



Appeal Decision

Site visit made on 12 October 2021

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 November 2021

Appeal Ref: APP/T5150/D/21/3278312

20 Beverley Drive, Edgware, HA8 5NG

- 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 Mrs Bhavnita Bhatt against the decision of the Council to the London Borough of Brent.
 - The application Ref 21/0565, dated 12 February 2021, was refused by notice dated 15 April 2021.
 - The development proposed is described as alterations to existing single-storey side to rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The first main issue is the effect of the proposal on the character and appearance of the host dwelling. The second main issue is the effect of the proposal on the living conditions of the occupiers of 18 Beverley Drive (No.18), with particular regard to visual impact.

Reasons

Character and appearance

3. Beverley Drive is characterised by a limited range of detached and semi-detached houses with hipped roofs and driveways or single storey side extensions and garages. The garages and side extensions vary in height, partly due to the sloping topography of the area and partly due to their roof designs. Some roofs are flat whilst others have parapets, false pitches and shallow single pitched roofs. They have blended in with the host dwellings and the street scene with varying degrees of success, depending on the roof design, how they relate to any adjacent porches, the height of the brickwork between the roofs of the extensions and the windows below and their overall height in relation to adjacent side extensions.
4. The existing single storey side and rear extension is subject to an enforcement notice which requires the demolition of the extension. The Enforcement Notice was the subject of an appeal and the appointed Inspector found that the side extension would unacceptably harm the character and appearance of the host dwelling and the surrounding area. In reaching this conclusion the Inspector expressed concern about the shallow pitch of the porch roof, which projected

across the front of the side extension to form a canopy. Also, that the flat roof of the side extension together with its white fascia projected above this shallow pitched canopy. For these reasons and having regard to the lower ground floor level of the dwelling at No.18, the side extension was prominent and detracted from the character and appearance of the host dwelling.

5. Amongst other things policy DMP1 of the London Borough of Brent Local Plan Development Management Policies (2016) (DMP) seeks to ensure that new development is of high quality design and compliments the locality. Regarding side extensions the Brent Supplementary Planning Document 2 – Residential Extensions and Alterations (2018) (SPD) advises that their size, shape and height should be subservient to the host dwelling.
6. The proposal seeks to address the concerns set out above. However, in doing so the proposed extension would have a flat roof which would slope up from front to rear and which would be visible from the street scene. In addition, the proposed flat roof would be out of alignment with the existing roof over the porch, resulting in a visually awkward detail. As a result of these factors the resultant extension would appear as a stark and discordant feature, which would materially detract from the character and appearance of the host dwelling. It would result in the front elevation of the dwelling appearing contrived and poorly proportioned.
7. I am less concerned about the side elevation of the resultant extension as it would be largely screened by the existing dwelling and garage at No.18. Also, varied roof heights are a feature of the road, due to the topography of the area.
8. I conclude on the first main issue that the proposal would unacceptably detract from the character and appearance of the host building and would conflict with DMP Policy DMP1 and the SPD.

Living conditions

9. The enforcement appeal Inspector also found that the existing extension had an overbearing impact on the outlook from the side facing window at No.18. With the proposal, the rear extension would remain the same height, although the roof of the side extension would slope down towards the front of the dwelling, resulting in a reduction in the height when compared to the existing side extension.
10. The SPD seeks to ensure extensions respect the host property and do not have a materially harmful impact on the living conditions of the occupiers of neighbouring properties. It advises that side extensions will normally be allowed to be built up to side boundaries. An exception to this is where a side window in a neighbouring property is the only window that serves a habitable room. It advises that flat roofed extensions on the boundary should not exceed three metres in height and pitched roofs can be four metres.
11. Whilst this reduction in height would be modest in the vicinity of the kitchen window at No.18, the sense of space to the southwest would noticeably improve. In addition, with the proposal the side extension would only be slightly over three metres in height, which is the height of the approved rear extension. Three metres is also the permitted eaves height for an extension in this location, as set out in the Town and Country Planning (General Permitted

Development) (England) Order 2021. As pointed out by the appellant this window serves a galley kitchen which also benefits from a glazed door that faces into the rear garden at No.18.

12. Having regard to all of these factors, I am satisfied that the proposal overcomes the concerns raised to the existing extension and that the resultant structure would not be visually overbearing for the occupiers of No.18. Whilst the extension very slightly exceeds the three metre height guideline for a flat roof, the difference is negligible and the room affected has a glazed door in its rear elevation.
13. I conclude on the second main issue that the proposal would not have a materially harmful impact on the living conditions of the occupiers of No.18, due to visual impact. In this respect it would comply with DMP Policy DMP1 which requires new developments to provide high levels of internal and external amenity. It would also comply with the objectives of the SPD.

Conclusion

14. Whilst I have found in favour of the appellant in relation to the second main issue, the conclusion on the first main issue amounts to a compelling reason for dismissing this appeal, which the imposition of conditions would not satisfactorily address.

Elizabeth Lawrence

INSPECTOR