

Appeal Decision

Site visit made on 21 December 2016

by P Eggleton BSc(Hons) MRTPI

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

Decision date: 6 January 2017

Appeal Ref: APP/T5150/D/16/3160846

58 Blockley Road, Wembley, London HA0 3LW

- 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 Bakhai against the decision of the Council of the London Borough of Brent.
 - The application Ref 16/3450, dated 1 August 2016, was refused by notice dated 29 September 2016.
 - The development proposed is a glass roof canopy attached to the rear of the property.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the living conditions of the residents of 56 and 60 Blockley Road with regard to outlook.

Reasons

3. The proposal would result in a roof canopy that would extend across much of the width of the rear of the property. It would be attached to the rear extension. The neighbouring property, 60 Blockley Road, has a rear extension of similar depth and height. To the other side, number 56 does not extend so far to the rear and is set at a lower level.
 4. The new structure would be a dominant feature when within the rear garden and when viewed from the nearest rear facing windows of number 60. These large windows provide a principle outlook to the rear. The canopy would not have the same impact as an extension with solid flank walls but the position and extent of the roof would nevertheless be clearly evident. Its proximity to the boundary would result in it being overly dominant when within the neighbouring room and the immediately adjacent area of garden.
 5. The neighbouring residents have attached an extendable canopy above the adjacent rear windows. However, that canopy is limited in width and depth and is retractable. The impact of this proposal would be substantially greater. The proposed canopy would result in unacceptable harm to the living conditions of the residents of 60 Blockley Road with regard to outlook.
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6. The residents of 56 Blockley Road already have an outlook that has been reduced by the scale and relative height of the appeal property's rear extension. The nearest neighbouring window and door are set well away from the shared boundary and do not provide the principle outlook to the rear. However, the new structure would be a dominant feature when within the immediately adjacent garden area. It would be overly dominant and overbearing and despite its glazed roof, it would unacceptably reduce the outlook of the neighbouring residents when in their garden.
7. Overall, the proposal would conflict with Policy BE9(e) of the Unitary Development Plan 2004 (UDP) which promotes the amenity of existing residents. It accords with the amenity requirements of the *National Planning Policy Framework* and I afford it considerable weight.
8. The Council have referred to UDP Policy BE2. However, this relates to townscape and the character of the area. The proposal represents a simple ancillary addition to the rear of the property. It would not be within the public domain and it would have very limited prominence in private views. It would not harm the character or appearance of the area or conflict with the policy.
9. The property lies within the Sudbury Court Conservation Area which forms part of the Sudbury Court Estate. The properties are generally semi-detached with pleasing architectural compositions and period detailing. This proposal would not alter the original detail of the dwelling or its setting. It would have a neutral impact that would preserve the character and appearance of the conservation area. As it would not result in harm, it would satisfy the heritage requirements of the *Framework*.
10. The Sudbury Court Conservation Area Design Guide 2015 seeks to limit extensions to 3 metres deep but it does not refer specifically to additions such as this. The Council's Supplementary Planning Guidance: Altering and Extending Your Home 2002 (SPG) includes the same numerical limitations but similarly, does not anticipate canopy structures. However, the proposal represents a further addition to the dwelling and given the combined scale of the works overall, I find no support from the guide or the SPG.
11. I have considered all the matters put forward by the appellant, including the more effective use of the outside area of the property and the lack of objections from the neighbouring residents. Whilst these matters provide weight in favour of the proposal, they are not sufficient to outweigh my concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR