

**Committee Report
Planning Committee on 25 November, 2009**

Case No. 09/2130

RECEIVED: 26 August, 2009

WARD: Dudden Hill

PLANNING AREA: Willesden Consultative Forum

LOCATION: 18 Park View Road, London, NW10 1AE

PROPOSAL: Proposed first-floor front extension to dwellinghouse (as amended by plans received 19/10/2009)

APPLICANT: Mr & Mrs M. Boota

CONTACT: Architecture Design Partnership

PLAN NO'S: 09/01 Rev. A; 09/02 Rev. B; 09/03 Rev. A; 09/Area

RECOMMENDATION

Refusal

EXISTING

The existing property is a two-storey semi-detached dwellinghouse located on Park View Road in Dudden Hill. The surrounding properties are similar two-storey semi-detached dwellings. It is not a Conservation Area nor is it a Listed Building.

PROPOSAL

Full planning permission is sought for the erection of a proposed first-floor front extension to the dwellinghouse.

HISTORY

E/09/0563. Enforcement investigation opened to investigate a breach of condition (the proposal not built in accordance with approved plans dated 19/06/2006).

06/0772. Full planning permission sought for the erection of single-storey and two-storey side and rear extension, rear dormer window and installation of 2 front rooflights to dwellinghouse as amended by plans received 11/05/2006. Granted 19/06/2006.

05/1499. Full planning permission sought for the demolition of the existing garage and the erection of a part single-storey and part two-storey rear extension, two-storey side extension, rear dormer window and front porch extension to the dwellinghouse (as amended by plans received on 22 August 2005). Granted 13/06/2005.

04/3132. Full planning permission sought for the demolition of the existing garage and erection of two-storey side and rear extension, single-storey detached outbuilding to the rear garden of dwellinghouse. Refused 22/04/2005.

POLICY CONSIDERATIONS

Impact on residential amenity
Character and appearance of the dwellinghouse.

CONSULTATION

Five neighbours were consulted. One objection has been received from the resident at No. 16 Park View Road on the following grounds:

1. It will result in a reduction in available natural light through the stairwell window on the flank wall of his property.
2. It will reduce outlook from the side window.
3. The grounds for the exception to policy are not valid, as the cited examples, Nos. 21 and 29 Park View Road, are not relevant to this application. No. 29 Park View Road is set back 2.5m from the main front wall of the dwelling. No. 21 was approved at 1.9m but will not have a detrimental impact on the neighbouring property which already has a first-floor side extension.

REMARKS

History

The proposed first-floor side extension that is currently under construction was approved under planning reference 06/0772. This showed the first-floor side extension with a set-back of 2.5m from the main front wall of the dwellinghouse. During construction, it became apparent that the required minimum height of the internal staircase to the loft could not be achieved. As a result of this, the applicant started to complete the extension not in accordance with the approved plans. Consequently, following a neighbour objection, an enforcement investigation was opened and following that the current application was submitted for an amended proposal with the front wall of the first-floor extension set back 1m from the main front wall of the dwellinghouse.

During the planning process, the proposal was amended so that the front wall of the extension is set back 1.9m from the main front wall of the dwellinghouse rather than 1m as originally proposed.

Character and appearance of the dwelling

The proposed first-floor side extension will have a set-back of 1.9m from the main front wall of the dwellinghouse and will be set down from the main roof ridgeline. Building Control have confirmed that the staircase, as shown on the approved plans, would not provide sufficient headroom. Furthermore, the proposed staircase shown on the plan with sections does not comply with building regulations, as the landing at the top of the stairs is below the minimum 2m internal head-height required for staircases.

While the proposal is not in compliance with SPG5 specifications, the applicant has referred to a decision to allow a reduced set-back of 1.9m for a first-floor proposed extension at No. 21 Park View Road (07/0857). This was permitted to allow adequate access into the loft space and to improve the quality of the room created in the loft. In the current application the applicants have failed to demonstrate that an adequate access to the roof can be achieved as a result of the proposed reduced set-back to the first-floor extension. Building Control have been verbally consulted on this matter and have confirmed that adequate access to the loft space cannot be achieved as shown on the revised plans. Therefore it cannot be used as a justification for a reduced first-floor set-back. Accordingly this application is considered to be contrary to SPG5 and will have an unjustified detrimental impact on the character and appearance of the existing dwellinghouse.

Residential Amenity

The further forward projection of the first-floor side extension by 0.6m will not have a detrimental impact on the amenity of the neighbouring resident. The existing flank-wall window of No. 16 is through to a non-habitable room, therefore the loss of light through to this window is not considered to have a detrimental impact on the amenity of neighbouring residents.

Rear Dormer Window

The proposed rear dormer window has also not been completed in accordance with the approved plans. However, the applicants have shown that the rear dormer window and the proposed roof

extensions are in compliance with Permitted Development guidelines for roof extensions, as set out in Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) Order 1995. The measurements shown and the site visit confirm that it has been completed and is in accordance with the Permitted Development requirements.

Response to Applicant's Examples

The applicant has cited a number of examples where Brent have approved similar-style extensions to justify the proposed reduced depth for the first-floor extension. These are listed below:

- 21 Park Avenue North – A reduced set-back of 1.9m from the main front wall of the dwellinghouse was permitted for the first-floor side extension (ref. 07/0857). It has already been noted that this decision was made in error; however, the impact of the proposed extension is limited by the fact that the neighbouring dwellinghouse also has a two-storey side extension to dwellinghouse, although with a set-back of 2.5m, which reduces the potential for a terracing effect to occur.
- 29 Randall Avenue – Full planning permission was granted for the erection of a first-floor side extension. This had a reduced set-back of 1.5m from the main front wall of the dwellinghouse (ref. 06/2326). This was in compliance with SPG5 as there was a 1m set-in from the boundary.
- 41 Oxgate Gardens – Full planning permission was granted for a first-floor side extension with a set-back of 2.5m from the main front wall of the dwellinghouse with an oversailing roof to allow for access into the loft (ref. 08/1197). A condition was attached to ensure the area below the overhang is not infilled.
- 62 Vincent Gardens – Full planning permission was permitted for a first-floor side extension with a reduced set-back of 1.9m from the main front wall of the dwellinghouse (06/1481). This was permitted as the neighbouring property had an approved first-floor side extension set-in 1m from the boundary and set-back 1.5m from the main front wall, therefore there was no risk of a terracing effect occurring, while the dwellinghouse was also detached on a street of semi-detached dwellings.
- 2 Sherrick Green Road – Full planning permission was granted for a first-floor side extension to this property on 08/09/2008 (ref. 08/2003). The first-floor extension was set in 2m from the side boundary, therefore a 1.5m set-back was in keeping with SPG5.

The applicant has shown a number of examples which he feels set a precedent. Predominantly these were in accordance with SPG5 and where they are not, planning reasons have been given as to why an exception to policy was justified or the decision was made in error. It is considered that a precedent for extensions with a reduced set-back of 1.9m has not been set and therefore the application at No. 18 should be considered on its own merits in relation to Council policy.

Conclusion

The proposed two-storey front extension is considered not to be in keeping with the aims and objectives of Council planning policy and will therefore not be in keeping with the character and appearance of the dwellinghouse and the surrounding streetscene. Accordingly the proposal is recommended for refusal for the reason outlined below.

RECOMMENDATION: Refuse Consent

CONDITIONS/REASONS:

- (1) The proposed two-storey side extension, by reason of its inadequate set-back from the main front wall of the dwellinghouse, would not be in keeping with the character and appearance of the dwellinghouse and the surrounding streetscene, contrary to

policy BE9 of Brent's Unitary Development Plan 2004 and the specifications of Supplementary Planning Guidance No. 5: "Altering and Extending Your Home".

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

UDP 2004
SPG 5

Any person wishing to inspect the above papers should contact Robin Sedgwick, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5229



Planning Committee Map

Site address: 18 Park View Road, London, NW10 1AE

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