of planning conditions.
16. A condition requiring the development to be carried out in accordance with the approved plans is necessary in the interests of certainty and to safeguard the character and appearance of the area. A condition requiring details of

landscaping is necessary for the same reason. To prevent increased risk of flooding, a condition requiring surface water details is necessary.

Conclusion

17. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Ann Veevers

INSPECTOR