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# Appeal Decision

Site visit made on 23 February 2021

**by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS**

**an Inspector appointed by the Secretary of State**

**Decision date: 04 March 2021**

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**Appeal Ref: APP/T5150/D/20/3261378**

**80 and 82 Girton Avenue, London NW9 9UD**

- 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 O Palagheanu and Mr P Hirani against the decision of the Council of the London Borough of Brent.
  - The application Ref 20/1605, dated 3 June 2020, was refused by notice dated 28 July 2020.
  - The development proposed is first floor rear extension to dwellinghouses.
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## Decision

1. The appeal is allowed and planning permission is granted for first floor rear extension to dwellinghouses at 80 and 82 Girton Avenue, London NW9 9UD in accordance with the terms of the application, Ref 20/1605, dated 28 July 2020 and the plans submitted with it, 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 plans: Existing Floor Plans, Elevation and Site Plan (Ref PL-A- 01); Proposed Floor Plans and Elevations (Ref PL-A- 02).

## Preliminary Matters

2. I have been made aware that the council is now at an advanced stage of its Local Plan review. The draft Brent Local Plan was subject to public examination during Autumn 2020 and that Main Modifications will be published for consultation in due course. I note the council consider that under paragraph 48 of the Framework, greater weight can now be applied to policies contained within the draft Brent Local Plan.

## Reasons

3. The main issue is the effect of the appeal proposals on the character and appearance of the area.
4. Girton Avenue is a pleasant residential street, with a suburban character, located to the east of an area of north west London known as Queensbury. The street has a mix of semi-detached and terraced two storey houses with front gardens and generous rear gardens, some with off street parking. At the site visit, I noticed a number of dwellings within Girton Avenue had been subject to

- extensions and loft conversions, which was particularly evident when looking from the rear gardens.
5. No's 80 and 82 are an unlisted C20th pair of semi-detached two storey houses, flanked by similar dwellings. Both dwellings have been subject to recently constructed ground floor extensions of a very similar design with a shallow mono-pitched roof. No 80 has a loft conversion with a rear box dormer and No 82 has a rooflight to the rear elevation. Both dwellings have small rear projections (of differing sizes) at first floor which do not presently extend across the width of each house. There is a lack of 'symmetry' between the two dwellings which appears incongruous when viewed from the rear.
  6. Policy DMP1 (Development Management General Policy) of the Brent Council Development Management Policies document (2016) (DMP) sets out a series of high level requirements for all forms of development, seeking in particular development which 'complements the locality'.
  7. Policy BD1 (Leading the Way in Good Design) of the emerging Brent Local Plan (eLP) sets out that all new development must be of the highest architectural and urban design quality. The plan has now been subject to examination and I therefore attach substantial weight to this policy.
  8. The Brent Residential Extensions Guide Supplementary Planning Document (2018) (SPD) provides guidance for residential extensions. It provides guidance on how to deal with 'outrigger' extensions and other two storey extensions, although I note the guidance is focussed more on the impact on neighbouring living conditions, rather than matters of character and appearance. Given that the closest neighbours are also the appellants and the council did not refuse the proposals on the grounds of harm to living conditions, I consider the SPD is therefore not particularly relevant to this case.
  9. The appeal proposals would effectively extend and join the two existing first floor projections to the rear of No's 80 and 82. As a result, the development at each dwelling would close the space that exists between the two projections. This 'consolidation' would, in my view result in a more coherent appearance to the rear elevations of No's 80 and 82. Indeed, unless viewed from the rear garden, it would be very difficult to determine a significant difference between the current situation and the completed development.
  10. In light of the extensions to the dwellings already permitted and similar development within the immediate area, I do not consider the appeal proposals would result in harm to the character and appearance such that it would offend policy DMP1 of the DMP, nor BD1 of the ELP, nor the relevant parts of the SPD.

### **Other Matters**

11. The council state that the box dormer to the rear of No 80 has 'not been reduced in size as was required under planning permission 19/2137'. There is no evidence before me that the council are currently pursuing an enforcement case on this site. I do not consider the size of the box dormer at No 80 would be directly affected by the appeal proposals, nor would my decision prejudice the council's ability to take enforcement action in the future.

### **Conditions**

12. In addition to the standard three year period for the commencement of development (condition 1), which is a statutory requirement, it is necessary, in the interest of certainty and precision, to define the plans with which the appeal scheme should accord (condition 2).

### **Conclusions**

13. For the reasons given, and having regard to all other matters raised, the appeal is allowed, subject to the conditions set out above.

*Sian Griffiths*

INSPECTOR