



Appeal Decision

Site visit made on 18 January 2022

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd February 2022

Appeal Ref: APP/T5150/W/21/3281035

98 Park Avenue North, London, NW10 1JY

- 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 Josh Green against the decision of the London Borough of Brent Council.
 - The application Ref 21/2269, dated 17 June 2021, was refused by notice dated 12 August 2021.
 - The development proposed is a two-storey side rear infill extension and first floor front infill extension, together with roof over, to enlarge existing flats 3, 7 and 10, and move bathroom of existing flat 8.
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Decision

1. The appeal is allowed and planning permission is granted for a two-storey side rear infill extension and first floor front infill extension, together with roof over, to enlarge existing flats 3, 7 and 10, and move bathroom of existing flat 8 at 98 Park Avenue North, London, NW10 1JY in accordance with the terms of the application, Ref 21/2269, dated 17 June 2021, 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: 2021.15-4LP; PAN.98.EX.01 rev A; PAN.98.EX.02; PAN.98.EX.03 rev A; PAN.98.PR.01 rev A; PAN.98.PR.02.rev A; and PAN.98.PR.03 rev A.
 - 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 building.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and the surrounding area.

Reasons

3. Park Avenue North is characterised by semi-detached dwellings, many of which have been significantly extended and altered over the years. A large number of the dwellings in the road have been extended up to the side boundary of their plots at single storey and in some cases, at two storey level.

4. The appeal site comprises a two storey semi-detached property that is now converted into flats. It already extends to the side boundary at two storey level, with the front elevation of this part of the property set back from the main front elevation of the building. The proposed front extension would be above an existing single storey element and would infill this gap such that the front elevation of the first floor extension would be flush with the main front wall of the property.
5. The Council's Supplementary Planning Document 2 - *Residential Extensions and Alterations (2018)* (SPD) provides detailed design guidance for different types of extensions and alterations. The SPD advises that a first floor side extension should be set back by 2.5 metres from the front wall of the house. This is to ensure that the extension is suitably subservient to the main house and to prevent the creation of a terracing effect between buildings. As stated above, the proposed first floor front extension would be flush with the main wall of the property and as such would be contrary to the above guidance.
6. However, in my view, there are other important considerations in this case. The adjoining property, 96 Park Avenue North, has already been extended to the side at two storey level and the front wall of that extension is flush with the main front elevation of the dwelling. The appeal proposal would match the appearance of the neighbouring property, resulting in a more balanced roof form and front elevation. As with the neighbouring dwelling, the existing two storey front bay with a small gable above would remain the main feature of the property. Whilst the Council advise that the extension to No 96 does not benefit from planning permission, it does appear to have been carried out several years ago and forms part of the established street scene and context to the site.
7. I consider that in balancing the appearance of the pair of semi-detached properties there would be some benefit to the character and appearance of the street scene. In addition, I noted on my site visit that many other dwellings along Park Avenue North have been extended in a similar manner. No 98 already extends to the side boundary of the site and the appeal proposal would not further reduce the visual gap between No 98 and No 100 which is currently derived from the space above the single storey side extension to No 100. The Council's concerns about the potential for a matching extension at No 100 to close the gap entirely would be a matter for the Council to consider if and when such an application was submitted.
8. I conclude that the proposal would not significantly affect or harm the character and appearance of the host property or the surrounding area. It therefore accords with Policy DMP1 of the Brent Development Management Policies (2016) which requires development to have a high level of internal and external amenity and complement the locality. Whilst the Council also refer to Policy BD1 of Brent's emerging Local Plan 2020 I have not been provided with a copy of this emerging policy and therefore I have not had regard to it.

Other matters

9. The Council confirm within their officer's report that the proposed two-storey side rear infill extension would be acceptable in terms of its appearance and in all other respects. I concur with this view.

Conditions

10. I impose a condition specifying the relevant plans to provide certainty. A condition requiring the use of matching materials is also necessary to protect the character and appearance of the building and the local area.

Conclusion

11. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

J Davis

INSPECTOR