

**Committee Report  
Planning Committee on 13 October, 2010**

**Item No. 13  
Case No. 10/1647**

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**RECEIVED:** 25 June, 2010

**WARD:** Queen's Park

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

**LOCATION:** 27 Carlisle Road, Kilburn, London, NW6 6TL

**PROPOSAL:** Erection of single-storey rear and side extension to ground-floor flat

**APPLICANT:** Mr Richard Mire

**CONTACT:** Mr Damon Peddar

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

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**RECOMMENDATION**

Approval

**EXISTING**

The subject site, located on the eastern side of Carlisle Road, is occupied by a two-storey mid-terrace property comprising of two self-contained flats. The current application relates to the ground floor garden flat. The property is located within the Queen's Park Conservation Area.

**PROPOSAL**

Erection of single-storey rear and side extension to ground-floor flat

**HISTORY**

Planning permission (89/1989) to convert the property into two self-contained flats was obtained in 1990. There is no other site history of particular relevance to the determination of the current application.

**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 and Extensions to Buildings in Conservation Areas

**Supplementary Planning Guidance 5:- Altering & Extending Your Home  
Queen's Park Conservation Area Design Guide**

## **SUSTAINABILITY ASSESSMENT**

The application does not exceed the threshold that would require the submission of a sustainability assessment

## **CONSULTATION**

Consultation letters, dated 12th July 2010, were sent to 6 neighbouring owner/occupiers and the Queen's Park Residents Association. As the property is located within a Conservation Area the application was also advertised by a site notice, dated 13th July 2010, displayed outside of the site and a press notice, published on the 15th July 2010. No representations have been received in response.

## **REMARKS**

### **THE PROPOSAL**

The proposed development involves the erection of a single-storey side infill extension along most of the side return of the original rear projection. A 1.8m long open light well area would be retained between the rear of the main body of the property and the proposed extension. The extension would then project 5.6m up to the end of the rear wall of the original outrigger and would have a glazed mono-pitched roof sloping upwards from a height of 2.27m on the joint boundary with 29 Carlisle Road to an maximum height of 3m against the flank wall of the outrigger.

The site is set approximately 300mm below the neighbouring property at 29 Carlisle Road meaning that the eaves of the proposed extension would appear to be just under 2m high when measured from the ground level of this property. In particular, the window sill level of the adjoining property appears some 500mm above that of the application site and the proposed eave level along the boundary would not therefore appear to be above this reference point.

The existing boundary treatment between the properties consists of a wall with a close boarded fence above. This steps down in height from 2.17m, to 2m to 1.78m (measured from the ground level of the subject site) as it moves away from the main rear of the property to the back of the original projection. The main issues relevant to the determination of the current application are the impact of the proposed development on the outlook of neighbouring occupiers and the impact of the proposed extension on the character and appearance of the property and surrounding Queen's Park Conservation Area.

The applicant was asked to amend the scheme to include a 4m light well but has declined. The discussion below outlines the issues that have led to the officers recommendation.

### **IMPACT ON ADJOINING OCCUPIERS**

In trying to balance demand for rear extensions with neighbours amenity and local character, the Planning Committee has endorsed the approach of providing a 4m open light well, and requiring the height, design and materials of the extension to limit its apparent bulk and scale. This approach has been followed for a number of years and was recently re-endorsed at Committee when a full rear infill extension to No 30 Hopefield Road within Queens Park Conservation Area (QPCA) was refused in June 2010 (10/0290).

However, the provision of a light-well alone does not guarantee that a satisfactory balance has been struck in terms of limiting the impact on adjoining properties. This is demonstrated with a recent decision in February 2010 at 24 Carlisle Road in the QPCA (09/3288) where an Inspector dismissed an appeal on the basis of the 2.5m height of the proposed extension along the boundary despite the provision of 4m light-well. The importance of keeping the height of the extension low along the joint boundary was also highlighted by an Inspector in dismissing an appeal in March 2008 at 32 Linden Avenue (07/1748) for an infill extension with a height of 2.4m along the joint boundary and in September 2010 at 20 Berens Road (09/1506) where the height was 2.75m. A recent example within the QPCA of an Inspector balancing the benefit of replacing a higher rear extension with a lower full infill is at 29 Hopefield Avenue (09/1247) in Dec 2009

However, an appeal decision in February 2010 for 11 Donaldson Road (09/1992), which is not within a Conservation Area, indicated a particular Inspectors view that full infill extensions may have an acceptable impact on the outlook and daylight of neighbouring occupiers where the height of the extension along the boundary would be no more than approximately 2m above the neighbours ground level, the extension would be finished externally with such visually lighter materials as timber and glass and that the orientation doesn't significantly add to the harm. The Committee decision on 30 Hopefield Avenue reflected this decision by focusing the reason for refusal on the perceived harm to the character of the building and Queens Park Conservation Area.

However, the outcome of appeal decisions can only form part of any review and it is important that the Council have an influence over their own standards, whilst being mindful of appeal decisions, in order to adopt a consistent approach to infill extensions that will safeguard the amenity, in terms of outlook and daylight, expected by Brent residents both now and in the future.

All appeal decisions support the sensitivity of infilling the light well in terms of the amenities of adjoining properties. One, at 11 Donaldson Road, indicates that a 2m limit on the boundary and lightweight design would overcome this for complete infills. However, it also refers to orientation although it is not clear what weight can be attached to this in view of the general characteristics of the height, width and depth of light wells. Notwithstanding this issue, if its main conclusions are applied in future, it would not be reasonable to give different weight to the amenities of similar properties dependant on whether or not they are within a Conservation Area.

The current proposal would involve the provision of a light well that is only 1.8m in length. As discussed above, the site benefits from being set at a lower level to the adjoining property at 29 Carlisle Road. The subject and adjoining site also benefit from the ground floor rear facing windows overlooking the side return being set at a somewhat higher level than usual. As such, the window sill of the rear facing window to the neighbouring property is set at approximately the same level as the eaves of the proposed extension. It is also noted that the neighbouring property has an existing canopy, some 3.2m away from the main rear wall, which partially covers their side return and already interferes with the outlook from the rear facing windows.

On balance, while a 1.8m light well would clearly not provide the same actual or perceived sense of separation as one of 4m, given the level differences across the subject and adjoining site, it is considered that in this case a reduced light well of 1.8m would provide sufficient visual relief for neighbouring occupiers to justify an exception to the Council's normal approach to such extensions.

## CHARACTER AND APPEARANCE

In terms of character and appearance, it is considered that the spaces between the two-storey rear projections are defining characteristics of the properties within the Queen's Park Conservation Area and other similar Conservation Areas in Brent. As such, Officers consider that rear infill extensions can have an impact on the character and appearance of such properties and that this should be taken into consideration when assessing proposals for such extensions.

However, during recent appeal decisions at 24 Carlisle Road (dismissed) and 39 Hopefield Avenue (allowed), Inspectors have been inclined not to dismiss appeals on the grounds of the impact on the character and appearance of the Conservation Area. This is based largely on their limited visibility. Officers accept that public visibility can be a significant factor but find it difficult not to conclude that the wide scale infilling of all light wells may detract from the character of the area. The proposed extension would be visible from the first floor flat above the subject property and, for example, it is unclear why no significant weight has been given to the change in the character of this view for a potentially large number of people throughout the Conservation Area.

An appeal is awaited for a refusal of a full infill at 30 Hopefield Avenue where character was highlighted in the reason for refusal. This appeal decision, and other relevant cases, should inform how the design approach is developed in the future. However, currently, the appeal decisions at 39 Hopefield Avenue and 24 Carlisle Road within the QPCA do not indicate much support for this view.

#### **CONCLUSION**

The issues of amenity impact and Conservation Area character need to be pursued further. Subject to the outcome of appeals and discussion with local residents associations, it may be appropriate to include this matter in future Design Guides which may give them greater weight in future decision making, including appeals. However, it would be appropriate to maintain a reasonably consistent approach within similar Conservation Areas.

However, on the basis of the discussion above it is concluded that the application can be recommended for approval.

#### **REASONS FOR CONDITIONS**

**RECOMMENDATION:** Grant Consent

#### **REASON FOR GRANTING**

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

Brent Unitary Development Plan 2004  
Queen's 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 drawings:

- 100605/01
- 100605/02
- 100605/03
- 100605/04
- 100605/05
- 100605/06

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:**

None Specified

**REFERENCE DOCUMENTS:**

London Borough of Brent Unitary Development Plan 2004  
Queen's Park Conservation Area Design Guide  
Supplementary Planning Guidance 5:- Altering & Extending Your Home

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: 27 Carlisle Road, Kilburn, London, NW6 6TL

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