



Appeal Decision

Site visit made on 5 January 2021

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 January 2021

Appeal Ref: APP/T5150/W/20/3256664

137 Vivian Avenue, Wembley HA9 6RN

- 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 Mrs M Arabam against the decision of the Council of the London Borough of Brent.
 - The application Ref 20/1334, dated 30 April 2020, was refused by notice dated 3 July 2020.
 - The development is described as change of use single dwelling house to HMO use.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development in the heading above has been taken from the planning application form. However, 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. Notwithstanding the description of development set out above, which is taken from the application form, it is clear that the proposal includes alterations to the external appearance of the host property in the form of a hip to gable roof alteration and the construction of a rear dormer window. The Council dealt with the proposal on this basis and so shall I.
4. At the time of the site visit I noted that the alterations to the roof and the construction of the dormer window had taken place. I have dealt with the appeal on this basis.

Main Issues

5. The main issues are:
 - Whether the proposed development would meet an identified housing need in the area;
 - Whether it would provide acceptable living conditions for future occupiers, with specific regard to internal space; and

- The effect of the proposed development upon the character and appearance of the host property and the area.

Reasons

Housing need

6. Policy DMP20 of the Development Management Policies (2016) (DMP) seeks to regulate proposals for non self contained residential accommodation. It sets out circumstances where such proposals will be supported and makes clear at criterion d. that proposals should demonstrate a specific need for such accommodation in the borough.
7. Notwithstanding the existence of family housing in the area there is no substantive evidence before me to indicate that there is a demand for the proposed House in Multiple Occupation contrary to Policy DMP20. As such, the proposed development would undermine the provision of family housing stock in the area.
8. It would also be contrary to Policy CP21 of the Brent Core Strategy (2016) which, amongst other things, seeks a balanced housing stock and for non self contained accommodation to meet identified needs.
9. I acknowledge that the proposed development would provide an alternative housing tenure and may provide low cost and affordable housing for different groups or those wishing to step on the property ladder. However, it has not been demonstrated that there is a need for this type of accommodation in the area and does not outweigh the harm that I have identified.
10. I note the Council have referred to emerging Policy BH7 of the draft Brent Local Plan in the first reason for refusal. However, given the policy may be subject to further consultation and modification I have given it negligible weight in coming to my decision with specific regard to this appeal.

Living conditions for future occupiers

11. The proposed development provides 4 bedrooms with en-suite bathrooms and a communal kitchen and outdoor amenity space. All of the bedrooms appear to be double sized and given their size the property could be occupied by 8 residents. The kitchen would be the only internal communal space for residents. Taking into account the length of time occupiers would spend in the kitchen preparing and eating meals or undertaking recreational activities it would be an unduly cramped and oppressive space.
12. Whilst rooms would gain adequate daylight the layout proposed would not provide future occupiers with satisfactory internal communal space resulting in unacceptable living conditions. Furthermore, no management arrangements have been submitted to ensure that future resident's living conditions would not be diminished further.
13. Due to the cramped communal internal space the proposed development would result in a substandard form of accommodation and would not provide adequate living conditions for future occupiers. This would be contrary to DMP Policies DMP1 and DMP20 which, seek high levels of internal amenity and appropriate communal facilities.

Character and appearance

14. The appeal site is a semi-detached dwelling located on an open corner plot. The property has been extended in the former of a hip to gable roof alteration and a rear dormer window. The dormer window is set in from the neighbouring property and from the eaves, but its ridge is very close to that of the main roof and its outer wall forms the flank wall of the property.
15. Whilst the proposed development would be contained within the existing building's footprint the alteration of the roof to a hip to gable combined with the dormer window has significantly changed the appearance of the dwelling and draws the eye. The change in the form of the roof combined with the dormer window has resulted in an unduly large and bulky feature that dominates the building.
16. The unsympathetic alterations combined with the prominent position of the property results in an incongruous feature that is highly visible from within the surrounding area harming its appearance.
17. Sustainable construction and the energy efficiency of the scheme counts neither for nor against the proposal and does not overcome the harm I have identified.
18. In conclusion the proposal harms the character and appearance of the host property and the surrounding area contrary to DMP Policy DMP1 which, amongst other things, seeks an acceptable scale and design for developments. It would also be contrary to guidance contained within Supplementary Planning Document 2 – 'Residential Extensions & Alterations' (2018) which, amongst other things, requires dormer windows to be in keeping with the rest of the house.

Conclusion

19. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR