



## Planning Committee

17 April 2013

### Report from the Director of Regeneration & Major Projects

Wards affected: Barn Hill & Queens  
Park

### **Barn Hill Conservation Area Design Guide & Queen's Park Conservation Area Design Guide – Response to Public Consultation**

#### **1.0 Summary**

- 1.1 A review of Brent's Conservation Area Design Guides is being undertaken with the overall aim of producing up to date documents to give clear guidance primarily to residents on acceptable types of development. These documents have an important role in ensuring the special character of our conservation areas is preserved and where possible enhanced.
- 1.2 New draft versions of Design Guides for Barn Hill Conservation Area (Northern Area) and Queen's Park Conservation Area (Southern Area) have been produced. Following endorsement by Members on 16 January 2013, public consultation commenced on 28 January 2013 for a period of 28 days. The public consultation also included a 'drop-in session' for residents to discuss the proposals with Officers.
- 1.3 This report considers the comments received and set out recommended changes to the Design Guides following public consultation.

#### **2.0 Recommendations**

- 2.1 The Planning Committee are invited to consider on the consultation responses and proposed revisions to the Barn Hill Conservation Area Design Guide and Queens Park Conservation Area Design Guide and give their endorsement to present the final documents to the Executive Committee for formal adoption.

#### **3.0 Discussion**

#### **Barn Hill Conservation Area Design Guide**

- 3.1 The current Barn Hill Conservation Area Design Guide was adopted in September 2002. Whilst the general approach to development remains unchanged, the updated document is intended to be more 'user friendly' and provide clearer advice on interpretation of the guidance.
- 3.2 Letters were sent owner/occupiers in the Barn Hill Conservation Area on 28 January 2013 giving 28 days to comment on the draft Design Guide. A 'drop-in session' for residents was held at Brent Town Hall on 12 February 2013 to give residents an opportunity to discuss the proposals with Officers.
- 3.3 As previously set out, the following are the key changes to the Design Guide:
- More detailed guidance on designing extensions which take into account the changes in ground levels characteristic of the Barn Hill Conservation Area;
  - More detailed guidance on terraces and raised patios to ensure they protect the privacy of neighbouring properties but also provide an acceptable design solution;
  - Guidance on basements which was not covered in the previous Design Guide;
  - Further detail regarding replacement windows including examples of the plans and level of detail required as part of a planning application to assist applicants and ensure acceptable replacement windows are provided.
- 3.4 A total of 7 comments were received from residents in addition to the comments received from the Barn Hill Residents Association. Consideration has been given to the responses, with discussion and recommendations set out in the table below:

Consultation Responses	Discussion	Recommendation
<b>Dormers, roof-lights and alterations to the roof</b>		
<u>Resident's Comments</u> Larger dormer windows should be allowed where not visible from street; (x1)  Side roof lights should be allowed where not visible from street. (x1)	Whilst some rear roof slopes are not readily visible from the street, an important feature of the conservation area is the view of the roofscape in its hill-side setting; the roofslopes are visible from more far reaching vantage points and it is not considered appropriate to allow larger roof extensions.	No change

Rear extensions (including conservatories)		
<p><u>Resident's Comments</u> No logic why kinked rear extensions required; (x1)</p> <p>Greater flexibility on depth of rear extensions to take account of building design and individual site characteristics; (x1)</p> <p>Does not mention possibility of two storey rear extension. (x1)</p>	<p>Single storey rear extensions are restricted by the current Design Guide to extend only rearwards of the original house. A staggered rear elevation retains the distinction between the original building and side extension whilst permitting a side/rear extension.</p> <p>The guidelines regarding depth of extensions are in accordance with current permitted development allowances. Two storey rear extensions were not permitted in previous Design Guide and this remains unchanged for the reasons relating to the hill-side setting set out above.</p>	<p>No change</p>
Side extensions		
<p><u>Resident's Comments</u> Properties on corner plots should not need to leave 2m gap; (x1)</p> <p>Set back of 1m will look out of place. Does not take account existing set backs – generally 0.5m; (x1)</p> <p>Set back of 2.5m above garage will make size of room useless; (x1)</p> <p>Width at maximum 3.5m too restrictive. (x1)</p>	<p>Where the side boundary of the application property adjoins the rear boundary of the neighbouring site, the draft guide advises that a 2m set in from the side boundary is still required to ensure a development does not appear cramped in its plot. Having reviewed the current set in of properties from these boundaries, it is recommended that this is changed to 1m to not preclude extensions.</p> <p>The set back of extensions remains unchanged from the current Design Guide. A maximum width of extension has been included to ensure extensions do not dominate the original house; proposals</p>	<p>Revise guidance to change set in 2m where the side boundary adjoins the neighbouring site to 1m.</p> <p>No other changes recommended.</p>

	in conservation areas should preserve and where possible enhance the character.	
<b>Basement extensions</b>		
<p><u>BHRA</u> Should state types of use that are permissible.</p> <p><u>Resident's Comments</u> Not clear why basement should be no wider than original house; (x1)</p> <p>Front lightwell could be larger given depth of front garden. (x1)</p>	<p>The guidance has been developed to ensure the proposals preserve the existing character. The width of the basement is restricted to ensure this character is preserved; a wider basement extension may require further lightwells, prevent vegetation along boundaries etc.</p>	<p>Update to include types of use for basement considered acceptable.</p> <p>No other changes recommended.</p>
<b>Front doors, porches and canopies</b>		
<p><u>Resident's Comments</u> Infilling porches should be permitted where character retained to improve energy conservation and security; (x1)</p> <p>In some areas porches have been infilled – open porch is the exception; (x1)</p> <p>Bungalows in Barn Hill are different – guidance unnecessarily restricted about changing windows and doors. Properties all different (x1)</p>	<p>All properties in the Article 4 are restricted in terms of alterations to the frontage. It is acknowledged that there are different style properties; the aim is to preserve the original character and where possible enhance. The loss of canopies which are a traditional feature would not accord with conservation area guidance. The need for energy conservation and security must be balanced against conservation objectives It is considered that there are alternatives, for example internal alterations, that could improve energy conservation and security.</p>	<p>No change.</p>
<b>Window repair and replacement</b>		
<p><u>BHRA</u> Drawing of door does not reflect original design;</p>	<p>Permitted development rights have been removed to those properties located in the Article 4. As such, the guide seeks to provide clear</p>	<p>Drawing of door updated.</p> <p>No other changes recommended.</p>

<p>Comments regarding wording to improve clarity / correct typographical errors.</p> <p><u>Resident's Comments</u> Replacement windows- should not have to apply for permission (security reason) and concerned new windows don't meet standards; (x1)</p> <p>Should be flexible over provision of UPVC and aluminium that reflects original design; (x1)</p> <p>Not clear on logic having glazing bars and leaded detailing externally mounted – easier to clean if internal. (x1)</p>	<p>guidance to residents on the type of window replacement that would be acceptable. This includes double glazing and UPVC.</p> <p>Externally mounted glazing bars and leaded detailing is required to reflect the design of the original windows.</p>	
<b>Solar panels and environmental installations</b>		
<p><u>Resident's Comments</u> Solar Panels should not be rejected; (x1)</p> <p>The treatment of solar panels should be as per side rooflights. (x1)</p>	<p>The installation of solar panels is permitted development. This is guidance to assist householders when installing such equipment.</p>	<p>No change</p>
<b>Gardens</b>		
<p><u>Resident's Comments</u> Front gardens – big impact and uniformity should be encouraged. Should have more control on type of paving, gates etc. (x1)</p> <p>Should be more flexible with regard to retention of trees. (x1)</p>	<p>The guidance on front gardens is fairly detailed but does give the opportunity for residents to provide a range of hard surface. As planning permission is required, unsuitable materials such in the Article 4 as tarmac can be controlled.</p> <p>With regard to trees, Conservation Area Consent is required for their removal and consideration will be</p>	<p>No change</p>

	given to individual circumstances.	
<b>Roofs &amp; Chimneys</b>		
<p><u>BHRA</u> Suggest that chimneys will only be allowed to be demolished in exceptional circumstances.</p> <p><u>Resident's Comments</u> If extending should insist on whole roof property being replaced with Rosemary Plain Clay Tiles. (x1)</p> <p>Non-decorative chimney on corner properties should be allowed to be demolished (x1)</p>	<p>Chimneys are an important feature and generally their demolition will be resisted. Proposals for the removal of a chimney will be considered on a case-by-case basis.</p> <p>In terms of roof tiles, it would be unreasonable to require replacement of an entire roof when erecting an extension. However, when a roof is being replaced, material should reflect those that were original to the property.</p>	No change
<b>Burglar Alarms</b>		
<p><u>Resident's Comments</u> Burglar alarms should be a contrasting colour. (x1)</p>	<p>Guidance suggested dark colour however it is acknowledged that they also need to be visible to act as a deterrent.</p>	<p>Revise guidance to remove reference to 'dark colour'.</p>
<b>Other Issues</b>		
<p><u>BHRA</u> Street names should be provided on map.</p> <p>General corrections / clarification / typographical errors.</p> <p><u>Resident's Comments</u> Concerned views of residents not being put forward by BHRA; (x1)</p> <p>Planning rules in Brent are stringent enough</p>	<p>Views of all residents in addition to those of the Barn Hill Residents Association (BHRA) have been sought.</p> <p>The Design Guide is intended to provide an acceptable balance between resident's wishes to update and extend their homes against the conservation of the area. The guidance is intended to make it simpler for resident to understand what will be accepted before going to the expense of</p>	<p>General corrections/ clarification/ typographical errors changed where considered appropriate.</p> <p>No other changes recommended.</p>

<p>without special guide; (x1)</p> <p>Expensive to carry out works; (x1)</p> <p>Comments that much of the guide is overly prescriptive; (x1)</p> <p>Don't consider necessary that an architect prepares plans – if unacceptable it can be refused; (x1)</p> <p>General corrections / clarification/ typographical errors. (x1)</p>	<p>submitting a planning application. Whilst some of the detailing required may be more costly, this is important to preserve the special character if the area.</p>	
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3.4 Consideration has been given to the comments made as set out above. It is requested that Members give their endorsement to present a final revised document to the Executive Committee for formal adoption.

**Queen's Park Conservation Area Design Guide**

3.5 Whilst there is a Queen's Park Conservation Area Design Guide, this has not been updated for many years and does not provide clear guidance for existing residents and those proposing to move into the area about all types of works that are generally accepted.

3.6 Letters were sent owner/occupiers in the Queen's Park Conservation Area on 28 January 2013 giving 28 days to comment on the draft Design Guide. A 'drop-in session' for residents was held at Kilburn Library on 18 February 2013 to give residents an opportunity to discuss the proposals with Officers

3.7 The following are the key elements included in the Design Guide:

- Detailed guidance on extensions, in particular side infill extensions, to provide clarity of the design and scale that will be accepted;
- Guidance on basements which was not covered in the previous Design Guide and is an important issue in the area;
- Detailed guidance on replacement windows including examples of the plans and level of detail required as part of a planning application to assist applicants and ensure acceptable replacement windows are provided

3.8 A total of 20 comments were received from residents in addition to the comments received from the Queen’s Park Residents Association (QPARA). Consideration has been given to the responses, with discussion and recommendations set out in the table below:

Consultation Responses	Discussion	Recommendation
<b>Dormers, roof-lights and alterations to the roof</b>		
<p><u>QPARA Comments</u> 2/3 width dormers have been permitted in the past. Text should be changed to reflect the fact that larger dormers could be permitted.</p> <p>The set up/set down distances would unreasonably limit internal space.</p> <p>Rooflights should be able to be made of wood as well as metal.</p> <p><u>Resident’s Comments</u> The size of rear dormers allowed should not be reduced to half-width. (x3)</p> <p>Rooflights should not be prohibited on the front of buildings as is proposed. There are already a lot of them and rooms in roofspace need light. (x3)</p> <p>Rear dormers should be allowed to be the full width of the roof. They can rarely be seen.</p> <p>Rooflights must be Conservation-style flush with the roof.</p>	<p>The character of many roads in Queens Park is now based on wider dormers, given that the original Design Guide allowed them. As a result, these “Queens Park dormers” have become a feature of the area although on the wider, double-fronted properties the dormers are still restricted to half-width.</p> <p>Whilst some rear roof slopes may not be readily visible from the street, an important feature of the conservation area continues to be the character and appearance of the buildings within it and it is not considered appropriate to allow larger roof extensions.</p> <p>Although there are a number of existing front rooflights it is considered that changes to the front of buildings should be minimised.</p>	<p>Revise guidance to allow 2/3 width rear dormer windows, apart from on wider properties where the ½ width guidance would apply.</p> <p>No other changes recommended.</p>



Rear extensions (including conservatories)

<p><u>QPARA Comments</u> The section on infill extensions between outriggers needs to be clarified. To say have to be built along with neighbours addition not reasonable.</p> <p>Need to clarify what happens where there is a change of levels between properties.</p> <p><u>Resident's Comments</u> In terms of side infills, 2.0 metre height restriction on the boundary produces unsatisfactory internal space.</p> <p>Side infill extensions should not cut across windows on existing back walls on character grounds.</p> <p>Contradiction over in-fill policy. States that you can only build if you do it with your neighbour, but then guidance sets out criteria for applicant if you don't submit a joint application. (x2).</p> <p>Full "wrap-around" extensions should be allowed. (x3)</p> <p>Must not allow roofs of extensions to be used as roof terraces that would have serious impact on privacy.</p>	<p>The guidance on infill extensions does need to be clarified. The Council in the past did seek to restrict them on character grounds, but more recently the established practice has been to allow them subject to certain criteria. One of these relates to the height of the addition on the joint boundary to minimise impact. Obviously, this limitation would not be relevant in the event of a joint application.</p> <p>Single storey extensions should retain the character of the original building and excessively larger combined side and rear extensions would impact on this character.</p> <p>The guidelines regarding depth of extensions are in accordance with current permitted development allowances.</p> <p>Where planning permission is granted for extensions the Council can attach a condition to any consent stating that the roof cannot be used as a terrace or sitting out area if to do so would result in an impact on amenity.</p>	<p>Revise guidance to clarify the position regarding joint side infill extensions. They are acceptable.</p> <p>No other changes recommended.</p>
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Side extensions

<p><u>QPARA comments</u> There are no size limitations mentioned.</p>	<p>There is a distinction here between an infill side extension (see above) and a side extension that might be visible from the street. It would be difficult to specify particular criteria and instead it is considered that a site specific assessment taking into account issues such as existing boundary treatment, set back from boundary and overall height of extension would be more appropriate.</p>	<p>No change.</p>
<p><b>Basement extensions</b></p>		
<p><u>QPARA comments</u> The guidance appears to start from the premise that basements are acceptable when they are not.</p> <p>Definition of an “unavoidable” front light well is unclear.</p> <p>No mention of impact statement, geological survey, future damage.</p> <p><u>Residents Comments</u> Lack of restriction without further objective analysis of damage they may cause is wrong. At the moment, the Council do not know what might happen. Precautions must be in place to prevent subsidence. (x7).</p> <p>They are not suitable in Queens Park. There should be a presumption against front lightwells. Changes to the front must be kept to a</p>	<p>The guidance has been developed taking into account the approach adopted on recent planning applications for basements in the area.</p> <p>As far as front light wells are concerned the issue relates to their impact on the character and appearance of the area. Reference to an “unavoidable” light well should be changed to indicate that any changes to the front of the building must be minimised and that they must be in compliance with the guidance.</p>	<p>Revise guidance to include reference to Party Wall Act, as well as the Considerate Contractors Scheme that applicants would need to sign up to, and clarification on the front lightwell.</p> <p>No other changes recommended.</p>

<p>minimum.</p> <p>Ability to have a basement extension is a very important option for people who are running out of space. Very supportive of the proposed approach.</p>		
<b>Window repair and replacement</b>		
<p><u>QPARA comments</u> Too much unnecessary detail included.</p> <p>Crittall windows are still available, contrary to what the guidance suggests.</p>	<p>It is agreed that the examples set down in the draft guidance are not consistent with what can be found in Queens Park.</p>	<p>Delete graphics and make it clear that crittall windows are available.</p> <p>No other changes recommended.</p>
<b>Repainting and other wall coverings</b>		
<p><u>QPARA comments</u> Victorian and Edwardian colours for windows and doors were black.</p> <p><u>Residents comments.</u> Original windows were not white in Queens Park. White is deadening.</p> <p>Must prohibit buildings being painted. This needs to be explicit.</p>	<p>Although it is acknowledged that in the past a range of colours may have been used as far as windows were concerned, in terms of the existing situation white window frames do form a key element of the character and appearance of the Conservation Area. As far as the colour of front doors is concerned, there is more flexibility over what can be used.</p>	<p>No change.</p>
<b>Solar panels and environmental installations</b>		
<p><u>Resident's Comments</u> There is one particular unacceptable example within Queens Park that is completely covered by panels at variance with the guidance.</p> <p>Solar panels are an</p>	<p>It is acknowledged that the installation of solar panels is permitted development. This is guidance to assist householders when installing such equipment and encourage them to think about the importance of the Conservation Area</p>	<p>No change</p>

<p>increasingly important component of modern life. They will become prettier over time. They should not be rejected.</p>	<p>designation.</p>	
<b>Front Gardens, walls and boundaries</b>		
<p><u>QPARA Comments</u> Hedges should be no higher than existing pillars. If they are too high they appear unkempt and provide hiding places.</p> <p>Plants that provide privacy also provide good cover for burglars. Thorny plants should be considered rather than high planting.</p> <p><u>Resident's Comments</u> Guidance on hedges over-prescriptive. Height of a hedge (1.2-1.5m) should not be restricted in this way and difficulty in enforcing something like this.</p>	<p>The responses illustrate the range of views that exist on certain aspects of the guidance. The adopted guidance seeks to encourage residents to think about the way that the space to the front of their houses are treated, but it would unlikely that the Council would wish to become involved in pursuing any party for a hedge that might have grown too high.</p>	<p>Revise text to make it clear that the height is not an absolute restriction. Include reference to defensive planting.</p> <p>No other changes recommended.</p>
<b>Off-street parking</b>		
<p><u>Resident's Comments</u> Must reverse the trend of paving gardens. Design Guide should not allow any paving and definitely not car parking. (x2) Where works have taken place there should be every encouragement to re-instate the garden.</p> <p>Reduced car parking charges should be considered for residents who have kept their garden.</p>	<p>The guidance on front gardens is fairly detailed and planning permission is required, in any event, given the Article 4 Direction in place. Attempts are always made to enhance the character and appearance where possible.</p> <p>A suggestion to charge different fees depending on this sort of issue would go beyond the scope of this planning guidance.</p>	<p>No change.</p>

<b>Front Paths</b>		
<u>Residents Comments</u> Guide should illustrate a far wider range of good examples of front paths than the couple of “classics” in the draft.	The photographs are only examples and do not indicate the only options that would be considered.	No change.
<b>Trees</b>		
<u>Residents comments.</u> Street trees are not mentioned in the Guide. They are an important element of Queens Park. The Council is now better at planting species that are less damaging to roads and pavements. Residents should not damage or seek to remove street trees. This must be made explicit.	This point is accepted.	Revise guidance to include reference to the importance of street trees.
<b>Roofs &amp; Chimneys</b>		
<u>Officer comments.</u> The replacing of a portion of the front gable of a property might be acceptable and the guidance needs to be more specific about this point rather than say that it might be possible.	The approach adopted in the past has been to allow the change to either the top section of the gable, or the bottom section, but not all of it.	Revise guidance to reflect the established approach.
<b>Burglar Alarms</b>		
<u>Officers Comments</u> Burglar alarms are not mentioned in the draft guidance.	It is considered that the issue should be included.	Revise guidance to include reference to alarms.
<b>Other issues</b>		
<u>Residents Comments</u>	It is considered that in order	Revise guidance

<p>The Design Guide should allow anything that is not visible from the street or from the Park itself. No justification for trying to legislate against discrete extensions, basements or other alterations.</p> <p>Rules and regulations are useless without a robust and properly resourced enforcement regime. The specific example of satellite dishes has been mentioned which must be enforced against. (This point also emphasised by QPARA).</p> <p>The consultation period was very short, given that the new Guide has been 10 years coming.</p> <p>Where any kerbs are no longer needed they should be made good and removed.</p> <p><u>Officers Comments.</u> Security grills would not be allowed on the front of any building.</p>	<p>to preserve or enhance the character and appearance of the area consideration must be given to more than just those buildings and spaces that can be seen from public vantage points.</p> <p>The frustration is understood, but the Planning Enforcement Team is very active and they do need to consider all breaches of planning, throughout the Borough, in a measured and balanced way, based on available resources.</p> <p>The consultation process is set down above. Officers consider that it was sufficient to allow due consideration of the draft Guide.</p> <p>This is a point that should be included in the adopted Guidance.</p> <p>This is a point that should be included in the adopted Guidance.</p>	<p>to include reference to kerbs and security grills.</p>
<b>Points of Clarification</b>		
<p><u>QPARA Comments</u> General corrections / clarification / typographical errors/choice of photographs/drawings.</p> <p>The new guidance is considered to be a great improvement on the old guide. The format is liked</p>	<p>The Design Guide is intended to provide a balance between the wishes of residents to update and extend their homes against the conservation of the area. The guidance is intended to make it simpler for residents to understand what will be accepted before going to the expense of submitting a</p>	<p>General corrections/ clarification/ typographical errors changed where considered appropriate.</p> <p>No other changes recommended.</p>

<p>both for graphics and layout.</p> <p><u>Resident's Comments</u> Some of the language is questioned. The desire of many residents is evidently less prescriptive regime than QPARA might like.</p> <p><u>Officer Comments.</u> The Conservation Area map should have street names on it.</p>	<p>planning application.</p>	
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3.4 Consideration has been given to the comments made as set out above. It is requested that Members give their endorsement to present a final revised document to the Executive Committee for formal adoption.

#### **4.0 Financial Implications**

4.1 The guides are intended to provide more detailed guidance for residents, giving a greater level of certainty as to whether works are likely to be acceptable. This may help reduce the expense for residents of submitting multiple applications in order to gain an approval.

#### **5.0 Legal Implications**

5.1 If formally adopted by the Executive Committee, the documents will replace the existing Design Guides and carry significant weight when determining planning applications.

#### **6.0 Diversity Implications**

6.1 It is not the intention to prevent people carrying out improvement works to their homes but to ensure that the works are appropriate in the context of the conservation area designation.

#### **7.0 Staffing/Accommodation Implications**

7.1 The updated documents are intended to be more 'user friendly' and may reduce the level of input required from officers both at pre-application stage and during the course of the application though seeking revisions.

#### **8.0 Environmental Implications**

8.1 The aim of these documents is to ensure development preserves and where possible enhances the character of the area.

## **9.0 Draft Design Guide**

A link to the draft Barn Hill Design Guide and draft Queen's Park Design Guide can be viewed on the Council's website:

<http://democracy.brent.gov.uk/ieListDocuments.aspx?CId=115&MId=1895&Ver=4>

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