

Committee Report
Planning Committee on 13 January, 2010

Case No.

09/2454

RECEIVED: 26 November, 2009

WARD: Brondesbury Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 54A The Avenue, London, NW6 7NP

PROPOSAL: Removal of two rear rooflights and installation of rear inverted dormer window with sliding doors to first floor flat

APPLICANT: Mr Neil Stuart

CONTACT: True Associates

PLAN NO'S: H8044PA/460/001; H8044PA/460/002; H8044PA/460/003;
H8044PA/460/004 REVA; H8044PA/460/005; H8044PA/460/006
REVA; H80044PA/460/007 REVA

RECOMMENDATION

Approval.

EXISTING

The subject site is a two storey semi-detached dwelling, which has been subdivided into two self contained flats, located on The Avenue. This application relates to the first floor flat. The surrounding area is predominantly residential, consisting of semi-detached dwellings. The subject site is not located within a conservation area, nor is it a listed building.

PROPOSAL

The applicant has proposed the removal of two rear rooflights and the installation of rear inverted dormer window with sliding doors to first floor flat.

HISTORY

No relevant planning history.

POLICY CONSIDERATIONS

Brent's Unitary Development Plan 2004

BE9 Architectural Quality

Supplementary Planning Guidance

SPG5 "Altering and Extending Your Home"

SUSTAINABILITY ASSESSMENT

Not applicable.

CONSULTATION

Consultation letters, dated 3rd December 2009, were sent to 10 neighbouring owners/occupiers. Two letters of objection have been received, the following comments were made:

- The proposed will overlook garden areas;
- The proposed will result in increased noise levels;
- Both properties have balcony's on the first floor to the rear and the creation of a second balcony will overlook existing balcony areas;
- The proposed would look out of character to the rear dwelling-house;
- Permission has not been granted by the freeholder for any structural changes within the roof.

Officers have met with the adjacent flat owner, to inspect the site from their property. There was concern over increased noise disturbance from the balcony, structural damage, and overlooking. In consideration of these issues, whilst site inspection revealed that there is likely to be no overlooking into neighbouring balcony areas, the proposal has been amended to include an obscured glazed screen to the side facing Number 52 The Avenue.

Whilst it is noted that the applicants are not the freeholders of the first floor flat and it is claimed that no consent from the freeholder has been granted, this is not a planning consideration. However, in situations of this kind the development requires written agreement of the freeholder. Although there may be structural issues these will be covered by Building Regulations, should the application be approved.

REMARKS

The application relates to the first floor flat of a two storey semi-detached building located on The Avenue. The site as existing has two rear rooflights which have been installed without prior planning consent and one side and one rear rooflight which appear to have been installed for over five years, and therefore exempt from planning control. The applicant has proposed an inverted rear dormer window which results in the removal of the two unauthorised rooflights and creates an outside balcony area set within the roofplane of the first floor flat.

Design and appearance

The proposed inverted rear dormer window is cut into the rear roofplane, 2.97m wide and set up from the eaves by 1.2m, which complies with Supplementary Planning Guidance 5, in terms of scale and size of roof extensions. The proposed features full length, grey aluminium, sliding doors that open onto a 2m by 2.95m balcony area. An obscured glass screen is proposed to the side of the balcony area, adjacent to the adjoining property Number 52 The Avenue to prevent overlooking into neighbouring balcony areas.

Response to objections

Whilst objection has been raised in relation to overlooking into garden and balcony areas, existing balconies located at the first floor of these properties already overlook rear gardens and the set up from eaves level along with the provision of an obscure screen should prevent overlooking into neighbouring balcony areas. The adjoining property has a rear dormer window which allows views into the application site and although this proposal seeks consent for a different form of roof extension to a "normal" dormer addition, it is considered that there should be no significant loss of amenity for neighbours.

In terms of noise, the proposed balcony area should not be detrimental to neighbouring amenity as the balcony area is approximately 6m² and is essentially an extension to a home work studio. Although it will be used for sitting out, the balcony area should be seen in the context of the existing rear balcony areas at both Numbers 52 and 54 The Avenue.

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

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) 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:

- Brent's Unitary Development Plan 2004
- Supplementary Planning Guidance 5 'Altering and Extending Your Home'
- Four 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: 54A The Avenue, London, NW6 7NP

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