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# Appeal Decision

Site visit made on 24 September 2024

**by C Skelly BA (Hons) MSc MA MRTPI**

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

**Decision date: 25 October 2024**

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**Appeal Ref: APP/T5150/W/24/3344851**

**49 Springfield Gardens, Brent, London NW9 0RY**

- 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 Mr A Mirza against the decision of the Council of the London Borough of Brent.
  - The application Ref is 24/0620.
  - The development proposed is retention of front porch and rear bbq structure.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The proposal has been completed, however I noted from my site visit, that although it is not shown on drawing '49SG/01', the porch has window openings on both side flanks and is white rendered. I have considered the appeal on this basis.

## Main Issues

3. The main issues are:
  - The effect of the front porch on the character and appearance of the host property and surrounding area; and
  - The effect of the barbecue structure on the living conditions of neighbouring occupiers in particular reference to outlook, smoke and odour.

## Reasons

### *Character and Appearance*

4. No 49 Springfield Gardens is a former, brick built semi-detached dwelling which has recently been converted into two flats. The host property has been substantially extended at its side, rear and through a dormer roof extension. Nevertheless, the arrangement of rooflines and fenestration gives the property a well-balanced, proportionate appearance. The property has a garden and parking area to the front and a long rear garden. The surrounding area comprises semi-detached dwellings of similar style, with front gardens and parking, which provides a uniform appearance to the street scene.
5. The proposal is for an enclosed front porch with mono pitched roof with two separate entrances to each of the flats, located adjacent to one another on the front face of the porch extension. The cumulative impact of the two doors, the use of white render instead of materials to match the host property and its forward

projection beyond the line of the bay window would remove the well-balanced proportions of the property and therefore appear to be an incongruous addition, which would harm the character and appearance of the host property.

6. Although there are many examples of front porches of various design in the local area, they only have one door opening to the front face and therefore retain their proportionate appearance. The prominence of the proposed porch and its two doors would be a discordant feature which would disrupt the uniform pattern of the street scene, harming its character and appearance.
7. For the reasons outlined the proposed front porch would harm the character and appearance of the host building and the wider street scene. As such, the proposal conflicts with Policy DMP1 of the Brent Local Plan (2022) (LP) and the Residential Extensions and Alterations Supplementary Planning Document 2 (2018) (SPD), which seek amongst other things to ensure that development is acceptable in terms of location, design that provides high quality internal and external amenity and complements the locality.

### *Living Conditions*

8. The neighbouring property at No 47 has a single storey, pitched roof extension, which extends to the same depth as the rear extension of the host dwelling. The proposed part brick-built barbecue structure would be located in the rear garden of the host property backing onto the boundary with No 47. The rear elevation of the extension of No 47 has two rear facing windows which are in close proximity to the proposed barbecue structure. Given the proximity to these windows, each time the barbecue is lit and in use, it would cause nuisance to the occupiers of No 47 in terms of smoke and odour.
9. Although the structure would be visible when viewed from No 47, as the width reduces as its height increases, only a small part would be visible above the fence line and therefore it would not harm the living conditions of the occupiers of No 47 with regards to outlook.
10. The appellant has put forward that the barbecue would only be used a handful of times due to the weather. However, I attribute this little weight as each time it is used it would cause harm to the occupiers of No 47 for the reasons I have outlined above and could be used even in more inclement weather.
11. Although the proposal would not harm the living conditions of the occupiers of No 47 with particular reference to outlook, I find that it would cause harm to the living conditions of the occupiers of No 47 in particular reference to smoke and odour. The proposal therefore conflicts with Policy DMP1 of the LP, which seeks amongst other things to ensure that development does not unacceptably increase exposure to smells, general disturbance or detrimentally impact on air quality.

### **Conclusion**

12. 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.
13. For the reasons given above the appeal should be dismissed.

*C Skelly*

INSPECTOR