



Appeal Decision

Site visit made on 24 August 2023

by S Pearce BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th November 2023

Appeal Ref: APP/T5150/W/22/3313805

178-178A Ealing Road, Wembley HA0 4QD

- 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 Krishna Nadaraja against the decision of the Council of the London Borough of Brent.
 - The application Ref 22/1995, dated 1 June 2022, was refused by notice dated 15 August 2022.
 - The development proposed is described as a “loft conversion with rear dormer and front roof lights, new front entrance door access to first floor, position of new signage for first floor business and convert first floor and new loft area into Healthcare Use (Class E(e)) - Blood testing lab. Ground floor retained as retail (Jewellery shop)”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant’s name on the planning application form is inconsistent with that on the appeal form. However, the appellant has confirmed the correct name, which is included within the banner heading above.
3. Although the appellant’s description within the planning application form refers to new signage, revised plans were submitted to the Council which omitted the signage from the scheme. While the revised plans appear to show the outline of a box at first floor level, I am satisfied that no signage is proposed, given that the brickwork remains exposed. For clarity, I have determined the appeal on the basis of the revised plans.
4. Since the determination of this application, the Government published a revised National Planning Policy Framework (the Framework) on 5 September 2023, replacing the version published on 20 July 2021. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party’s interests have been prejudiced by my taking this approach.

Main Issue

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

Reasons

6. The appeal site is located within the Ealing Road Town Centre, which is characterised by predominantly two storey buildings, with unaltered pitched

roofs. Dormer roof extensions in the area are largely modest, with flat roofs and flat frontages. 178-178A Ealing Road is a two storey, mid-terrace commercial building, with two storey rear outrigger. Collectively, No 178-178A and the terrace in which it is located have a largely uniform appearance and unaltered pitched roofs, which contribute towards the character and appearance of the area.

7. The appellant asserts that, although not residential, the proposed rear dormer extension accords with the design aims of the Residential Extensions and Alterations Supplementary Planning Document 2, by virtue of it being set down from the ridge and set up from the eaves. While noting this and the additional floor space to facilitate the conversion of the first floor, the proposed dormer extension would extend the full width of No 178-178A.
8. In response to concerns raised by the Council during consideration of a previous application, ref 21/4466, the dormer extension includes a setback. The setback is an attempt to reduce the proposals contact with the rear outrigger roof and to allow more of the main roof line to be appreciated. However, the setback would result in a staggered frontage to the dormer extension. This element of the design is a feature that is not prevalent in the area and would be incongruous as a result, thereby detracting from the character and appearance of the host property and area.
9. Moreover, while the setback is marginal and would offer some relief in respect of the rear outrigger, it would not, by virtue of its width and layout, provide a clear separation from the rear outrigger roof. The dormer roof extension would therefore appear as one continuous extension with the rear outrigger. This arrangement would dominate the roof of the appeal property and the terrace in which it is located. It would also draw further attention to the incongruous design of the dormer extension. As a result, it would detract from the character and appearance of the host property and area.
10. The harm identified is not sufficiently resolved by the limited views of the proposal. In any case, the dormer extension would be visible at the rear, from the private drive and surrounding properties.
11. While matching materials are proposed, and include vertical tiles, white UPVC window and white UPVC fascia board, this alone would not be sufficient to overcome the harm identified.
12. The Council do not raise concerns in respect of the proposed shop front alterations, which relate to an additional door to provide external access to the first floor. Given that this alteration is relatively minor and would largely preserve the uniformity of the shop front, I see no reason to disagree.
13. For these reasons, I conclude in respect of the rear dormer extension, the proposed development would result in unacceptable harm to the character and appearance of the host property and area. However, there would be no harm in respect of the shop front alterations. With regard to the rear dormer extension, the proposed development would conflict with Policies DMP1 and BD1 of the Brent Local Plan 2019-2041 Adopted February 2022 (LP). Collectively, these seek, among other things, seek to ensure development complements the locality and delivers high quality design. It would also conflict with the design aims of the Framework, which seek, among other things, to ensure development is visually attractive and sympathetic to local character.

14. With respect to the proposed shop front alterations, it would accord with LP Policy BE7 and the Brent Shopfronts Supplementary Planning Document June 2018 which seek, among other things, to ensure proposals for shop fronts demonstrate a high quality of design.

Other Matters

15. The proposed development would support a new business, which accords with the aims of the Framework, in respect of helping to create the conditions in which businesses can invest, expand and adapt. Nevertheless, and even with the significant weight that the Framework places on the need to support economic growth and productivity, this does not outweigh the harm found in relation to the main issue.
16. The Council have raised no concerns in respect of the principle of the proposed development. Having regard to the location of No 178-178A within the established town centre, I see no reason to disagree.

Conclusion

17. For the above reasons, I conclude that the proposed development would conflict with the development plan as a whole. There are no material considerations, including the Framework, that indicate I should conclude other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

S Pearce

INSPECTOR