

Committee Report
Planning Committee on 7 June, 2011

Item No. 2/09
Case No. 11/0653

RECEIVED: 30 March, 2011

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

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

PROPOSAL: Installation of 2 front rooflights, 1 rear rooflight and 1 new window to side gable end of first floor flat

APPLICANT: Alchemy Homes

CONTACT: Beecham Morre Partnership

PLAN NO'S:
Please see condition 2

RECOMMENDATION

Grant consent

EXISTING

The site currently contains a 2-storey terraced consisting of 4 purpose built flats. 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 (i.e. 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. Although the property is not located in a conservation area it is immediately adjacent to the Queens Park Conservation Area.

PROPOSAL

See above

HISTORY

Full Planning permission 10/3155 for the alterations to roof and formation of roof terrace to rear, installation of 2 rooflights facing Salusbury Road and 1 to the rear was granted permission on 24 February 2011. These works related to the existing first floor flat adjacent to this one.

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

Supplementary Planning Guidance Note 17: Design Guide for New Development

CONSULTATION

16 neighbouring properties on 15 April 2011. The Local Authority has received 3 objections. These are summarised as:

Objections:

- Loss of privacy created by additional window
- The proposed flank window is incongruous
- The proposal will have a detrimental impact on Queens Park Conservation Area.
- Owing to the sites' proximity with Queens Park Conservation Area careful attention should be paid to any development
- Proposed works will cause disturbance by way of noise to lower floor units.

The requirements to minimise disturbance during construction works are not covered by the Town and Country Planning Act and therefore cannot form a reason for refusal.

All other objections will be addressed in the body of this report.

REMARKS

Introduction

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 rear-most top floor flat into the roofspace. As explained above, a similar proposal to enlarge the other first floor flat, sited towards Salusbury Road, was considered earlier this year. The scheme includes additional rooflights and a new window to the flank gable wall (west Elevation) to serve the enlarged flat. Any views the Inspector had on these particular elements are, of course, 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 number of rooflights proposed (9) was acceptable.

As explained, a similar application was approved earlier this year (February) to the adjacent first floor flat. In the enlargement of that particular unit, the applicant sought to move the living room into the roofspace resulting in more space for the bedrooms, kitchen and bathrooms on the first floor. The subject application seeks to move the kitchen/living and lounge space into the roof leaving

more space on the first floor for the bedrooms, bathroom and creating a new dressing shower area on the first floor.

Context and Character of the Area

The subject end-of-terrace property is visually prominent from the public realm, being bound on the front and side by highways. The existing property has an L-shaped foot print and located on the fringe of the Queens Park Conservation Area.

Rooflights

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."

For clarity, this current proposal only proposes two rooflights on the front (Salisbury 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. *(For members information the 2011 February permission also gained permission for two front rooflights)*

The proposal rooflights attempt to address the sensitivity and established character of Salisbury Road and indeed the properties on the Montrose Avenue by way proposing only two front rooflights (LxB) (0.9m x 0.8m) on the street facing elevation. Whilst these rooflights are marginally larger than normally permitted, given the unusually long roofplane of this corner property as noted by the Inspector on balance your officers do not consider the size of the rooflights to warrant a reason for refusal in itself.

On the South elevation two rear rooflights are proposed. In order to facilitate these rooflights an existing large rooflight will be removed. One inconspicuous rooflight will be positioned behind the existing chimney. The remaining rooflight will be positioned on the far left hand side of the Southern elevation. This rooflight will not be positioned directly above existing fenestration however owing to this Southern elevation not being visible from the streetscene, your officers consider the positioning of the rooflight on balance to be acceptable.

Officers do however take issue with the size of the rooflight. As such details of the rooflight will be secured by condition. During the discharge of the condition officers will ensure the size of the rooflight will be reduced to replicate those on the front elevation. Overall the rooflights are considered to be acceptable

Flank Window

The proposal intends to install a window with timber frames and detail to the flank wall on the west elevation. The use of timber is strongly supported as it is considered to respect characteristics of the neighbouring Conservation Area.

The applicant has adopted a design which reflects the design of existing windows in the form of a sash detailed window. This window style is considered to maintain the character of the existing building and Queens Park Conservation Area. The size and scale of proposed window is similar to those in situ below and is considered to be acceptable.

Neighbouring residents have voiced concern that the new window will result in a loss of privacy. However the Council shares the Inspector's view in finding the new window to be acceptable. In Paragraph 21 of the decision notice, the Inspector states:

'...Whilst the introduction of an additional window in the gable elevation would not significantly add

to any overlooking that exists from other windows in the lower floors of the property"

Other

Use

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 (135sqm 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.

Highways

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.

Conclusion

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, flank wall window). 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 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) The development hereby permitted shall be carried out in accordance with the following approved drawings:

2226/12
2226/13
2226/03

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

- (3) Details of rooflights on the Southern Elevation including a reduction in the size of the larger of the two proposed 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:

None Specified

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: 66B Salusbury Road, London, NW6 6NR

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This map is indicative only.