

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

7 August, 2024  
06  
22/4179

## SITE INFORMATION

RECEIVED	13 December, 2022
WARD	Brondesbury Park
PLANNING AREA	Brent Connects Kilburn
LOCATION	6 Deerhurst Road, London, NW2 4DE
PROPOSAL	Conversion of single dwellinghouse into 5x self-contained flats, works including rear dormer window and 1 side rooflight, relocation of front entrance door, removal of window and replacement of door with new window to front elevation, subdivision of rear garden, provision of off-road parking, cycle and waste storage and associated hard and soft landscaping.
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_162985">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_162985</a></p> <p><b><u>When viewing this as an Hard Copy</u></b> .</p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"><li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search tying "22/4179" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to the completion of a legal agreement to secure the following planning obligations;

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance.
2. Notification of material start 28 days prior to commencement.
3. Affordable housing – payment in lieu contribution towards off-site affordable housing within the borough (£83,000).
4. Indexation of contributions in line with inflation from the date of committee resolution
5. Any other planning obligation(s) considered necessary by the Head of Planning.

That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.

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

### Conditions

#### Conditions

1. Time Limit
2. Approved Plans
3. Materials
4. Water efficiency
5. Hard and soft landscaping and trees
6. Cycle storage
7. Tree Protection Measures
8. Amenity spaces

#### Informative

1. Building near a boundary
2. Party Wall Agreement
3. CIL Liability
4. Surface water drainage
5. Fire safety
6. Hours for noisy works

1. 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.

That, if by the "expiry date" of this application (subject to any amendments/extensions to the expiry date agreed by both parties) the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

2. That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

## SITE MAP



**Brent**

### Planning Committee Map

Site address: 6 Deerhurst Road, London, NW2 4DE

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This map is indicative only.

## PROPOSAL IN DETAIL

The proposal involves the conversion of the existing dwellinghouse into 5x self-contained flats. The development would involve external alterations which include the erection of a rear dormer window and 1.no side rooflight, replacement front windows, and the relocation of the front entrance door along the principal elevation of the building. The rear garden area would also be subdivided, and the proposal will include the provision of off-road parking, cycle and waste storage and associated hard and soft landscaping.

## EXISTING

The application site consist a two-storey property located on the eastern side of Deerhurst Road. The site does not contain any listed buildings nor is it located within a conservation area. It falls within a Site of Archaeological Importance.

## SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Members will need to balance all of the planning issues and the objectives of relevant planning policies when deciding on the application.

- **Representations received:** 21 nearby addresses were consulted on the proposal together with the Chatsworth Area Residents Organisation (CARO) on 14th December 2022. In response, objections have been received from 10 individuals, raising a range of issues / grounds of objection. These are summarised in detail below in the 'Consultation' section.
- **Principle:** The application would result in the conversion of the existing dwellinghouse into 5.no new self-contained flats, which would contribute to Brents housing delivery targets, as well as other modest external alterations. The site lies within a priority area for housing and thus residential intensification in this location is considered acceptable in principle.
- **Affordable housing-** Following a financial viability review, the proposal would provide an £83,000 financial contribution towards affordable housing which has been agreed with by Brent. This will be secured through a S106 agreement to be agreed between the applicant and the Brent. The scheme is therefore compliant with policy BH5.
- **Quality of accommodation:** The proposal comprises a mix of dwelling types including a family unit (3-bedroom) at ground-floor with private amenity access. All proposed units meet the relevant standards for internal and external space and quality.
- **Highways and transportation:** The proposal would not provide any additional parking spaces. Adequate cycle and refuse storage has been proposed in the front garden space which is secure and easily accessible.
- **Design and Appearance:** The proposal is considered to represent a good standard of design that would have a balanced appearance with the existing site and would not result in harmful impact on the character and appearance of the local area. The proposal would largely maintain the design and visual appearance of the existing garage, and thus there would be limited impact on the character and appearance of the streetscene.
- **Residential Amenity:** The minor external works proposed would not result in a significant impact on the residential amenities of neighbouring occupiers in terms of daylight and sunlight, overlooking or loss of privacy. The proposal would not create a significant adverse increase in noise and disturbances despite the intensification proposed.

## RELEVANT SITE HISTORY

Relevant Planning history

**21/2561- Refused and dismissed on appeal- detail of this is set-out further in this report**

Proposed conversion of single dwellinghouse into 5x self-contained flats works including, loft conversion, rear dormer window and 3x side rooflights, relocation of front entrance door, removal of window and replacement of door with new window to front elevation, subdivision of rear garden, provision of off-road parking, cycle and waste storage and associated hard and soft landscaping

**CONSULTATIONS**

Twenty-one (21) neighbouring and nearby residential properties and the Chatsworth Area Residents Association have been notified as part of the public consultation for this application.

In total 10 objections have been received which object to the proposed development on the following grounds:

Reasons for objecting	Officer Comment
Concerns that the cycle storage will not be implemented as shown on plans	A condition will be attached to secure the delivery of the cycle store.
Trees- claims that the applicant has removed all trees from the property, both protected and other large trees.  Existing trees not accurately shown on plans.	Permission is not explicitly required to remove trees if they are not within a conservation area or if they do not have Tree Protection Order.  One tree on site is subject to a TPO and is located in the rear garden. The applicant has set-out protection measures for this tree as explained in the trees and landscaping section of this report.  Improvements to soft landscaping as well as tree-planting will be secured by condition.
Poor quality of accommodation	This is assessed under the quality of accommodation section of this report.
Overdevelopment- too large for this property. Concerns of overcrowding and effect on waste management.  Concerns of further subdivision if unmonitored	There is no in principle objection to the scale of development subject to the proposed layout being considered acceptable- this is addressed further in the quality of accommodation section of this report.  Space has been designated for waste storage of an appropriate size and such details will be conditioned.  Any further subdivision would require a separate planning application.
Concerns with the environmental standards of the proposal to make this carbon negative.  No means identified to deal with foul sewage nor of the Archaeological history of the site and any potential impact.	There is a not a planning policy requirement for this scale of development to be carbon negative.  Additional further details of landscaping and urban greening measures will be secured by planning condition to address sustainability requirements.  There is no reason to believe that the local

sewerage system is insufficient to accommodate this development.

Given the minor external works proposed which do not involve any excavation, it is not necessary for the application to include detail on the archaeological history of the site and the proposals potential impact on this

## **POLICY CONSIDERATIONS**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprised of the:

London Plan 2021  
Brent Local Plan 2019-2041

Key policies of the London Plan 2021 include:

D3: Optimising site capacity through the design-led approach  
D4: Delivering good design  
D6: Housing quality and standards  
D12a: Fire Safety  
H1: Increasing Housing Supply  
H2: Small sites  
G5: Urban greening  
G6: Biodiversity and access to nature  
G7: Trees and woodlands  
T5: Cycling  
T6: Car parking  
T6.1: Residential parking

Key policies of the Brent Local Plan 2019-2041 include:

DMP1 – Development Management General Policy  
BD1 – Leading the way in good design  
BH1 – Increasing Housing Supply  
BH2 – Priority Areas for Additional Housing Provision within Brent  
BH4 – Small Sites and Small Housing Developments in Brent  
BH5 – Affordable housing  
BH6 – Housing size mix  
BH11 – Conversion of family sized dwellings  
BH13 – Residential Amenity Space  
BSUI4 – On Site Water Management and Surface Water Attenuation  
BGI1 – Green and Blue Infrastructure  
BGI2 – Trees and Woodlands  
BT1 – Sustainable Travel Choice  
BT2 – Parking and Car Free Development

Other material considerations include:

National Planning Policy Framework 2023  
Council's Supplementary Planning Document 1 "Brent's Design Guide" 2018  
Council's Supplementary Planning Document 2 – Residential extensions and alterations 2018  
Council's Supplementary Planning Document – Residential Amenity Space & Place Quality 2023  
Planning Obligations Supplementary Planning Document (2022)

## DETAILED CONSIDERATIONS

### Background

1. The subject development involves the conversion of the existing dwelling house into 5 no self-contained flats, as well as the instillation of a rear dormer window, alterations to fenestrations, off-street parking, cycle and waste storage and associated hard and soft landscaping.
2. The subject application follows a previous application under the LPA reference 21/2561 which was refused by the LPA for the following reason:

*"The proposed development would result in poor living conditions for future occupants of flat 5 by reason of its size shape and insufficient floor to ceiling heights which would result in cramped conditions for future occupants with poor outlook and ventilation. The proposed development is therefore inconsistent with DMP 1 and DMP 18 of the Brent Development Management Policies Plan and Policy D6 of the London Plan (2021)."*

3. The refused decision was tested at appeal but was dismissed by the inspector, who agreed with the LPA's reason for refusal and found issue with the internal space, height, ventilation, and outlook proposed to the 1 bedroom 2-person flat in this scheme (flat 5).
4. This previous decision therefore forms a material planning consideration given the similarities to the subject proposal. The acceptability of the subject proposal is set out below.

### Principle

#### Delivery of Additional Housing

5. Policy BH1 of Brent's Local Plan sets out the need for the Council to maximise the opportunities to provide additional homes in the period to 2041, with a minimum 23,250 homes in the period 2019/20-2028-29 and a minimum of 46,018 homes in the period 2019-20-2040/41. The policy identifies Growth Area, site allocations and appropriate windfall sites to support the delivery of the additional homes.
6. Policy H2 of London Plan identifies that for London to deliver more of its housing, a substantial contribution from smaller sites below 0.25 hectares in size will be required. It sets a Brent minimum target of 4,330 for the period 2019/20 – 2028/29. Policy BH4 relates to small sites and small housing developments in Brent ((below 0.25 hectares or 25 dwellings in size) and in line with policy H2 of London Plan, sets out that small housing developments delivering a net addition of self-contained dwellings through the more intensive and efficient use of sites, where consistent with other policies in the development plan, will be supported within the priority locations of PTAL 3-6, intensification corridors, or a town centre boundary through:
  - a) the infill of vacant or underused brownfield sites,
  - b) residential conversions, redevelopment, extensions of dwellings, or infill within the curtilage of a dwelling
  - c) the redevelopment of flats, non-residential buildings and residential garages,
  - d) upward extensions of flats and non-residential buildings
7. In these priority locations, the character of the existing area will be subject to change over the Local Plan period. Outside the priority locations greater weight will be placed on the existing character of the area, access to public transport and a variety of social infrastructure easily accessible on foot when determining the intensity of development appropriate.

#### Conversion of the dwellinghouse into flats

8. Policy BH11 set out that the conversion of existing housing stock into smaller dwellings assists in providing additional self-contained dwellings through the more intensive and efficient use of sites. Nevertheless, family housing to meet local needs is also a Brent priority, and in recognition of this priority, policy BH11 sets out circumstances where the loss of family housing is likely to be acceptable. Policy BH11 highlights that to maintain family size housing conversion of a family sized home (3 bedrooms or more) to two or more other dwellings will only be allowed where all the following criteria are met:

- a) the existing home is 130 sq.m. or more or could acceptably be extended to be that size;
- b) it results in at least a 3-bedroom dwelling, preferably with direct access to a garden/ amenity space; and
- c) it is within an area of PTAL 3 or above.

9. The proposal would comfortably comply with criteria 1 of policy BH11 and would result in a 3 bedroom dwelling at ground-floor level with direct access to a garden amenity space exclusive to this unit, which would comply with criteria 2 of this policy. Further the site is located in a PTAL area of 3 which therefore means that the proposal complies with criteria 3 of this policy as well. It is considered that the proposal site is in a 'sustainable location' in accordance with policy BH4 and that the layout of the proposal would allow an easy conversion of the property back into a dwelling house in the future.
10. The principle of the proposed development is therefore supported.

### **Dwelling mix and affordable housing**

11. Policy BH6 of the Local Plan seeks for 1 in 4 new homes in the borough to be family sized homes, this would be met given the provision of a family-sized unit at ground-floor level. The proposal would create 5 new residential units with the following mix:
- Flat 1 - 3-bedroom 4-person unit located at ground-floor
  - Flat 2 - 2-bedroom 4-person unit located at ground-floor
  - Flat 3 - 2-bedroom 3-person unit located at first-floor level
  - Flat 4 - 1-bedroom 2-person unit located at first-floor level
  - Flat 5 - 1-bedroom 1-person unit located at second-floor level
12. Policy BH5 of the Local Plan sets out the need for developments of between 5-9 dwellings will be required to make a financial contribution for the provision of affordable housing off-site. The financial contribution is £100,000 per dwelling as set out within Brent's S106 Planning Obligation SPD. In this case the amount would be £500,000. Any reduction in the financial contribution would need to be justified by a Financial Viability Assessment (FVA) that demonstrates that the scheme is securing the maximum reasonable payment in lieu of on-site delivery.
13. The application was accompanied by a FVA prepared by Turner Morum on behalf of the applicant. This concluded that the scheme would be in deficit by -£600,992 and it therefore could not viably deliver any off site contribution towards affordable housing provision within the Borough. The FVA was reviewed on behalf of the Council by BPS who concluded that the scheme was in surplus by £425,147 and that such amount could be secured as an off site contribution towards affordable housing provision within the Borough. Further discussions were carried out between the two consultants where it was noted that the main points of difference related to the Benchmark Land Value (BLV), profit and value of the car parking spaces. The BLV was where the largest difference lies. This updated the position of the applicant that the scheme would remain in deficit but by £435,312, and the surplus identified by BPS reduced to £238,161. Following further review, it has been agreed on a without prejudice basis, Brent would to accept a £1.9m benchmark land value and £83,000 financial contribution towards affordable housing. The proposed benchmark figure is close to a midpoint position between BPS's Existing Use Value of the application site and the Alternative Use Value with refurbishing the property in its existing configuration as a single dwelling. BPS noted that the final midpoint BLV figure agreed for the site was still in line with the evidence tone they had identified during discussions.
14. On this basis, it is considered that the scheme would deliver the maximum viable amount of contribution for off site affordable housing provision within the Borough (£83,000) and that this would be secured within a Section 106 Agreement. The proposal would be in line with policy BH5.

### **Design and visual amenity impact**

15. The proposal would involve minor alterations to the front of the building. The proposed front windows would be modest in scale and in proportion to the existing.
16. A dormer window is proposed to the rear which would be set-up from the eaves by 0.58m, set-down from the ridge of the roof by approximately 2.56m and would be set in from both sides of the roof by 0.34m, and would therefore be compliant with SPD2 requirements for dormer additions of this type. The new



side rooflight to the left hand side roofslope would be modest in appearance and so would not appear as an overly prominent addition despite the visibility of this roofslope from the Deerpark Road streetscene.

17. Cycle storage and refuse storage is proposed within the front garden. The cycle storage would measure a max of 1.7m in height to be clad in a lightweight timber and the bin storage would be of a similar height and also timber clad. Some planting would be added to enclose the cycle store and it is noted that the front boundary walls would have privet hedges on them which would help to reduce its prominence in this location. In these respects, officers consider that the proposed cycle and bin storage would not cause significant harm to the visual amenity of the streetscene.
18. It is therefore considered that the proposed design and visual appearance would be acceptable in regard to the Brent's Design Guidance in SPD2 and policy DMP1 of the Brent Local Plan.

## Quality of accommodation

### Internal amenity quality

19. Policy D6 of London Plan 2021 relates to housing quality and standards. It includes a requirement to meet adequately sized rooms in line with table 3.1 of London Plan 2021. It goes on to say that all new homes should be provided with adequate levels of outlook, daylight, and natural ventilation.
20. All units would be single storey and their assessment against minimum GIA standards are set-out below:
  - Unit 1: 3-bedroom 4-person unit. Required 74sqm, proposed 78.24sqm. Built-in storage required 2.5sqm, proposed 1.96sqm
  - Unit 2: 2-bedroom 4-person unit. Required 70sqm, proposed 71.32sqm. Built-in storage required 2sqm, proposed 1.516sqm
  - Unit 3: 2-bedroom 3-person unit: Required 61sqm, proposed 67.85sqm. Built-in storage required 2sqm, proposed 1.21sqm
  - Unit 4: 1-bedroom 2-person unit: Required 50sqm, proposed 52.35sqm. Built-in storage required 1.5sqm, proposed 1.38sqm
  - Unit 5: 1-bedroom 1-person unit: Required 37sqm, proposed 37.46sqm. Built-in storage required 1.5sqm, proposed 2.78sqm
21. While all the proposed units would meet or exceed the minimum GIA standards, it is noted that only unit 5 would meet the minimum requirements for built-in storage. However, in these instances, officers consider that as the shortfall of built-in storage space is compensated by the overall GIA floorspace provided, that therefore the shortfall of built-in storage space could reasonably be provided within each unit. Given the surplus in overall floorspace and general good quality of accommodation, therefore this shortfall is considered to be acceptable.
22. Policy D6 also sets minimum criteria for bedroom dimensions and storage space required for new residential accommodation. Specifically, all double bedrooms should achieve a minimum GIA of 11.5sqm and each unit which has one of these should be a minimum of 2.75m in width. For any additional double bedroom these should achieve a width of 2.55m. All single bedrooms should have a minimum GIA of 7.5sqm and a minimum width of 2.15m. The proposed bedrooms would comply with these standards.
23. London Plan Policy D6 also requires at least 75% of the GIA of each flat to have an internal floor-to-ceiling height of 2.5m. This exceeds the national standard of 2.3m as higher housing and the urban heat island effect are more prevalent in London, and a higher standard is required to ensure adequate quality in terms of daylight penetration, ventilation and cooling, and sense of space. All of the proposed units would meet this requirement.
24. As discussed above, there was an earlier scheme that refused due to the substandard form of accommodation for Flat 5 within the loft space. This scheme was appealed and dismissed by the Planning Inspector. Within the 2021 application, Flat 5 was a 1 bedroom 2 person flat. The Inspector raised concerns with the loft flat not achieving a headroom height of 2.5m for 75% of its internal floorspace and the resulting impact that this would have upon the usability of the flat. They also raised concerns with the lack of outlook and restricted daylight to the living/kitchen/dining room overall due to the reliance on roof lights.
25. Within the current application the flat has been amended to a 1 bedroom 1 person studio flat. It is now

open plan with the majority of daylight and outlook being received from the rear dormer window and the proposal would achieve a 2.5m floor to ceiling height for more than 75% of the studio unit, therefore would have good levels of ventilation. A roof light is also proposed over the kitchen area to provide additional natural light.

#### External amenity space

26. Policy BH13 establishes that all new dwellings are required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 20 sqm studio, one or two-bedroom home and 50 sqm for family housing (homes with 3 or more bedrooms) at ground floor level.
27. The BH13 requirement for external private amenity space established through BH13 is for it to be of a "sufficient size and type". This may be achieved even when the 'normal expectation' of 20 or 50 sqm of private space is not achieved. The supporting text to the policy clarifies that where 'sufficient private amenity space cannot be achieved to meet the full requirement of the policy; the remainder should be applied in the form of communal amenity space'. Proximity and accessibility to nearby public open space may also be considered when evaluated whether the amenity space within a development is 'sufficient', even where a shortfall exists in private and/or communal space.
28. With regard to quality of the space, the supporting text to policy BH13 specifies that private amenity should be accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight, whilst Brent SPD1 specifies that the minimum depth and width of the space should be 1.5 m.
29. London Plan policy D6 specifies that where there is no higher local standard, a minimum of 5 sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant. The minimum depth and 1.5 m are reconfirmed in the emerging policy.
30. Both ground floor flats would benefit from private rear garden spaces of over 50sqm, and the upper-floor flats would have access to a communal garden area to the rear of the building which would exceed over 400sqm. The private garden areas would be divided from the communal garden areas by fencing. A condition will be attached to secure detail of this prior to occupation to ensure the fencing ensures enough security to future occupiers of these flats.
31. Thus, the proposal would provide a surplus of private amenity space for all occupiers, in accordance with policy BH13 of the Brent Local Plan.

#### **Impact on neighbouring amenities**

32. The property is in residential use and lies within a predominately residential area. Whilst it is acknowledged that this would be intensified with more footfall and more comings and goings from the site, the intensification proposed would not be significant and would retain the residential use of the host property. As set out above, the site is within a priority location for additional homes and would seek to optimise the capacity of the site in line with policy H2 of London Plan 2021 and policies BH4 and BH11 of Brent's Local Plan. Adequate refuse and recycling bins have been proposed which would help to mitigate against odours and waste issues, helping to preserve the visual amenity.
33. The proposal would not result in any additional car parking spaces and given the significant amount of soft landscaping proposed to replace the hardstanding at the front of the site, there would be no capacity to accommodate more than the 2 car parking spaces allowed for the existing dwelling house on site and thus the proposal is unlikely to result in any significant increase in noise and disturbance from vehicles using the site.
34. None of the alterations within the scheme would result in adverse harm to the residential amenity of any nearby properties. Objections raise concerns about privacy, yet no new windows are proposed that could affect privacy. The new dormer window to the rear would have a similar relationship to the existing windows below and thus would not result in a significant adverse impact in terms of privacy/overlooking impact.
35. Therefore, the proposal is considered to have an acceptable impact on neighbouring amenities in

accordance with policy DMP1 of the Brent Local Plan.

### **Trees and Landscaping**

36. T2 is an existing Sycamore tree which is the only tree on the site which is affected by a Tree Preservation Order (07/00047: T2 Sycamore). This tree and T6 in the rear garden are proposed to be removed as part of the development. The Council's Principal Tree Officer has reviewed the Arboricultural Impact Assessment and Tree protection Plan. They have advised that there do not have objections to the felling of T2 and T6 but requested that T2 to be replaced with a similar tree and to be planted in a similar location along this boundary which is considered as appropriate to preserving the visual amenity of the site.
37. Objections have been received which state that the trees have been removed to the front garden. However, these trees, which were shown as existing on historic site imagery as late as April 2019, were not protected by way of a tree preservation order and the site is not in a conservation area. Therefore, the removal of these trees would not have required any consent from the Local Planning Authority.
38. Policy BH4 of the Local Plan require developments to contribute to Urban Greening and a target Urban Greening Factor (UGF) of 0.4 is recommended. The proposal would include re-landscaping of the front garden. The existing front garden consists mostly of hard landscaping in the form of pebbles, so the proposal, which involves more than 50% of soft landscaping in the front garden would be a significant improvement on the existing. Details of the proposed landscaping will be secured by condition. Opportunities to provide native planting and wildlife friendly planting could be secured by condition to promote biodiversity enhancements within the site.

### **Transport considerations**

39. Policy T6.1 of London Plan sets out that new residential development should not exceed the maximum parking standards set out in table 10.3. This is also reinforced within policy BT2 of Brent's Local Plan that sets out that developments should provide parking consistent with parking standards in Appendix 4. Car parking standards are the maximum and car free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking. As the site has moderate access to public transport, up to 0.75 spaces are allowed per 1-/2-bed flat and one space per 3+bed property.
40. The existing house is therefore permitted one space and the existing driveway within the front garden of the site, which provides two spaces, exceeds the maximum standard.
41. The five proposed flats would be allowed up to four off-street parking spaces, so the retention of two spaces in tandem on the driveway would continue to comply with standards, although the spaces will realistically be available to only one of the flats. Shortening of the driveway to about 6m could therefore be considered, whilst an electric vehicle charging point should also be installed for the parking space.
42. Policy BT2 also requires that any overspill parking generated by development can be safely accommodated on-street though. In this respect, based upon data from the 2021 Census for flats in the area, car ownership is expected to average 0.45 cars/flat (equivalent of between 2-3 cars), which would equate to three cars. Deerpark Road is not heavily parked, so with two on-street spaces available along the site frontage and 1-2 off-street spaces available, it is considered that parking demand from the flats can be safely accommodated within and adjoining the site.
43. Policy T5 of the London Plan requires a minimum of 8.5 secure bicycle parking spaces for residents, plus two short-stay spaces for visitors. A bike store for 12 bicycles is proposed in the front garden of the site to more than meet standards in a secure and sheltered way, although the door into the store should be widened to at least 1.2m make access to the spaces easier (as shown on the product information for the CyclePod store). A 'Sheffield' stand should also be provided for visitors, as they wouldn't have access to the secure store- this will be secured by condition.
44. Policy D6 of London Plan highlights the need for housing should be designed with adequate and easily accessible storage space that supports the separate collection of dry recyclables (for at least card, paper, mixed plastics, metals, glass) and food waste as well as residual waste. This is reinforced within policy DMP1 that highlights the need for developments to provide high levels of internal and external amenity

and does not unacceptably increase exposure to smells and waste.

45. Brent's "Waste and Recycling Storage and Collection Guidance for Residential Properties" sets out the following requirements:

Property Type	Receptacle position	Residual waste (litres)	Dry recycling (litres)	Food waste (litres)
House conversions and residential developments up to 8 households	External	70l per household	120l per household	1 x 23l kerbside container per household
	Internal	30l min per conversion	30l min per conversion	5l per conversion

46. Bin storage is also shown in the front garden, with sufficient space to accommodate Brent's storage capacity requirement in an easy to access location.

47. Access and crossover arrangements remain unaltered and are fine.

### Flood risk and drainage

48. Brent Local Plan Policy BSUI4 sets out proposals for minor developments, householder development, and conversions should make use of sustainable drainage measures wherever feasible and must ensure separation of surface and foul water systems. Proposals that would fail to make adequate provision for the control and reduction of surface water run-off will be refused.

49. The site is not in a critical drainage area and is in an area of low flood risk (flood zone 1), and as such no flood risk assessment or drainage report is required. The increase in surface water drainage would be very minor. In addition, the development would involve improvements in soft landscaping SUDS measures such as permeable paving in the rear garden have been incorporated which would mitigate against flooding.

### Fire Safety

50. London Plan policy D12 indicates that the fire safety of developments should be considered from the outset. This includes measures to demonstrate space identified for the appropriate positioning of fire appliances, appropriate evacuation assembly points and floor layouts and cores planned around issues of fire safety for all building users.

51. The policy states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they:

- 1) identify suitably positioned unobstructed outside space: for fire appliances to be positioned on appropriate for use as an evacuation assembly point
- 2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3) are constructed in an appropriate way to minimise the risk of fire spread
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in
- 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development

52. The applicant has provided a reasonable exception statement as opposed to a fire statement given that the proposed internal and external changes would be minor and would not result in a significant change to fire safety measures on site. The statement submitted also confirms that the proposal would comply with the Fire Safety Standards required by the national Building Regulations Approved Document B Vol 1

'dwellings'. Detailed fire safety regulations are separately assessed by building control regulations.

53. Given the scale of the proposal and its location next to the road frontages, it is considered that such matters could reasonably be achieved through building control regulations.

### **Environmental impact, sustainability, and energy**

54. For residential development, a Water Efficiency Assessment will be required providing evidence the development will meet the target of 105 litres or less per head per day, excluding an allowance of 5 litres of less per head per day for external water use. A condition will be added to secure these details in accordance with policy BSUI1 of the Local Plan.

### **Equalities**

55. In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

### **Conclusion**

56. The proposal is considered to accord with the development plan as a whole, having regard to all material planning considerations. Whilst it is noted that there are some minor shortfalls in the internal space standards for some of the flats in relation to policy D6, in all cases these would fall marginally below policy targets, but the degree of shortfall is such that the quality of accommodation is not compromised.
57. The proposal would deliver the provision of a replacement family-sized home, and four additional dwellings, contributing positively towards the Council's housing targets. The design of the property is appropriate for the location and would be in keeping with the established character of the street. The proposed external alterations to the building would not harm neighbouring amenity, and relate well to the character of the host property and surrounding area.
58. Whilst the proposal does not clearly set out whether the scheme would achieve an UGF of 0.4 in line with policy BH4 the benefits of the scheme including the delivery of a family sized home are considered to outweigh any limited harm in conflict with this policy.
59. Planning permission is therefore recommended to be granted subject to conditions.

## DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

## DECISION NOTICE – APPROVAL

Application No: 22/4179

To: Mr Vekaria  
Saloria Architects  
156 High Road  
London  
NW10 2PB

I refer to your application dated **13/12/2022** proposing the following:

Conversion of single dwellinghouse into 5x self-contained flats, works including rear dormer window and 1 side rooflight, relocation of front entrance door, removal of window and replacement of door with new window to front elevation, subdivision of rear garden, provision of off-road parking, cycle and waste storage and associated hard and soft landscaping.

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

at **6 Deerhurst Road, London, NW2 4DE**

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: 30/07/2024

Signature:

**David Glover**  
Head of Planning and Development Services

### 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 the:-

London Plan 2021  
Brent Local Plan 2019-2041  
The National Planning Policy Framework

- 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):

Existing

191101-00-P0- Site Plan  
191101-01-P0- Block Plan

Proposed

191101-04-P4- Proposed FF, SF, Roof Plans and Section AA  
191101-02-P5 Combined existing plans and elevations and proposed elevations  
191101-03-P9- Proposed ground floor plans

Supporting documents

Arboricultural Implications Assessment for proposed alterations/renovations and landscaping by Broad Oak Tree Consultants Limited reference J63.83 dated 21st February 2023

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 development hereby approved shall be designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010.

Reason: In order to ensure a sustainable development by minimising water consumption.

- 5 The cycle storage with capacity for at least 9 cycles within a secure, weatherproof structure in full accordance with the details provided within Appendix 001 of the Design and Access Statement Prior to occupation and at least one "Sheffield" stand for visitors in the frontage shall be implemented in full prior to first occupation of the development hereby approved unless details of alternative cycle storage are submitted to and approved in writing by the Local Planning Authority and thereafter implemented prior to first occupation of the development. The cycle storage shall thereafter be retained and maintained for the life of the development.

Reason: To ensure the sufficient provision of cycle storage for the development.

- 6 The external amenities spaces shall be implemented in full accordance with the drawings and supporting information hereby approved and made available for use by the residents prior to first occupation of the development and shall thereafter be retained and maintained and shall not be used other than for the provision of external amenity space for residents of the flats within the development.

Reason: To ensure a good standard of accommodation for residents.

- 7 The works hereby approved shall be in accordance with the Arboricultural Implications Assessment for proposed alterations/renovations and landscaping by Broad Oak Tree Consultants Limited reference J63.83 dated 21st February 2023 in relation to the retained trees. Works shall not be carried out other than in full accordance with the details approved, unless an alternative strategy is submitted to and approved in writing by the Local Planning Authority and thereafter implemented in full.

Reason: To ensure that existing trees are safeguarded where they are to be retained during the course of construction works in order to ensure that the character and amenity of the area are not impaired

- 8 The development hereby approved shall not be occupied unless details of hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The approved landscaping works shall be carried out prior to first occupation of the development hereby approved. These details shall include:

- Existing and proposed contours/levels for external works (if any changes are proposed);
- Boundary treatment, means of enclosure and retaining structures including details of the fencing between the areas of external amenity space;
- Details of hard surfacing, including details of permeable paving;
- Details of tree pit design / underground modular systems, sustainable urban drainage systems
- Other equipment and structures, including the refuse storage,
- Details of soft landscaping works shall include planting plans, written specifications including cultivation and other operations associated with grass and plant establishment), and schedules of plants noting species, plant supply sizes and proposed numbers/densities.
- Details of biodiversity enhancement measures;
- Details of the Urban Greening Factor calculation for the landscaping;

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Unless required by a separate landscape management condition, all soft landscaping scheme shall incorporate written five year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

Reason: To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with policies DMP1 and BGI 2.

## INFORMATIVES

- 1 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.



- 2 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 government website: <https://www.gov.uk/government/publications/preventing-and-resolving-disputes-in-relation-to-party-walls/the-party-wall-etc-act-1996-explanatory-booklet>
- 3 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).
- 4 Arrangements should be made to ensure that no surface water from the proposed development will drain onto the public highway.
- 5 The submission/approval of the Fire Safety Statement does not replace the need for building regulation approval in relation to fire safety, nor does it convey or imply any approval under those regulations.
- 6 Construction/refurbishment and demolition works and ancillary operations which are audible at the site boundary shall be carried only between the hours of:

Monday to Fridays	08:00 to 18:00
Saturday	08:00 to 13:00

At no time on Sundays or Bank Holidays

Any person wishing to inspect the above papers should contact Curtis Thompson, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1807