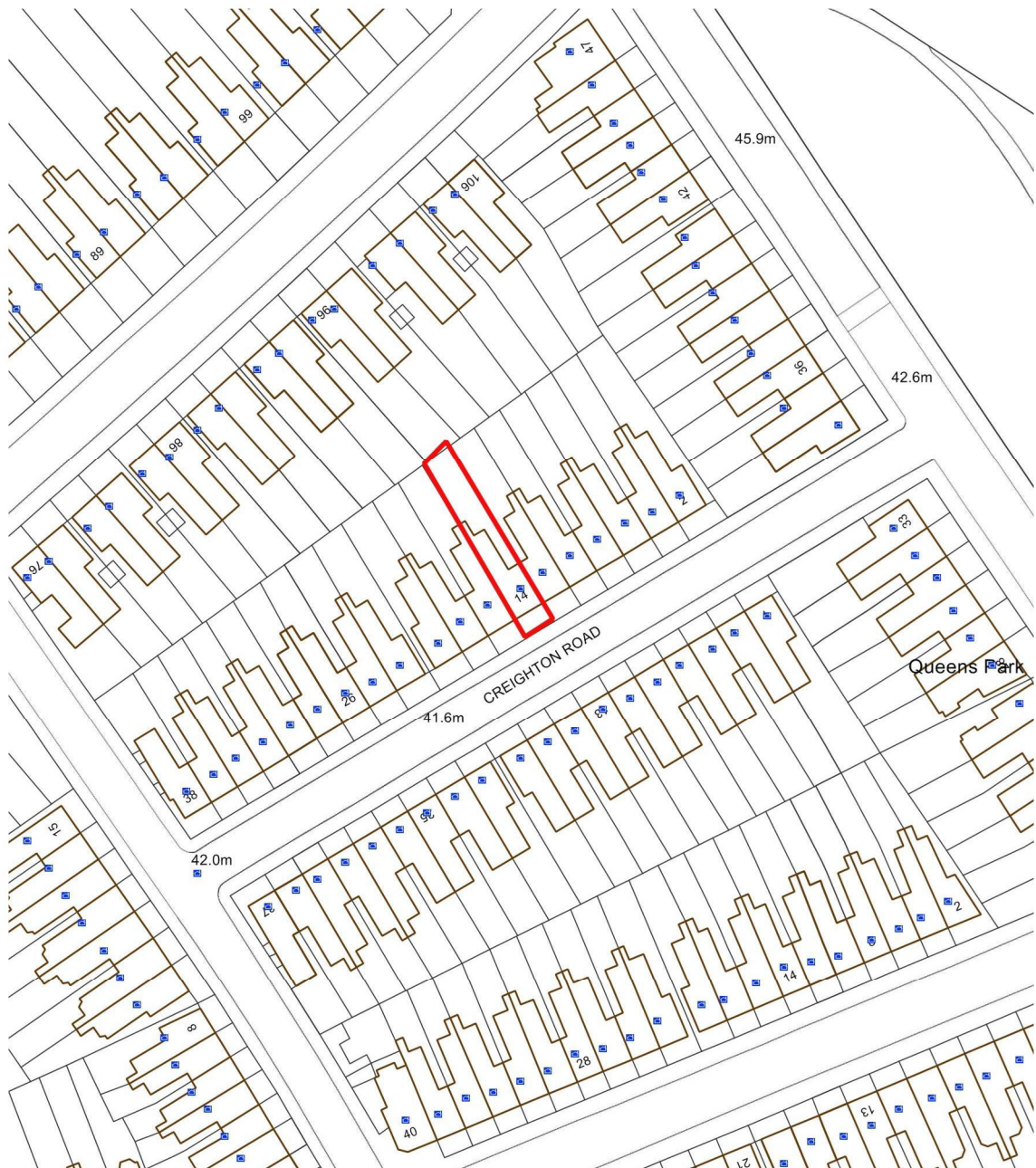




Planning Committee Map

Site address: 14 Creighton Road, London, NW6 6ED

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100025260



This map is indicative only.

RECEIVED: 13 July, 2011

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 14 Creighton Road, London, NW6 6ED

PROPOSAL: Creation of basement beneath existing dwellinghouse with associated light well to front and rear

APPLICANT: Mr Rob Eker

CONTACT: Peek Architecture + Design

PLAN NO'S:
See condition 2.

RECOMMENDATION

Grant consent.

EXISTING

The property is a two storey terraced dwellinghouse located on Creighton Road. It is in the Queens Park Conservation Area with additional Article 4 (1) Direction restrictions. It is not listed.

PROPOSAL

See above.

HISTORY

10/1815 Permission granted for single-storey side and rear extension to dwellinghouse
10/1821 Permission granted for erection of a rear dormer window, installation of a rear rooflight and 1 front rooflight to the dwellinghouse.

POLICY CONSIDERATIONS

Brent Unitary Development Plan 2004

STR11 - The quality and character of the Borough's built and natural environment will be protected and enhanced, and proposals which would have a significant harmful impact on the environment or amenities of the Borough will be refused.

BE2 - Design should have regard to the local context, making a positive contribution to the character of the area. Account should be taken of existing landform and natural features, the need to improve the quality of existing urban spaces, materials and townscape features that contribute favourably to the area's character, or have an unacceptable visual impact on Metropolitan Open Land. Proposals should not cause harm to the character and/or appearance of an area. Application of these criteria should not preclude the sensitive introduction of innovative contemporary designs.

BE6 - High standard of landscaping required as an integral element of development, including a design which reflects how the area will be used and the character of the locality and surrounding buildings, new planting of an appropriate species, size, density of planting with semi-mature or advanced nursery stock, new integrally designed structural landscaping on appropriate larger sites, boundary treatments which complement the development and enhance the streetscene and

screening of access roads and obtrusive development from neighbouring residential properties.

BE7 – The street environment should be enhanced.

BE9 – Creative and high-quality design solutions (for extensions) specific to site's shape, size, location and development opportunities Scale/massing and height should be appropriate to their setting and/or townscape location, respect, whilst not necessarily replicating, the positive local design characteristics of adjoining development and satisfactorily relate to them, exhibit a consistent and well considered application of principles of a chosen style, have attractive front elevations which address the street at ground level with well proportioned windows and habitable rooms and entrances on the frontage, wherever possible, be laid out to ensure the buildings and spaces are of a scale, design and relationship to promote the amenity of users providing satisfactory sunlight, daylight, privacy and outlook for existing and proposed residents and use high quality and durable materials of compatible or complementary colour/texture to the surrounding area.

BE26 – Alterations and extensions to buildings in conservation areas should, as far as is practicable retain the original design and materials or be sympathetic to the original design in terms of dimensions, texture and appearance having regard to any design guidance issued by the planning authority. Characteristic features such as doors, canopies, windows, roof details and party wall upstands should be retained. Extensions to buildings in conservation areas should not alter the scale or roofline of the building detrimental to the unity or character of the conservation area and be complementary to the original building in elevational features.

Supplementary Planning Guidance Note 5: "Altering and extending your home"

Queen's Park Conservation Area Design Guide

CONSULTATION

Neighbours/Representees

10 neighbouring owner/occupiers consulted, site notice put up 08/08/2011 and advert placed in local newspaper 25/08/2011. 11 letters of objection have been received to date - whilst a petition with 29 signatures was received 15/09/2011 (for clarity 8 of the objectors had already sent in individual letters). Main points of concern related to;

- overdevelopment of the site, potentially straining existing parking in the street
- noise and dust disturbance arising from works
- risk of subsidence where the water table beneath the properties are impacted
- the proposals contravene the Queens Park Conservation Area Design Guide and are not in keeping with the character of the Conservation Area
- no site notice
- tree in front of property potentially affected by works

In response to the representations made above;

The development will not result in an increase in the parking standard for the property as set out in standard PS14 in the Councils Unitary Development Plan which will remain 1.2 spaces.

Issues of noise and disturbance are acknowledged by Officers - an informative will be placed on this permission advising whomever carries out the works of their obligations to comply in full with the standards set out in s60 of the Control of Pollution Act 1974 and the British Standard Codes of practice 5228:1997 Parts 1 to 4.

Where concerns of subsidence have been raised, this is acknowledged although is not a consideration to be dealt with under Planning, rather it is a matter to be addressed under Building Regulations - further to this an informative will be placed on this permission advising applicants of their obligation to comply with the Party Wall Act 1996 etc in full.

In terms of concerns that works are not in keeping with the Queens Park Conservation Area and the design guide in particular, Officers note that the Design Guide does not deal with basement extensions and until what time guidance is produced with that in mind, the Council deal with such applications on a case by case basis. Further to this the report below sets out that measures have been taken in so far as landscaping and planting to mitigate the impact of the lightwell. Also the proposed front garden would improve significantly the front gardens contribution toward the character of the Conservation Area and so is considered an improvement.

Officers put up a site notice adjacent to the site 18/08/2011.

In terms of concerns regarding the impact on trees in front of the property, at the request of Officers applicant has carried out tree protection survey and arboricultural method statement in accordance with BS5837 2005 *Trees in relation to construction*. Notwithstanding a further arboricultural method statement required as a condition of this permission before works commence, Officers are satisfied with the content of the report in relation to the welfare of the trees during construction.

Statutory Consults

Landscape Officers consulted and have stated that alternative measures to the Protective barrier fencing of the type illustrated in report drawing 11520/TPP/01 should be used around T4 Whitebeam (existing street tree) as this would obstruct the public footpath. Other methods must be used to define the root protection area of the existing street tree and protect this tree from damage. This will be sought through condition. Also further detail of front garden evergreen species has been submitted at the request of Landscape Officers.

Sue Arnold of QPRA has objected to the proposals on grounds that the proposals would cause structural instability and a disturbance for neighbours.

REMARKS

As Members may be aware, there is currently no adopted, or emerging, policy or guidance that discourages the development of basements, as a matter of principal. Such developments must, therefore, be assessed on their individual merits, and their effect on the character and appearance of the conservation area needs to be considered as the main issue.

Amendments

The applicant submitted revised plans showing;

- revised plans with additional section lines on for extra sections and notes on railings, rear lightwell, front lightwell and other items
- revised elevations showing more detail to front grille and rear railings
- revised section AA with more detail on lightwell, grille and planting to front
- new section BB showing a section through the lightwell.

Principle/Design

The proposal is to create a basement level with a front light well and rear light well. The basement follows the form of the existing building, including the rear and side addition granted planning permission under ref:10/1815. These extensions have already been built on site.

The proposed use of the space as shown on the submitted plans are as follows; guest bedroom, shower room, utility/store room, gym and media/study room.

The bedroom is positioned at the front end of the basement extension so is served by the front light well, whilst the media/study room also benefits from a light well positioned next to the media/study room.

As a domestic extension that provides additional ancillary space for the dwelling house, the principle is acceptable. In terms of the scale of the extension, it is mostly set within the existing envelope of the building so is not considered excessive. Also as the side and rear extensions it is set beneath are lawful under ref:10/1815, this form is acceptable.

Impact on character of Conservation Area

Front elevation

Members will be aware of the 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 pursuit of this revised plans were requested to show how this would be achieved.

The revised plans show the front light well projecting 0.8m from the front of the bay window within the front garden which is a maximum of 2.9m deep and 2m at the bay window. The existing timber sash ground floor front bay window is replicated in the proposed basement window, which would in any event not be easily viewed from street level. A walkable grille over the front light well is proposed, set flush with the existing ground level and following the profile of the bay window at the front. Officers find that these aspects are in keeping with the property and also as set out below, the front garden is successful at effectively screening it from the street.

The front garden, which currently does not comply with the Queens Park Design Guide or Policy BE7 by nature of the extent of hard surfacing, would be enhanced by new soft landscaping scheme and will also mitigate the visual impact of the light well and grille.

Evergreen/hedge planting is proposed directly in front of the front light well and behind the front boundary wall. There will be adequate space provided for the storage of refuse and recycling bins, and a new tiled pathway is proposed from the gate to the front door. The landscaping approach as such would, in the context of the constrained front garden space, satisfy the Councils aspiration for 50% soft landscaping in front gardens and importantly, effectively screen the light well from the street.

It is acknowledged that the front garden here is not large, but it is similar to other properties where front lightwells have been approved both by Officers and at Planning Committee (eg: a similar scheme at No.32 Creighton Road was approved at the Committee meeting on 12 January 2011). It is inevitable given the restricted site here that the potential impact of a lightwell will, relatively speaking, increase as compared to a larger plot, but as explained above, it is considered that, on balance, a range of measures have been proposed that successfully mitigate any visual impact.

Rear elevation

The light well at the rear is 1.1m x 2.85m and set against the side of the existing rear extension. It has a fence set on its edge perpendicular to the boundary. It is set lower than the boundary wall so is not visible from the neighbours side - hence it is of no concern with regard to impact on neighbouring amenity. Also the material and treatment are in keeping with the property.

Impact toward neighbouring amenity

The basement level would not create a new dwelling, any noise impact once complete would be minimal and at a domestic scale. Also by virtue of its subterranean character, it does not have an overbearing impact toward the visible residential scale of the building itself nor toward the

neighbouring properties, as could be associated with an extension of the same depth were it to be provided at ground floor level.

Conclusion:

As explained above, although the concerns of residents as far as the construction of basements are understood, these concerns fall outside the remit of planning control. Therefore, where basements are not original features, the appropriate test is whether they can be designed so as to not over dominate the front garden or building and allow other enhancements to the property frontage where these are appropriate. In pursuit of this, it is considered that the proposal maintains the integrity of the frontage and so is considered to comply with policies BE2 and BE7 of the UDP, SPG5 and the Queens Park Conservation Area Design Guide. Approval is therefore recommended.

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
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):

EX00, EX301, EX302 revision B, PL303, PL302 rev D, PL303 rev B Proposed ground & basement plan, PL303 rev B proposed section AA, PL304 revision B, 11520/TPP/01, Trees and Construction BS5837 Arboricultural report, proposed planting for front garden

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

- (3) Planning permission is granted for use of the basement incidental to the existing dwellinghouse as shown on plan no PL303. The basement will not be used as a self contained residential unit. Any change, or intensification of use of the basement will require planning permission.

Reason: To ensure the basement is not subject to unregulated intensification or change that could result in an unsatisfactory level of amenity for future occupiers.

- (4) The landscape works and planting shown on the approved plans shall be carried out:-

(a) prior to the occupation of the basement extension;

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 appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the area.

- (5) All works to be carried out with regard for submitted arboricultural report prepared by Indigo surveys, and with specific reference to T4:B3 shown on approved plan 11520/TPP/01 an arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority before any works commence on site.

Reason: To ensure works are carried out without prejudicing the well-being and survival of identified trees on and adjacent to the site shown on approved plan 11520/TPP/01.

- (6) Details of materials for external work as specified below, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced, including:

(a) Samples of the proposed hardstanding ie quarry tiles of 2 or more colours such as black and white, accompanied by a plan showing the pattern in which they will be laid

(b) Details of the proposed grille.

The development must be carried out in accordance with the approved details.

Reason: To safeguard the character of the Conservation Area.

INFORMATIVES:

- (1) Whoever carries out the works is reminded of their obligation to comply in full with s60 of the Control of Pollution Act 1974 and the British Standard Codes of practice 5228:1997 Parts 1 to 4 which states that Construction/refurbishment and demolition works and ancillary operations which are audible at the site boundary shall be carried out only between the hours of: Monday to Friday 08:00 to 18:00, Saturday 08:00 to 13:00 and at no time on Sundays or Bank Holidays.
- (2) 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

Any person wishing to inspect the above papers should contact Samuel Gerstein, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5368