1.0 SUMMARY

1.1 The application is for the demolition of the existing shed and erection of a two-storey outbuilding.

1.2 The proposal would erect a large two-storey outbuilding within the rear garden forming an incongruous and insubordinate form of development out of context with the existing property and the streetscene Sutton Court Road.

1.3 Furthermore, due to overall size and layout of the outbuilding the use would not be an ancillary function to the existing dwelling at 43 Sutton Court Road.

1.4 The application is recommended for refusal.

2.0 SITE DESCRIPTION

2.1 The application site consists of a four-storey semi-detached single-family dwelling which is situated on the western side of Sutton Court Road. The property is of an Edwardian era, comprising mainly of red brick and white render. The building is situated at the junction of Sutton Court Road and Elmwood Road. The rear garden level is approximately 900mm lower than the adjacent road level. Towards the rear of the garden is an existing garage which has been erected on a raised plinth. Access to this garage is via Elmwood Road.

2.2 Towards the southern boundary is a five-storey mansion block which is in residential use. Sutton Court Road is mainly formed of lower scaled housing blocks between two to three storeys in height and is a mixture of flats and single-family dwellings.

2.3 The application site does not fall within a conservation area nor are there any listed buildings in close proximity of the proposal site.

3.0 HISTORY

3.1 01091/43/P5 Demolition of existing shed and erection of a two story outbuilding

Application Withdrawn on the 21.05.2014
4.0 DETAILS

4.1 The current application is for the demolition of the existing shed and erection of a two-storey outbuilding.

4.2 The proposed two-storey outbuilding when measured from the vehicular access on Sutton Court Road would measure 9.05m in depth and 7.41m in width at lower-ground floor. At ground floor the overall width would reduce to 5.40m. The overall height would be 5.59m. The proposed height when viewed from the bottom of the fence fronting Sutton Court Road to the top of the outbuilding would be 3.88m.

Figure 1: Proposed site plan

Figure 2: Proposed Floor plan of lower ground floor
4.3 The proposed outbuilding would have a sloped roof to the boundary of 3 Elmwood Road with the majority being flat roofed. The lower ground floor would be sunk below street level when viewed from Sutton Court Road, due to the land level changes. The proposed materials would be brick matching existing façade of the existing building on the site.

4.4 The applicant states within the design and access statement that the proposed outbuilding would be used as ancillary family accommodation with 43 Sutton Court Road. The immediate planed use of this small building would be to cater for an elderly member of the family who has experienced a number of serious health episodes/incidents and as a result family members are becoming concerned about them living alone (currently 50 miles away from any family member). It is stated that the building would allow the elderly relative to maintain some degree of independence but is not self contained as it does not have a full kitchen. The annexe would therefore provide a dayroom/sitting room with a small utilities room and an accessible wet room. The small structure would also provide a room for an in-house carer if and when this becomes necessary.

4.5 The applicant advises that at the point that this immediate need ceases to be relevant, the interior has been planned to be flexible so as to allow a wide range of potential uses ancillary to the main house, such as a gym, home cinema and/or a home office.

5.0 CONSULTATIONS

5.1 A total of 6 neighbours were consulted in relation to the proposed development.
5.2 One letter of support was received in relation to the proposed development stating that the "development has a pleasing aspect and is not intrusive to the streetscene". No other representations were received in relation to the proposal.

5.3 Since the application was received it has been drawn to members attention on the weekly objections list dated Week 33 (15th to 22nd August 2014).

5.4 The application was referred to the Chiswick Area Forum. The application was then referred to Planning Committee for determination for comprehensive debate.

6.0 POLICY

Determining applications for full or outline planning permission

6.1 The determination must be made in accordance with the development plan unless material considerations indicate otherwise. Local finance considerations must also be assessed.

The National Planning Policy Framework

6.2 The National Planning Policy Framework (NPPF) came into force on 27 March 2012, and from April 2014 National Planning Practice Guidance (NPPG) in the form of an online guidance resource to support the NPPF came into effect. The Local Planning Authority (LPA) considers that, where pertinent, the NPPF and NPPG are material considerations and as such, will be taken into account in decision-making as appropriate.

The Development Plan

6.3 The Development Plan for the Borough currently comprises: Saved Policies in the Council's Unitary Development Plan (2007), Employment Development Plan Document (2008), the Brentford Area Action Plan (2009), with a Proposals Map (revised 2011) (where these are generally consistent with the National Planning Policy Framework); and the London Plan (2011) as amended by the Revised Early Minor Alterations to the London Plan (2013). These documents are gradually being amended or replaced by emerging new development plan documents.

Emerging new Development Plan Documents

6.4 There are three emerging new Development Plan Documents that are all now at an advanced stage of preparation.

- On the 20th August 2014 the Borough Council submitted the Local Plan to the Secretary of State for examination. When adopted this will replace the Council’s three existing DPDs and amend the Proposals Map;
- On the 31st July the Borough Council together with five partner authorities submitted a jointly prepared West London Waste Plan to the Secretary of State for examination. When adopted this will manage the land use implications of waste planning; and
- On the 7th July the Mayor of London submitted Further Alterations to the London Plan (FALP) to the Secretary of State for examination, which will commence in September 2014. When adopted, this will further amend the London Plan.

The Local Planning Authority (LPA) considers that these three DPDs are capable of being regarded as material considerations in planning decisions which will be
taken into account as appropriate; each policy will gain more weight as it progresses through the examination processes towards adoption (or publication in the case of London Plan alterations).

6.5 **Adopted Unitary Development Plan Policies**

ENV-B.1.1 New Development

6.6 **Relevant Local Development Plan Policies**

CC1 Context and Character

CC2 Urban Design and Architecture

6.7 **Residential Extensions Guidelines (REG's)**

Section 7.0: Detached Outbuildings

7.0 **PLANNING ISSUES**

7.1 The main planning issues to consider are:

- The acceptability of the development in land use terms;
- The design, bulk, massing, character and impact upon the character and appearance of the site along with the streetscene.
- The impact of the development on the neighbouring properties in terms of daylight, sunlight, sense of enclosure and privacy;

**Land Use**

7.2 Within the submitted design and access statement, the applicant states that the proposed two-storey outbuilding would be used as ancillary accommodation to house an elderly family member. The development proposes in total three rooms (two on the lower ground floor and one on the upper floor), bathroom and utility area, giving a total area of 90.96sqm. The proposed size, layout and access arrangement to the dwelling would give the impression that the proposed outbuilding could be easily used as a self-contained unit. The applicant states that an elderly relative will reside at the property who currently lives 50 miles away. The document further states an independent carer can reside at the property if required.

7.3 Officers are most concerned about the independent living the proposed outbuilding unit would give rise to given that the overall size and floor layouts. It is important to note that the proposed outbuilding could easily migrate into a separate dwelling, and largely because of the uncertainties associated with the ancillary use. If the use of the outbuilding were to be used as extra accommodation for leisure and home working purposes the impact would be limited on the amenities of neighbours. However, if the use as being proposed migrates to a person living within this unit on a permanent basis the residential amenity implication would be different. Due to the building being occupied 24 hours by the proposed intended use and up to 7 days per week with usual residential characteristics of noise, artificial light and ancillary paraphernalia. The surrounding area is characterised by
substantial period built buildings and allowing an independent self-contained residential use of the building would be entirely out of keeping with the surroundings and have an unacceptable amenity implication for the quiet enjoyment of their homes by neighbours.

7.4 It should be noted that the self-contained unit would be unacceptable given the shortfalls in outdoor private amenity space along with the proposed outlook from the rooms given the sunken nature of the development.

7.5 In this instance given the intended use and the self-contained arrangement of the unit along with the overall layout, size, and separate access along Elmwood Road this would give rise to associated amenity concerns detrimental to the existing use of the site in land use terms for further residential accommodation. As such the proposed outbuilding to provide further residential accommodation should be refused on this basis.

Design

7.6 Policy ENV-B.1.1 (New Development) states that new development should relate well to its site and scale, nature, height, massing, character and use of the adjacent townscape. It should respect the proportions of existing neighbouring buildings where there are strong uniform design characteristics, use satisfactory materials and enhance the townscape value of an area.

7.7 The REG's (section 7.0) state that outbuildings should be positioned as far away from the house as possible. The external materials should be similar to those of the existing house.

7.8 The proposed outbuilding would be built to the same height as the existing garage, however, the overall width of the outbuilding would nearly be double the width of the garage. The existing structure is currently subservient with the existing streetscene and gives rise to limited harm along the streetscene, given the set in and overall bulk and massing. However, the proposal due to the size would be an imposing addition within the streetscene, given the stark contrast in design and character to the neighbouring property at 3 Elmwood Road, which provides the starting point of the streetscene towards the western side of the road. The proposed outbuilding, although the applicant claims that the development would be used ancillary with the streetscene, would give rise to a development which would appear as a self-contained dwelling detrimental to the overall appearance balance of the streetscene.

7.9 Given the size of the site and overall form of development the proportions do not relate to the context of the application site and the neighbouring area. This would be further exacerbated by the width of the outbuilding, which would make it readily visible from the surrounding properties.

7.10 In this instance the overall form of the development given the proportions, positioning, location and size of the development would have a detrimental impact on the streetscene. As such the development would be contrary to policy B.1.1 (New Development) and the Residential Extensions Guidelines.

Residential Amenity

7.11 The proposed outbuilding would be built to the same height as the existing garage and would follow the same profile and slope of the existing garage roof. Given that there would be no increase in height of the outbuilding along the boundary of 3
Elmwood Road and would not worsen the current environment which is existing, the development would not give rise to any amenity concerns relating to daylight, sunlight, sense of enclosure along with overlooking to 3 Elmwood Road. In this regard no objection would be raised to the proposal.

7.12 The development would also adjoin the boundary of 45 Elmwood Road, however, given that the outbuilding would back onto their garden area the proposed outbuilding would have limited impact to the enjoyment of the existing rear garden amenity space.

7.13 In relation to the 43 Elmwood Road, given that this development would be used ancillary to the main house, no amenity concerns would be raised towards the proposed development.

7.14 As such the development would not give rise to amenity concerns to adjoining neighbours in the area.

8.0 LOCAL FINANCE CONSIDERATIONS

8.1 Some new developments granted planning permission on or after 1st April 2012 will be liable to pay Community Infrastructure Levy (CIL) to the Mayor of London with respect to the funding of Crossrail. This is at the rate of £35 per m² of new floor space.

8.2 The proposed floorspace of the outbuilding would be 90.96sqm.

8.3 This proposal is not liable to pay Community Infrastructure Levy as the gross internal floor area is below the threshold of 100sqm.

9.0 EQUAL OPPORTUNITIES IMPLICATIONS

9.1 The Council has to give due regard to its Equalities Duties and in particular with respect to its duties arising pursuant to the Equality Act 2010, section 149. It is considered that there will be no specific implications with regard to the Council's duty in respect of its equalities duties and that if approving or refusing this proposal the Council will be acting in compliance with its duties.

10.0 CONCLUSION

10.1 The proposed development, given the overall size, bulk, massing, and form of the outbuilding would be an imposing and overly dominate form of development detrimental to the character and appearance of the streetscene. Furthermore, due to overall size and layout of the outbuilding the use would not be an ancillary function to the existing dwelling at 43 Sutton Court Road.

10.2 As such the development is contrary to policy B.1.1 (New Development) and the Residential Extensions Guidelines. Furthermore, the development would be contrary to polices CC1 (Context and Character) and CC2 (Urban Design and Architecture) of the Emerging Local Plan.

11.0 RECOMMENDATION:

11.1 That planning permission is REFUSED for the following reason:

11.2 The proposed development, given the overall size, bulk, massing, and form of the outbuilding would be an imposing and overly dominate form of development
detrimental to the character and appearance of the streetscene. Furthermore, due to overall size and layout of the outbuilding the use would not be an ancillary function to the existing dwelling at 43 Sutton Court Road. As such the development would be contrary to policy ENV-B.1.1 (New Development) of the adopted Unitary Development Plan and the Residential Extensions Guidelines. Furthermore, the development would be contrary to policies CC1 (Context and Character) and CC2 (Urban Design and Architecture) of the Emerging Local Plan.

Drawing numbers:

012-L02 REV A, 012-P00 REV A, 012-P01 REV A, 012-E01 REV A, 012-E02 REV A (North Elevation), 012-E02 REV A (North Elevation Comparison, 012-S01 REV A, 012-E03 REV A, 012-E04 REV A, 012-E05 REV A, 012-S01 REV A, 012-S02 REV A, 012-S03 REV A, 012-S04 REV A, 012-S05 REV A, 012-S06 REV A, 012-S07 REV A, 012-SE08 REV A, Model of Outbuilding received on the 16.06.2014, Design and Access Statement received on 04.06.2014.

Background Papers:

The contents of planning file referenced on the front page of this report, save for exempt or confidential information as defined in the Local Government Act 1972, Sch. 12A Parts 1 and 2