



Appeal Decision

Site visit made on 05 September 2024

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 September 2024

Appeal Ref: APP/T5150/W/23/3334042

496 Church Lane, Brent, London NW9 8UA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Sungeen against the decision of the Council of the London Borough of Brent.
 - The application Ref is 23/2713.
 - The development proposed is replacement UPVCU windows to front elevation. New aluminium framed entrance doors and roller shutter.
-

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 Non Designated Heritage Asset (NDHA).

Reasons

3. 496 Church Lane is a half-timbered 2-storey Tudor-revival style building which originally comprised a commercial milk depot. The building was considered for listing by Historic England in 2018, however it was found that the criteria for listing as a designated heritage asset was not fulfilled. Nonetheless, the Council identify the appeal property as a NDHA.
4. There is no statutory listing process for NDHA's, nor any formal definition of them in the National Planning Policy Framework (the Framework). The Planning Practice Guidance (PPG) indicates that NDHA's are buildings, monuments, sites, places or areas identified by plan making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets.
5. The evidence of the building's original function for milk distribution has been obscured by later alterations. Nonetheless, at my site visit I observed that 496 Church Lane is a building of architectural merit which appears to retain much of its original architectural fabric, in particular to the timbered upper floor. The significance of the building as a NDHA is derived from its architectural quality as an example of a Tudor-revival style building from the late Victorian period. Based on the evidence before me, and my own observations on site, I consider that the building has a degree of heritage significance which merits consideration as a NDHA.

6. The proposal relates to the replacement of windows in the front elevation with uPVC windows and the installation of aluminium framed entrance doors and roller shutters. These were in place at the time of my site visit. There are no detailed drawings of the pre-existing windows, though the Council's submission includes a photograph of the building prior to the replacement of the windows. On the basis of this it appears that the previous windows had slender timber frames and appeared to be of a material and design authentic to the period when the building was constructed, contributing to the building's authenticity and integrity as a NDHA.
7. At my site visit I observed that, whilst the replacement windows appear to reflect the number and siting of the previous windows, they are chunky, project from the façade, are of a modern and uniform appearance and have a reflective sheen. It is readily apparent that they are modern replacements. The windows appear as unsympathetic additions which fail to relate to the architectural character of the building. This represents a detrimental change in appearance and a loss of character, causing harm to the significance of the NDHA.
8. The Framework requires that the effect of an application on the significance of a NDHA should be taken into account in determining an application and requires a balanced judgment having regard to the scale of any harm or loss and the significance of the asset. The scale of harm from the wholesale replacement of the windows is significant, not least due to the size of the building, the number of windows and the dominance of its fenestration.
9. In support of the proposal, it is stated that the windows improve the thermal efficiency of the building, which accords with the Framework's objectives to support low carbon development. It is also suggested that the replacement windows ensure the on-going viability of the building. However, there is no substantive evidence that appropriately-designed replacements could not also achieve these benefits. Additionally, even if the proposal does result in increased footfall, given the development's harmful effect on the character and appearance of the building, it does not enable a greater appreciation of the NDHA.
10. I find that the development is detrimental to the character and appearance of the building and hence its significance as a NDHA. Conflict therefore arises with those aims of Policies DMP1 and BHC1 of the Brent Local Plan (2022) which seek to ensure that development conserves and where possible enhances the significance of heritage assets and their settings.

Conclusion

11. The proposal conflicts with the development plan and there are no material considerations which would indicate a decision other than in accordance with it. The appeal is therefore dismissed.

N Robinson

INSPECTOR