

**Committee Report
Planning Committee on 15 December, 2010**

**Item No. 10
Case No. 10/2536**

RECEIVED: 24 September, 2010

WARD: Kilburn

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 117 Victoria Road, London, NW6 6TD

PROPOSAL: Erection of single-storey side extension to outrigger and installation of sliding/folding doors to rear elevation of dwellinghouse.

APPLICANT: Mr Thorsten Schumacher

CONTACT: Mr Jules Turner

PLAN NO'S:
See condition 2

RECOMMENDATION

Approval

EXISTING

The property is a single dwelling house on the northern side of Victoria Road, NW6. The site is not within a conservation area, nor is it a listed building.

PROPOSAL

See above.

HISTORY

There are no planning decisions that relate specifically to this building, but there are a number of planning applications that are mentioned in the "Remarks" section of this report. These applications put this proposal in context.

POLICY CONSIDERATIONS

London Borough of Brent Unitary Development Plan 2004

BE2 Townscape: Local Context & Character
BE9 Architectural Quality

Supplementary Planning Guidance 5:- Altering & Extending Your Home

CONSULTATION

Neighbouring occupiers were consulted on 12th October 2010. No comments have been received at the time of drafting this report.

REMARKS

This site is not located in a Conservation Area. The proposal envisages a single storey extension along the full length of the 2-storey outrigger, totalling 7.6 metres in length. Measured from ground level, which is shown as equal between the two properties that face onto the space between the outriggers, the extension is 2.7m high at its highest point meeting the flank wall and 2m at the boundary.

The boundary treatment is currently approx. 1.8m high, but as Members will be aware "permitted development" allows a means of enclosure to be 2m in height without needing planning permission. In spite of this, for clarity, the Council's adopted guidance for householder extensions in SPG5 does not support the infilling of this space between dwellings due to the potential impact on access to light and outlook to neighbouring occupiers within this restricted space.

Having said that, this application is recommended for approval, for the reasons set down in the discussion below and it is anticipated that this decision, if endorsed by Members, would form the basis for the way that Officers would approach similar extensions outside of Conservation Areas. This may of course change in the future in the event that revised planning guidance is issued, but until then this becomes the agreed approach.

In this case, the main issues relevant to the determination of the current application are the impacts of the proposed development on the outlook of neighbouring occupiers, as well as the impact on the character and appearance of the property.

Impact on neighbouring Amenity

The Councils adopted Supplementary Planning Guidance SPG5 "Altering and Extending Your Home" states that infill extensions to terraced properties with side returns will not normally be allowed as they cause problems for neighbours who already suffer from restricted light into their homes. This position, however, has been granted some flexibility, reflected in a number of decisions made by the Councils' Planning Committee and by the Planning Inspectorate. Certain types of infill extensions have been considered not to cause harm to neighbouring amenity.

The first such formalisation of a more flexible approach was when the Councils' Planning Committee considered an application (ref: 07/3115) for an infill extension at Victoria Road where the height, design and material limited the apparent bulk and scale of the extension, whilst it also maintained a 4m deep courtyard between the rear elevation wall of the existing dwelling and the beginning of the extension to protect outlook.

This approach has been followed for a number of years and whilst Officers continue to believe that this is an appropriate means of allowing people to extend their home whilst minimising impact on neighbours, a number of recent appeal decisions where applicants were granted permission for full infill extensions to the existing two storey rear sections have required the Planning Service to revisit the issue. This discussion will highlight the views expressed by Inspectors and explain how these relate to proposals at this application property.

In allowing the appeal for a full infill at 39 Hopefield Road (ref: 09/1247) the Inspector stated that the side parapet wall proposed as part of the application would be equivalent in height to the average height of the existing extension. This is pertinent to this application as the proposed infill would have a height at the eaves and boundary consistent with the Inspectors considerations in allowing this appeal.

In allowing the appeal for a full infill at 11 Donaldson Road, the Inspector noted as a result of the materials chosen to lighten the visual effect, and proposed excavation works to maintain a height of 2m at the joint boundary measured from the neighbours ground floor level, that the impact of the infill extension toward the neighbouring dwelling was reduced to an acceptable level. This current application uses light materials for its roof structure and also maintains a height of 2m at the joint

boundary measured from the neighbouring ground floor level, consistent with the above reason put forward by the Inspector for approving the appeal at 11 Donaldson Road.

Furthermore, in this instance for the first 4m of the extension (based on the area that Officers have previously suggested should be an open courtyard) the roof is proposed as fully glazed with slender glazing bars resulting in a lightweight appearance, rather than leaving a courtyard. Given its limited height and sensitive design it is not considered that this would cause harm to the neighbouring occupier. Beyond this 4m depth the roof is proposed as slate but still includes 2 large rooflights. Although things will inevitably change for the adjoining property, particularly as they have windows along the flank wall at ground floor facing the new extension, it is considered that this change would not be sufficiently detrimental so as to justify refusing consent.

It is important to note that precedent is not normally considered to be a material planning consideration. However, given the views expressed when the Councils adopted policy on infill extensions is subject to external scrutiny, and the fact that matters of impact are inevitably similar where the specific site contexts are similar, these decisions can be given weight in the determination of this application.

Impact of infill extension on character of existing dwelling

Officers consider the infill extension to be in character with the existing building, as it is finished in light materials, in particular the glazed roof, and is also subservient to the existing dwelling. These characteristics for infill extensions were highlighted at appeal by an Inspector as reasons for approval for 39 Hopefield Road (09/1247), stating the infill:

".....would be subservient in height, width and bulk to the existing two storey extension and the original 'L' form of the present dwelling would be retained. With its glazed, monopitch roof, it would represent a contemporary approach to design, but not one that would be inappropriate in this context."

Your officers consider therefore that the infill responds to the aims of UDP policy BE9 being sympathetic to the original design of the building.

Conclusion

There are no specific site characteristics here that mean that a different approach to the generic one set out above should be taken. There is no change in levels between buildings and nor is the neighbours level of amenity particularly sensitive. The appearance of the full length side extension is deemed acceptable, on balance, and is recommended for approval in accordance with policy BE9 of the UDP 2004.

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 drawing(s) and/or document(s):

Proposal first floor & Elevation REVISED
Proposal ground floor and and section
First floor family bathroom REVISED
Proposal side elevation REVISED
Existing rear elevation
Existing floor plans

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

- (3) The roof-lights shall be detailed to be flush with the roof covering.

Reason: In the interest of visual amenity of the the locality.

- (4) Glazing to the roof of the extension shall be obscured.

Reason: In the interest of privacy between neighbouring occupiers.

- (5) Further details of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced and the development shall be carried out and completed in all respects in accordance with the details so approved before the building(s) are occupied. Such details shall include:-

(a) glazing bar details of roof

NOTE - Other conditions may provide further information concerning details required.

Reason: These details are required to ensure that a satisfactory development is achieved.

- (6) Prior to the development hereby approved commencing, further details of the guttering proposed for the extension shall be submitted to, and approved in writing by, the Local Planning Authority. Once approved, the details shall be fully implemented and permanently maintained.

Reason: In order to ensure a acceptable standard of design detailing, given the fact that no guttering should extend beyond the application site and the design of the extension may be needed to be amended to deal with this specific point.

INFORMATIVES:

None Specified

Any person wishing to inspect the above papers should contact Liz Sullivan, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5377



Planning Committee Map

Site address: 117 Victoria Road, London, NW6 6TD

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