



Appeal Decision

Site visit made on 18 December 2024

by **Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7 February 2025

Appeal Ref: APP/T5150/D/24/3348673

94 Mount Pleasant Road, Brent, London NW10 3EJ

- 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 Joseph Miller against the decision of the London Borough of Brent Council.
 - The application Ref is 24/0470.
 - The development is the demolition of existing rear outbuilding and front porch area; erection of single-storey side and rear extension and first floor rear extension to dwelling house.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing rear outbuilding and front porch area; erection of single-storey side and rear extension and first floor rear extension to dwelling house at 94 Mount Pleasant Road, Brent, London NW10 3EJ in accordance with the terms of the application, Ref 24/0470, subject to the following condition:
 - 1) The windows to the bathrooms on the first floor and loft level of the development hereby permitted shall at all times be glazed with obscured glass and no part of these windows that are less than 1.7 metres above the floor shall be capable of being opened.

Procedural Matters

2. This appeal relates to development that has already been carried out. The application is therefore retrospective, and I have considered the submission accordingly.
3. Subsequent to the decision made by the Council on the application to which this appeal relates, the Government published a revised National Planning Policy Framework (December 2024) (the Framework). I consider that there have been no major changes relevant to the main issues in this appeal. It will therefore not prejudice any party by making my decision with regard to the revised Framework.

Main Issue

4. The main issue is the effect on the character and appearance of the appeal dwelling and that of the local area.

Reasons

5. The appeal dwelling is a two storey detached house with good sized front and rear gardens. It is located in a predominantly residential area of similar properties, many of which appear to have undergone substantial alteration and extension.

6. Planning Permissions¹ (the PP's) and a Certificate of Lawful Development² (the CLD) have previously been given by the Council for extensions and alterations to the appeal dwelling. The appellant has clarified that, although not mentioned in the description of development on the planning application form and decision notice, the appeal development for which planning permission is sought includes the roof alterations for which the CLD was issued. This is shown on the submitted plans, along with extensions and alterations that are similar to those for which the PP's were previously given. For clarity, I confirm that I have determined the appeal on that basis.
7. The main change in the appeal development, from proposals for which the PP's and CLD, relate to the roof of the two storey element of the rear extension. Other changes are to the number of windows and their location on the side and rear elevations, although these are minor differences from the PP's.
8. The PP for the roof of the second storey of the rear extension was for a part hipped, crown roof form and the appeal development has a flat roof form. However, this flat roof form reflects the flat roof of the single storey rear extension element of the appeal development. This results in a stepped appearance to the rear of the appeal dwelling, apart from at roof level, where there is a further set back to the gable that replaces the previous rear hipped roof slope.
9. These elements of the appeal development are only seen in views of the appeal dwelling from the rear, where they are visible along with the side dormer part of the appeal development. Whilst the appeal development results in a significant change to the previous appearance to the rear of the appeal dwelling, they are recessively massed and are proportionate to the scale of the appeal dwelling.
10. At roof level, only the side dormers of the appeal development are visible in street views, along with the front of the single storey side extension and the new entrance door replacing the previous porch that form part of the appeal development. Given the presence of significant sized dormers on neighbouring and nearby dwellings, the setting back of the side extension and the complementary design of the new main entrance, the appeal development appears to reflect the streetscene of the local area in immediate and wider views from along the street.
11. For these reasons, I do not find that the appeal development appears as incongruous and dominating. Rather, I find that the appeal development constitutes a secondary and subordinate addition to the appeal dwelling and harmonises with the street scene of the local area.

Other Matters

12. Concerns have been raised by third parties with regard to privacy, particularly in relation to the window with Juliette balcony in the rear gable element of the appeal development. Given the rearward only views afforded by this window, the distances involved, I do not find that that the appeal development results in any significant loss of privacy where extensive rearward views are inherent in a developed residential area of this type.
13. Concerns have also been raised with regard to a patio area that has been constructed to the rear of the ground floor extension element of the appeal development. This does

¹ Planning ref: 20/1425 and 21/4101

² Planning ref:21/4100

not form part of the appeal development, and I have not therefore considered it as part of this appeal.

14. Concerns have been raised with regard to damp from proximity of the development and smells. Given the nature of the development these are not matters that I can consider as a part of this appeal and are controlled by other legislation.
15. The concerns raised by third parties in relation to legal responsibilities with regard to development as neighbouring properties, also form part of other legislation and are not matters for me to consider as part of this planning appeal.
16. The Council's decision notice does not set out which local plan policies they regard the appeal development to not to be in compliance with. However, as I find that, for the reasons given above, the appeal development does not result in any significant harm to the character and appearance of the appeal dwelling or local area, it therefore accords with the Brent Local Plan 2019-2041 (2022) (the Local Plan) as a whole. Amongst other matters, the Local Plan seeks development that is of high quality design that complements the locality.

Conditions

17. I have had regard to the conditions suggested by the Council should I be minded to allow the appeal. I find that the suggested condition relating to the restriction of potential use of the flat roof of the rear extension as a roof terrace would not be directly related to the proposal and/or would potentially limit permitted development rights, for which there are no exceptional reasons.
18. In the interests of privacy, I have attached a condition requiring obscured glazing to windows that serve the bathrooms of the appeal development located on the first floor and loft level of the appeal dwelling. However, I have not included the other windows suggest by the Council in this condition, as I find that there are no privacy issues that would necessitate their inclusion.
19. As the development to which this appeal relates has been completed there is no reason for me to add the standard condition on the timing of implementation of the development. The development also appears to have been completed in accordance with the plans submitted with the original application and materials that match with existing, therefore, conditions in these regards are not necessary.

Conclusion

20. For the reasons above and with regard to all other matters raised, the appeal is allowed.

Victor Callister

INSPECTOR