
Appeal Decision

Site visit made on 10 July 2017

by Alexander Walker MPlan MRTPI

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

Decision date: 1st August 2017

Appeal Ref: APP/T5150/W/17/3173050
17B Ambleside Road, London NW10 3UH

- 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 Ms Gabriella Incalza against the decision of the Council of the London Borough of Brent.
 - The application Ref 16/5071, dated 23 November 2016, was refused by notice dated 30 January 2017.
 - The development proposed is a loft conversion consisting of a rear dormer and roof lights to the front roof.
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Procedural Matter

1. Notwithstanding the description of development set out above, the proposal involves two distinct, and severable, elements. The first is the roof lights to the front and the second, a dormer extension to the rear.
2. The appeal submission is accompanied by an alternative drawing. The drawing indicates a revised rear dormer extension that is smaller in width and set back from the eaves further than that considered by the Council in their determination of the application. The appellant confirms that the revised drawing was submitted to the Council prior to the determination of the application but it was not acceptable due to the proposed staircase. The application was determined on the basis of the original scheme. There is no confirmation from the appellant that the appeal should be determined on the basis of the revised plans. Accordingly, I have determined the appeal on the basis of the original submission, which indicates the larger dormer window.

Decision

3. The appeal is dismissed insofar as it relates to the roof lights.
4. The appeal is allowed insofar as it relates to the dormer extension and planning permission is granted for those elements of the proposal at 17B Ambleside Road, London NW10 3UH in accordance with the terms of the application, Ref 16/5071, dated 23 November 2016, so far as relevant to that part of the development hereby permitted, and 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 following approved plans: 16058, 16058EE, and site plan so far as relevant to that part of the development hereby permitted.

- 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match, in colour, texture and design detail those of the existing building.

Main Issues

5. The main issue is the effect of the development on the character and appearance of the area.

Reasons

6. The appeal property is a two-storey, mid-terrace dwelling. There are predominantly two house styles on this side of this stretch of the road that form the terrace. The majority are to the east of the row and have a predominantly brick finish. The roofscape of these properties is punctuated by parapets on the roof slope on every other property. Those to the west, which includes the appeal property, have a ground floor brick finish and painted render first floor. These properties also have a slightly lower ridge height and the parapets on the roof slope are on each property, as opposed to every other. The appeal property adjoins the taller properties to the east.
7. The roofscape fronting the road is largely unaltered although during my site visit I noted roof lights in a property on the opposite side of the road to the appeal property. The windows in the front elevation of the property follow uniform lines and are in scale and proportion with each other, typical of properties on the road.
8. The rear is also largely unaltered, although I note that No 23 Ambleside Road has a rear dormer extension similar to that proposed. There is no planning history presented to me regarding this extension although the appellant indicates that it could be permitted development. The Council have not disputed this.

Dormer Extension

9. The Brent Council Altering and Extending Your Home SPG5 (the SPG) 2002 states that rear dormer windows should be the same proportion as the original windows below; no wider than half the width of the original roof plane; set down from the ridge by at least 0.3m; and, must be set back from the eaves by at least 0.5m. Whilst I consider this guidance provides useful design principles, I am not convinced that it should be treated as a hard and fast rule.
10. The proposed dormer would be set back approximately 200mm from the eaves and 400mm from the parapet wall with No 19. As a result, the retained roof slope to the front and side would ensure that the dormer is read as a roof extension rather than an additional floor. This would be further enhanced by it being clad in vertically hung slate.
11. The windows in the dormer would not match any existing windows in the rear elevation. However, there is already a wide range of window sizes and openings and they do not follow any uniform alignment. Therefore, the introduction of additional window sizes and their arrangement on this elevation would not have an unacceptably harmful effect on the existing fenestration.
12. Whilst it would extend across the majority of the plane of the roof, the dormer would not be readily visible from public vantage points, possibly only through

glimpsed views off Marion Way and private views from the rear gardens of neighbouring properties.

13. Whilst there would be modest conflict with the SPG, overall, the dormer extension would be subservient to the host dwelling and would not significantly harm the character or appearance of the area. Accordingly, it would comply with Policy DMP 1 of the London Borough of Brent Local Plan Development Management Policies (the LP) 2016, which seeks to ensure that development complements the locality. In addition, it would comply with Policies 7.4 and 7.6 of The London Plan 2016, which, amongst other matters, seek to ensure that development is of a high quality design that complements the local architectural character. Furthermore, it would accord with the design objectives of the National Planning Policy Framework (the Framework).

Roof Lights

14. The SPG also provides guidance on roof lights, stating that no more than two will be permitted on the road facing roof slope and they should respect the arrangement of windows/doors below.
15. Cumulatively, the proposed three roof lights would occupy a relatively large proportion of the front roof plane. The largest of these would be significantly wider than the other two. The lack of symmetry between the openings, their irregular positioning and the amount of roof plane they would occupy would fail to reflect the symmetry and proportions of the fenestration on the front elevation of the property and throughout the streetscene. Consequently, it would be significantly harmful to the character and appearance of the streetscene. I therefore find that this part of the proposal would significantly harm the character and appearance of the area, contrary to the SPG, Policy DMP1 of the LP, Policies 7.4 and 7.6 of The London Plan and the design objectives of the Framework.
16. I have had regard to the effect of the loss of these roof lights on the usability of the rooms that they would serve. Given the size of the principle window serving the bedroom and that it is not uncommon for bathrooms to not be served by a roof light, I am satisfied that the roof lights would not harm the living conditions of the occupants of the flat and are severable from the dormer extension.

Other Matters

17. I have had regard to the appellant's argument that if the appeal property was not subdivided into two flats it would enjoy permitted development rights as per other properties within the terrace row. Whilst this has not been determinative in my decision, it nevertheless provides a potential scenario if the occupants of neighbouring single family dwellings exercised their permitted development rights.

Conditions

18. In relation to that part of the proposals I find acceptable, for the avoidance of doubt, a condition is attached clarifying the approved plans, so far as they are relevant to the part of the proposal that is permitted. A condition relating to the external materials is also necessary, to ensure the satisfactory appearance of the development.

Conclusion

19. For the reasons given above, having regard to all matters raised, the appeal is allowed in relation of the dormer extension. However, in relation to the roof lights, the appeal is dismissed.

Alexander Walker

INSPECTOR