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# Appeal Decision

Site visit made on 10 June 2024

**by U P Han BSc (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 17 July 2024**

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**Appeal Ref: APP/T5150/W/24/3337180**

**10B Glynfield Road, Brent, London NW10 9JX**

- 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 Charmaine Murray against the decision of the Council of the London Borough of Brent.
  - The application Ref is 23/2336.
  - The development proposed is a dormer roof extension to rear of main roof; roof terrace over rear outrigger wing to provide external amenity space for the family dwelling; roof terrace screened with opaque glazing up to 1.7 metres height above deck level; new rooflights over rear outrigger wing; photovoltaic solar panels to roof of new dormer; replacement rear first floor windows with cills lowered to form Juliet balconies.
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## Decision

1. The appeal is dismissed.

## Main Issue

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

## Reasons

3. The appeal relates to a first floor flat within a terrace of two storey properties in a residential area of Brent.
4. The property has extant consent<sup>1</sup> for a similar scheme to the appeal proposal. However, the key difference is that the consented scheme does not include a roof terrace over the rear outrigger but has an inset terrace to the dormer extension. As the proposed dormer extension is the same as that in the consented scheme, my decision focuses only on the proposed roof terrace.
5. The rear of the properties on this section of Glynfield Road are relatively exposed and can viewed from afar on Tunley Road. The proposed roof terrace over the outrigger would create an obtrusive and dominant feature in the street scene by reason of its height, size, bulk and positioning, particularly against the general uniformity of the rear of the properties in the vicinity. It would also create a dominant and incongruous feature to the host property.
6. The consented dormer extension would be integrated with the property but the roof terrace would not assimilate well with the existing building and the character and appearance of the surrounding area due to its height, scale and

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<sup>1</sup> Reference: Ref 23/1084 granted on 12 June 2023 for 'Proposed rear dormer roof extension with inset roof terrace, new rooflights to rear outrigger, solar panels to new dormer and existing outrigger, replacement of first floor rear windows and juliet balconies to first floor flat.'

position atop the outrigger. Even if different materials were used to screen the roof terrace, it would still have the same incongruous and dominating effect.

7. The appellant has drawn my attention to other consented roof terraces over outriggers in the wider area. However, there are clear material differences between the proposal and these examples. At 1B Lushington Road<sup>2</sup>, only limited views of the roof terrace are possible due to the property being bounded by other buildings. Furthermore, the development involved part demolition of the roof of the outrigger to form the roof terrace thereby creating a more integrated design. Similarly, 11 Lushington Road<sup>3</sup> is bounded by other properties, so views of the roof terrace are highly constrained from the street. Moreover, it is a sunken roof terrace which sits within, not atop the outrigger roof. The same applies to 19B Lushington Road<sup>4</sup> where the roof terrace cannot be easily observed from the street as it is bounded by other properties and is sunken into the roof. The roof terrace at 75B Sellons Avenue<sup>5</sup> is clearly visible from the street but the retention of a chimney to the side of the roof terrace helps to soften the visual impact. Lastly, 59B Tubbs Road<sup>6</sup> is bounded on two sides by other residential properties and to the rear by a railway line so views of the roof terrace are limited from the street. Furthermore, the walls of the roof terrace are not as high as those proposed in relation to the appeal scheme.
8. The appellant has also pointed to an extension over the outrigger of 22 Glynfield Road. However, I am not aware of the full circumstances of this case or the policies that applied at the time of its consideration. This example does not set a positive design precedent. In any event, I have considered and determined the appeal proposal on its own individual merits.
9. For the reasons given, I conclude that the proposal would harm the character and appearance of the property and the surrounding area. Consequently, it would conflict with Policies D3 of the London Plan (2021), DMP1 and BD1 of the Brent Local Plan 2019-2041 (2022) which amongst other matters, requires development to achieve high quality design, respond to local distinctiveness and existing character and ensure that siting, layout, scale, appearance, shape, materials, detailing and design complements the locality. Furthermore, the development would not comply with Residential Extensions and Alterations Supplementary Planning Document SPD2 which seeks to ensure that roof extensions and alterations complement buildings and the original street character.

## **Other Matters**

10. Criticisms laid at the Council's handling of the application and errors and inconsistencies in the Officer Report. However, I have carried out a site visit and determined the appeal on the basis of the submissions of both parties.
11. Although the proposal would not have adverse impacts on the living conditions of neighbouring occupiers with regard to privacy or overlooking, these are neutral matters which neither weigh in favour of, nor against the proposal.

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<sup>2</sup> Application reference: 09/2165.

<sup>3</sup> Application reference: 20/2028.

<sup>4</sup> Application reference: 18/0482.

<sup>5</sup> Application reference: 21/0498.

<sup>6</sup> Application reference: 20/1907.

12. The appeal scheme would provide private outdoor amenity space and has the potential to promote biodiversity. However, these benefits would not outweigh the harm which I have found.

**Conclusion**

13. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed.

*U P Han*

INSPECTOR