



Appeal Decision

Site visit made on 19 December 2022

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 January 2023

Appeal Ref: APP/T5150/D/22/3307287

71 Grasmere Avenue, Wembley, Brent HA9 8TF

- 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 Ms Daad against the decision of the Council of the London Borough of Brent.
 - The application Ref 22/1727, dated 11 May 2022, was refused by notice dated 14 July 2022.
 - The development proposed is a 6 metre single storey extension.
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Decision

1. The appeal is allowed and planning permission is granted for a 6 metre single storey extension at 71 Grasmere Avenue, Wembley, Brent HA9 8TF in accordance with the terms of the application, Ref 22/1727, dated 11 May 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: location plan at 1:1250 scale, and drawing nos. AR-011 Rev 01 and AR-111 Rev 02.
 - 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 proposed development on the living conditions of adjacent occupiers, with particular regard to outlook and the availability of daylight and sunlight.

Reasons

3. The Brent Residential Extensions and Alterations Supplementary Planning Document 2 (Jan 2018) ('SPD') advises that, in order to protect neighbouring residential amenity, a single storey rear extension on a terraced property should normally be a maximum of 3 metres deep, but that up to 6 metres may be acceptable provided that for every additional metre beyond 3 metres, it is set in an additional metre from the boundary.
4. The host comprises a mid-terrace two storey property. Neither adjoining property ('No 69' and 'No 73') has been extended to the rear.

5. The proposed extension would span the width of this narrow plot up to the side boundaries, and it would project 6 metres to the rear, thus contrary to the advice in the SPD. However, it would have a flat roof, which would be just 3 metres high, and consequently only the upper section of its side walls would be taller than the existing timber boundary fences. Moreover, according to drawing no. AR-111 Rev 02, it would have a light-coloured, rendered finish to match the host, which would help to lessen its perceived mass.
6. I observed that the ground floor part of No 73 closest to the site contains a door and side window, and that its main outlook is from patio doors which are further from the boundary. The closest ground floor rear window at No 69 is also set in slightly from the boundary, and the outlook from there is mainly into an enclosed timber and plastic lean-to.
7. Whilst the proposed extension would be visible to the side from No 69 and from No 73, the principal outlook from their windows and their adjacent outdoor spaces, is down those properties' own rear gardens. Given its limited height and its finish, the scheme would not have a harmfully overbearing impact on those occupiers.
8. I have little evidence before me regarding the scheme's impact on the availability of light in the adjacent properties, although I note that the occupants of No 69 state that they currently need to have their lights turned on during the day. Be that as it may, having regard to those properties' south-westerly aspects and the sun's trajectory, the existing fences, and the extension's limited height and its finish, I am not persuaded that the scheme would make the availability of daylight or sunlight materially worse.
9. For the above reasons, whilst the scheme would not comply with the advice in the SPD, it would not impact the living conditions at No 69 and No 73 to a harmful degree. In reaching that conclusion, I have also considered the context of this area where, as illustrated by the location plan and satellite images, and as confirmed on my visit, a number of terraced properties in Grasmere Avenue have large single storey rear projections.
10. The scheme would not therefore conflict with those parts of Brent Local Plan 2019 - 2041 (2022) Policy DMP1 which, amongst other things, sets out that development will be acceptable if it provides high levels of amenity having regard to its impact on neighbouring occupiers.
11. Turning to the matter of conditions, the standard time limit is necessary, as is, in the interests of certainty, a condition requiring that the development be carried out in accordance with the approved plans. In the interests of good design, I have also imposed a matching materials condition.
12. The Council has suggested a further condition requiring that no roof access shall be provided and that the roof shall not be used as an outdoor amenity area. However, given the details of the scheme and my condition requiring that the development be carried out in accordance with the approved plans, that is unnecessary. For these reasons, and having regard to all other matters raised, the appeal is allowed.

Chris Couper

INSPECTOR