



Appeal Decision

Site visit made on 1 May 2025

by N Unwin BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th June 2025

Appeal Ref: APP/T5150/W/24/3358172

73a Ground Floor Flat, Central Road, Brent, Wembley HA0 2LQ

- 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 Mayur Patel (Smart Planning Designs Ltd) against the decision of the Council of the London Borough of Brent.
 - The application ref is 24/2831.
 - The development proposed is described as: Demolition of front porch, new dropped kerb for formation of a vehicular crossover with associated hard and soft landscaping to front garden area.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description in the heading above from the application form, removing reference to proposed, as this does not constitute an act of development.

Main Issue

3. The main issue is the effect of the proposal on highway and pedestrian safety.

Reasons

4. The appeal dwelling is set back from the highway by an area of hardstanding with a small front porch adjoining the front elevation. The front porch, with single door, provides access to the two flats that comprise the building. Whilst on-street parking is generally unrestricted, the Council's transportation team has identified Central Road as a heavily parked street, which corresponds with my observations during my site visit. During my site visit I observed a number of vehicular accesses adjoining this section of the highway, with many vehicles overhanging the pavement causing an obstruction, forcing pedestrians into the highway. I additionally noted that vehicular speeds were relatively low and that traffic volumes are commensurate with the residential nature of the area. I recognise these observations represent a snapshot in time.
5. The proposal would demolish the existing porch and create a car parking area to the front of the appeal dwelling, with the vehicular access adjoining the public footway. The proposed parking space would be approximately 4.43 metres in length which is notably below the minimum 4.8 metre requirement set out within the London Borough of Brent Domestic Vehicle Footwaycrossover Policy (2021) (DVF).

6. The DVF goes on to say that less than 4.8 metres may be acceptable when the frontage is minimum 3.8 metres and the applicant is willing to enter into a legal agreement that restricts the size of vehicle. Whilst the appellant has proposed a legal agreement to limit the length of car parked at the site, no such agreement has been presented as part of the appeal submission. Therefore, whilst the pavement adjoining the site boundary is relatively wide, in the absence of any mechanism to limit vehicle size, a vehicle parked within the proposed space would likely overhang part of the pavement, causing an obstruction.
7. Whilst traffic flows and speeds are relatively low, the configuration of the proposal would necessitate vehicles to reverse in or out of the site. This would limit the driver's visibility and in so doing, give rise to potential conflict with vehicles travelling along the highway and pedestrians utilising the pavement. The low boundary treatments on either side of the site would do little to aid the driver's visibility directly behind the vehicle when reversing. Moreover, cars parked along the street would obscure views of vehicles exiting the appeal site from drivers traveling along the highway.
8. The crash data supplied by the appellant suggests that there have been a small number of crashes within the area surrounding the appeal site within the last 15 years with these being 'slight' accidents. Nonetheless, only crashes which involve personal injuries are recorded by the Police. Furthermore, this crash data is not inclusive of the proposal which would likely exacerbate the risk of conflict between vehicles and cyclists, to the detriment of highway safety.
9. Whilst there are a large number of vehicular accesses along Central Road, I do not know the circumstances under which they were constructed or their status with regard to planning permission. In any event, their presence does not justify the harm the proposal would cause to highway safety.
10. The appeal site is located close to a range of public transport methods, with the appellant indicating the site is within PTAL 4. Nevertheless, given Central Road is a heavily parked street, there is clearly a high demand for on-street parking. The gain in a single off-street parking space is limited by the fact it would only be available for use by occupants of the appeal dwelling, rather than for public use. Further, the proposal would necessitate the removal of on-street parking, decreasing the already limited supply. The proposal would therefore, at best, have a neutral effect on existing levels of parking within the area.
11. The appellant indicates that the proposal would improve sightlines along the road through the removal of an on-street parking space. Nevertheless, given the existence of other on-street parking spaces along this section of highway, any improvement to visibility would be limited.
12. Policy BT2 of the Brent Local Plan 2019-2041 (2022) (Local Plan) supports parking provision, provided it does not have a negative impact on highways or other forms of movement. BT4 of the Local Plan supports access to a highway provided this would be safe. Given the above identified harm to highway and pedestrian safety, the proposal would conflict with Policies BT2 and BT4 when read as a whole.
13. The submitted plans illustrate that a vehicle utilising the proposed parking area would be close to the entrance to both flats that comprise the appeal building. Nevertheless, given the width of the proposed parking area, it is likely that a

vehicle could be parked in a manner that would not obstruct pedestrian access to the front entrance of the flats.

14. Whilst the proposal would not restrict pedestrian access to the two flats comprising the appeal building, the proposed development would have an unacceptable and detrimental effect on highway safety. Consequently, the proposal conflicts with the relevant provisions of Policies DMP1, BT2, and BT4 of the Local Plan. When read together, these policies require new development to not have an adverse impact on highway safety.
15. The proposal would also conflict with the DVF when read as a whole, which amongst other things, requires development to allow safe access.

Other Matters

16. The appellant suggests that the removal of the front porch would improve the design of the existing dwelling, with the proposed parking area modernising it for future use. The proposal would additionally introduce soft landscaping to the front of the property. The appellant has raised the public benefits arising from the proposal which relate to the provision of an Electric Vehicle (EV) charging point, thus helping to facilitate the transition to a low carbon future. Although the EV charging point would be for private use by the appellant, I acknowledge some wider public benefits may result in respect of reduced carbon emissions and traffic noise. Nevertheless, given the scale of the proposal these combined public benefits would be limited and would not be sufficient to outweigh the above identified harm that would be caused to highway safety.
17. The proposal is not within a conservation area, however this is a neutral factor and weighs neither for nor against the proposal.

Conclusion

18. For the reasons given above the appeal should be dismissed

N Unwin

INSPECTOR