
Appeal Decision

Site visit made on 9 October 2017

by Philip Lewis BA (Hons) MA MRTPI

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

Decision date: 20 October 2017

Appeal Ref: APP/T5150/D/17/3180226
45 Essex Road, London NW10 9PG

- 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 Clovis Stephenson against the decision of the Council of the London Borough of Brent.
 - The application Ref 17/0691, dated 16 February 2017, was refused by notice dated 9 May 2017.
 - The development proposed is a single storey rear extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues for the appeal are:
 - The effect of the proposed extension on the character and appearance of the area; and
 - The effect of the proposed extension on the living conditions of neighbours with particular reference to outlook and/or any enclosing effects.

Reasons

Character and appearance

3. The host property is a two storey terraced dwelling. It has a two storey projecting rear closet wing which is paired with that of the neighbouring 43 Essex Road. The closet wing, whilst not spanning the full width of the garden, projects significantly into the rear garden. It is proposed that a single storey flat roofed rear extension is 'wrapped' around the closet wing. This would occupy the full width of the garden and extend out about 3 metres from the rear of the closet wing. A 'lightwell' area would be retained between the rear of the proposed extension and the existing dining room window of the host dwelling.
4. The proposed extension would be a significant addition to the host dwelling in terms of its scale. Due to its wrap around flat roof design, depth along the common boundary and width, it would appear as disproportionate addition to the host property.
5. I have had regard to the appellant's comments that there are many precedents for this type of extension in London, but have not been provided with any

specific examples to consider. In addition I have also taken into consideration the comments that the extension has been designed so as to accord with the Council's Supplementary Planning Guidance, 'Alter and Extending your home SPG 5' (SPG). However, I nevertheless find that it would give rise to harm to the character and appearance of the area.

6. The appeal proposal conflicts with Policy DMP1 of the London Borough of Brent Local Plan Development Management Policies (Local Plan) which includes amongst other things that development will be acceptable provided it is of a location, use, concentration, siting, layout, scale, type, density, materials, detailing and design that provides high levels of internal and external amenity and complements the locality. The proposal also conflicts with the guidance set out in the SPG.

Living conditions

7. I saw at my site visit that the side boundaries of the rear garden are marked by close boarded timber fences. The neighbouring No 43 has a patio type door on the ground floor of the closet wing, which is set in from the common boundary. The provision of the single storey extension projecting out about 3 metres along the common boundary would not be of such a scale so as to have a significant adverse effect upon outlook from No 43 or give rise to undue over bearing effects.
8. 47 Essex Road has a modest single storey rear extension, which is situated close to the common boundary with the appeal property. Whilst the proposed 'lightwell' between the rear of the dwelling and wrap around extension would help to reduce loss of light to the extension at No 47, the proposed extension would introduce a significant length of flank wall along the common boundary, at about 3 metres in height. This would have a significant effect upon outlook for the occupiers of No 47 and give rise to an unacceptable sense of enclosure to its garden.
9. In this regard, the appeal proposal conflicts with Local Plan Policy DMP1. In addition, it conflicts with the Framework which in paragraph 17 includes amongst other things that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Other matters

10. I have had regard to the appellant's comments concerning the scale of the proposed extension in relation to permitted development rights. However, there are no details of a specific fallback scheme before me. I note the appellant's comments regarding the Councils handling of the application and about communications with the Council regarding the application but that is a matter for local government accountability.

Conclusion

11. For the above reasons and having considered all matters raised, I conclude that the appeal should be dismissed.

Philip Lewis

INSPECTOR