



Application for a non-material amendment following a grant of planning permission.

## Town and Country Planning Act 1990

### Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

### 1. Site Address

Number	5
Suffix	
Property name	
Address line 1	Brook Mews North
Address line 2	
Address line 3	
Town/city	London
Postcode	W2 3BW

Description of site location must be completed if postcode is not known:

Easting (x)	526537
Northing (y)	180912

Description

### 2. Applicant Details

Title	Mr
First name	Raymond
Surname	Smith
Company name	
Address line 1	5
Address line 2	Brook Mews North
Address line 3	
Town/city	London

2. Applicant Details

Country

United Kingdom

Postcode

W2 3BW

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Primary number

Secondary number

Fax number

Email address

3. Agent Details

No Agent details were submitted for this application

4. Eligibility

Do you, or the person on whose behalf you are making this application, have an interest in the part of the land to which this amendment relates?

☒ Yes

☐ No

If you are not the sole owner, has notification under article 10 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 been given?

☒ Yes

☐ No

☐ Not Applicable

If you have answered Yes to this question, please give details of persons notified

Person Notified	
Number	5
Suffix	
Property name	
Address line 1	5 Brook Mews North
Address line 2	
Address line 3	
Town/city	London
Postcode	W2 3BW
Date Notified	12/03/2021 00:00:00

5. Description of Your Proposal

Please provide the description of the approved development as shown on the decision letter

Variation of condition 1 of planning permission dated 12 March 2019 (RN 19/00660/FULL) for the conversion of garage into habitable space and replacement of external windows and doors to front elevation. NAMELY, to vary the approved drawing numbers to amend the design of the windows and doors to the front elevation.

Reference number:

20/06195/FULL

Date of decision

26/11/2020

What was the original application type?

Householder Planning Permission

For the purpose of calculating fees, which of the following best describes the original application type?

## 5. Description of Your Proposal

- ☒ Householder development: Development to an existing dwelling-house or development within its curtilage
- ☐ Other: anything not covered by the above category

## 6. Non-Material Amendment(s) Sought

Please describe the non-material amendment(s) you are seeking to make

Amend wording of condition 5 FROM:

Notwithstanding the details shown in the proposed drawings, the timber windows shall be painted in white and maintained in this colour thereafter.

TO:

Notwithstanding the details shown in the proposed elevation drawings, the timber windows shall be painted in white, with the exception of the ground floor windows.

Are you intending to substitute amended plans or drawings?

☒ Yes ☐ No

### If yes please complete the following

Old plan/drawing numbers

20\_06195\_FULL-PROPOSEDDRAWINGS-6602353.pdf

New plan/drawing numbers

Replace 'Proposed Front Elevation' drawing within 20\_06195\_FULL-PROPOSEDDRAWINGS-6602353.pdf with attached ProposedElevationMixedColour.pdf

Please state why you wish to make this amendment

The reason stated on condition 5 is 'To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area.'

Maintaining a uniform white paint colour in perpetuity does NOT contribute to the character of the Bayswater Conservation Area when the neighbouring Lancaster Mews has many different window colours. Examples of Mews houses with coloured windows: 28, 29, 30, 31, 35, 38, 39, 44, 47, 50, 54, 57, 58, 60, 60A Lancaster Mews. Brook Mews North has largely all-white windows not because it contributes to the character and appearance of this part of the Bayswater Conservation Area, but because many of the buildings are maintained by a single management company that finds painting all the windows white a convenience. All white therefore should NOT become a constraint on privately owner-occupied properties within the same Mews. The office directly across the street at 29 Brook Mews North for example (photo attached) has grey windows and garages, which breaks nicely from the bland uniformity of all-white, and 31 and 32 nearby have all brown windows.

Applicant posits that condition 5 of 20\_06195\_FULL does not meet the 6 tests set forth in Paragraph 55 of the National Planning Policy Framework which makes clear that planning conditions should be kept to a minimum, necessary and reasonable, and that the condition should be struck down entirely, but applicant will be satisfied with the proposed change, which permits a different colour at ground floor level, and potential for future change in the upper floors..

## 7. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☒ Yes ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☐ The agent
- ☒ The applicant
- ☐ Other person

## 8. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☒ Yes ☐ No

**If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):**

**Officer name:**

Title	Area Team Leader North Team
First name	
Surname	
Reference	Complaint 19492932 about Planning

Date (Must be pre-application submission)

11/03/2021

Details of the pre-application advice received

## 8. Pre-application Advice

To submit an NMA to change the wording of condition 5 of 20/06195/FULL to except the ground floor windows, and that given the validity of complaint 19492932 about the handling of application 20/08014/ADFULL that the fee would be waived.

## 9. Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

☐ Yes ☒ No

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

## 10. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them. ☒

Date (cannot be pre-application)

15/03/2021