



Appeal Decisions

Site visit made on 24 March 2022

by Katherine Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2022

Appeal A Ref: APP/T5150/W/21/3287322

138-140 (Flat 4) Warren Road, London NW2 7NJ

- 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 C Patel against the decision of London Borough of Brent.
 - The application Ref 21/3189, dated 26 August 2021, was refused by notice dated 26 October 2021.
 - The development proposed is erection of single storey rear extension to No 138 and first floor rear extension to 140 Warren Road (Flat 4).
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Appeal B Ref: APP/T5150/W/21/3287321

138-140 (Flat 4) Warren Road, London

- 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 C Patel against the decision of London Borough of Brent.
 - The application Ref 21/3188, dated 26 August 2021, was refused by notice dated 26 October 2021.
 - The development proposed is erection of single storey rear extension to No 138 and first floor rear extension with flat roof to No 138 and No 140 Warren Road (Flat 4).
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Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. As set out above there are two appeals on this site. Both proposals before me would comprise a first-floor extension to the existing single storey extension to rear of No 140 and a part two-storey part single storey extension to the rear of No 138. Appeal A would have a crown-style pitched roof and Appeal B would have a flat roof. That being the only difference between the two proposals. I have considered each proposal on its individual merits. However, as the main issues are the same and to avoid duplication, I have dealt with the two schemes together, except where otherwise indicated.
4. I note that there are discrepancies in the proposed plans for both appeals. These relate to the proposed side elevation (as viewed from 138 Warren Road) which for Appeal A does not show the existing dormer window or the hipped roof two-storey projection at 140 Warren Road and for Appeal B does not show the existing two-storey rear projection at 140 Warren Road. However, given the limited scale of the inconsistencies I do not consider that this prevents my assessment of the appeal schemes.

5. Since the appeal was submitted, the Brent Local Plan 2019-2041 (BLP) was adopted by the Council on 24 February 2022, and policies of the Core Strategy 2010 and Development Management Policies 2016 were superseded. The main parties were given the opportunity to make representations on any implications of the change in policy, and I am therefore satisfied that no party would be unfairly prejudiced by my determination of the appeal giving full weight to the policies of the BLP. I make no further reference to the now superseded parts of the development plan.

Main Issue

6. The main issue for both appeals is the effect of the proposed development on the character and appearance of the appeal properties and the surrounding area.

Reasons

7. The appeal site is on the end of Warren Road at the junction with Brook Road. The road and the surrounding streets are characterised by modest two storey terraces of consistent design with pitched roofs set on plots set back from the highway by short frontages with generally longer rear gardens. The uniformity of the houses contributes positively to the character and appearance of the area. The strong rear building line on the rear of the terraces further adds to the character of the locality. Where properties have been extended, they tend to be relatively modest single storey additions or dormer extensions on rear elevations.
8. 140 Warren Road forms the end of the terrace and has been previously extended to the side and rear. It has been converted into 5 flats. To the rear of the property is a brick-built substation building. The presence of this substantial building significantly curtails the garden of No 140.
9. No other property on Warren Road other than No 140 has a two-storey extension to the rear. In that respect neither proposal would be in-keeping with the prevailing character of the area, where the rear of the terraces maintains a strong building line at first floor level. The proposal would, however, be largely obscured from view by the substation, and to some extent a street tree adjacent to the site on Brook Road. It would nevertheless be visible from oblique angles on Brook Road and from within the rear gardens of properties within the block. The overall bulk of the proposal on the rear of the two properties when taken together would dominate the rear of the properties and consequently would appear incongruous and out of keeping with the rear of the terraces in the locality.
10. The Council's Residential Extensions and Alterations Supplementary Planning Document (2018) (SPD) advises that the design, shape and materials of the roof of an extension should match the original roof. Neither a flat roof nor a crown-style pitched roof would match the original pitched roof of the property and in that respect the proposal would not adhere to the guidance in the SPD. Moreover, the flat roof on Appeal B would not relate well to the eaves of the hipped roof on No 140 or the eaves of No 138 and would therefore adversely affect the appearance of the host properties. Both proposals therefore represent a form of development which would not complement the locality in terms of their design. The design of the roof in Appeal A in particular, would highlight the dominance and incongruity of the extension.

11. For the reason given above, both proposals would cause harm to the character and appearance of the appeal properties and the surrounding area and would therefore be contrary to BLP Policy DMP1 which seeks to ensure that new development in the borough complements the locality. Both appeals would also be contrary to the advice in the SPD with respect to roof design.

Other Matters

12. I acknowledge that the proposals would result in enlarged accommodation which would benefit the occupants of both No 138 and flat 4 at No 140. The proposal would also not result in an additional residential unit which would create added demands on facilities in the area. Nor would it have any adverse impact on the amenity of neighbouring occupiers. However, these matters do not outweigh the harm that I have found on the main issue.

Conclusion

13. For the reasons set out above, having had regard to the development plan as a whole and all other material considerations, I conclude that both appeals should be dismissed.

Katherine Robbie

INSPECTOR