



Appeal Decision

Site visit made on 22 June 2021

by Christopher Miell MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2021

Appeal Ref: APP/T5150/W/20/3259896 9B Purves Road, London NW10 5ST

- 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 N Mehdić against the decision of the Council of the London Borough of Brent.
 - The application Ref 20/2154, dated 20 July 2020, was refused by notice dated 26 August 2020.
 - The development proposed is described as “erection of main roof dormer and outrigger extensions, including introduction of roof lights in the front roof”.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The London Plan 2021 (the ‘LP 2021’) was published by the Mayor of London on 2 March 2021. The LP 2021 comprises the spatial development strategy for London and forms part of the development plan. The LP 2021 supersedes the London Plan of 2016. It is incumbent on me to take into account the most relevant and up to date information in reaching a decision and I have therefore dealt with the appeal on this basis. The main parties have had an opportunity to address this matter as part of the appeal process.
3. The Council refer to the emerging Brent Local Plan within the officer report. In accordance with paragraph 48 of the National Planning Policy Framework (the ‘Framework’), weight may be given to policies within emerging plans. The weight given is determined by the stage of preparation of the emerging plan, the extent of unresolved objections and the degree of consistency of the relevant policies to the Framework. I have not been provided with any substantive details of the status of this emerging plan. Therefore, I attribute the plan and policies very limited weight as a material planning consideration.

Main Issue

4. The main issue is the effect of the development upon the character and appearance of the area.

Reasons

5. The appeal property is a two-storey mid-terraced building located on the southern side of Purves Road. The property has been converted into two flats,

which are known as Nos 9A and 9B Purves Road. Externally, the property features a two-storey flat roof outrigger to the rear and has a traditional appearance with a brick exterior under a tile pitched roof.

6. It is proposed to construct a loft extension at the appeal property, which would comprise of a rear dormer within the rear roof slope and a second-floor extension above the rear outrigger. As part of the development, three rooflights would be installed on the front roof slope of the host building. The proposal would provide additional living accommodation for the upper floor flat, No 9B.
7. The Council explain that planning permission¹ was granted in February 2019 for the construction of a rear dormer window and the introduction of two roof lights in the front roof slope of the appeal property. The planning permission does not appear to have been implemented at this time, nevertheless it remains extant until February 2022. Given the appellant's fallback position, the principle area of concern to the Council, as set out within the officer report, relates to the proposed extension above the existing outrigger and the formation of an 'L-shaped' dormer. As such, this will be the focus of my considerations.
8. Purves Road is a long street, which forms part of a large enclave of residential development near to Kensal Green Station. The local area has an urban character, which is predominately characterised by two-storey terraced dwellings from the Victorian period laid out in a grid pattern.
9. Whilst there are differing styles of Victorian architecture present within the street, i.e. square bay windows and canted bay windows, the proportionality of the dwellings and the roof forms are generally consistent, which results in a design balance and symmetry that contributes positively to the character and appearance of the area.
10. Despite the use of sympathetic external materials, the overall scale of the proposed 'L-shaped' dormer window with its bulky flat roof form would be significant and excessive in the context of the proportions of the host building. Moreover, despite the limited projection onto the rear outrigger, the proposed second floor outrigger extension, would have a stark and jarring appearance when viewed in the context of the host building and other terraced buildings on Purves Road, which typically do not feature extensions above the flat roof rear outriggers.
11. Overall, the proposed development would be an unsympathetic addition to the existing building, which would appear as a prominent and intrusive structure within the local roofscape. As such, the proposal would unacceptably diminish the architectural integrity of the host building and cause significant harm to the character and appearance of the area.
12. I am cognisant that views of the proposal would not be readily visible from the street due to the rearward position of the works. However, the proposed works would be an unduly prominent form of development when viewed from the rear garden of the host building and from neighbouring properties to the rear and side of the site, which would cause significant harm to the character and appearance of the area.

¹ Council Ref: 19/0702

13. The appellant has drawn my attention to several properties on Purves Road which have loft extensions that are of a similar appearance to the appeal proposal. Whilst I accept that there are other extensions present within this long street; overall second-floor outrigger extensions are the exception rather than the norm. Furthermore, I observed on my site visit, that along the stretch of Purves Road² where the appeal site is located, there was little evidence of second floor outrigger extensions along this part of the street. As such, I have afforded the existence of other comparable extensions in the street limited weight in the overall planning balance.
14. In terms of the wider examples of loft extensions referred to by the appellant, which includes development at College Road, Hiley Road, St Margaret's Road and Earlsmead Road, these developments are located a considerable distance away from the appeal site. Such development is not seen in the context of the appeal site and does not therefore contribute directly to the aforementioned and distinctive characteristics of the local area.
15. The appellant also points out that the Council have recently granted approval³ for the construction of a second-floor outrigger extension at No 7 Purves Road, which is the adjoining terraced dwelling to the west of the appeal property. At the time of my site visit, the approved extension had not been constructed.
16. The Council explain that they issued a certificate of lawfulness⁴ to confirm that the works would be permitted development by virtue of the provisions of the GPDO⁵. In determining whether the proposed works were lawful, issues of planning merit were not relevant to the Council's decision, which included whether or not the development would be in accordance with the development plan. These matters have not been disputed by the appellant.
17. The appeal property is a flatted development and does not benefit from the same permitted development rights as No 7, which is a dwellinghouse. Nevertheless, if constructed, the proposed development at No 7 would alter the roofscape of the immediate area through the introduction of a second-floor outrigger extension. If this were to occur, the outrigger extension at No 7 would be an isolated and prominent form of development, which would cause harm to the character and appearance of the surrounding properties. Therefore, the permitted development at No 7 does not provide a compelling reason to allow further harm to occur, which would arise through the proposed development at No 9B.
18. For the collective reasons outlined above, I conclude that the proposal would cause significant harm to the character and appearance of the area. As such, the proposal would not accord with Policy DMP1 of the London Borough of Brent Local Plan: Development Management Policies, which, amongst other things, requires new development to complement the locality. In addition, the proposal would conflict with guidance relating to rear dormer windows within the Brent Residential Alterations and Extensions Supplementary Planning Document No 2, which explains that dormers that project onto or over a rear projection will not normally be permitted.

² The terrace between Felixstowe Road and Ravensworth Road

³ Council Ref: 21/1076

⁴ Section 192 of the Town and Country Planning Act 1990

⁵ Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Other Matters

19. The proposal would provide additional living space at the appeal property, which would improve the living conditions for existing and future occupiers. However, such benefits would not be significant enough to overcome or outweigh my conclusions on the main issue.
20. I note that no objections were made by local residents. However, this does not alter my conclusions on the main issue.

Conclusion

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

Christopher Miell

INSPECTOR