The Planning Inspectorate

Appeal Decision

Site visit made on 24 May 2017

by Roy Merrett BSc(Hons) DipTP MRTPI

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

Decision date: 09 June 2017

Appeal Ref: APP/T5150/D/17/3169931
88 Blockley Road, Wembley, HA0 3LW

- 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 A Jawaid against the decision of the Council of the London Borough of Brent.
- The application Ref 16/4378, dated 30 September 2016, was refused by notice dated 19 January 2017.
- The development proposed is replacement of uPVC windows and porch door to the front of the dwellinghouse.

Decision

1. The appeal is allowed and planning permission is granted for the replacement of uPVC windows and porch door to the front of the dwellinghouse at 88 Blockley Road, Wembley, HA0 3LW in accordance with the terms of the application Ref 16/4378, dated 30 September 2016 subject to the following conditions:-

    1) The development hereby permitted shall begin not later than three years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing front elevation; Proposed front elevation; Item 1 – 4 inclusive; Item 5,6,7; Item 8,9,10,11.

    3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural note

2. I have taken the description of development from that given on the Council's decision notice, undisputed by the appellant.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the dwelling and the Sudbury Court Conservation Area (CA).

Reasons

4. The appeal site is within a verdant street of two storey, semi-detached dwellings with hipped roofs, situated within the CA. From my visit it was apparent that, whilst many houses in the street have retained traditional front

window designs including ornate arches, a substantial number have fenestration that varies in either detailed design or materials or in some cases both of these elements. There is not, therefore, a strong sense of strict uniformity of design in fenestration along Blockley Road.

5. Although the Council has identified the existing window frames as consisting of painted timber, from my visit it was evident that they are constructed in uPVC as indicated on the appellant's application form. It was also evident that the colouring of some of the decorative glazing had faded, suggesting that the existing windows have been in place for some time. There is no suggestion from any party that the proposed works are retrospective.

6. The proposed replacement windows would not incorporate traditional features such as timber, a key stone and dentiled drip rails. However, I am firmly of the view that they would constitute an almost like for like replacement in terms of frame thickness, pane size and decoration detail, whilst ensuring that the symmetry with the similarly designed windows in the adjoining semi-detached dwelling would be retained.

7. Drawing the above considerations together and in the absence of any information from the Council to suggest that the existing uPVC windows and door are unauthorised, I conclude that the proposal would not result in harm to the character and appearance of the dwelling or the CA. Accordingly, and notwithstanding that the Council seeks replacement windows to replicate the design of original windows, as stated in the Sudbury Court Conservation Area Design Guide, it would be unreasonable to require traditional window features to be restored in this case.

8. In accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 I have a statutory duty under section 72(1) to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. For the reasons set out above, the development would preserve the character and appearance of the CA. The proposal would not therefore conflict with the Policy CP 17 of the London Borough of Brent Core Strategy 2010 and Policy DMP7 of the London Borough of Brent Development Management Policies 2016 insofar as they seek to sustain and enhance the significance of heritage assets and protect the urban character of Brent from inappropriate development.

9. Whilst the proposal would be at odds with the statement in the Sudbury Court Conservation Area Character Appraisal, that the Council will not approve uPVC windows in Conservation Areas, the circumstances of the appeal site as set out above justify an exception to the guidance in this case.

Conditions and Conclusion

10. For the above reasons, I conclude that the appeal should succeed and planning permission be granted.

11. Conditions specifying the plans and requiring the use of matching materials are needed to safeguard the character and appearance of the CA.

Roy Merrett

INSPECTOR