

Appeal Decision

Site visit made on 15 February 2022

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 March 2022

Appeal Ref: APP/T5150/D/21/3281129

15 Holly Grove, London, NW9 8QU

- 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 Mohammed Rahman against the decision of the Council of the London Borough of Brent.
 - The application Ref 21/1512, dated 20 April 2021, was refused by notice dated 21 June 2021.
 - The development proposed is the erection of a double storey side and rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was made in the name of Mr Mohammed Rahman. The appeal was lodged in the name of Mr Sahid Rahman. It has been confirmed that this name was given in mistake and that the appeal should proceed in the name of the original applicant.
3. Since the date of the decision the Council has adopted the *Brent Local Plan 2019-2041 February 2022* (BLP). The *Brent Development Management Policies Plan 2016* has been revoked and its Policy DMP1, as referred to in the Council's reasons for the refusal, is no longer relevant. The Council has advised that Policy DMP1 within the newly adopted BLP is now relevant and supports their decision. The appellant was invited to comment.

Main Issues

4. The main issues are the effect of the proposal on the character and appearance of the street scene and upon the living conditions at 17 Holly Grove, with particular regard to visual impact.

Reasons

Character and Appearance

5. The appeal property is a two-storey, semi-detached dwelling set within a wider residential area comprising broadly similar dwellings. Holly Grove is a short

cul-de-sac and is one of three parallel roads with semi-detached dwellings of similar types that are all arranged in a staggered, echelon pattern relative to their respective road frontages. Whilst some of the original hipped roofs have been altered to gable-ends on some dwellings, including the appeal property, there remains a pleasing uniformity to the layout and pattern of development in the immediate area, with noticeable gaps between each of the individual pairs. This is further emphasised by the significant step-change between their forward building lines.

6. The appeal property has an existing single-storey, flat roof side extension, which projects just beyond the rear elevation of the dwelling and which is wider to the rear, having a stepped side elevation that follows the dog-legged alignment of the plot's side boundary with No 17. The proposal would build above the single-storey side extension with a first-floor addition that would have a gable end and which would be recessed behind the front elevation of the property by 1.1m.
7. The Council's adopted *Residential Extensions & Alterations SPD 2 – Jan 2018* includes detailed guidance for two-storey side extensions. It advises that a set-in and/or set-back is required from the main front wall to ensure the extension is suitably subservient to the main house and to prevent the creation of a terracing effect between buildings. It goes on to advise that a first-floor extension should be set back 2.5m from the main front wall of the house but that a reduced set back of 1.5m may be permitted if a set in from the joint boundary of at least 1.0m can be achieved. Regarding the roof, it advises that the pitch angle and materials should match the main roof of the house, and that the ridgeline should be a minimum of 0.5m below the ridgeline of the original house to ensure that it appears suitably subservient.
8. In this case, the first floor of the extension would be recessed behind the dwelling's front elevation by 1.1m. This would fail to meet the 2.5m that is normally required by the SPD. It would also fail to meet the reduced distance of 1.5m that can be acceptable when a side extension is 1m away from the boundary. Moreover, according to a measurement given by the appellant, the side extension would also fall short by measuring just 0.85m distance from the side boundary with No 17. In addition, the ridgeline of the extension would be just 0.35m below the ridge to the main house, which is below the minimum of 0.5m contained within the guidance.
9. Whilst the proposal's shortcomings may individually be reasonably minor in relation to the guidance contained within the SPD, the accumulation of these failings would result in a side extension that would fail to display the degree of subservience required to enable it to relate comfortably to the scale and proportions of the original dwelling. It would also significantly reduce the gap at first floor level with No 17. Contrary to the appellant's view, in my assessment the extension would become increasingly evident when approaching the site from the west along Holly Grove, and not just in views directly in front of the appeal property. Oblique views that exist over the roof of the existing side extension and beyond to the rear of No 17 would be lost. The erosion of this gap would contribute towards a terracing effect that would be uncharacteristic of, and harmful to, the spacious quality of Holly Grove and the wider surrounding area. In this regard it would conflict with BLP Policy DMP1 by failing to complement the locality. There would also be conflict with

the National Planning Policy Framework's (the Framework) objectives for achieving well-designed places.

Living Conditions

10. Due to the staggered layout of properties along Holly Grove, the front elevation of No 15 approximately aligns with the rear elevation of No 17. The side extension would encroach to within 0.85m of the common boundary between both dwellings and, due to their relationship, would extend for its entire length beyond the rear of No 17.
11. The appellant argues that the existing two-storey flank wall of No 15 is as visible in the outlook and views from the rear of No 17 as the extension would be. I disagree. The extension would be around 3m closer and would project deeper at first floor. Due to its height, depth, and proximity, it would have an overbearing and intrusive impact when seen from the rear of the neighbouring property, both in the outlook from rear facing habitable room windows and from the garden. I accept that there would be no significant loss of daylight to No 17. I also accept that the existing single-storey outbuilding to the rear of No 17 may mitigate the visual impact of the extension to some degree and that the outlook and space to the front of No 17 would be unaffected. However, none of these factors alter the harmful effect the extension's visual dominance would have along the western boundary of the neighbour's rear garden. The failure of the proposed development to achieve a high level of amenity at No 17 means that there would be further conflict with BLP Policy DMP1 and the Framework's objectives for achieving well-designed places.

Conclusion

12. For the reasons given, I find that the proposed side extension would be harmful to the character and appearance of the street scene and to the living conditions at 17 Holly Grove. I recognise that the majority of those that were consulted at the planning application stage did not raise objections to the proposal. I am also mindful that the appellant sought pre-application advice from the Council and that they feel aggrieved by the decision to refuse planning permission. However, neither of these factors alter my findings as they relate to the planning merits of the case. Accordingly, and having regard to all other matters raised, the appeal is dismissed.

John D Allan

INSPECTOR