
Appeal Decision

Site visit made on 1 December 2020

by M Shrigley BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th December 2020

Appeal Ref: APP/T5150/D/20/3259549

30 Northwick Circle, Harrow HA3 0EE

- 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 R Patani against the decision of the Council of the London Borough of Brent.
 - The application Ref 20/1773, dated 17 June 2020, was refused by notice dated 20 August 2020.
 - The development proposed is a part single storey front extension, single storey rear infill extension
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I note that the draft London Plan is at the intend to publish stage and carries significant weight. However, I am directed by parties to the policies within the appeal documents and the Council's Decision Notice as those most relevant to the appeal.

Main Issue

3. The main issue is the effect of the proposed extensions on the special character and appearance of the Northwick Circle Conservation Area (CA) including any impacts to trees within it.

Reasons

4. The appeal property is located within the Northwick Circle CA which is dominated by well detailed 1920 and 1930's housing situated around a central circular shaped road layout. The appeal property is a large detached dwelling within a row of properties positioned around the central circle. There is variation of housing footprints and designs along the road. Individual architectural features of properties coupled with generous levels of trees and garden greenery are key components of the special character and appearance of the CA, significantly contributing to its attractiveness.
5. I am cognisant of my legal duty under Section 72(1) of the Town and Country Planning Listed Building and Conservation Area Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. In that regard public vistas toward the appeal property are particularly important to the outcome of the appeal. This is

- because even a small unsympathetic addition would have a considerable impact on the front elevation of the dwelling and its setting within the CA.
6. The Brent Council Northwick Circle Conservation Area Appraisal highlights the architectural detailing of properties within the CA as part of its overall heritage value. The special character and appearance of the CA is based on the distinctive varying designs of individual dwellings and their setting within the street scene.
 7. The proposed front extension would fill in a deliberate set-back in the dwelling's front elevation. The change would lead to a more uniform elevation and would not respect the well-executed architectural detailing of the dwelling where elevational set backs and footprint variety is a key part of local distinctiveness in the street scene. I also note that the Council's Conservation Officer requested specific plan revisions to ensure better visual integration allowing for a set back prior to the Council making its decision.
 8. The front extension would detract from the appearance of the dwelling and would diminish the degree of variation in property elevations which makes the area so unique. The change would be harmful to the appearance of the dwelling and harmful to the CA.
 9. Moreover, the single storey rear extension would occupy the space between two existing extensions leading to the loss of the ground floor component of an original two storey central bay window feature. In doing so the rear extension would also detract from the original design detailing of the dwelling. It would unsympathetically increase the bulk of the rear elevation considered against adjoining extensions. I accept being located at the rear the change would be less prominent than the proposed change to the front elevation where CA views are more important. Nevertheless, vantages from adjoining properties as well as the appellant's garden also form views within the CA and therefore have a bearing on its overall quality. I therefore find that the change to the rear elevation would also be harmful.
 10. The appellant's submitted Arboricultural Impact Assessment confirms that the front extension would result in the loss of a small tree from the front garden. Given its small scale it does not add significantly to the important views within the Conservation Area where substantial garden greenery would still remain. I therefore find that particular change would not have a significant impact on the character and appearance of the locality.
 11. The overall harm I have identified from the extensions would impact on a localised part of the CA when considered as a whole. Thus, the harm would be less than substantial within the meaning of Paragraph 196 of the National Planning Policy Framework (the Framework). In accordance with the Framework this subsequently leads me to weigh up the public benefits of the proposal. However, there are none which have been raised and I have no evidence of any. The benefits here would be attached to the private interests of the Appellant. Nevertheless the Framework directs me to give great weight to harm arising to the conservation of a heritage asset.
 12. I appreciate that the appellant refers to other examples of nearby extended dwellings but those relate to other properties with different design detailing and therefore the resultant impact is not directly comparable to the appeal scheme before me. I also acknowledge that the use of matching windows, doors and

materials can be utilised for the extensions but that would not overcome the harm identified.

13. I therefore conclude that the development would have a harmful impact on the special character and appearance of the Northwick Circle CA. The development would be contrary to Policy DMP1 and DMP7 of the London Borough of Brent Local Plan Development Management Policies (2016) which aim to provide high levels of amenity which complements the locality; and to protect heritage assets from incremental harm. It would conflict with guidance in the Northwick Circle Character Appraisal (2006) which aims to minimise damage arising from unsympathetic extensions in order to protect the heritage asset from incremental damage. It would also conflict with the provisions of Section 72(1) of the Town and Country Planning Listed Building and Conservation Area Act 1990.

Other Matters

14. The Council's delegated report confirms there is an Article 4 Direction affecting the CA. The appellant also acknowledges permitted development rights have been removed from the property. As a result, there is no fall-back position for other development which may be theoretically possible for me to consider. Moreover, the justifications referenced to other nearby dormer development are not comparable to the appeal proposal and I have already acknowledged there are different degrees of prominence in the CA between the front and rear elevation of the property. Therefore, references to how the Council has justified other development carries no significant weight to my decision. I have determined the appeal on its own merits in any event.
15. I acknowledge that the appellant refers to supporting homeowners with meeting additional family space needs, that there is no harm to neighbouring living conditions; and that the property is in a location close to a good range of services. I have carefully considered those points, but the harm to the CA would be long lasting. As result I find they are not convincing reasons to set aside harm to the CA and carry limited weight. The points do not outweigh the harm to the CA I have identified in the main issue of the case.

Conclusion

16. For the reasons given above the appeal is dismissed.

M Shrigley

INSPECTOR