



Planning Committee Map

Site address: 117 Preston Hill, Harrow, HA3 9SN

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This map is indicative only.

RECEIVED: 3 May, 2013

WARD: Kenton

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: 117 Preston Hill, Harrow, HA3 9SN

PROPOSAL: Demolition of detached garage and erection of a detached bungalow with one street parking space, and construction of new vehicular access and provision of 2 car parking spaces for No. 117 Preston Hill (revised description)

APPLICANT: Mr P Patel

CONTACT: Kevin D'Austin

PLAN NO'S:
Refer to Condition 2

RECOMMENDATION

To:

- (a) Resolve to Grant Planning Permission, subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report, or
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission

SECTION 106 DETAILS

The application requires a Section 106 Agreement, in order to secure the following benefits:-

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- A contribution of £6,000 (£3,000 per bedroom), due on material start and, index-linked from the date of committee for Education, Sustainable Transportation, Open Space & Sports and environmental improvements in the local area.

This application is liable for Community Infrastructure Levy.(CIL) . The Mayor's contribution would be is £2,182.58.

EXISTING

The application site comprises a semi detached two storey dwellinghouse located on Preston Hill. The property has a detached garage located next to the boundary with No. 119 Preston Hill.

The application site is not located within a conservation area nor is it a listed building. The surrounding uses are predominantly residential.

DEVELOPMENT SCHEDULE

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

USE

Number	Primary Use	Sub Use
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1	dwelling houses	
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FLOORSPACE in sqm

Number	Existing	Retained	Lost	New	Net gain
1				61	61

TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
				61	61

PROPOSAL

Demolition of detached garage and erection of a detached bungalow with one street parking space, and construction of new vehicular access and provision of 2 car parking spaces for No. 117 Preston Hill.

HISTORY

13/0127: Full Planning Permission sought for demolition of detached garage, erection of a 2 storey detached dwellinghouse, provision of 2 car parking spaces and construction of a new vehicular access on land adjacent to 117 Preston Hill - Withdrawn, 10/04/2013.

POLICY CONSIDERATIONS

National Level

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was adopted in March 2012. It establishes a presumption in favour of sustainable development: local planning authorities should plan positively for new development, and approve all individual proposals wherever possible. Saved policies from the adopted UDP will have increasingly less weight unless they are in conformity with the NPPF and can be demonstrated to be still relevant. Core Strategy policies will also need to be in conformity with both the London Plan and the NPPF and have considerable weight.

Paragraph 53 of the NPPF resists inappropriate development of residential gardens, for example, where this would cause harm to the local area.

Regional Level

London Plan 2011

The London Plan 2011 forms the spatial development strategy for London and was adopted in July 2011. The following policies are considered relevant to this application:

Policy 3.5 - Quality and Design of Housing Development
Policy 8.3 - Community Infrastructure Levy

Housing Supplementary Planning Guidance - adopted November 2012

Provides supplementary guidance to support the housing policies set out in the London Plan.

Local Level

Brent's Core Strategy 2010

The Council's Core Strategy was adopted by the Council on 12th July 2010. As such the policies within the Core Strategy hold considerable weight. The following policies are considered to be relevant for this application:

CP17: Protecting and Enhancing the Suburban Character of Brent
CP18: Protection and Enhancement of Open Space, Sports & Biodiversity

CP 21: A balanced housing stock

Brent Unitary Development Plan 2004.

In addition to the Core Strategy, there are a number of policies which have been saved within the Unitary Development Plan (UDP), which was formally adopted on 15 January 2004. The saved policies will continue to be relevant until new policy in the Local Development Framework is adopted and, therefore, supersedes it. The relevant policies for this application include:

BE2: Townscape - Local Context & Character
BE5: Urban Clarity & Safety
BE6: Public Realm - Landscape Design
BE7: Public Realm - Streetscape
BE9: Architectural Quality
BE25: Development in Conservation Areas
H12: Residential Quality - Layout Considerations
TRN10: Walkable Environment
TRN11: The London Cycle Network
TRN23: Parking Standards - Residential Developments

SPG5 "Altering and Extending Your Home", adopted 2002.

Provides guidance on alterations and extensions to residential properties, including factors such as residential amenity.

SPG17 – "Design Guide for New Development" adopted October 2001

Provides comprehensive and detailed design guidance for new development within the Borough. The guidance specifically sets out advice relating to siting, landscaping, parking, design, scale, density and layout.

SPD "Section 106 planning obligations" October 2007

Provision for a standard charge for planning obligation contributions.

CONSULTATION

Consultation Period: 09/05/2013 - 30/05/2013

Additional Consultation Period: 13/05/2013 - 03/06/2013

Site Notice Displayed: 16/05/2013 - 06/06/2013

Public Consultation

14 neighbours consulted - one letter of objection and one petition received with 9 signatures objecting to the proposal on the following grounds:

- Gross overdevelopment
- Change of street view
- No privacy to the neighbouring properties and gardens
- Increase amount of traffic on the bend of Preston Hill
- Busy bus route
- Loss of sunlight to rear garden of neighbouring property.

Internal Consultation

Transportation - Proposal can be supported on Transportation grounds subject to a financial contribution of £1000 towards non-car access improvements in the vicinity of the site.

External Consultation

Objections raised by Councillor Colwill, Councillor Patel and Councillor Kansagra (Kenton Ward Councillors) on the following grounds:

- Gross overdevelopment of the site.
- New building will overlook neighbouring properties and gardens and restrict privacy
- The new property will detrimentally affect both the streetscene and the view of the surrounding houses
- The new house will generate an increased amount of traffic which is particularly problematic on the bend

in the road where there is a prominent bus route. Extra cars parked on the road would create access problems.

REMARKS

Site and Surroundings

The application site comprises a triangular site with a wide open frontage that narrows towards the rear. It currently contains a two storey semi detached dwellinghouse and a detached garage at the northern end of the site next to No. 119 Preston Hill. The existing dwellinghouse (No. 117 Preston Hill) has not been extended.

The other pair of the semi, No. 115 Preston Hill, has not been extended. The other neighbouring property, No. 119 Preston Hill, is a detached bungalow. It has two detached garage along the boundary with the application property, connected by a plastic roof canopy. There was an enforcement investigation at this property in relation to the use of the site as a place of worship and flue and extension (LPA Ref: E/06/0803). It was concluded following investigation from officers within the Planning Enforcement Team that a breach of planning had not occurred.

Design and siting

Policy CP17 of Brent's Core Strategy seeks to protect the suburban character of Brent from inappropriate development, including the development of garden space and infilling of plots with out of scale buildings that do not respect the settings of the existing dwellings. In this case, the site contains a very wide open frontage that is significantly wider than other corner properties in the vicinity of the site. The greenery in the form of the front garden and hedgerow contributes towards the character of the dwellinghouse and the streetscene.

This application seeks to demolish the existing detached garage and build a detached bungalow in its place. The main element of the new bungalow is no wider than the existing dwellinghouse with a subservient side feature. A hipped pitched roof is proposed. The eaves and ridge of the new bungalow are at the same height than the existing bungalow at No. 119 Preston Hill. The scale and height of the bungalow is in keeping with the general form of buildings in the locality and is considered acceptable.

A gap of approx. 8m will be maintained between the new bungalow and the existing dwellinghouse when measured from the front wall of the bungalow. This gap is similar to gaps between properties in the immediate locality.

The new bungalow will be set back 6m from Preston Hill. It will follow the building line of No. 119 Preston Hill. Although the application will be subdivided into two plots, a large extend of the front garden will still remain. This will allow the green character of the site to be retained which will maintain the character of the site.

Quality of proposed residential accommodation

Unit Size

The proposed bungalow will have an internal floor area of 61.3sqm. The London Plan requires a two bed 3 person dwellinghouse to have a minimum internal floor area of 61sqm. The proposal therefore complies with policy.

Outlook and privacy

The level of outlook from habitable rooms is considered acceptable. The bungalow benefits from dual aspect and a minimum distance of 10m is maintained from the rear kitchen/living room area to the rear boundary.

In terms of privacy, SPG17 requires rear habitable room windows to maintain a minimum distance of 10m to the boundary with neighbouring properties. In this case, a minimum of 10m is maintained to the rear boundary. No windows are proposed on the flank walls of the bungalow and it is recommended that a condition is secured to restrict any windows being inserted in the flank walls in the future without the benefit of planning permission.

External Amenity Space

The bungalow will have direct access to approx. 80sqm of private external amenity space. This exceeds the

minimum requirements as set out in SPG17 which requires 50sqm for a ground floor unit.

Quality of accommodation for the existing dwellinghouse

Outlook and Privacy

Good levels of outlook will still be retained from the rear and flank wall habitable rooms of the existing dwellinghouse. A distance of 10m will be retained to the rear boundary and 5m to the side boundary as a result of the subdivision of the site.

The existing dwellinghouse will not overlook the rear garden of the new bungalow as a distance of 10m is maintained.

External Amenity Space

The existing dwellinghouse will have direct access to approx. 65sqm of private external amenity space. This exceeds the minimum requirements as set out in SPG17 which requires 50sqm for a ground floor unit.

Impact on surrounding residential properties

The proposed bungalow is no deeper than the neighbouring bungalow at No. 119 Preston Hill. As such it is not considered to have an adverse impact upon the amenities of No. 119 Preston Hill through loss of light or outlook.

Highway considerations and front garden layout

Car parking for the new bungalow

The existing detached garage within the application site is accessed via a shared crossover with No. 119 Preston Hill. Car parking allowances for residential use are set out in standard PS14 of Brent's UDP 2004. The new two bedroom bungalow requires one off street parking space. This off street parking space will be provided within the front garden of the new bungalow accessed via the existing shared crossover with No. 119 Preston Hill.

Car parking for the existing dwellinghouse

The existing dwellinghouse attracts car parking standards of 1.6 spaces. As it already has two off street parking spaces (within the detached garage and in front of the garage), it is acceptable for two spaces to be retained. The two spaces will be located side by side within the front garden of the existing dwellinghouse accessed via a new 4.2m wide crossover. Officers in Transportation have confirmed that the siting of the new crossover is acceptable.

Refuse facilities and cycle parking

There is sufficient room within the front gardens to accommodate refuse facilities for both the existing dwellinghouse and proposed bungalow. Details of which are recommended to be secured as part of any forthcoming planning consent.

One cycle space is required per unit. This can be accommodated within both the existing dwellinghouse and proposed bungalow without the need to secure a separate covered cycle store.

Front garden layout

The front gardens for both the existing dwellinghouse and new bungalow will be predominantly soft landscaped with the exception of an area of hard surfacing for off street parking, refuse store area and pathways to both properties. The existing hedge will be retained apart from the openings for vehicular accesses. Full details of the front gardens for both properties are recommended to be secured as a condition to any forthcoming planning consent.

Removal of permitted development rights

To ensure that any future extensions do not compromise the privacy of neighbouring properties, have a harmful impact on the streetscene or result in a significant reduction in the rear garden area, it is recommended that

the following classes of permitted development rights from Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order, 1995, as amended are removed:

Existing dwellinghouse

Class A - Enlargement, improvement or alterations to a house such as rear or side extensions as well as general alterations such as new windows and doors

Class E - Provision of buildings and other development on land surrounding the house

Class F - Provision of hard surfaces on land surrounding the house such as driveways

New bungalow

Class A - Enlargement, improvement or alterations to a house such as rear or side extensions as well as general alterations such as new windows and doors

Class B - Additions or alterations to roofs which enlarge the bungalow such as lofty extensions involving dormer windows

Class D - Erection of a porch outside an external door

Class E - Provision of buildings and other development on land surrounding the house

Class F - Provision of hard surfaces on land surrounding the house such as driveways

Response to objections raised

A number of objections have been raised. These are discussed below:

Objection	Response
Gross overdevelopment of the site	<p>It is not considered that the proposal represents a gross overdevelopment of the site. The reasons are as follows:</p> <ul style="list-style-type: none"> • new bungalow is of an appropriate size that is in keeping with the scale of surrounding buildings • new bungalow meets the minimum internal floor area requirements as set out in the London Plan • Sufficient external amenity space is provided for both the existing dwellinghouse and new bungalow • The proposal does not result in a loss of outlook or privacy for either existing or proposed occupiers • Front garden will remain predominantly soft landscaped with sufficient off street parking
New building will overlook neighbouring properties and gardens and restrict privacy	<p>As discussed above, the new bungalow will not overlook neighbouring properties and rear gardens and result in a loss of privacy. A distance of 10m will be maintained to the rear boundary, complying with SPG17.</p>
New bungalow will adversely affect the character of the streetscene	<p>As discussed above, the new bungalow is considered to be in keeping with the character of the streetscene. It provides a satisfactory relationship with the neighbouring bungalow at No. 119 Preston Hill, as the height of the eaves and ridge is no higher than No. 119 Preston Hill. Furthermore, the bungalow is of an appropriate design and scale that contains windows and a front door that face onto Preston Hill.</p>

<p>Increased amount of traffic close to the bend on Preston Hill, which is used as a busy bus route</p>	<p>Off street parking will be provided for both the existing dwellinghouse and new bungalow that meet the Council's parking standards. The new crossover for the existing dwellinghouse is considered to be in an appropriate location sufficient set away from the bend in Preston Hill.</p> <p>The existing and proposed properties are not considered to result in any more visitors or coming and goings of vehicles as any other house along Preston Hill.</p> <p>It should also be noted that the Council have recently put down double yellow lines on Preston Hill around the area with the bend in the road (outside Nos.119 to 125 Preston Hill). This will prevent vehicles from parking along this section of the road.</p>
<p>Loss of sunlight to rear garden of neighbouring property.</p>	<p>The rear garden in question (No.2 Bush Hill Road) is located to the north of the application property and rear garden. Due to its orientation and location of the north of No. 117 Preston Hill and the new bungalow, it will continue to enjoy sunlight throughout the day.</p>

Section 106 Agreement and CIL

This application will be subject to a legal agreement that will secure a contribution of £3000 per bedroom (total contribution of £6000). This contribution will go towards building new school classrooms or associated facilities, local highway improvements or sustainable transport improvements, and enhance of public open spaces or improvements to the environment.

The application involves a new dwelling and thus is liable for the Mayor's CIL charge.

Conclusions

The proposal is considered to be an appropriate development that does not erode the suburban character of the area or have a harmful impact upon the character of the streetscene. It will contribute towards the Borough's housing stock. The scheme meets the current relevant standards and policies in terms of parking provision, residential amenity and the protection of adjoining residents.

The proposed scheme is in accordance with local and regional policies, and therefore is recommended for approval, subject to a Section 106 Agreement.

RECOMMENDATION: Grant Consent subject to Legal agreement

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

National Planning Policy Framework
London Plan 2011
Housing Supplementary Planning Guidance - adopted November 2012
Brent's Core Strategy 2010
Brent Unitary Development Plan 2004

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) The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

117PH/P100
117PH/P101

Reason: For the avoidance of doubt and in the interests of proper planning.

- (3) No extensions or buildings shall be constructed within the curtilage of the existing dwellinghouse subject of this application, notwithstanding the provisions of Classes A, E and F of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995, as amended, (or any order revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason: To prevent an over development of the site and undue loss of amenity to adjoining occupiers.

- (4) No extensions or buildings shall be constructed within the curtilage of the proposed bungalow subject of this application, notwithstanding the provisions of Classes A, B, D, E and F of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995, as amended, (or any order revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason: To prevent an over development of the site and undue loss of amenity to adjoining occupiers.

- (5) Further details of the windows and doors to the new bungalow hereby approved shall be submitted to and approved in writing by the Local Planning Authority, and thereafter built in accordance with the approved details. Such details shall include:

- (a) details of the materials for the windows and doors
- (b) an elevation plan of each window type and doors at a scale of 1:10
- (c) Cross section through each window type at a scale of 1:5 with all dimensions clearly annotated through the transom, showing the relationship of fixed and opening lights including the use of dummy frames to provide even sight lines between fixed and opening lights.

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

- (6) Notwithstanding the submitted plans otherwise approved, further details of the rear garden layout for both the existing dwellinghouse and the proposed bungalow shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on

site. The hard landscape works for both the existing dwellinghouse and proposed bungalow shall be completed prior to first occupation of the proposed bungalow hereby approved and the soft landscape works for both the existing dwellinghouse and proposed bungalow shall be completed within six months of the first occupation of the proposed bungalow hereby approved. The landscaping works shall be carried out in accordance with the approved scheme.

Such details shall include:-

- (i) Patios and pathways (including details of materials, finishes and height of patio).
- (ii) Details of existing and proposed boundary treatments (including materials and height).
- (iii) All existing planting to be retained and proposed planting (including location, species, size, density and number).

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- (7) Notwithstanding the submitted plans otherwise approved, further details of the front garden layout for both the existing dwellinghouse and the proposed bungalow shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The hard landscape works for both the existing dwellinghouse and proposed bungalow shall be completed prior to first occupation of the proposed bungalow hereby approved and the soft landscape works for both the existing dwellinghouse and proposed bungalow shall be completed within six months of the first occupation of the proposed bungalow hereby approved. The landscaping works shall be carried out in accordance with the approved scheme.

Such details shall include:-

- (i) Areas of hardstanding for off street parking and pedestrian pathways (including details of materials and finishes which shall be of a permeable construction).
- (ii) Details of the extent of the existing hedgerow along the frontage to be retained.
- (iii) All existing planting to be retained and proposed planting (including location, species, size, density and number).

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- (8) Prior to any works commencing on site, a plan shall be submitted to and approved in writing by the Local Planning Authority, showing the extent of the existing hedgerow along the boundary of Nos. 38 and 40 Roe Lane which is to be removed as a result of this proposal together with a Construction Protection Statement in accordance with BS5837 (2005) describing how the remaining extent of the hedgerow will be protected throughout the construction works. This should include a Root Protection plan and methods to protect the root zones around the hedgerow during construction.

The approved tree protection measures shall be in place throughout the construction period

and if any of the remaining hedgerow dies within five years following the construction of the rear extension, it should be replaced with the same species.

Reason: In the interests of the amenities of the locality.

- (9) The proposed vehicular crossover to serve the existing dwellinghouse shall be carried out at the applicants expense in compliance with a scheme to be submitted to and approved in writing by the Council's Highway Authority. The works shall be carried out and completed in accordance with these approved details prior to first occupation of the bungalow hereby approved.

Reason: In the interests of highway conditions within the vicinity of the site.

INFORMATIVES:

- (1) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk

Any person wishing to inspect the above papers should contact Victoria McDonagh, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5337