



Appeal Decision

Site visit made on 18 January 2023

by J Wellstead BA(Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 March 2023

Appeal Ref: APP/T5150/W/22/3304181

38A, First Floor Flat, Palermo Road, Brent, London NW10 5YP

- 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 & Mrs Ben Hoy & Jo Hoy-Slot against the decision of London Borough of Brent.
 - The application Ref 22/1303, dated 7 April 2022, was refused by notice dated 23 June 2022.
 - The development proposed is a loft conversion including an L shaped dormer, 2x skylights on the front slope roof and 3x skylights on the flat roofs.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue in this appeal are the effects of the proposed development on the character and appearance of the building and the surrounding area.

Reasons

Character and appearance

3. The appeal property comprises the first floor of a subdivided, two-storey mid-terraced dwelling with a two-storey rear outrigger within a predominantly residential area. The pattern of development in the immediate urban area is uniform in terms of layout, following clearly defined building lines, and the roofscape within the area is principally pitched in style, with a rhythm and form which remains largely intact.
4. The rear of the appeal property is largely unaltered, with the existing roof contributing towards the predominant uniformity of the pitched roofscape of neighbouring dwellings.
5. The proposed dormer would cover the majority of the width of the rear roofscape of the appeal property and also project onto the roof of the rear outrigger. It would significantly alter the existing roofscape and be an overly intensive bulky form of development that would be an incongruous addition to the host site and at odds with the prevailing character of the area.
6. The prevailing roofscape along Palermo Road is comprised of pitched roofs, with a small number of exceptions including numbers 24, 26B, 60 and 62 Palermo Road. Although No.38A has similarities in design to the examples referred to above, the extension at No.26 was granted planning permission

under a different policy framework, and No.24, No.60 and No.62 were granted planning permission by the GPDO. In any case, these are isolated examples in the context of the street, and the presence of these examples does not amount to a precedent in favour of the appeal scheme or justify the proposal's harmful impact on the character and appearance of the building or the area.

7. Although harm would be localised given the position of the dormer to the rear of the property and it would be visible in the street scene, it would still be visible from adjacent properties and also the trainline.
8. I recognise that the proposed alterations and extensions to the roof could make more efficient use of the existing building. However, paragraphs 124 and 130 of the National Planning Policy Framework (The Framework) are clear that making efficient use of land should be sympathetic to local character.
9. I therefore consider that the proposed hip to gable extension would unduly interrupt the otherwise uniform roofscape, introducing an incongruous and obtrusive feature to the host property and conflicting with the character and appearance of the immediate and wider area.
10. Overall, I conclude that the proposal would fail to preserve the character and appearance of the host property and the surrounding area. The proposal conflicts with Policy DMP1 of the Brent Local Plan 2019-2041, SPD2: Residential Extensions & Alterations 2018, and Chapter 12: Achieving well-designed places of The Framework. Policy DMP1 requires new development to be of a scale and design that complements the locality. SPD2 includes detailed guidance on rear dormer windows, and states that dormers that project onto or over a rear projection will not normally be permitted. Chapter 12 of The Framework seeks development that is sympathetic to local character and the surrounding built environment. The proposal would also fail to accord with the aims of the Framework in ensuring new development is sympathetic to local character.

Other Matters

11. Although other examples of similar developments have been granted planning permission through Permitted Development Rights, those Regulations are different to the Development Plan process and so despite their visual similarity different conclusions can be drawn.
12. I acknowledge that the Council did not raise any objection to the proposed skylights which they state are appropriate in size and position, and I have no reason to disagree with this finding. However, this consideration does not outweigh the harm I have identified to the character and appearance of the host property and the area.
13. Although no neighbours' concerns have been raised regarding this proposal, the absence of objection does not in itself render the scheme acceptable.

Conclusion

14. For the reasons given, I conclude that the development conflicts with the development plan, read as a whole. No material considerations have been shown to carry sufficient weight to warrant a decision otherwise than in accordance with it. Therefore, the appeal is dismissed.

J Wellstead

INSPECTOR