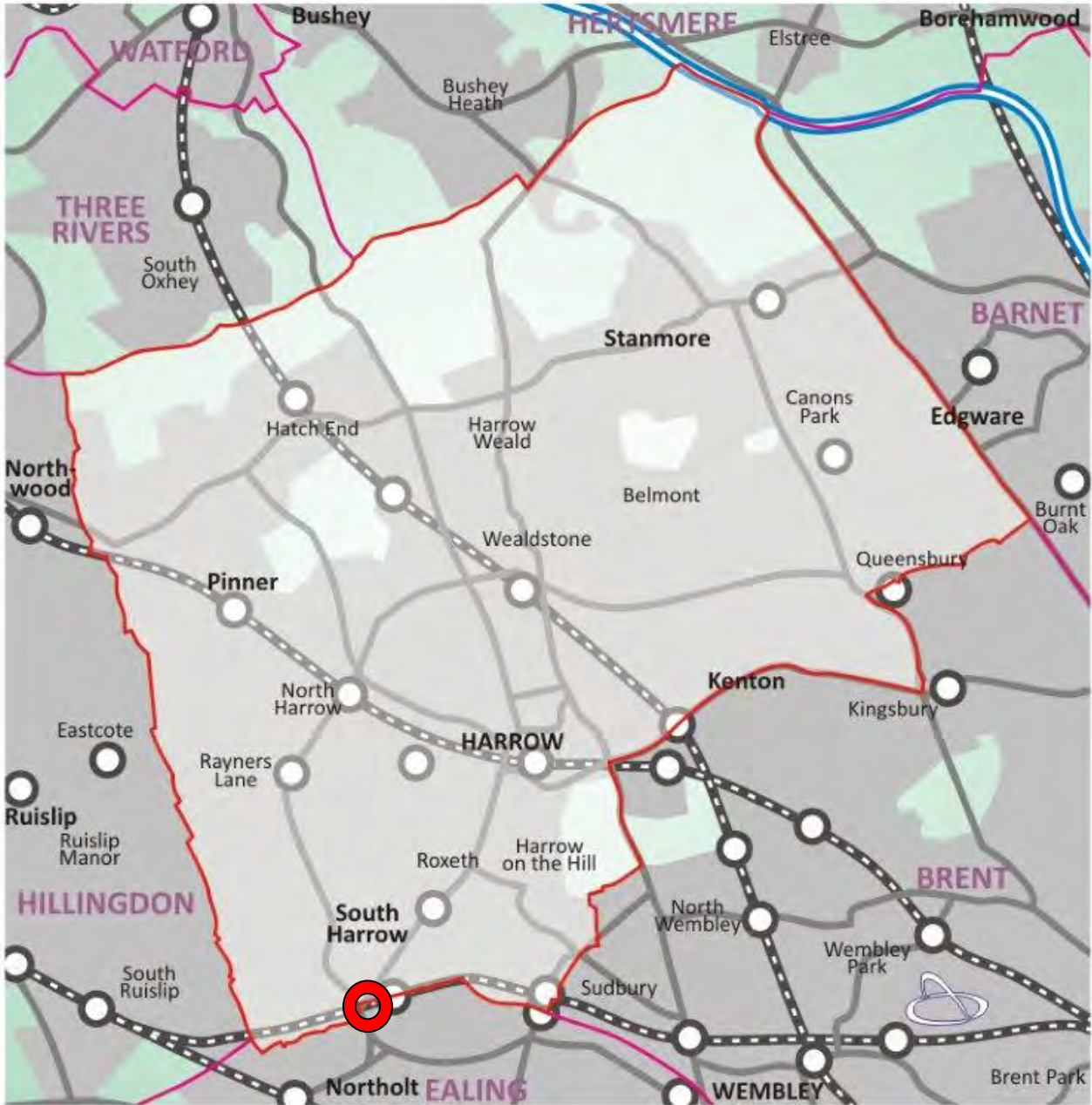
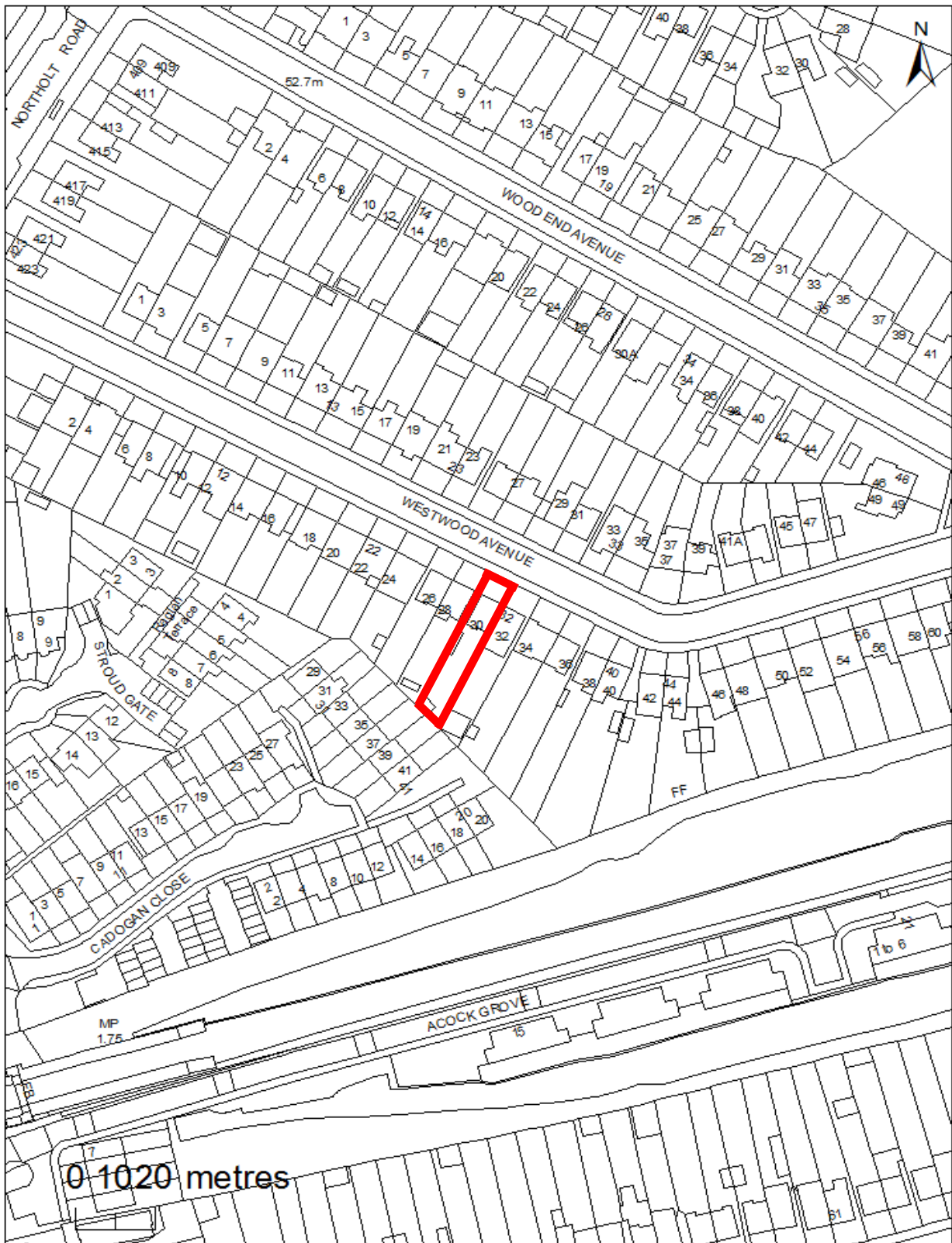


 = application site



<b>30 Westwood Avenue, Harrow</b>	<b>P/2442/17</b>
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**30 Westwood Avenue, Harrow** **P/2442/17**

## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

6<sup>th</sup> September 2017

**APPLICATION NUMBER:** P/2442/17  
**VALIDATE DATE:** 31/05/2017  
**LOCATION:** 30 WESTWOOD AVENUE, HARROW  
**WARD:** ROXETH  
**POSTCODE:** HA2 8NS  
**APPLICANT:** MR AHMED CHOWDHURY  
**AGENT:** PLAN & BUILD  
**CASE OFFICER:** AADIL ESSA  
**EXPIRY DATE:** 26<sup>TH</sup> JULY 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.

Erection of a single storey rear extension

#### **RECOMMENDATION**

The Planning Committee is asked to:

- 1) Grant planning permission for the reasons set out below:

#### **REASON FOR THE RECOMMENDATION**

- 1) The proposal to extend the dwellinghouse, with a single storey rear, would 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.

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 the applicant is a staff member of Harrow Council.

Statutory Return Type:	E21: Householder Development
Council Interest:	None
Additional Floor Area	26.93 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
- Nation 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

<b>The Site</b>	
Address	30 Westwood Avenue, Harrow, HA2 8NS
Applicant	Mr Ahmed Chowdhury
Ward	Hatch End
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	N/A

## **PART 2 : ASSESSMENT**

### **1.0 SITE DESCRIPTION**

- 1.1 The application site comprises of a two storey semi-detached dwellinghouse located at the south-west side of Westwood Avenue.
- 1.2 The attached neighbour to the south-east at No.32 Westwood Avenue benefits from a 4m deep rear extension which does not appear to benefit from a planning permission and was completed in 1999. .
- 1.3 The adjacent neighbour to the north-west No.28, Westwood Avenue is a semi-detached property that has been converted into two flats. The ground floor flat benefits from a 3m deep rear extension.
- 1.4 The site adjoins neighbouring gardens along Cadogan Close to the South.
- 1.5 The site is not located within a Critical Drainage Area, and is not located within a higher risk flood zone.

### **2.0 PROPOSED DETAILS**

- 2.1 It is proposed to build a single storey rear extension.
- 2.2 The rear extension would project 4.5m in depth from the main rear wall and would extend the full width of the dwellinghouse measuring 6m across The extension would have a flat roof design with a maximum height of 2.84m.

### **3.0 HISTORY**

- 3.1 P/1995/17 – Single storey rear extension: Extending 5.5 metres beyond the original rear wall, 3 metres maximum height, 3 metres high to the eaves – Application was withdrawn.

### **4.0 CONSULTATION**

- 4.1 A total of 4 consultation letters were sent to neighbouring properties regarding this application. The public consultation period expired on 03/07/2017.

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 Two Objections were received from No.26 and No.28 Westwood Avenue. The South Harrow and Roxeth Residents Association was consulted on this application. They have not objected to the scheme.

4.4 A summary of the responses received along with the Officer comments are set out below:

<b>Details of Representation</b>	<b>Summary of Comments</b>	<b>Officer Comments</b>
26 Westwood Avenue	<p>Objects to the application due to:</p> <p>The extension protrudes approximately 5m in the garden area and would cause harm to the character of the area.</p>	<p>The extension projects 4.5 beyond the rear building line which exceeds the 3m limit for rear extensions on semi-detached properties within the Councils SPD. Notwithstanding this, given that there already exists a 4m deep extension at No.32 and a 3m deep extension at No.28. The 4.5m deep extension would not appear out of character with the surrounding properties.</p>
28 Westwood Avenue	<p>The single storey extension would project 5 metres and would affect the natural daylight. The extension would not be in keeping with the surrounding properties as those extended are only around 3 metres deep.</p>	<p>Please refer to Section 2 of the report.</p>

#### 4.5 Internal Consultation

4.4 The application was referred to the Council's Drainage Engineer for comments.

<b>Consultee</b>	<b>Summary of contents</b>	<b>Officer Comments</b>
Drainage Engineer	No Objection	Noted.

## **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 proposed to extend the dwellinghouse with a single storey rear extension. The proposed rear extension would have a depth of 4.5m adjacent to the common boundaries which is above the 3m allowance for single storey rear extensions on semi-detached properties set out in the SPD. Notwithstanding this, given that there exists a 4m deep rear extension at the attached neighbouring property to the south-east No.32, and a 3m deep extension at No.28. The 4.5m deep extension would not appear out of character with the surrounding properties. In terms of height, the extension would have a flat roof design and would be of a modest height of approximately 2.84m at its maximum point. The rear elevation of the subject dwelling would not appear visually prominent by reason of its height. As such, it is considered that the bulk and scale of the proposed rear extension ensures that it would not appear overly prominent in the streetscene and therefore is considered acceptable.

6.2.2 In summary, the proposal is considered to be acceptable in terms of character and appearance, in accordance to policies 7.4B and 7.6.B of the London Plan (2016), policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 of the Harrow Development Management Policies (2013) and the adopted SPD: Residential Design Guide (2010).



### 6.3 Residential Amenity - Neighbouring Occupiers

- 6.3.1 Policy DM1 seeks to “ensure that the amenity and privacy of occupiers of existing and proposed dwellings are safeguarded.” 6.3.2 At a depth of 4.5m, the proposed rear extension adjacent to No.32 Westwood Avenue would not accord with paragraphs 6.59 and 6.63 of the adopted Residential Design Guide SPD in terms of depth projection. Notwithstanding this, given that No.32 benefits from a 4m deep rear extension (which is immune from Enforcement), the exposed flank depth at 0.5m of the proposed extension adjacent to No.32 would not lead to any material overshadowing, daylight/outlook or visual amenity impacts upon the occupiers at No.32
- 6.3.2 The adjacent property to the north-west No.28 benefits from a 3m deep rear extension. At a depth of 4.5m the proposed rear extension would project 1.5m beyond the north facing rear elevation of No.28 and as such, the extension would not appear overbearing. Furthermore, given that there is a distance of 1m between the 1.5m exposed flank wall and the south-east flank wall of No.28, there is no undue impact on these neighbouring occupiers in terms of overshadowing, overbearing impacts or loss of light would occur.
- 6.3.3 There are no flank windows proposed and so there would not be a harmful impact in terms of loss of privacy or overlooking to nearby neighbours. A condition will be attached to ensure that the flat roof at the rear would not be used as a balcony.
- 6.3.4 In view of the relationship between the subject dwelling and the adjoining properties at the rear No’s 37 and 39 Cadogan Close, given the host property has a relatively large rear garden, it is considered that the rear facing windows would not be detrimental to the privacy of the occupiers of those neighbouring properties.
- 6.3.5 In summary, given the modest scale and siting of the proposal, it is considered that the proposal would not compromise the residential amenities of the neighbouring occupiers by reason of overshadowing, loss of light, loss of outlook or loss of privacy and is in accordance to policy 7.6.B of the London Plan (2016), 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 development would result in an addition to the development footprint on site, and would therefore have an impact in terms of increased surface water flood risk. The site is not located within a Critical Drainage Area, however sustainable urban drainage [SUDs] is encouraged.
- 6.4.2 The response from the Engineering Drainage Section has stated that they have no objection to the proposal. However, they have requested a drawing with a drainage plan indicate surface water and foul water connections and their outfall details. An informative has been attached to remind the applicant of their responsibilities in regard to surface water drainage.

## **7.0 CONCLUSION AND REASONS FOR GRANT**

- 7.1 The proposal to extend the dwellinghouse with a single storey rear extension would 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.
- 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, INFORMATIVES AND PLAN NUMBERS**

### **Conditions**

#### 1 Timing

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 & 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: 01/03; 02/03; 03/03

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

#### 3 Materials to Match

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 match the appearance of the original dwelling and to safeguard the appearance of the locality.

#### 4 Glazing

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

REASON: To safeguard the amenity of neighbouring residents.

#### 5 No Balcony

The roof area of the extension hereby permitted 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 amenity of neighbouring residents.

## Informatives

### 1 Relevant Policies

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 Achieving a High Standard of Development

DM10 On Site Water Management and Surface Water Management

#### **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 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>

#### 4 Protection of 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](mailto:nrswa@harrow.gov.uk) or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicant's expense. Failure to report any damage could result in a charge being levied against the property.

#### 5 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

#### 6 Surface Water Drainage Management

SUDS 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 soakaways 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.

Plan Numbers: 01/03; 02/03; 03/03

**APPENDIX 2: SITE PLAN**

**30 Westwood Avenue**



**APPENDIX 3 : SITE PHOTOGRAPHS**



4m exposed flank elevation at No.32



Rear elevation





Rear elevation showing 4m deep extension at No.32



Rear elevation showing 3m deep extension at No.28 (Left)



1m separation distance between No.30's flank wall and common boundary with No.28



Rear garden of No.30



Rear elevation of No.28



Rear elevation showing No.28 (Left) and No.30 (Right)



Front elevation



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