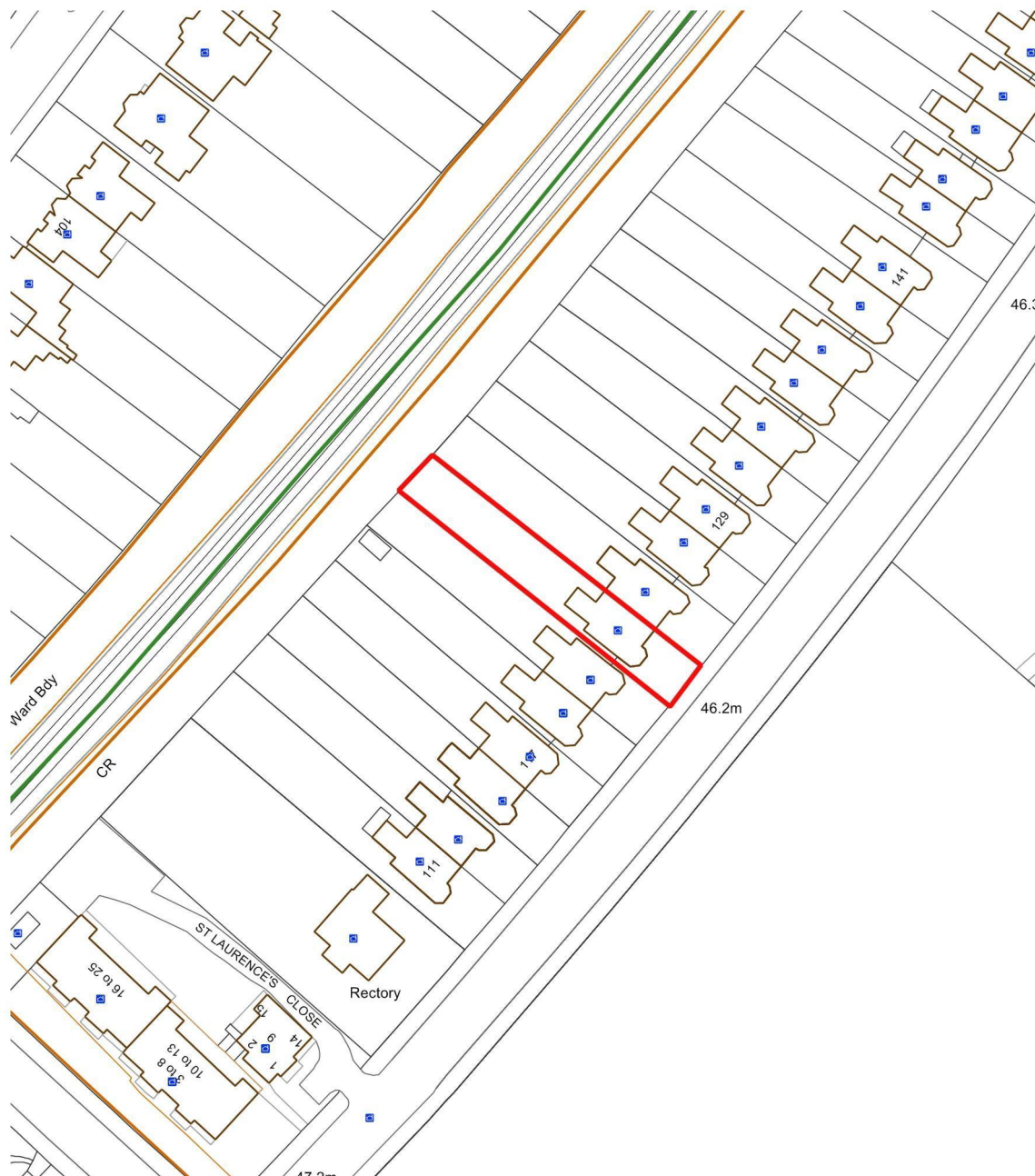
 **Planning Committee Map**
Site address: 123 Chevening Road, London, NW6 6DU
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This map is indicative only.

RECEIVED: 1 September, 2014

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 123 Chevening Road, London, NW6 6DU

PROPOSAL: Construction of basement to include light-wells at front and rear of property and enlargement of flank wall window to dwellinghouse.

APPLICANT: Mr Zein

CONTACT: Cross Harris Architects

PLAN NO'S:
See Condition 2

RECOMMENDATION

Approval with conditions set down after paragraph 14 of this report..

CIL DETAILS

This application is not liable to pay the Community Infrastructure Levy (CIL) as the total amount of extended floor space is less than 100sqm.

CIL Liable?

Yes/No: No

EXISTING

The subject site is a two storey semi detached dwellinghouse located on the northside of Chevening Road. The area is predominantly residential in character. The site is within the Queens Park Conservation Area and is not a listed building.

The property is currently undergoing extensive renovation work with the main house gutted for refurbishment. A basement structure has already been excavated under the premise that it was permitted development until a subsequent planning application, 14/2356, was refused for reasons of the basement being larger than the original footprint of the house and the development being implemented with other works that did not constitute permitted development (granted under permission 13/2805). The rear stairway to the basement is outside of the foot print of the original house.

Neighbouring properties: To the north of the application site is the adjoining semi no. 125 Chevening Road which remains unextended to the rear. To the south of the application site is no. 121 Chevening Road which exists as 2 flats..

PROPOSAL

As above

HISTORY

14/2356 - Refused, 12/08/2014

Construction of front and rear basement light-wells, and enlargement of window to the ground floor side elevation to dwellinghouse

Reason for refusal: *"The proposed basement extension includes areas outside the original footprint of the house and the submitted plans and supporting information indicate that the works will be carried out as a single operation. This would therefore require planning permission and the failure to include these aspects in the development description prevents public consultation and a full assessment of the planning issues relating to the proposal and, in particular, the external design implications and their potential impact on the Queens Park Conservation Area."*

13/2805 - *Granted*, 14/11/2013

Erection of two single storey rear extensions to either side of outrigger of dwelling house and installation of rooflight (light tube) to side roof of rear outrigger

13/0986 - *Refused*, 10/06/2013

Demolition of existing conservatory and single storey rear extension, creation of new single storey side to rear infill extension to dwellinghouse

08/2088 - *Granted*, 22/09/2008

Rear dormer window, 1 side and 1 front rooflight to dwellinghouse

89/0734 - *Granted*, 25/07/1989

CoU of 1 bed flat to dental surgery

POLICY CONSIDERATIONS

National Planning Policy Framework (2012)

All development has a presumption in favour of sustainable development. Brent's planning policies are found to be compliant with the NPPF

London Plan (2011)

For the purposes of Section 38 (2) of the Planning and Compulsory Purchase Act 2004, the statutory spatial development strategy for the area is the London Plan, which was formally adopted in 2011.

The following policies within the London Plan are relevant to this decision:

Policy 7.1 Building London's neighbourhoods and communities - Buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass and allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area.

Policy 7.6 Architecture - Buildings and structures should be of the highest architectural quality and be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm.

Local Policy

For the purposes of Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the statutory development plan for the area is the Unitary Development Plan (UDP), which was formally adopted in 2004, and the Core Strategy, adopted in 2010.

Core Strategy 2010

CP17 - Protecting and Enhancing the Suburban Character of Brent

Brent UDP 2004

BE2 - Townscape: Local context & Character

BE7 – Public Realm: Street scene

BE9 – Architectural Quality

BE25 - Development in Conservation Areas

BE26 - Alterations and Extensions to Buildings in Conservation Areas

Queens Park Conservation Area Design Guide (2013)

Generally, basement applications to create additional space for an existing house or flat can be supported where they are considered to have minimal visual impact. Design principles include the placement of light wells to the rear of the property; and where they are required to the front of the property, the light well should project no more than 800mm from the front elevation or measure no more than half the length of the front garden. On bay fronted houses, the light well is required to follow the profile of the bay and be no wider than the bay or windows above.

SUSTAINABILITY ASSESSMENT

Not Applicable

CONSULTATION

Dated: 15 Sep 2014 -

Site Notice: 16/09/2014

Mr Richard Johnson, QPRA(East), 21 Carlisle Road NW6 6TL

Neighbours/Representees:

1. The Owner / Occupier, 121 Chevening Road, London, NW6 6DU
2. The Owner / Occupier, 121A Chevening Road, London, NW6 6DU
3. The Owner / Occupier, 125 Chevening Road, London, NW6 6DU

One objection received.

Objection	Officers response
The building work has already begun. Why was work allowed without planning permission?	Building work has begun for a separate permission for infill extensions to the property (see planning history). The agents have been advised by the council to stop work on the basement. There are specific times at which building works can take place which is set under <i>s60 of the Control of Pollution Act 1974 and the British Standard Codes of practice 5228:1997 Parts 1 to 4</i> .
Unsightly situation	The hoardings around the site are temporary and will be removed once the development is completed.
The existing house is large enough, as such there is no need for a basement. The council should reconsider their policy on basements given the distress it causes to neighbours	The Design guide for Queens Park does allow basement construction. The new DG underwent considerable public consultation and it was accepted that basement construction be supported, subject to controls.

REMARKS

Summary and proposal description

1. Past basement applications approved by Planning Committee have essentially looked at the practical matters surrounding their construction and issues of their design and visual impact to the conservation area. These include:

- Disturbance from the construction process, assurance of structural stability in relation to adjoining properties, impacts to drainage etc. which are applicable to any development of this nature across London; and
- The design of the basement, particularly where a front lightwell is to be constructed. It is required that a front lightwell have a ground level treatment to screen its visual presence within the conservation area and from neighbouring outlook.

2. To help assuage these two key points, the council has produced a *Basement Practice Guide* (2013), which sets out detailed requirements for a planning application; and has stipulated ground level treatment for front lightwells in particular, to minimise visual impacts, see paragraph 7 of this report.

3. To reiterate, this basement proposal is for a semi-detached dwellinghouse and as such, the footprint of this basement will not abut the curtilage of neighbouring sites.

4. The proposed development is to accommodate a new living room to the front section of the house; a utility room, bathroom and a bedroom to the rear. A rear stairwell will be present leading to the back garden. There will be access to the basement from the main house as well as from the rear garden. A planning condition will be added to the decision notice to ensure the basement must be used as part of the main house and not as a separate residential unit.

5. In summary, the proposal will comprise:

- *Excavation* : This involves the space beneath the original footprint of the house and that to the southside (towards 121 Chevening Rd) underneath a side infill extension. A depth of approx. 2.5m will be excavated to allow for sufficient head room.
- *Front light well*: This will project 800mm around the profile line of the bay window and will have a steel grille placed above and painted black. The front garden has a depth of approximately 8m when measured from the bay window, and contains a fig tree and other soft landscaping features that will be retained.
- *Rear stairway*: This will facilitate access to the rear garden from the basement space. It will run along side the southern side of the rear conservatory (towards no. 121 Chevening Road). A glass balustrade is to be placed alongside the stairwell.
- *Flank wall window*: An existing small window to the side of property is to be enlarged with 3 timber casements that will match the profile of those above. The replacement windows will be timber framed.

Key considerations

- Principle of basement developments in the Queens Park Conservation Area (QPCA)
- Whether the proposal preserves or enhances the Queens Park Conservation Area
- Whether the proposal has an acceptable impact on neighbouring amenity

Principle of basement developments in the Queens Park Conservation Area

6. Members will be aware that there is no adopted, or emerging, policy or guidance that discourages the development of basements in the QPCA.

7. The Queens Park Conservation Area Design Guide (QPCADG) sets out that basement applications to create additional space for an existing house or flat are supportable where they are considered to have minimal visual impact. Design principles include the placement of light wells to the rear of the property; and where they are required to the front of the property, the light well should project no more than 800mm from the front elevation or measure no more than half the length of the front garden. On bay fronted houses, the light well is required to follow the profile of the bay and be no wider than the bay or windows above. All front lightwells must be finished with a horizontal metal grille or flush glazing. No vertical balustrades are allowed.

8. As such, the principle of developing a basement in the QPCA is considered acceptable, but must also be assessed on their individual merits.

Whether the proposal preserves or enhances the Queens Park Conservation Area

9. There is understandably a sensitivity with which Officers treat basement extensions in terms of the emphasis placed on measures to mitigate the impact on the established street character. In this case, the depth of the front garden (8m) and its existing mature planting, including a fig tree, is considered to provide adequate screening to the front lightwell. Plans indicate retention of the existing landscaping and if any were to be changed in terms of landscaping coverage, planning permission would be required to do so because of the Article 4 Direction. Nevertheless, a Condition will be attached to the decision notice to ensure the existing planting is maintained and if any landscaping is damaged, it will be replaced with a similar plants of a similar maturity.

10. The proposed basement plans illustrate a front lightwell that complies with design principles set out in the QPCADG (see paragraph 7). And with the retention of the forecourt landscaping, the proposal is considered unlikely to have a significant impact to the conservation area and will preserve its character and appearance.

Whether the proposal has an acceptable impact on neighbouring amenity

11. In relation to its adjacent neighbouring properties, nos. 121 and 125 Chevening Road, the basement will be set-away from the shared boundaries with these sites. In relation to the adjoining semi, no. 125, there will be a 2.15m set-in from the party wall with this neighbouring property. Overall, the proposal is considered unlikely to have a significant impact to the amenity of occupiers at these neighbouring sites because there will be no projecting structures above 1m from ground level that will obscure light or outlook to neighbouring habitable room windows, nor will it affect neighbouring privacy by way of overlooking. The proposed garden stairs will not project above existing ground level and the 1m high glass balustrade will be visually discreet within the rear garden. As such it is unlikely that views from rear 1st floor neighbouring windows will be affected.

12. In relation to the proposed 'users' of the basement, the proposal is to provide ancillary space to the

existing dwellinghouse and as such will constitute an ancillary space for the existing property. It is noted that the basement could be used as a separate unit to the main house because of the side gate to the house and rear basement stairwell. However, a condition will be added to the decision to restrict the use of the basement as a separate residential unit.

13. *Construction process*: Planning conditions requiring the applicants builder to be a member of the Considerate Constructors Scheme should provide sufficient comfort for neighbouring residents to ensure that the impact of the construction works will be minimised as far as possible.

14. *Structural stability*: The applicant has submitted construction plans prepared by Ecos Maclean which address the points required by the Councils Basement Practice Guide. Overall, these plans are considered to adequately demonstrate that the stability of the building and adjoining structures has been considered and could be safeguarded.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

Brent Unitary Development Plan 2004
Queens Park Conservation Area Design Guide

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):

PLB00;
PLB01;
PLB02;
PLB03 Rev A;
PLB04;
PLB05;
PLB06;
PLB07;
PLB08 Rev A;
PLB09 rev A;
PLB10 rev A;
PLB11;
PLB14 rev A.
C01 rev 01;
C02;
C03 rev 01-
C04 rev 01-
C08.

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) The proposed basement hereby approved shall not be used as a self contained residential unit. Any change, or intensification of use, will require planning permission. The works shall be carried out in accordance with the approved details.

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

- (5) The existing forecourt layout shall be maintained with its existing coverage and proportion of hardstanding to soft landscaping and retention of trees.

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

Reason: To ensure a satisfactory appearance and setting for the development and to ensure that the proposed development enhances the character and appearance of the Queens Park Conservation Area.

- (6) No further development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

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) You are advised that that construction and demolition work is controlled by the Council under Section 60 and 61 of the Control of Pollution Act 1974, and the British Standard Codes of practice 5228:1997 Parts 1 to 4. In particular, building work that is audible at the boundary of the site shall only be carried out between the following hours:
- Monday to Friday - 08.00 to 18.30
Saturdays – 08.00 to 13.00
Sundays and Bank Holidays – No noisy works at all
- (3) The application has demonstrated that appropriate consideration in terms of build methodology in relation to the basement has been undertaken by the qualified Engineer in accordance with the Councils Good practice guidance for basement construction. The Council has used its best endeavours to determine this application on the basis of the information available to it, however the granting of planning permission does not provide any warranty against damage of adjoining or nearby properties, and the responsibility and any liability for the safe development of the site rests with the developer and/or landowner.

REFERENCE DOCUMENTS:

Queens Park Conservation Area Design Guide (2013)

Any person wishing to inspect the above papers should contact Harini Boteju, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5015