

**Committee Report
Planning Committee on 8 June, 2010**

Item No. 5
Case No. 10/0867

RECEIVED: 12 April, 2010

WARD: Kenton

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: 26 Westward Way, Harrow, HA3 0SE

PROPOSAL: Erection of first floor side/rear extension and external alterations to the existing ground floor side to rear extension to dwellinghouse.

APPLICANT: Mr M Shah

CONTACT: Mrs Jaini Shah

PLAN NO'S:
Refer to condition 2

RECOMMENDATION

Approval

EXISTING

The application site comprises a semi detached dwellinghouse located on Westward Way. The site is not located in a conservation area nor is it a listed building. The surrounding uses are predominantly residential.

PROPOSAL

Erection of a first floor side to rear extension to dwellinghouse

HISTORY

86/1822: Full Planning Permission sought for erection of part single storey, part two storey side extension and single storey rear extension - Granted, 07/01/1987.

H3616 2801: Full Planning Permission sought for erection of a porch - Granted, 03/12/1976.

POLICY CONSIDERATIONS

Brent's UDP 2004

BE2: Townscape: Local Context & Character - Proposals shall be designed with regard to their local context, making a positive contribution to the character of the area.

BE9: Architectural Quality - Extensions and alterations to existing buildings shall be designed to:-
(a) be of a scale, massing and height that is appropriate to their setting, civic function and/or townscape location; (b) 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; (c) 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 (d) 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"

CONSULTATION

Consultation Period: 21/04/2010 - 12/05/2010

Public consultation

15 neighbours consulted - 3 letters of objection received during the consultation period raising the following objections:

1. Loss of privacy and overlooking to rear bedroom windows and rear gardens of the properties on Regal Way;
2. First floor extension will block sunlight to rear gardens of the properties on Regal Way;
3. Overdevelopment of the house;
4. Noise and inconvenience during construction works;
5. Limited access to the property at the rear which will impact upon the boundaries with neighbouring properties.

Points 1 - 3 have been discussed within the remarks section of this report. Points 4 and 5 are addressed below:

Noise and inconvenience during construction works

This issue is not planning consideration and as such can not be considered as part of this application. Your officers can however advise that there is environmental health legislation which controls noisy works. Noisy works can only take place between the hours of 8am to 6pm on Mondays to Fridays and 8am to 1pm on Saturdays. No noisy works are allowed on Saturday afternoons, Sundays or bank holidays.

Limited access to the property at the rear which will impact upon the boundaries with neighbouring properties

Boundary issues are not covered by planning legislation and as such can not be considered as part of this application.

REMARKS

Site and Surroundings

The application site comprises a semi detached dwellinghouse located on Westward Way. The application property has already been extended with a single storey rear extension and part single part two storey side extension (LPA Ref: 86/1822).

The other pair of the semi, No. 24 Westward Way, has not been extended to the rear. The application site abuts the rear gardens of Nos. 75 to 85 Regal Way. There is no significant changes in ground levels across the site.

Proposal

First floor side and rear extension

This application proposes a first floor side and rear extension behind the existing first floor side extension. The extension will sit on top of the existing ground floor side and rear extension. The extension is proposed with a pitched roof to be in keeping with the design of the main roof of the house. The width of the first floor rear extension is approx. half the width of the extended house, and as such is considered to be in keeping with the overall scale of the house.

The proposed extension will be set in from the boundary with the properties on Regal Way by 1.0m. It will project in depth from the main rear wall of the application property by 2.5m. In terms of assessing the impact of the first floor rear extension upon the amenities of No. 24 Westward Way, SPG5 "Altering and Extending Your Home" states that the depth of the first floor rear extension is restricted to half the distance between its side wall and the middle of the neighbours nearest habitable room window (this includes kitchens but excludes bathrooms, storage cupboards etc). This guidance ensures that the loss of amenity and light to the neighbouring properties is kept within reasonable limits. In this particular case, the distance from the side wall of the proposed first floor extension to the middle of the bay window at No. 24 Westward Way is 5.05m. The rear extension is proposed at 2.5m in depth measured from the inside of the bay window. This distance complies with 1:2 guidance, and as such the first floor rear extension is not considered to adversely impact upon the amenities of No. 24 Westward Way.

In terms of the impacts upon the properties and rear gardens of the properties in Regal Way, the extension will be set in from this boundary by 1.0m. The type of extension sited next to the rear gardens of neighbouring properties is routinely approved by the Council. The overall length of the extension at 5.5m is not considered to be excessive and its impact is further reduced by its set in off the boundary.

The objectors have raised concerns with a loss of sunlight to the rear gardens of the properties on Regal Way as a result of the proposed extension. Your officers can advise that as the extension is due west of the rear gardens in Regal Way, sunlight will only be marginally affected during the early morning, and as such this impact would not warrant a reason for refusal.

Two windows are proposed on the flank wall but these serve the landing and ensuite bathroom. As they are non-habitable rooms, your officers recommend that a condition is secured for these windows to be obscured glazed and for them to be openable at high level only. Additional light will be afforded to these two rooms by the use of two roof lights in the roof of the extension. As these windows are to be obscured glazed and openable at high level only, overlooking and a loss of privacy will not occur to the properties and rear gardens in Regal Way. The objectors have also raised concerns with overlooking from the window on the rear elevation of the extension. This window will not face directly into the rear gardens of the properties on Regal Way, and your officers are of the view the overlooking from this window will be no greater than the existing situation.

Alterations to the existing ground floor rear extension

The two existing windows on the flank wall of the ground floor side extension are to be blocked up. A window will replace a door between the existing garage and ground floor extension. Whilst outlook from this window will be partly restricted by the boundary fence between the application property and rear gardens of the properties on Regal Way, as this window will serve a non-habitable room, your officers recommend that a condition is secured for this window to be obscured glazed.

Conclusions

The proposal is considered to be in keeping with the character and appearance of the dwellinghouse and is considered to not adversely impact upon neighbouring properties. As such the proposal complies with policies BE2 and BE9, and the guidance as outlined in SPG5 "Altering and Extending Your Home".

Approval is accordingly 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

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):

WESW26/1

Reason: For the avoidance of doubt and in the interests of proper planning.

- (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) The windows in the flank wall of the building as extended at both ground and first floors shall be glazed with obscure glass and the windows shall open at high level only (not less than 1.8m above floor level) and top hung and shall be so maintained unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers and in the interests of good neighbourliness.

- (5) 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.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

Brent's UDP 2004

SPG5 "Altering and Extending Your Home"

3 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: 26 Westward Way, Harrow, HA3 0SE

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