
Appeal Decision

Site visit made on 21 September 2021 by A J Sutton BA (Hons) DipTP MRTPI

by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2021

Appeal Ref: APP/T5150/D/21/3276622

6 Elmwood Crescent, London, NW9 0NL

- 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 and Mrs Vasile and Dorina Paula Bucur against the decision of the Council of the London Borough of Brent.
 - The application Ref 21/0113, dated 12 January 2021, was refused by notice dated 19 April 2021.
 - The development proposed is described as '2 storey side first floor side and single storey rear extensions. Formation of room in loft with new dormers and alterations to existing outbuilding. New porch and fenestration to front elevation.'
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Decision

1. The appeal is allowed, and planning permission is granted for 2 storey side, first floor side and single storey rear extensions. Formation of room in loft with new dormers and alterations to existing outbuilding. New porch and fenestration to front elevation at 6 Elmwood Crescent, London, NW9 0NL, in accordance with the terms of application Ref 21/0113, dated 12 January 2021, and 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: Site and Location Plan Drawing Number ST_JAN20_TEN_Site Plan, Proposed Plans and Elevations Drawing Number ST_JAN21_6ELM_004 and Proposed Plans and Sections Drawing Number ST_JAN21_6ELM_003.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling and maintained as such thereafter.
 - 4) The first floor side elevation window in the development hereby permitted shall be fitted with obscured glazing and only contain an opening point 1.7m above the floor of the room in which the window is installed, and retained as such thereafter.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). Accordingly, the parties have been provided with a further opportunity to make submissions in respect of the publication. The response received has been taken into account within the appeal decision.
4. The Council has drawn my attention to emerging development plan policies. The Draft Brent Local Plan has been subject to examination and is at an advance stage. I therefore attach moderate weight to it and the policies therein.
5. There were small typographical errors in the description of the proposal on the application and appeal forms. I have made minor amendments in the description for purposes of this decision for reasons of accuracy and clarity.

Main Issue

6. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons for Recommendation

7. The appeal property is a detached pyramidal hipped roof dwelling which is partially screened at the front. It is at the end of a cul-de-sac, where the road curves, creating an irregular building line in the immediate vicinity of the property. It is one of few detached dwellings in an area of predominately large semi-detached properties. Whilst somewhat unique in appearance its architectural style is of the mid-20th period, similar to surrounding properties. This feature is a distinct characteristic in an area lacking uniformity.
8. There is no dispute between the parties regarding the proposed loft conversion, porch and rear extensions or alterations to the rear outbuilding. I observe nothing which would lead me to question these matters.
9. The proposed two storey and first floor extensions would flank the existing dwelling. Their individual widths would comply with advice set out in the Council's Residential Extensions and Alterations SPD 2 (SPD). The proposed crown roof form would be set lower than the existing roof apex. When viewed from the front it would frame the existing roof form, thereby maintaining the dominance of this significant feature. It would also harmonise with roof forms of surrounding properties. The proposed fenestration would provide balance and would complement existing windows.
10. Although the set back of the proposed extensions from the existing front elevation would be less than advised in the SPD, the proposed sympathetic design, outlined above, would ensure that both elements would appear subservient to the main house. In this regard the proposal would achieve the objectives of the SPD guidance. As such, I find that the coherent design of the extensions would not result in disproportionate additions to, nor harm the character or appearance of the original property. Moreover, the resultant mass would not be at odds with other large forms which characterise the area.
11. In light of the foregoing, I find the proposal would be visually attractive as a result of good architecture and would not harm the character and appearance

of the area. It would in this respect accord with policy DMP 1 of the London Borough of Brent Local Plan Development Management and policy CP 17 of the London Borough of Brent Core Strategy which collectively state, amongst other matters, that development will be acceptable provided it is of a location, use, concentration, siting, layout, scale, type, density, materials, detailing and design that complements the locality, and protects the distinctive suburban character of Brent. The proposal would also generally comply with the advice set out in the SPD and the design policies of the Framework.

12. The officer's report references the London Plan 2021. However, no relevant policies have been identified and therefore this matter has not been determinative in this case.

Conditions

13. In addition to the statutory requirement time limiting the consent, a condition is necessary requiring that the development must accord with the approved plans in the interest of certainty. A condition controlling the materials to be used is also necessary to protect the character and appearance of the area. The Council has requested a condition requiring obscured glazing and limited opening for windows on the side elevation, which is necessary to protect the privacy of occupiers of the neighbouring properties. I have slightly altered the suggested condition, so it is more precise.
14. The officer's report also suggests a condition ensuring the outbuilding remains incidental to the dwelling. Such a condition is not necessary because if the building was used for other purposes to this, it is likely that a separate planning permission would be required. Accordingly, I have not imposed the suggested condition.

Conclusion and Recommendation

15. There are no material considerations that indicate the proposal should be determined other than in accordance with the development plan. For the reasons given above, I therefore recommend that the appeal should be allowed.

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and agree with the recommendation. The appeal is therefore allowed with the suggested conditions.

RC Kirby

INSPECTOR