

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

24 October, 2023
05
23/1889

SITE INFORMATION

RECEIVED	31 May, 2023
WARD	Northwick Park
PLANNING AREA	Brent Connects Wembley
LOCATION	91 Pasture Road, Wembley, HA0 3JW
PROPOSAL	Proposed first-floor side extension, rear dormer, ground-floor rear canopy and replacement of ground-floor rear window with door to dwellinghouse
PLAN NO'S	<p>Location Map (1:1250) and Site Plan – 17/071_S0 Existing Ground-Floor Plan - 17/071_S1 Existing First-Floor and Roof Plans – 17/071_S2 Existing Elevations – 17/071_S3 Proposed Ground-Floor Plan - 17/071_P1 Proposed First-Floor and Roof Plans – 17/071_P2 Proposed Elevations – 17/071_P3</p> <p><u>Supporting Documents</u> Design & Access Statement, prepared by ES Architecture Ltd, dated 15.05.2023 Heritage Statement [FL 11314], prepared by Fuller Long, dated 25.10.2019 Proposed 3D Visuals - 17/071_R5 Proposed 3D Elevations - 17/071_R5</p>
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_165043</p> <p><u>When viewing this as a 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 "23/1889" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

INTRODUCTION

Under Part 4 - Terms of reference for Council committees and sub-committees of the Council's Constitution, a planning application for alterations to a residential building (including extensions) would not normally be determined by Planning Committee. However, under sub paragraph 2 an application for planning permission is required to be determined by Planning Committee where at least three Brent Councillors have requested, in accordance with the criteria set out below, that the application be considered by the Planning Committee.

- it clearly states that the Councillor wishes the application to be determined by the Planning Committee and explains why it is not appropriate for the application to be determined under officer delegated powers;
- it states whether or not the Councillor has been in contact with the applicant, agent, objector(s) or any other interested party concerning the application and, if so, provides details of the approach(es), including the identity of the person(s);
- it is in response to a current application that has been publicised by the Council; and
- it raises planning considerations that are material and related to the application.

A call-in request has been made in relation to this planning application by the ward councillors (Councillor Michael Maurice, Councillor Kanta Mistry and Councillor Sunita Hirani). The call-in request follows Councillor Maurice's contact with the applicant and having viewed the site himself, he considers that in his view the proposal would not result in material harm to the Sudbury Court Conservation Area. In light of the failed attempts to obtain a successful planning permission following extensive negotiations with the Local Planning Authority, a request for Planning Committee to determine the application has been made.

RECOMMENDATIONS

Refuse Consent

SITE MAP

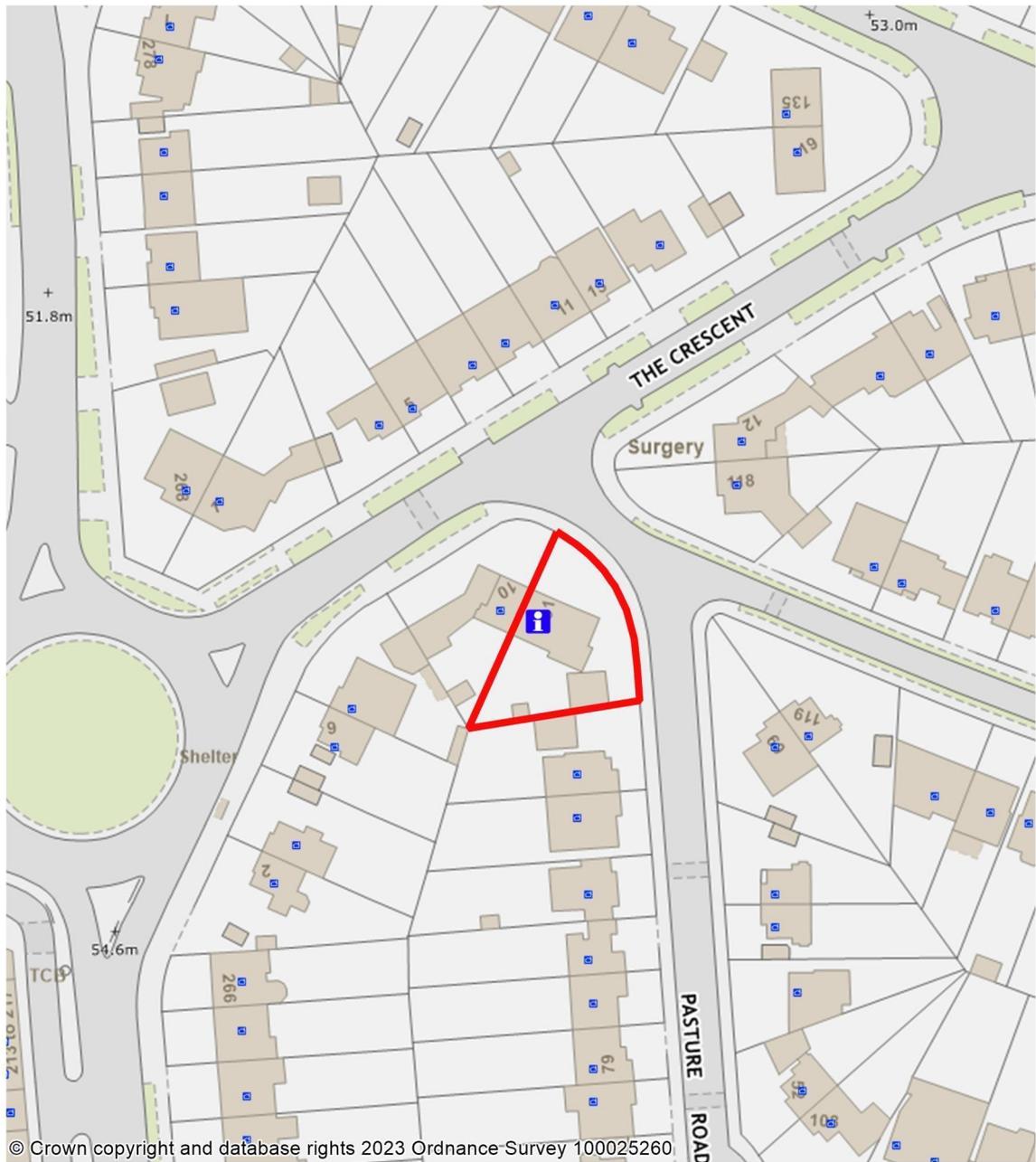


Brent

Planning Committee Map

Site address: 91 Pasture Road, Wembley, HA0 3JW

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This map is indicative only.

PROPOSAL IN DETAIL

Proposed first-floor side extension, rear dormer, ground-floor rear canopy and replacement of ground-floor rear window with door to dwellinghouse.

EXISTING

The application site contains a two-storey semi-detached dwellinghouse, located on the corner of Pasture Road, Paxford Road and The Crescent. The site is located within the Sudbury Court Conservation Area (a designated heritage asset), but is not a listed building nor are there any listed building in proximity to the site.

The triangular plot is in a residential area and benefits from a ground-floor side & rear extension and detached garage.

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: Whilst no objections have been received, a call-in request has been received from three councillors who support the proposal requesting that the application is determined by the Planning Committee.

Design and appearance, and impact on Sudbury Court Conservation Area: Officers consider that the rear dormer, ground-floor rear canopy and replacement of ground-floor rear window with door are acceptable and in keeping with the character of the conservation area. However, there are objections to the proposed first floor side extension. The proposal, due to the excessive width of the side extension, would be considered to have a harmful impact on the character of the host property and wider Sudbury Court Conservation Area. The application site has been subject to three recent planning applications, all of which were refused due to the excessive width of the side extension, and each one was also dismissed on appeal.

Residential amenity: The proposal would not result in a harmful impact on neighbouring amenity; however, this does not overcome the concerns raised in relation to the harm from the first-floor side extension as discussed within the main body of the report.

RELEVANT SITE HISTORY

Relevant planning history

22/2137 - Proposed first-floor side extension, rear dormer, ground-floor rear canopy and replacement of ground-floor rear window with door to dwellinghouse (amended description)

Refused on 08/08/2022

Reason: The proposed first floor side extension, by the virtue of excessive width would lack subservience to the original house and harm the character of the house and its contributions towards local streetscene and the wider Sudbury Court Conservation Area. This is contrary to Policies DMP1 and BHC1 of Brent's Local Plan 2019-2041 and the guidance set out within the Sudbury Court Conservation Area Design Guide (2015).

Appeal Ref: APP/T5150/D/22/3309910

Appeal Dismissed on 10/02/2023

20/0112 - Proposed first-floor side extension, ground floor rear canopy with rear dormer to dwellinghouse (revised description)

Refused on 01/06/2020

Reason: The proposed first-floor side extension, by the virtue of significant width and insufficient set-back from the front building line would lack subservience to the original house and significantly harm the character of the house and its contributions towards local streetscene and Sudbury Court Conservation Area. This is contrary to policies DMP1 'Development Management General Policy' and DMP7 'Brent's Heritage Assets' of Brent Development Management Policies (2016), Sudbury Court Conservation Area Design Guide (2015) and Policies BD1 and BHC1 of the Draft Local Plan.

Appeal Ref: APP/T5150/D/20/3256620

Appeal Dismissed on 09/12/2020

18/0992 - Erection of a first-floor side extension and a rear dormer window to dwellinghouse

Refused on 10/05/2018

Reason: The proposed first floor side extension by the virtue of significant width and insufficient setback from the front building line and insufficient set down of its roof ridgeline from the original roof of the house, would lack subservience to the original house and significantly harm the character of the house and its contributions towards local streetscene and Sudbury Court Conservation Area. This is contrary to policy 7.8 'Heritage Assets and Archaeology' of London Plan (2016), policies DMP1 'Development Management General Policy' and DMP7 'Brent's Heritage Assets' of Brent Development Management policies (2016) and Sudbury Court Conservation Area Design Guide (2015).

Appeal Ref: APP/T5150/D/18/3207360

Appeal Dismissed on 01/11/2018

93/1070 - Erection of single storey side extension and detached garage at rear construction of vehicular access - Allowed on appeal, 04/02/94

CONSULTATIONS

Seven nearby properties along Pasture Road and The Crescent were notified by letter of this proposal on 13th June 2023 for a 21 day period.

A site notice advertising the proposal was displayed on a lamppost outside the property from 20th June 2023 for a 21 day period.

A press notice advertising the proposal was placed in the local press on 22nd June 2023 for a 14 day period.

No representations were received.

POLICY CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this

application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprised of the London Plan (2021) and Brent Local Plan (2019-2041).

Key policies include:

London Plan (2021)

D12a: Fire Safety

HC1: Heritage conservation and growth

Brent Local Plan (2019-2041)

DMP1: Development Management General Policy

BD1: Leading the Way in Good Urban Design

BHC1: Brent's Heritage Assets

Other material considerations

The following are also relevant material considerations:

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance

Supplementary Planning Guide

Sudbury Court Conservation Area Design Guide (2015) (SCDG)

DETAILED CONSIDERATIONS

Proposal in Detail

1. The application is seeking planning permission for the erection of a first-floor side extension, rear dormer, ground-floor rear canopy and replacement of ground-floor rear window with door to the dwellinghouse.

Summary of Appeal Decisions

2. As listed in the 'RELEVANT SITE HISTORY' above, several applications have been submitted, refused and all have been dismissed at appeal. All three applications were refused due to the width of first-floor side extension and size of the roof form over it and the resultant harm to the conservation area. The width of the first-floor side extension was 5.65m within the first application, 5m in the second and 4.8m in the third. A width of 4.5m is now proposed (30cm narrower than the most recent previous application). This has been discussed in detail below.

APP/T5150/D/22/3309910 for 22/2137 (4.858m wide first floor side extension)

3. The first-floor extension was proposed at 4.858m wide with a set-back of 1.5m from the main front wall of the house. The Inspector considered that the proposal would result in harm to the conservation area, noting the following in their report:

There would be no long distance views of the proposal, but in this location around the junction of three roads, the harm that it would cause would be very apparent in the streetscene, particularly looking up at the front face of the building from The Crescent. Neither the submitted 3D Visuals, nor the Visual Impact Assessment in the Heritage Statement, assuage my concerns. In harming this prominent, highly distinctive building in this part of the SCCA, the scheme would harm the designated heritage asset as a whole.

APP/T5150/D/20/3256620 for 20/0112 (5m wide first floor side extension)

4. The proposed first floor extension was 5m in width with a set-back of 1.5m from the main front wall of the

building. The Inspector found that the proposal would result in harm to the conservation area. The following is set out in their report:

The Appellant has provided a heritage statement in support of the application. I have no doubt that the quality of the design and construction of the proposed development is appropriately high. However, that does not detract from my conclusion that the size, bulk and prominence of the proposed development is such that it would fail to preserve or enhance the CA. It is also notable that there is no reference in the statement to views down onto the host property from higher up Pasture Road.

APP/T5150/D/18/3207360 for 18/0992 relates to 5.65 m wide first floor side extension)

5. The second storey was proposed to be 5.65m wide with a 0.85m set-back from the main front wall. The Inspector set out the following:

The extension proposed would, contrary to the Design Guide advice, appear dominant rather than subordinate to the host property and unbalance the pair of semi-detached properties. It would create an incongruous feature on a prominent site, eroding the 'open quality' of the corner plot referred to in the conservation area Appraisal. In combination with the scale and massing of the proposed extension it would have a negative visual impact on the conservation area'.

Overall, the above factors lead me to conclude that the proposed development would have an adverse effect on the character and appearance of the existing house and the CA.

6. The Inspector's decisions and associated reports are material considerations that must be taken into account when considering subsequent applications.

Design, Character and Impact on Streetscene

7. Section 72(1) of the Planning (Listed Building and Conservation Area) Act 1990 (as amended) requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
8. Paragraph 189 recognises that heritage assets are an irreplaceable resource and seeks to conserve them in a manner appropriate to their significance. It is appropriate to consider the desirability of new development making a positive contribution to the local character and distinctiveness [197c].
9. Paragraph 199 of the NPPF states that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
10. Policy BHC1 of the Brent Local Plan (2019-2041) states that proposals shall sustain or enhance the significance of heritage assets and contribute to local distinctiveness having regard to matters such as the streetscene, and good quality, subordinate design.
11. Further to this, the Sudbury Court Conservation Area Character Appraisal (2006) highlights the importance of corner properties, as they face the junction, giving a formal, open quality to the crossings.
12. The application site contains a well-proportioned, attractive, semi-detached house dating from the inter-war period, which is situated within the Sudbury Court Conservation Area (a designated heritage asset). The house has been extended out substantially at side ground floor level. Moreover, a large double garage exists to the rear which sits at a higher point to the main house. The house is set at a low point locally as the land rises southwards along Pasture Road which itself exhibits a strong front building line on both sides.

13. The property is described in the Sudbury Court Conservation Area Character Appraisal as 'stripped down white rendered Moderne stylised houses enlivened by bright green pan tiles'. It also states 'The Character of most houses within the Conservation area is defined by the quality of detail and composition'. Its extension, garage and boundary walls also have a consistent exterior of white render and green tiles.
14. It is very attractive, a rarity in the Sudbury Court Conservation Area, and highly visible on a key corner plot. Despite its over large ground floor extension and prominent double garage, it retains its basic architectural form and features and contributes positively to the conservation area as well as the streetscene.
15. The special character of the area is based not only on the design of the buildings but also on their street setting and the streetscene. The estate itself is not without a wider historic interest, being a planned suburban neighbourhood laid out symmetrically either side of a central spine road.

First-Floor Side Extension

16. The Sudbury Court Conservation Area Design Guide states that two storey side extensions should:
 - have a set back of 25 cm from the main front wall of the house at ground floor level;
 - have a set back of 1.5 m from the main front wall of the house at first floor level along the eaves line of the house;
 - have a width restricted to a maximum of 3.5m wide (measured externally);
17. Where the side extension would infringe on the site of an original detached garage the proposal should either incorporate the original garage into the design of the extension or incorporate a suitable replacement that replicates the features of an original garage;
 - Should be constructed of materials to match the existing property;
 - Should have proportionate sized windows that match the existing property;
 - Should have a roof set down from the original ridge line;
 - Where semi-detached, should consider the symmetry of the pair.
18. The proposed first-floor side extension would have a total width of 4.5m with a 1.5m set-back from the front elevation at first-floor level. The proposed elevations show the first-floor side extension would have a depth of 7.6m (to meet the existing rear elevation) with a matching hipped-roof, and a 0.5 set-down from the ridgeline of the original house. The proposed extension features include 1x front window, 1x side windows & 2x rear windows and would be used as bedroom 1, bedroom 5 and a shower-room.
19. With regard to design, first floor side extensions are not a characteristic of the original estate. However, modest side extensions have been permitted where they are restricted to a maximum of 3.5m wide (measured externally) and set back 1.5m. This is to ensure that they are of a size and scale that is subordinate to the original house and considered to preserve the character and historical significance of the conservation area in this respect.
20. Whilst there is undoubtedly space at the side of the house. Nevertheless, such extensions may still appear disproportionate to the main dwelling and the guidance is clear: *that extensions must be modest in nature so as to keep the character and feel of the original building*. There is no question that this building has a key part to play in the conservation area's character and status.
21. Indeed, this exposed and open corner plot is recognised as hosting a significant building in the conservation area character appraisal.
22. Within the earlier appeal decision for application reference (22/2137), which also proposed a first-floor side extension with a 1.5m set back, but a width of 4.858m wide (and a further 0.76m overhang of the roof). Within the appeal decision, the Inspector noted the following:

The proposed first floor extension would match the host's style, materials, and design detailing. However, at around 4.8 metres wide, its front face would not be substantially shorter than the original property, and it would be significantly wider than advised in the SCDG. With reference to an email dated 26 April 2019, it would also be around 0.8 metre longer than officers said was the most that they could support.

Given the extension's proportions, whilst its front face would be set back in accordance with the SCDG, and its ridge would be set down, it would have a considerable scale and bulk, and it would not appear entirely subordinate to the host. The resultant property would have a contrived, overly elongated and horizontal form.

Additionally, given that No 10 has a single storey side extension, the scheme's form and the proportions of its first-floor window, would unbalance this semi-detached pair. Consequently, contrary to the stance in the Heritage Statement, in my view the scheme would not enhance the building's current proportions.

23. The Inspector has regard to the location of the plot on the junction of three roads. They noted that *"the harm that it would cause would be very apparent in the streetscene, particularly looking up at the front face of the building from The Crescent. Neither the submitted 3D Visuals, nor the Visual Impact Assessment in the Heritage Statement, assuage my concerns. In harming this prominent, highly distinctive building in this part of the SCCA, the scheme would harm the designated heritage asset as a whole"*.

24. Previous to this, application 20/0112 proposed a first-floor side extension with a 1.5m set back but a width of 5.02m wide, with a further 0.77m overhang of the roof. The Inspector for the appeal set out that:

The location of the host property is particularly visible. This is a result of a combination of the very distinctive style, the corner location, and the sloping nature of the land. From the Crescent, the host property and its pair are above the road and are very prominent. From the top of the slope of Pasture Road looking down, the roof of the host property is an important part of the street scene due to the distinctive green pan tiles.

Both pairs of semi-detached houses with the same style have been extended in the past, but none of them have two storey extensions. As a result, the proposed development by virtue of its size and bulk would unbalance the appearance of the pair of dwellings, both from immediately outside the houses and from the Crescent and from further up Pasture Road. For those reasons I conclude that the proposed development would not comply with the Guide and would not preserve or enhance the CA.

25. The width of the proposed extension within the current application has been reduced. However, the reduction in overall width by 0.3m is very small and when viewing the extension in relation to the original dwelling, does not materially alter the degree of subservience. The 4.5m wide first-floor side extension proposed would not be subordinate and is still considered too wide and bulky. Its elongated ridge and eaves lines would be highly prominent and poorly related in scale to the original house. Thus, it does not appear subservient. Indeed, it would noticeably out of proportion with the host property appearing nearly the same width. The arrangement of windows on the front elevation also upsets the balance of pair of houses.

26. Within the earlier appeals, as discussed above, the Inspector noted that *'whilst its front face would be set back in accordance with the SCDG, and its ridge would be set down, it would have a considerable scale and bulk, and it would not appear entirely subordinate to the host'* (Paragraph 10 on Page 2 of Appeal Decision APP/T5150/D/22/3309910 relating to application 22/2137). Given the reduction in width by 0.3m, the proposed extension would still be considered to appear bulky in appearance, that is not subservient to the host property and not in line with the design guide.

27. Furthermore, as the adjoining property (No. 10 The Crescent) does not benefit from a first-floor side

extension, the proposal would also unbalance the semi-detached pair. This view is also supported by the Inspector in Paragraph 11 on Page 2 of Appeal Decision APP/T5150/D/22/3309910. Evidently, it is not considered that the reduction in width (by 0.3m) has overcome the earlier concerns raised by the Inspector.

28. The character of an area is defined not just by its built space but also by its unbuilt areas. It is no accident that the close coalescence of roads meeting, namely: Paxton Road, The Crescent and Pasture Road, has resulted in a planned suburban layout where openness and space is a factor. An over-large feature that lacks the desired modesty of its location is undoubtedly an intrusion into the intrinsic nature of this fine, well laid out estate.
29. The Sudbury Court Conservation Area Character Appraisal describes large extensions as 'intrusions' and goes on to state that '*The impact of such extension is exacerbated further by an inappropriate design, scale and massing*'. The poor design and scale would dominate the property from the street and is against the advice given in the Sudbury Court Conservation Area Design Guide (pages 8-10). Note the guide specifically states at 3.5, page 10, '*Where the side of a property faces a road, as this will be very visible, more care should be taken on the design of any extension. Over large or bulky extensions will not generally be acceptable as they will draw attention to themselves and detract from the appearance of the Conservation Area.*'
30. Officers acknowledge that the materials and the style will match and of course this is welcome as an essential element of any scheme. However, this does not outweigh the harm discussed above.
31. There is reference to examples of extensions elsewhere in the conservation area of a two-storey nature. These pre-date the conservation area designation and are not in fact part of the setting of the application site so have little material relevance in this case. Indeed, within the appeal decision for application reference 22/2137, the Inspector had regard for extensions to No. 118 Paxford Road and 60 Pasture Road. In both cases the Inspector noted that both have a front face which is shorter, and more subordinate to, the original building, than would be the case here.
32. The Design & Access Statement makes reference to an existing side extension at No. 1 The Crescent. However, each planning application is determined on its own merits. It is noted that a two-storey side extension was granted permission at No. 1 The Crescent in 1989, under ref: 88/2708. This is a historic permission, which was granted before the conservation area was designated in 1990. Since then, several new policies have been adopted, specifically written to protect the area from any development that may damage its special character.
33. The applicant's heritage statement has also highlighted that the proposal would be an overall improvement to the design of the property. Within the earlier appeal decision for application reference: 22/2137, the Inspector noted that the existing side extension was partially covered with plastic sheeting which did give it an incomplete and unsightly appearance. However, they noted that the scheme that was under their consideration was not the only way in which that adverse impact could be addressed.
34. In conclusion, it is considered that the proposed extension, due to its bulk and width, would appear as a discordant addition, disproportionate in size to the existing dwelling. It would unacceptably dominate the façade to the detriment of the character and appearance of the dwelling. For the same reasons, it would appear as an incongruous addition within the conservation area. The overall harm identified from the extension would impact on a localised part of the conservation area when considered as a whole. Thus, the harm would be less than substantial within the meaning of the NPPF.
35. Paragraph 196 of the NPPF requires that harm should be weighed against the public benefits that could arise from the proposed development. Public benefit may be anything which delivers economic, social, or environmental objectives and must flow from the proposed development. Within the earlier appeal, it was recognised that there would be a short-term economic benefit during construction works, and arguably by

improving the housing stock but the Inspector did not consider these sufficient to outweigh the less than substantial harm to the conservation area which it had identified.

36. This proposal does differ from that previously considered in that it is 0.3m narrower than the most recent previous proposal. However, it is considered that the relatively modest benefits associated with the proposal do not outweigh the harm discussed above.

Rear Dormer

37. Rear dormers are usually acceptable in principle. However, they need to be in proportion and well-articulated. They also need to be in the same style as the original house. They should be no wider than half the width of the original house, set well down from the roof ridge and well up from the eaves. The dormer window should match the windows on the house; the frame should fill the whole dormer and be predominately glazed.
38. The proposed rear dormer would have a depth of 2.5m and a width of 2.1m, excluding the roof width (2.6m). The proposed elevations show a dual-pitched roof, with an eaves height of 1.85m and a ridge height of 3m, with a set-up of 1.2m from the eaves and a set-down of 0.6m from the ridge of the main dwellinghouse roof. The building features include 1x two-pane rear window.
39. The proposed rear dormer is less than half of the width of the original roof of the house. It is sufficiently set-down from the ridgeline and set-up from the eaves. It is proposed to have a dual-pitched roof and is mainly glazed in the front face, which is generally in line with the provisions of the SCDG. However, the window frame does not fill the whole dormer width. On balance, this is not considered to be sufficiently discordant to result in harm to the character of the house or conservation area.

Ground-floor rear canopy and replacement of ground-floor rear window with door

40. The proposal includes extension the roof plane of the hipped roof of the existing single-storey side/rear extension to form a canopy and entrance to the rear of the house. The canopy would have a maximum depth of 1.1m and is incorporated well with the existing roof. The proposed rear doors would be in-keeping with style of the existing fenestration of the host property and complement the arrangement of the ground-floor windows & doors. The Sudbury Court Conservation Area Design Guide does not prevent these types of works. Overall, these changes are not considered to have an adverse impact on the original character of the dwellinghouse or harm the neighbouring residential properties.

Impact on Residential Amenity

41. With regard to neighbour amenity, the proposed side window in the first-floor extension would not face any habitable room windows of any neighbouring dwellings and therefore is not considered to result in undue levels of overlooking or create a sense of enclosure.
42. To the north of the application site, No. 118 Paxford Road and east of the application site No. 60 Pasture Road have a significant separate distance and are unlikely to be impacted by the proposal. To the south of the application site, No. 89 Pasture Road benefits from a detached side garage and has several side windows facing towards the application site. To the west of the application site, No. 10 The Crescent would not be impacted by the proposed first-floor side extension as it is on the adjacent side of the application site. As such given the siting of both the proposed first-floor extension would not be deeper than the neighbouring properties.
43. Overall, the proposal would not result in an unduly detrimental loss of light or outlook to the neighbouring properties and is considered acceptable in this regard.

Transport Considerations

44. In this instance, there would be no loss of an off-street car parking space; therefore, there would be no material change to the layout of the front garden or the parking arrangements at the site, which is acceptable.

Tree Considerations

45. All trees in the Sudbury Court Conservation Area that have a diameter greater than 75mm and measured at a height of 1.5m are protected. Hedges play an important role by adding to the character and setting of the dwellings. These privet hedgerows typically trimmed to a height of 1.2-1.5 metres serve to define boundaries and identify access points. The removal of hedges would drastically alter the natural/urban balance within Sudbury Court. Where possible, hedges should be maintained as this is the best way to preserve the character of Sudbury Court. Carrying out the proposed works would not require the removal or pruning of any trees or hedges and they are therefore considered acceptable in this regard.

Fire Safety Considerations

46. The application has not been accompanied with the fire safety information set out within D12 of London Plan (2021). However, formal approval under the Building Regulations will be required if the scheme goes ahead and therefore given the scale and location of the development, the absence of the fire statement does not render the scheme unacceptable.

Flooding and Drainage Considerations

47. Policy BSUI3 of Brent's Local Plan that highlights the need for proposal that require a flood risk assessment to demonstrate that the development will be resistant and resilient to all relevant sources of flooding including surface water. The application site does not fall within a Floodzone; therefore, a flood risk assessment (FRA) is not required.

Equality

48. 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).

Summary

49. There has been dialogue with the planning department since the last refusal. Unfortunately, the degree of change to the proposal has been minor and insufficient to address the harm associated with the previous proposals identified by the Council and the Planning Inspector.

50. In conclusion, the development if permitted would result in the construction of disproportionate extension that would fail to pay any regard to the original form of the property, the distinct suburban layout or amenities of neighbouring residents. The proposed first-floor side extension would be excessive in scale and mass and would fall below the high standard of design that is expected within this conservation area. It would adversely affect the character and appearance of the main property and would be visually intrusive in the wider area. In addition, the proposed first-floor side extension would be visibly intrusive in the context of the estate layout and would unbalance the symmetry of with the adjacent No. 10 The Crescent. The public benefit would not be considered to outweigh the identified less than substantial harm set out above.

51. The proposed side extension would fail to preserve or enhance the conservation area and would not comply with the Sudbury Court Conservation Area Design Guidance. It is therefore contrary to policies DMP1 and BHC1 of Brent's Local Plan (2019-2041) and the guidance set out within the Sudbury Court Conservation Area Design Guide 2015.

52. Planning permission is therefore recommended for refusal for the reason as set out within the draft decision notice.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – REFUSAL

Application No: 23/1889

To: Mr Seaman
ES Architecture Ltd
57 Chester Road
Watford
WD18 0RG

I refer to your application dated **31/05/2023** proposing the following:

Proposed first-floor side extension, rear dormer, ground-floor rear canopy and replacement of ground-floor rear window with door to dwellinghouse

and accompanied by plans or documents listed here:

Location Map (1:1250) and Site Plan – 17/071_S0

Existing Ground-Floor Plan - 17/071_S1

Existing First-Floor and Roof Plans – 17/071_S2

Existing Elevations – 17/071_S3

Proposed Ground-Floor Plan - 17/071_P1

Proposed First-Floor and Roof Plans – 17/071_P2

Proposed Elevations – 17/071_P3

Supporting Documents

Design & Access Statement, prepared by ES Architecture Ltd, dated 15.05.2023

Heritage Statement [FL 11314], prepared by Fuller Long, dated 25.10.2019

Proposed 3D Visuals - 17/071_R5

Proposed 3D Elevations - 17/071_R5

at **91 Pasture Road, Wembley, HA0 3JW**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **REFUSE** permission for the reasons set out on the attached Schedule B.

Date: 16/10/2023

Signature:

Gerry Ansell
Head of Planning and Development Services

Note

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.

PROACTIVE WORKING STATEMENT

- 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 does not comply with policy or guidance.

REASONS

- 1 The proposed first floor side extension, by the virtue of excessive width would lack subservience to the original house and harm the character of the house and its contributions towards local streetscene and the wider Sudbury Court Conservation Area. This is contrary to policies and Policies DMP1 and BHC1 of Brent's Local Plan 2019-2041 and the guidance set out within the Sudbury Court Conservation Area Design Guide (2015).

Any person wishing to inspect the above papers should contact Jasmin Tailor, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5341