
Appeal Decision

Site visit made on 7 February 2017

by Stephen Hawkins MA MRTPI

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

Decision date: 20 February 2017

Appeal Ref: APP/T5150/D/16/3165483
6 Briarwood Close, London NW9 8AN

- 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 Ravji Ashani against the decision of the Council of the London Borough of Brent.
 - The application Ref 16/3287, dated 25 July 2016, was refused by notice dated 4 October 2016.
 - The development proposed is a single storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side extension at 6 Briarwood Close, London NW9 8AN in accordance with the terms of the application, Ref 16/3287, dated 25 July 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: RDA/BC/001, RDA/BC/002, RDA/BC/003, RDA/BC/004/A & RDA/BC/005.
 - 3) Notwithstanding condition 2 above, the highest part of the roof of the development hereby permitted shall not exceed three metres above the adjacent natural ground level.
 - 4) The materials to be used in the construction of the external walls of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue in this appeal is the effect of the proposed extension on the character and appearance of the area.

Reasons

3. The appeal property is a semi-detached dwelling located at the end of a short residential cul-de-sac, which is made up of pairs of dwellings of similar age and style arranged around a communal turning head.
 4. The dwelling has a detached garage at the side and is situated in a broadly triangular shaped plot, which widens progressively in the direction of the rear boundary. The dwelling was recently extended on the ground floor at the rear,
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following the receipt of prior approval from the Council¹. 7 Briarwood Close (No7) has a substantial flat roofed single storey side and rear extension in proximity to its boundary with the appeal property.

5. The proposed side extension would replace the existing garage. It would have a substantially larger footprint than that structure and would stand just under a metre from the side boundary, its rear elevation aligning with that of the recent rear extension. However, the proposed extension would be well set back from the front of the existing dwelling and it would have a low, flat roof. Although wider at the rear, due to its irregular plan form the extension would be quite narrow at the front in comparison with the width of the existing dwelling. In terms of its elevational design, the extension would incorporate openings not dissimilar in size and proportion to those found on secondary elevations of the existing dwelling.
6. As a result of all the above, the extension would appear as a low profile, recessive feature in the street scene which would be visually subservient to the existing dwelling. Moreover, the angled position of the existing dwelling towards No 7 would narrow the field of view of the extension from the street, further minimising its visual impact on the public realm. Overall, in terms of its visual presence in the street, the extension would not be dissimilar to the existing garage, No 7's extension or single storey side extensions to other nearby properties.
7. Accordingly, the extension would not appear as a visually dominant or alien addition to the existing dwelling in the street scene and it would not be at odds with the character and appearance of surrounding development. The absence of soft landscaping at the front of the appeal property would not materially affect the appearance of the extension in its surroundings. Whilst there may not be any planning history in respect of No 7's extension, it is not, as far as I have been made aware, the subject of any enforcement action by the Council. Consequently, No 7's extension forms part of the built context of the appeal property.
8. The Council's adopted Supplementary Planning Guidance No 5 'Altering and Extending Your Home' (SPG) advises that a single storey side extension is no wider than the internal measurement of the front room of the existing dwelling. The SPG also advises that a single storey rear extension to a semi-detached house should not exceed 3 metres in depth. Although the rear elevation of the extension would be wider, the narrower front elevation would not be dissimilar to the width of the front room. Whilst the extension would be around 4.5 metres deep, it would align with the existing rear extension and it would be of more limited depth than No 7's extension. The public views at the rear of the appeal property would be very limited. In other respects, such as its overall height and the distance from the boundary with No 7, the extension would conform to the SPG. Overall, in the absence of any unacceptable visual harm, the extension would not be inconsistent with the objectives of the SPG.
9. Therefore, the extension would not harm the character and appearance of the area and it would be designed with regard to its local context, thus according with Policy BE2 of the adopted Brent Unitary Development Plan (UDP). There would not be an excessive infilling of space between buildings, thus according

¹ Council reference 15/2356.

with UDP Policy BE7. The design, scale, massing and height of the extension would be appropriate to its location, thereby according with UDP Policy BE9.

Conditions

10. In addition to the standard commencement condition, I have imposed a condition specifying the approved plans in the interests of certainty. In order to ensure a harmonious appearance, I have imposed a condition requiring the external walls of the extension to match those of the existing dwelling. After seeking the views of both main parties, I have also imposed a condition to ensure that the highest part of the roof of the extension does not exceed three metres above the adjacent natural ground level. This in the interests of certainty, having regard to differences in height shown on the proposed elevations.

Conclusion

11. For the reasons given above I conclude that the appeal should be allowed.

Stephen Hawkins

INSPECTOR