

**RECEIVED:** 24 April, 2006

**WARD:** Kensal Green

**PLANNING AREA:** Harlesden Consultative Forum

**LOCATION:** Ground Floor Flat, 45 Herbert Gardens, London, NW10 3BX

**PROPOSAL:** Erection of single storey rear extension to ground floor flat

**APPLICANT:** L G Group

**CONTACT:**

**PLAN NO'S:** Existing & Proposed Flat Ground Floor Plan and Elevations (received 12 June)

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## RECOMMENDATION

Approval

## EXISTING

The site is occupied by a two storey terraced property situated on the northeastern side of Herbert Gardens. The property has been subdivided into two self contained flats at ground and first floor levels.

## PROPOSAL

Erection of single storey rear extension to ground floor flat.

## HISTORY

E/06/0110 - Without planning permission the erection of a rear conservatory

05/3320 - Certificate of lawfulness for existing use as self contained flat GRANTED

## POLICY CONSIDERATIONS

### London Borough of Brent Adopted Unitary Development Plan 2004

- BE2 on townscape: local context & character states that proposals should be designed with regard to their local context, making a positive contribution to the character of the area.
- BE9 seeks to ensure new buildings, alterations and extensions should embody a creative, high quality and appropriate design solution and should be designed to ensure that buildings are of a scale and design that respects the sunlighting, daylighting, privacy and outlook for existing and proposed residents.
- H21 on domestic extensions states that proposals should complement the scale and character of the existing dwelling and should respect the amenity of neighbouring occupiers.

### London Borough of Brent's Supplementary Planning Guidance

'Supplementary Planning Guidance Note 5 - Altering and Extending Your Home' provides comprehensive and detailed design guidance for extensions to residential properties and seeks to raise the design quality of extensions, and to protect the character of properties and streets.

## **SUSTAINABILITY ASSESSMENT**

N/A

## **CONSULTATION**

The Occupiers/Owners of adjoining properties were consulted. Two objections were received on the following grounds:

- The submitted plans of the existing structure were incorrect.
- The proposed extension is built across the boundary between 45 and 47
- The proposed plans and what has already been built are different in terms of the materials that have been used.
- Poor quality of building leading to patches of damp on the walls

## **REMARKS**

Design, Size and Scale of Proposed Rear Extension

The proposed extension is 3.3 metres deep but this is only 1.1 metre deep from the rear wall of the existing dwellinghouse and involves the infilling of the shallow side return common to properties in this part of the road. Council policy would, in normal circumstances allow an extension with a depth of 2.5m, to terraced properties. Taken from the back of the rear projection the proposal is well within this and in terms of its depth it is considered that it will not have any significant impact on the light and outlook of 47 Herbert Gardens. The extension is 3.2 metres high at its highest point, reducing to 2.5m at its lowest point. The average height of the extension is thus within the council guidelines as set out in SPG5 and is also not considered to have an unacceptable impact on the adjoining property.

The extension will be built from brick to match the existing and contain two door panels flanked by a large timber framed window on each side. The materials are considered to be in keeping with the existing dwellinghouse. The extension also features a small window to the side elevation which faces into 43 Herbert Gardens. Given the limited outlook from the window and the 3 metre distance to the boundary this window is deemed acceptable.

Consideration of Objections

In response to the concerns of the objectors, it is noted that the matters concerning the rear extension are covered by Supplementary Planning Guidance Note 5 'Altering and Extending Your Home'. The proposal complies with the standards of SPG5 and is considered that the alterations will have limited effect in terms of loss of light, loss of privacy, increased bulk and dominance.

The applicant submitted amended plans showing the lean to structure that preceded the existing extension following a request from your Planning Officer. Based on the description provided by objectors and the plans submitted as part of an earlier Certificate of Lawfulness the amended plans appear correct.

The boundary dispute is a civil matter between neighbours and cannot be resolved by Planning legislation.

The approval of this application is based on the submitted plans and not the existing structure. The structure currently has UPVC frames although these will be replaced with timber frames to improve its physical appearance and its long term sustainability. If the plans are not implemented as shown the applicant risks enforcement action.

From the plans the extension appears to have a sound design and concerns raised about the quality of the workmanship cannot be controlled under planning.

Conclusion

The proposed scheme is considered to be in accordance with Unitary Development Plan policies and the guidance contained within SPG5 and accordingly, approval is recommended, with relevant conditions attached.

**RECOMMENDATION:** Grant Consent

**REASON FOR GRANTING**

(1) The proposed development is in general accordance with policies contained in the:-

Brent's Unitary Development Plan 2004  
Council's Supplementary Planning Guidance 5 - Altering and Extending Your Home

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment  
Housing: in terms of protecting residential amenities and guiding new development

**CONDITIONS/REASONS:**

(1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2) All new external work shall be carried out in materials that match, as closely as possible, in colour, texture and design detail those of the existing building.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

(3) The development hereby approved shall be carried out and completed in all respects in accordance with the proposals contained in the application, and any plans or other particulars submitted therewith,

Reason: To ensure that the proposed development will be carried out as approved so as to avoid any detriment to the amenities by any work remaining incomplete.

**INFORMATIVES:**

None Specified

**REFERENCE DOCUMENTS:**

Brent Council's Unitary Development Plan 2004  
Brent Council's Supplementary Planning Guidance 5 - 'Altering and Extending Your Home'  
2 letters of objection and subsequent emails

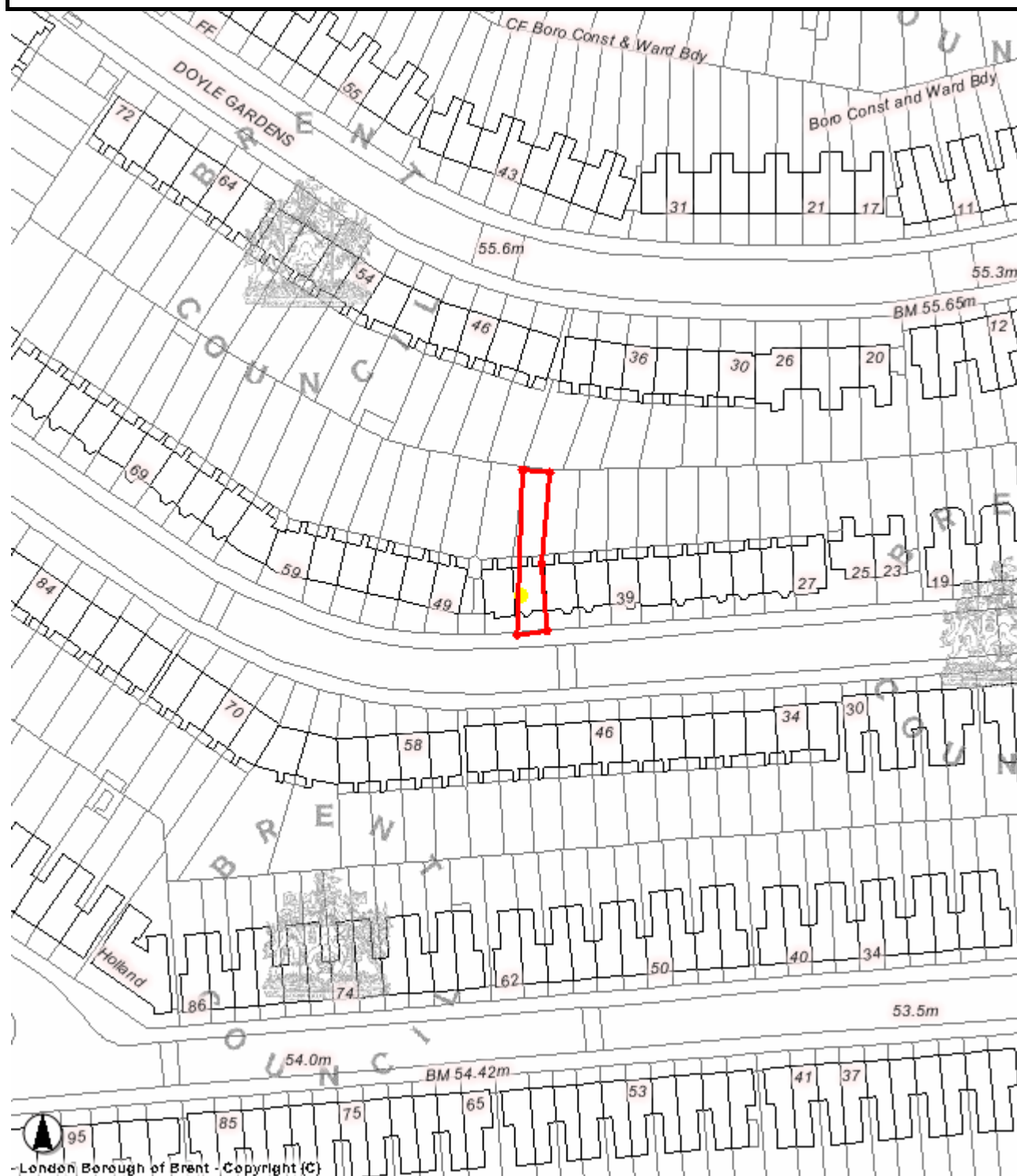
Any person wishing to inspect the above papers should contact Andrew Heasley, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5017



### Planning Committee Map

Site address: Ground Floor Flat, 45 Herbert Gardens, London, NW10 3BX

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