



Appeal Decision

Site visit made on 18 September 2025

by **John D Allan BA(Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 01 October 2025

Appeal Ref: APP/T5150/D/25/3369575

92 Draycott Avenue, Harrow, Brent, HA3 0BY

- 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 Ali Hassan against the decision of the Council of the London Borough of Brent.
 - The application Ref is 25/0772.
 - The development proposed is described as '*Retention of Existing Front Boundary Wall and Electric Security Gates*'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council's refusal reasons include reference to the extent of hardstanding and loss of landscaping to the frontage of the appeal property, together with increased surface runoff. The application form describes the proposed works only as the retention of a front boundary wall and gates, as quoted in the banner heading above. Regardless of whether any other works undertaken at the appeal property may have required planning permission, I have considered the appeal based solely upon the development for which planning permission was sought. As retention is not an act of development, my attention is focused upon the erection of a front boundary wall and electric security gates.
3. The application was made retrospectively. At the time of my visit the wall and gates were in situ.

Main Issues

4. The main issues are the effects of the front boundary wall and electric gates upon the character and appearance of the area, and upon highway and pedestrian safety.

Reasons

Character and Appearance

5. The appeal property is a detached dwelling within a residential area along a reasonably busy road, with a dropped kerb to the roadside providing vehicular access from Draycott Avenue. It sits on the outside of a gentle curve in the road. As such, along with both neighbouring dwellings, it has a slightly deeper frontage than is otherwise most typical for other dwellings in the immediate area. I saw the front

boundary to be enclosed along the back edge of the pavement with an approximate 1m high painted rendered wall, with seven 1.6m high pillars at intervals with horizontal wood effect composite boards above both, to a total height of 2m. The enclosure is broken with 2m high double width sliding gates to match the fence panels, and set just behind adjacent pillars to each side, and a similar pedestrian gate adjacent. The entire frontage enclosure is topped with decorative finials.

6. During my visit I observed that most dwellings along Draycott Avenue are enclosed to their frontage by either low walls, fences, or railings, including hedgerows and other vegetation in some cases, or else are entirely open faced. Although there is clear definition between the public and private domains, visual permeability into garden frontages, where the physical presence of the dwelling is appreciated, is a key part of the area's character and appearance.
7. The enclosure at No 92 is tall and unbroken, giving the impression of a solid barricade along the back edge of the pavement. I find this to be both out of keeping and incongruous within the street scene. Rather than reflective of the typically low and traditional boundaries that are characteristic for the area, it appears harsh and over defensive, putting the property's frontage out of sight and making the dwelling's presence inconsequential.
8. I observed the tall hedgerow at No 90 next door, with a gated entrance similar to that installed at the appeal property. However, the natural qualities of the hedge provide a soft and verdant feel, which mitigate against the degree of enclosure overall and ensures better assimilation into the residential context of its surroundings. I do not find the circumstances at No 90 comparable to those at the appeal property.
9. Examples at Nos 106 and 108 Draycott Avenue show open frontages where hardstands extend across the entire front garden area. They are not comparable to the enclosure that has been created at the appeal property. I saw no other front boundary treatment that was equivalent in terms of form, height, materials, or visual impact.
10. I understand the appellant's need to provide a safe and secure environment for their family and business, and I am mindful of some past incidences of criminal damage and theft at the property that have been brought to my attention. I also recognise concerns expressed by some local interested parties regarding crime and the need for security in the area. However, there is no substantive evidence before me to suggest that the development at No 92 represents the only proportionate means to address these matters. For reasons I have amplified above, I do not share other opinions expressed that the development undertaken is visually appealing and in-keeping.
11. Overall, for the reasons given, due to its inappropriate scale and design, I find the development to be harmful to the character and appearance of the area, and as such it fails to comply with part a) of Policy DMP1 of the Brent Local Plan 2019-2041 (BLP). For the same reason, there is conflict with the National Planning Policy Framework's objectives for achieving well-designed places. Other policies referred to within the Council's reasons for refusal as they relate to the first main issue in this case are not directly relevant to the development that is before me.

Highway and Pedestrian Safety

12. The Council points to an incremental realignment of the point of access into the appeal site over time, and a resulting misalignment between the dropped kerb and the gated entrance. I observed the degree of deviation between the length of dropped kerb and the width of the gated entrance to be minimal and inconsequential. In my judgement, the risk of any vehicle crossing a part of the footpath not aligned with the dropped kerb would be slight, and no different to many circumstances elsewhere along Draycott Avenue, where properties are entirely open to the street but dropped kerbs span only a proportion of their widths. I have not been provided with any substantive evidence to show these circumstances create any degree of danger along the highway, and I have no reason to consider that would be the case in this instance.
13. The gated vehicular entrance to the appeal property has a solid 2m high enclosure to each side, and which is set immediately at the back edge of the pavement. The Council's *Domestic Vehicles Crossover Policy* (DVCP) deals with footway visibility at part 6a). It states that there should be no obstruction to visibility between a height of 0.85m and 2.0m above footway level within a 2m x 2m splay, measured back from and along the footway's back edge. There is a more onerous requirement in areas deemed to be used by young children.
14. Although the gates installed are obviously sliding without any risk of opening over the public highway, the position of the front boundary as constructed clearly breaches the DVCP guidelines. In these circumstances, the development results in a degradation of safety to pedestrians using the footway along this part of Draycott Avenue. As such, there is conflict with BLP Policy BT4, as far as it seeks to ensure that any access to a highway is safe.

Conclusion

15. For the reasons given, I find the front boundary and gates to be harmful to the character and appearance of the area and to pedestrian safety. Accordingly, and having regard to all other matters raised, the appeal is dismissed.

John D Allan

INSPECTOR