



Appeal Decisions

Site visits made on 6 July 2020 by C Brennan BAE (Hons) M.PLAN MIPI

Decisions by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th August 2020

Appeal A: APP/T5150/D/20/3248690

67 Exeter Road, London NW2 4SE

- 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 Dipesh and Susanna Patel against the decision of the Council of the London Borough of Brent.
 - The application Ref 19/3800, dated 24 October 2019, was refused by notice dated 20 December 2019.
 - The proposed development is described on the application forms as 'retention of hardstanding and associated alterations'.
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Appeal B: APP/T5150/D/20/3248693

67 Exeter Road, London NW2 4SE

- 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 Dipesh and Susanna Patel against the decision of the Council of the London Borough of Brent.
 - The application Ref 19/3801, dated 24 October 2019, was refused by notice dated 17 December 2019.
 - The development is described on the application forms as retention of front door.
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Decisions

1. Appeal A is allowed and planning permission is granted for hardstanding, front boundary wall and associated landscaping, proposed alterations including erection of fences to side and landscaping to front of dwellinghouse at 67 Exeter Road, London NW2 4SE, in accordance with the terms of the application, Ref 19/3800, dated 24 October 2019, subject to the following condition:
 1. The development hereby permitted shall be carried out in accordance with the following approved plans: 06.940.01, Proposed Street Scene from Exeter Road and Proposed Front Garden, except in respect of the front door and adjoining window shown on both plans.
2. Appeal B is dismissed.

Appeal Procedure

3. The site visits were undertaken by an Appeal Planning Officer whose recommendations are set out below and to which the Inspector has had regard before deciding the appeals.

Procedural Matters

4. The appeals are linked insofar as they relate to the same site and raise similar issues. Having considered all of the information submitted, I am satisfied that there is sufficient commonality to enable me to consider them in a single document and so I have dealt with them on that basis.
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5. For Appeal A, the description of the proposal as set out in the formal decision above has been taken from the decision notice rather than the application form. This is because the description on the decision notice more comprehensively accounts for each element of the proposed works.
6. Also regarding Appeal A, I note that some of the works have already been carried out. However, as the proposal seeks to further modify some of these elements and introduce new elements entirely, such as the soft landscaping around the bay window, I have considered this appeal on the basis of the proposed drawings.
7. Regarding Appeal B, I observed that the development had already been implemented during my site visit. I have provided my recommendation for Appeal B on the basis that the appeal relates to a retrospective development.

Main Issue

8. The main issue in both appeals is the effect of the developments on the character and appearance of the site and the surrounding area, which includes the Mapesbury Conservation Area.

Reasons for the Recommendation

9. The appeal site accommodates a two-storey detached dwellinghouse on the eastern side of Exeter Road. The northern side of the front driveway features adequate parking for a single vehicle, while the southern side features a separate pedestrian access to the front door with soft landscaping along both sides. The appeal site is situated within the Mapesbury Conservation Area, whose significance is largely derived from the high-quality architecture of its buildings, including in the detailing, the scale of the houses and its verdant, coherent townscape.
10. Properties along the street are primarily characterised by their front gable projections and front driveways, with low brick walls along the front boundaries. While the streetscene therefore has a broadly cohesive appearance, I observed during my site visit that there was some variation in the arrangement, materiality and landscaping of each individual front driveway and its associated front boundary wall. Within this context, the proposed works to the front garden subject of Appeal A would not appear overtly incongruent as they would retain and introduce an adequate amount of soft landscaping albeit dotted around the front garden, which would respect the setting and appearance of the host dwelling, as well as that of the broader streetscene. Indeed, it appears the amount of hardstanding proposed would be less than what had previously been in place. Furthermore, as neighbouring properties have similarly sized areas of hardstanding which are varied in terms of their materiality, this element of the proposal would be acceptable.
11. In addition, as I observed that several front boundary treatments within the street included a wall opening for a separate pedestrian access, I do not consider that this element of the proposal would appear especially out-of-keeping with the established character and appearance of the street. Also, during my site visit, I did not consider that the front boundary wall appeared unstable, nor has any evidence been provided by the Council to suggest that this is the case. In any case, I find its red-brick and stone coping materiality

and appearance to be comparable to other front boundary walls seen along the street, and so this aspect of the proposal is acceptable

12. The Council refer to an appeal at 85 Dartmouth Road. However, the details and circumstances of this appeal are not before me. Regardless, each appeal must be considered on its own merit, and on this basis I have found that the proposal would be acceptable for reasons set out above.
13. Although I note the concerns of a neighbour that the size and height of the hedges that have already been planted onsite would cause unacceptable harm in terms of light and security when fully grown, I consider such concerns would be addressed by standard maintenance.
14. For the above reasons, I conclude that the proposed development would not cause harm to the character and appearance of the site, surrounding area and Mapesbury Conservation Area whose significance would be preserved. The proposed development would therefore comply with Policies DMP 1 and DMP 7 of the Development Management Policies (2016), which broadly require that development proposals should be designed to the highest standards and should preserve and enhance the significance of heritage assets. The proposed development would also broadly comply with the Mapesbury Conservation Area Design Guide (2018), which states that any alterations to front gardens should be designed to be in keeping with the character of the property and the street.
15. With regard to Appeal B, as stated above, properties along Exeter Road have a coherent appearance, which forms part of the significance of the broader Mapesbury Conservation Area. The coherence of the streetscene extends to the appearance of the front doors and porches of individual properties, which are generally traditional in their design and often feature fanlights or hall windows. In the case of the development, the replacement door has a distinctly modern appearance which is clearly visible from the adjacent pavement. While the materiality and muted colour of the door are acceptable, the increased height and width of the door has resulted in the loss of a fanlight and one of the hall windows. Due to the loss of these features, the development detracts from the appearance of the host building and contrasts poorly with the established character of the street, particularly when considered alongside No. 69 which appears to have retained its original door and fanlight. The development therefore causes unacceptable harm to the character and appearance of the site and, as the development undermines the coherence of the local townscape, it fails to preserve or enhance the character and appearance of the surrounding area and so causes unacceptable harm to the significance of the Mapesbury Conservation Area.
16. The appellant has drawn my attention to large doors at Nos. 46 and 47 Exeter Road. However, as these doors did not result in the loss of a fanlight, they are not directly comparable to nor provide sufficient justification for the development. The front porch door to No. 73 Exeter Road has not resulted in alterations to the original door of the property, and so is also distinct from the development. Regardless of the materiality of the front door to No. 32 Exeter Road, this does not provide justification for the development as the house is of a very different design. Nos. 178 and 181 Walm Lane relate to an entirely different streetscene so do not set any strong precedent for the development. In any case, these few examples, in relation to the number of houses in the conservation area that have retained their original doors, do not greatly affect

the overall cohesiveness of the conservation area provided by the retention of original entrances.

17. The appellant has provided two alternative designs that they suggest could be secured by condition. However, neither of these alternatives would overcome the issues raised above. Furthermore, I am not convinced that the vegetation and trees within the front driveway would eventually obscure the appearance of the door, nor do I find that this would sufficiently mitigate the harm that the door causes to the character and appearance of the host building, streetscene and broader Conservation Area for the reasons stated above.
18. For the above reasons, I conclude that this development causes harm to the character and appearance of the site and surrounding area. Furthermore, it fails to either preserve or enhance the special interest of the Mapesbury Conservation Area, and so causes unacceptable harm in this regard. The development therefore conflicts with Policies DMP 1 and DMP 7 of Development Management Policies (2016), as set out above. This development also conflicts with the Mapesbury Conservation Area Design Guide (2018), which states that any replacement door should match the character of the area.
19. The harm to the special interest of the Mapesbury Conservation Area is less than substantial. However, there are no public benefits that outweigh this harm.

Other Matters

20. I note the personal statement provided by the appellant. While I sympathise with the background circumstances outlined in this statement, these factors do not justify the works to the front door and the identified harm it causes.
21. As neither development relates to basement development, I find that there is no conflict with the Council's Basement SPD (2017) quoted in their decision notices.

Conclusions and Recommendations

22. For the reasons given above and having had regard to all other matters raised, I recommend that Appeal A should be allowed, but that appeal B should be dismissed

Conditions

23. As suggested by the Council, I have imposed a condition requiring that the scheme be built in accordance with the approved plans for the avoidance of doubt. However, I have specified that this does not apply to the front door and adjoining window as shown on the approved drawings, as this element has been considered separately as part of Appeal B.

C Brennan

APPEAL PLANNING OFFICER

Inspector's Decisions

24. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis Appeal A is allowed and Appeal B is dismissed.

Andrew Owen

INSPECTOR