

Committee Report

Planning Committee on 25 November, 2009

Case No.

09/2181

RECEIVED: 8 September, 2009

WARD: Queensbury

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: 17 Waltham Drive, Edgware, HA8 5PG

PROPOSAL: Erection of a part single and part two storey side and rear extension to dwellinghouse

APPLICANT: Mr Patel

CONTACT: Saloria Architects

PLAN NO'S: 9244-00-P0;
9244-11-P1 (Received 28.10.2009);
9244-10-P3 (Received 28.10.2009).

RECOMMENDATION

Approval

EXISTING

The application site is a corner property located on the western side of Waltham Drive. The property shares a common side boundary with Calder Gardens to the south.

The site has a vehicular access to the rear (from Calder Gardens) and the front garden area has no parking facility but is partially hard surfaced (which appears to have been in place for a significant period of time).

PROPOSAL

The application proposes the erection of a two storey side and rear extension. The ground floor element would have a width of 3.5m and a depth of 3.3m behind the main rear elevation of the dwelling.

The first floor element would also have a width of 3.5m and would have a depth behind the main rear elevation of 3.3m. The first floor rear extension would be set away from the common boundary with the attached twin dwelling by 4.75m.

One parking space is proposed within the front garden of the property.

HISTORY

- A full planning application under reference 06/1647 for a 2 storey side and rear extension was granted planning permission under delegated authority on 25/07/06, there were no objections received to this proposal.

The main variances between the former scheme and that currently under consideration were that the previous proposal involved a two storey side element which was 200mm narrower (at 3.3m wide) than within the application under consideration and that the first floor rear extension was of a lesser depth but had its side elevation closer to the attached twin dwelling (although

still compliant with Supplementary Planning Guidance No. 5 and the 2:1 rule). Also of note was that parking would have been provided solely within the rear garden.

Other planning history onsite includes the following:

- Certificate of lawfulness 09/1420 for a vehicular access to front was approved on 27/07/2009.
- A full planning application under reference 07/3027 for the demolition of an existing garage and shed and the erection of a single storey rear extension and a 2 storey attached dwelling house with a width of 4.6m, to the side of the dwelling, was refused planning permission under delegated authority on 03/09/2008 on the basis of its size and the intensification of use on the site. Three objections were received to this scheme.
- A full application under reference 06/3165 for a 2 storey rear extension and two storey side and basement extension for creation of an additional dwelling house was refused under delegated authority and was subsequently dismissed at appeal on 03/12/2007 due to the intensity of the proposed development.
- A full planning application under 06/0147 for a 2 storey side and rear extension to form a two and three bedroom house was refused under delegated authority on 25/07/2006. This was on the basis of the design of the extensions and the standard of accommodation provided.
- A full planning application under 05/1500 for the erection of side (with a width of 4.6m) and rear extensions to form an end of terrace dwelling was refused under delegated authority on 18/08/2005. This was on the basis of its inappropriate impact on the area and transportation impacts arising from the development.

A certificate of lawfulness application under reference 05/1883 for a detached rear outbuilding was declined on 25/07/2005.

POLICY CONSIDERATIONS

Brent UDP 2004

The statutory development plan for the area is the London Borough of Brent Unitary Development Plan (UDP), which was formally adopted on 15 January 2004.

The following are the policies within the UDP relevant to this decision:

- **BE2 Local Context**
 - relates to design within the local context and character and the need to take into account existing landforms and respect and improve existing materials and townscape.
- **BE9 Architectural Quality**
 - relates to extensions and alterations to existing buildings and requires them to embody a creative and appropriate design solution specific to the site's shape, size, location and development opportunities. They should be designed to be of a scale, massing and height appropriate to their setting and the townscape location. It also requests that development respects without necessarily replicating the positive local design characteristics and satisfactorily relate to them. The design should exhibit a consistent and well considered application, and be laid out to ensure that building and spaces are of a scale design and relationship to each other that promote the amenity of users, provide satisfactory levels of sun and day light, privacy and outlook for existing and proposed residents.
- **TRN23 Parking Standards - Residential Development**
 - relates to the restriction of parking to levels no greater than listed in standard PS14 of the Adopted Unitary Development Plan.

NOTE: Since 27th September 2007 a number of the adopted Brent Unitary Development Plan 2004 policies have been deleted. This is part of a national requirement (introduced in the Planning & Compulsory Purchase Act 2004). The policies that remain valid are described as 'saved' policies and will continue to be relevant until new policy in the Local Development Framework is adopted and, therefore, supersedes it. Only saved policies are considered in determining this application.

SPG

The Council produces a series of Supplementary Planning Guidance Notes that give additional information on a variety of issues and which are intended to be read in conjunction with the adopted UDP. These SPG were subject to widespread public consultations as part of the UDP process before being adopted by the Council and given this widespread public consultation the Planning Authority would suggest that considerable weight be attached to them.

- **SPG 5 Altering and extending your home**

Adopted September 2002

CONSULTATION

Ten neighbouring properties were consulted by letter on 22 September 2009.

- Two objections were received as a result of this consultation from occupiers in Calder Gardens and Waltham Drive, which can be summarised as follows:
- Restriction of access to the objectors property due to the new crossover, the proximity of two churches and the railway station;
- Overlooking and loss of privacy;
- Extension would be out of character with the area;
- Additional parking requirements as a result of the extension would result in parking congestion on the street;

One objection also referred to a loss of value for their property which cannot be considered to be a planning consideration.

REMARKS

Proposed 2 storey side extension:

The proposed side extension would be set back 225mm behind the main frontage of the dwelling. Whilst this would be less than the 250mm provided for within Supplementary Planning Guidance 5 (SPG 5), the depth is considered to be sufficient to retain any quoin detail and to differentiate the extension from the main dwelling, in conjunction with the intentions of Adopted London Borough of Brent SPG 5.

The first floor element of the extension would be setback 1.5m behind the main front building line at first floor level, and would be in compliance with the Requirements of SPG 5.

The extension at ground and first floor side would be 3.5m in width, it is noted that the width of the building would be slightly greater than SPG 5 allowances which suggest a width no greater than the width of the main front room (3.4m in this case) however the 100mm non-compliance resulting from the extension would not be sufficient to result in an overly dominant or out of character extension with the character of the area.

The roof style of the building would be a traditional pitched roof with hipped ends which is common in the area. A similarly pitched roof is also proposed between the ground and first floor side extensions. Given the prominence of the location, it is recommended that should members be

inclined to approve the consent, that a condition be attached to require details of the tiles to be used on this roof to ensure that they correspond with the main roof type, and that if this is impossible, that a flat roof and parapet be installed instead.

The development proposes side elevation windows serving bedrooms 1, 4 and 5 and also the kitchen. An external door serving the kitchen would also be installed in this side elevation and would serve the kitchen. The configuration of the fenestration of doors and windows within this side elevation would be restrained and it is not considered that the introduction of these openings would present the appearance of an independent dwelling. Also, given the orientation of the side elevation towards a highway, the development would not result in detriment to the privacy of neighbouring occupiers. The officer would note that similar openings were approved under the previous application on this site.

Future conversion:

The internal layout of the building, in particular the open plan kitchen and lounge, would indicate that conversion of the unit into separate dwellings would be difficult. However should Members approve the application, it is suggested that an informative be attached informing the applicant that the conversion of the dwelling into separate units would require planning permission.

Single storey rear extension:

The development proposes the erection of a single storey rear extension with a depth of 3.00m on the common boundary with the neighbouring property at no. 19 Waltham Avenue, which itself benefits from a single storey rear extension. The extension would increase to 3.3m (3.296m on plans) in depth some 5.4m from this common boundary.

Whilst the depth of the extension is greater than that indicated within SPG 5, the separation from the non compliant element is considered to mitigate any adverse impacts arising from such an extension and, given its location on a corner, this element of the development would not result in detriment to neighbouring occupiers or the character of the area.

First floor rear extension:

The proposed development would have a depth of 3.296m behind the rear elevation of the dwelling. The applicant's agent has provided confirmation of the compliance of the development with Councils 2:1 Guidance which requires that a first floor rear extension be only half the depth between it and the nearest habitable room on an adjoining property (6.586m). As such, the development is considered to be acceptable in this respect. It is noted however that this compliance is very tight and that should the constructed building exceed these figures, the development would not be compliant. It is recommended that an informative to this effect be attached to any approval.

Parking and landscaping

Documents submitted in support of the application indicate that the front garden area of the property would be used to provide one parking space (a certificate of lawfulness application earlier this year permitted the formation of a crossover on this frontage but this has not yet undertaken). The application notes that an additional parking space exists in the rear garden of the site. It is recommended that a front parking layout requiring at least 50% of the front garden area be soft surfaced so as to ensure appropriate amenity in this prominent location.

Conclusion:

The proposed development would be complementary to the main dwelling and would not be detrimental to the character of the area, as such the development would be considered to be acceptable and can be recommended for approval.

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 with 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, as closely as possible, 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) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any future enactment of that Order, no windows or glazed doors, other than any shown on the approved plans, shall be constructed in the flank walls of the building, as extended.

Reason: In the interests of the privacy of adjoining occupiers.

- (4) Prior to commencement of works onsite, a front and rear garden plan of the site shall be submitted providing space for no more than 2 parking spaces and indicating at least 50% of the front garden in soft surfacing and at least 50 square metres of amenity space in the rear garden. Such details shall be approved in writing by the Local Planning Authority before any works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved. 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 in the same positions with others of a similar size and species, 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, to ensure that the proposed development enhances the visual amenity of the locality, in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990 and to ensure that onsite parking is in accordance with the intentions of the Adopted London Borough of Brent Unitary Development Plan.

INFORMATIVES:

None Specified

Any person wishing to inspect the above papers should contact Ian Hyde, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5241



Planning Committee Map

Site address: 17 Waltham Drive, Edgware, HA8 5PG

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