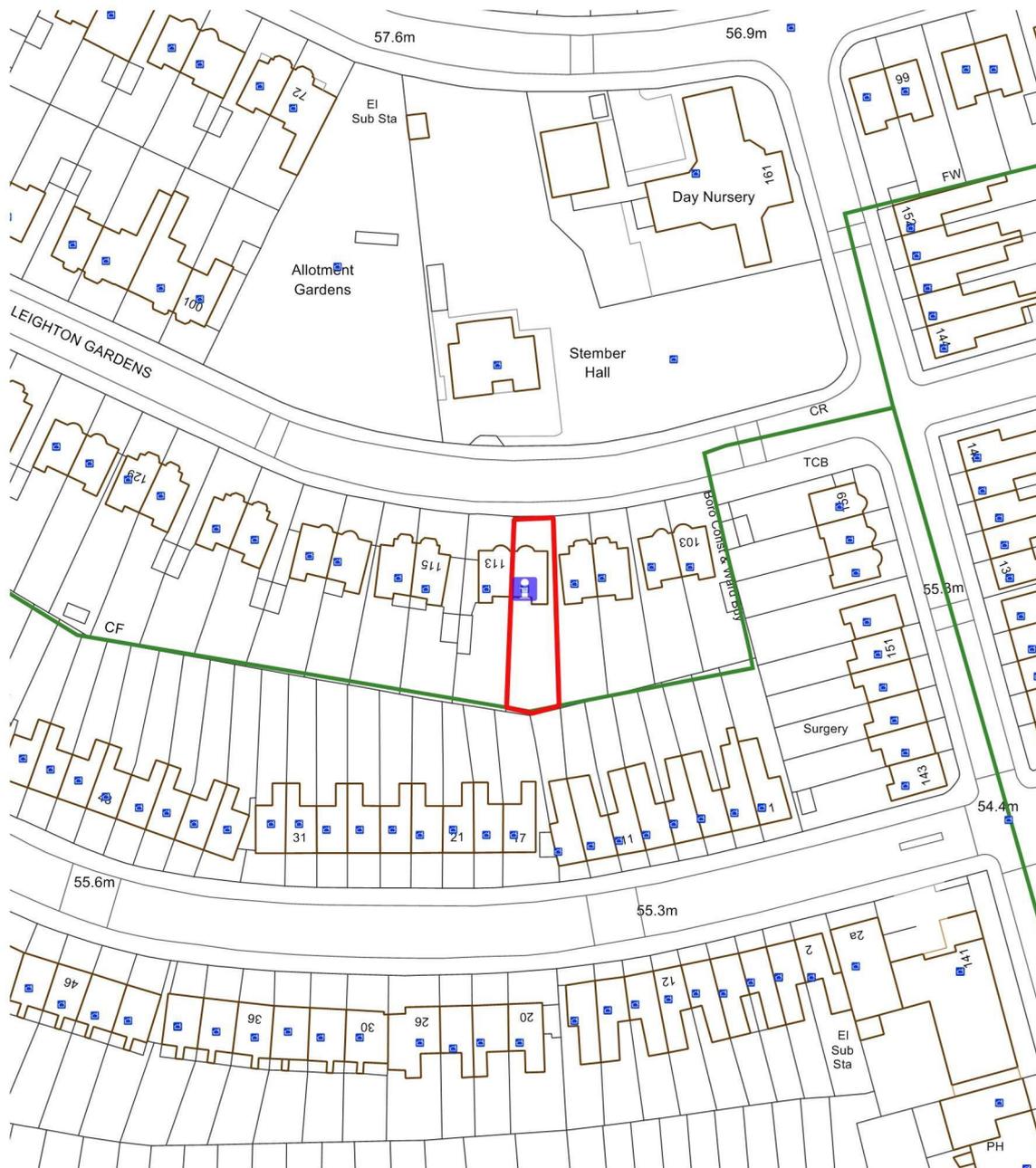


 **Planning Committee Map**
Site address: 111 Leighton Gardens, London, NW10 3PS
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This map is indicative only.

RECEIVED: 21 May, 2013

WARD: Brondesbury Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 111 Leighton Gardens, London, NW10 3PS

PROPOSAL: Proposed part two-storey/part single storey rear extension, replacement of front entrance porch and creation of one car parking space including alterations to hard and soft landscaping at front garden of dwellinghouse (as amended by plan received on 04/07/2013 and 08/07/2013)

APPLICANT: Mr S Palomo

CONTACT: PLAN_it

PLAN NO'S:
See condition 2.

MEMBERS CALL-IN PROCEDURE

In accordance with Part 5 of the Constitution and Section 10 of the Planning Code of Practice, the following information has been disclosed in relation to requests made by Councillors for applications to be considered by the Planning Committee rather than under Delegated Powers

Name of Councillor

Councillor Shaw

Date and Reason for Request

11/07/2013. There have been a large number of residents objections. I would like members to view this application and form their opinion as to over development.

Details of any representations received

Was approached by a local resident in relation to the application.

Name of Councillor

Councillor Colwill

Date and Reason for Request

11/07/2013. There have been a large number of residents objections. I would like members to view this application and form their opinion as to over development.

Details of any representations received

None.

Name of Councillor

Councillor Kansagra

Date and Reason for Request

11/07/2013. There have been a large number of residents objections. I would like members to view this application and form their opinion as to over development.

Details of any representations received

None.

RECOMMENDATION

Approval

EXISTING

The existing property is a two-storey semi-detached dwellinghouse located on Leighton Gardens within Kensal Rise. It is not a listed building nor is it within a Conservation Area.

PROPOSAL

See description above.

HISTORY

No relevant planning history.

POLICY CONSIDERATIONS

Brent UDP 2004

BE2

BE7

BE9

SPG 5: 'Altering and Extending Your Home'

CONSULTATION

All neighbouring residents were consulted on 21 May 2013. A total of 9 objections have been received making the following points:

- The proposed development fails to comply with the guidelines set out in SPG5
- The proposed two-storey rear extension is of a size and scale not in keeping with the character and appearance of the property.
- The proposed extensions would dominate the surrounding houses and gardens and will not be in keeping with the character and appearance of the surrounding streetscene.
- The proposed roof terrace would result in a loss of privacy for neighbouring residents.
- The proposed extensions would have an overbearing visual impact on the amenity of neighbouring occupiers.
- Loss of light to neighbouring properties.
- The large French windows on the first floor and second floor levels are not in keeping with the character and appearance of the property.
- The proposed front porch is of an excessive size out of keeping with the proportions of the existing house/
- The proposed front garden layout results in an excessive area of hard standing and a significant loss of soft landscaping.
- There is an existing unauthorised building in the rear garden.

In addition, as explained at the beginning of this report, the case has been "called in" by Councillors Shaw, Kansagra and Colwill.

REMARKS

Introduction

1. The proposed development involves extending and altering the existing semi-detached dwelling house at 111 Leighton Gardens. The main considerations when assessing such proposals are:

- The impact on the character and appearance of the property
- The impact on the amenity of neighbouring residents
- Issues raised from consultation.

Amendments

2. For the information of Members, the application has been significantly amended in the following way during the lifetime of the application:
 - The proposed gable-end extension and rear dormer have been removed
 - The depth of the first floor rear extension has been reduced and a pitch roof is proposed instead of the flat roof.
 - The proposed first floor and second floor rear roof terraces have been removed.
 - The proportion of hard standing the front garden has been reduced and the area of soft landscaping will be increased

As a result, many of the comments made by objectors are no longer relevant as they related to a submission that was considered to be equally unacceptable to Officers. The revisions that have taken place to the proposal now make the scheme SPG5 compliant and it is this reduced scheme that is to be considered by Members.

Character and appearance of the dwelling house

3. The proposed two-storey rear extension has a depth of 1.8m while the proposed single storey rear extension has a depth of 3m beyond the main rear wall of the dwelling house, with a small open canopy beyond. The roof of the two-storey rear extension is hipped to match that of the existing property and is appropriately set down from the main roof ridge line to appear subservient. The proposed single storey rear extension will have a flat roof at a maximum height of 3m. The proposed rear extensions are considered to be in keeping with the scale and design of the existing dwelling house.
4. To the front of the property a new front garden layout is proposed showing the provision of one off-street parking space and additional soft landscaping. The proposed crossover will be no wider than 3m in width. The level of soft landscaping provision proposed is shown as being below 50%, with only approx 12.2 sqm of landscaping equating to 25% of the front forecourt. It is relatively simple to increase this amount to an acceptable level and a revised plan of the front forecourt taking account of the need for an enhanced landscaping treatment will be secured by condition.
5. The proposed extensions are considered to be of a scale and appearance which are in keeping with the existing dwelling house, in particular, and the locality, in general. The proposed alterations to the front forecourt will be acceptable on the basis that a condition requiring an increase to the proportion of soft landscaping will be sought.

Amenity of Neighbouring Residents

6. The proposed first floor rear extension has been reduced to a maximum depth of 1.8m. This will comply with the 2:1 rule set out in SPG 5 as the nearest habitable room window on the neighbouring property is situated over 4m from the proposed flank wall. As such it is considered to have an acceptable impact on the amenity of neighbouring residents.
7. The proposed single storey rear extension has a depth of 3m from the main rear wall of the dwelling house and a flat roof at height of 3m. This is in compliance with SPG5 specifications and will not have a detrimental impact on the amenity of neighbouring residents.
8. A new raised decking area is proposed to a depth of 2.5m beyond the rear wall of the dwelling house this has a maximum height of 0.3m which is in compliance with SPG5 specifications and should not have a detrimental impact on the amenity of neighbouring residents.
9. 3 windows are proposed at the first floor level of flank wall of the proposed development. These are all through to non-habitable rooms (two bathrooms and one landing). A condition will be attached to ensure that all these windows are obscure glazed and non-opening only.

Consultation

Objection	Officer Comment
The proposed development fails to comply with the guidelines set out in SPG5.	The proposed development has been amended so that it complies with the guidelines set out in SPG5
The proposed extensions will have a detrimental	The proposed extensions have been reduced in scale

impact on the character and appearance of the property from the street scene.	and altered to ensure that they fully comply with SPG5 specifications. As such the proposed development is considered to be subservient to the subject and surrounding dwellings and is in keeping with the character and appearance of the building within the street scene as set out in paragraphs 3-5 above.
The proposed roof terraces would result in a loss of privacy for neighbouring residents.	The roof terraces have been removed from the proposed development.
The proposed extensions would have an overbearing visual impact on neighbouring residents and would result in a loss of daylight and sunlight as well.	The proposed two-storey rear extension has been reduced to a depth which complies with the 2:1 rule set out in SPG5 while the proposed single storey rear extension has a maximum depth of 3m. These are in compliance with SPG5 and are not considered to have a detrimental impact on the amenity of neighbouring residents in terms of overbearing visual impact and loss of light.
The French windows at first floor and second floor levels and the large front porch are not in keeping with the character and appearance of the property.	These have been removed from the proposals.
The proposed front garden layout has excessive areas of hard landscaping.	The area of hard landscaping has been reduced and the proportion of soft landscaping increased on the amended plans.
There is an existing unauthorised building in the rear garden.	The existing outbuilding that is close to completion in the rear garden does not form part of this application. Such buildings can be built without the need for planning permission provided they are of an acceptable size and used for a use which is incidental to the use of the property as a dwelling house. The Council's enforcement officers are currently investigating to determine if there has been a breach of planning. An Informative will be attached to this consent making this point clear.

Conclusion

10. The original submission here was considered to be unacceptable to Officers as it was significantly in conflict with adopted SPG5. It is this scheme that generated the understandable objections summarised above. However, during the lifetime of the application the applicant submitted revised drawings that took account of the provisions of adopted SPG5 and it is this much reduced scheme that Members are being asked to consider.

11. The proposed part two-storey/part single storey rear extension with alterations to the front garden is in accordance with the Council's guidelines for extensions to dwelling houses as set out in SPG5: Altering and Extending Your Home. It is therefore considered to be in keeping with the character and appearance of the property within the street scene and will not have a detrimental impact on the amenity of neighbouring residents. Accordingly approval is recommended subject to the conditions set out below.

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) The development hereby permitted shall be carried out in accordance with the following approved drawings:

147.A.P.100
147.A.P.101
147.A.P.102 rev1
147.A.P.103 rev1

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

- (3) 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.

- (4) Notwithstanding the plans hereby approved full details of the proposed front garden layout including details of the boundary wall, an increase in the proportion of the area of soft landscaping to 50% of the front forecourt area, details of plant species and densities, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All detailed works shall be carried out as approved within 18 months of works commencing.

Any planting that is part of the approved scheme that within a period of five years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.

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.

- (5) The proposed first floor flank wall windows shall be obscure glazed and high opening (above 1.7m) only. They shall be permanently retained as such unless agreed in writing by the Local Planning Authority.

Reason: To preserve the amenity of neighbouring residents.

- (6) No access shall be provided to the roof of the extension by way of window, door or stairway and the roof of the extension hereby approved shall not be used as a balcony or sitting out area.

Reason: To preserve the amenity and privacy of neighbouring residential occupiers.

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

- (2) The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- (3) The applicant is informed that the existing outbuilding in the rear garden does not form part of this application. The Council's Planning Enforcement Officers are currently investigating to determine if there has been a breach of planning as far as the outbuilding is concerned.

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