



**Planning Committee Map**

Site address: 16 Kingswood Avenue, London, NW6 6LG

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This map is indicative only.

**RECEIVED:** 4 April, 2011

**WARD:** Queen's Park

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

**LOCATION:** 16 Kingswood Avenue, London, NW6 6LG

**PROPOSAL:** Creation of new basement level beneath the existing house and partly beneath the rear garden with lightwells at the front and rear.

**APPLICANT:** Summerleaze Ltd

**CONTACT:** David Roberts

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

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## **RECOMMENDATION**

Grant consent

## **EXISTING**

The site currently comprises a 3-storey dwellinghouse which benefits from an integral single garage and driveway onto Kingswood Avenue. The site is located in the Queens Park Conservation Area and is subject to additional Article 4 (1) Direction control. The building is one of the bomb-damaged, in-fill properties, being one of a terrace of three, that can be found in certain locations throughout the Queens Park Area.

## **PROPOSAL**

See above.

## **HISTORY**

10/3180 Certificate of Lawfulness issued 13/12/2010 for proposed single storey rear extension to dwellinghouse.

10/3187 Permission granted 09/12/2010 for replacement of all crittall windows with steel double glazed crittall windows; Replacement of garage door and installation of 1 front and 1 rear rooflight and 2 new windows to first floor rear of dwellinghouse

## **POLICY CONSIDERATIONS**

Brent Unitary Development Plan 2004

**STR11** - The quality and character of the Borough's built and natural environment will be protected and enhanced, and proposals which would have a significant harmful impact on the environment or amenities of the Borough will be refused.

**BE2** - Design should have regard to the local context, making a positive contribution to the character of the area. Account should be taken of existing landform and natural features, the need to improve the quality of existing urban spaces, materials and townscape features that contribute favourably to the area's character, or have an unacceptable visual impact on Metropolitan Open Land. Proposals should not cause harm to the character and/or appearance of an area. Application of these criteria should not preclude the sensitive introduction of innovative contemporary designs.

**BE6** - High standard of landscaping required as an integral element of development, including a design which reflects how the area will be used and the character of the locality and surrounding buildings, new planting of an appropriate species, size, density of planting with semi-mature or advanced nursery stock, new integrally designed structural landscaping on appropriate larger sites, boundary treatments which complement the development and enhance the streetscene and screening of access roads and obtrusive

development from neighbouring residential properties.

**BE7** – The street environment should be enhanced.

**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.

**BE26** – Alterations and extensions to buildings in conservation areas should, as far as is practicable retain the original design and materials or be sympathetic to the original design in terms of dimensions, texture and appearance having regard to any design guidance issued by the planning authority. Characteristic features such as doors, canopies, windows, roof details and party wall upstands should be retained. Extensions to buildings in conservation areas should not alter the scale or roofline of the building detrimental to the unity or character of the conservation area and be complementary to the original building in elevational features.

Supplementary Planning Guidance Note 5: "Altering and extending your home"

Queen's Park Conservation Area Design Guide

## **CONSULTATION**

### Neighbours/Representees

6 Neighbouring Owner Occupiers Consulted, Site notice put up 09/05/2011 and notice placed in local paper 28/04/2011. Queens Park Residents Association were also consulted. A total of 5 objections were received.

The following summarises the points raised and includes the Officers response.

The first Area of concern relates to practical matters arising during the build of the basement extension such as construction disturbance. These are understandable concerns but not areas which would sustain a reason for refusal on planning grounds. Also the Applicants have submitted a Construction Site Management Plan so in respect of construction, this is indication that steps will be taken to mitigate disturbance to neighbours.

Secondly the potential future impact on the structural stability of adjoining properties, drainage matters etc were raised. Officers note that the Queens Park Area does not lie in a designated flood risk area and so would not warrant detailed consideration of flood implications and consultation with the Environment Agency. Also the submitted bore hole analysis is indication that the applicants have considered the consistency of the soil in respect to the proposed works. Planning Service acknowledge this is a small detail of the required analysis and calculation for such an operation and expect further detail to be assessed at Building Control stage.

Thirdly, concerns relate to the character of the property and potential impact on the Conservation Area. The issue is to what extent the creation of a void, its ground level treatment, its relative visibility from the street and neighbouring properties and any landscaping or design changes, has an impact on the character and appearance of the Conservation Areas.

Clearly, it is possible for these factors to have a negative impact and so fail to preserve or enhance the character. However as is explained in the following report, measures have been taken to minimise the impact from the street scene and it is considered that the character of the property and Conservation Area has been preserved.

Other objectors expressed concerns in respect of the overdevelopment of the site, with specific reference to the scale of the proposed basement and potential implications toward parking capacity in the street. Officers acknowledge that the scale of the basement is large but also attribute weight to the fact that it is subterranean and so does not increase the visible scale of the building to the detriment to the character. Also the parking standard in the Councils UDP is 2.0 spaces for properties for 4+ bedrooms so would not result in

an increase for required parking provision.

Finally, in respect of concerns raised regarding the impact of the proposed basement on trees nearby, the applicants have been asked to submit further arboricultural detail for consideration before the Committee date. The report would need to consider if the basement excavation would effect trees on and around the site.

### **Other Consults.**

Landscape Design Officers consulted and have no objections to proposals notwithstanding assessment of expected arboricultural reports.

### **REMARKS**

For the information of Members, there is currently no adopted, or emerging, policy or guidance that discourages the development of basements, as a matter of principal. Such developments must, therefore, be assessed on their individual merits, and their effect on the character and appearance of the conservation area needs to be considered as the main issue.

### **Amendments**

The applicant submitted a construction site traffic management plan and a bore hole report on 03/06/2011. Following requests from Officers, further revised plans showing further detail of the front garden including planting plan and a reduced sized front light well were also submitted.

### **Principle/Design**

The proposal is to create a basement level with a front light well and rear light well with stairs leading up from it into the garden. The proposed use of the space is shown on the submitted plans as including a playroom/home mechanical plant room, utility room, electrical switch gear room and guest bedroom. The bedroom is positioned at the front end of the basement extension so is served by the front light well. The proposed basement follows the same footprint as the existing original property envelope but also extends further into the garden beyond the existing rear elevation by approximately 4.94m.

As a domestic extension that provides additional ancillary space for the dwelling house, the principle is acceptable subject to discussion regarding impact toward neighbouring amenity. In terms of the scale of the extension, it is acknowledged that it extends 4.9m beyond the rear elevation of the building so creates a large basement living area. However by virtue of its subterranean character, it does not have an overbearing impact toward the visible residential scale of the building itself nor toward the neighbouring properties - as could be associated with an extension of the same depth at ground floor level.

### **Permitted Development**

The proposed drawings refer to a single-storey rear extension that is lawful development (as approved under reference 10/3180). The proposed basement subject to this application is positioned underneath the proposed extension, and actually extends a further 2.2m into the garden. The applicant has been reminded that in order for the rear extension to be implemented as lawful development, it would need to be completed prior to the commencement of basement development works. The revised plans state accordingly that the rear extension is to be built and completed before the basement works begin. If the works are done concurrently it would render the rear extension unlawful and would need formal planning permission.

### **Discussion**

#### ***Impact toward character of Conservation Area***

#### **Front elevation**

Members will be aware of the sensitivity with which Officers treat basement extensions where they front directly onto Queens Park with regard to potential light pollution from a front light well and concerns relating to their impact on the established character. Officers therefore requested further detail of the front garden with particular emphasis on its role obscuring the proposed light well.

The revised plans show the front light well projecting 0.8m from the front of the bay window within the front garden which is a maximum of 4.2m deep and 2.15m at the bay window. The existing front ground floor bay window with Crittal windows is replicated by the proposed basement window, which would in any event not

be easily viewed from street level. A walkable grille over the front light well is proposed, set flush with the existing ground level and following the profile of the bay window at the front. Officers find that these aspects are in keeping with the property and also as set out below, the front garden is successful at effectively screening it from the street.

The front garden, which currently does not comply with the Queens Park Design Guide or Policy BE7 by nature of the extent of hard surfacing, would be enhanced by new soft landscaping scheme on the frontage which will also mitigate the visual impact of the light well and grille on the street scene. There is at the moment a concrete driveway and unattractive footpath, both of which will be removed as part of this proposal. A condition covers the materials that will be used.

A hedge surrounding the light well, Prunas 'Mount Fuji' tree and other landscaping as specified in the planting plan would significantly limit the visibility of the light well and grille from the road. There will be adequate space provided for the storage of refuse and recycling bins which is specified as being finished with a sedum covering, and a new tiled pathway is proposed from the gate to the front door. The landscaping approach as such would satisfy the Council's requirements for 50% soft landscaping in front gardens and is considered to enhance the character in the context of the Queens Park Conservation Area and bring it more into line with the Council's aspirations. Importantly, it is also considered to effectively screen the light well from the street.

#### Rear elevation

The light well at the rear is 2.25m x 1.9m. It serves as a basement courtyard which is accessible from the basement and is the base of the steps leading up into the garden, set against the boundary with no 15 Kingswood Avenue. A 2m wall set on this boundary effectively screens the light well from the neighbouring property. As such Officers consider it would not be visible from the neighbouring property and would have no adverse impact with regard to character.

#### **Impact toward neighbouring amenity**

The basement level would not create a new dwelling, any noise impact would be minimal and at a domestic scale.

#### **Conclusion:**

On balance, therefore, where basements are not original features, the appropriate test is can they be designed so as to not over dominate the front garden or building and allow other enhancements to the property frontage where these are appropriate. In pursuit of this, it is considered that the proposal maintains the integrity of the frontage and so is considered to comply with policies BE2 and BE7 of the UDP, SPG5 and the Queens Park Conservation Area Design Guide. Approval is therefore 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  
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  
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):

SL EK04, SL EK05, LKA 16 BPA 003 Rev A, LKA 16 BPA 004 Rev A, LKA 16 BPA 005 Rev A, 0016 PP, 0016 GD.

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

- (3) The landscape works and planting shown on the approved plans shall be carried out:-  
(a) prior to the occupation of the basement

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 position, unless the Local Planning Authority first gives written consent to any variation.

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

- (4) Planning permission is granted for use of the basement incidental to the existing dwellinghouse. The basement will not be used as a self contained residential unit. Any change, or intensification of use, of the basement will require planning permission.

Reason: To ensure the basement is not subject to unregulated intensification or change that could result in an unsatisfactory level of amenity for future occupiers.

- (5) Details of materials for external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced, including:

(a) Samples of the proposed ceramic tiled pathway and granite chippings.

(b) Details of the proposed grille.

The development must be carried out in accordance with the approved details.

Reason: To safeguard the character of the Conservation Area.

#### **INFORMATIVES:**

None Specified

Any person wishing to inspect the above papers should contact Samuel Gerstein, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5368