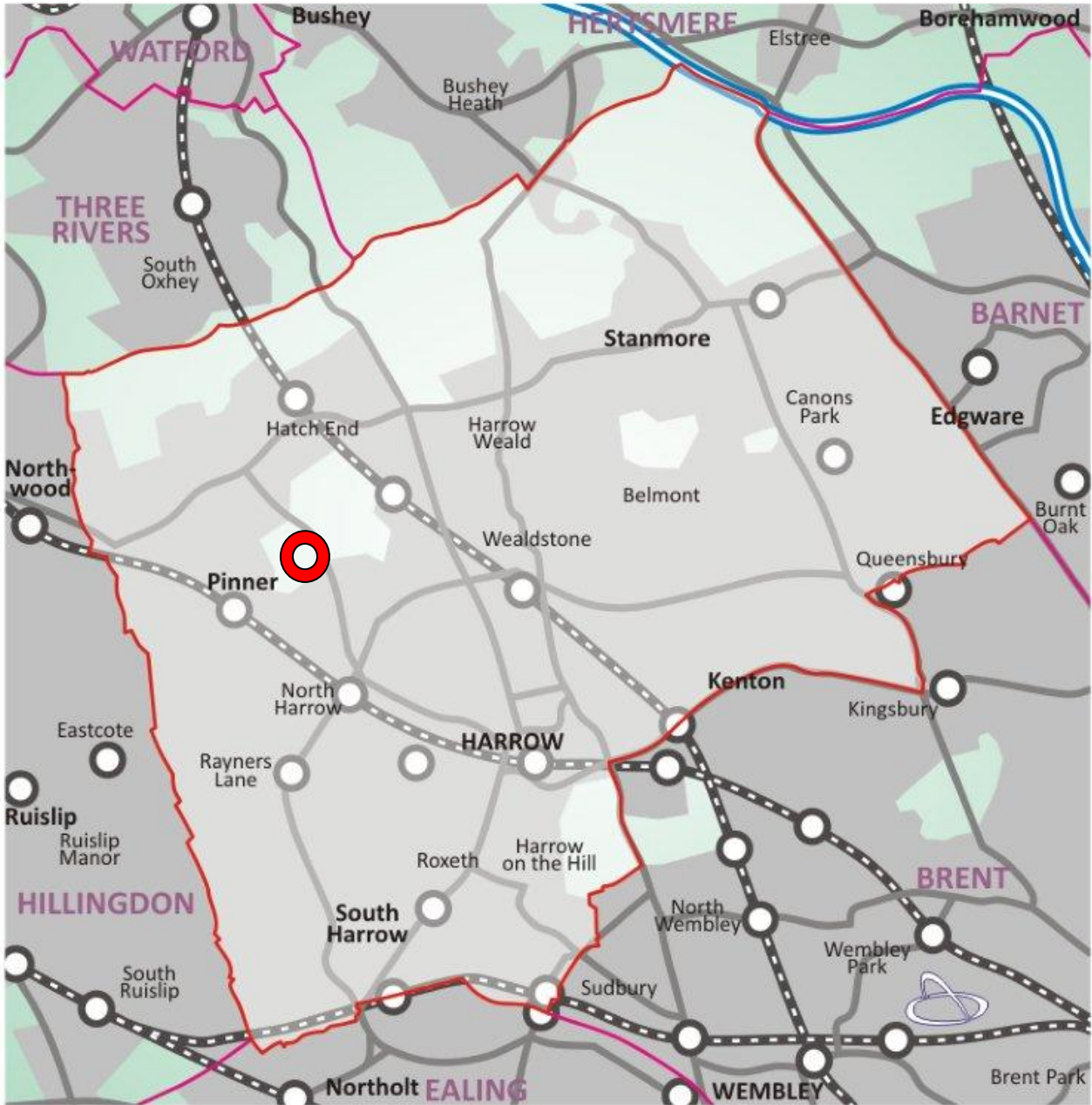
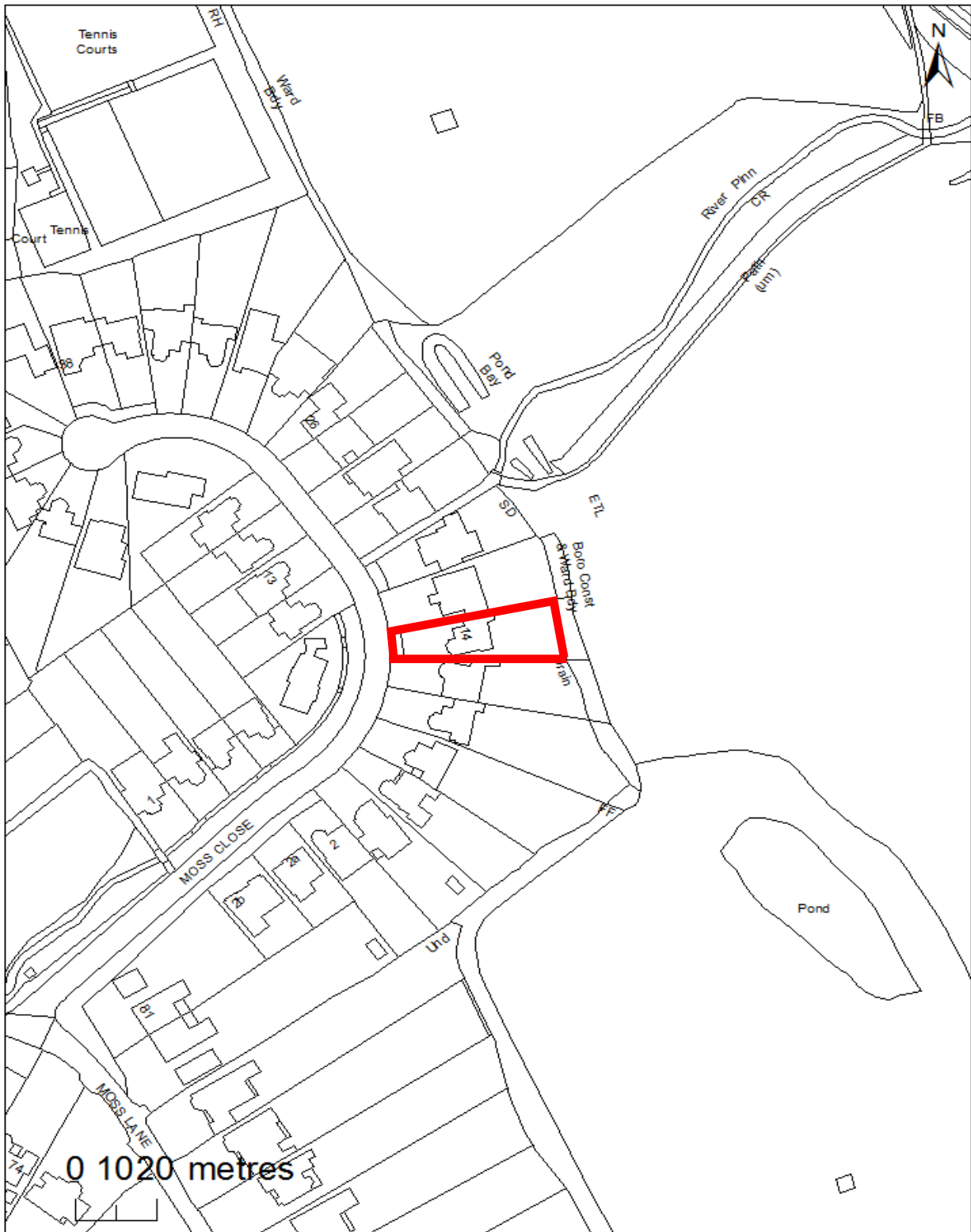


 = application site



14 Moss Close, Pinner

P/1583/17



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14 Moss Close, Pinner	P/1583/17
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

19th July 2017

APPLICATION NUMBER: P/1583/17
VALIDATE DATE: 05/05/2017
LOCATION: 14 MOSS CLOSE, PINNER
WARD: PINNER
POSTCODE: HA5 3AY
APPLICANT: MS ADELA ZAHAB
AGENT: GREAD LTD
CASE OFFICER: MONGEZI NDLELA
EXPIRY DATE: 15/06/2017

PURPOSE OF REPORT/PROPOSAL

The purpose of this report is to set out the Officer recommendations to The Planning Committee regarding an application for planning permission relating to the following proposal.

Alterations to roof to remove gables and create hip ends and extension to roof to raise ridge height; rooflights in front and rear roofslope

RECOMMENDATION

The Planning Committee is asked to:

GRANT planning permission for the reasons set out below:

REASON FOR THE RECOMMENDATION

The application site benefits from a planning permission for a “Single Storey Side Extension, Two Storey Rear Extension and Front Porch” (LPA Ref: P/0738/15) however the structure was not built in accordance with that planning permission. The current structure is considered unacceptable in planning terms and it is under this context that there is a current Enforcement Notice attached to the site.

The harm associated with the site can be summarised as follows:

- The introduction of a flat roof over the single storey part of the extension instead of a sloping roof;
- The introduction of the gable roof over the original and extended part of the dwelling;

- The replacement of the original tiles with slate;
- The use of full length windows at first floor level in the rear elevation;
- The building over the Scheduled Ancient Monument at the rear of the site.

The current application proposes alterations to remedy the above concerns.

The proposal is considered to accord with relevant policy and the proposed development would have a satisfactory impact on the character of the area, the amenities of existing neighbouring occupiers and in terms of flooding issues.

For these reasons, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation, this application is recommended for grant.

INFORMATION

This application is reported to Planning Committee because a nominated Member of the Planning Committee called it in *“in light of concerns raised about character, scale and bulk.”*

Statutory Return Type:	E21: Householder Development
Council Interest:	None
Additional Floor Area	0 sq m
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/A
Local CIL requirement:	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

Policies 7.3.B and 7.13.B of The London Plan 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.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Planning Application

- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- National Planning Policy Framework
- London Plan
- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

LIST OF ENCLOSURES / APPENDICES:

Officer Report:

Part 1: Planning Application Fact Sheet

Part 2: Officer Assessment

Appendix 1 – Conditions and Informatives

Appendix 2 – Site Plan

Appendix 3 – Site Photographs

Appendix 4 – Plans and Elevations

OFFICER REPORT

PART 1 : PLANNING APPLICATION FACT SHEET

The Site	
Address	14 Moss Close, Pinner HA5 3AY
Applicant	Ms Adela Zahab
Ward	Pinner
Local Plan allocation	No
Conservation Area	No
Listed Building	No
Setting of Listed Building	No
Building of Local Interest	No
Tree Preservation Order	No
Other	A scheduled Ancient Monument aligns the rear boundary of the site. The site is within EA Flood Zones 2 and 3, Harrow Surface Water Flood Zones 3a and 3b and within a Critical Drainage Area. The site also abuts Green Belt to the rear.

PART 2: ASSESSMENT

1.0 SITE DESCRIPTION

- 1.1 The application site is occupied by a detached dwellinghouse located in Moss Close, which is a residential cul-de-sac off Moss Lane.
- 1.2 The current property is a two storey dwellinghouse with a combination of brickwork and overhanging black slate tiles at the front elevation and white render at the rear elevation.
- 1.3 The property has pitch roof with gables at both flank elevations and a crown roof. The property includes a single storey side to rear addition and floor to ceiling windows at the rear elevation. The property also includes an outbuilding in the rear garden which aligns the southern boundary.
- 1.4 Toward the rear boundary of the site is a section of earthworks and water features related to the medieval deer park which has been classified a Scheduled Ancient Monument. That monument has since been constructed over with engineering works including a concrete retaining wall with a staircase.
- 1.5 The site is bound to the south by no.12 Moss Close which is also a two storey detached dwellinghouse. The property benefits from a rear conservatory.
- 1.6 The site is not in a Conservation Area, nor is it a Listed Building however as noted above, a scheduled Ancient Monument aligns the rear boundary of the site.

1.7 The site is within EA Flood Zones 2 and 3, Harrow Surface Water Flood Zones 3a and 3b and within a Critical Drainage Area.

2.0 PROPOSED DETAILS

2.1 The proposal seeks to reconfigure the existing gabled roof by proposing a high edged pitched roof, and a crown roof. In addition, there is a projecting pitched roof at the south elevation.

2.2 It is also proposed to have one rooflight at the front elevation and two rooflights toward the rear. The proposals also seek to replace the first floor, floor to ceiling windows with standard sized windows.

2.3 The proposed drawings also state that there is a possible change of existing slate tiles to tiles that match existing houses on the road.

3.0 HISTORY

3.1 P/0783/15 - Single storey side extension two storey rear extension; front porch Grant: 01/05/2015.

3.2 The application is also subject to two Enforcement Notices, both which took effect on 20th April 2017. The Enforcement Notices relate to the unauthorised extensions and restoring the earthworks associated with the Scheduled Ancient Monument.

4.0 CONSULTATION

4.1 A total of 8 consultation letters were sent to neighbouring properties regarding this application. The public consultation period expired on 22/09/2016.

4.2

Number of Letters Sent	2
Number of Responses Received	2
Number in Support	0
Number of Objections	2
Number of other Representations (neither objecting or supporting)	0

4.3 The objections were received from adjoining residents at nos.12 and 16 Moss Close.

4.4 A summary of the responses is set out below:

Comments Objecting to the Proposal		
Subject of Comments	Summary of Comments	Officer Comments
Character and Appearance	The property has grey/black tiles as opposed to red as seen in the rest of the road	A condition has been added to the proposals that require revised materials.
Height, Scale and Bulk	The overall height of the structure and bulk of the building is not in keeping with the other properties in Moss Close.	It is noted that the current structure is out of keeping with that character of Moss Close. The proposals seek to reduce the bulk of the existing building in line with other buildings on Moss Close.
Neighbouring Amenity	The balcony over the rear extension has not been addressed. The flat roof results in a balcony that will overlook neighbouring gardens	The proposals seek the removal of the floor to ceiling windows at the first floor rear elevation. Furthermore, a condition has been added to the application that restricts the use of the single storey rear projection as a balcony.
Other Matters	There has already been a significant period of disruption from the construction period and furthermore, neighbouring fences and driveway have been damaged. Neighbouring driveways have also been covered with rubbish.	This is not a material planning consideration. The objector is advised to liaise with the Council's Environment Health via the following link: http://www.harrow.gov.uk/info/200075/energy_saving_and_pollution/24/noise or by telephone on 020 8901 2600 if the works continue to be a nuisance. The contractors code of practice comes under the Control of Pollution Act and Environmental Protection Act relates to noisy works and a copy of the Code of Practice can be viewed via the following link: http://www.harrow.gov.uk/download/downloads/id/5017/considerate_contractors_scheme

4.5 Statutory and Non Statutory Consultation

4.6 The following consultations have been undertaken:

LBH Engineering Drainage Section

4.7 Internal Consultation

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

Consultee	Summary of Comments	Officer Comments
LBH Engineering Drainage	There is no objection as there would not be an increase in the footprint of building.	The comments are addressed in the 'Development and Flood Risk' section of the report below.

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 The Government has issued the National Planning Policy Framework [NPPF] which consolidates national planning policy and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

6.0 APPRAISAL

6.1 The main issues are;

Character and Appearance of the Area
Residential Amenity - Neighbouring Occupiers
Development and Flood Risk

6.2 Character and Appearance of the Area

- 6.2.1 It is Policy 7.4 (B) of the London Plan requires that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass.
- 6.2.2 Core Policy CS1.B specifies that ‘All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.’
- 6.2.3 Policy DM1 of the DMP states that “all development proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted”.
- 6.2.4 The Council has adopted a Supplementary Planning Document (SPD) on Residential Design (2010), which gives design guidance and requires extensions to harmonise with the scale and architectural style of the original dwellinghouse. Substantial weight is accorded to the SPD as a material planning consideration. The SPD states that (Para 6.6) “*Extensions should harmonise with the scale and architectural style of the original building, and the character of the area*”. In an aim to promote continuity it also states that (Para 6.9) “*matching materials, roof form, proportion and window positions are particularly important*”, and that (Para 6.11) *an extension should have a sense of proportion and balance, both in its own right and in its relationship to the original building, and should not dominate the original building or the surrounding streetscape*”.
- 6.2.5 Moss Close comprises a pleasing blend of detached properties and examples 1930s residential architecture reminiscent of the Arts and Crafts Movement. Red brick, clay tiles and partial rendering are the dominant materials and particularly notable design features include projecting bays, decorative ridge tiles and brick dentil courses. The properties on Moss Close retain a secluded and spacious character due to the retention of dense and extensive public and private greenery which provides an almost semi-rural character to the Close. Whilst Moss Close is not a defined Conservation Area, it nonetheless has a pleasing character which the Council seeks to maintain.

- 6.2.6 The current gabled roof is considered unacceptable by reason of its height, depth and design. Furthermore, the gabled roof adds significant bulk to the property and therefore results in a disproportionate and overly dominant structure that appears visually obtrusive and overbearing to the detriment of the character and appearance of the existing dwellinghouse and the locality. The applicant seeks to rectify this by proposing a roof structure in line with what was initially granted planning permission. It is proposed that the dwelling has a high edged pitched roof and a crown roof above.
- 6.2.7 The roof form is an important visual element to the building and conveys an overall design approach to the area. However the roof design, particularly for this property, is considered a very important aspect to these proposals. Roof designs should generally conform to reflect the existing roof design and structure. Moss Close is characterised with detached dwellings with typically pitched roofs. The proposals seek a high edged pitched roof with an elongated crown above. This would be a unique type of roof for the immediate area but it would nonetheless be in keeping with the character of the Close. The crown roof would have a width of approximately 1.2m, which is considered an acceptable roof form at this location particularly when viewed from the streetscene. The proposed roof would not appear unduly obtrusive in the streetscene. The height of the overall development would only be 0.2m higher than roof which was granted under the previous planning application (P/0783/15) which is considered an acceptable increase. Significantly, the roof is pitched which removes the bulk from the flank elevations. Furthermore, the rooflights are also considered an acceptable feature within the roof.
- 6.2.8 Condition 3 of the approved planning permission (P/0783/15) required that materials used in the extensions to match those of the original dwellinghouse. The condition is intended to ensure that any works to enlarge, alter or improve a house result in an appearance that minimises visual impact and is sympathetic to original dwellinghouse. This means that the materials used should be of similar visual appearance to those in the existing house. It is noted that the roof tiles have been completely replaced with slate tiles. These are considered to be a garish addition to the property which fails to match the external surfaces of the original dwellinghouse. It is noted that the colour of the front overhang tiles is a significant departure from the red tiles used for the original dwellinghouse or the neighbouring property at no.12 Moss Close. The applicant has indicated on the proposed plans that there is a *'possible change of existing slate tiles to match existing houses in the road'*. It is considered that were the materials were to match those of the original dwellinghouse and surrounding properties, this would be acceptable in visual amenity terms. As such, a condition has been added to the application requiring the tiles to match those of the original dwellinghouse within one year of the date of this permission.
- 6.2.9 The proposals are considered to go some way to rectify the current structure on site and bring it back closer to the original dwellinghouse. Whilst the proposals feature an elongated crown roof, on balance, this is considered a pragmatic and acceptable approach to bring the property in line with surrounding properties. It is under this context that the proposal is considered acceptable and sit well terms of scale and character with the surrounding area and therefore complies

with policy CS1B of The Harrow Core Strategy 2012, policy DM1 of Harrow Development Management Policies Local Plan (2013) and Supplementary Planning Document Residential Design Guide (2010).

6.3 Residential Amenity - Neighbouring Occupiers

- 6.3.1 Policy DM1 of the DMP seeks to ensure that “proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted”.
- 6.3.2 In order for a planning application to be acceptable, the amenity of occupiers of neighbouring properties must be protected, in accordance with the adopted SPD. The main points considered are whether there would be an unreasonable degree of loss of privacy to neighbours or an unreasonable degree of loss of light or overlooking. Paragraph 6.58 of the SPD notes that rear extensions have the greatest potential for harm to the amenities of neighbouring residents. Their impact on neighbouring property needs careful consideration and should not cause unreasonable loss of amenity to neighbouring residents.
- 6.3.3 The existing first floor rear addition has a depth of 3.5m. This is a substantial projection that has the potential to disrupt the 45 degree splay as set out in paragraph 6.28 of the SPD. However, it is noted that the application site is situated on a wedge shaped plot and therefore the proposed first floor rear extension will be set away from the neighbouring property to the north (no.16 Moss Close). It is therefore not considered that the harm will be detrimental to the occupants of the neighbouring property. The existing first floor rear addition is not considered to cause any harm to the neighbouring property at no.12 due to the sufficient separation distance between the properties. The existing first floor rear addition includes floor to ceiling windows. These are considered an inappropriate form of development which may result in direct or perceived overlooking. The removal of these windows forms part of the current Enforcement action on the site. The current application proposes to replace these windows with standard sized windows. The standard sized rear windows are more appropriate and are therefore considered acceptable. A condition will be added to the proposal that requires that floor to ceiling windows to be replaced with standard sized windows within one year of the date of this permission.
- 6.3.4 Of significance, the current proposals seek a pitched roof which removes the bulk and thus the overbearing impact on neighbouring properties. As such, this bulk is significantly reduced and is therefore not considered to unduly affect neighbouring occupiers. It is also noted that comments were received in relation to single storey rear projection potentially being used as a balcony. However, a condition will be added restricting the use of the single storey projection a balcony.
- 6.3.5 In summary, it is considered that the proposal would not have unreasonable impacts on neighbouring amenity in terms of privacy and overlooking in accordance with policies 7.4B and 7.6.B of the London Plan (2016), policy

CS1.B of the Core Strategy (2012) and policy DM1 of the Harrow Development Management Policies (2013) and the adopted SPD: Residential Design Guide (2010).

6.4 Development and Flood Risk

- 6.4.1 The site is located EA Flood Zones 2 and 3, Harrow Surface Water Flood Zones 3a and 3b and within a Critical Drainage Area. However, given the proposal does not result in any additional built footprint, the proposal would not increase flood risk in the area. The application is retrospective in parts including the ground floor extensions. It is proposed to retain the ground floor element which was the subject of a Flood Risk Assessment during the previous application (P/0735/15) which was granted.

7.0 **CONCLUSION AND REASONS FOR GRANT**

- 7.1 The proposal has been submitted to resolve the matter of the current unacceptable structure on site. On balance, the proposal is considered to have a satisfactory impact on the character of the area, the amenities of existing neighbouring occupiers and in terms of flooding issues.
- 7.2 For these reasons, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant.

APPENDIX 1: CONDITIONS AND INFORMATIVES AND PLAN NUMBERS

Conditions

1 Timing

The development hereby permitted shall be completed before the expiration of one year from the date of this permission.

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

2 Drawing Numbers

The development hereby permitted shall be carried out, completed and retained, in accordance with the following approved plans and documents. Site Location Plan, GD_201603_01, GD_201603_10-A, GD_201603_11-A, GD_201603_12

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 original dwellinghouse, in particular the roof tiles and the tiles at the front elevation. Samples of the proposed materials (or appropriate specification) to be used in the construction of the external surfaces are required to be submitted to, and agreed in writing by, the local planning authority prior to the commencement of the development.

The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the appearance of the existing property and the locality in accordance with policy CS1B of The Harrow Core Strategy (2012) and policy DM1 of the Harrow Development Management Plan Policies Plan (2013).

4 No Balcony

The roof area of the single storey rear projection shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from 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 The following policies are relevant to this decision:

The National Planning Policy Framework (2012)

The London Plan 2016:

7.4B, 7.6B

The Harrow Core Strategy 2012:

CS1.B

Harrow Development Management Policies Local Plan 2013:

DM1

DM10

Supplementary Planning Documents

Residential Design Guide Supplementary Planning Document (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. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

- 3 Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows:

0800-1800 hours Monday - Friday (not including Bank Holidays)

0800-1300 hours Saturday

- 4 Pre-Application Engagement

Statement under Article 35(3) 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 sought and provided and the submitted application was in accordance with that advice.

5 The 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 Portal website:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

6 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

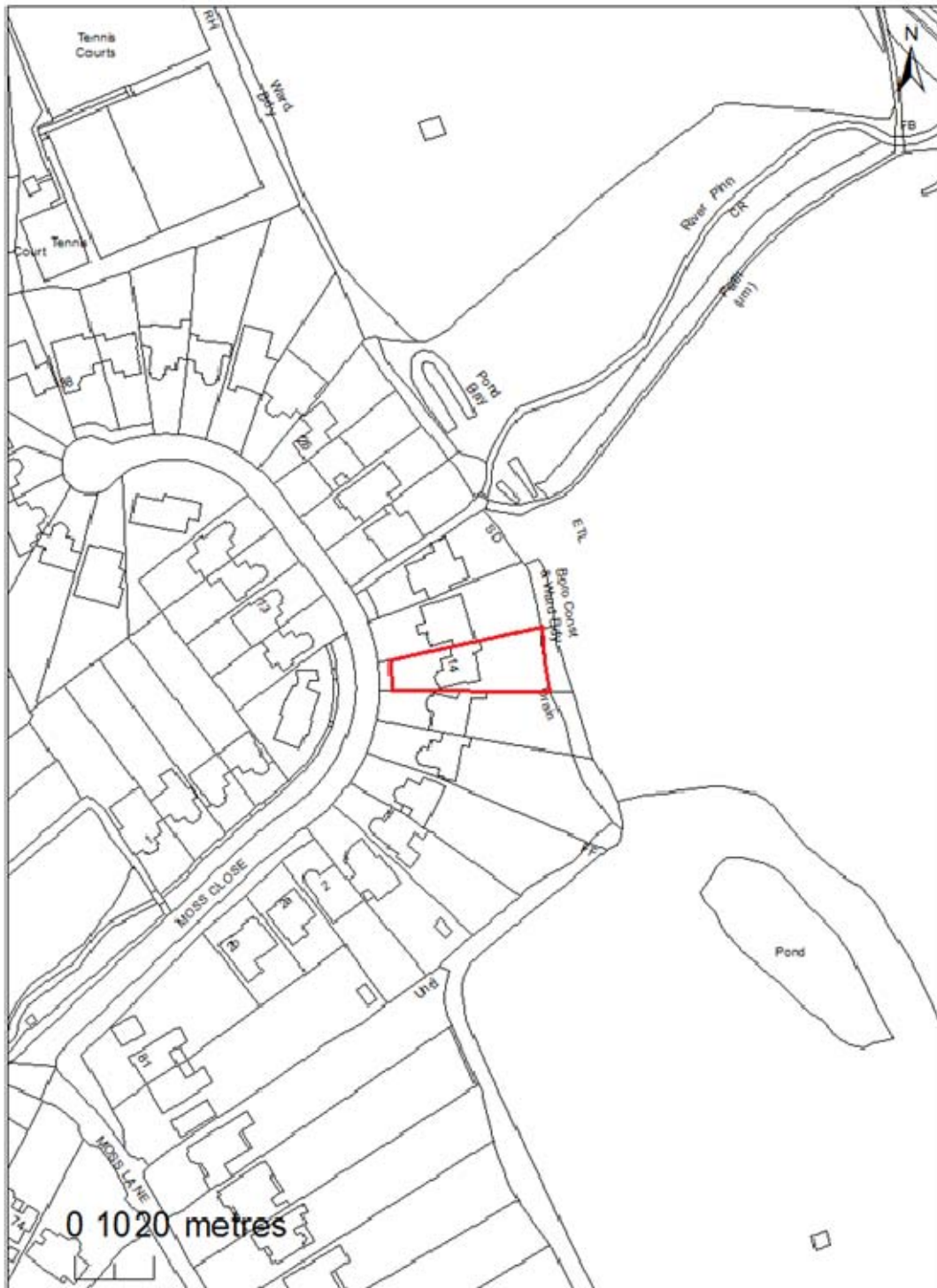
Authority.

- 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.

APPENDIX 2: SITE PLAN



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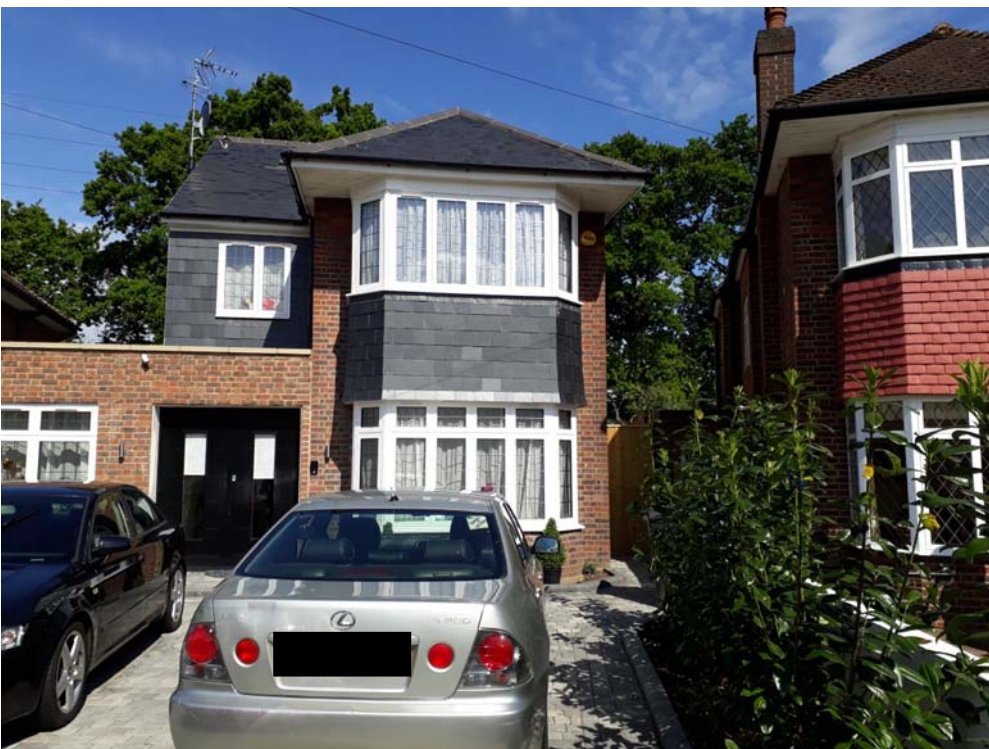


APPENDIX 3: SITE PHOTOGRAPHS

Front Elevation



Front Elevation showing neighbouring property at no:12



Rear Elevation showing neighbouring property at no:12



Rear Elevation showing neighbouring property at no:16



Rear garden showing concrete steps over Scheduled Ancient monument



Outbuilding in rear garden aligning boundary with no:12



View of upper concreted area at rear at the garden



Outbuilding adjacent to no.12



View of Rear Elevation



APPENDIX 4 – PLANS AND ELEVATIONS

Existing elevations

AS BUILT FRONT ELEVATION

AS BUILT SIDE ELEVATION A

AS BUILT REAR ELEVATION

AS BUILT SIDE ELEVATION B

AS BUILT ROOF PLAN

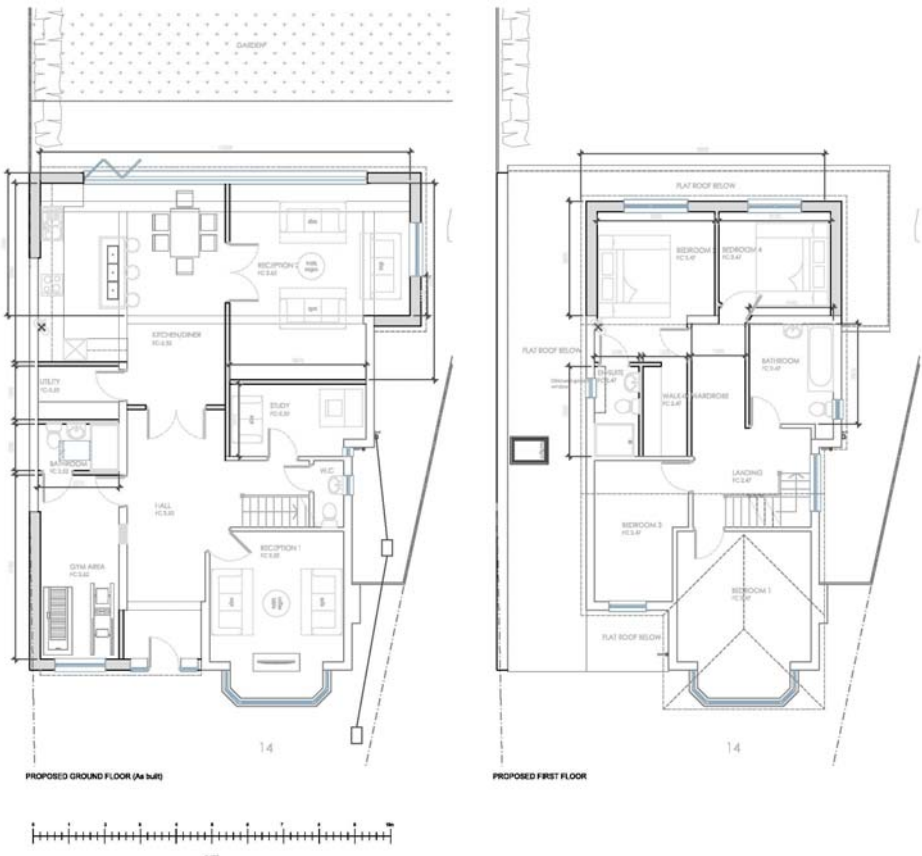
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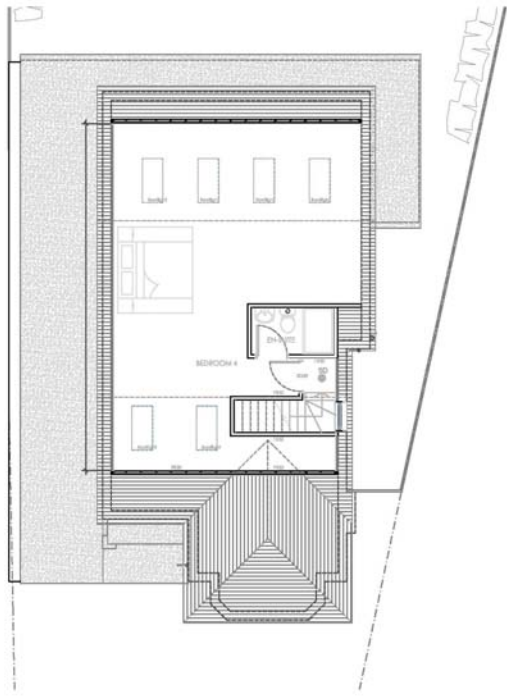
REVISIONS	NOTES
A	ROOF PLAN ADDED TO PLANS

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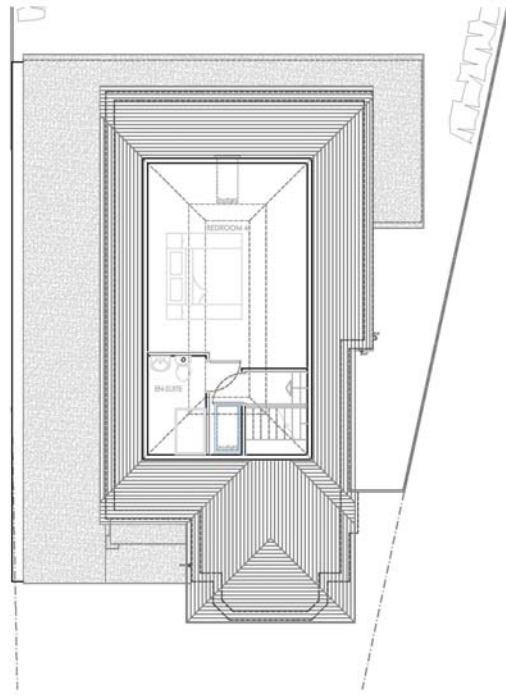
PROJECT	14 Moss Close, W4 3AF	TITLE	AS BUILT ELEVATIONS
CLIENT	MR AND MRS BAKER	DRAWING #	
DATE	04/07/2016	REVISION	
SCALE	1:100 @ A3	1	As Built
DRAWN	JPH/MSB	CHECKED	A. NORMAN

Proposed plans and elevations





AS BUILT LOFT PLAN



PROPOSED LOFT PLAN

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