

RECEIVED: 25 March, 2010

WARD: Kilburn

PLANNING AREA:

LOCATION: 45 & 45A Torbay Road, London, NW6 7DX

PROPOSAL: Demolition of existing single-storey rear extension and erection of a new single-storey rear extension, single-storey side extension and conversion of two self-contained flats into a single family dwellinghouse

APPLICANT: Andy Kershaw

CONTACT: Andrew Coulter Associates

PLAN NO'S:
(see condition 2 for details)

RECOMMENDATION

Approval

EXISTING

The subject site, located on the north-eastern side of Torbay Road, close to the junction with Clarence Road, is occupied by a two-storey terraced dwelling that has been converted into two self-contained flats. The subject site is located within the North Kilburn Conservation Area.

PROPOSAL

Demolition of existing single-storey rear extension and erection of a new single-storey rear extension, single-storey side extension and conversion of two self-contained flats into a single family dwellinghouse

HISTORY

A Certificate of Lawful Use for the established use of the property as two self-contained flats was issued in 1992. In May 2004, planning permission was granted for the erection of a single-storey rear extension to the ground-floor flat. During a recent site visit, it was observed that this permission has been implemented.

POLICY CONSIDERATIONS

London Borough of Brent Unitary Development Plan 2004

BE2 Townscape: Local Context & Character
BE9 Architectural Quality
BE25 Development in Conservation Areas
BE26 Alterations & Extensions to Buildings in Conservation Areas.
H8 Resisting Loss of Housing
TRN23 Parking Standards: Residential Development
PS14 Parking Standards: Residential Development (Use Class C3)

North Kilburn Conservation Area Design Guide

London Borough of Brent Core Strategy (Proposed Submission June 2009)

CP21 A Balanced Housing Stock

SUSTAINABILITY ASSESSMENT

Not applicable.

CONSULTATION

Consultation letters, dated 8th April 2010, were sent to 18 neighbouring owner/occupiers. Two letters of objection were received in response. The concerns of the objectors include:-

- The proposed development will overbear the neighbouring property and block light.
- The proposed development will cause a loss of privacy.
- The proposed development will could cause damp problems for the neighbouring property.
- Concerns regarding the conversion of properties within the locality and the impacts of this on local services.

REMARKS

CONVERSION OF FLATS INTO A SINGLE DWELLINGHOUSE

The proposed development will result in the two existing two-bedroom flats being converted into a single 3-/4-bedroom dwellinghouse. Policy H8 of the Unitary Development Plan 2004 (UDP) seeks to resist the net loss of dwelling units unless comparable replacement is provided. Policy CP21 of the Council's emerging Core Strategy seeks to redefine the current UDP definition of family sized accommodation to units containing 3-bedrooms or more. Previously the UDP definition considered units with two or more bedrooms to be suitable for family occupation. This change in definition is intended to assist the Council in addressing the identified shortage of housing for the unusually high number of larger households within the Borough. Therefore, whilst the proposed development would result in the loss of two smaller flat units, which is contrary to the general provisions of UDP policy H8, this loss is considered to be adequately compensated for through the creation of a form of accommodation for which there is an established and significant demand both in general and in North Kilburn in particular. As such, the proposed development is considered to comply with the aspirations of policy CP21 which seeks to supply a balanced housing stock to meet the housing demands of the Borough.

SINGLE-STOREY REAR EXTENSION

The subject property has an existing single-storey rear extension which will be demolished and replaced by a new single-storey rear extension as part of the proposal. The existing extension to be demolished is 3.5m in width, to match the existing outrigger, 2.5m in depth and has a pitched roof with an average height of approximately 3m. The proposed single-storey rear extension will have the same footprint as the existing extension to be demolished but will instead have a flat roof with a constant height of 3m. The proposed extension would have a simple contemporary appearance with aluminium-framed, sliding glass doors set within the side and rear walls finished externally with brick work to match the existing building. Although openings are proposed to the flank wall of the extension, facing 43 Torbay Road, it should be noted that the existing extension already has similar openings and therefore an increased loss of privacy is unlikely to occur. The appearance of the extension is considered sympathetic to the character of the existing property and surrounding Conservation Area. The dimensions of the proposed single-storey rear extension would be in general accordance with guidance contained in Supplementary Planning Guidance 5:- Altering & Extending Your Home (SPG5) but in any case it would have a similar impact on the neighbouring occupiers to that of the existing extension to be demolished.

SINGLE STOREY SIDE EXTENSION

The proposal would involve the erection of a single-storey extension to the side of the existing outrigger. This extension would run the full length (6.3m) of the existing outrigger. In the past,

this type of full side "infill" extension has usually been resisted where properties lie within Conservation Areas on the grounds that they can alter the general character of the property and surrounding area. However, every application for planning permission should be assessed on its own merits and in this case there are particular circumstances which are relevant to the determination of the application.

Whilst the subject property itself is a reasonably standard two-storey Victorian terraced property, characteristic of the surrounding North Kilburn Conservation Area, the adjoining property at 43 Torbay Road is not. The properties at 43, 41 and 39 Torbay Road are later, post-war, additions to the street which consist of an original two-storey terraced element to the front with a variety of single-storey extensions which have been added on at a later date. The existing single-storey rear extension to the adjoining property at 43 Torbay Road runs along the joint boundary with the subject site to a depth of approximately 5.2m, 0.9m short of the outrigger to 45 Torbay Road. This existing extension has a flat roof height of approximately 2.9m and there are no windows in the flank elevations facing the subject site. The relatively modest scale of the existing extension to 43 Torbay Road means that the relationship between the two buildings lacks the same sense of enclosure that is generally characteristic of the properties within the wider Conservation Area. On this basis, it is not considered that there would be sufficient grounds to argue that the proposed extension, albeit a full length side extension, would cause significant harm to the character of the surrounding Conservation Area. It should also be noted that the proposed side extension would be distinct from the proposed rear extension which would help to reduce the perceived bulk of the of the development and its impact on the character of the existing property. The proposed single-storey side extension would only project beyond the existing extension to the neighbouring property by 1m and, as stated above, the adjoining property at 43 Torbay Road does not have any flank-wall windows facing the proposed extension. As such, it is considered that any impact on the daylight or outlook of the neighbouring occupiers would be reasonable.

Overall, it is considered that there are exceptional circumstances in this particular case which would justify the proposal to erect a full length "infill" extension within the North Kilburn Conservation Area.

CONSIDERATION OF OBJECTIONS

The impact of the proposed development on the outlook daylight and privacy of neighbouring occupiers has already been addressed in the above report.

Issues relating to rainwater drainage, and the possibility of problems relating to damp, are normally considerations beyond the remit of Planning Committee as such issues are normally controlled through the Building Regulations. There is a small gap between the proposed extension and the neighbouring property, which implies that all rainwater collected on the roof of the proposed extension will be drained within the subject site. However, an informative should be placed on any planning permission ensuring that the applicant is fully aware of their responsibilities in relation to this matter.

Concerns have been raised regarding the impact of flat conversions on the provision of local services. However, as this application actually involves the reconversion of two flats into a single dwellinghouse, the current proposals may actually alleviate existing pressures on local services.

REASONS FOR CONDITIONS

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

(1) The proposed development is in general accordance with policies contained in the:-

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:-

- 01
- 02
- 03
- 04 Rev. A
- 05
- 06 Rev. A

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.

INFORMATIVES:

- (1) The applicant must ensure that the collection and drainage of rainwater is carried out entirely within the application property.

REFERENCE DOCUMENTS:

London Borough of Brent Unitary Development Plan 2004
North Kilburn Conservation Area Design Guide
Two letters of objection

Any person wishing to inspect the above papers should contact Ben Martin, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5231



Planning Committee Map

Site address: 45 & 45A Torbay Road, London, NW6 7DX

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