



Appeal Decision

Site visit made on 24 August 2023

by R Lawrence MRTPI, BSc (hons), PGDip (TP)

an Inspector appointed by the Secretary of State

Decision date: 8 September 2023

Appeal Ref: APP/T5150/D/23/3321564

68 Tennyson Road, Brent, London NW6 7SB

- 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 Aurian De Terschueren against the decision of the Council of the London Borough of Brent.
 - The application Ref 22/4273, dated 18 December 2022, was refused by notice dated 13 February 2023.
 - The development proposed is a loft extension.
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Decision

1. The appeal is allowed and planning permission is granted for a loft extension at 68 Tennyson Road, Brent, London NW6 7SB in accordance with the terms of the application, Ref 22/4273, dated 18 December 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three 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, A-P-000 PA2 (Site Plan), LDC-005 Loft Floor Plan (proposed), LDC-006 Rev PA2 – Roof Plan (proposed), LDC-007-Rev PA2 Rear Elevation (proposed) and LDC – 008 Rev PA2 Section AA (proposed), LDC-001 PA2 Loft Floor Plan (existing), LDC-002 PA2 Roof Floor Plan (existing), LDC-003 PA2 Rear Elevation (existing) and LDC-004 PA2 Section AA BB (existing).

Preliminary Matters

2. The description of development on the planning application form omits reference to a rear timber roof terrace with balustrade. Notwithstanding this, it is clearly shown on the submitted plans and I have therefore considered the appeal on this basis.
3. The reason for refusal on the Council's decision notice makes reference to the Supplementary Planning Document SPD2 Residential Extensions and Alterations dated 2017 (SPD). I have been supplied with a copy of this document; however, it is dated 2018. I have considered the appeal on this basis.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host property and area.

Reasons

5. The appeal property comprises a two-storey mid terrace property with an existing dormer on the rear roof slope. The surrounding area is characterised by similar two-storey properties, many of which have had roof extensions and alterations of varying forms. The appeal proposal involves adding a further dormer over the existing rear two storey projection. Whilst I note that dormers and roof alterations are common features in the area, this is not the case to the same extent for extensions and dormers over existing rear projections. Nonetheless, given the varied nature of the roofscape in the area, the proposed dormer, including in terms of the bulk it would add to the building, would appear in keeping when viewed amongst the rear elevations and roofscapes of surrounding terraced properties.
6. The rear roof slope and upper floors are visible from public views to the rear of the property from Paddington Old Cemetery (the Cemetery) which lies within an immediately adjacent Conservation Area. However, having regard to my above comments, I find that the proposed development would blend in with the varied roofscape around it and therefore, would not materially detract from the character and appearance of the area, nor harm the setting or significance of the adjacent Conservation Area.
7. In reaching the above findings, I have also taken into account that railings/balustrades at roof level are a common feature in the area. As such, I consider that the proposed balustrade would blend in with its surroundings. The nature of the roof terrace would allow views through, and as such would not unduly add to the overall bulk and scale of the development. I have also taken into account that the guidance in the SPD indicates that dormers that project onto or over a rear projection (whether it is original or an extension to the house) will not normally be permitted. In that respect, the SPD seeks to add further guidance for development to assist the relevant design policies by identifying circumstances where unacceptable impacts would normally occur. However, in this case, having assessed the appeal scheme on its own merits relative to its surroundings I am satisfied that no unacceptable impacts or harm would arise from such a proposal in this particular location.
8. Having regard to all of the above, I conclude that the proposed development would not harm the character and appearance of the host property or the area. The proposal therefore accords with Policy D3 of the London Plan (2021), Policies DMP1 and BD1 of the Brent Local Plan (2019-2041). The policies, when taken together and insofar as relevant to the proposal, seek to ensure development is of a high-quality design which protects the character and appearance of the area.

Other Matters

9. I note that whilst the Council's delegated officer report raises some concerns in respect of the effect on privacy of neighbouring occupiers, the Council did not find sufficient harm such to justify a reason for refusal. From my own observations I note that there is a high degree of intervisibility between properties and their gardens/terraces at present. I, therefore, have no reason to take a different view to the Council and find that the impact upon the living conditions of occupiers of neighbouring properties, with particular regard to matters of privacy and outlook, would be acceptable.

Conditions

10. The Council has suggested a number of conditions in the event of my allowing the appeal, I have considered these in accordance with the National Planning Policy Framework and Planning Practice Guidance. A plan numbers condition together with a condition to limit the timeframe for implementation are required in the interests of certainty.
11. The Council has indicated that a matching materials condition would be required, however, as the proposed materials are different to those on the existing building, and are clearly labelled on the submitted plans, I consider that a matching materials condition is not justified.

Conclusion

12. For the reasons given above, and having regard to all other matters, I conclude that the appeal should be allowed, subject to conditions.

R. Lawrence

INSPECTOR