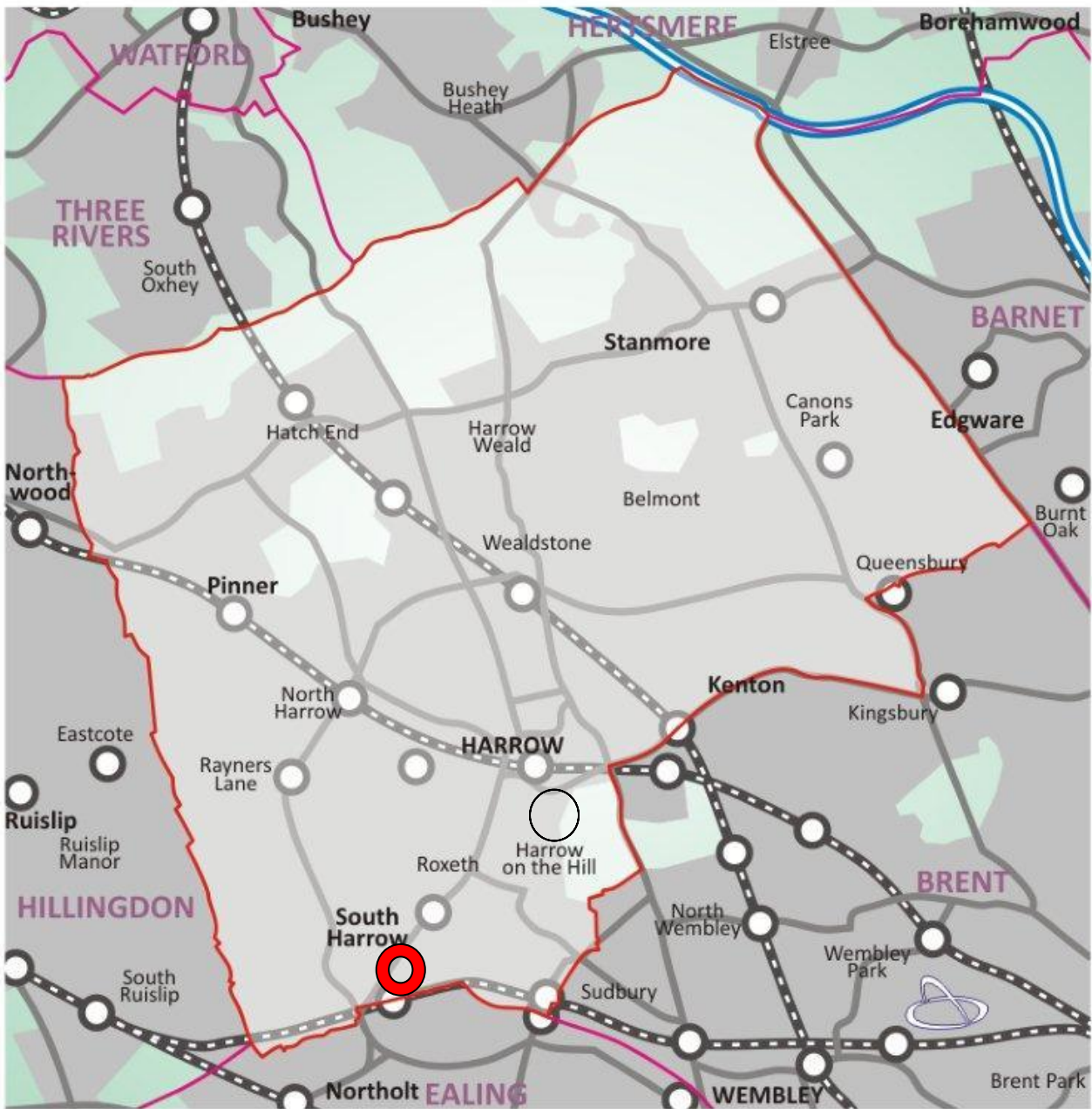


 = application site



32 Roxeth Grove, Harrow, HA2 8JG	PL/1022/24
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Location Plan



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

24th July 2024

APPLICATION NUMBER: PL/1022/24
VALID DATE: 7th MAY 2024
LOCATION: 32 ROXETH GROVE
WARD: ROXETH
POSTCODE: HA2 8JG
APPLICANT: MR RAJ THAKRAL
AGENT: -
CASE OFFICER: CATRIONA COOKE
EXPIRY DATE: 2ND JULY 2024
EXTENSION OF TIME: 25TH JULY 2024

PROPOSAL

Rear conservatory and associated rear patio (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 extension as built does not detract from the character and appearance of the host building, street scene and area in a wider context, nor does it unduly impact upon the residential amenity of neighbouring occupants. The proposed development is located too far away from the Designated Open Land to the rear of the site to unduly impact upon its openness. 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 Exception 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 (2023), Policies D3, D11, D12, SI 12, SI 13 of the London Plan (2021), Policies CS1.B, CS1.F and CS1.W of the Harrow Core Strategy, Policies DM1, DM2, DM9, DM10 and DM18 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 as the land is owned by an employee of the Council, and therefore falls within proviso C. (ii) of the Scheme of Delegation.

Statutory Return Type:	(E)21. Householder Development
Council Interest:	None
Net additional Floorspace:	Approximately 21.75 sqm
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 application site relates to a two-storey semi-detached dwelling located on the southeastern side of Roxeth Grove
- 1.2 The application site, along with the adjoining neighbour at No. 30 Roxeth Grove benefits from a part single part two storey side to rear extension.
- 1.3 The adjacent building at No. 34 Roxeth Grove benefits from a ground floor rear extension. Owing to the curvature of the road, there is a large separation gap between the flank wall of the application site and the flank wall of No. 34 Roxeth Grove, and the flank wall of the application site sits at an angle to the flank wall of No. 34 Roxeth Grove.
- 1.4 The host dwelling is not listed, is not within a Conservation Area, but is located within a Critical Drainage Area.
- 1.5 The Welldon Park Primary School grounds to the southeast of the site form Designated Open Space.

2.0 PROPOSAL

- 2.1 A proposal for a single storey rear extension and patio was presented to Committee on 19th July 2023 and subsequently granted on 20th July 2023. The extension is now being constructed on site not in accordance with the approved plans. The changes to the approved plans, include a flat roof rather than a pitched roof, solid wall on the boundary with No. 30 Roxeth Grove and alterations to the glazing on rear and western flank.
- 2.2 The retention of a single storey rear extension beyond the rear of the existing part single part two storey side to rear extension. The proposed extension would be 3 metres in depth and would project approximately 6.8 metres beyond the rear wall of the original dwellinghouse. The proposed extension would feature a flat roof form with an maximum height of approximately 2.3 metre. The applicant is proposing an associated patio area to the rear of the extension which would be approximately 0.3 metres high, approximately 7.8 metre wide and approximately 6.25 metres deep.

3.0 RELEVANT PLANNING HISTORY

LBH/37999	SINGLE STOREY SIDE TO REAR EXTENSION	Granted 31/08/1989
P/1961/06	TWO STOREY SIDE AND REAR, AND SINGLE STOREY REAR EXTENSION	Refused: 14/09/2006
Reason for Refusal: The proposed two storey side and rear extensions, by reason of the roof design, would appear as an unduly bulky, discordant addition to the property when viewed from surrounding property to the detriment of the amenity of neighbouring occupiers and the character of the locality, contrary to Policies SD1 and D4 in the Harrow		

Unitary Development Plan (2004) and Supplementary Planning Guidance 'Extensions': A Householders Guide.		
P/2739/06	SINGLE AND TWO STOREY SIDE AND REAR EXTENSION (REVISED)	Granted 20/11/2006
P/0703/23	Rear conservatory and associated rear patio	Granted 24/07/2023

4.0 CONSULTATION

4.1 A total of 7.no consultation letters were sent to neighbouring properties regarding this application on 19/05/2023. The overall public consultation period expired on 14/06/2024.

4.2 No comments have been received.

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 2023] which sets out the Government's planning policies for England and how these should be applied and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 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 polices are referenced within the report below and a summary within Informative 1. The LPA has published a draft of its new local plan which has recently gone through its Reg 18 consultation. However, the new draft Plan has no material weight at this stage.

6.0 POLICIES

6.1 The main issues are;

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

6.2 Character and Appearance of the Area

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2023)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1.B, CS1.F
- Harrow Development Management Policies (2013): DM1, DM18

Relevant Supplementary Documents

- Residential Design Guide (2010)

6.2.2 In spite of the fact that the host building has already been extended through a part single part two storey side to rear extension, the erection of the extension beyond the rear of this is still considered by officers to be acceptable on character and design grounds. The extension, together with the existing extensions to the building are considered to remain proportionate and sympathetic in relation to the host building and are not considered to result in an overdevelopment of the plot. There are various examples of ground floor rear extensions within the area, and whilst the combined footprint, depth and massing of the extension and existing extensions exceed that of extensions to surrounding properties, the overall scale of the proposal is not considered excessive enough to unduly detract from the established pattern of development within the area.

6.2.3 The extension remains subordinate to the main building in terms of its overall height and is not considered to appear as an incongruous addition to the building. The application site benefits from a fairly sizeable rear garden, the resulting garden space following the erection of the extension is not considered to be uncharacteristically small. The extension would not be visible along the street scene as such no harm would be caused to this. The extension materials would not directly match the existing dwelling, and given that the extension is not visible from the street scene the impact is limited.

6.2.4 On the basis that the associated rear patio would not be excessive in terms of its height, would not be visible along the street scene, and would have a very low scale visibility from the site's surroundings, it is considered to be an acceptable addition on character and design grounds. It should be noted that the proposed raised patio would be achievable under permitted development, as such the applicant would have a fall-back position for this in any case.

6.2.5 The proposed development is considered to be too distant from the Designated Open Space to the southeast of the site to unduly impact upon the openness and open character of this land.

6.2.6 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, furthermore it would not unduly harm the Designated Open Space to the southeast of the site.

6.3 Residential Amenity

6.3.1 The relevant policies are:

- National Planning Policy Framework (2023)
- 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. 30 Roxeth Grove

6.3.2 Applying the guidance set out within Paragraph 6.59 of the Residential Design Guide SPD, the Council would expect extensions on semi-detached properties to project no more than 3 metres beyond the neighbouring property (unless site circumstances allow for this) given that a semi-detached dwellinghouse would be allowed to extend 3 metres to the rear under permitted development. In this particular case the extension is compliant in respect to No. 30 Roxeth Grove as it only projects 3 metres beyond the extended rear façade of this neighbouring property. Taking into account the extensions acceptable rearward projection beyond the rear of No. 30 Roxeth Grove, together with the fact that it is not be excessive in terms of its overall height, it is not considered to unduly restrict outlook afforded to the rear garden and ground floor rear facing habitable room windows of this neighbouring property.

6.3.3 The rear of No. 30 Roxeth Grove is south facing and is located to the east of the application site so there could be a degree of overshadowing of this neighbouring property's rear garden and ground floor rear facing habitable room windows in the evening during summer months, and from the early afternoon to early evening during winter months, however based on the fact that the extension is located at ground floor level only, is not excessively high and does not project excessively rearward of No. 30 Roxeth Grove the degree of overshadowing is considered on balance not to be significant enough warrant a reason for refusal. It should be added that No. 30 Roxeth Grove benefits from a sizable rear garden and much of this would unimpacted. The extension does not feature fenestration facing this neighbouring property and as such it is not considered to enable harmful overlooking of this neighbouring property.

6.3.4 Although it would project beyond the rear of No. 30 Roxeth Grove's rear patio area, on the basis that the proposed rear patio would not be excessive in height, it is not considered to enable harmful overlooking of the rear garden of this neighbouring property. As set out previously within this report the proposed rear patio would be achievable under permitted development in any case.

Impact on No. 34 Roxeth Grove

6.3.5 The extension projects over 3 metres beyond the rear of No. 34 Roxeth Grove's rear extension and is located to the south east of this neighbouring property. Given that the extension is angled away from this neighbouring property and is set a significant distance away from the flank wall and main rear garden space of this neighbouring

property, it is not considered to unduly restrict light and outlook afforded to the rear garden and ground floor rear facing habitable room windows of this neighbouring property. Officers note that No. 34 Roxeth Grove's rear extension features clear glazed flank fenestration looking onto the side access way and the application site further beyond this, however the distance between the extension and this fenestration is considered sufficient to mitigate any harm to this neighbour's flank habitable room fenestration. It should be noted that the flank fenestration to No. 34 Roxeth Grove's rear extension would be secondary in any case, with the room being served primarily by the rear facing habitable room fenestration. Officers note that the extension incorporates clear glazed flank fenestration facing towards the rear garden of No. 34 Roxeth Grove, however as a result of the significant separation gap provided between the proposed conservatory and the rear garden of No. 34 Roxeth Grove, together with boundary screening and tall boundary vegetation at No. 34 Roxeth Grove, harmful overlooking of No. 35 Roxeth Grove's garden is not anticipated. The flank fenestration associated with the proposed conservatory is angled away from the clear glazed flank fenestration applied to No. 34 Roxeth Grove's extension, as such harmful mutual overlooking is not anticipated.

- 6.3.6 On the basis that the proposed rear patio would not be excessive in height, and there would be a large separation gap between the patio and the garden of No. 34 Roxeth Grove, together with boundary screening and tall boundary vegetation at No. 34 Roxeth Grove, the proposed patio is not considered to enable harmful overlooking of this neighbouring property. As set out previously within this report the proposed rear patio would be achievable under permitted development in any case.

6.4 Drainage

- 6.4.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2020): SI 12, SI 13
- Harrow Core Strategy (2012): CS1.W
- Harrow Development Management Policies (2013): DM10

- 6.4.2 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.

6.5 Fire Safety

- 6.5.1 The relevant policies are

- National Planning Policy Framework (2023)
- London Plan Policy: D12

- 6.5.2 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 Exception Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site.

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 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 located too far away from the Designated Open Land to the rear of the site to unduly impact upon its openness. 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 Exception 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 (2023), Policies D3, D11, D12, SI 12, SI 13 of the London Plan (2021), Policies CS1.B, CS1.F and CS1.W of the Harrow Core Strategy, Policies DM1, DM2, DM9, DM10 and DM18 of the Harrow Development Management Policies Plan, and the Harrow Supplementary Planning Document: Residential Design Guide (2010).

APPENDIX 1: CONDITIONS AND INFORMATIVES

CONDITIONS:

1. **Timing**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. **Approved Plans and Documents**

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

Site Location Plan, 1620/PL/01 and Reasonable Exception Statement.

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

3. **Materials**

The external surfaces of the development hereby approved shall be constructed in accordance with the details provided within 1620/PL/01 and the submitted Application Form.

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).

4. **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 east flank elevation 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).

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 amenities of neighbouring residents in accordance with Policy DM1 of the Harrow Development Policies Local Plan (2013).

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2023)

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

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

Harrow Development Management Policies Local Plan 2013:

DM1, DM2, DM9, DM10, DM18

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 Council has no remit regarding this Act, and you are advised to seek independent professional advice from a party wall surveyor.

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:

www.gov.uk search "The Party Wall Act 1996 explanatory booklet"

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 or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicant's 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 (as amended)

This decision has been taken in accordance with paragraphs 39-42 of the '*National Planning Policy Framework*' 2023 (as amended). 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.



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 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 (2023) 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. The London Plan (2021) 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

 <p>Orla Murphy Head of Development Management</p> <p>11th July 2024</p>	 <p>Viv Evans Chief Planning Officer</p> <p>11th July 2024</p>
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APPENDIX 2: LOCATION PLAN



APPENDIX 3: SITE PHOTOGRAPHS



Appendix 3 – Plans

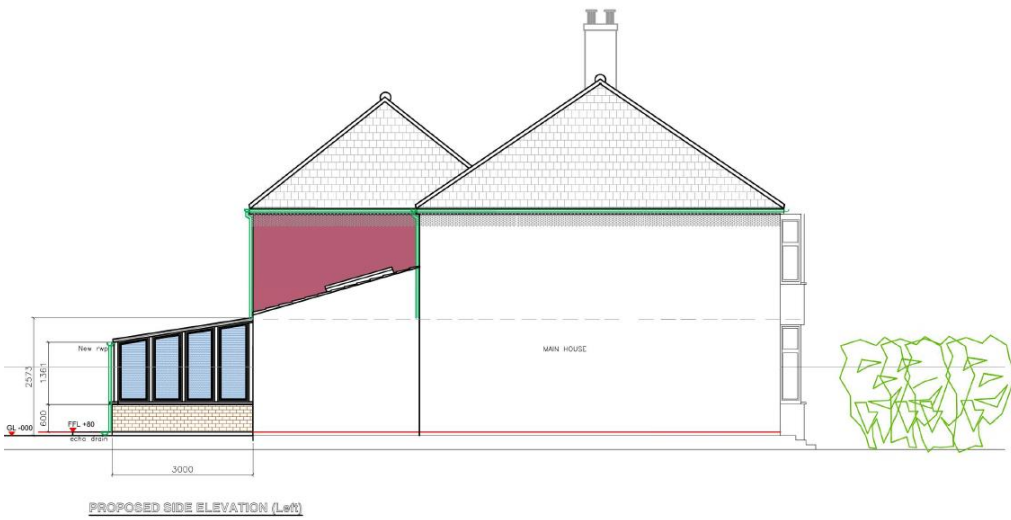
Approved rear elevation



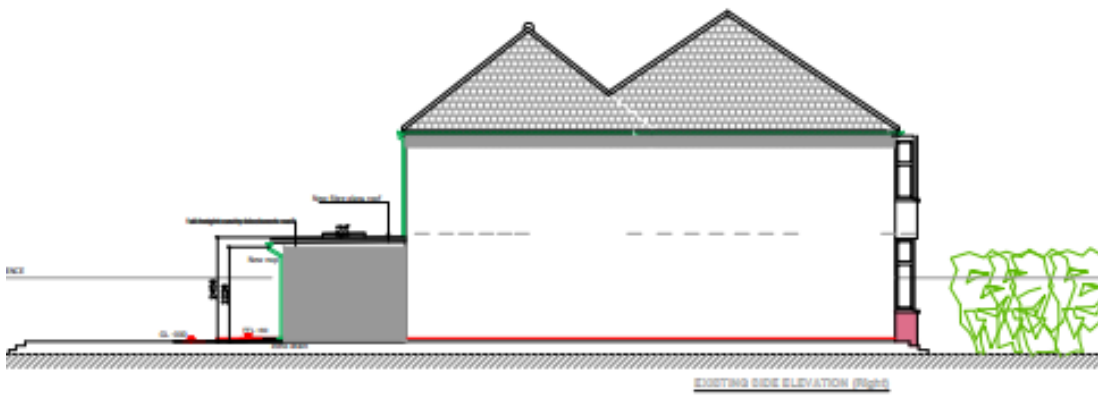
Existing rear elevation



Approved side elevations



Existing side elevations



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