

**Committee Report  
Planning Committee on 6 April, 2011**

**Case No.** 10/2913

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**RECEIVED:** 9 November, 2010

**WARD:** Queen's Park

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** 62A Wrentham Avenue, London, NW10 3HG

**PROPOSAL:** The erection of a single storey side and rear extension to ground floor flat

**APPLICANT:** Mr Gooding

**CONTACT:** Mr Kevin D'Austin

**PLAN NO'S:**  
Please See condition 2

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**RECOMMENDATION**

Grant Consent

**EXISTING**

The site is occupied by a three storey end of terrace property located on the Eastern side of Wrentham Avenue. In Areas Of Distinctive Residential Character (ADRC) particular attention will be paid to the design, height and space between buildings in order to protect their individual qualities and character.

Neighbouring property No 64 has a single storey extension insitu without the benefit of planning permission. For the avoidance of doubt, as this development does not benefit from express planning consent the assessment of the proposal must be assessed as if the extension at No 64 were not present.

**PROPOSAL**

The proposed development involves the removal of the dilapidated infill extension and the erection of a single-storey side infill extension built along the original rear projection. The extension links with a proposed 3m deep and 3m high rear extension. The extension would have a glazed mono-pitched roof sloping upwards from a height of 2m on the boundary with 64 Wrentham Avenue to a maximum height of 2.7m against the flank wall of the outrigger.

**HISTORY**

N/A

**POLICY CONSIDERATIONS**

**Brent Unitary Development Plan 2004 - Adopted Policies**

**BE2** – Proposals should be designed with regard to their local context, making a positive contribution to the character of the area. Account should be taken of the need to respect or improve the quality of existing urban spaces, materials, townscape or historical features which contribute favourably to the character of the area

**BE9** – Creative and high-quality design solutions (for extensions) specific to site's shape, size, location and development opportunities Scale/massing and height should be appropriate to their setting and/or townscape location, respect, whilst not necessarily replicating, the positive local design characteristics of adjoining development and satisfactorily relate to them, exhibit a consistent and well considered application of principles of a chosen style, have attractive front elevations which address the street at ground level with well proportioned windows and habitable rooms and entrances on the frontage, wherever possible, be laid out to ensure the buildings and spaces are of a scale, design and relationship to promote the amenity of users providing satisfactory sunlight, daylight, privacy and outlook for existing and proposed residents and use high quality and durable materials of compatible or complementary colour/texture to the surrounding area.

**BE29** - Areas of Distinctive Residential Character. Creative and high-quality design solutions (for extensions) specific to site's shape, size, location and development opportunities

The Council also produces a series of Supplementary Planning Guidance (SPG) Notes that give additional information on a variety of issues and which are intended to be read in conjunction with the adopted UDP. Government advice in relation to notes of this nature are contained within PPG12 "Development Plans" and most recently PPS12 "Local Development Frameworks". SPG5 "Altering and Extending Your Home" was adopted by the Council in July 2002 and was subject to widespread public consultation at the time, before adoption. The Planning Authority places considerable weight the contents of SPG5.

## **CONSULTATION**

Neighbouring properties were consulted on 1 December 2010 for a 21 day period and further consulted on 24 February 2011 for 14 days when revised drawings were received . The Local Authority has received four letters of objection. The objections are:

- The size and depth of the extension is considered to be excessive
- The extension will create an overbearing impact on directly adjoining property No 64
- The plans are inaccurate in that the extension is actually built up to the boundary
- The glass roof over the front elevation is not buildable
- The window on the flank wall is considered to be intrusive
- The window on the boundary is a fire hazard
- The 2m high extension is not practical as the ground slopes
- The 2m height is not measured to the top of the extension
- The eaves detail will be ugly when viewed from No 64.
- The large extent of the glazed roof will produce light pollution
- Building up to the boundary is not practical as No 64 will form a part of the building site.
- The courtyard is too small
- The extension will create a tunnel effect on the living room window of No 64
- Infill extensions are not characteristic of the area
- Flawed consultation as a site notice was not placed outside the property.

### **Response to Objectors Concerns:**

Matters relating to principle of the development, size, mass and siting of the extension are discussed in the remarks section of this report.

As the window on the flank wall is to be obscure glazed , officers are not of the view this feature will cause planning harm

Details of the glazed roof will be secured by condition

The requirements concerning maintenance, construction, fire safety and building regulations are not covered by Planning legislation. As a result, it would be difficult to support a reason for refusal on these non-planning grounds. However the development will be required to comply with Building Regulations. The applicant will be reminded of their responsibilities by way of an informative

Consultation has been carried out in accordance with guidance set out in Supplementary Planning Guidance 2: Commenting on a Planning Application. For the information of Members, a site notice would only be required on an extension of this nature if the property was located in a Conservation Area.

## **REMARKS**

### Introduction

As mentioned above, the existing infill extension is in a dilapidated state. It is sited on the boundary with No.64 and has a sloping roof. It has a length of 4.1 metres and has a maximum height of 2.9 metres (minimum 2.3 metres). The neighbouring property is impacted upon by the existing extension in terms of their outlook, more than if a 2m high wall or fence was in place, which as Members will be aware is something that could be erected as permitted development. This is obviously a material consideration here, given that it is proposed to remove this structure and replace it with something less high. The matter is discussed further below.

In this case, the main issues relevant to the determination of the current application are the impacts of the proposed development on the outlook of neighbouring occupiers, as well as the impact on the character and appearance of the property and surrounding Area

### Principle of the development

The Councils adopted Supplementary Planning Guidance SPG5 "Altering and Extending Your Home" states that infill extensions to terraced properties with side returns will not normally be allowed as they cause problems for neighbours who already suffer from restricted light into their homes. This position, however, has been granted some flexibility, reflected in a number of decisions made by the Councils' Planning Committee and by the Planning Inspectorate. Certain types of infill extensions have been decided not to cause harm to neighbouring amenity, subject to a number of considerations.

### Impact on Neighbouring properties

To the side of the outtrigger a side extension is proposed. This would begin at a distance of 1m from the back of the building along the side passage way helping to prevent any restriction of light and outlook to windows which rely on the space. At the boundary, measured from the neighbouring ground level the extension would be a brick structure that is proposed to be 2m in height. A sloping glass roof is proposed that rises up to a height of 2.7m where the extension meets the main house. The rear portion of the side extension will have one window in its flank which will be set off the boundary by approx. 0.4 metres and will be obscure glazed. This will be secured by condition.

The new side extension will fill the gap between house and boundary with a width of 2.5m. No issue is raised with the proposed width as the property has a similar extension at present in a similar location, albeit not as long. When viewed from the front of the site it is considered that the design changes proposed will result in a visual improvement to the appearance of the property.

The proposed side extension is 5.2m in length along the boundary and it projects beyond the existing rear elevation by 3m. It aligns with the proposed rear extension, is lower in height and a portion of the extension will be set away from the common boundary by 0.5m preventing the formation of a large and bulky 'wrap around' extension. The proposed height and materials should mean that the extension has a minimal impact at the boundary and does not harm neighbouring amenity.

Members will be aware that in many cases extensions that are 3m deep and 3m high would be

permitted development. That is the situation here as far as the proposed relationship with No.60 is concerned and in those circumstances it is not considered that there would be detrimental harm to the neighbouring property.

#### Impact on the Character of the Area

Officers consider the infill extension to be in character with the existing building, as it is finished in light materials, in particular the glazed roof, and is also subservient to the existing dwelling. These characteristics for infill extensions were highlighted at appeal by an Inspector as reasons for approval for 39 Hopefield Road (09/1247) in Queens Park Conservation Area, stating the infill:

*".....would be subservient in height, width and bulk to the existing two storey extension and the original 'L' form of the present dwelling would be retained. With its glazed, monopitch roof, it would represent a contemporary approach to design, but not one that would be inappropriate in this context."*

Your officers consider therefore that the infill responds to the aims of UDP policy BE9 through being sympathetic to the original design of the dwelling.

#### Conclusion

The impacts of the proposed development on the outlook of neighbouring occupiers, as well as the impact on the character and appearance of the property and surrounding Area are considered to be acceptable as discussed above and the recommendation is to approve consent.

Members will note that there is an issue regarding the existing extension at No.64 which, although the owner has claimed has been built as permitted development, exceeds the thresholds set down in the Permitted Development Order and needs formal planning permission. That issue will need to be resolved, one way or another, regardless of the outcome of this application, but it is worth noting that it may well be that the chances of retaining the structure at No.64 as it is, are probably greater in the event that the application proposal is implemented, as the relationship between the two buildings would become less of an issue. Notwithstanding this, it falls to determine this submission on its own individual merits.

**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

62WA/PO2  
62WA/PO1 REV F

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 window in the flank wall of the proposed extension shall be glazed with obscure glass and be non-opening. This shall be so maintained unless the prior written consent of the Local Planning Authority is obtained.

Reason: In the interests of the privacy of adjoining occupiers.

- (5) Details of glazed roof 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:**

- (1) The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- (2) The applicant is advised to contact Brent Building Control regarding fire safety on 020 8937 5499.

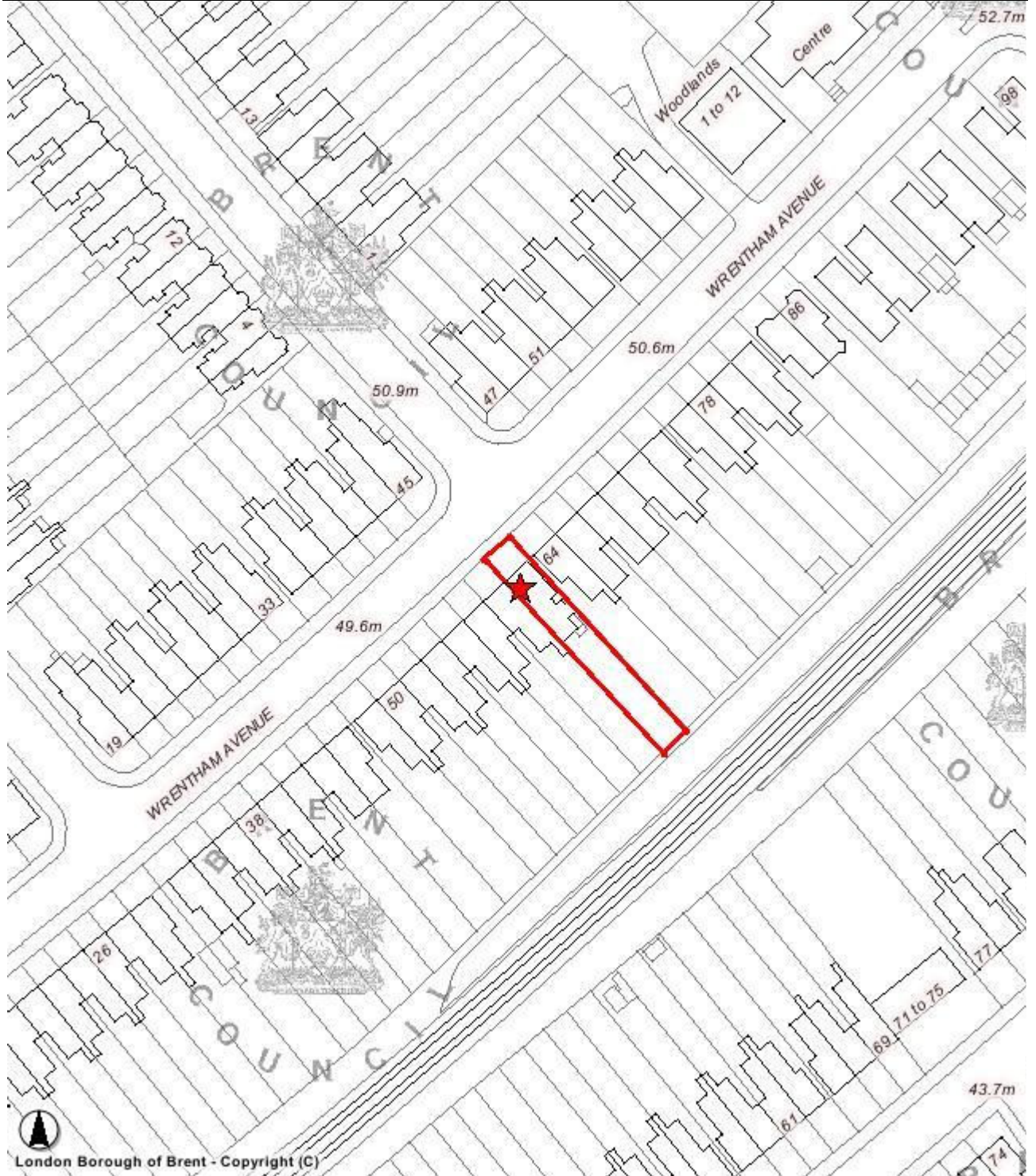
Any person wishing to inspect the above papers should contact Tanusha Naidoo, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5245



## Planning Committee Map

Site address: 62A Wrentham Avenue, London, NW10 3HG

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