
Appeal Decision

Site visit made on 26 January 2022

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3RD February 2022

Appeal Ref: APP/T5150/D/21/3286580

156 Doyle Gardens, London, NW10 3SS

- 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 Roy Van Grevenbroek against the decision of the London Borough of Brent Council.
 - The application Ref 21/2802, dated 19 July 2021, was refused by notice dated 14 September 2021.
 - The development proposed is first floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor rear extension at 156 Doyle Gardens, London, NW10 3SS in accordance with the terms of the application, Ref 21/2802, dated 19 July 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: KM156DG A0200 Floor Plans and Elevations As Existing; KM156DG A0220 Floor Plans and Elevations As Proposed; Unnumbered 2 to 1 evidence No 158 and No 154; and Unnumbered 2 to 1 evidence No 154.
 - 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 dwelling.

Reasons

3. The appeal property is a two storey semi-detached dwelling located in a road that comprises of dwellings of a similar character and appearance. The dwelling has previously been extended with a single storey flat roof extension to the rear and large side and rear dormers to the roof.

4. The proposed first floor rear extension would have a depth of 2.5m and a width of around 3.5m. The extension would have a flat roof such that the main roof of the existing dwelling would not be altered as a result of the proposal.
5. The Council refer to guidance contained within its Supplementary Planning Document 2 - *Residential Extensions and Alterations (2018)* (SPD). Whilst not forming part of the statutory development plan, the SPD gives useful guidance in respect of extensions and alterations. With regard to two storey rear extensions, the SPD advises that the design, shape and materials of the roof must match the original roof. It also acknowledges that it is often not possible to erect a two storey rear extension where there is an existing dormer window as this can result in an unacceptable design.
6. There are, however, several properties in the immediate vicinity and in the same row of dwellings as the appeal property that have existing flat roof extensions at first floor level. The appellant highlights that one such example at 150 Doyle Gardens was approved in 2016 under LPA ref. 16/0860. Whilst I acknowledge that the Council state that the nearby precedents appear to predate the current SPD guidance, these extensions nonetheless form part of the character of the area. Furthermore, the officer report provided in respect of the extension at No 150 suggests that similar design guidance (SPG5) was in place at the time that extension was granted planning permission.
7. In my view the appeal proposal, with a depth of 2.5m, would be modest in scale and would appear a subservient addition to the dwelling. The rear elevation of the dwelling would continue to be dominated by the large dormer extension. The proposed extension would sit comfortably at eaves height and its flat roof design would reflect that of the dormer above. Despite some conflict with the guidance within the SPD, on balance, I consider that due to the limited scale of the proposal, it would not detract significantly from the character and appearance of the dwelling.
8. This leads me to conclude that the proposal would not have a significant effect on the character and appearance of the host dwelling. Accordingly, it complies with Policy DMP1 of the Brent Local Plan Development Management Policies (2016) which requires development to have a high level of internal and external amenity and complement the locality.

Conditions

9. A condition requiring the use of matching materials is necessary to protect the character and appearance of the dwelling and the local area. I have also imposed a condition specifying the relevant plans to provide certainty.

Conclusion

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

J Davis

INSPECTOR