



Appeal Decision

Site visit made on 24 November 2025

by **A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI**
an Inspector appointed by the Secretary of State

Decision date: 08 December 2025

Appeal Ref: APP/T5150/D/25/3374974
29 Old Church Lane Brent London NW9 8TG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal of planning permission.
 - The appeal is made by Mr Imad Al-Soudani against the London Borough of Brent
 - The application Ref: 25/1787.
 - The development proposed is Installation of vehicular access to dwellinghouse.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed crossover upon (i) highway safety and (ii) the provision of off-street parking having regard to relevant policies of the development plan.

Reasons

Highway safety

3. The proposed dropped kerb would relate to the use of a former garden/amenity area for parking¹ on the north-west side of the appeal property, 29 Old Church Lane (No.29). The dropped kerb would give access from the B454 Tudor Gardens which is a busy suburban thoroughfare and bus route. It would sit between, or extend, existing dropped kerbs which provide access to the adjacent house, No.1 Tudor Gardens (No.1) on its south-western side and a pedestrian crossing point with a central refuge that itself lies close to a mini-roundabout.
4. Whereas users of the proposed access from the Church Lane direction could safely turn left into the site, those approaching from the south-west would need to cross the right-turn refuge lane provided for drivers wishing to enter Tudor Close². Such manoeuvres might be unexpected and sudden, generating risk of collision or sudden braking as the central right turn lane marked for Tudor Close is both short and constrained by the central refuge. Whilst the adjoining property (No.1) has a similar access point adjacent to the proposed dropped kerb, that house benefits from an in-out arrangement such that it would never be necessary to reverse out

¹ There was a single car on the proposed parking area at the time of the site visit, facing out.

² The entrance to which is opposite the proposed access point but slightly offset to the southwest.

onto the road. Whereas, notwithstanding the comments of the appellant, I have nothing before me that persuades as to the likelihood of vehicles using the proposed new access to No.29 being able to leave in a forward gear or without reversing off the highway.

5. Although the appellant refers to the adequacy of the garden size, drawing 29OCL/02 shows an L-shaped area of paving (as found on site) without vehicle tracking or a suitably-shaped turning area represented on these submissions to demonstrate that turning is possible. Although I observed a car facing outward at the time of my visit, on the evidence before me I am not persuaded that users of the proposed access would usually leave in forward gear and reversing into the parking area off the main road would, I consider, risk conflict with pedestrians or other road users in this busy location. This risk is accentuated by the potential to park two vehicles in tandem as suggested by the Council. Overall, given the existing available parking area off a much quieter road³ even noting the greater convenience afforded, the benefits of the proposed new access do not outweigh the harm to highway safety which I have outlined.

Parking provision

6. The Council suggest the paved area would accommodate two vehicles in a tandem parking arrangement. Notwithstanding the problems of manoeuvring I have already identified, these two additional parking spaces would create additional off-street parking, potentially up to 4 spaces for the dwelling as a whole. These numbers would conflict with Policy BT2 of the Brent Local Plan (2022) and the parking standards referred to. However this is an established dwelling with an alternative access point and it would not be appropriate to apply more than nominal weight to this issue in the matter before me. Similarly, the Council's crossover guidance and Policy BT4 requires that the effect of creating the access would be visually acceptable. In this case a short length of hedge has been removed but leaving hedging in place around the long side boundary. Overall these are matters of nominal weight having regard to the conclusion reached on the first main matter,

Other matters

7. 29 Old Church Road is within the St. Andrews Conservation Area (SACA). I note the submissions of the appellant with regard to the matter of impact upon the SACA, and also those of the Council. I consider the proposal would preserve the character and appearance of the SACA. In reaching my decision I have had regard to the duty set out at section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
8. Consequently, for the reasons given, I attach significant weight to the harm to highway safety that would arise from the construction of a permanent access in the location identified. The proposal would conflict with Policy BT4 of the Brent Local Plan which seeks that access shall be safe and follow crossover guidance. Notwithstanding my conclusions on other matters, and taking all matters raised into account, the appeal cannot succeed.

Andrew Boughton

INSPECTOR

³ Garage and parking space with wide access from Old Church Lane shared with No.27 Old Church Lane.