

Appeal Decision

Site visit made on 31 January 2017

by Jason Whitfield BA (Hons) DipTP MRTPI

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

Decision date: 16th February 2017

Appeal Ref: APP/T5150/D/16/3156378
20 Barn Hill, Wembley, Brent HA9 9LA

- 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 David Wang against the decision of the Council of the London Borough of Brent.
 - The application Ref 15/5193, dated 20 November 2015, was refused by notice dated 12 February 2016.
 - The development proposed is single storey rear extension, rear dormer window, installation of x2 rooflight to side roof plane, x2 skylights to existing side extension and increase of hardstanding area to front garden to provide 2 off-street car parking spaces.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Additional plans have been provided in support of the appeal. The plans provide sections and visual renders for illustrative purposes. Other than a minor revision to the proposed parking arrangements, the plans do not materially alter the proposed scheme. I do not believe any party would be unfairly prejudiced by my having regard to the additional plans. I have therefore determined the appeal on that basis.

Main Issues

3. The main issues are:
 - Whether the proposal would preserve or enhance the character or appearance of the Barn Hill Conservation Area.
 - The effect of the proposal on the living conditions of the occupiers of 18 Barn Hill with particular regard to outlook.

Reasons

Conservation Area

4. The appeal property is located in the Barn Hill Conservation Area (BHCA). The character of the BHCA largely derives from its distinctive hillside setting, containing residential streets with houses displaying a recurrent mock-Tudor design. The residential streets form an area of attractive and distinctive character with properties of a relatively high standard of architectural merit set in a suburban landscape.
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5. Barn Hill itself is characterised by a uniform pattern of attractively proportioned bungalows with mock-Tudor, hipped gable features over bay windows to the front and pairs of bay windows to the rear. The appeal property contains several features which are characteristic of the area, including a pair of hipped bay windows to the front in mock-Tudor style and a pair of bay windows to the rear elevation. As a result, it makes a positive contribution towards the significance of the BHCA.
6. The proposal includes the erection of a single storey rear extension, along with a rear dormer window and alterations to the existing roof of the property. The Council indicates that the overall structural depth of the roof would be increased to 10.4m. However, the proposed plans indicate that the overall depth would be maintained at around 10.37m. In addition, the dormer would be set down more than 0.4m from the ridge of the house, set back from the eaves by more than 0.5m and would be no wider than half the width of the original roof plane, in line with the guidance for roof alterations set out in the Barn Hill Conservation Area Design Guide 2013 (Design Guide).
7. Nevertheless, whilst the proposal would not increase the overall height of the dwelling, it would result in a significant increase in the overall scale and massing of the rear roof profile. Moreover, the proposal would result in the removal of the bay windows to the rear of the property, which are distinctive features reflected on several of the properties on Barn Hill. Furthermore, the proposal would include the installation of two side facing skylights, in conflict with the guidance in the Design Guide which states that only one roof light is acceptable in side roof-slopes.
8. In addition, whilst the fenestration to the front of the property would be unchanged, the proposed windows in the rear extension would comprise large areas of aluminium framed glazed windows and doors. I note that the proposed glazing would face onto the rear garden and would be a function of the interior design. However, the design and materials proposed would appear in stark contrast to the simpler, traditional design of fenestration found elsewhere on the property and indeed in the wider area. As a result, the proposal would appear somewhat incongruous and obtrusive, and would result in the removal of important architectural features.
9. The appellant argues that the proposals would not be visible within the public realm. However, the works would be visible when approaching the property along Barn Hill given the spacing at upper floor level between the appeal property and its neighbours, in particular that with No 22. Moreover, views of the proposal would be obtainable from surrounding residential gardens, as well as vantage points to the rear of the property.
10. The appellant also points to roof designs and similar rear extensions with modern windows or doors along Barn Hill which deviate from the original style as found at the appeal property. Whilst I have limited detail of such alterations, it is apparent that similar extensions and alterations in the area have greatly diminished the contribution of such features to the significance of the BHCA. To allow replication of such features would further erode the character and appearance of the BHCA.
11. I conclude, therefore, that the proposal would fail to preserve or enhance the character or appearance of the Barn Hill Conservation Area. As a consequence, it would conflict with the aims for high quality design and high architectural

quality set out in Saved Policies BE7 and BE9 of the London Borough of Brent Unitary Development Plan 2004 (UDP) and Saved Policies BE2, BE25 and BE26 of the UDP which state that proposals should not harm the character or appearance of a conservation area and that special attention should be paid to the preservation or enhancement of the character or appearance of the conservation area.

Living Conditions

12. The appeal property sits adjacent to 18 Barn Hill, a similarly designed detached dwelling. No 18 has windows in the rear elevation. In addition, it has a conservatory which extends into the rear garden and is glazed on all sides. The steep topography of Barn Hill means the ground levels of the properties and their gardens vary considerably.
13. It is proposed to erect a single storey extension to the rear of the appeal property. I note that the proposal would reduce the existing floor level by around 0.9m, that it would remove the existing opportunity for overlooking of the rear garden of No 18 from the rear bay window and would not give rise to additional opportunities for overlooking.
14. However, the extension would project along the common boundary with No 18 around 3m from the existing rear wall, with a gap of around 0.5m to the adjacent property. Moreover, it would have height of around 3m with the ground level of the appeal property around 1m higher than No 18. The extension would result in a large expanse of unrelieved built form in close proximity to the windows in the rear of No 18, the conservatory and to its rear garden. As a result, the proposal would appear unduly overbearing for adjacent residents when viewed from both within the property and from the rear garden.
15. There is an extant planning permission at No 18 for a rear extension. The Council indicates that the design of the extension is such that, were it to be constructed, it would alleviate the effect of the appeal proposal on the outlook of the adjacent occupiers.
16. However, whilst the appellant indicates that the neighbours have confirmed they intend to commence work on the extension within the time period of the consent, I have no firm evidence to support that suggestion. In any case, the appellant would have no control over whether the extension would be built and there is no binding obligation upon the neighbouring residents to complete it. Consequently, the planning permission for the adjacent property would not satisfactorily alleviate the harm arising from the appeal proposal and I am unable to afford it more than little weight.
17. I conclude, therefore, that the proposal would have a harmful effect on the living conditions of the occupiers of 18 Barn Hill with particular regard to outlook. As a consequence, the proposal would conflict with Saved Policies BE2 and BE9 of the UDP which state that proposals should have regard to local context and should provide satisfactory outlook for existing residents.

Other Matters

18. The Council raised concerns that the proposed parking arrangements would fail to comply with the Council's policy for vehicular crossovers as one of the

parking bays would be parallel to Barn Hill and the spaces would not be independently accessible. However, the appellant has provided a revised plan which shows that two off-street spaces could be accommodated at 90 degrees to the highway, with an overall width of 4.9m, a crossover width of 4.2m and with a significant proportion of soft landscaping retained in the front garden.

19. Moreover, I agree with the appellant that the requirement for 2 off-street spaces should be considered in the context of the site's proximity to public transport, including nearby bus stops and Wembley Park station. Nevertheless, the lack of harm in respect of highway safety does not outweigh the failure of the proposal to preserve or enhance the character or appearance of the BHCA nor the effect of the proposal on the living conditions of the occupiers of 18 Barn Hill.

Conclusion

20. For the reasons given above, and having considered all other matters, I conclude that the appeal should be dismissed.

Jason Whitfield

INSPECTOR