

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

7 August, 2024  
07  
24/0296

## SITE INFORMATION

RECEIVED	5 February, 2024
WARD	Brondesbury Park
PLANNING AREA	Brent Connects Kilburn
LOCATION	Thanet Lodge Garages, Mapesbury Road, London, NW2 4JA
PROPOSAL	Proposed part demolition of garage block and erection of a single storey dwellinghouse with associated amenity space, alterations to boundary treatment and provision for new pedestrian access, cycle and refuse storage
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_167746">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_167746</a></p> <p><b><u>When viewing this as a Hard Copy</u></b></p> <p>Please use the following steps</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 "24/0296" (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:

That the Head of Planning is delegated authority to issue the planning permission and impose conditions and attach the following informatives in relation to the following matters:

### Conditions

1. Three year commencement rule
2. In accordance with approved plans
3. Water Consumption
4. Bin and cycle store compliance
5. Accessible Home
6. External amenity space compliance
7. Obscured glazed
8. No access to the roof of the dwellinghouse
9. External Materials
10. Hard/ soft landscaping and lighting details


### Informative

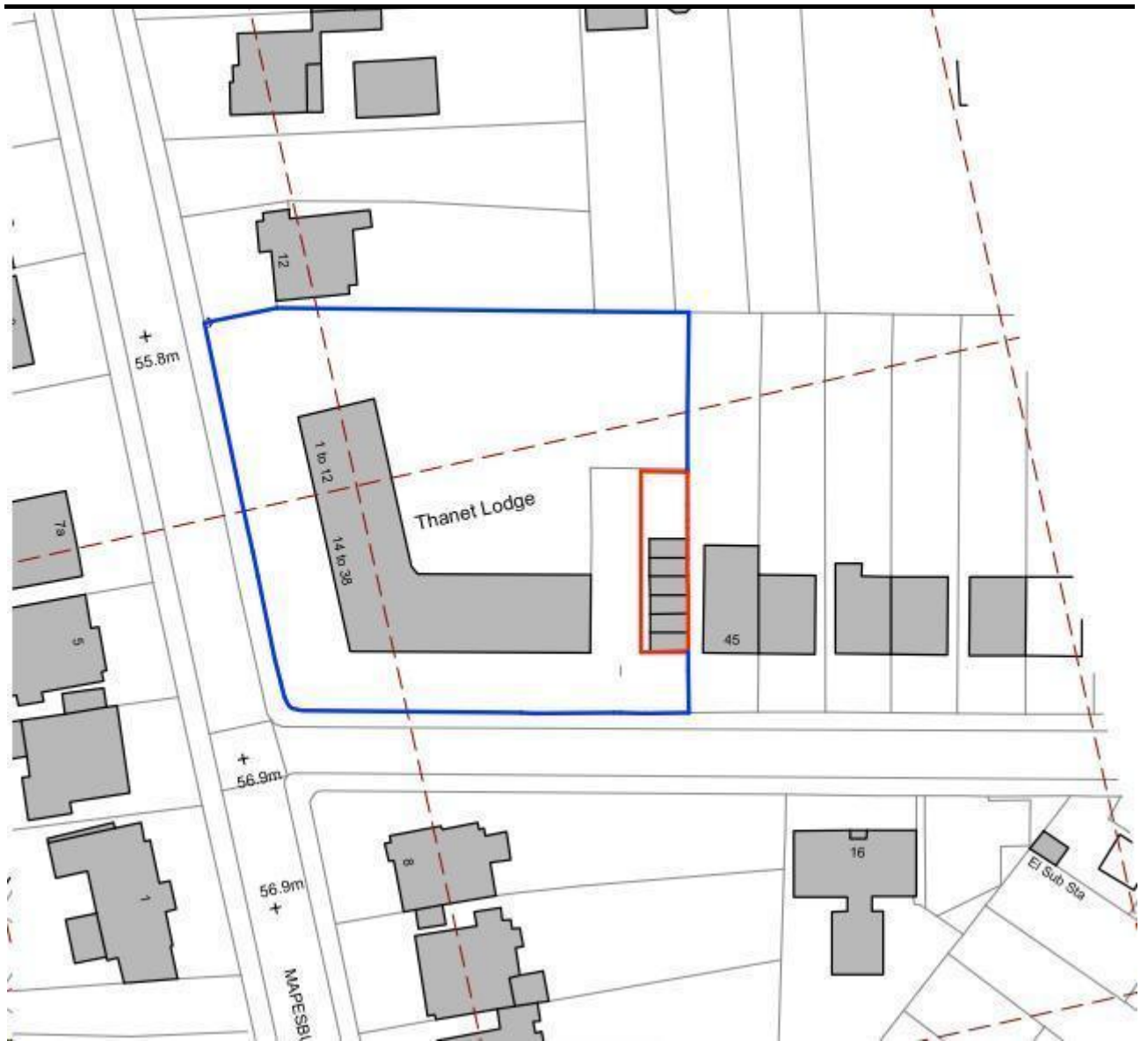
1. Party Wall Act
2. Building Near Boundary
3. Surface water drainage
4. CIL Liability
5. Fire safety
6. Hours for noisy works

1. 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 nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

2. That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

## SITE MAP

	<b>Planning Committee Map</b>
	Site address: Thanet Lodge Garages, Mapesbury Road, London, NW2 4JA
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This map is indicative only.

## PROPOSAL IN DETAIL

Proposed part demolition of garage block and erection of a single storey dwellinghouse with associated amenity space, alterations to boundary treatment and provision for new pedestrian access, cycle and refuse storage

## EXISTING

This application relates to a single storey garage plot which sits to the eastern side of Thanet Lodge which is an L-shaped building located on a corner plot fronting both Mowbray Road to its south and Mapesbury Road to its west. Thanet Lodge is 4-5 storey high and contains 43 residential flats, with a large plot of amenity space to the rear.

The site is located in the Brondesbury Conservation Area (a designated heritage asset) but does not contain any listed building and is not located in close proximity to a listed building.

## 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:** Representations were received from 18 objectors and 3 neutral comments. A number of issues were raised. The objections have been considered and are summarised in more detail below and discussed in the report.

**Principle of Development:** The London Plan and Brent's Local Plan recognise the role of small sites in the delivery of new homes that are needed in the borough. The site has a Public Transport Accessibility Level (PTAL) of 4 and is within a priority area for housing. The general principle of residential development is supported in this location, contributing towards the Council's housing targets. The site is sited within the Brondesbury Conservation Area. The demolition of the existing garages is considered acceptable as they are not considered to contribute towards the character and appearance of the Conservation Area.

**Design and appearance:** The proposal is considered to represent a good standard of design within the site and would not result in a harmful impact on the character and appearance of the Brondesbury Conservation Area.

**Highway impacts:** The site is within an area with good PTAL of 4 for public transport. The proposal would result in the loss of six garages and an area of hardstanding to the rear that could accommodate 3 parking spaces. Transportation officers have reviewed the proposal and consider that these parking spaces are surplus to requirements and that there would be sufficient capacity of any overspill parking on the surrounding streets. The new home would be provided with secure and covered cycle parking as well as refuse storage.

**Residential amenity:** The proposal would not result in a significant impact on the residential amenities of neighbouring occupiers in terms of noise and disturbance, daylight and sunlight or overlooking to any immediate adjoining residential neighbours having regard to the provisions in SPD1.

**Trees, landscaping and ecology:** The proposal would not result in the loss of any trees within the application site. Whilst the Urban Greening Factor has not been confirmed nor it has been demonstrated that there is a net gain in biodiversity, given that the proposal would increase the amount of soft landscaping within application site, there are opportunities for enhancements and such details would be secured through a planning condition.

## RELEVANT SITE HISTORY

Application reference: 20/0600

Proposal: Proposed part demolition of garage block and erection of a single storey dwellinghouse with associated amenity space, alterations to boundary treatment and provision for new pedestrian access, cycle, and refuse storage

Outcome: the application was dismissed by the planning inspectorate following an appeal made by the applicant against the non-determination of the application from the council. Detail of this is set-out further in the background section of the report.

## CONSULTATIONS

Seventy (70) nearby and neighbouring properties have been notified as part of the public consultation for this application. The application was also advertised through a site notice displayed on 5th March 2024 and within the local press. In total 3 comments which neither oppose nor support the development and 18 separate objections have been received which object to the proposed development on the following grounds:

Reasons for objecting	Officer Comment
Safety issues to future occupiers opening door into path of car users	A separate footway is proposed for pedestrians to the new house, so that they do not need to share the narrow driveway with vehicles. Therefore, it is considered this would ensure adequate safety for future occupiers.
Loss of privacy to neighbouring occupiers and to the residents of the new home	This is discussed in the quality of accommodation and impact on neighbouring amenity sections of this report
Inappropriate design not in keeping with conservation area character	This is discussed in the design and heritage impact section of this report
Noise pollution- residents would be exposed to this given the proximity to parking area	It is acknowledged that construction works would lead to some degree of noise and disturbance to neighbouring properties. Any statutory nuisance is addressed through environmental health legislation. The proposal itself for one new home would be appropriate for the residential context of the wider area and would not result in noise levels beyond that type experienced for a residential dwelling.
Close proximity to waste bins- issues of odour, vermin, and noise of bins closing/opening	This is discussed in the quality of accommodation section of this report
Lack of sunlight/daylight into main building	This is discussed in the neighbouring amenity section of this report
Existing basement flat and flats added on top to the main building have leakage issues. Cladding to the flats of main-building is non-compliant. Other issues with service charge costs and maintenance of building including boundary wall issues.	This is not a material planning consideration. The proposal is for a new dwelling within the curtilage of the main building and issues with the existing building cannot be considered when evaluating this proposal.
Would add to existing parking stress issues	This is discussed in the highways section of this report.
Loss of garages used for storage may result in	The application does not include provision for

unsightly shipping containers being proposed to accommodate storage	new shipping containers. Such works may require planning permission.
Poor outlook to future occupiers	This is discussed in the quality of accommodation section of this report
Would cause structural damage to the existing building	This is not a material planning consideration and so will not be addressed further in this report.

## 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 as is relevant to this proposal is comprised of the:

London Plan 2021  
Brent Local Plan 2019-2041

Key policies include:

### London Plan 2021

GG2: Making the best use of land  
GG4: Delivering the homes Londoners need  
D3 Optimising site capacity through the design-led approach  
D4 Delivering good design  
D6 Housing quality and standards  
D7 Accessible housing  
D12a – Fire Safety  
H1 - Increasing housing supply  
H2 – Small sites  
HC1 Heritage conservation and growth  
G5 Urban greening  
G6 – Biodiversity and access to nature  
G7 Trees and woodlands  
SI5: Water infrastructure  
SI 13 Sustainable drainage  
T5 Cycling  
T6 Car parking  
T6.1 Residential parking  
T7 Deliveries, servicing and construction

## **Local Plan 2019-2041**

DMP1 – Development Management General Policy

BD1 – Leading the way in good design

BH1 – Increasing Housing Supply in Brent

BH2 – Priority Areas for Additional Housing Provision within Brent

BH4 – Small Sites and Small Housing Developments in Brent

BH13 – Residential Amenity Space

BHC1 – Brent's Heritage Assets

BGI1 – Green and Blue Infrastructure in Brent

BGI2 – Trees and Woodland

BSUI4 - On-Site Water Management and surface water Attenuation

BT2 – Parking and Car Free Development

BT3 – Freight and Servicing

### **The following are also relevant material considerations:**

National Planning Policy Framework

Brent Waste Planning Guide 2013

Brent's Design Guide – Supplementary Planning Document 1 2018

Residential Amenity Space & Place Quality – SPD – 2023

Sustainable Environment & Development – SPD – 2023

## **DETAILED CONSIDERATIONS**

### **Background**

1. The proposal involves the part demolition of the existing garage block and the erection of a single storey dwellinghouse with associated amenity space to the front and rear of this dwellinghouse, alterations to boundary treatment and the provision for a new pedestrian access along the western flank elevation of the building. New cycle and refuse storage would be added to the front.
2. The new dwellinghouse would largely replicate the footprint of the existing garage block and shipping container to the rear (but be set further away from the road frontage). The plans indicate that the majority of the garage block would be demolished other than the existing garage wall to be retained along the boundary with No. 45 Mowbray Road. The shipping container would also be removed. An area of hardstanding to the rear of the garage block would be used for the rear garden of the new dwellinghouse with associated changes to the boundary treatment.
3. An application for the demolition of the garage block and the erection of a new dwellinghouse was previously considered under planning reference 20/0600, which was dismissed on appeal by the planning inspectorate on the 21st May 2021. The inspector concluded that the proposal would not provide satisfactory living standards for the future occupiers.
4. Specifically, issues were raised with the limited size and depth of the private external amenity spaces which would result in an unacceptable sense of enclosure for the future occupiers of the proposed dwelling. Further issue was raised with the location of a bin store in one of these spaces which would not only worsen this sense of enclosure by limiting the amount of usable private amenity space but would

also be a potential source of noise and disturbance.

5. The inspector also stated that due to the dwelling's location close to the driveway which is used by the existing residents in the main block of flats on the site, that the future occupier's amenity would be adversely affected by noise and disturbances that would result from activity within this area.
6. The above decision forms a material consideration when assessing the subject application. Accordingly, the subject proposal has considered the above issues raised by the planning inspector and has sought to address these. The acceptability of the proposal is considered below.

### **Principle**

7. Policy H1 of the London Plan which recognises the increasing demand for delivery of new homes across London.
8. Policy BH1 of the Local Plan states that the Council will maximise the opportunities to provide additional homes in the period to 2041 and beyond. To achieve this, it will grant planning permission to support the delivery of the Growth Areas, site allocations and appropriate windfall sites to provide a minimum 27,482 homes in the period 2019/20-2028/29. It will positively plan to promote a further minimum of 18,074 homes from 2029/30 to the end of the Plan period in 2041.
9. Policy H2 of the London Plan relates to small sites. This policy highlights that boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to amongst other considerations achieve the minimum targets for small sites as part of overall housing targets and increase the contribution of small sites to meet London's housing needs. This site is 0.24 hectares in size and therefore would be defined as a small site under policy H2 of London Plan.
10. In response to the above strategic policy position, Policy BH4 of Brent's Local Plan sets out local planning policy on small sites. This sets out that small housing developments (below 0.25 hectares or 25 dwellings in size) delivering a net addition of self-contained dwellings through the more intensive and efficient use of sites, where consistent with other policies in the development plan, will be supported within the priority locations of PTAL 3-6, intensification corridors, or a town centre boundary through:
  - a) the infill of vacant or underused brownfield sites
  - b) residential conversions, redevelopment, extensions of dwellings, or infill within the curtilage of a dwelling
  - c) the redevelopment of flats, non residential buildings and residential garages,
  - d) upward extensions of flats and non residential buildings
11. In these priority locations, the character of the existing area will be subject to change over the Local Plan period. Outside the priority locations greater weight will be placed on the existing character of the area, access to public transport and a variety of social infrastructure easily accessible on foot when determining the intensity of development appropriate.
12. The site lies within PTAL 4 and is therefore within a priority location for housing. The principle of the development is therefore acceptable.

### **Quality of the proposed residential accommodation**

13. Policy D6 of London Plan 2021 relates to housing quality and standards. It includes a requirement to meet adequately sized rooms in line with table 3.1 of London Plan 2021. It goes on to say that all new homes should be provided with adequate levels of outlook, daylight, and natural ventilation.
14. The proposal would create a new residential home which would be single-storey and would contain two double bedrooms with a capacity to accommodate a maximum of 4-persons. As set-out in table 3.1 of the London Plan, a unit of this size would require a GIA (gross internal area) of 70sqm, and each bedroom would require a GIA of 11.5sqm and a minimum width of 2.75sqm. Table 3.1 of the London Plan also requires for a unit of this size to have a minimum of 2sqm of built-in storage space. This is proposed in accordance with this standard. Both bedrooms would comply with this standard and the new residential home would have a GIA of 88.8sqm which would exceed the minimum space standards. 2sqm of



built-in storage space is also proposed accordingly.

15. The proposed unit would be triple-aspect with the bedroom windows to the front / north and the living room/kitchen windows and doors to the rear/south, both of which would open out on to private amenity spaces. There are also side windows and a new access proposed on the western flank elevation, however these would offer limited outlook given that these are obscured-glazed to protect the privacy of the future occupiers.
16. Within the earlier appeal concerns were raised with the unacceptable sense of enclosure from habitable room windows at the front and rear due to the limited size and depth of the amenity spaces (at 4m depth) and their enclosure by the existing brick wall/fence and new close boarded fencing.
17. Boundary treatment in the form of a fence which would be higher than 2m is also proposed to the front garden space which would offer a degree of privacy at the front. The proposed cycle storage has been positioned in the front garden but would not obstruct the front windows. The depth of the front garden would be similar to the earlier appeal. However, the garden space to the rear would be generous in terms of space, increasing to 7.47m in depth. While it is noted that the front windows would be less than 4m away from the front boundary treatment and would limit the outlook to the front bedrooms to some degree, when considering the generous rear amenity space and good outlook afforded to the living room to the rear, coupled with the spacious internal layout proposed, on balance it is considered this would outweigh the harm in the form of the limited outlook and sense of enclosure to the front windows. Overall, the quality of the accommodation has improved sufficiently to address the concerns raised by the Inspector.
18. London Plan Policy D6 also requires at least 75% of the GIA of the proposed flat to have an internal floor-to-ceiling height of 2.5m. This exceeds the national standard of 2.3m as higher housing and the urban heat island effect are more prevalent in London, and a higher standard is required to ensure adequate quality in terms of daylight penetration, ventilation and cooling, and sense of space. The proposal would meet this requirement.

#### External Amenity Space

19. Policy BH13 establishes that all new dwellings are required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 20 sqm studio, one or two-bedroom home and 50 sqm for family housing (homes with 3 or more bedrooms) at ground floor level.
20. The BH13 requirement for external private amenity space established through BH13 is for it to be of a "sufficient size and type". This may be achieved even when the 'normal expectation' of 20 or 50 sqm of private space is not achieved. The supporting text to the policy clarifies that where 'sufficient private amenity space cannot be achieved to meet the full requirement of the policy; the remainder should be applied in the form of communal amenity space'. Proximity and accessibility to nearby public open space may also be considered when evaluated whether the amenity space within a development is 'sufficient', even where a shortfall exists in private and/or communal space.
21. With regard to quality of the space, the supporting text to policy BH13 specifies that private amenity should be accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight, whilst Brent SPD1 specifies that the minimum depth and width of the space should be 1.5 m.
22. London Plan policy D6 specifies that where there is no higher local standard, a minimum of 5 sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant. The minimum depth and 1.5 m are reconfirmed in the emerging policy.
23. The proposal includes private amenity space to the front and rear. The rear private amenity space, which would be the most usable, have an area of 53.7 sqm providing a spacious amenity space that would provide a significant surplus when measured against the minimum 20sqm required for a unit of this size. This space would be directly and easily accessible from the main living room area. Therefore, this space is considered to be acceptable when assessed against the requirements of policy BH13 and also Brent's Residential Amenity Space & Place Quality SPD.

## Accessible Homes

24. In line with London Plan policy D7, the homes should all be delivered to an M4(2) level of fit out, as defined within Part M of the Building Regulations. This will ensure that step free access is provided between the street to all flats and that the flats meet the needs of occupants with differing needs, including some older or disabled people and to allow adaptation of the dwelling to meet the changing needs of occupants over time. The plans indicate that the new dwellinghouse would have step free access. It is recommended that a condition is secured for it to be designed to achieve M4(2) requirements.

## Noise and disturbance

25. There would be a degree of noise and disturbance from the proposal new dwelling close proximity to the remaining parking area serving Thanet Lodge.
26. Following the previous dismissed appeal which raised this as a concern, the bedrooms previously proposed to the back of the dwelling close to the parking area have since been moved to the front of the dwelling which would mitigate noise harm to these rooms to some degree. There would be an insulated cavity wall added to these bedrooms and use of double glazing would mitigate noise from the front to some degree. It is also noted that a number of the car parking spaces within the rear of the site would be removed and replaced by the rear garden of the new dwellinghouse.
27. In addition, the bin store, which was originally proposed within the front garden space, is now separated from the front garden behind the front boundary wall, thus this would further mitigate noise and odour harm caused from these bins in proximity to the front garden area bedrooms. The size of the bin store area has decreased to accommodate 5 x 1100l bins within an existing area of hardstanding rather than an enlarged bin store area containing 8 x 1100 litre bins and 4 x 240l bins.
28. There would be some noise impact to the garden area to the rear, however given its significant open and spacious feel, it is still considered that the quality and usability of this space would not be significantly adversely affected by its close proximity to this parking area.
29. It is therefore considered that there would be no significant adverse impact to future occupiers in terms of noise and disturbances.

## **Character, design, and heritage considerations**

30. Policy BD1 of Brent's Local Plan reinforces the need for all new development must be of the highest architectural and urban design quality. Innovative contemporary design will be supported where it respects architectural and urban design quality. Innovative contemporary design will be supported where it respects and complements historic character but is also fit for the future. In delivering high quality design, development proposals will be expected to show how they positively address all the relevant criteria within London Plan design policies and the Brent Design Guide SPD1.
31. Policy H2 of the London Plan states that density of new housing development should be optimised taking account of the development site's connectivity and accessibility and subject to the proposals being acceptable in terms of local context and design. It is set out within policy BH4 of the Brent Local Plan that outside of the priority locations for housing (identified in that policy), greater weight will be placed on the existing character of the area.
32. 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. Paragraph 200 of the NPPF highlights that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Paragraph 201 of the NPPF local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. When considering the impact of a proposed 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 (paragraph 205 of the NPPF). Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (paragraph 208 of the NPPF).

33. As discussed above, the site is located within the Brondesbury Conservation Area. In terms of the significance of the conservation area, the Brondesbury Conservation Area (a heritage asset) is characterised by grand Victorian Villas built in the main by William Hancock between 1883 and 1886 as set out in the Brondesbury Conservation Area Character Appraisal. The garages are situated alongside a pair of such Victorian villas and the rest of the street is well preserved with such villas along one side. The character appraisal makes the point that the villas are separated by blocks of flats. Opposite, long gardens and open character and later infill development.
34. This site forms the garages to Thanet Lodge which was constructed in c1938. The garages are contemporary with its construction, single storey, and of no special interest.
35. The Council's Principal Heritage Officer confirmed that there would be no objection to the partial demolition of the garages as they do not contribute to the conservation area. Within the earlier appeal decision the noted that the existing garages do not make a positive contribution to the character and appearance of this part of the Conservation Area, and that they had no reasons to disagree with the Council's assessment in terms of heritage considerations.
36. The proposed new dwelling would result in a similar footprint, massing, and built-form to the existing garages while the height of the dwelling would be similar to that of the existing garages. It would also incorporate a flat roof similar to the existing and would include metal framed windows which would match the Moderne stile of Thanet Lodge. The addition of new fenestration to the front would be an enhancement in visual terms to the character and appearance of the host property and wider streetscene.
37. The existing front garden area/setting will remain the same, including the existing brick boundary wall and fence and grassed area. A detailed section has been provided which shows the brickwork bonding, brick plinth, lintels, fenestration, and parapet. This confirms that the overall appearance will match that of Thanet Lodge and that it will be in keeping with character of the locale. It will not look out of place and will preserve the character and appearance of the conservation area.
38. SPD1 also states that building materials should be durable, attractive and respect local character. This has been shown on the submitted drawings, however officers will attach conditions requiring further details of the brickwork proposed and of the cycle and refuse storage before full completion of the development.
39. In conclusion, as discussed above, the proposal would not be considered to result in harm to the significance of the Brondesbury Conservation Area as discussed above. It would preserve and enhance the character and appearance of the Brondesbury Conservation Area.

### **Neighbouring amenity**

40. The proposal site adjoins neighbouring residential properties of no's 45 Mowbray Road to the east of the site which contains 4.no flats between basement and second-floor level and to the west the existing residential units within Thanet Lodge, which have side facing windows and doors that face into the development. The site also appears to adjoin some communal garden space to the rear which belongs to Thanet Lodge.
41. SPD1 outlines that new development should provide adequate privacy and amenity for new residents and protect those of existing ones. Development should ensure a good level of privacy inside buildings and within private outdoor space. Directly facing habitable room windows will require a minimum separation distance of 18m, and habitable room windows should be positioned 9m away from neighbouring rear gardens. Brent's SPD 1 Design guide states that balconies should not overlook the habitable room windows or gardens of adjoining properties.
42. In terms of privacy, the proposed side facing windows, which do not serve habitable rooms, would be high-level of obscured glazed to limit the overlooking impact to the Thanet Lodge side windows which are positioned approx. 8.4m away from the proposed side windows. The main habitable room windows would

not directly face any neighbouring properties. Therefore, the proposal would not result in a significant loss of privacy/overlooking impact.

43. Given that there would be no significant difference in terms of massing from the existing arrangement (the height of the garage wall would remain as existing and there would be a slight increase in height where the new dwellinghouse replaces the existing shipping container), the proposal would not result in a significant adverse impact to these neighbouring amenities in terms of loss of light, increased sense of enclosure or loss of outlook.
44. Within the earlier appeal the Inspector noted that they did not have concerns with the proposal in terms of its impact on neighbouring amenity. They noted that how Thanet Lodge is managed and any future development proposals are not matters for consideration as part of the appeal.
45. Overall, the proposal is considered to have an acceptable impact on neighbouring amenities.

### **Trees and landscaping**

46. The site is not currently affected by a Tree Preservation Order but is located in a conservation area and as such the amenity of existing trees are an important consideration given their contribution to the visual amenity of the conservation area.
47. There are some mature street trees to the front of the site and other larger trees to the west of the site within Thanet Lodge itself. The proposal is not supported by supplementary reports to demonstrate the impact to these trees; however, the site is already built in hardstanding given the existing garage plot and the proposed built-form would cover a similar footprint to the existing. Thus, in this instance, the proposal is not considered to have a significant adverse impact on these trees .
48. No supporting information has been provided to demonstrate that the scheme would achieve an urban greening factor score that would achieve a score of 0.4 as required under policy BH4 of the Local Plan or that the scheme would achieve a net gain in biodiversity as set out within policy BGI1. However, there would be a significant increase in soft landscaping with the introduction of the large lawn space at the rear of the site as well as a smaller Laurel hedge to the front. Given the limited soft landscaping on site as existing and given the significant site constraints, the proposed soft landscaping improvements are considered to result in a significant improvement in comparison to the existing situation. Further details in relation to UGF and biodiversity net gain are recommended to be conditioned.

### **Transport considerations**

49. Thanet Lodge faces onto both Mowbray Road and Mapesbury Road. The garage block is accessed from Mowbray Road and access to the new dwellinghouse will also be from Mowbray Road. Both Mapesbury Road and Mowbray Road are located within Controlled Parking Zone MA with restrictions from 10am to 3pm Monday to Fridays. As noted above the site lies within PTAL 4.

### Car parking

50. Maximum car parking allowances for Brent are set out in Appendix 4 of the Local Plan and for residential use, this requires compliance with the standards in Table 10.3 of the London Plan. As the site has good access to public transport services and is located in the well-connected southern part of the Borough, up to 0.5 spaces are allowed for dwelling. Up to 21.5 off-street spaces would therefore be allowed for the 43 existing flats and the existing provision of 16-18 spaces in Thanet Lodge is within the maximum parking allowance.
51. This proposal to remove six garages and to reduce the size of the remaining car park behind to six spaces, in order to erect a 2-bedroom house, would increase the maximum parking allowance to 22 spaces, whilst reducing off-street parking to about 6-8 spaces. Again, maximum standards would be complied with.
52. However, Policy BT2 requires that any overspill parking that is generated can be safely accommodated on-street. In this case, neither Mapesbury Road nor Mowbray Road is noted as being heavily parked at night and between them they could accommodate a further 16 cars along the site frontages, taking the total parking provision to about 22-24 spaces.
53. Data from the 2021 Census for flats in the area suggests that car ownership averages just 0.47

cars/household (equivalent to 20.5 cars for these 43 flats). As such, these garages and parking spaces are considered to be surplus to requirements and can be removed without causing parking issues in the area.

54. It is noted that the Inspector for the earlier appeal did not raise any issues in relation to parking provision.

#### Access

55. The width of the driveway through to the remaining parking court will be reduced from 3.5m to 3m by this proposal. For the number of spaces still served, it should really be wide enough for two cars to pass one another (i.e. 4.1m plus margins), but the retention of a single-width access (albeit narrower than existing) does not worsen matters, particularly as the number of spaces served is being reduced through the removal of the garages and the hardstanding to the rear.

56. A separate footway for pedestrians is also shown to the new house, so that they do not need to share the narrow driveway with vehicles.

#### Cycle store and refuse

57. The London Plan requires the provision of at least two secure bicycle parking spaces for the house. A bicycle store is shown to the front of the dwelling to meet this requirement.

58. The new dwellinghouse itself has provision for 1 x 240l bin for dry recycling, 1 x 140l bin for residual waste and 1 x 23l kerbside container for food waste in line with the Waste and Recycling Storage and Collection Guidance for Residential Properties. This would be within 20m carrying distance collection distance for a refuse lorry collection from Mowbray Road.

59. The existing shared bin store between the garage site and landscaping within the frontage would be retained as existing as part of this application.

#### **Flood Risk and Drainage**

60. Brent Local Plan Policy BSUI4 sets out proposals for minor developments, householder development, and conversions should make use of sustainable drainage measures wherever feasible and must ensure separation of surface and foul water systems. Proposals that would fail to make adequate provision for the control and reduction of surface water run-off will be refused.

61. The site is in flood zone 1 with a low risk of flooding and the site is not in a critical drainage area. There would be no increase to the amount of hardstanding and so, the increase in surface water drainage would be very minor. In addition, the development would involve improvements in soft landscaping. Therefore, although a drainage strategy has not been provided, the impact on surface water drainage would be very minor and the proposed landscaping would provide good opportunities to assist surface water attenuation.

#### **Fire Safety**

62. London Plan policy D12 indicates that the fire safety of developments should be considered from the outset. This includes measures to demonstrate space identified for the appropriate positioning of fire appliances, appropriate evacuation assembly points and floor layouts and cores planned around issues of fire safety for all building users.

63. The policy states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they:

- 1) identify suitably positioned unobstructed outside space: for fire appliances to be positioned on appropriate for use as an evacuation assembly point
- 2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3) are constructed in an appropriate way to minimise the risk of fire spread
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all

building users

5) develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in

6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development

64. The applicant has provided a fire statement which has addressed the above concerns, in accordance with policy D12 of the London Plan (2021).

#### **Environmental impact, sustainability, and energy**

65. For residential development, a Water Efficiency Assessment will be required providing evidence the development will meet the target of 105 litres or less per head per day, excluding an allowance of 5 litres of less per head per day for external water use. A condition will be added to secure these details in accordance with policy BSU11 of the Local Plan.

#### **Equalities**

66. 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).

#### **Conclusion**

67. The proposal would result in the creation of a good quality residential unit, making use of a small infill site, and would result in an enhancement to the visual amenity of the site and wider Brondesbury Conservation area. It would provide a good quality of accommodation to future occupiers and limited harm to neighbouring amenities as well as to the surrounding built environment. The proposal would not result in an adverse impact to the local highways network. The proposal is considered to accord with the development plan when read as a whole and it is recommended that planning permission is granted.

## DRAFT DECISION NOTICE



# Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

**DECISION NOTICE – APPROVAL**

Application No: 24/0296

To: Mr Burroughs  
93 Hampton Road  
Hampton Hill  
Hampton  
London  
TW12 1JQ

I refer to your application dated **05/02/2024** proposing the following:

Proposed part demolition of garage block and erection of a single storey dwellinghouse with associated amenity space, alterations to boundary treatment and provision for new pedestrian access, cycle and refuse storage

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

at **Thanet Lodge Garages, Mapesbury Road, London, NW2 4JA**

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: 30/07/2024

Signature:

**David Glover**  
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 policies contained in the:-

London Plan 2021  
Brent Local Plan 2019-2041  
The National Planning Policy Framework 2023

- 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):

Existing

108/S01- Existing Block Plan  
108/S02- Existing Site & Roof Plan  
108/S03- Existing Street View  
108/S04- Existing Front Elevation  
108/S05- Existing Side Elevation  
108/S06- Existing Rear Elevation  
108/S07- Existing Side Elevation  
108/S08- Existing Cross Section

Proposed

108/AP01- Proposed Block Plan  
108/AP02- Proposed Site & Roof Plan  
108/AP03- Proposed Street View  
108/AP04- Proposed Front Elevation  
108/AP05- Proposed Side Elevation  
108/AP06- Proposed Rear Elevation  
108/AP07- Proposed Side Elevation  
108/AP08- Proposed Section AA  
108/AP09- Proposed Ground Floor Plan and Proposed Roof Plan  
108/AP10- Proposed Details

Supporting documents

'Fire Strategy Plan' submitted by Christopher Tredway Architects dated 05.01.2024

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

- 3 The development hereby approved shall be designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010.

Reason: In order to ensure a sustainable development by minimising water consumption.

- 4 The dwellinghouse hereby approved shall not be occupied unless the cycle storage and refuse store have been completed, in full accordance with the approved drawings and the facilities



shall thereafter be made available to residents of the dwellinghouse and shall not be used other than for purposes ancillary to the dwellinghouse hereby approved.

Reason: To ensure a satisfactory standard of accommodation.

- 5 The dwellinghouse hereby approved shall be designed to achieve M4(2) requirements.

Reason: To comply with the requirements of policy D7 of London Plan 2021.

- 6 The dwellinghouse hereby approved shall not be occupied unless the external amenity spaces have been completed in full accordance with the approved drawings and those spaces shall thereafter be made available to residents of the dwellinghouse and shall not be used other than for purposes ancillary to the dwellinghouse hereby approved.

Reason: To ensure a satisfactory standard of accommodation.

- 7 The window on the west elevation serving the kitchen shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.7m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers.

- 8 No access shall be provided to the roof of the dwellinghouse hereby approved by way of window, door or stairway and the roof of the dwellinghouse hereby approved shall not be used as a balcony, terrace or sitting out area.

Reason: To preserve the amenity and privacy of neighbouring residential occupiers.

- 9 Prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations), Details of materials for all external work, including samples which shall be made available for viewing on site or in an agreed location, shall be submitted to and approved in writing by the Local Planning Authority This shall include a sample panel of brickwork measuring not less than 1m x 1m shall be constructed to show the brickwork, brickwork bonding and pointing type as well as the plinth.

The sample panel of brick work shall thereafter be retained on site until completion of the works. The remainder of the walling shall be constructed in accordance with the approved panel.

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

Reason: To ensure a satisfactory development which preserves the character and appearance of the conservation area and does not prejudice the amenity of the locality.

- 10 Prior to first occupation of any part of the development hereby approved, a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- I. A scaled plan showing vegetation to be planted including the use of native and/or wildlife attracting species
- II. Details of all proposed hardstanding
- III. Details of garden wall, fences or other form of boundary treatment to be provided within the site (including details of external materials and heights)
- IV. Details to maximise the urban green factor (UGF) for the site in line with policy BH4 of Brent's Local Plan 2019-2041
- V. Details of any external lighting including measures to minimise overspill lighting to windows of neighbouring properties
- VI. Details of a secure and covered bicycle store for 2 bikes
- VII. Details of bin store facilities with a capacity of 1 x 240l bin for dry recycling, 1 x 140l bin for residual waste and 1 x 23l kerbside container for food waste in line with the Waste and Recycling Storage and Collection Guidance for Residential

## Properties.

The hard and soft landscape works shall be carried out in full accordance with the approved details prior to the use of the dwellinghouse hereby approved, unless alternative timescales have been submitted to and approved to be agreed in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved timescales.

Any new planting which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning authority gives its written consent to any variation).

Reason: To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with policies DMP1 and BGI2 of Brent's Local Plan (2019-2041).

## 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 government website: <https://www.gov.uk/government/publications/preventing-and-resolving-disputes-in-relation-to-party-walls/the-party-wall-etc-act-1996-explanatory-booklet>
- 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 Arrangements should be made to ensure that no surface water from the proposed development will drain onto the public highway.
- 4 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).
- 5 The submission/approval of the Fire Safety Statement does not replace the need for building regulation approval in relation to fire safety, nor does it convey or imply any approval under those regulations.
- 6 Construction/refurbishment and demolition works and ancillary operations which are audible at the site boundary shall be carried only between the hours of:

Monday to Fridays	08:00 to 18:00
Saturday	08:00 to 13:00

At no time on Sundays or Bank Holidays

Any person wishing to inspect the above papers should contact Curtis Thompson, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1807