

Committee Report
Planning Committee on 23 February, 2011

Item No. 2/06
Case No. 10/3155

RECEIVED: 8 December, 2010

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 66A Salusbury Road, London, NW6 6NR

PROPOSAL: Alterations to roof and formation of roof terrace to rear, installation of 2 rooflights facing Salusbury Road and 1 to the rear.

APPLICANT: Mr S Hickmott

CONTACT: Beecham Moore Partnership

PLAN NO'S:
See condition 2.

RECOMMENDATION

Approve.

EXISTING

The site currently contains a 2-storey terraced consisting of 4 purpose built flats. This application relates to the top floor flat.

The design of the property is distinctive and turns the corner of Salusbury Road into Montrose Avenue with an L-shaped form which addresses both frontages. This results in the rear elevation projecting some 6m further into the rear garden than the adjoining rear wall of the adjoining property at 64 Salusbury Road. The additional length of the building appears to be a characteristic of the terrace with a similar feature at the opposite end of terrace (ie: No 58 Salusbury Road). The garden of No.66 abuts the flank wall at No.2 Montrose Avenue which is positioned approximately 1m from the site boundary. The property is not located in a conservation area, although the boundary of the Queens Park Conservation Area lies at the rear of the site and includes No.2 Montrose Avenue, which is adjacent to the application property.

PROPOSAL

See above.

HISTORY

Full planning permission 09/1723 for a single storey rear extension was approved in September 2009

Full planning permission 09/2269 for conversion of roof space into 1 self contained flat, formation of roof terrace, 2 rooflights adjacent to Salusbury Road, 4 rooflights adjacent to Montrose Avenue, 3 rear rooflights and installation of railings to boundary wall adjacent to Montrose Avenue of

building was refused in December 2009

Full planning permission 10/0219 for conversion of roof space into 1 two-bedroom flat, with formation of roof terrace, including demolition of chimney stack, installation of 2 rooflights facing Salusbury Road, 4 rooflights facing Montrose Avenue and 3 rear rooflights, addition of railings to boundary wall adjacent to Montrose Avenue and provision of new refuse-bin storage and cycle-parking area for 4 bicycles was refused by the Council on 19 March 2010. An appeal against this refusal was dismissed on 27 September 2010.

POLICY CONSIDERATIONS

Unitary Development Plan 2004

BE2 Townscape: Local Context & Character

BE9 Architectural Quality

Supplementary Planning Guidance Note 5: Altering and Extending your Home

CONSULTATION

16 Neighbouring properties, and the Queens Park Residents Association, were consulted on 12 January 2011. The Council has received 4 objections to the application. The grounds of objection are set out below:

- loss of privacy.
- design of the building and character of the area.
- impact on adjacent Conservation Area.
- terrace would be incongruous.
- internal accommodation proposed would result in increased noise from increased number of occupiers.
- building work should be kept to a minimum.

REMARKS

Background

As Members will note from the planning history section of this report, an appeal on this building was recently (September 2010) dismissed. As a result, the views of the Inspector at that time need to be considered carefully in the determination of this current application.

For clarity, the appeal proposal 10/0219 was a more intense proposal than the current scheme and envisaged creating a separate 2 bedroom flat in the roofspace of the building. This application now proposes enlarging the accommodation for the existing top floor flat and needs to be determined on this basis. The scheme continues to include additional rooflights and an external roof terrace to serve the enlarged flat. As a result, any views the Inspector had on these particular elements is material here.

Although the appeal is discussed further below, the Inspector considered that the roofspace was not capable of providing a separate residential unit and would result in additional pressure for on-street car parking without mitigation, but that the provision of a roof terrace and the number of rooflights proposed was not considered to be unacceptable.

Impact on Neighbouring Amenity

The proposal continues to propose a roof terrace so as to provide external amenity space (approx. 6.0sqm in area) to the rear elevation of the property. Occupiers will continue to gain access to the terrace via the open plan "lounge/family" room.

The proposed terrace is similar to the feature previously proposed and the Inspector made the following comments on it:

"Some concern has been expressed that the proposals would result in greater overlooking to neighbouring properties. However, in my opinion, the limited width of the proposed roof terrace would minimise any potential for overlooking of neighbouring dwellings to the south or west".

In these circumstances, it would seem that the issue of the terrace has been formally considered and that it would be difficult to object to the feature in the light of these circumstances.

Transportation Issues

Previously, the proposed 2-bed flat (plus study/office room) resulted in a significant increase in car parking requirements within the building as a whole and was a ground for refusal on this basis. The site cannot provide off-street car parking, while on-street parking cannot provide a solution either, since Salusbury Road is a Distributor Road and Montrose Avenue is defined in the UDP as being "heavily parked".

The Inspector supported the Council on this particular point, considering that the additional on-street parking pressure created by the extra flat would cause harm to highway safety. However, as explained above, the proposal now incorporates additional floorspace for an existing residential unit and there is no longer an issue arising from any increased parking requirement.

Other issues

The appeal proposal envisaged a total of 9 new rooflights in the existing roofslope. The number was required in order to try and improve, as far as practicable, the quality of internal accommodation in the new flat. Notwithstanding the Council's objections to this element of the scheme, the Inspector concluded that:

"The side elevation of the appeal property is long and the roofslope is partially obscured by a mature tree. I do not consider, therefore, that the number or position of the proposed rooflights would be significantly detrimental to the appearance of the area."

Obviously, Officers were disappointed at this judgement, but for clarity, this current proposal only proposes two rooflights on the front (Salusbury Road) elevation of the building and one in the rear roofslope. It is considered that this aspect of the development is now acceptable and would not result in any material harm.

Whereas previously concern was raised about the lack of outside space to meet the likely needs of the occupiers of the additional flat, this current application creates external space for the existing flat where none exists at present and can be seen as a benefit in this regard. That said, whilst the Council was concerned about the lack of outside space in 10/0219 this concern was not shared by the Inspector and he concluded that:

"I do not consider that the issue of limited external amenity space is one that, in this case, would necessarily result in detrimental living conditions."

The proposal would allow the three bedroom unit to have an internal floor area significantly larger than the minimum guidance set down in adopted SPG 17 (130sqm as compared to 80sqm). As a result, although it is likely that the extended unit would be occupied by a single family, the size of the flat does mean that renting it out for a level of multiple occupancy, with less than 6 people living together as a family, is also a possibility. However, for clarity, either of these possibilities would mean that the extended property would remain in the C3 (dwellinghouse) use class which is acceptable in policy terms. The application must be determined on this basis.

Conclusions

A previous refusal on this site was considered at appeal in September 2010. The appeal was

dismissed and the proposal is resubmitted excluding all the issues in which the Inspector supported the Council (eg: the provision of an additional flat being unacceptable in principle), whilst continuing to include those elements that the Inspector did not take issue with (eg: number of rooflights, external terrace). As a result, whilst the concern of residents is understood, the current proposal does need to take into account all material considerations, including the views of the appeal Inspector, and on this basis the recommendation is for permission to be granted.

For the avoidance of doubt, as this application no longer includes an additional dwelling unit there is no requirement for a Section 106 legal agreement as had been the case at the time that the appeal scheme was considered.

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

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

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.

2226/10
2226/03
2226/11

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 drawing(s) and/or document(s):

- site plan.
- 2226/03.
- 2226/10.
- 2226/11.

Reason: For the avoidance of doubt and in the interests of proper planning.

(3) Details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.

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

INFORMATIVES:

- (1) This is a determination based on the proposal being an extension to an existing flat.
A new residential unit would be unacceptable

Any person wishing to inspect the above papers should contact Tanusha Naidoo, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5245



Planning Committee Map

Site address: 66A Salusbury Road, London, NW6 6NR

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