

## Committee Report

Planning Committee on 4 November, 2009

Case No.

09/2124

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**RECEIVED:** 25 August, 2009

**WARD:** Alperton

**PLANNING AREA:** Wembley Consultative Forum

**LOCATION:** 46 Hillfield Avenue, Wembley, HA0 4JP

**PROPOSAL:** Erection of outbuilding (retrospective consent) and alterations to reduce its size

**APPLICANT:** Mr Chaitanya K Desai

**CONTACT:** ABA Chartered Surveyors

**PLAN NO'S:** Site location plan; 0951-pl-02

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### RECOMMENDATION

Approval

### EXISTING

The application site is a ground floor flat within a two storey property, located on Hillfield Avenue, Wembley. It is not a listed or located within a conservation area.

### PROPOSAL

Retrospective planning permission is sought for a reduction to the existing unauthorised outbuilding

### HISTORY

09/1607 – Retention of detached building in rear garden of ground floor flat – *Refused 14/08/2009*

E/09/0328 – Without planning permission the erection of a building in rear garden of the premises. *Ongoing Enforcement Case*

### POLICY CONSIDERATIONS

Brent UDP 2004

BE2 – Townscape: Local Context & Character

BE9 – Architectural Quality

### SPG

SPG 5 – Altering and extending your home

- Respect for design, scale and character of existing building and surrounding streetscene.
- Respect for the amenity, privacy, outlook, daylight and sunlight of neighbouring properties.

## **CONSULTATION**

Consultation period: 03/09/2009 – 24/09/2009. 6 neighbouring properties were notified.

Two letters were received from neighbouring properties objecting to the large size of the outbuilding having an adverse impact on their outlook. There was another concern that the building does not look like a shed but more as though it may be intended for renting out for living accommodation.

## **REMARKS**

The site exists as a ground floor and first floor flat located within a two-storey semi detached property. The domestic garden to the rear of the site is divided into two, so that each flat has their own portion of the garden.

The existing single storey detached outbuilding measures 8.31m by 4.01m has a footprint of 33.3m<sup>2</sup>, and is located along three neighbouring boundaries at the rear of the garden. At the time of the site visit, made on 5<sup>th</sup> August 2009, the building was partially built, with four walls erected and the timber frame of the roof already constructed, as well as one of the windows inserted. The previously proposed plans showed that the building was to have a height of 2.25 metres to the eaves and the height to the ridge to be 3.7 metres. This was the subject of the previous application ref 09/1607, which was refused under delegated powers on 14/08/2009.

The applicants have submitted an amended application which now shows that the outbuilding would be used for storage purposes, and is to have a reduced footprint, measuring 4.005 m by 4.305 m and set in by 2.0 metres from the two side boundaries, giving an area of 17.24m<sup>2</sup>. It is not proposed to be set in from the rear boundary, which is along an access road used for access to the garages to the rear of properties along Hillfield Avenue and Victor Grove. The proposed height of the outbuilding is to be 2.25 metres to the eaves and 3.7 metres to the ridge, which is unchanged from the previously refused application. (09/1607).

The previous application showed that the building was to be used as a gymnasium with a shower room facility. This amended application shows that the building is to be used for as a 'store', as annotated on the plans.

The previous application, ref 09/1607, was refused due to its excessive size and height and proximity to the side and rear boundaries. This amended application proposes to reduce the size of the outbuilding, with a reduced footprint from 33.3m<sup>2</sup> to 17.24m<sup>2</sup>. However, it is not proposed to be set in from the rear boundary, or have a reduction in height. However, the reduction in footprint, would reduce the impact on both neighbouring boundaries, and also on residential properties to the rear. Also, the proposed building is not to be used as a gymnasium with shower facilities, as the previous application showed.

It is considered that this amended application for the part retention of the reduced outbuilding can be supported, subject to conditions. As the existing building is larger than that which is the subject of this application, the applicants will be required to reduce the size to be in compliance with this application within 3 months of the date of decision. Also, a landscaping condition will be attached, requiring a landscaping scheme to be provided, in order to ensure sufficient screening is provided to protect the amenities of neighbouring properties. The applicants have agreed to this condition being attached.

An informative will also be attached to any approval for this application regarding the use of the building as 'incidental to the use of the main dwelling', which in this case being the ground floor flat. This means that the building would not be permitted to be used for any habitable accommodation.

Subject to conditions, the application can be supported, and is therefore considered to be consistent with the relevant parts of the adopted London Borough of Brent's Unitary Development Plan 2004 and guidance contained within Brent's Supplementary Planning Guidance 5 – Altering and Extending Your Home, and is therefore recommended for approval.

**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 alterations to the outbuilding, as shown on the submitted plans and hereby approved, shall be completed within 3 months of the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 and to safeguard the amenities of neighbouring residents.

- (2) Notwithstanding the hereby approved plans, further details of a landscape scheme for the planting of shrubs along the shared neighbouring boundaries where the outbuilding is located and a tree or shrub to the front of the outbuilding, (details to include plant species, size and densities), shall be submitted to and approved in writing by the Local Planning Authority before any works commence on site. The landscape work, as approved, shall be completed during the first available planting season following completion of the rest of the development hereby approved and shall be so maintained in accordance with the approved details. Any plant that dies within a period of five years from the date of planting shall be replaced by a plant of the same species, unless otherwise agreed in writing by the Local Planning Authority.

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

**INFORMATIVES:**

- (1) The outbuilding can only be used for purposes incidental to the main residential unit. This excludes use as a bedroom, kitchen, bathroom/wc, living room or any other primary residential use even if it is in connection with the main dwellinghouse. If in any doubt over the permitted use of the outbuilding please contact the Planning Service on 020 8937 5210.

**REFERENCE DOCUMENTS:**

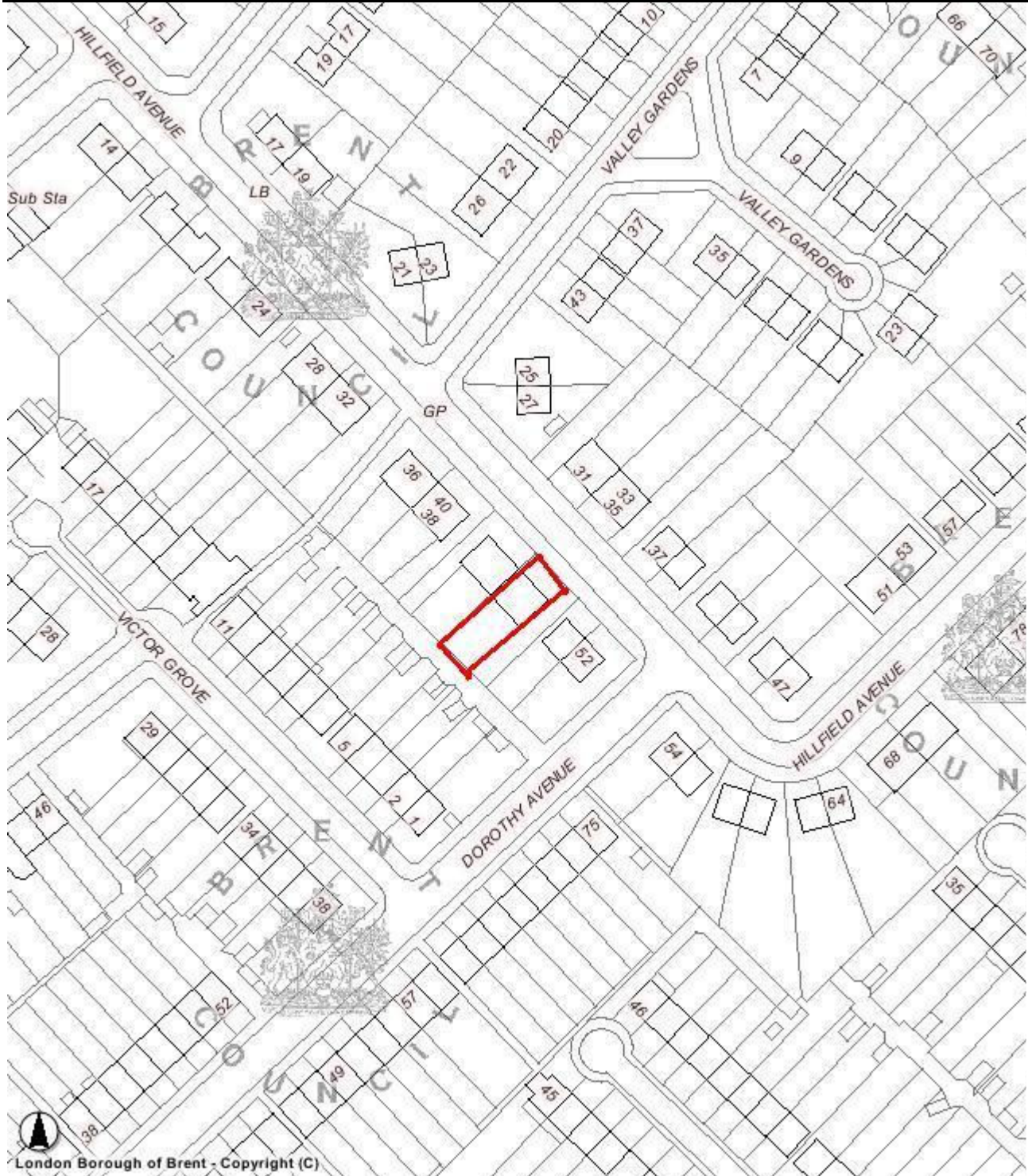
Any person wishing to inspect the above papers should contact Avani Raven, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5016



# Planning Committee Map

Site address: 46 Hillfield Avenue, Wembley, HA0 4JP

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