



---

# Appeal Decision

Site visit made on 21 March 2013

by **C J Checkley BA(Hons) MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 April 2013

---

## Appeal Ref: APP/T5150/D/13/2191328

### 663 Harrow Road, Wembley, Middlesex, HA0 2HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mrs Alka Juthani against the decision of the Council of the London Borough of Brent.
  - The application Ref 12/2416 was refused by notice dated 1 November 2012.
  - The development proposed is the retention of existing outbuilding with reduced height and depth.
- 

## Decision

1. The appeal is allowed and planning permission is granted for the proposed retention of the existing outbuilding with a reduction in height and depth in the rear garden of 663 Harrow Road, Wembley, Middlesex, HA0 2HD, in accordance with the terms of the application Ref. 12/2416 dated 6 September 2012, subject to the following conditions:
  - 1) The development hereby permitted shall be undertaken and completed in accordance with the approved plans and other conditions of this permission within 9 months of the date of this decision.
  - 2) Details of the materials to be used in the construction of the external surfaces of the altered outbuilding shall be submitted to and approved in writing by the local planning authority before further development takes place and those used for the walls and windows shall match those used in the existing building.
  - 3) Within 4 months of the date of this decision full details of a scheme of soft landscape works shall be submitted to the local planning authority for its written approval. These details shall include planting plans; written specifications; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; an implementation programme. All soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first planting season following the completion of the development unless otherwise agreed in writing with the local planning authority.
  - 4) The outbuilding is to be used solely for purposes incidental to the enjoyment of No 663 Harrow Road as a dwellinghouse as such and shall not be used for any other purposes, including any form of primary residential accommodation such as a bedroom, kitchen or bathroom/wc, or used for any business or as a separate dwellinghouse or flat, or for storage separately from the main dwellinghouse.
  - 5) The development hereby permitted shall be carried out in accordance with the following approved plans: drg no 663HR(01): Existing and Proposed Floor Plan and Elevations; location plan.



---

# Appeal Decision

Site visit made on 22 March 2013

**by R O Evans BA(Hons) Solicitor MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 3 April 2013**

---

**Appeal Ref: APP/T5150/D/13/2192209**

**5 Hillcroft Crescent, WEMBLEY, Middlesex, HA9 8EE**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Z Kaj against the decision of the Council of the London Borough of Brent.
  - The application Ref 12/2780 dated 17 October 2012 was refused by notice dated 7 December 2012.
  - The development proposed is extension of existing front dormer.
- 

## Decision

1. The appeal is allowed and planning permission is granted for extension of existing front dormer at 5 Hillcroft Crescent, Wembley, Middlesex, HA9 8EE in accordance with the terms of the application, Ref 12/2780, dated 17 October 2012, and the plans submitted with it, subject to the following conditions: .
  - 1) The development hereby permitted shall begin not 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 hereby permitted shall match those used in the existing building.
  - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 120723-P11-A, 120723-P12-A and 120723-P13-A.

## Main issue

2. The appeal property is a semi-detached bungalow, with accommodation in the roofspace, on the eastern side of Hillcroft Crescent. The proposal involves not so much the extension of the existing front dormer as its replacement, together with a rooflight, with a larger single structure. The main issue is the impact this larger dormer would have on the character and appearance of the surroundings.

## Reasons

3. Hillcroft Crescent is a short residential road leading first north eastwards from Hill Road. The western side is lined mainly with 2 storey semi-detached houses with projecting front gables, dating from their appearance from the inter-war years of the last century. The eastern side of the road is lined predominantly with either semi-detached or detached bungalows which appear of similar age to the houses and with a number of common design features, including the

- projecting front gables. Reflecting the drop in levels to the north, the roofs of the semi-detached pairs of bungalows towards the southern end of the road are staggered.
4. The buildings in the road have been altered and/or extended in various ways over the years, including the addition in some cases of side and rear dormers. A common and possibly original feature, at least in the bungalows, is either a skylight or small triangular dormer in the front roof slope. No 5 however has both a skylight and an almost square dormer. The latter, put by the Council at 1.3m high by 1.2m wide, has single panes and is of decidedly utilitarian appearance. The replacement would have latticed panes of a similar pattern to those below it and would be some 3.08m wide by 1.36m in height.
  5. The Council's 2002 Supplementary Planning Guidance advises that front dormers will not normally be permitted though may be exceptionally in some areas where they are (already) common features. There is a very similar dormer at No 1 as now proposed for No 5. I do not know the background to its construction. While I do not regard it as a 'precedent', it has no great impact in the street scene. More importantly, because the buildings are bungalows with relatively high main roofs, a dormer of this size and in this position would be of a similarly compatible scale and mass with the rest of building. It would sit well within the roof slope, without dominating it nor appearing overly obtrusive in the street scene, while its design would reflect and complement the remaining fenestration.
  6. I understand that the Appellant has already obtained a Lawful Development Certificate for side and rear dormers. The Council assess the total volume, including the existing front dormer at just under 49m<sup>3</sup>. Even assuming they are completed before this development, the limited size of this extension would not make the building appear overdeveloped, while improving the level of amenity for its occupiers. The area has an identifiable local character, arising from the age and style of the buildings within it. It is not however a Conservation Area or one recognised as of particular architectural distinction. There may be good reasons for not normally permitting front dormers but in this instance and in this context, and with appropriate materials, I find no significant conflict with saved Policies BE2 and BE9 of the Borough's Unitary Development Plan. Similarly, the proposal poses no risk to the protection or enhancement of the Borough's distinctive suburban character as sought by Policy CP17 of their Core Strategy.
  7. The development should be completed in accordance with the submitted plans and in matching materials, so I shall impose conditions accordingly. I have taken account of all other matters raised but find no good reason to withhold permission.

*R O Evans*

INSPECTOR

## **Main issue**

2. The main issue is the effect of the outbuilding as proposed upon the appearance and character of the surrounding area.

## **Reasons**

3. At the time of my visit a detached single-storey brick outbuilding with a pitched roof had been erected at the far end of the long and relatively narrow garden of the appeal property. The property is one of a pair of two-storey semi-detached houses with long rear gardens alongside one another, the other being No 661 Harrow Road to the immediate east. To the west are the substantial grounds of a flatted development at Marnham Court which include areas of surface parking. To the south are the shorter rear gardens of the dwellings on Colyton Close, a cul-de-sac.
4. The outbuilding is thus set within an area of suburban rear gardens and is for the most part not visible from public highways. It is seen primarily in private views from the rear of surrounding residential properties and their gardens. All the residential buildings are set well away from the outbuilding.
5. The outbuilding as built stands close to the rear and two side boundaries which are marked by wooden fences rising to head height. The application seeks to retain the outbuilding but in a significantly reduced form for use as a study/gym/store. The pitched roof would be removed and a flat roof created at a height of 2.5m. The rear-most section of the outbuilding would be removed, resulting in the new back wall standing further away from the rear gardens of the Colyton Close dwellings.
6. It is not unusual to find sheds, garages and outbuildings within suburban rear gardens such as these. There is an existing garden shed within the adjoining rear-most section of the garden of No 661, albeit a smaller structure. With its reduced height and form only the top half metre or so of the altered outbuilding would be visible above the fences, so that it would not have an unduly overbearing effect on any of the surrounding residential properties and their gardens. Although the existence of the outbuilding would be apparent the majority of it would be screened by boundary fencing. The submitted drawings indicates an intention to undertake screen planting and a condition can be imposed to ensure this is done, enabling the most rapid assimilation of the outbuilding into the garden environment. The appellant estimates that only some 10% of the garden would be occupied by the reduced outbuilding and the majority of the garden would remain unaffected.
7. On balance, I find that the scale, design and form of the outbuilding proposed would not be such as to be visually dominating or unduly detrimental to the overall appearance and character of the extensive area of surrounding gardens and grounds.
8. I have taken account of all other matters raised, including the appellant's desire to have a building where she may use exercise machines and her daughter may study, and the support expressed by the neighbouring resident at No 661. Whilst these matters add slightly to the weight in favour of the scheme, they have not affected the favourable balance of my conclusions on the determining issue itself.

9. I conclude that the retention of the outbuilding in the reduced form proposed would not result in material harm to the appearance or character of the surrounding area. There would be no conflict with the provisions of saved Policies BE2 and BE9 of the adopted Brent Unitary Development Plan (2004) or Policy CP17 of the adopted Brent Core Strategy (2010) which seek development that respects the surroundings and protects the suburban character of Brent.
10. Several conditions are necessary. Details of the materials to be used in the external surfaces of the outbuilding are to be agreed before the outbuilding is altered to ensure a suitable matching appearance. A landscaping scheme is required to enable the rapid assimilation of the outbuilding into the garden environment. The outbuilding is to be used solely for purposes incidental to the use of the dwellinghouse as such so that the use remains compatible with the surrounding residential environment and the outbuilding is not used as a separate dwelling or business. Other than as set out in the decision and conditions, the development is to be undertaken and completed within nine months of this decision in accordance with the approved plans, for the avoidance of doubt and in the interests of proper planning and the appearance of the area.

*C J Checkley*

INSPECTOR