



Appeal Decision

Site visit made on 28 October 2025

by Simon Hand MA

an Inspector appointed by the Secretary of State

Decision date: 4th November 2025

Appeal Ref: APP/T5150/F/24/3346044

35 and 35A (Basement and Ground Floor Flat) Princess Road, LONDON, NW6 5QT

- The appeal is made under section 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
 - The appeal is made by Mr Muhammad Burmal Karwani against a listed building enforcement notice issued by the London Borough of Brent.
 - The enforcement notice was issued on 2 May 2024.
 - The contravention of listed building control alleged in the notice is: without listed building consent the erection of an outbuilding to the rear of the premises.
 - The requirements of the notice are: STEP1 Demolish the outbuilding to the rear of the premises. STEP2 Remove all associated debris, items and materials, arising from the removal of the unauthorised development, from the premises and restore the land back to its original condition before the unauthorised development took place. For the avoidance of doubt this includes landscaping the relevant area.
 - The period for compliance with the requirements is 1 month.
 - The appeal is made on the ground set out in section 39(1) (e) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
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Decision

1. It is directed that the listed building enforcement notice be varied by: the deletion of “1 month” and its substitution with “6 months” as the period for compliance. Subject to this variation, the listed building enforcement notice is upheld.

Reasons

2. The only ground of appeal is that listed building consent should be granted. No35 is part of a terrace of handsome mid-Victorian villas. As the Council point out, both sides of the road retain similar terraces of listed houses that are rather more ornately embellished than in other roads. Princess Road is thus an important part of the wider conservation area. I can take no view on the internal arrangements of the building but I assume it has been altered somewhat as it has been split into several flats. The significance of the building as far as this appeal is concerned is the role it plays as part of the attractive and largely unaltered streetscene.
3. The rear of the terrace is a different matter. All the houses that I could see had modest back yards which appeared to have tall dividing fences and walls. There were a few, relatively small garden sheds, but otherwise very little use seemed to be made of these rather uninviting and overshadowed spaces. By way of contrast the appellant has developed the entire yard. The bulk of it contains a single-storey building with glass doors to the front with narrow structures to the side. That on the right (when looking from the house) is an open fronted BBQ area that is roofed

and joined to the rear wall of the building. To the left is a storage shed that stops about 1m short of the rear wall. This leaves a small, paved patio in the centre.

4. I had the advantage of seeing the development completed and it uses high quality materials and appears to be well designed. In any other context it would be an attractive addition to a rear garden. The question here though is whether it affects the building or its setting's special architectural or historic interest. I do not consider the rear gardens play much of a role in the significance of the terrace and the rear of such buildings is generally of lesser significance, being where the intrusions that contribute to modern-day living are contained, and this terrace is no different. However, that said, I could see no large-scale alterations to the rear of the terrace or to the garden/yard areas which would seem to remain very much as when they were listed. As described above, the garden room and its flanking sections occupy much of the rear yard and dominate the entire back of the building. Not only are they highly visible from the backs of many of the houses, but also from the modern flats that back onto them. They are also taller than the typical dividing fences and add to the overshadowing and sense of dominance that already exists.
5. In my view, for the reasons given above, the development as a whole is harmful to the setting of the listed building. I have no objection to some form of development in the rear garden and that shown in the photographs as what the building would look like when complete would be much more acceptable. However, the reality on the ground is quite different. In particular the side sections contribute disproportionately to the harm, given their relatively modest size. I cannot grant consent for what is before me as it is contrary to the Act and also causes less than substantial harm to the significance of the listed building with no offsetting public benefits. However, I consider that immediate and complete demolition would be unnecessary, and I shall extend the compliance period to see if the appellant can produce a revised design that would overcome the objections identified above.

Simon Hand

INSPECTOR