



Appeal Decision

Site visit made on 10 November 2025

by R Satheesan BSc PGCert MSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th November 2025

Appeal Ref: APP/T5150/C/23/3334488

16 Honiton Road, London NW6 6QE

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Pedro Barroso against an enforcement notice issued by the Council of the London Borough of Brent.
 - The notice was issued on 6 November 2023.
 - The breach of planning control as alleged in the notice is: Without planning permission, the erection of a single storey side extension, the erection of a single storey rear extension, the installation of replacement windows, alterations to the rear dormer, the installation of waste pipe work to the side elevation, and alterations to the boundary wall including increasing its height and part-demolition.
 - ("the unauthorised development").
 - The requirements of the notice are:
 - STEP 1 Demolish the single storey side extension and single storey rear extension.
 - STEP 2 Remove the current windows and install windows that precisely replicate the design of the original timber sash windows, ensuring they are of the same overall arrangement and proportions as the original windows.
 - STEP 3 Alter the rear dormer so that it accords with the drawings attached to this notice, which were approved as part of planning application ref. 07/2847 dated 31/10/2007.
 - STEP 4 Remove the waste pipe work to the side elevation.
 - STEP 5 Alter the boundary walls, including reducing the height and rebuilding the demolished section, so that they replicate exactly what existed before the unauthorised development took place.
 - STEP 6 Remove all items associated with the unauthorised development, and all materials, waste and debris, arising from compliance with the above steps, from the premises.
 - The period for compliance with the requirements is 6 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) and (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.
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Decision

1. The appeal is allowed, the enforcement notice is quashed 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 development already carried out, namely the erection of a single storey side extension, the erection of a single storey rear extension, the installation of replacement windows, alterations to the rear dormer, the installation of waste pipe work to the side elevation, and alterations to the boundary wall including increasing its height and part-demolition at 16 Honiton Road, London NW6 6QE referred to in the notice.

Appeal on ground (a), the deemed planning application (DPA)

Main Issue

2. The main issue is whether the development preserves or enhances the character or appearance of the building and the Kilburn Conservation Area ('CA').

Reasons

3. The appeal site relates to a late Victorian two-storey corner property situated within the CA. The property has a recessed front entrance porch, a two storey front bay windows and a two storey back addition paired with its neighbour and is finished in yellow-stock brick and slate roof. Prior to the current unauthorised development, the property had been previously extended with a ground floor side infill rear extension (with non-matching brickwork and white fascia and UPVC windows) and a slate clad rear dormer roof extension (with UPVC windows) inset from both side boundaries and the eaves. The property also contained a mixture of non-original UPVC and aluminium windows.
4. With regard to the effect on designated heritage assets, Section 72(1) of the Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
5. The National Planning Policy Framework (the Framework) advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The Framework also states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
6. The significance of the CA largely derives from its rich architectural interest. The Kilburn Conservation Area Character Appraisal, (KCACA) highlights that the special character of the CA is based not only on the design of buildings and that of the open space but also on their street setting and the street scenes. The CA has a grid like pattern and is characterised by wide tree lined streets with granite kerbstones and continuous lines of terraced housing creating long vistas and attractive views. The houses in the CA are of different Victorian architectural styles, which reflect the four periods during which the development of the area was phased.
7. During the last phase in 1894/1895, Solomon Barnett built Honiton Road which has more modest two-storey terraced houses, with stock brick, two storey bay windows at the front and symmetrical two storey back additions paired with their neighbours at the back. Properties in the CA are finished in traditional materials comprising red and yellow brick, stone and stucco dressing, brick and terracotta dressing, slate roofs, cast iron and timber sash windows. The rich variety of different types of Victorian architecture combine to make this an attractive residential area with high streetscape value.
8. The appeal building and terrace shares many of these Victorian features and materials and makes a positive contribution to the significance of the CA. I also observed that the traditional qualities of the building including its materials are fundamental to preserving the special character and appearance of the CA. This view is supported in the KCACA, which highlights that a significant proportion of dwellings have lost their original features due to alterations made to their exteriors

(including the loss of original timber framed sash windows and front boundary walls, cornice and capital details and the painting of original brickwork) which cumulatively detracts from the overall character of the CA.

The erection of a single storey side infill extension and the erection of a single storey rear extension

9. Brent's Residential Extensions and Alterations SPD2, 2018 (SPD) states that single storey rear extensions should be designed to respect the character and size of your house, and that the maximum depth normally permitted is 3.0 metres from the wall of the house.
10. The side infill extension does not project beyond the existing rear building line in compliance with the above SPD. Furthermore, the infill extension replaces a pre-existing infill extension and unlike the former rear extension, the new infill extension is constructed of yellow stock brickwork which better matches the original building. The skylights above, after modest in their projection and blend in well with the dark roof material of the extension.
11. With regard to the new single storey rear extension, the depth of the extension (circa 2.5m in depth) with a flat roof is in accordance with the SPD and it does not occupy a disproportionate area of the garden and respects the size and character of the property. Again, the yellow stock brick material of the extension respects the materials of the host building and the surrounding CA. In these respects, the single storey rear extensions does not harm the character and appearance of the building or the CA as a whole.

Installation of replacement windows

12. The SPD also advises that building materials should where possible match the main house. However, prior to the current unauthorised works, the windows of the property comprised non-original UPVC, and aluminium windows and the evidence submitted indicates that these were lawful as they were immune from enforcement action having existed for more than 4 years.
13. The replacement windows are timber framed double glazed sash windows which are not dissimilar to windows on other houses in the area and are a significant improvement on the former lawful UPVC and aluminium windows that were replaced. Indeed, from my observations during my site inspection it was clear that the new timber framed windows were a closer match to the original timber framed windows seen elsewhere in the CA. In this respect, the replacement windows enhance character and appearance of the building or the CA as a whole.

Alterations to the rear dormer

14. The SPD advises that care should be taken with the design of rear dormers and that generally they should be set down from the ridge by at least 0.3m, must be set up from the eaves line by at least 0.5m measured along the roof plane, and that the style of windows installed into dormers should be in keeping with the rest of the house.
15. The current dormer is set below the ridge line and well set in from both side boundaries and the eaves line and is finished in slates which match the main roof in general conformity with the SPD. I appreciate that the windows installed are UPVC rather than the timber windows. Nevertheless, prior to the current development, the

property contained an existing rear dormer roof extension with UPVC windows, and these windows were lawful given that they existed for more than 4 years. I also note that the size of the rear dormer and UPVC windows in the dormer are not dissimilar to those seen elsewhere in the terrace and along Honiton Road. As such, The replacement dormer does not harm the character and appearance of the building or the CA as a whole.

The installation of waste pipe work to the side elevation, and alterations to the boundary wall including increasing its height and part-demolition.

16. The waste pipe finished in black on the flank elevation is relatively discreet and similar in appearance to the existing pipework and guttering seen elsewhere on the host property and terrace. Indeed, there is a much taller pipework directly opposite the appeal site on Victoria Road.
17. Turning to the raised boundary wall along Victoria Road, this has been finished in yellow-stock brickwork to match those of the host building, the rear extensions and the boundary wall itself. Furthermore, during my site visit I observed that the brick wall was similar in height, colour and appearance to the brick boundary wall on the opposite side of Victoria Road. Therefore, both the pipework and alterations of the brick wall do not ham the character and appearance of the building or the CA as a whole.

Conclusion on character and appearance

18. I conclude that the development is consistent with the preservation of the character and appearance of the CA, as a whole. It complies with DMP1, BD1 and BHC1 of the Brent Local Plan, 2022 (LP). Amongst other things these seeks to sustain or enhance the significance of the heritage assets and states that development will be acceptable provided it is of a siting, layout, scale, type, density, materials, detailing and design that provides high levels of internal and external amenity and complements the locality, and that development must be of the highest architectural and urban design quality.
19. The development also complies with policies D1 and HC1 of the London Plan, 2021, which seeks to provide good growth through good design and states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

Other Matters

20. Comments made by third parties have been taken into account but do not alter the conclusions reached in this decision. No conditions have been suggested by the Council and as the development appears to be completed, there is no need for any.

Conclusion

21. For the reasons given above I conclude that the appeal succeeds on ground (a). I shall grant planning permission for the development described in the enforcement notice. The appeal on ground (f) does not therefore fall to be considered.

R Satheesan

INSPECTOR