

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

26 January, 2022  
05  
21/2262

## SITE INFORMATION

RECEIVED	17 June, 2021
WARD	Mapesbury
PLANNING AREA	Brent Connects Kilburn
LOCATION	91B Mora Road, London, NW2 6TB
PROPOSAL	Insertion of 6 rooflights to main pitched roof, insertion of Juliet balcony to northwest elevation and replacement of roofing material change from sheeting to clay tiles (revised plans).
PLAN NO'S	See condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_155642">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_155642</a></p> <p><b><u>When viewing this as a Hard Copy</u></b> .</p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"><li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search tying "21/2262" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

That the committee resolve to GRANT planning permission subject to conditions.

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. Time Limit
2. Approved Plans
3. Materials to Match
4. Opening Window Restrictions

### Informative

1. Building near a boundary
2. Party Wall Act

That the Head of Planning and Development Services 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

	<b>Planning Committee Map</b>
<b>Brent</b>	Site address: 91B Mora Road, London, NW2 6TB
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This map is indicative only.

## PROPOSAL IN DETAIL

The application proposes the insertion of 6 rooflights to main pitched roof, insertion of Juliet balcony to northwest elevation and replacement of roofing material change from sheeting to clay tiles.

## EXISTING

The subject property is a two-storey building located within a backland site located via a service road from the southern side of Mora Road. The change of use of the building from office to residential gained “prior approval” and works are currently being undertaken to convert the property. The site is predominately surrounded by residential properties and four of the exterior walls form the boundaries with neighbouring properties gardens. To the immediate east, the elevation of the building is bordered by the rear garden of 91 Mora Road. To the south, the party wall is on the boundary of the rear garden of No.s 99 to 107 Ivy Road. To the west of the site, a part two, part three-storey building containing residential accommodation has recently been constructed from planning permission 17/0473 granted 21/04/2017. The site is not in a Conservation Area nor is it a listed building. St. Michael's Church is a nearby Grade II heritage assets that is situated approximately 25m northwest.

## 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:

- Representations received:** Objections from 13 residents have been received. The objections have been considered and discussed within this report.
- Neighbouring amenity:** The development has been assessed against the guidance in SPD 1 and would be compliant. While the unique close proximity of the existing building to neighbouring gardens is noted, it is considered that the proposed additional rooflights and Juliet balcony as part of this application would have an acceptable impact on the neighbouring occupiers and not result in an adverse loss of privacy, overlooking or unreasonable levels of noise.

## RELEVANT SITE HISTORY

Reference	Proposal	Decision	Date
E/21/0306	Without planning permission, the replacement of roof tiles with standing seam single ply to pitched roofs and single ply membrane to flat roofs, replacement of windows and doors to all elevations with anthracite PVCu units, new red cedar cladding to front elevation and insertion of rooflights to flat and pitched roofs		
21/0428	Proposed replacement of roof tiles with standing seam single ply to pitched roofs and single ply membrane to flat roofs, replacement of windows and doors to all elevations with anthracite PVCu units, new red cedar cladding to front elevation and insertion of rooflights to flat and pitched roofs (revised description).	Refused	07/06/2021
21/0421	Details pursuant to condition 4 (Contamination Report) and condition 6 (Details of front garden layout) of Prior Approval -	Granted	07/05/2021

	Office to Residential reference 20/1729 dated 7 August, 2020, for Prior approval for change of use from Office (Use Class B1a) to residential (Use Class C3) to create six self-contained flats with bin and cycle storage to front		
20/1729	Prior approval for change of use from Office (Use Class B1a) to residential (Use Class C3) to create six self-contained flats with bin and cycle storage to front	Prior Approval Granted	07/08/2020

## CONSULTATIONS

Fifteen neighbouring and nearby properties were consulted together with NorthWestTWO Residents Association. The first consultation letter was sent on 18/06/2021. The description of the proposal was changed to revise the wording and remove the replacement of the existing windows on 30/06/2021. The description of the proposal was further revised which changed the wording of 'reinstatement and repositioning of 6 rooflights' to 'insertion of 6 rooflights'. The submitted plans were also amended to show two ground floor windows that had been boarded over internally and a correction to label elevation orientations with consultation letters sent on 17/08/2021 and 18/08/2021. The application was further consulted on 17/09/2021 to reflect corrections on the application form including site area and amended floor block, site and location plans that revised the red line boundary.

Overall objections from 13 residents were received.

Reasons for objecting	Officer's Comment
The description of 'reinstatement' is misleading as rooflights on the pitched roof are not existing	The applicant contended that the existing translucent panels constituted rooflights. However, the proposed rooflights would be openable windows, therefore the description was been subsequently amended to state the 'insertion of rooflights' with relevant re-consultation.
The submitted drawings show existing roof windows which do not currently existing which is misleading	The existing elevation demonstrate 6 panels on the roof that are annotated to state 'existing rooflight in sheet roofing'. It is considered the elevation reflects the existing building.
The roof has always been void and there was no third floor	The building is being converted under permitted development, and the permitted development rights allow the change of use of a building and land within its curtilage. This can include the whole building, including any loft space.
Rooflights would result in noise and disturbance to surrounding properties	While any additional accommodation is considered to create some noise associated to residential use, the additional rooflights at a high level with restrictive opening mechanisms are not considered to cause detrimental additional impact to noise and disturbance.
Rooflights would produce additional light to surrounding properties	While the rooflights would allow views of light when internal rooms were illuminated, as the rooflights would mostly face upwards and sit at the roof level of the majority of surrounding properties, it is not considered that the light created would significantly harm the amenities of neighbouring residents.

<p>Rooflights would create additional overlooking and would result in loss of privacy and perceived privacy to neighbouring properties and amenity spaces</p>	<p>The applicant has demonstrated that the rooflights would be restricted to not allow future occupiers/users or the site to look through lower parts of the windows. A condition will be placed on any permission to ensure mechanism are installed and retained in such a way.</p>
<p>Insertion of Juliet balcony is not in keeping with area and the adjacent building 91 C,D,E was refused windows on this elevation.</p> <p>In line with recent planning application on adjacent site there should be no windows on the boundary walls for the properties of Mora Road and Ivy Road.</p>	<p>The appearance and potential impacts on amenity of the proposed rooflights and Juliet balcony is discussed in the Detailed Considerations section of the report.</p>
<p>South western elevations incorrectly shows four windows instead of three windows</p>	<p>The elevation was subsequently amended to reflect this inaccuracy with relevant re-consultation.</p>
<p>Lack of insulation and therefore increased noise and disturbance. . Other matters relating to the construction of the building in terms of the materials, structural state and methods were raised.</p>	<p>Insulation has to comply with the relevant Building Regulations. This is not a planning consideration. The works are also being supervised by a private building control company and not Brent Building Control who has no jurisdiction with regards to these works.</p>
<p>For safety and security, the windows on the building should stay opaque and non-opening and security in terms of trespass of neighbouring gardens</p> <p>The development has created privacy and security concerns including potential intruders.</p>	<p>This application only relates to the roof, rooflights and the window containing the Juliet balcony which faces towards No. 91 C-E Mora Road.</p> <p>The security of the neighbouring gardens would not significantly change as a result of the proposal.</p>
<p>Application should be reassessed by Brent Council and adhered to by building control standards</p> <p>There is a lack of information regarding building control standard and company.</p>	<p>The development must accord with the Building Regulations and this cannot be considered as a part of this planning application.</p>
<p>Concerns regarding the granted change of use from the commercial site to residential flats.</p>	<p>The change of use from a commercial site to residential accommodation was applied for with a Prior Approval application 20/1729 through the permitted development process. Certain types of development are granted planning permission by national legislation without the need to submit a planning application. This change of use required the applicant to submit an application to the Local Planning Authority for its 'Prior Approval'; or to determine if its 'Prior Approval' was required. This allows the Local Planning Authority to consider certain only certain aspects of the proposal.</p>
<p>The development would be detrimental to the enjoyment, use and quality of neighbouring gardens and external amenity spaces.</p>	<p>This application only relates to the roof, roof windows and Juliet balcony and associated window. The potential impacts of this are discussed in the detailed considerations part of this report.</p>

<p>The development has created significant disruption including loud music and noise from construction workers, foul language, extreme levels of noise, dust, rubbish and debris.</p> <p>Construction workers on site out of hours</p>	<p>Construction and demolition works are essential for the growth and redevelopment of Brent. However the noise and disturbance associated with such works can affect those living and working in close proximity.</p> <p>The Control of Pollution Act 1974 gives powers to the Council which can restrict working hours and allow conditions to be stipulated on the types of machinery/ plant that are used on construction sites and complaints can be made to the Council's noise team where nuisances occur. Due to there being other primary legislation which controls this work, these issues cannot be considered within the planning assessment.</p>
<p>Neighbouring property garden structure has been splattered with paint during works</p>	<p>Direct damage to a property is a civil matter between those involved.</p>
<p>Several complaints have sent to Brent Nuisance team about the noise exceeding reasonable levels</p>	<p>Brent Nuisance Control Team advise that a qualifying threshold of three or four separate nuisance-level incidents within a 4-week period is usually required to open an investigation. One-off or infrequent incidents will be logged for monitoring but no further action will be taken.</p>
<p>The owner has not informed neighbours of the work including any regarding the party wall act</p>	<p>The Party Wall Act 1996 provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings. This cannot be considered in the determination of this planning application.</p>
<p>Application has not yet been approved although the works are proceed</p>	<p>The applicant appears to have commenced works to implement the prior approval application on site.</p>
<p>Concerns regarding the building becoming a HMO</p>	<p>The use of the flats as small scale HMOs (up to 6 persons) would not currently require planning permission. However, planning permission would be required for the flats to change to a Sui Generis HMO.</p>
<p>In the event of a fire, exiting the property would involve access through private properties which is not acceptable.</p>	<p>Fire safety is primarily covered within Building Control. Landlords and freehold owners of residential buildings have a legal duty to ensure that a fire risk assessment is carried out to identify and remove any fire risks and hazards, or to reduce these as far as possible.</p>
<p>There should have been a green area with this building and there is not appropriate space for landscaping to take place</p> <p>In the submitted plans there are no safe provisions for electric cycles, scooter or electric car charging. This fire hazard should be urgently addressed.</p> <p>The change use from commercial to residential</p>	<p>The building is being converted to flats under "permitted development" with the requirement for this type of development set by central government through legislation. There is no requirement for outdoor space or charging points within the legislation, and this process does not allow for the consideration of many of the matters that can be considered within a full planning application for a change of use to flats.</p>

<p>should have taken into consideration the neighbouring properties and the detrimental effect it would have on so many homes and lives on Mora Road and Ivy Road.</p>	
<p>The Privacy Law Act and Human Rights Act 1998 should protect against unwarranted invasions of privacy</p>	<p>The potential impacts on privacy are discussed within the detailed considerations part of this report.</p>
<p>The development would harm air quality due to cooking smells</p>	<p>This proposal only relates to the roof, roof windows and the Juliet balcony and associated window. The flats are to be delivered through permitted development. Nevertheless, the property is situated within a residential area, and while some cooking smells may occur associated to residential use, these are not likely to be lead to an unreasonable impact to air quality.</p>
<p>Windows could result in throwing waste to neighbouring gardens</p> <p>New occupants may result in anti-social behaviour which accompanies overdevelopment and overcrowding</p> <p>Development would create an unsafe environment for the residents of Ivy and Mora Road</p>	<p>If future anti-social or criminal behaviour takes places, this can be reported to the Brent anti-social behaviour team or the police.</p>
<p>Windows cannot project over invade airspace of adjoining houses</p>	<p>This application does not involve the existing windows within the main walls of the building. The rooflights and Juliet balcony do not project over other properties.</p>
<p>Site area is incorrect on the submitted application form</p>	<p>The site area was incorrect and has been subsequently amended with relevant re-consultation.</p>
<p>Application form and submitted documents do not address rights of way of No.91 Mora Road – the proposed development would block rights of way</p>	<p>Legal/private access rights are not a material planning consideration. The proposed alterations as part of this application would not alter access to the site.</p>
<p>Missing vehicle parking spaces on the application form which is not defined</p>	<p>Parking would not be altered as part of this application. The council's transportation team assessed the initial Prior Approval application. The site was found to be acceptable with regards to transport subject to a 'car free' agreement and bike storage details.</p>
<p>Application form does not adequately assess flood risk. The run off from the flat roof adjoining No.91 will fall across boundary into side garden</p>	<p>There is no additional hard surfacing or roof area as part of this application, therefore it is considered that flood risk has been adequately considered.</p>
<p>Application form incorrectly states surface water will be dispose of in main sewer however rainwater is not disposed of in this way</p>	<p>The rain water drainage would not be altered as part of this application.</p>
<p>Applicant has submitted inaccurate site ownership as the applicant is not the sole owner of the land</p>	<p>The red line side boundary submitted initially has been corrected to include only the land of the subject site.</p>

The applicant does not own the side passage and is reliant on boundary land and guttering to dispose of rainwater originating from 91B buildings	No rainwater goods are proposed as part of this application. The guttering would not be altered as part of this application as such the existing arrangement would remain.
The submitted drawings incorrectly depict the distance of the side passage and the actual on site measurements of the side boundary	<p>The HM Land Registry maps has a caveat stating 'HM Land Registry endeavours to maintain high quality and scale accuracy of title plan images. The quality and accuracy of any print will depend on your printer, your computer and its print settings. This title plan shows the position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.'</p> <p>Nevertheless, taking into account the scale and thickness of the red line of the site, the distance of the side passageway appears to be consistent on the submitted block plans, location, plan and the land registry for 91B Mora Road.</p>
Application from contains many errors and was incorrectly made valid	Necessary changes were sought with a revised application form and the application was re-consulted.
Neighbouring properties 91 and 91a would have a less comfortable outlook and would be disturbed, which would harm their overall living conditions	The bulk and massing of the site would not increase, therefore they would not be additional limitations or obstruction from the rear windows of No.91 and 91A, as such the outlook is not considered to have been altered.
Granted prior approval 20/1729 should be revoked as the applicant has incorporated neighbouring land at No.91 within the application	The "red line" plan for the prior approval application did include a small element of the front garden of No. 91. However, this does not affect the consideration of this planning application as the proposal only relates to the roofing, roof windows, Juliet balcony and associated window and would be acceptable whether or not the prior approval is implemented.
Revised plans appear to be the same as the first submission	The revisions to the plans contained minor amendments as such the plans appear to be similar to the original submission.
The building was erected without planning permission	The main building itself is historic and there are no planning records for its erection. A granted planning permission to extend the property in 1996 (96/0281). In any case, the building has been there a significant period of time and would be lawful even if it was originally constructed without planning permission.
The development could result in congestion, road rage and carbon omissions	This application only relates to the roof, roof windows, Juliet balcony and associated window. The highways impacts were considered during the assessment of the initial Prior Approval application and the flats will be 'car free'. Carbon emissions could not be considered during the

	prior approval application.
The development would result in financial burden to neighbouring properties including increase of home insurance and loss of property value	The loss of value is not a material planning consideration.
There are no standards for drainage, sewage and safety exits.	This application would not alter these elements of the site, which are dealt with through the Building Regulations.
The proposed bins and cycles are next to entrance and parking to a private house	This was covered in a discharge of conditions application 21/0421 and not this application. The proposed bins and cycle storage are within the subject site.
Application form includes questions relating to the provision of residential accommodation on site and residential floorspace which have not been answered.	Although the previous prior approval application is noted, the alterations that form part of this application would not alter the provision of residential accommodation on site. Therefore, the details are considered sufficient.

## 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 2010 Brent Core Strategy, the 2016 Brent Development Management Policies Document and the 2021 London Plan. Key relevant policies applicable to this application are:

### **Core Strategy (2010)**

CP17 Preserving the Suburban Quality of Brent

### **Brent Development Management Policy (2016)**

DMP1 Development Management General Policy

DMP7 Brent's Heritage Assets

### **London Plan (2021)**

D1 London's form, character and capacity for growth

D4 Delivering Good Design

D12 Fire Safety

### Draft Brent Local Plan

The Council is at an advanced stage in reviewing its Local Plan. The draft Brent Local Plan was subject to examination in public during September and October 2020. Planning Inspectors appointed on behalf of the Secretary of State have considered the draft Plan and have requested that the Council undertake consultation on a number of Main Modifications which is taking place between 8 July and 19 August 2021. Therefore, having regard to the tests set out in paragraph 48 of the NPPF, it is considered that greater weight can now be applied to policies contained within the draft Brent Local Plan.

Key relevant policies from these documents include:

DMP1 – Development Management General Policy

### Other material considerations

National Planning Policy Framework 2021

SPD1 Brent Design Guide (2018)

# DETAILED CONSIDERATIONS

## 1. Overview

1.1 Planning application 20/1729 for the prior approval for change of use from Office (Use Class B1a) to residential (Use Class C3) to create six self-contained flats with bin and cycle storage to front at 91B Mora Road was Granted on 7th August 2020. Following this, a further application 21/0421 for the discharge of conditions 4 (Contamination Report) and 6 (details of front garden layout) was granted on 7<sup>th</sup> May 2021.

1.2 This application seeks external alterations to the existing building. These include: changes to roofing materials from sheeting to clay tiles, insertion of Juliet balcony to the northwest elevation and insertion of 6 openable rooflights in the main pitched roof.

1.3 The main considerations of relevance in regard to this application are the impact of the proposal on the character of the host property and of the locality, and on the residential amenity of the neighbouring properties. Detailed guidance on these matters is set out in the Council's SPD1 document in accordance with the provisions of Policy DMP1 of the Brent Development Management Policies Document.

## 2. Character and appearance

2.1 The subject site occupies a backland plot accessed via a service road the southern side of Mora Road. The surrounding site is predominantly residential and four of the exterior walls of the property form the boundary with neighbouring gardens. To the north and east is Mora Road predominantly characterised by two storey terraced brick built houses with pitched roofs of slate and clay tiles. To the south of the site is Ivy Road comprised also of two storey terraced brick built houses with pitched roofs of slate and clay tiles. To the west of the site is contemporary development of part two part three storeys implemented planning permission 17/0473 granted on 21<sup>st</sup> April 2017. Beyond this is a 12m wide strip of Thames Water open land St Michael's Church, a Grade II listed building.

2.2 The existing building is an L-shape containing a two-storey main building with a pitched roof perpendicular with a two-storey element with a flat roof that runs north of the rear gardens of No.s 103-97 (odd) Ivy Road. The building also incorporates single storey additions with that border the boundary with 91 and 91A Mora and contain an entrance fronting the service Road. The existing building is constructed in red brick with vertical timber cladding to parts of the north-west elevation. The main pitched roof is finished in corrugated sheet roofing with the entrance pitched roof constructed of clay tiles. The flat roofs appear to be finished in felt.

2.3 The proposed six rooflights would be inserted into the main pitched roof, projecting from the roof plane by approximately 5cm. The existing building appears to have a form of roof light that is created through the use of translucent roofing materials. This is seen in aerial imagery and from photographs taken on site. The proposed rooflights, however, would be openable windows in different locations, three to the north-western elevation and three to the south-western elevation. Although the rooflights would be visually noticeable, they would occupy a relatively small portion of the overall roof plane. Within the locality, rooflights are a common feature of residential properties. Therefore, with regards to character and appearance, at this level, it is not considered that the fenestration alterations and additions would be visually obtrusive, in terms of the impact on the character and the appearance of the property and its surroundings.

2.4 The proposed Juliet balcony would involve the installation of a glass balustrade to an existing window of 1.8m in height. Given that there is an existing full-length window, the additional glazing would be consistent with the existing materials in this part of the elevation. The balustrade is light-weight and would not be visually obtrusive.

2.5 The application proposes red clay tiles to the main pitched roof. The surrounding area has a mixture of slate and clay tiled roofs. While the replacement would be visually different to the existing finish, the applicant has stated that the corrugated roofing contains asbestos and the proposed clay tiles would complement both the red brick of the property and the surroundings roof profiles.

2.6 The replacement roof material would have a softer appearance and result in a positive impact on

the character of the host property and the installation of rooflights and a glazed balustrade is not considered to harm the appearance of the property of the wider locality.

2.7 With regards to St Michael's Church, the nearby heritage asset, the altered building retains the same separation distances and the predominant red brick visual appearance. From public and private vantage points, the proposal would therefore not harm the setting of the church. The scheme complies with policy DMP7 and the provisions of section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

### **3. Impact on neighbouring properties**

3.1 SPD 1 provides guidance on how new development should be designed in order to limit the impact of neighbouring residential properties. Externally, the building lies closest to residential properties and gardens of Mora Road and Ivy Road.

#### *Privacy/Overlooking*

3.2 It is set out in SPD1 that directly facing habitable room windows normally require a separation distance of 18m while the distance between habitable room windows or balconies and gardens should normally be at least 9m. There is no specific guidance relating the installation of rooflights and the same distances are applied. Where windows are less than this from a boundary they are typically obscure glazed and have restricted openings. In this case, the applicant has submitted a section through the roof that illustrates that the rooflights would project upwards and would have an opening mechanism that would restrict the views for future occupiers and users of the site solely from the upper parts of the window. Therefore, from the south eastern elevation, the outlook provided from the proposed rooflights would therefore not provide immediate overlooking to the rear gardens on Mora Road below and instead provide longer horizontal and sky views. To the north western elevation the new development at 91 C-E Mora Road has no fenestration on the opposite elevation, therefore the windows are unlikely to overlook occupiers of this development.

3.3 With regards to the Juliet balcony, the full length window in this position is existing. The glazed balustrade would not project from the façade and therefore would provide comparable oblique views to the existing window in this location. There is a separation distance in excess of 9m to the rear gardens of No.109 and No.107 Ivy Road and this window and Juliet balcony would accord with SPD 1 even if it did directly face those gardens. As discussed above, there are no windows within the façade of 91 C-E Mora Road that directly faces this building, and as such, the Juliet balcony does not increase overlooking of that building. Furthermore, the Juliet balcony and associated fenestration replaces an existing window, the level of overlooking to other properties does not materially increase above the levels associated with the existing window.

#### *Noise, Light and Disturbance*

3.4 Internal alterations have begun to facilitate the implementation of the Prior Approval application 20/1729 to create six self-contained flats on site. While it is noted that the change of the use of the site may generate more noise, light and disturbance than the previous use as an office, the addition of rooflights would have a similar impact to the insertion of rooflights on nearby residential properties. When in use as domestic properties at the proposed occupancy, it is not considered that the addition of rooflights would give rise to an unacceptable levels of noise, light and disturbance.

### **4. Fire Safety**

4.1 London Plan policy D12 sets out that development proposals must achieve the highest standards of fire safety. The proposed alterations would not affect any access to or from the building and the future occupiers would have a very similar arrangement to what was being constructed without the additional windows. Therefore, the proposal has sufficiently addressed the requirements of policy D12 and given that this application relates to roof tiles, roof windows and the Juliet balcony and an associated window, these matters can be adequately dealt with by Part B of the Building Regulations which covers fire safety compliance.

### **5. Public Sector Equality Duty**

4.1 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)

## **6. CONCLUSION**

The proposed development is considered to be acceptable in terms of impact to character and appearance of the subject property and the locality. The proposed development also would not have an adverse impact on the overall living condition of the neighbouring occupiers and is considered to comply with policy DMP1.

**Approval is accordingly recommended.**

## DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

## DECISION NOTICE – APPROVAL

Application No: 21/2262

To: Mr Peters  
ATP Design Ltd.  
24  
BRIDGEMARY GROVE  
GOSPORT  
PO13 0UG

I refer to your application dated **17/06/2021** proposing the following:

Insertion of 6 rooflights to main pitched roof, insertion of Juliet balcony to northwest elevation and replacement of roofing material change from sheeting to clay tiles (revised plans).

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

at **91B Mora Road, London, NW2 6TB**

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: 18/01/2022

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 The proposed development is in general accordance with the:-

National Planning Policy Framework 2021  
The London Plan 2021  
Brent's LDF Core Strategy 2010  
Brent's Development Management Policies 2016

- 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 drawing(s) and/or document(s):

BLP\_A111-12 Rev A Block and Location Plans  
EEP\_A201-4 Rev C Existing Elevation  
EFP\_A101-4 Rev A Existing Floor Plans  
ESP\_A105 Rev A Exusub  
PEP\_A205-8 Rev C Proposed Elevations

A301 Section through roof + rooflights

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

- 3 All new external work shall be carried out in materials that match, in colour, texture and design detail those stated on the submitted drawings and plans.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- 4 The rooflights hereby approved within the south-eastern roofslope shall be installed with obscure glazing within any areas of glazing less than 1.7 m above floor level in the associated room and top opening only with a restriction in the maximum opening of the window as detailed within Drawing A301 "Section through roof + rooflights" and shall be permanently maintained in that condition.

Reason: To ensure the development does not unduly impact the privacy of the adjoining occupier(s).

**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](http://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.

Any person wishing to inspect the above papers should contact Lena Summers, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5233