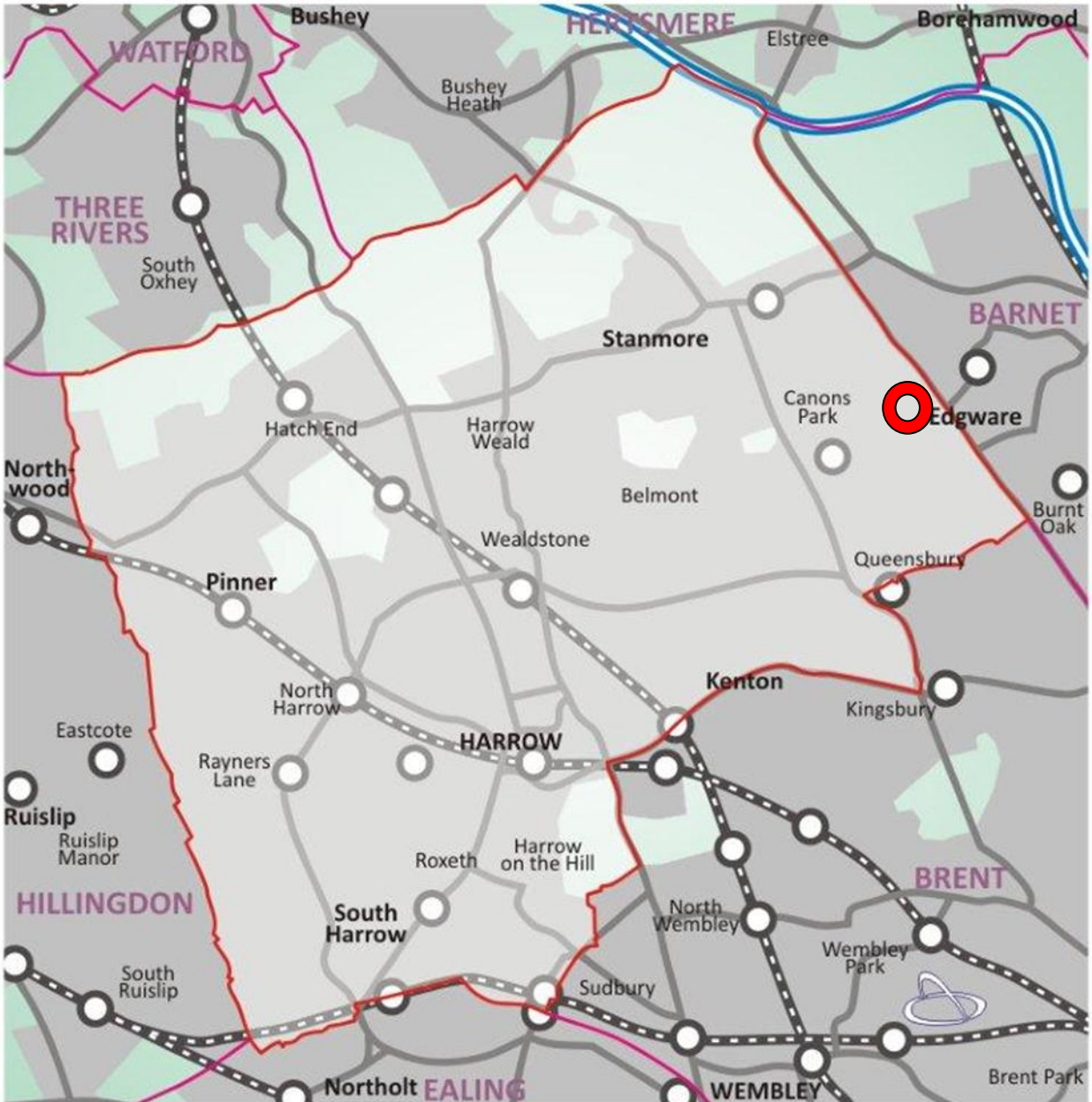
 = application site



16 Montgomery Road, Edgware, HA8 6NT

P/2884/22

Location Plan



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

28th June 2023

APPLICATION NUMBER: P/2884/22
VALID DATE: 21/10/2022
LOCATION: 16 MONTGOMERY ROAD, EDGWARE
WARD: EDGWARE
POSTCODE: HA8 6NT
APPLICANT: MR SHYAM MEHTA
AGENT: YOUR LIVING SPACE LTD
CASE OFFICER: AGNES WANJA
EXPIRY DATE: 15/12/2022

PROPOSAL

Front Porch; Single And Two Storey Side Extension; Single And Two Storey Rear Extension; External Alterations (Demolition Of Side And Rear Extension)

RECOMMENDATION A

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to subject to the Conditions listed in Appendix 1 of this report.

REASON FOR THE RECOMMENDATION

The proposed development is considered to be a modest and sympathetic addition which would not result in a detrimental impact to the character and appearance of the original building and the surrounding area, nor would it result in a detrimental impact to the residential amenities of neighbouring properties.

Accordingly, weighing up the development plan policies and proposals along with other material considerations including comments received in response to notification and consultation as set out below, Officers consider and conclude that, subject to planning conditions, the proposed development is acceptable and worthy of support. In accordance with the National Planning Policy Framework, including its presumption in favour of sustainable development, and subject to conditions, Officers recommend that the application is granted.

INFORMATION

This application is reported to Planning Committee at the request of a nominated member in the public interest.

Statutory Return Type:	(E)21. Householder Development
Council Interest:	None
Net Floorspace:	74.70sqm
GLA CIL Contribution (provisional):	N/A
Local CIL Contribution	N/A

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application, the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policy D11 of The London Plan (2021) and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

1.0 SITE DESCRIPTION

- 1.1 The application site is a two-storey detached dwelling located at the south-wester side of Montgomery Road.
- 1.2 Montgomery Road is a residential road characterised mainly by terraced dwellings. However, there is a small number of semi-detached and two detached dwellings varying designs sited toward the southern end of the road.
- 1.3 The application site has a hipped, pitched roof profile, an attached garage which abuts the boundary with the application property and a single storey rear extension.
- 1.4 The application site is link-detached to no. 18 Montgomery Road, which has a distinct design. This dwelling is single storey in form and has a steep pitched roof profile with full gables with habitable living space in the roof space.
- 1.5 No. 14 Montgomery Road is set away from the host property and is a semi-detached two storey dwelling.

2.0 PROPOSAL

- 2.1 The application seeks permission for a front porch with a forward projection of 2.31m a width of 1.27m and a height of 2.82m with a flat roof. Single storey side extension on the east side would have a depth of 12m (incorporating 4m rear extension) a width of 2.1m and a height of 2.87m to a flat roof and two storey side extension with a depth of 9.2m a width of 2m and a height of 6.83m to a hipped roof.
- 2.2 Single storey rear extension with a depth of 4m a width of 8.1m wrapping around the west flank wall a depth of 8.7m and a height of 2.82 to a flat roof, two storey rear extension with a depth of 5.31m a width of 6.83m and a height of 7.14m to a hipped roof.
- 2.3 External alterations to include new front window on the first-floor side extension, two additional windows on the first floor west flank wall, removal of the ground floor east side elevation windows and door, four additional rear elevation windows, two on the first floor and two on the ground floor.
- 2.4 Demolition of side and rear extension.

3.0 RELEVANT PLANNING HISTORY

- 3.1 EAST/493/01/FUL– TWO STOREY REAR, FIRST FLOOR SIDE EXTENSION, GRANT, 18-Jul-2001

4.0 CONSULTATION

Neighbour Notification

- 4.1 A total of 8 consultation letters were sent to neighbouring properties regarding this application. In addition, a site notice was posted on the 25th November 2022. The overall public consultation period expired on the 16th December 2022.
- 4.2 3 objections were received including an objection from the ward member Cllr Blackman. The objections are summarised below.

Principle of Development

- The extensions are so extensive would present a much larger house

Officer response: The proposed development has been assessed according to the relevant policies and guidelines.

Character

- *Demolishing 3 walls and building close to no.14 & right up to the border of no.18*
- *Extensions are so extensive very much larger house*
- *The rear extension is so high and long it protrudes so deep into the rear garden it becomes overbearing and ominous.*

Officer response: these comments are addressed with the report

Impact to Residential Amenity

- *Restriction of light and privacy*
- *It will block the light & view of no. 14 where there is only one window on that side if no. 16 builds 2 stories*
- *Proposed upper extension has 4 windows which will overlook*
- *Increase of overlooking*
- *Enclosed and reduced light and space*

Officer response: these comments are addressed with the report

Highways

- There will be an impact on parking

Officer response: The proposed development would still have the same parking facility available.

Others

- Site notice not displayed
- *This may be converted into another HMO*
- *3 additional bathrooms that would impact on drainage & sewers*
- *This will reduce natural run off of rain water*

Officer response: There is photo evidence of the site notice that was displayed.

*The application has not proposed a change of use so we are not able to assess this as a presumption.
Other comments do not fall within the palling remit.*

Statutory and Non Statutory Consultation

- 4.3 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultation Responses
LBH Drainage Engineer The application site is within Flood Zone 3a and 3b. a Floor Risk Assessment has been submitted with the application. <i>Officer response: the submitted FRA is satisfactory.</i>

5.0 POLICIES

- 5.1 “Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

‘If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.’

- 5.2 In this instance, the Development Plan comprises The London Plan 2021 [LP], The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

- 5.3 A full list of all the policies used in the consideration of this application is provided as Informative 1 in Appendix 1 of this report.

6.0 ASSESSMENT

- 6.1 The main issues are;

- Character and Appearance of the Area
- Residential Amenity
- Development and Flood Risk
- Fire Safety

6.2 Character and Appearance of the Area

6.2.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1.B
- Harrow Development Management Policies Local Plan (2013): DM1
- Supplementary Planning Document: Residential Design Guide (2010)

Front Porch

6.2.2 The application site is a detached property and is one of three detached properties along this section of Montgomery Road.

6.2.3 The existing dwelling has a front canopy. The proposed front porch would have an additional forward projection of 1m and would remain set back from the front elevation of the dwelling by 1.9m.

6.2.4 The Residential Design Guidance page 41 paragraph 6.35 states: Front extensions have the greatest potential impact on the character and visual amenity of the street scene. Residential buildings in Harrow generally follow a clear building line, with building facades sited on the same plane and often enriched with architectural features reflecting the period of building construction. These features include bay windows, window and door surrounds and other architectural features. Modern front extensions beyond the established building line can disrupt the harmony and architectural coherence of the streetscape. However, small front porches and garage extensions may be permitted provided that they: reflect and complement the scale, design, quality and pattern of development in the surrounding street scene; relate to and complement the existing architectural design and materials of the existing building; do not project significantly forward of front bay windows; do not link into and have clear separation from existing bay windows; and provide for a minimum driveway depth of 4.8m to remain to allow for sufficient parking space, unless adequate alternative parking space is provided.

6.2.5 It is considered the proposed front porch would be in keeping with the character of the existing dwelling and would not detract from the street scene.

Single and two storey side extension on the east side of the dwelling

6.2.6 The proposed single storey side extension would be built along the boundary with no. 18 and would have a depth of 8 metres with a maximum height of 2.8m to the top of a flat roof.

6.2.7 This proposed side extension would not be greater than half the width of the existing dwelling. This side extension would be set back 4m from the front elevation.

- 6.2.8 It is noted the site has an existing garage which the proposed extension would extend 3m forward of and in front of the front elevation of no.18. Given its set back from the front elevation it is considered to be an acceptable addition.
- 6.2.9 The proposed first floor element would be set back 7m from the front elevation of the host property and would not project beyond the front elevation of no.18, therefore reducing its visibility within the street scene.
- 6.2.10 Given the proposed single and two storey side extension would remain set back from the front elevation, it would be a subservient addition and would have a width that would not be greater than half the width of the existing dwelling, it is not considered the proposed part single and part two storey would detract from the character of the existing dwelling and the general character of the street scene.

Single and two storey rear extension

- 6.2.11 The application proposes a single storey rear extension with a depth of 4m a width of 8.1m wrapping around the west flank wall a depth of 8.7m and a height of 2.82 to a flat roof, two storey rear extension with a depth of 5.31m a width of 6.83m and a height of 7.14m to a hipped roof.
- 6.2.12 The proposed rear extension would project off the side extension and would have a depth of 4m which is the recommended depth within the Residential Design Guidance for detached properties, the proposed ground floor element would wrap around the west elevation of the site and merge with the existing two storey outrigger.
- 6.2.13 The proposed first floor element would also project off the two storey side extension and have a depth of 4m from the rear wall. This element will not wrap around the west side elevation.
- 6.2.14 The proposed development is considered to be acceptable and would mirror the similar properties on this side of the street which are narrow and have a long appearance.
- 6.2.15 It is noted the first floor side to rear extension would be built to the boundary with no.18, this is not considered to introduce a terracing effect as there will still be a gap maintained of over 2m from the boundary to the steep pitched roof and on the side elevation of no.18. Furthermore, the extension is significantly set back from the front and subordinate in appearance to mitigate any potential terracing effects.
- 6.2.16 It is considered that the proposed extensions would be in accordance with the guidance contained in the residential design guidance. The proposals amount to proportionate additions to the dwellinghouse and do not therefore detrimentally harm the street scene.
- 6.2.17 The proposed extension is considered to be in keeping with the general locality as the neighbouring detached and semi-detached properties all appear to have similar depth when viewed through aerial view.

External alterations

- 6.2.18 The proposed external alteration in term of additional and removal of windows are considered acceptable and in keeping with the character of the existing dwelling and locality.

Summary

- 6.2.19 The proposed development, due to its size, scale, form and design would be a proportionate addition which would relate well to the original dwellinghouse. It is therefore considered that the proposal would have an acceptable impact on the character and appearance of the dwellinghouse and the surrounding area.

6.3 Residential Amenity

- 6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Development Management Polices Local Plan (2013):DM1
- Supplementary Planning Document: Residential Design Guide (2010)

18 Montgomery Road

- 6.3.2 This application site is to the north of the host property and is a single storey in form and has a steep pitched roof profile with full gables. This roof profile facilitates habitable living accommodation in the roof space.
- 6.3.3 The proposed porch would be hidden in view from this site by the main dwelling therefore no impact on the amenity of this neighbouring property.
- 6.3.4 The proposed single and two storey extensions would be built to the boundary with this adjoining property.
- 6.3.5 It is noted that both properties have existing side extensions along the boundary. The proposed single storey element would project 3m forward of the front elevation. According to plans previously submitted to the council, the area immediately adjacent to the boundary is a garage and the front door is set beside the garage with a small hall window. There would not be any harm in respect of neighbouring residential amenity here as this door and window is set off the boundary and they are not protected sources of light.
- 6.3.6 The proposed first floor extension would also be built to the boundary. This element would not project beyond the front elevation but would extend along the boundary and be set 2m from the side elevation window of this adjoining property, which according to previous plans submitted to the council by no 18 for their own planning application, serves the stairway and landing. Although there may be loss of light to this window it is not considered to be a primary window to a habitable room and

therefore loss of light to this window would not be an unreasonable impact in planning terms.

- 6.3.7 The proposed rear extension would continue to the rear of the site and would project 4m from the rear wall of the host property. This depth is in line with the Residential Design Guidance as it would not exceed a depth of 4m from the rear of the side extension and would have an additional separation of 2.5m to the flank wall of this adjoining property.
- 6.3.8 The proposed first floor rear extension would be on the cusp of the 45 degree splay measured from the corner of the rear wall. It is not considered this small breach would give rise to amenity impact of this dwelling to a level that would warrant a refusal on amenity grounds. Therefore, on balance it is considered acceptable.
- 6.3.9 There are no windows proposed on the side elevation of the single or two storey extension.
- 6.3.10 The proposed extension due to its design, size, scale, siting and its relationship with No.18 Montgomery Road would not result in a detrimental impact to the visual and residential amenities of No.218 due to a loss of privacy, outlook or light.

14 Montgomery Road

- 6.3.11 This adjoining property is a semi-detached dwelling located to the south of the host property. It has significant two storey rear additions.
- 6.3.12 The proposed porch would remain set off 1 metre from the boundary with this property.
- 6.3.13 The proposed part single part two storey would not impact this property as the proposal would be on the other side of the property block from view by the main dwelling.
- 6.3.14 The proposed side extension would remain 1m from the boundary with this property and would have a maximum height of 2.8m to a flat roof. This proposed wrap around side to rear extension would not exceed the recommended depth within the Residential design guidance and would have a separation of 3.5 metres between the flank walls.
- 6.3.15 The proposed first floor extension would be set off 2.3m from the boundary and would not breach the 45 degree code. The proposed extensions are not considered to give rise to amenity impact of this property. The large rear extension at this house offsets any potential harm.
- 6.3.16 It is noted the proposal has two windows to the side elevation facing this dwelling which would be conditioned to be obscured glazed and one window with clear view which is existing and one angled window which would have a rear-view outlook. The proposed windows are not considered to give rise to overlooking or loss of privacy this neighbouring property due to site circumstances.

- 6.3.17 The proposed extension due to its design, size, scale, siting and its relationship with No.14 would not result in a detrimental impact to the visual and residential amenities of No.14 due to a loss of privacy, outlook or light.

Properties Located to the Rear of the Site

- 6.3.18 The properties to the rear given the distance from the proposed extension and the rear boundary would not be impacted by the proposal.

Summary

- 6.3.19 The proposed development, due to its design, size, scale and relationship with neighbouring properties, would not result in a detrimental impact to the visual or residential amenities of neighbouring properties. The proposed development therefore complies with the above mentioned policies and guidance.

Development and Flood Risk

- 6.3.20 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): S112, S113
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM10

- 6.3.21 The development would result in additional hard surfacing on the site. As the site is located within a Critical Drainage Area and flood risk zone.

- 6.3.22 The agent has provided additional information and an amended flood risk assessment including details of a soakaway and compensatory water storage. The submitted flood risk assessment is now satisfactory.

Summary

- 6.3.23 The proposed development would not increase the risk of flood onsite or elsewhere, subject to a condition requiring the applicants to build in accordance with the submitted details.

6.4 Fire Safety

- 6.4.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D12.A

- 6.4.2 Part A of Policy D12 of the London Plan (2021), requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply.

- 6.4.3 The applicant has submitted a Reasonable Exemption Statement to confirm that the development would not adversely affect the appropriate fire safety measures of the site.

Summary

- 6.4.4 The applicant has submitted a Reasonable Exemption Statement to address fire safety. On that basis, the proposal therefore complies with the above mentioned policies.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed development would not detract from the character and appearance of the host building, street scene and area in a wider context, nor would it unduly impact upon the residential amenity of neighbouring occupants. The proposed development is not considered to be susceptible to unacceptable flood risk and is not considered to exacerbate flood risk elsewhere. The proposed development is not considered to conflict with S17 of the Crime and Disorder Act 1998 (as amended), and finally, the applicant has provided a Fire Strategy Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site. As such, the development accords with the NPPF (2021), Policies D3, D11, D12, SI 12, SI 13, of the London Plan (2021), Policies CS1.B and CS1.W of the Harrow Core Strategy, Policies DM1 & DM10 of the Harrow Development Management Policies Plan, and the Harrow Supplementary Planning Document: Residential Design Guide (2010).

APPENDIX 1: Conditions and Informatives

Conditions

1. Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. Plan List

The development hereby permitted shall be carried out in accordance with the following documents and plans: Flood Risk Assessment, Reasonable Exception Statement, 22_051_S2, 22_051_S1, 22_051_SO, 22_051_P3, 22_051_P1, 22_051_P2, 22_051_P0

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

3. Materials

The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

REASON: To safeguard the appearance of the locality.

4. Glazing

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no window(s)/door(s), other than those shown on the approved plans shall be installed in the flank elevation(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

Informatives

1. Relevant Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2021)

The London Plan 2021:

D3, D12

The Harrow Core Strategy 2012:

CS1.B

Harrow Development Management Policies Local Plan 2013:

DM1, DM10

Supplementary Planning Document: Residential Design Guide (2010)

2. Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was not sought and provided and the submitted application was in accordance with that advice.

3. Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.

4. Party Wall Act

The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building work which involves:

1. work on an existing wall shared with another property
2. building on the boundary with a neighbouring property
3. excavating near a neighbouring building,
and that work falls within the scope of the Act.

Procedures under this Act are quite separate from the need for planning permission or building regulations approval.

"The Party Wall etc. Act 1996: Explanatory booklet" is available free of charge from:

Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>
Tel: 0870 1226 236 Fax: 0870 1226 237
Textphone: 0870 1207 405
E-mail: communities@twoten.com

5. Compliance with Planning Conditions

IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences - You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority. Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted. Beginning development in breach of a planning condition will invalidate your planning permission.
- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

6. Liability for Damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicants' expense. Failure to report any damage could result in a charge being levied against the property.

7. Sustainable Drainage Systems

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible.

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.

Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research



Establishment

(BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information.

CHECKED

 <p>Orla Murphy Head of Development Management</p> <p>15th June 2023</p>	 <p>Viv Evans Chief Planning Officer</p> <p>15th June 2023</p>
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APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOS

Front of host property in the middle, With no. 18 to the right and No.14 to the left



Site notice



Rear of host site



View of rear and side of no. 18



View of host property from no.14



Rear of host site



Rear of host property view of no.14



Rear of the site view of no.18



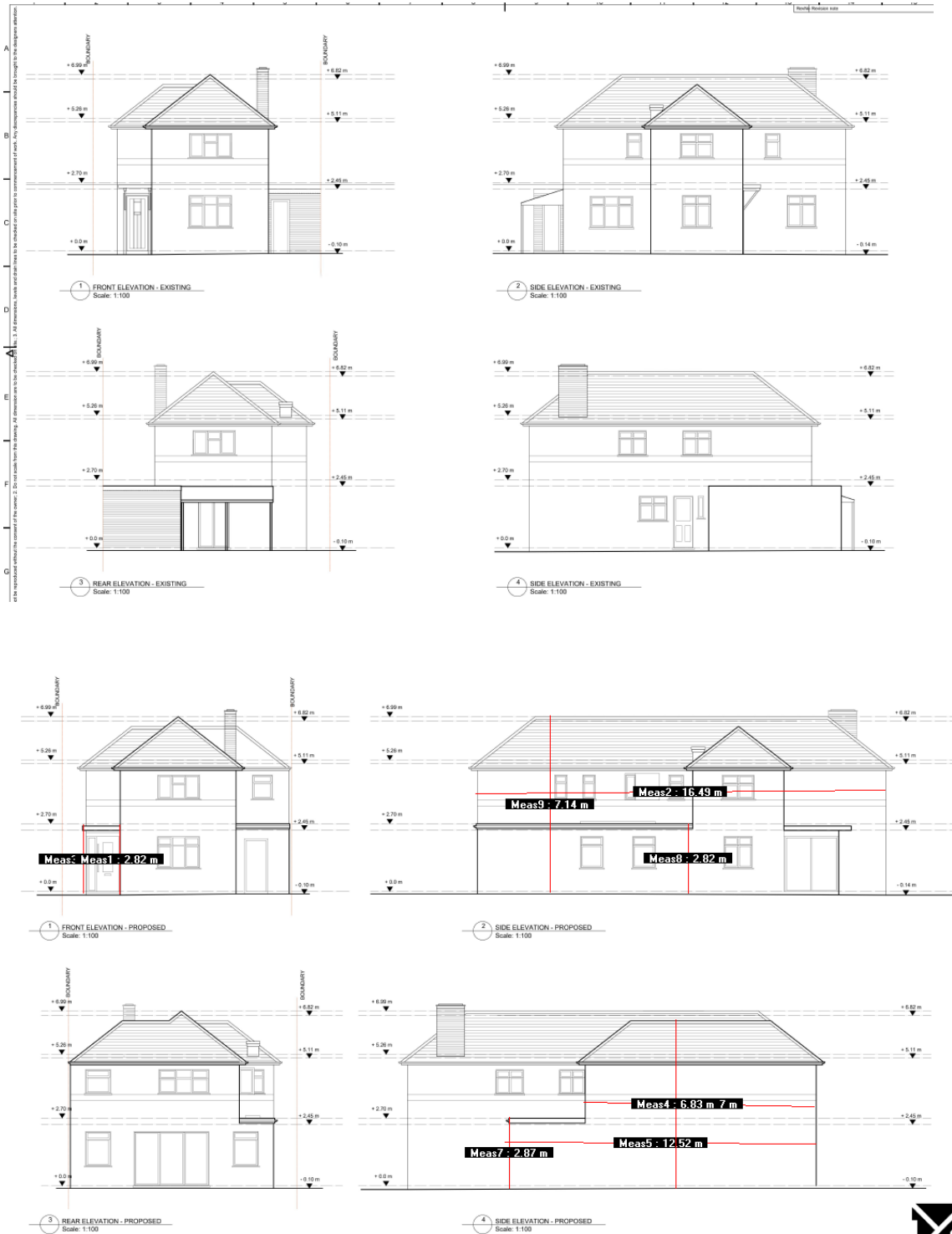
Front of host property

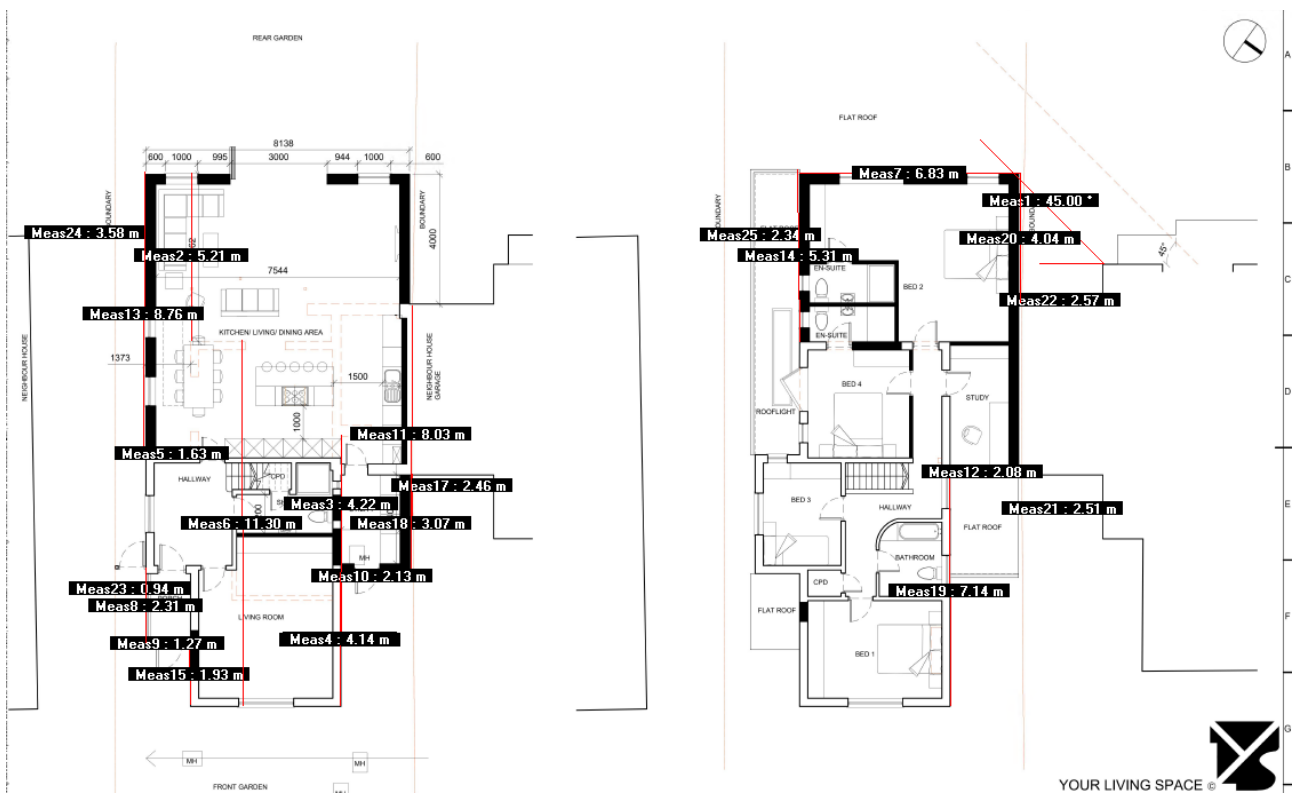
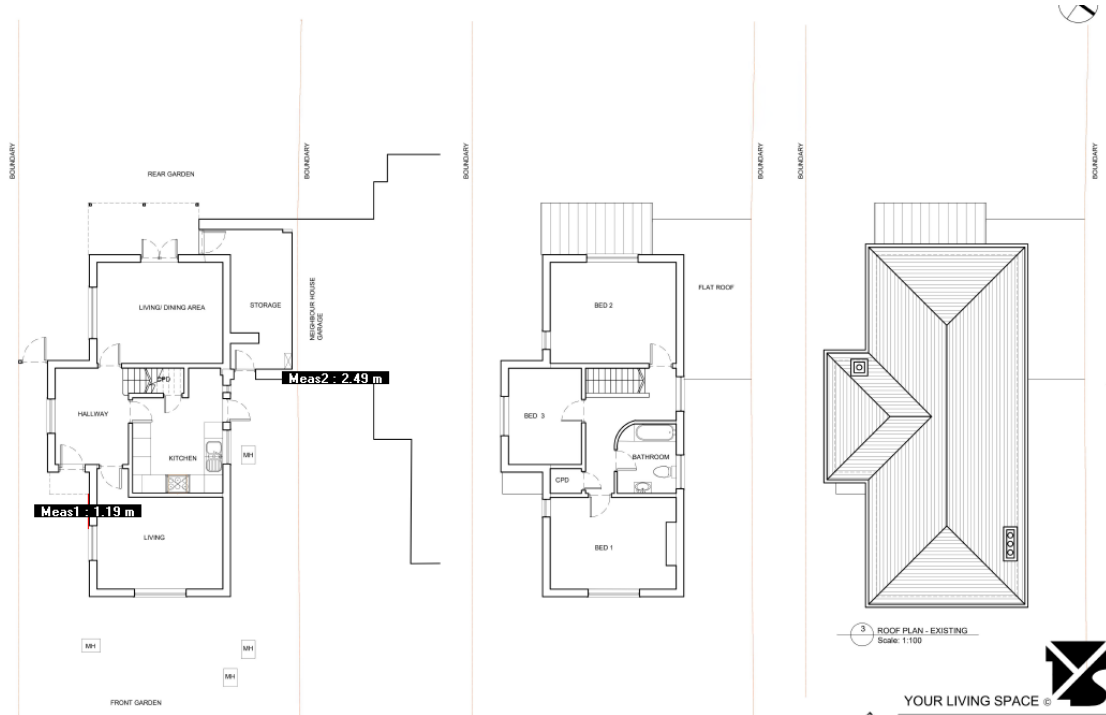


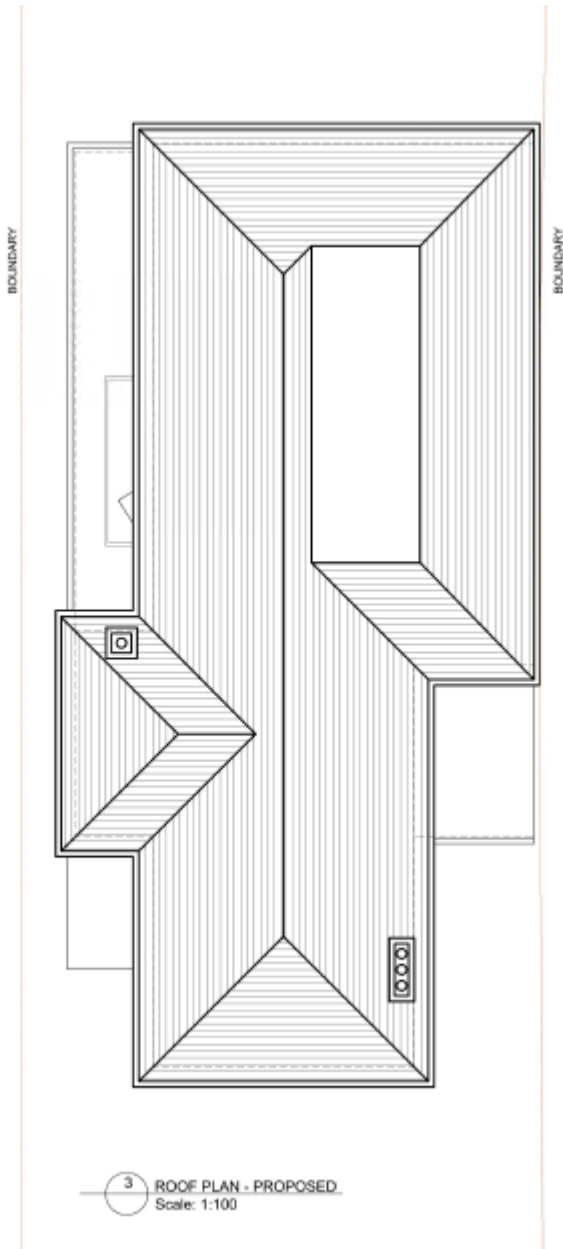
Rear of host property



APPENDIX 4: PLANS AND ELEVATIONS







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