
Appeal Decision

Site visit made on 1 November, 2017

by G. Rollings, BA (Hons) MA(UD) MRTPI

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

Decision date: 11TH December, 2017

Appeal Ref: APP/T5150/W/17/3180261
19 Stancroft, London, NW9 0SJ

- 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 John Heath against the decision of the Council of the London Borough of Brent.
 - The application Ref: 17/1258 dated 5 April, 2017 was refused by notice dated 30 May, 2017.
 - The development proposed is a ground floor annexe.
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Decision

1. The appeal is allowed and planning permission is granted for a ground floor annexe at 19 Stancroft, London, NW9 0SJ in accordance with the terms of the application Ref: 17/1258 dated 5 April, 2017 subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P1, P2, P12.
 - 3) No development shall take place until details of all external facing materials have been submitted to and approved by the local planning authority in writing. The works shall be carried out in accordance with the approved details.
 - 4) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 19 Stancroft.

Main Issue

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

Reasons

Character and appearance

3. The appeal site accommodates a semi-detached, two-storey house occupying a raised position above the street. The proposed annex, which would be a single-storey outbuilding, would replace an existing garage which is accessed via a shared driveway between the house and 21 Stancroft, and is visible from the street through the gap between these dwellings. The differences in ground

level mean that the garage is slightly raised above the level of the street but sited below most of the back garden of the appeal site.

4. The proposed annex would be larger and taller than the garage it would replace, and would also have a raised ground level when compared with existing. There would be an increase in built form visible from adjoining properties, primarily resulting from the raised ground level. Associated works would alter the layout of the appeal site's rear garden, although the proportional amount of garden space lost to the additional footprint of the new building would be insignificant.
5. During my inspection of the site, I noticed that large outbuildings were visible on surrounding properties, including those on Wakemans Hill Avenue which back onto the site and No. 21. Their frequency and predominance means that they are part of the character of the area immediately surrounding the appeal site. Despite the presence of an additional existing outbuilding on the appeal site, there would be minimal loss of open garden space, and the combined floorspace of the outbuildings would not substantially exceed those on surrounding properties. As such, the proposed development would not be out of character with surrounding development.
6. I therefore conclude that the proposed development would not harm the character and appearance of the area, and would not conflict with the Council's *Core Strategy* (2010) Policy CP 17 and *Development Management Policies* (2016) Policy DMP1, which together require development to preserve the character of the area in which it occurs, amongst other considerations.

Other matters

7. Occupiers of surrounding properties both support and object to the proposed development. The objector notes in his letter that substantial extensions to the appeal property have been either carried out or approved and not implemented, which I have taken into account, although I consider it likely that planning permission for the unimplemented works would have lapsed. Concerns were also raised regarding the potential for excess noise emanating from the proposed building, but I have no reason to believe that noise levels would be greater than any other domestic or garden use. An additional concern relates to the potential for land instability given past instances of slippage. However, I have no substantive evidence that the development would result in further instability.

Conditions

8. The Council has provided a list of conditions on which the appellant has provided comments, and against which I have assessed with regard to the tests set out in the Planning Practice Guidance (PPG)¹. Condition 2 is to provide certainty and to ensure that the proposal is built in accordance with the approved plans, and Condition 3 is required to preserve the character and appearance of the site and area.
9. The Council suggested the inclusion of a condition requiring occupation of the annex to be restricted to a relative of the occupiers of the main dwelling, given that the purpose of the development is the accommodation of an elderly relative of the appellant. The proposed layout of the development would

¹ PPG reference ID: 21a-003-20140306; revision date: 06 03 2014.

include facilities which could provide for independent living away from the main dwelling, and it could therefore, over time, become a separate dwelling. Given that it would share access and garden space with the main dwelling, and taking into account the potential other issues which could arise from occupation as a separate dwelling, such as parking availability, I consider such a condition to be appropriate and it is included as Condition 4.

Conclusion

10. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

G Rollings

INSPECTOR