



Appeal Decision

Site visit made on 25 November 2020

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 February 2021

Appeal Ref: APP/T5150/W/20/3254043
41b Donaldson Road, London NW6 6NE

- 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 Regan Collins against the decision of the Council of the London Borough of Brent.
 - The application Ref 20/0815, dated 9 March 2020, was refused by notice dated 4 May 2020.
 - The development proposed is rear L shaped dormer with roof lights on front slope plus roof terrace over part of rear addition.
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Decision

1. The appeal is allowed and planning permission is granted for proposed rear L shaped dormer with roof lights on front roof slope at 41b Donaldson Road, London NW6 6NE, in accordance with the terms of the application Ref 20/0815, dated 9 March 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not 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 drawings: A01, A02, A03, A04, A05, A06, A07 and A08.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Preliminary Matters

2. The description of the development as set out on the appellant's application form refers to 'roof terrace over part of rear addition'. This is not shown on the submitted plans. Therefore, for the purposes of my Decision, I have amended the description of the development to accurately reflect the proposal.
3. Although the appeal site is situated within the proposed extension to the Kilburn Conservation Area, on the information available to me, this area has not yet been formally designated. As such, this does not affect my assessment of the proposal.

Main Issues

4. The main issues are the effect of the proposal on the character and appearance of the area and the living conditions of the occupiers of 39a Donaldson Road (No 39a) in respect of outlook.

Reasons

Character and appearance

5. The proposed roof extension would be in the form of a dormer that would extend along the full width of the rear roof slope of the appeal property and along part of the roof of its rear outrigger. This flat roofed dormer extension would be clad in hanging tiles, which would enable it to assimilate with the existing roof. Furthermore, its rearward facing elevation would feature a Juliet balcony and small window. These would break-up the overall massing of the roof extension, whilst adding interest to its design, particularly in views from Charteris Road.
6. The change in height between the proposed dormer along the main roof of the host building and that proposed for the outrigger would reflect the changing levels between the existing roofs of the host building and would also limit its massing.
7. Most notably, the siting and form of the proposed dormer extension would be similar to the one at the neighbouring property, 43 Donaldson Road and also reflects other nearby roof extensions. Consequently, the proposed dormer extension would create a degree of uniformity along the rear elevations of these properties. As such, because of its design, scale and form, the proposed dormer extension would complement the appeal property and area, particularly in views from along Charteris Road.
8. I have taken account of the Council's 'Residential extensions and alterations SPD 2 (2018)' ('SPD 2'). Although the proposed dormer extension does not meet the dimensions specified in SPD 2, in relation to the siting of dormers, this is guidance. Also, this guidance does not preclude all dormers that extend onto a rear projection. In any event, for the reasons stated above, in particular the site-specific circumstances, no harm would result from the scale of the dormer extension proposed, and any conflict with the guidance in SPD 2 is not sufficient to dismiss the appeal.
9. The submitted scheme also proposes roof lights along the front roof slope of the appeal property. However, these are not uncommon in the area and would have no discernible effect on its appearance.
10. In light of the above reasons, the proposal would not harm the character and appearance of the area. Therefore, I find no conflict with the design aims of Policies 7.4 and 7.6 of the London Plan ('LP') and Policy DMP1 of the Brent Development Management Policies Plan (2018) ('DMP') which seek to secure developments of high quality design that complement the locality.

Living conditions

11. The section of the proposed dormer extension over the outrigger would be located to the side of and above the level of the rear facing, first floor window

at No 39a. As such, the view from this window would be largely unaffected by the proposal.

12. The side-facing, first floor bedroom window at No 39a already faces the two-storey flank wall of the outrigger. The proposed dormer would be located above this and the level of the bedroom window. Also, it would only extend partway across the roof of the outrigger and is to be located no closer to the existing window than the flank wall. Consequently, the extent of the proposed dormer, would not unduly dominate or enclose the outlook from the side facing window at No 39a.
13. In considering the effects of the proposal on the living conditions of the occupiers of No 39a, the Council has referred to the '1:2 rule' as set out in SPD 2. However, this guidance is specifically for two storey extensions and therefore is not relevant to the proposed dormer extension.
14. Based on the above reasons, the proposed development would not have an unacceptable effect on the living conditions of the occupiers of No 39a with regard to outlook. Therefore, it accords with Policy DMP1 of the DMP and Policy 7.6 of the LP, which amongst other things seek to ensure that proposals do not cause unacceptable harm to the amenity of surrounding land and buildings.

Conditions

15. In addition to the standard timescale condition which limits the lifespan of the planning permission, I have imposed a condition specifying the approved drawings as this provides certainty. A condition requiring proposed external materials to match the existing property is necessary in the interests of the appearance of the development.

Conclusion

16. For the above reasons, I conclude that the appeal should be allowed.

M Aqbal

INSPECTOR