

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

17 January, 2018
09
17/2884

SITE INFORMATION

RECEIVED	28 June, 2017
WARD	Kilburn
PLANNING AREA	Kilburn Neighbourhood Forum
LOCATION	1 & 2 Drakes Courtyard, Kilburn High Road, London, NW6 7JR
PROPOSAL	Application for alterations to the fenestration and doors at 1-2 Drakes Courtyard
APPLICANT	1 & 2 Drakes Court Yard Ltd
CONTACT	Lichfields
PLAN NO'S	see condition 2
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_135075</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 "17/2884" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

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 limit (3 years)
2. Approved Plans
3. Materials to match the details on the approved plans

Informatives

1. Fire Safety
2. London Living Wage

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.

SITE MAP



Planning Committee Map

Site address: 1 & 2 Drakes Courtyard, Kilburn High Road, London, NW6 7JR

© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

Application for alterations to the fenestration and doors at 1-2 Drakes Courtyard.

EXISTING

The subject property is a two-storey commercial building situated in a mews road to the rear of the south-west side of Kilburn High Road. The application site is not located within a conservation area nor does it contain any listed buildings.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Objections have been received 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:

- 1. Principle:** The proposal for alterations to the fenestration and doors at 1-2 Drakes Courtyard is considered to be acceptable.
- 2. Impact on character and appearance:** The proposal is not considered to cause material harm to the character of the host building or surrounding properties.
- 3. Impact on neighbouring amenity:** The proposed changes to fenestration and doors would not materially affect the amenity of any neighbouring occupiers.

RELEVANT SITE HISTORY

17/2348: Prior approval for change of use Units 1-2 Drakes Courtyard from office (Use Class B1) to residential (Use Class C3) involving the creation of 39 studio flats. Prior approval not required, 25/7/17.

17/4179: Prior approval for change of use Units 1-2 Drakes Courtyard from office (Use Class B1) to residential (Use Class C3) involving the creation of 39 studio flats. Prior approval required and approved, 22/12/17.

CONSULTATIONS

Consultation letters, dated 06/07/2017, were sent to adjoining neighbouring owners/occupiers. Four objections were received, representations on behalf of MP Moran, 293-301 Kilburn High Rd; No 34A Dunster Gardens; Wine Mart, No.305 Kilburn High Road; The Good Ship, 289 Kilburn High Road.

Details of the comments and where they are addressed in the assessment are in the table below.

Objection	Response or paragraph in report
Refuse handling and litter	<p>The application does not propose a change of use and therefore any impact associated with a change of use have not been assessed within this submission.</p> <p>The applicant is aware that a separate permission would be require to change the use of the building and has received Prior Approval under reference 17/4179.</p>

	The proposed replacement windows and doors would cause an increase in fly tipping and waste or litter.
Privacy and Noise Concerns	Reasonable use of the site would not result in any significant privacy or noise impacts.
Loading and unloading concerns	There would not be any impact on highway or pedestrian safety due to the replacement windows and doors
Dangerous entry and exit, security concerns	It is not considered that there would be any higher likelihood of individuals climbing into neighbouring gardens, or any other significant security impact, due to the replacement windows and doors.
Chemical contamination	The proposal would not result in any significant risk of chemical contamination.

POLICY CONSIDERATIONS

National Planning Policy Guidance

Chapter 7: Requiring Good Design

London Plan Policies

7.4: Local Character:

7.6: Architecture:

Brent Development Management Policies

DMP1: Development Management General Policy

Brent Planning Guidance:

Supplementary Planning Guidance 17 'Design Guide for New Development' (2002)

Draft SPD1 – Brent Design Guide

The above policies seek to ensure that development does not significantly affect the amenities of neighbouring properties and is in keeping with the design, scale and character of the existing building and surroundings.

DETAILED CONSIDERATIONS

1.0 Principle of development

1.1 Alterations and extensions to buildings are generally considered acceptable provided that there is no detrimental impact on the amenity of neighbouring residents, and that they are in keeping with the character and appearance of the property and its surroundings.

1.2 The following considerations are material to the assessment:

- Impact on character and appearance
- Impact on neighbouring amenity

The proposal is for changes to fenestration and doors only. The conversion of the building to flats has been assessed under Prior Approval application 17/4179 and is not subject to assessment under this proposal.

2.0 Character & Appearance

2.1 The proposed development would involve replacement and modifying the existing windows at the ground floor level, bulkheads to first floor windows, changes to lintel at the ground floor. The proposed windows are timber with timber panel details. It is also noted that the modified (extended) timber windows at the ground floor, shown on east Elevation BB, would extend from the existing arrangement and therefore would not look out of character. Although the proposed windows do not replicate the design and detail of the existing windows, they would be sufficiently in keeping with the general vernacular of the building to not cause significant harm to the character of the host building or the surrounding area.

2.2 The proposal also includes four rooflights to the ground floor pitched roof and ten rooflights to the main roof. Although visible, the design and scale of the rooflights is considered to be suitably subservient so as not to cause significant harm to the character of the host building and surrounding properties.

2.3 Overall, the proposal is considered to sufficiently respect the character of the host building and surrounding area. The resultant building would not appear overly prominent or out of place and is therefore considered acceptable, in accordance with policy DMP1.

3.0 Impact on Neighbouring Amenity

3.1 It should be noted that the proposal seek the replacement of windows and doors only. The assessment of the amenity of neighbouring properties therefore primarily relates to any potential overlooking or loss of privacy.

3.2 In terms of assessment of the internal arrangements it is acknowledged that the studio flats approved under 17/4179. Whether this change of use complies with London Plan section 3.5 is not relevant to this application. The proposed alterations would not have a significantly greater impact on the neighbouring occupiers if the application building were to be used for another permitted use.

3.3 Although the proposed windows would be visible, it is not considered to affect the living conditions of any neighbours, as they would be a replacement and enlargement of windows in their existing positions, and no new viewpoints would be introduced to cause significant overlooking beyond existing levels. The proposed rooflights would mostly have an upward outlook and with a cill height of approximately 1.2m would not result in any significant further overlooking.

3.4 The proposal therefore would not have any adverse impact on the overall living conditions of the adjoining occupiers.

Conclusion

4.1 Overall the proposal is considered acceptable in terms of character and design, and would be unlikely to significantly harm the outlook, daylight or privacy of any neighbouring occupiers. The proposal would comply with the development plan including policy DMP1 and is considered to be acceptable.



DECISION NOTICE – APPROVAL

Application No: 17/2884

To: Ms Walker
Lichfields
14 Regents Wharf
All Saints Street
London
N1 9RL

I refer to your application dated **28/06/2017** proposing the following:

Application for alterations to the fenestration and doors at 1-2 Drakes Courtyard

and accompanied by plans or documents listed here:
see condition 2

at **1 & 2 Drakes Courtyard, Kilburn High Road, London, NW6 7JR**

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: 08/01/2018

Signature:

A handwritten signature in black ink that reads "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 as follows:

National Planning Policy Framework/National Planning Practice Guidance
London Plan 2018
Brent Core Strategy 2010
Brent Development Management Policy 2016
Supplementary Planning Guidance 17 'Design Guide for New Development' (2002)
Draft SPD1 – Brent Design Guide

- 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:

110 B
010 B
300 D
030 B

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 of those noted on the plans hereby approved.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

INFORMATIVES

- 1 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 2 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

Any person wishing to inspect the above papers should contact Michele Katzler, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5231