



Appeal Decision

Site visit made on 9 March 2023

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th April 2023

Appeal Ref: APP/T5150/D/22/3309171

Garages Next To 1 Prout Grove, Prout Grove, Brent, London, NW10 1PU

- 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 Roy Holt against the decision of London Borough of Brent.
 - The application Ref 22/1785, dated 14 May 2022, was refused by notice dated 2 August 2022.
 - The development proposed is a new drop-kerb location, footpath crossover, front boundary garden wall, pedestrian gate, tree and on-site parking space for 1No. motor car.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appellant has submitted plan Ref: NW/10/PL/100 Rev. B with their appeal. This plan introduces an electric vehicle charging point, which could, if I were minded to allow the appeal, be subject of a planning condition. Hence, the proposal is not so changed from that considered by the Council or interested parties. I have therefore considered the appeal based on the amended plan.

Main Issues

3. The main issues are the effect of the proposed development on: (a) congestion and climate change, with particular regard to excessive car ownership; and (b) the character and appearance of the area and surface water run-off, with regard to soft landscaping.

Reasons

Congestion and climate change

4. The appeal sites relates to a two storey building on Prout Grove which has on-street parking on both sides of the road. The appeal site lies within Controlled Parking Zone (CPZ) NS with parking restricted to permit holders between 08:30-18:30 on Monday to Friday. The site also has good access to public transport services with a Public Transport Accessibility Level (PTAL) of 4. Thus, the maximum parking standard is up to 0.5 – 0.75 spaces per dwelling.
5. Before planning permission was granted to construct a one bedroom dwellinghouse that was car free, a dropped kerb, extended across most of the appeal site's front boundary. The dropped kerb currently remains on site, and it leads onto a large area of hardstanding, which was again present before planning permission was granted. Nevertheless, the starting point for my

- assessment is the car free scheme granted planning permission that also prevents residents from obtaining parking permits.
6. The proposal would result in off-street parking provision above the maximum parking standard even if an electric vehicle charging point is provided. Policy BT2 of the Brent Local Plan 2019-2041 (Local Plan) further sets out that car free development should be the starting point for all development proposals in places that are well-connected by public transport which is the case here.
 7. The proposed vehicle crossover would not be as wide as the vehicle crossover which has historically been in situ. This would allow the on-street parking bay to be extended, but equally it would result in the loss of the on-street parking bay that would have been created directly in front of the appeal site. Therefore, as the proposed space would only be used by the occupiers of the appeal property and not be available to every resident, it would lessen the availability of on-street parking spaces for residents.
 8. Local Plan Policy BT2 explains that the removal of surplus parking spaces will be encouraged if the development does not add to on-street parking demand. A 2013 parking survey found that Prout Grove was not heavily parked. There is no evidence to suggest that the situation has changed since then. There is no evidential basis for the congestion issue alleged by the Council. The lack of opportunity to convert the front gardens of nearby properties also suggests that knock on effects for on-street parking would not materialise in the future.
 9. However, the proposal would go against the grain of reducing car ownership and helping combat climate change in that it would facilitate the status quo and not the modal shift away from the car. The electric vehicle charging point would support the use of the space by an electric or hybrid vehicle, but there is no guarantee that the space would in fact be used by an electric vehicle. Hence, there are no certainties around the proposal combating climate change.
 10. As the appeal site is well connected to public transport, car free development is the starting point and the proposal would be above the maximum car parking standard, and in doing so, would not help address climate change or reduce car ownership. I understand the appellant's point about the loss of parking and their inability to obtain a parking permit, but this is what is required of development proposals by the development plan.
 11. However, that is the starting point for decision making, and there are no material considerations that lead me to a different conclusion, on this issue, other than to conclude that the proposed development would not help address climate change due to excessive car ownership. The proposal would therefore conflict with Local Plan Policy BT2 and Policy T6.1 of The London Plan. Among other things, these seek developments to provide parking consistent with the maximum standards, with car free development being the starting point for all proposals that are well-connected by public transport, and surplus spaces removed where development does not add to on-street parking demand, and access to parking permits in CPZ's removed or limited for occupiers.

Character and appearance and surface water run-off

12. The proposal would see about 32% of the appeal site's front garden being covered by soft landscaping. This falls well below the 50% coverage sought by Local Plan Policy BT2. The 50% coverage is required to offset adverse visual impacts and increases in surface water run-off.

13. The front gardens of neighbouring properties in Prout Grove are covered in a mixture of hard and soft landscaping. The amount of each varies from property to property with some comprising largely of hard landscaping. Even so, that does not justify the amount of soft landscaping propose here which would be less than that in the scheme which was granted planning permission and complied with Local Plan Policy BT2. The proposal would not therefore play its part in achieving either policy objective.
14. As such, I conclude that the proposal would not accord with Local Plan Policies BT2 and BT4 as harm would be caused to the character and appearance of the area and from the increased surface water run-off.

Conclusion

15. The proposal would not accord with the development plan as a whole and there are no other considerations, including the Framework, that indicate that I should take a different decision other than in accordance with this.
16. For the reasons given above, I conclude that the appeal should be dismissed.

Andrew McGlone

INSPECTOR