
Appeal Decision

Site visit made on 16 April 2025 by Finlay Bradford BA (Hons)

Decision by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 27th May 2025

Appeal Ref: APP/T5150/D/25/3358958

96 Elms Lane, Wembley, HA0 2NP

- 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. Fadi Zewani against the decision of the Council of the London Borough of Brent.
 - The application Ref is 24/2982.
 - The development proposed is a proposed rear dormer to dwellinghouse.
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Decision

1. The appeal is allowed, and planning permission is granted for the proposed rear dormer to the dwellinghouse at 96 Elms Lane, Wembley, HA0 2NP in accordance with the terms of the application, Ref 24/2982, and the plans submitted with it, subject to the following conditions:
 - 1) The development shall begin no later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the extension shall match those used in the existing building.
 - 3) The development shall be carried out in accordance with drawing numbers: TRICON/96EL/501 Issue A, TRICON/96EL/502 Issue A, TRICON/96EL/503 Issue A, TRICON/96EL/504 Issue A, TRICON/96EL/505 Issue A, and TRICON/96EL/506 Issue A.

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.

Preliminary Matters

3. Between the refusal of the application (Ref 24/2982) and this appeal, Brent Council adopted a new supplementary planning document (SPD) which the appellant has referred to. The Residential Extensions and Alterations SPD (2025) replaced SPD 2 - Residential Extensions and Alterations (2018) which had been used by the council in their determination. To ensure fairness in the addition of evidence, I requested further comment from the council on the new SPD.
4. The appellant and council have referred to the draft and adopted versions of the new SPD respectively. However, the relevant text referred to by both parties has

not changed between versions of the SPD and I therefore conclude that neither party would be prejudiced on this basis.

Main Issue

5. The main issue of the appeal is the proposed development's effect on the character and appearance of the host dwelling and wider area.

Reasons for the Recommendation

6. The evolution of the locality has resulted in an area of mixed character which includes an array of mainly semi-detached dwellings, with some terraced and detached dwellings. The newly built appeal dwelling (host dwelling) is found at the end of a row of semi-detached dwellings within Elms Lane which appear generally uniform in their appearance from the street scene. The rear elevations of these properties are largely obscured from the public realm aside from a glimpsed view from between buildings on Willow Way. The side elevation of the host dwelling is somewhat prominent when looking northward up Elms Lane, forming part of the street scene.
7. The proposed extension would introduce a dormer to the rear roof slope of the host dwelling. Due to the design of the existing roofscape, the dormer would result in an unusual interaction between its rear elevation and the pitched roof of the existing outrigger. Whilst the proposal would alter the appearance of the host dwelling to a limited degree, I do not find that the character or appearance of the dwelling would be harmed by the appeal scheme. Furthermore, I do note that the proposed dormer would generally accord with the council's guidance for rear roof dormers contained within the SPD.
8. I do not consider that harm to character of the area would be caused. The interaction between the proposed dormer and existing roof of the rear outrigger would be obscured from the street scene of Elm Lane, due to the orientation of the host dwelling. Furthermore, the rear of the appeal dwelling makes an insignificant contribution to the street scene of Willow Way due to its obscurity and oblique angles of visibility. As such, though the 'interaction' of the proposed development may be visible, albeit highly obscured, it would not cause harm to the character of Willow Way, Elms Lane or the surrounding area.
9. For these reasons, I conclude that the development would accord with the Brent Local Plan (2019-2041) with specific regard to policies BD1 and DMP1 which, among other things, aims to ensure that new development complements the locality in terms of design and is of high architectural design.

Conditions

10. The council has indicated a list of conditions it sees necessary in the event that the appeal is allowed. I have considered these against the advice set out within the National Planning Policy Framework (2024) and Planning Practice Guidance.
11. A condition is required to ensure that the development accords with the statutory requirement that development starts no later than three years from the date of this decision. A condition is required to ensure that development is carried out in accordance with the submitted plans, for certainty. In the interests of ensuring that the impact of development to the character and appearance of the host dwelling and wider area is acceptable, a condition is required which ensures that the

proposed development is constructed in materials which match those of the host dwelling.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

Finlay Bradford

APPEAL PLANNING OFFICER

Inspector's Decision

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

Mr A Spencer-Peet

INSPECTOR