

Appeal Decision

Site visit made on 30 November 2016

by George Arrowsmith BA, MCD, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 December 2016

Appeal Ref: APP/T5150/D/16/3160909
32 Torbay Road, London, NW6 7DY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Tin Kay Au against the decision of the Council of the London Borough of Brent.
 - The application Ref 16/0186, dated 14 January 2016, was refused by notice dated 11 August 2016.
 - The development proposed is front skylights.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the retention of two roof lights, which already exist, would be harmful to the appearance of the parent house and the street scene and would fail to preserve the appearance of a conservation area.

Reasons

3. No 32 Torbay Road is in a street of generally well-maintained late Victorian terraced houses. The street is part of the North Kilburn Conservation Area where, in accordance with section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, there is a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
4. The Design Guide for the conservation area says that on street-facing roof slopes one flush roof light will be permitted. The Guide itself gives no explanation for this guidance but I consider that keeping the number of roof lights to a minimum preserves the relatively uncluttered appearance of the roofscape, which contributes to the conservation area's generally harmonious character and appearance.
5. I read that the appeal property had a single roof light on the left hand side of the roof when seen from the street. Planning permission was granted for a scheme which entailed the removal of this roof light and the insertion of another roof light on the right hand side of the roof. In the event the scheme as implemented has two roof lights in the street-facing roof slope. The light on the left hand side of the roof appears to be a retention of what existed prior to the planning permission. I consider that the presence of two roof lights gives the roof a somewhat cluttered appearance that fails to preserve the character or

appearance of the conservation area, thereby conflicting with the objectives of saved policies BE2, BE7, BE9, BE25 and BE26 in the Council's Unitary Development Plan and policy CP17 in the Council's Core Strategy.

6. I am aware that other properties in the street have more than one roof light in their street-facing roof plane. The case officer refers specifically to the three roof lights at 36 Torbay Road but says that these appear to have been installed before the conservation area was designated and that they illustrate the cluttered appearance that too many roof lights can create.
7. During my site visit I saw at least two other relatively nearby properties with two roof lights and another property which had solar panels on the roof. In my judgements these roofs also detract from the predominantly harmonious street scene. I do not know the circumstances of these developments but they do not affect the overall character of the street scene to a degree that warrants abandoning efforts to preserve it. For this reason I consider that the retention of both roof lights as proposed in the application would be harmful to the appearance of the parent house and the street scene and would fail to preserve the appearance of a conservation area.

George Arrowsmith

INSPECTOR