



Appeal Decision

Site visit made on 22 August 2022

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 September 2022

Appeal Ref: APP/T5150/D/22/3299130 17 The Ridgeway, Harrow, HA3 0LJ

- 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 Hirani against the decision of the Council of the London Borough of Brent.
 - The application Ref 22/0006, dated 3 January 2022, was refused by notice dated 25 February 2022.
 - The development proposed is demolition of side garage and rear bin enclosure and erection of 2 x two-storey side extensions to both sides of dwelling with relocated front entrance and new front porch, part single-storey and two-storey rear extension with extended rear patio, 2 No rear dormers, and installation of 6 x roof lights to dwellinghouse.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of side garage and rear bin enclosure and erection of 2 x two-storey side extensions to both sides of dwelling with relocated front entrance and new front porch, part single-storey and two-storey rear extension with extended rear patio, 2 No rear dormers, and installation of 6 x roof lights to dwellinghouse at 17 The Ridgeway, Harrow, HA3 0LJ in accordance with the terms of the application, Ref 22/0006, dated 3 January 2022, 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: Drg Nos 1366-001-PL Rev A, 1366-002-PL Rev A, 1366-003-PL Rev A, 1366-004-PL Rev A, 1366-005-PL Rev A, 1366-006-PL Rev C, 1366-007-PL Rev C, 1366-008-PL Rev C, 1366-009-PL Rev C, and 1366-010-PL Rev C.
 - 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.
 - 4) The upper-floor windows located on the flank wall and roof slope forming the side elevation of the building facing 15 The Ridgeway shall be: — obscure-glazed; non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and in the case of the first-floor window, only able to be opened inwards.

Procedural Matter

2. Since the date of the decision the Council has adopted the *Brent Local Plan 2019-2014* (LP) in February 2022. The *Brent Core Strategy 2010* and the *Brent Development Management Policies Plan 2016* have both been revoked and their respective Policies CP17 and DMP1, as referred to in the Council's decision, are no longer relevant. The Council has forwarded a copy of Policy DMP1 from the new LP in support of their decision, which confirms that its wording is broadly the same as the former Policy DMP1. I have considered the appeal having regard to the up-to-date development plan.

Background and Main Issue

3. The appeal proposal contains a number of elements. Planning permission (Ref 22/1074) was granted on 13 May 2022 for development identical to the current appeal proposal with the sole exception of a side dormer window to the roof of the two-storey side extension and facing 15 The Ridgeway. The main issue therefore is the effect of the side dormer window on the character and appearance of 17 The Ridgeway and the wider street scene.

Reasons

4. The Council's *Residential Extensions & Alterations Supplementary Planning Document 2* (SPD) advises that side dormers will only be allowed if well designed and where the dormer does not compromise the building's or the street's character, or the neighbour's privacy. It goes on to require dormers to be set down from the ridge by at least 0.3m and up from the eaves line by at least 0.5m.
5. The proposed side dormer would be of traditional design, with a gabled roof and materials to match the main roof. It would be set down from the ridge and up from the eaves of the side extension's roof to comply with the requirements of the SPD. It would also be set away from the sides such that it would appear well contained and proportionate to the size of the roof overall. Furthermore, the dormer would be recessed deeply behind the dwelling's front elevation and would not appear as a prominent or bulky addition to the area, which comprises a mix of dwelling types and sizes with no important sense of uniformity or rhythm to the street scene. Neither is there any symmetry to the existing dwelling that would be harmed. The SPD does not discount the possibility of a side dormer and in this case, I am satisfied that it would display the quality of design that is required by LP Policy DMP1 in order to complement the locality.

Other matters

6. I have carefully considered the concerns expressed by the neighbouring occupiers at No 15. Subject to appropriate control of the glazing to be used, which could be achieved by condition, the proposed side dormer would not add significantly to any real or perceived overlooking of the neighbours' property beyond that already approved. There is no substantive evidence to suggest that the dormer window would affect levels of light to the neighbouring property. I note that the Council raised no concern with regard to these specific issues.

Conditions

7. A condition specifying the relevant plans is necessary as this provides certainty. In the interests of maintaining the character and appearance of the area a condition is required to ensure that the proposal is finished with materials that would match the existing.
8. To safeguard the amenities of the neighbouring occupiers a condition is required to control the glazing to be used in the flank windows of the two-storey side extension.
9. The neighbours have raised concern over use of the property other than as a single-family dwelling. However, there is no evidence before me to suggest that the property would be used in this manner, or that exceptional circumstances exist for me to consider withdrawing any permitted development rights that may be associated with that use.

Conclusion

10. For the reasons given, I am satisfied that there would be no harm to the character or appearance of 17 The Ridgeway or the street scene. Accordingly, and in the absence of any other conflict with the development plan, the appeal is allowed.

John D Allan

INSPECTOR