

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

**Item No. 14
Case No. 10/0672**

RECEIVED: 13 April, 2010
WARD: Queen's Park
PLANNING AREA: Kilburn & Kensal Consultative Forum
LOCATION: 41A Montrose Avenue, London, NW6 6LE
PROPOSAL: Single-storey side and rear extensions to ground-floor flat
APPLICANT: Mr Carr-Yii Benjamin Loh
CONTACT: Yiannis Pareas Chartered Architects
PLAN NO'S:
See condition 2.

RECOMMENDATION

Approval.

EXISTING

The subject site is a two storey terraced property located on Montrose Avenue, the application relates to a ground floor flat. The surrounding area is predominately residential with similar terraced type properties. The subject site is located in Queens Park Conservation Area, but is not a listed building.

PROPOSAL

Proposed erection of single storey side and rear extension to ground floor flat.

HISTORY

No planning history.

POLICY CONSIDERATIONS

Brent Unitary Development Plan 2004

BE9 Architectural Quality
BE25 Development in Conservation Areas
BE26 Alterations & Extensions to Buildings in Conservation Areas

Supplementary Planning Guidance 5 'Altering and Extending Your Home'

Queens Park Design Guide

SUSTAINABILITY ASSESSMENT

Not applicable.

CONSULTATION

Consultation letters dated 27th April 2010, were sent to eight neighbouring owners/occupiers. The subject site is located within a Conservation Area and as such a site notice was placed in the vicinity of the site on the 7th May 2010 and a Press Notice dated 6th May 2010 informing residents of the proposal. Three letters of objection and one letter of comment were received, the following issues were raised;

- Loss of amenity, in relation to daylight;
- The proposed rear extension would encroach upon the rear garden and set precedent for similar extensions;
- The roof of the proposed rear extension could be used as a roof terrace, causing overlooking into neighbouring gardens;
- Building over the party wall;

The proposed single storey rear extension is not designed to provide an additional outdoor terrace for the residential flat above, however a condition will be attached to ensure that there will be no use of the roof space as a terrace.

The proposal will entail construction works at both neighbouring boundaries. Although neighbouring occupiers are concerned with the proposed building encroaching upon their rear garden, the agent has confirmed that this will not be the case and has referred to the Party Wall Act 1996 in that this in itself, is not a planning consideration.

Other matters of amenity and built form are discussed in detail below.

REMARKS

The subject site is a two storey terraced property located on Montrose Avenue. The applicant has proposed a single storey side and rear extension to the ground floor flat. The property is located in Queens Park Conservation Area and therefore proposals should be designed with respect to the character and appearance of the locality.

Single storey side extension

For the information of Councillors, single storey side infill extensions are not normally deemed acceptable as they can restrict light into properties which may already suffer from restricted daylight as per adopted design guidance SPG5. Recently, there have been exceptions where the proposed side infill extension is designed to ensure that the impact upon residential amenity is reduced through, amongst other things, a reduction of height to 2.0m at the boundary, including an internal courtyard.

In this case, officers have requested amendments to ensure that the negative impacts of this type of extension are reduced. The proposed side extension projects 3.6m to the rear building line of the original single storey rear projection, featuring an internal courtyard 4.0m in depth. The internal courtyard serves to lessen the impact of enclosure and loss of amenity into neighbouring property Number 39a Montrose Avenue and serves to maintain the character and appearance of the original property in the conservation area.

The height of the proposed side extension adjacent to the neighbouring boundary is 2.0m, this will feature a lean to glazed roof up to 3.0m in height. In consideration that the height at the neighbouring boundary is the same height permitted for a garden fence and lightweight materials are used for the pitched roof, the impact of the proposed structure is lessened further.

Single storey rear extension

The proposed single storey rear extension is 3.0m in depth featuring a flat roof 3.0 in height. Whilst design guidance SPG5 seeks to restrict this depth to 2.5m, recent changes in permitted development legislation, which have taken the impact on residential amenity into account, consider that a 3.0m deep extension to a terraced property is acceptable. Although objectors are concerned that the proposed rear extension will encroach into the rear garden area, the resulting garden depth would be approximately 9.2m and the size and scale of the proposed is deemed acceptable in relation to policy.

All windows and doors will be timber framed which are deemed acceptable in relation to the character and appearance of the conservation area. However, further details of materials, including samples of proposed brick are required to ensure that the proposed extension respects the character of the original property. This detail will be secured by condition.

In consideration of the above officers feel that appropriate design measures have been adopted to mitigate the negative impacts of the proposed side extension, in addition to the size and scale of the proposed rear extension the proposals are considered acceptable in relation to policy BE9 of the UDP 2004 and Supplementary Planning Guidance 5.

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
Queens Park Conservation Area Design Guide

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

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): 497/1; 497/2; 497/3; 497/4; 497/5; 497/6 B; 497/7 B; 497/8 B; 497/9 A.

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

(3) Details of materials for all external work, including samples of brick material, shall be submitted to and approved in writing by the Local Planning Authority before any work

is commenced. The work shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

- Brent Unitary Development Plan 2004
- Supplementary Planning Guidance 5

Three letters of objection, one letter of comment.

Any person wishing to inspect the above papers should contact Nicola Butterfield, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5239



Planning Committee Map

Site address: 41A Montrose Avenue, London, NW6 6LE

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