

Appeal Decision

Site visit made on 2 February 2022 by A Coombes

Decision by Zoe Raygen DipURP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 March 2022

Appeal Ref: APP/T5150/D/21/3287989

Site Address: 1 Park Close, London NW2 6RQ

- 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 Asif Chaudhary against the decision of London Borough of Brent Council.
 - The application Ref 21/2652, dated 9 July 2021, was refused by notice dated 7 September 2021.
 - The development proposed is first floor rear extension.
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Decision

1. The appeal is dismissed.

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.

Main Issues

3. The main issues are the effect of the proposed development on:
 - The character and appearance of the host dwelling and surrounding area; and
 - The living conditions of neighbouring occupants at 151 Dollis Hill Lane, with particular regard to outlook and light.

Reasons for the Recommendation

4. The appeal site is a detached dwelling with bay windows, finished in white render. The site shares a rear boundary with properties on Hill Close and a side boundary with properties on Dollis Hill Avenue. The surrounding area is predominantly residential, and Gladstone Park is located nearby. The application seeks permission for a first-floor rear extension, that would be situated on top of the existing ground floor rear extension.

Character and Appearance

5. There are examples of alterations and extensions on nearby properties, specifically dormer extensions. Though the properties are detached, and some have been extended at first floor level, there is a well-established building line at this level along Park Close. The building line is particularly apparent when viewed from the appeal site and is reinforced by the properties being on an

incline. Nearby properties have flat roof single-storey extensions and, by adding bulk above this level, the development would appear obtrusive and interrupt the building line. Although there would be limited views of the development from the public domain, it would be visible from neighbouring properties and the elevated position would exacerbate views of the development from properties on Dollis Hill Avenue.

6. The plans propose for the extension to be stepped in from the side elevation of the host dwelling. Although this would reduce the massing of the addition, it is not a design feature that is characteristic of this enclave of properties. As a result, the development would appear incongruous and disrupt the rhythm of development along Park Close. Both the Council and appellant state that the development would comply with certain design elements of Council guidelines on extensions particularly in relation to the length of the extension. However, these documents are provided as guidance and state that extensions may be acceptable in some circumstances. Consequently, regard must be given to site specific circumstances.
7. For the reasons given above, the development would be harmful to the character and appearance of the area. Notwithstanding compliance with aspects of the Brent Residential Extensions & Alterations SPD 2, adopted 2018, the development would fail to comply with Policy CP 17 of the London Borough of Brent Core Strategy (CS), adopted 2010, and Policy DMP 1 of the London Borough of Brent Local Plan Development Management Policies (DMP), adopted 2016. Together these Policies seek to resist inappropriate development that does not complement the locality in terms of siting, layout, and scale.

Living Conditions

8. The appeal site sits perpendicular to the properties on Dollis Hill Lane and the development would specifically be located alongside the boundary with 151 Dollis Hill Lane. Although the extension would be set back from the boundary, due to the elevated position of the appeal site, the development would be highly prominent from the neighbouring property and within the curtilage.
9. Cumulatively, with the existing outbuilding, the development would add bulk along the boundary and due to its height and width, it would have an unpleasantly enclosing and overbearing effect on the private garden of No 151. The Council has also noted that the development would be contrary to the 45-degree rule, as explained in the Brent Design Guide SPD 1, adopted 2018. This reinforces my concern regarding the materially harmful effect on the garden of No 151.
10. Although neighbouring occupants have raised concerns about how the development would impact sunlight, the appellant has provided a daylight and sunlight report. The report shows that a two-storey extension would have extremely minor effects on any of the surrounding properties in terms of a reduction in either daylight or sunlight. I have been provided with no substantive evidence to refute the findings of the report and therefore I see no reason to disagree.
11. I conclude for the reasons given above, although acceptable in some regards, the proposal would be harmful to the living conditions of neighbouring occupants at 151 Dollis Hill Lane, with particular regard to outlook. Therefore,

it would conflict with Policy DMP 1 of the DMP, which seeks to require that all development provides a high level of internal and external amenity.

Other Matters

12. It is acknowledged that the appellant wishes to extend the property to provide an additional bedroom for their extended family and this is given limited weight. However, this does not outweigh the harm to both character and appearance and living conditions that has been outlined above.

Conclusion and Recommendation

13. The proposal would not accord with the development plan when taken as a whole and there are no other considerations that outweigh this conflict. For the reasons given above, and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

A Coombes

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed

Zoe Raygen

INSPECTOR