



Appeal Decision

Site visit made on 9 April 2024

by A Hunter LLB (Hons) PG Dip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 April 2024

Appeal Ref: APP/T5150/W/23/3333991

105A Wembley Park Drive, Wembley, Brent HA9 8HG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms C Chen against the decision of the Council of the London Borough of Brent.
 - The application Ref is 23/2502.
 - The development is a proposed first-floor rear extension and rear dormer with 2x front rooflights to first-floor flat.
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Decision

1. The appeal is allowed and planning permission is granted for a proposed first-floor rear extension and rear dormer with 2x front rooflights to first-floor flat at 105A Wembley Park Drive, Wembley, Brent HA9 8HG in accordance with the terms of the application, Ref 23/2502, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following submitted plans: drawing no's PL-A-01; and PL-A-02.
 - 3) The materials used in the construction of the external surfaces of the development hereby permitted shall be those specified on the application form and on drawing no. PL-A-02, and shall match the external materials on the existing building.

Preliminary Matters

2. The description of development above has been taken from the notice of decision, also stated on the appellant's appeal form, as it most accurately describes the proposed development.
3. The National Planning Policy Framework (the Framework) was revised on 19 December 2023 and is a material consideration in planning decisions. Having regard to the matters that are most relevant to this appeal, there have been few substantive changes. Hence, I am satisfied that no one will be prejudiced by the changes to the national policy context, and both parties have had the opportunity to make comments on the revised Framework within their statements and final comments.

Main Issue

4. The main issue is the effect of the proposed development upon the character and appearance of the property, the terrace, and the area, with particular regard to its design.

Reasons

5. The appeal property relates to a flat at first and second floor above a commercial unit, within a mid-terraced pitched roof property. At the rear of the appeal property, like most other properties in the terrace, is a large flat roofed single storey extension. Many other properties in the terrace also have rear dormer roof extensions with a flat roof. An adjoining property is a two-storey purposefully designed flat roofed building with a parapet wall around its roof that sits above the appeal property's eaves level, it also extends quite far beyond the appeal property's rear elevation. In the immediate area, there is considerable variety in architectural style, including many other flat roofed structures, and one which is a two-storey building nearby on Elmside Road. The proposal would also mainly be visible from Elmside Road to its side, and from Kingswood Road to the rear and from neighbouring properties.
6. The proposed first floor extension does not match the pitched roof design of the host property, however, nor does its single storey part. In addition, flat roof buildings and extensions are common to the rear of the other pitched roof properties in this terrace of properties.
7. The view of the proposed development from Elmside Road would be predominately in the context of other flat roofed structures, with the neighbouring parapet wall already above the eaves level of the appeal property, with views of other dormer roof extensions in the same context of it. Adding the proposed development into the same viewpoint would not detract from the appearance of these buildings. Moreover, in this particular location it would harmonise with most of the built form of extensions and alterations to properties in the terrace.
8. Although the proposed first floor extension would be slightly above the eaves height of the existing property, it would still be substantially below its ridge height, and its pitched roof would still be discernible, ensuring a subordinate appearance to the host property. Furthermore, with the appeal site being an inner terraced property, the appearance of the proposals would not be overly dominant. Views from Kingswood Road to the rear would show the proposal against the context of existing flat roof extensions and alterations, and whilst there are no other identical first floor extensions also featuring a rear dormer extension, that is not a reason on its own to prevent the proposed development.
9. I acknowledge that the proposed elevations do not show the proposals in the context of all the ground floor flat roofed part, however, I was able to assess the effects of the proposed development upon the character and appearance of the building and the area from the submitted information. Moreover, given the limited views of the proposals and the existing single part together, because of other buildings and structures being located in-between, the proposals and the existing extension combined would not appear bulky or be dominant in terms of the property, the terrace, and the area.

10. The Council have raised no objection to the proposed 2 no. front rooflights, and they stated that the proposed rear dormer roof extension on its own was acceptable in design terms. I see no reason to disagree, and also find these aspects along with the proposed first floor extension to collectively harmonise with the character and appearance of the property, the terrace, and the area in this case.
11. I therefore conclude that the proposed development would relate well to the character and appearance of the property, the terrace, and the area, and comply with the requirements of Policies DMP1 and BD1 of Brent's Local Plan 2019-2041, adopted February 2022 (BLP) that amongst other things requires development to be of a design that complements the locality and be of the highest architectural and urban design quality. In addition, the proposal would also accord with paragraph 135 of the Framework insofar as it requires development to be sympathetic to local character.
12. The proposed rear dormer extension would have adequate separation from the property's ridge height and eaves level and would be consistent with the requirements of Brent's Residential Extensions and Alterations SPD2, dated January 2018 (SPD). Whilst there would be some minor conflict with the SPD in terms of the loss of the original eaves feature regarding the proposed first floor extension, this would be to ensure adequate internal height. Given the location of the proposed extension to the rear and the many other similarly designed roofs, the proposed first floor extension with its roof height above the eaves level in this case, would be consistent with the SPD's objective of ensuring the design of extensions is sympathetic to the host property and its surrounding area.

Conditions

13. I have imposed a standard implementation condition, along with a condition listing the approved plans to provide certainty over what has been approved. A condition to ensure the external materials match the existing building is also necessary to protect the appearance of the area.

Conclusion

14. For the reasons given above, considering the development plan as a whole and all relevant material considerations, the appeal is allowed.

A Hunter

INSPECTOR