

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

9 September, 2020
06
19/4130

SITE INFORMATION

RECEIVED	20 November, 2019
WARD	Mapesbury
PLANNING AREA	
LOCATION	Land rear of 65, Teignmouth Road, London
PROPOSAL	Conversion of garage into a residential unit (Use Class C3) and works to include a single storey extension, 2 rooflights, provision of cycle and refuse storage, associated landscaping and alterations to boundary
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_147898</p> <p><u>When viewing this as a 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 "19/4130" (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. Timescales for the commencement of the development
2. Built as per the approved drawings
3. Materials- submission of details
4. Cycle parking and refuse provided prior to occupation
5. Removal of permitted development rights - extensions, alterations and outbuildings
6. Removal of permitted development rights – to Use Class C4 HMO
7. Landscape scheme- submission of details
8. Air source heat pump
9. Footway reinstatement
10. Tree protection measures

Informatives:

1. Building near boundary
2. Party Wall Act 1996.
3. Removal of crossover to be funded by applicant
4. Code of Construction Good Practice
5. CIL liable; notice will be sent.

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: Land rear of 65, Teignmouth Road, London © Crown copyright and database rights 2011 Ordnance Survey 100025260
---	---



This map is indicative only.

PROPOSAL IN DETAIL

Conversion of the existing garage to provide a one-bedroom, one-storey dwellinghouse, incorporating a new side extension adjacent to the boundary of 94 Dartmouth Road. There would be no change to existing external access arrangements, with the site fronting onto Lyndford Road.

The front (east) elevation would have the existing, non-original white sliding garage door removed, and in its place would be glazing, behind timber louvred shutter doors.

The north, side elevation, would have one replacement window, one timber door with side window, and a set of patio doors.

To the west, a ground door would lead to a small area of permeable paving. There would be no additional windows placed in this elevation.

The south elevation would form part of the boundary with no. 94, and would be 2.6m high.

Following amendments, the frontage would consist of a pedestrian gate and fencing repaired and replaced to match the existing.

The landscaping would consist of quarry paving path to front with soft landscaping to front of glazing and to corner segueing into the soft landscaping of the side garden, with patio to side.

Covered cycle storage would be provided for one cycle. Frontage would contain housing for refuse and recycling bins and air source heat pump.

EXISTING

The application site comprises a detached double garage, located on the west side of Teignmouth Road, between Lydford Road and Dartmouth Road. It is at the rear of 65 Teignmouth Road, which occupies a corner plot at its junction with Lyndford Road in Mapesbury Conservation Area. The existing garage itself covers a footprint of 44.3sqm and the plot has a curtilage of 194sqm. There are a number of mature trees within the garage plot and the site is bounded by timber fencing at its frontage and access onto Lyndford Road. The area is characterised by large detached and semi-detached Edwardian properties (some of which have been sub-divided into flats) two storeys in height, with generous front and rear gardens.

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 making a decision on the application:

1. **Representations received:** 8 objections have been received. Officers have considered the comments and the planning merits of the proposal and consider that the proposal is acceptable.
2. **Principle:** The garage has not been used as such for some years, and its loss as parking is acceptable. The proposal involves alteration, extension and a change of use to the existing building to become a dwelling. All of these changes are acceptable in principle subject to the matters assess below.
3. **Design and impact on the Conservation Area:** The scale of the development would be appropriate in this context. Due to the proposal's design and siting its impact on the appearance of the area would be similar to the existing building and it would preserve the character and appearance of the conservation areas.

3. **Neighbouring amenity:** The development has been assessed against the guidance in SPD 1 and would be compliant. There would not be a significant impact on the overall living conditions of the neighbouring occupiers.
4. **Trees and landscaping:** A condition is recommended to ensure that the works are carried out appropriately to prevent any adverse impact on the health and longevity of the surrounding trees.

RELEVANT SITE HISTORY

95/0499: Demolition of existing garage and erection of a two bedroom house, alteration to existing vehicular access with access off Lydford Road and provision of 2 parking spaces. Refused, appealed, dismissed 2/4/96.

(It is to be noted that this was for demolition of the garage and construction of a 2-storey house.)

CONSULTATIONS

14 letters of consultation were sent to nearby and adjacent occupiers, and Mapesbury Residents' Association. A site notice was erected and an advert placed in the local newspaper. Eight submissions were received, and all objection issues are recorded below:

Nature of objection	Commentary/ covered in which section
The windows and rooflights of the proposal would cause a loss of privacy to adjoining properties	Neighbour Amenity
The proposal should have at least 50% soft landscaping to the frontage	Design / Parking- addressed via amendments
The splitting of the site would change the open quality of the back garden landscape	Design
The proposal will be on the boundary of 94a Dartmouth Road, and an outbuilding should be 1m away from the boundary	Neighbour Amenity
The parking space at the front is too small	Highways- addressed via amendments
All buildings in back gardens should be ancillary to the main building as per Mapesbury Design Guidance	Land use and Principle of Development
The Article 4 Direction is in place and requires planning permission to build in back gardens	Land use and Principle of Development
The development would not create a high quality environment as per Brent development Management Policies	See Design / Neighbour Amenity/ Standard of Accommodation
The Air Source Heat Pump and electric gates would produce excessive noise which would be detrimental to wildlife	Neighbour Amenity
The outbuilding is too large for the existing garden	Design/ neighbour amenity/ Land use and principle of development
37 Lydford Road is not completed and the original applicant is no longer involved.	Occurrences at another unrelated project are not relevant to this assessment.

The Tree report is missing	The Arboricultural report was in the first instance not uploaded to the councils systems; it was sent to the Authority on 17/12/19 and has been discussed within this report.
The structural report should be carefully reviewed	The structural implications of the proposal would be dealt with through the Building Regulations should permission be granted and the proposal implemented.
This is the second application and the previous one was refused and appeal dismissed in 1996.	There have been considerable changes to the proposal and to policy and guidance since 1996, and every application is assessed on its merits. The previous proposal was entirely different- for construction of a new 2-storey building in addition to the garage. The two proposals are not comparable. see 'History' section
Concern regarding neighbour amenity issues with building works	Construction impacts from development projects are not considered to be a significant issues on a development of this scale and nature. Any excessive impacts would be sufficiently managed through Environmental Health Legislation.
Concern regarding permitted development rights to extend	This would be prevented via condition (and is in any case, many permitted development rights are also restricted by the Article 4 direction)
There should be a front wall with piers and caps, not a fence	Design
The garage should not be removed as there is a high demand for parking in the area.	Highways
The proposal would block out sunlight to 65 Teignmouth Road	Neighbour Amenity .
The ownership of the land is not as stated on the application form.	The Authority has received a Certificate A which states the site is owned by the applicant.
The Design Access & heritage Statement is inadequate	Addressed via amendment and an independent assessment of the development is made through the application process.

POLICY CONSIDERATIONS

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 Core Strategy 2010, Brent Development Management Policies DPD 2016 and the London Plan 2016 (Consolidated with Alterations since 2011)

Key policies include

The London Plan consolidated with alterations since 2011 (March 2016)

3.1 Life Chances for All

5.3 Sustainable design and construction
5.12 Flood Risk Management
5.13 Sustainable Drainage
6.3 Assessing Effects of Development on Transport Capacity
6.9 Cycling
7.2 An Inclusive Environment
7.3 Designing Out Crime
7.4 Local Character
7.6 Architecture
7.8 Heritage Assets and Archaeology

7.21 Trees and Woodlands

Brent Core Strategy (2010)

CP1: Spatial Development Strategy
CP5: Placemaking
CP6: Design & Density in Place Shaping

Brent Development Management Policies (2016)

DMP 1: Development Management General Policy
DMP 9A: Managing Flood Risk
DMP 9B: On Site Water Management and Surface Water Attenuation
DMP7 Brent's Heritage Assets
DMP 12: Parking

In addition the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released a "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted. As such considerable weight should be given to these policies.

Draft London Plan

GG1 Building Strong and inclusive communities
GG2 Making the best use of land
GG3 Creating a healthy city
GG6 Increasing Efficiency and Resilience
D1 London's Form and Characteristics
D2 Delivering Good Design
D3 Inclusive Design
D7 Public Realm
D11 Fire Safety
HC1 Heritage Conservation and Growth
G1 Green Infrastructure
G7 Trees and Woodlands
SI12 Flood Risk Management
SI13 Sustainable Drainage
T5 Cycling
T6 Car Parking

The council is currently reviewing its local plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. At its meeting on 19 February 2020 Full Council approved the draft Plan for submission to the Secretary of State for examination. Therefore having regard to the tests set out in the paragraph 48 of the NPPF it is considered by Officer's that greater weight can now be applied to policies contained within the draft Brent Local Plan.

Brent Draft Local Plan

BD1: Leading the Way in Good Urban Design
BHC1: Brent's Heritage Assets
BH13: Residential amenity space
BG12: Trees and Woodlands
BSUI2: Air Quality
BSUI4: On Site Water Management and Surface Water Attenuation
BT1: Sustainable Travel Choice

BT2: Parking and Car Free Development
BSU13 Managing Flood Risk
BSU14: On site water management and surface water attenuation

Other material planning considerations include:

National Planning Policy Framework (2019)

Supplementary Planning Documents/Guidance (SPD/SPG)

Brent SPD1: Design Guide for New Development (2018)

Technical housing standards: Nationally described space standard

Mapesbury Conservation Area Design Guide

Mayor's Sustainable Design and Construction SPG

National Planning Policy Guidance

National Design Guide

DETAILED CONSIDERATIONS

Land Use and Principle of Development

1. Residential development in a residential area is acceptable in land use planning terms. However, the key principle of the proposal is whether it would preserve or enhance the character or appearance of the Conservation area. It is noted that the land on which the garage sits is a separate entity on the property register and the site visit indicated that it has been physically sectioned off for some considerable time.
2. The Mapesbury Design Guide states that the Council will not grant permission for a 'new and separate dwellinghouse', within a back garden. However firstly, the building would not be newly created; it is an existing building, and its use as a garage is no longer required (see Highways feedback). The modest extension would be discreet (if one were to look over the gate/ fence) from the street. This is a key element and protects against any undesirable precedent of new buildings being created within back gardens. Reference is made by several objectors to the Article 4 direction, which requires that the construction of outbuildings in rear gardens requires planning permission. As this proposal consists largely on an existing building to be refurbished, not a new outbuilding, and planning permission is being applied for, this objection is addressed. The Article 4 does not prevent people applying for planning permission, and every case is considered individually, on its merits.
3. It is considered overall that the sensitive refurbishment of the building to be re-purposed to a modest 1-storey dwelling would provide a beneficial use of the current garage. Apart from the very modest extension to the side between the garage and the adjoining garage of no. 94, no garden space is being lost. The proposal also includes a new gate, repaired fence, and the refurbishment of the building, which would be apparent from the street, and the open character of the existing garden to the rear of no. 65 and the garden of the site itself, would not be compromised. Landscaping to include boundaries is reserved by condition, the intention being that an appropriately soft appearance would be required.
4. In summary it is considered that the principle of use in this particular case, is justified by the benefit of the refurbishment of the building, and its proposed use to provide a good quality residential unit, and is acceptable.

Design and Heritage

5. The proposed materials would be of a natural and traditional appearance, that the new windows proposed, although contemporary in design, have good proportion and will not be especially visible, and that the elevation of the garage will look basically as it does at the moment. It was suggested via a received public comment that a wall with piers and caps should be introduced. This would not be desirable as it would create a new false frontage which would not be characteristic in this location. The fence would preserve the appearance of the site as if it were an entrance to a garage still, which is the aim of the proposal's design vernacular.
6. Amendment was obtained to increase the amount of soft landscape along with the removal of the car parking space (see Highways feedback). The proposal has been carefully considered and designed to preserve the character of the area, reflecting guidance in the Mapesbury Conservation Area Design Guide which suggests that bulk, height, proportion and materials are design criteria that should be considered. The proposal has taken into account and is acceptable in design terms, and the refurbishment would enhance the conservation area.

Statutory Background and the NPPF

7. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("Listed Buildings Act") confirm that special attention shall be paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (s.66) and preserving or enhancing the character or appearance of that area (s.72). As confirmed by the Court of Appeal (Civil Division), the decision in *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council* [2014] EWCA Civ 137 confirmed that where an authority finds that a development proposal would harm the setting of a listed building or the character and appearance of a conservation area, it must give that harm "*considerable importance and weight*". Further case law has reconfirmed the Barnwell decision and the considerations to be undertaken by a planning authority: *The Forge Field Society & Ors, R v Sevenoaks District Council* [2014] EWHC 1895 (Admin), *Pugh v Secretary of State for Communities and Local Government* [2015] EWHC 3 (Admin).
8. Section 16 of the NPPF ("Conserving and enhancing the historic environment") (paras. 184 to 202) advises Local Planning Authorities to recognise heritage assets as an "irreplaceable resource" and to "conserve them in a manner appropriate to their significance" (para.184). In determining applications, LPA's are advised at para.192 take into account of:
 - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness
9. When considering the impact of a proposed development on the significance of a designated heritage asset, it is advised at para.193 that "*great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)*. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance". Consent should be refused where there is substantial harm or total loss of significance, unless there are substantial public benefits that outweigh that harm or loss (NPPF, para.195). Where there is less than substantial harm, the harm is to be weighed against the public benefits of the proposal (NPPF, para.196) and with regard to non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (NPPF, para.197). It is also

advised at para.201 that not all elements of a Conservation Area will necessarily contribute to significance.

10. Policy 7.8 of the London Plan (“Heritage Assets and Archaeology”) and draft Policy HC1 (“Heritage, conservation and growth”) advises what boroughs should do at a strategic level to identify, preserve, and enhance London’s heritage assets. Policies DMP1 (“Development Management General Policy”) and DMP7 (“Brent’s Heritage Assets”) confirms the statutory duty of the Council and provides some guidance on how to present and assess applications affecting heritage assets.
11. The heritage asset that this application involves is the Mapesbury Conservation Area.
12. What must therefore be determined is whether the proposed development will harm the significance of the aforementioned heritage asset, having regard to the statutory requirement to give special attention to the desirability of preserving or enhancing the character or appearance of a conservation area (s.72).
Assessment Against Significance of Heritage Assets
13. In terms of the assets significance, an assessment of the site, main property and has been made. This site is to the rear garden of a well-proportioned and detailed detached house dating from the inter-war period in the vaguely Arts and Craft style which is situated within the Mapesbury Conservation Area - a heritage asset. Mapesbury is one of the largest of the Conservation Areas in Brent and is characterised by largely unaltered town-houses from between 1895-1920. It retains many original features including windows, pargeting and brackets. The main dwelling is a handsome property and it contributes positively to the conservation area as well as the streetscene.
14. The proposal is to a garage at the end of the rear garden which faces Lydford Road. The garage is of traditional construction, matching the house and probably dates from the 1920s. It is very visible from the road given the corner plot.
15. The proposed development involves the retention, extension and refurbishment of an existing garage to provide a residential accommodation. The existing garage will be overhauled and repaired in natural and traditional materials to match existing. The new windows proposed, although contemporary in design, have good proportion and will not be especially visible. The new side extension will be tucked behind and between the garage and the boundary. The elevation of the garage will look as it does at the moment. A new gate will be placed on the boundary. The new hard landscaping is in keeping with what is expected.
16. The refurbishment of the building will enhance the conservation area. The new use has been carefully considered and designed to preserve the character of the area.
17. The proposal reflects guidance in the Mapesbury Conservation Area Design Guide which suggests that bulk, height, proportion and materials are design criteria that should be considered. The proposal has taken into account these factors which are acceptable in design

terms.

18. Therefore the development would comply with the requirements of policy DMP7 and is considered to be acceptable in terms of heritage.

Standard of Accommodation

19. The acceptability or otherwise of any new dwelling is assessed against the requirements of the National Housing Technical Standards, as now devolved into the London Plan.

20. The area required for a 1-bedroom, two person unit is 50m². The unit would satisfy this requirement, giving a GIA of 50.6m². Accommodation would be double aspect with an open and spacious layout without unnecessary internal walls.

21. The amenity space would be around 100m², with a relatively large area to the north of the building. This would provide more than meeting the requirement of 20m² for a one-bedroom unit. Amenity space of 220m² remains to the rear of 65 Teignmouth Road.

Residential Amenity

22. As the development would remain largely within the existing envelope of the building.

23. The new wall to the border of 94 Dartmouth Road would be at the far end of that property's amenity space, and also would be bordered along most of its length by that property's garage. It is not considered that the 2m of wall at 2.5m high on one side, and 1m of wall on the other side, that would be visible if you were to stand either side of the garage, would not cause a significant overbearing impact, or feeling of enclosure.

Concerning no. 67, the rear of the extension would face the side of that property's existing garden shed, and apart from this small extension which would be set back from the boundary by 1.6m, there would be no change in the relationship. The kitchen door would look out to the rear boundary along the back of no. 67's shed. It is not considered there would be a significant impact on this neighbour.

24. Regarding the north elevation, the side of the property (where the entrance would be) would be 20m away from the rear wall of 65 Teignmouth Road. This would be at ground floor level and is not considered therefore to introduce any significant negative impact in terms of privacy.

Details of the boundary between no. 65 and the site will be requested as part of the landscape plan by condition. Generally the occupancy of the building for residential use is not considered to cause a significant impact in terms of activity, noise, foot traffic, or disturbance in normal reasonable usage.

25. With regards to objections on ground of privacy, there would be rooflights to the building which would not afford views over anyone else's garden or windows, and ground floor windows and doors only.
26. The proposed Air Source Heat pump is a permitted development addition to existing properties under Schedule 2, Part 14- Renewable Energy, Class G - of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). As the proposed dwelling is not yet constructed the heat pump has been assessed on its merits. It would be sited in a discreet position and not have any adverse impact on the appearance of the site and surrounding area. Subject to appropriate maintenance and a condition it would not have any adverse impact on the neighbouring occupiers in terms of noise. When considering this additions siting it would not have any adverse impact on the overall living conditions of the neighbouring occupiers.
27. The building would not be expanding towards 65 Teignmouth Road, or upwards, so it is not considered that objection regarding loss of light / overshadowing carries weight, as the building is already in existence and would not change in mass at all from the point of view of 65 Teignmouth Road.

Transport: - Parking, Servicing and Access

28. Feedback was obtained from Borough Highways Officers, who had no objection to the loss of the garage as it is not used for off-street parking and has not been for some time. Amendment was obtained on Highways' advices to remove the parking space from the frontage as there is insufficient depth for this. This allows the extension of the on-street parking bay, and also more of the front space in the site to be made into soft landscaping, which acknowledges and addresses objection received on this subject. A covered cycle storage unit has been added to the garden as required. A condition is recommended to ensure the removal of the existing crossover to the site and its reinstatement to footway, with full height kerbs together with an extension to the adjoining on-street parking bay, is to be funded by the applicant prior to occupation of the development.

Landscape and Trees

29. Due to the presence of trees on site, and this being a conservation area, an arboricultural implications assessment, tree protection plan and arboricultural method statement have been provided. These have been consulted on with the Borough Tree Officer, who is satisfied with the methodology. Therefore a condition is recommended to ensure that the development is carried out in accordance with the details that have been provided.
30. In addition, to ensure that the site has an acceptable appearance overall further details of landscaping will be required by condition.

Equality Impact

31. 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

32. The proposal would provide a good quality residential unit without harming its surrounding context. The proposal would involve alterations to the frontage which would enhance the appearance of the plot and building, these changes would ensure that the development would preserve the character and appearance of the Conservation Area. It is recommended consent is granted.

CIL DETAILS

The proposal is liable to pay CIL as set out below despite providing less than 100sqm of new floorspace because the proposal comprises at least one new residential unit, in accordance with Reg 42(2) of the CIL Regulations 2010 (as amended), the provisions of which supersede the provisions of Reg 42(1) 'exemption for minor development'.

This application is liable to pay **£4,334.39** * 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): 50.6 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
(Brent) Dwelling houses	50.6	38.5	12.1	£200.00	£0.00	£3,608.39	£0.00
(Mayoral) Dwelling houses	50.6	38.5	12.1	£0.00	£60.00	£0.00	£726.00

BCIS figure for year in which the charging schedule took effect (Ic)	224	334
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£3,608.39	£726.00

*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.



Application No: 19/4130

To: Ms Burd
Burd Haward Architects
24 Wolsey Mews
Kentish Town
London
NW5 2DX

I refer to your application dated **20/11/2019** proposing the following:

Conversion of garage into a residential unit (Use Class C3) and works to include a single storey extension, 2 rooflights, provision of cycle and refuse storage, associated landscaping and alterations to boundary

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

at **Land rear of 65, Teignmouth Road, London**

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: 01/09/2020

Signature:

Gerry Ansell
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.

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies and guidance as follows:

Brent Development Management Policy 1- General Planning Policy, 7- Brent's Heritage Assets, 12- Parking and 19- Residential Amenity Space
London Plan Policies 3.5 : Quality and Design of Housing Developments, 7.6: Architecture and 7.8: Heritage Assets and Archaeology
NPPF 2019: Chapter 12-Conserving and Enhancing the Historic Environment
Core Strategy 2010: CP17- Protecting and Enhancing the Suburban Character of Brent.

Supplementary Planning Guidance:

SPD 1: Brent Design Guide

Technical housing standards: Nationally described space standard

Mapesbury Conservation Area Design Guide

Also relevant is the Listed Buildings and Conservation Areas Act 1990.

The proposed development would preserve the character of the conservation area in compliance with the Listed Buildings and Conservation Areas Act 1990 and the relevant guidance paragraphs of the NPPF.

- 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 and documents:

Received 21/11/19:

19100E01C

19100E02C

19100E03C

19100E04C

19100P03C

19100P05A

Structural Engineers Report (Alan Baxter Partnership, July 2019)

Received 16/1/20:

19100P00

19100P01F

19100P02D

19100P04D

19100P05B

19100P06B

Received 14/1/20:

Arboricultural report and method statement (Greenwood, November 2019).

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

- 3 Final specific details of materials for all external work, to include but not limited to: wall and roof material and shading, boundary materials, hard and soft landscaping materials, window and

door frames, doors, and exterior gates and fencing, to consist of high quality colour PDF including make, RAL colours and /or product code or details, keyed to elevational drawing, shall be submitted to and approved in writing by the Local Planning Authority before any above-ground 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 visual amenity of the locality.

- 4 The cycle parking and refuse storage facilities as approved shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

Reason: In order that the local planning authority may be satisfied with the provisions for refuse storage and cycle parking and in the interests of safeguarding the amenities of occupiers and the area in general.

- 5 No extensions, alterations or outbuildings shall be constructed or undertaken within the curtilage of the dwelling subject of this application, notwithstanding the provisions of Classes A - H of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason: To ensure a satisfactory standard of accommodation, an acceptable level of impact to the amenities of surrounding occupiers and in the interest of the character and appearance of the building and conservation area.

- 6 The residential dwelling 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 the residential unit, and in view of the restricted space within the site to accommodate additional bin or cycle storage.

- 7 The areas so designated within the site shall be landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before any above ground works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved. The submission must include all hard and soft landscaping, the frontage to include a minimum of 50% soft landscaping, boundaries between the proposal and adjoining properties, and positioning of cycle storage and air source heat pump.

Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality, and preserves the character and context of the Conservation area, in the interests of the amenity of the occupants of the development and to provide urban greening and preserve the character of the garden within the Mapesbury Conservation area.

- 8 The rating level of the noise emitted from fixed mechanical plant together with any associated ancillary equipment on the site shall be 10dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:2014.

Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with London Plan (2016), Brent's Core Strategy (2016) and Brent's Development Management Policies (2016).

- 9 The development hereby permitted shall not be occupied/brought into use until a continuous footway in front of the site has been completed in materials matching those of the adjacent footway.

Reason: To provide an appropriate provision of pedestrian access to the site and to protect the Borough's streetscape.

- 10 The proposed development shall only be carried out in accordance with the tree protection and method details set out with the Arboricultural report and method statement (Greenwood, November 2019) Received 14/1/20.

Reason: To ensure the safe and healthy retention of all retained trees both within and in close proximity to the application site.

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 Communities and Local Government website www.communities.gov.uk
- 3 Removal of the existing crossover to the site and its reinstatement to footway, with full height kerbs together with an extension to the adjoining on-street parking bay, is to be funded by the applicant prior to occupation of the development. The applicants must contact transportation@brent.gov.uk or call on 020 8937 5600 to arrange the highways works, to a specification to be agreed by the Highways Authority, with all works to be at the applicants' expense in accordance with Section 184 of the Highways Act 1980.
- 4 The applicants are reminded of the requirements of the Code of Construction Good Practice, which requires that no activities shall be carried out and no commercial vehicles may arrive, depart, be loaded or unloaded within the general site, except between the hours of 0800 and 1800 Mondays to Fridays, 0800 and 1300 Saturdays and at no time on Sundays or Bank Holidays, in order to comply with the Environmental Protection Act 1990 with regards to noise and nuisance. Please see <https://www.ccscheme.org.uk/ccs-ltd/code-of-considerate-practice-2/>
- 5 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.

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