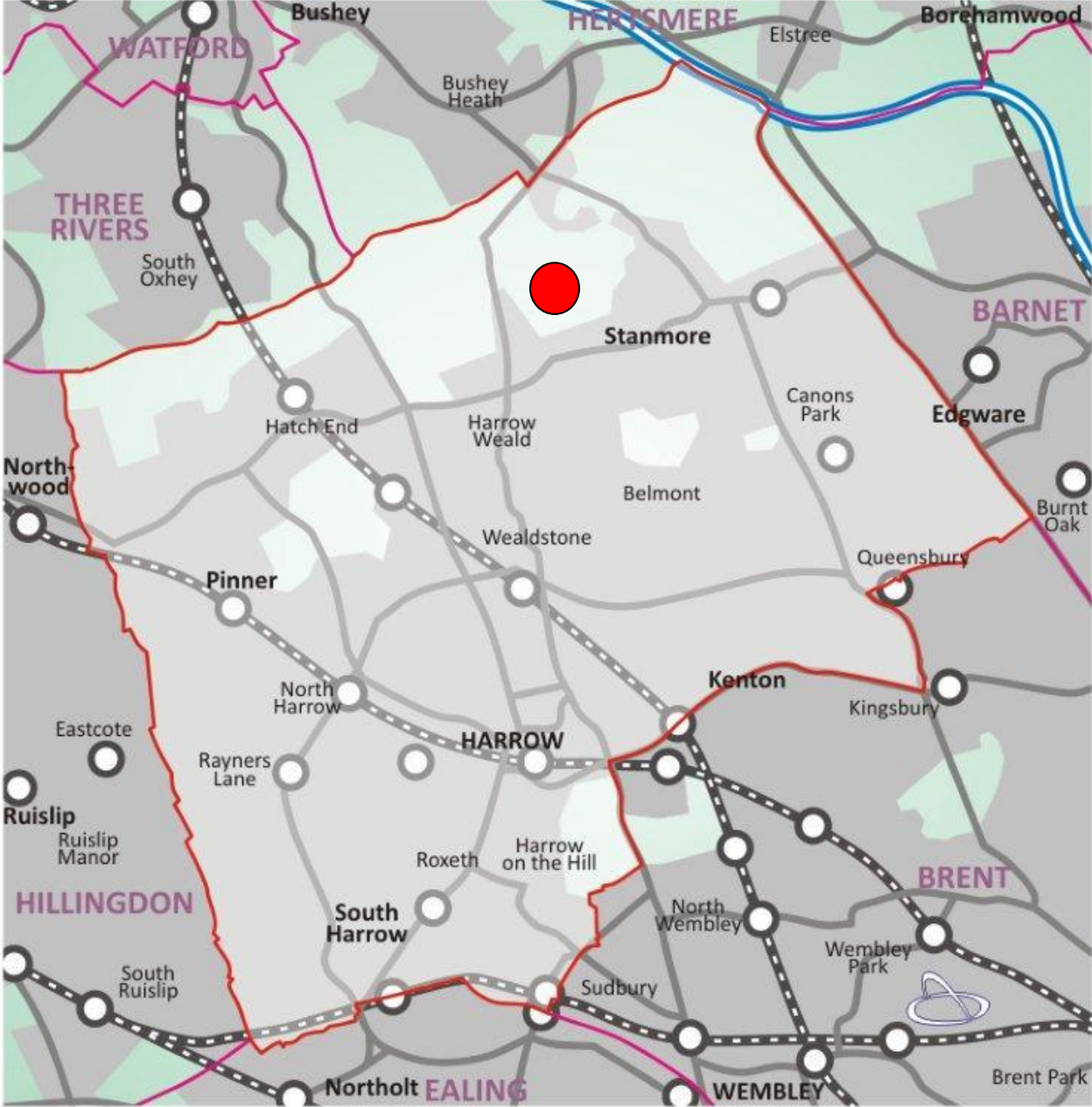
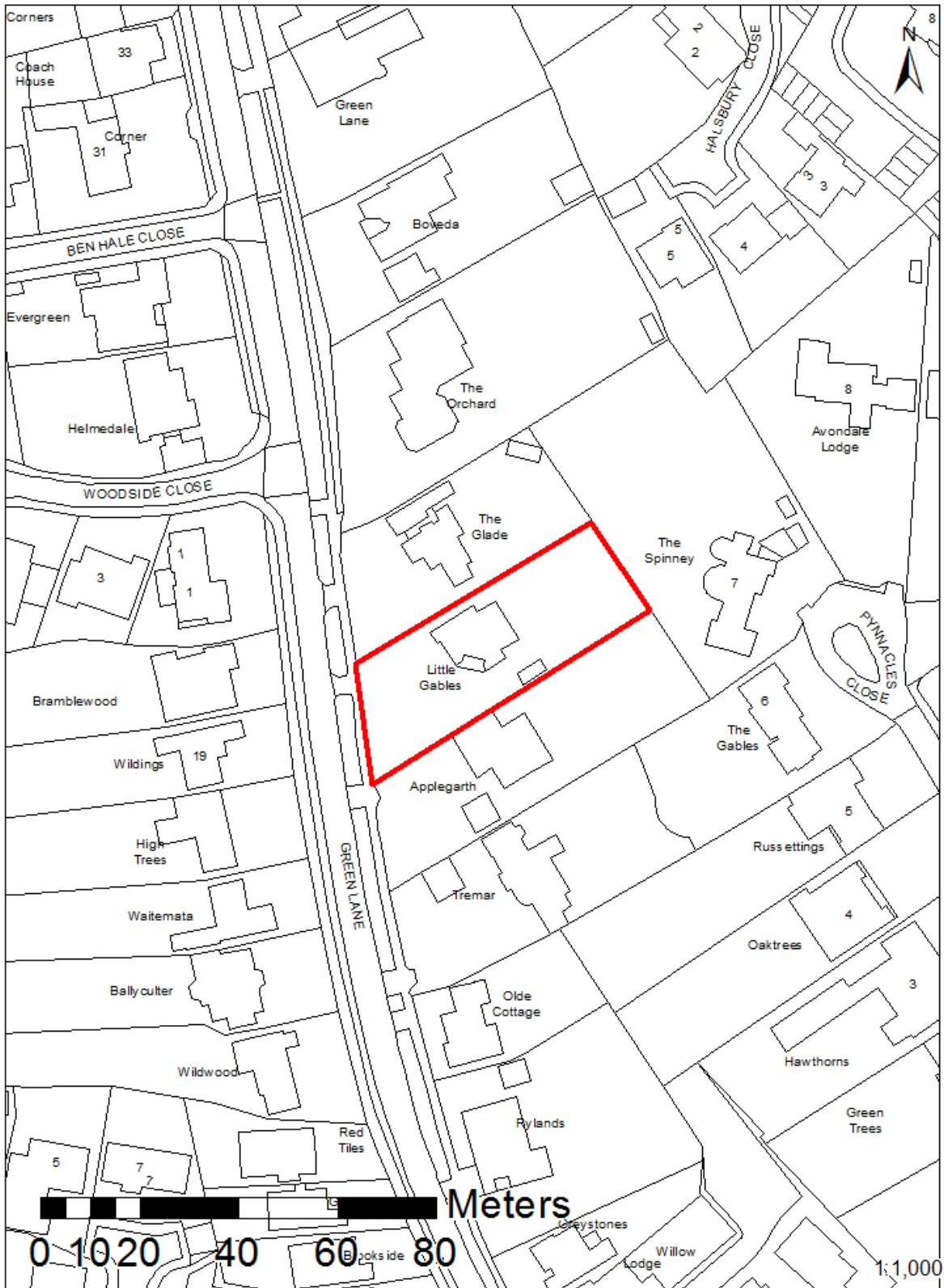


 = application site



Little Gables, Green Lane, Stanmore	P/5164/18
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Little Gables, Green Lane, Stanmore



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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

20th March 2019

APPLICATION NUMBER: P/5164/18
VALIDATE DATE: 03/12/2018
LOCATION: LITTLE GABLES, GREEN LANE, STANMORE
WARD: STANMORE PARK
POSTCODE: HA7 3AA
APPLICANT: MR H.L VERKARIA
AGENT: CHRISTOPHER WICKHAM ASSOCIATES
CASE OFFICER: NABEEL KASMANI
EXTENDED EXPIRY DATE: 27/03/2019

PROPOSAL

Variation of condition 7 (approved plans) attached to planning permission P/1329/14 allowed on appeal reference APP/M5450/D/14/2224761 dated 28/10/2014 for an increase in height of the ground floor extension and construction of an attached garage in place of the pre-existing garage

RECOMMENDATION

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 the conditions listed in Appendix 1 of this report:

REASON FOR THE RECOMMENDATIONS

The development would provide an improvement in quality of accommodation for the occupiers of the property and would not harm the character or appearance of the subject dwellinghouse or the Stanmore Hill Conservation Area. The proposed development would not have unacceptable impact upon the residential amenities of the adjoining occupiers in terms of privacy/outlook, overshadowing or daylight/sunlight. Accordingly, the development would accord with development plan policies and officers consider the proposal is worthy of support

INFORMATION

This application is reported to Planning Committee on the request of a Nominated Member in writing

Statutory Return Type: (E)21 Householder
Council Interest: n/a
GLA Community n/a
Infrastructure Levy (CIL)
Contribution:
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 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 proposed access 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:
Officer Assessment
Appendix 1 – Conditions and Informatives
Appendix 2 – Site Plan
Appendix 3 – Site Photographs
Appendix 4 – Plans and Elevations

OFFICER REPORT

1.0 SITE DESCRIPTION

- 1.1 The subject planning application applies to an early 20th century Tudor Revival style detached family dwellinghouse located on the eastern side of Green Lane
- 1.2 The neighbouring property to the south, Applegarth, is a two-storey detached dwellinghouse which is sited forward of the application dwelling by approximately 8 metres.
- 1.3 The neighbouring property to the north, The Glade, is a two-storey detached dwellinghouse which is sited behind the application dwelling by approximately 5 meters
- 1.4 The subject dwellinghouse is currently being extended to the side and rear following the grant of planning permission P/1329/14 allowed on appeal. The pre-existing garage has been demolished and a new attached garage has been constructed adjacent to the shared boundary with Applegarth.
- 1.5 The subject property is located within the Stanmore Hill Conservation Area and the site is within a Critical Drainage Area

2.0 PROPOSAL

- 2.1 Planning permission was granted under appeal reference App/M5450/D/14/2224761 dated 28th October 2014 for the construction of part single and part two-storey rear extension following the demolition of the existing rear extension. Construction has commenced on site and the planning permission has therefore been implemented
- 2.2 The application is made under S.73 of the Town & Country Planning Act 1990, and seeks the variation of condition 7 (approved plans) of Planning Permission P/1329/14 allowed on appeal. The variation of the approved plans allowed for an increase in height of the ground floor extension and construction of a new attached garage.
- 2.3 The height of the part single storey rear extension would be increased by 250mm. The pre-existing garage has been replaced by a new garage that is greater in width and depth. The application incorporates amendments to the garage as built and proposes a reduction in height to 2m adjacent to the boundary with Applegarth with a partial pitch roof and a reduction in the flat roof height to 2.3m.

3.0 **RELEVANT PLANNING HISTORY**

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

Ref no.	Description	Status and date of decision
P/1329/14	Single and two storey rear extension; insertion of rooflights in front both sides and rear roofslopes; external alterations (demolition of existing single storey rear extension)	Refused: 22/07/2014 Allowed on Appeal: 28/10/2014 App/M5450/D/14/2224761
P/5066/15	Single storey side extension; single and two storey rear extension; creation of habitable roofspace and basement level; three rooflights in front rear and side roofslopes; external alterations	Granted: 23/11/2015
P/2404/18	Single storey attached garage at side (retrospective) together with proposed reduction in height of garage	Refused: 13/09/2018

4.0 **CONSULTATION**

4.1 Site Notices were erected on 16th January 2019 expiring on 6th February 2019

4.2 A Press Notice was advertised in the Harrow Times on 17th January 2019, expiring on 7th February 2019.

4.3 The purpose of the advertisement was with regard to Character of a Conservation Area

4.4 A total of 3 consultation letters were sent to neighbouring properties regarding this application which expired on 4th February 2019.

4.5 Adjoining Properties

Number of letters Sent	3
Number of Responses Received	1
Number of Objections	1

4.6 A summary of the responses received are set out below with officer comments in Italics:

Summary of Comments (Objections)
<u>Residential Amenity</u> Loss of residential amenity due to mass, scale, bulk and proximity of garage to shared boundary; detrimental visual impact; garage increased in length to pre-existing; loss of shrubbery and vegetation; <i>This has been addressed in section 6.3 of the report</i>
<u>Character and Appearance</u> Not in keeping with Tudor Revival Style; Poor design and finish <i>This has been addressed in section 6.2 of the report</i>
<u>Other</u> Construction appears to provide a habitable space <i>The proposal would need to be implemented in accordance with the approved plans</i>

4.7 Statutory and Non Statutory Consultation

4.8 The following consultations have been undertaken.

LBH Conservation Officer

This proposal would preserve the character and appearance of the conservation area. There would only be a slight change from the approved at appeal scheme.

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 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).
- 5.3 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].
- 5.4 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. Given that that the draft London Plan is still in the initial stages of the formal process it holds very limited weight in the determination of planning applications. 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 1.
- 5.5 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;

- Layout, Design, Character and Appearance
- Residential Amenity
- Flood Risk and Development

6.2 Layout, Design, Character and Appearance

- 6.2.1 Chapter 12 of the NPPF states that Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within Chapter seven, which address both general design principles and specific design issues. Policy DM1 on Achieving a High Standard of Development of the Development Management Policies Document requires all development proposals to achieve a high standard of design and layout.
- 6.2.2 Planning permission was granted on appeal (reference: App/M5450/D/14/2224761) for a part single and two storey rear extension. The planning permission is considered to have been implemented with the construction of the respective additions to the original dwellinghouse on site.

- 6.2.3 On the approved drawings (PL04 Rev C and PL07 Rev B) of the implemented planning permission, the single storey rear extension was shown to attach to the pre-existing garage. The pre-existing garage was sited 600mm from the shared boundary with Applegarth and had a flat roof height of 2.6m with a rearward projection of 5.3m. However, the pre-existing garage was demolished and a new attached garage has since been provided. The garage has been built abutting the shared boundary with Applegarth with a rearward projection of 6m and a maximum flat roof height of 2.8m. This planning application seeks to reduce the height of the attached garage to 2m abutting the shared boundary and a reduction in the flat roof height to 2.3m. The application also seeks to increase the maximum height of the single storey rear extensions by 250mm resulting in a finished height of 2.8m for the front facing elevation and a height of 3.3m from the rear facing elevation.
- 6.2.4 In the previously allowed appeal, when assessing the impact of the proposed part single and two-storey rear extension, the Planning Inspector concluded that the proposal would lead to an enhancement to the character and appearance of the area. The newly constructed garage has been increased in width by 600mm so that it abuts the shared boundary and has an increased rearward projection of approximately 700mm beyond that which was pre-existing. However, the maximum height of the garage would be approximately 300mm lower than that of the pre-existing garage.
- 6.2.5 Officers consider that the proposed additional width of the attached garage and increased height of the part single storey rear element would relate appropriately to the main dwellinghouse and would not adversely affect the appearance of the house. It is noted that many of the houses along Green Lane fill their plot widths so the increased footprint adjacent to the shared boundary to the south would not detract from the pattern of development within the locality.
- 6.2.6 The application site is located in the Stanmore Hill Conservation Area. The Conservation Area Appraisal and Management Strategy (2013) seeks to ensure that new extensions in the Conservation Area are not of an intrusive scale, bulky type or design. The proposals are considered to satisfy this requirement and would not compromise the characteristic density of development and architectural qualities of the area. The planning application was referred to the Council's Conservation Officer who has advised that the proposal would preserve the character of appearance of the Conservation area.
- 6.2.7 For these reasons, officers consider that the proposed development would be consistent with the Policy CS1B of the Harrow Core Strategy (2012), Policies 7.4, 7.6 and 7.8 of the London Plan (2016) and Policies DM1 and DM7 of the Harrow Development Management Policies Local Plan (2013) which, amongst other matters, seek to ensure all new development is of a high quality that does not harm the character of the surrounding area, including designated heritage assets

6.3 Residential Amenity

- 6.3.1 A core principle of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy 7.6 of The London Plan states that the design of new buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings in relation to privacy, overshadowing, wind and microclimate. Harrow Local Plan Policy DM1 undertakes to assess privacy and amenity considerations having regard to, among other things, the prevailing character of amenity and the need to make effective use of land; the relationship between buildings and site boundaries; and the visual impact when viewed from within the buildings and outdoor spaces.
- 6.3.2 In the allowed appeal, the Planning Inspector concluded that the part single and two-storey rear extension would not have an unduly harmful effect upon the residential amenities of the adjoining occupiers.
- 6.3.4 With respect to the amendments to the granted planning permission, a new attached garage has been constructed abutting the shared boundary with Applegarth. As built, the structure is some 200mm higher than the pre-existing garage and 700mm deeper in projection. The construction of the approved planning permission in conjunction with the attached garage has resulted in the loss of the mature vegetation which delineated the shared boundaries between the respective properties.
- 6.3.5 The adjoining property to the south, Applegarth, is sited approximately 1m lower than the subject site and is set-forward of the subject property. As detailed in the delegated report for the previously refused application (reference P/2404/18), officers' considered that, notwithstanding a reduction in height of 400mm, the garage would nonetheless appear dominant, visually obtrusive, overbearing and unremitting when viewed from the adjacent rear elevation and patio area of Applegarth.
- 6.3.6 The subject proposal seeks to reduce the massing and bulk of the garage further. This would be achieved by introducing a pitched roof element immediately adjacent to the shared boundary with Applegarth resulting in a maximum height of 2m abutting the shared boundary. A finished height of 3m (when measured from the adjacent rear patio area of Applegarth) would result in an amenity impact which is consistent with the Residential Design Guide SPD. The maximum height of the garage would also be reduced to 2.3m, which would be 200mm lower than the pre-existing garage and cumulatively 400mm lower than currently built. Officers consider that the proposed amendments would result in a reduction in massing and bulk adjacent to the shared boundary with Applegarth.

- 6.3.7 The loss of the mature vegetation and shrubbery that delineated the shared boundary is regrettable. As a result, the garage is visually prominent from the rear elevation and patio area of Applegarth. However, it was inevitable that the existing natural screening would have been disrupted by the enabling works required to implement the development allowed on appeal. Furthermore, while trees are 'protected' by virtue of their siting in a Conservation Area, the same level of protection is not afforded to ordinary shrubbery and vegetation. In such circumstances, the applicant would therefore be within their right to remove them at any time.
- 6.3.8 Officers acknowledge that the garage as built, by virtue of its siting, rearward projection, massing, height and unfinished form, appears as a crude addition. However, as detailed above, the proposed amendments would result in a noticeable reduction in the height adjacent to the shared boundary and the maximum height that would be lower than what was previously approved. A condition is also included to ensure the garage is finished in render to match that of the original dwellinghouse.
- 6.3.9 While the loss of the intervening natural screening means the garage would still be prominent in views from the adjacent rear elevation and patio area of Applegarth, officers' consider that the proposed amendments would help mitigate the perception of its bulk and massing. The northerly orientation of the garage would reduce the degree of impact with respect to overshadowing and the siting of the rear habitable rooms at Applegarth away from the shared boundary would ensure that the quality of light into the adjacent 'protected' windows are not harmfully compromised.
- 6.9.10 Given the separation distance of the part single storey rear extension from the adjoining dwellinghouses and the modest increase in height of 250mm, which will result in a maximum finished flat roof height of 3.3m, it is considered that this element of the proposal would not have a detrimental impact on the residential amenities of the adjoining occupiers.
- 6.3.10 For these reasons, officers conclude that, on balance, the proposal would not have an unacceptably harmful impact on the residential amenities of the adjoining occupiers.

6.4 Flood Risk and Development

- 6.4.1 The application site is located within a Critical Drainage Area. An informative is therefore included to encourage sustainable urban drainage measures to be incorporated in the proposed development. The proposal would therefore comply with policy 5.13 of the London Plan (2016) and Policy and DM10 of the Development Management Policies (2013)

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The development would provide an improvement in quality of accommodation for the occupiers of the property and would not harm the character or appearance of the subject dwellinghouse or the Stanmore Hill Conservation Area. The proposed development would not have unacceptable impact upon the residential amenities of the adjoining occupiers in terms of privacy/outlook, overshadowing or daylight/sunlight. Accordingly, the development would accord with development plan policies and officers consider the proposal is worthy of support

APPENDIX 1: Conditions and Informatives

Conditions

1. Timing

The amendments to the attached garage hereby permitted shall be implemented in full accordance with the approved plans within two months of the date of this permission. Failure to comply within this timeframe will result in enforcement action

REASON: To ensure that the breach in planning can be rectified and the development hereby approved implemented in compliance with Policy DM1 of The Development Management Policies Local Plan (2013) and the the Residential Design Guide SPD (2010)

2. Approved Plans and documents

The development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and documents: PL05 Rev C, PL06 Rev C, PL07 Rev J, Planning and Heritage Statement (October 2018)

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 extensions hereby permitted shall match those used in the original building.

REASON: To safeguard the appearance of the area and the Conservation Area, thereby according with policies 7.4.B and 7.8 of The London Plan (2016), Policy CS1.B and CS1.D of The Harrow Core Strategy (2012) and Policies DM1 and DM7 of the Development Management Policies Local Plan (2013).

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 wall(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).

5. Obscure Glazing

The windows in the flank walls and the velux windows in the side roof slopes of the approved development shall:

- a) be of purpose-made obscure glass,
- b) be permanently fixed closed below a height of 1.7 metres above finished floor level, and shall thereafter be retained in that form.

REASON: To preclude any undue overlooking of neighbouring properties, thereby safeguarding the amenity of neighbouring residents, in accordance with policy 7.6.B of The London Plan (2016) and Policy DM1 of the Development Management Policies Local Plan (2013)

6. 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 residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

Informatives

1. **Planning Policies**

The following policies are relevant to this decision:

The National Planning Policy Framework (2018)

The London Plan (2016):

5.13, 7.4B, 7.6B, 7.8

Draft London Plan (2017)

D1, D2

The Harrow Core Strategy (2012):

CS1

Harrow Development Management Policies Local Plan (2013):

DM1, DM7, DM10,

2. **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.

3. **The Party Wall etc. Act 1996**

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.p](http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf)

df Tel: 0870 1226 236, Fax: 0870 1226 237, Textphone: 0870 1207 405, E-mail: Ucommunities@twoten.comU4T

4. **Sustainable Urban Drainage**

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 (2012) 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

5. Highways Damage

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. 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.

APPENDIX 2: SITE PLAN

NOTES

1. This drawing is copyright of Studio V Architects Ltd
2. Use figured dimensions only



Location Plan

APPENDIX 3: SITE PHOTOGRAPHS



Front elevation



Subject garage



Rear elevation



Rear elevation adjacent to southern boundary

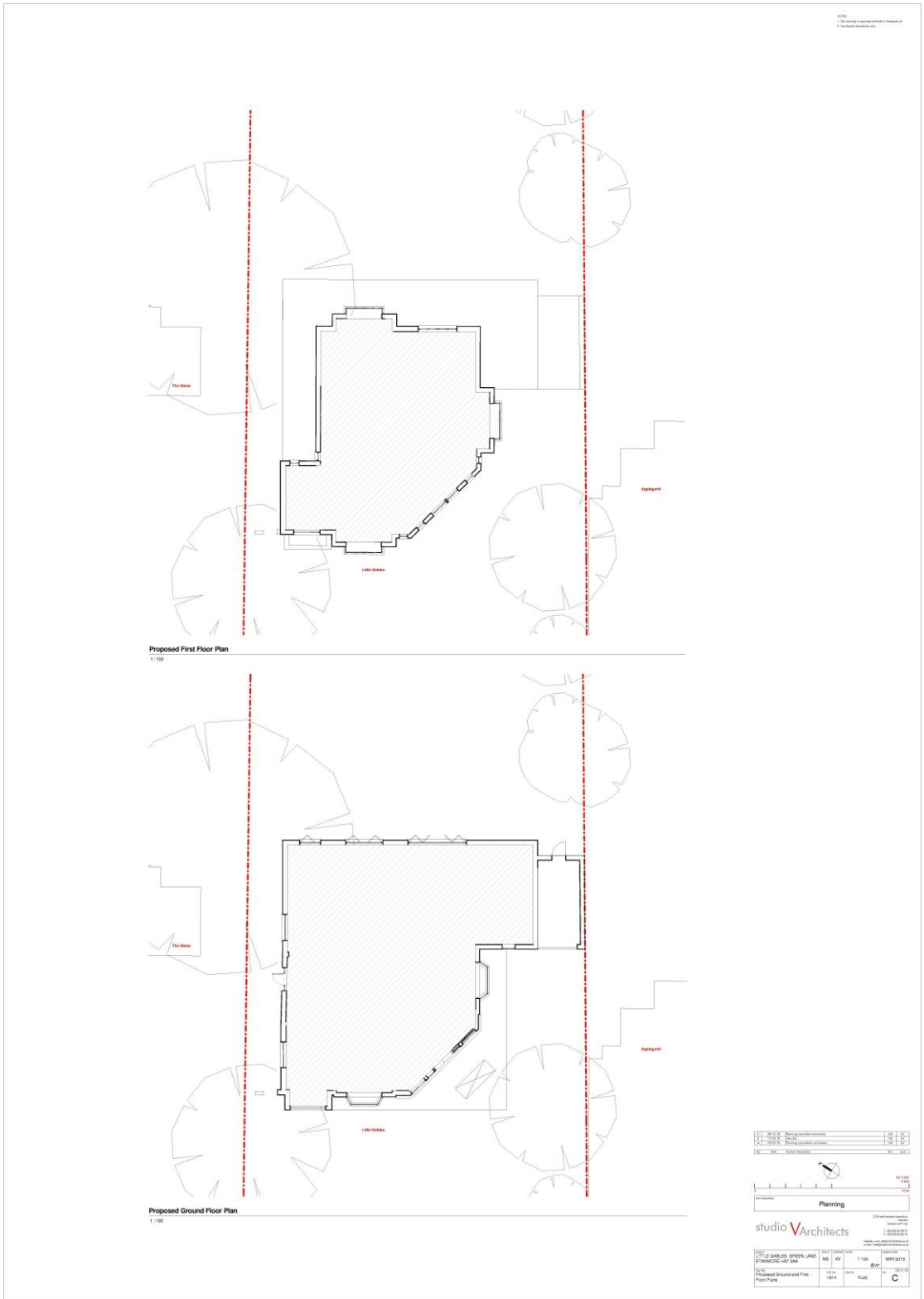
APPENDIX 4: PLANS AND ELEVATIONS



Existing Floor Plans



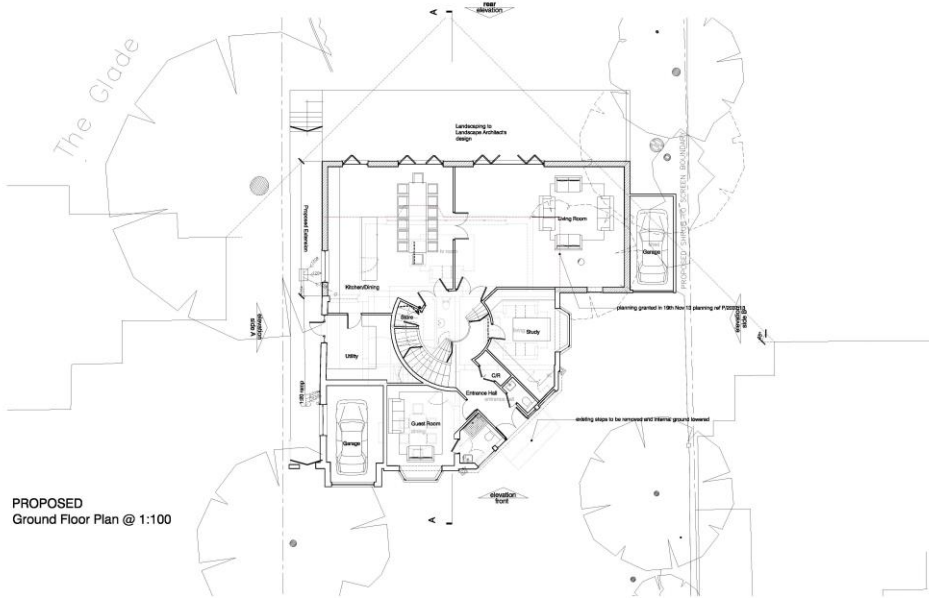
Existing Elevations



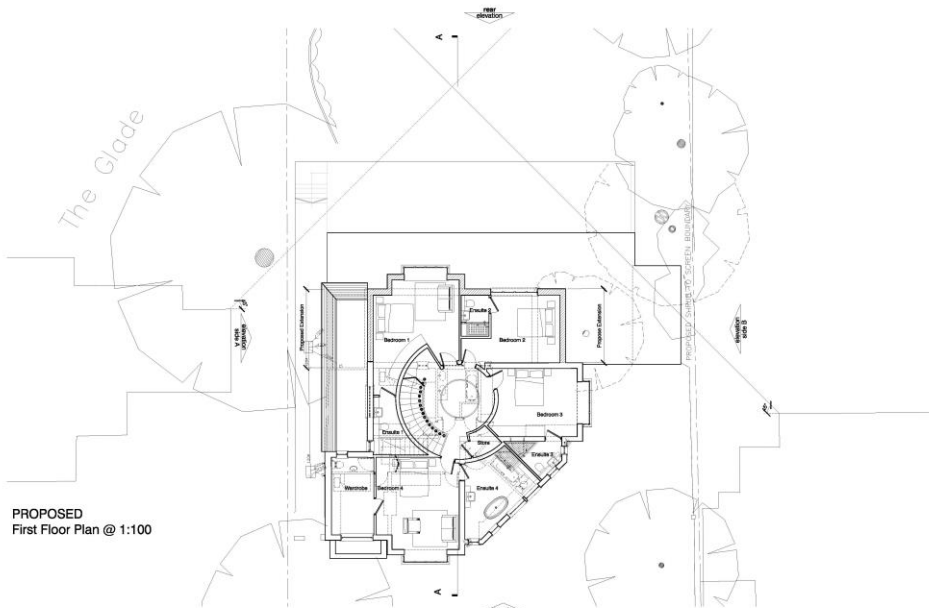
Proposed Floor Plans



Proposed Elevations



PROPOSED
Ground Floor Plan @ 1:100



PROPOSED
First Floor Plan @ 1:100



NOTES

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2. Figured dimensions for construction purposes only
3. Changes to be notified for planning purposes
4. All dimensions and coordinates to be verified and checked on site. Notify architect immediately of any discrepancies found on site.

C: 01/2014 SCALE: AS SHOWN
 D: 01/2014 PLOTTED TO A4 BY: [signature]
 A: 01/2014 CHECKED BY: [signature]
 W: 01/2014 DATE OF ISSUE: 01/2014

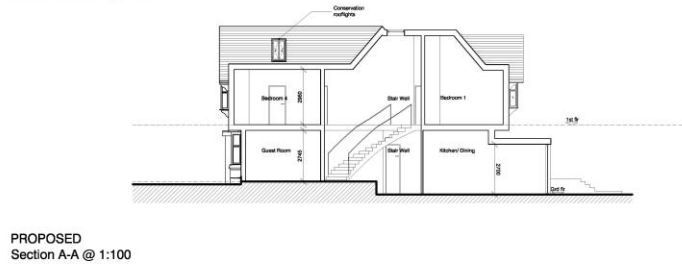
PLANNING

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PROJECT	LITTLE GABLES, GREEN LANE, STANMORE HAY BARN	SCALE	1:100 @ A1	DATE	DEC 13
PLAN	PROPOSED PLANS: 1	NO.	1321	TYPE	PL04
DATE		BY		CHKD	C

Approved floor plans for application reference P/1329/14



NOTES

1. This drawing is copyright of Studio V Architects Ltd
2. Exact dimensions for construction purposes only
3. Drawing is intended for planning purposes
4. All dimensions and measurements to be verified and checked on site

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NO.	DATE	BY	FOR
1	01/01/19	STUDIO V ARCHITECTS	PLANNING

studioVArchitects

100 Westfield Road, Stanmore, Middlesex, HA7 1JH
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 020 8999 9016
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 info@studiovarchitects.com

PROJECT	LITTLE GABLES, GREEN LANE, STANMORE HA7 2AN	SCALE	1:100 @ A1	DATE	DEC 18
TYPE	PROPOSED ELEVATIONS	NO.	1324	DATE	PL07
DESIGNER	STUDIO V ARCHITECTS	CLIENT	B		

Approved elevations for planning permission P/1329/14

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