
Appeal Decision

Site visit made on 7 December 2016

by Beverley Wilders BA (Hons) PgDurp MRTPI

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

Decision date: 16 February 2017

Appeal Ref: APP/T5150/W/16/3159674
46A Thurlby Road, Wembley HA0 4RS

- 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 C Jones against the decision of the Council of the London Borough of Brent.
 - The application Ref 16/1640, dated 20 April 2016, was refused by notice dated 15 June 2016.
 - The development proposed is described as loft conversion to first floor flat.
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Decision

1. The appeal is dismissed insofar as it relates to the rooflights. The appeal is allowed insofar as it relates to the rear dormer and planning permission is granted for a rear dormer at 46A Thurlby Road, Wembley HA0 4RS in accordance with the terms of the application, Ref 16/1640, dated 20 April 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans insofar as they relate to the rear dormer: Site Plan, PL-11 and PL-12.
 - 3) The materials to be used in the construction of the external surfaces of the rear dormer hereby permitted shall match those used in the existing building.

Procedural Matters

2. The Council's reason for refusal referred to policies BE2 and BE9 of the Brent Unitary Development Plan (UDP). However following the Council's determination of the application the UDP policies were superseded by Policy DMP1 in the London Borough of Brent Local Plan Development Management Policies (DMP). I have been provided with a copy of Policy DMP1 and have had regard to it in reaching my decision. The Council made reference to Policy DMP1 in their statement and as such I am satisfied that the appellant has had the opportunity to comment on the relevance of Policy DMP1 to their case.
 3. The proposal incorporates two elements and I am satisfied that each element is clearly severable from the other such that I can consider them separately in reaching my decision.
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4. The description of development used in the heading above has been taken from the planning application form. However in allowing the appeal insofar as it relates to the rear dormer I have amended the description to make specific reference to the rear dormer.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the host building and the surrounding area.

Reasons

6. The appeal site comprises a traditional two storey mid-terraced property containing two flats. The front and rear roof slopes of the host building are unaltered. The property is located on a road of similar properties, some of which have front gables and rooflights, though none appear to have more than two rooflights on the front roof slope. A number of nearby properties on Thurlby Road also have large rear dormers visible only from the rear gardens of adjacent properties and from limited glimpsed views between houses on Norton Road to the rear.
7. Three rooflights are proposed in the front roof slope of the host building. The rooflights would be prominent and they would break up the existing unaltered front roof slope. The excessive number of rooflights and their particular position would result in a cluttered appearance to the front roof slope which would be detrimental to the character and appearance of the host building and the surrounding area.
8. A large dormer is proposed on the rear roof slope of the host building. It would be positioned centrally within the roof and would be set down from the ridge and above the eaves. It would have a flat roof, would contain windows in the rear elevation and would be faced in tiles to match the existing roof. Being on the rear roof slope of a mid-terraced property the dormer would not be prominent and views of it would be limited to from nearby rear gardens and rear elevations of buildings. As stated there are other examples of rear dormers nearby and these dormers form part of the character of the area.
9. Whilst the dormer does not meet all of the criteria listed in the Council's Supplementary Planning Guidance Altering and Extending Your Home (SPG5), I do not consider that the dormer would be harmful to the character and appearance of either the host building or the surrounding area. I also note that SPG5 was adopted in September 2002 and pre-dates both the UDP (2004) and the DMP (2016). Consequently whilst there is some conflict with the guidance in SPG5, I am satisfied that the proposed dormer accords with more recent and relevant development plan policies.
10. Taking the above matters into consideration, I conclude that the proposed front rooflights would adversely affect the character and appearance of the host building and the surrounding area and that this element of the proposal is contrary to Policy DMP1 of the DMP, to guidance contained in SPG5 and to relevant paragraphs of the National Planning Policy Framework (the Framework). However the proposed rear dormer would not adversely affect the character and appearance of the host building and the surrounding area and consequently accords with Policy DMP1 of the DMP and relevant paragraphs of the Framework. Whilst there is some conflict with the guidance

in SPG5, for the reasons stated the rear dormer is not considered to be harmful. Policy DMP1 of the DMP seeks, amongst other things, development of a siting, scale, materials detailing and design that complements the locality. Similarly SPG5 and relevant paragraphs of the Framework seek to ensure good design that respects the surrounding area.

Other Matters

11. In reaching my decision I have had regard to the objection received on behalf of the occupiers of a neighbouring property. Though I note the concerns that were raised with regard to increased noise and disturbance from a larger flat, the additional accommodation would be within the roof space of the host building, above the flat to be extended. Consequently I am satisfied that the proposal is unlikely to generate a significant increase in noise and disturbance to the occupiers of nearby properties. Similarly though additional accommodation would be provided for the existing flat, in the absence of any substantive evidence regarding parking and having regard to the proximity of the appeal site to services and facilities including public transport, I do not consider that the proposal is likely to have any significant impact on parking in the locality.

Conditions

12. I have had regard to the conditions suggested by the Council. I have imposed a condition specifying the approved plans as this provides certainty. I have also imposed a condition requiring the rear dormer to be constructed in materials to match the host building. This is to protect the character and appearance of the host building and the surrounding area. I have not imposed a condition requiring the front face of the rear dormer to be mainly glazed as requested by the Council. This is because, for the reasons stated above, I consider the appearance of the rear dormer to be acceptable as submitted. The suggested condition is therefore unnecessary.

Conclusion

13. For the above reasons and having regard to all matters raised, I conclude that the appeal is dismissed insofar as it relates to the front rooflights and is allowed insofar as it relates to the rear dormer.

Beverley Wilders

INSPECTOR