

Meeting:	Development Control Committee
Date:	11 October 2005
Subject:	56 Lake View, Edgware
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Glen More
Portfolio Holder:	Planning, Development and Housing
Enclosures:	Site Plan
Key Decision:	No
Status	Part 1

Section 1: Summary

This report relates to the unauthorised alteration of a two storey semi detached dwelling at 56 Lake View, Edgware, with the erection of a front porch and seeks authority to initiate enforcement action for its removal. The front extension as built, by reason of excessive bulk and prominent siting, and inappropriate design, is unduly obtrusive in the streetscene and detrimental to the visual and residential amenities of the occupiers of the adjacent properties and impacts on the character of the locality in this part of the Conservation Area. It is recommended that an enforcement notice be served.

Decision Required

Recommended (for decision by the Development Control Committee)

The Director of Legal Services be authorised to:

- (a) (i) Issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:
 - (b) (i) Demolish the front porch extension and canopy.
 - (ii) Permanently remove their constituent elements from the land.
- (c) [(b)] (i) and (ii) should be complied with within a period of three (3) months from the date on which the Notice takes effect.

(d) Issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control.

(e) Institute legal proceedings in event of failure to:

a. supply the information required by the Director of Legal Services through the issue of Notices under Section 330 of the Town and Country Planning Act 1990;

and/or

b. comply with the Enforcement Notice

Reason for report

To ensure that the alleged breach of planning control is ceased in the interests of amenity.

Benefits

To enhance the environment of the Borough.

Cost of Proposals

None at this stage.

Risks

Any enforcement notice may be appealed to the Planning Inspectorate.

Implications if recommendations rejected

Failure to take action would mean that the amenities of the occupiers of neighbouring properties would continue to be harmed.

Section 2: Report

Brief History, Policy Context (Including Previous Decisions)

2.1 Planning permission P/355/05/DCO was refused on the 7 April 2005 for the retention of front porch with canopy for the following reasons:

The front porch extension, by reason of its size, siting and awkward design, are unduly bulky, overbearing and obtrusive, resulting in loss of space about the building to the detriment of the amenities of neighbouring occupiers and the character of the locality, contrary to policies SD1, D4, D5 and D15 of the Harrow Council Unitary Development Plan 2004 and Supplementary Planning Guidance "Extensions, A Householders Guide.

Relevance to Corporate Priorities

- 2.2 This report addresses the Council's stated priority of enhancing the environment of the borough.

Background Information and Options Considered

- 2.3 The property is on the northern side of Lake View, Edgware. The property is located within the Canons Park Estate Conservation Area. The house is a large two storey semi-detached family dwellinghouse.

- 2.4 Policy D4 of the Unitary Development Plan 2004 states: -

New Residential Development Should: -

"The Council will expect a high standard of design and layout in all development proposals. The following factors will be taken into account when considering planning applications for development: -

- a) Site and setting;
- b) Content, scale and character;
- c) Public realm;
- d) Energy efficiency, renewable energy, sustainable design and construction;
- e) Layout, access and movement;
- f) Safety
- g) Landscape and open space; and
- h) Adequate refuse storage."

- 2.5 This policy is reinforced in the more general Policy, SD1 *Quality of Design* of the Unitary Development Plan 2004.

- 2.6 Policy D5 of the Unitary Development Plan 2004 states:-

A) Provide amenity space which is sufficient:-

1. To protect the privacy and amenity of occupiers of surrounding buildings;
2. As a usable amenity area for the occupiers of the development; and
3. As a visual amenity

B) Maintain adequate separation between buildings and distance to site boundaries in order to protect the privacy and amenity of occupiers of existing and proposed new adjoining dwellings. Proposals should provide space around buildings to reflect the setting of neighbouring buildings; and

C) Ensure that the amenity and privacy of occupiers of existing and proposed dwellings is safeguarded.

- 2.7 Policy D15 Proposals for new development and for the alteration and extension of existing building in conservation areas should comply with the following criteria:-
- a) The position of the building on its site should properly relate to surrounding buildings and/pr spaces;
 - b) Materials and detailing should be appropriate to the area and in keeping with surrounding buildings;
 - c) The development should be in scale and harmony with surrounding buildings and the area;
 - d) The design should ensure that the proportions of the parts are in scale with each other and properly relate to adjoining buildings;
 - e) The development should not adversely affect the streetscape, roofscape, skyline and setting of the conservation area, or significant views in or out of the area; and
 - f) The development should not adversely affect open spaces or gaps in the townscape which contribute to the character or appearance of the conservation area.

- 2.8 Section A of the Harrow Council's Supplementary Planning Guidance (SPG) *Extensions: A householders guide* states: -

A1 Front extensions have the greatest potential impact on the character and visual amenity of the street scene. They should reflect the pattern of development in the street scene.

- 2.9 The front porch has a width of 6.3 metres and a mid-point pitch height of 3.6 metres. The porch has a overall area of over 3 metres squared and therefore requires planning permission.
- 3.0 The front porch, due to its size, is visually prominent as it extends across the full width of the front of the dwelling and it is detrimental to visual amenity and detracts from the street scene.

The alleged breach of planning control

- 3.1 Without planning permission, the erection of a front porch.

Reasons for issuing the notice

- 3.2 It appears to the Council that the above breach of planning control occurred within the last 4 years.
- 3.3 The front porch extension, by reason of its size, siting and awkward design, is unduly bulky, overbearing and obtrusive, resulting in loss of space about the building to the detriment of the amenities of neighbouring occupiers and the character of the locality, contrary to policies SD1, D4, D5 and D15 of the Harrow Council Unitary Development Plan 2004 and Supplementary Planning Guidance "Extensions, A Householders Guide".
- 3.4 The Council do not consider that planning permission should be granted because planning conditions could not overcome these problems

Consultation with Ward Councillors

3.5 Copied for information

Financial Implications

3.6 There are no financial implications at this stage

Legal Implications

3.7 As contained in the report

Equalities Impact

3.8 None

Section 3: Supporting Information/ Background Documents

P/355/05/DFU Retention of front porch with canopy