



Appeal Decisions

Site visit made on 29 August 2023

by Graham Dudley BA (Hons) Arch Dip Cons AA RIBA

an Inspector appointed by the Secretary of State

Decision date: 11 October 2023

Appeal A Ref: APP/T5150/C/22/3310468

Appeal B Ref APP/T5150/C/22/3310469

31 Northwick Circle, HARROW, HA3 0EE

- The appeals are made under section 174 of the Town and Country Planning Act 1990 as amended. The appeals are made by Mr Arvinda Malde and Mrs Kiran Malde against an enforcement notice issued by London Borough of Brent.
 - The notice was issued on 26 September 2022.
 - The breach of planning control as alleged in the notice is the installation of a hardstanding and dwarf brick wall to the front of the premises and installation of a front door to the premises.
 - The requirements of the notice are 1. Remove the dwarf brick wall to the front of the premises and build a low brick wall parallel to the grass verge for the full length of the grass verge with the same bricks and same design as the low wall at 29 and 33 Northwick Circle, 2. Remove the hardstanding and front door to the premises and 3. Remove all items and debris, arising from the removal of the hardstanding dwarf brick wall, and front door, and remove all materials associated with the unauthorised development from the premises.
 - The period for compliance with the requirements is 6 months.
 - The appeal A is proceeding on the grounds set out in section 174(2)(a), (c), (f) of the Town and Country Planning Act 1990 as amended. Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act. There is no ground (a) appeal in relation to Appeal B.
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Decisions

1. Appeal A is allowed under ground (a) and Planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended for the installation of a hardstanding and dwarf brick wall to the front of the premises and installation of a front door to the premises at 31 Northwick Circle, Harrow.
2. Appeal B fails.

Reasons

Ground (c)

3. The ground (c) appeals only relates to the front door.
4. There is an Article 4 Direction removing permitted development rights, including at the appeal site, and these cover such matters as front doors, hardstandings and front walls.
5. The appellant says the front door received planning permission. However, the Council notes that the permitted door was described as timber with panels (application 19/0252). The door on the approved drawing is noted as a new

single timber door. It is shown with 3 panels. The approved door shows no glass panes.

6. The door that has been provided is a new single timber door. While some aspects comply with the description of the approved door, it is considerably different from that described on the planning application, with glass panels and therefore is not covered by that permission. The appeal fails on ground (c) and planning permission is required.

Appeal A- Ground (a)

7. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
8. The development plan includes the London Plan [LP] and the Brent Local Plan [BLP]. BLP Policy BCH1 relates to Heritage Assets and notes new development should sustain and enhance the significance of the heritage asset, including curtilage and setting. It should also contribute to local distinctiveness. BLP Policy DMP1 is a development management general policy. It requires acceptable layout scale and detailing. It requires conserving and where possible enhancing the significance of heritage assets. LP Policy BT2 refers to parking. Much of this policy relates to new proposals and level of parking provision. This is different in that the spaces have already been provided and this is only a change to the arrangement, which is a factor in the consideration of the work.
9. The Northwick Estate is a suburban neighbourhood planned around a central building with a social function. The conservation area appraisal notes the houses follow a basic consistent design philosophy but vary greatly in their composition. It adds that what makes the Northwick Circle special is the variation in size, layout and detailing of the basic form. I consider that the significance, character and appearance of the conservation area relates to the Arts and Crafts style houses, their materials and detailing and the relatively spacious front gardens and generous roads, which have grass verges and trees.
10. A large portion of the front gardens have been altered in the past, probably before the conservation area was formed. This is now part of the character of the area. A large proportion of properties have provided drives and parts of the front walls have been demolished. So rather than stone walls that were likely to have predominated, there is a great mix of different walling materials including stone, concrete made to look like stone and bricks, including blue and red.
11. The appeal building, prior to the recent work, had a large area of drive and large parts of the front wall had been removed. This was not one of the properties with an original garden remaining, but a large drive was formed with little planting. I consider that the work that has been undertaken is a significant improvement on what was there previously. A sustainable drainage system with a soakaway is provided. There is now a large bed behind the front wall and small bed at the side of the property. While there is not a 50/50 split in hard surface and planting, the situation is greatly improved. The surface material is concrete blocks and the front wall a blue brick. Overall, I consider that the character and appearance of the conservation area is enhanced and it complies with planning policy.

12. The front door is, contrary to the Council's initial view, a timber door. I accept that it does not have only timber panels, but some glass ones and the door handle is slightly larger. However, this door is a well made, attractive front door and compliments the detailing of the building and variety of detailing in the area, without detracting from the conservation area. A wheelchair is also in use, and the agent notes this helps with use. I consider that its simple design preserves the character and appearance of the conservation area and it accords with policies.
13. The appeal on ground (a) succeeds and planning permission will be granted in relation to the deemed planning application.

Ground (f)

14. There is no need to consider ground (f) as Appeal A is allowed on other grounds.

Graham Dudley BA (Hons) Arch Dip Cons AA RIBA

INSPECTOR

Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/T5150/C/22/3310468	Mr Arvinda Malde
Appeal B	APP/T5150/C/22/3310469	Mrs Kiran Malde