



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/23/3322567

8 Rainham Road, Brent, LONDON NW10 5DR

- 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 Henry Fox against the decision of the London Borough of Brent.
 - The application Ref 23/0287, dated 26 January 2023, was refused by notice dated 23 March 2023.
 - The development proposed is "Loft extension over outrigger section following dormer conversion previously carried out under PD".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposed development on the planning application form differs from that set out on the Council's decision notice. The description on the planning application form omits reference to window alterations on the existing rear dormer. Nonetheless, these elements are clearly shown on the submitted plans, I have therefore considered the appeal on this basis and have used the description of development on the application form.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character and appearance of the host property and the area.

Reasons

4. The appeal site is a mid-terrace property located in a residential area. The appeal property is not listed and does not lie in a Conservation Area. Roof extensions and alterations are common features of the area, albeit the form of these is varied. Two-storey rear projections, referred to as "outriggers" by the parties, are also common features.
5. The appeal property has already been extended at roof level with a dormer, the appeal scheme would involve a further loft extension which would extend over part of the building's existing flat roofed outrigger. Whilst the extension would be significantly set back from the rear wall of the outrigger, the projection at roof level would nonetheless add a bulky extension and multiple dormer style loft extensions, set at different levels, resulting in an awkward visual relationship. The use of sloped side elevations to the extension would slightly minimise its size, however, not to the extent that a bulky appearance would be avoided. The loft extension would further obscure the original roof form

compared with the existing position, including the rear roof slope and the majority of the eaves; thereby resulting in a top-heavy appearance to the property. This would result in the proposal having an incompatible visual relationship that would harmfully erode the character of the host property as a two-storey property.

6. Although there is a variety of roof extensions in the area, both parties recognise that there are no comparable developments in the immediate surrounding area. The majority of other roof extensions are to the main roof or in the form of terraces on top of projecting rear outriggers. In the wider area, there are some examples of tiered/L shape roof extensions, including the recent approval of an L-shaped dormer at No 11 Rainham Road on the opposite side of the street, and those existing on the rear elevations and roofscapes of some properties in Wakeman Road and Bayford Road, close by that the appellant has drawn to my attention. However, those examples are very much in the minority rather than being characteristic of the area. Furthermore, the examples cited are not visible in the same views as the rear roof-slope of the appeal property. As such, the examples do not set a precedent for a proposal that I consider would harmfully erode the character of the host property and would be at odds with its immediate surroundings.
7. I accept that the proposal would not be visible from the public realm, however, the proposal would be visible within many private views, including from neighbouring gardens and properties. The effect on private views, although not public, adds to the significance of the harm identified.
8. The proposal also involves window alterations to the existing dormer. The Council has raised no objection to these alterations and I find no reason to disagree. This does not however, overcome the harm I have identified in respect of the loft extension.
9. Guidance in the Residential Extensions & Alterations SPD 2 (January 2018) indicates that dormers 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. The proposed development does not accord with the guidance and having considered it on its individual merits, unacceptable harm would arise from such a proposal in this particular location.
10. Having regard to all of the above, I conclude that the proposed development would harm the character and appearance of the host property and the area. The proposal, therefore, conflicts with Policies DMP1 and BD1 of the Brent Local Plan 2019-2041 and Policy D3 of the London Plan. The policies when taken together, and amongst other things, 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

11. The appellant has provided evidence seeking to demonstrate the acceptability of the scheme in respect of the living conditions of neighbouring properties, in response to alleged harm set out in the delegated officer report. Even if I were to accept the appellant's position in respect of living conditions, this would not

alter the outcome of the appeal given the harm and the conflict with the development plan that I have identified in terms of character and appearance.

12. Reference is made to a potential fall-back position for a smaller loft extension. The fall-back referenced only includes very limited evidence as to the form or appearance that the development might take and appears to be theoretical in nature. I also note that the fall-back scheme would appear to be of a reduced volume compared to the appeal proposal and it is unclear how comparable to the appeal scheme the fall-back position might be. Given these factors, I have only attached very limited weight to the possibility of a fall-back position, and this does not override the identified conflicts with the development plan.
13. Whilst I note the lack of objections from neighbours and local residents' groups, this does not justify the harm I have identified.

Conclusion

14. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

R. Lawrence

INSPECTOR