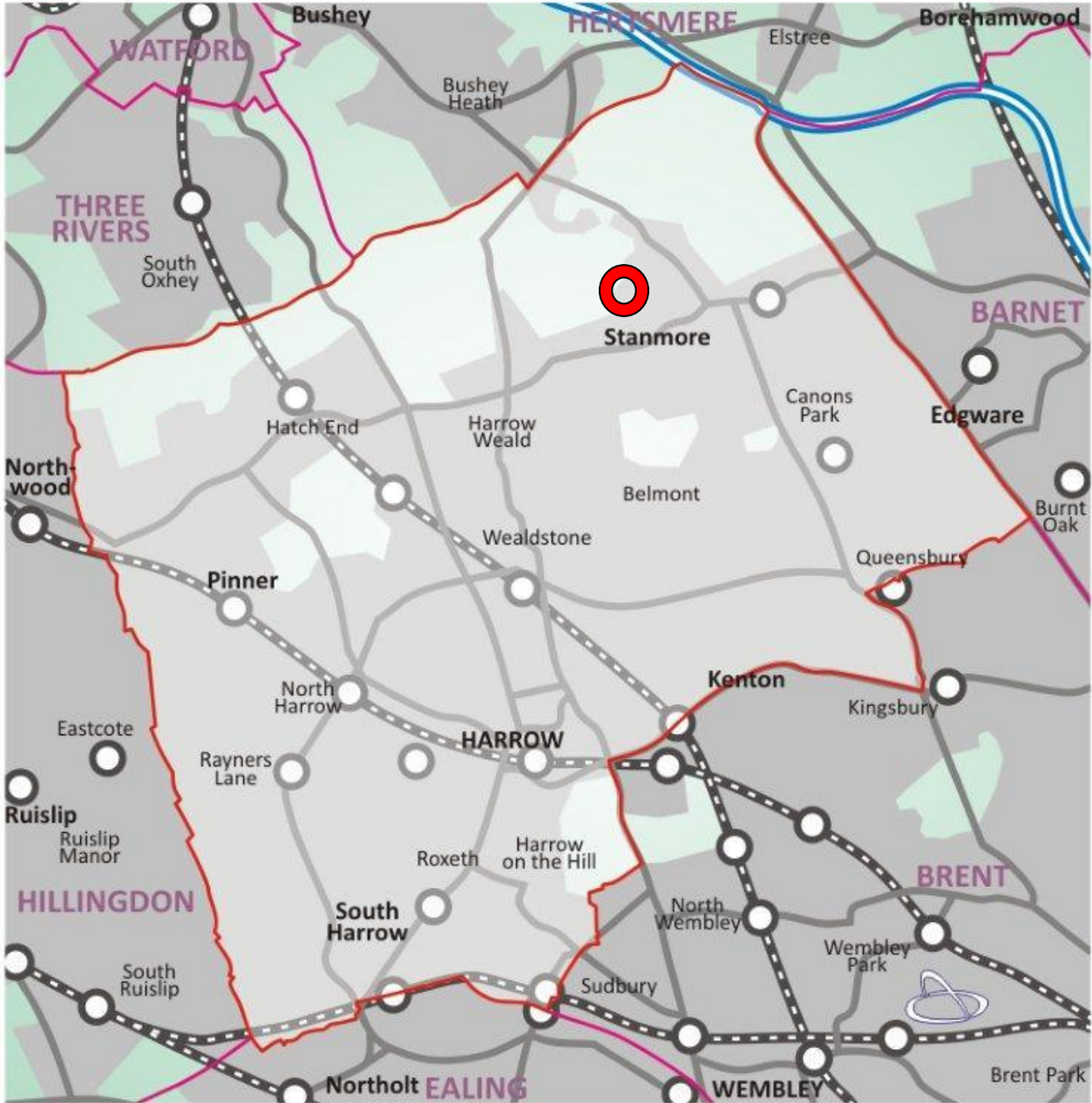
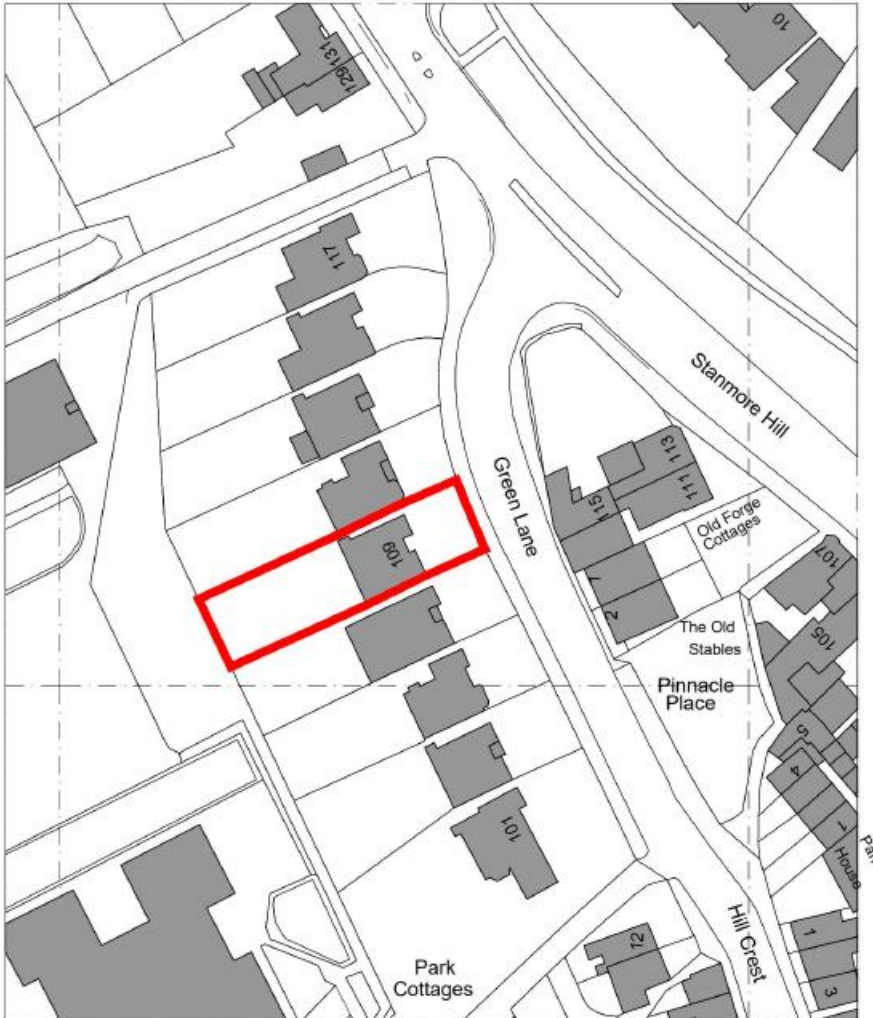


 = application site



109 Green Lane, Stanmore, HA7 3AD

P/1323/22



Site Location Plan

1:1250

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

20th July 2022

APPLICATION NUMBER: P/1323/22

VALID DATE: 04/04/2022

LOCATION: 109 GREEN LANE, STANMORE

WARD: STANMORE PARK

POSTCODE: HA7 3AD

APPLICANT: MR & MRS NANDAN

AGENT: AREA DESIGN

CASE OFFICER: JOSEPHINE DUTTON

EXPIRY DATE: 9TH JUNE 2022

PROPOSAL

Raised terrace with steps to rear (retrospective); Installation of 1.6m fence to boundary

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 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. As such the proposal would accord with the NPPF (2021), 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 adopted Harrow Supplementary Planning Document: Residential Design Guide (2010).

INFORMATION

This application is reported to Planning Committee on request of a nominated member, owing to public interest, and therefore falls outside the provision A of the Scheme of Delegation.

Statutory Return Type:	(E)21 Householder Development
Council Interest:	None
Net Additional Floorspace:	N/A
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 equality's 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 property is a two-storey detached single family dwelling house facing northeast onto Green Lane.
- 1.2 The subject property has been extended by of a single storey side and rear extension and a first-floor rear extension
- 1.3 The rear garden of the property is at a lower level to the rear of the house. This is consistent for the neighbouring dwellings also
- 1.4 The neighbour at no. 107 has been extended by way of a single storey rear extension and two rear roof dormers.
- 1.5 The neighbour at no.111 has been extended by way of a single storey rear extension which is not the full width and has been set away from the application property.
- 1.6 The property is sited adjacent to the Stanmore Hill Conservation Area.

2.0 PROPOSAL

- 2.1 This application seeks retrospective planning permission for a raised terrace/patio area with steps at the rear of the dwelling.
- 2.2 The raised patio has a maximum height of 1m, a depth of 5.3m and spans the full width of the original house.
- 2.3 A new 1.6m boundary fence and vegetation planting is proposed at the boundary with No. 107.

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 & date of decision
P/2812/16	Certificate of lawful development (proposed): Single storey side extension; conversion of garage to room with installation of window to front	Granted - 11/08/2016
P/0172/17	Ground and first floor bay windows to front elevation; front porch	Granted - 09/03/2017
P/0107/20	Single and two storey rear extension; installation of three windows in side	Granted - 13/03/2020

	elevation at first floor (demolition of single storey side extension)	
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4.0 **CONSULTATION**

4.1 A total of 3 consultation letters were sent to neighbouring properties regarding this application. The minimum statutory consultation period expired on 19th July 2022.

4.2 One objection has been received from the public consultation.

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

Character and Appearance and Residential Amenity Impact

- Overlooking and loss of privacy
- Right to light has been impacted due to erection of boundary fence in order to protect privacy
- The development was built without the benefit of planning permission

Officer response:

Amenity impacts have been assessed within the body of the report. In response to the last point, although not recommended, there is no law against completing construction works and seeking planning permission retrospectively. However, this is at one's own risk as enforcement action may be taken should planning permission be refused.

4.4 **Statutory and non-statutory consultation**

4.5 The following consultations have been undertaken, together with the responses received and officer comments:

Conservation officer

This proposal would not affect the nearby Stanmore Hill Conservation Area or the grade II listed 115 Stanmore Hill opposite as it would be set to the rear of the house and so not be visible from the heritage assets.

Conservation Area Advisory Committee

No objections

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 2021] 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 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].

5.4 A full list of all the policies used in the consideration of this application is provided as Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Character and Appearance
- Residential Amenity

6.2 Character and Appearance

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1B
- Harrow Development Management Policies (2013): DM 1
- Residential Design Guide (2010)

6.2.2 The existing rear terrace spans the full width of the property and has a depth of 5.3m, which is enclosed by a 1.3m high retaining wall. The maximum height of the development is 1m and the terrace is on a downward slope, following the natural gradient of the ground. As the majority of the properties along this side of Green Lane have raised patios/terraces due to natural ground level changes at the rear, the development is considered to be in keeping with the character and appearance of the area and the pattern of development.

6.3 Residential Amenity

6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1
- Residential Design Guide (2010)

6.3.2 The raised terrace, at a maximum height of 1m would be of similar height to the raised patio at the neighbouring dwelling No. 111. The occupiers of this adjoining property have objected to the development on the grounds of overlooking, loss of privacy and loss of light. The rear patio at No. 111 measures approximately 1.1m, therefore, given the similar height, any overlooking that has occurred from the development is considered to be mutual between the two properties.

6.3.3 In relation to loss of light, the objector has chosen to erect a high boundary fence panel (without the benefit of planning permission) in an attempt to safeguard privacy, which is claimed to have resulted in a loss of light. As stated above, any overlooking that occurs would be mutual, nevertheless, it is noted that the high fence directly faces the flank wall of the host property's single storey rear extension (containing no side window), rather than being positioned immediately adjacent to the raised terrace area. As such, the position of the high fence is considered to do little in restricting views from the raised terrace area. However, much of the view into No. 111's rear garden is limited by the high vegetation screening along the boundary. Therefore, it is not considered necessary to have a section of the fence at the current height. As the boundary fence is not a permanent structure, the height could and should be reduced if it is negatively impacting this property's access to natural light.

6.3.4 With regards to No. 107, this property is slightly more impacted by the development due to being on slightly lower ground and having a raised decking area that does not project as far as raised terrace at the subject site. As part of this submission, the applicant is proposing additional screening in the form of a 1.6m high fence and vegetation planting along the boundary with No. 107 and the existing boundary fence is to be retained. Such measures are considered suitable and would protect the amenity of the occupiers of this property.

6.3.5 For these reasons, it is considered that the existing development is does not have a harmful impact upon the residential amenities of adjoining occupiers in terms of loss of light, privacy or outlook. It is therefore considered to comply with the policies stated above.

7.0 CONCLUSIONS AND REASONS FOR APPROVAL

7.1 The existing development has an acceptable impact on the visual amenities of the house, surrounding area and on the residential amenities of the neighbours. As such, the development is in accordance with the NPPF (2021), Policy D3 of The London Plan (2021), policy CS1B of the Harrow Core Strategy (2012), Policy DM1 of the Development Management Policies Local Plan (2013), and the adopted Supplementary Planning Document: Residential Design Guide (2010).

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. 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, 258:T2 B

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 2021

**The London Plan 2021
D3**

**The Harrow Core Strategy 2012
CS1.B**

**Harrow Development Management Policies Local Plan 2013
DM1, DM10**

**Relevant Supplementary Planning Document
Supplementary Planning Document: Residential Design Guide (2010)**

2. Per-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 39-42 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

CHECKED

Interim Head of Development Management	06/07/2022
Corporate Director	07/07/2022

APPENDIX 2: SITE PLAN



APPENDIX 2: SITE PHOTOGRAPHS





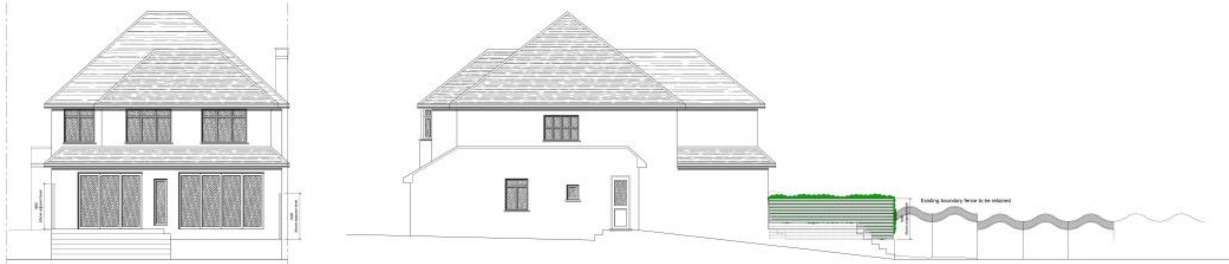
View from the rear garden of No. 107



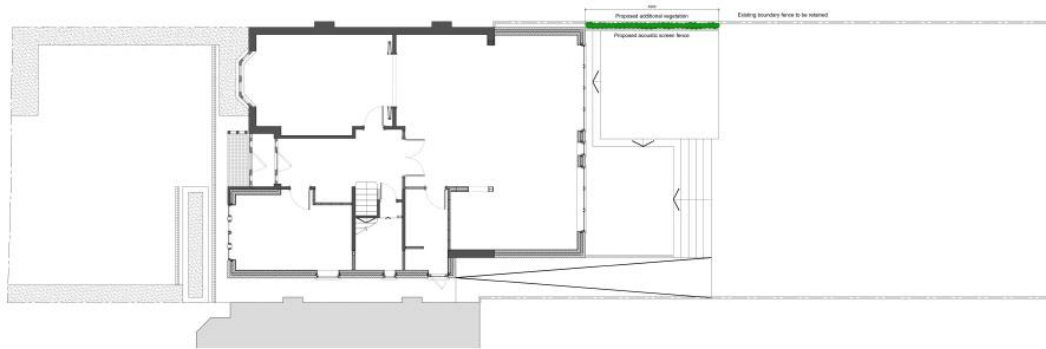
View from the rear garden of No. 111



APPENDIX 3: FLOOR PLANS AND ELEVATIONS



Original house before extension



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