



Cabinet
12 February 2018

**Report from the Strategic Director
for Regeneration and Environment**

**Adoption of Revised Planning Design Guide for the
Mapesbury and Roe Green Village Conservation Areas**

Wards Affected:	Mapesbury, Queensbury
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt:	Open
No. of Appendices:	3
Background Papers:	None
Contact Officer:	Amar Dave Strategic Director Regeneration and Environment Tel: 0208 937 1516 amar.dave@brent.gov.uk Mark Price Principal Heritage Officer Tel: 020 8937 5236 mark.price@brent.gov.uk

1.0 Purpose of the Report

- 1.1 The design guides for both the Mapesbury and Roe Green Village Conservation Areas were identified for updating due to age and also potential development pressures that might otherwise dilute the special character of the Conservation Areas.
- 1.2 The Director of Regeneration and Environment, under delegated powers conferred by Cabinet on the 13 February 2017, approved the issuing of the guides for public consultation. The consultation commenced on 22 June 2017 (for 28 days). This had followed an extensive period of discussion with the Residents Associations on the content of the guides.
- 1.3 Overall, the documents were well received. Responses have been reviewed, and where appropriate, recommendations to make amendments to the guides made. A full list of comments received, officer response and recommended changes are set out in Appendix A.
- 1.4 If adopted by Cabinet, the documents will replace the existing design guides for the areas. The consultation responses in relation to the Mapesbury guide also identified concerns that the boundary of the conservation area is not a

reflection of the extent of area that should have this status. The report also sets out how this issue can be addressed.

2.0 Recommendation(s)

- 2.1 Cabinet consider the consultation responses and recommended revisions to the Design Guides as set out in Appendix A
- 2.2 Cabinet approves the adoption of the Mapesbury Conservation Area Design Guide in Appendix B as a Supplementary Planning Document and that the existing guide is revoked.
- 2.3 Cabinet approves the adoption of the Roe Green Village Conservation Area Design Guide in Appendix C as a Supplementary Planning Document and that the existing guide is revoked.

3.0 Detail

Delegated authority

- 3.1 The Strategic Director Regeneration and Environment, in consultation with the Lead Member for Regeneration, Growth, Employment and Skills, has delegated authority to approve draft Supplementary Planning Documents and other planning guidance for consultation. This was conferred by a Cabinet decision of the 13 February 2017. The drafts were authorised for consultation on 18 May 2017.

About the guides

- 3.2 Paragraph 127 of the National Planning Policy Framework (NPPF) cautions local planning authorities to ensure that an area justifies designation as a conservation area because of its special architectural or historic interest. With appropriate management procedures in place, such as an up to date agreed design guide, the character and appearance of a conservation area will be preserved. It is generally accepted that change is inevitable, however, not necessarily harmful, and often beneficial. Design guidance sets out ways to manage change in a way that conserves and enhances the conservation areas.
- 3.3 The existing Mapesbury and Roe Green Village Conservation Area Design Guides date from the 1980s and have not been updated for many years. They do not provide clear guidance for existing residents and those proposing to move into the area about all types of works that are generally accepted.
- 3.4 Whilst the general approach to development remains unchanged, the updated documents are intended to be more 'user friendly' and provide clearer advice on the interpretation of guidance given current legislation and the NPPF.

3.5 The following are the key changes to the Design Guides:

- A better understanding of why the respective conservation areas are significant, explaining why the Council is more restrictive with alterations and extensions in these areas.
- Clarity around the interpretation of the Article 4 Directions.
- More detailed text, illustrations, diagrams and examples to help householders.
- Particular guidance on the parameters for rear, side and roof extensions.
- Further clarity on replacement windows including examples of the plans and level of detail required as part of a planning application to assist applicants and ensure acceptable replacement windows are provided.
- Details on works to front and rear gardens, including boundary treatment, ratio of soft to hard landscaping and trees.

3.6 Both guides have been drafted in consultation with the respective residents' association planning committee board members and have local councillor support. The Mapesbury Residents' Association (MapRA) www.mapra.org.uk has a planning and conservation group to oversee planning applications and liaise with Brent Council to try to maintain and improve the area. It has provided a 'drop-in' discussion and assisted with the dissemination of the guide.

3.7 Likewise, the Roe Green Village Conservation Area Planning Committee www.roegreenvillage.org.uk has made comments on the draft guide.

3.8 Good practice guidance from Historic England (contained within its Advice Note 1, 2016, Conservation Area Designation, Appraisal and Management) advocates consultation with local amenity and heritage groups. It specifically advises that 'There are major advantages, particularly in public support, in encouraging owners, residents' groups, amenity groups, businesses and community organisations to discuss the issues facing the area and how these might be addressed.' It goes on to advise that 'Design Guides and Management plans, which are drawn up without effective consultation are likely to be misunderstood and ineffective.'

3.9 Guidance, both printed and available online, to help home owners, businesses and developers understand how the community wants the area to develop in a sympathetic way is beneficial. It saves officer time in advising on unnecessary and unacceptable proposals. It clearly explains why an area has been designated, what constraints and opportunities (including restrictions on permitted development, the need for consent over demolition of buildings, parameters for extensions and the need to give prior notice before undertaking works to trees).

Consultation

- 3.10 The Town and Country Planning (Local Planning) (England) Regulations 2012 set out what the Council needs to do when seeking to adopt a Supplementary Planning Document. It has to publicise the consultation, notifying those that might be interested and making the document together with a consultation statement available on the website, in its principal office and in other locations it regards as appropriate.
- 3.11 Specifically, public consultation on the guides (for 28 days) was undertaken from 22 June 2017. Both residents' associations kept a hard copy of the draft guide for local residents to view. It took the form of:
- individual letters to owner/occupiers in the respective conservation areas notifying of the consultation and seeking views.
 - the consultation being available on the Councils website for comment for 28 days with the draft guides available to download.
 - hard copies being available at local libraries.
 - a public notice which was placed in the local newspaper.
- 3.12 A full list of comments received, officer response and recommended changes are set out in Appendix A.

Mapesbury Conservation Area boundary review

- 3.13 Boundary Review: One resident, with the support of Councillor Dr Helen Carr and the Mapesbury Residents' Association, has specifically requested that the boundaries of the Mapesbury Conservation Area be reviewed. The suggestion is to look at the curtilage/gateways to conservation area – the High Road, Chichele Road and Walm Lane. The resident points out that it is important that the conservation area is outward facing and inclusive. And without the quality of architecture preserved and reflected in the quality of buildings on these 'gateway corners', the conservation area is inward facing and consequently its qualities are less accessible.
- 3.14 Discussion: There are a small number of properties at the junctions and at the entrance 'gateways' to the Mapesbury Conservation Area which form part of the original estate and were not considered when the conservation area was initially designated in 1982. These properties appear to merit inclusion and remain unprotected from development. Furthermore, the retail development on the High Road slightly pre-dates the Mapesbury Conservation Area but it backs onto it. It has significant pressure for development. As it is outside the Mapesbury Conservation Area it is hard to control development that would preserve the setting of the conservation area. Although the retail premises pre-date the development of the Mapesbury estate they are interrelated and are of high architectural quality. There may be a case to include some of these properties too.
- 3.15 Conclusion: For these reasons it is considered that in terms of future work programme associated with the borough's conservation areas, that a boundary review of the Mapesbury Conservation Area should be a priority.

4.0 Financial Implications

- 4.1 The cost of the production of the document for adoption are small. The majority of resource is associated with the staff time required to edit the document, which has been met from existing planning policy budgets. Printing costs will be minimal, relating to the paper copies held at the Civic Centre and Council libraries. Although regulations set out that interested parties have a right to ask for a paper copy, in reality this is rare as most copies are downloaded from the Council's website. There were no additional comments or changes requested by the Head of Finance.

5.0 Legal Implications

- 5.1 The Planning and Compulsory Purchase Act 2004 and the Town and Country [Local Planning] [England] Regulations 2012 as amended provide for Local Planning Authorities to adopt Supplementary Planning Documents.
- 5.2 These documents are to provide more detailed guidance on how a development plan policy will be interpreted in the determination of planning applications. Supplementary Planning Documents cannot introduce new policy or allocate sites for development. The status of the documents as adopted Supplementary Planning Documents gives them increased weight in the determination of planning applications.

6.0 Equality Implications

- 6.1 The Equality Act 2010 introduced a new public sector equality duty under section 149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have "due regard" to the need to:
1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
 3. Foster good relations between people who share a protected characteristic and those who do not.
- 6.2 Statutory public consultation has been carried out in the process of preparing and adopting the Supplementary Planning Document. An Equalities Impact Assessment screening opinion has been undertaken which identified no positive or negative impacts in relation to those with protected characteristics as a result of the document.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 The local ward Councillors are aware of the new guides. Both Residents' Associations circulated the draft document. There has been specific support from Councillor Lia Colacicco (Mapesbury); Councillor Dr Helen Carr (Mapesbury) and Councillor Sandra M Kabir (Queensbury) who all offered to assist with the consultation of the respective Design Guides. Councillor Dr

Helen Carr has specifically requested that the boundaries of the Mapesbury Conservation Area be reviewed.

- 7.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 set out what the Council needs to do when seeking to adopt a Supplementary Planning Document. This includes consultation with stakeholders and consultees. A full list of comments received, officer response and recommended changes are set out in Appendix A.

8.0 Human Resources/Property Implications (if appropriate)

- 8.1 None arising specifically from the draft Supplementary Planning Document.

Report sign off:

AMAR DAVE

Strategic Director of Regeneration and Environment