
Appeal Decisions

Site Visit made on 26 July 2021

by Martin Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 August 2021

Appeal A Ref: APP/T5150/W/21/3270901

15A Mowbray Road, London, NW6 7QX

- 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 Dr Jennifer Jones against the decision of London Borough of Brent.
 - The application Ref 20/3638, dated 9 November 2020, was refused by notice dated 4 January 2021.
 - The development proposed is the refurbishment of landscaped areas to front and provision of electric charging point and off street parking
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Appeal B Ref: APP/T5150/W/21/3267992

15A Mowbray Road, London, NW6 7QX

- 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 Dr Jennifer Jones against the decision of London Borough of Brent.
 - The application Ref 20/1877, dated 27 June 2020, was refused by notice dated 15 September 2020.
 - The development proposed is the part removal of front boundary wall to create vehicle access, hard and soft landscaping to front garden space creating off street parking for one vehicle and erection of bin store to ground floor flat.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. As set out above, there are two appeals on the site. Both schemes propose the creation of off-street parking, with one including an electric vehicle charging point. To avoid duplication, I have dealt with them together, but each on their own merits.
4. Since the appeal was submitted the Government has published a new National Planning Policy Framework (the Framework). Comments were sought from the Council and the Appellant, with the Appellant providing comments to which I have had regard. As the main parties have had the opportunity to provide comments no injustice has been caused. I have considered the appeal on the basis of the revised Framework.

Main Issue

5. The main issue in both appeals is the effect on the character and appearance of the host property and the area, bearing in mind the sites location within the Brondesbury Conservation Area.

Reasons

6. The appeal site lies within the Brondesbury Conservation Area (the CA). I observed that the significance of this designated heritage asset lies, in part, in the high quality and consistency in design and layout of the buildings within the area, which at this location generally comprise two-storey Victorian villas with enclosed front gardens. While there were examples of more open frontages within the wider area, within the immediate vicinity of the appeal site, front gardens were enclosed along the road by low walls creating an attractive regularity to the streetscene.
7. Both appeal schemes would result in the removal of part of the front boundary wall in order to allow the creation of a parking space within one half of the front garden. While the other half would remain as garden, the removal of the boundary wall together with the presence of a parked vehicle to the front of the building would be an intrusive and unsympathetic alteration to the streetscene. While not substantially intruding into views of the host property itself, it would harmfully disrupt the currently consistent presence of means of enclosure along the road.
8. Accordingly, while there would be no harm to the host property, the proposed development would be harmful to the character and appearance of the area, including the significance of the Brondesbury Conservation Area as a designated heritage asset. Thus, the proposals conflict with policy CP17 of the London Borough of Brent - Core Strategy (July 2010), as well as policies DMP1 and DMP7 of the London Borough of Brent Local Plan - Development Management Policies (November 2016). Together, and amongst other things, these policies seek to ensure that the distinct suburban character of Brent is protected, as well as that development conserves or enhances the significance of heritage assets.
9. In causing harm and failing to preserve the character and appearance of the conservation area, I find that the scheme would result in less than substantial harm to a designated heritage asset. As required by paragraph 202 of the Framework, I have had regard to any public benefits of the proposed development, which includes the provision of parking clear of the highway. However, any such benefit is not sufficient to outweigh the harm that I have identified.

Other Matters

10. I also acknowledge that one of the schemes includes the provision of an electric vehicle charging point for the occupiers of the property and while this is a benefit of the scheme, it does not outweigh the harm that I have identified. There is also reference to the front of the property currently being in a state of disrepair and the scheme would improve this. However, the appeal schemes would not be the only means of improving the frontage and as such this matter has little bearing on my decision.

Conclusion

11. For the reasons given above, I conclude that both appeals should be dismissed.

Martin Allen

INSPECTOR