



Appeal Decision

Site visit made on 4 December 2024

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 December 2024

Appeal Ref: APP/T5150/W/24/3346530

69 Barn Way, Wembley, Brent HA9 9NP

- 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 Dr Madhvi Joshi against the decision of the Council of the London Borough of Brent.
- The application Ref is 24/0416.
- The development proposed is erection of a two-storey side extension to create a new dwellinghouse and a single-storey rear extension to the existing dwellinghouse, erection of a rear dormer window to the existing house, demolition of existing garage and erection of carport.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. In Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered from that on the planning application form. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the description given on the original application.
3. On 12 December 2024, a revised version of the National Planning Policy Framework (the Framework) was published. I have had regard to the revised Framework insofar as it is relevant to this appeal.

Main Issues

4. The main issues are the effects of the proposed development upon the character and appearance of the area and whether it would preserve or enhance the character or appearance of the Barn Hill Conservation Area.

Reasons

5. The appeal site is located within the Barn Hill Conservation Area (CA). As a result, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty upon me, in respect to any buildings or other land within a conservation area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
6. The CA is overwhelmingly residential in character. It contains a concentration of Arts and Craft movement inspired properties of varied styles which are arranged in character areas. The properties are within a mature landscaped setting with tree-lined streets, grass roadside verges and pockets of open space characteristic of the area. The area's hilly topography is a further feature of the CA. This allows for

fine vistas, and the resultant cascading roofscape of the area is distinctive. Overall, the significance of the CA is principally derived from its architectural and artistic interest, because of its aesthetics, but also its historic interest owing to the area's association with the celebrated landscape designer Humphry Repton.

7. The appeal site contains No 69 Barn Way (No 69) which forms one of a pair of semi-detached houses. No 69 and the adjoining house each exhibit traditional architectural features such as bay windows and ornate brickwork detailing to the surrounds of their entrance doors. Although the adjoining house has a two storey side extension, as the pair of houses have similar architectural features and building materials, they nevertheless exhibit much design cohesion. No 69's scale and design is very typical of the housing which predominates within the CA and which contributes to the CA's significance. Even though there are landscape features which provide some screening, owing to their position on a corner plot at the confluence of several roads, and beside an area of open space, No 69 and the adjoining house can readily be appreciated from public vantage points. As a result, the appeal site makes a positive contribution to the character and appearance of the CA as a whole.
8. Upon completion of the proposed development No 69's front and rear elevations would be substantially widened, and the enlargement of the existing property to the side would form a far bulkier addition to the property than the subservient extension at the adjoining house. Coupled with the addition of a third set of front elevation bay windows and a third entrance door, the result would be an erosion of the design cohesion displayed by the pair of semi-detached houses and the introduction of more imbalance.
9. These effects would be compounded by the detailed design of some of the fenestration proposed. In contrast with No 69 and the adjoining house the proposed dwelling would incorporate first floor windows within its front and rear elevations which would be positioned well below, rather than abutting, the eaves level. This would be a facet of the proposal's design which would be at odds with, and undermine, the balance of the fenestration exhibited by the existing pair of semi-detached houses.
10. I have outlined above the contribution that the roofscape makes to the CA. As a result, a sensitive approach to roof additions and alterations in the area is required. To assist, the Barn Hill Conservation Area Design Guide sets out that roof-lights should not be incorporated on a side roof slope on a corner plot that addresses the street. In conflict with this guidance, and unlike is presently the case with No 69 or the adjoining semi-detached house, the proposed dwelling would incorporate a roof-light within its side roof slope facing a street. As a result, the noticeable dominance of the roof tiles to the front and side roof slopes of the pair of properties, and which is reflective of many other properties in the area, would be eroded.
11. For these reasons, the proposed development would, as a whole, form an unsympathetic addition to the street scene, and it would have a detrimental effect upon the character and appearance of the pair of semi-detached houses it would extend and alter. As this pair of semi-detached houses are very reflective of, and make a positive contribution to, the character and appearance of the CA, I also find that this detrimental effect would result in the proposal failing to preserve or enhance the character or appearance of the CA as a whole. The harm to the

designated heritage asset would be less than substantial. Even so, having regard to the statutory duty I set out earlier, this harm is a matter of considerable importance and weight in my decision.

12. Upon its completion, the proposal would have more intensively used the appeal site in order to deliver an additional house and extend and rationalise the accommodation of No 69 itself. In so doing, the proposal would make a contribution to housing supply, and it would also increase the choice of housing in the area. The appellant submits that the proposed house has been designed so that it would be an accessible and adaptable dwelling, and I have no substantive evidence to the contrary. Furthermore, as a small development, it is likely that it could be delivered quickly too. However, in providing only a single additional dwelling, the contribution to housing supply and choice in the area would be a limited one.
13. Some landscaping enhancements would result from the development and urban greening would be achieved as a result. No 69's existing garage would be demolished, and the replacement parking spaces would be more likely to facilitate off-street parking. Consequently, some reduction to on-street parking pressures in the area may therefore result but, that said, I have no substantive evidence before me which indicates to me that parking stress is a problem in the area. These would be further benefits of the proposal but only modest ones.
14. It is submitted to me that the proposed development would provide appropriate living conditions for future occupiers and would not harm the living conditions of existing neighbouring occupiers. The proposed development may also be energy efficient and deliver electric vehicle charging points. However, good design is a key aspect of sustainable development, and it is fundamental to the planning process. The delivery of electric vehicle charging points in respect of the proposed development is now an incumbent part of the building regulations. As such, that the proposal would be well-designed in these regards is a requirement and an expectation rather than a public benefit of any meaningful weight in this case.
15. Altogether, the public benefits which would be derived from the proposal would be modest and they would be insufficient to outweigh the harm to the CA. In relation to this main issue, I therefore find that unacceptably harmful effects upon the character and appearance of the area would result from the proposed development, and it would fail to preserve or enhance the character or appearance of the Barn Hill Conservation Area.
16. For these reasons, the proposed development conflicts with policies DMP1 and BHC1 of the Brent Local Plan 2019-2041 together with policy HC1 of the London Plan. In summary, and amongst other matters, these policies require development proposals to complement their locality, contribute to local distinctiveness, seek to conserve the significance of heritage assets, permitting harm to them only when the public benefits are of greater weight.

Other Matters

17. The appellant has drawn my attention to a number of other developments on neighbouring streets. The full details of each of these developments, or the circumstances which led to them obtaining permission, are not before me, and this limits my ability to make accurate comparisons between them and the scheme the subject of the appeal. Regardless, from the details which are before me, and my

own observations on site, it is clear to me there are some contextual differences between the cited examples and the appeal scheme. The appeal scheme involves a particular house type, a corner plot location and a specific design which, altogether, means that there are marked differences between it and the cited examples. Furthermore, I must consider the appeal proposal on its own merits. Consequently, the other developments in the area are of limited weight in my decision.

18. The appellant submits that the proposed development has not drawn public objection. However, as part of the appeal process, some objections have been submitted. Regardless, limited or the absence of public opposition does not in itself render the scheme appropriate nor outweigh the harm I have identified in my main issues.

Conclusion

19. The proposed development conflicts with the development plan taken as a whole. There are no material considerations of sufficient weight to indicate a decision other than one in accordance with the development plan. Therefore, I conclude that the appeal should be dismissed.

H Jones

INSPECTOR