



Appeal Decision

Site visit made on 6 October 2022

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

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

Decision date: 22nd November 2022

Appeal Ref: APP/T5150/D/22/3299262

20 Hopefield Avenue, Queens Park, London NW6 6LH

- 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 Nick Hartley against the decision of the London Borough of Brent.
 - The application Ref 22/0623, dated 18 February 2022, was refused by notice dated 3 May 2022.
 - The development proposed is described as external wall insulation (expanded polystyrene (EPS) 90mm thickness with silicon render) to rear walls and extension of roof edges and window sills to allow for additional wall thickness to dwellinghouse
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of the proposed development is taken from the Council's Decision Notice as this more accurately describes the scheme being applied for. It is noted in correspondence¹ accompanying the appeal documents that initially the application form detailed that the proposed render would be made from concrete, which was then clarified as being incorrect and instead being constructed of silicone, hence 'concrete' being removed from the description. I have also determined this appeal on this basis. The appeal form from the appellant also repeats the description as per the Council Decision Notice.

Main Issue

3. The main issue is the effect of the proposal upon the existing building and whether the proposals preserve or enhance the character and appearance of the Queens Park Conservation Area (CA).

Reasons

4. Section 72 of the Planning Listed Buildings and Conservation Areas Act 1990 (PLBCA) seeks that in relation to CA's that special attention is paid to the desirability of preserving or enhancing the character or appearance of the CA. In undertaking development, Brent Local Plan (LP) Policy BHC1 relates specifically to heritage assets and seeks that proposal demonstrate a clear understanding of significance, provide justification for impact, sustain and enhance significance and contribute to local distinctiveness, built form and character, amongst others. LP Policies BD1 and DMP1 are design led policies

¹ Email from Laurenn Brown, Brent Council, undated

- which seek consideration of context, materials, design and detailing, and having good design policy, amongst others.
5. The CA's significance is highlighted in the Queens Park CA Design Guide, where relevant components of the significance in relation to the appeal site relate to the development of formally laid out speculative housing development centred around and in close proximity to Queens Park during the late nineteenth - early twentieth century. The dwellings themselves have many of the same design elements, with most being two bays wide with a ground or two storey forward protruding canted bay window with stone dressings around fenestration and stone entablature around main entrance doors. The use of traditional materials such as timber, brick and slate along with the similar designs reinforce a uniformity and authenticity which creates a formal picturesque townscape along with vegetated front gardens and street trees which give a leafy and distinctive character. To the rear the leafy character continues with well vegetated rear gardens, and dwellings originally being constructed with two storey rear wings with lean-to roofs where the wings are the bookend with the neighbouring property sharing half of a pitched and gabled rear projection. Whilst there are a small number of examples of properties having a painted brick/ rendered finish, the dominant characteristic is that of a London stock brick finish and the architectural integrity and authenticity of the dwellings as part of this terrace.
 6. The appeal site displays a number of positive qualities of significance to the CA, being a high quality terraced building that makes a positive contribution to the character and appearance of the area. It is noted that to the rear the appeal exhibits the traditional two storey rear wing constructed of London Stock brick and solar panels mounted to the pitch of the rear wing. The collection of historic buildings of traditional construction and how they are experienced, which includes the appeal site, provides a positive contribution to the area. These elements reinforce the local character, appearance and distinctiveness of the area. Whilst there are a number of roof extensions as described in the appellant's Statement of Case (SoC), I disagree that the visual amenity or heritage value in the area has 'long been compromised' or that alterations to the rear of a dwelling are not important because they can only be seen in the private realm. The duty under Section 72 of the PLBCA makes no distinction between the public or private realm. Despite this, the roof extensions to the rear of dwellings are generally subservient to existing roof planes and whilst there is some clutter provided by aerials and satellite dishes, the CA retains its significance as a designated CA.
 7. The proposed render would be constructed of silicone, and the 90mm thickness of the render would mean that cills and roof would need to be extended to accommodate this increased depth. The increased depth would give the dwelling an awkward appearance, particular where the render meets the wall of neighbouring dwelling where the proposed render would be very noticeable and set forward of the wall of the neighbouring dwelling and the additional thickness of the cills which would need to be extended. These elements would appear inauthentic and detrimental to the building's architectural integrity and authenticity. Whilst I agree with the appellant's SoC that there are 'one or two' dwellings with either white painted brickwork and render, these do not represent the positive characteristics of the area, and illustrate the harm that can be caused to a symmetrical terrace when such alterations are made. This is also detailed in Section 4.0 of the CA Design Guide where *'the more*

inconsistent the alterations, the more negatively the area may be affected. It is unclear when these few dwellings undertook such works, and may have been before the application of the Article 4 Direction which was approved and removed permitted development rights for the painting of brickwork. As such, the application of render or painted brickwork on other examples along the street does not in itself provide justification for the proposed development.

8. I also note comments regarding the Council's concerns regarding render harming the brick walls where the appellant considers that the walls would be protected from the elements by the insulation, keeping the wall 'warm and dry.' Where a dwelling is erected with traditional construction techniques, this makes the dwelling 'breathable' in that the walls and draughts in the dwelling play an important role in the movement of moisture in and out of the dwelling. The application of impervious materials such as the proposed silicone insulation create a barrier to the movement of moisture whereby moisture will likely build up between the brickwork and insulation, causing likely further decay and harm to the brickwork. Whilst the application method of the render is not detailed, typically render is applied by 'keying' the brickwork which further causes harm to the bricks by removing the fireskin which further elevates the inappropriateness of this type of render application.
9. I appreciate that in the opinion of the appellant that the proposed insulation is 'state of the art' and that 'the contractors involved are experienced and have all the necessary certifications.' Whilst this may be the case, I am not aware that this insulation has any type of official historic building accreditation or approval or that they would be acceptable in every CA and in every circumstance where render for a historic building is sought. It is clear to me that in relation to this particular CA that in these circumstances the use of London Brick and its integrity in architectural form and construction is a key component of its significance and how the buildings are experienced within the CA.
10. I also agree with the appellant that there is a Climate Emergency, and that each Council has a role in reducing carbon emissions and achieving thermal efficiency. Whilst this may be the case, the proposal is not the only way of achieving thermal efficiency to the dwelling and there may be other ways of improving the thermal efficiency of the dwelling without having a harmful effect towards the significance of the CA.
11. Overall, the placement of render and extension of cills and roof in the way proposed would fail to preserve or enhance the character and appearance of the CA, and would therefore be contrary to LP Policies DMP 1, BD1 and BHC1 as described previously.
12. Taking the above into account, the proposal would cause 'less than substantial' harm to the CA within the meaning of the term in paragraph 202 of the National Planning Policy Framework (the Framework). Paragraph 200 of the Framework states that any harm to, or loss of, the significance of a designated heritage asset requires clear and convincing justification. Paragraph 202 of the Framework requires that, where a proposal would lead to less than substantial harm, the harm should be weighed against the public benefits of the proposal.
13. The applicant has not outlined any public benefits of the scheme. However, the benefits of the scheme would deliver more thermally efficient residential accommodation for the existing dwelling, as well as result in short term

employment opportunities in the application of the render both of which are important planning policy objectives. However, these benefits may also be present in a more appropriately designed scheme. That said, these benefits would not justify the harm I have identified.

14. I therefore find that the public benefits would not outweigh the harm caused to the significance of the CA. The scheme therefore conflicts with the Framework, which directs, at paragraph 199, 'that great weight should be given to the asset's conservation ... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to their significance'.
15. In conclusion on this matter, I consider the proposed development would cause less than substantial harm to the significance of the CA. It has not been shown that public benefits would outweigh this harm and so the proposal would conflict with the development plan.

Conclusion

16. For the reasons given above, I conclude that the appeal be dismissed.

J Somers

INSPECTOR