



Appeal Decision

Site visit made on 16 October 2017

by Zoe Raygen Dip URP MRTPI

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

Decision date: 30 October 2017

Appeal Ref: APP/T5150/D/17/3179913
179 Dudden Hill Lane, London NW10 1AU

- 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 Mike Horgan against the decision of the Council of the London Borough of Brent.
 - The application Ref 17/1965, dated 3 May 2017, was refused by notice dated 28 June 2017.
 - The development proposed is erection of a first floor side/rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the host property and the surrounding area
 - The effect of the proposal on the living conditions of the occupiers of 181 Dudden Hill Lane with particular regard to privacy.

Reasons

Character and appearance

3. The appeal site is within a line of mostly semi-detached houses set back from the road. Spacing between the pairs of houses is varied, but in most cases there is a narrow gap between the buildings. Properties are generally bay fronted with a gable roof giving a degree of uniformity to the suburban character and appearance of the area.
4. No 179 Dudden Hill is linked to No 181 by a single storey garage. The proposed first floor extension would be located above the garage, set back by about 6.8 metres from the front elevation and would wrap around the rear elevation of No 179 above the existing conservatory. Consequently, the extension is set back by a distance well in excess of the 2.5 metres required in the Altering and Extending your Home Supplementary Planning Guidance No 5 2002 (the SPG), in order to prevent the infilling of gaps between properties. Furthermore, the extension would be no wider than the internal measurement of the front room of the original house, and would meet the so called 1:2 rule as required by the SPG.

5. There are existing additions to the house but these are single storey and therefore have a limited effect on the character and appearance of the area. The extension would be contained within the existing building line of No 181 and not extend a substantial amount along the rear elevation of the property. In itself therefore, the extent of the extension would not be substantial.
6. Nevertheless, while the roof materials would match the existing, the proposed angle of the pitch of the roof would be significantly steeper than that on the host property, contrary to guidance in the SPG. Furthermore, the roof would not be integrated into that on the existing house, instead appearing as an awkward, stand-alone add on. As a result, due to its poor roof design the extension would appear as an incongruous addition that would dominate the rear elevation of the property in particular, rather than being subordinate to it as required by the SPG.
7. Due to the large set back from the front elevation the extension would have limited visibility from Dudden Hill Lane. Nevertheless, I saw that it would be visible from Clifford Way and from neighbouring properties. The undue prominence of the extension would therefore be apparent within the wider residential area where my attention was not drawn to any similar examples of such extensions.
8. I acknowledge that the extension has been located bearing in mind the position of a window at No 181, and this may have had an effect on the design of the roof. Nevertheless, this does not outweigh my concerns regarding the visual appearance of the extension.
9. For the reasons above, I conclude that the proposal would be harmful to the character and appearance of the host property and the surrounding area. Therefore, it would be contrary to Policy DMP1 of the London Borough of Brent Local Plan Development Management Policies 2016, Policy CP17 of the London Borough of Brent Local Development Framework Core Strategy 2010, Policy 7.6 of the London Plan, the National Planning Policy Framework (the Framework) and the SPG. These require that development should be of a high quality design that protects the suburban character of Brent and that complements the locality.

Living conditions

10. No 181 has a first floor window in its side elevation facing the appeal site which, it is agreed between the parties, serves a landing. The proposed extension has been set back to avoid a direct conflict with the neighbouring landing window. As a result a bedroom window would be located at right angles to the landing window.
11. Concern has been raised by the Council regarding the potential for direct and perceived overlooking from the proposed bedroom window towards the window at No 181. However, the existing window serves a non-habitable area and is obscure glazed. Furthermore, there would be an oblique relationship between the two windows. Therefore, while the proposed window would be located very close, on balance, I do not consider that the proposal would cause material harm to the privacy of the occupants of No 181.
12. For the reasons above the proposal would not be harmful to the living conditions of the occupiers of 181 Dudden Hill Lane with particular regard to

privacy. As a result there would be no conflict, in this respect, with Policy DMP1 of the DMP, Policy 7.6 of the London Plan, the Framework and the SPG. These require that development should seek to secure a good standard of amenity for all existing occupants of land and buildings.

13. The Council also refer to Policy CP17 of the CS. However, this Policy relates to protecting the suburban character of Brent rather than living conditions. It has not, therefore, been determinative in this matter.
14. Although I have found the proposal to be acceptable with regard to the effect on residents living conditions, this does not outweigh the considerable harm I have found to the character and appearance of the host property and the surrounding area.

Conclusion

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

Zoe Raygen

INSPECTOR