The Planning Inspectorate

# Appeal Decision

Site visit made on 25 January 2023

**by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC**

**an Inspector appointed by the Secretary of State**

**Decision date: 21st February 2023**

**Appeal Ref: APP/T5150/D/22/3310563**
**59 Amery Road, Brent, Harrow HA1 3UH**

- 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 Aliza Manzoor against the decision of Brent Council.
- The application Ref 22/2639, dated 25 July 2022, was refused by notice dated 20 September 2022.
- The development proposed is described as a loft conversion with a rear dormer, a side dormer and four skylights.

## Decision

1. The appeal is dismissed insofar as it relates to the side dormer window and associated skylight.

2. The appeal is allowed insofar as it relates to the rear dormer window and three skylights and planning permission is granted for a rear dormer window and three skylights to the existing roof at 59 Amery Road, Brent, Harrow HA1 3UH in accordance with the terms of the application, Ref 22/2639, dated 25 July 2022, so far as relevant to that part of the development hereby permitted and subject to the following conditions:

   1) The proposed rear dormer window and three skylights to the existing roof hereby permitted shall begin not later than three [3] years from the date of this decision.

   2) The proposed rear dormer window and three skylights shall be constructed in accordance with approved plans:

   - 'Loft Plan,' DWG NO. A104 - A204, Date July 2022;
   - 'Roof Plan,' DWG NO. A105 + A205, Date July 2022;
   - 'Rear Elevation,' DWG NO. A109 + A209, Date July 2022;
   - 'Side Elevation 1,' DWG NO. A110 + A210, Date July 2022;
   - 'Side Elevation 2,' DWG NO. A111 + A211, Date July 2022;

   3) The materials to be used in the external surfaces of the rear dormer window shall match those used in the existing building.

## Preliminary Matter

3. The Council in their Planning Officer Report state that the rear dormer window and three skylights to the existing roof would be appropriate and in accordance with the Development Plan Policies. I have no reason to dispute this opinion, and given that these elements are both functionally and physically severable

from the side roof dormer, a split decision is considered a suitable outcome. Given the only matter in dispute refers to the side dormer window, this will be the focus of this letter.

**Main Issue**

4. The main issue is the effect of the proposed side dormer window upon the existing building and the character and appearance of the locality.

**Reasons**

5. The appeal site is located along Amery Road, which forms a number of streets in the locality that contains formally laid out speculative housing which appears to date from the early to mid-twentieth century. The local area contains predominantly detached dwellings which follow the curvature of Amery Road and have a symmetry in their placement with a consistent building line and setback with front gardens and low boundary walls with some dwellings having small hedges behind. There are also visual gaps between properties where glimpses to the tops of trees in rear gardens are experienced from the street and is a positive characteristic of the area alongside street trees, small grass verges between the pavement and road and vegetated front gardens.

6. On my site visit I noticed very similar design and size characteristics with the dwellings being two storeys tall with main hipped roof and smaller forward protrusion with large canted and bow windows which have a hipped roof that projects over the canted bay window. Materials are also similar between dwellings with brown brick, brown concrete roof tiles, large side chimney stacks and hipped roof forms which embodies a quasi-arts and crafts appearance. Whilst there is relatively little evidence of dormer roof extensions to dwellings, where roof dormers are present, these are confined to the rear and located on dwellings towards the junction with Mulgrave Road.

7. The appeal site is one of the characteristic detached dwellings and comprises of a main two storey component with hipped roof and characteristic chimney stack to the side of the dwelling. The dwelling is also constructed from brown brick and has a two storey protruding canted bay window with smaller hipped roof overhanging. The dwelling has also had a two storey side extension with a lower ridge, with extensions being subservient and allowing the building to reflect the positive qualities that influence the local distinctiveness and character of the locality.

8. In undertaking extensions to the roofs of buildings, the London Borough of Brent Local Plan 2019-2041 (LP) Policy DMP1 seeks to ensure that alterations and additions achieve good design and reflect local characteristics, and is supported by the Residential Extensions and Alterations Supplementary Planning Document 2 (SPD).

9. The SPD seeks that dormer windows are modest in size, subservient and setback from the ridge, sides and eaves of the roof plane and reflect the characteristics of the locality. Whilst the side dormer maintains a setback from the ridge, sides and eaves of the roof, the box dormer is large and with the flat roof creates a large amount of visual massing and bulk to the side roof plane which adds clutter to the rather functional design of the building. Whilst I agree with the appellant that the absence of other examples does not render an extension inappropriate and that the merits of a design influence

appropriateness; the proposed side dormer would not be a harmonious alterations that would contribute to the existing design in a positive way and would additionally seek to remove positive qualities of the street scene such as the existing chimney stack. The proposed dormer window would not be seen as a subservient addition and would not be made in accordance with the SPD which seeks that dormer windows are modest in size and reflect the positive characteristics of the street. This would not be the case in this proposal; the proposed side roof dormer would add additional clutter to the roof plane, introduce a dominant bulk and visual mass to the existing building and would not reinforce the positive qualities of local character and distinctiveness to the building or of the locality.

10. Taken as a whole, and in conclusion of this matter, the proposed rear dormer would cause unacceptable detriment towards the architectural authenticity and integrity of the existing building and the character and appearance of the surrounding locality. Consequently, the proposal would be contrary to the LP Policy DMP1, which is supported by the SPD as described previously.

**Conclusion and Conditions**

11. For the reasons given above, I conclude that the appeal should succeed in relation to the rear dormer window and the 3 roof lights to the existing roof. However, in relation to the side dormer window and associated skylight, the appeal should be dismissed.

12. In respect of the rear extension and 3 skylights to the existing roof, it is necessary to have the standard conditions of the standard time limit for the avoidance of doubt; and the extension to be constructed in accordance with the approved plans is also necessary as this provides certainty to the scheme which has been approved. A matching materials condition is required in order to be appropriate to the existing building and the character and appearance of the locality.

*J Somers*
INSPECTOR