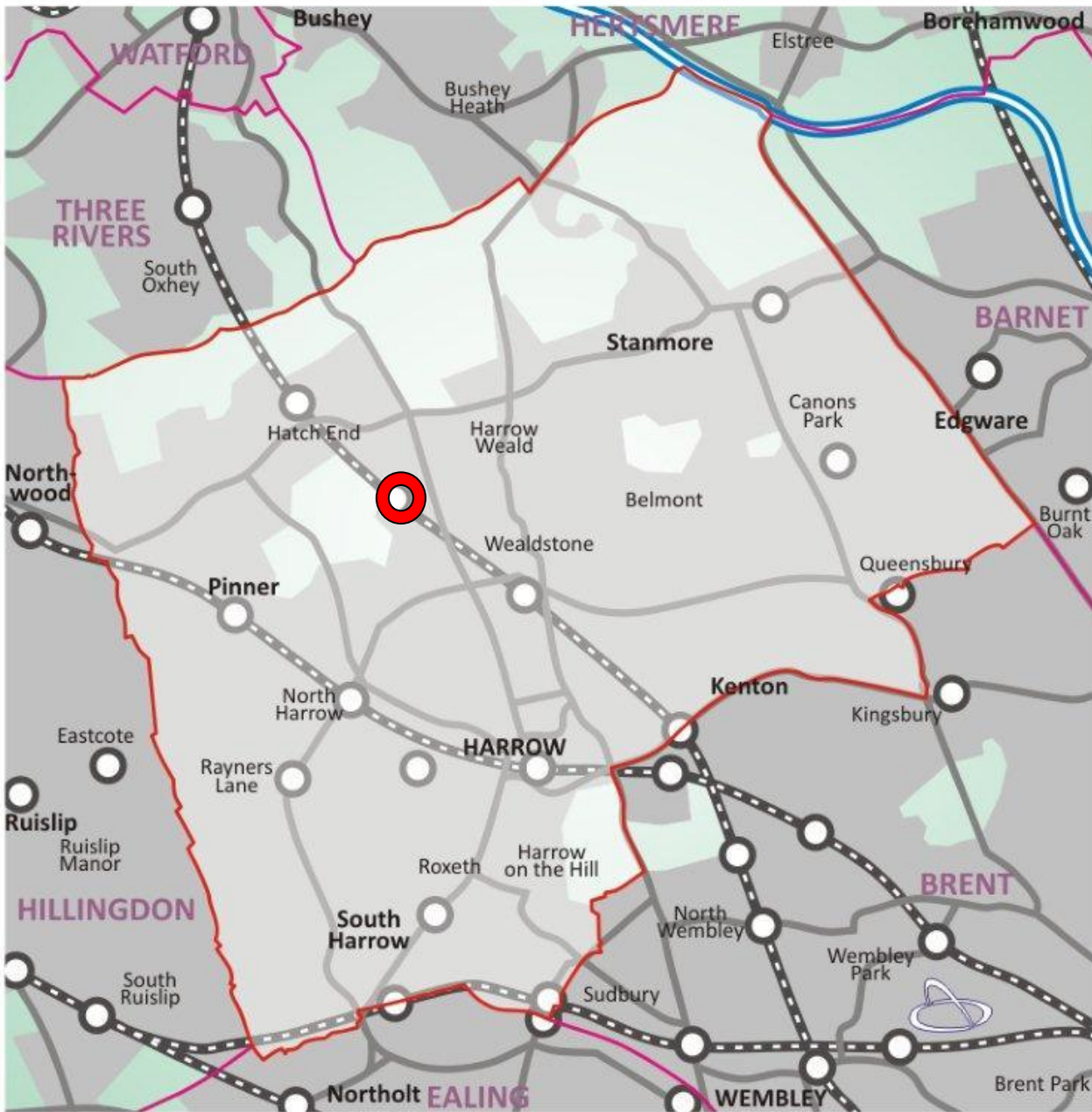
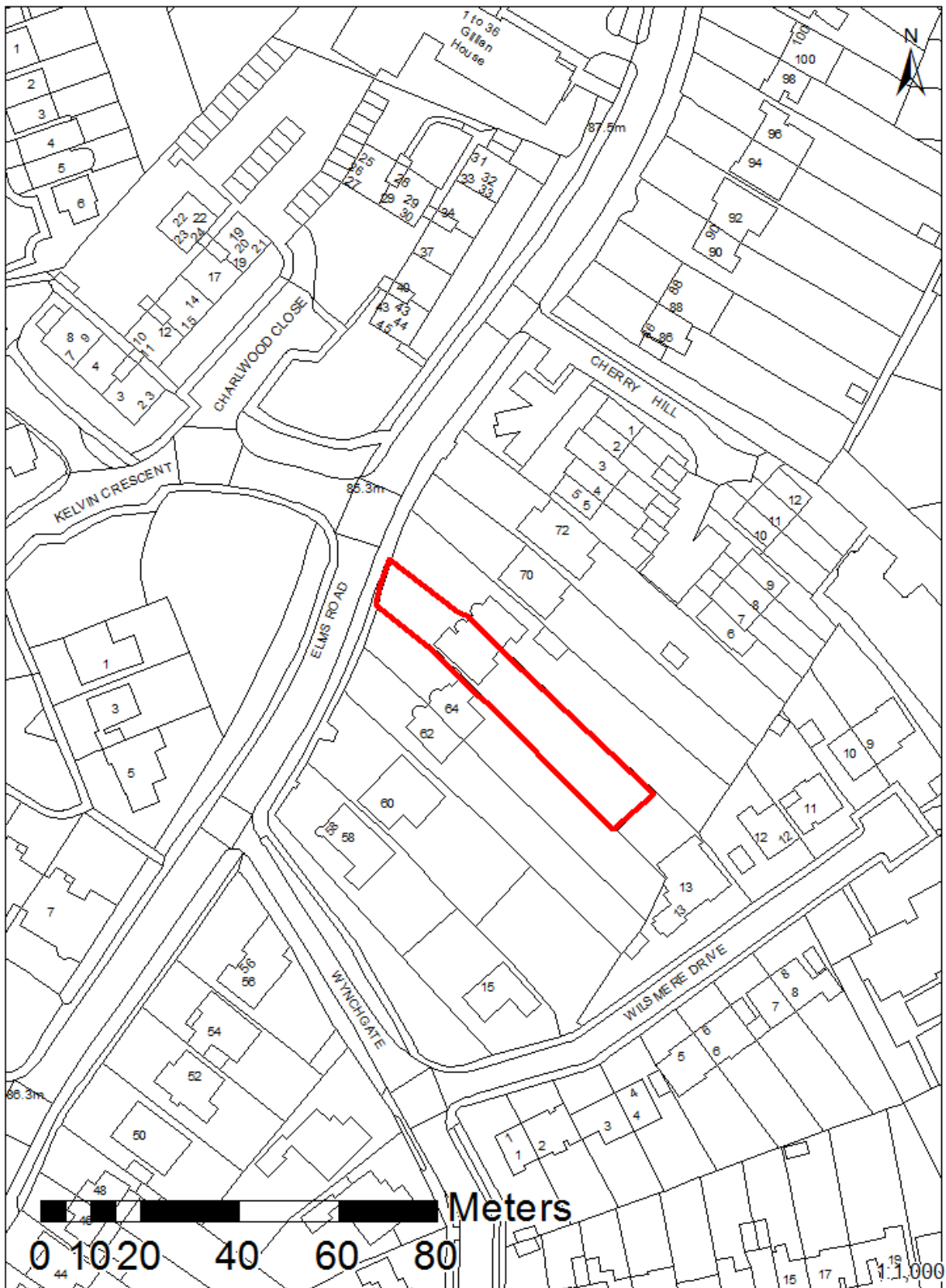


 = application site



66 Elms Road, HA3 6BS	P/0915/18
------------------------------	------------------

66 Elms Road, HA3 6BS



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecutions or civil proceedings. London Borough of Harrow LA.100019206. 2018. DIGITAL MAP DATA (C) COLLINS BARTHOLOMEW LTD (2018)



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

21st November 2018

APPLICATION NUMBER: P/0915/18
VALIDATE DATE: 5TH MARCH 2018
LOCATION: 66 ELMS ROAD, HARROW WEALD, HARROW
WARD: HARROW WEALD
POSTCODE: HA3 6BS
APPLICANT: MR MICHAEL BIRCH
AGENT:
CASE OFFICER: NICOLA RANKIN
EXPIRY DATE: 26TH APRIL 2018

PROPOSAL:

First floor side to rear extension

The Planning Committee is asked to:

RECOMMENDATION A

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

REASON FOR THE RECOMMENDATIONS

The proposal to extend the dwellinghouse, with a first floor side to rear extension, would accord with relevant policy and guidance stated in the Supplementary Planning Document: Residential Design Guide (2010). The proposed development would have an acceptable impact on the character of the area and the residential 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 it was called in by a nominated member of the Planning Committee

Statutory Return Type:	E21: Householder Development
Council Interest:	None
Net Additional Floor Area:	24.3m ²
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 – Plans and elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	66 Elms Road, Harrow Weald, HA3 6BS
Applicant	Mr Michael Birch
Ward	Harrow Weald
Local Plan allocation	No
Conservation Area	No
Listed Building	No
Setting of Listed Building	No
Building of Local Interest	No
Tree Preservation Order	Yes
Other	N/A

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The site comprises a two storey, semi-detached single family dwelling house, located on the east side of Elms Road.
- 1.2 The property features a front porch, side garage, rear dormer and a single storey rear extension.
- 1.3 The property is not a listed building and not in a conservation area.
- 1.4 The site is located in a critical drainage area.
- 1.5 Attached property no. 68 is not extended at the rear.
- 1.6 Neighbouring property no. 64 is sited to the south east of the subject property, which features a side garage, rear dormer and single storey rear extension. The flank wall features a window serving a stair.

2.0 PROPOSAL

- 2.1 The application proposes a first floor side to rear extension.
- 2.2 The first floor side extension would be set back from the front elevation by 2 metres and would extend to the side boundary. It would feature a subordinate gable roof. It would have a width of 2.8 metres.
- 2.3 The first floor rear extension would have a depth of 2.25m a width of 3m. It would feature a subordinate hipped roof.
- 2.4 **Amendments since original submission:**
- 2.5 The extension has been set back a further metre from the front elevation so that it would now be set back 2 metres from the main front wall.

3.0 RELEVANT PLANNING HISTORY

- 3.1 A summary of the relevant planning application history is set out in the table below:

LBH/23965 Front porch & garage extension.
Grant-05/09/1983

EAST/232/93/FUL 1st floor side and rear extension gable roof and rear dormer window.

Refused 09/08/1993

Reason: The proposed first floor and roof extensions, by reason of their design, size and siting would provide excessive bulk and would be unduly overbearing

and obtrusive, resulting in overshadowing and loss of light of the occupiers of adjoining properties.

4.0 CONSULTATION

4.1 A total of 3 consultation letters were sent to neighbouring properties regarding this application. The overall public consultation period expired on 25th June 2018.

4.2 Adjoining Properties

Number of letters Sent	3
Number of Responses Received	3
Number in Support	1
Number of Objections	2
Number of other Representations (neither objecting or supporting)	0

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

No. 64 ELMS ROAD: Objected and expressed concern that the proposal would be overbearing, cause loss of privacy in first floor bedroom, loss of day light, overshadowing impact and it would not respect 45 degree rule.

4.4 Statutory and Non Statutory Consultation

4.5 The following consultations have been undertaken: N/A

4.6 External Consultation: N/A

5.0 POLICIES

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

5.2 *'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.'*

5.3 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied; it is a material consideration in the determination of this application. The current NPPF was published in July 2018 and replaces the first NPPF (March 2012).

- 5.4 In this instance, the Development Plan comprises the London Plan (2016) and the Local Plan. The Local Plan comprises the Harrow Core Strategy (2012), Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan (2013), the Site Allocations Local Plan (2013) and the accompanying policies map.
- 5.5 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2017), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.
- 5.6 The document was published in draft form in December 2017. Given that the draft Plan is still at early stages of the formal process it holds very limited weight in the determination of planning applications. Although this weight will increase as the Draft London Plan progresses to examination in public stage and beyond, applications would continue to be determined in accordance with the 2016 London Plan. It is anticipated that the Examination in Public will commence early 2019.
- 5.7 Notwithstanding the above, the Draft London Plan (2017) remains a material planning consideration, with relevant policies referenced within the report below and a summary within Informative

6.0 ASSESSMENT

6.1 The main issues are;

- Character and Appearance of the Area
- Residential Amenity

6.2 Character and Appearance of the Area

6.2.1 The NPPF attaches great importance to the design of the built environment, stating:

6.2.2 “good design is a key aspect of sustainable development...and should contribute positively to making places better for people”. It stresses the need to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings and smaller developments like the proposed development. While it states that local authorities should not impose architectural styles or particular tastes, it reinforces that it is also important to consider local character and distinctiveness. In addition, it states that ‘permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions’.

- 6.2.3 The London Plan (2016) policies 7.4B and 7.6B set out the design principles that all boroughs should seek to ensure for all development proposals. The London Plan (2016) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. The London Plan (2016) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation.
- 6.2.4 Core Policy CS(B) states 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.’
- 6.2.5 Policy DM 1 of the Development Management Policies Local Plan (2013) states that all development must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout or which would be detrimental to local character and appearance will be resisted.
- 6.2.6 The Council has adopted Supplementary Planning Document – Residential Design Guide 2010 (SPD) to supplement the policies of the Harrow Development Management Local Plan (2013). The SPD would also apply to the subject properties. Paragraph 6.6 of the Council's adopted SPD: Residential Design Guide (2010) states that "extensions should harmonise with the scale and architectural style of the original building, and the character of the area" and that "An extension should have a sense of proportion and balance, both in its own right and its relationship to the original building and should not dominate the original building" (paragraph 6.11).
- 6.2.7 Paragraph 6.46 of the SPD requires that the front wall of two storey side extensions to be set back 1m from behind the adjacent front corner of the front elevation of the dwellinghouse and have a subordinate roof. The proposal would set back 2m from the front wall of the dwellinghouse and would have a subordinate gable roof. The width of the proposed first floor side extension would be less than half the width of the dwellinghouse. This element of the proposal would be a proportionate addition to the dwellinghouse. The proposed gable roof design would respect the original gable roof of the property and the adjacent properties.
- 6.2.8 The proposed first floor rear would only project 2.25 m from the rear wall and the width of 3m would be similar to the width of the two storey side extension. This element of the extension would be a proportionate addition to the dwellinghouse. It would have a subordinate hipped roof which would have an acceptable appearance.

6.2.9 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

6.3.1 Policy 7.6B, subsection D, of The London Plan (2016) states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.

6.3.2 Policy DM 1 of the Harrow Development Management Policies Local Plan (2013) states that “*All development and change of use proposals must achieve a high standard of privacy and amenity. 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 development, will be resisted (c)*”.

6.3.3 The 45 Degree Code in paragraph 6.28 of the SPD Residential Design Guide 2010 is intended to:

- i) maintain a reasonable relationship between existing buildings and extensions;
- ii) avoid an overbearing visual impact in terms of bulk and proximity to boundaries both from inside adjacent properties and from neighbouring gardens; and
- iii) reduce potential loss of light and overshadowing to neighbouring dwellings and gardens.

6.3.4 Paragraph 6.31 of the SPD states that: In relation to the impact of first floor or two storey extensions projecting beyond the rear or front of adjacent residential properties: no part of any new extension should interrupt a 45° splay drawn on plan from the nearest first floor or two storey front or rear corner of any next-door dwelling, or from a single storey rear corner if that rear elevation has a ‘protected’ window. This would include projecting roof eaves, but not shallow fascias or guttering.

6.3.5 The proposed first floor side element of the extension would be set back from the main front wall. The proposal would not interrupt a 45 degree splay drawn on plan from the nearest two storey front corner of neighbouring property no. 64. The nearest first floor window of No. 64 serves a bathroom which is not protected for the purposes of the SPD (2010). Although the proposed first floor extension would extend almost up to the shared boundary with No. 64, there is a separation gap of approximately 3.3 metres between the boundary and the flank wall of No. 64 and this space is occupied by a single storey garage with garage door on the front elevation.

- 6.3.6 The proposal would be sited to the North West in relation to no.64 and it would therefore not result in an overshadowing impact or loss of light for the first floor bedroom windows of no.64.
- 6.3.7 The first and second floor windows of No. 64 in the side elevation, serve a staircase, and are not considered to be protected. There is also a ground floor window in the flank wall which serves a kitchen. However, this kitchen window is sited beyond the rear wall of the proposed first floor rear extension and would therefore not be affected.
- 6.3.8 For the reasons give above, it is considered that the proposal would have an acceptable relationship with No. 64.
- 6.3.9 There are no side windows proposed. The proposal would not therefore have any detrimental impact on the privacy of the adjoining occupiers. A condition is recommended to ensure no flank wall windows can be installed in the future to protect the amenities of the neighbouring occupiers.
- 6.3.10 Paragraph 6.65 of the SPD 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 the excessive bulk. They must comply with the 45 degree Code and be assessed against the relevant site considerations, in particular: the orientation of the houses, setting on the garden of the adjoining house, location of the adjacent house and any existing extensions and use of the adjacent rear garden.
- 6.3.11 The first floor rear element of the extension would extend 2.25m at the rear and it would not interrupt a 45 degree splay drawn on plan from the nearest two storey rear corners of neighbouring properties no.64 or no. 68.
- 6.3.12 In view of the above factors, the proposal is considered to be acceptable in terms of neighbouring amenity, 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).

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposal to extend the dwellinghouse with a first floor side to rear extension would accord with relevant policy and the proposed development would have a satisfactory impact on the character of the area and the amenities of neighbouring occupiers.
- 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

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 and Country Planning Act 1990.

2. Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Site Location Plan; 66/06 A; 66/04 A; 66/05 A; 66/01; 66/03; 66/02;

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 extensions 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, without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

Informatives

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2018)

The London Plan (2016):

7.4B, 7.6B, 7.21

The Draft London Plan: D1, D2

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

DM22 Trees

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 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.

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)

800-1300 rs Saturday

6. Surface Water Drainage Management

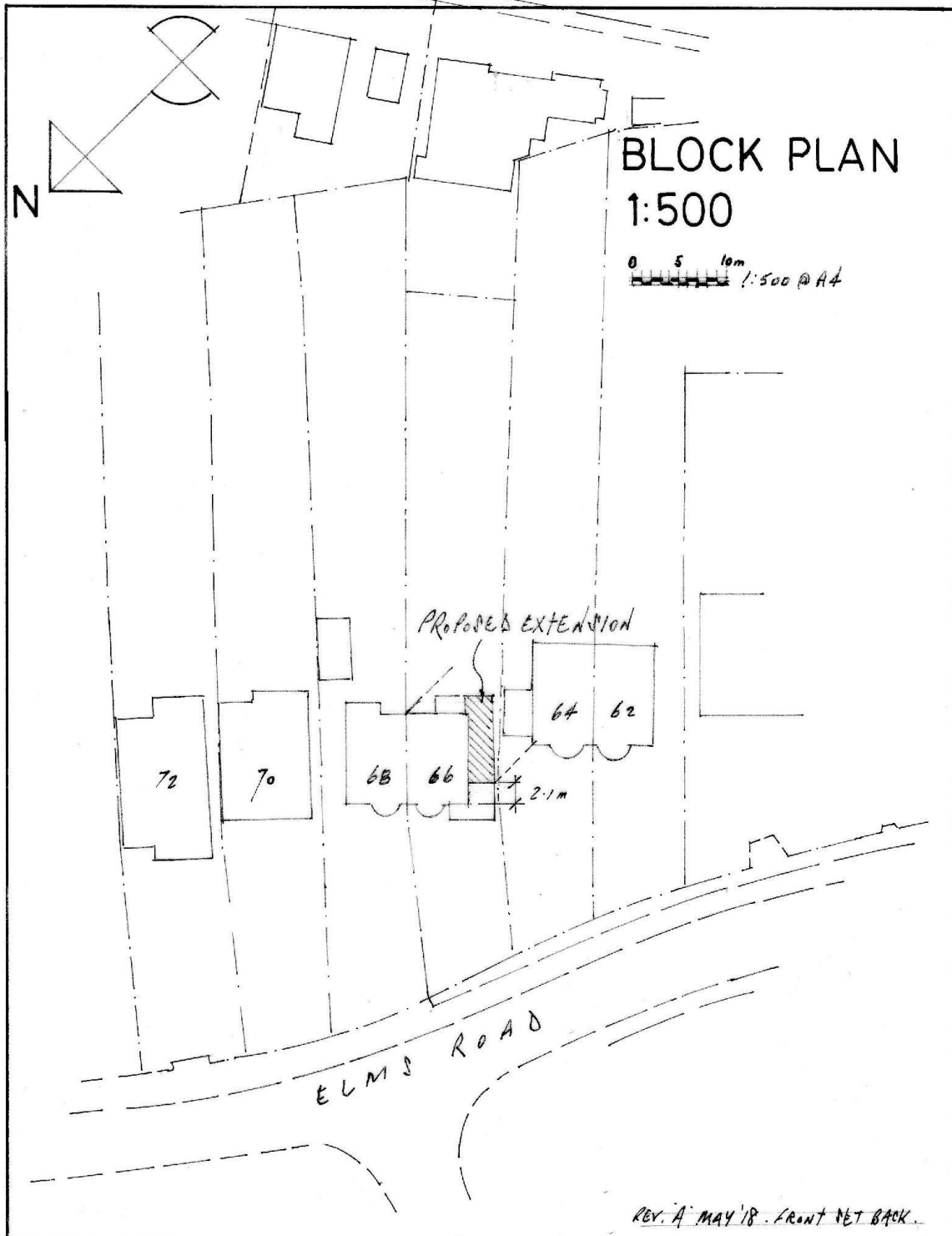
SUDS Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed 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.

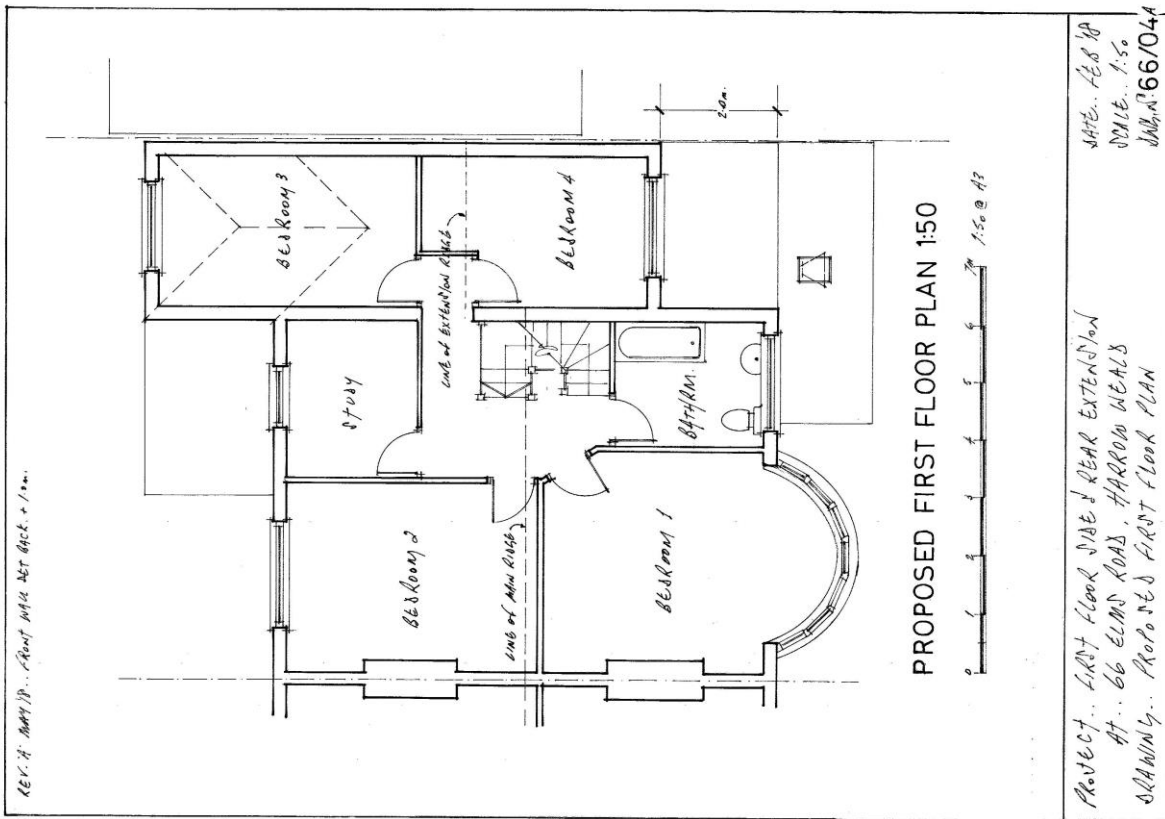
Plans Numbers: Site Location Plan; 66/06 A; 66/04 A; 66/05 A; 66/01; 66/03; 66/02;

Appendix 2 Plans and Elevations



PROJECT.. FIRST FLOOR SIDE & REAR EXTENSION
AT.. 66 ELMS ROAD, HARROW WEALD
DRAWING.. BLOCK PLAN

DATE.. FEB '18
SCALE.. 1:500
DWG. NO. 66/06A



This page has been left intentionally blank