



BRENT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

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Application No: 16/5393

To: Mr Mansoor
Drawing and Planning Ltd
Mercham House
25-27 The Burroughs
Hendon
NW4 4AR

I refer to your application dated 13/12/2016 proposing the following:
Retention of the part single, part two storey side + rear extension. Retention of the existing dormer with alterations to reduce dormer depth and height. Alterations to the existing internal layout (currently arranged as 3x self-contained flats) to revert the property back to a single family residential dwelling. New front boundary wall and parking for two vehicles.
and accompanied by plans or documents listed here:
See condition 2.
at 33 Clarendon Gardens, Wembley, HA9 7QW

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 10/03/2017

Signature:

Alice Lester
Head of Planning, Transport and Licensing

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

SCHEDULE 'A'

Appeals to the Secretary of State

The applicant may appeal to the Secretary of State if he or she is aggrieved by the decision of the local planning authority in respect of:

- (1) Refusal of a planning, listed building consent or conservation area consent application, including refusal to vary or discharge conditions.
- (2) The conditions attached to a planning, listed building consent or conservation area consent application.
- (3) Refusal, partial refusal or deemed refusal of a lawful development certificate.

The correct form must be used to appeal – Planning; Householder Planning; Listed Building Consent; Conservation Area Consent or Certificate of Lawful Use or Development Appeal Forms. Please specify form required, if requesting from Inspectorate. The time period to do this will vary depending on the application type or development type. An appeal must be made within the following time periods of the decision date:

- (1) An advertisement application must be made within 8 weeks
- (2) A full application, removal or variation of condition for a householder* development must be made within 12 weeks. (See below for definition of householder)
- (3) All other application types or development types must be made within 6 months

However, different timescales apply where the development is also the subject of an enforcement notice. If an enforcement notice has been served within two years of an application being submitted or is served before the time period for determining the application has expired, the time limit to appeal is 28 days from date of refusal or the date of determination. If an enforcement notice is served after the application's decision date or date for determination, the time limit is 28 days from the enforcement notice served date, unless this would extend the period beyond the usual time limit for cases not involving an enforcement notice.

- The Secretary of State can allow a longer period for giving notice of an appeal but he/she will not normally be prepared to use this power unless there are special circumstances which excuse the delay. Appeals must be made on a form obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs.
- The Secretary of State need not consider an appeal if it seems to him/her that the local planning authority would not have been able to have granted planning permission for the development or would not have been able to have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him/her.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim he can neither put the land to a reasonably beneficial use in its existing state, nor render the land capable of a reasonably beneficial use, either carrying out any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his/her interest in the land, in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.

*For the purposes of an appeal, a householder development is development in the boundary of, or to an existing dwellinghouse for purposes incidental to the enjoyment of the dwellinghouse, that does not involve change of use or a change to the number of dwellings. Please note, this does not include development in the boundary of, or to an existing flat or maisonette.

FOR OTHER INFORMATION OR ADVICE ON THIS NOTICE PLEASE CONTACT:

Planning and Regeneration Service
Brent Civic Centre
Engineers Way
Wembley, Middlesex, HA9 0FJ

Telephone: 020 8937 5210

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SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-

Brent Core Strategy 2010
Brent Development Management Policies 2016
Council's Supplementary Planning Guidance 5 - Altering and Extending Your Home 2002

CONDITIONS

- 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):

CLRGR-E001 (Existing – Front & Rear Elevation)
CLRGR-E001 (Existing – Side Elevation 1)
CLRGR-E001 (Existing – Side Elevation 2)
CLRGR-E401 (Proposed – Front & Rear Elevation)
CLRGR-E401 (Proposed – Side Elevation 1)
CLRGR-I401 (Street View Existing and Proposed)
CLRGR-L001 (Existing – Location Plans)
CLRGR-P001 (Existing – Ground Floor)
CLRGR-P002 (Existing – First Floor)
CLRGR-P003 (Existing – Loft Plan)
CLRGR-P004 (Existing – Roof Plan)
CLRGR-P401 (Proposed – Ground Floor)
CLRGR-P402 (Proposed – First Floor)
CLRGR-S001 (Existing – Section AA')
CLRGR-S401 (Proposed – Section AA')
CLRGR-E401 (Proposed – Side Elevation 2)
CLRGR-L401 (Proposed – Location Plans)
CLRGR-P403 (Proposed – Loft Plan)
CLRGR-P404 (Proposed – Roof Plan)

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 of the existing building.

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

- 4 The windows in the side elevation walls of the building (as extended), as well as those within the side elevation of the reduced dormer window hereby approved, shall be glazed with obscure glass and the windows shall open at high level only (not less than 1.8m above floor level) and top hung and shall be so maintained unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers and in the interests

of good neighbourliness.

- 5 No windows or glazed doors, other than those shown in the approved plans, shall be constructed in the side elevation walls of the building as extended (including the side dormer window) without the prior written consent of the Local Planning Authority.

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

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

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

- 7 The landscape works and planting shown on the approved plans shall be carried out prior to the occupation of any part of the development;

Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same position, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality.

- 8 The development hereby approved shall not be occupied at any time other than for purposes ancillary to the existing house.

Reason: To ensure that the premises are not sub-divided or used for multiple occupation without the prior written permission of the Local Planning Authority.

INFORMATIVES

- 1 Notwithstanding Condition 1 above, the applicant is reminded that the enforcement notice ref. E/14/1014 remains in effect and must be complied with prior to the compliance date to avoid further enforcement action. The applicant is advised to contact the council's Planning Enforcement service at planningenforcement@brent.gov.uk or 020 8937 5280 to discuss a timetable for implementing the approved plans.
- 2 The applicant is reminded once the works hereby approved are carried out; the property will be within planning Use Class C3, whereby up to 6 unrelated residents may live together as a single household. Any increase in residents above 6 people living together, other than as a single family, is likely to constitute a material change of use which would require the grant of a further planning permission from the Local Planning Authority.
- 3 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
- 4 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.

