

**Committee Report
Planning Committee on 20 July, 2010**

**Item No. 2/02
Case No. 10/1221**

RECEIVED: 19 May, 2010

WARD: Kilburn

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 91 Dyne Road, London, NW6 7DR

PROPOSAL: Two-storey rear extension at lower and upper ground-floor level, creation of a sunken garden terrace and upper ground-floor balcony, removal of side chimney and insertion of side rooflight, enlargement of 2 existing rear dormer windows, replacement of roof tiles and insulation to side and rear roof, raising its height, installation of solar panel to roof and creation of vehicular access and formation of hard and soft landscaping to front, and reversion to dwellinghouse

APPLICANT: Ms Debbie Yap

CONTACT: Bere:architects

PLAN NO'S:

B3.G10.P00 A
B3.G20.P-01A
B3.G20.P01A
B3.G.20.P03A
B3.G20.E02A
B3.G20.S01A
B5.G20.P-11 A
B5.G20.P10 B
B5.G20.P12 B
B5.G20.E11 B
B5.G20.S11 B

B3.G20.P00 A
B3.G20.P-02A
B3.G.20.P02A
B3.G20.E01A
B3.G20.E03A
B3.G20.S02A
B5.G20.P-12 B
B5.G20.P11 B
B5.G20.P13 B
B5.G20.E12 B
B5.G20.S12 B

RECOMMENDATION

Refusal

EXISTING

The application site is a semi-detached 3-storey building with a basement/lower ground floor level, situated on the northern side of Dyne Road, NW6. The property is within the North Kilburn Conservation Area.

PROPOSAL

Two-storey rear extension at lower and upper ground-floor level, creation of a sunken garden terrace and upper ground-floor balcony, removal of side chimney and insertion of side rooflight, enlargement of 2 existing rear dormer windows, replacement of roof tiles and insulation to side and rear roof, raising its height, installation of solar panel to roof and creation of vehicular access and formation of hard and soft landscaping to front, and reversion to dwellinghouse

HISTORY

10/1173

External insulation to side and rear elevations, two-storey rear extension at lower and upper ground-floor level, creation of a sunken garden terrace and upper ground-floor balcony, removal of side chimney and insertion of side rooflight, enlargement of 2 existing rear dormer windows, replacement of roof tiles and insulation to side and rear roof, raising its height, installation of solar panel to roof and creation of vehicular access and formation of hard and soft landscaping to front, and reversion to dwellinghouse

A report into this application appears elsewhere on this agenda.

POLICY CONSIDERATIONS

PPS 5 Planning for the Historic Environment.

HE7.1 In decision making local planning authorities should seek to identify and assess the particular significance of any element of the historic environment that may be affected by the relevant proposal (including by development affecting the setting of a heritage asset) taking account of:

- (i) evidence provided with the application
- (ii) any designation records
- (iii) the historic environment record and similar sources of information
- (iv) the heritage assets themselves
- (v) the outcome of the consultation with the usual interested parties
- (vi) expert advice from in-house or external experts or heritage agencies

HE7.4 Local planning authorities should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets, and of utilising their positive role in place-shaping; and
- the positive contribution that conservation of heritage assets and the historic environment generally can make to the establishment and maintenance of sustainable communities and economic vitality by virtue of the factors set out in HE3.1

HE7.5 Local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.

HE9.2 Where the application will lead to substantial harm to or total loss of significance local planning authorities should refuse consent unless it can be demonstrated that:

- (i) the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that harm or loss; or
- (ii) (a) the nature of the heritage asset prevents all reasonable uses of the site; and (b) no viable use of the heritage asset itself can be found in the medium term that will enable its conservation; and
- (c) conservation through grant-funding or some form of charitable or public ownership is not possible; and
- (d) the harm to or loss of the heritage asset is outweighed by the benefits of bringing the site back into use.

Brent UDP 2004

- STR 13 Forms of development with a reduced overall demand for energy and better integration with ecological and natural processes will be sought.
- STR 16 The particular Characteristics of the Borough's Conservation Areas will be conserved or enhanced.

- BE9 Architectural Quality
- BE12 Sustainable Design Principles
Incorporating built forms, technologies, orientation and layout that will contribute to reduced energy consumption and associated emissions.
- BE26 Alterations and Extensions to Buildings in Conservation Areas
Alterations to elevations of buildings in Conservation Areas should (as far as is practicable) retain the original design and materials, or where not practical should retain the original design in terms of dimensions, texture and appearance, having regard to any design guidance issued by the Local Authority.

Characteristic features such as doors, canopies, windows, roof details (e.g. chimneys, chimney pots, roof line and pitch) and party wall upstands should be retained, even when elements may be redundant.

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 should be complementary to the original building in elevational features.

- Supplementary Planning Guidance Note 5
- North Kilburn Conservation Area Design Guide

How to Achieve Sustainable Design and Construction - A Householders Guide

This document was produced by Brent Council and Energy Solutions (North West) in 2004. While it is not adopted policy it does provide guidance for Brent Residents in renovating dwellinghouses in an environmentally friendly way. In particular there is guidance on 'Listed Buildings and 'Conservations Areas' where it states:

"...alterations to wall surfaces are usually damaging to the overall character and appearance of historic buildings and can, in some cases, increase the levels of moisture in original wall structures. Stone work and brick work should not normally be rendered unless the surface was rendered originally."

CONSULTATION

Neighbouring occupiers were consulted on 3rd June 2010 and a site notice was posted to the front of the site 26th May 2010. No comments have been received.

Internal

Highways - The proposed parking bay must not be used for a vehicle longer than 3.8m in length in order to avoid obstruction of the public footway by overhanging vehicles contrary to Part IX of the Highways Act (1980)

Landscape - Further information required regarding trees, a comprehensive landscape plan for the front garden. The front garden must comply with BE7 and SPG5 with at least 50% soft landscaping.

REMARKS

This application differs from the other current application at this site (reference 10/1173) primarily in that it does not propose external insulation in the form of cladding to the elevations of the building.

The alterations are proposed as part of wider proposals to retro-fit the house to improve energy conservation and sustainability. The architects are particularly keen to emphasise the level of insulation that can be achieved with external cladding is more effective than that which can be achieved by internal insulation but due to the sensitive nature of the site within a conservation have opted for this separate application which omits the external insulation. Nevertheless the proposed works affect the buildings external appearance.

Proposals that make alterations to the external appearance of a building within a Conservation Area are required to preserve and enhance the characteristics of the property that contribute to the quality of the Conservation Area. Policy BE26 of Unitary Development Plan 2004 requires that:

"Alterations to elevations of buildings in Conservation Areas should (as far as is practicable) retain the original design and materials, or where not practical should retain the original design in terms of dimensions, texture and appearance, having regard to any design guidance issued by the Local Authority"

When considering such proposals for improving insulation and reducing the impact on the environment within Conservation Areas there should be consideration of the impact on the character and appearance with any alterations with a presumption in favour of methods that do not impact on the external features of the building.

Two-storey rear extension

At lower ground floor a 3m deep and 3m high flat roofed extension is proposed, this is in accordance with the size recommendations of *SPG5*. In appearance it is plain with glazed doors filling the majority of its rear elevation and it would be externally insulated with rendered cladding.

The *North Kilburn Conservation Area Design Guide* states that while 2-storey extensions will not be permitted on terraced properties there is a possibility on semi detached properties though the density of the estate means that it is difficult to achieve without detriment to neighbouring properties.

SPG5 provides the 1:2 guidance which allows a calculation of the depth of the extension in comparison to the proximity of neighbouring ground floor windows. An extension may project in depth by half of the distance from its side elevation to the centre of the neighbours closest habitable window. In this instance, taking into account the slight tapering of the boundary away from the neighbouring property a depth of 1.177m is proposed and would comply with the recommended 1:2 guidance.

In height the architects seek to match the existing ceiling height as well as including external insulation and a greenroof, the result is that the height almost reaches the sills of the floor above. Due to the shallow depth of this extension officers do not consider this detrimental to neighbouring amenity, and being within the lower part of the building it is not considered to be unduly prominent. Its elevational design again is simple with the single glazing bar off-set from the centre relating to the fenestration elevation above. The elevational treatment of the extension and its resultant bulk is unlike buildings and extensions nearby and a traditional approach could have been taken, however on balance the scale and design is considered to be acceptable.

A roof terrace is proposed on the roof of the single storey part of the extension. Approximately 3.3m of flat roof closest to the attached neighbouring property would be planted as a green roof while the remaining 4.6m would be useable as amenity space. To the non-attached side the neighbour has a projecting flank wall which would largely protect their privacy from a shallow balcony but to the attached side the garden is fully exposed.

The existing building has a very small platform area positioned centrally at upper ground floor with a staircase leading down to the garden, the platform is less than 1sqm and does not therefore provide a realistic opportunity for more than 1 person to stand and have a view to the adjacent neighbours garden. The proposed terrace is closer to 8sqm however the green roof provides a reasonable separation from the boundary.

Railings are proposed around the whole outer edge of the roof, officers are of the opinion that this should follow the useable terrace area which should in turn align with the glazing bar (and edge of the fixed pane), if the application were recommended for approval a condition would be

recommended to this effect. The railing along the boundary significantly increases the height and dominant impact of this part of the extension in its impact on the neighbours and it would also allow that planted area to be utilised by the occupiers, as such its impact is unacceptable.

The principle of access from the upper ground floor to the garden is existing and is not objected to as long as it does not worsen neighbouring amenity in terms of privacy. The lower ground floor plan shows that the staircase proposed is along the boundary with the non-attached neighbour and would project by about 4 steps beyond their extension. In this location there is an opening providing access between the properties meaning it would not result in the loss of existing screening at the boundary.

Roof alterations

The proposal involves the removal of a side elevation chimney and the insertion of a rooflight in its place as this is the applicant's preferred location for a shower within the loft. The North Kilburn Conservation Area Design Guide requires the retention of chimneys visible in the streetscene as a prerequisite in any proposal as they are an integral part of the traditional character of the buildings. While the principle of a small side rooflight could be acceptable the loss of a chimney is not and would be detrimental to the character of the building.

The proposal involves internal insulation to the roof, this increases the height of the ridge and the side and rear roof planes. The existing ridge height is about 60mm lower than its attached neighbour, the increase in height will result in it being 100mm higher, otherwise it does not alter the level of the front roof plane due to the way in which the insulation is proposed. However to the side and rear elevations the insulation is proposed in a way which would result in the roofing material being re-laid at a higher level. Externally, as well as the increase in the height of the ridge, it results in the widening of the front roof plane with a notable impact on the front elevation where the eaves would project beyond the flank wall by an additional 200mm. This results in an incongruous feature, an unnaturally large overhang in a prominent and highly visible position.

Two photovoltaic panels are proposed on the front gable, their visibility from the public highway would be limited due to the decorative front gable features of the subject site and the neighbour. No detail is provided to demonstrate whether it is laid on the roof plane or set within it, officers are of the opinion that the latter would be necessary to prevent an obtrusive projection from the roofplane.

A solar collector is proposed in the flat area at the top of the roof, this part of the roof would not be easily visible from the street scene partly due to its height, the siting of the original front gable feature and the slight set back of the panel from the ridge.

The insulation to the roof of the existing rear dormers is also proposed in a way which raises their roof level, rather than being accommodated within the existing structure. The larger dormer is a feature shared by the attached property while the narrower dormer is not, however their brick work and roof detail matches. The increase in height does not detrimentally impact on their slender appearance but if approved details of materials would be a necessity.

Front elevation

To the front elevation the fenestration is currently red and the proposal involves painting it white which is acceptable. Additionally the decorative front gable feature has been unsympathetically rendered and the proposal is to remove this or if the brick is damaged to replace it to match. Again this would be beneficial to the character of the building.

An alteration is proposed to the front entrance steps to leave a slightly larger platform one step down from the door. This is a minor alteration and as the existing steps are in concrete the use of a more appropriate material could improve the appearance overall.

Front garden

The creation of vehicular access and formation of hard landscaping is proposed to the front garden. To comply with SPG5 and the Council's aspirations for the appearance of front gardens within conservation areas a balance of at least 50% soft landscaping is sought. Officers do not consider that it is appropriate to include the lower levels of the light well in this calculation, as planting there will have a minimal impact on the appearance of the garden in the streetscene which is what the Council's guidance is trying to achieve. However subject to a very good planting scheme it is considered on balance that the proportion of softlandscaping could be acceptable. However no such details are currently submitted and as a result, the treatment of the area to the front of the building needs to form a reason for refusal.

Use

The architects have indicated that the property was most recently in use as a number of flats. Internally there is no obvious evidence of the selfcontainment of the property and there is no information to suggest that this would be the lawful use of the property, there being no planning history or Council Tax registration information for example. Nevertheless the proposal seeks planning permission for the reversion of the building to a dwellinghouse. The proposed development would result in one large dwellinghouse. Policy CP21 of the Council's emerging Core Strategy seeks to redefine the UDP definition of family sized accommodation to units containing 3-bedrooms or more. The UDP definition considered units with two or more bedroom 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 a housing unit which would normally be resisted, this loss is considered to be adequately compensated for through the creation of a type of accommodation for which there is an acute demand. As such, the proposed development is considered to comply with the aspirations of policy CP21 which seeks to achieve a balanced housing stock for the Borough.

Conclusion

While it is recognised that there is a need to improve the sustainability of dwellinghouses to meet climate change legislation any alterations to a dwellinghouse within a Conservation Area need careful consideration to ensure that the features and characteristics that give the building its historic and architectural significance are retained. Following consideration of the proposed additional insulation in the loft it is considered that the method by which the applicants seek to improve the energy performance of the building would fail to preserve or enhance the character of the dwellinghouse within the North Kilburn Conservation Area. Coupled with the unsympathetic and unacceptable loss of a visible chimney and the proposed arrangements for the rear balcony area, the proposal is recommended for refusal for the reasons set out below.

REASONS FOR CONDITIONS

RECOMMENDATION: Refuse Consent

CONDITIONS/REASONS:

- (1) The proposed increase in the height of the roof and consequent increase in the width of the front roof plane and projection of the eaves to the front corner of the

building results in an ambiguous eaves feature to the front elevation corner, in addition, the removal of a chimney, visible in the streetscene, is detrimental to the traditional character of the building failing to preserve the character and appearance of the dwellinghouse within the North Kilburn Conservation Area contrary to policies BE9, BE25 and BE26 of Brent's UDP and the guidance contained with the North Kilburn Conservation Area Design Guide.

- (2) By reason of the excessive height of railings along the boundary and unrestricted access to the roof terrace the proposal would be detrimental to neighbouring amenity in terms of outlook from adjacent habitable room windows as well as impacting on privacy and the enjoyment of their amenity space, contrary to policy BE9 of Brent's UDP and *SPG5: Altering and Extending Your Home*.

- (3) The proposed formation of hard landscaping to the front garden, by reason of the insufficient proportion of softlandscaping and lack of comprehensive planting scheme would be detrimental to the character and appearance of the Conservation Area, failing to comply with policies BE6 and BE25 of Brent's UDP 2004 as well as *Supplementary Planning Guidance 5: Altering and Extending Your Home* and the North Kilburn Conservation Area Design Guide.

INFORMATIVES:

None Specified

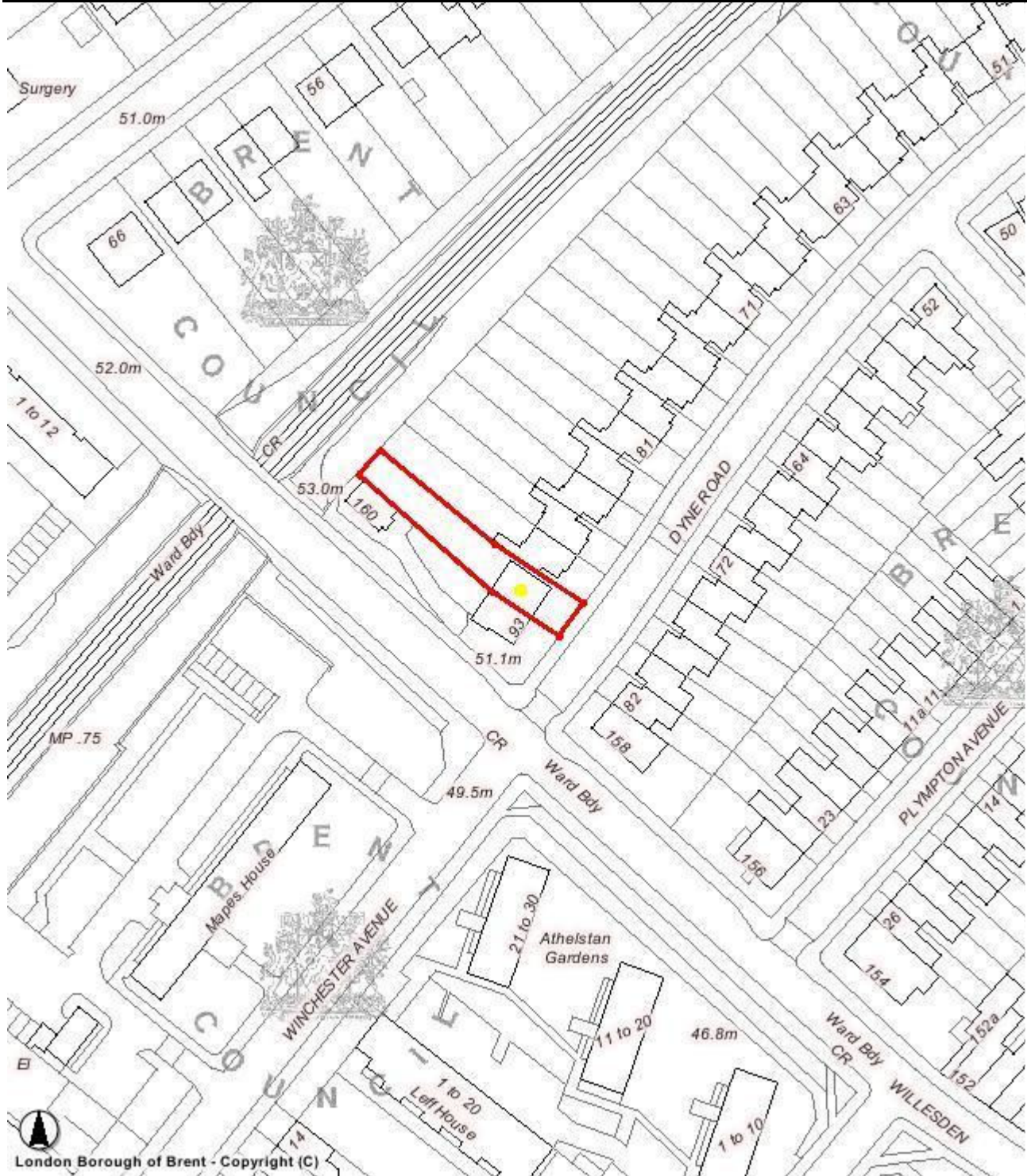
Any person wishing to inspect the above papers should contact Liz Sullivan, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5377



Planning Committee Map

Site address: 91 Dyne Road, London, NW6 7DR

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