



Appeal Decision

Site visit made on 12 March 2025

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2025

Appeal Ref: APP/T5150/W/24/3357211

25-27 Station Road, Brent, London NW10 4UP

- 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 Fronter Property Management Ltd against the decision of the Council of the London Borough of Brent.
 - The application Ref is 24/0549.
 - The development proposed is convert and extend the existing disused garage/storage unit situated behind no. 25 & 27 Station Road and bordering 36 Ranelagh Road, into 2nr self-contained dwelling units.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the living conditions of future occupiers with regard to outlook, privacy and outdoor amenity space;
 - the effect of the proposal on the living conditions of neighbouring occupiers of 39 Ranelagh Road and 25 Station Road with regard to outlook and privacy;
 - the effect of the proposal on highway safety with regard to encroachment, cycle provision and bin storage;
 - the effect of the proposal on flood risk with regard to adequate provision for surface water drainage;
 - whether the proposal would make suitable provision for an Urban Greening Factor; and
 - whether the proposal meets the highest standards of fire safety.

Reasons

Living Conditions of Future Occupiers

3. The appeal site is a vacant two storey garage and storage building. It would be accessed via an adopted service road off Ranelagh Road known as Ranelagh Passage.
4. I accept that the proposals would result in two flats which would be dual aspect, however the outlook from the dwellings would be restricted due to the proximity of the habitable rooms to the rear of 25/27 Station Road necessitating the introduction of obscure glazing to reduce overlooking. Although this would assist in providing privacy for the occupiers, the obscure glazing would reduce the amount of light in the flats and limit the outlook from them.

5. The proposed lightwell would assist in increasing the daylight in the flats. However, there would be limited outlook for the occupiers as the walls of the existing building would be in close proximity to it and the ground floor would be used for cycle storage.
6. The flats would not have access to any private amenity space. Whilst they would meet the minimum internal space standards required by the development plan, they would not exceed them. Hence, additional space would not be provided internally to compensate for this deficiency. Whilst there are areas of green space within walking distance of the appeal site, these would not provide the same benefits to occupiers of the flats that would be associated with private space, including for drying washing and sitting outside next to their homes. This lack of private amenity space would therefore result in unacceptable living conditions of future occupiers.
7. The proposal would result in inadequate living conditions for future occupiers with regard to outlook, privacy and outdoor amenity space. It would conflict with Policies DMP1 and BH13 of the Brent Local Plan 2019-2041 (2022) (BLP) and Policy D6 of the London Plan 2021 (LP) which together and amongst other matters seek to ensure that development provides high levels of internal and external amenity and have external private amenity space to satisfy its proposed residents' needs.

Living Conditions of Neighbouring Occupiers

8. From the evidence before me, the additional massing and height of the building would be prominent from both the rear gardens of the neighbouring dwellings on Ranelagh Road and from the rear windows of the flats on Station Road.
9. As discussed above, the obscure glazing which would be applied to the windows facing the rear of the flats on Station Road would not reduce the perception of being overlooked and would therefore harm the living conditions of the neighbouring occupiers.
10. There is disagreement as to whether the proposal meets the guidance in the Brent Design Guide Supplementary Planning Document (2018). From the evidence before me I consider that due to the proximity of the proposal with the rear boundary of 39 Ranelagh Road and its height and massing, it would harm the outlook of neighbouring occupiers.
11. The "Dynamic Simulation Sunlight Calculations 27 Station Road" submitted with the application, concludes that the impacts of the proposed development on neighbouring properties would be within recommended levels and that amenity would therefore be sufficiently safeguarded. There is no reason to disagree with these technical findings with regard to overshadowing.
12. The proposal would harm the living conditions of neighbouring occupiers of 39 Ranelagh Road and 15 Station Road with regard to outlook and privacy. It would conflict with Policy DMP1 of the BLP which amongst other matters seeks to ensure that development provides high levels of internal and external amenity and complements the locality.

Highway Safety

13. Ranelagh Passage narrows towards its junction with Ranelagh Road, so that the area for the proposed development is not a regular shape. From the evidence before me which does not include measurements, I cannot be certain that the plans

are accurate or that the proposal would encroach onto the adopted highway. However, this issue is not determinative and as the appeal is dismissed for other reasons it has not been necessary for me to come to a view on this matter.

14. The proposal includes space for cycle storage. However, for the application¹ for car free development on Station Road, cycle storage was proposed in a similar location. Whilst the proposed storage area appears narrow, the appellant has included specifications for vertical storage racks. However, this type of cycle storage, in a constrained location is unlikely to be effective in encouraging travel by sustainable modes of transport
15. The proposed bin storage would be on Ranelagh Passage, where I note the bins for other dwellings are stored. This location would appear to encroach onto the adopted highway. Whilst I acknowledge that there are other bins stored within the highway and that the road is not heavily trafficked, due to the proliferation of bins on the opposite side of the road, the highway would be further narrowed harming highway safety.
16. The proposal would harm highway safety with regard to cycle provision and bin storage. It would conflict with Policy T2 of the LP which, amongst other matters, seeks to ensure that development facilitates residents to make regular trips by cycling or walking.

Flood Risk

17. Policy BSUI4 of the BLP sets out that conversions should make use of sustainable drainage measures wherever feasible, and proposals that would fail to make adequate provision for the control and reduction of surface water run-off will be refused.
18. I do not have information before me with regard to where the surface and foul water from the garage and hardstanding drains to currently. In addition, there is no substantive evidence relating to the proposed drainage or why the use of sustainable drainage is not feasible.
19. I cannot therefore be certain that the proposal would not increase flood risk with regard to adequate provision for surface water drainage. The proposal would therefore conflict with Policy BSUI4 of the BLP which seeks to ensure that development makes use of sustainable drainage measures and ensures separation of surface and foul water systems.

Urban Greening Factor

20. Policies BH4 and BGI1 of the BLP requires all minor residential developments to deliver an Urban Greening Factor (UGF) of 0.4. The supporting text requires consideration as part of the application process. There is no evidence before me to demonstrate that an UGF of 0.4 would, or could, be delivered on-site.
21. I accept that there is currently no landscaping or other greening on the site. This is not a justification for not seeking to enhance the site. In addition, there is no substantive evidence before me to demonstrate that the policy requirements could not be met.

¹ Planning Ref 21/2392

22. My attention has been drawn to a planning application at a local property. However, the specific details of this case are not before me. I am not therefore aware of the planning policy context in which planning permission was granted. In any event, I have determined this appeal on the site-specific circumstances of this case.
23. The proposal would not make suitable provision for an Urban Greening Factor. It would be contrary to Policies BH4 and BGI1 of the BLP and Policies G5 and G6 of the LP which together and amongst other matters seek to protect and enhance the existing levels of green infrastructure and achieve a net gain in biodiversity.

Fire Safety

24. Policy D12 of the LP requires that all development proposals must achieve the highest standards of fire safety and sets out several aspects to be considered.
25. Fire safety information was provided in the Design and Access Statement and the statement of case where the appellant has provided some information with regard to the requirements set out in the policy. The Council has not disputed any of the information provided in this regard. As such, from the evidence before me and having regard to the nature and scale of the development, I consider that submission, approval and implementation of a suitable fire safety strategy could be secured by means of a pre-commencement planning condition.
26. Therefore, subject to a suitably worded condition, the proposal would provide the highest standards of fire safety, and I find no conflict with LP Policy D12.

Other Matter

27. I acknowledge that amendments were made to the scheme following receipt of the pre-application advice from the Council. However, I have assessed the proposal on its own merits based on the evidence before me.

Planning Balance and Conclusion

28. The appeal scheme would conflict with the development plan in relation to the main issues identified above. These are all harms to which I attribute significant weight. However, the proposal would be in a sustainable location within a residential area and it would provide two additional dwellings that could contribute to the mix and supply of homes in the area which would support the social and economic objectives of the National Planning Policy Framework. The dwellings would also be energy efficient, well insulated and be constructed from locally sourced materials. Nevertheless, given the magnitude of the development, these benefits would attract limited weight in favour of the proposal. The benefits of the proposal would not outweigh the significant harms identified and this leads me to conclude that the proposal would not accord with the development plan when considered as a whole. The appeal should therefore be dismissed.

H Senior

INSPECTOR