



Appeal Decision

Site visit made on 16 April 2024

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 April 2024

Appeal Ref: APP/T5150/W/23/3333255
16B Greyhound Road, London NW10 5QG

- 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 Ms Vicky Stockwell against the decision of the Council of the London Borough of Brent.
 - The application Ref 23/2854, dated 29 August 2023, was refused by notice dated 2 November 2023.
 - The development proposed is a loft conversion to first floor flat.
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Decision

1. The appeal is allowed, and planning permission is granted for a loft conversion to first floor flat at 16B Greyhound Road, London NW10 5QG in accordance with the terms of the application Ref 23/2854, dated 29 August 2023, subject to the conditions set out in the schedule to this decision.

Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

Reasons

3. The appeal property is the first floor flat in a 2-storey mid-terrace building of traditional style within a predominantly residential area. I saw that several properties in the same terrace as No 16B and within the wider area include sizeable rear dormers, which vary in their size, design, position, and general appearance. These high-level extensions form part of the established character and appearance of the local area to which No 16B belongs.
4. The proposal would take the form of an L shaped dormer extension on the roof of the main building and part of the flat roof to its 2-storey outrigger at the back of the appeal property. It would broadly mirror a similar dormer that is in place on the attached property to one side of the site, which is 14 Greyhound Road, with external materials to match those of the host building.
5. The new addition would occupy most of the main rear roof slope. As a result, it would add scale and bulk to the upper host building and alter its original form. As the proposal would also involve building on top of part of the rear outrigger, the appeal scheme would not fully adhere to the guidance within the Council's Supplementary Planning Document, *Residential Extensions and Alterations* SPD2 (SPD). The SPD states that dormers which project onto or over a rear projection will not normally be permitted. To my mind, inclusion of the word

'normally' implies that at least some flexibility can be applied in the assessment of particular development proposals to reflect local circumstances.

6. In this case, the proposal would be a proportionate addition to the host building. It would nestle comfortably into the gap between the existing dormers on the rear roofs of the properties on either side of the site. With little, if any, commonality between the design and size of the existing rear dormers within the same terrace as No 16B, the 'L' shape of the proposal and the modest projection onto the flat roof of the outrigger would not cause it stand out nor would it be a jarring feature. To the contrary, by broadly reflecting the general shape and broad position of the adjacent dormer at No 14, the proposal would introduce some sense of continuity and symmetry to the rear roofscape of Nos 14 and 16 by providing a counterbalance.
7. Given its position at the back of the appeal property and the screening provided by existing terraces, the appeal scheme would not be readily evident from the road. It would be visible from rears of some properties in the same terrace as No 16B, and the properties that face Earlsmead Road beyond the rear of the site. In these views, the proposal would not draw the eye given the highly varied built form at the upper rear of the host terrace with which it would be seen. Similarly, the modest depth of the back gardens of the properties on either side of the site coupled with the screening provided by the terrace itself would mean that upward views from any one garden towards the roof of No 16B would be limited. As such, the proposal would not be overly bulky, prominent or a discordant feature, as the Council states.
8. I appreciate that many existing roof level extensions have come forward through the exercise of permitted development (PD) rights, with background details of several properties provided including those relating to No 14. As the host building is in use as flats, PD rights do not apply in this instance. Nonetheless, these existing extensions are substantial, permanent, and characteristic features of the area to which No 16B belongs. While the form and roofscape of the host building would change, the outward appearance of the completed development would not be significantly different than if the property were in use as a dwelling. For the same reasons, I reach the same finding whether the roof to the rear outrigger onto which the new dormer would be placed continues to be used as a terrace.
9. Reference is made to appeal decisions, which I have carefully considered. The appeal proposal at 47 Earlsmead Road, London sought a certificate of lawful use or development and so its remit differs to that of the appeal before me. While there are some similarities between the appeal case at 9B Purves Road and the proposal these sites are some distance apart. From the limited information provided, the visual context differs to that of No 16B. Therefore, I attach only limited weight to these appeal decisions.
10. The Council raises no objection to the new roof lights on the front roof slope of the host building. These elements of the appeal scheme would be appropriate in design and size, and inconspicuous features of the building. There would be no discernible effect on the character and qualities of the local street scene.
11. On the main issue, I therefore conclude that the proposed development would not materially harm to the character and appearance of the host building or the local area. Accordingly, it does not conflict with Policies DMP1 and BD1 of the Brent Local Plan 2019-2041. These policies aim to ensure that all new

development achieves the highest quality design, provides high levels of amenity, and complements the locality. Given my favourable findings on the main issue, a conflict with some of the guidance within the SPD is insufficient to withhold planning permission in this instance.

12. The Council raises additional concern that the appeal scheme, if permitted, would set an undesirable precedent. Given the varied built form in the locality, I am not convinced that the circumstances in this case would necessarily be replicated in the surrounding area. In any event, it is a key planning principle that each development should be assessed on its own merits. Having done so, I find the proposal acceptable for the reasons given.

Conditions

13. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. To ensure the satisfactory appearance of the development, a condition is imposed to require that the external materials match those of the existing building.

Conclusion

14. Overall, there are no material considerations that indicate the proposal should be determined other than in accordance with the development plan, when read as a whole. For the reasons set out above, I therefore conclude that the appeal should be allowed subject to conditions.

Gary Deane

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin no 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 plan: Refs A17740PA-101, A17740PA-102 and the Site Location Plan, which shows the site edged red.
- 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.