

Meeting:	Development Control Committee
Date:	Wednesday 7 June 2006
Subject:	341A Northolt Road, South Harrow
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Rebecca Phillips
Portfolio Holder:	To be confirmed
Enclosures:	Site Plan
Key Decision:	No
Status	Part 1

Section 1: Summary

This report relates to the unauthorised construction of a first floor rear extension at 341A Northolt Road, South Harrow, and seeks authority to initiate enforcement action for its removal.

The first floor rear extension, by reason of excessive bulk and prominent siting, is unduly obtrusive in the street scene, and is detrimental to the visual and residential amenities of the occupiers of the adjacent properties, and the character of the locality.

The development is contrary to policies SD1, D4, D6 of the Harrow Council Unitary Development Plan 2004. 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 first floor rear wooden extension.
- (ii) The permanent removal from the land of the materials arising from

compliance with the requirements in (b) (i) above.

(c) [(b)] (i) and (ii) should be complied with within a period of one (1) month 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 Director of Legal Services 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)

- 2.0 P/2354/05/DFU – 3m brick wall, external metal stairs and alterations to first floor flat at rear, refused 28-10-2005

Background Information and Options Considered

- 2.1 The property is situated on the eastern side of Northolt Road and is located in a run of similar properties with commercial uses on the ground floor, and flats above. The area is a utilitarian service area which influences the character of the surrounding properties which predominantly comprise brick buildings. Such properties do not benefit from residential permitted development rights. In stark contrast the development comprises a wooden canopy structure, partly covered on one side with ply board.

- 2.2 The following policies of the Harrow Council Unitary Development Plan 2004 are applicable:

-Policy D4 *The Standard of Design and Layout*

-Policy D6 *Design in Employment Areas*

-This policy is reinforced in the more general Policy, SD1 *Quality of Design*

- 2.3 Policy D4 of the Harrow Council Unitary Development Plan 2004 (UDP) states that the Council expects a high standard of design and layout in all development and when considering a development the Council will take into account a number of factors including the site and setting, layout, access, movement and the adequate storage of refuse. The first floor rear extension is 5m x 2.85m wide x 2.76m high with a total volume of 39.33m³, covering the whole of the extended ground floor roof area. The area is a utilitarian service area, and although the development does not affect the layout, access, and storage of refuse it is considered that the development is unsightly, obtrusive and out of keeping in this setting.

The UDP states that new development should contribute to the creation of a positive identity for the area through the quality of building layout and design, and take into account the character and landscape of the locality within which it is built. As stated above the property is located within a run of similar properties with commercial uses on the ground floor, and flats above. The surrounding properties are predominantly occupied with brick buildings. In stark contrast the development comprises a wooden ply board canopy structure conflicting with the character/ design of surrounding buildings in the area.

The UDP notes that much of the Borough's attraction lies in the consistent quality of the design and layout of its buildings and public space. The wooden rear extension conflicts with the predominant type of development

in the area it does not comply with Harrow Council's aim of achieving a high standard of design which has regard to the particular characteristics of the site and its integration with the surrounding area.

- 2.4 Policy D6 states that all development in employment areas should be built to a high standard of design, and should not have an adverse impact on the surrounding environment or infrastructure. When seen from the surrounding area, employment development should have a clear design treatment of its boundary, clear and defined entrances, and a skyline and roofscape appropriate to the area. As constructed the rear extension does not positively contribute visually to the surrounding environment, impacting upon the residential amenities of the occupiers of the adjacent properties and the character of the locality, contrary to Policy D6.
- 2.5 The first floor rear wooden extension does not benefit from permitted development in accordance with the Town and Country Planning (General Permitted Development) Order 1995. Any external alterations to commercial premises require planning permission. Planning permission for the retention of the first floor wooden extension has been sought.

The alleged breach of planning control

- 2.6 Without planning permission, the construction of first floor rear extension.

Reasons for issuing the notice

- 2.7 It appears to the Council that the above breach of planning control occurred within the last 4 years.
- 2.8 The first floor rear extension, by reason of excessive bulk and prominent siting, is unduly obtrusive in the street scene, and is detrimental to the visual and residential amenities of the occupiers of the adjacent properties, and the character of the locality, the development is contrary to policies SD1, D4 and D6 of the Harrow Council Unitary Development Plan 2004.
- 2.9 The Council does not consider that planning permission should be granted because planning conditions cannot overcome these problems.

Consultation

- 2.10 -Ward Councillors copied for information
-Harrow Council Legal Services
-Harrow Council Financial Services

Financial Implications

- 2.11 None.

Legal Implications

2.12 As contained in the report.

Equalities Impact

2.13 None.

Section 17 Crime and Disorder Act 1998 Considerations

2.14 None

Section 3: Supporting Information/ Background Documents

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