
Appeal Decision

Site visit made on 27 June 2017

by R A Exton Dip URP MRTPI

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

Decision date: 20th July 2017

Appeal Ref: APP/T5150/D/17/3175913
17 Twybridge Way, London NW10 0SU

- 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 Prakash Bhudia against the decision of the Council of the London Borough of Brent.
 - The application Ref 17/0203, dated 16 January 2017, was refused by notice dated 13 March 2017.
 - The development proposed is described as demolish existing shed on side elevation, and construction of a double storey side and part rear extension, and single storey rear extension with internal alterations.
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Procedural Matter

1. Whilst the Council's decision notice refers to the address and application reference number shown on the appeal form, its reasons for refusal appear to relate to a different proposal. The Council have subsequently confirmed that its reasons for refusal are as set out in its delegated report. The appellant's grounds of appeal respond to these reasons. No interested parties have raised issue with the reasons for refusal. I am therefore satisfied that there would be no injustice to any party in my determining the appeal on the basis of the reasons for refusal set out in the Council's delegated report.

Decision

2. The appeal is dismissed.

Main Issue

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

Reasons

4. Twybridge Way is characterised by short rows and pairs of semi-detached two storey dwellings. These are of a uniform simple design with some degree of variation in appearance arising from differing use of brickwork and render on external walls. Most of the dwellings are sited facing and set back from the road. No 17 Twybridge Way and its connected neighbour differ in siting due to their position at the end of a row and being close to a bend in the road. This results in the front, side and rear elevations of No 17 being highly visible within the street scene. The front and side being most prominent when viewed from the south and the rear and side being most prominent from the north.

5. When viewed from the south, the proposed front elevation would present an uncomfortable juxtaposition of differing heights and angles of development. When viewed from the north, the rear elevation would present a complicated mix of levels and junctions, particularly at roof level. Whilst the boundary hedge towards the rear of the site may provide some screening, the rear projecting part of the hipped roof over the two storey extension would still be particularly prominent. Rather than being sensitive to the character and subordinate to the scale of the original dwelling as the appellant suggests, I consider that the proposed front and rear elevations in particular would contrast harshly with the simple form of the host dwelling and form a dominant and incongruous addition to it.
6. The proposed single storey side extension and the forward part of the two storey extension forming part of the proposal would project to within around 1m of the sites boundary with Twybridge Way. This boundary is currently formed by a mature hedge which provides some screening. Substantial pruning or complete removal of this in the vicinity of the extension would most likely be required to facilitate its construction and provision of the intended pedestrian access thereafter. This would leave the site open and exacerbate the prominence of the proposal within the street scene.
7. Whilst the proposed side elevation would be of a relatively simple form compared to the front and rear, it would appear overly prominent in the street scene as a result of its height in close proximity to the sites boundary. This would sit uncomfortably within the setting of other dwellings in the area which are generally set back from the road.
8. I consider that overall, for the reasons set out above, the proposal would have an adverse effect of the character and appearance of the host dwelling and its setting within the surrounding area. This would be contrary to policies 7.4 and 7.6 of the adopted London Plan 2016 and policy DMP1 of the London Borough of Brent's adopted Development Management Policies 2016. These seek to ensure that new development incorporates high quality design that has regard to its surroundings.
9. In its assessment of the proposal the Council has made reference to the detailed requirements of its Supplementary Planning Guidance 5 Altering and Extending your Home (the SPG). The appellant considers that the Council has not applied the SPG correctly and that some elements of the proposal comply with it. Whilst SPG can be useful in interpreting policy, Section 38(6) of the Planning and Compulsory Purchase Act requires that planning applications must be determined in accordance with the development plan. In this case, the SPG considerably pre-dates the adopted development plan. Consequently, I have assessed the proposal on the basis of the policies of the adopted development plan and found that the proposal as a whole conflicts with them.

Conclusion

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

Richard Exton

INSPECTOR