



Planning Committee Map

Site address: 16 Carlisle Road, Kilburn, London, NW6 6TS

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This map is indicative only.

RECEIVED: 29 June, 2012

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 16 Carlisle Road, Kilburn, London, NW6 6TS

PROPOSAL: The erection of a single storey rear infill extension and the excavation of new basement level with lightwells to the front and rear of the dwellinghouse

APPLICANT: Mr E Arkus

CONTACT: the basement design studio

PLAN NO'S:
Please see condition 2

MEMBERS CALL-IN PROCEDURE

In accordance with Part 5 of the Constitution and Section 10 of the Planning Code of Practice, the following information has been disclosed in relation to requests made by Councillors for applications to be considered by the Planning Committee rather than under Delegated Powers

Name of Councillor

Councillor James Denselow

Date and Reason for Request - 31 August 2012

- The proposed development in particular the lightwells will fail to preserve or enhance the character of the street within the Conservation Area. The lightwells will be particularly visible after dark.
- The construction of the basement will cause a detrimental impact on the long term structural stability of the neighbouring properties. These negative impacts may include, cracked walls, doors, that will not close, decorations spoilt, water ingress and the loss or damage to trees. Insurance companies now take into account structural stability and refuse to cover properties. The Part Wall Act only offers protection to immediate neighbourings during construction but nothing after completion.
- The subject property contains a roof extension and the addition of a further basement level will therefore constitute an overdevelopment of the site

Details of any representations received

Yes - Objectors

Name of Councillor

Councillor Lesley Jones

Date and Reason for Request - 3 September

- The proposal will constitute an overdevelopment of the site.
- A strong level of local objection has been received.
- The proposal could compromise the area's conservation status and change the special character of Carlisle Road.

Details of any representations received

Yes - Objectors

Name of Councillor

Councillor Mary Arnold

Date and Reason for Request - 3 September

- The proposed development in particular the lightwells will fail to preserve or enhance the character of the

street within the Conservation Area.

- The subject property contains a roof extension and the addition of basement is considered an overdevelopment of the site
- The building works will cause a detrimental impact on the long term structural stability of the neighbouring properties.

Details of any representations received

Yes - Objectors

RECOMMENDATION

Grant Consent

EXISTING

The site occupied by a mid terrace dwellinghouse, is located on Carlisle Road. Carlisle Road is located within the Queens Park Conservation Area. The forecourt is currently occupied by a 100% hard landscaping.

PROPOSAL

Please see above

HISTORY

A certificate of lawful development for a proposed single-storey side infill extension (Ref No: 06/1219) was deemed lawful on 27 June 2006. The site visit confirmed this extension was never built .

POLICY CONSIDERATIONS

National Planning Policy Framework 2012

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaces Planning Policy Guidance and Planning Policy Statements with and replaces Planning policy Guidance and Planning Policy Statements with immediate effect. It includes a presumption in favour of sustainable development in both plan making and decision making and its publication. It is considered that the saved policies referred to in the adopted UDP and core Strategy are in conformity with the NPPF and are still relevant. The NPPF states that good quality design and a good standard of amenity for existing and future occupants of land and buildings (page 15) are required. In addition, the NPPF refers to the role of Supplementary Planning Documents where they can help applicants make successful applications (par 153)

Accordingly, the policies contained within the adopted London Borough of Brent Unitary Development Plan 2004 and Core Strategy 2010 carry considerable weight in the determination of planning applications and appeals

UDP 2004

BE2 - Townscape

BE9 - Architectural Quality

BE25 - Development in Conservation Areas

BE26 - Alterations & Extension to Buildings in Conservation Areas

Queens Park Conservation Area Design Guide

SPG5: Altering and extending your home

CONSULTATION

On 31 July 2012, 8 neighbouring properties were consulted. A site notice was placed outside the property on 1 August 2012 and a press notice was issued on 9 August 2012. The Council has received 16 objections, including one from the Queens Park Residents Association to date. These are outlined as:

- New basements will harm the structural stability of neighbouring properties
- The construction of basements and extensions will damage the character of the area
- The front lightwell fails to respect the character of the area, and in particular this street owing to the smaller houses and forecourts
- The excavations are not safe in the long-term especially if the basements become widespread
- The proposal will result in a form of over-development of the site, which will fail to respect the character

- of this well kept street
- The proposed Infill extension will result in a loss of natural light, increased pollution by artificial light and increase noise levels
- The lightwells will be visible after dark, resulting in light pollution
- No party wall agreement has been submitted
- The proposal will depreciate the value of neighbouring properties
- The new lightwell will draw negative attention to this part of the street.
- The building works will result in noise

The views of the 3 Councillors who have called in the application are set down at the start of this report.

Response

- Matters relating to party wall agreements and structural stability are not covered by the Town and Country Planning Act. The applicant will however be reminded of his/her duties to comply with Party Wall Act.
- The existing and proposed extensions are of a nature that have been carried out on numerous other domestic properties within the Borough and are not considered in themselves to constitute an over-development.

All other matters have been addressed in the body of this report titled 'Remarks' section

REMARKS

Basement and Impact on Conservation Area

The proposal is to create a basement area with three light wells to the front and rear of the dwellinghouse. The proposed non-habitable use of the space is shown on the submitted plans as including a TV room, playarea, utility area, shower and study/gym. Habitable space at basement level with limited outlook at light are not supported.

The new basement will mirror the footprint of the ground floor, including the infill extension to the rear of the property. The front light well would project 0.65m from the front of the bay window within the front garden which is a maximum of 3.5m deep and 2.65m at the bay window. To the rear, a form of lightwell is proposed with a depth of 0.8m. This lightwell will be covered with glass and grill, positioned flush with the ground. A third light well is proposed to the side return. At 0.8m again it is quite modest in scale so would not have a significant impact on the character of the property and garden.

The concerns expressed by the QPRA and other objectors are understood and the issues raised have been discussed in the past with a view to understand how future proposals may be dealt with consistently and appropriately in the Conservation Area. The principle of a basement is not objected to in adopted planning policy, it is felt important (as duly required by condition) that the company involved in the work be signed up to the Considerate Constructors Scheme to limit the impact on neighbouring occupiers during the development taking place.

Essentially, these seem to be two broad areas of concern. The first relates to practical matters such as construction disturbance, potential of future impact on the structural stability of adjoining properties, drainage matters etc. which would apply generally in the Borough, and across London. These are understandable concerns but are not areas which would it is considered sustain a reason for refusal on planning grounds.

Secondly, concerns relate to the character of the property and potential impact on the Conservation Area. If no lightwells were proposed this issue would not apply. Where proposed, the issue is to what extent does the creation of a void, its ground level treatment, its relative visibility from the street and neighbouring properties and any landscaping or design changes, have an impact on the character and appearance of the Conservation Areas.

Clearly, it is possible for these factors to have a negative impact and so fail to preserve or enhance. This is illustrated by a refusal in Queens Park at 4 Dunmore Road where the front garden was considered to be too small. It is true to say that the front garden here is smaller than the larger ones found at nearby Chevening Road, however it is still considered that the provision of a lightwell in the front garden can be successfully accommodated. Proposals have been approved in other examples where the front gardens tend to be bigger, including at 8 Milman Road and 13 Windermere Avenue in Queens Park, where forecourts are similar in size to the subject site.

The existing forecourt at 16 Carlisle Road currently contains 100% hard landscaping. This point is reinforced by the fact that officers have been keen to seek an improvement on its current arrangement to not only mitigate the impact of the lightwell but also importantly to improve the appearance of the site in particular and

streetscene in general. The forecourt will now contain a hedge behind the existing front and side boundary walls with a partially lawned forecourt and traditionally tiled footpath. Details of the forecourt including plant species and densities shall be secured by condition. The resulting improved forecourt, is considered to enhance the character of the Conservation Area and is therefore considered to be a welcome improvement.

Single Storey rear extension

Brent has an established approach to infill extensions, supported and approved by Members, so that modest extensions which relate well to the character of the subject property and do not harm neighbouring amenity are possible. The form of development which is considered acceptable is based on an angle set from a height of 2m (measured from neighbouring ground level) at the boundary line between buildings and a height of 3m at the flank wall of the subject property. A mono-pitch roof is then permitted to fall on or below this angle with the result that a simple and low roof form is created and the impact on light and outlook to the neighbouring occupier is minimal. This extension will be begun at a distance of 4m away from the inner rear wall creating a courtyard and will be no higher than 2m on the common boundary and no higher than 3m where the extension meets the main body of the house. The proposed extension is considered to comply with the Council's approach.

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:

Sheets 1 of 2
Sheets 2 of 2
Sheets 1 of 3
Sheets 2 of 3
Sheets 3 of 3

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

(3) All areas shown on the plan and such other areas as may be shown on the approved plan shall be suitably landscaped with trees/shrubs/grass in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any demolition/construction work on the site. Proposed details shall also include:

- Detail of any proposed hardstanding
- Specific detail of planting to forecourt

Such landscaping work shall be completed during the first available planting season following

completion of the development hereby approved. Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- (4) No development shall be carried out until what time as the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

- (5) 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:

- (1) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- (2) Whoever carries out the works is reminded of their obligation to comply in full with s60 of the Control of Pollution Act 1974 and the British Standard Codes of practice 5228:1997 Parts 1 to 4 which states that Construction/refurbishment and demolition works and ancillary operations which are audible at the site boundary shall be carried out only between the hours of: Monday to Friday 08:00 to 18:00, Saturday 08:00 to 13:00 and at no time on Sundays or Bank Holidays.

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