

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

5 July, 2016  
06  
16/0130

## SITE INFORMATION

RECEIVED: 12 January, 2016

WARD: Mapesbury

PLANNING AREA: Brent Connects Kilburn

LOCATION: 40 St Gabriels Road, London, NW2 4SA

PROPOSAL: Conversion of dwellinghouse into 3 self-contained flats (1 x 3 bed, 1 x 2bed and 1 x 1bed) to include one rear dormer windows, x7 rooflights, single storey rear infill extension and associated external alterations to the side window, re-instatement of original windows and door, new bi-folding doors to the rear ground floor, cycle parking spaces, bin stores, amenity space and front boundary alterations

APPLICANT: Mr Bedhan

CONTACT: golzari ng-architect

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\\_126002](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_126002)

#### When viewing this as an Hard Copy .

Please use the following steps

1. Please go to [pa.brent.gov.uk](http://pa.brent.gov.uk)
2. Select Planning and conduct a search tying "16/0130" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

## SITE MAP



### Planning Committee Map

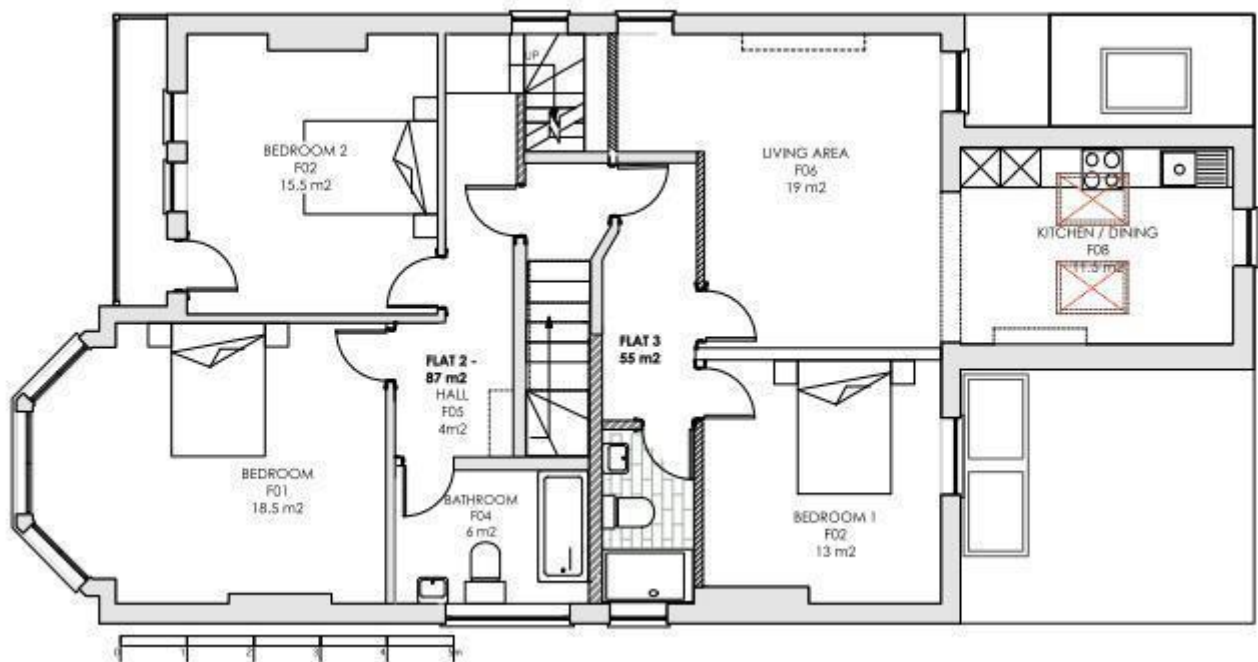
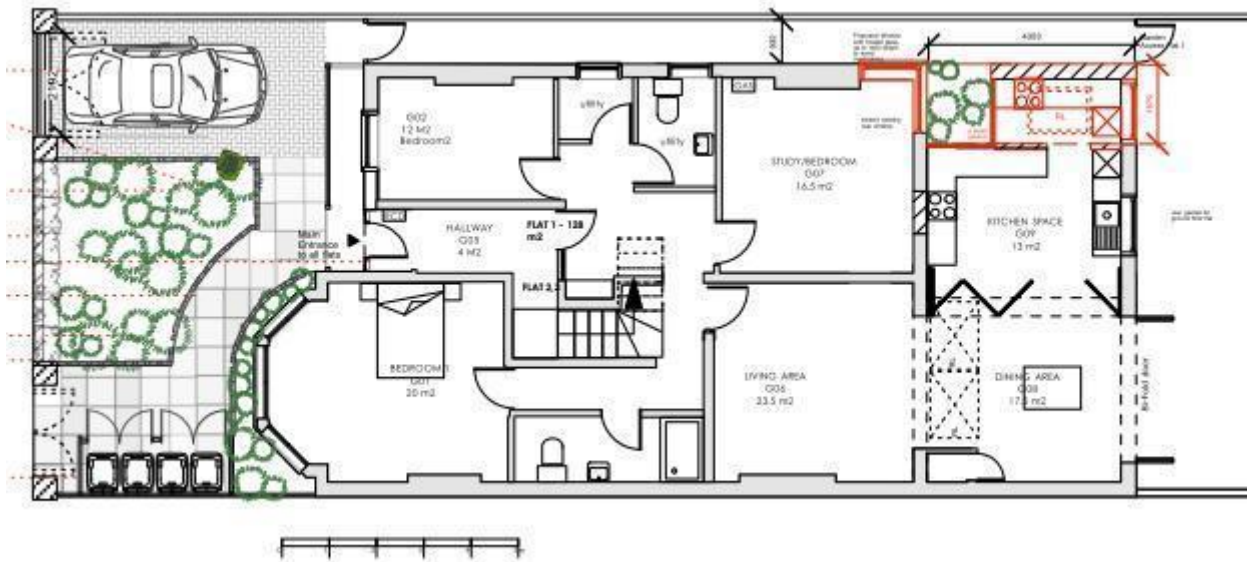
Site address: 40 St Gabriels Road, London, NW2 4SA

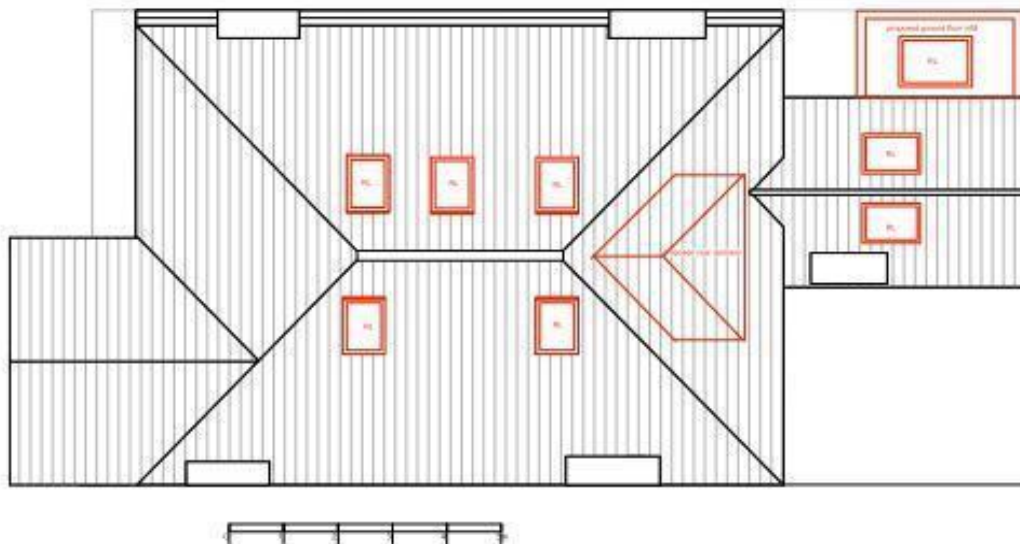
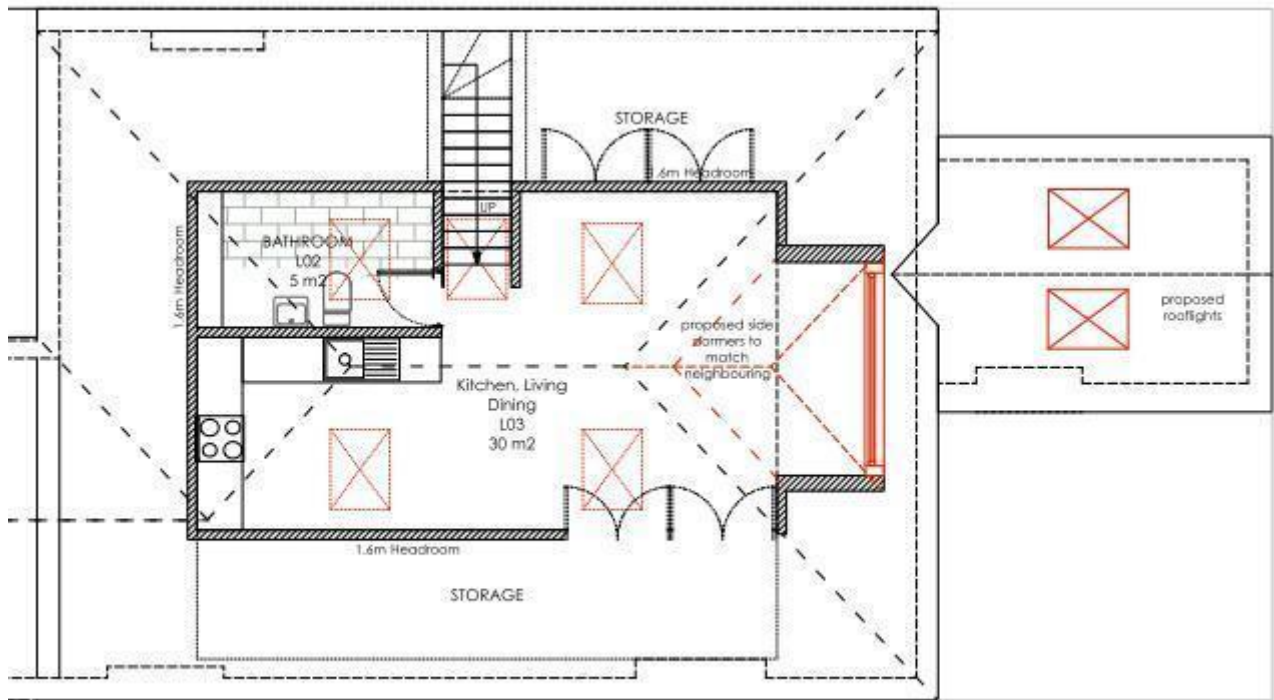
© Crown copyright and database rights 2011 Ordnance Survey 100025260

This map is indicative only.

# SELECTED SITE PLANS

## SELECTED SITE PLANS





## RECOMMENDATIONS

### RECOMMENDATION

That the Committee resolve to GRANT planning permission subject to:

#### Conditions

1. Time
2. Drawings
3. Further details requesting boundary treatments, landscaping and windows/doors
4. Post completion sound testing
5. Refuse and cycle provision
6. Alterations to the front facade
7. Any other planning conditions considered necessary by the Head of Planning

## Informatives

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

### **A) PROPOSAL**

Conversion of dwellinghouse into 3 self-contained flats (1 x 3 bed, 1 x 2bed and 1 x 1bed) to include one rear dormer windows, x7 rooflights, single storey rear infill extension and associated external alterations to the side window, re-instatement of original windows and door, new bi-folding doors to the rear ground floor, cycle parking spaces, bin stores, amenity space and front boundary alteration

The external alterations are;

- Rear hipped dormer
- Infill rear/side extension
- Rooflights on main roof and outrigger
- Alterations to the front boundary and landscaping to the frontage

The applicant has made several changes during the course of the application, to respond to both officer and local residents concerns.

- There is now no side access. All access to the flats are from the front;
- The applicant has agreed to reinstate the original door and windows. This will be conditioned into any future consent;
- The front boundary wall shall be re-instated accompanied by a new landscaping scheme to the frontage;
- The two dormers to the rear have been replaced with a single one.

Your officers are satisfied that these amendments are within the remit and general description of the application and all revised plans are available to view online.

### **B) EXISTING**

This host property is a well-proportioned and intact detached dwelling house dating from the Victorian era which is situated within the Mapesbury Conservation Area -considered to be a heritage asset. Mapesbury is one of the largest of the Conservation Areas in Brent. It is characterised and is significant because it remains largely unaltered. Its turn of the century town-houses are of high architectural quality and have intricate detailing. Number 40 St Gabriel's Road has some original character and original detailing however unfortunately some elements, such as the windows and doors, have been replaced less sympathetically.

### **C) AMENDMENTS SINCE SUBMISSION**

The applicant has made several changes during the course of the application, to respond to officer and local residents concerns.

- There is now no side access. All access to the flats are from the front;
- The applicant has agreed to reinstate the original door and windows. This will be conditioned into any future consent;
- The front boundary wall shall be re-instated accompanied by a new landscaping scheme to the frontage;
- The two dormers to the rear have been replaced with a single one.

Your officers are satisfied that these amendments are within the remit and general description of the application and all revised plans are available to view online.

### **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

15/2260- Conversion of dwellinghouse into 4 self-contained flats (3x1bed and 1xstudio) to include side and rear dormer window, x3 rooflights, single storey rear infill extension, detached single storey outbuilding and assoaited external alterations including creation of side access, new bi-folding doors to the rear ground floor, cycle parking spaces, bin stores and amenity space- WDN

10/1988- Rendering of front boundary wall, replacement of damaged balcony spindles to ground-floor and first-floor front balconies and repainting of wooden window frames, balconies and front gable (Article 4 Direction)- GTD

Certificate of lawfulness for the proposed installation of 3no. front aluminium windows and retention of 2no. existing aluminium windows

## CONSULTATIONS

Neighbour letters for the application were dispatched on 04/03/2016.

A site notice was erected on and the application was publicised on 07/03/2016.

Councillors for Mapesbury and Mapesbury Conservation Area Residents Association were consulted on the application.

In total, there have been 20 objections to the proposal and 1 objection from Mapesbury Conservation Area Residents Association. The objections are listed below along with the paragraph responses. Some objections are not based on planning reasons and therefore have not been given weight.

Objection Summary	Response
Proposed access to two flats via the side alleyway is out of keeping with the conservation area.	Amendments since submission
Proposed access will have an impact on neighbouring amenity	Amendments since submission
Amount of people at the property could increase	Point 4.1.1
Not enough space for bins.	Point 6.8
Two dormers at the rear is excessive	Amendments since submission
Rooflights will cause light pollution	Point 4.1.4 and Point 5.2
Concern over external condition of the property	Point 4.1.8
Large houses need to be preserved and flats are out of keeping with the local area	Point 2.1
Increase in parking in the surrounding area	Point 6.6
Frontage is unsuitably landscaped	Amendments since submission

## 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):

- CP17 – Protecting and Enhancing the Suburban Character of Brent
- 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:**

- SPG 5 – Altering and Extending Your Home (2002)
- SPG17 – Design Guide for New Development (2001)

Mapesbury Conservation Area Design Guide

## 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.

### 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 250sqm and the proposal (with the conversion of the roof space and small infill extension) sets to increase this by 35sqm to 285sqm and the proposal would reprovide a a three-bedroom unit on the ground floor. St Gabriel's Road is not heavily parked and the increase in parking can safely be accommodated on street.

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..

### 3. Quality of Accommodation

3.1. The Gross Internal Area of the three flats are below.

Flat	Type	GIA (target)
Flat 1- Ground Floor	3b 6p	130sqm (95sqm)
Flat 2- First Floor and Roof	2b 4p	87sqm (70sqm)
Flat- 3 First Floor 1b 2p	1b 2p	55sqm (50sqm)

3.2. All flats have internal areas that exceed the Nationally Described Space Standards for flatted properties as detailed above.

3.3. All habitable rooms have acceptable outlooks and whilst flat three is single aspect (north-east and rear facing) they have large windows and the roof is proposed to have several rooflights which will provide plenty of light.

3.4. Your officers acknowledge that the first floor rear facing flat will overlook the ground floor flats garden, however this is a common occurrence in house conversion schemes and not considered to materially harm the living conditions of the occupants of the ground floor flat.

3.5. Generally, officers expect flats within conversion schemes to have appropriate 'stacking'- for example bedrooms aligning with bedrooms- to reduce the impact of different room uses on top of each other. In this

case, there is difficulty in achieving this and there is an overlap of a living room onto a bedroom at first floor. To counter this, prior to the occupation of the flats, a post completion sound test will be required to be submitted to the Council to ensure building regulations are achieved. Your officers consider this to be acceptable, given other material benefits to the scheme such as the reinstatement of windows and the front door.

3.6. Your officers consider that 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. Flats*

4.1.1 There have been objections raised that the increase in flats in the area would harm the character of Mapesbury Conservation Area.. Your officers do not consider that the principle of the change of use will alter the character and appearance of the area and there are other properties that have been converted to flats along the street.

##### *4.1.2. External Alterations*

4.1.3. The side extension to the rear is approximately 2.85m in height and 2.9m in length. It does not attach to the rear of the property and is set off the boundary by approximately 1m.

4.1.4. The proposed rooflights, which will be condition be required to be flush conservation type, are unlikely to be materially harmful as they are set back on the side slopes some distance from the front. It is also considered that the chimneys help to shield their insertion from the road. The rooflights on the outrigger cannot be seen from the street.

4.1.5. The applicant has agreed to reinstate the existing windows and door to the property. Officers consider this to be a merit of the proposal, to the benefit of the character and appearance of the conservation area.. Further details of these windows will be secured by condition at an appropriate scale.

4.1.6. The rear dormer window is acceptable in its size and appearance and is not considered cause any undue harm on the conservation area.

4.1.7. The proposal for the frontage to the property has been revised and has a total area of 50sqm. The total area of planting to the frontage is 21sqm, giving a proportion of soft landscaping of of 42%. Whilst this is below for 50% generally required in such areas, the existing situation at the front of the property is substandard and detracts from the general character of the area. Your officers consider this to be a material improvement on the existing situation and any future grant of permission will be accompanied by a condition.

4.1.8. Your officers consider that the relatively minor alterations to the property are unlikely to materially harm the Conservation Area and as such, are considered to preserve it. The alterations to the front of the property, the re-instatement of the windows and the replacement of the boundary wall to the frontage are considered to enhance the immediate vicinity and are in line with Brent's Unitary Development Plan, SPG5- Altering and Extending Your Home and the Mapesbury Conservation Area Design Guide.

#### **5. Impact on Neighbouring Amenity**

5.1. The original proposal was to have a side entrance for the upper floor flats however due to local objections and officer recommendations this has been changed with revised plans having been received which showing a revised layout to incorporate all entrances from the existing front door. As the entrance will not change from the existing, your officers do not consider the point of entrance to be detrimental to the neighbours amenity.

5.2. The rooflights are in a high position on the roof and therefore your officers are not of the opinion that this would materially compromise the amenity or privacy of residents at number 38 or 42.

5.3. The rear dormer is unlikely to result in a materially harmful loss of privacy towards the existing neighbours to either side, however it is acknowledged that this feature would result in overlooking to the garden of the host site.

5.4. Your officers consider that there is unlikely to be any materially harm to the living conditions of



neighbouring occupants and thus the proposal complies with the Development Plan.

## 6. Transportation

6.1. The site has low access to public transport with PTAL 2 and this was also calculated manually for confirmation.

6.2. St. Gabriel's Road is within a Controlled Parking Zone (MA\_1) which operates Mon-Fri 10am-3pm whereby only residential permit holders can park. The carriageway width outside the property over 9m wide and there can accommodate on-street parking whilst still retaining sufficient carriageway width for service vehicles to pass.

6.3. The parking allowance for the dwelling unit is given in the Standard PS14 of the UDP.

6.4. The maximum parking allowance for the existing five-bedroom property is therefore two spaces. The site can currently accommodate one off street parking space and there is a further parking space on-street along the frontage of the site that can be counted towards satisfying parking standards in this lightly parked street.

6.5. The three proposed flats will have a total parking allowance of 3.4 spaces. Drawing number NG014 proposes to retain the existing parking space within the front garden to accommodate one parking space only.

6.6. In cases where the full standard for flat conversion cannot be accommodated on-site or on-street, including where excessive on-site parking on the frontage would result, Policy H19 of the UDP restricts the number of units to one per 75m<sup>2</sup> of the original floor area of the dwelling. This would limit the number of flats to three in this case and the provision of three flats is therefore acceptable, without providing additional off-street parking.

6.7. There is a requirement to provide visibility at the access for pedestrian safety as set out in the guidance SPG-3 and there should be no obstruction over the height of 0.8m above road level; therefore further details of the height of the front boundary wall/fence should be submitted for approval. This element of the scheme will be conditioned. Such a condition will include ensuring the existing front boundary has a Brent parking sign which advises the public that the bay is resident permit holders only. This sign was placed by Brent in agreement with the owner and Mapesbury Residents Association. The owner must keep the sign on the front boundary wall and contact transportation if the sign has been lost.

6.8. The applicant has not shown any cycle parking for this site and minimum three cycle spaces should be provided in a secure, covered store to comply with PS16 of the UDP. This is likely to be in the rear of the garden, accessed via the side gate due to the limited site frontage and potential impacts of a cycle storage box on the conservation area. The bin storage arrangements are broadly acceptable, however it is recommended that these details should be submitted within the front landscaping scheme in case any minor alterations are necessary.

6.9. The proposal complies with the Development Plan in respect of parking and servicing subject to a condition requiring the submission and approval of further details showing secure and covered cycle parking to comply with PS16 of the UDP.

## 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. Your officers also believe that the proposal has the potential to enhance the character and appearance of the conservation area with the applicant re-instating the original windows and doors to the property along with substantial improvements to the frontage.

## CIL DETAILS

This application is liable to pay **£10,067.36\*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible\*\* floorspace which on completion is to be demolished (E): sq. m.

Total amount of floorspace on completion (G): 285 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	285	250	35	£200.00	£35.15	£8,562.50	£1,504.86
			0	£0.00	£0.00	£0.00	£0.00

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	274	
<b>Total chargeable amount</b>	£8,562.50	£1,504.86

\*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

\*\***Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

**Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.**



**Brent**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 16/0130

To: Ms Sharif  
golzari ng-architect  
United House  
39-41 North Road  
London  
N7 9DP

I refer to your application dated 12/01/2016 proposing the following:  
Conversion of dwellinghouse into 3 self-contained flats (1 x 3 bed, 1 x 2bed and 1 x 1bed) to include one rear dormer windows, x7 rooflights, single storey rear infill extension and associated external alterations to the side window, re-instatement of original windows and door, new bi-folding doors to the rear ground floor, cycle parking spaces, bin stores, amenity space and front boundary alterations and accompanied by plans or documents listed here:  
See condition 2  
at 40 St Gabriels Road, London, NW2 4SA

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.

**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  
Mapesbury Conservation Area Design Guide

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):

Existing and Proposed Front Elevations NG05 Rev C  
Proposed Landscaping Plan NG007 Rev B  
Proposed Site Plan NG00 Rev D  
Proposed Ground Floor Plan NG007 Rev D  
Proposed First Floor Plan NG08 Rev D  
Proposed Elevations NG012 Rev D  
Proposed Loft Plan NG009 Rev C  
Proposed Roof Plan NG009 Rev C

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

- 3 No down pipes, waste water pipes, branch pipes, flues or other such installations shall be attached to the front façade of building without express permission from the Local Planning Authority.

Reason: To preserve the unique attributes of the Conservation Area

- 4 Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.

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

- 5 Further details of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out and completed in all respects in accordance with the approved prior to occupation. Such details shall include:-

(i) The proposed boundary treatment including all fences, walls (including pier caps), paving, and gateways;

(ii) Landscaping proposals for the front garden;

(iii) Exact specifications of the reinstated windows and door (at scale 1:10, including sections);

Reason: These details are required to ensure that a satisfactory development is achieved.

- 6 Prior to occupation of the new flats hereby approved the results of a sound test demonstrating compliance in excess of Building Regulations Part E minimums for the transmission of sound shall be submitted to and approved in writing by the local planning authority.

Reason: To safeguard the amenities of the occupiers.

- 7 Details of the provision of a minimum of three secure cycle parking spaces and further details of refuse provision for the approved flats shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The approved details and facilities shall be retained for the lifetime of the development.

Reason: To ensure satisfactory facilities for the occupants

#### 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](http://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