

Committee Report
Planning Committee on 3 February, 2010

Case No. 09/2340

RECEIVED: 16 November, 2009

WARD: Preston

PLANNING AREA: Wembley Consultative Forum

LOCATION: 75 Llanover Road, Wembley, HA9 7LW

PROPOSAL: Demolition of existing rear extension and erection of a reduced single-storey rear extension to dwellinghouse

APPLICANT: Mr Massey

CONTACT: D. T. Designs

PLAN NO'S: Please see conditions

RECOMMENDATION

Approval

EXISTING

The application site is a mid-terraced residential property located on Llanover Road, Wembley. There is an existing single storey extension to the rear with a depth of over 5.0 metres.

The existing property has been divided into 7 separate residential units, without planning permission

PROPOSAL

Demolition of existing rear extension and erection of a reduced single-storey rear extension to dwellinghouse.

HISTORY

09/3175 – Certificate of lawfulness for proposed demolition of existing rear extension and erection of single-storey rear extension to dwellinghouse. Refused

08/0159 – Erection of 1 rear dormer window and conversion into 2 self-contained flats. Application withdrawn.

E/05/0794 – Without planning permission, the material change of use of the premises into 7 residential units of accommodation comprising 6 x self contained and 1 x non self contained units and the erection of a single storey rear extension to premises. *Current enforcement case. Enforcement notice not complied with, and case is due to be heard in court November 2009.*

POLICY CONSIDERATIONS

Brent UDP 2004

BE2 – Townscape: Local Context & Character

SPG/SPD

SPG 5 – Altering and extending your home (Adopted 2002 following public consultation)

- *Supplementary Planning Document 5: is to supercede SPG5. This is currently undergoing a consultation process and has yet to be adopted. However, the Planning Committee has endorsed the review of SPG5 and agreed that the current review should reflect the changes to the Town and Country (General Permitted Development) Order 1995 (as amended) made in October 2008.*
- Size and scale of the development
- Impact on residential and visual amenity of neighbouring occupiers
- Impact on the character and appearance of the dwellinghouse and surrounding streetscene.

CONSULTATION

2 neighbouring properties were notified.

2 letters of objection have been received for the application. Both objections are in relation to the unauthorised conversion of the property into separate dwelling units, and the subsequent impact this has had on parking conditions on Llanover Road and the noise and disturbance as a result of the increased number of people living in the property. There is also an objection to the application even being considered whilst the property remains divided. Other objections include drainage problems encountered by the neighbouring property, considered to be due to the increased number of residents at the property.

REMARKS

The subject site is a 2-storey mid-terrace property located on Llanover Road, Wembley. The property is the subject of a current enforcement case, as it has been divided into 7 separate dwelling units.

An enforcement notice was issued for the unauthorised use of the property as 7 separate dwellings and for an unauthorised extension to the property, on 20 February 2008. The enforcement notice came into effect on 31 March, due to be complied with by 30 September 2008

An appeal against the enforcement notice was lodged by the applicants but was not accepted by the Inspectorate as it was made after the enforcement notice had come into effect

A site visit made in July 2009 confirmed the unauthorised use of the building as 7 separate dwelling units. The owner pleaded guilty to a charge against him in relation to the non-compliance of the enforcement notice. He was fined £4,000 and ordered to pay the Council's costs on 24th November 2009.

The submitted plans confirm that the existing property is divided into several separate self-contained flats or bedsits. The property has an existing rear extension which has a depth of 5.8m. This application proposes to demolish part of this extension, and reduce the depth to 3.0 metres. Whilst the current SPG5 states that for a terraced property the depth should not exceed 2.5 metres, as of October 2008, single storey rear extensions to terraced dwelling houses are permitted to a depth of 3.0 metres (policy considerations taken into account changes to the Town and Country (General Permitted Development) Order 1995 (as amended) made in October 2008.) The extension is to have a flat roof to a height of 2.5 metres. The extension will contain the new family kitchen.

The property is to be converted back into a single dwellinghouse, and the revised plans submitted by the applicants show that all existing kitchens within the separate rooms are to be removed; and three of the en-suite bathroom or shower rooms are to be removed. The property would be a 4-bedroom single dwellinghouse with only one open plan kitchen and dining room on the ground floor; no bathrooms on the ground floor; and a family bathroom on the first floor. One of the bedrooms on the first floor and the sole bedroom on the second floor would have en-suite bathrooms. This is considered acceptable within a large family single dwellinghouse.

As the current extensions and use of property as several separate dwelling units is unauthorised, an informative will be attached to any approval reminding the applicants the requirements of the current enforcement notice, which is to carry out all works that are the subject of this planning application, including the removal of existing kitchens and bathrooms within the separate bedrooms, within 3 months of the date of this decision. The Planning Enforcement Team will therefore pursue the matter if the enforcement notice has not been complied with.

The objections to this planning application are on the basis that the property is currently divided into separate flats. This application is only recommended for approval on the basis that the property is to be converted back to a single dwellinghouse. Provided the property is converted back to a single dwellinghouse as is required by the enforcement notice in any case, the objections raised to this planning application should be alleviated.

With reference to the Council's policies BE2, BE7 and BE9 of Brent Unitary Development Plan 2004, the development is considered to be within the scale and character with this and adjacent properties. It is accordingly recommended for planning approval subject to the conditions.

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) The development hereby permitted shall be carried out in accordance with the following approved drawings:

Site location plan

DJT075/01A
DJT075/02

Reason: To ensure a satisfactory development.

- (3) 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.

- (4) No windows or glazed doors (other than any shown in the approved plans) shall be constructed in the side walls 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.

- (5) No access shall be provided to the roof of the extension by way of window, door or stairway and the roof of the extension hereby approved shall not be used as a balcony or sitting out area.

Reason: To preserve the amenity and privacy of neighbouring residential occupiers.

INFORMATIVES:

- (1) Notwithstanding the timescale set out in condition 1 of the above schedule, the applicant is advised to fully implement the proposal within three months. A failure to do so may result in further enforcement action, including prosecution and/or direct action.

REFERENCE DOCUMENTS:

Planning application papers ref 09/2340

Any person wishing to inspect the above papers should contact Avani Raven, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5016



Planning Committee Map

Site address: 75 Llanover Road, Wembley, HA9 7LW

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