



Appeal Decision

Site Visit made on 27 September 2021

by G Rollings BA(Hons) MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2021

Appeal Ref: APP/T5150/W/21/3273465

17 Willesden Lane, Kilburn, London, NW6 7RB

- 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 Raja Adil against the decision of London Borough of Brent.
 - The application Ref 20/4273, dated 7 December 2020, was refused by notice dated 18 February 2021.
 - The development proposed is erection of a single storey mansard roof extension for an additional self-contained unit with front, side, and rear dormers, plus an additional erection of a single storey mansard roof extension on the rear outrigger.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a single storey mansard roof extension for an additional self-contained unit with front, side, and rear dormers, plus an additional erection of a single storey mansard roof extension on the rear outrigger at 17 Willesden Lane, Kilburn, London, NW6 7RB in accordance with the terms of the application, Ref 20/4273, dated 7 December 2020, subject to the conditions set out in the attached schedule.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The proposal is for a roof extension over the entirety of the building, comprising two distinct elements: a new storey of accommodation over the main part of the building to be constructed in a mansard-type style set behind the existing parapet wall, and a smaller extension over the rear projection, which would have a similar style but set in line with the edge of the building. The Council's reason for refusal relates only to this smaller extension, with no parties contending the larger element.
4. The building is set on a sloping site, with the larger element on higher ground, on the intersection of Willesden Lane and Aldershot Road. The rear projection is roughly parallel with Aldershot Lane, and is visible from both from this road on both approaches, and the intersection. The range of visibility is limited by the larger element of the appeal building, and Adil House to the south of the site projects closer to Aldershot Road than the rear projection.
5. The roof projection over the larger element would be highly visible, by reason of its prominent location and height. Conversely, views of the smaller element

are only seen in the context of the entirety of the building, where the larger roof extension would appear dominant, and to which the viewer's eye would be drawn in views from both public and private areas. When considered as a whole, the development would not appear overwhelming or overly obtrusive.

6. The height of extension above the smaller element would be significantly lower than both the larger element and Adil House, with retention of the existing gap to the latter. Although the smaller roof extension would not be built in the traditional mansard style, it would not appear out of place amongst the various forms of development in the immediately surrounding area. Although the butterfly roof on the existing building would be obscured, no other whole examples are visible from the street. I did not see examples on any other buildings in the immediate surroundings, and it makes only a minimal contribution to the overall character of the area. Accordingly, the development is appropriate.
7. I therefore conclude that the proposed development would not harm the character and appearance of the area. There would be no conflict with Brent Local Plan's *Development Management Policies* (2016), including Policy DMP1, which states that development will be acceptable if it is of a design that complements the locality, amongst other considerations.

Conditions

8. I have considered the list of conditions suggested by the Council and assessed against the relevant tests set out in the Planning Practice Guidance (PPG)¹. Condition 2 is included to provide certainty. A controlled parking zone exists within the area and the Council suggested a 'car-free' planning condition. I acknowledge the existing restrictions on the site as set out in the Council's evidence and am satisfied that the suggested condition 3 is necessary and enforceable, subject to the amendment of the necessary Traffic Regulation Order by the Council. Condition 4 is required in the interests of promoting sustainable travel.

Conclusion

9. For the reasons given I conclude that the appeal should succeed.

G Rollings

INSPECTOR

(Schedule of Conditions overleaf)

¹ PPG reference ID: 21a-003-20190723; revision date: 23 07 2019.

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin no 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: PR.01 rev. A; PR.02 rev. A; PR.03 rev. A; PR.04 rev A; PR.05 rev. A; PR.06 rev. A.
- 3) Occupiers of upper floor Flats B, C and D, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within any existing or future Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.
- 4) Notwithstanding the submitted plans, details of secure and covered cycle storage inclusive of elevation details and type of stands shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. The approved cycle storage shall be provided prior to first occupation of the development and be permanently retained and not used other than for the parking of cycles ancillary to the development thereafter.