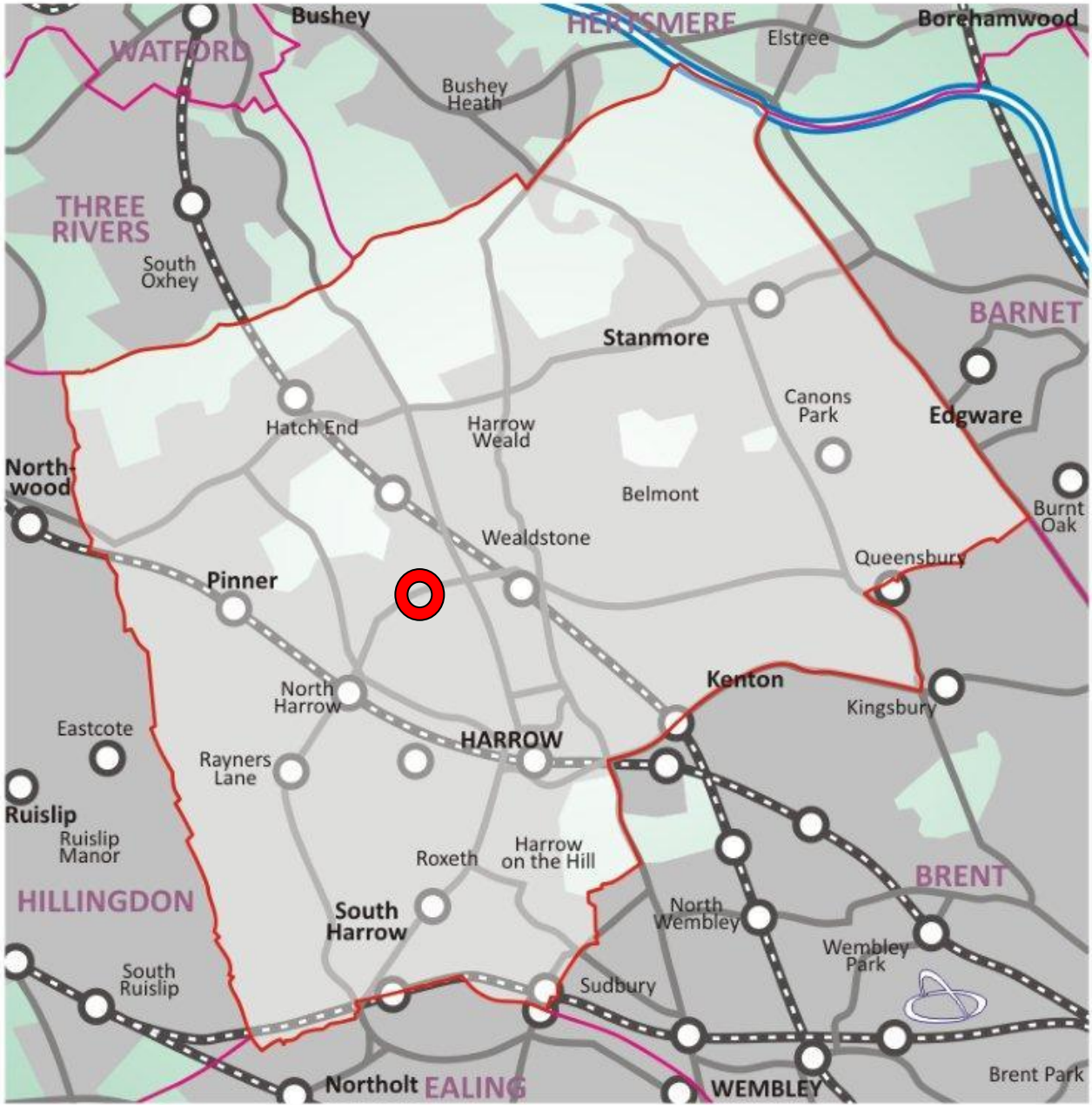
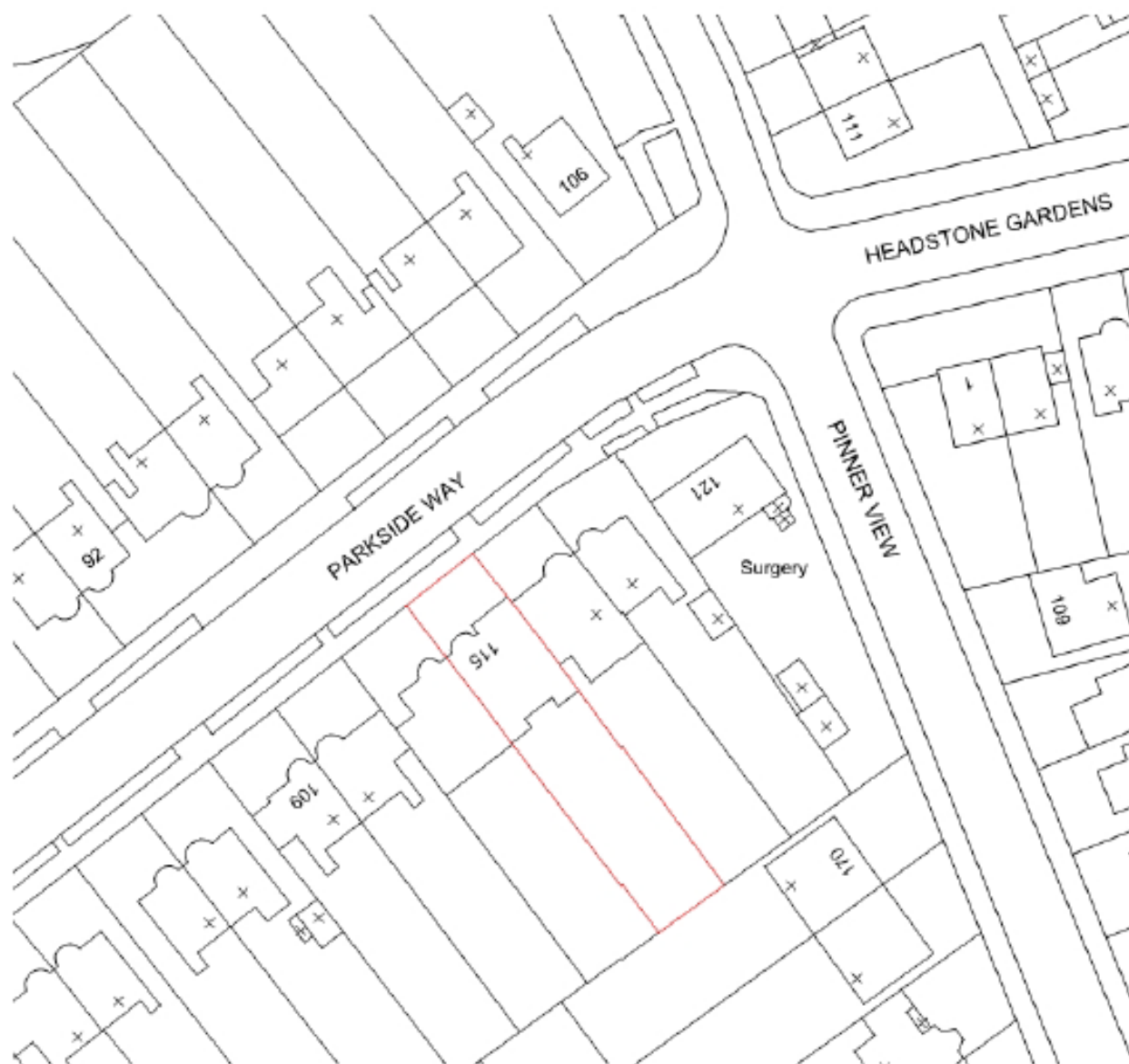


 = application site



115 Parkside Way, Harrow HA2 6DB	P/0183/21
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115 Parkside Way, Harrow



Location Plan

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

9th JUNE 2021

APPLICATION NUMBER: P/0183/21
VALID DATE: 31ST JULY 2020
LOCATION: 115 PARKSIDE WAY, HARROW
WARD: HEADSTONE SOUTH
POSTCODE: HA2 6DB
APPLICANT: MR M TRIVEDI
AGENT: MODHWADIA DESIGN SERVICES
CASE OFFICER: FERGUS FREENEY
EXPIRY DATE: 25TH SEPTEMBER 2020

PROPOSAL

Alterations And Extension To Raise Roof Height Over Single Storey Front To Side Extension; Pitched Roof To Front Porch; Installation Of Two Air Conditioning Units To Rear (Retrospective)

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 is of an appropriate scale and design, it would have an acceptable impact on the visual amenities of the subject property and surrounding area and would have an acceptable impact on the residential amenities of neighbouring properties. As such, the proposal would accord with the NPPF (2019), Policy D3 of the London Plan (2021), Policy CS1.B of the Harrow Core Strategy, Policy DM1 of the Harrow Development Management Policies Plan, and the Harrow Supplementary Planning Document: Residential Design Guide (2010).

INFORMATION

This application is reported to Planning Committee at the request of a nominated member due to objections raised by neighbours and therefore falls within proviso A of the Scheme of Delegation.

Statutory Return Type:	E21 Householder Development
Council Interest:	N/A
Net additional Floorspace:	N/A
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

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 subject site is located on the south east side of Parkside Way and comprises a semi-detached, two-storey dwellinghouse.
- 1.2. The subject site adjoins No.113, which is to the south west, forming the semi-detached pair. The neighbouring property to the north east at No.117 is also a two-storey, semi-detached property which has been extended with as two-storey side extension.
- 1.3. The site is not a listed building or a locally listed building, nor is it within a conservation area.
- 1.4. The site is within a critical drainage area and Surface Water Flood Zone 3A (but is not subject to any other flooding constraints).

2.0 PROPOSAL

- 2.1. Planning permission was previously granted under reference P/0547/18 (see planning history below) for a single storey front extension; single and two storey side extension; pitched roof over front porch; single storey rear extension; alterations to roof; rooflight in front roofslope.
- 2.2. However, the development was not implemented/retained in accordance with the approved plans and the application seeks to regularise this matter.
- 2.3. As such, the application seeks the retention of;
 - Alterations and extensions to raise the roof height of single storey front extension.
 - Pitched roof to front porch
 - Installation of two air-conditioning units to rear, above ground level extension.

3.0 RELEVANT PLANNING HISTORY

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

Ref no.	Description	Status & date of decision
P/0547/18	Single storey front extension; single and two storey side extension; pitched roof over front porch; single storey rear extension; alterations to roof; rooflight in front roofslope (demolition of attached garage, rear extension and conservatory)	Granted 11/04/2018
P/4208/19	Alterations and extension to raise roof height over single storey front to side extension; pitched roof to front porch;	Refused 13/12/2019

	installation of two air conditioning units to rear (Retrospective)	
Reason for refusal: The existing floorplans and elevations do not reflect the site circumstances with regards to the size and siting of the existing air conditioning units. Notwithstanding this, it has not been demonstrated to the satisfaction of the Local Planning Authority that the retention of the existing air conditioning units would not result in a detrimental impact to the residential amenities of the neighbouring properties due to noise disturbance, contrary to the National Planning Policy Framework (2019) to policies 7.6B and 7.15 of The London Plan (2016) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).		
P/2662/20	Alterations and extension to raise roof height over single storey front to side extension; pitched roof to front porch; installation of two air conditioning units to rear (Retrospective)	Refused: 25/09/2020
Reason for refusal: The existing floorplans and elevations do not reflect the site circumstances with regards to the size and siting of the existing air conditioning units. Notwithstanding this, it has not been demonstrated to the satisfaction of the Local Planning Authority that the retention of the existing air conditioning units would not result in a detrimental impact to the residential amenities of the neighbouring properties due to noise disturbance, contrary to the National Planning Policy Framework (2019) to policies 7.6B and 7.15 of The London Plan (2016) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).		

4.0. CONSULTATION

- 4.1. A total of 3 consultation letters were sent to neighbouring properties regarding this application.
- 4.2. The overall public consultation period expired on 11th March 2021 and 1 objection was received which is summarised below.

Noise impact

- The a/c units were not in operation during the environmental noise survey
- The noise surveyor has not heard the sound of the units
- The noise surveyor has relied on manufacturer's specifications

Officer comment: A standard methodology has been followed in the noise assessment. The report has been reviewed by the Council's Environmental (EH)

officer and no concerns with the methodology have been raised. The aim of the environmental noise survey is to analyse the existing ambient background noise. Were the a/c units in operation during this monitoring it would establish a higher background noise level (thus enabling louder operation of the units).

For further details of the noise assessment see section 6.5 below

Character and appearance:

- The A/C units are an eyesore

Officer Comment: Refer to section 6.4 below

The A/C units have been previously considered to be acceptable in refused application P/4208/19 where it is stated in the officer's report that: "The [A/C] units do not have any housing or screening, however it is considered that the units, due to their quantity and size, and siting to the rear of the property, do not result in a detrimental impact in terms of character and appearance".

There has been no change in Council policy or the legislative framework and it remains the opinion of officer's that the A/C units do not cause adverse visual impact.

- 4.3. A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee and Summary of Comments
<p><u>Environmental Health Officer</u></p> <p>Acoustic plant enclosure as outlined in Section 6 of the noise report is required.</p> <p>If committee are minded to approve the application we require full details regarding the acoustic plant enclosure:</p> <p><i>The development shall not begin until a scheme which specifies the provisions to be made for the control of air conditioning noise emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of physical and other measures as may be approved by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.</i></p> <p>Officer Comment: As the air conditioning units are in place a suitably worded condition will be imposed to ensure that they are not used until full details of mitigation measures are submitted and approved by the Council. The approved measures will then be required to be retained and maintained thereafter.</p>

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 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.
- 5.4. In this instance, the Development Plan comprises The London Plan 2021 [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]. The relevant policies are 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 Area
- Residential Amenity
- Development Flood Risk

6.2. Character and Appearance of the Area

- 6.2.1. The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2021: D3.D1
- Harrow Core Strategy 2012:CS1B
- Harrow Development Management Policies Local Plan (2013):DM1

Relevant Supplementary Documents

- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)

- 6.2.2. Planning permission was previously granted (ref: P/0547/18) for a single storey front extension; single and two storey side extension; pitched roof over front porch; single storey rear extension; alterations to roof; rooflight in front roofslope. However, the development was not implemented/retained in accordance with the approved plans and the application seeks to regularise this matter.
- 6.2.3. Two subsequent applications were refused (refer to planning history above), both for a similar reason, being potential noise impact.

6.2.4. However, within the officer's report for these applications it was established that the retrospective works have an acceptable impact on the character and appearance of the house and the wider area, with the report for P/2662/20 stating:

"The approved plans (P/0547/18) indicated a mono-pitched roof over the front porch and single storey side extension. However, a gable frontage was constructed over the front porch, thereby increasing its maximum height and amended its design and appearance. The front porch is no deeper than what was approved. It is considered that the alterations to the roof design do not result in a detrimental impact in terms of character and appearance.

Two air conditioning units have been installed to the rear of the dwellinghouse, upon the single storey rear extension. The units do not have any housing or screening, however it is considered that the units, due to their quantity and size, and siting to the rear of the property, do not result in a detrimental impact in terms of character and appearance.

The existing development in relation to this application is of a modest size and scale and has an acceptable impact on the character and appearance of the house and the area in accordance with the relevant development plan policies".

6.2.5. There has been no material change in Council policy or the wider legislative framework and Council Officers are satisfied that the retrospective works remain acceptable in terms of character and appearance.

6.2.6. In summary, the proposal would be in keeping with to the character and appearance of the existing dwelling and the street scene, in accordance with National Planning Policy Framework (2019), Policy D3.D.1 and D3.D.11 of the London Plan (2021), Core Policy CS1 (B) of the Harrow Core Strategy (2012), policy DM 1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).

6.3. Residential Amenity

6.3.1 The relevant policies are:

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM27
- London Plan Policy D3.D7

Relevant Supplementary Documents

- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)

6.3.2. Policy DM1 of the DMP seeks to ensure that "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 the development, will be resisted".

- 6.3.3. It goes on the state that the assessment of the design and layout of proposals will have regard to the impact of the proposed use and activity upon noise.

Front Extension and Porch

- 6.3.4. The retrospective works to the front extension relate only to minor design alterations to amend the pitch of the front extension roof slope and provide a flat roof element. The works to the front porch introduce a gable end above the main door.
- 6.3.5. The front porch is no deeper or wider than what was approved, the proposed gable end does not introduce any amenity impacts as it is set away from the boundary and the height of the roof over the front extension would be no higher than that which was approved previously, and amounts to minor design alterations.
- 6.3.6. The resultant structure, due to its overall size and siting and relationship with neighbouring properties, is not unduly prominent nor does it result in a detrimental impact to the residential amenities of the neighbouring properties.

Air Conditioning Units

- 6.3.7. Two air conditioning units have been installed to the rear of the dwellinghouse, on the rear face of the existing building above the single storey rear extension. The units do not have any housing or screening and they are sited towards the eastern flank wall. set-in approximately 0.15m from the boundary of the site, shared with No.117 Parkside Way.
- 6.3.8. The applicant has submitted a noise report which recommends a series of noise control measures in order to achieve appropriate sound mitigation, including installation of acoustically absorptive lining and that rooftop plant enclosure is installed to encase the units.
- 6.3.9. The report has been reviewed by the Council's Environmental Health Officer who has raised no concerns with the methodology of the report and has recommended the following:
- The development shall not begin until a scheme which specifies the provisions to be made for the control of air conditioning noise emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of physical and other measures as may be approved by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.*
- 6.3.10. As the air conditioning units are in place a suitably worded condition will be imposed to ensure that they are not used until full details of mitigation measures are submitted and approved by the Council. The approved measures will then be required to be retained and maintained thereafter.
- 6.3.11. In summary, the proposal would have an acceptable impact on neighbouring in accordance with National Planning Policy Framework (2019), Policy D3.D.7 of the

London Plan (2021), Core Policy CS1 (B) of the Harrow Core Strategy (2012), policy DM 1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).

6.4. Development and Flood Risk

6.4.1. The development would not result in any additional hardsurfacing on the site and would therefore have a neutral impact in terms of flood risk.

7.0. CONCLUSION AND REASONS FOR APPROVAL

7.1. The proposal is of an appropriate scale and design, it would have an acceptable impact on the visual amenities of the subject property and surrounding area and would have an acceptable impact on the residential amenities of neighbouring properties. As such, the proposal would accord with the NPPF (2019), Policy D3.D.7 and D3.D.11 of the London Plan (2021), Policy CS1.B of the Harrow Core Strategy, Policy DM1 of the Harrow Development Management Policies Plan, and the Harrow Supplementary Planning Document: Residential Design Guide (2010).

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. Within 2 months of the date of the application hereby approved, a scheme which specifies the provisions to be made for the control of air conditioning noise emanating from the site shall be submitted to and approved in writing by the Local Planning Authority. The air conditioning units shall not be used until such mitigation measures are approved by the Council and fully installed. The mitigation measures must ensure noise emanating from the units accords with BS41 42:2014. The scheme shall include such combination of physical (such as absorptive lining and acoustic enclosures) and other measures as may be approved by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON: To ensure that the proposed development does not give rise to noise nuisance to neighbouring residents, in accordance with policy DM1 of the Harrow Development Management Local Policies Plan 2013.

2. Approved Plans and Documents

The development hereby permitted shall be carried out in accordance with the following documents and plans: MD/3059-04A/LB; MD/3059-05A/LB; MD/3059-06A/LB; MD/3059-07A/LB; Noise Report (Planning Compliance Report 20559.PCR.02 by KP Acoustics, Dated 03/11/2020).

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

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2019)

London Plan 2021:

D3 – Optimising site capacity through the design-led approach

The Harrow Core Strategy 2012:

CS1 – Overarching Policy Objectives

Harrow Development Management Policies Local Plan 2013:

DM1 – Achieving a High Standard of Development

Supplementary Planning Documents:

Residential Design Guide (2010)

2. 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) 0800-1300 hours Saturday

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. Grant without Pre-App Advice

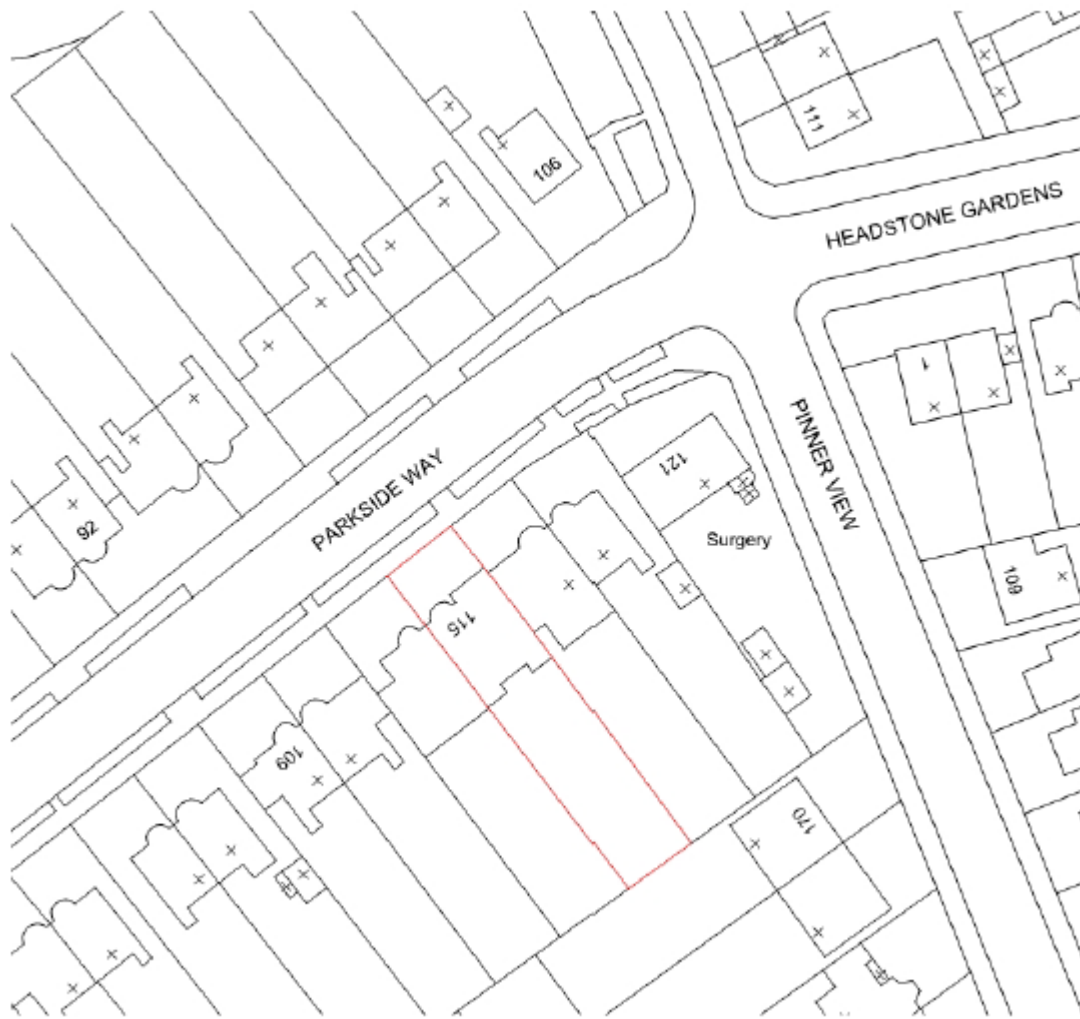
Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015

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.

Checked

Head of Development Management	Orla Murphy 27.5.21
Interim Corporate Director	Mark Billington 27.5.21

APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOS

Front Elevation

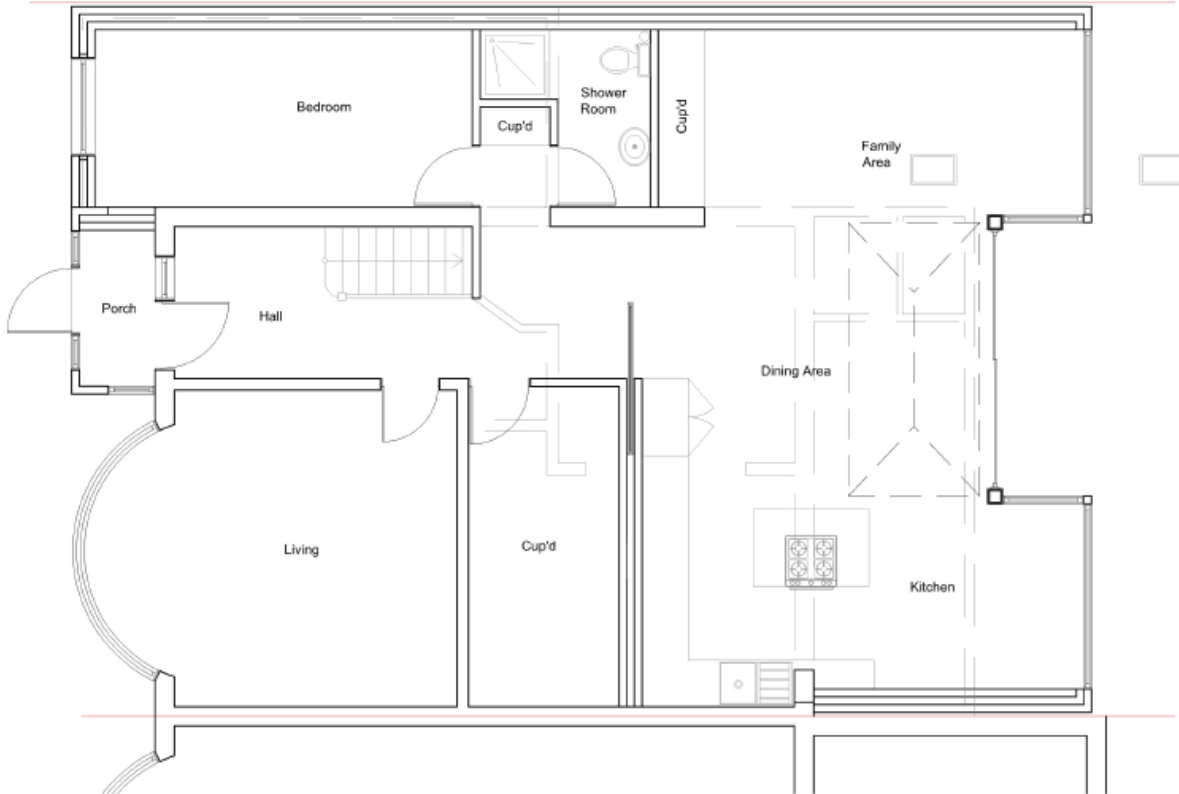


Rear Elevation (No.44 to the left, No.40 to the right):

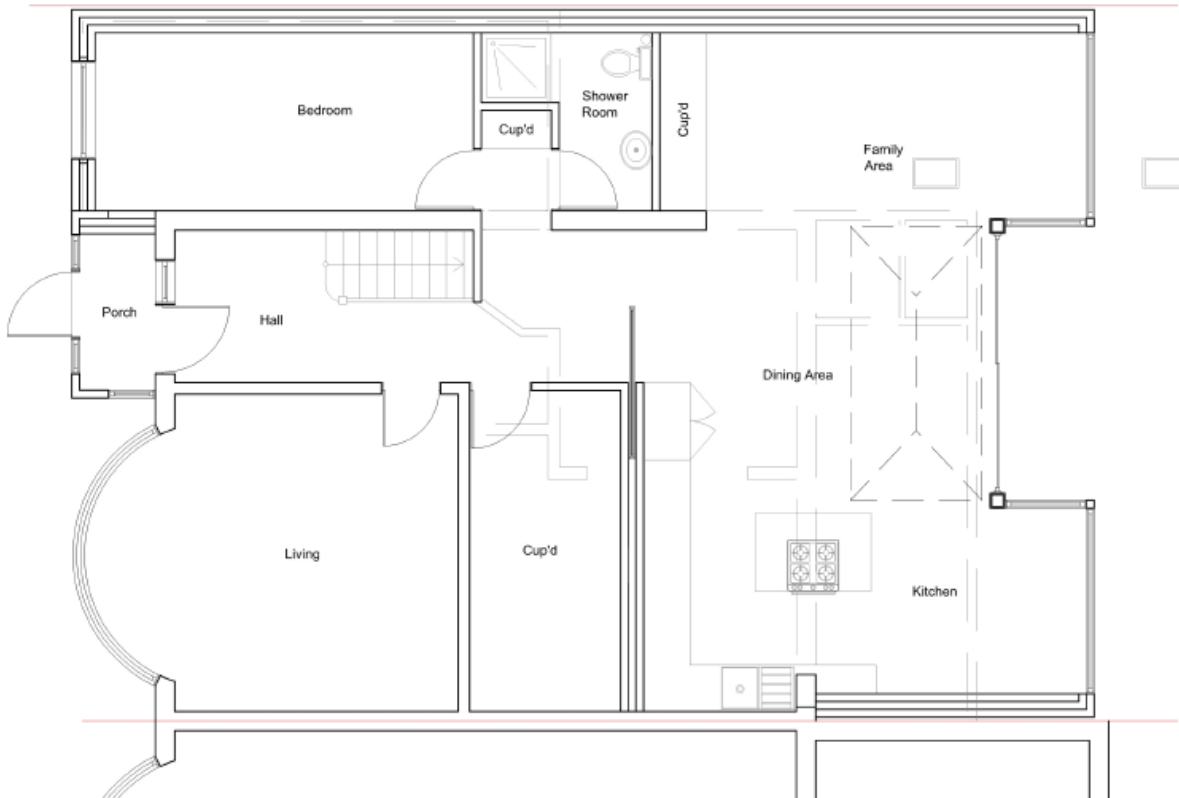


APPENDIX 4: PLANS AND ELEVATIONS

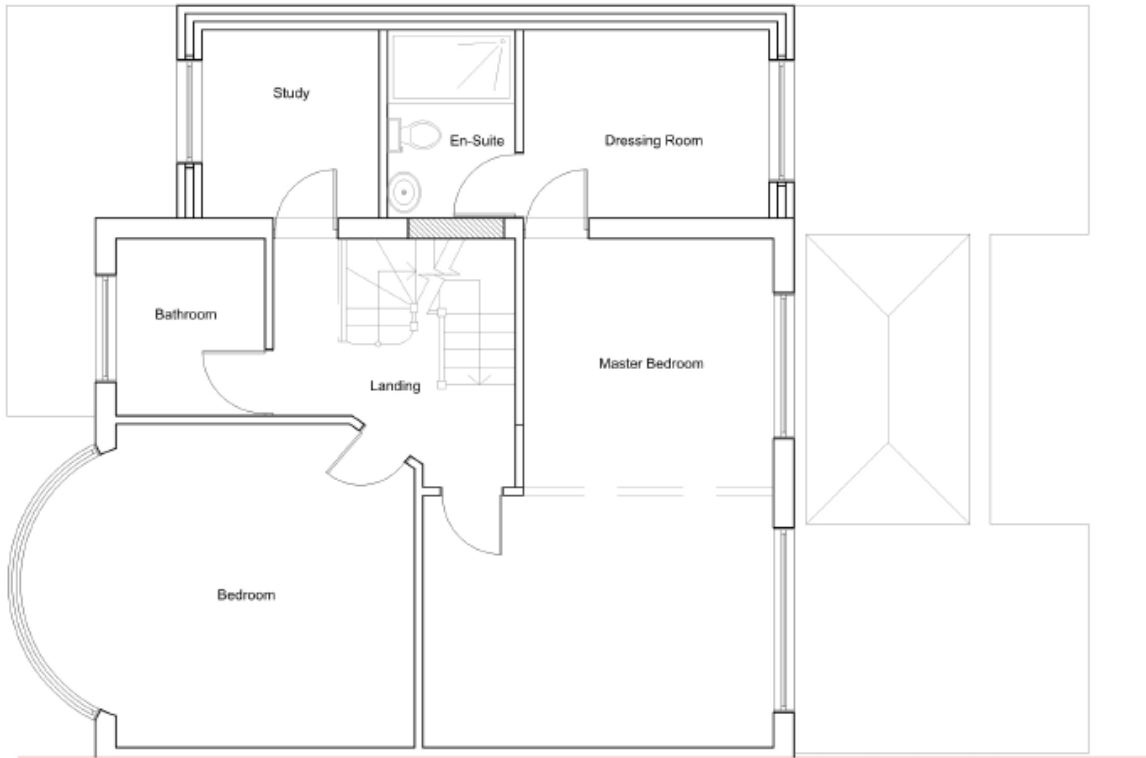
Approved Ground Floor Plan



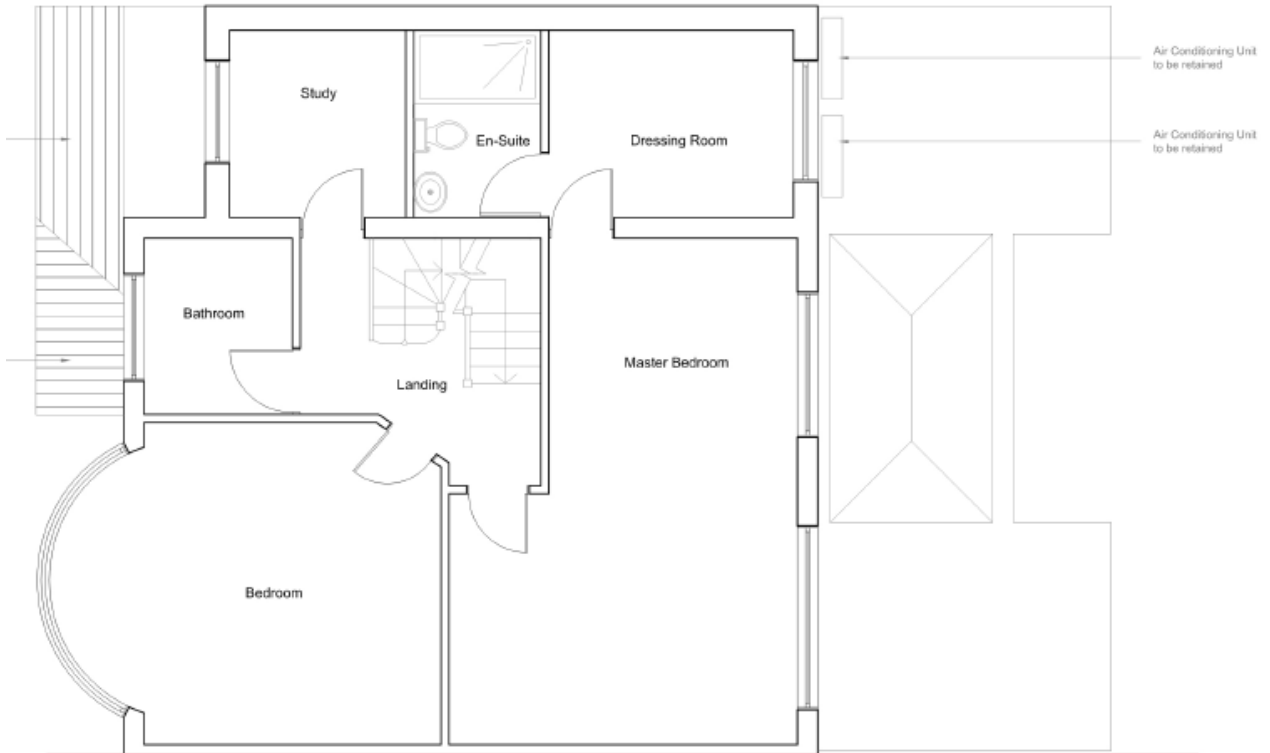
Existing (as-built) ground floor plan



Approved First Floor Plan



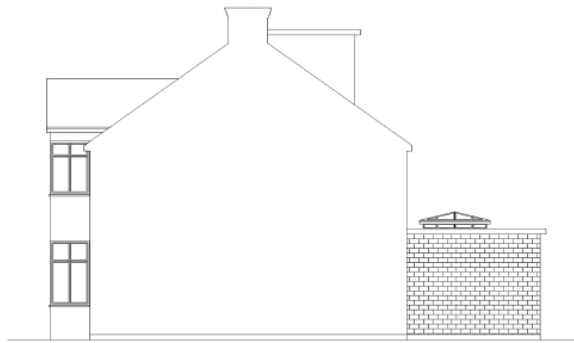
Existing (As-built) First Floor Plan



Approved Elevations



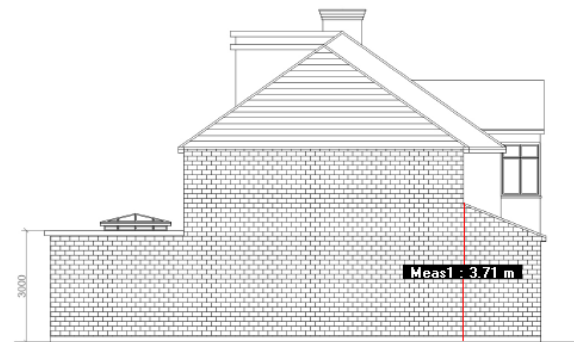
Approved Front Elevation
Scale: 1:100



Approved Side Elevation
Scale: 1:100



Approved Rear Elevation

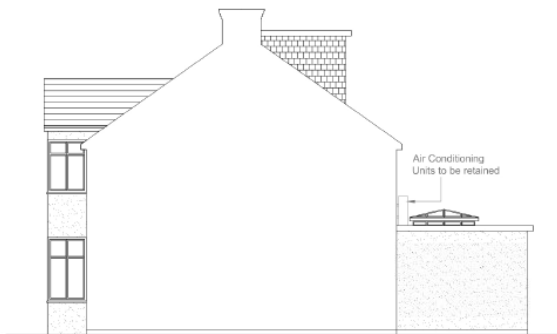


Approved Side Elevation

Existing (As-built) Elevations



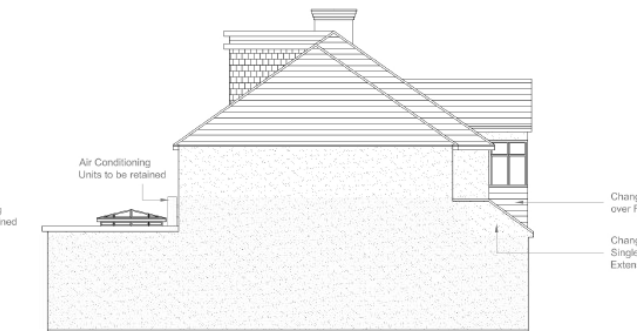
Existing Front Elevation
Scale: 1:100



Existing Side Elevation
Scale: 1:100



Existing Rear Elevation



Existing Side Elevation