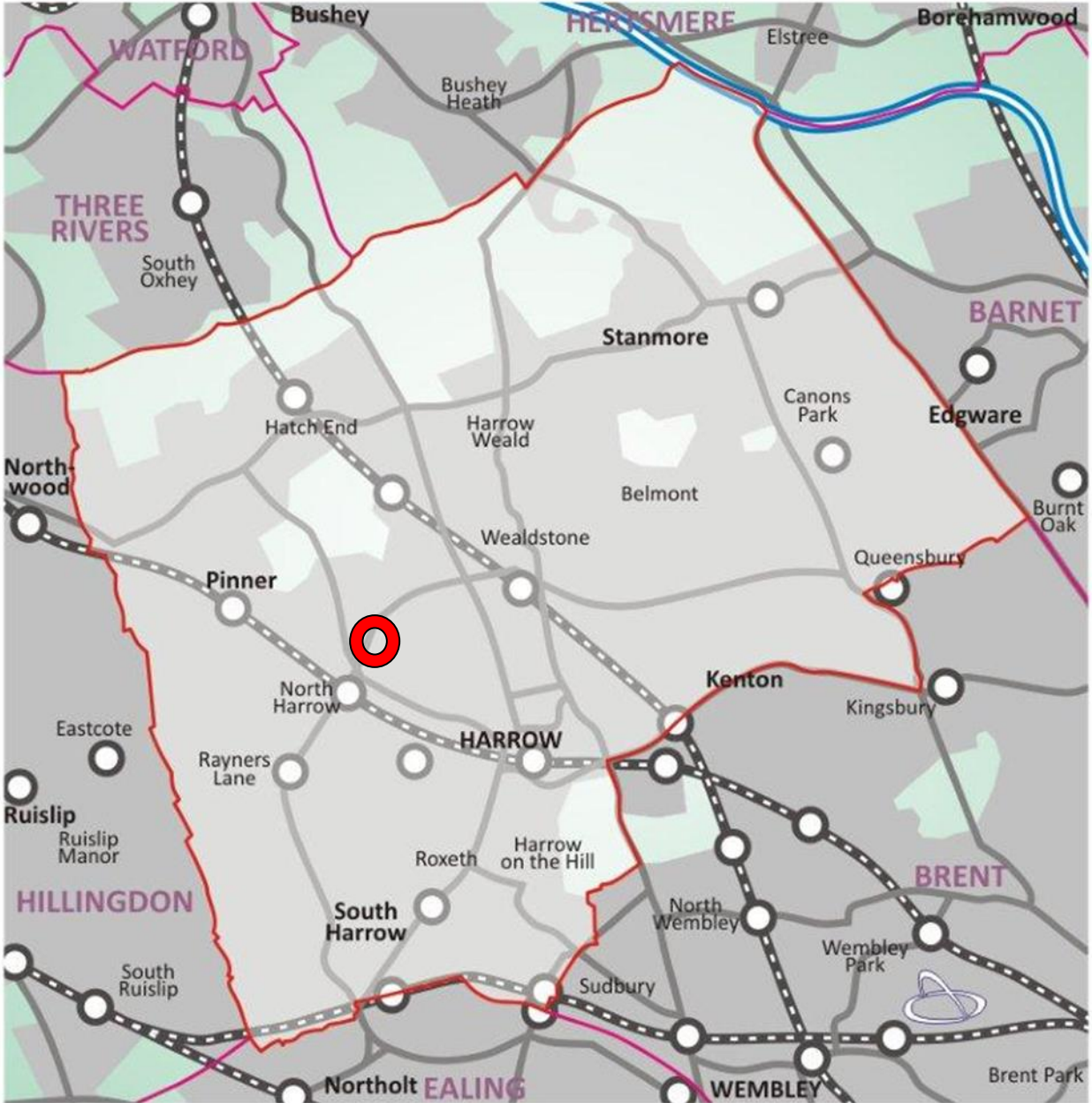
 = application site



35 Manor Way, Harrow, HA2 6BZ

P/0941/23

Location Plan



PLANNING COMMITTEE

19th July 2023

APPLICATION NUMBER: P/0941/23
VALID DATE: 28/03/2023
LOCATION: 35 MANOR WAY HARROW
WARD: HEADSTONE
POSTCODE: HA2 6BZ
APPLICANT: MR AND MRS JOSHI
AGENT: STUDIO 136 ARCHITECTS LTD
CASE OFFICER: AGNES WANJA
EXPIRY DATE: 23/05/2023

PROPOSAL

First Floor Rear Extension; External Alterations

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. Application was deferred from the June committee at officers request to permit submission of amended plans and re-consultation.

Statutory Return Type:	Householder
Council Interest:	None
Net Floorspace:	10.99sqm
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 semi-detached dwelling located to the north of Manor Way.
- 1.2 The application site has been extended by way of part single part two storey side and single storey rear extension and front porch which was approved under ref: WEST/75/98/FUL.
- 1.3 The application site is attached to no. 37 Manor Way which is also a two-storey dwelling which has not been extended.
- 1.4 No. 33 is on the detached side to the west of the host property, is not extended but has a large single storey garage at the boundary with the host property.
- 1.5 The application site is not listed and is not located within a conservation area.
- 1.6 There are no other site constraints.

2.0 PROPOSAL

- 2.1 The application seeks permission for a first floor rear extension with a depth of 3m from the rear wall, a width of 5.01m and a height of approximately 7m from the ground level to the subordinate hipped roofline.
- 2.2 The proposal has been amended since the previous committee in June to set in the extension by 0.5m on both sides. The rear elevation at first floor level has been amended from two windows to one window and the overall height of the first floor rear addition has been reduced from approx. 7.4m to 7m. The images below show the previously proposed rear elevation on the left and the revised rear elevation on the right.



2.3 The proposed extension would accommodate a new bedroom.

3.0 RELEVANT PLANNING HISTORY

3.1 WEST/75/98/FUL– Part Single, Part Two Storey Side, And Single Storey Rear Extensions And Front Porch. Grant: 26/03/1998.

4.0 CONSULTATION

Neighbour Notification

4.1 A total of 6 consultation letters were sent to neighbouring properties regarding this application. In addition, a site notice was posted. The overall public consultation period expired on the 24th April 2023.

4.2 Two objections have been received.

4.3 After the application was deferred from planning committee on 28th June 2023 amended plans were submitted and neighbours reconsulted by letter sent out first class on 30th June. The consultation period will expire on 14th July 2023. At the time of going to print, no further objections have been received and any correspondence received as a result of this re-consultation, after publication will be reported and addressed via the addendum.

4.4 The objections received as a result of the original consultation are summarised below.

Principle of Development

- *Existing plans do not match the approved plans previously by the council for the property. The comments relates to vent on the side boundary and internal alteration and pipe works*

Officer response: Fitting, altering or replacing an external flue, chimney, or soil and vent pipe is normally considered to be permitted development, not requiring planning consent, if the conditions outlined below are met:

Flues on the rear or side elevation of the building are allowed to a maximum of one metre above the highest part of the roof

Character

- *Concerns is approved it would set precedent*

Officer response: each application is assessed on its own merit therefore not necessarily setting a precedent.

- *The size of the extension is quite considerable and disproportionate to those elsewhere on the road.*

Officer response: This has been taken into account and assessed below.

- *Additional space in the loft*

Officer response: no additional loft space has been applied for on this application, however the space internally can be converted into habitable space without the need for planning permission.

Impact on Residential Amenity

- *Cast shadow in the afternoon, impact of natural light and sunlight to the adjoining properties, overbearing, create shadow in garden patio and rear rooms*
- *Impact to the enjoyment of the use of the rear rooms which get sunlight*
- *Front door is also to the side so great impact light and security*
- *Raising the roof has similar impact*
- *Effect on plants*
- *New window to the rear side obscure window*
- *Wind tunnel effect*

Officer response: the proposed development has been assessed and the points above have been taken into consideration. Front door is not a protected source of light or outlook.

Others

- *Ensure that the new roof does not drain onto no.37 roof*
- *The existing ground floor extension encroaches on boundary with no.37*
- *Concerns relating to foundations*
- *Plans, bamboo and other plans close to garage*
- *Tree concerns*

Officer response: The proposed extension is set of the boundary with no.37, therefore there would be no drain on the boundary.

The existing extension is not being assessed under this application. In addition to this the existing extension has been in place for a time surpassing enforcement investigation.

Concerns relating to foundations do not fall under planning remit. There are no protected trees within the neighbouring site. The plants and trees within the site should continue to received sufficient sunlight.

Statutory and Non Statutory Consultation

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

Consultation Responses
None

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)

First Floor Rear Extension

6.2.2 The Residential Design Guidance para 6.64 states all roofs should be designed to reflect the character of the dwelling house and those adjoining to provide a satisfactory appearance. The height of any first floor or two storey extension should not exceed the height of the highest part of the roof of the existing dwelling house. The proposed first floor rear extension would comply with this.

6.2.3 It is noted the proposed first floor rear extension would be additional to the two storey side extension which has already been built, and therefore would have a width just short of the original dwelling. The proposal has been amended to reduce the scale of the extension by 1m overall, setting the extension in by 0.5m on each side. This has the benefit of reducing the massing of the extension in width and height (as the subordinate roof is reduced as a result) and ensuring space is retained between the existing back bedroom window and the proposed wall (previously the first floor extension directly abutted the window). In addition, in views of the flank wall from the street scene, the bulk of the proposed extension to the premises is broken up through this additional set in. Overall officers consider this revised proposal to be an improvement to the originally proposed scheme ensuring that the proposal would not unduly impact on the character and appearance of the existing dwelling or the area.

6.2.4 Summary

6.2.5 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, D12
- Harrow Development Management Policies Local Plan (2013):DM1
- Supplementary Planning Document: Residential Design Guide (2010)

33 Manor Way

6.3.2 This application site is to the west of the host property. This dwelling has its front door on the side elevation which opens out onto a driveway area and there is a detached garage set back from the frontage on the boundary with the host property with a depth of 9m (including a wooden shed structure to the rear of the garage) and it has a width of 2.3m. The flank wall of the main dwelling at no 33 is set about 3.3m from the shared boundary.

6.3.3 The Residential Design Guidance para 6.65 states that two storey or first floor rear extensions abutting a side boundary have considerable potential for detrimental impact on the amenity of neighbouring properties because of potential excessive bulk and loss of light. Where such extensions need planning permission they must always comply with the 45 degree code and will also be assessed against the relevant site considerations, in particular: the orientation of the houses - siting south or west of the neighbour would normally be unacceptable the extent to which the proposal would rely for its setting on the garden of the adjoining house the location of the adjacent house and any existing extensions or other buildings at that property the use of the adjacent rear garden

- 6.3.4 Whilst the previously proposed extensions met the horizontal 45 degree code, officers felt there could be some betterment by ensuring the extension is set off the boundary to ensure a more neighbourly relationship in terms of breaking up the massing of the extension along this side. The amended plans include the reduction of width and set in of the extension by 0.5m. This has the added benefit of pulling the flank wall of the extension further away ensuring the extension sits well within the splay. Furthermore, the height of the extension would be reduced from 7.4m to 7m with the subordinate hipped roof splayed away from this boundary. Officers consider that the siting of the main house away from the boundary and the compliance of the 45 degree code (horizontal) from the nearest corner of no 33 would ensure that there would therefore not be an unreasonable loss of light or outlook to the rear protected rooms of no 33 as a result of the proposal. Loss of light to a front door in this house is not a material planning consideration as the hallway within the house is not a habitable room.
- 6.3.5 The proposed development is to the east of number 33 and it is notable that there is a large garage structure along the boundary, directly abutting the existing ground floor extensions at the subject property. In consideration of the orientation, any cast of shadow or light in the morning would come from the existing siting of the house at no 35 in the winter months when the sun is low and in the summer months be directly over the roof of the outbuildings. The same would be true of the proposed extensions. The reduced scale of the proposed extensions in terms of the height (as it is subordinate to the main roof) would ensure that any cast of shadow over the garage roof would be reduced compared to the previous scheme. The garden space at the rear of no 33 would not be unduly affected.
- 6.3.6 This neighbouring property has submitted objections to the proposal which the officer has summarised and responded to above. Any further submissions will be reported via the addendum,
- 6.3.7 The proposed extension due to its design, size, scale, siting and its relationship with No.33 Manor Way would not result in a detrimental impact to the visual and residential amenities of No.33 due to a loss of privacy, wind tunnel effect, outlook or light. It is also considered although there may be shadow cast at some times of the day the plants on this adjoining site would not be unduly impacted, given the site circumstances noted above and the north facing rear gardens on this side of Manor Way.

37 Manor Way

- 6.3.8 This application site is located to the to the east of the host property. The proposed extension would now be set 3.3m from the boundary with this attached property and would not breach the 45 degree code taken from the nearest first floor rear corner of this attached neighbour ensuring that the proposal would not appear overbearing or result in unacceptable loss of light of outlook to the rear protected windows. Again, the setting in from the flank boundary by an additional 0.5m ensures that the proposal comfortably sits within the splay, it would be less overbearing and ensure a more neighbourly relationship.

6.3.9 It is noted an objection have been received from this property which have been summarised and responded to above. Any further submissions will be reported via the addendum.

6.3.10 The proposed extension due to its design, size, scale, siting and its relationship with No.37 would not result in a detrimental impact to the visual and residential amenities of No.37 due to a loss of privacy, outlook or light.

Properties Located to the Rear of the Site

6.3.11 The proposed extension would be set over 30m to the rear boundary of the properties along Priory Way and therefore there would be no impact on the properties to the rear.

Summary

6.3.12 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.

6.4 **Development and Flood Risk**

6.4.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): SI12, SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Polices Local Plan (2013): DM10

6.4.2 The development would not result in additional hard surfacing on the site. As the site is located within a Critical Drainage Area, sustainable urban drainage [SuDs] is encouraged. An informative is attached to this effect.

Summary

6.4.3 The proposed development would have an acceptable impact in terms of drainage. The proposed development therefore complies with the above mentioned policies and guidance.

6.5 **Fire Safety**

6.5.1 The relevant policies are:

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

- 6.5.2 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.
- 6.5.3 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

- 6.5.4 The applicant has submitted a Reasonable Exception 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 statutory position is that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The relevant policies have been set out within the report above.
- 7.2 For all the reasons considered above and weighing up the development plan policies and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant, subject to conditions.

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: ST_MAR 23_35 MAN_00, ST_MAR 23_35 MAN_001 REV , ST_MAR 23_35 MAN_002 REV C, Fire Safety Report. Photos

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; D11, D12, SI 12

The Harrow Core Strategy (2012):

CS1

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. 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.

6. 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>6th July 2023</p>	 <p>Viv Evans Chief Planning Officer</p> <p>6th July 2023</p>
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APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOS

Front of host property



View of Host property and No. 33 Manor Way



View of No. 35 from host property garden







View of No. 33 from host property garden



Rear view of No.33 from host property garden



Front view of host property



Boundary view of No. 33 from host property



Host property garden

APPENDIX 4: PLANS AND ELEVATIONS

Existing plans and elevations

EXISTING 1:100

EXISTING 1:50

DISCLAIMER: The drawings are for information only. They do not constitute a contract. The drawings are the property of the architect and shall remain confidential. No part of these drawings shall be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the architect.

studio 13 architects
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Project: ST_MAR 23_35 MANOR_001

Date: 19/07/2023

Scale: 1:50

Sheet: C

Amended proposed plans and elevations



Superseded proposed plans and elevations



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