

**Committee Report
Planning Committee on 23 February, 2011**

**Item No. 2/05
Case No. 10/3187**

RECEIVED: 9 December, 2010

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 16 Kingswood Avenue, London, NW6 6LG

PROPOSAL: Replacement of all crittall windows with steel double glazed crittall windows; Replacement of garage door and installation of 1 front and 1 rear rooflight and 2 new windows to first floor rear of dwellinghouse

APPLICANT: Summerleaze Ltd

CONTACT: D Gilbey Consulting Ltd

PLAN NO'S:
See Condition 2.

RECOMMENDATION
Grant Consent.

EXISTING

The site currently comprises a 3-storey approximately 1950's dwellinghouse located on the eastern side of Kingswood Avenue and benefits from an integral single garage and driveway onto the street. Kingswood Avenue is located in the Queens Park Conservation Area and is afforded extra protection of Article 4(1) Direction. The property is not listed. Kingswood Avenue is a local access road which is defined as being heavily parked. The site lies within CPZ "KQ" which operates 08:30 – 18:30 Monday to Friday, and has good accessibility with a PTAL rating of level 4.

PROPOSAL

This application seeks to replace all crittall windows and garage door with steel double glazed crittall windows, replace 1 rear rooflight and 2 new windows to first floor rear of dwellinghouse and to convert the garage to a habitable space. The existing driveway and vehicular access will be retained.

HISTORY

14/10/1970 Conversion of living room into garage.

10/3180 Certificate of Lawfulness proposing erection of single storey rear extension. Lawful 8 February 2011.

POLICY CONSIDERATIONS

- **Brent Unitary Development Plan 2004**

BE7 Public Realm: Streetscape
BE25 Development in Conservation Areas
H12 Residential Quality – Layout Considerations
TRN15 Forming an Access to a Road
PS14 Residential Development Parking Standards (Use Class C3)

- **Supplementary Planning Guidance 3:- Forming an Access onto a Road (SPG3)**
- **Supplementary Planning Guidance 5:- Altering and Extending your home (SPG5)**
- **Queens Park Design Guide**

CONSULTATION

Neighbours/representees

6 neighbouring owner/occupiers consulted, to date 3 objections received.

In these objections reference has been made to another application on the site for a certificate of lawful development (10/3180) proposing a single storey rear extension to be built as permitted development. As indicated above, the Council have formally confirmed that consent is not required for the single storey rear extension.

The confusion over what is being sought through the planning application may have arisen because the applicant presented the proposed permitted development extension on the drawings of this full application. However, it is stated on the plans for this application that the extension is to be considered under a separate application for permitted development.

One representation received has objected to the location of the new first floor window opening stating it could potentially provide access to the roof of the rear extension proposed under separate permitted development application. Officers acknowledge this concern and would place an informative on any permission granted stating that this permission would not allow the use of the roof as a roof terrace - whilst an informative on the approved certificate of lawfulness is also included, by way of referral to Class A which does not allow a roof terrace under permitted development.

Statutory Consultees

Queens Park Residents Association consulted
No representation received

Transportation unit

No Highways objections subject to a condition requiring the boundary wall to be retained as existing to prevent more than one vehicle parking off-street at the property, which would be contrary to Policy TRN23 of the UDP-2004.

REMARKS

Amendments

Following requests from officers, applicants submitted amended plans (04/02/2011) to show more clearly the distinction between this application and the concurrent application for certificate of lawfulness which also appear on the plans.

Discussion

Officers consider there to be 3 key issues that are pertinent to the determination of this application. These are;

- i) the Impact of the proposals on the character of the Conservation Area
- ii) the impact of proposals toward neighbouring amenity
- iii) the loss of the off street parking space.

These will be addressed in turn.

Impact on the character of the Conservation Area

This property is one of the more recent developments in Queens Park, although it does have an aspect directly onto the park. As the property is within the Queens Park Conservation Area with extra Article 4 (1) Direction controls, the Council employ extra diligence with regard to ensuring building alterations are complimentary with the existing building stock. The proposals involve the replacement of all the existing windows on the front elevation with new double glazed metal framed Crittall windows supplied by specialist Crittall window suppliers and specified as matching existing details. This includes the replacement of the garage door as per the specification above. The plans have accompanying window sections. Officers consider these replacements as specified in the application to be suitable for the building and the character of the Conservation Area.

On the rear elevation some window alterations are proposed consisting of the enlargement of a first floor window opening and installation of a new window as specified above, and insertion of new stair/landing windows. Officers consider that this configuration relates well to the existing fenestration and as the neighbouring properties have also varied the fenestration, it is not disrupting a predominant rhythm. In any case, as these modifications are at the rear there is more opportunity for deviation from the existing configuration compared to the front where the Council apply more stringent control.

The existing roof light is to be replaced with a new rooflight into existing aperture, generally improving the condition of the building which officers have no objection to.

Impact on neighbouring amenity

The enlargement of the window opening at the rear is the only modification that could potentially cause overlooking issues. In assessing this possibility, officers consider that a) it is not significant enough an enlargement for officers to object to the proposals and b) it is not on a flank wall therefore it is considered acceptable.

Loss of off street parking space

As the road is defined as heavily parked, the Council would not accept the loss of the off street space unless it can be re-provided within the site subject to other considerations for the front garden. The existing driveway measures approximately 4.3m in depth. This compares unfavourably with the 4.8m depth required for a standard car parking space. However, the proposal sets back the converted garage wall from the building line to a depth of 4.7m in order to allow for a car parking bay to be properly accommodated in the front garden. While this remains marginally below the standard size of a car parking bay, it is an improvement on the existing situation, and transportation officers have made no objection to its use as an off street parking space.

Furthermore, as the front driveway can be regarded as a parking space, the total parking provision as a result of the loss of garage is reduced from 2 to 1, which is more in line with the parking standards set out in PS14 of the UDP-2004 for a dwelling house within CPZ with good PTAL ratings.

Front Garden/Refuse

The plans do not indicate any works being done to the front garden and indicate approximately 50% soft landscaping consistent with UDP policy BE9. However officers after visiting the site have concerns that the front garden has suffered as a result of the building works which are already progressing on site. Therefore officer's recommend a landscaping condition be placed on this permission requiring that further detail be submitted for approval by the local authority before

occupation of the converted garage. Details of refuse and recycling will also be required under this condition.

Cycle Parking

There are no details of secure, covered cycle parking, however the property does benefit from a rear garden within which suitable provision (eg: a shed) could be accommodated if desired.

Summary

The catalogue of refurbishment works as assessed in this report, are considered to improve the condition of this building in the Conservation Area in a way that is sympathetic with the original design and character whilst ensuring neighbouring amenity is not impeded. Approval is therefore recommended.

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
SPG5 - Altering and Extending Your Home
SPG3 - Forming an access onto a road

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

SL EX01, SI EX04, SL EK05, SL P01, SI P02A, SL P03, SLP07A, un numbered window detail and section drawings.-

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

(3) Details of the front garden layout shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All detailed works shall be carried out as approved prior to the:-

(a) occupation of the garage;

- (i) planting of the front garden area with shrubs and/or trees;
- (ii) the retention of existing boundary wall;
- (iii) car parking space for [1] cars, the defined points of access and the surfacing materials to be used;
- (iv) waste and recycling storage facilities.

Reason: To ensure a satisfactory appearance and in the interests of local amenity.

INFORMATIVES:

- (1) This permission does not allow the use of the roof of the rear extension proposed under Certificate of Lawfulness application ref: 10/3180 as a roof terrace.

Any person wishing to inspect the above papers should contact Samuel Gerstein, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5368



Planning Committee Map

Site address: 16 Kingswood Avenue, London, NW6 6LG

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