

COMMITTEE REPORT

Planning Committee on 10 August, 2016
Item No 05
Case Number 16/1707

SITE INFORMATION

RECEIVED: 25 April, 2016

WARD: Kensal Green

PLANNING AREA: Brent Connects Harlesden

LOCATION: 23 Cholmondeley Avenue, London, NW10 5XP

PROPOSAL: Conversion of existing dwellinghouse into three self-contained flats (2x 2bed and 1x 3bed), with associated external alterations including replacement of first floor french doors with bifold doors, glass balustrade, new glazed door to ground floor rear and provision for bin stores

APPLICANT: LH (Woking) Ltd

CONTACT: Dovetail Building Consultants Ltd

PLAN NO'S: See condition 2

LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

[When viewing this on an Electronic Device](#)

Please click on the link below to view **ALL** document associated to case

https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_127713

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Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "16/1707" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

SITE MAP



Planning Committee Map

Site address: 23 Cholmondeley Avenue, London, NW10 5XP

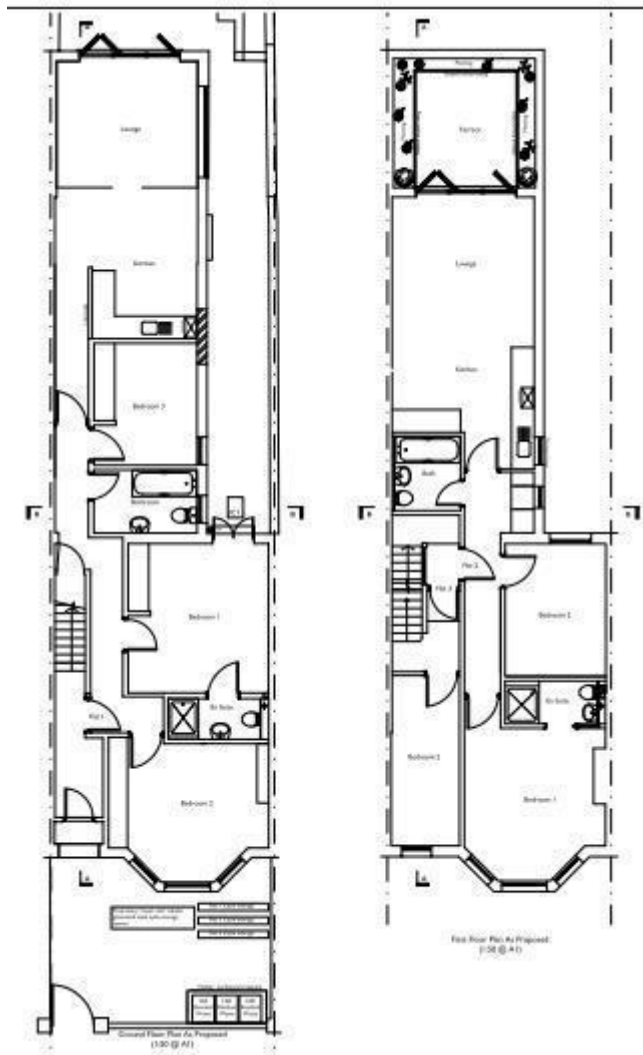
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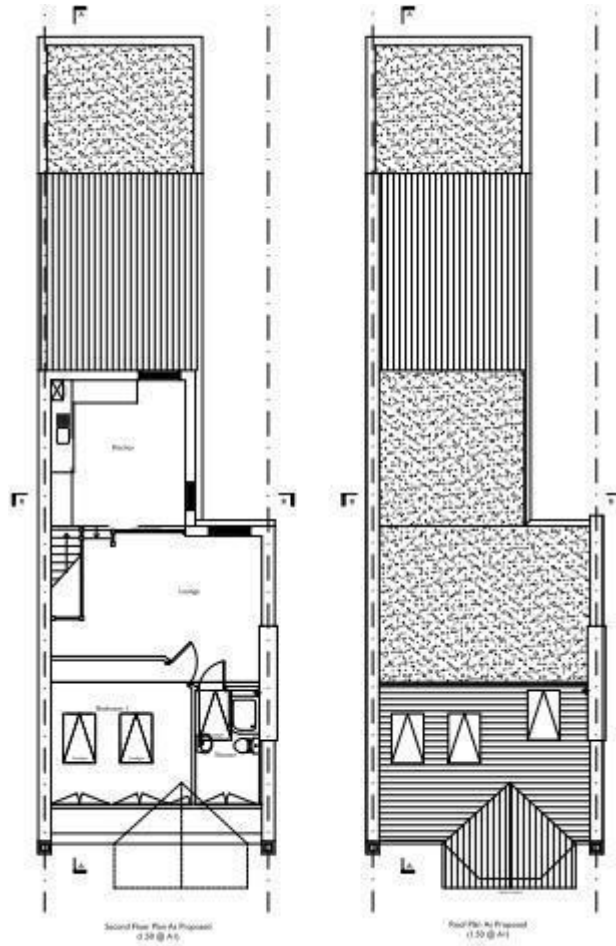
This map is indicative only.

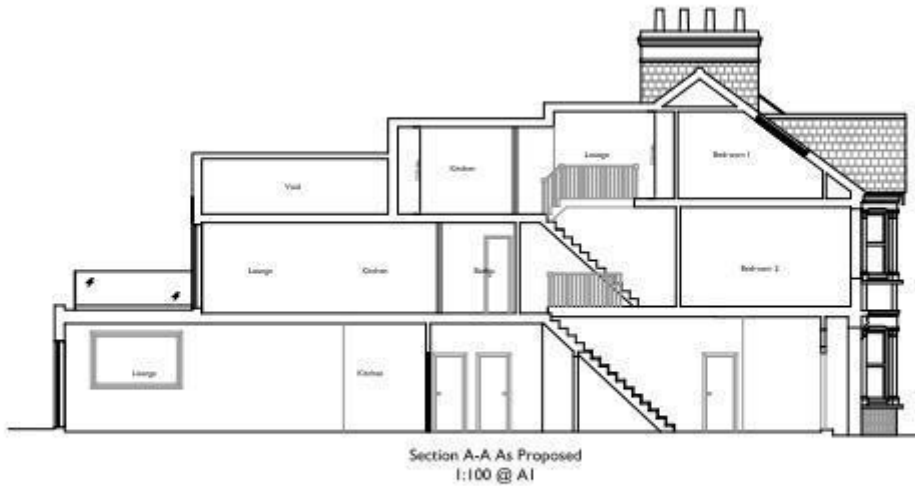
SELECTED SITE PLANS

SELECTED SITE PLANS









RECOMMENDATIONS

RECOMMENDATION

1. That the Committee resolve to GRANT planning permission and that the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Time
2. Drawings
3. Car free

4. Refuse and cycle provision
5. Garden (sole use of gf flat)
6. Obscure glazing
7. Any other planning conditions considered necessary by the Head of Planning

Informatives

2. Party Wall
3. Any other informatives considered necessary by the Head of Planning

And that the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

A) PROPOSAL

Conversion of existing dwellinghouse into three self-contained flats (2x 2bed and 1x 3bed), with associated external alterations including replacement of first floor french doors with bifold doors, glass balustrade, new glazed door to ground floor rear and provision for bin stores

B) EXISTING

Single dwelling house (terraced). Permission for a conversion into 3 x self contained flats has already been granted (see history section) and works are confirmed to have started on site.

This application seeks to amend the fenestration and to re-arrange the layout of the upper floor flat to include an extra bedroom. However, as this is a new full application the due consideration must be had for all other aspects.

D) SUMMARY OF KEY ISSUES

The proposal complies with the Development Plan policies in respect of conversion of a house to flats and in particular re-provides a family sized dwelling and as such your officers have given weight to the merit of providing additional dwellings to contribute towards Brent's housing target.

The key issues for this application are:

- Principle of conversion from dwelling house to flats;
- The quality of accommodation created;
- The impact on the character and appearance of the area;
- The transport impacts; and
- The impacts on neighbouring amenity.

RELEVANT SITE HISTORY

16/0192- Conversion of existing dwellinghouse into three self-contained flats (1x 1bed, 1x 2bed and 1x 3bed), with associated external alterations including replacement of first floor french doors with timber doors and glass balustrade and provision for bin stores- GTD

15/2029- Certificate of lawfulness for proposed erection of rear dormer window and roof extension with three front facing rooflights to dwellinghouse- GTD

CONSULTATIONS

Letters to neighbouring properties were dispatched on 19/05/2016

There have been three objections to date.

Objection	Paragraph Response
Loss of privacy and increase in noise at host property	5.2, 5.3
Increase in parking on the street	6.8
Increase in rubbish and disturbance	6.5, 6.6

There have been some objections based on non-planning concerns, such as noise and disturbance during the build period.

POLICY CONSIDERATIONS

National Planning Policy Framework (2012):

- Section 7 – Requiring Good Design

The London Plan (2011):

- Policy 3.5 – Quality and Design of Housing Developments

Core Strategy (2010):

- CP21 – A Balanced Housing Stock

Brent's UDP (2004):

- BE2 – Townscape: Local Context and Character
- BE7 – Public Realm: Streetscape
- BE9 – Architectural Quality
- H17 – Flat Conversions
- H18 – The Quality of Flat Conversions
- H19 – Flat Conversions – Access and Parking
- TRN3 – Environmental Impact of Traffic
- TRN23 – Parking Standards – Residential Developments
- TRN24 – On-Street Parking

Supplementary Planning Guidance:

SPG17 – Design Guide for New Development (2001)

DETAILED CONSIDERATIONS

1. Introduction

1.1. The proposal seeks to change the current arrangement of one x single dwelling house into three x self contained flats with associated external alterations.

1.2. Application 16/0192 is a material consideration in determining the application- the property currently has an extant permission for the conversion from 1 x dwelling house into 3 x self-contained flats as described in the 'history' section.

2. Principle

2.1. Brent takes a positive approach to the conversion of house to flats however whether a conversion is acceptable in principle rests on the need to comply with the relevant Development Plan policy requirements as follows:

- For the existing dwellinghouse to have an original, unextended floor area of at least 110sqm and to be suitable for conversion;
- For the conversion to accommodate a family sized (three bedroom) unit; and
- For the increase in parking to not materially harm highway and pedestrian safety or to result in excessive forecourt parking

2.2. The unextended floor area of the property is 165sqm and the proposal however with alterations done

under permitted development, the existing floor area of the property is approximately 220sqm. The proposal would reprovide a three-bedroom unit on the ground floor with access to a garden. A car free condition is recommended with the proposal as it is in a sustainable location.

2.3. Your officers consider that the principle of the conversion of the single dwelling house to flats is acceptable as it meets the requirements of policy CP21 within the Core Strategy and H18/H19 of the UDP.

3. Quality of Accommodation

3.1. The proposal intends 1 x 3 bed flat on the ground floor with access to a garden and 2 x 2 bed flat on the first and second floors. The first floor 2 bed flat has access to a roof terrace.

Flat	Type	GIA (target)
Flat 1- Ground Floor	3b 5p	88sqm (86sqm)
Flat 2- First Floor	2b 3p	65sqm (61sqm)
Flat- 3 First Floor and roof	2b 3p	67sqm (70sqm)

3.2. The ground and first floor flats have internal areas that exceed the Nationally Described Space Standards for flatted properties as detailed above. The third flat falls very slightly below this, due to one of the bedrooms being on the first floor. In this case, the proposal is required to be assessed according to a 2 storey property. Given the general good quality of accommodation that the whole unit provides, this slight shortfall is considered to be acceptable.

3.3. Officers note that 53sqm of floor area in the third floor flat is provided with headroom greater than 2.3m, in accordance with the London Plan and the technical housing standards.

3.4. All habitable rooms have adequate outlooks and do not affect privacy of neighbouring residents. Any side facing windows above first floor level will be conditioned to be obscure glazed.

3.5. Whilst it is acknowledged that policy H18 restricts extensions to the roof being used as a single, self-contained flat, it can be considered that as a whole, the proposal provides a good standard of accommodation and this policy can be flexibly applied. Additionally, officers did have concerns about the rooflight outlook from the bedroom of flat 3, however it is noted that the installed rooflights have a cill height of 1050mm above floor level. Your officers consider that these rooflights provide as good outlook as a conventional 1200mm casement window would.

3.6. The proposed flats all meet the requirements to ensure a satisfactory standard of accommodation, in accordance with the Development Plan.

4. Impact on Character and Appearance of the Area

4.1. The external alterations to the property are limited to a change from windows to doors in the rear of the property and some minor fenestration detailing (terrace).

4.2. The majority of the external work has been completed under Permitted Development (rear dormer/outrigger).

4.3. The rear terrace has changed in external appearance, to include a set in from the edges and planting in order to minimise the impact on neighbouring properties..

5. Impact on Neighbouring Amenity

5.1. The new windows (or windows replacing the existing) will be required to be obscure glazed through a recommended condition.

5.2. Officers have considered that there may be a rise in activity at the property, however this is not considered to cause significant detrimental impact to the neighbours standard of amenity as the residential use is not changing.

5.3. It is acknowledged that there could be a rise in use of the terrace during the summer months. To address this, plans have been submitted which show a buffer around the terrace which will decrease the size and reduce the risk of overlooking towards the neighbouring properties.

5.4. Your officers have studied maps and images of the terrace and although there is no certificate of lawful use application for its retention, it is clear that the terrace has been in use since at least 2003.

5.5. There are no other proposal changes that would significantly affect the living conditions of the adjacent neighbours.

6. Highway Impacts

6.1. Car parking allowances for residential use are set out in standard PS14 of the adopted UDP 2004. As the site has good access to public transport services and is located within a CPZ, a reduced allowance of 0.7 spaces per 1-2-bed flat and 1.2 spaces per 3+ bed property applies.

6.2. The existing house is therefore permitted up to 1.2 spaces, which would increase to 2.6 spaces with this proposed conversion to three flats, which is considered a significant increase.

6.3. With no off-street parking to be retained within the site, standards would be complied with. However, Policy TRN23 also requires the impact of any overspill parking on-street to be considered in the case of residential schemes that do not meet the parking standard, with an allowance made for on-street parking where the property fronts a local access road that is not heavily parked and has sufficient width to safely accommodate parking.

6.4. Cholmondeley Avenue is already heavily parked though, so does not have the capacity to safely accommodate additional demand for on-street parking. As such, any proposal that increases demand for parking space in the street would give rise to concern over likely increases in unsafe and obstructive parking on footways, across driveways, at road junctions etc.

6.5. In the case of flat conversion schemes, where the additional demand for parking cannot be accommodated on-site or on-street due to the heavily parked nature of the road, Policy H19 restricts the number of flats that may be provided to one per 75m² of the original floor area that the property possesses. In this case, original internal floor area of the property measures 160m² (although it has recently received permitted development rights for a loft extension), which normally limits the number of permitted flats to two. The proposed provision of three flats is not considered to be excessive in the context of the whole application.

6.6. However, the very good access to public transport services and location of the site within a Controlled Parking Zone make it suitable for 'car-free' housing, in order to mitigate the impact of the proposal on parking conditions in the area. For future enforcement purposes though, it is important that all three flats are made subject to this agreement and a condition is recommended to remove the rights of future residents to on-street parking permits in the area.

6.7. Standard PS16 requires at least one secure bicycle parking space per flat. No bicycle parking has been indicated and it is recommended that lockable bicycle shelters be provided within the front garden of the property to provide adequate protection against adverse weather and theft. Further details are requested as a condition of any approval.

6.8. Refuse storage for three wheeled bins has been shown within the front garden, allowing easy collection from the highway, which is acceptable.

6.9. Subject to a 'car-free' condition to remove the rights of future residents of all three flats to on-street parking permits in the area, there would be no objections on transportation grounds to this proposal. A condition is also recommended requiring the submission and approval of further details of bicycle parking within the site.

7. Summary

7.1. Your officers consider that the application, subject to conditions, complies with the Development Plan, which takes a positive approach to flat conversions as it serves to increase the housing stock in the borough. Accordingly, the proposal is recommended for approval.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 16/1707

To: Mr Dearman
Dovetail Building Consultants Ltd
6 The Courtyard
Furlong Road
Bourne End
Bucks
SL8 5HB

I refer to your application dated 25/04/2016 proposing the following:
Conversion of existing dwellinghouse into three self-contained flats (2x 2bed and 1x 3bed), with associated external alterations including replacement of first floor french doors with bifold doors, glass balustrade, new glazed door to ground floor rear and provision for bin stores

and accompanied by plans or documents listed here:
See condition 2
at 23 Cholmondeley Avenue, London, NW10 5XP

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

A handwritten signature in black ink, appearing to read 'Aktar Choudhury'.

Mr Aktar Choudhury
Operational Director, Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 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

- 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):

2280/AD3 PL4
2280/AD4 PL2

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

- 3 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

- 4 Notwithstanding the approved plans, the garden to the rear of the property shall be for the sole use of the ground floor flat and the details approved details of the terrace on the first floor plan shall be completed prior to the occupation of the property. These details shall be retained as such for the lifetime of the development.

Reason: As not to prejudice the ground floor flats standard of accommodation and privacy

- 5 Notwithstanding the approved plans, prior to the occupation of the development further details of cycle and bin storage for the 3 flats along with a soft landscaping scheme to the frontage and details of the balustrading and buffer planting to the first floor terrace shall be submitted and approved in writing by the Local Planning Authority and the works shall be carried out in accordance with the approved plans and retained for the lifetime of the development.

Reason: In the interest of visual amenity and to comply with Brent's adopted bin and cycle standards

- 6 Prior to the occupation of development, all new (or replaced) windows above the ground floor on the side elevation facing number 21 Cholmondeley Avenue must be obscure glazed and retained as such for the lifetime of the development. This specifically applies to the kitchen/living and w/c of flat 2 and the living area of flat 3.

Reason: To preserve the privacy and the amenity of the neighbouring properties.

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

Any person wishing to inspect the above papers should contact Robert Reeds, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 6726