

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

**Item No. 11
Case No. 10/0290**

RECEIVED: 8 February, 2010

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 30 Hopefield Avenue, London, NW6 6LH

PROPOSAL: Demolition of existing rear conservatory and erection of single-storey side infill extension to dwellinghouse

APPLICANT: Mrs Katherine Malachi

CONTACT: Mr John A. Paul

PLAN NO'S:
See Condition 2

RECOMMENDATION

Refusal

EXISTING

The subject site, located on the southern side of Hopefield Avenue, is occupied by a two-storey terraced dwellinghouse. The property is at the end of a short run of more modern post-war dwellinghouses located within an area which is predominantly characterised by Victorian terraced properties. The property is located within the Queen's Park Conservation Area.

PROPOSAL

Demolition of existing rear conservatory and erection of single-storey side infill extension to dwellinghouse

HISTORY

There is no planning site history relevant to the determination of the current application

POLICY CONSIDERATIONS

London Borough of Brent Unitary Development Plan 2004

BE2 Townscape: Local Context & Character
BE9 Architectural Quality
BE25 Development in Conservation Areas
BE26 Alterations & Extensions to Buildings in Conservation Areas.

**Supplementary Planning Guidance 5:- Altering & Extending Your Home
Queen's Park Conservation Area Design Guide**

SUSTAINABILITY ASSESSMENT

Not Applicable

CONSULTATION

Consultation letters, dated 17th February 2010, were sent to the 6 neighbouring owner/occupiers and the Queen's Park Residents Association. A site notice, dated 18th February 2010 and a press notice, published 25th February 2010, have also been issued.

One letter of objection from the Queen's Park Residents Association has been received in response. The grounds of objection include:-

- The footprint of the dwelling would be radically altered and is not allowed in the Conservation Area.
- The proposal would constitute an overdevelopment of the site
- The proposal would result in a loss of privacy for neighbouring occupiers.

REMARKS

The proposed development would include the erection of a side infill extension along the entire length of the side return (approx 7.5m) at the rear of the property. The proposed infill extension would have a mono-pitched roof sloping upwards from 1.9m on the joint boundary with 28 Hopefield Avenue to an overall height of 3m against the flank wall of the outrigger, which in this case consists of a two-storey element with a cat-slide roof sloping down to a single-storey element with a flat roof. The roof of the proposed infill extension would be a glazed aluminium frame.

A number of applications proposing single storey extensions to the side of the existing outrigger of a property have been submitted to the Council in recent months. These proposals have taken a number of forms. In some instances, an extension 3.0 metres in depth, built on the rear wall of the building has been proposed and in other cases, a courtyard area of 4m in length is proposed to be retained between the rear window of the rear facing neighbours windows, facing the passage along the rear projection, before the side extension begins. This allows light and outlook to both the room of the subject property itself, but also it reduces the impact of the proposed extension on the neighbouring property. Indeed, a number of proposals on this Agenda relate to such developments. Members of the Planning Committee have in the past endorsed this approach as being an appropriate and balanced way of allowing a building to be extended without impacting detrimentally on people living next to it.

In this case, however, the extension would be 7.5 in length, projecting along the full side of the outrigger to match the existing rear building line of the property. Although the height of the addition would be limited in order to seek to minimise its impact on the neighbour, concern has been raised about the impact that allowing such a large extension, filling the whole area next to the outrigger, would have on the character and appearance of the property, in particular, and the Queens Park Conservation Area, in general. As indicated in the "Consultation" section above, the Queens Park Residents Association have expressed concern that the size of extension would be out of character with the area.

Side infill extensions have been resisted in the past, although as explained above there have been recent cases where subject to a sympathetic design, some including the formation of a 4m courtyard and an appropriate height along the joint boundary, have been granted planning permission. In this case, it is considered that the overall scale of the proposal and its length in relation to the existing building would result in a development that would fail to pay special attention to the preservation or enhancement of the character or appearance of the Conservation Area, which Councils have a duty to ensure. Although the proposal has been designed to seek to

minimise impact on the adjacent neighbouring occupier, in terms of light and outlook, it is considered that, on balance, it has failed to be similarly sympathetic to the character of the building and the Queens Park Conservation Area and for this reason the application is recommended for refusal. For clarity, the General Permitted Development Order of 2008 makes a distinction between properties inside, and those outside, Conservation Areas in terms of how it refers to proposals of this kind and defines "permitted development". Therefore, whilst outside of any Conservation Area there is in most cases (certainly where the property is a dwellinghouse) a "fall-back" position, whereby a planning application proposal can be compared to what could be built without planning consent (and in some instances the "fall-back" would have more of an impact than the proposed scheme), this is not the situation here. Any extension to the side of the outrigger in a Conservation Area would need planning permission and the development can, therefore, be controlled and its impact fully assessed.

REASONS FOR CONDITIONS

In the event that this decision is the subject of an appeal and the Inspector is minded to allow the appeal, the Local Planning Authority would ask that a condition covering the following issue be attached to any permission in addition to the normal time limit condition:

- Details of materials.

RECOMMENDATION: Refuse Consent

CONDITIONS/REASONS:

- (1) The proposed development, by reason of its overall size, length and siting would constitute an over-intensive cramped development of the site which would fail to preserve or enhance the character and appearance of the Queens Park Conservation Area, in general, and would also relate poorly to the building, in particular. As a result, the proposal would be detrimental to the amenity of the locality, contrary to saved policies BE2, BE9, BE25 and BE26 of the London Borough of Brent Unitary Development Plan 2004.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

London Borough of Brent Unitary Development Plan 2004
Supplementary Planning Guidance 5;- Altering & Extending Your Home
Queen's Park Conservation Area Design Guide
One letter of objection

Any person wishing to inspect the above papers should contact Ben Martin, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5231



Planning Committee Map

Site address: 30 Hopefield Avenue, London, NW6 6LH

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