

COMMITTEE REPORT

Planning Committee on
Item No

18 November, 2015

Case Number

15/3570

SITE INFORMATION

RECEIVED: 17 August, 2015

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 75 Okehampton Road, London, NW10 3EN

PROPOSAL: Excavation of a basement level with front and rear lightwells, erection of single storey side infill and rear extension, two storey side extension, addition of hipped roof to existing two storey side extension, rear dormer window with Juliet balcony, insertion of 2x front rooflights, insertion of glazing into front gable and conversion of garage into habitable accommodation (amended plans and description)

APPLICANT: Mr Raymond

CONTACT: spaceAgent Architects Ltd.

PLAN NO'S: See Condition 2.

SITE MAP



Planning Committee Map

Site address: 75 Okehampton Road, London, NW10 3EN

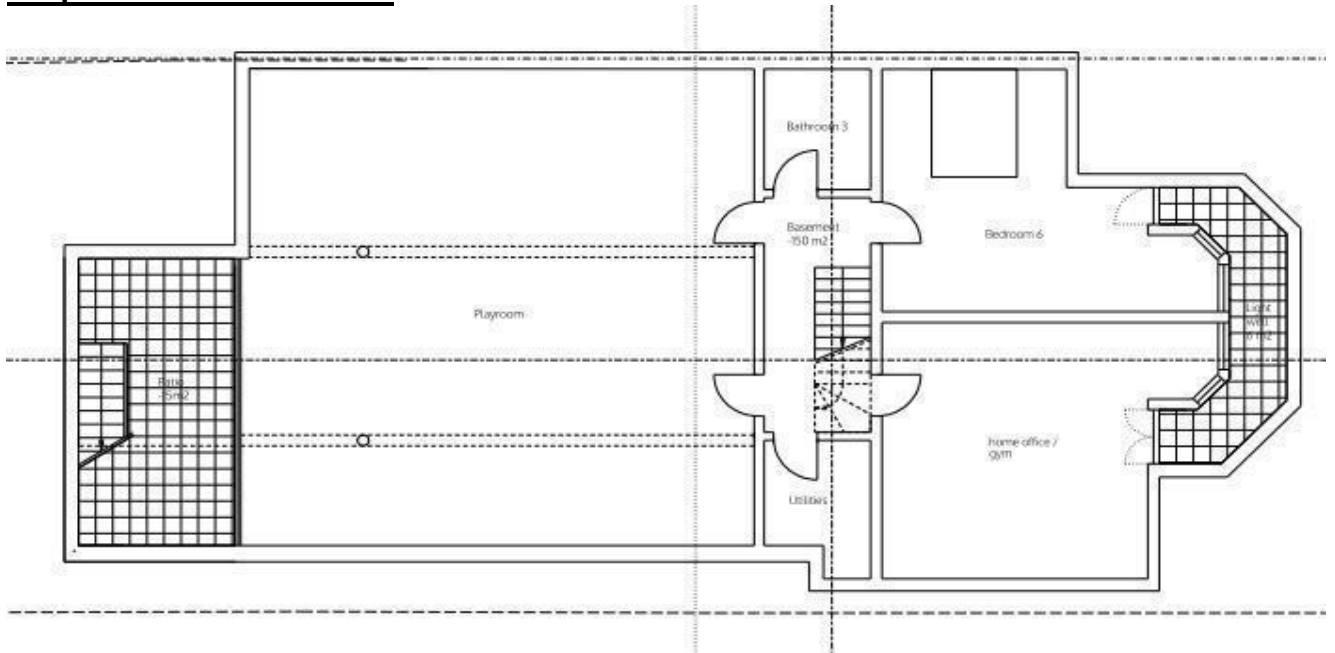
© Crown copyright and database rights 2011 Ordnance Survey 100025260



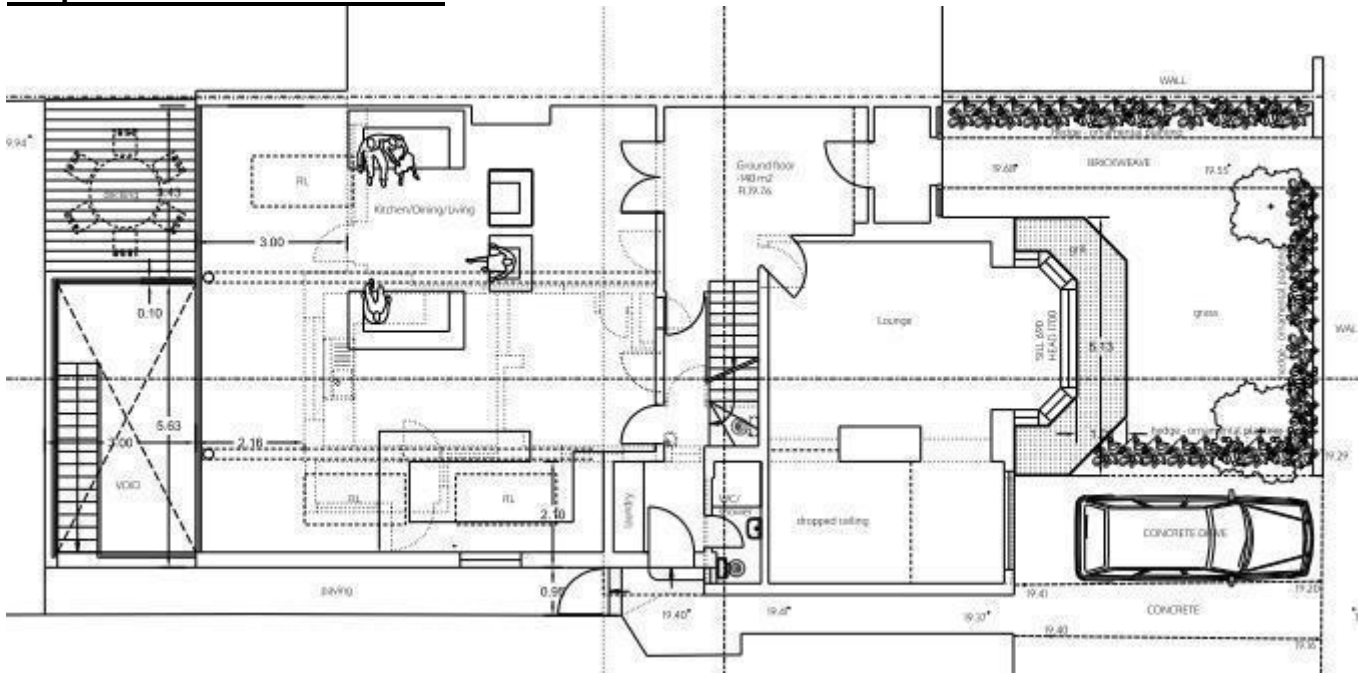
This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS

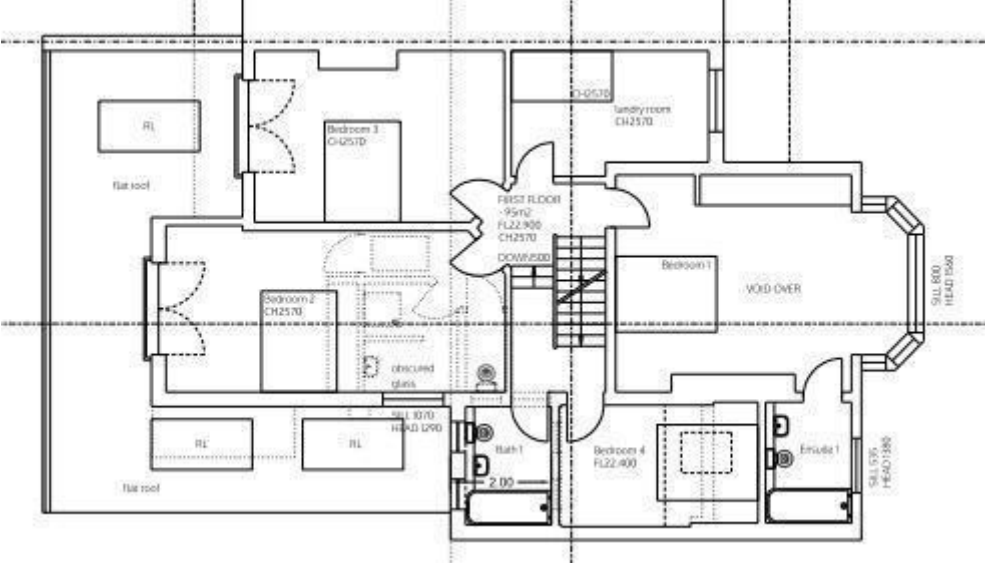
Proposed Basement Plan



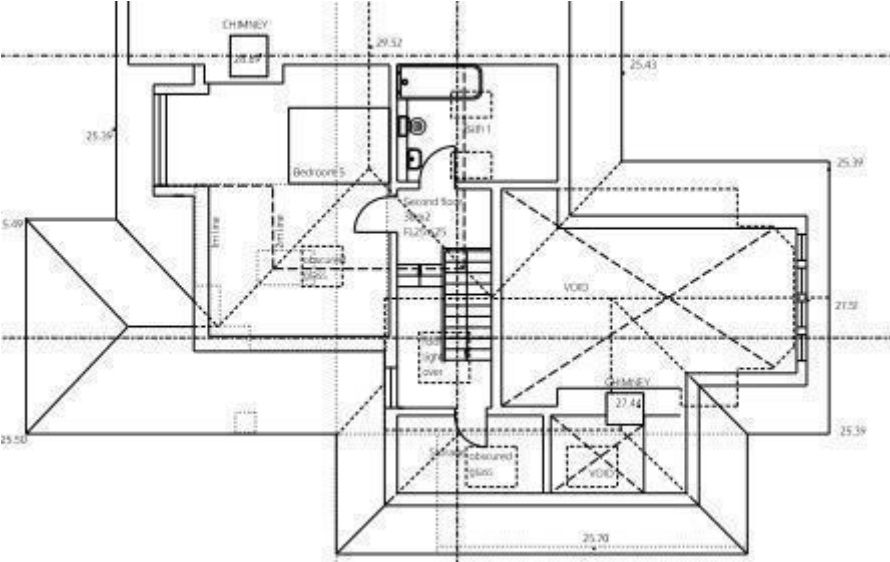
Proposed Ground Floor Plan



Proposed First Floor Plan



Proposed Second Floor Plan



Proposed Front and Rear Elevations



Proposed Side Elevation



RECOMMENDATIONS

GRANT planning permission, subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

The proposal is for the excavation of a basement level with front and rear lightwells, erection of single storey side infill and rear extension, two storey side extension, addition of hipped roof to existing two storey side extension, rear dormer window with Juliet balcony, insertion of 2x front rooflights, insertion of glazing into front gable and conversion of garage into habitable accommodation (amended plans and description).

B) EXISTING

The host dwelling is a large semi-detached property dating from the inter-war period with a traditional character. Okehampton Road is characterised by similar pairs of semi-detached dwellings and older, terraced Victorian properties. The site backs onto the grounds of the Queens Park Community School. The proposal site is not within a Conservation Area or Area of Distinctive Residential Character.

C) AMENDMENTS SINCE SUBMISSION

Revised plans were received on 26/10/2015 which made the following amendments:

- The size and shape of the front lightwell has been reduced
- The design of the roof extensions has been amended
- The number of front rooflights has been reduced
- Glazing elements have been introduced to the front gable of the dwelling

Neighbours were re-consulted for 14days on the amended plans.

Further revised plans were received on 03/11/2015 which made the following amendments:

- The size of the rear lightwell has been reduced
- The design of the rear dormer has been amended
- Retention of landscaping to the frontage has been identified on the plans

Neighbours were not formally re-consulted on these revised plans given the reduced scale of the proposal and reduced neighbour impact. However a further representation was received in response to these most recent plans, again reiterating their objection which is considered below.

D) SUMMARY OF KEY ISSUES

The key planning considerations in this case are as follows:

- Impact on Character – The proposal is considered to result in a visually acceptable development which has an acceptable impact on the character of the area and host dwelling
- Impact on Neighbouring Amenity – The proposal is considered to form an acceptable relationship with neighbouring occupiers

RELEVANT SITE HISTORY

None.

CONSULTATIONS

Statutory neighbour consultation period (21 days) started on 02/09/2015 in total 12x properties were consulted.

3x representations received objecting to the proposal plus objections from Ward Councillors Nerva, Southwood and Denselow. The representations raised the following concerns.

Objection raised	Response
Proposed basement would be out of scale with the house	See paragraph 5
Proposed extensions would cause loss of light and outlook	See paragraphs 8-10
The resulting house would feature 9x bedrooms; concerned of an overdevelopment of the property and the potential use of the property as a HMO	See paragraph 7
Proposal would increase the demand for on-street parking. Additional parking on the frontage could be a highway safety risk	See paragraph 14
Proposal would be an overdevelopment of the site and extensions would be disproportionate	See paragraphs 1-4
Basement could cause structural damage and risk the structural stability of my property	See paragraphs 11-13
The construction stage of the development would cause disruption to neighbours	See paragraphs 11-13
The proposal would impact on the mature tree in the rear garden	See paragraph 15

In addition to the above, neighbours were re-consulted on the first set of revised plans for 14 days. This period expires on 09/11/2015 and to date 3x additional representations have been received reiterating their objection to the proposal. Any additional comments received will be reported to the Committee by supplementary report.

POLICY CONSIDERATIONS

National Planning Policy Framework (2012):

Section 7 – Requiring Good Design

Core Strategy (2010):

CP17 – Protecting and Enhancing the Suburban Character of Brent

Brent's UDP (2004)

BE2 – Townscape: Local Context and Character

BE7 – Public Realm: Streetscape

BE9 – Architectural Quality

DETAILED CONSIDERATIONS

Impact on Character:

Extensions:

- 1.** The host property benefits has an existing two storey flat-roofed side extension. There is no planning record for this addition and it appears to be historic. The proposal includes the addition of a hipped roof to the existing flat roof and for the erection of a 2m deep two storey extension to the rear of the existing structure. The hipped roof addition would remain subservient to the roof of the main dwelling with a roof pitch and eaves level which match that of the main dwelling. The roof addition is considered to have an acceptable impact on the character of the host dwelling and would be preferable in visual amenity terms compared to the existing flat-roofed structure. The two storey rear extension would be relatively modest in depth at 2m and is considered to integrate satisfactorily with the host dwelling.
- 2.** The proposal also includes the erection of single storey side and rear extensions. These would not project beyond more than 3m from the principal rear elevation in accordance with SPG5 and are considered sufficiently subservient and proportionate additions to the host dwelling.
- 3.** The proposed rear dormer window would be less than half the width of the original rear roof slope and sufficiently set-down from the ridge and set-back from the eaves in accordance with SPG5. The dormer is considered to sit comfortably on the rear roof slope and is considered a visually acceptable addition to the host property.
- 4.** Glazing is identified on the existing front gable between the original vertical timber detailing. This alteration could otherwise be carried out under 'permitted development rights' but in any case is considered a visually acceptable alteration to the front elevation which would retain the original timber detailing of the property. Two front rooflights are proposed which are relatively modest in size and comply with the guidance in SPG5.

Basement:

- 5.** The proposed basement level would be positioned under the (extended) footprint of the dwelling with a 3m wide lightwell to the rear. The front lightwell would be 1m in width and would follow the profile of the bay window above and would be finished in a flush metal grille. The front lightwell is not therefore considered unduly prominent on the front elevation or in the street scene. Whilst it is acknowledged that basements are not common in the surrounding area, this does not necessarily make the proposal unacceptable from a visual amenity perspective on its own and the proposal must be considered based on its own merits. The basement and lightwells are similar to recently approved basement proposals in the Queens Park Conservation Area. The externally visible features of the basement are not considered to cause undue harm to the character of the host property or surrounding area.
- 6.** The frontage would remain predominately soft landscaped with space retained for one vehicle in accordance with UDP (2004) policy BE7. Further details of planting can be secured by condition.

Use of Property:

- 7.** The proposal would expand the accommodation in the property; the proposed floor plans show six bedrooms with a further two rooms that could potentially be used as bedrooms. This is not in itself considered harmful and the proposed basement and extensions are considered acceptable on the basis that they would be ancillary to the use of the property as a single family dwellinghouse. If the basement is occupied separately or the property used as a House of Multiple Occupation with more than six residents then this would require planning permission in its own right and enforcement action could be taken if a breach were to occur.

Impact on Neighbours:

Extensions:

8. The attached neighbour is located to the east of the property; the single storey rear extension would have a depth of 3m and a height of 3m on the boundary with this neighbour in accordance with SPG5. The two storey side and roof extensions would not be visible from this neighbour. The rear dormer window would be visible from this neighbour but would be contained within the roof slope and is not considered to raise any undue loss of light or overbearing concerns. Any views from the front rooflights and rear dormer would be typical of a residential area and the proposal is considered acceptable in terms of overlooking. A condition can be attached to ensure the flat roof of the rear extension is not used as a roof terrace. The extensions are therefore considered to form an acceptable relationship with this neighbour in terms of loss of light, overlooking and overbearing impacts.
9. The neighbour at No.73 is located to the west and its principal two storey side elevation is positioned approximately 6m from that of the host dwelling. This neighbour benefits from a single storey side extension with a glazed roof serving an open plan kitchen and dining area. The proposed two storey extension would be positioned 0.7m from the single storey side extension of No.73 and would be visible from the room it serves by virtue of the glazed roof. This room however has its primary source of outlook from a rear-facing kitchen window and patio doors. The two storey extension would be relatively modest in size at 2m in depth and is not considered to result in an unacceptable loss of light or overbearing impact on this room when considering the windows on the rear elevation and large glazed roof serving this room.
10. This neighbour also features a first floor side-facing window serving a single aspect habitable room facing towards the proposal site. The proposed two storey extension would be 2m in depth and located approximately 3.8m opposite this window, the extension would not however be located opposite the entire width of the window. The separation to the extension means the proposal would pass the 30° test as set out in SPG17 and it is borne in mind that the extension would be viewed against the profile of the larger host dwelling behind with a hipped roof form. The single storey side and rear extension would have a separation distance of 1m to the boundary with No.73 and with a maximum height of 3.1m, is not considered to have an unacceptable loss of light or overbearing impact on this neighbour. The proposal does include side-facing rooflights however these can be required to be obscurely glazed with restricted opening by condition.

Basement:

11. Officers recognise that basement excavations can impact on neighbouring amenity during construction through dust, noise and vibrations. Officers also appreciate the concerns surrounding the impact of basement excavations on structural and soil stability for example. Brent's approach to such development proposals is to seek to minimise these impacts and applicants are expected to provide a Construction Method Statement as required by Brent's 'Basements Practice Guide'.
12. The applicant has provided a Construction Method Statement which details how the potential impacts of the proposal during construction will be mitigated and details of build methodology. This includes for example establishing hoarding around the site and precautions in terms of soil stability and structural stability of neighbours. Nuisance during construction is managed separately by Environmental Health and there are accepted hours of construction for construction sites which should be adhered to. The applicant can be reminded of these in the form of an informative. Furthermore a condition can be attached requiring the contractor to be a member of the Considerate Constructors Scheme.
13. Overall, the applicant has shown consideration to the construction and building process of the basement in relation to neighbouring amenity and as such is considered unlikely to have a significant impact to the amenity of adjoining neighbours.

Impact on Parking:

14. The parking standard for the property as defined in Appendix TRN1 of the Brent UDP (2004) would remain the same as existing (2x spaces). The proposed plans show the conversion of the existing garage; this would however otherwise be 'permitted development' and could be done without planning permission. In any case, Okehampton Road is no longer listed as a 'heavily parked street' and there is an on-street parking bays in the immediate area. In combination with the retained off street parking space to the frontage, this is considered sufficient in terms of parking provision. The proposal is therefore considered acceptable in terms of parking.

Impact on Trees:

15. There is a mature Oak tree towards the back of the rear garden. The Council's Tree Officer has

requested that protective fencing is erected in the rear garden to prevent any construction activities taking place within the rooting area of the tree. These details can be secured by condition.

Conclusion:

- 16.** Considering the points discussed above and subject to conditions, the proposed basement and extensions are considered to have an acceptable impact on the character of the host dwelling and surrounding area and the amenities of neighbours. The proposal therefore accords with saved UDP (2004) policies BE2, BE7, BE9, Core Strategy (2010) policy CP17, SPG5 'Altering and Extending Your Home', SPG17 'Design Guide for New Development' and the NPPF (2012) and is recommended for approval.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/3570

To: Mr Hamm
spaceAgent Architects Ltd.
52 Great Eastern Street
London
EC2A 3EP

I refer to your application dated 17/08/2015 proposing the following:
Excavation of a basement level with front and rear lightwells, erection of single storey side infill and rear extension, two storey side extension, addition of hipped roof to existing two storey side extension, rear dormer window with Juliet balcony, insertion of 2x front rooflights, insertion of glazing into front gable and conversion of garage into habitable accommodation (amended plans and description)
and accompanied by plans or documents listed here:
See Condition 2.
at 75 Okehampton Road, London, NW10 3EN

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed basement and extensions are considered to have an acceptable impact on the character of the host dwelling and surrounding area and the amenities of neighbours. The proposal therefore accords with saved UDP (2004) policies BE2, BE7, BE9, Core Strategy (2010) policy CP17, SPG5 'Altering and Extending Your Home', SPG17 'Design Guide for New Development' and the NPPF (2012).

- 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):

OKE_E02
OKE_E03
OKE_E04
OKE_E05
OKE_E06
OKE_E07
OKE_E08
OKE_P01k
OKE_P02k
OKE_P03k
OKE_P04k
OKE_P05k
OKE_P06k
OKE_P07k
OKE_P08k
Unnumbered plan showing a Location Plan
Construction Method Statement

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 No 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.

- 5 The basement and extensions hereby approved shall only be used for purposes incidental to the use of No.75 Okehampton Road as a single family dwellinghouse and shall not be used as separate residential accommodation at any time.

Reason: To ensure the development is not subject to unregulated intensification of use.

- 6 Notwithstanding any indication otherwise given by the approved plans, the side-facing rooflights hereby approved shall be obscurely glazed and non-opening unless the parts of the windows which can be opened are positioned more than 1.7m above the floor level of the room in which the windows are installed. Once installed the windows shall be permanently retained in this condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbouring amenity.

- 7 Notwithstanding any indication otherwise given on the approved plans, the flat roof of the single storey rear extension hereby approved shall not at any time be used as a balcony, roof terrace or sitting-out area of any kind without the further granting of planning permission by the Local Planning Authority for that use.

Reason: To preserve the amenities of neighbouring occupiers.

- 8 A detailed soft landscaping scheme for the front garden area shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. All detailed works shall be carried out as approved prior to the first occupation of the development. Such details shall include:

- (i) Further details of soft landscaping of the frontage with shrubs/trees/hedges including specie, pot sizes and spacing
- (ii) details of materials of any additional hard surfacing

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 position, 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

- 9 Prior to the excavation of the basement hereby approved, details of protective fencing to protect the mature tree to the rear of the site shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be retained in accordance with the agreed details for the construction stage of the development hereby approved.

Reason: In order to protect mature trees on 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
- 2 The applicant is 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.

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

Cllr Denselow

Date and Reason for Request

25th September 2015 - Objects due to concerns regarding the impact of construction and long terms effects of basement development

Details of any representations received

Contacted by local residents

Name of Councillor

Cllr Nerva

Date and Reason for Request

22nd September 2015 - Objects on the grounds of excessive size and overdevelopment.

Details of any representations received

Contacted by local residents

Name of Councillor

Cllr Southwood

Date and Reason for Request

22nd September 2015 - Objects on grounds of excessive size and overdevelopment and concerns regarding basement development

Details of any representations received

None stated

Any person wishing to inspect the above papers should contact David Raper, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 020 8937 5368