



Appeal Decision

Site visit made on 12 November 2024

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2024

Appeal Ref: APP/T5150/W/24/3341200

31 Sycamore Grove, Brent, London NW9 8RB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr A Kiflemariam against the decision of the Council of the London Borough of Brent.
 - The application Ref is 23/3482.
 - The development proposed is conversion of a single dwelling into two separate units.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the appeal site is a suitable location for housing, having regard to the supply of larger family-sized dwellings and access to public transport and local services.

Reasons

3. The appeal site contains a two storey, semi-detached, 5-bedroom dwelling. Policy BH11 of the Brent Local Plan (BLP) states that, to maintain family sized housing, conversion of a family sized home (3 bedrooms or more) to two or more dwellings will only be allowed where all specified criteria are met. It goes on to identify an exception to this, where the amenity of the existing family home is so deficient that family occupation is unlikely.
4. BLP Policy BH4 is concerned with the supply of housing on small sites, including through conversions. It supports development in priority locations of Public Transport Accessibility Level (PTAL) 3-6, intensification corridors and within town centre boundaries. Outside the priority locations, where the appeal site is, the policy states that greater weight will be placed on access to public transport and a variety of social infrastructure easily accessible on foot.
5. It is agreed that the proposal would comply with criterion a) and b) of BLP Policy BH11. However, the proposal would not satisfy the third criterion, as the appeal site is not in an area with a PTAL of 3 or above. Furthermore, there is nothing before me that suggests that the amenity of the existing home is deficient, and that family occupation is unlikely. As such, the proposal does not meet the specified exception.
6. I acknowledge that the identified need for 5 plus bedroom market dwellings is small compared to 2- and 3-bedroom homes. I also note the number of 5-bedroom dwellings for sale within a 3-mile radius. Nonetheless, such evidence,

on its own, does not demonstrate that the local supply of 5-bedroom properties is adequate, and the proposed loss would not be harmful. In addition, it does not support a conclusion that the property, if retained as a 5-bedroom unit, would be underoccupied. Accordingly, I have been presented with no compelling evidence that the proposed loss of a dwelling that can be occupied by a larger family than the proposed 3-bedroom flat, and the associated conflict with BLP Policy BH11, is acceptable.

7. The appeal site is close to Church Lane which is on a regular bus route for two services which give good access to the wider public transport network. Furthermore, I saw on my visit that there were many local services and facilities nearby on Church Lane. Convenient access from the appeal site to Church Lane is, however, reliant upon use of a public footpath that links Sycamore Grove with Church Lane.
8. The footpath is of an adequate width, does not have an excessive gradient, and the steps where it meets Church Lane can be avoided by following the path in front of Elvin Court. Even so, it steadily rises from Church Lane and does not include level sections which would allow an opportunity to rest. Taking such factors into consideration, and in the absence of evidence to the contrary, I am not satisfied that the route would be accessible and convenient for disabled people. As such, the site does not offer easy access to public transport and a variety of social infrastructure to all, and therefore the proposal is not supported by BLP Policy BH4.
9. There is nothing before me that would suggest that the property could not be adjusted to make it accessible to disabled people, including wheelchair users. Consequently, the nature of the property does not support approval of the proposal contrary to policy.
10. Overall, I conclude that the appeal site is not a suitable location for housing, having regard to the supply of larger family-sized dwellings and access to public transport and local services. It would therefore be contrary to BLP Policies BH4 and BH11 as the site is not in an area with a PTAL of 3 or above and there would not be easy access to public transport and a variety of social infrastructure.

Other Matters

11. The Council considers the proposed standard of accommodation, parking, and cycle storage to be acceptable and, based on what is before me, I agree. However, that does not justify development that is contrary to policy.

Conclusion

12. The development conflicts with the development plan when considered as a whole and there are no other considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict. Accordingly, I conclude that the appeal should be dismissed.

Elaine Moulton

INSPECTOR