



Appeal Decision

Site visit made on 29 November 2022

by D Barlow BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2023

Appeal Ref: APP/T5150/W/22/3291019
77B, Burrows Road, London, NW10 5SJ

- 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 Newman against the decision of the Council of the London Borough of Brent.
 - The application Ref 21/3789 dated 8 October 2021 was refused by notice dated 9 December 2021.
 - The development proposed is hipped roof to full gable roof extension, dormer extension to the rear of the main roofslope, pod extension and roof terrace over the outrigger building; and installation of 3no. rooflights into the front roofslope.
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Decision

1. The appeal is allowed and planning permission is granted for a hipped roof to gable roof extension, dormer extension to the rear of main roofslope, pod extension and roof terrace over the outrigger building; and installation of 3no. rooflights into the front roofslope at 77B Burrows Road, London NW10 5SJ, in accordance with the terms of the application, Ref 21/3789, dated 8 October 2021, subject to the following conditions:
 1. The development hereby permitted shall begin no later than 3 years from the date of this decision.
 2. The external materials to be used in the construction of the extension hereby permitted shall match those used on the existing dwelling.
 3. The development hereby permitted shall be carried out in accordance with the following approved plans: BR.OB.01; BR.PP.01-04; BR.PE.01-03; BR.PS.01; BR.3D.01.
 4. Prior to the first use of the roof terrace, the privacy screen shall be installed in accordance with the approved plans and shall be retained thereafter.

Procedural Note

2. During the course of the appeal the Council submitted conditions it would wish to impose in the event the appeal was allowed. I also sought clarification in relation to Drawing BR.PE.03, where a reference to 93 Burrows Road appeared on the drawing in error. The appellant indicated that this was the case and I have therefore determined the appeal on the basis of the corrected drawing.

Main Issue

3. The main issue is the effect of the proposed development, and particularly the design of the roof extensions and roof terrace on the character and appearance of the area.

Reasons

4. The host property is an end terraced house in an attractive street of similar architectural styles consisting mainly of exposed and painted brick, set behind small enclosed front gardens. Whilst on my site visit, I noted several rear and roof extensions in this street and surrounding vicinity, not all of which were set down from the ridge.
5. The Council has no objection to the proposed hip to gable extension and having regard to the presence of such features in the street scene, I have no reason to reach a contrary view.
6. Although the new dormer would extend across much of the rear roof, its scale would be partially screened by the new gable proposed. Moreover, its location on the rear of the property and the tight knit development nearby would ensure that it would not be prominent in the street scene. The new pod would be of a modest size and scale, as would the new roof terrace. Whilst screening around the roof terrace would draw attention to its presence, these aspects of the proposal would not be dissimilar to others existing in the vicinity and the overall design would be attractive and not be a dominating feature.
7. I therefore conclude that the proposed development would respect the character and appearance of the area in accordance with Policy DMP1 of the London Borough of Brent Local Plan (Adopted February 2022) which states that well designed and detailed development that complements the area will be approved. Although the height of the dormer would conflict with the guidance of SPD2 of the Residential Extensions and Alterations Document (January 2018) there would be no conflict in terms of its purpose which seeks to protect the character and appearance of the area.

Other Matters

8. I note the concerns of a third party objector with regards to loss of light, privacy and potential noise pollution. As a result of the positioning of the existing first floor rear windows the proposed extension would not lead to an unacceptable effect on neighbours' living conditions in terms of light. Any overlooking from the proposal would be similar to what already exists and which is largely to be expected in a built up situation such as this. In addition, the height of the screen fence around the roof garden has been designed to ensure that the privacy of nearby occupiers would be protected. With regards to noise pollution, the relatively small terrace would provide space to sit out but not to entertain a large number of people and the noise would be little different to what would be reasonable in a back garden. These matters do not alter the conclusion I have reached. It is noteworthy that the Council raised no concern in these regards.

Conditions

9. I have assessed the conditions provided by the Council with regard to the advice provided in the National Planning Policy Framework and the Planning Practice Guidance.
10. Condition 1 is necessary to comply with the Planning Act 1990; Condition 2 to ensure the development is carried out in accordance with the approved drawings; Condition 3 to protect the character and appearance of the area and Condition 4 is necessary to protect the privacy of neighbouring occupiers.

Conclusion

11. For the reasons given and having regard to all other considerations, I conclude that the appeal should succeed.

D Barlow

INSPECTOR