



Appeal Decision

Site visit made on 20 June 2024 by N Unwin BSc (hons) MSc MRTPI

Decision by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 August 2024

Appeal Ref: APP/T5150/D/24/3341480

18 Alexander Avenue, Brent, London NW10 3QS

- 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 Mrs Sarah Gredley against the decision of the Council of the London Borough of Brent.
 - The application Ref. is 23/3222.
 - The development proposed is described as a single storey rear extension, garage conversion to habitable space, loft conversion, insertion of windows into the front roof slope, front porch extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are the effect of the proposal on i) the character and appearance of the area; ii) the living conditions of 16 Alexander Avenue and 20 Alexander Avenue, with specific regard to privacy, and future occupiers with specific regard to living space; and iii) trees.

Reasons for the Recommendation

Character and Appearance

4. The area is primarily characterised by large, detached two-storey hipped roof dwellings in an estate of traditional dwellings. The rear elevations of the surrounding dwellings are varied through extensive additions and alterations. Nevertheless, these are of a scale so as to remain subservient with a definitive hierarchy to the floors achieved through a successive recessing of the upper levels. Dormers are mostly set back from the eaves defining the original roofline. Combined, these form a visual complementary relationship between the additions and the original dwelling, allowing the character of the host property to be maintained.
5. The appeal property is a two-storey detached dwelling, fronting the highway and includes a front elevation with an attractive symmetry. The appeal dwelling shares a close spatial relationship with the flanking dwellings, reflective of the character of the wider area. The rear elevation remains largely unaltered with

the form of the original dwelling evident. As a result, the dwelling makes a positive contribution to the character and appearance of the area.

6. The proposed dormer would project significantly to the rear, further exacerbated by the proposed balcony screening. It would share a width and rear building line with the proposed first-floor extension, with their rear elevations effectively mirroring one another. The rear dormer would therefore lack the articulation and be absent hierarchy between floors which form a defining design feature of the surrounding properties. It would dominate the existing rear roof line, absent of the subservience of the neighbouring additions. The combination of the rear dormer and the sizable single and two storey extensions would almost completely obscure the existing rear elevation of the host dwelling, preventing its original character from being read. Furthermore, the proposed dormer would give the appearance of a three storey, flat-roofed building when viewed from the rear, appearing incongruous in the context of the surrounding hipped roofs.
7. The combination of the proposed rear additions do not complement the existing character of the dwelling. These would create substantial contemporary features that would result in a juxtaposition of forms with both the host dwelling and surrounding built environment. The rear additions would subsume the existing rear of the dwelling with development that would relate poorly to the main characteristics of the host property, being two-storey and having a pitched roof. Consequently, the rear extensions and dormer would erode the existing form and appearance of the dwelling with bulky and disharmonious features, harming the character of the dwelling and surrounding area.
8. The proposed dormer and rear chimney stack would be mostly screened when viewed from Alexander Avenue, preserving the existing character of the appeal properties front elevation in addition to the spatial relationship with neighbouring dwellings. Furthermore, the scale of the proposed access gate and fencing would be reflective of others within the area. Nevertheless, these are neutral factors and as such do not outweigh the above identified harm.
9. In conclusion, the proposed dormer, in combination with the single and two storey extensions would dominate the rear elevation, representing poor design, harming the character of the host dwelling and surrounding area. Whilst views of the rear elevation of the appeal property from the public highway are limited, it would be visible from the rear gardens of the surrounding properties. Furthermore, a lack of visibility from public viewpoints does not outweigh the harm identified.
10. Accordingly, the proposal would conflict with Policies D3 and D4 of the London Plan (2021) (LP), Policies DMP1 and BD1 of the Brent Local Plan 2019-2041 (2022) (BLP), Policy SPD1 of the Brent Design Guide Supplementary Planning Document (2018) (DGSPD), and Policy SPD2 of the Residential Extensions and Alterations Supplementary Planning Document (2018) (REASPD), which when read together require development to enhance local context, respect the existing character, and compliment the locality.

Living Conditions

11. The rear elevations of the dwellings adjacent to Alexander Avenue benefit from a large number of window openings. Many of these are located within the upper floors and rear dormers which, when combined with the lower level of

the rear gardens, results in a significant level of mutual overlooking of the rear gardens. This is common in established residential areas where neighbouring occupiers would have lower expectations with regard to overlooking. This mutual overlooking is further intensified by the presence of rear balconies, most notably present at no's 16 and 20, offering unrestricted views of the rear garden area of the appeal property.

12. The proposal would introduce extensive glazing to the rear elevation of the appeal dwelling with balconies within the first-floor and dormer, offering views over the rear gardens of the adjoining dwellings. Nevertheless, given the high levels of existing overlooking of these garden areas from the surrounding properties, the proposal would have a limited further impact on the privacy of the occupiers of no's 16 and 20.
13. The submitted plans indicate that the former ground floor garage would be converted to an ensuite bedroom which has been identified as a 'studio'. Whilst this room would be capable of being accessed via an external door within the side elevation, it can also be accessed via the main dwelling, of which it forms part.
14. The Council has raised concerns that this 'studio' would be utilised as a separate dwelling and that internal and external living areas would not meet the required standards, harming the living conditions of future occupiers. Concerns were also raised that the potential subdivision of the existing dwelling would result in the loss of a large family sized residential unit. Nevertheless, the proposal is a householder planning application for works or extension to a dwelling and the application description does not refer to the creation of a separate dwelling. As such, the use of the 'studio' as a separate dwelling does not form part of the original application. Furthermore, the use of the 'studio' as a separate planning unit could effectively be prevented through planning condition had I been minded to allow the appeal.
15. The proposal would be acceptable with regard to its effect on the living conditions of no's 16 and 20, with specific regard to privacy, and future occupiers with specific regard to living space. Therefore, the proposal would comply with Policies D3, D4, and D6 of the LP, Policies DMP1, BD1, and BH13 of the BLP, and the guidance within the DGSPD and REASPD, which when read together require new development to deliver appropriate levels of privacy and provide levels of internal and external living space to satisfy the needs of future occupiers.

Trees

16. A small tree is located within the rear garden, beyond the existing patio with its proposed extension increasing its proximity to the tree. Nevertheless, the proposal would retain a sizeable area of undeveloped land around the tree. Given this distance from the proposal combined with its diminutive size, the tree could not be affected by the proposed development. Furthermore, a condition to secure tree protection measures could be used to effectively protect the health of the tree throughout the construction phase.
17. Accordingly, the proposal would comply with Policy G7 of the LP, and Policies DMP1 and BG12 of the BLP, which when read together require new development to retain existing green infrastructure where possible, including existing trees on site.

Other Matters

18. The appellant has submitted examples of buildings whose architecture is not reflective of their surroundings. These buildings do not form part of the surrounding character of the appeal site. Furthermore, I cannot be certain that the considerations involved in these developments were the same as the appeal proposal.
19. The proposal would not create an additional dwelling outside of a priority location and would therefore not result in higher levels of car dependency.

Conclusion and Recommendation

20. For the reasons given above and having had regard to all other matters raised, the proposed development would not accord with the development plan, when taken as a whole, I recommend that the appeal should be dismissed.

N Unwin

APPEAL PLANNING OFFICER

Inspector's Decision

21. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Ben Plenty

INSPECTOR