

**Committee Report
Planning Committee on 18 August,
2010**

Item No. 2/03
Case No. 10/1116

RECEIVED: 25 May, 2010

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 17 The Quadrant, Kilburn Lane, North Kensington, London, W10 4AL

PROPOSAL: Erection of single storey rear extension, replacement of existing shop front and conversion of ground floor to self-contained flat

APPLICANT: Ms Yvonne Gold

CONTACT: Vanos Architecture

PLAN NO'S:
See condition 2

RECOMMENDATION

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environmental Services to agree the exact terms thereof on advice from the Borough Solicitor

SECTION 106 DETAILS

The application requires a Section 106 Agreement, in order to secure the following benefits:-

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- A contribution of £3,000, index-linked from the date of Committee and due on Material Start to be used for the provision of education/training, sustainable transportation, open space and sports within the local area

And, to authorise the Director of Environment and Culture, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

EXISTING

The subject site lies at the northern end of an undesignated commercial parade along the north-western side of Kilburn Lane. To the north, the site adjoins a modern residential block of flats. The opposite side of the road, which is predominately occupied by two-storey terraced residential properties, forms part of the Queen's Park Estate Conservation Area which lies within the City of Westminster. The current application relates specifically to the ground floor shop unit which is currently vacant.

PROPOSAL

Erection of single storey rear extension, replacement of existing shop front and conversion of ground floor to self-contained flat

HISTORY

Planning permission (03/1314) was approved in July 2003 for the conversion of ground floor offices to a self contained one bedroom studio flat. The Council's Building Control records indicate the submission of an invalid application (RG/05/00879) in 2005 to commence works to convert the premises to a residential flat although the works do not appear to have been completed. A subsequent application (BR/09/03643) made in 2009 for works to refurbish the existing premises describes the existing use as retail.

POLICY CONSIDERATIONS

London Borough of Brent Unitary Development Plan 2004

The following policies are considered to be of most relevance to the determination of this application.

BE2	Townscape: Local Context & Character
BE9	Architectural Quality
SH18	Other Shopping Parades
H18	The Quality of Flat Conversions
H20	Flats Over and Adjoining Buildings in Shopping Centres
TRN23	Parking Standards - Residential Developments

Supplementary Planning Guidance

Supplementary Planning Guidance 17:- Design Guide For New Development
Supplementary Planning Document:- s106 Planning Obligations

SUSTAINABILITY ASSESSMENT

Not Applicable

CONSULTATION

EXTERNAL

Consultation letters, dated 3rd June 2010, have been sent to 78 neighbouring owner/occupiers. One letter of objection has been received in response. The objector is concerned that if the proposed change of use were to go ahead that this would harm the viability of the adjoining commercial parade.

Given the proximity to the Borough boundary the City of Westminster have been consulted on the application. The City of Westminster have objected to the application on the following grounds:-

- The use of aluminium to replace the existing timber shopfront would fail to preserve or enhance the character of the adjacent Queen's Park Estate Conservation Area which lies on the opposite side of Kilburn Lane. Members are advised that the proposed alterations to the shopfront have been amended since the original submission. Further details are provided in the 'remarks' section of this report.
- The conversion of the ground floor to a residential flat would harm the retail character and

function of the area.

INTERNAL

Transportation

The Council's Transportation Unit have raised no objection to the proposal on the basis that the parking standard would not be significantly affected by the proposal.

REMARKS

PRINCIPLE OF CHANGE OF USE

The subject site is located at one end of a small commercial parade which runs along the southern end of Kilburn Lane. The parade has not been designated in the Unitary Development Plan (UDP) as forming part of a primary, secondary or local centre frontage. The subject site is approximately 200m from the nearest designated frontage which runs along Chamberlayne Road.

Policy SH18 of the UDP sets out that in undesignated parades changes of use to appropriate alternative uses will normally be permitted. In terms of priority, housing is considered the most appropriate alternative use. It is also noted, as discussed in the 'history' section of this report, planning permission has previously been approved in 2003 for the conversion of the premises into a self-contained flat. Provided that it can be demonstrated that the direct impacts of the development would be generally acceptable, Officers consider that in principle the proposed change of use would be in general accordance with the Council's Development Plan.

RESIDENTIAL QUALITY

The proposed development would result in the formation of a studio/one-bedroom ground floor apartment comprising of a living/dining kitchen space, a separate living/bedroom and a separate bathroom. The proposed unit would have an internal floor area of approximately 58m², well in excess of the minimum internal floor space standard of 45m² for a one bedroom flat set out in SPG17. The property would also enjoy a private garden space towards the rear with an area of approximately 23m², again in excess of the minimum guidance of 20m² for studio/one bedroom flat. Both habitable rooms would be provided with an adequate standard of outlook and natural light. Privacy towards the front of the property is of some concern given the close proximity of the properties windows to the street. However, the front of the property would be set back from the edge of the public footpath by approximately 0.5m and railings and planters would be installed to provide a buffer between the windows and the street. Refuse/recycling bins could be stored in the meter cupboard at the front of the property. On balance, the proposed quality of the residential accommodation to be provided is considered to be acceptable for this type of development.

ALTERATIONS TO FACADE

The subject site is located at one end of a commercial parade. The adjoining shop unit has a fairly traditional timber shopfront and on the opposite side, the premises adjoins a residential block of flats finished externally with yellow brickwork. The opposite side of the street, consists of a terrace of two-storey dwellinghouses which lie within the Queen's Park Estate Conservation Area (City of Westminster).

The proposal would involve the removal of the existing timber shopfront and the installation of a new timber framed facade, set back within the premises. The proposed facade would incorporate architectural elements, such as mullion windows and a stallriser, that reference the historical use of the premises as a shop. As discussed above, railings and planters would be installed at the front of the property to provide a buffer between the front of the property and the street. These features

would also help add residential character to the property.

Overall, it is considered that the proposed alterations to the front of the premises would provide a suitably balanced facade that would be legible in terms of the proposed residential use whilst incorporating important architectural elements that are sympathetic to the existing context of the streetscene.

SINGLE-STOREY REAR EXTENSION

The proposed development would involve the erection of a single-storey rear extension to the property. This extension would be 3m in depth, 2.8m in height and 4.6m in width. The overall size of the proposed extension is in compliance with the Council's normal guidelines. As such, it is considered that the impact of the proposed extension on the amenity of adjoining occupiers would be reasonable. For the avoidance of doubt, the ground floor property to the south is not in residential use. In terms of the design, the extension would have a simple aesthetic quality being finished externally with white render and powder coated aluminium sliding doors and windows. Overall, it is considered that the proposed extension would be a sympathetic alteration to the existing property.

REASONS FOR CONDITIONS

RECOMMENDATION: Grant Consent subject to Legal agreement

(1) The proposed development is in general accordance with policies contained in the:-

Brent Unitary Development Plan 2004
Supplementary Planning Guidance 17:-Design Guide For New Development
Supplementary Planning Document:- s106 Planning Obligations

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
Town Centres and Shopping: in terms of the range and accessibility of services and their attractiveness
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 drawings:

- 1747 01

- 1747 02
- 1747 03
- 1747 04 B
- 1747 05 B
- 1747 06 A

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

- (3) Notwithstanding the approved plans, further details, including design, colour and materials, of the proposed railings to be installed at the front of the property shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance within the streetscene.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

London Borough of Brent Unitary Development Plan 2004
Supplementary Planning Guidance 17:- Design Guide For New Development
Supplementary Planning Document:- s106 Planning Obligations

Any person wishing to inspect the above papers should contact Ben Martin, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5231



Planning Committee Map

Site address: 17 The Quadrant, Kilburn Lane, North Kensington, London, W10 4AL

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This map is indicative only.

