



Appeal Decision

Site visit made on 12 October 2021

by Joanna Gilbert MA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2021.

Appeal Ref: APP/T5150/D/21/3275618

61 Mortimer Road, London NW10 5QR.

- 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 Simon Erskine against the decision of the London Borough of Brent.
 - The application Ref 21/0612, dated 20 February 2021, was refused by notice dated 26 April 2021.
 - The development proposed is demolition of existing rear extension and rebuild single storey rear extension to dwellinghouse.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the living conditions of the neighbouring occupiers of 63 Mortimer Road, with particular regard to outlook.

Reasons

3. The two-storey terraced house at 61 Mortimer Road has an existing side and rear extension which projects from the two-storey outrigger up to the shared boundary with 63 Mortimer Road. No 61's existing extension is some 2.4m in height at the eaves, rising to 2.75m in height at the highest point of the roof. The existing extension's side return is some 4.15m from No 61's main rear wall. No 63 has a single-storey rear extension which also abuts the shared boundary with No 61, but does not continue along the side of the outrigger.
4. The proposed development would involve the demolition of the existing extension and its replacement with a flat-roofed rear and side extension of some 3m in height. The side return of the proposed extension would be some 4.05m from the main rear wall of No 61. The proposed development would therefore be some 0.6m higher at the shared boundary and 0.1m closer to the rear of the main houses at Nos 61 and 63 than the existing extension.
5. Policy DMP1 of the London Borough of Brent Local Plan: Development Management Policies 2016 (DMP) requires, amongst other things, that development provides high levels of internal and external amenity. The Council's Residential Extensions and Alterations SPD 2 (2018) advises that extensions which infill the side return between a two-storey outrigger and the site's boundary should be no higher than 2m in height at the boundary, rising to no more than 3m in height where the extension meets the main house.

6. Notwithstanding the presence of the existing extensions at Nos 61 and 63, the proposed development would be sited directly adjacent to the shared boundary with No 63. Its increased height coupled with its increased proximity to the main rear wall of No 61 and neighbouring No 63 would have a negative effect on the outlook for the neighbouring habitable room at the rear of No 63.
7. No 61's existing extension was subject to a certificate of lawful development in 2001 and much of the proposed development would overlap the existing extension's footprint. Furthermore, I acknowledge the existing extension's poor thermal quality, its age, and its deterioration over time. However, these matters do not overcome my concerns regarding the proposed development.
8. In conclusion, the proposed development would have a harmful effect on the living conditions of the neighbouring occupiers of 63 Mortimer Road, with particular regard to outlook. As such, it would conflict with DMP Policy DMP1 and the Council's SPD 2 as set out above.

Conclusion

9. For the reasons given above, the appeal should be dismissed.

Joanna Gilbert

INSPECTOR