

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

13 December, 2017
04
17/2807

SITE INFORMATION

RECEIVED	23 June, 2017
WARD	Brondesbury Park
PLANNING AREA	Brent Connects Kilburn
LOCATION	48 Brondesbury Park, Kilburn, London, NW6 7AT
PROPOSAL	Conversion of the dwellinghouse into 7 self-contained flats (5 x studios, 1 x 1bed and 1 x 3bed) to include the insertion of rooflights to existing side extension, new door opening to the ground floor rear elevation, car and cycle parking spaces, bin stores, landscaping, amenity space and replacement of the hinged gates with new sliding gates to the front boundary elevation
APPLICANT	Brondesbury Park Holding
CONTACT	Pelican Architecture & Design
PLAN NO'S	7161-LP 7161-01 7161-02 7161-03 7161-04 7161-05 7161-06 7161-07 7161-08 7161-09 RevC 7161-10 RevC 7161-11 RevC 7161-12 RevC 7161-13 7161-14 7161-15 7161-16 7161-17
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>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_134991</p> <p><u>When viewing this as an Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "17/2807" (i.e. Case Reference) into the search Box

3. Click on "View Documents" tab

RECOMMENDATIONS

1.1 That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

Time limit

Development to be carried out in accordance with the approved plans

Carry out the development in accordance with the approved plans

Proposed materials to match the existing property

Restriction regarding the use of the flat roof as a terrace

Details of landscaping to be submitted

Obscure glazing to the western elevation to prevent overlooking

Details of acoustic insulation to be submitted

Details of refuse storage to be agreed and implemented

Cycle parking to be provided

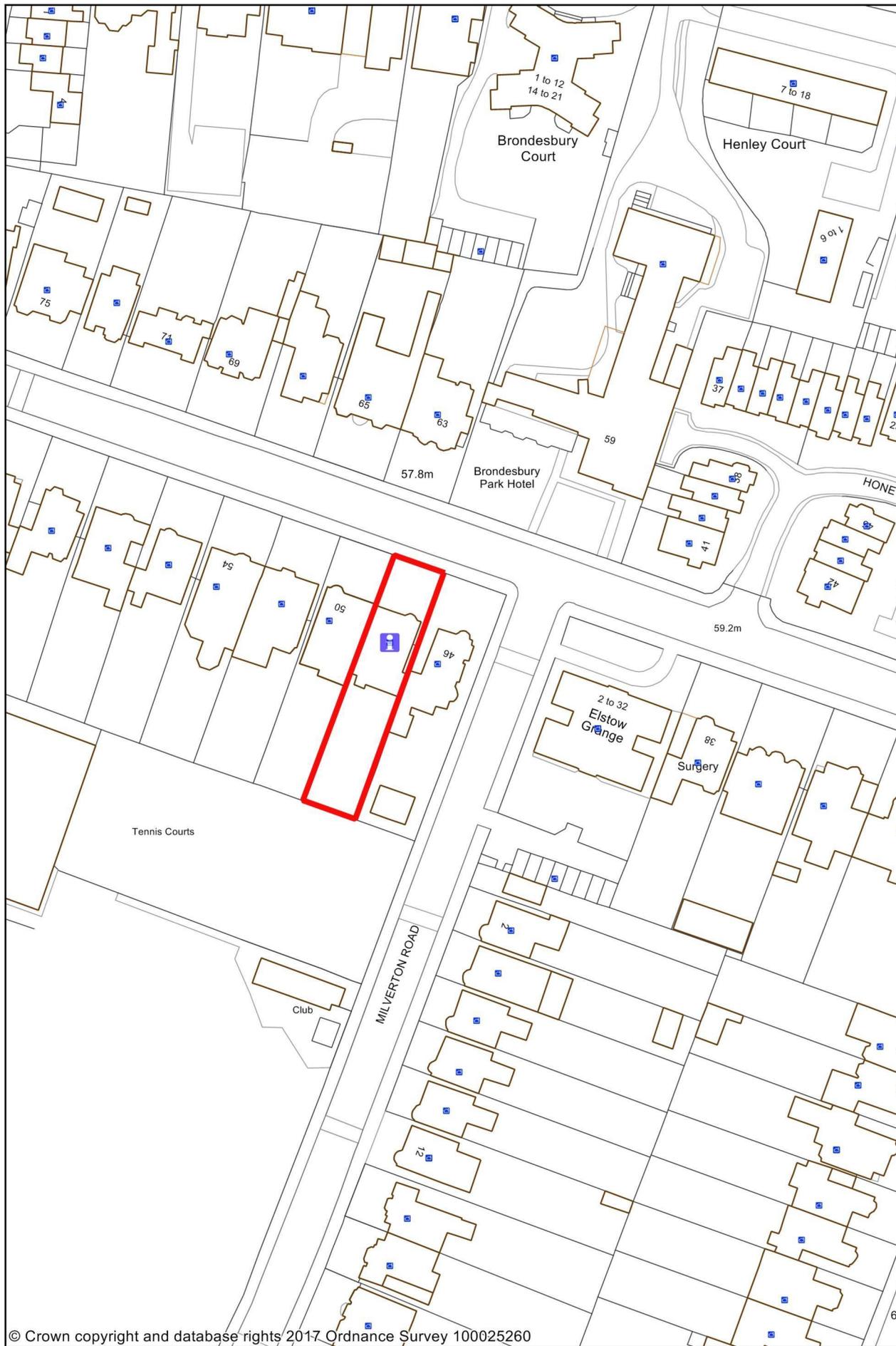
Any other conditions considered necessary by the Head of Planning

1.2 Informatives

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.

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: 48 Brondesbury Park, Kilburn, London, NW6 7AT</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.

Document Imaged

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PROPOSAL IN DETAIL

- 2.1 The application seeks permission for the conversion of the dwellinghouse into seven self-contained flats (5 x studios, 1 x 1bed and 1 x 3bed) to include the insertion of rooflights to existing side extension, insertion of new door opening and new rooflight arrangement to single storey flat roof rear extension, car and cycle parking spaces, bin stores, landscaping, amenity space and replacement of the hinged gates with new sliding remote controlled gates to the front boundary.

EXISTING

- 3.1 The property comprises a substantial detached dwelling set within a spacious garden on the south side of Brondesbury Park. The property is not listed and is not within a Conservation Area. At the front of the building is a fully paved area, accessed via 3.3m wide gates and providing ample off-street car parking space. The area is characterised by substantial detached dwellings and a number of flatted developments set along in an attractive residential area with a preponderance of street trees.

SUMMARY OF KEY ISSUES

1.1 The key planning issues for Members to consider are set out below. Objections have been received from four local residents regarding some of these matters. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

Principle of development: The principle of development is accepted as the scheme accords with Policy DMP17 (Conversion of family sized dwellings), with the original house being well in excess of 130 sqm in size and a 3 bedroom home re-provided in the scheme which meets standards and has direct access to an appropriately sized garden.

Design, character and impact on amenity: The proposal only includes minimal external alterations. Additional landscaping at the front of the property will improve the building's setting and enhance the street scene. Homes would continue to be provided in a residential area, so the nature of the use is appropriate for its context. The increase in the intensity of use associated with the proposal would not be contrary to adopted policies and guidance given that the nature of the use (residential dwellings) is not changing. As such, while some increase in vehicle and pedestrian movement will occur, but this would not be considered unduly detrimental to surrounding occupiers.

Standard of accommodation: All the proposed flats comply with or exceed Development Plan policy and adopted guidance in terms of the quality of accommodation.

Parking and access: On-site parking has been increased to four spaces and one space can be accommodated on-street in front of the property. The proposal therefore accords with the Council's maximum parking standards (5.7 spaces) it is considered that sufficient parking provision is available to avoid any adverse highway conditions, and sufficient levels of cycle parking are proposed.

Objections: Objections have been received from 4 local residents citing concern regarding a loss of amenity (noise, disturbance, privacy and overlooking), parking and congestion and an impact on the character of the area, which objectors note is characterised by single family dwellings.

The proposal is considered to accord with policy and guidance for the reasons set out in this report.

RELEVANT SITE HISTORY

- 4.1 14/0206: Demolition of existing single storey side extension, erection of a part single, part two storey side extension and single storey rear extension, replacement of all windows with timber framed double glazed windows, formation of rear roof terrace at first floor level and

erection of a front porch.

Granted: 18 March 2014

The permitted extensions are substantially complete.

- 4.3 13/3390: Certificate of lawfulness for erection of two side dormer windows and one rear dormer window with Juliet balcony.

Granted: 10 December 2013

The dormer windows are now complete.

CONSULTATIONS

5.1 Neighbouring occupiers.

Nine neighbouring properties were notified of the application.

Four objections were received from neighbouring occupiers and these have been summarized below:

Comments:	Response
Loss of amenity by noise, disturbance, overlooking and loss of privacy particularly from huge loft windows.	<p>The proposal would largely use the existing envelope of extensions that have been constructed already. The proposed new units would not result in any significant further overlooking or a loss of privacy.</p> <p>The proposal would continue to represent the use of the property as residential dwellings within a residential area and would not introduce incompatible uses into the area. The reasonable use of the proposed dwelling would not have an unduly detrimental impact on the overall living conditions of the adjoining occupiers, with potential disturbances dealt with through Environmental Health legislation (as would occur for the remainder of the homes in this street and area).</p>
Reduction in parking for current residents and increased traffic congestion on busy road.	See Access and parking section of report: (para.7.8)
Overdevelopment and out of character: area is characterised by single family dwellings and intensity of proposed development would be harmful.	<p>The introduction of flats (either through conversion or new build) would not be seen to result in a change in the character of an area when considering how character is addressed within policy and guidance. Planning policy allows such conversion subject to the consideration of certain criteria.</p> <p>Minimal external alteration is proposed within this application and the building as altered would not appear out of place or have an adverse impact on the character</p>

and appearance of the locality.

POLICY CONSIDERATIONS

6.1 National Planning Policy Framework (2012)

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the Brent Local Plan and the London Plan 2016.

London Plan

Policy 3.3: Increasing housing supply
Policy 3.4: Optimising housing potential
Policy 3.5: Quality and design of housing developments
Policy 3.9: Mixed and balanced communities

Local Plan

Core Strategy 2010

CP6: Design and density in place-shaping
CP17 - Protecting and enhancing the suburban character of Brent
CP21 – A balanced housing stock

Development Management Policies 2016

DMP1: Development Management General Policy
DMP12: Parking
DMP17: Conversion of family sized dwellings

DMP18: Dwelling size and residential outbuildings

DMP19 Residential amenity space

Supplementary

Supplementary Planning Guidance 17: Design guide for new developments
Draft Supplementary Planning Document 1: Brent Design Guide
Draft Supplementary Planning Document 2: Residential Extensions Design Guide

DETAILED CONSIDERATIONS

Principle

- 7.1 Development Management Policy DMP17 (Conversion of family sized dwellings) is directly relevant to this proposal. This policy sets two conditions to establish whether a family dwelling is suitable for conversion to two or more dwellings. Firstly the property in question must exceed 130sqm in floorspace. Secondly, the proposal should result in at least one family-sized dwelling (three or more bedrooms) being retained. The property is a substantial house, far exceeding 130sqm floorspace (410sqm). The proposal includes retention of a generously sized three bedroom family unit with direct access to an adequately sized garden. The principle of development is therefore established with the potential to create add to the borough's housing stock with an attractive development making efficient use of land in a sustainable location.

Design and impact on character

- 7.2 As set out in the History section above, the property has been extended in recent years following a grant of planning permission in 2014 and a grant of a lawful development certificate in 2013. These works appear to have been largely completed. The external physical works to the building involved in the present application are minimal, comprising only changes to the door on the rear elevation and insertion of two additional rooflights. The changes are minimal and would result in no material change to the building's existing appearance. It should be noted that although the previous applications granted extensions to a single family dwelling, the design of these additions would be acceptable when considered within this application.
- 7.3 The proposal was amended to introduce additional landscaping including tree planting adjacent to the site frontage. Due to the parking and manoeuvring space requirement there is little scope for additional landscaping to the front of the property but the proposed new planting now proposed will enhance the building's setting and benefit the street scene. A landscaping condition is proposed to ensure the provision of appropriate planting.

Standard of accommodation

- 7.4 All seven proposed units meet the London Plan internal space standards set out at Table 3.3 of that document (and thereby comply with Policy DMP18 of the Development Management Policies DPD), with the majority exceeding those standards. It should particularly be noted that the ground floor three bed family unit would comprise 125sqm, 30sqm in excess of the London Plan standard of 95sqm. The proposed units would have generous floor to ceiling heights which would exceed the 2.3m requirement within the London Plan. The proposed units would therefore provide accommodate of an appropriate standard in terms of its size and layout.
- 7.5 As a number of the units are studio flats, there is some potential for disturbance through the stacking of rooms between units (e.g. a bathroom of one flat is above part of a studio flat. Whilst this is largely addressed through the studio layout, details of noise insulation are recommended to be secured through condition to minimise noise transfer and potential disturbance. With regard to outlook and access to natural light the proposed flats would be well served by windows to provide good levels of outlook and light.

Amenity space

- 7.6 Policy DMP19 of the Development Management Policies DPD requires all new dwellings to have external private amenity space of a sufficient size, the aim being to achieve 20sqm per flat and 50sqm for family housing. The proposed ground floor family unit is designed with access to a rear private garden of 105sqm, more than double the area specified in Policy DMP19. The remaining six flats would not have private amenity space, but the scheme provides a communal open space area to which all these flats would have access of 170sqm. The private garden and communal area are shown to be delineated by hedging. A landscaping condition is proposed to ensure landscaping of both areas is implemented to a high quality.

Bin storage

- 7.7 Bin storage to an appropriate standard would be located within a bin enclosure sited adjacent to the property frontage between the pairs of double gates. This arrangement is considered to be acceptable and would have an acceptable impact on the character and appearance of the streetscene.

Parking and Access

- 7.8 The site has a Public Transport Accessibility Level (PTAL) of 4 (Good). Assessed against the parking standards set out at Appendix 1 of the Development Management Policies DPD, the existing property requires 1.2 spaces. The substantial hardsurfaced area at the front of the building is therefore a large over provision of parking space for the existing property. The maximum parking standard for the proposed number and mix of units is 5.7. An amended layout plan was submitted showing marked spaces on site for 4 cars (increased from 3 spaces). It is considered that this provision, plus the on-street space which can be

accommodated along the site frontage, together provide the appropriate parking provision for the proposed development. Brondesbury Park is not heavily parked at night. The majority of the properties along both sides of the road have ample off street/on site parking provision. In this case that a car-free agreement is not required given the available parking within the locality.

- 7.9 Two pairs of sliding double gates would replace the existing gates. These would be remotely controlled to minimise any obstruction of the footway and ensure pedestrian safety.
- 7.10 Cycle parking is proposed to exceed standards, partly located in the private garden for the family unit and partly in the rear communal amenity area for the remaining six flats

Impact on neighbouring amenity

- 7.11 As noted above, the property has been extended recently under previous permissions and the current proposal involves minimal external alterations, with minimal impact on light, outlook or privacy resulting to neighbouring occupiers. Flat number 5 would have a small balcony area to the rear which would have an external platform. Due to the positioning of the neighbouring properties side ward views would be largely screen and not result in any significant further overlooking. To prevent any overlooking of the adjacent property to the west a condition is recommended to restrict the glazing above ground floor level to be obscure and top vent level opening only.
- 7.12 Objectors have cited concern regarding the impact on amenity associated with the increased intensity of occupation of the property. The increased intensity of occupation resulting from one large house being subdivided to seven flats will naturally result in an increase in comings and goings and vehicular movements associated with the site. However, this in itself is not contrary to policy or guidance as it would not introduce incompatible uses to the area (i.e. residential uses would still be provided within a residential area, and the reasonable use of the homes would be unlikely to result in an unduly detrimental level of disturbance. The unreasonable use (e.g. excessive noise and disturbance caused by residents) is dealt with as a statutory nuisance through other legislation, as it would be dealt with if this was to occur from any of the other homes in the street. As such, while the proposal would result in a change in the intensity of use of the property, the reasonable use of the property would still not result in levels of noise and disturbance that are unduly detrimental.

Conclusion

- 7.13 The proposed conversion to flats and associated alterations to the property accord with Council policy. The proposal accords with policy DMP17 which established that the general principle of conversion is acceptable. A good standard of accommodation would be provided for future residents and the proposal would not result in an unduly detrimental impact to surrounding residents or to the character of the property and area (having regard to adopted policy and guidance). The proposal accords with the Council's parking standards and sufficient levels of cycle parking are proposed.



Application No: 17/2807

To: Mr Baines
Pelican Architecture & Design
192D Campden Hill Road
Notting Hill
London
W8 7TH

I refer to your application dated **23/06/2017** proposing the following:

Conversion of the dwellinghouse into 7 self-contained flats (5 x studios, 1 x 1bed and 1 x 3bed) to include the insertion of rooflights to existing side extension, new door opening to the ground floor rear elevation, car and cycle parking spaces, bin stores, landscaping, amenity space and replacement of the hinged gates with new sliding gates to the front boundary elevation

and accompanied by plans or documents listed here:

7161-LP
7161-01
7161-02
7161-03
7161-04
7161-05
7161-06
7161-07
7161-08
7161-09 RevC
7161-10 RevC
7161-11 RevC
7161-12 RevC
7161-13
7161-14
7161-15
7161-16
7161-17

at **48 Brondesbury Park, Kilburn, London, NW6 7AT**

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: 05/12/2017

Signature:

Alice Lester

Alice Lester
Head of Planning, Transport and Licensing

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:-

National Planning Policy Framework (2012)

London Plan

Local Plan

Core Strategy 2010

CP6: Design and density in place-shaping

CP17 - Protecting and enhancing the suburban character of Brent

CP21 – A balanced housing stock

Development Management Policies 2016

DMP1: Development Management General Policy

DMP12: Parking

DMP17: Conversion of family sized dwellings

DMP18: Dwelling size and residential outbuildings

DMP19 Residential amenity space

Supplementary Planning Guidance 17:Design guide for new developments

Draft Supplementary Planning Document 1: Brent Design Guide

Draft Supplementary Planning Document 2: Residential Extensions Design Guide

- 1 To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and offers a pre planning application advice service. The scheme complies with policies and guidance [no pre application discussions were entered into].

- 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:

7161-LP

7161.01

7161.02

7161.03

7161.04

7161.05

7161.06

7161.07

7161.08

7161.09 RevC

7161.10

7161.11

7161.12

7161.13

7161.14
7161.15
7161.16
7161.17

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 With the exception of the existing balcony which will serve proposed flat 5 no access shall be formed onto or any use as a sitting area occur on the roof of the existing single storey flat roof rear extension for the lifetime of the development.

Reason: To protect the privacy and amenity of the occupiers of adjacent properties.

- 5 The first floor level and dormer window on the west elevation of the building shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.7m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupier(s).

- 6 A dustbin enclosure, providing for the storage of one dustbin per flat, shall be constructed in accordance with details and in a location to be submitted to and approved in writing by the Local Planning Authority, prior to occupation of the premises as self-contained flats. The enclosure shall be built and shall be permanently retained as approved unless the prior written consent of the Local Planning Authority is obtained.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection.

- 7 The residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) without express planning permission having first been granted by the Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space in the front garden to accommodate additional bin or cycle storage

- 8 Details of the front garden layout and details of the bicycle/ bin storage enclosures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All detailed works shall be carried out as approved prior to the occupation of the premises.

Such details shall include:

- (i) planting of the front garden area with shrubs and/or trees;
- (ii) the retention of existing hedges and shrubs;
- (iii) car parking space for 4 cars, the defined points of access and the surfacing materials to be used;

Reason: To ensure a satisfactory appearance and in the interests of local amenity.

- 9 A scheme of sound insulation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. The scheme shall demonstrate

that the residential dwellings will be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal and external noise levels:

Time	Area	Max noise level
Daytime Noise 07:00 – 23:00	Living rooms and Bedrooms	35 dB LAeq (16hr)
Night time noise 23:00 – 07:00	Bedrooms	30 dB LAeq (8 hr) 45 dB L _{max}

The development shall be completed in accordance with the approved details.

Reason: To obtain required sound insulation and prevent noise nuisance

- 10 The development shall include the construction of secure cycle parking as illustrated on the plans hereby approved and within the Design and Access Statement. The development shall not be occupied until the cycle parking spaces have been laid out in accordance with the details as approved and these facilities shall be retained.

Reason: To ensure satisfactory facilities for cyclists.

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