



Appeal Decision

Site visit made on 12 June 2024

by **D Cleary MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10th July 2024

Appeal Ref: APP/T5150/D/24/3338162

32 Mora Road, Brent, London NW2 6TG

- 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 Mohamed Mughal against the decision of the London Borough of Brent Council.
 - The application is Ref 23/3049.
 - The development proposed is described as a rear dormer window and dormer extension to outrigger and two front rooflights to dwellinghouse.
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Decision

1. The appeal is allowed and planning permission is granted for a rear dormer window and dormer extension to outrigger and two front rooflights to dwellinghouse at 32 Mora Road, Brent, London NW2 6TG in accordance with the terms of the application, Ref 23/3049 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan referenced 25-01-2021 Rev1.
 - 3) The materials to be used in the construction of the external surfaces of the walls of the development hereby permitted shall match the existing property, as detailed on the approved plans.

Procedural Matters

2. In the banner above, and my formal decision, I have removed wording from the description of the proposals which is not an act of development.
3. On my site visit I observed that the construction of a dormer to the rear roof slope, and an extension to the outrigger had taken place and was complete. The development which has been carried out differs from that which is on the plans before me for various reasons. As constructed, the width of the rear roof dormer is larger and closer to the side gable parapet, while it is constructed flush with the rear elevation, rather than set away from the eaves. Furthermore, the height of the outrigger extension appears to be much taller and includes a shallow side to side pitch. It also has a different depth and alignment with the side windows below. Finally, the design of the openings within the dormer and outrigger extension are different. Together, these differences are material. Therefore, I have determined the appeal on the basis of the plans before me, and not what has been constructed on site.

4. I also observed that the dwelling has been extended with single storey extensions to the side and rear which are not included on the plans before me. These are distinguishable from the development proposed and, therefore, their omission from the plans is not crucial to my assessment in this instance.
5. Since the decision was made by the Council, a revised version of the National Planning Policy Framework (the Framework) was published (19 December 2023). This does not materially change the planning policy context in respect of the main issue.

Main Issue

6. The main issue is the effect of the development on the character and appearance of the building and surrounding area.

Reasons

7. The appeal property is a tall and narrow two-storey end-terraced dwelling which previously included a two-storey shared outrigger to the rear with a shallow pitched roof. The dwelling has since been extended with single storey extensions to the side and rear. The surrounding area is predominantly residential in character with dwellings of broadly similar appearance. A number of properties in the area have been extended or altered with additions to their roof and outriggers. These roof and outrigger alterations are different in scale and form, and result in a varied surrounding rear roofscape.
8. The proposed dormer to the rear roof slope would be set down from the main ridge and positioned up slightly from the eaves. The dormer would also be set away from the gable parapet and chimney to the flank elevation. Together, these offsets would ensure that the extents and form of the original roof slope could be visually identified and, as such, the rear dormer would not result in an unduly dominant or incongruous addition to the property.
9. Abutting the dormer would be an extension positioned over the rear outrigger. This extension would cover a modest depth of the outrigger, with the majority of its depth would be unaltered and retained in its original form. The extension would also be set below the height of the rear dormer. This clear step down, along with the modest projection, would ensure that there would be clear visual hierarchy between the different components of the proposal. Therefore, the roof extensions, together with the rear dormer, would not overwhelm the property or appear as unduly bulky or discordant additions.
10. The proposed dormer and roof extension would not be prominent from public vantage points, although I acknowledge that it would be visible from surrounding properties and private gardens. From these areas, the proposals would be viewed in the context of a varied roofscape which includes similar developments in design and scale. In this context, the proposals could be incorporated into the area, without appearing alien or out of character with the surrounding roofscape.
11. For the above reasons, the development would not have a harmful effect on the character and appearance of the building and surrounding area. Therefore, the proposals are in accordance with Policy DMP1 of the Brent Local Plan 2019-2041 (2022), which requires development to be designed to complement the locality. While the proposals would not adhere to all aspects of the Residential

Extensions & Alterations SPD 2 (2018), I am mindful that this is guidance only. Nonetheless, I find the development would comply with its overarching principles which requires roof extensions to complement the home and street character.

Other Matters

12. I acknowledge the comments raised by third parties with particular regard to the effect on living conditions, and the use of the building as a HMO. Due to the modest scale and positioning of the proposed development I find there would be no adverse harm to nearby residents living conditions with particular regard to loss of light, outlook, overlooking or privacy. This is consistent with the Council's views on these matters.
13. With regard to the use of the building as a HMO, I have considered the application as a householder development, as I am required to do. Any suspected unauthorised use, or future use of the building, is not a matter for me to consider. This would be a matter for the Council.

Conditions

14. While a dormer and outrigger extension have been constructed on site they have not been carried out in accordance with the plans before me. Therefore, I attach the standard commencement condition which is required for certainty. A condition requiring compliance with the submitted plans is necessary, also for reasons of certainty. A further condition requiring the materials to match the existing dwelling, as detailed within the application, is also necessary in the interest of the character and appearance of the area.

Conclusion

15. For the above reasons the appeal is allowed.

D Cleary

INSPECTOR