



**BRENT COUNCIL**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

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Application No: 15/2247

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

I refer to your application dated 22/05/2015 proposing the following:  
Conversion of the 2 flats back into a single family dwellinghouse  
and accompanied by plans or documents listed here:  
See condition 2  
at 49 & 49A The Avenue, London, NW6 7NR

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: 04/08/2015

Signature:

Head of Planning, Planning and Regeneration

**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](http://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 practise, 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.

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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

**SUMMARY OF REASONS FOR APPROVAL**

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

Brent Unitary Development Plan 2004  
Brent Core Strategy 2010  
Greater London Plan 2011

Council's Supplementary Planning Guidance 17 - "The Design Guide for New Development"

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment  
Housing: in terms of protecting residential amenities and guiding new development  
Transport: in terms of sustainability, safety and servicing needs

**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):

THEAVE-E001  
THEAVE-E002  
THEAVE-E003  
THEAVE-E101  
THEAVE-E102  
THEAVE-E103  
THEAVE-L000  
THEAVE-L001  
THEAVE-L101  
THEAVE-P001  
THEAVE-P002  
THEAVE-P003  
THEAVE-P004  
THEAVE-P101  
THEAVE-P102  
THEAVE-P103  
THEAVE-P104  
THEAVE-S001  
THEAVE-S101

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

- 3 Details of the front garden layout shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All detailed works shall be carried out as approved prior to the occupation of the premises. Such details shall include:

- (i) planting of the front garden area with shrubs and/or trees including to the rear of the retained front wall;  
(ii) the retention of existing hedges and shrubs;

- (iii) retention of front garden wall or walls or other form of boundary treatment;
- (iv) waste and recycling storage facilities;

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 setting for the development and to ensure that the proposed development enhances the visual amenity of the locality, in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.