

Committee Report
Planning Committee on 7 June, 2011

Item No. 1/05
Case No. 11/0289

RECEIVED: 14 March, 2011

WARD: Barnhill

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: 17 Brampton Grove, Wembley, HA9 9QX

PROPOSAL: Retrospective application for development comprising a part single-storey, part two-storey side and rear extension to the dwellinghouse, with the following modifications:

- Replacement of the ground-floor and first-floor windows on the front elevation of the side extension
 - Removal of front rooflight and its relocation to the rear roof plane
 - Alterations to the pitch angle of the roof over the side extension
- Reduction in the depth of the first-floor rear extension

APPLICANT: Mr R Al Saraff

CONTACT: Mr C M Sawden

PLAN NO'S:
Refer to Condition 2

RECOMMENDATION

Grant Consent

EXISTING

The application site comprises a two storey semi detached dwellinghouse located on Brampton Grove. The site is situated within the Barn Hill Conservation Area but is outside the control of the Article 4 Direction.

PROPOSAL

Retrospective application for development comprising a part single-storey, part two-storey side and rear extension to the dwellinghouse, with the following modifications:

- Reduction in the depth of the first floor rear extension to 2.55m deep.
- Roof of the first floor side and rear extension to be rebuilt to match with the pitch angle of the main roof of the house.
- The roof light on the front roof slope to be relocated to the rear roof slope.
- The ground floor window on the front elevation of the side extension is to be reduced to 1.4m wide. It will have two top fanlights and the height of the window will line up with the top and cill of the ground floor window to the main house.
- The first floor window is to be increased in height so that it cill lines up with the first floor windows to the main house. A top fanlight is proposed.

HISTORY

10/2405: Retrospective application for development comprising a part single-storey, part two-storey side and rear extension to the dwellinghouse, with the following modifications:

- Replacement of the ground-floor and first-floor windows on the front elevation of the side extension
- Removal of front rooflights
- Alterations to the pitch angle of the roof over the side extension
- Reduction in the width of the first-floor rear extension

This application was refused on 05/11/2010 and dismissed on appeal on 25/01/2011.

E/09/0253: Enforcement Investigation into the formation of a hardstanding comprising crazy paving material to the front garden area of the premises - No breach of planning occurred, 12/01/2010.

E/06/0564: Enforcement Investigation into the installation of a large satellite dish on the front elevation of the premises - No action taken as satellite dish has been there for over four years, 25/10/2010.

04/2427: Full Planning Permission sought for the retention of part single storey side extension, part two storey side and rear and single storey rear extension to dwellinghouse - Refused, 29/09/2004.

E/04/0226: Enforcement Investigation into the erection of a part single storey side extension, part two storey side extension and rear extension and single storey rear extension - Enforcement notice served. Dismissed on appeal, 25/03/2009.

02/2174: Full Planning Permission sought for part single storey and part two storey side and rear extension to dwellinghouse - Allowed on appeal, 05/09/2003.

POLICY CONSIDERATIONS

Brent UDP 2004

BE2: Local Context & Character - Proposals should be designed with regard to their local context, making a positive contribution to the character of the area. Proposals should not cause harm to the character and/or appearance of an area, or have an unacceptable visual impact on Conservation Areas.

BE9: Architectural Quality - Requires new buildings to embody a creative and high quality design solution, specific to the sites shape, size, location and development opportunities and be of a design, scale and massing appropriate to the setting.

BE25: Development in Conservation Areas - Development proposals in conservation areas shall pay special attention to the preservation or enhancement of the character or appearance of the area; and regard shall be had for design guidance to ensure the scale and form is consistency.

BE26: Alterations and Extensions to Buildings in Conservation Areas - Alterations to elevations of buildings in conservation areas should retain the original design and materials; be sympathetic to the original design in terms of dimensions, texture and appearance; characteristic features should be retained; extensions should not alter the scale or roofline of the building detrimental to the unity or character of the conservation area; should be complementary to the original building and elevation features.

Design Guide

Barn Hill Conservation Area Design Guide

Supplementary Planning Guidance

SPG5 "Altering and Extending Your Home"

CONSULTATION

Consultation Period: 18/03/2011 - 08/04/2011

Site Notice Displayed: 22/03/2011 - 12/04/2011

Public Consultation

5 neighbours consulted - 4 letters of objection received raising the following points:

- Proposal as amended is not in compliance with the decisions made on the previous appeals.
- The amendments do not comply with the Barn Hill Conservation Area Design Guide
- First floor rear extension does not conform to the 2:1 rule as set out in SPG5
- Depth and width of the extension has not been built in accordance with the original planning permission

External Consultation

Barn Hill Residential Association - Objections raised to the rear extension which still appears over dominant and likely to impact upon the amenities of the neighbouring property.

REMARKS

Site and Surroundings

The application site comprises a two storey semi detached dwellinghouse located on Brampton Grove. The land levels fall from east to west. The property has been extended with a part single part two storey side and rear extension, details of which are discussed below.

The other pair of the semi, No. 19 Brampton Grove, has a single storey rear extension (LPA Ref: M9318 B1696). The other neighbouring property, No. 15 Brampton Grove has a part single part two storey side and rear extension (LPA Ref: 02/0233).

Relevant Planning History

Planning permission was allowed on appeal on in 2003 for a part single part two storey side and rear extension to the dwellinghouse (LPA Ref: 02/2174). It became evident during the construction works that the extension was not being built in accordance with the approved plans. A summary of the main differences between the approved plans and extension as built is provided below:

- Ground floor side extension wider than the approved plans and flush with the front wall of the house rather than set back
- First floor side extension built with a setback of 2.65m rather than 5.0m
- Windows to front of side extension not built in accordance with approved plans
- Front rooflight installed and pitch angle of the roof of side extension not matching pitch of main roof
- Ground and first floor rear extension wider and deeper than approved

A subsequent application was submitted for retain the extension as built but was refused in 2004 (LPA Ref: 04/2427) for reasons relating to the design and roof materials of the extension; roof light in the front roofslope; and window design of the first floor window in the front elevation of the two storey side extension.

An enforcement notice was then served on 15 May 2008, taking effect on 24 June 2008 with a six month compliance period. The enforcement notice was appealed and upheld on appeal (LPA Ref:

E/04/0226).

An application was submitted in 2010 (LPA Ref: 10/2405) proposing a number of amendments which sought to resolve the objections raised by the Planning Inspector during the enforcement appeal. This application was refused as the first floor rear extension failed 2:1 guidance in relation to No. 15 Brampton Grove. The application was appealed and dismissed by the Inspectorate.

Current proposal

This application seeks a number of amendments to the extension with the aim of overcoming the objections raised by the Planning Inspector during the enforcement appeal and the 2010 planning application. Each element of the scheme is addressed below:

Two storey side extension

This application seeks to retain the width and set back of the two storey side extension as built. At ground floor, the side extension has been built at 2.5m wide rather than 2.4m and is flush with the front wall of the house rather than set back 250mm. At first floor a setback of 2.65m has been provided rather than 5.0m.

The side extension was considered at the enforcement appeal and the Inspector concluded that neither of the departures at ground floor were of great visual significance. At first floor it was noted that the extension complied with SPG5, and the departure from the approved plans was not considered to cause visual harm. Giving significant weight to the comments made by the Planning Inspector, it is considered that the width and set back of the side extension as built is acceptable.

Windows to the front elevation of the side extension.

The windows to the front elevation of the side extension as built are not in keeping with the design of the fenestration on the front elevation of the dwellinghouse. This application seeks to alter the design of these windows so that they are in keeping with the overall uniformity of fenestration on the front elevation. The amendments involve increasing the height of the first floor window and reducing the width of the ground floor window to 1.4m, providing two casements with fanlights. These amendments are considered acceptable.

Roof light

The roof light on the front roof slope of the side extension is proposed to be removed. It will be relocated to the rear roof plane. This amendment is considered acceptable and is not considered to visually detract from the appearance of the property when viewed from the rear.

Realignment of roof to side extension

This roof is proposed to be realigned to match the pitch angle of the main roof of the dwellinghouse. This amendment is considered acceptable as it will reduce the visual harm that has been caused to the building and the streetscene.

Ground and first floor rear extension

The ground floor rear extension was approved at 2.6m deep and 3.0m high. A projecting bay feature was also proposed near the boundary with No. 15 Brampton Grove. The extension as built is 3.0m deep and 3.0m high with the projecting bay measuring 3.65m deep from the main rear wall of the house. No alterations are proposed at ground floor. Whilst the depth exceeds the approved plans by 0.4m, the main part of the ground floor rear extension complies with the guidance as outlined in SPG5 and the Barn Hill Conservation Area Design Guide. Furthermore, as the projecting bay is sited close to the boundary with No. 15 Brampton Grove which also has been

extended to the rear, the projecting bay is not considered to cause significant harm to the amenities of No. 15 Brampton Grove. The ground floor rear extension as built is considered acceptable and not considered to adversely impact upon neighbouring occupiers. No concerns were raised by the Inspector with regards to the depth of the single storey rear extension (including the projecting bay).

At first floor level, the rear extension has been built closer to No. 19 Brampton Grove and deeper than approved. The two storey rear extension was considered by the Inspector at the enforcement appeal. It was noted that the increased bulk and closer siting of the two storey rear extension to the boundary with No. 19 Brampton Grove, was considered to significantly impact on the level of amenity and light enjoyed by the occupants of No. 19 Brampton Grove. The Inspector look into account the differences in levels between the two properties (No. 19 Brampton Grove is approx. 1.0m higher than the application property), making reference to the 2:1 rule. A similar view was taken by the Inspector during the course of the 2010 planning appeal, as this element still failed the 2:1 rule.

This application proposes to reduce the depth of the first floor rear extension to 2.55m deep. This depth meets the 2:1 guidance as there is a gap of 5.13m measured from the flank wall of the first floor rear extension to the middle of the nearest habitable room window at No. 19 Brampton Grove. The reduction in the depth of the first floor rear extension would overcome previous concerns with regards to this element having a harmful impact upon the amenities of No. 19 Brampton Grove and the character of the house. The reduction in the depth of the first floor rear extension to 2.55m will not project beyond the rear wall of the two storey rear extension at No. 15 Brampton Grove. As such, the first floor rear extension is not considered to adversely impact upon the amenities of No. 15 Brampton Grove.

Timescale for completing the proposed works

Due to the lengthy planning and enforcement history associated with this site, your officers are of the view that the works proposed as part of this application should be implemented within four months of the date of planning permission being granted and completed within 12 months of the date of planning permission being granted. The suggested timetable is considered reasonable by your officers, enabling adequate time for a building regulations application to be submitted. As there is a current enforcement notice, if such works are not implemented within the required timescales, your officers will consider further prosecution proceedings.

Conclusions

In conclusion, the proposed amendments to the side extension and front of the property will improve the appearance of the extension when viewed from the streetscene. The reduction in the depth of the first floor rear extension will reduce its bulk and will improve the amenities for No. 19 Brampton Grove.

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
Barn Hill 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
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):

1477/1
1477/2 Rev C

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 replacement windows to the front elevation of the two storey side extension hereby approved shall contain even sight lines between the fixed and opening lights.

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

INFORMATIVES:

- (1) You are reminded that there is an outstanding enforcement notice that is required to be complied with. You are therefore advised to implement this planning permission within the next four months and complete the works within 12 months from the date of planning permission being granted. If you do not implement this planning permission or if you do not comply with the enforcement notice within the next four months, the Council will consider initiating further prosecution proceedings or direct action to obtain compliance with the enforcement notice.

REFERENCE DOCUMENTS:

Five letters of objection
SPG5 "Altering and Extending Your Home"
Barn Hill Conservation Area Design Guide

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: 17 Brampton Grove, Wembley, HA9 9QX

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This map is indicative only.