

# Consultation Statement for Brent Council Residential Extensions and Alterations Supplementary Planning Document

Consultation on the Residential Extensions and Alterations draft Supplementary Planning Document (SPD) took place over eight weeks from 3<sup>rd</sup> October 2024 to 28<sup>th</sup> November 2024. This was consistent with the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended (the regulations) and the Council's Statement of Community Involvement. It was advertised on the Council's website and notifications sent to statutory consultees and those on the Local Plan consultation database. Paper copies of the document were made available in Brent Council libraries. A survey was set up on the Council's web-based consultation platform 'Have Your Say'. Councillors were informed via the Members' Bulletin.

A total of 19 responses were received, including five by email and 14 via the online survey. Five of these were from statutory consultees, including National Highways, Natural England, Network Rail, Historic England and the Canal and River Trust. The remaining 14 responses were from local residents and businesses. Of these, 11 were generally supportive of the revised SPD, two were not (although one provided no comments) and another did not answer this question.

The detailed responses have been summarised, responded to, and recommended changes identified in Table 1 below. The main issues, and associated changes can be summarised as follows:

- The Canal and River Trust and Network Rail wanted information included on when they should be consulted and requirements for homes which are adjacent to their assets. The Council has made some amendments to reflect this.
- The one resident who was not generally supportive and provided comments was not supportive of the requirement for 50% of front gardens to be soft landscaped if including forecourt parking. This is a requirement under Local Plan policy BT2 and therefore no changes are proposed.
- Other comments sought to increase or decrease freedoms around extension heights and landscaping requirements which is to be expected. The SPD seeks to strike a balance on these matters and nothing in the representations was so persuasive that any associated changes have been made.
- One comment noted that the loss of garages will result in the loss of storage, perhaps used for bikes and bins. Some additional text has been added to ensure this is considered.
- Others sought clarity around specific details, such as boundary treatments, forecourt parking, screening, storage, Air Source Heat Pumps, and solar panels. The document already addresses these matters in sufficient detail, nothing in the representations was so persuasive that any associated changes have been made.
- A number of people commented on the need for strengthened wording around retaining and enhancing green infrastructure, particularly for trees and protected species. Some changes have been made to the SPD, strengthening the emphasis and detail on these matters.
- Concern around the use of photos of extensions from outside the borough. These limited number of photos were retained as photographs of the rear of properties in Brent have been difficult to attain.
- Reference to RIBA and no other architectural bodies. The SPD has been amended to refer to Architectural Technicians and CIAT.
- Too great an emphasis on use of officer discretion and flexibility. No amendments have been proposed as it is considered the SPD strikes the right balance. If any significant issues arise in the use of the SPD this can be addressed in any future review.

**Table 1: Representations received, including: summary, officer responses and recommended changes. Text formatted as ~~strikethrough~~ is to be removed from the document, whilst text underlined is to be added.**

Respondent	Officer summary	Officer response	Recommended change
Canal and River Trust	<p>There are properties which are within close proximity and/or back onto our assets, including the Brent Reservoir and the Brent Feeder. Extensions and outbuildings could impact upon these assets in terms of visual appearance, structural integrity or water quality. The SPD should therefore include the following to mitigate these impacts: "Any works proposed close to the Brent Reservoir/Welsh Harp or the Brent Feeder channel should be designed in consultation with the Canal &amp; River Trust. Please see the Trust's website for further information:  <a href="https://canalrivertrust.org.uk/specialist-teams/planning-and-design/our-statutory-consultee-role/what-were-interested-in/pre-application-advice">https://canalrivertrust.org.uk/specialist-teams/planning-and-design/our-statutory-consultee-role/what-were-interested-in/pre-application-advice</a>".</p>	<p>Section 1.6 advises applicants to consider impacts of their developments on neighbours and seek to engage with them. Where CRT are a neighbour they will be notified through the planning application process and be able to advise on any application as they see fit. However, it is considered beneficial to amend the SPD to make reference to landowners whose assets an extension may be considered to impact upon, and may have statutory rights that need to be addressed.</p>	<p>Amend 1.6.2 to: "Your neighbours have protection under the Party Wall etc. Act 1996 and you will need to understand what you are required to do in such situations. <u>Some bodies have statutory protections that go beyond normal neighbours, e.g. railways, canals, watercourses, or utilities. This may require their permission to develop close to their land and this might even be withheld by them. You should check what limitations might arise that impact on your proposals.</u> You may need written agreements, to pay compensation or even pay for your neighbours' professional advice in coming to an agreement."</p>
National Highways	<p>The Supplementary Planning Document does not directly impact National Highways or our network. Therefore, we have no comment.</p>	<p>Noted.</p>	<p>No change.</p>
Natural England	<p>No comment.</p>	<p>Noted.</p>	<p>No change.</p>

Respondent	Officer summary	Officer response	Recommended change
Network Rail	There should be at least a 3m gap from the railway boundary to the structure.	Section 1.6 advises applicants to consider impacts of their developments on neighbours and seek to engage with them. Where Network Rail are a neighbour they will be notified through the planning application process and be able to advise on any application as they see fit. However, it is considered beneficial to amend the SPD to make reference to landowners whose assets an extension may be considered to impact upon, and may have statutory rights that need to be addressed.	Amend 1.6.2 to: "Your neighbours have protection under the Party Wall etc. Act 1996 and you will need to understand what you are required to do in such situations. <u>Some bodies have statutory protections that go beyond normal neighbours, e.g. railways, canals, watercourses, or utilities. This may require their permission to develop close to their land and this might even be withheld by them. You should check what limitations might arise that impact on your proposals.</u> You may need written agreements, to pay compensation or even pay for your neighbours' professional advice in coming to an agreement."
Network Rail	No oversailing of windows, guttering or rainwater goods	Paragraph 1.6.3 and 2.1.9 addresses the issue of overhanging/ oversailing and is considered sufficient in raising the need to avoid the issue.	No change.
Network Rail	Works within 10m of the railway to be agreed via a formal interface with Network Rail asset protection	See the above response regarding proximity to the railway boundary.	See the above response regarding proximity to the railway boundary.
Network Rail	No soakaways within 30m of the railway boundary – surface water & foul water to be removed from site in the direction away from the railway in existing closed sealed pipe systems	See the above response regarding proximity to the railway boundary.	See the above response regarding proximity to the railway boundary.
Resident 1	This is a positive step to enabling Brent residents to improve their living environments, build a strong community, and be proud of where and how they live.	Support welcomed.	No change.
LONDON INTERIORS	The modernisation of the SPD is long overdue and will help the borough thrive economically.	Support welcomed.	No change.
Resident 2	Generally supportive of the SPD. No comment.	Support welcomed.	No change.

<b>Respondent</b>	<b>Officer summary</b>	<b>Officer response</b>	<b>Recommended change</b>
Resident 3	There should be more specific guidance on heat pumps as most homes in Brent would struggle to install heat pumps as a permitted development.	Paragraphs 2.3.5 to 2.3.7 provides some advice on air source heat pumps. The guidance on the locations in 2.3.6 - 2.3.7 and their acceptability at a general level is considered appropriate. More specific guidance is not considered appropriate at this stage but can be developed if consistent issues are being raised that need clearer advice.	No change.
Resident 3	PV roof tiles should be allowed in conservation areas and be picked up by the SPD.	The Permitted Development Right for the installation of PV solar roof tiles on the front elevation in conservation areas has been removed via an Article 4 Direction due to their potential to negatively impact upon their heritage value and character. Requiring planning permission does not mean that such permission will be withheld. This enables the Council to balance the sometimes competing objectives of retaining/enhancing the borough's character, whilst providing clean energy towards meeting the Council's 2030 net zero-carbon target. The removal of this restriction is beyond the scope of this SPD and it is made clear in the SPD's paragraph 1.5.3 that its contents do not apply to conservation areas.	No change.

Respondent	Officer summary	Officer response	Recommended change
Resident 4	2.2.1 states 'where possible plant trees'. This is not sufficient policy. An extension results in the permanent loss of land to plant trees. Their foundations may also result in the loss of trees. 2.2.1 should therefore be amended to require new planting of trees, including their overplanting to account for potential loss.	The SPD cannot create new policy beyond that set out in the Development Plan. This wording therefore hinges on policy BGI2 of the Brent Local Plan. For minor development this states that where development will result in the loss of trees, either directly or where they are likely to be adversely affected, they should be replaced on site. It is agreed that currently the wording at 2.2.1 does not entirely reflect this and is somewhat weaker. It is agreed a change to the SPD is necessary to reflect the Local Plan policy.	Amend 2.2.1 to read: ' <del>You are encouraged to retain existing and,</del> <u>Existing trees should be retained</u> where possible, <del>This includes adjacent trees</del> <u>which may be impacted as a result of development.</u> Where this is not possible, <del>plant</del> <u>new trees should be reprovided on site in suitable locations</u> <del>part of any project you are planning.</del> '
Resident 4	3.3.6 states that conversion of garages to living accommodation is generally acceptable. This will result in the loss of storage, including for bins and bikes. This is even more pertinent to flats. How will the loss of this storage be offset?	Homes with garages tend to have front gardens, where bins are typically stored. It is agreed that garages will also be used for bikes and where lost, alternative storage is likely to be necessary. An amendment to the SPD can make it clearer to consider suitable replacement cycle storage.	Amend paragraph 3.3.6 to: "If you want to convert a garage adjoining your original home into a living space, this is generally acceptable as long as the amount of <u>vehicle parking</u> remains sufficient. <u>You are encouraged to consider where cycles could be safely stored.</u> "
Resident 4	3.5.5 refers to roof lights. Figure 14 shows a roof light below an upstairs window. Where the home has been sub-divided, noise and light pollution may impact the habitable rooms in the flat above which should not be allowed.	These impacts are not considered to be so significant compared for example to existing windows that may create similar amenity issues that they warrant additional advice.	No change.
Resident 4	3.9 regards boundary treatments. It is not clear what height side fences to front forecourts can be. Tall side fences block views.	Paragraph 3.9.2 is clear in identifying that boundary treatments to the front of a property should be no more than 1 metre in height.	No change.

Respondent	Officer summary	Officer response	Recommended change
Resident 4	3.10 regards forecourt parking. Parking should not block access to homes, particularly when access is shared. Pathways should be clearly defined.	The referenced 'Brent Domestic Vehicle Footway Crossover Policy' document in Section 8 states the following: 'To minimise any reduction in on-street parking provision, the crossover should generally be sited to the side of the frontage, not in the centre. The parking space should not obstruct the main access to the property.'	No change.
Resident 4	3.10 regards forecourt parking. Such parking should not require manoeuvring, especially for blocks of flats and when unsafe for pedestrians.	The referenced 'Brent Domestic Vehicle Footway Crossover Policy' document in section 5, sets out that forecourt parking is designed safely so that dangerous manoeuvres which conflict with pedestrians and moving traffic are avoided/minimised.	No change.
Resident 4	3.10 regards forecourt parking. This does not reference the maximum front wall opening of 3m as it relates to dropped kerbs. A maximum limit could prevent cars driving over footpaths to get more cars into the forecourt and damaging the pavement.	This is addressed in the referenced 'Brent Domestic Vehicle Footway Crossover Policy' document. Section 9 states the following: 'Where a property has a hardstanding that is significantly wider than the width of crossover applied for (e.g. a 2.4 metre crossover serving a hardstanding capable of accommodating two cars) either: a) the crossover width may be widened to match the width of the hardstanding, up to a maximum of 4.2 metres, or b) the applicant must erect a low (less than 1.0 metre) wall, fence or permanent landscaping to physically prevent vehicles from crossing over an area of footway that has not been strengthened (subject to the maximum width of the crossover not normally exceeding 50% of the width of the frontage of the property).'	No change.

Respondent	Officer summary	Officer response	Recommended change
Resident 4	3.11 regards outbuildings. Materials used should be sympathetic to the area. They should not damage existing trees and should be set back by ~1.2m so that rear boundary trees can be re-established, which is traditional character in Brent and used for screening. As green space is lost a requirement to re-provide should be required.	Building materials is discussed in the general design principles at 2.1 and notes the following: 'the appearance and building materials of any extensions and alterations should match that of your original home.' The requirements seek to build upon, but not be more restrictive than, those allowed under the General Permitted Development Order (GPDO). The GPDO does not stipulate a set back from the rear boundary. A set back may also unfairly impact those with shorter gardens and may mean an outbuilding is no longer possible. In terms of trees, these should be retained where possible and re-provided where lost in accordance with policy BGI2. See proposed change in relation to trees made by this representor. Section 2.2 addresses and encourages matters regarding biodiversity and greening. This is as far as the SPD can go without introducing requirements beyond those set out in the Council's Development Plan for minor householder developments.	No change.
Resident 5	On Page 28, figure 13 and 14 seem to suggest the maximum height allowed for side return extensions on the boundary will be increased from the 2m currently to 2.5m?	This is correct. The additional 0.5m in height is considered to balance impacts on neighbouring amenity with the quality of the internal amenity of the new extension, for which 2m may have been insufficient.	No change.

<b>Respondent</b>	<b>Officer summary</b>	<b>Officer response</b>	<b>Recommended change</b>
Resident 5	Page 19. More clarity needed as to whether a roof dormer would be allowed in conjunction with a 2 storey side or rear extension.	This will be treated on a case by case basis and relate to the impact on neighbour amenity and local character. It is likely to be dependent on the bulk/ mass of the dormer. This point will be kept under review to see if consistent themes are emerging from which specific guidance can be developed if there are tensions between the ambitions of property owners and planners and neighbours.	No change.
Resident 5	Page 33's image does not employ materials that match or blend with the host dwelling. I generally feel the example images should be taken from the Brent area.	This is true for the wall cladding over what would have been brick, however the material for the roof arguably is more consistent with what would originally have been black slate, whilst the adjacent properties' use of clay colour concrete tiles is not. It however, could be made clearer that the image is principally being used for the mass/ roof detailing. Whilst it is agreed Brent examples would be preferable, the Council has struggled for local examples, due to the fact it cannot easily gain access to rear gardens to take pictures.	Amend Figure 19 text to: "Example of a well designed <u>massing of a</u> L shaped dormer in Walthamstow by Gresford Architects
Resident 5	page 32 L shaped dormers at 50% of the length of the outrigger.	This is correct. This is to reduce their impact on neighbouring amenity via reduced mass and the integrity of the original building design.	No change.



Respondent	Officer summary	Officer response	Recommended change
Resident 5	page 35 Balconies and roof terraces, more clarity needed on what materials or design would be considered "well designed screening". Would opaque glass at 1.7m be acceptable, most other materials will appear too bulky?	The suggested opaque glass might be an acceptable solution depending on the circumstances but is a high embodied energy product. Given that there could be significant variance in circumstances, the flexibility allowed for applicants to come up with their own solutions is considered appropriate in relation to this issue, rather than an example given being slavishly adhered to by applicants even when it might not be the most appropriate.	No change.
Resident 6	Larger Homes 6m extension should be added to rear extensions (fig.4) if there is no objections from immediate neighbours.	This suggestion is not supported as a defacto starting position for the Council. It considers that 6m from the principal original elevation is an appropriate length that will be acceptable in most cases/ is likely to be given approval. Whilst an applicant may want to extend an existing extension by a further 6 metres, this will be subject to greater scrutiny by the Council. It is by no means certain that it will be given permission and therefore it would be inappropriate to suggest in the SPD it would normally be considered acceptable or likely given planning permission.	No change.

Respondent	Officer summary	Officer response	Recommended change
Brent & Westminster Swifts Group	<p>Swift bricks have been referenced in the Sustainable Environment and Development SPD at paragraphs 3.5.1, 3.5.3, and 3.6.6. (d), but have not been referenced in this document. For consistency they should be referenced in the biodiversity (2.2.4-2.2.7) section. This should include the following text: 'Swift bricks are a universal nest brick for small bird species and should be installed in new developments including extensions, in accordance with best practice guidance such as BS 42021 or CIEEM.' The following should also be added: 'Existing nest sites for building-dependent species such as swifts and house martins should be protected, as these endangered red-listed species which are present but declining in Brent return annually to traditional nest sites. Mitigation should be provided if these nest sites cannot be protected.' I have also included reference to evidence demonstrating their importance for biodiversity.</p>	<p>Reference is made to bat or bird boxes at paragraph 1.8.4 under 'Greening Brent'. However, it is agreed that reference to these features and swift bricks would be appropriate in the Biodiversity section of the document in 2.2.7 encouraging minor householder developments to improve their relationship with biodiversity, and better align with the requirements of the Council's Sustainable Environment and Development SPD.</p>	<p>Add the following text to paragraph 2.2.7: '...and creating a compost heap. <u>Other measures, not necessarily addressed by BNG such as Swift bricks, bat/bird boxes and holes in fences for Hedgehogs are encouraged. This is particularly important where features that provide habitats, such as old structures with holes and crevices, are lost.</u> Useful information on how to approach this can be found on the Woodland Trust website, and elsewhere.'</p>
KDB BUILDING DESIGNS	<p>Reference only made to RIBA registered architects at paragraph 1.4. We are a CIAT (Chartered Institute of Architectural Technologist) registered practice. Most householder applications are submitted by non-RIBA architects, partly because they are often cheaper, and affordability is one of the primary considerations by residents. Whilst encouraging good design outcomes is the only way to improve the housing stock, it cannot be secured by force as cost is the primary driver.</p>	<p>The aim of the guidance was not to create barriers to good advice but to seek to ensure this advice is procured. This will assist applicants greatly as currently many applications submitted are not of sufficient quality for the Council to be able to determine them, often lacking basic elements such as properly scaled drawings. On this basis it is agreed reference to qualified Architectural Technologists is appropriate in the document, as well as RIBA members.</p>	<p>Amend Paragraph 1.4.1 to: "You are also encouraged you to use high quality specialists such as an architect <u>or architectural technologist</u> (see the RIBA <u>and CIAT</u> website for local practices) and planning agent (see the RTPI website)....."</p>

Respondent	Officer summary	Officer response	Recommended change
KDB BUILDING DESIGNS	I am very dismayed that front and rear gardens are being lost to concrete. Whilst I support the requirement that 50% of front gardens need to comprise soft landscaping, is there not anything that can be enforced for rear gardens? Hard landscaping is an eyesore, and is not good for the clay or natural habitat. I appreciate this will be difficult to monitor and police, but something needs to be done for landscaping on householder applications, and not just for new builds.	The Council shares this concern and have included sections 1.8 on biodiversity and 2.2 on the environment as a result. Unfortunately, Class F of the General Permitted Development Order (GDPO) allows for the whole rear garden and side gardens to be paved over. In theory the Council could introduce an Article 4 Direction to stop this, but this is unlikely to be popular with residents and will introduce a significant burden on the Council in terms of applications and enforcement, which it does not have the resource to administer. Therefore, the SPD seeks to encourage applicants to retain and enhance their gardens where planning permission is required.	No change.
KDB BUILDING DESIGNS	Reference images are not of well designed extensions in Brent which is discouraging. In our experience, when interesting extensions are designed, they are usually considered 'to be out of keeping with the character of the area'. Design is a subjective issue, and not sure how Brent planners decide what is acceptable or not.	Whilst it is agreed Brent examples would be preferable, the Council has struggled for local examples, due to the fact it cannot easily gain access to rear gardens to take pictures. It is agreed design is subjective and there are potential risks in applicants seeking to be innovative. A pre-application process exists to give a lower cost appraisal of what might be acceptable for prospective works.	No change.
KDB BUILDING DESIGNS	Generally welcome the opening up of Brent policy to allow larger extensions, as housing is already constrained and with more people working from home, and wanting garden outhouses, home gyms etc, this is very much needed.	Support welcomed.	No change.

Respondent	Officer summary	Officer response	Recommended change
KDB BUILDING DESIGNS	Limiting extension heights to a maximum of 3m is inappropriate in light of the increased building control requirements for insulation, which have been amended several times over the last 15 years. This means roofs need to be thicker to accommodate the insulation. Therefore flexibility on maximum heights is required in instances where homes have much lower gardens which can facilitate taller extensions.	Building regulations require a U-Value of 0.15/m <sup>2</sup> k in the ceiling of an extension with a traditional pitched roof. This has increased since 2022 when 0.18 was required. This typically can be achieved via the provision of 25-40cm of cheaper insulation products, ~50% of which can be accommodated in the joists. Depending on the insulation type used, insulation depth requirements have not increased significantly in recent years. In any case, it remains possible to achieve the required depths whilst retaining sufficient ceiling heights to retain the quality of internal amenity, whilst also minimising impacts upon adjacent neighbours via limiting maximum extension heights. Gardens being lower does not mean that existing fences will necessarily be taller, indeed it would be very rare to have a garden fence greater than 2.5/3m.	No change.

Respondent	Officer summary	Officer response	Recommended change
Resident 7	<p>Paragraph 3.10.4 states that when providing parking in front gardens, 50% of the front garden must be soft landscaping which is too restrictive and should be removed. I agree that soft landscaping is required, but should be amended to something more realistic, such as a 60cm width way and length way border which provides plenty of soft landscaping and proper parking.</p>	<p>The Council has to balance a number of competing needs. Soft landscaping helps meet a number of the Council's objectives simultaneously, including: improving drainage and reducing surface water run off rates and associated flooding; reducing urban heat island; improving outcomes for biodiversity; and generally assisting in the fight against climate change. Gardens make up a substantial portion of the borough, and in our dense urban environment, cannot be overlooked as a potential mitigation in better addressing these issues. Their utility therefore needs to be maximised. The requirement reflects that set out in Local Plan policy BT2, and therefore cannot be changed by the SPD. This allows for parking to be provided to accepted standards, whilst meeting other objectives. Parking also needs to be reduced in order to reduce car usage and help meet the Mayor's objective of 80% of trips being by sustainable modes by 2040.</p>	No change.

Respondent	Officer summary	Officer response	Recommended change
Resident 8	<p>The comments regarding Biodiversity (paragraphs 2.2.4 to 2.2.7) in the SPD are currently quite limited, and mostly relate to BNG. A good example for content on biodiversity is from Camden's Home Improvements SPD (2021) as follows:Wildlife (page 28):"Wildlife in the UK is protected under the Wildlife and Countryside Act (1981) (as amended). Before you start any works to your property you need to make sure wildlife and protected species would not be affected. In Camden, species most likely to be affected by development are nesting birds, bats, hedgehogs and reptiles.Any works that would affect breeding birds and their nests, such as works of demolition, vegetation removal or site clearance, should be done outside the nesting season from 1st of March to 31st July (i would amend to 31st august as some birds are still nesting) inclusive. To help wild birds you can install bird boxes within your garden or 'swift bricks' within external walls, in a shaded location. The Royal Society for the Protection of Birds can provide advice on how to retain or create nesting spaces within the eaves. Also note that any scaffolding even for minor external works can prevent birds accessing their nest sites in buildings."</p>	<p>It is agreed that more emphasis could be placed on other aspects of legislation regarding the protection of wildlife, and other practical measures. A proposed change regarding swift bricks is set out in response to this matter to the Westminster and Brent Swift Group. In relation to protected species, some additional information can be included in the SPD.</p>	<p>Add new paragraph after 2.2.4 as follows:<u>'Wildlife that is protected by law includes bats and breeding birds and their nests. Demolition works, vegetation removal or site clearance should not disturb them and should be undertaken outside nesting season, typically regarded as from 1st of March to 31st August.'</u></p>
Resident 8	<p>Camden's Home Improvements SPD (2021) includes a photo of a swift brick on page 11 and some good text on bats and hedgehogs.</p>	<p>A new image incorporating landscaping and biodiversity enhancing measures could be included in the earlier part of the document to break up the existing text.</p>	<p>Add new landscaping and biodiversity picture at an appropriate place in the document.</p>

Respondent	Officer summary	Officer response	Recommended change
Resident 8	<p>The Westminster Code of Construction Practice (February 2022) provides additional information with regard to the impact on existing biodiversity and should be included as follows: Section 9.3 Wildlife Mitigation Measures (page 83):</p> <p>"Mitigation measures to protect the wildlife and habitats associated with areas of nature conservation interest (sites designated as either a Local Nature Reserve or a Site of Interest for Conservation) or sites containing protected or priority species will be agreed with the City Council on a site by site basis and will include the following general principles: (a) Where practicable, demolition and site clearance works should be carried out outside of the bird breeding season (March to August inclusive). (b) Potential wildlife habitats to be disturbed by construction work should be surveyed by a qualified ecologist at the appropriate time of year and immediately prior to commencement of works. Multiple surveys may be necessary and will include checking for presence of protected and priority species, surveying buildings for roosting and nesting by bats and birds, and consideration of the impact of noise, vibration and light spillage at night. The ecologist will be required to make recommendations on mitigation measures and restoration work to ensure that the site is of an equivalent or richer ecological status after work ceases".</p>	<p>This information relates to sites that have a high degree of ecological sensitivity, which realistically is likely to be very rare in the majority of Brent gardens. Additional text related to protected species and wildlife is suggested in the recommendation to Westminster and Brent Swift Group and this is considered sufficient.</p>	No change.

Respondent	Officer summary	Officer response	Recommended change
Resident 8	<p>Page 3 Para 1.1.7 I am very concerned about para 1.1.7 which states: Nevertheless, the council recognises that strict adherence to the guidance may, in some cases, result in a lack of innovation, or stifle good design. The council does not want this to happen, and will therefore give fair consideration to justified alternatives. In such cases, the applicant will need to provide suitable evidence for a site why a different approach should be taken. I think it is better to have firm rules so that it is clear to potential applicants what is acceptable in the locality and what is not. It is already very stressful for residents to have to object to inappropriate applications which would block light, increase noise levels, put stress on sewerage and residents' parking and reduce the number of properties suitable for families, especially because applicants are able repeatedly to submit similar applications in the hope of wearing down their neighbours through the stress of the process. Allowing additional discretion will encourage proposals of less merit, will increase the workload of planning officers, and may cause bad feeling among neighbours rather than enable those living cheek by jowl to live harmoniously with consideration and tolerance.</p>	<p>Such discretion will only be used in exceptional circumstances and where justified. The Council recognises that the rules will not be applicable in all circumstances, and some considerations may require more nuanced judgement. Where this is the case, the burden of evidence will be on the applicant, who will need to robustly justify why in their particular circumstances, a rigid interpretation of the guidance is inappropriate. This may, for instance, be where there is a change in ground levels which allows for greater heights, or where the use of matching materials is inferior to an innovative design solution which uses contrasting materials. Generally, however, most site conditions, and designs proposed, will necessitate a more rigid interpretation of the guidance.</p>	No change.



Respondent	Officer summary	Officer response	Recommended change
Resident 8	<p>Page 19 Para 3.2 Two Storey Rear Extensions I am particularly concerned about the proposal to loosen the criteria around two storey extensions to mid-terraced properties. Such extensions block light to rooms and gardens and can make those who perhaps can only live on a ground floor and may be housebound by frailty or disability feeling hemmed in by buildings. The overshadowing of gardens and consequent lack of sunlight makes it harder to grow vegetables and fruit and cheerful flowers, all of which are beneficial to human health. A two-storey extension also causes a "rain shadow", increasing the amount of rain lost down the drains and increasing neighbours' need to water their gardens to replace the lost rain. The rear gardens of mid-terrace properties are often narrower than those surrounding semi-detached and detached properties. I believe that two storey extensions to mid-terrace properties should not be permitted where the adjacent neighbours' gardens are less than 10 metres wide for the five metres closest to the property.</p>	<p>It is agreed that the existing SPD is not worded as supportively of 2 storey rear extensions in attached homes, including terraces. It does not, however, preclude them from happening. It states that providing they can comply with the 1:2 rule, and are no greater than 3m in depth, then they will be acceptable. The 1:2 has simply been replaced by the 45 degree rule. The 45 degree rule is a well established planning rule, and is present in the Council's Design Guide (SPD1), and is also advocated by the Building Research Establishment (BRE) as good practice. This therefore serves to make both documents consistent, and provide clarity. The use of the 45 degree rule will allow for smaller housing stock, such as terraces, to benefit from similar rights provided to larger homes, enabling them to upgrade their homes to meet their needs, rather than move. Whilst this may give rise to greater impacts on neighbours, it is considered that this strikes a fair balance.</p>	No change.
Resident 10	No comment, but not generally supportive.	Support welcomed.	No change.

Respondent	Officer summary	Officer response	Recommended change
Resident 11	More detailed guidance on acceptable locations and parameters for air source heat pumps would be appreciated.	Schedule 2, Part 14, Class G of the General Permitted Development Order (GPDO) addresses the 'installation or alteration etc of air source heat pumps (ASHPs) on domestic premises'. This allows for the installation of ASHPs and covers most typical scenarios, including one ASHP of 0.6m <sup>3</sup> or less within the curtilage of a house, bungalow, or block of flats, unless it were to be within 1m of the front curtilage boundary. Paragraphs 2.3.5-2.3.7 are considered to provide sufficient clarity on the acceptability of ASHPs that will need permission. If trends occur which show that additional advice is needed, this can be provided when the SPD is subject to review in the future.	No change.
Historic England	Paragraph 1.5.1 lacks clarity. The following edits should be included to rectify this: Some areas of the borough have been designated as conservation areas due to their architectural quality <del>and</del> historic significance. Some individual buildings have been deemed <del>senationally</del> <u>ationally</u> important that they have been statutorily listed. In addition, some buildings will have had their permitted development rights removed by the council.	Noted. See proposed changes.	Amend paragraph 1.5.1 as follows: 'Some areas of the borough have been designated as conservation areas due to their architectural quality <del>and</del> historic significance. Some individual buildings have been deemed <del>senationally</del> <u>ationally</u> important that they have been statutorily listed. In addition, some buildings will have had their permitted development rights removed by the council.'