

Appeal Decision

Site visit made on 11 April 2017

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27th April 2017

Appeal Ref: APP/T5150/D/17/3169092

81 Torbay Road, LONDON, NW6 7DT

- 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 & Mrs M Mole-Manoncourt against the decision of the Council of the London Borough of Brent.
 - The application Ref. 16/4390, dated 8 September 2016, was refused by notice dated 9 December 2016.
 - The development proposed is single storey rear and side extension, a small rear extension at first floor level and relocation of the garden gate.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the appeal property, the street scene, and the North Kilburn Conservation Area.

Background

3. This proposal includes the repositioning of a gate in the boundary wall onto Plympton Road. Although in a slightly different form and without the inclusion of replacement pillars, the principle of this relocation was accepted as part of planning permission ref. 13/3141, for the 'erection of single storey side infill extension and relocation of side entrance door to the rear garden of dwellinghouse'. The side extension the subject of that permission was a mono-pitched infill to the same depth as the existing two-storey outrigger.
4. A Certificate of Lawfulness was issued on 12 December 2013 for a 'single storey rear extension to rear of dwellinghouse' under ref. 13/3142. This related to an extension behind the two-storey outrigger. It is not evident from the submissions that either development has commenced.

Reasons

5. The appeal property is an end-terrace house located at the junction of Torbay Road and Plympton Road, and as such is in a prominent position in the street scene. The rear garden of the property is enclosed by a brick wall along the Plympton Road frontage, and there are clear views of the rear of the property from that direction.
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6. The appeal property is within the North Kilburn Conservation Area, and the associated Design Guide confirms that this forms an enclave of late Victorian houses of striking appearance, with ornate mouldings and contrasting brick banding. It notes that it is a clearly defined estate with a distinct and valuable character, the preservation of which is of the utmost importance. This character and the traditional detailing are evident in this part of the conservation area, albeit the rear elevation of the appeal property is less ornate than the front façade.
7. Although there are other extensions in the vicinity, the rear elevation of this terrace retains the rhythm of the characteristic outriggers, and despite its relatively modest depth, the proposed two storey extension would harm this pattern. Given the open aspect of the site and the terrace when viewed from Plympton Road, this element would detract from the character and appearance of the appeal property and the building group, and the wider streetscene.
8. I do not share the appellants' view that the proposed design would be more harmonious than the previously approved extension, but consider that the 'wraparound' form would create a bulky and ungainly addition to the property that would be out of keeping and scale with the traditional design of the dwelling. This adverse visual impact would be perceived from the public domain as a result of the siting of the dwelling at the junction, and the incorporation of the boundary wall into the extension. The shallow pitched roof and the incongruous glazed panel would add to the visual intrusion of the development in the streetscene.
9. I acknowledge that the principle of an infill side extension has already been accepted, and that a single storey rear extension may be constructed without the need for express planning permission. However, their combination with a linking element would create an unacceptably large and uncharacteristic addition. Although the proposal would be no deeper than an extension on the attached property, the overall size and scale of that addition is much more modest and architecturally compatible. Similarly, although the appellant has drawn attention to other extensions in the vicinity, limited detail has been provided of their planning permissions, and the planning policy frameworks against which they were assessed. It is also unclear whether or not some of the examples cited are within a conservation area. As such, these examples offer limited support to this proposal, and indeed in some cases demonstrate the harm which can arise from unsympathetic development.
10. There is no objection in principle to the relocation of the gate and piers, but this does not outweigh the harm which has been identified in respect of the other elements of the proposal. I conclude that, with the exception of the gate alteration, the proposal would be detrimental to the character and appearance of the appeal property and the wider streetscene, and would not preserve or enhance the character and appearance of the North Kilburn Conservation Area, as required by the statutory duty¹. It would not sustain and enhance the significance of the heritage asset, nor respect and reinforce the streetscene in matters including siting, design and planform, as required by Policy DMP7 of the Council's Development Management Policies 2016. For the same reasons, the

¹ As set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

proposal would not constitute the high quality design that is sought by Policies 7.4 and 7.6 of The London Plan².

11. Having regard to paragraph 134 of the National Planning Policy Framework (the Framework), I find that the proposal would lead to less than substantial harm to the significance of the conservation area, but although I appreciate that the proposal would create a practical layout for the appellants', it is not evident that public benefits would result from the proposal that would outweigh this harm.

Conclusion

12. The Framework establishes a presumption in favour of sustainable development, and part of its environmental strand is to contribute to protecting and enhancing the built and historic environment. Core planning principles of the Framework include always seeking to secure high quality design and to conserve heritage assets in a manner appropriate to their significance. For the reasons given above, the proposal would not comply with these principles and would not constitute sustainable development supported through the Framework. As a consequence, I conclude that this appeal should be dismissed.

H Lock

INSPECTOR

² The London Plan consolidated with alterations since 2011 (March 2016).