
Appeal Decision

Site visit made on 28 February 2017

by David Cliff BA Hons MSc MRTPI

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

Decision date: 5th April 2017

Appeal Ref: APP/T5150/D/16/3165461

90 Wembley Park Drive, Wembley, Middlesex HA9 8HW

- 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 Mrs M Rauf against the decision of the Council of the London Borough of Brent.
 - The application Ref 16/3581, dated 7 August 2016, was refused by notice dated 21 November 2016.
 - The development proposed described in the application form as '2 storey part rear extension'.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor rear extension and insertion of first floor rear window at 90 Wembley Park Drive, Wembley, Middlesex HA9 8HW in accordance with the terms of the application, 16/3581 dated 7 August 2016, subject to the following conditions:
 - i) The development hereby permitted shall begin not later than three years from the date of this decision.
 - ii) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, SB/B47/1A and SB/B47/2A.
 - iii) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Preliminary Matter

2. In my decision above I have used the description of the proposed development as stated on both the Council's decision notice and on the appeal form. This more accurately describes the proposal than the description used in the planning application form.
 3. The Council adopted the Local Plan Development Management Policies Document in November 2016. This replaces the saved Unitary Development Plan policies. Both sets of policies were referenced in the Council's decision notice and provided with its questionnaire documents. Therefore, I do not consider that either party has been prejudiced by the change in planning policy circumstances.
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Main Issues

4. The main issues are (i) the effect upon the living conditions of the occupiers of 88 Wembley Park Drive, with particular regard to outlook, and (ii) the effect upon the character and appearance of the area.

Reasons

Living conditions

5. The neighbouring property at 88 Wembley Park Drive has been converted into flats and contains both rear facing and side facing windows adjacent to the boundary with the appeal site. The existing two storey part of the appeal property already projects further to the rear of the nearest ground and first floor windows at No.88.
6. The proposed extension would be constructed above an existing single storey projection. It would be set back from the existing two storey side wall of the property by 1.8m. I accept that it would be clearly visible from the adjacent windows at No.88. Nevertheless, given this set back, the separation distance to the neighbouring windows and the low roof profile plus hipped design of the roof of the extension, I do not consider that it would appear as unacceptably overbearing in appearance when viewed from the any neighbouring windows. No significant impacts on outlook would therefore result.
7. I acknowledge that the proposed extension would breach the 1:2 rule set out in the Council's Altering and Extending Your Home Supplementary Planning Guidance September 2002 (SPG5). However, for the reasons set out above, I do not consider that it would result in any unacceptable harm in this instance in terms of outlook or loss of light.
8. I am therefore satisfied that the proposal would result not in any significant impacts upon the living conditions of the occupiers of No. 88 Wembley Park Drive. It would accord with the relevant amenity aims of policy DMP1 of the London Borough of Brent Local Plan Development Management Policies November 2016.

Character and appearance

9. The roof of the proposed extension would be subservient to the existing roof and of a considerably lower height. There is an existing dormer window in the rear roof slope and the roof of the proposed extension has been designed so that it would extend up to approximately the windowsill level of the dormer.
10. The Council considers that this would result in an awkward relationship between the roof of the extension and the dormer window. This may be a somewhat unusual arrangement. Nevertheless, the roof of the extension would match the angle of pitch of the existing roof and would not appear as an obtrusive feature. The proposal, located at the rear, would also not be visible in the front streetscene. Consequently, I do not consider that it would result in any unacceptable impacts upon either the appearance of the house or to the area generally.
11. The proposal would therefore safeguard the character and appearance of the area. It would accord with the relevant design aims of policy DMP1 of the

London Borough of Brent Local Plan Development Management Policies
November 2016 and the Council's Supplementary Planning Guidance 5.

Conclusion

12. Therefore, having regard to all other matters, I conclude that the appeal should be allowed.
13. An approved plans condition is necessary to provide certainty to what has been approved. A condition requiring matching materials is necessary in order to safeguard the character and appearance of the area.

David Cliff

INSPECTOR