
Appeal Decision

Site visit made on 16 March 2017

by Elaine Gray MA(Hons) MSc IHBC

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

Decision date: 21 March 2017

Appeal Ref: APP/T5150/D/16/3165910
66 Llanover Road, Wembley HA9 7LT

- 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 Xiu Ping Lin against the decision of the Council of the London Borough of Brent.
 - The application Ref 16/2033, dated 10 May 2016, was refused by notice dated 18 October 2016.
 - The development proposed is first floor side extension.
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Decision

1. The appeal is allowed and planning permission is granted for first floor side extension at 66 Llanover Road, Wembley HA9 7LT in accordance with the terms of the application Ref 16/2033, dated 10 May 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 approved plans: 453(b)/PL/01; 453(b)/PL/02; 453(b)/PL/03; 453(b)/PL/04; 453(b)/PL/05; 453(b)/PL/06; 453(b)/PL/07; 453(b)/PL/08; 453(b)/PL/09; 453(b)/PL/10; 453(b)/PL/11; 453(b)/PL/12; 453(b)/PL/13.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. Since the Council determined the planning application, the Brent Local Plan Development Management Policies document (DMP, November 2016) has been adopted, and Brent's Unitary Development Plan (2004) has been superseded. I have therefore referred in this decision to the relevant DMP policies.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

4. The appeal site at 66 Llanover Road is a two storey end-of-terrace dwelling located in a predominantly residential area. The proposal would add a first
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floor extension to the side elevation, above a first floor extension which was under construction at the time of my site visit. The Council's document entitled 'Altering and Extending Your Home – SPG 5' (SPG, September 2002) sets out guidelines for side extensions. It states that first floor side extensions should be set in from the front elevation by 2.5m, and that the new ridgeline should be set below the ridgeline of the original house. In this case, the development would be set in by approximately 1.4m. Although this would be less than the recommended distance, I consider that it would be proportionate to the modest scale of the existing dwelling.

5. The new ridgeline would be set down by a small distance, but it would also be set behind the line of the existing ridgeline, which would help to reduce its visual impact. The new roof pitch would match that of the main roof, and the proposed materials would also match the existing. At around 2.85m in width, the front of the extension would be less wide than the internal measurement of the front room of the original house, at around 3.3m. Finally, the proposed arrangement of windows would satisfactorily complement that of the existing dwelling.
6. I am mindful that the SPG seeks to prohibit side extensions to houses that have undergone a conversion from a hipped to a gabled roof. However, no justification is given for this position within the text of the SPG, and so it appears somewhat arbitrary. Therefore, whilst it should be regarded as a material consideration, it is not a determinative factor in itself. I consider that the development would keep in with the appearance of No 66, and would not be a dominant or obtrusive presence in the streetscape. I thus conclude that it would preserve the character and appearance of the surrounding area, and would comply with DMP Policy DMP 1 which, amongst other things, requires development to complement the locality by virtue of its scale and design. It would also broadly comply with the guidance set out in the SPG.
7. The appellant states that the house suffers from structural problems which the proposal would help to remedy. However, in view of the lack of detailed technical evidence regarding this matter, I have given little weight to this issue in my consideration. I have had regard to the representation objecting to the proposal, but this has not led me to a different conclusion.

Conditions

8. The Council has suggested a number of planning conditions which I have considered against the relevant advice in the PPG. For certainty, it is necessary that the development is carried out in accordance with the approved plans. A condition relating to materials is appropriate in the interests of character and appearance. I have not imposed the proposed condition restricting the construction of further extensions or buildings within the curtilage of the existing dwelling. Clear justification is required for such a restriction, and the PPG advises that it should only be used in exceptional circumstances. There is no evidence before me in this case to justify such a condition.

Conclusion

9. For the reasons above, and taking all other matters into consideration, I conclude that the appeal should be allowed.

Elaine Gray INSPECTOR