

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

18 February, 2020
07
18/3591

SITE INFORMATION

RECEIVED	17 September, 2018
WARD	Mapesbury
PLANNING AREA	
LOCATION	5A-G Inc, Exeter Road, London, NW2 4SJ
PROPOSAL	Demolition of existing rear extension and construction of a single storey ground floor rear extension and excavation to create a basement level to facilitate the conversion of the 3 existing ground floor self-contained flats into 3 x self-contained duplex flats at ground and lower ground floor level; new front boundary wall and new entrance gates; lowering of the ground level to side and rear; rear terraces with metal railings; new side entrance door; new windows to side elevation; new lightwell to front garden; felling of rear garden trees (ash tree T1 and a small group of sycamores G2) and replacement tree planting, subdivision of the rear garden, cycle/waste storage and associated landscaping.
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_141829</p> <p><u>When viewing this as an 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 "18/3591" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

- A. Resolve to Grant planning permission subject to the following conditions.
- B. That the Head of Planning is delegated authority to issue the planning permission and impose conditions to secure the following matters:
1. Time Limited Permission
 2. Approved Plans/Documents
 3. Details of materials
 4. Details of Landscaping
 5. Details of Cycle Parking
 6. Details of Refuse Stores
 7. Construction Management Plan
 8. Restriction of Change of Use from C3 to C4
 9. SuDS Details
 10. Considerate Constructors Scheme
 11. Tree Protection
- C. 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 not 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: 5A-G Inc, Exeter Road, London, NW2 4SJ

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This map is indicative only.

PROPOSAL IN DETAIL

The application now seeks permission to demolish an existing rear extension and construct a new single storey ground floor rear extension, and create a basement level to enable the conversion of three existing units into one ground floor studio unit, and two maisonettes to occupy ground and basement levels: a 1b2p unit and a 2b4p unit.

In terms of proposed Flat 2, the replacement extension will have an overall depth along the common boundary with No.7 Exeter Road of 2.17m, 3.65m wide, 3m in height to eaves level, and 3.9m in height 9m in height to the top of a mono-pitched roof with a single rooflight. The extension proposed for Flat 3 will be 3m in depth near to the boundary with No.3A Exeter Road, 4.75m wide, 3m in height to eaves level and 4.2m in height to the top of a mono-pitched roof. Fenestration for each extension will be comprise of timber-glazed sliding doors opening up onto a set of stairs for each flat leading into the rear garden.

The basement excavation would include a sunken patio/terrace areas for both maisonette units, 2.47m deep and extending 3m beyond the rear extension and giving access via stairs up to garden level, with associated railings and planting. The rear garden would be subdivided to provide separate gardens for both the maisonettes.

Excavation would occur at the side of the building to allow a new side entrance door and new side windows. The forecourt, which is currently entirely hardsurfaced and in a poor condition, would be landscaped with planting, a new tiled entrance path and a new frontage wall with piers. In addition the application includes reinstatement of original detailing to the front of the building at ground, first and roof levels.

EXISTING

The property comprises of a three-storey semi-detached building dwellinghouse which has been converted to seven self-contained flats. The property is within the Mapesbury Conservation Area, a suburban Victorian/Edwardian residential estate characterised by large detached and semi-detached red brick buildings. It is not statutorily or locally listed.

At ground floor level, the property is currently divided into three studio flats, all of which fall below the required minimum internal space standard for studios (37sqm).

AMENDMENTS SINCE SUBMISSION

The following amendments have been made:

- The front bay window has been redesigned to match neighbours and better reflect the established character of the conservation area.
- Decorative bargeboards and spindle post have been added at eaves level to match neighbours.
- The ground floor glazing now matches neighbours with timber box sash windows and top-lights.
- The front boundary wall has been made simpler and less bulky by removing railings and reducing the number of brick piers from four to two.
- Proposed timber fencing to rear garden boundaries has been replaced with hedges to give a softer appearance.
- The basement has been reduced from 109sqm to 80.35sqm.
- Excavation is now limited to the rear of the property.
- The front light well and associated grille have been removed completely creating a larger usable front garden area and softer appearance
- The accommodation now comprises:
 - 1 bed 1 person flat with bath (41.5sqm).
 - 1 bed flat 2 person flat (63.54sqm).
 - 2 bed flat (87.16sqm).
- The concern with the second basement bedroom has been addressed by moving that room up to ground floor level.
- The rear ground floor balconies projecting over the lightwells/sunken terraces have been removed (except for narrow sections to allow access from the ground floor living rooms into the garden, but which do not over-sail the basement windows below).
- There is now level access from the street to the repositioned front door to Flat 3.

- The side light well has been moved further to the rear and reduced in both width and length. The window opening into the light well now enjoys improved light directly from the south-east.
- The living room to Flat 3 is now at lower ground floor level with direct garden access and ample windows.
- The ground floor flank windows are fully off-set from adjacent windows in the neighbouring property.
- All new flats have entrance level WC's.
- There is cycle storage in each flat in addition to external spaces.
- The light well stairs to the side passage have been narrowed allowing a wider planting strip along the flank boundary and trellis.

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:

- Principle:** Although the Mapesbury Conservation Area Design Guide notes that basements are not a feature of the Conservation Area and are difficult to integrate, much will depend on the details of the scheme and its impact on character and appearance. The principle is considered acceptable, subject to design quality and compliance with guidance.
- Heritage:** The development site, whilst not occupied by a listed building, sits within the Mapesbury Conservation Area, a designated heritage asset. As such, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area, as required by s72 of the Listed Buildings and Conservation Areas Act 1990, with section 16 of the NPPF, and with the development plan. Subject to conditions, it is considered that the proposed works of hard and soft landscaping, and in particular, the reinstatement of original detailing to the front garden and main facade, would result in a significant enhancement to the character and appearance of the Conservation Area.
- Highways Matters:** The site is within an area of good public transport accessibility and no additional car parking is required. Cycle parking is required and this will be addressed by a condition to require submission and approval of satisfactory details.
- Other Matters:** The site does not fall within an area of flood risk and the proposal incorporates sustainable drainage measures. Issues of structural stability and related matters are addressed by other legislation and not considered in the assessment of the planning application. A suite of informatives is proposed in accordance with normal Council procedure to draw the applicant's attention to the other relevant regulatory regimes.

RELEVANT SITE HISTORY

In May 2011, planning permission (ref: 11/0708) was **Refused** for the increase in height of the existing in-filling the central valley and erection of a rear dormer window and two rear roof lights to facilitate the creation of additional self-contained flat.

CONSULTATIONS

Statutory and Non-Statutory Consultees

Heritage Officer

It has been advised that there are no objections.

Tree Officer

It has been advised that the proposed removal of the Ash and three Sycamore trees is supported, however concerns are raised over the subdivision of the garden. Should the scheme be approved in its current form, a condition is recommended requiring adherence to the tree report by ACS Consulting.

Transportation

It has been advised that there are concerns over access to one of the proposed cycle stores because residents would have to go up and down two flights of steps. It is recommended that this store is relocated to the front of the residence.

Public Consultation

Letters were sent to the occupiers of 63 neighbouring and nearby properties, and the Mapesbury Residents Association, in addition to statutory site and press publicity from 19 September 2018. Objections were received from 12 properties, raising some or all of the points as set out below. An additional round of consultation was undertaken from 9 July 2019 on the receipt of amended plans and letters were received from 11 properties. Whilst some of these acknowledged the restoration of original features to the front elevation, they continued to raise the points originally made below.

<u>Comment</u>	<u>Response</u>
Design	
Basements and lightwells not characteristic of Mapesbury and out of keeping	Whilst they may not be a traditional feature of the CA, the CA Design Guide confirms that they can be acceptable. Please see the Detailed Considerations below.
Basement is not subordinate in scale to existing building footprint	The basement complies with adopted guidance. Please see the Detailed Considerations below.
Subdivision of garden and loss of trees/planting harms character and appearance and contrary to development plan policy	These elements are considered to be acceptable. Please see the Detailed Considerations below.
Communal garden should be retained	There is no requirement for a communal garden to be retained.
Detailed landscape proposals required for front and rear gardens	Landscaping details are conditioned.
Any permission should be conditioned to control future boundary structures	Conditions are unnecessary because Flats do not have permitted development rights, therefore permission would be required.
Less than 50% landscaping to front garden	Half of the front garden is soft landscaped.
Metal railings not characteristic of CA	The railings have been removed from the front wall
Alterations to front wall not in keeping, lack of information on materials	Front wall details are considered acceptable.
No section drawings through basement	Sections have been provided
Amenity	
Severe disruption, noise, disturbance, damage during construction	Some disruption is inevitable during construction, however this is temporary. A Construction Management Plan is conditioned.
Subdivision of rear garden result in more noise	Subdivision will not result in additional noise.

for neighbours	
Construction Management Plan inadequate, for example, lacks Considerate Contractors Scheme	A detailed CMP is being conditioned.
Loss of outlook for neighbours by removal of trees	The loss of the trees is considered acceptable in this instance
Mapesbury doesn't need an increase in population density	Brent must accommodate an increase in population. The application is to increase the size of three existing substandard units.
Rooflights will create noise disturbance and light pollution to upper flats – they should be obscured glazed and non-opening	There are no concerns with the proposed rooflights.
It is proposed that the basement will be divided into three properties, which will suffer from poor aspect and light	The basement is divided between two flats and a daylight/sunlight assessment concludes that sufficient light will be received
Unclear whether gas meters will remain at the front	The meters are being moved to the side
Lightwell visually intrusive	The front lightwell has been removed because the basement has been reduced in size. The rear lightwell is within the dimensions normally considered acceptable.
Highways Matters	
Insufficient bin storage space	The provision of 2 x 1,100l Eurobins would meet the minimum requirements, in addition to 6 x 23l food waste bins
Additional pressure on parking, if approved should be car free development	The scheme is not proposing any parking
Width of road not conducive to large basement project	A Construction Management Plan is conditioned
Other Matters Raised	
Pressure on services	There are currently three substandard flats within the ground floor. The proposed development will improve the quality of accommodation.
Rainwater harvesting tanks reduce green area	Tanks are below ground, with soft landscaping above.
Inadequate consultation on application	Two rounds of public consultation were undertaken. The first being on receipt of the application; the second on the first set of amendments, which changed the proposal significantly from the initial proposal.
No pre-application community engagement by	Applicants are encouraged to speak with

applicant	neighbours prior to the submission of a planning application but this is not a requirement.
Concern at potential structural damage to property and adjacent properties and that this risk not been properly assessed.	The structural integrity of a development is a matter for the Building Regs. The applicant will need to serve notice on adjacent occupiers under the Party Wall Act. This is a civil matter.
3 Exeter Road had subsidence and underpinning in recent years	The applicant will need to serve notice on adjacent occupiers under the Party Wall Act. This is a civil matter.
Insufficient technical assessments	Sufficient information has been provided for a planning assessment to be made.
Risk of flooding to surrounding properties	The site is in Flood zone 1 meaning that it is at low risk of flooding

POLICY CONSIDERATIONS

London Plan

- 3.3 Increasing housing supply
- 3.5 Quality and design of housing developments
- 3.8 Housing choice housing choice
- 7.4 Local character
- 7.6 Architecture
- 7.8 Heritage assets
- 6.9 Cycling

Core Strategy

- CP21 A balanced housing stock
- CP17 Protecting and enhancing suburban character

Development Management Policies

- DMP1 General development management policy
- DMP7 Brent's heritage assets
- DMP9A Managing flood risk
- DMP9B On site water management and surface water attenuation
- DMP18 Dwelling size
- DMP19 Residential amenity space

Other Relevant Policy Guidance

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Technical housing standards - nationally described space standards (2015)
- National Design Guide (2019)
- draft London Plan (December 2019)
- LB Brent Residential Extensions & Alterations (SPD2)
- LB Brent Basement SPD (Jun 2017)
- LB Brent Mapesbury Conservation Area Design Guide 2018
- Community Infrastructure Levy Regulations 2010
- London Cycling Design Standards

DETAILED CONSIDERATIONS

Principle

1. With three existing, substandard flats occupying the ground floor, the proposed improvements to the accommodation are welcomed and considered acceptable. The overall acceptability of the scheme however, rests upon its acceptability in terms of heritage impact and neighbour amenity, as well as any other relevant material considerations.

Design and Heritage impact

2. 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).
3. Case law (“Barnwell Manor”) has 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 authorities.
4. 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
5. The impact of a proposed development should be assessed against the significance of the designated heritage asset, and that “*great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be)*” (NPPF para.193). *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 is 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.
6. 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. The supporting text to Policy CP17 (“Protecting and Enhancing the Suburban Character of Brent”) of the Core Strategy confirms that the Borough’s historical assets need to be protected and conserved. 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.
7. There are no listed buildings within the vicinity of the site, therefore an assessment will only be made in terms of its impact on the Mapesbury Conservation Area.

Front garden, front facade

8. The Mapesbury Conservation Area Design Guide states that original front gardens are a distinctive feature of the Conservation Area with soft landscaping features enhancing properties and the area. The Guide advocates front boundary enhancements, with care to be taken to retain the original front path to the door with the remainder being landscaped. It encourages retention and where lost, reinstatement of characteristic entrance paths. Where front boundaries have been lost the Council will support traditional

front boundary walls, railings, gates and piers being replaced or reinstated, with the individual requirements varying with different parts of the area. Reinstatement of hedges, including privet and box is encouraged.

9. All these aims for reinstatement of forecourt and boundary features and soft landscaping are achieved by the present proposal, including extensive planting including frontage hedge, reinstatement of dwarf stock brick frontage wall with piers with original style copings. A pedestrian entrance path would be reinstated in traditional encaustic tiling. The front lightwell would be obscured by planting and frontage features to an extent that it would not be noticeable.
10. The applicant also proposes works to the whole front facade of the building, extending above the ground floor to which the application principally relates. These include:
 - decorative bargeboard and spindle post reinstated to second storey gable
 - parapet detailing reinstated to top of front ground floor bay
 - stucco cornice reinstated
 - pilaster detailing to bay windows reinstated
 - new timber box sash windows with toplights, reinstated
11. These reinstate original detailing to match adjacent properties and comprise a very significant enhancement of the appearance and character of the building. In addition, the existing prominent and unsightly gas meters in the front garden would be replaced and located on the side elevation in a more discreet position, behind a side gate.
12. The combined alterations to the front garden and front facade of the property are considered to amount to a significant enhancement in the character and appearance of the property and thereby a significant enhancement to the character of the Conservation Area. The proposals will be secured by appropriately worded conditions.

Basement

13. The Council's adopted Basement SPD confirms that basements should not: be wider than the original house; extend more than 3m from the rear of the property; or be more than 1-storey. In addition, if rooflights are to be installed, they should be flush and close to the building, lightwells should not be excessive, front lightwells should be no more than 800mm (or half the length of the front garden whichever is less) and should have a horizontal metal grill or flush glazing. The Mapesbury CA Design Guide, while advising that basements are not original features and could harm the special character, reiterates the above guidance where basements are considered acceptable within the Conservation Area.
14. Basement lightwells to the rear should be limited to 3m from the wall of the house into the back garden, with the visual impact of associated railings, barriers, terraces etc kept to a minimum, and special attention given to landscaping to integrate them into the garden. Lightwells 3m deep would serve the rear maisonettes to provide sunken terrace/patio areas with stair access from these up in to their rear garden areas. A 2m wooden screen between the lightwells is proposed to provide privacy.
15. The basement as proposed, is considered to satisfy the criteria within the Mapesbury CA Design Guide and the Basement SPD and does not lead to any harm to the special character of the conservation area.

Rear Garden

16. With the Design Guide stating that gardens are as important as houses to the character of the Conservation Area, concern has been expressed that the proposed subdivision of the gardens by new box type hedges (initially supported by low tension wire and post fence) would harm the openness and character of the garden to the detriment of the Conservation Area. While this concern is noted, it is considered that no material harm would result due to the mature tree and shrub screening along the garden boundaries. As the new hedging matures it will blend with the green character of the existing garden. It is acknowledged that the Council's Principal Tree Officer has objected to the proposed subdivision, but as with his view on the tree loss (below) any visual impact would not be visible from the wider Conservation Area. Moreover, the Council's Principal Heritage Officer has not raised a concern regarding this aspect of the proposal. A condition is proposed to ensure that planning permission would be required for any future proposed works to subdivide the garden further.
17. The Arboricultural Report explains that two trees sited on the boundary and very close to the building

would need to be removed to accommodate the basement and extension and these are identified as a Common Ash and a group of self-seeded Sycamores. The Report notes that the canopy of the Ash in particular 'extends over the rear projection of the house' and 'is positioned awkwardly in relation to the rear of the residential houses and it would not be unreasonable to remove these trees', which are 'thought to be associated with building damage'. While loss of these trees is unfortunate, they form part of the extensive boundary vegetation and they are not visible from the street, therefore their loss would not adversely affect the character and appearance of the wider Conservation Area. A condition is proposed to secure appropriate replacement tree planting, which is an approach accepted within the Design Guide. Tree removal should only take place outside of bird nesting season (unless under the supervision of an appropriately qualified ecologist) and tree protection of retained trees (within the site and immediately adjacent) should be provided in accordance with the recommendations in the submitted Arboricultural Report.

Standard of accommodation

Internal space

18. All three units would exceed the requirements of the London Plan and National Technical Housing Standards and therefore provide for a more acceptable level of accommodation.

Amenity Space

19. With regard to amenity space provision, DMP19 confirms that developments are required to have external amenity space of a sufficient size and type to satisfy needs, and this is normally expected to be 20sqm per flat and 50sqm for family housing (including ground floor flats). The front garden will be for the sole use by Flat 1 and provides approximately 18.5sqm of space. Flat 2 will have approximately 80sqm of amenity space (inclusive of 9sqm of space within the sunken terrace), and Flat 3 will have a total of approximately 172sqm of amenity space (inclusive of approximately 10sqm in the form of a sunken terrace). The remaining upper floor flats will not have access to any amenity space.
20. It is recognised that the amenity space for Flat 1 cannot be considered "private" by virtue of its location, however, this does represent a significant improvement to the existing situation. With regard to the upper floor flats, it is not always possible to provide amenity space for converted dwellings and the application, which does not include those units, does not change this situation, neither is it necessary for this application to address any deficiencies for units not included in the application. Notwithstanding, DMP19 does allow for some flexibility in that the policy states that the quantum is "*normally expected*", thus implying the stated quantum is not an absolute.

Daylight/Sunlight

21. A Daylight and Sunlight Report has been submitted in support of the application and this confirms that the rooms at basement and ground floor levels will achieve daylight and sunlight levels which meet with the recommendations of the Bre Guide.

Impact on Neighbour Amenity

22. The proposed rear extension would be in common alignment with an existing extension at No.7 Exeter Road, thereby not leading to any additional impact in terms of loss of light, outlook, and overshadowing. In relation to No.3A Exeter Road, the development is sited approximately 1.7m from the common boundary with a further 1.2m to the flank wall of that adjoining property. The proposed extension will project approximately 0.9m beyond the rear of that adjoining development and given the level of distancing, will not unduly impact on the existing amenities of those adjoining occupiers in terms of loss of light, outlook and overshadowing.
23. With regard to noise and disturbance during construction, it is inevitable that there will be some throughout the construction process, however these impacts are temporary but in order to minimise any impact, a detailed Construction Management Plan is proposed, to be secured by an appropriately worded condition.

Highways Matters

Car parking

24. The site is in an area with a good PTAL level (4), therefore the lower maximum car parking allowances apply, with 1 or 2 bedroom units having a maximum parking allowance of 0.75 spaces and 3 bedroom units having a maximum parking allowance of 1.2. The proposed maximum parking allowance will increase from 5.25 to 5.7. The increase is not significant and therefore acceptable within an area of good PTAL, however, the scheme continues to propose no off-street parking.

Cycle parking

25. Four cycle parking spaces are required to serve the new units. The application includes extra provision to serve the other four flats in the building which are not part of this application, and this is welcomed. The proposed layout shows a single structure adjacent to the front boundary and the footpath leading to the front entrance. At approximately 1.1m in height, the cycle store would be taller than the low front boundary wall, however, with the proposed front boundary vegetation, the store should not be highly visible. Further details of the cycle store can be secured by condition. Landscaping details are being secured by condition.

Sustainable Design and Construction

Flooding

26. The site is in Flood Zone 1, the zone designating the lowest level of flood risk. The West London Strategic Flood Risk Assessment also indicates no flood risk at this site or its vicinity.

27. Sustainable drainage

28. The proposal includes provision of two rainwater harvesting tanks beneath the soft landscaping in the rear garden (a proposed landscaping condition will ensure proper reinstatement of landscaping following installation). The tanks are a means of attenuating storm water run-off by retention and release of water, and it is stated that they will also provide a source of non-potable water for domestic use. As such this is a sustainable urban drainage measure which would improve surface water run-off conditions.

Other Matters

29. The concerns of neighbours set out above concerning structural stability, drainage, fire risk and related matters are understood. However, these are matters covered by other legislation, including building regulations, as specifically advised within the Council's Basement SPD at section 2.8, and are not matters to be considered as part of the assessment of the proposal which has been made on its planning merits. These other legislative requirements are brought to the attention of the applicant via an extensive list of informatives.
30. Concern at disruption during construction is noted and a condition is proposed to require approval, prior to commencement of works, of a Construction Management Plan (CMP) to control matters such as hours of work and deliveries, noise and dust suppression. A draft CMP was submitted with the application, but a more detailed document will be required by condition to provide further detail particularly regarding community liaison over the construction period.

Equalities

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).

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 18/3591

To: Mr Doyle
Doyle Town Planning & Urban Design
86 to 90 Paul Street
London
EC2A 4NE

I refer to your application dated **17/09/2018** proposing the following:

Demolition of existing rear extension and construction of a single storey ground floor rear extension and excavation to create a basement level to facilitate the conversion of the 3 existing ground floor self-contained flats into 3 x self-contained duplex flats at ground and lower ground floor level; new front boundary wall and new entrance gates; lowering of the ground level to side and rear; rear terraces with metal railings; new side entrance door; new windows to side elevation; new lightwell to front garden; felling of rear garden trees (ash tree T1 and a small group of sycamores G2) and replacement tree planting, subdivision of the rear garden, cycle/waste storage and associated landscaping.

and accompanied by plans or documents listed here:
see Condition 2

at **5A-G Inc, Exeter Road, London, NW2 4SJ**

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: 10/02/2020

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.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 It is considered that that the proposed development, due to its design, will not harm the significance of the Mapesbury Conservation Area. It is considered that the overall character and appearance of the application site is enhanced because of the improvements identified above. 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), the proposal has been assessed against the identified heritage asset as set out above. It is considered that the development proposal will not lead to any harm to the designated heritage asset having regard to Policy 7.8 of the London Plan, Core Policy 17, Policies DMP1 and DMP7 of the Development Management Policies, and with section 16 of the NPPF.

- 2 It is also the case that three existing studio units which are significantly smaller than current standards require, would be replaced by three good quality dwellings compliant with current space requirements.

- 3 The proposed single storey rear extensions, due to their design, size and siting does not unduly impact on the existing amenities of the occupiers of nearby properties in terms of loss of light, outlook, privacy, overlooking, and overshadowing. In this respect complies with Policy 7.6 of the London Plan, Core Policy 17, DMP Policy 1 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.

- 1 To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and offers a pre planning application advice service. The scheme complies with guidance and permission is therefore granted [no pre application discussions were entered into].

- 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

3005(PLA)101	Existing Ground Floor Plan
3005(PLA)102	Existing First Floor Plan
3005(PLA)103	Existing Second Floor Plan and Roof Plan
3005(PLA)200	Existing Front Elevation
3005(PLA)201	Existing Side Elevation
3005(PLA)202	Existing Rear Elevation
3005(PLA)203	3 Exeter Rd Existing Flank Elevation
3005(PLA)300	Existing Section AA
3005(PLA)301	Existing Section BB
3005(PLA)002/P	Existing Site Plan/ Proposed Site Plan
3005(PLA)110/P	Proposed Basement Plan
3005(PLA)111/P	Proposed Ground Floor Plan
3005(PLA)111-2/P	Proposed Ground Floor Plan - Front Garden Detail
3005(PLA)112	First Floor Plan (no changes proposed).
3005(PLA)113	Second Floor Plan Roof Plan
3005(PLA)210-2/P	Proposed Front (Street) Elevation.
3005(PLA)210-2/P	Proposed Front Elevation
3005(PLA)211-1/P	Proposed Side Elevation
3005(PLA)212/P	Proposed Rear Elevation and Section
3005(PLA)310-1/P	Proposed Section AA

3005(PLA)310-2/P Proposed Section AA- Detail
3005(PLA)310-3/P Proposed Section – Front Garden
3005(PLA)311/P Proposed Section BB

Sustainability Statement: Environment Economics 13/07/2018
Arboricultural report: ACS(TREES) Consulting. Ref: ha/aiams1/18/5exeterrd
Surface Water Drainage Strategy: Ref: 88189-ASStudioLtd-Exeter Road
Schedule of Proposed Sustainability Measures

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

- 3 Details of materials for all external work, including samples where required, shall be submitted to and approved in writing by the Local Planning Authority prior to works relating to above basement level commencing, to include building front elevation, front wall and gates, pedestrian entrance path, rear basement railings and rear extension.

The work shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development which preserves and enhances the character and appearance of the Conservation area.

- 4 Details of all soft landscaping shall be submitted to and approved in writing by the local planning authority prior first occupation of the development hereby approved. Details to be submitted shall include details or proposed arrangements for the maintenance of the landscaping. All approved planting shall occur during the first available planting season following completion of the development hereby approved. Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Details of soft landscaping shall include trees to replace those shown to be lost on the approved drawings, and reinstatement of landscaping following installation of the rainwater harvesting tanks.

Reason: To ensure a satisfactory standard of appearance and setting for the development, to ensure that the proposed development enhances the character and appearance of the Conservation Area, to ensure a sustainable development, and to provide tree planting pursuant to s197 of the Town and Country Planning Act 1990 (as amended).

- 5 The residential units 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 all of the residential units and in view of the restricted space in the front garden to accommodate additional bin or cycle storage, and to preserve the character and appearance of the Conservation Area.

- 6 The development hereby approved shall only be undertaken in accordance with the tree protection measures detailed within the Arboricultural Report (ref: ha/aiams1/18/5exeterrd) submitted by ACS (Trees) Consulting dated 6th September 2018.

Reason: To ensure that the retained trees on the site or in adjacent sites are not adversely affected by any aspect of the development.

- 7 Prior to any works to implement hard and soft landscaping at the front of the property, and notwithstanding the drawings hereby approved, the design of the cycle stores shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved drawings and the cycle parking shall be retained for that purpose.

Reason: To ensure adequate provision of suitable cycle parking facilities in the interests of promoting sustainable travel and to secure an acceptable appearance and design having regard to the location of the site within a Conservation Area.

- 8 Prior to any works to implement hard and soft landscaping at the front of the property, the design of the refuse stores shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved details and the refuse stores shall be retained for that purpose only.

Reason: To ensure adequate provision of refuse storage facilities and to secure an acceptable appearance and design having regard to the location of the site within a Conservation Area.

- 9 Prior to the commencement of any works and notwithstanding the submitted Construction Management Plan, a revised Construction Management Plan shall be submitted to the Local Planning Authority for approval in writing. The revised Construction Management Plan shall include but not be limited to the following:

- a. a photographic condition survey of the roads, footways and verges leading to the site;
- b. wheel cleaning methodology and facilities (inclusive of how waste water will be collected /managed on site);
- c. the estimated number and type of vehicles per day/week;
- d. details of any vehicle holding area;
- e. details of any vehicle call up procedure;
- f. coordination with other development projects in the vicinity;
- g. Hours of deliveries / collections,
- h. A Construction Management Plan written in accordance with the 'London Best Practice Guidance: The control of dust and emission from construction and demolition'.

The development shall be carried out in accordance with the approved detail.

Reason: To minimise the impact of construction works upon highway safety, congestion and parking availability, to ensure the implementation of the development does not lead to damage to the existing highway, and to minimise disruption to neighbouring properties and the environment. These details are required pre-commencement because the impacts of construction commence when the development commences and as such, the need to mitigate those impacts accordingly arises at this time.

- 10 Prior to installation of the proposed surface water attenuation measures, details shall be submitted to and approved in writing by the local planning authority of the proposed system, including management and maintenance proposals. The development shall be implemented in accordance with the approved details and shall be retained and managed as such for the lifetime of the development.

Reason: To secure measures are implemented to the benefit of sustainable urban drainage and surface water flood prevention.

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

- 2 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.
- 3 The applicant is reminded that nesting birds are protected under the Wildlife & Countryside Act, 1981 (as amended). All buildings and areas of trees, hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development approved, should only be cleared outside of the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist must check the buildings and vegetation to be removed immediately prior to clearance and advise whether nesting birds are present.
- 4 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.

Any person wishing to inspect the above papers should contact Sean Newton, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5166