

Location      Garages rear of 55 Mount Pleasant Road, Henley Road, London  
Description   Demolition of an existing single-storey, double-garage building to rear of 55 Mount Pleasant Road, NW10; and erection of a new single-storey, flat-roofed, two-bedroom dwellinghouse with basement storage accommodation, removal of the existing vehicular access onto Henley Road with associated landscaping of the garden amenity area

### **Agenda Page Number: 25**

Members visited the site on 26th June 2010. The applicants agent has submitted a written response to the issues raised at that visit, the points of which are either set down in the main Committee report or are dealt with below.

### **Principle**

The existence of previous planning appeal decisions on this site, which followed the refusal of the Council to grant planning permission, must be taken into account. The principle that this site is acceptable for the erection of a dwellinghouse has been established by earlier appeals on the site, first in 2000, but more recently in 2008.

In the appeal decision of application 08/1976 the Planning Inspector stated that the setting of the appeal site would be able to successfully accommodate a low profile contemporary design. In light of this, it is considered that whilst the concerns of the objectors are clearly understood, there can be no reasonable objection to the principle of a residential building on this site. Officers have argued this case in the past, but the Inspectorate took a different view.

The Inspector for 08/1976 did state that the effect of the proposal on the living conditions of neighbouring residents, with particular reference to outlook, privacy as well as noise and disturbance, would be acceptable. For clarity, the proposed building is a little lower in height than this previous proposal (by 0.1 metres), thus raising no additional issues, and complies with the Council's SPG17 guidance of 45 degrees measured from 2m in height at the site boundary, while the existing garage does not.

### **Precedent**

The issue of precedent was queried at the site visit, in terms of the scope for similar developments, locally and Borough-wide. Precedent is not usually a planning consideration, with each case needing to be assessed on its own individual merits. However, there are particular site circumstances which mean that the approval of a dwellinghouse here will not make it impossible for the Council to refuse an application which was considered unacceptable. The map on page 34 of the Committee Agenda shows that the site is, unusually, deep and wide enough to accommodate a building, and amenity area, to meet Brents' minimum standards, whereas it is apparent that similar sites nearby do not have this arrangement. The only way to provide an adequate depth elsewhere would be to amalgamate 2 gardens, or in the case of the site opposite, take a portion of the rear garden of No.53, which is extremely unlikely to be acceptable and would be likely to have a far greater impact on the character of the locality. Furthermore, there is already a large, substantial garage building on the site at the moment with a floor area of approx 70 square

metres, with the proposed dwelling (albeit in a different part of the site) providing a slightly larger 78 square metres of floorspace, plus 19 square metres of basement space.

### **Reason for dismissal of previous application 08/1976**

Application 08/1976 was dismissed for the reason that it would not provide satisfactory living conditions, specifically with reference to light and outlook from the semi-basement level. No objection was raised to the ground floor accommodation and, as a result, this issue is not now relevant to the current proposal, with all habitable accommodation being at ground floor. The proposed basement will be used for utility/storage. The quantity and quality of external amenity space was also raised, this has also been overcome in the current application with the useable outside space exceeding the Council's guidance.

### **Mechanical extraction from dwelling**

Neighbours queried the implications for extraction from bathroom and kitchen areas on adjoining residents. It has been confirmed that air would be ducted through roof spaces from the bathrooms and discharged from "discreet" terminals facing the proposed amenity space. Notwithstanding this, Officers recommend an additional condition to require details of mechanical ventilation to ensure that appearance and noise levels are satisfactory.

### **Additional Condition**

"Details of ventilation and extraction systems including particulars of noise levels shall be submitted to and approved in writing by the Local Planning Authority before any works commence on site. The approved details shall thereafter be fully implemented.

Reason: In order to allow the Local Planning Authority to exercise proper control over the development and to safeguard the amenities of the adjoining occupiers.

**Recommendation:** Remains approval subject to S106 agreement and additional condition.

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