
Appeal Decision

Site visit made on 17 July 2019

by Ian Harrison BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State.

Decision date: 3 September 2019

Appeal Ref: APP/T5150/D/3229565

23 Lancelot Avenue, Wembley HA0 2BA

- 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 Kanaleswary Kanagasundaram against the decision of the Council of the London Borough of Brent.
 - The application Ref 19/0689, dated 21 February 2019, was refused by notice dated 16 April 2019.
 - The development is a single storey rear and side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear and side extension at 23 Lancelot Avenue, Wembley HA0 2BA in accordance with the terms of the application, Ref 19/0689, dated 21 February 2019, subject to the following condition:
 - 1) The development hereby permitted is that which is shown on the following approved plans: S001, S002 and S003.

Procedural Matters

2. The description of development in the heading above has been taken from the planning application form. In Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
3. The documentation indicates that the application is for a development that has already been undertaken. However, I have observed that an additional canopy has been provided at the rear of the extension that is not shown on the submitted plans. This decision is based on the submitted plans.

Main Issues

4. The main issues are:
 - The effect on the character and appearance of the area.
 - The effect on the living conditions of the occupants of the neighbouring dwellings of 21 and 25 Lancelot Avenue.

Reasons

Character and Appearance

5. The dwelling is located within a street of suburban character consisting of semi-detached and terraced dwellings. It appears that most dwellings feature extensions or outbuildings and as such there is some variety to the appearance of the dwellings. The semi-detached dwelling at the appeal site benefits from an outbuilding within the garden and a single storey rear projection has been extended to the rear. Two side extensions have also been added with one having a brown painted render finish and the other being a timber storage structure.
6. A gated alleyway exists between the appeal site and 25 Lancelot Avenue which enables the extensions to be seen from the public domain, albeit with the rear extension being only partially visible.
7. The rear extension has a conventional appearance which, despite its depth, appears as a subordinate addition to the host dwelling. Whilst the extension exceeds the limitations set out in the Residential Extensions and Alterations Design Guide SPD2 2017 (SPD), the development does not conflict with the overarching aim of section 2.3 of that document which is to ensure that rear extensions are designed to respect the character and size of a house and that extensions to previous extensions are well designed and integrated. The brick-built and flat roofed appearance is similar to a number of other single storey rear projections at other properties within the locality and as such the development does not conflict with the established character and appearance of the area.
8. The side extensions are more prominent but also appear as small and subservient additions that have a minimal impact on the character of the area due to their recessed position relative to the site frontage. The materials used contrast with the host dwelling, but the use of render is not uncommon within the locality and the timber gives the storage extension an impression of subservience to the host dwelling. Therefore, the materials combine to soften the appearance of the development rather than adding to its prominence. The choice of colour is not visually harmful and as such it is considered that the suggestion to paint the side extensions a different colour is not necessary to make the development acceptable.
9. I therefore conclude that the development does not have an unacceptable effect on the character and appearance of the area. The proposal is therefore in accordance with policy DMP1 of the London Borough of Brent Local Plan Development Management Policies 2016 (LPDMP) and the SPD, which combine to require that development is of a layout, scale, materials, detailing and design that complements the locality.

Effect on Living Conditions

10. The neighbouring dwelling of 25 Lancelot Avenue features a deep single storey extension, with no windows in the side elevation, and is separated from the appeal site by the abovementioned alleyway. As such the extension at the appeal site has no harmful impacts on the living conditions of the occupants of the neighbouring dwelling. The side facing window does not cause a loss of privacy in the neighbouring property and therefore the suggestion to require

the installation of obscured glass is not necessary to make the development acceptable.

11. The attached neighbouring dwelling of 21 Lancelot Avenue features ground floor doors and windows in the rear elevation. The dwelling has not been extended to the rear and sits between two dwellings that have been the subject of single storey rear extensions. Although the enlarged rear projection at the appeal site extends significantly along the shared boundary and is visible above the established boundary treatments, the height of the extension is not so much taller than those boundaries that it has a harmfully overbearing effect or causes a sense of enclosure that unacceptably affects living conditions. The size of the garden of the neighbouring dwelling ensures that the habitable rooms retain a suitable outlook and as such the extension has not had an overpowering effect that would materially harm the occupant's living conditions. Moreover, the light received within the habitable rooms and the garden area adjacent to the dwelling is not unacceptably affected due to the relatively minor increase in the built form in comparison to the combination of the original projection and the boundary fence.
12. I therefore conclude that the development does not have an unacceptable effect on the living conditions of the occupants of 21 and 25 Lancelot Avenue. The proposal is therefore in accordance with policy DMP1 of the LPDMP and the SPD, which combine to require that development provides high levels of internal and external amenity and protects neighbouring residential amenity.

Conclusion and Conditions

13. For the reasons given, I conclude that the appeal should be allowed. As the development has been completed, I consider the only condition necessary is a condition to state that the approved development is that which is shown on the submitted plans, in the interests of clarity and to address the procedural matter set out above.

Ian Harrison

INSPECTOR