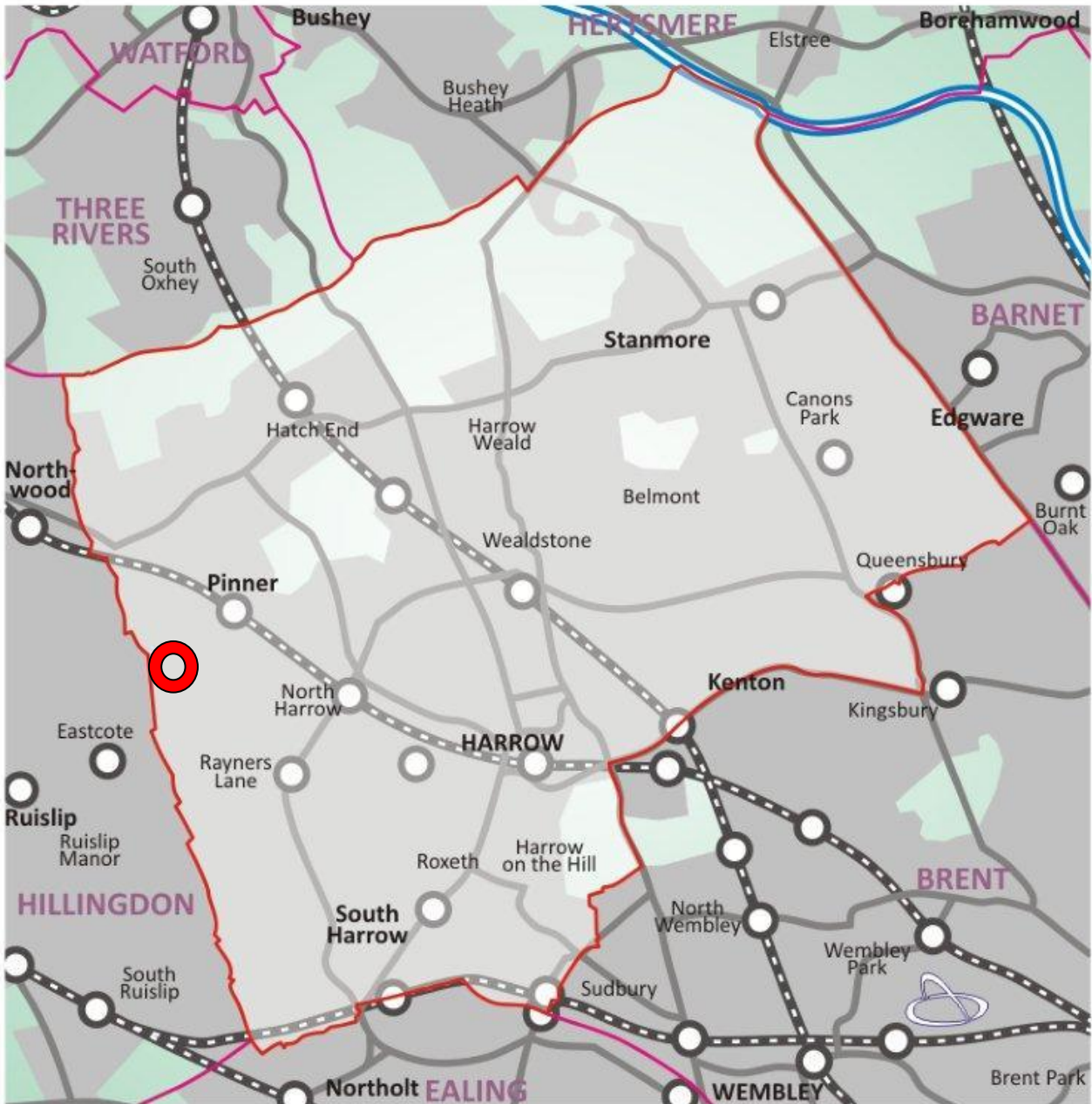


 = application site



19 Malpas Drive

P/1022/22



**LOCATION PLAN**

**Scale 1:1250**



**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**20<sup>th</sup> July 2022**

**APPLICATION NUMBER:** P/1022/22  
**VALID DATE:** 04/04/2022  
**LOCATION:** 19 MALPAS DRIVE, PINNER  
**WARD:** PINNER  
**POSTCODE:** HA5 1DG  
**APPLICANT:** MR NADIM KHALFEY  
**AGENT:** MKM DESIGN & CONSTRUCTION LTD.  
**CASE OFFICER:** BEN THOMPSON  
**EXPIRY DATE:** 02/05/2022  
**EXTENSION OF TIME:** N/A

**PROPOSAL**

Two Storey Side Extension; Single And Two Storey Rear Extension; Rooflights In Side Roofslopes; Front Porch With Rooflight; Relocation Of Main Entrance; External Steps Rear; External Alterations (Demolition Of Attached Garage)

**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 proposed development would not detract from the character and appearance of the host building, street scene and area in a wider context, nor would it unduly impact upon the residential amenity of neighbouring occupants. The proposed development is not considered to be susceptible to unacceptable flood risk and is not considered to exacerbate flood risk elsewhere. The proposed development is not considered to conflict with S17 of the Crime and Disorder Act 1998 (as amended), and finally, the applicant has provided a Reasonable Exemption Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site. As such, the development accords with the NPPF (2021), Policies D3, D11, D12, SI 12, SI 13 of the London Plan (2021), Policies CS1.B and CS1.W of the Harrow Core Strategy, Policies DM1, DM2 and DM10 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 in the public interest and therefore falls within proviso A of the Scheme of Delegation.

Statutory Return Type:	(E)21. Householder Development
Council Interest:	None
Net additional Floorspace:	Approximately 70.8 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£60 x 152sqm = £0
Local CIL requirement:	£110 x 152sqm = £0

## **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 application site relates to a two-storey detached dwelling located toward the Eastern side of Malpas Drive.
- 1.2 The host building benefits from a side garage, which projects to leave approximately 0.5 metres of a gap with the common boundary but doesn't extend beyond the front or rear building line.
- 1.3 The adjacent dwellinghouse at No. 21 Malpas Drive benefits from a two storey side extension and a ground floor rear extension and a garage extension.
- 1.4 The adjacent dwellinghouse at No. 17 Malpas Drive has not been extended
- 1.5 There is some element of uniformity in the style and appearance of original dwellinghouses along Malpas Drive, although it is recognised that numerous properties do benefit from extensions.
- 1.6 The application site is not listed, is not located within a Conservation Area, but is located within a Critical Drainage Area.

## **2.0 PROPOSAL**

- 2.1 The erection of a part single part two storey side extension, Part single part two storey rear extension, roof lights, and fenestration, following the removal of the dwellinghouse's existing side garage. The extension can be broken down into the following distinct elements:
- 2.2 A ground floor front extension in the form of a porch measuring 1.37 metres in depth, 3.66 metres in width, 2.7 metres in eaves height with a flat roof and 2.8 metres in maximum height including a singular rooflight in the middle of the flat roof of the proposed porch extension.
- 2.3 A first floor side extension that is set marginally rearward of the dwellinghouse's front building line by 1 metre. This element would extend off the side wall of the main dwellinghouse at a width of approximately 2.3 metres, being set in from the shared boundary with No. 21 Malpas Drive by approximately 1 metre. This element would have a depth of approximately 9 metres (not including the depth of the first floor rear element – described within Paragraph 2.5) and would incorporate a hipped roof form that would be amalgamated with the pitched roof form of the main dwellinghouse. This element of the development would have an eaves height of approximately 4.95 metres (from the highest point of natural ground level) and a ridge height of approximately 8.13 metres (from the highest point of natural ground level). The proposed first floor extension includes two gable extensions, one to the rear and one to the side elevation facing No.21.
- 2.4 A ground floor side extension in place of the existing garage. This element would extend from the side wall of the main dwellinghouse towards the common boundary with No. 21 Malpas Drive (approximately 2.3 metres in width) leaving a 1

metre gap from the common boundary with No.21. This element of the extension would be approximately 10 metres in depth (not including the depth of the ground floor rear element – described in Paragraphs 2.6 respectively). The first floor side element of the extension (described within Paragraph 2.3) would be sited directly above this element meaning that only part of the roof form would be exposed, this would consist of a mono pitched roof form to the front elevation. This element would have a maximum height of approximately 3.3 metres (from the highest point of natural ground level) and an eaves height of 2.9 (from the highest point of natural ground level).

2.5 A first floor rear extension that would extend on top of the proposed rear extension (approximately 5.4 metres wide) and would have a depth of approximately 3.5 metres beyond the main rear façade of the dwellinghouse. The roof form of this element of the extension would be amalgamated and integrated with the roof form of the main dwellinghouse. This element would have an eaves height of approximately 5.77 metres (from the highest point of natural ground level) and a ridge height of approximately 8.36 metres from the highest point of natural ground level).

2.6 A ground floor rear extension that would extend across the full width of the extended dwellinghouse (approximately 9.45 metres), with a depth of approximately 4 metres beyond the main rear façade of the existing dwellinghouse. This element of the extension would feature a mono pitched roof form with a very low gradient. The height from the base of this element to the top of the roof would be approximately 4 metres and from the eaves 3.84 metres. This element would feature a large roof light, and associated access steps to the rear.

2.7 Other associated alterations to the roof form of the dwellinghouse including

- The installation of 4.no flank roof lights, 2 on either flank side.

2.8 Other alterations to the exterior of the existing dwellinghouse including:

- The installation of new fenestration to the North and South flank elevations of the dwellinghouse.

### 3.0 **RELEVANT PLANNING HISTORY**

P/4841/21	Two storey side extension; single and two storey rear extension; rooflights in rear and both side roofslopes; front porch; relocation of main entrance; external steps to side and rear; external alterations (demolition of attached garage)– withdrawn - 26/07/2021	<b>Withdrawn:</b>
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### 3.1 **Site History Context**

3.2 This application does not follow any planning history as the only historical application has been withdrawn

#### **4.0 REVISIONS TO THIS APPLICATION**

4.1 The applicant was required to make amendments which would involve removing the gable end proposed on the first-floor side extension to the front elevation in order for the proposed to be more in keeping with the street scene, wider character of development and reduce the bulk in order to reduce the impact to the existing character of the dwellinghouse. The applicant was also required to reduce the width of the proposed part single and part two storey side extension in order to increase the gap between the flank of the proposed and the common/shared boundary with No.21 Malpas Drive. From 0.5 metres to 1 metre. These amendments were provided

#### **5.0 CONSULTATION**

5.1 A total of 36.no consultation letters were sent to neighbouring properties regarding this application. A site notice was posted on 20/04/2022, this expired on 11/05/2022. The initial public consultation period expired on 25/04/2022. The secondary consultation period expired on 15/06/2022.

##### Initial Consultation Period

5.2 33.no objections have been received from 26.no residents which consist of No.21 Malpas Drive, No. 20 Winchester Drive, No.2 St Ursula Grove, No.2 Wells Place and various other residents during the two consultation periods. Matters raised can be summarised as follows:

##### 5.2.1

###### **Character and Design of Development**

- *Concern over the scale and massing of the proposal:*

*Officers Response: The proposed has been assessed for its bulk and massing in section 7.2. The proposed has been revised to reduce the width of the side extension as well as remove one of the proposed roof elements to the front elevation that was a hip to gable roof extension in order to reduce the bulk and massing.*

*Officers Response: There are ample examples of large extension along Malpas Drive and the pattern of development along Malpas Drive is mixed.*

- *Concern over the proposal forming an overdevelopment of the site.*

*Officers Response: The proposed has been assessed and is not considered to be overdevelopment, please see section 7.2.*

- *Concern over the proposal being out of character with other development along the road and within the area.*

*Officers response:*

- *Concern with the terracing affect that is occurring on Malpas Drive.*

*Officers Response: The proposed has been revised in order to address terracing concern and involves a set in from the front building line and set in from the common boundary with No.21.*

- Concerns over the development adversely impacting upon the well-established architectural and aesthetic form of dwelling houses along the road.

*Officers Response: The proposed has been assessed in its potential impact to the character of the existing dwelling house and has not been considered to have a detrimental impact to the existing character of the host dwelling. The proposed would retain the existing Tudor character of the building, please see section 7.2.*

- Concern over the two-storey side extension being sited unduly close to the common boundary with No.21 diminishing the gap and appearing out of character in relation to surrounding properties.

*Officers Response: This has been revised and the gap from the common boundary has increased from 0.5 metres to 1 metre.*

- The proposed does not comply under NPPF, London Plan or Harrow Core Strategy and associated supplementary planning documents specifically NPPF 130. C) and d), London Plan Policy HC1 and Residential Design Guide Policies 6.6, 6.7, 6.8, 6.18 and 6.35.

*Officers Response: The proposed has been assessed against the relevant planning policy and is considered to pass them, HC1 is not relevant in this case as it is not situated within a conservation area. The existing character of the building however, has been taken into consideration.*

- Concern that the proposed would be overdevelopment on a small plot

*Officers response: The subject site is not a small plot, it is a large plot which currently hosts a detached dwellinghouse and is not assessed to be overdevelopment.*

- Concern with 0.5 metre gap from common boundary line with No.21.

*Officers Response: The revision increases this by 0.5 metres to make a gap of 1 metre.*

- Previous application at No.20 has been refused for bulk and design and this should follow as it is very similar.

*Officers Response: No.20 is a very different in its context to No.19 and every application should be assessed on its own context and merits.*

- Proposed is not respectful of Buckley Estate.

*Officers Response: The design of the Metroland 1930'2 Buckland Estate includes an eclectic mix of properties in their shape, size and extensions and is assessed and considered not to have unacceptable impact on the pattern of development in this area, please refer to section 7.2.*

#### *Secondary Consultation Period Comments:*

- Proposed will result in unsymmetrical development and the objector asks that the department retain the façade. Symmetry is only achievable if a 1.5 metre gap between the flank wall and common boundary with No.21 is achieved. The extension should measure a maximum width on side of 1 metre in line with the period features being retained.

*Officers Response: The proposed is assessed to be acceptable in design and bulk and the gap between No. 19 and No.21 is considered to be acceptable in a residential amenity form and in a design form and not considered to create a terracing affect for the previously stated reasons above.*

- Increased distance from common boundary in revised plans is negligible.



*Officers Response: The increase of the gap from the proposed side extension to the common boundary with No.21. The purpose of this amendment is to reduce the impact to No.21 while also reducing the impact of terracing effect along with the metre set back proposed at first floor level.*

### **Impact to Residential Amenity**

- *The two-storey side element would sit parallel to their flank elevation wall and would result in a loss of light to their 3.no flank windows*

*Officers Response: The propose dhas been revised in order to increase the gap from the common boundary with No.21 Malpas Drive from 0.5 metres to 1 metre and does not intercept the 45-degree splay from the flank windows in question as shown in plans MKM/21/MAL 19/PL03A.*

- *Concern over the two-storey side element appearing unduly overbearing when viewed from No.21 Malpas Drive.*

*Officers Response: The proposed has been assessed in relation to the outlook and is not considered to have unacceptable impact to the amenity of No.21. Please see section 7.3.*

- *The additional flank window would exacerbate further the impacts to privacy, noise and odours.*

*Officers Response: This has been considered not to have unacceptable impacts in relation to residential amenity as the proposed would not have any more impact than any other flank window.*

### **Drainage**

- *Concern over flooding and overdevelopment and the potential impacts to the surrounding properties.*

*Officers Response: The proposed is not located in a flood zone but is located in a critical drainage area. This has been considered and the relevant informatives will be applied to address this however, there is not concern with flood impacts and the Drainage Officer has not made any objections.*

## 5.3 Statutory and non-statutory consultation

5.4 Drainage Officer: No objection, Standard drainage conditions to be applied.

## 6.0 POLICIES

6.1 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.'*

6.2 The Government has issued the National Planning Policy Framework [NPPF 2021] 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.

6.3 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]. The relevant policies are referenced within the report below and a summary within Informative 1.

## 7.0 **ASSESSMENT**

7.1 The main issues are:

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

### 7.2 **Character and Appearance of the Area**

7.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1.B
- Harrow Development Management Policies (2013): DM1

Relevant Supplementary Documents

- Residential Design Guide (2010)

#### Ground Floor Front

7.2.2 Paragraph 6.35 of the Council's Residential Design Guide SPD provides guidance on acceptable design for front extensions, it is emphasised that modern front extensions beyond the established building line can disrupt the harmony and architectural coherence of the streetscape.

The proposed porch would be acceptable as it is similar in scale to existing porches at properties for example No.11, No.17, No.26, No.28 and No.30 Malpas Drive. The above examples also have varying designs. The host dwelling doesn't have bay windows and the addition would be subordinate to the existing character of the host dwelling and wider street scene. The materials will be conditioned to match the existing. The proposed would not result in the driveway being less than the required 4.8 metres.

#### Part single Part Two Storey Side and Rear

7.2.3 Guidance on acceptable design for two storey side extensions to semi-detached and detached dwellinghouses is provided with paragraphs 6.45-6.50 of the Council's Residential Design Guide SPD. The guidance sets out that the primary considerations are the character of the locality and space surrounding the building, noting that a terracing effect should be avoided. It is suggested that extensions will need to be set

back from by at least a metre behind the adjacent front corner of the front elevation at first floor level, and incorporate a subordinate pitched roof.

- 7.2.4 The proposed ground floor single storey side element of the extension is considered to be a congruous, proportionate and sympathetic addition to the host building street scene and area in a wider context. As with the majority of other ground floor side extensions along the street scene (including No. 19 Malpas Drive), it would project in line with the front of the dwellinghouse and therefore would not appear unduly at odds with the established pattern of development along the road. The new windows associated with this element are considered to be appropriately consistent with the dwellinghouse's existing openings. The front forecourt of the site is predominantly hardsurfaced and is considered to be sufficient in accommodating off-street car parking needs in spite of the loss of the garage.
- 7.2.5 Malpas Drive is predominantly characterised by detached dwellinghouse with ground floor side garages and semi-consistent spacious gaps between dwellinghouses at upper floor levels. There is a mix in the style and form of dwellinghouses along the road, with houses incorporating a mix of front gables, dual pitched roofs and hip roofs. In relation to the side of these at first floor level. It should however be acknowledged that there are a few examples of two storey side extensions along Malpas drive, examples of particular note include No. 27 and 15 Malpas Drive. The first-floor element of the side extension at No. 27 Malpas Drive is set along the adjacent side boundary at ground floor level and is set in approximately 0.5 metre from the common boundary with No.25 and the propose two storey side extension is flush with the existing. At No. 15 Malpas Drive, the first-floor element of the side extension is set on the adjacent side boundary and is set back from this property's front building line by 1 metre.
- 7.2.6 Given the context of surrounding development, officers consider a two-storey side extension to be acceptable in principle subject to it incorporating a sympathetic design. In this instance the first-floor side element of the extension is considered to be a congruous, proportionate and sympathetic addition to the host building, it would be set in 1 metre from the adjacent side boundary and would also be set back from the dwellinghouse's front building line as per two storey side extension at No. 15. With the first-floor side element being set back from the front and the entire two storey proposed side extension set in from the side as per development at No. 15 Malpas Drive and with the proposed hipped roof, the two-storey side extension is not considered to result in a harmful terracing effect on the street scene and is not considered to appear at odds with the established pattern of development along the road. Officers raise no objection to the roof form of the first-floor side element being amalgamated and integrated with the roof form of the main dwelling, it would not exceed the ridge height of the existing dwelling, and it is acknowledged that similar approaches were taken with regards to development at No. 15 Malpas Drive.

### First Floor Rear Element

- 7.2.7 Paragraph 6.64 and 6.65 of the Council's Residential Design Guide SPD provide guidance on the design of first floor and two storey rear extensions noting that the roof of extensions should reflect the character of the dwellinghouse and any adjoining dwellinghouses. It is also stated that the height of first floor level extensions mustn't exceed the height of the highest part of the roof of the existing dwellinghouse.

7.2.8 Officers raise no objection to the first-floor rear element of the extension on character and design grounds. This element would have a low scale visibility from the site's surroundings and appears to be similar in size to No. 16 and No.24 Malpas Drive extension. As with the roof form of the part single part two storey side extension. Officers raise no objection to the roof form of the first-floor rear element being amalgamated and integrated with the roof form of the main dwelling, the roof of the extension would not exceed the ridge height of the existing dwellinghouse, furthermore, this approach would be consistent with the approach taken with regards to development at No. 16 and 24 Malpas Drive.

#### Ground Floor Rear Element

7.2.9 Officers consider the ground floor rear element of the extension to be a congruous and proportionate addition to the host dwelling and wider area given then the site context. Whilst officers acknowledge that this element of the extension would have a fairly significant depth and overall massing, it is not visible from the street scene, it would be subordinate in height to the main dwelling, furthermore it is noted that there is not significant uniformity in terms of rearward extensions along the road, with various dwellinghouses incorporating large rearward extensions. Overall, given the site context and its low scale visibility from the site's surroundings, the ground floor rear element of the extension is considered on balance to have an acceptable impact on the character and appearance of the host dwelling and wider area. The extension's associated rear access steps are not considered to be excessive in terms of their height and footprint and are not considered to detract from the character and appearance of the host dwelling and wider area. Officers note that the ground floor rear extension would limit the size of the dwellinghouse's rear garden, however this is not considered to be to such an extent that it would unduly harm the character of the host dwelling and area in a wider context. The Council's policies and design guidance do not set a minimum requirement for the amount of rear garden space that needs to be retained following an extension, this is assessed on a case by case basis with the Council expecting the size of rear garden space to be meaningful, functional and in context with the gardens of surrounding properties. In this instance, there is not complete uniformity in the size of rear gardens along this part of the road with the host site having a deeper garden than either neighbouring property therefore, there is adequate meaningful space.

#### Roof Lights

7.2.10 The proposed roof lights are not considered to adversely impact upon the character and appearance of the host dwelling, street scene and area in a wider context. They are not considered to be excessive in terms of their size, quantity and would not protrude excessively beyond the plane of their respective roof slopes.

#### New and Replacement Side Windows

7.2.11 Officers raise no character and design objections to the insertion of new and replacement windows to the western flank elevation of the dwellinghouse. The style and appearance of the fenestration to be applied would not appear unduly at odds with the dwellinghouse's existing fenestration.

## Materials

7.2.12 The applicant has stated that the materials to be used in the proposed will be similar to those of the existing dwelling house. The materials will be conditioned to match the existing.

7.2.13 In summary, the overall design of the proposed development is considered to be acceptable. The development remains sympathetic to the main dwelling and does not detract from the overall character and appearance of the host building, street scene and surrounding area.

### **7.3 Residential Amenity**

7.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2020): D3
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1

Relevant Supplementary Documents

- Residential Design Guide (2010)

### Impact on No. 21 Malpas Drive

7.3.2 The ground floor front extension would project beyond the building line to the front of the existing dwelling house by 1.37 metres, it is noted that this neighbouring property also has a similar scale front extension in the form of a porch. It would be difficult for No.21 Malpas Drive to view this application from an angle from the any primary windows to the front of this neighbouring property and due to its subordinate size, it would not create any impacts to this neighbouring property's amenity.

The ground floor side element would not cause obscured views, overshadowing or additional impacts to privacy to this neighbouring property as the host site and this neighbouring property are in line at the front building line and the proposed side extension will be flush with the front building line of the host site and will therefore not protrude or be visible from the primary windows to the front of this neighbouring property as the main body of this neighbouring property would obstruct any outlook impact.

There are side facing flank windows as part of No.21 Malpas Drive that will face the proposed and would mean the proposed extensions will be visible from this neighbouring property. These windows have been shown in plan *MKM/21/MAL19/PL03A* not to be intercepted on the 45-degree angle from the lowest flank window of No.21 Malpas Drive. The windows on the flank of No.21 are not servicing habitable rooms and therefore these windows are not protected windows, none the less the windows will receive substantial light taking into consideration the 1 metre gap from the common boundary that the proposed will be, the set back from the common boundary of the neighbouring property No.21 Malpas drive being approximately 3.2 metres making a total gap from the proposed and this building flank wall 4.2 metres.

- 7.3.3 Likewise, the first-floor side element of the extension would be obscured from view of No. 21 Malpas Drive by the body of the main dwelling, meaning that it would not adversely impact on the residential amenity afforded to this neighbouring property.
- 7.3.4 Officers do not consider the first-floor rear element of the extension to unduly prejudice the residential amenity of occupants at No. 21 Malpas Drive. This element of the development would accord with the Council's 45 Degree Code in respect to the main rear façade of these neighbouring properties and is consequently considered to have an acceptable impact upon light and outlook afforded.
- 7.3.5 The ground floor rear element of the extension would project approximately 3 metres beyond the rear building line of No. 21 Malpas Drive. This proposed flank would also be set 1 metre away from the common boundary with No.21. Applying the guidance set out within Paragraph 6.59 of the Residential Design Guide SPD, we would expect extensions on detached properties to project no more than 4 metres beyond the neighbouring property (unless site circumstances allow for this) given that a detached dwellinghouse would be allowed to extend 4 metres to the rear under permitted development. In this particular case the proposal would be compliant given the siting of No.21's rear building line. Taking this into account alongside the fact that the proposed extension would not incorporate an excessive overall height, it is not considered to unduly impact on light and outlook afforded to the rear garden and rear facing habitable room fenestration of this neighbouring property.
- 7.3.6 On the basis that the new roof extensions roof would not be raised above the ridge height of the existing dwellinghouse, the formation of the hipped roof is not considered to unduly impact upon the residential amenity of occupants at No.21 Malpas Drive
- 7.3.7 The roof lights associated with the proposed development would not be positioned and orientated in such a way that they would enable harmful overlooking of No. 21 Malpas Drive.
- 7.3.8 the proposed side and rear gable roof forms on the first floor side element would not be unduly expansive in terms of its size and overall massing, the proposed rear gable roof form is not considered to appear as unduly overbearing or visually intrusive when viewed from No. 21 Malpas Drive, and is not considered to give rise to harmful impacts relating to loss of light. Whilst officers note that the rear facing window associated with the gable roof form could enable a degree of overlooking of No. 21 Malpas Drive's rear garden, on the basis that these views would not be too dissimilar to existing views afforded by the dwellinghouse's existing first floor rear fenestration, significant harm is not anticipated.
- 7.3.9 The new and replacement fenestration to the northern flank elevation of the dwellinghouse would face towards the main flank elevation wall of No. Malpas Drive however, is indicated to be obscure glazed. For the avoidance of doubt, in the interests of maintaining privacy for occupants of No. 21 Malpas Drive officers have applied a condition requiring this fenestration to be both obscure glazed and non-openable where it is not set above 1.7 metres above internal floor level.

### Impact on No. 17 Malpas Drive

- 7.3.10 The ground floor front extension would project beyond the building line to the front of the existing dwelling house by 1.37 metres, it is noted that this neighbouring property also has a similar scale front extension in the form of a porch. It would be difficult for No.17 Malpas Drive to view this application from an angle from the any primary windows to the front of this neighbouring property and due to its subordinate size, it would not create any impacts to this neighbouring property's amenity.
- 7.3.11 The ground floor side element of the extension would have limited impact upon the residential amenity of occupants at No. 17 Malpas Drive. This element would not be visible from this neighbouring property as it would be site to the northern side of the host site with the existing host site obstructing any view of this element therefore, is not considered to result in significantly worsened impact
- 7.3.12 Officers do not consider the first floor rear element of the extension to unduly prejudice the residential amenity of occupants at No. 17 Malpas Drive. This element of the development would accord with the Council's 45 Degree Code in respect to the extended rear façade of No. 17 Malpas Drive and is consequently considered to have an acceptable impact upon light and outlook afforded.
- 7.3.13 Reiterating points set out above, in applying the guidance set out within Paragraph 6.59 of the Residential Design Guide SPD, we would expect ground floor rear extensions on detached properties to project no more than 4 metres beyond the neighbouring property (unless site circumstances allow for this) given that a detached dwellinghouse would be allowed to extend 4 metres to the rear under permitted development. In this particular instance, the ground floor rear element of the extension is indicated to project approximately 4 metres beyond the rear façade of No. 17 Malpas Drive, furthermore the extension would incorporate a reasonable height on the side bordering this neighbouring property (approximately 4.15 metre high with a gap between the proposed flank wall and the common boundary of 1.7 metres and a gap between the flank wall of the proposed and the flank wall of this neighbouring property of approximately 2.8 metres.given that that the ground floor rear element of the extension would not project excessively rearward of this neighbouring property, incorporates a reasonable height in relation to the spacing that has been provided between the extension and flank wall of No. 17 Malpas Drive, it is considered on balance not to result in an undue loss of outlook to this neighbouring property's rear garden and rear facing kitchen window. With regard to impact on light, officers acknowledge that both the host site and neighbouring property are east facing and therefore with the direction of shadows created by daylight sunlight it is considered that there will be minimal overshadowing to this neighbouring property as a result of the orientation of the properties and this neighbour being south of the host site.
- 7.3.14 The roof lights associated with the proposed development would not be positioned and orientated in such a way that they would enable harmful overlooking of No. 17 Malpas Drive.
- 7.3.15 The proposed side and rear gable roof forms on the first-floor side extension would not be visible from this neighbouring property and are not considered to have any impact on this properties light, outlook or privacy.

7.3.16 The new and replacement fenestration to the southern flank elevation of the dwellinghouse would face towards the main flank elevation wall of No. Malpas Drive however, is indicated to be obscure glazed. For the avoidance of doubt, in the interests of maintaining privacy for occupants of No. 17 Malpas Drive officers have applied a condition requiring this fenestration to be both obscure glazed and non-openable where it is not set above 1.7 metres above internal floor level.

#### Impacts on Properties to the Rear

7.3.17 The applicant property is sufficiently set back from the properties to the rear and would not unduly affect neighbour amenity. In addition to the depth of the garden and significant set-back it is acknowledged by the officer that the natural ground level slopes at a steep gradient to the rear of the host site garden. There may be anticipated overlooking to any properties to the rear of this site however, officers consider that the proposed will not add additional views into other properties that is not already afforded to them particularly on the first floor rear.

7.3.18 In summary, the proposed development is considered to have an acceptable residential amenity impact in respect to all neighbouring occupants.

## **7.4 Drainage**

7.4.1 The relevant policies are

- National Planning Policy Framework (2021)
- The London Plan (2020): SI 12, SI 13
- Harrow Core Strategy (2012): CS1.W
- Harrow Development Management Policies (2013): DM10

7.4.2 The development would result in an increase in the development footprint on the site and would therefore have an impact in terms of increased surface water flood risk. As the site is located within a Critical Drainage Area, sustainable urban drainage [SUDs] is encouraged. An informative is therefore attached to this effect. An informative has also been included with regard to surface and foul water connections and has advised the applicant to contact Council's Drainage Engineers to provide a drainage plan.

## **7.5 Fire Safety**

7.5.1 The relevant policies are

- National Planning Policy Framework (2021)
- London Plan Policy: D12

7.5.2 Part A of Policy D12 of the London Plan (2021) requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply. The applicant has completed a Reasonable Exemption Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site.



## **7.6 Consultation Responses**

7.6.1 These have been addressed above in section 5.0 – 5.2

## **8.0 CONCLUSION AND REASONS FOR APPROVAL**

8.1 The proposed development would not detract from the character and appearance of the host building, street scene and area in a wider context, nor would it unduly impact upon the residential amenity of neighbouring occupants. The proposed development is not considered to be susceptible to unacceptable flood risk and is not considered to exacerbate flood risk elsewhere. The proposed development is not considered to conflict with S17 of the Crime and Disorder Act 1998 (as amended), and finally, the applicant has provided a Reasonable Exemption Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site. As such, the development accords with the NPPF (2021), Policies D3, D11, D12, SI 12, SI 13 of the London Plan (2021), Policies CS1.B and CS1.W of the Harrow Core Strategy, Policies DM1, DM2 and DM10 of the Harrow Development Management Policies Plan, and the Harrow Supplementary Planning Document: Residential Design Guide (2010).

## **APPENDIX 1: CONDITIONS AND INFORMATIVES**

### **CONDITIONS:**

#### 1. Full Time

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 & Country Planning Act 1990.

#### 2. Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Planning Statement, MKM/21/MAL19/PL03 page 01/04, MKM/21/MAL19/PL03 page 02/04, MKM/21/MAL19/PL03 page 03/04, MKM/21/MAL19/PL03 page 04/04, Reasonable Exemption Statement.

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

#### 3. Glazing 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), other than those shown on the approved plans shall be installed in the flank 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, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

#### 4. Obscure Glazing

The window(s) in the flank elevation(s) of the proposed development shall:

- (a) be of purpose-made obscure glass,
- (b) be permanently fixed closed below a height of 1.7m above finished floor level and shall thereafter be retained in that form.

REASON: To safeguard the residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

5. No Balcony

The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

REASON: To safeguard the residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

6. 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 in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

## **INFORMATIVES:**

### 1. Policies

The following policies are relevant to this decision:

**The National Planning Policy Framework (2021)**

**London Plan 2021:** D3, D11, D12, SI 12, SI 13

**The Harrow Core Strategy 2012:** CS1.B, CS1.W

**Harrow Development Management Policies Local Plan 2013:**

DM1, DM2, DM10

**Supplementary Planning Documents:** Residential Design Guide SPD (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. Liability For 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](mailto: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.

### 5. 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. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

6. 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](mailto:infrastructure@harrow.gov.uk) with your plans.

7. Sustainable Drainage Systems

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 (2019) 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 (2016) 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

**CHECKED**

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

**APPENDIX 2: LOCATION PLAN**



**LOCATION PLAN**

**Scale 1:1250**



**APPENDIX 3: SITE PHOTOGRAPHS**

Front of No.19



Front and garage of No.19



Front of No.19 and side of No21



Rear and Side with No.17





Side with No.21



Side of No.19 and No.21



Side of No.19 and No.21



Rear garden of host site and side of garden of No.17



Rear of Host site



Side of No17



Side with No.17



Rear garden of host site



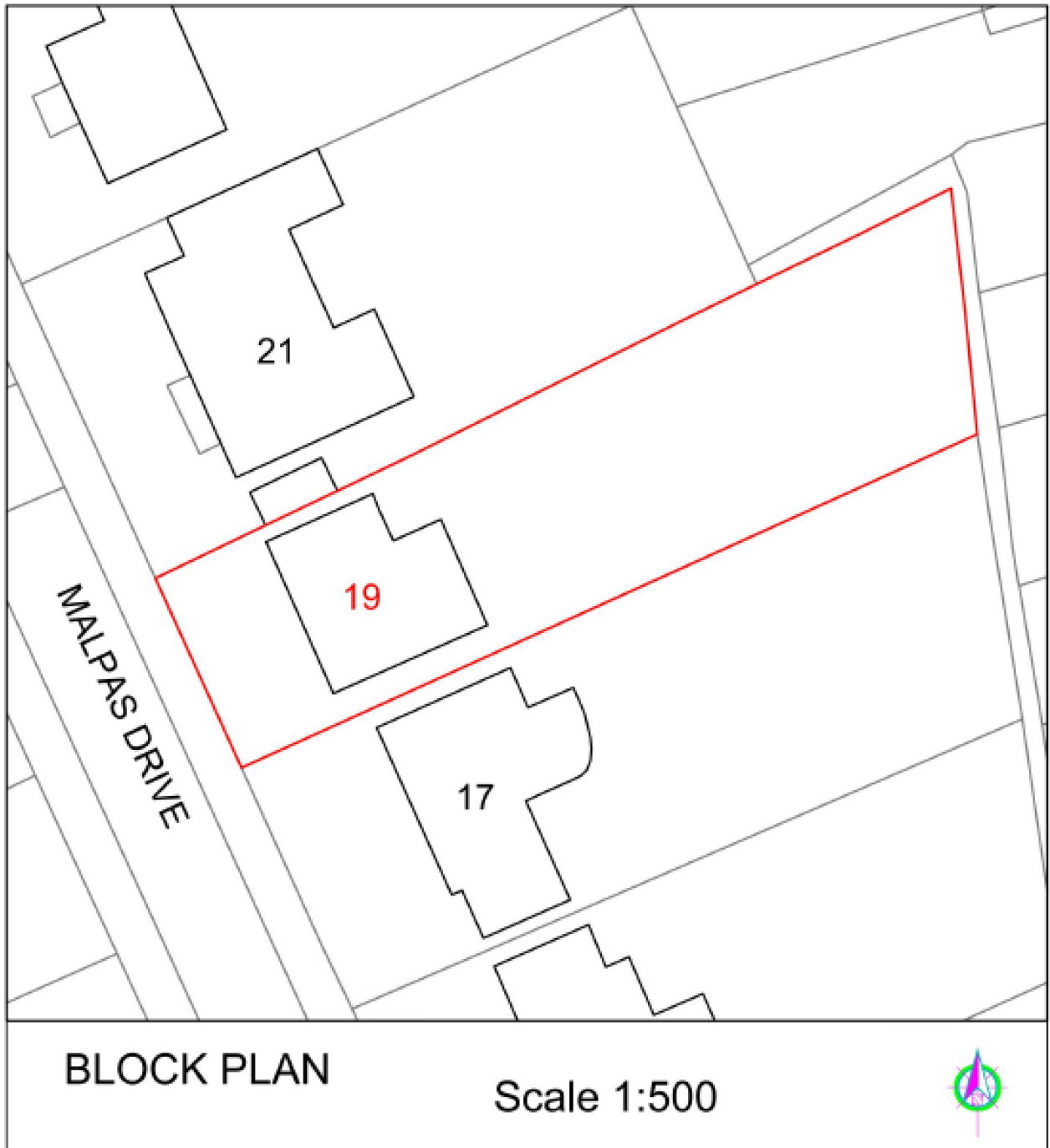
Rea of host site and side with No.21

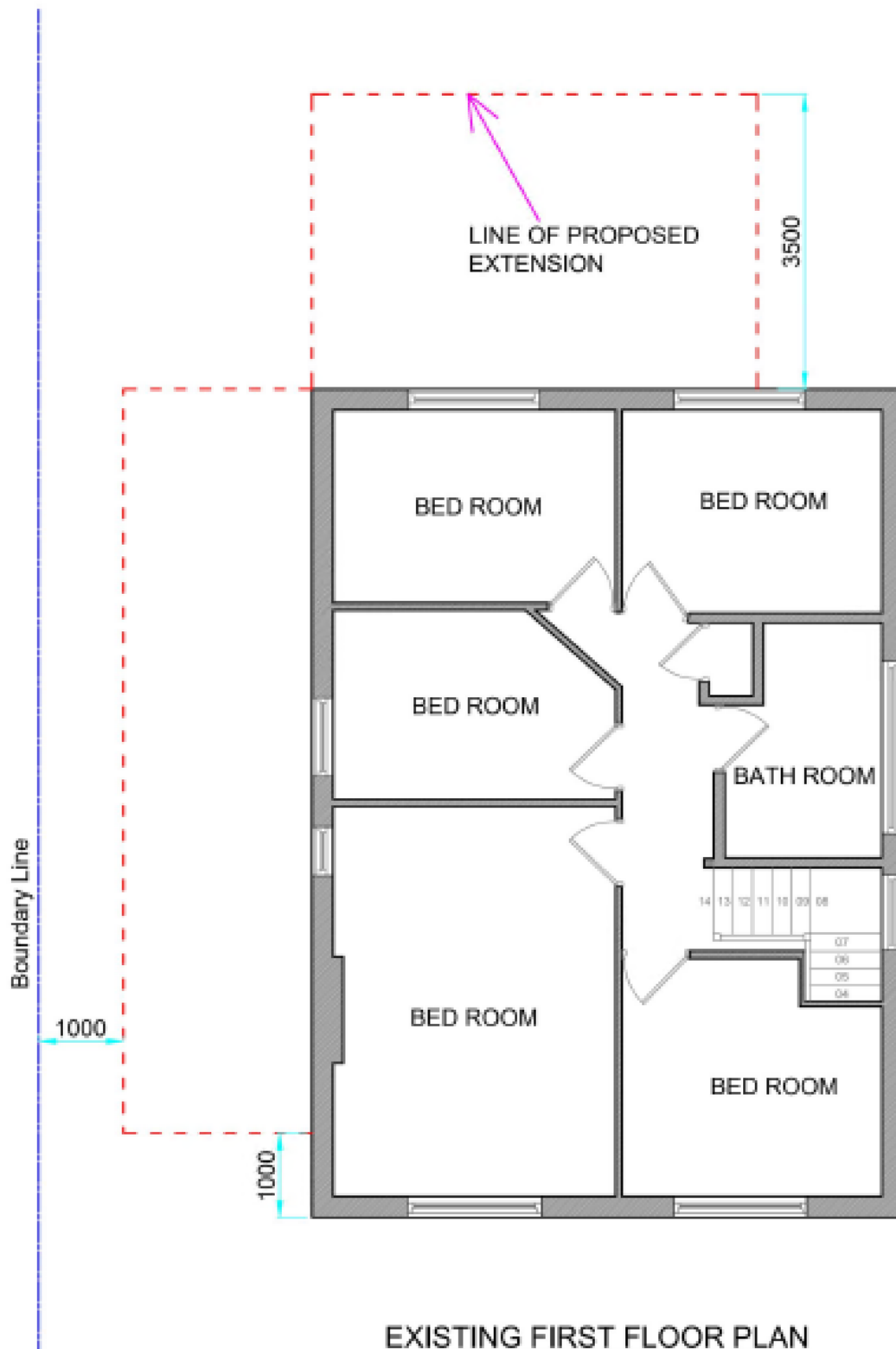


Rear of Host site and Side with No.21

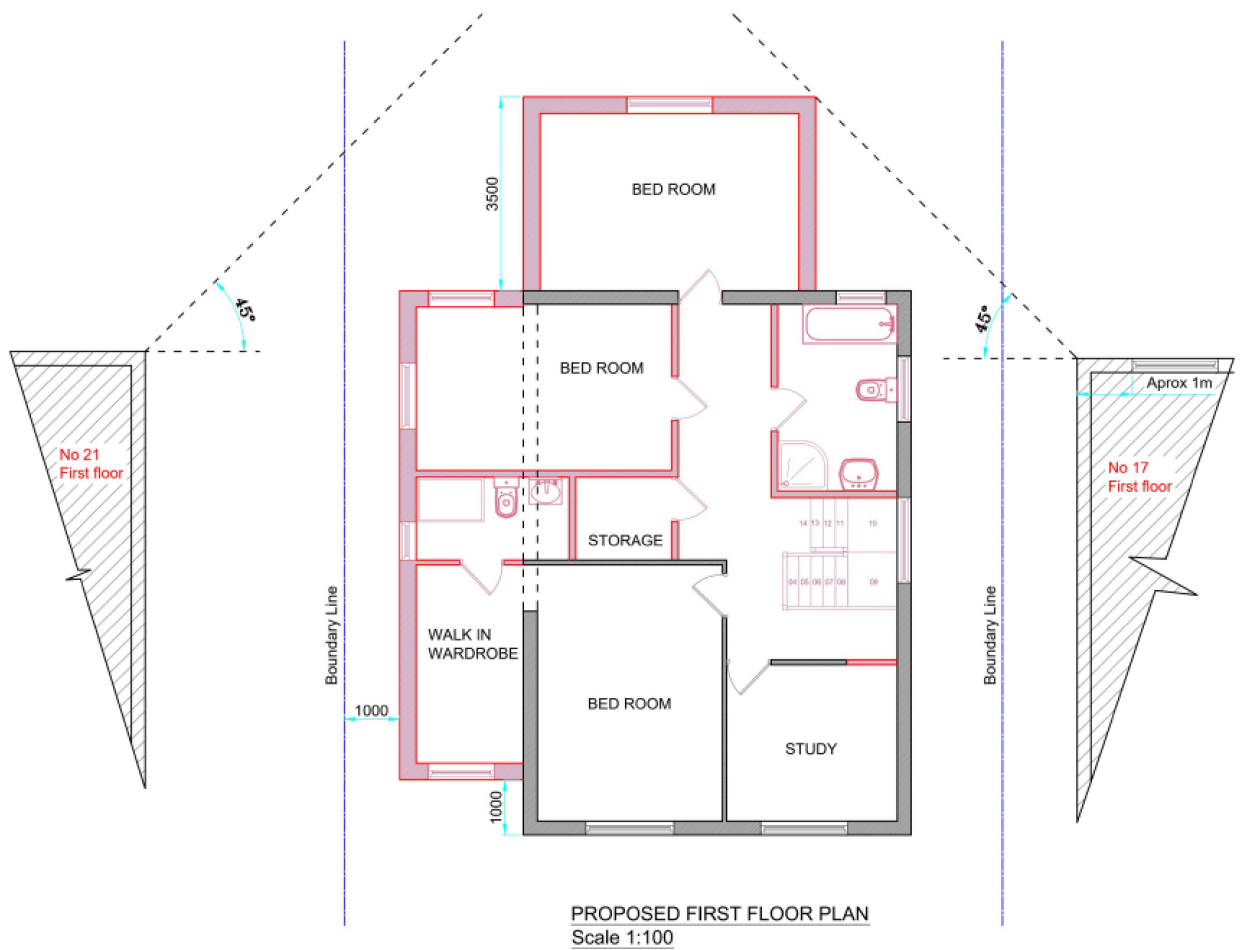


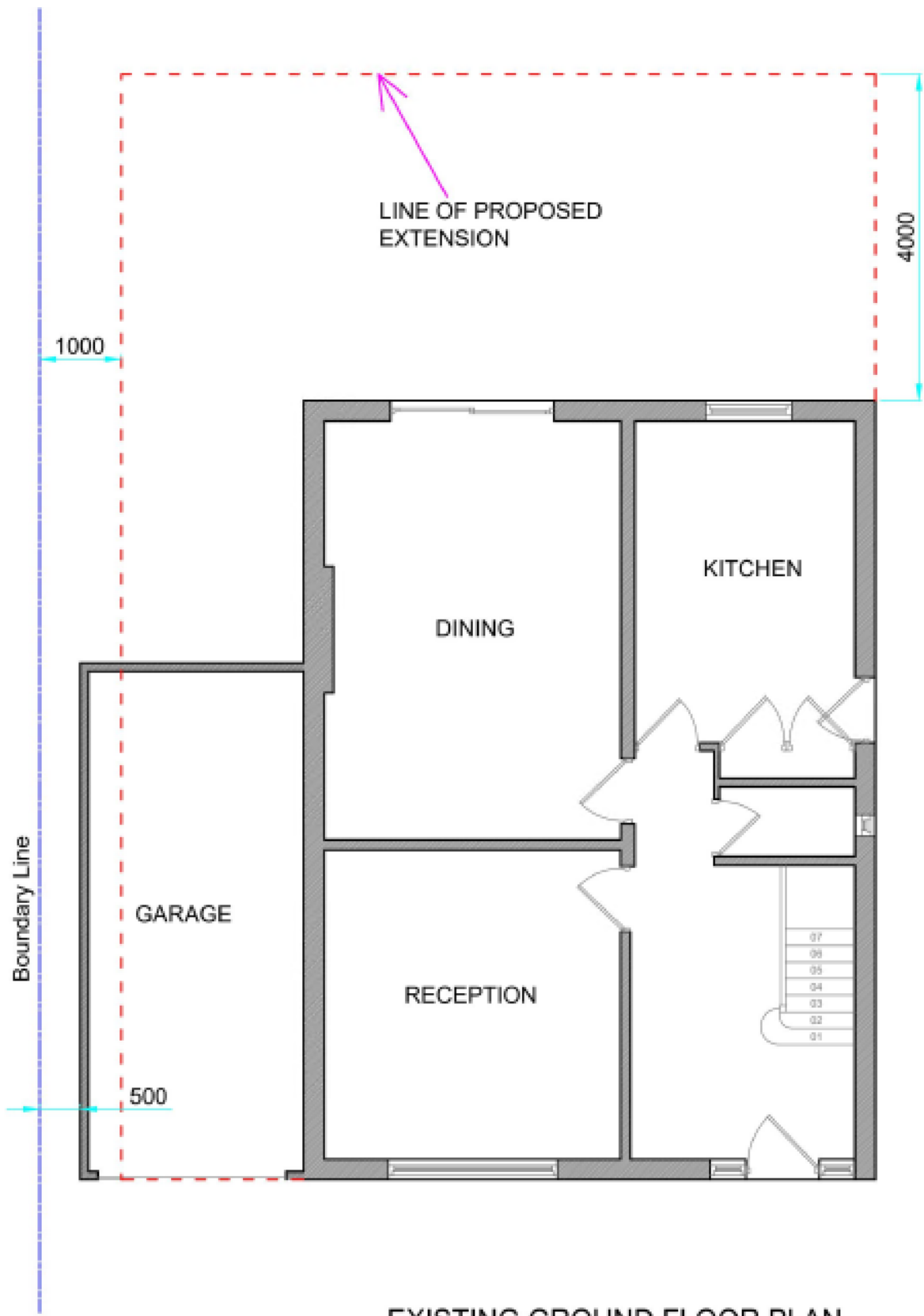
**APPENDIX 4: PLANS AND ELEVATIONS**



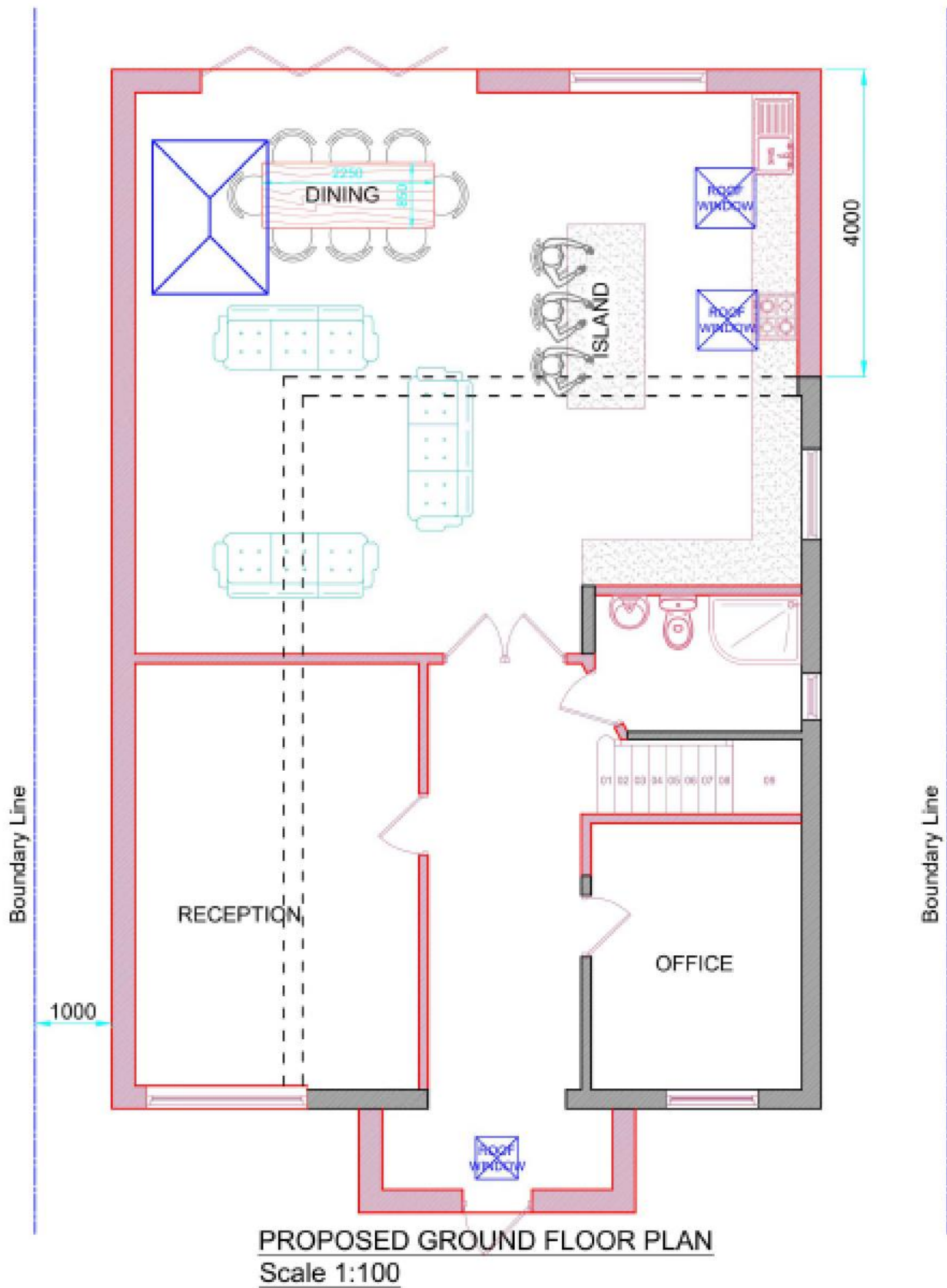








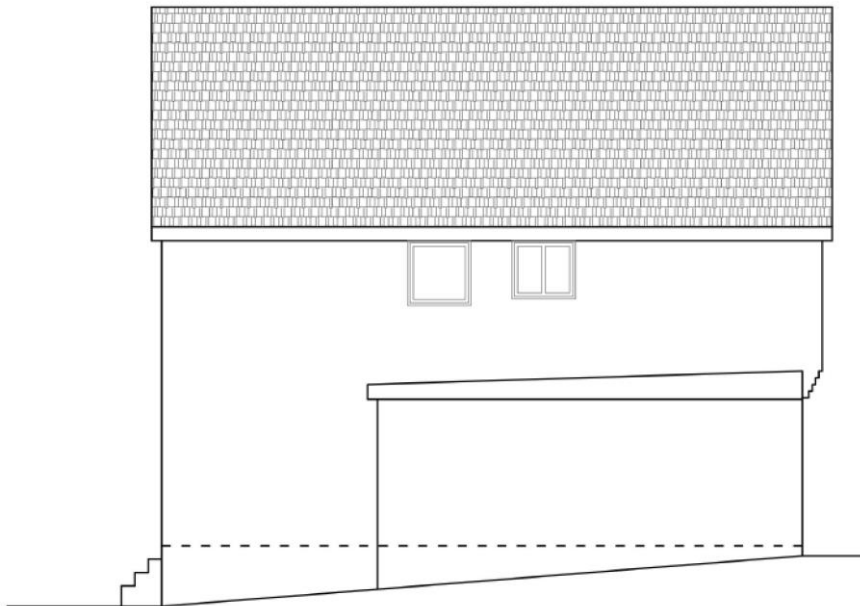
**EXISTING GROUND FLOOR PLAN**  
Scale 1:100





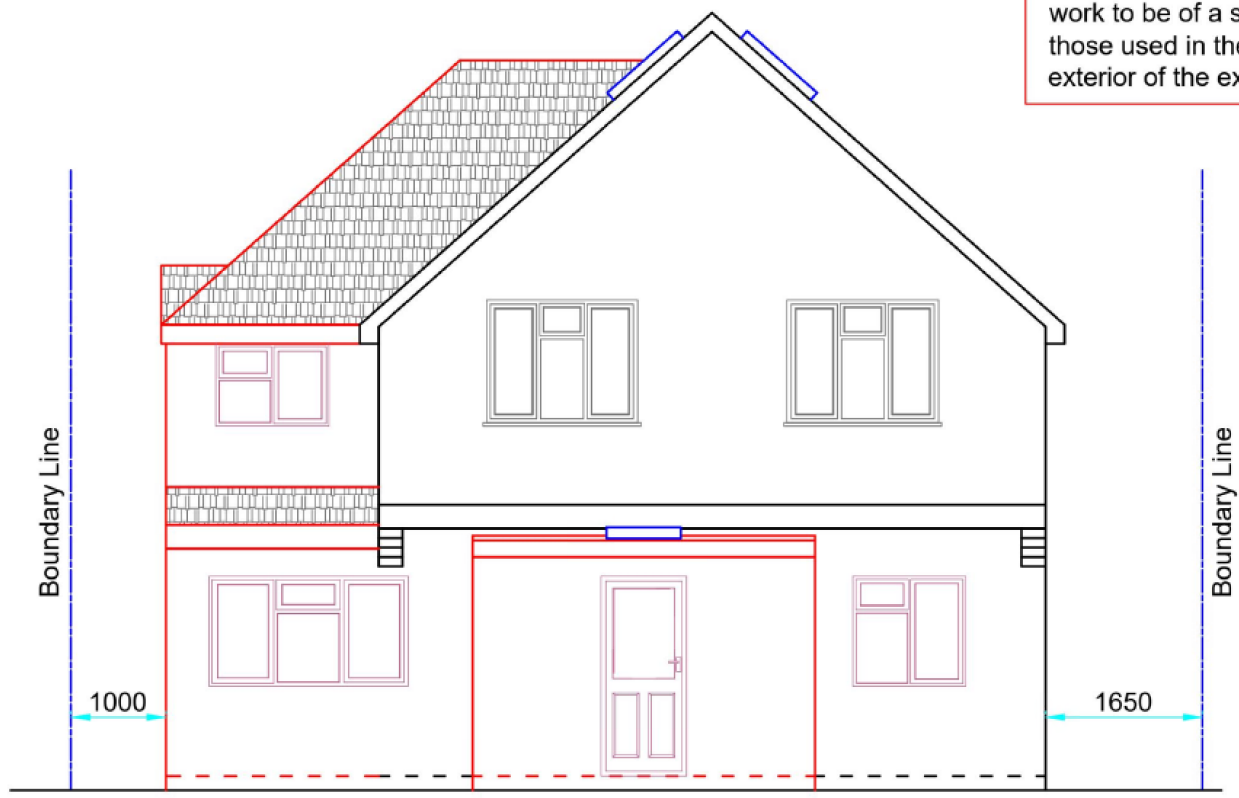
EXISTING FRONT ELEVATION  
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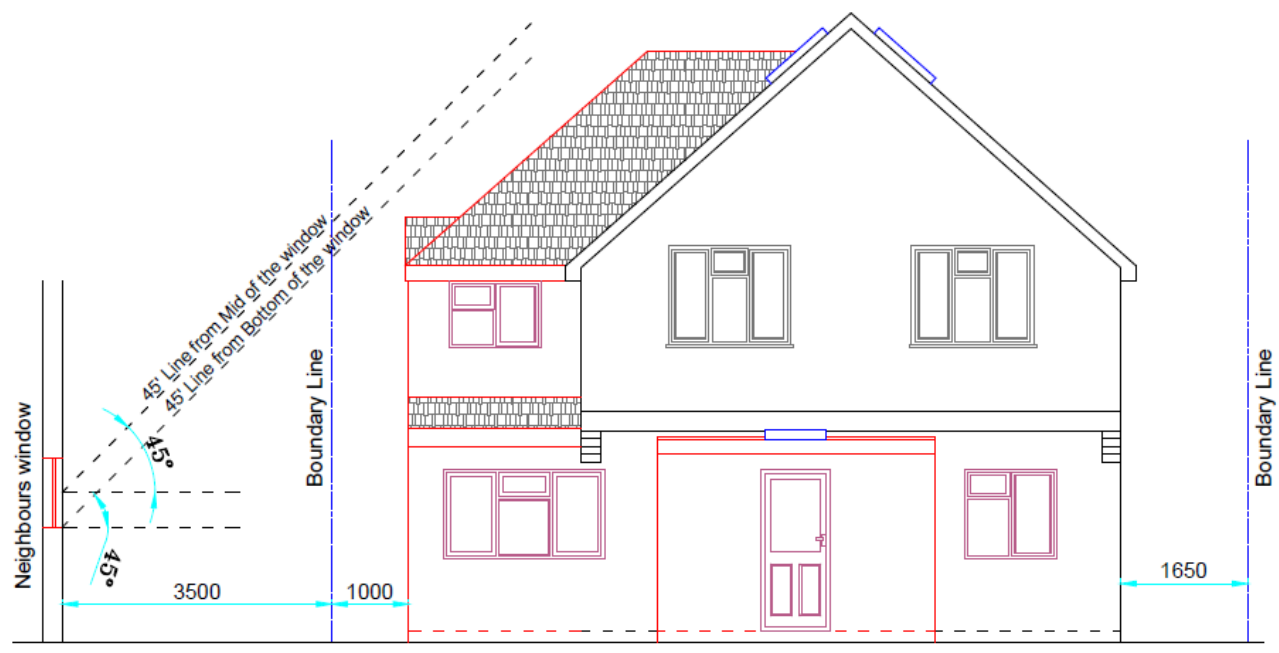


EXISTING SIDE ELEVATION - 02  
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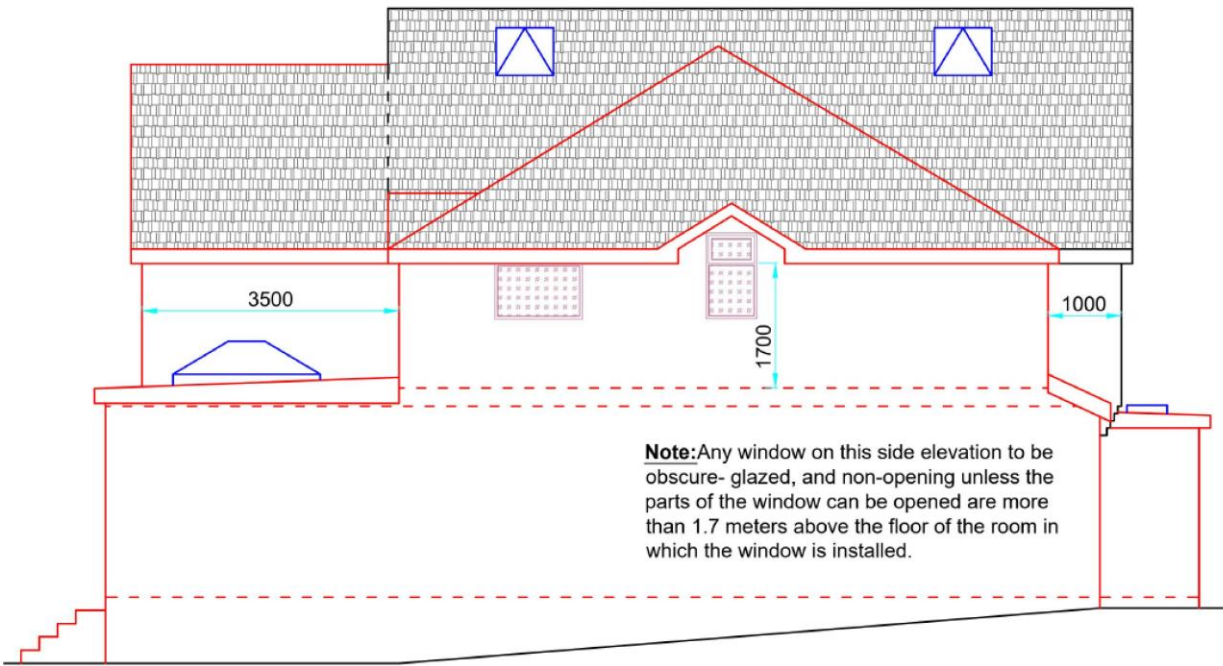


**PROPOSED FRONT ELEVATION**  
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**PROPOSED FRONT ELEVATION**  
Scale 1:100

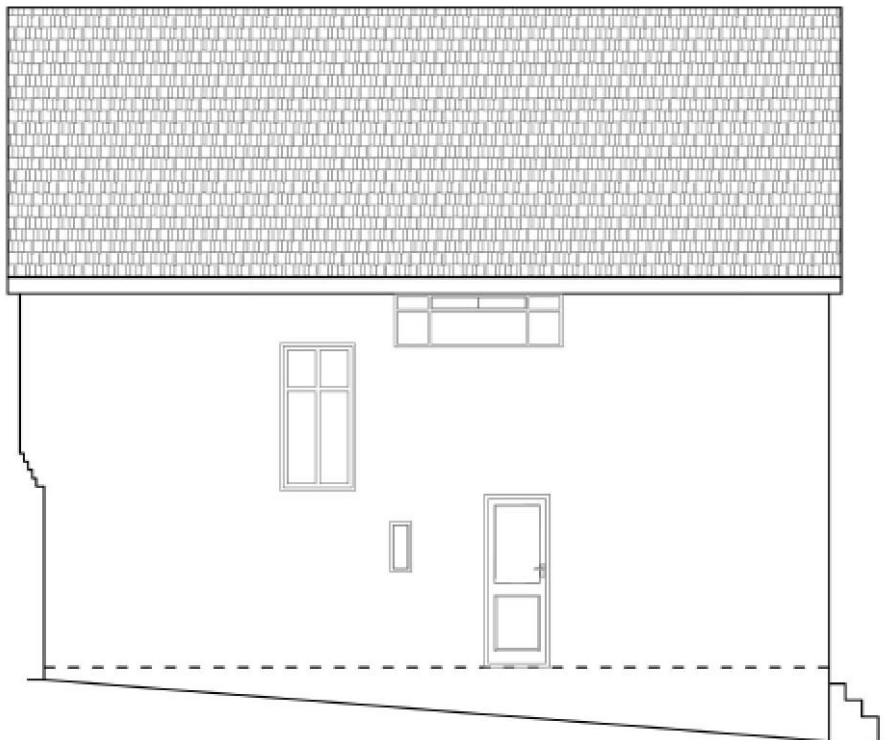
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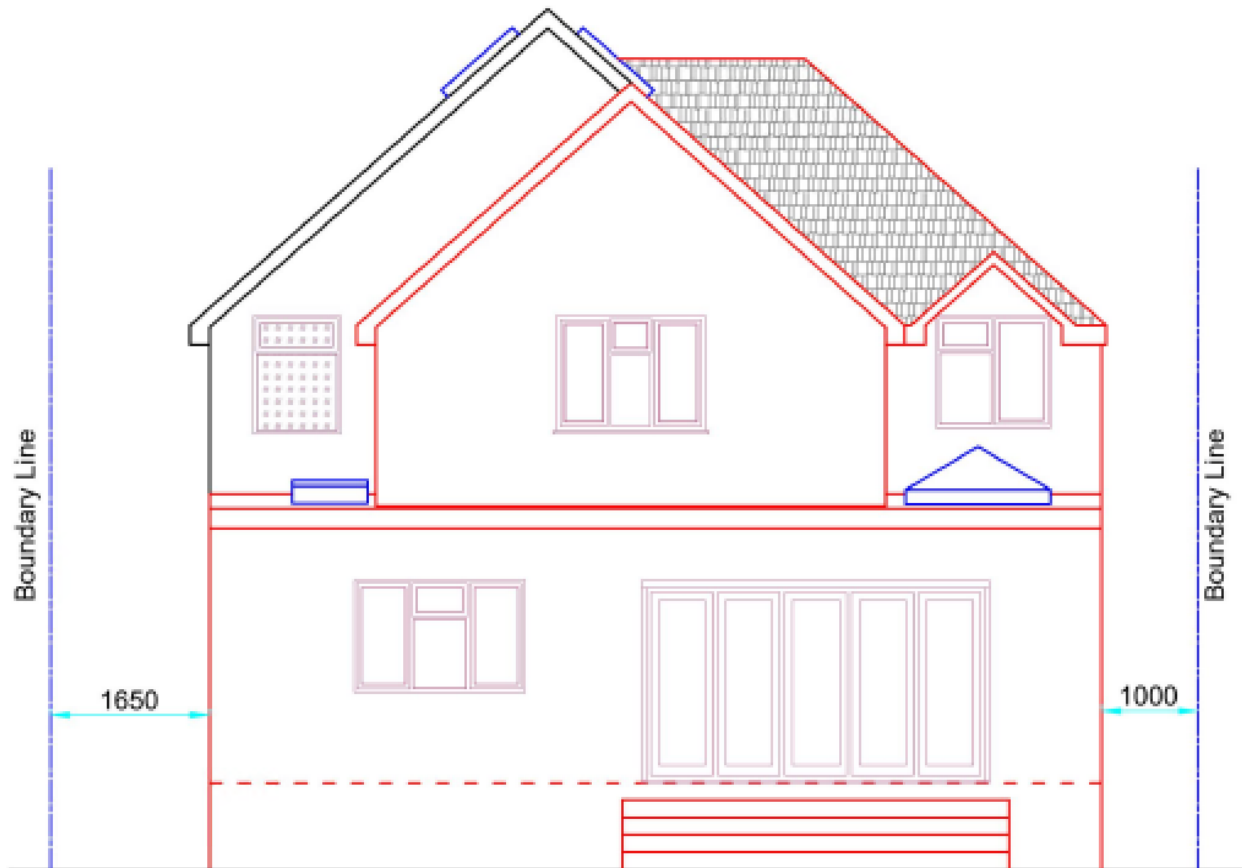
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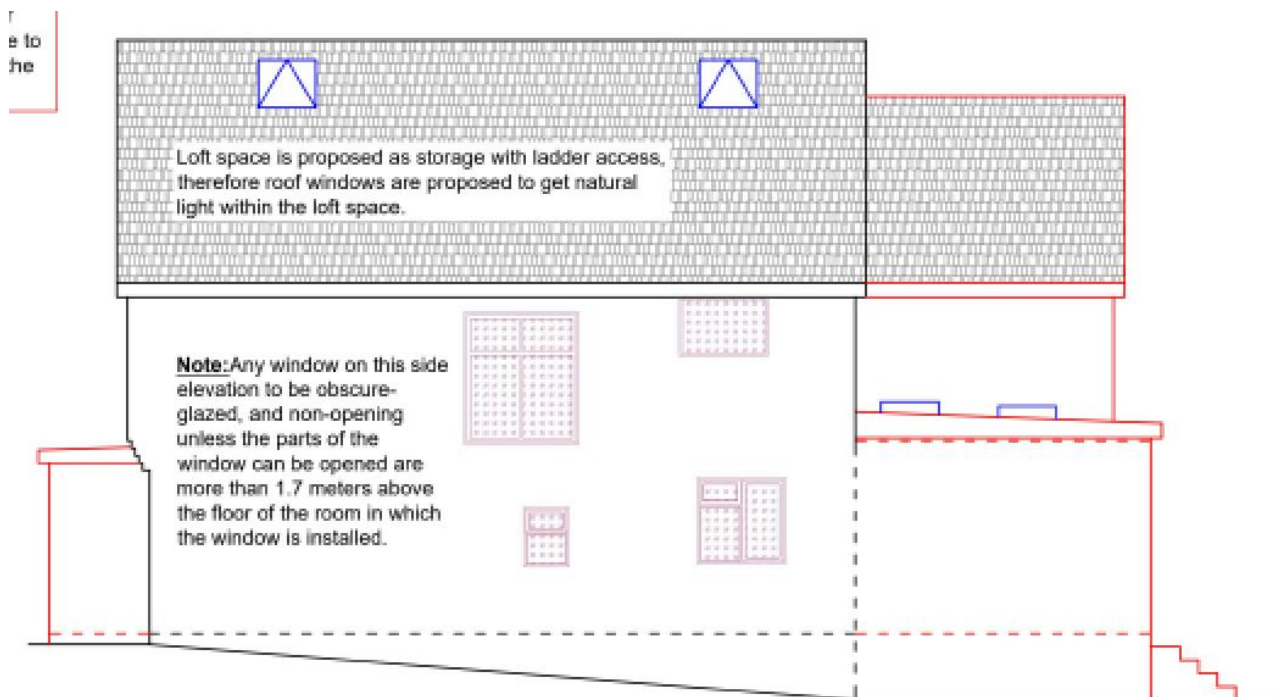
**EXISTING REAR ELEVATION**  
Scale 1:100



**EXISTING SIDE ELEVATION - 01**  
Scale 1:100



**PROPOSED REAR ELEVATION**  
Scale 1:100



**PROPOSED SIDE ELEVATION - 01**  
Scale 1:100



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