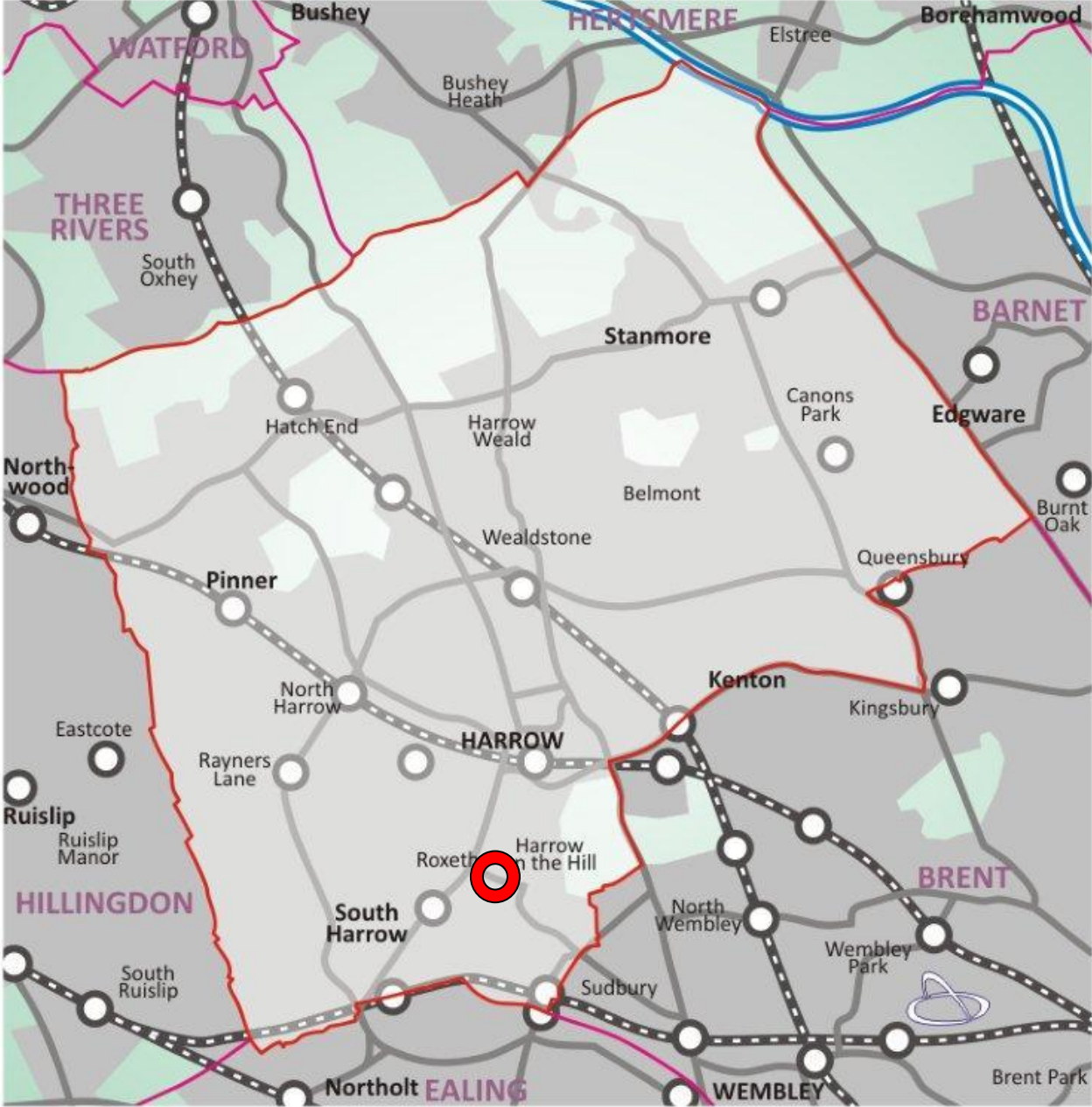
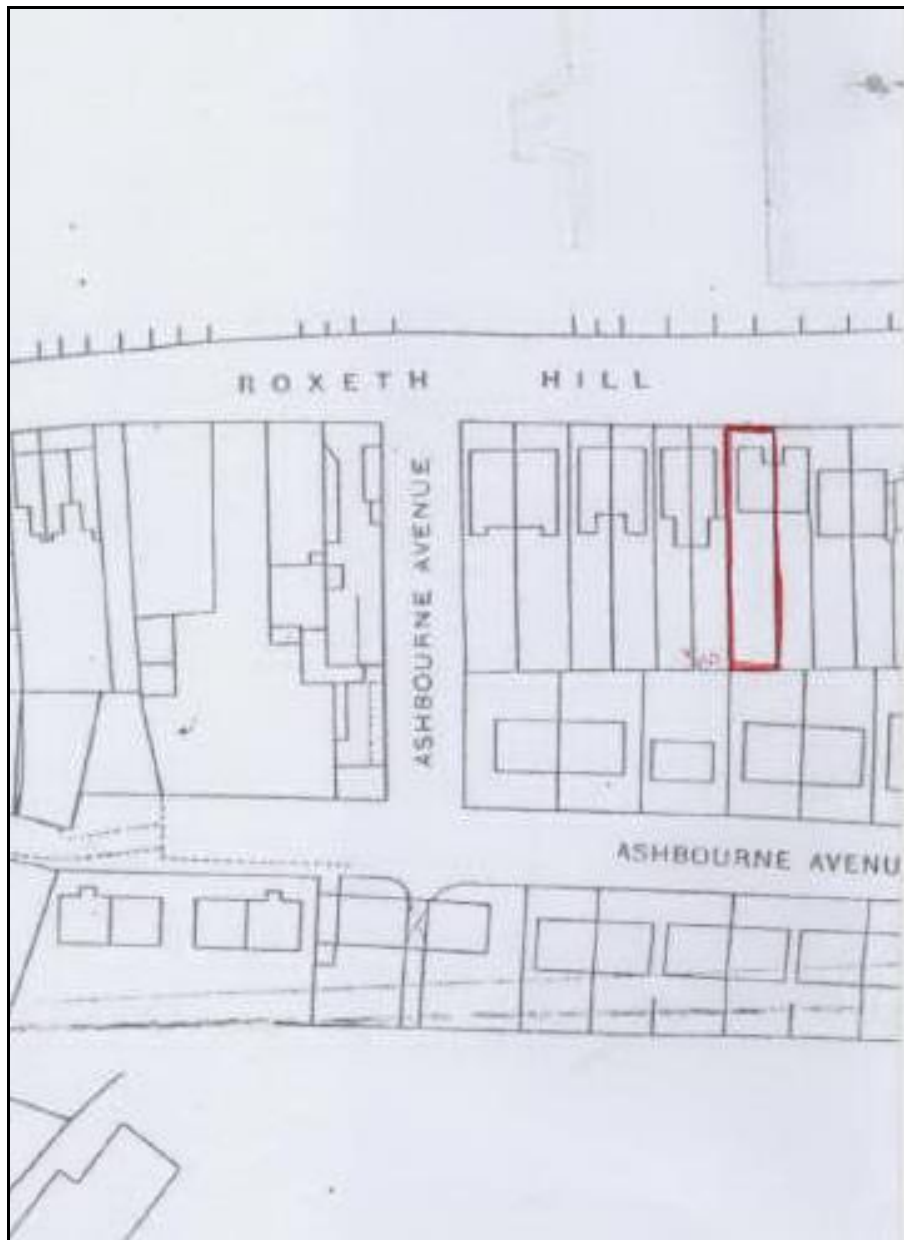


 = application site



42 Roxeth Hill, Harrow HA2 0JW	P/1715/20
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LOCATION PLAN 1:1250

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

2nd September 2020

APPLICATION NUMBER: P/1715/20

VALID DATE: 23rd JUNE 2020

LOCATION: 42 ROXETH HILL, HARROW

WARD: HARROW ON THE HILL

POSTCODE: HA2 0JW

APPLICANT: MS INGRIT GRUDA

AGENT: Mrs M VAJA

CASE OFFICER: BLYTHE SMITH

EXPIRY DATE: 4th AUGUST 2020

PROPOSAL

Single storey rear extension (demolition of conservatory)

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 RECOMMENDATION

The proposal would result in an acceptable impact on the visual amenities of the house and surrounding area and would have an acceptable impact on the residential amenities of neighbours. The proposals would preserve the character and appearance of the conservation area. As such the proposal would accord with the NPPF (2019), Policies 7.4B, 7.6B, 7.8C and 7.8D of the London Plan (2016), Policies D1, D4 and D6 of the Draft London Plan Intend to Publish Version (2019), Policy CS1.B of the Harrow Core Strategy (2012), Policies DM1 and DM7 of the Harrow Development Management Policies Plan (2013), the Harrow Supplementary Planning Document: Residential Design Guide (2010) and the Roxeth Hill Conservation Area Character Appraisal and Management Strategy.

INFORMATION

This application is reported to Planning Committee at the request of a nominated member in the public interest. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a)-1(h) of the Scheme of Delegation dated 12th December 2018.

Statutory Return Type:	(E)21 Householder Development
Council Interest:	None
Net Additional Floorspace:	14.62 sqm
GLA Community	
Infrastructure Levy (CIL):	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

It is considered that the proposed development would not adversely impact upon community safety issues or conflict with development plan policies in this regard.

1.0 SITE DESCRIPTION

- 1.1 The property is a semi-detached two storey single family dwellinghouse located on the south side of Roxeth Hill. The dwellinghouse occupies a plot with No. 40 Roxeth Hill to its western flank, No. 44 is adjoining to the eastern flank. The rear amenity space adjoins the rear amenity space of No.27 and No.29 Ashbourne Avenue. The property's principal/front elevation faces north, on to Roxeth Hill.
- 1.2 The property has an existing conservatory at approximate 3m height and 2.6m in depth. The property is on a gradient where the rear garden is lower than the proposed development.
- 1.3 The property is not a listed building but it is located within the Roxeth Hill conservation area.
- 1.4 The property is not subject to an article 4 Direction.
- 1.5 The site is located within a critical drainage zone.

2 PROPOSAL

- 2.4 The application proposes a single storey rear extension located on the southern side of the property and the demolition of the existing conservatory.
- 2.5 The proposed single storey rear extension would project 3m and would have a flat roof with a maximum height of 3.4m (measured from the lowest site level).
- 2.6 The proposed extension would be finished in materials to match with the existing house.

3.0 RELEVANT PLANNING HISTORY

- 3.1 A summary of planning history is set out below:

Ref no.	Description	Status & date of decision
P/3489/19	Single storey rear extension; external steps at rear (demolition of conservatory)	REFUSED 25 TH October 2019
Reason for refusal: 1. The proposed extension by reason of its excessive height, depth and minimal setback would result in a disproportionate development which would appear visually obtrusive, and would give rise to a loss of outlook and overbearing impacts to the rear protected windows and amenity space of No. 40 and No.44 Roxeth Hill which would be harmful to the residential amenities of the occupiers of this		

neighbouring property		
2. The proposed extension by reason of its scale and unsympathetic roof design would appear as an unduly bulky addition and contrived form of development which would be harmful to the character and appearance of the host dwelling and the area		
P/4822/19	Single storey rear extension; external steps at rear (demolition of conservatory)	REFUSED 13 th January 2020
Reason for refusal: 1. The proposed extension by reason of its excessive height and depth would appear visually obtrusive, and would give rise to a loss of outlook and overbearing impacts to the rear protected windows and amenity space of No.44 Roxeth Hill which would be harmful to the residential amenities of the occupiers of this neighbouring property		

3.2 Pre-application Discussion

3.2.1 No Pre-application discussion.

3 CONSULTATION

3.4 A total of 5 consultation letters were sent to neighbouring properties regarding this application. One site notice was placed in the local area. The minimum statutory consultation period expired on 23rd July 2020.

3.5 One objection was received from the public consultation.

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

<p>Character and appearance:</p> <ul style="list-style-type: none"> The construction needs to remain the same dimensions and style as existing. <p><i>Officer response: It is considered that the proposal would not detract from the character and appearance of the house and the area.</i></p> <p>Outlook and loss of sunlight:</p> <ul style="list-style-type: none"> The proposed development would reduce views from the kitchen and dining rooms of the neighbouring property <p><i>Officer response: The dining room window is located approximately at the same level as the rear elevation of No. 42, the extension would not project</i></p>

more than 3m beyond this elevation. The kitchen window is dual aspect with the outrigger on No. 40 , the outlook from the flank window is not protected. The proposal is considered to have an acceptable impact with regard to outlook and privacy of neighbours.

3.7 Statutory and non-statutory consultation

3.8 A summary of the consultation responses received along with the officer comments are set out in the table below.

Conservation Officer	The proposal is small scale and neat. As long as materials were conditioned to match the existing, this would preserve the character and appearance of the conservation area.
CAAC	Brick on edge on creasing tile parapet wall to flat roof preferable.

3.9 A section is included below on drainage as the site is located in a critical drainage area and as such relevant informatives are necessary and recommended.

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 2019] which sets out the Government’s planning policies for England and how these should be applied, 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].

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 (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

- 5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel's report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an 'Intend to Publish' version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.
- 5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant polices referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Character and Appearance of the Conservation Area
- Residential Amenity
- Flood Risk and Drainage

6.2 Character and Appearance of the Conservation Area

6.2.1 The relevant policies and guidance are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 7.3B, 7.4B, 7.6B, 7.8C and 7.8D
- The Draft London Plan Intend to Publish Version (2019): D2 and D3
- Harrow Core Strategy (2012): CS1B
- Harrow Development Management Policies (2013): DM1 and DM7
- Harrow Residential Design Guide SPD (2010)
- Roxeth Hill Conservation Area Character Appraisal and Management Strategy

6.2.2 Development Management Policy DM1 (2013) states "All development and change of use 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".

6.2.3 The proposed single storey rear extension would not be visible from the public domain and would therefore not have a degree of impact on the street scene. It is noted that the proposed single storey rear extension will extend 0.4m deeper than the existing conservatory and the property benefits from a generous rear amenity space and therefore the proposed extension would not appear cramped within the site and would leave ample amenity space for the users of the site.

- 6.2.4 It is noted that objections have been received stating the proposal would be out of character for the area and the property.
- 6.2.5 The extension is above a height than usually permitted, however, this is not significantly taller than currently in situ and there is a gradient difference to the rear elevation. Having regard to the site constraints, the proposed height is considered to be acceptable.
- 6.2.6 Harrow Council's Heritage Officer and the Conservation Area Advisory Committee has been consulted on the plans and have confirmed the proposals would be considered acceptable in relation to the Roxeth Hill Conservation area. The CAAC stated that brick edging on the parapet would be preferable for design.
- 6.2.7 In conclusion, the proposal is therefore considered to have an acceptable impact on the character and appearance of the main house, the street scene and would preserve the character and appearance of the conservation area. There, the proposal would meet with the relevant policies and guidance listed above.

6.3 Residential Amenity

- 6.3.1 The relevant policies and guidance are:
- National Planning Policy Framework (2019)
 - The London Plan (2016): 7.6B
 - The Draft London Plan (Intend to Publish Version) (2019): D6
 - Harrow Core Strategy (2012): CS1
 - Harrow Development Management Policies (2013): DM1
 - Harrow Residential Design Guide SPD (2010)
- 6.3.2 The proposed ground floor rear extension would not project beyond 3m of either the two rear elevations of no. 40 or the rear elevation of No. 44 Roxeth Hill. It will have be 3.4m in maximum height, however this is required to provide a useable area due the gradient in the rear amenity space. The impact of this is offset by the distance between the development and the boundary (0.9m) and the neighbouring properties built patio.
- 6.3.3 It is noted that objections have been received regarding the loss of outlook and sunlight.
- 6.3.4 The window on the flank elevation of No. 40 will directly face the proposed extension however this is a secondary window to the kitchen, as there are patio doors to the rear of the outrigger. Given that the primary source of light and outlook would be from the rear facing window in the outrigger, the view from the flank elevation window would not be protected in line with the Council's guidance.
- 6.3.5 The proposed development would project 3m beyond the window on the rear elevation that provides outlook for the reception room of No. 44. The application property and this neighbour both benefit from the gradient in the rear amenity

space, therefore the 3.4m height of the proposed extension, if stood at this window, would appear at 3.1m in height due to the change in ground level. Additionally there will be 0.9m between the development and the common boundary off setting harm further.

6.3.6 In conclusion, the proposal would not give rise to any adverse impact in terms of loss of outlook, sunlight or loss of privacy to neighbours.

6.4 Development and Flood Risk

6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.13
- The Draft London Plan (Intend to Publish Version) (2019): SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM10

6.4.2 Policy DM9 B of the Development Management Policies Local Plan (2013) states, “proposals that would fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.”

6.4.3 The application site is located within a critical drainage area as defined by the maps held by the local drainage authority. The site is not located within a flood zone. As such this permission contains an informative relating to the provision of sustainable drainage systems.

7.0 CONCLUSIONS AND REASONS FOR APPROVAL

7.1 The proposal would result in an acceptable impact on the visual amenities of the house and surrounding area, would preserve the character and appearance of the conservation area and would have an acceptable impact on the residential amenities of neighbours. As such, the proposal would accord with the NPPF (2019), Policies 7.4B, 7.6B, 7.8C and 7.8D of the London Plan (2016), Policies D1, D4 and D6 of the Draft London Plan Intend to Publish Version (2019), Policy CS1.B of the Harrow Core Strategy (2012), Policies DM1 and DM10 of the Harrow Development Management Policies Plan (2013), the Harrow Supplementary Planning Document: Residential Design Guide (2010) and the Roxeth Hill Conservation Area Appraisal and Management Strategy.

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 plans and documents

The development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and document Schedule of application documents: Location Plan; 19/042/ROX/001; Heritage Statement; Design & Access Statement

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

3. Windows 1

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) shall be installed in the side and rear elevation(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.

4. Materials

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 safeguard the character and appearance of the area.

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework 2019

The London Plan 2016

7.4B, 7.6B, 7.8C, 7.8D

Draft London Plan Intend to Publish Version 2019

D1, D4, D6

The Harrow Core Strategy 2012

CS1.B and CS1.D

Harrow Development Management Policies Local Plan 2013

DM1, DM7, DM10

Relevant Supplementary Planning Document

Supplementary Planning Document: Residential Design Guide (2010)
Roxeth Hill Conservation Area Character Appraisal and Management Strategy

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. 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 CLG website:

4. 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 39-42 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.

5. 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. Surface and foul water connections

The applicant is advised that the Drainage Authority in Harrow recommends the submission of a drainage plan, for their approval, indicating all surface and foul

water connections and their outfall details. Please also note that separate systems are used in Harrow for surface water and foul water discharge. Please email infrastructure@harrow.gov.uk with your plans.

6. Damage to 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.

CHECKED

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar 20.8.20
Corporate Director	Hugh Peart pp Paul Walker 20.8.20

APPENDIX 2: LOCATION PLAN



APPENDIX 3: SITE PHOTOGRAPHS



Figure 1 Existing rear elevation



Figure 2 Towards the rear elevation of No. 44 Roxeth Hill



Figure 3 Towards the rear elevation of No. 40 Roxeth Hill



Figure 4 Flank elevation of the outrigger on No. 40 Roxeth Hill, taken from the rear steps of the existing rear extension

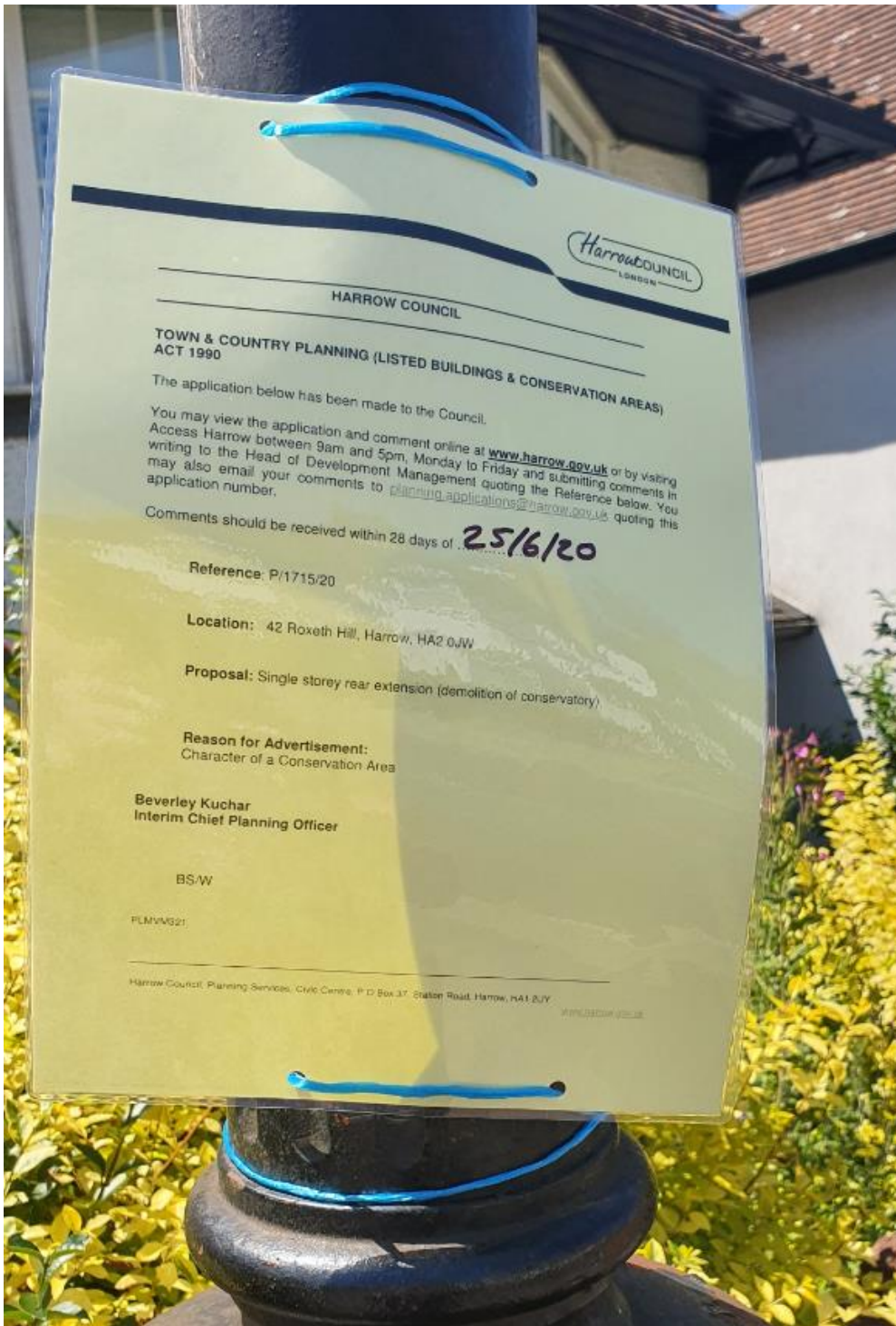


Figure 5 Site notice

APPENDIX 4: PLANS AND ELEVATIONS

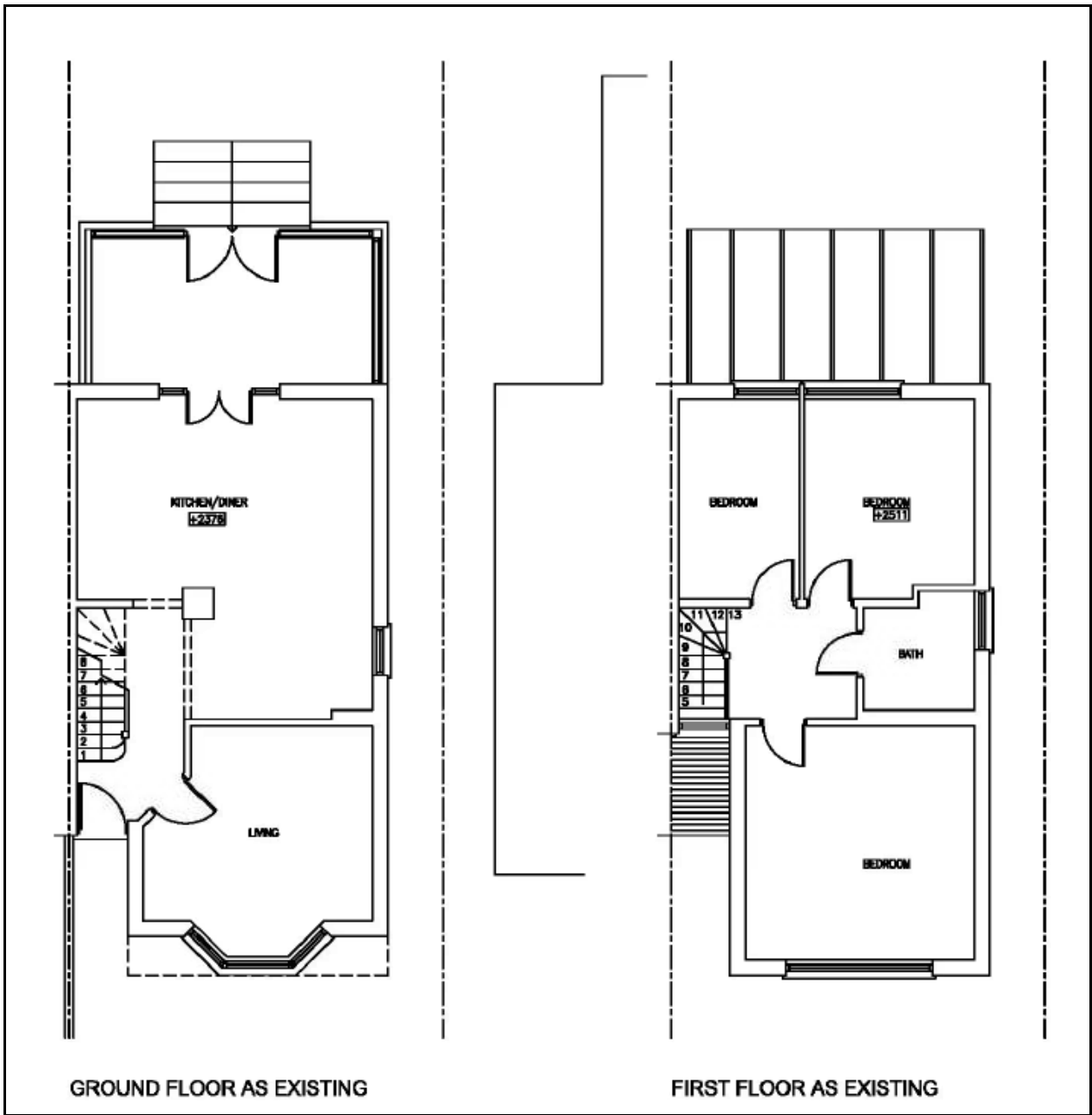


Figure 6 Existing floor plans

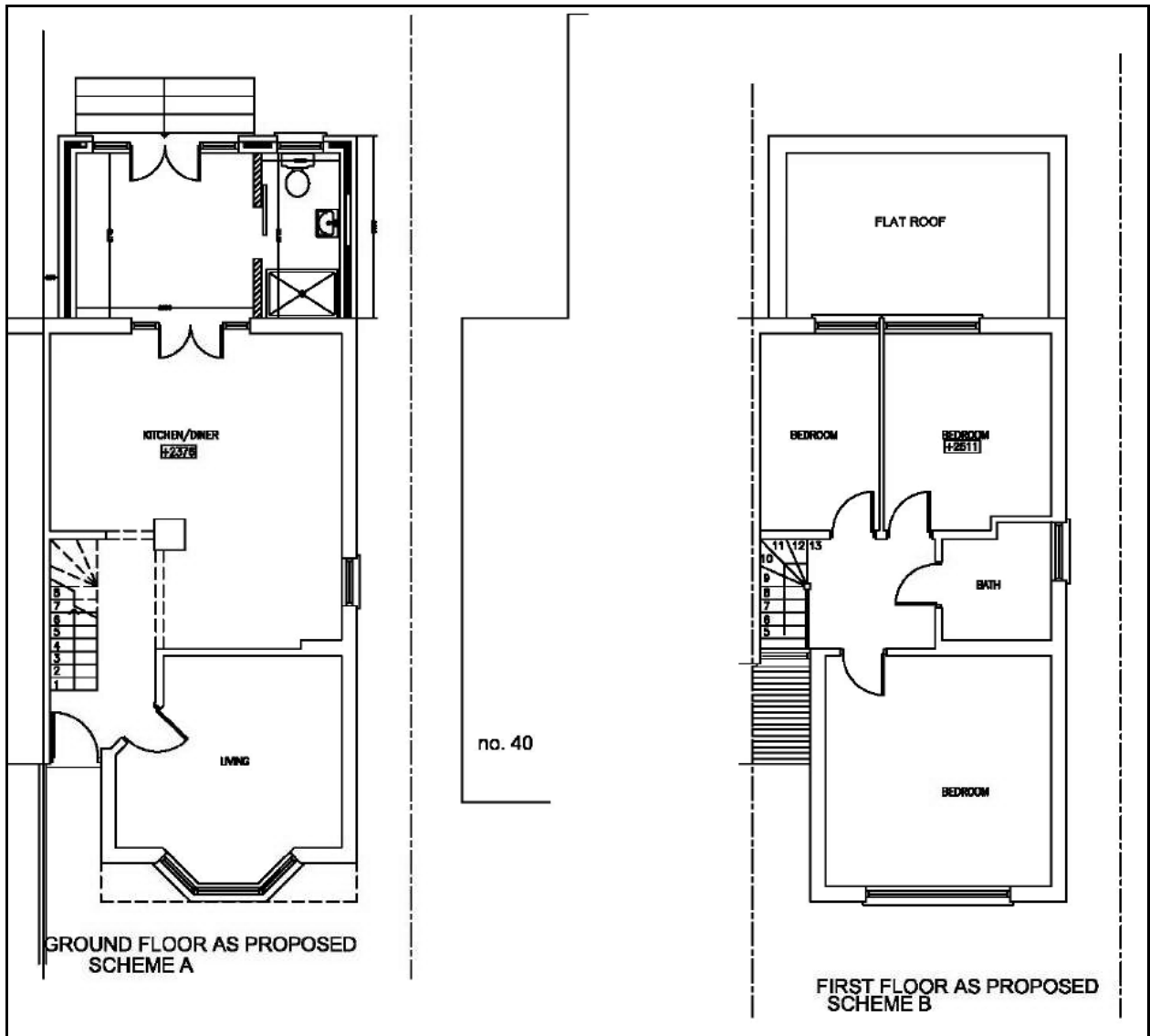


Figure 7 Proposed Floor Plans

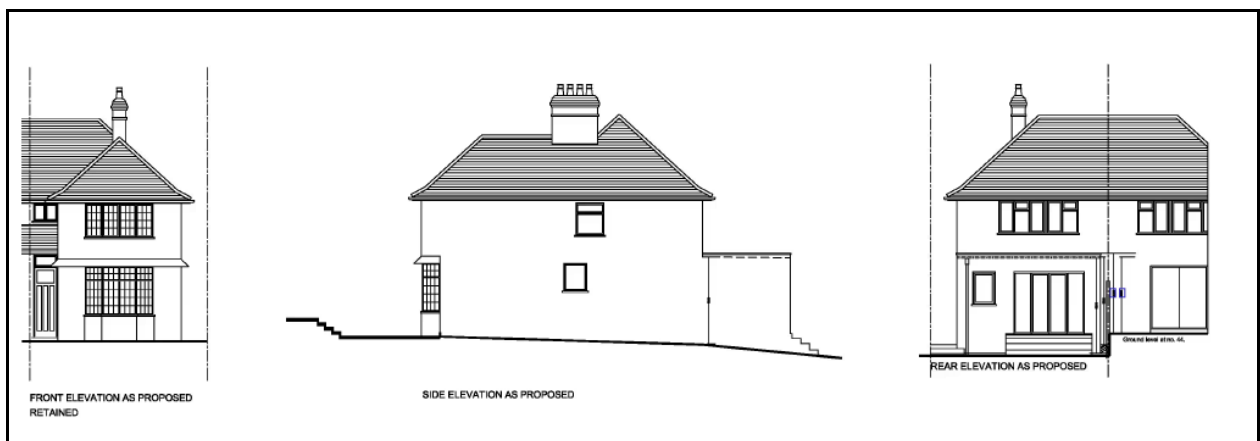


Figure 8 Existing Elevations

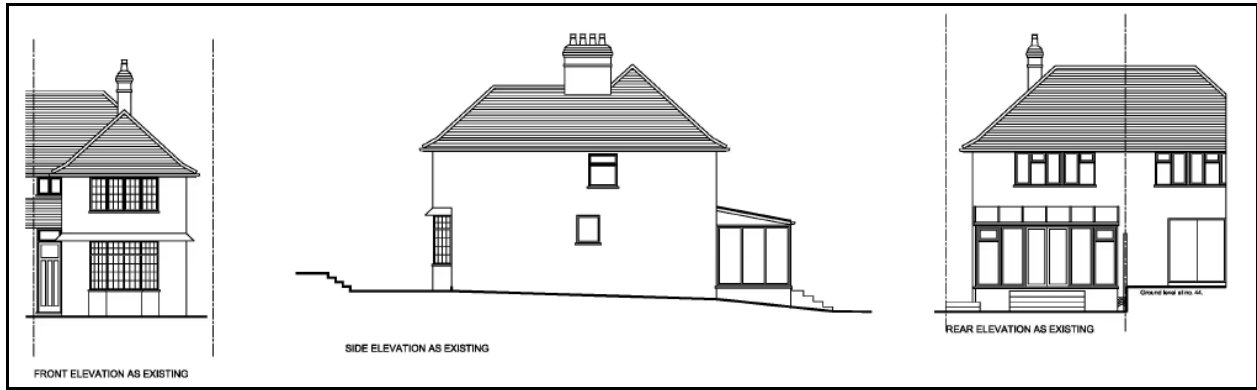


Figure 9 Proposed Elevations