

Committee Report

Planning Committee on 25 November, 2009

Case No.

09/2177

RECEIVED: 1 September, 2009

WARD: Mapesbury

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 4 Tracey Avenue, London, NW2 4AT

PROPOSAL: Erection of first-floor rear extensions, increase in height of existing roof, installation of two rear dormer windows and two front rooflights, two flank rooflights facing No. 3 Tracey Avenue and one flank rooflight facing No. 5 Tracey Avenue to dwellinghouse

APPLICANT: Ms Emma Goodrick & Mr Daniel Green

CONTACT: Brill & Owen Architects

PLAN NO'S: 09/689/Loc01; 09/689/Sur01; 09/689/Sur02; 09/689/Sur03;
09/689/Sur04; 09/689/Sur05; 09/689/Sur06; 09/689/P01; 09/689/P02;
09/689/P03; 09/689/P04; 09/689/P05; 09/689/P06; 09/689/P07;
09/689/P08; and 09/689/P09

RECOMMENDATION

Approval

EXISTING

The application site comprises a detached dwellinghouse located on Tracey Avenue. It is located at the head of the cul-de-sac. The surrounding uses are predominantly residential. The site is not located within a Conservation Area nor is it a Listed Building.

PROPOSAL

Erection of first-floor rear extensions to the dwellinghouse, increase in height of existing roof, installation of two rear dormer windows and two front rooflights, two flank rooflights facing No. 3 Tracey Avenue and one flank rooflight facing No. 5 Tracey Avenue

HISTORY

03/0723: Full Planning Permission sought for removal of existing garden store, erection of single-storey rear extension, conversion of garage to habitable room and installation/replacement of windows to dwellinghouse - Granted, 07/05/2003.

91/1343: Full Planning Permission sought for erection of rear and side dormer windows - Granted, 01/09/1991.

85/1892: Full Planning Permission sought for erection of single-storey side and rear extensions and alterations to front elevation - Granted, 21/01/1986.

POLICY CONSIDERATIONS

Brent's UDP 2004

BE2 - Townscape: Local Context & Character

Proposals should be designed with regard to their local context, making a positive contribution to the character of the area.

BE9 - Architectural Quality

New buildings, extensions and alterations to existing buildings, should embody a creative and appropriate design solution, specific to their site's shape, size, location and development opportunities, and should be designed to:

- (a) be of a scale, massing and height that is appropriate to their setting, civic function and/or townscape location;
- (b) respect, whilst not necessarily replicating, the positive local design and landscape characteristics of adjoining development, and satisfactory relate them;
- (c) exhibit a consistent and well considered application of the principles of any chosen style;
- (d) have attractive front elevations which have a direct relationship with the street at ground level, with well proportioned windows, and habitable rooms and entrances on the frontage, wherever possible;
- (e) be laid out to ensure that buildings and spaces are of a scale, design and relationship to each other, which promotes the amenity of users, providing a satisfactory level of sunlighting, daylighting, privacy and outlook for existing and proposed residents; and
- (f) employ materials of high quality and durability, that are compatible or complementary colour and texture, to the surrounding area.

Supplementary Planning Guidance

Supplementary Planning Guidance No 5 "Altering and Extending Your Home"

SUSTAINABILITY ASSESSMENT

N/A

CONSULTATION

Consultation Period: 09/09/2009 - 30/09/2009

Public Consultation

13 neighbours have been consulted - 4 objections were received during the consultation period on the following grounds:

- substantial increase in size and bulk unacceptable
- overdevelopment in terms of putting pressure on parking, access and creating the wrong precedent especially in raising the height of the roof
- overlooking issues to adjacent properties and their gardens
- whether the house will remain as a single family dwellinghouse with 9 bedrooms
- loss of light and outlook to rooms and garden of neighbouring property
- adversely impact upon the character of the cul-de-sac

REMARKS

Site and Surroundings

The application site is a detached dwellinghouse located on Tracey Avenue. It is located at the head of the cul-de-sac. Prior to any extensions carried out on either properties, its original design would have been "handed" with No. 6 Tracey Avenue.

The original dwellinghouse had four bedrooms in the main house with an additional bedroom in the side projection. At ground-floor level, the side projection included a garage. The application property has had a number of extensions over the past 23 years. These include a single-storey

extension in front of the original garage to form a new garage (now converted into a habitable room) and a single-storey rear extension behind the main rear wall of the house, projecting 4.6m in depth from the main rear wall (LPA Ref: 85/1892). A subsequent application was granted for rear and side dormer windows to the property (LPA Ref: 91/1343). The most recent application was for a wrap-around side/rear extension next to No. 3 Tracey Avenue which projected approximately 5.2m from the existing two-storey outrigger, together with the conversion of the garage into a habitable room and replacement windows (LPA Ref: 03/0723).

The neighbouring property, No. 3 Tracey Avenue, has two small rear extensions. There is no planning history for these extensions but the aerial photographs indicates that the extensions have been there for more than four years. There are no windows on the flank wall facing the application property.

The other neighbouring property, No. 5 Tracey Avenue, has had its garage extended up to the boundary with the application property, together with a small glazed rear extension to the garage. A Certificate of Lawfulness was granted for these works (LPA Ref: 99/2118). No. 5 Tracey Avenue has a window on its flank wall to the kitchen. There is also a window and door on the rear elevation to the kitchen/dining area.

Pre-application discussions

Officers have been in lengthy pre-application discussions with the agents for this application. Officers initially advised the agents to explore the option of building on top of one of the "wings" rather than on top of all of the rear extension. This was because officers were concerned with the volume of extension that was proposed. Officers subsequently prepared an indicative sketch plan of a more simplified roof form, reflecting what was approved at No. 6 Tracey Avenue. This was with the aim of providing gaps between the properties and maintaining a sense of openness. The amount of extension was also reduced so that it was more in proportion with the original dwellinghouse. It was also requested for the side dormer to be removed and for the number of roof lights to be reduced.

Proposal

The application, as submitted, has taken on board some of the comments provided at the pre-application advice stage. These include removing the first-floor side extension on top of the converted garage, reducing the number of roof lights and amending the design of the rear dormers. However, the original proposal at the pre-application stage, building directly on top of the existing rear extensions, is still proposed.

Impact upon the original dwellinghouse and the streetscene

Officers raised objections to the proposal at the pre-application stage as it was considered that the amount of extension was excessive in scale and out of proportion with the original dwellinghouse. Excluding the floor space within the roof, the floor area of the combined extensions (existing and proposed) would increase the floor area of the original house by approximately 100%. The proposal will increase the number of bedrooms from five bedrooms to nine bedrooms. Whilst the extensions are considered to be large, they do not increase the building footprint as there are already significant extensions to the ground floor, which have altered the character of the original form. It is therefore difficult to demonstrate how the first-floor extensions would be harmful enough to recommend refusal, given that the house has already lost a significant amount of its character. The splayed angle of the rear garden allows for a larger extension than what would normally be allowed for a typical property and garden layout seen within the borough.

Building on top of the existing rear extensions results in a substantial roof extension to the dwellinghouse. This results in the roof of the existing side projection increasing in height by approximately 3.3m and a large crowned roof extension next to No. 3 Tracey Avenue. Whilst the resulting roof extension is considered to be bulky and excessive in scale, its impact from the streetscene is relatively minimal and the properties to the rear are over 17.5m away. Existing landscaping within both the rear gardens of the surrounding properties and the application property will assist in screening the extension.

The gaps between the properties is one of the important features which contribute towards the character of the streetscene. There is currently a gap between the application property and No. 3 Tracey Avenue. The first-floor extension on top of the ground-floor wrap-around side-to-rear extension would partly be seen within this gap. This view will however be limited to certain position along the streetscene. On balance, the impact upon the streetscene is considered acceptable.

The first-floor rear extensions will result in the roof of the existing side projection increasing in height. This side projection is set back 6m from the front wall of the dwellinghouse and is an original feature which is subservient to the main house. A side dormer has been built in front of the side projection. Whilst officers do have concerns with the additional height of this roof and that it will not appear as subservient to the main house, given that the majority of it will be screened by the existing side dormer and that it will still retain its set-back from the front wall of the house, on balance, officers consider its overall impact upon the character of the house and streetscene is acceptable.

The proposed rear dormers are modest in size in relation to the roof. They are adequately set up from the eaves and set down from the ridge. The front face is predominantly glazed, reflecting the design of the window below. Two front roof lights are proposed, together with two roof lights on the flank roof slope facing No. 3 Tracey Avenue and one roof light on the flank roof slope facing No. 5 Tracey Avenue. The size of the roof lights is considered acceptable.

Impact upon the amenities of neighbouring occupiers

No. 3 Tracey Avenue does not have any windows on the flank wall facing the application property. The existing wrap-around side-to-rear extension does not project beyond the main rear wall of No. 3 Tracey Avenue. The first-floor rear extension is not considered to adversely impact upon No. 3 Tracey Avenue.

In terms of the 1:2 rule guidance, with windows to habitable rooms on the rear elevation at both ground-floor and first-floor levels of No. 5 Tracey Avenue, the proposed first-floor rear extension complies with this guidance. It should also be noted that No. 5 Tracey Avenue has a flank-wall window to the kitchen facing the application property. This window was queried at the pre-application stage; officers advised that, subject to the window not being the sole window to the kitchen, the first-floor extension next to No. 5 Tracey Avenue would be acceptable in principle. The agent later advised that it was a secondary window to the kitchen with a larger window on the rear elevation.

During the assessment of this application, officers have visited the site to further assess the impact from the kitchen of No. 5 Tracey Avenue. It was observed from the site visit that this window appeared to be the larger of the windows to the kitchen. It is, however, not considered to be the primary window as there is a window and patio doors on the rear elevation to the kitchen/dining area. The house was originally designed with a door and small area of glazing on the flank wall. The current window is a later addition. The view from the flank-wall kitchen window is currently out onto the existing two-storey side projection. The proposal will result in an additional two-storey wall at 4.8m in depth. The splayed nature of the site results in the extension being further away from the boundary with No. 5 Tracey Avenue as the extension projects further into the rear garden. Whilst the height of the roof of the existing two-storey extension will increase and the outlook from the flank-wall window of the kitchen at No. 5 Tracey Avenue, will be restricted, as outlook will still be available from the rear window and patio doors, on balance the extension is considered acceptable in terms of the impact upon the amenities of the occupants of No. 5 Tracey Avenue. It is also noted that No. 5 Tracey Avenue has a good amount of landscaping along the boundary with the application property to assist in screening the extension when viewed from the rear garden.

Your officers have received a number of objections from properties to the rear, concerning overlooking into these properties and their rear gardens. SPG17 requires a minimum of 10m from

rear habitable rooms to the rear boundary and a minimum distance of 20m between directly-facing habitable-room windows. There is a minimum distance of over 20m from the extension to the boundary with the rear gardens of the properties in Melrose Avenue with a distance of over 45m between rear habitable-room windows. There is a minimum distance of 17.5m from the rear extension to the boundary with the properties on Henson Avenue with a minimum distance of 25m to the rear habitable rooms (including rear extensions) of the properties in Henson Avenue. These distances exceed the minimum guidance as outlined in SPG17 and as such, the first-floor extension and rear dormers are not considered to adversely impact upon the properties on Melrose Avenue and Henson Avenue through overlooking and a loss of privacy.

Due to the splayed angle of the site, overlooking will also not occur into the rear gardens of Nos. 3 and 5 Tracey Avenue.

Conclusions

Your officers do have concerns with the excessive scale of extensions proposed and their lack of proportion with the original dwellinghouse. However, given that this property has been substantially extended and as such, has already lost a significant amount of its character, and since the impact of the current proposal upon the streetscene will be limited, officers consider that there are not strong policy grounds to refuse this application and subsequently defend such a decision in the event of an appeal. The splayed angle of the site assists in facilitating a larger-than-average extension.

On balance, for the reasons as outlined above, the application is considered to comply with policies BE2 and BE9 of Brent's UDP and is considered to be acceptable in terms of its impact upon the character of the dwellinghouse and streetscene and the amenities of neighbouring occupiers.

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) 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.

- (3) No windows or glazed doors, other than any shown in the approved plans, shall be constructed in the flank wall of the building, as extended, without the prior written consent of the Local Planning Authority.

Reason: To minimise interference with the privacy of the adjoining occupiers.

- (4) The existing trees and shrubs within the rear garden shall be retained and shall not be lopped, topped, felled, pruned, have their roots severed or be uprooted or have their soil levels within the tree canopy altered at any time without the prior written approval of the Local Planning Authority. Any such tree which subsequently dies, becomes seriously diseased or has to be removed as a result of carrying out this development, shall be replaced in the next planting season with a tree of a similar species and size in the same position, or in such a position as the Local Planning Authority may otherwise agree in writing.

Reason: To ensure that the existing trees are not damaged during the period of construction, as they represent an important visual amenity which the Local Planning Authority considers should be substantially maintained as an integral feature of the development and locality and kept in good condition.

- (5) The extension hereby approved shall not be occupied at any time other than for purposes ancillary to the existing house.

Reason: To ensure that the premises are not sub-divided or used for multiple occupation without the prior written permission of the Local Planning Authority.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

Brent's UDP 2004

Supplementary Planning Guidance No. 5 "Altering and Extending Your Home"

4 letters of objection

Any person wishing to inspect the above papers should contact Victoria McDonagh, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5337



Planning Committee Map

Site address: 4 Tracey Avenue, London, NW2 4AT

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