

**Committee Report
Planning Committee on 26 August, 2009**

**Item No. 2/03
Case No. 09/1414**

RECEIVED: 15 July, 2009

WARD: Brondesbury Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 4 Beechworth, Willesden Lane, Kilburn, London, NW6 7YZ

PROPOSAL: Installation of replacement upvc windows and installation of new door to ground floor flat

APPLICANT: Mrs M K Ghattaura

CONTACT: GT Designs

PLAN NO'S: Ordnance Survey Plan
Technical Detail - Schematics
GT372B

RECOMMENDATION

Approve

EXISTING

Beechworth is a 6 storey flatted development on the southern side of Willesden Lane consisting of a total of 57 residential units. The flat, the subject of this planning application, is on the ground floor of the building and is positioned to the rear of the block. The area to the rear of the block is predominantly landscaped with an area for car parking.

PROPOSAL

Installation of replacement upvc windows and installation of new door to ground floor flat

HISTORY

Full planning permission for the replacement of timber-framed windows with UPVC double-glazed windows and installation of new door to ground floor was refused on the 7th of August 2008 on the grounds of the choice of materials and the appearance of the replacement windows.

POLICY CONSIDERATIONS

Brent Unitary Development Plan 2004

BE2 Townscape: Local Context & Character
BE9 Architectural Quality

Supplementary Planning Guidance (SPG) Note 5-Altering & Extending Your Home

CONSULTATION

A total of 48 letters were sent to nearby residents on 21st of July 2009. At the time of drafting this report, Officers have received nine letters of representations. Seven of which were objections. All objections took issue with the replacement door only.

REMARKS

INTRODUCTION

Members will note a similar proposal was refused earlier this year for this flat. Officers have looked again at the refused submission, specifically in terms of the information that was submitted and have found there did appear to be a lack of clarity as to precisely what form and detail the replacement features would take. As a result, there was an objection raised on the grounds that the windows did not accurately reflect the detailed design and proportions of the original windows, frames, glazing and would have detracted from the appearance of the building as a whole. It is considered that, having revisited the file, it would be possible to re-submit an improved scheme that included more information, related to what exists better and that would be likely to secure consent, which has resulted in the proposal that is the subject of this report.

There was a second objection to the previous proposal which was on the grounds that the use of upvc was not considered to be sustainable and that the materials themselves were inappropriate as a matter of principle. There has been a good deal of discussion in the past about the acceptability of upvc materials and there is certainly an argument that timber is more sustainable. However, Officers have considered the matter further and it is now the view that in schemes such as this one and of this scale, it would be difficult to successfully argue the sustainability point and it is not something that should result in planning permission being withheld here.

Members will also be aware that an application of this nature (i.e. replacement of windows) is not the first of its kind in this block. The Council recently granted planning permission for the replacement of windows on the front elevation of this block, thus setting a precedent, being satisfied that the design of the new windows did not have a harmful effect.

PLANNING CONSIDERATIONS

The proposal is for the replacement of the original metal windows with double glazed upvc windows and the installation of new door to ground floor flat. The application property is a ground floor flat that is positioned to the rear of the block. The area to the rear of Beechworth is for the most part landscaped, which leads onto a road (Bembridge Road) providing access to other flats and car parking spaces.

The original windows in this flat were metal and the proposal involves replacing those with upvc that not only follow the pattern and general proportions of those that have been replaced, but also the other windows in the rear of this 6 storey building. The upvc windows, as proposed, do not quite have the precise proportions of the original metal windows, but it is considered that this is not uncommon, given the differences between the materials. In addition, certain of the windows are top hung, whereas the original were sliding. The windows are considered to be the same as those granted planning permission for on the front elevation of the property.

This application also includes the removal of a window in the secondary rear elevation and its replacement with a door which is not objected to in principle. The door will not be directly visible in the main rear elevation, it will also not be visible from neighbouring flats, the rear parking area or indeed Bembridge Close. The proposed door will only be visible upon walking up the footpath and entering the communal entrance of the block. As such officers are not of the view the proposed door causes detrimental planning harm by way of design.

As the proposed door is the first of its kind in the block, officers are mindful of the precedent such a development could set. Hypothetically if a door had to be positioned on the main rear elevation, (i.e. being plainly visible from the rear of the property) this would result in a material alteration to the design of the building. Further to which such a door will need to be adequately accessed, which can only be facilitated by way of a foot path. Such a footpath would have to be positioned from the subject door on the main rear elevation and run across the depth of the entire garden so to meet Bembridge Road. This in turn would result in applicant gaining more 'ownership' to the communal garden than other residents and thus materially alter the character of the 6 storey block. It should

be noted that such a developments would be more likely to be opposed by the Council.

However in this proposal the applicant has positioned the door sympathetically in the secondary rear elevation. Officers are not of the view the applicant will gain more garden area than warranted, as this area (i.e. to the front of the proposed door) of the block is currently serviced by the foot path, which is located approximately 2m from the mentioned door. If this area had to be hard surfaced so to facilitate access, officers are not of the view this will hinder residents in any way or form when using the communal area or indeed gaining access to the building itself. Should this area be hardsurfaced officers are not of the view the applicant will gain an unacceptable amount of garden area or indeed materially alter the character of the 6 storey building. The hardsurfacing of the mentioned area does not form part of this application.

Note: Officers have noted the 'temporary' fencing that is positioned to the side of the footpath and have requested confirmation that the management company do not object to the proposed door. A fax confirming no objection (on provision the majority of leaseholders do not present objections to the development) was received on the 12th of August 2009. As such officers are of the view no hindrance to maintenance etc will occur from the installation of the door.

Members will be aware that the Council's policies encourage the retention and use of natural materials wherever possible, and in Conservation Areas timber replacement windows are encouraged in order to ensure that the character and appearance of the area is not detrimentally impacted upon. However, this same guidance does not insist on timber being required where the site is not in a conservation area and, given the quality of the replacements, the retention of these upvc windows is considered to be acceptable.

Comment has been made that objections are sometimes raised where an applicant seeks to change the windows in a block when there is uniformity throughout the building in terms of the existing windows. Officers would comment that this is correct and that in some instances objection has been raised when the first proposal to change windows comes before the Authority. However, this is on the basis that the proposed changes would have a detrimental impact on the character and appearance of the building as a whole and, for the reasons set out above, it is considered that this is not the case here.

RESPONSE TO OBJECTIONS

The principle of all objections received by the related to the replacement of the window with the door. As explained, officers have considered the design, character and precedent of the development and have concluded these points would be difficult to successfully argue and withhold planning permission, given the door will be positioned in the secondary rear wall and the fact that the communal path insitu will service the proposed door.

The applicant has responded by providing a list of 5 property's in the area that have installed doors i.e.

180-181 Willesden Lane - Newham Court

213-215 Willesden Lane - Bramerton

225-227 Willesden Lane - Belvedere Court

229 Willesden Lane - Henley Court

235 Willesden Lane - Brondesbury Court

Owing to time constraints and the fact that exact addresses (i.e. specific flat numbers) have not been provided officers have not had the opportunity to visit the afore mentioned properties to assess if the developments are similar to the proposal, to investigate if planning permission has been granted or if these are deemed lawful by virtue of their age.

CONCLUSIONS

The proposal complies with Policies BE2 and BE9 of the Unitary Development Plan and SPG5 'Altering and Extending Your Home' and 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 5

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:

INFORMATIVES:

(1) The applicant is informed that the hardsurfacing of the area to the front of the proposed door does not form part of this application.

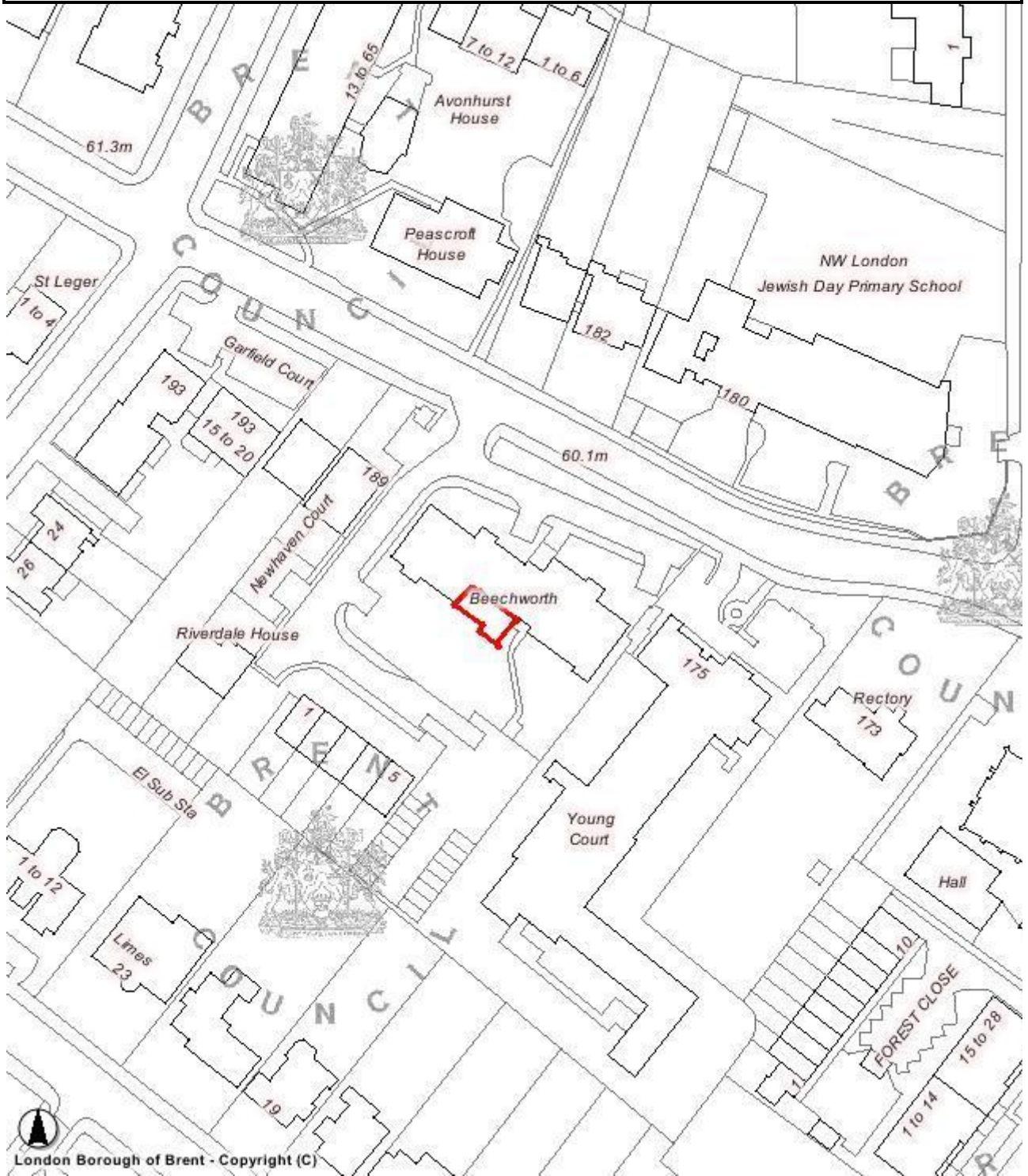
Any person wishing to inspect the above papers should contact Tanusha Naidoo, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5245



Planning Committee Map

Site address: 4 Beechworth, Willesden Lane, Kilburn, London, NW6 7YZ

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