



Planning Committee Map

Site address: 2A Shaftesbury Avenue, Harrow, HA3 0QX

© Crown copyright and database rights 2011 Ordnance Survey 100025260



© Crown copyright and database rights 2015 Ordnance Survey 100025260

This map is indicative only.

PROPOSAL

Proposed subdivision of existing plot, demolition of existing detached building, and erection of a detached single-storey 2-bedroom dwelling house with a converted loft space and basement level, on land n/t 2a Shaftesbury Avenue, with associated off-street parking, bin store and replacement sliding front gate to the frontage.

HISTORY

14/3391 - Refused

Proposed subdivision of existing plot, demolition of existing detached building, and erection of detached 2-storey 3-bedroom dwelling house, including x3 rooflights and rear dormer window on land n/t 2a Shaftesbury Avenue, with associated off-street parking, bin store and replacement sliding front gate to the frontage (as amended)

Reason:-

The proposed dwelling by reason of its excessive scale and close proximity to the site boundaries and no. 2A Shaftesbury Avenue is considered to represent a cramped form of development. The resultant loss of spaciousness on this transition site on the edge of the Mount Stewart Conservation Area would be harmful to views into and out of the conservation area and detrimental to the character of the streetscene. The proposal fails to preserve or enhance the setting of the conservation area and would be harmful to the established suburban character of the general area contrary to policies BE2, BE9 and BE25 of Brent's Unitary Development Plan (2004), and Core Strategy (2010) policy CP17.

13/3784 - Granted

Retention of timber fence sections, metal gate and side railings of existing front boundary treatment; removal of polycarbonate infill and side panels on front boundary and replacement with timber sections.

13/2810 - Certificate of Lawful Development Refused

Certificate of lawfulness for existing use of detached garage as Architects office (Use Class B1).

12/0080 - Granted

The addition of a pitched roof with two rooflights to an existing flat roofed outbuilding in garden.

POLICY CONSIDERATIONS

National Planning Policy Framework 2012 (NPPF)

London Plan (2011)

Policy 3.3

Brent Core Strategy (2010)

CP2 - Population & Housing Growth

CP17 - Protecting & Enhancing Suburban Character of Brent

CP21 - A Balanced Housing Stock

Brent's Adopted Unitary Development Plan (2004)

BE2 - Townscape: Local Context & Character

BE3 - Urban Structure

BE7 - Public Realm: Streetscape

BE9 - Architectural Quality

BE25 - Development in Conservation Areas

H11 - Housing on Brownfield Sites

H12 - Residential Quality - Layout Considerations

TRN3 - Environmental Impact of Traffic

TRN23 - Parking Standards Residential Developments

PS14 - Residential Parking Standards

Supplementary Planning Guidance No.17 'Design Guide for New Development'

Mount Stewart Conservation Area Design Guide

CONSULTATION

Statutory neighbour consultation period (21 days) started on 16/02/15, in total thirteen properties were consulted. To date four neighbour representations have been received raising objection to the development.

The grounds for objection are summarised below;-

Objection raised	Response
Proposed appearance will adversely effect surrounding area.	see paragraphs's 9 -14
Proposal does not respect its setting on the edge of the Mt Stewart Conservation Area and does not preserve or enhance.	see paragraphs's 9 - 14
This will result in the loss of the existing gap which is an important transition between the Mt Stewart Conservation Area.	see paragraph's 9 - 14
Design is too bulky.	see paragraph's 9 - 14
Proposal is out of character with the streetscene	see paragraph's 9 - 14
Proposal is too large for this site	see paragraph's 9 - 14
Basement will provide substandard accommodation for bedrooms	see paragraph 16
Front garden will be hidden behind boundary fence	see paragraph's 19 - 21
Will result in overlooking of adjoining garden.	see paragraph's 21 & 22

Site notice displayed on 24/02/15

STATUTORY CONSULTEE

Brent Transportation;-

No transportation objections subject to (i) two off street parking spaces for the existing dwelling and 1 off street parking space for the proposed new dwelling, each space measuring 2.4m wide and 4.8m deep and positioned at a right angle to Shaftesbury Avenue; (ii) 50% soft landscaping for each dwelling within the front garden; and (iii) details of front boundary treatment showing pedestrian visibility splays (2m x 2m above a height of 0.85m) at the vehicular accesses, in order to comply with Brent's Domestic Vehicle Footway Crossover Policy (iv) and further details about the vehicular access gate for the proposed dwelling should also be sought.

Landscape Design;-

Previous comments provided confirmed there was no objections in principle. Any trees lost should be replaced with suitable species, more detailed landscaping scheme for the rear garden required also to include plant species and quantity and all hard materials. These details can be secured through a landscape condition.

Regulatory Services;-

No comments to make.

Preston Amenities Protection Association;-

Confirmed that no objection is raised.

Kenton Ward Councillors;-

No responses received.

REMARKS

Background & context;-

1. The submission of this application follows on from a lengthy period of pre-application discussions which culminated in the recent refusal, in January 2015 of planning application 14/3391. During the course of pre-application discussions and the assessment of 14/3391 no objection was raised to the principle of development. However concerns were raised that related to the size and scale of the dwelling, its resultant relationship to the site boundaries, its relationship to 2A Shaftesbury Avenue and its impact on the streetscene. Following the formal submission of 14/3391, proposing a 2-storey detached dwelling to infill the space between no's 2 and 2A Shaftesbury Avenue, it was considered that the proposed 2-storey dwelling was an inappropriate form of development. The reason for refusal is set out above in the 'history' section of this report.
2. During the course of refused application 14/3391, the agent submitted plans for consideration proposing

an alternative design. This alternative proposal was for a single storey dwelling with accommodation in the roof, and basement level accommodation. The pre-application advice considered this to be an appropriate response to the above concerns associated with a two-storey detached dwelling. However this option was not pursued at that time by the applicant, who confirmed that they wanted the application determined on the basis of plans proposing a two storey detached dwelling.

Principle of Development;-

3. The proposal would result in the sub-division of this plot, demolition of the single storey building (former garage) and the erection of a new detached single storey dwelling with basement level accommodation. The site is located within a residential area, and is just outside of the Mount Stewart Conservation Area boundary. The conservation area boundary is the northern site boundary that is shared with no. 2 Shaftesbury Avenue. There is no objection in principle to a new dwelling being constructed on this site and this infill would make efficient use of previously developed land and is consistent with the aims of the NPPF. The size, scale and design of any proposal needs to be appropriate and it must either preserve or enhance the setting of the adjacent conservation area.

Proposed development;-

4. It is proposed to demolish the single storey former garage building at the rear of the site. An established use certificate for its use as an architects's office was refused (LPA Ref: 13/2810). It is understood that this building is currently in use as an office, though the precise nature of the office use is not clear.
5. The plot is proposed to be sub-divided and a new single storey dwelling is proposed to be erected on the northern part of the site. This is proposed to be a 2-bedroom dwelling with converted roofspace and basement level accommodation. It is proposed that this would be set in 400mm from the boundary shared with no.2 and a gap of 1m is proposed between the new dwelling and the flank wall of the existing dwelling, no. 2a. The proposed dwelling will have a depth of 8m, and measures 6.1m at its widest. It marginally projects beyond existing building lines to the front and rear. The design proposes a single storey dwelling with converted roofspace, similar to a chalet bungalow. This would be 3.1m high at eaves, with a ridge height of 7.15m at the apex of the roof. The context either side of this is one of 2-storey dwellings approximately 8.5m high at the ridge height. The current proposal is of a smaller scale than surrounding development.
6. This dwelling is to be sited within the shallowest part of the plot. At its closest point the proposed dwelling would be 4.1m from the rear boundary that is shared with 224 Preston Hill, and this separation increases to 5.2m at the deepest point.
7. The dwelling design includes an apex roof of the style you would associate with a chalet bungalow. Lightwells are proposed to the front and side to provide natural light to the basement level accommodation.
8. A single off-street parking space is proposed on the frontage that will be accessed via the existing vehicle crossover, with soft landscaping on the frontage and bin storage, all positioned behind the existing high level front boundary treatment. The boundary treatment is to be amended to replace the existing swing gates and piers with a single sliding gate. The crossover arrangements and the existing pair of parking spaces which serve no2A remain unaffected by this proposal.

Context, scale & proposed design;-

9. This is a suburban location, the site is surrounded by residential properties on all sides. The application site is just outside of the Mount Stewart Conservation Area boundary, the property immediately to the north (2 Shaftesbury Avenue) is situated within the conservation area. Any proposals for this site therefore have the potential to impact on views into and out of the conservation area, this is regarded as being an important transition site. UDP policy BE25 states that proposals outside of conservation areas but affecting their setting or views into and out of the area, shall pay special attention to the preservation or enhancement of the character or appearance of the area. Therefore scale, siting and design of any new dwelling are all material considerations that influence whether or not development preserves or enhances the setting of the adjoining conservation area.
10. Some examples of detached housing are found locally but the majority of housing in the vicinity of the site is semi-detached. The properties within the adjacent conservation area are of a particular character, typically the properties are referred to as Mayfair or Langham style houses. No.2A was formerly a bungalow but this has been significantly extended in the past and is now a two-storey detached dwelling with mansard roof. The design and appearance of this property is not typical of the surrounding forms of development, it does not display any of the characteristics or original features associated with Mount

Stewart properties. The existing property sits within a generous sized plot, with a gap of more than 9m from this to the closest dwelling to the north. This spaciousness is part of the established character of the streetscene along this section of Shaftesbury Avenue and it provides a transition and buffer with the Mount Stewart Conservation Area. To minimise the streetscene impact, any proposals to infill this space should still ensure sufficient gaps are retained between buildings so that this spaciousness is not lost entirely. By doing so this also has regard for a potential scenario where no.2 extends to the side at some point in the future. Were this to happen then this would result in further enclosure of the existing gap, and is further justification for the need for any new dwelling to sit comfortably within the plot away from site boundaries.

11. The previous scheme (14/3391) proposed a 2-storey detached dwelling. It was considered that the scale of this, coupled with its close proximity to the site boundaries and no. 2A Shaftesbury Avenue represented a cramped form of development. The cramped nature of the development would lead to a resultant loss of spaciousness on this important transition site on the edge of the Mount Stewart Conservation Area. It was considered this would be harmful to views into and out of the conservation area and detrimental to the character of the streetscene, failing to either preserve or enhance the setting of the conservation area and causing harmful to the suburban character of the general area.
12. As discussed a different approach altogether is now proposed. The architectural approach and the fenestration suggests a modern, chalet style bungalow design. The ridge height is significantly lower than dwellings either side resulting in a more comfortable relationship, the reduction in scale will mean the building is less intrusive within the streetscene. A front porch feature is proposed, this makes the entrance legible.
13. The main concerns raised previously related to the scale of the proposed dwelling, its relationship to site boundaries and the resultant relationship with no.2A. The existing dwelling sits comfortably within a generous plot and as it has been explained the spaciousness between buildings is an established part of the character along this section of Shaftesbury Avenue. The existing spaciousness that exists is therefore given some value, and from a streetscene point of view it is considered important that any infill development sits comfortably within the plot and retains adequate separation from the site boundaries, and equally from the flank wall of no.2A so that any new dwelling does not appear oversized and result in a cramped form of development. The scale of development is important to ensure that the proposal does not result in an awkward relationship between neighbouring properties.
14. It is considered that the current proposal would no longer result in a cramped form of development, the scale of the proposed dwelling, its height (being significantly lower than neighbouring development) and separation from site boundaries does not result in the same loss of spaciousness to the detriment of the streetscene that was associated with the previous 2-storey scheme. With the changes to the design and a reduced scale of development, it is not considered that the infill development would be to the detriment of the adjoining conservation area. Officers consider this to be a transition site, but crucially it is outside of the Mount Stewart Conservation Area so development here should not be expected to adhere rigidly to the adopted design guide, nor would it be appropriate to copy the characteristics or original design features that are inherent within the conservation area as you would end up with a pastiche version. A more modern, innovative response to the site constraints is considered to be appropriate.

Quality of accommodation:-

15. This proposes a 2-bedroom/4 person dwelling, and for such accommodation the London Plan minimum space standard is 83sqm. The proposed dwelling is measured to have a gross internal floor area of 98.5sqm. This is over and above the minimum space requirements.
16. The ground floor is to accommodate the kitchen and dining areas. Stairs will provide access to a living room above in the converted roof space. Basement level accommodation is also proposed, this will accommodate two double bedrooms, both of which will be en-suite. The front bedroom will be served by a proposed lightwell in order to gain natural daylight into the room. The rear bedroom (labelled 'bedroom 1') is to be served by a large walk on skylight feature. This will allow natural daylight into the room and adds an interesting design feature to the scheme.
17. The rear amenity space to be provided is 50sqm in area, and the retained garden area for no.2a is in excess of the minimum requirement for 50sqm. This satisfies SPG17 requirements on outside space.
18. Habitable windows on the rear elevation are to be sited less than the required distance of 10m that is normally required from habitable windows to site boundaries. This standard is used to ensure that an acceptable level of outlook is to be provided. This shortfall contravenes SPG17, however this would not

be dissimilar to the existing relationship associated with no.2A and the rear boundary. The outlook for the proposed dwelling will be reduced as a result but the outlook is onto an attractive landscaped boundary.

Landscaping;-

19. It is proposed to retain existing trees along the frontage of the site which is welcomed. At least one tree set further back into the site would have to be removed and this would have to be replaced. Soft landscaping to the front garden is proposed too, this would be largely hidden from view by the existing and proposed high level front boundary treatment. Laying out of the frontage with gravel alone is not considered to be an acceptable response to policy BE7 and the requirements to provide soft landscaping. Some areas of gravel would be acceptable, but these would need to be balanced against areas of soft landscaping that may be laid as lawn and/or include new planting. Generally the frontage layout should strike an appropriate balance between soft and hard landscaping, with a 50% split between each.
20. A 2m high sliding gate is proposed across the frontage in place of the existing swing gates. This is in keeping with the height of the existing front boundary treatment, and consistent with the frontage treatment across the full frontage of no.2A. Its impact on the streetscene will therefore be acceptable.
21. A landscape condition is required to confirm the species and location of a replacement tree, to confirm details of the rear amenity space (including planting species, size and location) as well as all hard surfacing materials and the means of enclosure of bins.

Impact on neighbours;-

22. As discussed above, the new dwelling will have rear facing habitable room windows, cited less than 10m from the opposite boundary. The affected boundary, which is shared with 224 Preston Hill currently has a dense screen of hedgerow (a Yew hedge) and trees within the neighbouring garden providing a dense landscaped buffer. This vegetation provides an effective screen, in order to mitigate against overlooking or loss of privacy. This landscaping is outside of the application site, but nonetheless it is considered this will mitigate against any perception of being overlooked or loss of privacy for users of the garden of 224 Preston Hill. The proposed dwelling will have rear facing windows that serve the converted roofspace, however the relationship of these to the rear boundary will be no different to the existing rear windows at no.2A. Given the existing relationship it is not considered this would amount to unacceptable overlooking or loss of privacy for neighbouring occupiers.
23. Flank wall windows (facing no.2) are proposed to have obscure glazing, and therefore will not harm neighbour amenity, the same applies to the velux rooflights. There are no sole habitable windows within the flank walls of neighbouring dwellings.

Transportation;-

24. On-street parking along Shaftesbury Avenue is unrestricted. The carriageway width outside the property is over 7m wide, so can safely accommodate on-street parking along both sides. The street is not noted as being heavily parked at night, and this is reconfirmed by recent surveys undertaken in 2013.
25. The parking allowance for the existing dwelling is 2 spaces. The proposed dwelling attracts a parking standard of 1.2 spaces, in accordance with adopted parking standard PS14 of the UDP (2004). The proposed layout includes one space for the proposed dwelling and two for the existing, meaning standards will be met. The parking layout for the new dwelling is acceptable. Ideally Transportation would want the existing parking layout for no.2A amended to ensure both spaces are at 90 degrees to the highway, as opposed to one space parallel to the highway as this can make turning into and out of the space difficult. The frontage of no.2A would be constrained by its size making it difficult to accommodate the desired layout. In any event this is an existing situation and the parking and access arrangements for no.2A remain unaffected by this infill development.
26. Transportation comment that pedestrian visibility splays (2m x 2m above a height of 0.85m) should be provided at the vehicular accesses. There are two existing vehicle crossovers to the site, and the boundary treatment along the frontage is currently 1.9m high. Meaning that visibility splays will not be made any worse by the proposal to install a replacement sliding gate along part of the frontage as there is no change to the boundary height.
27. It is requested that a condition is attached requiring the submission of a revised parking layout, further details sought should also confirm that both frontages will contain 50% soft landscaping. The new sliding gate proposed is preferable from a transportation point of view. A condition has been requested requiring further details of this.

Conclusion:-

28. The design of this responds to the previous reason for refusal. The scale of the proposed dwelling is much reduced and on balance it is considered that the proposal will result in an acceptable form of accommodation, that will be acceptable in terms of its impact on the streetscene and surrounding area, without unduly harming neighbouring amenity. Approval (subject to conditions) is accordingly recommended.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

National Planning Policy Framework 2012
London Plan 2011
Brent Core Strategy 2010
Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 17

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
Transport: in terms of sustainability, safety and servicing needs

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):

BWS-01
BWS-02

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

(3) (a) No further extensions or buildings shall be constructed within the curtilage of the new detached dwellinghouse subject of this application, notwithstanding the provisions of Class(es) A, B, C, D & E 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.

(b) No further extensions or buildings shall be constructed within the curtilage of the existing dwellinghouse subject of this application, notwithstanding the provisions of Class(es) A, B, C & E 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(s):

In view of the restricted nature and layout of the site for the proposed development, no further enlargement or increase in living accommodation beyond the limits set by this consent should be allowed without the matter being first considered by the Local Planning Authority. To prevent an over development of the site and undue loss of amenity to adjoining occupiers.

- (4) (a) The velux window(s) shall be constructed with obscure glazing and shall be permanently maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.
- (b) No windows or glazed doors (other than any shown in the approved plans) shall be constructed in the flank wall(s) of the new building without the prior written consent of the Local Planning Authority.

Reason: To minimise interference with the privacy of the adjoining occupier(s).

- (5) Details of materials for all external work (including windows/doors/roof tiles) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out fully in accordance with the approved details thereafter unless otherwise agreed in writing.

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

- (6) Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the detailed landscape works and treatment of the surroundings of the proposed development (including species, plant sizes, planting densities) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any site clearance, demolition or construction works on the site. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include but not be limited to the following:-

(a) further details of the replacement sliding gate demonstrating the opening and closing mechanism

(b) further details of frontage soft landscaping improvements

(c) further details of all hard surfacing materials

(d) provision for the satisfactory screening of bins on the frontage

(e) a suitable landscape plan showing details of the species, size, density, number and location of all new planting (including a suitable replacement tree) within the site

(f) details of the proposed arrangements for the maintenance of the landscape works.

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 with others of a similar size and species and in the same positions, unless the Local Planning Authority first gives prior 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.

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 is advised that the Council can no longer accept physical samples of materials. Materials should be made available to assess on-site, or details of the materials palette

submitted electronically to discharge the relevant condition.

REFERENCE DOCUMENTS:

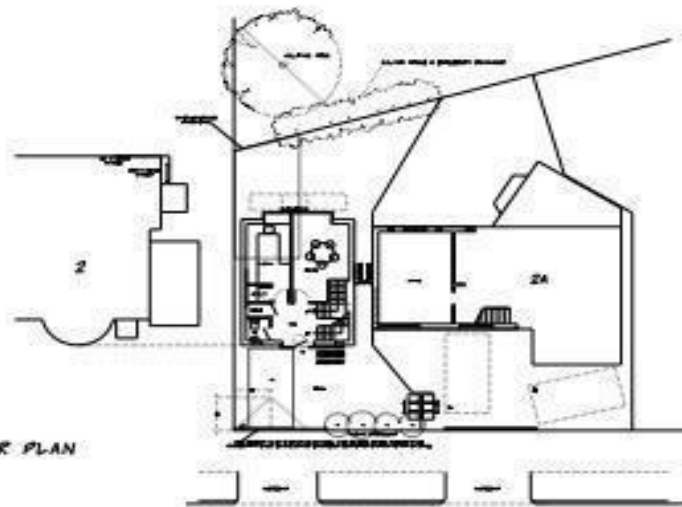
The following extracts are some of the submitted plans. All submitted details can be viewed on the Council's website www.brent.gov.uk by searching with the application reference.



EXISTING STREET ELEVATION



PROPOSED STREET ELEVATION



GROUND FLOOR PLAN



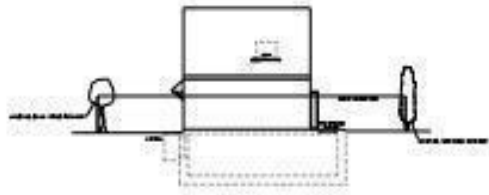
EX. SIDE ELEVATION OF NO. 2A FACING PROPOSED HOUSE



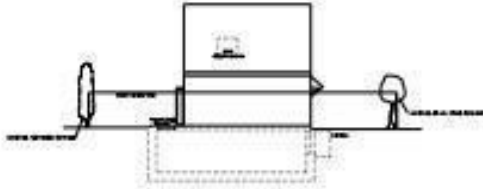
REAR VIEW FROM STREET DURING JANUARY
FRONT SIDE 2 EXISTING TREES PLANT



FRONT



SIDE FACING NO. 2A



SIDE FACING NO. 2

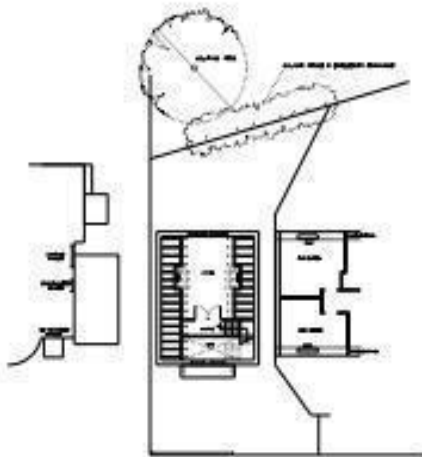


REAR

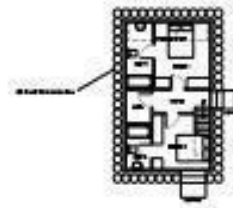


REAR VIEW FROM ADJACENT SIDE DURING
SHOWING THE EXISTING TREE HEIGHT
AND THE L/S BURNING FENCE

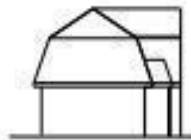
NOTES:
1. THE HOUSE IS TO BE BUILT ON THE EXISTING FOUNDATION.
2. THE HOUSE IS TO BE BUILT ON THE EXISTING FOUNDATION.
3. THE HOUSE IS TO BE BUILT ON THE EXISTING FOUNDATION.



LOFT FLOOR PLAN



LOWER GROUND FLOOR PLAN



PROPOSED SIDE ELEVATION OF NO. 2A FACING PROPOSED HOUSE

Any person wishing to inspect the above papers should contact Victoria McDonagh, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5337