



Appeal Decision

Site visit made on 21 March 2023

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th March 2023

Appeal Ref: APP/T5150/D/23/3315302

65 Barn Way, Wembley, Brent HA9 9NP

- 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 Hadi Hadi against the decision of the Council of the London Borough of Brent.
 - The application Ref 22/3083, dated 5 September 2022, was refused by notice dated 7 November 2022.
 - The development proposed a first floor side/rear extension, and a loft conversion with rear dormer.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and the area, including whether it would preserve or enhance the character or appearance of the Barn Hill Conservation Area ('the BHCA').

Reasons

3. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in respect of development affecting conservation areas, special attention shall be paid to the desirability of preserving or enhancing their character or appearance. The National Planning Policy Framework ('Framework') sets out that great weight should be given to the conservation of designated heritage assets, such as conservation areas, and that harm to their significance requires clear and convincing justification.
4. Policy BHC1 of the Brent Local Plan 2019-2041 (2022) ('BLP') sets out that proposals shall sustain or enhance the significance of heritage assets, and shall contribute to local distinctiveness, having regard to matters such as the streetscene, siting, planform, and good quality, subordinate design. It is therefore consistent with the Framework's approach.
5. I have been provided with only limited extracts from the Barn Hill Conservation Area Design Guide 2013 ('the DG'). However, I observed that the BHCA is broadly characterised by fairly modest, two storey semi-detached and detached houses, with a hipped roofed form, and which are set back from the highway on a hillside. Their elevations are finished with a palette of materials including brick, render and feature timberwork.

6. The host is typical of the area. It forms one half of a semi-detached pair which sits towards the end of a long row of broadly similar properties. I observed on my visit that although some have been extended to the rear, the houses on this side of the road generally retain a simple form and modest proportions, particularly at first floor level and above.
7. The front face of the proposed first floor extension would be narrow, set well back from the host's front face, and its ridge would be set down. In those regards it would comply with the advice in the DG. It would also be faced in matching materials, and its hipped roof would reflect the form of the existing roof.
8. However, it would extend well to the rear of the original dwelling. As a result of that, along with its height and bulk, it would appear visually rather detached from the remainder of the host property. It would thus not complement the character of the original house, and the resultant dwelling would have a rather awkward and disjointed appearance, contrary to the DG.
9. In the context of the area, its projecting first floor bulk and its complexity would jar with the prevailing form and simpler proportions of the other properties in this row and in the BHCA. That harmful impact would be visible from nearby houses and their gardens and, to a more limited degree, in the streetscene when looking through the gap at first floor level between the host and 63 Barn Way, and from Brampton Grove.
10. In harming this typical part of the BHCA, the scheme would fail to preserve or enhance the character and appearance of the BHCA as a whole. The harm to this designated heritage asset is a matter to which I attribute great weight. However, as that harm would be 'less than substantial', in accordance with the Framework and BLP Policy BHC1, I am required to weigh it against the public benefits of the proposal.
11. In its favour, the proposal would provide the existing, and any future, occupants with more comfortable living space. However, that benefit would be largely private, relating to the enjoyment of the house by its occupants. Therefore, I find no public benefits that would outweigh the harm that I have identified above.
12. The proposal would therefore conflict with BLP Policy BHC1 and the Framework. It would also conflict with those parts of BLP Policy DMP1 which require development to complement the locality and to conserve or enhance the significance of heritage assets; and it would not fully accord with the advice in the DG.
13. The Council does not allege a conflict with the Brent Residential Extensions and Alterations Supplementary Planning Document. As I have not been provided with that document, I cannot accurately assess the scheme against it.
14. Nevertheless, for the above reasons the scheme would conflict with the development plan, and having regard to all other matters raised, including a representation by an interested party, the appeal is therefore dismissed.

Chris Couper

INSPECTOR