

**Committee Report**  
**Planning Committee on 3 February, 2010**

Case No. 09/1962

---

**RECEIVED:** 10 August, 2009

**WARD:** Dudden Hill

**PLANNING AREA:** Willesden Consultative Forum

**LOCATION:** 37 Geary Road, London, NW10 1HJ

**PROPOSAL:** Erection of a two-storey side extension to the dwellinghouse (as amended by plans received 02/10/2009)

**APPLICANT:** Jevenor Ltd

**CONTACT:** Architect: DAS

**PLAN NO'S:** E'01 Rev. B, E'02 Rev. B, E'03 Rev. A, E'04, P'01 Rev. B, P'02 Rev. B, P'x'01, P'x'02, E'x'01, E'x'02, E'x'03

---

This application was presented to the committee meeting on 13/10/2009. It was decided to defer the application to allow for further investigation of the following issues that were raised at the site visit

- 1) The planning status of the front gates and boundary treatment
- 2) The combined impact of all the proposed extensions
- 3) The current status of the property and whether it is being used as a single family dwelling.

**RECOMMENDATION**

Approval

**EXISTING**

Two-storey detached dwellinghouse located on the south side of Geary Road in Dollis Hill. The site is bounded by a semi-detached dwelling to the east, Geary Road to the North and the rear gardens of 49-55 Kendal Road to the west and those of 44 & 46 Fleetwood Road to the south. It is not a Listed Building nor is it within a Conservation Area.

**PROPOSAL**

Full planning permission is sought for the erection of a two-storey side extension.

**HISTORY**

09/1128: Certificate of lawfulness sought for proposed single-storey rear extension and two-storey rear extension to dwellinghouse. Granted 08/07/2009.

08/2157: Full planning permission sought for the erection of a single-storey and 2-storey side and 2-storey rear extension and covered area to front and side of dwellinghouse. Refused 26/09/2008 for the following reasons:

1. *The proposed two-storey side extension, by virtue of its inadequate set-back from the main front wall at ground-floor level, and its relationship with the proposed loft conversion and ridged roof construction, constitutes a dominant and visually obtrusive form of development that does not appear subservient to the original dwellinghouse, and would be detrimental to the character and appearance of the dwellinghouse and surrounding streetscape. The proposal is therefore contrary to policies BE2, BE7, and BE9 of Brent's Unitary Development Plan 2004 and Supplementary Planning Guidance 5: "Altering & Extending Your Home".*
2. *The proposed first-floor rear extension, by reason of its excessive depth and width, would appear as a bulky and incongruous extension to the property, resulting in a detrimental impact on the character of the original dwellinghouse. As such, the development would be contrary to policies BE2, and BE9 of Brent's Unitary Development Plan 2004, as well as the provisions of Supplementary Planning Guidance No. 5: "Altering and Extending Your Home".*

08/0309. Full planning permission sought for the erection of a 2-storey side and rear extension to dwellinghouse. Refused 26/03/2008, for the following reasons:

3. *The proposed two-storey side extension, by virtue of its inadequate set-back from the main front wall at ground-floor and first-floor levels, and its relationship with the proposed loft conversion and ridged roof construction, constitutes a dominant and visually obtrusive form of development that does not appear subservient to the original dwellinghouse, and would be detrimental to the character and appearance of the dwellinghouse and surrounding streetscape. The proposal is therefore contrary to policies BE2, BE7, and BE9 of Brent's Unitary Development Plan 2004 and Supplementary Planning Guidance 5: "Altering & Extending Your Home".*
4. *The proposed first-floor rear extension, by reason of its excessive depth, width and flat roof design, would appear as a bulky and incongruous extension to the property, resulting in a detrimental impact on the character of the original dwellinghouse. As such, the development would be contrary to policies BE2, and BE9 of Brent's Unitary Development Plan 2004, as well as the provisions of Supplementary Planning Guidance No. 5: "Altering and Extending Your Home".*

07/2413: Certificate of lawfulness sought for the erection of a rear dormer window to dwellinghouse. Granted 27/09/2007.

## **POLICY CONSIDERATIONS**

### **Brent UDP 2004**

- BE2 Local Context
- BE7 Streetscene
- BE9 Architectural Quality

## **SPG**

- *SPG5 Altering and Extending you Home*
- Appropriate Design
- Character of dwelling and surrounding area
- Light, outlook and privacy of neighbouring dwellings

## **CONSULTATION**

13 neighbours were consulted on this application. Four objections were received from neighbouring residents on Geary Road, Hamilton Road and Fleetwood Road on the following grounds:

1. Loss of light to the ground floor and first-floor bedrooms at No 41 Geary Road
2. Loss of privacy in neighbouring gardens.
3. Detrimental impact on the character of the dwelling and surrounding streetscene.
4. Detrimental visual impact.
5. Lack of parking.
6. Loss of rear green space.

Prior to the last committee meeting a further petition was received from all residents who have a direct boundary with the site. They have further emphasised their objections to the proposed development on the following grounds:

1. That the proposed development, taking into account certificates of lawfulness granted at this site, would result in an excessively sized development out of keeping the character of the dwellings in the area.
2. Car parking is insufficient given the potential number of bedrooms at the dwelling.
3. Loss of green space as a result of the existing rear patio.
4. A condition should be attached to ensure that the use of the property is restricted to use as a single family dwellinghouse.

In relation to these points:

1. The objectors make reference to existing certificate of lawfulness approvals at this property. While the proposal will result in a dwellinghouse that is larger than that of the neighbouring properties it should be noted that the plot for the house is also larger than that of the neighbouring dwellinghouses. The proposed development seeks to increase the size of the bedroom and rooms within the dwelling without providing a significant number of additional bedrooms. It should be noted that no construction of the extensions have been started on the property and with regards to the loft it should be noted that this will have to be completed prior to any work on the two storey side extension. An informative will be attached informing the applicants of this.

The proposed certificates of lawfulness combined with the current proposal show the provision of 1 large room in the loft and 5 bedrooms on the first floor. (There was an additional bedroom shown on the first floor of the certificate of lawfulness (ref 09/1128) but with the current application the applicant has confirmed that the room in the South East corner on the first floor will be a bathroom). Therefore from an original 4 x bedrooms on first floor and 1 x bedroom in the loft there will be 5 x bedrooms on first floor and 1 x bedroom in the loft.

2. The proposed dwelling, given the paved front forecourt completed over 4 years ago, will still be able to accommodate at least 2 off-street parking spaces and would therefore still be in keeping with the required parking standard. There is also restricted parking on Geary Road and the neighbouring Hamilton Road.
3. The patio referred to has existed since at least 2001 as it shows up in the aerial photos. This covers an area of approximately 46.3m<sup>2</sup> of the rear garden. The proposed extension will project 3m to the rear of the building and have a width of 3m, It will cover land that is currently covered by the patio therefore it is considered that there will not be a significant loss of green space in the rear garden.

A condition will be attached to the planning permission to ensure that the property is used as a single family dwellinghouse. However it should be noted that if the property is to be used for use that is not a single family dwellinghouse then it is likely that it would need full planning permission and be subject to the relevant policy and standards for that use.

## **REMARKS**

### *Matters Arising following Committee Members Site Visit*

It was decided to defer the application to allow for further investigation of the following issues that were raised at the site visit

- 1) The current status of the property and whether it is being used as a single family dwelling.
  - Local residents have expressed concerns that the premises is currently used as an HMO. These concerns have arisen as a result of the following
    - (i) The property has previously been used as an HMO and this resulted in disturbance for neighbouring residents ,
    - (ii) The applicant is a registered landlord
    - (iii) There is an alleged self-contained unit at the top of the house.

Your officers have sought and received written and verbal confirmation that the property is for personal use with the applicant's wife, five children and 2 au pairs living at the dwellinghouse. There is a kitchenette in the loft which is for the use of the au pairs but is not detached from the rest of the dwellinghouse. It is therefore considered that although there are more than six people resident at the property the relationship between the residents is such they are considered to form one household.

- 2) The combined impact of all the proposed extensions
  - As stated in the history section two certificate of lawfulness applications have been approved and these, combined with the proposed two storey side extension under consideration would result in a 2 storey side and rear extension and additional floor space in the loft. The main concern of residents is that the combined extensions would result in an overdevelopment of the site. The proposed extensions will result in a significant increase in the floorspace however the applicant has demonstrated that the proposed development is required to accommodate their family personal circumstances. The proposed development will result in an increase of 1 bedroom and while it will result in a larger building it is not considered to be an overdevelopment of the site.

- 3) The planning status of the front gates and boundary treatment
  - The existing front gates and boundary treatment do not have planning permission and are unlawful. An application has been submitted for a revised front boundary treatment (ref10/0064) and officers are considering this. The revised scheme proposes to reduce the height of existing gates and railings from 2.3m to 1.2m with soft landscaping planted behind. This will result in a significant improvement in the appearance of the property within the streetscene.

### *Planning History*

There have been a number of various proposals to extend No. 37 Geary Road that the Local Planning Authority have considered over the past 2 years. Two applications were refused for reasons relating to the detrimental impact on the character and appearance of the dwellinghouse by reason of the lack of setback from the main front wall of the dwellinghouse resulting in an extension not subservient to the original dwelling, and the loss of amenity for neighbouring residents as a result of the excessive depth, width and bulk of the proposed extensions.

The current proposal has been amended during the application process in the following way:

1. The proposed side extension has been setback 2.5m from the main front wall of the dwellinghouse on the ground floor and the first floor.

### *Residential Amenity*

The current proposal is for a two-storey side extension adjacent to the boundary with No. 41 Geary Road. This will also project 3m beyond the rear wall of the dwelling. Due to the difference in building lines the rear wall of number 41 projects 1.9m beyond the rear wall of No. 37 Geary Road. Therefore the proposed 2-storey rear extension projects 1.1m beyond the rear wall of No. 41.

The rear elevation of No. 41 Geary has a living-room window on the ground floor and two windows through to the same bedroom on the first floor. The midpoint of the ground-floor window is 2.5m from the flank wall of the extension and thus in line with the 2:1 rule as the depth of the extension from the rear wall of No. 41 is 1.1m.

The nearest bedroom window has a midpoint 2m from the flank wall of the extension. This would not comply with the 2:1 rule but there is a similar-sized window through to the same bedroom with a midpoint 3.2m from the flank-wall window. Therefore it is considered that there will not be a detrimental loss of light through to this habitable room. There is also a flank wall habitable-room window on the flank wall of No. 41, however, this is not the principal window through to the room as there is another window through to the same room from the front elevation. The proposal is not close to the other boundaries of the site. Therefore there will not be a detrimental impact on the amenity of neighbouring residents.

### *Character and Appearance*

37 Geary Road is a distinctive detached dwellinghouse in an area characterised by terraced and semi-detached dwellinghouses. Furthermore the existing dwelling has a dual-pitched roof with gable-ends facing the street and the rear, which is different from the predominantly hipped roofs of the surrounding residential properties. The proposed extension has been assessed in light of this and the principles guiding the specifications set out in SPG 5.

The proposed two-storey side extension replicates the existing roof shape but on a smaller scale to ensure that it is subsidiary to the main dwellinghouse. It is set back 2.5m from the main front wall at ground-floor level and at first floor level. The proposed roof ridgeline is significantly set down from the main roof ridgeline and it is set in from the side boundary to provide space for guttering similar to that of the existing roof within the curtilage of the site.

It is therefore considered that the roof is suitably subservient to the original dwellinghouse while also in keeping with the dwelling's character and appearance.

### *Response to the Concerns of Objectors*

1. Loss of light: The depth of the proposed extension is in keeping with the guidelines set out in SPG5 as set out in the section above, therefore it is considered that there is no detrimental impact on the neighbouring properties.

2. Privacy: The nearest habitable-room windows to the boundary as a result of the proposal are the proposed bedroom and kitchen windows. These will be 10m from the rear boundary and over 20m from the nearest facing habitable-room window at No. 46 Fleetwood Road. There is also an

existing, thick, planted boundary treatment that reduces overlooking. Therefore the proposal is in keeping with the privacy standards set out in SPG 17 which requires 10m to the boundary and 20m between directly facing habitable-room windows.

3. Detrimental impact on the character of the dwelling and surrounding streetscene: The subject property is already a distinctive property and the extension is considered to be of a size and scale that is in keeping with the character and appearance of the dwelling. While there is an existing Certificate of Lawfulness, this is a determination that planning permission is not needed for such works and as these works have not commenced they cannot be considered as material to this proposal. Furthermore the proposal results in the creation of larger bedrooms rather than significantly increasing the number of bedrooms. A condition will be attached to ensure that the proposal is used in conjunction with a single family dwellinghouse.

4. Detrimental visual impact from rear gardens of neighbouring properties: The proposed extension being considered under this application is subsidiary to the main dwellinghouse and, given that it complies with the parameters set out in SPG 5 and SPG17, it is considered that there will not be a detrimental impact on the visual amenity of the neighbouring properties.

5. Lack of parking: The proposed extension will result in an increase in bedrooms from 4 to 5, in line with the Council's policy on parking as set out in UDP there will not be a significant increase in the parking impact for the dwellinghouse.

6. Loss of rear green space: The proposed extension will cover an area of 9.6m<sup>2</sup> of green space from a rear garden with an area of 195m<sup>2</sup>. The loss of green space anticipated is not considered to be significant.

#### *Conclusion*

The proposed two-storey side and rear extension is of a size and scale that is subservient to the existing dwellinghouse and will provide additional living space for the applicants large family. Accordingly the proposal is recommended for approval subject to the conditions set out below.

**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) The extension hereby approved shall be used solely in connection with the existing house as a single family dwelling.

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:**

- (1) For the works of the Certificate of Lawfulness reference 07/2413, to be considered valid, they would need to be completed prior to works commencing on the works subject of this application.

**REFERENCE DOCUMENTS:**

UDP 2004  
SPG 5  
SPG 17

Any person wishing to inspect the above papers should contact Robin Sedgwick, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5229



# Planning Committee Map

Site address: 37 Geary Road, London, NW10 1HJ

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



London Borough of Brent - Copyright (C)

This map is indicative only.