



Appeal Decision

Site visit made on 17 February 2020 by Thomas Courtney BA(Hons) MA

Decision by V Lucas LLB (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st March 2020

Appeal Ref: APP/T5150/D/19/3240972

34 Forty Lane, Wembley, HA9 9HA

- 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 Amir Fakhry against the decision of the London Borough of Brent Council.
 - The application Ref 19/2832, dated 4 August 2019, was refused by notice dated 23 September 2019.
 - The development proposed is the demolition of existing garage and erection of two storey side extension to dwellinghouse.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The description of development used in the header above is based on that used on the appeal form and the Council's decision notice and it is not disputed by the appellant.
4. An amended plan was sought as it was mistakenly not submitted with the appellant's appeal statement. Due to the extent of the amendments shown on the revised plan, I consider it would materially change the development therefore I do not accept the plan as it has not been subject to public consultation.

Main Issues

5. The main issues are:
 - the effect of the development on the character and appearance of the area; and
 - the effect of the proposed development on the living conditions of the occupants of 32 Forty Lane, having particular regard to outlook and light.
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Reasons for the Recommendation

Character and appearance

6. The appeal site accommodates a vacant two-storey semi-detached dwelling located on the northern side of Forty Lane (A4088) which is a busy dual-carriageway. The appeal dwelling forms part of a row of six blocks of semi-detached properties that all feature two-storey front bays with projecting hipped roof eaves. The appeal dwelling has a large front garden and shares a pitched garage with the neighbouring property at No.32. The surrounding area is characterised by a mix of semi-detached mock Tudor dwellings, detached properties, and blocks of flats.
7. The proposal would result in the demolition of the garage and the erection of a two-storey side extension which would be slightly set-back from the main front elevation. I note that the proposed ground floor single storey at the rear of the dwelling is shown to be extended more towards the boundary with No.32 on the proposed floorplans (drawing no. 1944-Plan/02) which does not correlate with the existing ground floor plan (drawing no. 1944-Plan/01). As such, the separation distance to the common boundary with No.32 would be narrower towards the rear of the dwelling.
8. In my view, the height, width and overall scale of the side extension in close proximity to the boundary would appear disproportionate, would unbalance the scale and form of the house and so fail to reflect the character and appearance of the host dwelling. It would fail to appear as a subservient addition to the host dwelling and would thus constitute poor design. The resulting dwelling would appear awkward and would constitute an architecturally discordant feature in the area. Being fully visible in the street scene, it would harm the character and appearance of the immediate area.
9. Given the above, the proposed development would conflict with policy DMP1 of the Council's Development Management Policies document (Adopted November 2016) (the 'Local Plan') which seeks to ensure proposals are well designed and contribute positively to the character and appearance of the surrounding area in which they lie. This is consistent with the National Planning Policy Framework (the Framework) which aims to ensure proposals are sympathetic to local character. The development would also fail to adhere to the 'Residential Extensions & Alterations' Supplementary Planning Document (SPD).

Living conditions

10. The neighbour at 32 Forty Lane has a first-floor bedroom and a ground floor habitable room facing the appeal dwelling. The first-floor flank window serving the bedroom looks out across the appeal site and currently enjoys an open aspect. As a consequence of the appeal proposal, the outlook from the window would be severely impeded due to the height and depth of the proposed extension. This would be harmful to the living conditions of the occupants of No. 32 when using the bedroom to sit in and relax as the room would have a darker and more enclosed feel. Due to its siting close to the common boundary, the proposal would thus appear excessive and would have an intrusive and overbearing visual impact upon the side elevation of No.32. However, given the relationship between the properties I viewed on site, and the orientation of the buildings, I am satisfied that there would be no significant loss of sunlight as a result of the proposed development.

11. I therefore find the development would have an adverse, dominant and overbearing impact when seen from the neighbouring property owing to the depth, height and siting of the extension close to the common boundary and would thus negatively affect the living conditions of the occupiers of No. 32.
12. Given the above, the development conflicts with policy DMP1 of the Local Plan and the 'Residential Extensions & Alterations' SPD which together aim to ensure new development and residential extensions respect the amenity of occupiers of neighbouring buildings. This is consistent with the National Planning Policy Framework (the Framework) which aims to ensure a high standard of amenity for residents.

Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

V Lucas

INSPECTOR