

**Committee Report**  
**Planning Committee on 25 November, 2009**

Case No. 09/2153

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**RECEIVED:** 28 August, 2009

**WARD:** Kilburn

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

**LOCATION:** 103A-D, Malvern Road, London, NW6

**PROPOSAL:** Proposed installation of wheelchair lift (including railings) and new raised steps to stairs at front of building

**APPLICANT:** Mrs Evelyn Etienne

**CONTACT:** Private Housing Services

**PLAN NO'S:** D/0818/07.

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**RECOMMENDATION**

Approval.

**EXISTING**

The subject site, located on Malvern Road, is occupied by a three-storey semi-detached residential property which has been converted into four self-contained flats. The property is not located within a conservation area but is a locally listed building.

**PROPOSAL**

Proposed installation of wheelchair lift (including railings) and new raised steps to stairs at front of building.

**HISTORY**

- 00/2606: Full Planning Permission- Refused, Formation of a vehicular access and hardstanding, rebuild front wall and provide gate.

**POLICY CONSIDERATIONS**

**Brent Unitary Development Plan 2004**

**BE4:** Access for Disabled People

**BE9:** Architectural Quality

**BE24:** Locally Listed Buildings

**H18:** The Quality of Flat Conversions

**Supplementary Planning Guidance**

SPG12: Access for Disabled People: Designing for Accessibility

**SUSTAINABILITY ASSESSMENT**

Not applicable.

## **CONSULTATION**

Consultation letters, dated 3rd September 2009, were sent to 152 neighbouring owners/occupiers. Re-consultation was required due to an incorrect description (failure to mention raised steps), letters dated 16th October 2009, were sent to 9 immediate neighbouring owners/occupiers. Two letters of objection were received, the following issues were raised:

- The proposal will cause noise and disruption in addition to temporarily blocking access to the main entrance of the property.
- The hallway is very narrow and such a pathway would impinge on the entrance space.
- The internal alterations, removing one bedroom, apart from the noise and building waste, is absurd when there are a number of suitable properties in the area.
- The proposal will decrease the value of residents properties.

It has been recognised that the proposal would temporarily obstruct the entrance to the property and therefore a temporary access/stairwell will be required. The applicant will be advised that a temporary staircase/access may require planning permission.

In consideration of the issues raised above, it must be noted that the proposed internal works do not form part of this planning application as such works do not require planning permission. Furthermore, the effect of proposals upon property value is not a planning consideration. Remaining issues will be discussed in detail below.

## **REMARKS**

The applicant proposes to install a wheelchair lift to the main entrance of the property which also involves the erection of railings and raised steps. The proposal has been made to provide suitable disabled access for an existing occupant on the ground floor of the premises, policies BE4 and H18 of the UDP 2004 recognise the importance of providing accommodation which is accessible and adaptable for disabled persons. Therefore, the principle of installing a wheelchair lift, for disabled access, to the front elevation of a locally listed building is considered acceptable.

### **Design and appearance**

The proposed wheelchair lift will be directly mounted on the right elevation of the existing stairwell and attached by metal posts and railings, extending the full length of the stairwell. The proposed wheelchair lift, when folded is approximately 1.6m in height, 0.53m higher than the existing stairwell wall. Although, the proposed wheelchair lift and fixtures are greater in height than any boundary wall to the front elevation of the property, it is situated approximately 6.5m from the public footway and thus should not be too visually obtrusive within the street-scene.

As the existing top external landing is restricted and the step angle is too steep for a wheelchair lift, the proposal involves raising the front steps and extending the top landing area. The existing steps will be raised by one step, 200mm, and although this alters the front elevation of the original property the alteration is considered minimal, and does not result in the steps being higher than the existing stairwell walls.

In terms of appearance, the proposed wheelchair lift, metal railings and fixtures will be painted white, matching the colour of the lower ground floors and stairwell borders. This will ensure that the proposed wheelchair lift does not appear dominant within the local street scene and front elevation of the locally listed building. This is considered acceptable particularly given that a condition is suggested that would require the wheelchair to be removed when it is no longer required.

### **Impact upon residential amenity**

The stairwell is 1.6m wide and the proposed wheelchair lift "XPress II" has a platform size of 800mm x 1250mm, this leaves 514mm clearance for dual use. In discussion with Building Control Officers, the width of the staircase should not be compromised by the wheelchair lift.

Subsequently, further information has been submitted confirming that the proposed wheelchair model will automatically fold away, when folded the wheelchair lift and railings occupy 325mm. Therefore, the proposed wheelchair lift should not compromise the safety or amenity of existing and future occupiers.

In summary, in consideration that the proposal does not involve the harmful alteration of the locally listed building and the importance to provide accessible housing the proposal is deemed acceptable, on balance, in relation to policies BE4; BE9; BE24; H18; of the UDP 2004 and Supplementary Planning Guidance 12.

**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 - Altering and Extending Your Home

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) 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.

- (3) The wheelchair lift and fixtures hereby approved shall be removed from the stairwell as soon as it is no longer operational or required by the applicant.

Reason: To safeguard the amenities of occupiers and the character of the locally listed building within the streetscene.

**INFORMATIVES:**

- (1) The applicant is informed that the temporary obstruction of the main front entrance would require a temporary access/stairwell. This structure may require planning permission and therefore the applicant is advised to seek advice from the Planning Department prior to the commencement of works.

**REFERENCE DOCUMENTS:**

- Brent UDP 2004
- Supplementary Planning Guidance 12
- Design specification "XPress II, Garaventa Wheelchair Lifts"
- 2 letters of objection

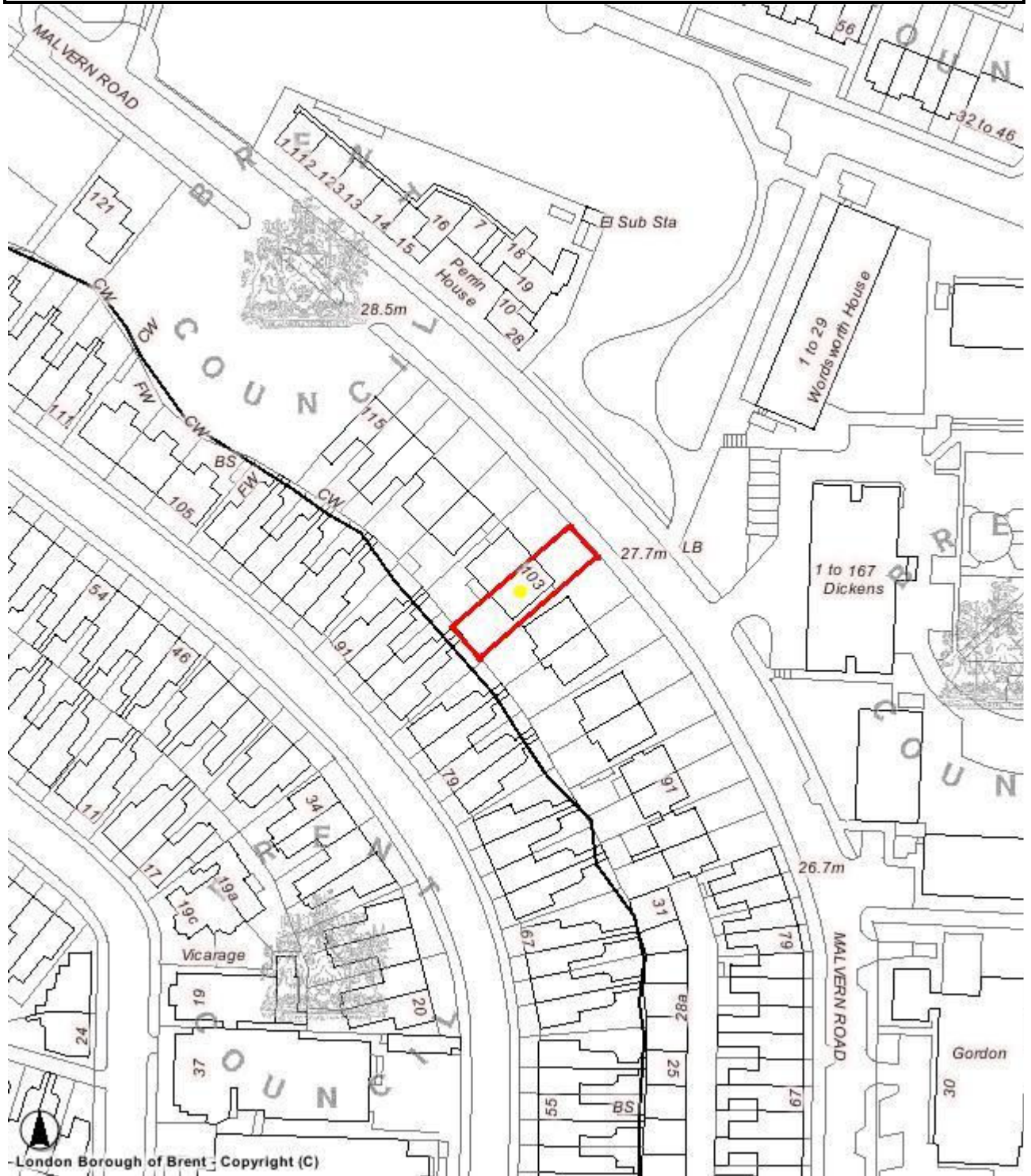
Any person wishing to inspect the above papers should contact Nicola Butterfield, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5239



### Planning Committee Map

Site address: 103A-D, Malvern Road, London, NW6

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