
Appeal Decision

Site visit made on 14 November 2017

by A A Phillips BA (Hons) DipTP MTP MRTPI

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

Decision date: 24 November 2017

Appeal Ref: APP/T5150/D/17/3181986

99 Liddell Gardens, London NW10 3QB

- 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 Kit Bingham against the decision of the Council of the London Borough of Brent.
 - The application Ref 17/2076, dated 9 May 2017, was refused by notice dated 4 July 2017.
 - The development proposed is a first floor side extension with pitched roof over.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i. The effect on the character and appearance of the area; and
 - ii. The effect on the living conditions of the occupants of neighbouring residential properties with particular reference to overshadowing and enclosure.

Reasons

Character and appearance

3. The application site is a two storey end of terrace residential property situated in a predominantly residential part of London. It has an original two storey rear outrigger, a ground floor side extension and a rear dormer extension. A row of terraced properties backs onto the appeal site. The current proposal is to erect a hipped roof rear and side extension above the existing flat roof side extension.
4. The proposal would significantly enlarge the bulk, scale and massing of the existing roof form and add significant additional massing to the side and rear of the existing property. As a consequence of the proposal the overall form of the host property would be significantly changed and, rather than appearing as a subordinate and sensitive addition it would create a dominant addition, harmfully affecting the character of the host property.
5. Furthermore, as a consequence of the overall scale of the proposal and the relationship between the original property and the extension it would appear as an incongruous and visually intrusive development in the immediate locality,

including from the adjacent street and from the rear of residential properties on College Road.

6. Therefore, on this issue I conclude that the proposal would be harmful to the character and appearance of the area and as such would conflict with Policy DMP1 of the London Borough of Brent Local Plan Development Management Policies November 2016 (the DMP) and SPG5 Altering and Extending Your Home September 2002 (the SPG) which, among other objectives, seek to ensure high levels of design and development which complements the locality.

Living conditions

7. The proposed extension would extend to the boundary which is shared with the rear gardens of Nos 126 and 128 College Road. Although the nearest rear facing windows would be approximately 16 metres from the extension it would present a blank two storey elevation towards the properties. Given its overall bulk scale and massing I consider that the proposal would be a highly visible overbearing and dominant feature from the rear of Nos 126 and 128 and their respective rear private amenity spaces which would result in an unacceptable and undesirable sense of enclosure.
8. As a consequence of the orientation of the proposed extension in relation to Nos 126 and 128 there would be some overshadowing. However, I do not consider that the degree of overshadowing would be sufficiently harmful to warrant withholding permission for that reason alone.
9. On this issue I therefore conclude that the proposal would have a harmful effect on the living conditions of the occupants of neighbouring residential properties with particular reference to enclosure. As such it would conflict with Policy DMP1 of the DMP and SPG5 which, among other objectives, seek to ensure that neighbours' amenities are protected.

Other matters

10. I understand that the proposal would suit the owner's family and that there are other examples of two storey side extensions in the locality. However, I have considered the current case on its own merits taking account of the specific design proposed and the location and characteristics of the site and its relationship with neighbouring residential properties.

Conclusion

11. For the reasons given above and taking into account other matters raised I conclude that the proposal conflicts with the development plan taken as a whole and that the appeal should be dismissed.

Alastair Phillips

INSPECTOR