

Meeting:	Development Control Committee
Date:	Wednesday 15 March 2006
Subject:	462 Honeypot Lane, Stanmore
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Glen More
Portfolio Holder:	Planning, Development and Housing
Enclosures:	Site Plan
Key Decision:	No
Status	Part 1

Section 1: Summary

This report relates to the unauthorised construction of a single storey rear extension at 462 Honeypot Lane, Stanmore and seeks authority to initiate enforcement action for its removal.

The single storey rear extension, by reason of its size, bulk and prominent siting, is unduly obtrusive and overbearing, when viewed from the adjacent properties to the detriment of the visual and residential amenities of the occupiers of those properties.

The doorway to the northern flank of the extension, by reason of its close proximity to the boundary with the adjacent properties at 464 Honeypot Lane gives rise to an unacceptable increase in general disturbance and activity to the detriment of the residential amenities of the occupiers of the adjacent property. The development is contrary to policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004 and C1, C2, C5 and C7 of Harrow Council's householders guide supplementary planning guidance 2003.

The Council does not consider that planning permission should be granted because planning conditions cannot overcome these problems. It is recommended that an enforcement notice be served.

Decision Required

Recommended (for decision by the Development Control Committee)

The Director of Legal Services be authorised to:

- (a) Issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:
- (b) (i) The demolition of the single storey rear extension.
(ii) The permanent removal of the materials arising from compliance with the first requirement (b) (i) above from the land.
- (c) [(b)] (i) and (ii) should be complied with within a period of (3) months from the date on which the Notice takes effect.
- (d) Issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control.
- (e) Institute legal proceedings in event of failure to:
 - (i) supply the information required by the Borough through the issue of Notices under Section 330 of the Town and Country Planning Act 1990;
 - and/or
 - (ii) comply with the Enforcement Notice

Reason for report

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

Benefits

To protect and enhance the environment of the Borough.

Cost of Proposals

None at this stage.

Risks

Any enforcement notice may be appealed to the Planning Inspectorate.

Implications if recommendations rejected

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

Section 2: Report

Brief History, Policy Context (Including Previous Decisions)

- 2.1 A planning application for the single storey rear extension (P/1567/05/DCO) was submitted to Council. The application was refused on the 11 August 2005.
Reason for refusal: The single storey rear extension, by reason of its size, bulk and prominent siting, is unduly obtrusive and overbearing, when viewed from the adjacent properties to the detriment of the visual and residential amenities of the occupiers of those properties.
The doorway to the northern flank of the extension, by reason of its close proximity to the boundary with the adjacent properties at 464 Honeypot lane gives rise to an unacceptable increase in general disturbance and activity to the detriment of the residential amenities of the occupiers of the adjacent property.

Background Information

- 2.2 The property is situated on the eastern side of Honeypot Lane, Stanmore and comprises a semi-detached dwelling house with an existing two storey side extension and garage. The single storey rear extension was constructed without planning permission. The adjacent property No.460 currently has no rear extensions whereby the garden of No.464 has been divided up into 3 sections.
- 2.3 The development is contrary to the following Policies of the Harrow Council Unitary Development Plan 2004
-Policy D4 *The standard of design and layout*
-This policy is reinforced in the more general Policy, SD1 *Quality of Design* of the Unitary Development Plan 2004.
-Policy D5 *New Residential Development – Amenity Space and Privacy*
-C1 *Rear extensions* C2, C5 and C7 *single storey rear extensions* - Harrow Council's A Householders Guide Supplementary Planning Guidance
- 2.4 The property has an existing two storey side extension and garage. The single storey rear extension is 3.1 metres high and 4.2 metres deep towards the boundary with No.464 and 3.6 metres deep on the boundary with No.460. The Council's supplementary planning guidance, extensions A Householders Guide, indicates that single storey rear extensions of this type should not exceed 3 metres in depth. The extension as built has a detrimental impact on the amenity and loss of light on neighbouring residential properties. The door in the side wall of the extension which runs along the boundary of No.464 gives rise to overlooking of existing doors and windows at No.464. It is considered that the proposal has an unreasonable effect on the amenities of neighbouring occupiers.

The alleged breach of planning control

- 2.5 Without planning permission, the construction of a single storey rear extension.

Reasons for issuing the notice

- 2.6 It appears to the Council that the above breach of planning control occurred within the last 4 years.

- 2.7 The single storey rear extension, by reason of its size, bulk and prominent siting, is unduly obtrusive and overbearing, when viewed from the adjacent properties to the detriment of the visual and residential amenities of the occupiers of those properties. The doorway to the northern flank of the extension, by reason of its close proximity to the boundary with the adjacent properties at 464 Honeypot Lane gives rise to an unacceptable increase in general disturbance and activity to the detriment of the residential amenities of the occupiers of the adjacent property. The development is contrary to policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004 and C1, C2, C5 and C7 of Harrow Council's householders guide, supplementary planning guidance 2003.

- 2.8 The Council do not consider that Planning permission should be granted because planning conditions cannot overcome these problems.

2.9 **Consultation**

- Ward Councillors copied for information.
- Harrow Council Legal Services
- Harrow Council Financial Service

3.0 **Financial Implications**

None.

3.1 **Legal Implications**

As contained in the report.

3.2 **Equalities Impact**

None.

3.3 **Section 17 Crime and Disorder Act 1998 Considerations**

None.

Section 3: Supporting Information/ Background Documents

P/1567/05/DCO –Single storey rear extension.