



Appeal Decision

Site visit made on 10 July 2017

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 4 August 2017

Appeal Ref: APP/T5150/W/17/3173965

Unit 6, 255F Water Road, Wembley HA0 1JW

- 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 Amir Ahmadi against the decision of the Council of the London Borough of Brent.
 - The application Ref 16/3524, dated 8 August 2017, was refused by notice dated 9 February 2017.
 - The development proposed is a change of roof with kingspan insulated sandwich board.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of occupiers of adjacent properties on Longley Avenue, with particular reference to outlook.

Reasons

3. Although partly screened by boundary vegetation, the rear elevations of the industrial units on Water Road are a constant presence at the rear of the adjoining dwellings on Longley Avenue. However, the relatively limited single storey gable heights and the regular rise-and-fall of the dual pitched roofs provide a degree of relief from the otherwise wide and closely-sited rear elevations.
4. The proposal to raise the roof of Unit 6 would not materially increase the overall height of the existing building. It would however replace the existing dual-pitched roof with a mono-pitch roof and whereas the existing eaves level is described as being in the region of 4 metres in height and the gable peak 6.9 metres in height, the resulting proposed end wall would measure between 6.5 metres and 7 metres in height across its rear elevation. As a consequence, whilst the overall height of the building, and therefore the maximum height of the end elevation facing towards Longley Avenue, would not materially increase as a result of the proposed development, the bulk and massing of the end elevation would.
5. In the context of an industrial estate such as that on Water Road, such alterations would be of little consequence. However, the units on the southwestern side of Water Road back on the rear gardens, and face towards the rear elevations, of residential properties on Longley Avenue. The Council's '*Design Guide for New Development*' Supplementary Planning Guidance

(SPG17) provides guidance in respect of the size and scale of new development, and relationships with existing properties, to ensure that development does not become overbearing or over-dominant. It does so with reference to '30 degree' and '45 degree' rules, the former dealing with the outlook from habitable room windows, the latter the relationship with adjoining garden areas, measured from the garden edge.

6. There is agreement that the proposal would satisfy the '30 degree' rule, and that the height of existing gable peak already breaches the '45 degree' rule. However, the proposal would result in the entire end elevation of the building breaching the '45 degree' rule set out in SPG17. The rise-and-fall of the existing gable elevation would be replaced by a bulkier and altogether more substantial end wall with only a marginal fall across its width following the form of the mono-pitch roof. Together with the neighbouring, taller, industrial unit to the north, the result would be a form of development that would have an overbearing and dominating effect immediately at the rear of the adjoining gardens.
7. I accept that, as Unit 6 lies to the north-east of properties on Longley Avenue, the potential for it to give rise to overshadowing and loss of sunlight is limited. Nor would it have a noticeable effect on daylight to the rears, and rear gardens, of Longley Avenue properties. I accept too that SPG17 provides guidance in relation to the scale of new development, but I consider the guidance it gives regarding size and scale to be useful in assessing the relationship between buildings.
8. Therefore, by virtue of the scale, form, massing and bulk of the proposal, in particular the increase in height of the rear facing end elevation of Unit 6, I find that it would fail to provide, or maintain, a high level of external amenity from adjoining rear gardens on Longley Avenue. In failing to do so, I find the proposal to be contrary to policy DMP1 of Brent's Development Management Policies and the SPG.
9. My attention has been drawn to paragraphs 56 and 63 to 65 of the National Planning Policy Framework (the Framework). For the reasons I have set out above, the proposal would not contribute positively to making places better for people and would fail to improve the quality of the area and the way in which it functions for residents of adjoining properties. Whilst the proposal would contribute towards the economic dimension of sustainable development, good design is a key aspect of sustainable development and maintaining a good standard of amenity for all existing occupiers of land and buildings is one of the Framework's core planning principles. Thus I conclude that the proposal would not result in a sustainable form of development as envisaged by the Framework.

Conclusion

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

Graeme Robbie

INSPECTOR