
Appeal Decision

Site visit made on 11 November 2020

by Jan Hebblethwaite MA Solicitor

an Inspector appointed by the Secretary of State

Decision date: 09 December 2020

Appeal Ref: APP/T5150/D/20/3256620

91 Pasture Road, Wembley HA0 3JW

- 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 Ms Barbara Corrado against the decision of the Council of the London Borough of Brent.
 - The application Ref 20/0112 dated 13 January 2020, was refused by notice dated 1 June 2020.
 - The development proposed is first floor extension with rear loft dormer.
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Procedural Matter

1. The description of the development in the application form was as stated in the heading to this letter. The description on the decision notice is as set out in the Appellant's appeal statement at paragraph 2.1:
"Proposed first-floor side extension, ground floor rear canopy with rear dormer to dwellinghouse (revised description)"

I am satisfied that the description of the proposed development on the decision notice accurately reflects the development shown in the plans.

Decision

2. The appeal is dismissed.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the host property and of the conservation area.

Reasons

4. The appeal property is a semi-detached dwelling on a prominent corner plot, at the junction of Pasture Road and Paxford Road, and close to the junction of Paxford Road and The Crescent. The two attached dwellings are distinctive with green pan tiles above white rendered walls and form a pair with similar dwellings on the opposite corner. The host property has been enlarged with a single storey side extension and separate garage. Pasture Road is straight and rises comparatively steeply south from the appeal property. The land generally falls away, although less steeply, from the appeal property north to The Crescent.

5. The host property is within the Sudbury Court Conservation Area ("CA") and as such is a heritage asset for the purposes of the London Borough of Brent Local Plan ("BLP") and its development management policies. In addition, s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that I pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
6. The Sudbury Court Conservation Area Design Guide 2015 ("Guide") provides advice on ways to improve an owner's home so that development will sustain and enhance the character or appearance of the area.
7. The Guide gives advice on two storey side extensions. At first floor level, the extension should be set back 1.5m from the main front wall of the host property, and the width of the extension is to be limited to 3.5m. The purpose of this guidance is to ensure that the extension remains subordinate to the host property. In addition, where the host property is one of a pair of semi-detached properties, a two-storey extension would be required to consider the symmetry of the pair.
8. By reference to drawing 17/071_P2, the proposed development would achieve the required 1.5m set back from the front wall but it would create an extension 5.02m wide with a further 1.74m overhang of the roof. The overhang is in keeping with the style of the host property but would nevertheless add to the bulky appearance of the extension. For this reason, I consider that the proposed development would be of a size and bulk that it would not be subservient to the host property and not in line with the Guide.
9. The Guide also makes provision for corner properties. Such properties are likely to be more visible and the Guide requires that more care should be taken with the design of extensions. Over large or bulky extensions would not generally be acceptable as they would draw attention to themselves and detract from the appearance of the CA.
10. The location of the host property is particularly visible. This is a result of a combination of the very distinctive style, the corner location, and the sloping nature of the land. From the Crescent, the host property and its pair are above the road and are very prominent. From the top of the slope of Pasture Road looking down, the roof of the host property is an important part of the street scene due to the distinctive green pan tiles.
11. Both pairs of semi-detached houses with the same style have been extended in the past, but none of them have two storey extensions. As a result, the proposed development by virtue of its size and bulk would unbalance the appearance of the pair of dwellings, both from immediately outside the houses and from the Crescent and from further up Pasture Road. For those reasons I conclude that the proposed development would not comply with the Guide and would not preserve or enhance the CA.
12. The BLP has policies which seek to conserve or enhance the significance of heritage assets (DMP1), requiring development to respect and reinforce the street scene, frontages, and views (amongst other matters) and to ensure that extensions are not overly dominating (DMP7). The intent of these policies is repeated in Policies BD1 and BHC1 of the current draft local plan. I find that the proposed development conflicts with these policies.

13. The Appellant has provided a heritage statement in support of the application. I have no doubt that the quality of the design and construction of the proposed development is appropriately high. However, that does not detract from my conclusion that the size, bulk and prominence of the proposed development is such that it would fail to preserve or enhance the CA. It is also notable that there is no reference in the statement to views down onto the host property from higher up Pasture Road.

Other Matters

14. The Appellant has provided several examples of semi-detached properties in the area with side extensions and I noted several on my site visit. However, I have not been provided with the planning history of these developments, nor of their age in relation to the current local plan policies and the Guide. For that reason, I can give limited weight to these examples.
15. The proposal would improve the living space available to the Appellant and her family. However, built development is permanent and the planning system should pay attention to the wider public benefit. In the absence of exceptional personal circumstances, I am not able to give improved living conditions for the Appellant's family any more than limited weight in the decision.
16. Clearly there is a history of applications and an appeal in relation to similar proposals for the host property. Whilst I agree that the appeal proposal goes some way to meet the previous reasons for refusal by reducing the setback, the width of the extension is considerably greater than the 3.5m referred to in the Guide and is 25% larger than the 4m width which the Appellant refers to having been discussed with the Council.

Planning Balance and Conclusion

17. The CA is a designated heritage asset for the purposes of the NPPF¹ under which Paragraph 193 advises that when considering the impact of proposed development on the significance of a such an asset, great weight should be given to the asset's conservation.
18. The proposed development would create an extension to one property in the CA and I consider that the harm caused to the significance of the CA identified above, would be "less than substantial". Paragraph 196 of the NPPF advises that in such circumstances, the harm should be weighed against the public benefits which could arise from the proposed development.
19. Public benefit may be anything which delivers economic, social, or environmental objectives (Planning Practice Guidance para 18a-20-20190723) and must flow from the proposed development. There would be a short-term economic benefit during construction works, and arguably by improving the housing stock but I do not consider them sufficient to outweigh the less than substantial harm to the CA which I have identified.
20. For the reasons given above, I dismiss the appeal.

Jan Hebblethwaite

INSPECTOR

¹ National Planning Policy Framework