



**General Purposes Committee**  
3 April 2014

**Report from the Director of  
Environment and Neighbourhoods**

Wards Affected: Barnhill

**Stopping Up Order – Carriageway to the rear of Nos. 302 to  
308 Preston Road**

**Not for publication ('below the line')**

Appendix 2 of this report is not for publication

**1.0 Summary**

- 1.1 This report seeks authorisation to make a stopping-up Order for an area of public highway to the rear of Nos. 302 to 308 Preston Road, under Section 247 of the Town and Country Planning Act 1990 (TCPA 1990).
- 1.2 This Order is required to complete the development of the site at Nos. 302 to 308 Preston Road and provide off-street parking related to the conversion of the second floor from office use (Class B1) to residential use (Class C3).

**2.0 Recommendations**

- 2.1 That the Committee authorises the making of a Stopping Up Order for an area of public highway to the rear of Nos. 302 to 308 Preston Road.

**3.0 Detail**

- 3.1 Planning consent was given on 10th September 2012 for the conversion of the second floor of Nos. 302 to 308 Preston Road (inclusive) from office (Use Class B1) to residential (Use Class C3) comprising 1 x 1-bed and 2 x 2 bed self-contained flats, formation of refuse and cycle store at ground floor and installation of replacement windows.
- 3.2 A condition for development was the submission of plans to include six no. car park spaces which can each be accessed independently. These shall not be used for any purpose other than the parking of cars and shall be retained for the lifetime of the development. The reason for this is to ensure that the

proposed development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway and to ensure satisfactory standard of amenity by providing and retaining adequate on-site car parking. There will be no other significant change to the design or traffic management on the highway to be stopped up.

- 3.3 A draft Stopping Up Order was duly made and advertised under Section 247 TCPA 1990 on 20th February 2014 to enable the creation of 6 parking places for redevelopment to take place. A copy of the draft Order is attached at Appendix 1 together with the relevant plan showing the proposed area to be stopped-up and the notice advertised on 20th February 2014 in the local press and the London Gazette.
- 3.4 In addition to the usual statutory consultees, (utility companies with infrastructure at the site and the Greater London Authority), the Council also consulted the properties fronting the highway to be stopped up. None of the statutory consultees objected to the advertised Stopping Up Order. Two responses were received from the frontagers.
- 3.5 A verbal concern was raised by Mr Martin Lewis of the Chartered Certified Accountants FosterLewisStone, 302-308 Preston Rd, Harrow, Middlesex HA3 0QP, that his firm would be denied access to the land for parking purposes. No objection was made. They are satisfied with assurances from VDBM Chartered Surveyors that their current parking arrangements will be maintained. E-mail correspondence with them is attached at Appendix 2.
- 3.6 An objection was received from Burrows Solicitors, 298/300 Preston Road, Harrow, Middlesex HA3 0QB. The objection was based on the claim that the area in question is not public highway, but a private parking area in which they have 2 dedicated parking spaces. However, records held electronically by the Transportation Service indicate this area of land is public highway. Following discussions with Brent Officers and VDBM Chartered Surveyors this objection was retracted and Burrows Solicitors will support the stopping-up. A copy of the e-mail confirming their support to the scheme is attached at Appendix 2.
- 3.7 Members are now requested to approve the making of the Stopping Up Order in order to complete the development.

#### **4.0 Financial Implications**

- 4.1 There are no direct financial implications for the Council as the Stopping Up Order making costs will be met by the developer.

#### **5.0 Legal Implications**

- 5.1 Officers have taken the Council's legal advice in all aspects of the promotion of the Stopping Up Order. If it is agreed to make the Order then the making of the Order will be publicised, although it is not open to further objection by the public or other authorities.

## **6.0 Diversity implications**

6.1 There are no diversity implications associated with the approval of this Stopping Up Order.

## **7.0 Staffing / Accommodation Implications**

7.1 None.

### **Appendices**

Appendix "1" – Stopping Up Order with notice and plan

Appendix "2" – Responses to consultation

### **Background Papers**

Correspondence of Highway and Transport Delivery File TO/23/015/EAM  
Planning Approval, 10th September 2012, Case No. 12/1732

### **Contact Officers**

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# Appendix 1 – Stopping Up Order with notice and plan



LONDON BOROUGH OF BRENT

TOWN AND COUNTRY PLANNING ACT 1990

THE LONDON BOROUGH OF BRENT (STOPPING UP OF HIGHWAYS) (NO. \*) ORDER 201\*

1. **NOTICE IS HEREBY GIVEN** that The Mayor and Burgesses of the London Borough of Brent propose to make an order under Section 247 of the Town and Country Planning Act 1990 ("The Act") to authorise the stopping up of an area of public highway described in Schedule 1 to this notice.
2. If the order is made, the stopping up will be authorised only in order to enable the development described in Schedule 2 to this notice to be carried out in accordance with the planning permission granted by the London Borough of Brent as Local Planning Authority on 10th September 2012 under Reference No. 12/1732.
3. A copy of the draft order and of a plan of the relevant area can be inspected and a copy requested free of charge during normal office hours on Mondays to Fridays inclusive until the expiration of a period of 28 days from the 20th February 2014 at Brent Customer Services, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ.
4. Persons desiring to object to the making of the proposed order should send a statement in writing of their objection and the grounds thereof, to the Head of Transportation, Transportation Service, 5th Floor North Wing, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ, quoting the reference TO/23/015/EAM, within the period of 28 days from the 20th February 2014.
5. In preparing an objection it should be borne in mind that the substance of it may be imparted to other persons who may be affected by it and that those persons may wish to communicate with the objector about it.

Dated 20th February 2014.

Paul Chandler  
Head of Transportation

## SCHEDULE 1

The area of public highway to be stopped up comprises of an irregular shaped length of carriageway at the rear of Nos. 298 to 308 Preston Road, bounded by the north-eastern boundary wall of No. 296 Preston Road, the rear walls of the buildings at No. 298 to 308 Preston Road and an imaginary line drawn between the southernmost extremity of No. 308 Preston Road and the north-easternmost extremity of No. 296 Preston Road.

## SCHEDULE 2

Conversion of the second floor from office (Use Class B1) to residential (Use Class C3) comprising 1 x 1-bed and 2 x 2 bed self-contained flats, formation of refuse and cycle store at ground floor and installation of replacement windows.



**THE LONDON BOROUGH OF BRENT**

**TOWN AND COUNTRY PLANNING ACT 1990**

**THE LONDON BOROUGH OF BRENT (STOPPING UP OF HIGHWAYS) (NO. \*) ORDER 201\***

**Made \* 201\***

The Mayor and Burgesses of the London Borough of Brent, in exercise of their powers conferred by Section 247 of the Town and Country Planning Act 1990 ("the Act") hereby make the following order:-

1. The Mayor and Burgesses of the London Borough of Brent authorises the stopping up of an area of highway described in Schedule 1 to this order and shown hatched grey on the deposited plan, in order to enable development described in Schedule 2 to this order to be carried out in accordance with the planning permission granted under Part III of the Act by the London Borough of Brent as Local Planning Authority on 10th September 2012 under Reference No. 12/1732.
2. Where immediately before the date of this order there is any apparatus of statutory undertakers under, in, on, over, along or across any area of highway authorised to be stopped up pursuant to this order then, subject to section 261(4) of the Act, those undertakers shall have the same rights as respects that apparatus after that area of highway is stopped up as they had immediately beforehand.
3. In this order "the deposited plan" means the plan deposited in the offices of the Transportation Service, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ under Drawing No. 13.1697.01.
4. This order shall come into force on the date on which notice that it has been made is first published in accordance with section 252(10) of the Act, and be cited as The London Borough of Brent (Stopping Up Of Highways) (No. \*) Order 201\*.

**SCHEDULE 1**

The area of public highway to be stopped up comprises of an irregular shaped length of carriageway at the rear of Nos. 298 to 308 Preston Road, bounded by the north-eastern boundary wall of No. 296 Preston Road, the rear walls of the buildings at No. 298 to 308 Preston Road and an imaginary line drawn between the southernmost extremity of No. 308 Preston Road and the north-easternmost extremity of No. 296 Preston Road.

**SCHEDULE 2**

Conversion of the second floor from office (Use Class B1) to residential (Use Class C3) comprising 1 x 1-bed and 2 x 2 bed self-contained flats, formation of refuse and cycle store at ground floor and installation of replacement windows.

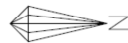
The Common Seal of THE MAYOR AND )  
BURGESSES OF THE LONDON BOROUGH )  
OF BRENT was hereunto affixed in the )  
presence of: )

.....  
Solicitor



**SITE PLAN**  
SCALE 1:500

ASSOCIATED DRAWINGS	
NO.	TITLE



**NOTES**

 AREA TO BE STOPPED UP.  
TOTAL HATCHED AREA = 1539m<sup>2</sup>

SERIAL	DESCRIPTION	AUTH	DATE
<b>AMENDMENTS</b>			
A - CHANGE OF ROAD NAME FROM THYME AVENUE TO THE AVENUE			

CLIENT	VD8M
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JOB LOCATION	302-308 PRESTON ROAD HARROW MIDDLESEX
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DRAWING TITLE	SITE PLAN
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DRAWING NO	13.1697.01
SCALE	1:500
DATE	OCTOBER 2013

**RICS**

**THOMAS & THOMAS**  
CHARTERED BUILDING SURVEYORS  
30A GREEN LANE  
NORTHWOOD, MIDDLESEX, HA6 2BN  
TEL: 020 8990 9444  
EMAIL: [enquiries@tandt.co.uk](mailto:enquiries@tandt.co.uk)

DRAWN BY <b>J.W. CALLAND</b>	CHECKED BY <b>J.S.</b>
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