



Appeal Decision

Site visit made on 09 April 2019

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 August 2019

Appeal Ref: APP/T5150/W/19/3221368

169 Harlesden Road, London NW10 3SD

- 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 Ms Valkiria Perantoni de Andrade against the decision of London Borough of Brent.
 - The application Ref 18/2087, dated 01 June 2018, was refused by notice dated 16 August 2018.
 - The development proposed is a side extension to accommodate a new self-contained dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of occupants of neighbouring dwellings.

Reasons

3. The appeal site is an end of terrace dwelling situated on a bend in Harlesden Road; as a result it has dual principal elevations with both the front and side elevations fronting the road. The side elevation is situated next to another end of terrace, in a predominantly residential area which is characterised by terraces.
4. The appeal proposal is to extend the side elevation to create a new dwelling. The proposal would fill the gap between the ends of the terraced rows and its rear elevation would abut the rear garden of 171 Harlesden Road. The scheme proposes to create a 'green wall' on the rear elevation of the new dwelling, using planters.
5. The scheme would introduce a two-storey wall along the entire length of the rear garden of 171 Harlesden Road. Its height, width, scale, bulk, massing and siting would have an overbearing effect on 171 Harlesden Road, and would cause overshadowing to the garden during parts of the day. The rear boundary of 171 Harlesden Road is partly enclosed by the side elevation of 167 Harlesden Road and the appeal scheme would detrimentally increase the enclosure of 171 Harlesden Road.

6. Whilst the rear elevation of the scheme is proposed to be a 'green wall', this landscaping feature would not overcome the detriment to living conditions as a result of the proximity, bulk, massing, height and scale of built form to the neighbouring property and would not provide an innovative solution.
7. Whilst the scheme would also introduce built form closer to 167 Harlesden Road, the proposal would respect the building line of this property and would have a side-to-side relationship. Though 167 Harlesden Road has a large window in the side elevation, the small gap retained between the dwellings would, along with their alignment, prevent overshadowing and overbearing effects.
8. The Appellant states that several dwellings in the area, including in Harlesden Road, have large extensions which project across a 45 degree line with neighbouring properties, contrary to guidance in the Supplementary Planning Guidance (SPG). However, large rear extensions to dwellings on Harlesden Road appear to be carried out on both sides of a common boundary; as is traditional in terraced accommodation, to minimise the effect on the living conditions of neighbouring properties. Moreover, the rear gardens of neighbouring dwellings appear to be of a greater depth and are not enclosed by high development on the rear boundary, in contrast to 171 Harlesden Road. As such, the existence of large extensions in the vicinity does not establish that the particular design, scale and siting of the appeal scheme would not have a detrimental effect on the living conditions of occupants of neighbouring properties.
9. For reasons outlined above, the appeal proposal would have a detrimental impact on the living conditions of occupiers of neighbouring properties. This is contrary to Policy CP17 of the London Borough of Brent Local Development Framework Core Strategy 2010 (LDFCS), Policy DMP1 of the London Borough of Brent Local Plan: Development Management Policies Document 2016 (LP:DMP) and Policy 7.6 of the London Plan 2016 (LP) which seek, amongst other things, to ensure the setting of existing dwellings is respected and provide high quality amenity.

Other Matters

10. The Appellant suggests that the appeal scheme would fill an otherwise incongruous gap between the ends of terraces and would therefore improve local character. Larger gaps between the ends of terraces are not unusual or incongruous to the area, and therefore the filling of such a gap would not improve local character. Moreover, any such improvement to local character would not outweigh the harm to the living conditions of a neighbouring property identified above.
11. The provision of a dwelling in this location would represent an efficient use of land and would make a limited contribution towards local housing need. However, these are benefits which could be provided by a well-designed development which would not detrimentally impact the living conditions of neighbouring occupiers. As a result, the harm identified above would not be outweighed by these benefits.

Conclusion

12. For the reasons stated above, I find that the appeal proposal would adversely affect the living conditions of the occupants of 171 Harlesden Road. The scheme would therefore conflict with Policy CP17 of LDFCS, Policy DMP1 of the LP:DMP and Policy 7.6 of the LP. I conclude that the appeal should be dismissed.

Kim Langford Tejrar

INSPECTOR