

Committee Report

Planning Committee on 16 December, 2009

Case No.

09/3384

RECEIVED: 28 October, 2009

WARD: Brondesbury Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 95 Chatsworth Road, London, NW2 4BH

PROPOSAL: Demolition of attached garage and erection of a single and two storey side extension to dwellinghouse

APPLICANT: Mr Shahrestani

CONTACT: Mrs Samii

PLAN NO'S:

Site plan	
s-09-01	s-09-02
s-09-03	s-09-04
s-09-05	s-09-06
s-09-07	s-09-08
s-09-09	s-09-10
s-09-11	s-09-12
s-09-13	
Eaves detail	

RECOMMENDATION

Approval

EXISTING

The application site is a semi-detached dwellinghouse on the northern side of Chatsworth Road, NW2.

PROPOSAL

Demolition of attached garage and erection of a single and two storey side extension to dwellinghouse

HISTORY

84/0512 Granted 3rd July 1984
EREC.S/S SIDE & REAR EXTN.& EXTN.TO FRONT PORCH

91/1664 Granted 1st December 1991
ERECTION OF FIRST FLOOR SIDE EXTENSION, (AS REVISED BY PLANS RECEIVED ON THE 28 NOVEMBER, 1991)

92/0157 Refused 1st March 1992
ERECTION OF FIRST FLOOR SIDE AND REAR EXTENSION AND EXTENSION ROOF.

92/1602 Granted 1st April 1993
PART USE OF GROUND FLOORS OF BOTH 95 AND 101 CHATSWORTH

ROAD, NW2 FOR RELIGIOUS/ EDUCATION AND PRAYERS.
(REVISED BY PLANS AMENDED ON 5TH FEBRUARY 1993.

POLICY CONSIDERATIONS

Unitary Development Plan 2004

BE2 Townscape: Local Context & Character

BE9 Architectural Quality

Supplementary Planning Guidance Note 5: Altering and Extending Your Home

CONSULTATION

Neighbouring occupiers were consulted on 6th November 2009, 4 objections have been received raising the following points:

- The use of the property is residential and religious.
- People visit the property for prayer meetings and often partially block driveways.
- The side extension would be an extension to the religious activities.
- The very large storage area in the garden should be used rather than further expansion.
- The first floor extension would change the character of the street
- The site is overcrowded and there is concern that this application is a pretext for linking this and the adjoining property.

Impact on water pressure.

REMARKS

The proposal is for the demolition of attached garage and erection of a single and two storey side extension to dwellinghouse.

Side extension

The existing garage is flush with the front elevation of the dwelling, the proposed single storey part of the side extension would be rebuilt on the same front elevation line and would also have a garage door as its opening to the front. The extension is 2.7m in width between the flank wall of the dwelling and the boundary of the site. A single roof light is proposed in the pitched single storey roof.

The front elevation of the first floor extension is proposed to be set back 2.5m to comply with SPG5. The positioning and design of the proposed window matches those existing in the front elevation, the eaves levels align and the proposed ridge is significantly below that of the original building resulting in a minimal visual impact. In terms of the front elevation the extension is designed to be sympathetic to the original building.

A large scaled section of the roof and flank wall junction demonstrates that the gutteing will be contained within the site boundary.

The non-attached neighbouring property (which somewhat confusingly is numbered 101 given that the application property is no. 95), has an extended garage structure at ground floor between its flank wall and the boundary, at first floor there are 3 windows which are all obscure glazed. As such there are no flank wall windows which will be affected in terms of outlook.

To the rear this building and its neighbours have an original staggered building line. The proposed 2 storey side extension projects 1m less than the furthest most rear building line and as such does not project beyond the closest rear elevation of the non-attached neighbour. As such there is no impact on outlook to neighbours at the rear.

At ground floor the extended space is labelled as a games room though this could also still be used as a garage. At first floor 2 small bedrooms and a WC are created.

Existing use and extensions

A neighbour comment has referred to the use of the building including the holding of religious prayer meetings as well as residential. In the planning history between 1992-1995 there was reference to religious education/prayer meetings at the site. The history includes an approved application for the part use of the ground floor, a refused application for the same and an application for a certificate of lawfulness for the same which was withdrawn for unknown reasons. There is no enforcement record relating to the use either at the time of these older applications or currently.

An internal site visit confirmed the layout of rooms at ground floor as shown on the existing floor plan. An email has been received from the agent stating that the above use was carried out by the late father of the current resident but has not been continued since 1999. Legal advice received indicates that a use may be considered to be abandoned and therefore not lawful if not undertaken for 10 years, and this considered alongside the email referred to above means that this application should be considered as a proposal for an extension to a domestic property.

It is not considered that the extension of a narrow garage/games room and creation of two small additional bedrooms is related to any non-residential use which has previously taken place at the site.

The building has fairly considerable extensions currently, at the rear the living room is extended and the kitchen is an extension, the planning history refers to rear extensions in 1984. There is also a large outbuilding used for storage. This is established in its appearance and is likely to be lawful.

The design and scale of the 2-storey side extension is considered to result in a subsidiary extension and its size and set back at first floor complement rather than dominate the house, as such it is not considered that the appearance would be detrimental to the appearance of this semi-detached building. The proposal complies with Policies contained in Brent's UDP 2004 and SPG5: altering and extending your house.

REASONS FOR CONDITIONS

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

Brent 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 on 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, 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.

INFORMATIVES:

- (1) The application has been determined upon the premise that the building is and will be in use only as a single family dwellinghouse.

REFERENCE DOCUMENTS:

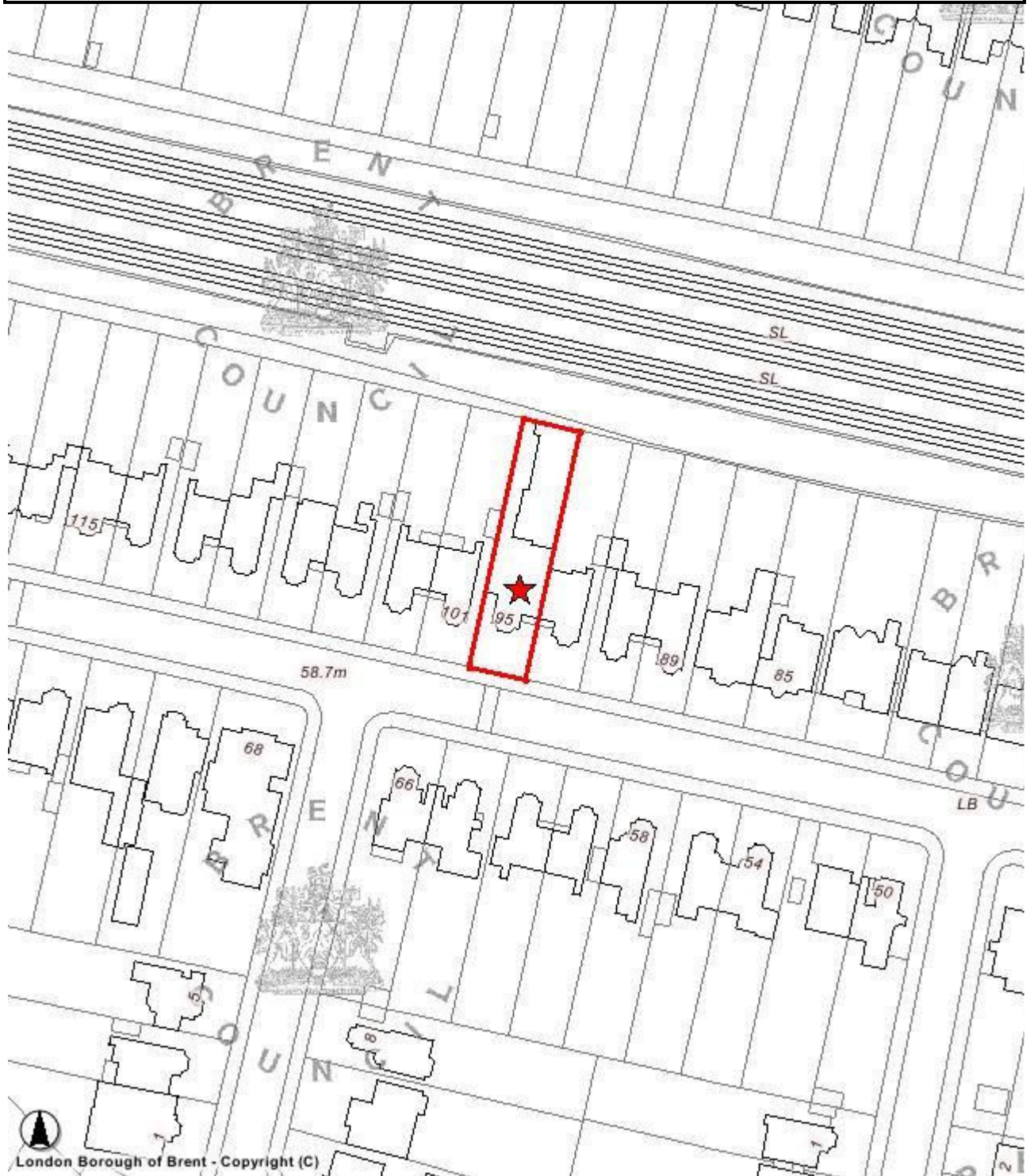
Any person wishing to inspect the above papers should contact Liz Sullivan, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5377



Planning Committee Map

Site address: 95 Chatsworth Road, London, NW2 4BH

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