



Appeal Decision

Site visit made on 27 June 2023

by C Rafferty LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 22 August 2023

Appeal Ref: APP/X5210/W/22/3308147

40 Arkwright Road, London NW3 6BH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Brian Chadwick against the decision of Camden Council.
 - The application Ref 2021/2918/P, dated 15 June 2021, was refused by notice dated 22 July 2022.
 - The development proposed is alterations to front curtilage to create vehicular parking and vehicular crossover and installation of electric vehicle charging point.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: (i) whether or not the proposal would be acceptable with specific regard to the use of private motor vehicles; and (ii) the effect of the proposal on the character and appearance of the surrounding area, including whether the proposal would preserve or enhance the character or appearance of the conservation area.

Reasons

Private Motor Vehicles

3. The site is a three storey dwelling on Arkwright Road, in the Redington and Frogna Conservation Area (the CA), on a residential street where many properties have a vehicle crossover and off-street parking to the front. The appeal property has no such crossover, with double yellow lines immediately outside the site and limited parking bays on the other side of the road. The area has a high PTAL rating due to nearby bus and rail stations.
4. The proposal seeks to alter the front curtilage to create a crossover from Arkwright Road, allowing for vehicular access and parking on current strips of paving at the site. Policy T1 of the Camden Local Plan 2017 (the Local Plan) is clear that the Council will promote sustainable transport by prioritising walking, cycling and public transport in the borough. Policy T2 states that on-site parking will be limited to spaces designated for disabled people; and/ or essential operational and servicing needs, and states that development of boundary treatments and gardens to provide vehicle crossovers and on-site parking will be resisted.
5. The proposal would not reduce the current boundary wall or further develop the front garden of the site. In addition, given the presence of double yellow

lines directly in front of the site, there is nothing substantive to suggest that the addition of a vehicle crossover in this location would lead to the loss of on-street parking. As such, it would not contribute to any parking stress within the immediate area.

6. Nevertheless, even acknowledging the presence of a bike store, the proposal clearly signals the intention of the appellant to prioritise travel using a private vehicle. While the appellant may already use a private car, it remains that the proposal would incentivise both current and future occupiers of the site to rely on such use despite the PTAL rating of the area. This would be contrary to the intentions of Policy T1. There is no evidence that the on-site parking is required for any of the reasons set out in Policy T2 of the Local Plan. While the appellant is a key worker, with a requirement for quick and easy access to a car, such an exception is not listed in Policy T2 and, in any event, this is a personal circumstance that carries little weight in the planning balance.
7. The appellant has also referred to the numerous other vehicle crossovers present along Arkwright Road, which I noted on my visit. However, I have limited information on the circumstances under which these crossovers were granted permission, and it remains that the proposal would not meet the current policy intentions to reduce reliance on private vehicles. Even acknowledging that an electric vehicle charging point is proposed and the positive implications for air quality this would have, the proposal would still fail to meet the Council's aim to reduce car ownership.
8. While the Council has raised concerns that the proposal would also present a hazard to road users by allowing for further vehicle movements to and from Arkwright Road, I note the crash map data provided by the appellant that demonstrates that the current crossovers on the street present no such hazard. In this context, and given the limited addition of a single further crossover together with my observations of the visibility to and from the site and Arkwright Road, I do not consider that the proposal would give rise to severe adverse impacts on highway safety or conflict with Policy A1 of the Local Plan in this regard.
9. However, for the other reasons given above, the proposal would not be acceptable with specific regard to the use of private motor vehicles. As such, it would fail to comply with Policies T1 and T2 of the Local Plan in this regard.

Conservation Area

10. The immediate section of the CA is defined by sizeable dwellings of traditional design. The dwellings are set back from the pavement by modest front gardens or paved areas with low front boundary walls. The extent of these walls differs along the street. While some serve to largely enclose their respective plots, many have sizeable gaps to allow off-street parking at the properties, accessed via vehicular crossovers.
11. The front boundary wall at the appeal property covers the middle section of the site, with a pedestrian entrance at one side and an opening at the other that, while currently blocked by a planter, could accommodate a vehicle. The front area is a mix of hard and soft landscaping, with strips of paving surrounded and separated by grass and planting.

12. Policies SD1 and SD2 of the Redington Froggnal Neighbourhood Plan 2021 (the Neighbourhood Plan) state that front boundary walls that contribute to the character and appearance of the area should be preserved, and that the green garden suburb character of the CA should be retained. While the proposal seeks the installation of a vehicular crossover, the mid-section of the front boundary wall at the site would be retained, such that its contribution to the character of the area would remain. Similarly, the proposal would not introduce any further hardstanding, such that the planting and grassed areas at the front of the site as experienced from Arkwright Road would remain, retaining the current contribution of the site to a green garden suburban character on the street.
13. I note the Council's reference to a previous permission granted at the site which has not been implemented in accordance with the approved plans. As such, the current set up of the front garden does not accord with this permission, incorporating more hardstanding and a greater gap in the front boundary wall than the approved scheme. Nevertheless, the immediate surrounds of Arkwright Road contain a wide variety of front garden treatments. Many properties having crossovers and front parking areas with greater levels of hardstanding than the appeal property, limited planting or grass, and front boundary walls that have been removed to a much greater extent than that at the site.
14. While I have limited information on the circumstances under which the other front garden configurations were granted permission, it remains that from a visual perspective they currently form part of the surrounding character. In this context, neither the current nor the proposed front curtilage at the site appear incongruous or visually harmful due to the presence of hardstanding or a gap in the front wall. Rather, by retaining a prominent mid-section of the wall and providing elements of soft landscaping, the current site layout allows the traditional style and green garden character of the CA to be experienced to a greater degree than many surrounding dwellings, thus contributing positively to this part of the CA.
15. Even with the addition of a crossover and the parking of a vehicle above some of the grassed area, this contribution would be retained by the proposal. Unlike many properties along the street, the retained element of boundary wall and visible soft landscaping elsewhere in the front curtilage would be visible at the property and from Arkwright Road. This would ensure that the defining features of the CA are reflected at the site. In this respect, it would preserve the character and appearance of the CA.
16. For the reasons given above the development would not cause harm to the character and appearance of the surrounding area, and would preserve the character and appearance of the CA. As such, it would accord with Policies D1 and D2 of the Local Plan and Policies SD1, SD2 and SD4 of the Neighbourhood Plan insofar as they seek to ensure high quality development that respects local character and preserves or enhances the historic environment.

Other Matters

17. The Council's Officer's Report states that the amount of hard landscaping at the site would reduce the biodiversity of the site and its capacity to capture water runoff and reference is made to Policy BGI1 of the Neighbourhood Plan in this regard. However, I have nothing substantive before me to suggest that

the proposal would cause significant harm in this regard and note that such issues are not expressly noted in the Council's reasons for refusal.

18. Both of the main parties have made reference to other applications and appeals within the area relating to similar development. However, limited information on these schemes have been provided and, in any event, each proposal is assessed on its own merits.

Planning Balance and Conclusion

19. The proposal would not cause harm to the character and appearance of the surrounding area, and would preserve the character and appearance of the CA. This lack of harm is neutral in the planning balance. However, I have found the proposal would not be acceptable with regard to the use of private motor vehicles. This harm is not outweighed by any other matters raised.
20. For the reasons given, the proposal would not accord with the development plan when taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

C Rafferty

INSPECTOR