

Appeal Decision

Site visit made on 10 January 2022

by David Fitzsimon MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 JANUARY 2022

Appeal Ref: APP/T5150/D/21/3283250

8 Mulgrave Road, Harrow HA1 3UF

- 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 & Mrs Patel against the decision of the Council of the London Borough of Brent.
 - The application Ref 2021/1860, dated 20 May 2021, was refused by notice dated 16 July 2021.
 - The development proposed is 'two storey side and rear extensions and loft conversion with rear dormer'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed extensions on the character and appearance of the host dwelling and the surrounding area.

Reasons

3. The appeal relates to a detached dwelling which sits within a row of similar properties. The proposal seeks to demolish a detached garage which sits broadly in line with and at the side of the host dwelling, running along the boundary with the neighbouring property to the south. This would be replaced with a two storey extension set off the side boundary by about 0.7metres. The extension would wrap around the rear, where it would span the full width of the host dwelling, projecting some 3 metres from the existing main rear elevation. A box dormer would occupy the full width of the crown roof of the rear two storey extension and a single storey element, spanning the full width of the widened dwelling, would project further into the garden.
4. The Council's adopted Supplementary Planning Document titled '*Residential Extensions and Alterations*' (SPD) explains that at first floor level, two storey side extensions should normally be set back 2.5 metres from the main front elevation of the host dwelling. It does explain, however, that the set back can be reduced to 1.5 metres when a gap of 1 metre to the side boundary is achieved.
5. The proposed two storey extension to the side would be less than two thirds of the width of the host dwelling as recommended by the SPD. It would be recessed at first floor level by 1.5 metres, it would have a lower ridge, continue the eaves line and match the roof slope of the host dwelling. The ground floor

element would sit in line with the main facade of the dwelling and this element would have a suitable mono-pitch roof. The fenestration arrangement would be appropriate and the external finish would match that of the host dwelling. Whilst I appreciate the proposed first floor element of the side extension would not be set off the boundary by the 1 metre recommended by the SPD, it would be well designed and it would appear proportionate and subservient to the host dwelling.

6. Furthermore, I consider that the 300mm shortfall in the gap to the side boundary would not be readily discernible when viewed from the street scene. My view is compounded by the fact that there would be over two and a half metres between the side of the proposed extension and the side of the neighbouring dwelling to the south. This would be an adequate level of separation and would avoid any terracing effect. For these reasons, I am satisfied that the two storey side element of the proposed extension is of an acceptable design and it would not harm the character or appearance of the host dwelling or the street scene within which it sits.
7. I have no particular issue with the fact that the two storey side extension would 'wrap around' the rear and full width of the dwelling, introducing a crown roof, because there is sufficient space to achieve this. At some 3 metres, the extent of rearward projection would not be particularly deep. Whilst the single storey element would project some 8 metres from the original back wall of the host dwelling at its furthest point, I note the SPG does not rule out such extensions. To my mind, neither the two storey nor single storey elements to the rear would be disproportionate to what is a reasonably sized detached dwelling set within a deep plot.
8. Notwithstanding this, I share the Council's concerns about the proposed dormer element included within the rear addition. Whilst the dormer would sit some 300mm below the crown and 500mm above the eaves as recommended by the SPD, a dormer of this width could only be facilitated by the proposed rear projection and this is not normally permitted according to this design guidance.
9. At some 5 metres wide, the box dormer would be substantial and it would occupy the full span of the crown element of the roof. As a result, the box dormer would be overly bulky and it would dominate the rear roof slope, appearing as a somewhat cumbersome and unsympathetic addition. The harmful visual effect would not be visible from the public domain. However it would be widely visible from the rear gardens of neighbouring dwellings, where it would appear prominent and out of character, given an absence of similar additions within the row from what I could see.
10. I am mindful that the proposal has generated no formal third party objections and there is no suggestion that it would unacceptably harm the living conditions of the occupiers of neighbouring dwellings. I also appreciate that it would not generate flood risk or highway safety issues and it would not pose a threat to any trees of amenity value. Nevertheless, these are neutral factors in the overall planning balance.
11. The Appellants have referred me to several other residential extensions within the Borough which include some similar rear dormers, explaining that these have been permitted under the same policy regime. I recognise that consistency of decision making is important in maintaining public confidence in

the planning system. Nevertheless, I am not familiar with the precise setting and context of the examples highlighted. In any event, I have considered the appeal proposal on its merits as I see it.

12. The Appellants point to the fact that the National Planning Policy Framework (NPPF) promotes sustainable development and the optimum use of sites, as indeed does the London Plan. However, the NPPF also explains that good design is a key aspect of sustainable development. As I have reasoned that the dormer element of the scheme does not amount to good design, it follows that it does not amount to sustainable development in the widest sense of the definition provided by the NPPF.
13. For the above reasons, I conclude that although the two storey side element is acceptable, the proposed roof dormer, which is an integral part of the overall scheme, would harm the character and appearance of the host dwelling and its immediate surroundings. In such terms, the proposal conflicts with the SPD and policy DMP1 of the adopted Brent Development Management Policies Development Plan Document, which promote high quality design that complements the locality.
14. The arguments advanced by the Appellants do not outweigh this harm and policy conflict therefore the appeal does not succeed.

David Fitzsimon

INSPECTOR