

**Committee Report  
Planning Committee on 30 June, 2010**

**Item No. 10  
Case No. 10/0702**

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**RECEIVED:** 23 March, 2010

**WARD:** Wembley Central

**PLANNING AREA:** Wembley Consultative Forum

**LOCATION:** 20 Talbot Road, Wembley, HA0 4UE

**PROPOSAL:** Conversion of dwellinghouse into 3 self-contained flats (2 x 1-bedroom and 1 x 2-bedroom), installation of new door to side of property, alterations to first-floor rear window, removal of existing crossover, formation of new landscaping to front and provision of private amenity space to rear

**APPLICANT:** Mr & Mrs Unwin

**CONTACT:** G E Pottle & Co

**PLAN NO'S:**  
(see condition 2 for details)

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**RECOMMENDATION**

Approve

**EXISTING**

The site is occupied by a 2-storey semi-detached house located on the eastern side of Talbot Road, Wembley. The site is not within a Conservation Area. Talbot Road is covered by a controlled parking zone and has a public transport accessibility (PTAL) of 4 which is classified as being good.

The house has an original two-storey outrigger to the rear and has an existing roof extension to the rear.

**PROPOSAL**

Planning permission is being sought for the conversion of this existing 5-bedroom dwellinghouse into 3 self-contained flats (2 x 1-bedroom and 1 x 2-bedroom). The proposal includes the installation of a new door to side of the property, alterations to the first-floor rear window, removal of an existing crossover, formation of new landscaping to the front of the property and division of the rear garden into 3 separate private amenity spaces. Communal storage and bicycle storage are to be provided in an existing outbuilding located at the end of the garden. The removal of the existing crossover will create an additional on-street parking bay which will be marked out at the applicants' expense.

**HISTORY**

12/10/2009 Planning application for the conversion of dwellinghouse into three self contained flats refused. (Ref: 09/2115).

05/11/2007 Certificate of Lawfulness issued for a proposed rear dormer window and 1 front rooflight to dwellinghouse. (Ref: 07/2605).

## **POLICY CONSIDERATIONS**

### **LDF – Core Strategy – Due to be adopted 12<sup>th</sup> July 2010**

- Policy CP2 – Population and Housing Growth
- Policy CP21 - Balanced Housing Stock.

### **Brent UDP 2004**

- *BE2 Local Context*
- *BE7 Streetscene*
- *BE9 Architectural Quality*
- *H8 Resisting the loss of housing*
- *H10 Containment of dwellings*
- *H17 Flat Conversions*
- *H18 Quality of Flat Conversions*
- *H19 Access and Parking for Flat Conversions*
- *TRN3 Environmental Impact of Traffic*
- *TRN4 Measures to make transport impact acceptable*
- *TRN23 Parking standards – Residential developments*
- *TRN34 Servicing in new development*

### **SPG**

*Supplementary Planning Guidance No. 17 - “Design Guide for New Development”*

### **Considerations**

- Change of use to 3 flats
- Character and appearance of the altered building
- Impact on neighbouring properties
- Impact upon the local streetscene
- Provision of parking
- Standard of new accommodation

### **CONSULTATION**

Consultation period: 14 neighbouring properties were notified.

6 letters and a 21-signature petition have been received, objecting to the application on the following grounds:

- The proposal would have a detrimental impact on the character of the house.
- The proposal does not respect or enhance the character of the surrounding area.
- The proposal would have a detrimental impact on the privacy of the adjoining properties.
- The proposal will worsen current parking problems on this road.
- Currently there are already 3 cars constantly parked in the front garden.
- There would be an increase in noise and litter from 3 new families living in the flats. This would also mean more wheelie bins, which would look unsightly in front of the property.
- The garden (rear) is very small, which will not be very pleasant for the proposed conversion.
- There may be safety aspects of the proposed planning application into 3 flats, which means more occupants living in a modest space.
- Since no. 20 has had a loft conversion, the water pressure at neighbouring property at no. 18B has reduced, and this proposal would make this worse (officer note: property water-pressure issues are not a material planning consideration).
- Number 20 Talbot Road (the application site) regularly parks in front of adjoining houses already.

- The front garden of 20 Talbot Road has been hard surfaced and when vehicles use it they regularly overhang onto the public footpath, causing pedestrian obstructions.
- Talbot Road is already congested and there are insufficient parking bays to cope with the number of dwellings already present.
- When a function/festival is held at the Talbot Road temple, this also causes severe local congestion.
- The subdivision of the garden will spoil neighbourhood views/outlook, (officer note: loss of view is not a material planning consideration).
- The party wall between nos. 18 and 20 is not soundproof, which means that the noise of people going up and down the communal staircase can be heard through the wall. If the communal staircase is heavily used by the occupiers/visitors of 3 flats, the noise will increase.
- The property is in a CPZ, and so there should be a provision that the residents of the development are not entitled to residents' parking permits.
- The proposal would result in the loss of a family-sized residence

One of the objectors was a Ward Councillor at the time (Valerie Brown).

#### Internal comments

*Transportation* – No objection, subject to a condition requiring the crossover to the property to be removed, the pavement reinstated and associated amendments to the parking bays in Talbot Road be carried out, all at the applicants' expense.

*Environmental Health* – No objections. Recommend standard conditions in relation to sound insulation.

### **REMARKS**

#### Summary

The proposed conversion of the property to into 3 self-contained flats is considered acceptable in principle. The house meets the requirement set out in policy H17 of the Council's Unitary Development Plan that its original unextended floor area is no less than 110 m<sup>2</sup>. The three proposed flats all meet the minimum floor areas set out in SPG17. The proposed internal layouts of the rooms are considered acceptable. All the proposed flats are considered to have sufficient outlook, daylight and privacy and each will have its own private external amenity space located at the buildings rear. While no off-street parking is provided Talbot Road, which is in a Controlled Parking Zone, is considered to have enough capacity to cope with the parking demands of the three proposed flats. Refuse storage will be accommodated to the side of the property and the front garden landscaped to improve its appearance. The removal of the crossover and reinstatement of the pavement will increase on-street parking capacity.

This revised scheme is considered to overcome the reasons for refusing the previous application which failed primarily due to its internal layout, a substandard off-street parking arrangement which resulted in vehicles overhanging the pavement and the creation of additional windows in the side of the property that compromised the privacy of neighbours.

It should be noted that the Council's Core Strategy of its Local Development Framework is nearing adoption having been through its Examination in Public and the Council having agreed in principle to changes recommended by the Secretary of State. The final step before full adoption is to get agreement for the Secretary of State proposed changes from the Full Council which is scheduled to take place on the 11th July. The Core strategy will supersede some of the saved policies of the existing UDP. Policy CF21 of the Core Strategy seeks to protect family housing which it defines as being three or more bedrooms. This will supersede policy H18 of the UDP which defines family housing as being two or more bedrooms. This means that upon formal adoption of the Core

Strategy, future flat conversions will have to provide at least one three-bedroom or larger unit.

No Section 106 Agreement is required for this proposal, as there is no increase in the number of bedrooms to that which is existing, and a car-free agreement is not considered necessary.

#### Principle of conversion to flats

The dwellinghouse currently has a large original 2-storey flat-roofed outrigger, which is replicated by the adjoining semi-detached property, number 18 Talbot Road. The property has a recently constructed rear dormer window, which was permitted by a certificate of lawfulness application 07/2605. The dwelling also has a wooden/glazed structure at first-floor level, which appears like an elevated conservatory and provides an external open staircase access to the rear garden. This structure was constructed in/prior to 2001, as it is visible on aerial photographs of the site at the time. It is therefore immune from planning enforcement action. Number 18 adjoining also has an open external staircase providing access to their rear garden, but only has a rear platform at first-floor level, rather than a structure.

This application proposes to convert the existing large town-house into 3 self-contained flats; two 1-bedroom flats and one 2-bedroom flat. The site is within a residential area. The property has an original unextended floorspace greater than 110sqm and adjoins a local access road. This complies in principle with Policy H17. The only external changes to the building specified are fenestration alterations. However, the largest of the proposed units is a 2-bedroom first-floor flat. This is not considered to be a family dwellinghouse. The Borough's forthcoming LDF considers units with at least three bedrooms suitable for families. The proposal will result in a loss of family housing in the Borough where there is a recognised local need.

The Core Strategy was found sound by the Planning Inspector after an Examination in Public was conducted earlier this year. The Core Strategy, with binding recommendations from the Planning Inspector, is due to be adopted by the Council on the 12th July 2010.

Policy CP21 of the Core Strategy seeks to maintain and provide a balanced housing stock in Brent in support of Policy CP2 (which identifies areas of housing need in areas of population growth) by protecting existing accommodation that meets known needs and by ensuring that new housing appropriately contributes towards the wide range of borough household needs including an appropriate range and mix of self-contained accommodation types and sizes, including family-sized accommodation (3+ bedrooms) in house subdivision/conversion schemes.

The proposed conversion of this family sized dwellinghouse into 3 small flats, none of which are proposed to be at least 3 bedrooms in size, does not comply with policy CP21 of Brent's emerging LDF.

Policy H18 of Brent's Unitary Development Plan defines a family dwelling as 2-bedrooms plus. This will shortly be replaced by Core Strategy Policy CP21, which redefines family dwellings as 3 bedrooms and above. However, the Core Strategy has not yet been adopted by Members because of the recent elections, although the Planning Inspector has found the document sound. Senior officers have liaised with policy officers and determined that it would be premature to rely on the Core Strategy document until it is fully adopted. Therefore for the purposes of this application, the amended proposal does provide a 2-bedroom unit and complies with Policy H18 of Brent's Unitary Development Plan and accordingly is recommended for approval in principle.

#### Quality of accommodation

The application proposes two 1-bedroom flats and one 2-bedroom flat.

Sizes of accommodation proposed:

<b>Flat (no. of bedrooms)</b>	<b>Proposed floor area</b>	<b>SPG17 guidance</b>
Ground floor 1-bedroom flat	53.5m <sup>2</sup>	45m <sup>2</sup>
1st Floor 2-bedroom flat	55m <sup>2</sup>	55m <sup>2</sup>
2nd Floor 1-bedroom	46.7m <sup>2</sup>	45m <sup>2</sup>

The previously refused application, ref 09/2115, was a similar proposal. One of the reasons for refusal was because the proposal would result in a substandard form of accommodation for the future occupiers of the flats, due to poor outlook from the ground- and first-floor flats' sole kitchen windows, the failure to demonstrate a method of safeguarding the privacy of the ground-floor flat's bedroom, and the stacking of a bathroom within the second-floor flat above a bedroom with the associated failure to demonstrate a satisfactory level of noise insulation between flats. This was contrary to Brent's Unitary Development Plan policies BE9 and H18 and Supplementary Planning Guidance 17 - Design Guide for New Development.

The previous application also failed to demonstrate a method of safeguarding the privacy of the adjoining property, 22 Talbot Road, due to habitable-room windows being set only 3.2m from the shared boundary with no. 22.

These two reasons for refusal have been addressed in the current application. The concerns over stacking have been addressed now. The kitchens to all 3 proposed flats are to the rear of the building in the same locations of each floor, as are the proposed bathrooms for the proposed flats, which are all located next the kitchens to the side facing 22 Talbot Road. The only windows in the elevation facing no. 22 are to be bathroom windows, which would be restricted to have obscure glazing.

The applicants have provided a cross-section showing a minimum 90% of the floor space having an internal head height of 2.3m (drawing no. 2694/04).

The proposed floor areas for each proposed flat exceed the minimum areas recommended within SPG17. (See table above.)

The proposal also includes the division of the rear garden into 3 to provide separate private amenity space. Each area is over 20m<sup>2</sup>, and therefore complies with guidelines within SPG17.

#### Parking/landscaping/streetscene

One of the reasons for refusal for the previous application was the lack of sufficient parking provision for the proposed dwellings.

However, the parking issues raised at the time of the previous application have now been addressed.

The depth of the front garden is only 3.7m and it is 7.3m wide. The dimensions are such that it cannot accommodate a car perpendicular to the road (2.4m wide by 4.8m deep). The Council's Highway Engineers object to a diagonal parking space.

The current, revised, application proposes no off-street parking. A proposed front garden layout has been provided, showing that the existing front garden is to be laid out with substantial soft landscaping, with a low front wall, and the removal of the existing crossover. The existing double yellow lines at the front of the property would also be removed and therefore allow an on-street parking space to be provided at the front of the property. This would and also improve the visual amenity of the front garden.

As the site is within a good PTAL4, and has a CPZ, parking demand would be reduced according to planning policy.

Since the previously refused application, the Council's Transportation department have reassessed the parking requirements and proposals for this application, and have recommended that the application can be supported, provided the existing crossover is removed and the front garden is not used as a car-parking space, so that the on-street parking space can be utilised. Part of the original objection to the parking arrangements on the previous planning application were on the basis that the existing off-street parking arrangements are not satisfactory, and therefore could not be considered as providing a space which complied with transportation regulations. However, the proposed arrangement would allow a space, on street, which complies with transportation regulations.

Every new flat is required to provide one secure cycle-space according to Policy TRN11 of Brent's Unitary Development Plan. The existing outbuilding at the end of the existing rear garden is to be used for secure cycle storage, which is accessible to all 3 proposed flats.

The proposed front garden layout also includes sufficient provision for bin-storage for the proposed flats.

#### Response to objections to the proposal

Many of the objections raised are not planning issues, including party wall issues, loss of view and water pressure issues.

#### *Proposed conversion*

The proposed conversion into flats can be supported in principle as it complies with relevant policies as described above. There are also other existing flats in this street, including the property next door at 18 and 18a Talbot Road.

#### *Parking issues*

The proposal would result in one on-street parking space, which is in effect may be considered an extra space to the existing situation as the current off-street parking space for the existing house does not comply with transportation regulations. Talbot Road is not a heavily parked street as defined in Brent's Unitary Development Plan.

The applicant has responded to objections made on parking grounds, and considers that the proposal would not make parking conditions worse than they currently are. He has provided information from a survey he has done of parking conditions on Talbot Road, and he concludes that the development should not make the situation worse.

#### *Wheelie-bins in the front garden*

The front garden is to be mainly laid out with soft landscaping and so there would be no front garden parking. This would improve the visual amenity of the streetscene, as well as provide screening of any wheelie-bins in the front garden.

#### Conclusion and Recommendation

The proposal complies with relevant policies, including policies BE2, BE7, BE9, H17, H18, H19, TRN3, TRN4 and TRN23 of Brent's UDP 2004, as well as Supplementary Planning Guidance Note 17: Design Guide for New Development, and is accordingly recommended for approval, subject to conditions.

#### **REASONS FOR CONDITIONS**

**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 17 - Design Guide for New  
Development

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  
Transport: in terms of sustainability, safety and servicing needs

## 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 drawing(s) and/or document(s):

Site location plan  
2694/01  
2694/02 Rev. A  
2694/03 Rev. D  
2694/04  
Design and Access Statement  
Document entitled "A proposal for car parking at 20 Talbot Road prepared by Chris Unwin"

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

- (3) 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.

- (4) The retained outbuilding shall only be used for purposes incidental to the enjoyment of the proposed 3 flats.

Reason: In order to safeguard the quality of the proposed amenity area and standard of accommodation provided.

- (5) Prior to occupation of the proposed dwellings, the existing vehicular access at the edge of the public highway shall be removed at the applicants' expense, and the public footway reinstated, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the construction of the access does not prejudice conditions of safety for pedestrians on the adjoining highway.

- (6) The windows in the side wall of the building shall be glazed with obscure glass and the windows shall open at high level only (not less than 1.8m above floor level) and be top hung and shall be so maintained, unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers and in the interests of good neighbourliness.

- (7) Notwithstanding the submitted drawings, prior to development commencing, details of:

- the proposed refuse/recycling enclosure
- the proposed secure bicycle stores

shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority. Thereafter the refuse, recycling and cycle storage areas shall be fully implemented in accordance with the approved details prior to the occupation of the development and permanently retained, unless the prior written consent of the Local Planning Authority is obtained.

Reason: To ensure a satisfactory appearance, adequate standards of hygiene and refuse collection and that non-car use is encouraged.

- (8) Notwithstanding the submitted drawings, prior to development commencing, further details of the front garden layout, including hard and soft landscaping, shall be submitted. These details shall include:

- (i) a planting schedule
- (ii) a schedule of paving materials and samples with consideration of disposal of surface-water
- (iii) details of a low front boundary wall

which shall be submitted to and approved in writing by the Local Planning Authority, prior to commencement of development. The landscape work shall be completed during the first available planting season following completion of the development hereby approved and the hard landscape works shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority. 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 by trees and shrubs of similar species and size to those originally planted.

Reason: To ensure a satisfactory standard of development in the interests of local visual amenity.

- (9) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan indicating the positions, design, materials and type of boundary treatment to be erected or retained to the front, sides and rear. The boundary treatment shall be completed before occupation of the buildings, or in accordance with a programme agreed in writing with the Local Planning Authority. Any existing boundary treatment shall not be uprooted or removed, except where in accordance with the approved plan and shall be protected from building operations during the course of development.



Reason: To safeguard the character of the area and the reasonable residential amenities of local residents.

**INFORMATIVES:**

None Specified

**REFERENCE DOCUMENTS:**

Any person wishing to inspect the above papers should contact Avani Raven, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5016



# Planning Committee Map

Site address: 20 Talbot Road, Wembley, HA0 4UE

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