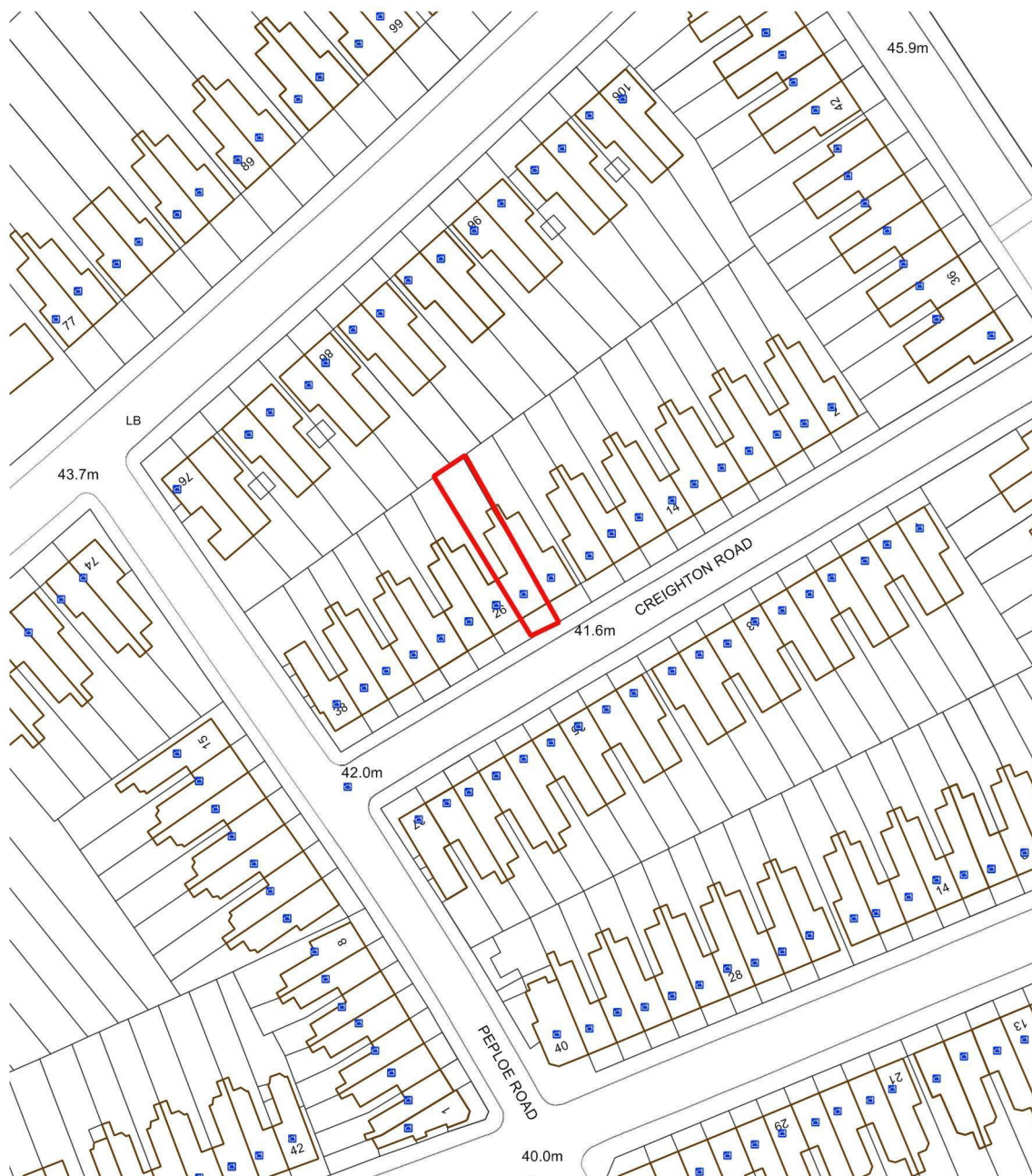




Planning Committee Map

Site address: 24 Creighton Road, London, NW6 6ED

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This map is indicative only.

RECEIVED: 14 February, 2012

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 24 Creighton Road, London, NW6 6ED

PROPOSAL: Creation of a basement level, erection of single storey side infill extension and rear dormer window, installation of single front and rear rooflights and replacement of all windows and front door to dwellinghouse.

APPLICANT: ADVANTAGE BASEMENT CO LTD

CONTACT: Indigo Blue Works Ltd

PLAN NO'S:
See condition 2.

RECOMMENDATION

Approve

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

There are no planning decisions relating to this property but members may be aware that other basement proposals in this road have recently been granted by planning committee.

11/1835 - 14 Creighton Road, London, NW6 6ED granted 26/10/2011

10/2854 - 32 Creighton Road, London, NW6 6ED granted 14/01/2011

POLICY CONSIDERATIONS

National Planning Policy Framework

The NPPF was published on 27th March and replaces Planning Policy Guidance and Planning Policy Statements with immediate effect. It is intended to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. It includes a presumption in favour of sustainable development in both plan making and decision making and its publication is of significant weight.

Saved policies from the adopted UDP will have increasingly less weight unless they are in conformity with the NPPF and can be demonstrated to be still relevant. Core Strategy policies will also need to be in conformity with both the London Plan and the NPPF and have considerable weight.

Where PPG's, PPS's, LDF Core Strategy and UDP saved policies are referred to in the report below they have been considered in the assessment of the application. However, the recommendation is considered to comply with the NPPF.

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

11 neighbouring owner/occupiers consulted, site notice put up and advert placed in local newspaper 29/03/2012. To date 21 letters of objection and a single letter of support have been received. Main points of concern related to;

- General Disruption, such as noise, dust, traffic caused by works to property.
- Risk of subsidence and flooding caused by basement works.
- Overlooking arising from proposed rear dormer window.
- Works would not be in keeping with the character of the Conservation Area.
- Cumulative impact of basement works occurring on Creighton Road detrimental to area.

Officers response

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 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. In addition the Design Access statement sets out the developer will sign up to Considerate Contractors Scheme, and this will be controlled through condition.

Concerns about subsidence are not a consideration to be dealt with under Planning Acts, rather it is a matter to be addressed under Building Regulations. 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 refer to basement extensions and with that in mind, the Council needs to 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 its contribution toward the character of the Conservation Area and so is considered an improvement.

In terms of the rear dormer, it is in keeping with the Queens Park guidance.

In terms of concerns relating to the cumulative impact of basements on the street, Officers note that the impact as far as the character of the Conservation Area is concerned will be minimal given that they are subterranean and the lightwells are significantly screened from the street. In terms of their impact beyond character considerations, whilst it is acknowledged that prolonged periods of work can cause disturbance to neighbouring properties, it would not constitute material planning grounds to resist an application and the council seeks to mitigate the impact through measures such as the Considerate Contractors Scheme

Officers are sympathetic to the concerns raised about impact of works but, as explained above, it would be difficult to refuse an application on these grounds.

Statutory Consults

QPARA consulted and responded with objection on grounds of disturbance to neighbouring properties and adverse affect on streetscape caused by front light well.

REMARKS

Officers consider there to be two issues that need to be addressed in this determination. These are;

- (i) the impact on neighbouring amenity and,
- (i) design in relation to the existing dwelling house and the character of the Queens Park Conservation Area

These will be addressed in turn where necessary in relation to the different elements of the proposed scheme.

Amendments

The applicant submitted revised plans 29/03/2012 showing;

- The removal of a single front rooflight so that front roof slope contains only a single Conservation Style rooflight
- Additional detail relating to the landscaping treatment in the front garden
- revised description for the basement media room.

Infill Extension

The design is a lean to extension spanning the width and length of the side return area. Its height at the eaves and on the boundary with no 26 Creighton Road is 2m and slopes up to 3m at its highest point where it meets the flank elevation of the side return. The roof contains 5 rooflights.

The proposed side infilling of an outrigger can be considered to be contrary to Supplementary Planning Guidance (SPG5) given that it can often result in a loss of amenity to properties who may already suffer from restricted outlook, however they are not refused in all instances. In response to, amongst other things, recent appeal decisions, the Councils Planning Committee 15/12/2010 resolved to allow certain infill extensions where the scale and design would not infringe neighbouring amenity. Agreed parameters are, infill extensions should not exceed 2m on the boundary measured from the neighbours ground floor level, be finished in light weight materials to reduce the impact and have a maximum height no higher than 3m. To achieve this, a lean to is often the only viable approach.

In respect of this position, Officers find the proposed extension to be in general conformity in terms of scale. The Council will control through condition that the rooflights set within 3m of the rear elevation wall be obscure glazed so as to safeguard neighbouring amenity. In terms of its design, its scale ensures it is

subsidiary as a domestic extension to the existing house, whilst the materials palette is in keeping with the character of the building and Conservation Area. The rear elevation of the extension is flush with the rear wall of the existing two storey projection and they will be consolidated into a single coherent elevation with large glazed doors providing access to the garden. This is an acceptable treatment.

Rear Dormer

The dormer is set up from the eaves by 500mm, is set down from the ridge by 600mm and is proportioned so that it is no wider than 2/3rds the width of the existing roof. The fenestration consists of painted timber sash frames whilst the roof materials are described as slate. This form and aesthetic accord with the requirements in the Queens Park Conservation Area Design Guide so are acceptable.

Rooflights/front door

A single rooflight is proposed on the front and rear elevation. They are Conservation style rooflights and their size and siting accord with the Queens Park Conservation Area Design Guidance. A condition will be placed on the decision notice to ensure rooflights are Conservation Style. In terms of the front door the chosen type is acceptable.

Basement

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.

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 and additionally the envelope of the proposed side infill extension. The proposed use of the space as shown on the submitted plans are as follows; 2 x bedrooms, media room, bathroom and services room.

The two bedrooms are positioned at either end of the basement extension so are served by the front and rear light wells respectively. The media room does not benefit from a source of natural light, although it is understood from the plans that it is an ancillary space which is not intended to function as the main living space which is on ground floor.

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 follows the envelope of the existing building and also is sited underneath the proposed infill extension. This is not considered excessive as a domestic extension.

Impact on character of Conservation Area

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 1m from the front of the bay window within the front garden which is a maximum of 3m deep and 2.25m 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 effectively screens 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. The landscaping scheme sets out appropriate species and height specifications which aim to screen the grille from the street and in the context of the constrained front garden space, satisfy the Council's aspiration for 50% soft landscaping.

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: similar schemes at No.32 and 14 Creighton Road). 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.

The light well projects 1m from the rear elevation of the proposed extension and is hard up against the boundary of number 22 Creighton Avenue. It is flush with the ground level so is not visible from the

neighbours side - hence it is of no concern with regard to impact on neighbouring amenity. Also the material 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:

The side infill extension and rear dormer are considered to be acceptable on grounds relating to design and impact toward neighboring amenity. In terms of the basement, although the concerns of residents as far as the construction of basements are understood as explained above, 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):

2232 - 1, 2233, 2234 rev 1, 2235.

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 2234. 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) The rooflights on the approved single storey infill extension within 3m of the rear elevation wall of the main dwellinghouse shall be obscure glazed and non opening.

Reason: To safeguard neighbouring amenity from light and noise pollution.

- (6) No development shall be carried out until what time as 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.

- (7) The proposed roof-lights shall be "conservation-style" and shall be detailed so as to be flush with the roof covering.

Reason: In the interest of visual amenity and character of the Queens Park Conservation Area.

- (8) 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) 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