
Appeal Decision

Site visit made on 23 January 2017

by Jonathan Tudor BA (Hons), Solicitor (non-practising)

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

Decision date: 15 March 2017

Appeal Ref: APP/T5150/W/16/3162024
38 West Way, London NW10 0LX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Karsan Hirani against the Council of the London Borough of Brent.
 - The application Ref 16/2731 is dated 24 June 2016.
 - The development proposed is 1st floor side extension.
-

Decision

1. The appeal is dismissed and planning permission for a 1st floor side extension is refused.

Procedural Matters

2. Since the failure to determine the original application the Council has adopted a Development Management Policies (DMP)¹ document which replaces the saved Unitary Development Plan policies referred to in the Council's draft decision notice. Both main parties have had the opportunity to comment on the relevant policies of the DMP during the course of the appeal.
3. The Council has provided documentation advising that had it been in a position to determine the application, it would have refused planning permission for reasons relating to the effect of the proposal on the character and appearance of the existing dwelling and the street scene. The appellant has had the opportunity to comment on that documentation during the course of the appeal.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the existing dwelling and the area.

Reasons

5. The appeal site is located on the corner of West Way and The Rise in a residential area. It comprises a two storey dwelling which is at the end of a terrace of four properties. The house has a single storey side extension and a rear dormer.

¹ Adopted 21 November 2016

6. The proposal is for a first floor side extension that would place a floor on top of the existing side extension on the boundary with The Rise. Though the roof tiles would match those existing, the proposed pitched and hipped roof would be set down from the main ridge by almost a metre, according to the Council. The new roof design combined with the existing roof and large rear dormer would create an overly complicated and discordant appearance on a prominent corner.
7. The Council also points to conflict with its Altering and Extending Your Home Supplementary Planning Guidance 5 (SPG)², which specifies that permission will not be granted for a side extension to a house that has a conversion from a hipped roof to a full gable end. The Council advises that is the case in relation to the appeal property, which has not been disputed. It states that the intention of that provision is to retain a sense of spaciousness and proportion in relatively densely developed areas, though that is not explained in the relevant section of the SPG. The SPG is guidance only and dates from 2002 and I give that apparent conflict limited weight.
8. The side elevation, whilst painted in matching render, would present an extensive blank wall to The Rise, with no windows or features to provide relief and its parapet would be above the eaves height of the main roof. The proposal would further increase the overall bulk of a building which already has significant additions. The extension would not appear subservient to the existing building and the cumulative effect, taking account of the existing extensions, would be unsympathetic to the host building. I did not see extensions of a similar design or scale in the immediate area and, as it would be seen from a number of public vantage points along West Way and The Rise, its awkward appearance would have an adverse effect on the local street scene.
9. Therefore, I conclude that the proposed development would harm the character and appearance of the existing dwelling and the area. It follows that it would conflict with policy DMP1 of the DMP which, amongst other things, seeks to ensure that development is of a scale and design that complements the locality.

Conclusion

10. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jonathan Tudor

INSPECTOR

² Adopted September 2002