

**Committee Report
Planning Committee on 12 January, 2011**

Item No. 3
Case No. 10/2046

RECEIVED: 1 September, 2010

WARD: Dollis Hill

PLANNING AREA: Willesden Consultative Forum

LOCATION: 139 Coles Green Road, London, NW2 7HH

PROPOSAL: Erection of a single- and two-storey side extension, single-storey rear extension, erection of a rear dormer window and formation of vehicular access to rear garden of dwellinghouse to provide an additional off-street parking space (revised plans received 27/10/2010 & 24/12/2010)

APPLICANT: Mr Al Naseri

CONTACT: Mrs Samii

PLAN NO'S:
See condition 2

DEFERRED FOR SITE VISIT

The application was deferred at the Planning Committee on 15 December 2010 to provide Members with the opportunity to carry out a site visit to better understand the change in ground levels.

Revised plans have been received providing further clarity regarding the relationship with 141 Coles Green Road (Drawing Number: 3-10-009) and the parking space proposed in the rear garden of the application property (Drawing Number: 3-10-007 RevC). The plan numbers detailed in Condition 2 will be updated to reflect these revisions.

Recommendation: Approval

The main committee report is attached below.

RECOMMENDATION
Approval

EXISTING

The subject site is land to the side of the semi-detached corner property within the curtilage of 139 Coles Green Road. The surrounding land use is predominantly residential, but there is a mixture of retail and B2/B8 uses across the street. The site is not in Conservation Area or a Listed Building.

PROPOSAL

Erection of a single and two storey side extension, single storey rear extension, erection of a rear dormer window and formation of vehicular access to rear garden of dwellinghouse to provide an additional off-street parking space

HISTORY

10/0874 Erection of two-storey side and single-storey rear extension, one rear dormer window and two rooflights to dwellinghouse **Withdrawn** 14/06/10

08/0357 Erection of a two storey 3 bedroom dwellinghouse attached to the side elevation of existing house **Refused and dismissed at appeal**

- 1. The proposed new dwellinghouse, by virtue of its width, would fill excessively the gap between the existing property and Kelceda Close, to the detriment of the visual amenity of the streetscene. Furthermore the siting and design of the dwellinghouse would materially harm the existing open character of Kelceda Close, its symmetrical setting when viewed from Coles Green Road and the character of Nos. 139 to 145. This is contrary to policies BE2, BE3, BE7, BE9 and H12 of Brent's adopted Unitary Development Plan 2004 and Supplementary Planning Guidance No. 5: "Altering and Extending Your Home" and No. 17 "Design Guide for New Development".*
- 2. The proposed new dwellinghouse, by virtue of its floor area, would result in a substandard form of accommodation for future occupiers by failing to provide sufficient space to allow for the creation of a satisfactory family-sized dwellinghouse, contrary to policies BE9 and H12 of Brent's Unitary Development Plan 2004 and Supplementary Planning Guidance No. 17: "Design Guide for New Development".*
- 3. The proposed new dwellinghouse fails to make provision for private amenity space, cycle-parking and on-site car-parking, and would therefore have a detrimental impact on the amenities of existing and future occupiers and on the safe and free flow of traffic, contrary to policies BE7, BE9, H12, TRN11 and TRN23 and standard PS14 of Brent's Unitary Development Plan 2004 and Supplementary Planning Guidance No. 17: "Design Guide for New Development".*

07/3068 REFUSED - Erection of a two-storey 3-bedroom dwelling on land to the side of the existing property within the curtilage of 139 Coles Green Road. Refused on following grounds:

- 1. The proposed erection of a 2-storey extension to form a 3-bedroom house within the curtilage of 139 Coles Green Road would constitute excessive infilling of the gap between the existing property and Kelceda Close, to the detriment of the Coles Green Road streetscene. The siting and design of the dwelling would also alter the consistency of the building line along Kelceda Close, harming its existing open character and setting when viewed from Coles Green Road. This is not in compliance with policies BE2, BE7 and H16 in Brent's Unitary Development Plan 2004 and Supplementary Planning Guidance 5: "Altering and Extending Your Home".*
- 2. The proposed dwelling would result in a substandard form of accommodation for future occupiers by failing to provide sufficient floor space to allow for the creation of a satisfactory family-sized dwellinghouse. This would be contrary to Supplementary Planning Guidance 17: "Design Guide for New Development" and policies H12 and H15 of Brent's Unitary Development Plan 2004.*
- 3. The proposal fails to make adequate provision for amenity space, areas for refuse, cycle-parking and on-site car-parking, and would therefore have a detrimental impact on the amenities of existing and future occupiers which would be contrary to policies H12 and H15 of Brent's Unitary Development Plan 2004 and Supplementary Planning Guidance 17: "Design Guide for New Development".*

POLICY CONSIDERATIONS

Brent UDP 2004

The statutory development plan for the area is the London Borough of Brent Unitary Development Plan (UDP), which was formally adopted on 15 January 2004.

The following are the policies within the UDP relevant to this decision:

- **BE2 Local Context**
 - relates to design within the local context and character and the need to take into account existing landforms and respect and improve existing materials and townscape.
- **BE7 Public Realm: Streetscape**
 - states that a high quality of design and materials will be required for the street environment. Proposals that involve excessive infilling of space between buildings, the loss of paving, front walls and railings and forecourt parking that would detract from the streetscape will be resisted.
- **BE9 Architectural Quality**
 - relates to extensions and alterations to existing buildings and requires them to embody a creative and appropriate design solution specific to the site's shape, size, location and development opportunities. They should be designed to be of a scale, massing and height appropriate to their setting and the townscape location. It also requests that development respects without necessarily replicating the positive local design characteristics and satisfactorily relate to them. The design should exhibit a consistent and well considered application, and be laid out to ensure that building and spaces are of a scale design and relationship to each other that promote the amenity of users, provide satisfactory levels of sun and day light, privacy and outlook for existing and proposed residents.
- **TRN23 Parking Standards - Residential Development**
 - relates to maximum parking standards for residential units, 'car-free' development where public transport accessibility and controlled parking zones allow and on-street parking on outside of Heavily Parked Streets
- **PS14 Residential Parking Standard**
 - 4+ bedroom houses maximum parking standard is 2 spaces

NOTE: Since 27th September 2007 a number of the adopted Brent Unitary Development Plan 2004 policies have been deleted. This is part of a national requirement (introduced in the Planning & Compulsory Purchase Act 2004). The policies that remain valid are described as 'saved' policies and will continue to be relevant until new policy in the Local Development Framework is adopted and, therefore, supersedes it. Only saved policies are considered in determining this application.

SPG

The Council produces a series of Supplementary Planning Guidance Notes that give additional information on a variety of issues and which are intended to be read in conjunction with the adopted UDP. These SPG were subject to widespread public consultations as part of the UDP process before being adopted by the Council and given this widespread public consultation the Planning Authority would suggest that considerable weight be attached to them.

- **SPG 5 Altering and extending your home**

Adopted September 2002

CONSULTATION

Local consultees

Neighbours consulted on 06/10/10. Eight objections were received, with multiple objections from the same address. It appears that four of these identical objections, which were submitted online

via the Council website on the same evening, were not genuine objections. Your officer was contacted by one resident following their receipt of the standard acknowledgement letter. This resident explained they had made no objection. Your officer wrote to all eight residents who objected in the same manner and using the same text and asked that they confirm their objection in writing. A further three residents have not confirmed their objection.

In addition, some residents complained they had not been notified and the consultation period was restarted with fresh notification letters dispatched on 02/11/10.

In total, four objections have been received during the two periods of consultation. Residents of properties to the north (attached) and the east (end of the garden) and two other properties on Kelceda Close objected on the following grounds:

- Out of character with the street, in particular the open character of this corner plot
- Noise and disturbance of parking space in garden
- Loss of privacy from the rear dormer
- Overbearing impact and loss of light arising from single storey rear extension
- Noise disturbance due to overdevelopment
- Impact of increased traffic
- Impact on property values

Internal consultees

Landscape

No objection subject to landscape condition to secure the following:

- The construction of a bin storage facility to screen the rubbish bins from the street
- The design and layout of the front garden to meet BE7 and SPG 5 50-50 soft and hard landscape.
- We would require one small tree to be planted in the front garden and perhaps 1 or 2 in the rear garden.
- Details of plants including species, location, size, number and density
- Details of hard materials, including surfacing and boundary treatments”

in the interests of the visual amenities of the area.

Transportation

The proposal can be generally supported on the transportation grounds subject to following conditions:

- (a) The vehicular access should be 3 metres wide.
- (b) Visibility splays should be provided at the access as in the Domestic Vehicle Footway Crossover Policy. There should be no obstruction over the height of 850mm within the splays. Where the back wall or side perimeter fence are affected they should provide through visibility or reduced in height to 850mm.

REMARKS

Introduction

The site has been subject of three applications in the past three years which proposed an extension of a similar mass and bulk, albeit in those applications the extension would form a separate dwellinghouse. The Council was consistent in refusing those schemes due to, amongst other things, the impact of the proposals on the character and appearance of the area. The applicant has been advised in the past that a two-storey side extension to the original house would have to comply with policies BE2, BE7 and BE9 of the development plan and with the objectives of SPG5.

The dismissed appeal

The Inspector identified the main issues as *“the effect of the proposed development on the character and appearance of the area, and its effect on highway safety”* (PINS, 8 October 2008). Highway safety is not an issue with the proposed development as it does not involve an additional unit.

The extensions

Two storey side extension

139 Coles Green Road is 2-storey end-of-terraced dwelling. It is a corner property located on the border of Kelceda Close. 139 itself benefits from ample rear garden space which backs onto the side boundary of 2 Kelceda Close. To the north, east and south of the site, properties have a consistent pattern of development in the form of two-storey terraced properties with hipped roofs. To the west the built form consists of irregular commercial units.

No. 139 not only completes the terrace along Coles Green Road; it also forms the entrance to Kelceda Close, therefore the site has an important impact on setting the character of the area. The character of Kelceda Close is defined by seven 2-storey dwellings either side of the street sharing the same building line. This building line is complimented by 139 Coles Green Road having a 5.3 metre set-in from the side boundary onto Kelceda Close. This set-in is replicated by No. 137 on the other side of the street. The setback gives symmetry to the streetscene and enables Kelceda Close to retain its open character when viewed from Coles Green Road.

The importance of this open character was recognised and supported by the Inspector, who stated *“This openness and symmetry is an important element of the local distinctiveness of the Close”* and who went on to say *“The proposed dwelling would take up all the side area, leaving a margin only 1m wide to the side boundary. It would have a cramped effect which would fail to respect the form of the frontage development and would represent an excessive amount of infilling between the host dwelling and the Close, which would have considerable visual impact in this corner location”*

The short terrace of four properties, of which No. 139 is the end property, had a symmetrical form when originally constructed. The other end of the terrace has had an extension constructed under planning permission 86/1385. It should be noted that this application was granted before the existing UDP and SPG5 were adopted, and the plot of 145 was not an open corner, as opposed to this site; its impact, therefore, is not as significant as this site. The form of the terrace itself would be balanced by the new dwelling but that is only in relation to what is a fairly unsatisfactory side extension in terms of design features to No. 145. Therefore the Council would expect the features of the original buildings to be used as a guide to the design of any proposal. The design of the proposed building is unsatisfactory in relation to the original properties and cannot be supported. The Inspector supported the Council on this point, stating *“there are significant differences between that [No. 145] and the appeal proposal. The northern end of the terrace does not have the open residential setting that is so important at the appeal site. Furthermore, the development at No.145 was granted planning permission before the current UDP was adopted. This would not therefore justify the harm which I have identified in relation to the appeal development”*

The Inspector concluded that the appeal scheme *“would conflict with UDP Policies BE2, BE3 and BE7 and the Council’s Supplementary Planning Guidance 17(SPG) Design Guide for New Development, which aim to support the quality of the built environment.”*

The original property is over 5m from the boundary of Kelceda Close, which gives the area an open character, as replicated opposite next to 137 Coles Green Road. SPG5 contains supporting guidance on the appropriate development of such open corner sites. It requires side extensions to be set-in at least 2m from the boundary to maintain the open character. This proposal is set-in 2m; a material change from the appeal scheme and in accordance with the Council’s published guidance. There are no site specific reasons why the normal guidance should not be applied in this

case. The set-in is considered acceptable in terms of the impact on the character of the area and would not materially detract from the character and setting of Kelceda Close. The ground floor would be set back from the front wall of the original property by 250mm and the first floor by 1.5m. The ridge of the roof would be set down by 400mm to ensure the roof is subservient.

The proposed two storey side extension would not result in material harm to the character and appearance of the area and of the property, and thus complies with policies BE2 and BE9 and the objectives of SPG5.

Single storey rear extension

This would be 2.5m deep and 2.6m high to a flat roof. The adjoining property, No. 141, is lower than No. 139 by approximately 0.7m and the impact of the rear extension in terms of height is likely to be more acute than normal as a result. This will be exacerbated by fact the extension lies to the south of No. 141. In such circumstances the rear extension should be reduced in height or set in off the boundary; in this case the extension would be set in from the boundary with No. 141 by 0.5m and reduced to 2.6m high. As a consequence the proposal is considered acceptable in terms of its impact on the amenity of the occupants of No. 141 in terms of outlook and sunlight and daylight (BE9(e)) and would not have an unduly overbearing impact.

Rear dormer

This is proposed to be 2.2m wide and set up from the eaves by 0.3m and down from the ridge by 0.3m. SPG5 states dormers should be no wider than half the width of the original roof, which in this case is 2.23m. The dormer should also be set up from the eaves by 0.5m, but this dormer is set back from the edge of the roof by 500mm. The 200mm difference is not considered sufficiently harmful to merit refusal on this point alone. The dormer is considered acceptable in terms of visual impact and the character and appearance of the property (BE2, BE9). The rear dormer is not likely to result in any material loss of privacy for neighbouring residents.

Parking and Access

139 Coles Green Road currently benefits from roughly 50/50 soft landscaping to the forecourt area of the property, as sought by policy BE7 of the UDP. If the proposed dwelling was to be approved, one off-street space would be lost due to the side extension. Transportation have no objection to this being re-provided in the rear garden, nor do Landscape subject to further details; it could not be provided on the wide front garden as it would not comply with policy BE7. The area of the rear garden lost to car parking shown on drawing 3-10-007 Rev B is 11m deep by 3.5m wide, which is considered in excess of what is required for one car parking space albeit 4m is on a slope and could thus result in more vehicles being parked than permitted by the standards.

Neighbours have objected to having the parking space in the rear garden on grounds of amenity. This arrangement is common throughout the borough and, provided the parking area is reduced in size so it is farther from the boundary with No. 141 Coles Green Road, it would not cause any significant harm to their amenity. In terms of the impact on No. 2 Kelceda Close, the parking space would be positioned next to their own off-street parking space; it is not considered there would be any particular difference in impact between the two spaces.

A condition is imposed requiring a landscape plan which should address the above and ensure the hard surfacing at the rear is kept to a minimum required to safely park one vehicle, and the access being widened to 3m to meet Highways standards. In addition the plans should show the levels proposed as the ground falls from the back edge of the footpath; this may mean a ramp down to the parking space will be required, or that the parking space will need to be raised as per the space serving No. 2 Kelceda Close.

Response to objectors

Most objections have been addressed in the relevant sub-sections, above. In terms of noise disturbance arising from overdevelopment of the site, your officers note that this is a reasonably common extension in the borough and it would remain a single family dwellinghouse. As such, no material harm is expected from an increase in occupancy. Traffic would not increase as the existing parking provision is two off-street parking spaces, albeit one would now be accessed from Kelceda Close. Impact on property values is not a planning consideration.

Conclusion

The proposed development, subject to conditions, complies with policies BE2, BE7, BE9, TRN23 (and standard PS14) of the UDP and SPG 5.

REASONS FOR 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 drawing(s) and/or document(s):

3-10-001; 3-10-002; 3-10-003; 3-10-004; 3-10-005; 3-10-006; 3-10-007 Rev A;
3-10-008

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) Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the landscape works and treatment of the surroundings of

the proposed development (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any site clearance, demolition or construction works on the site. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

- (i) proposed boundary walls and fences indicating materials and heights to include a 3m wide vehicular access from Kelceda Close and visibility splays;
- (ii) planting to the front garden over at least 50% of the area, to comply with policy BE7;
- (iii) screen planting along the boundary with Coles Green Road and Kelceda Close including the area between the new flank wall and the boundary;
- (iv) areas of hard landscape works and proposed materials

Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same positions, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory appearance and setting for the proposed extension and ensure that it enhances the visual amenity of the area.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

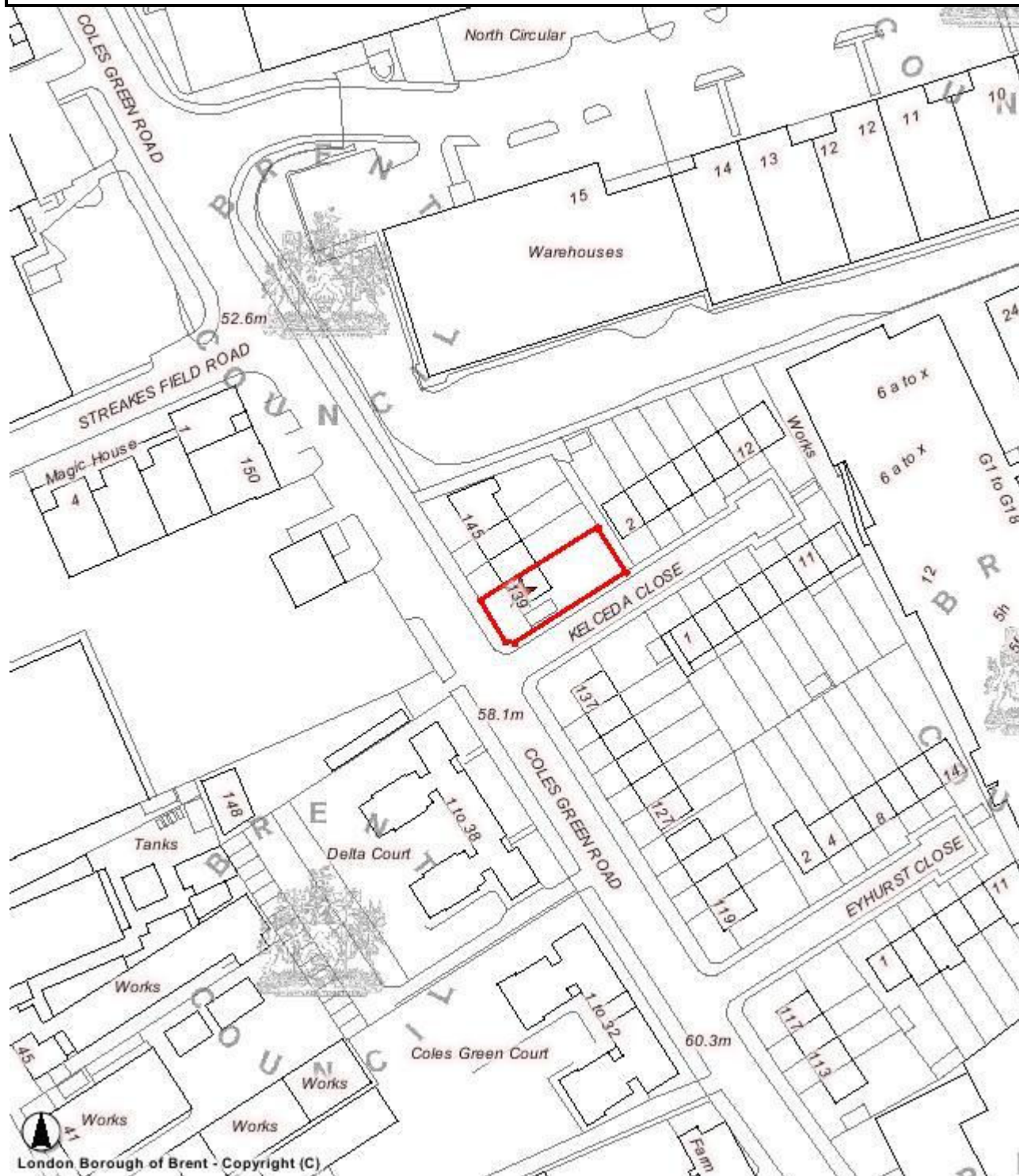
Any person wishing to inspect the above papers should contact Angus Saunders, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5017



Planning Committee Map

Site address: 139 Coles Green Road, London, NW2 7HH

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