

## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 27-Jul-2010

**Report of**  
Assistant Director, Planning &  
Environmental Protection

**Contact Officer:**  
Aled Richards Tel: 020 8379 3857  
Andy Higham Tel: 020 8379 3848  
Ms E. Kiernan Tel: 020 8379 3830

**Ward:**  
Cockfosters

**Application Number :** TP/10/0312

**Category:** Dwellings

**LOCATION:** LAND ADJACENT TO 8, ALDERWOOD MEWS, BARNET, EN4 0ED

**PROPOSAL:** Erection of a 2 storey detached 6-bed single family dwelling with rooms in roof with front dormer windows.

**Applicant Name & Address:**

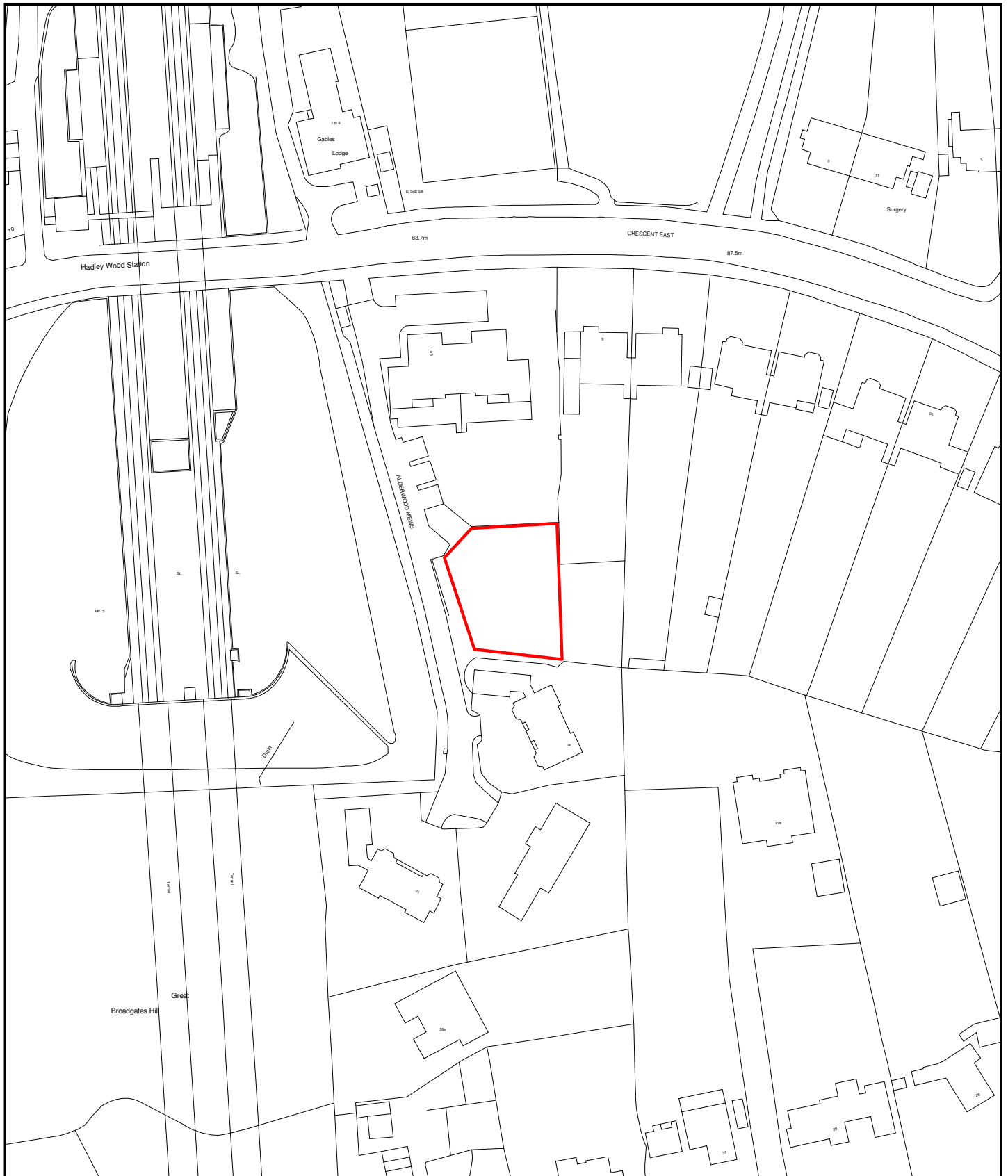
Mr Micheal Brown  
High Clere,  
Congelton Road,  
Alderley Edge,  
SK9 7AL

**Agent Name & Address:**

Mr Alan Cox,  
Alan Cox Associates  
59A, High Street  
Barnet  
Herts  
EN5 5UR

**RECOMMENDATION:**

That planning permission be **GRANTED** subject to conditions.



### Development Control



Scale - 1:1250  
Time of plot: 12:00

Date of plot: 09/07/2010

## **Note for Members**

Although an application of this nature would normally be determined under delegated authority, due to the concerns expressed by local residents about this scheme, Council McCannah has requested that the application be considered by the Planning Committee

### **1. Site and Surroundings**

- 1.1 The application site is situated on the southern side of Crescent East on the eastern side of the private access road serving the development at Alderwood Mews. The site comprises part of the rear garden of No.8 Alderwood Mews and is approximately 0.072 hectares.
- 1.2 The surrounding area is residential and the Alderwood Mews development comprises three detached dwellings to the rear of the site and a three storey block of flats at the site entrance. A feature of the site is the rise in ground level from Crescent East
- 1.3 The site is within the Hadley Wood Conservation Area and contains a number of trees, which are the subject of a Tree Preservation Order LBE Order No. 276.

### **2. Proposal**

- 2.1 Permission is sought for the erection of a 2 storey detached 6-bed single family dwelling with rooms in the roof space with front dormer windows and three rear roof lights.
- 2.2 The dwelling would be L-shaped with dimensions of 15m in width by 14m in maximum depth and finished with a crown roofline to a ridge height of 8.2m. Accommodation comprises a lounge, dining room, kitchen/family room, utility room and garage at ground floor level, four bedrooms (all with ensuite) at first floor level and two additional bedrooms within the roof space.
- 2.3 Four off street parking spaces are provided to the front of the property accessed off of Alderwood Mews.

### **3. Relevant Planning Decisions**

- 3.1 TP/00/0057 – permission for erection of three storey block of six 2-bed flats together with the provision of associated car parking spaces and vehicular access onto Crescent East was granted in July 2000
- 3.2 TP/00/1740 – permission for the erection of three storeys detached six bed houses with garages and access granted in August 2001
- 3.3 TP/02/0770 – permission for the erection of 2-storey detached five bed dwelling house on vacant land to the R/O 6 Crescent West was refused in August 2002 for the following reasons:
  - 1 That the proposed development will result in the loss of trees the subject of a Tree Preservation Order which contributes to the setting of the Hadley Wood Conservation Area and which perform an

important function in screening and integrating the new development to the south into the established character of the area. The development of this site, together with the removal of these trees will detract from the character and appearance of the Hadley Wood Conservation Area contrary Policies (I) C1, (II) C28 and (II) C38 of the Council's Unitary Development Plan.

- 2 The proposed development on a restricted plot together with the significant reduction in the size of the curtilage of Plot 1 of the adjacent new development, results in a cramped form of development having regard to the prevailing character of the area, detrimental to the character and appearance of the Hadley Wood Conservation Area contrary Policies (I) C1, (II) C28 and (II) C38 of the Council's Unitary Development Plan.

3.4 TP/02/0959 – permission for the erection of detached four bedroom house with integral double garage on vacant land to the r/o 6, Crescent East – refused August 2002 for the following reasons:

- 1 That the proposed development will result in the loss of trees the subject of a Tree Preservation Order which contributes to the setting of the Hadley Wood Conservation Area and which perform an important function in screening and integrating the new development to the south into the established character of the area. The development of this site, together with the removal of these trees will detract from the character and appearance of the Hadley Wood Conservation Area contrary Policies (I) C1, (II) C28 and (II) C38 of the Council's Unitary Development Plan.
- 2 The proposed development on a restricted plot together with the significant reduction in the size of the curtilage of Plot 1 of the adjacent new development, results in a cramped form of development having regard to the prevailing character of the area, detrimental to the character and appearance of the Hadley Wood Conservation Area and the area generally, contrary to policies (II) GD3 and (II) C30 of the Council's Unitary Development Plan.

#### **4. Consultations**

##### **4.1 Statutory and non-statutory consultees**

- 4.1.1 Traffic and Transportation have no objections to the proposed development subject to conditions
- 4.1.2 Thames Water has no objections in regards to sewerage infrastructure and surface water drainage is the responsibility of the developer
- 4.1.3 Duchy of Lancaster state that the covenants do not apply to this property and therefore the Duchy have no continuing interest
- 4.1.4 Network Rail has no objections to the proposed development

##### **4.2 Public**

4.2.1 Consultation letters have been sent to 12 neighbouring properties. Fourteen representations have been received, which raised all or some of the following issues:

- Out of character with surrounding Conservation Area in terms of design, size and siting
- Size, width, mass, height and siting would have adverse impact on the amenities of adjacent properties in regards to overlooking, loss of privacy and visually overbearing
- Pressures on existing trees on site
- Removal of trees would be detrimental to character of Conservation Area
- Overlooking to rear gardens of 6,8 and 10 Crescent East
- Additional traffic and parking problems
- Trees on site currently offer privacy
- Overdevelopment of site

4.2.2 In addition, Southgate District Civic Trust raises no objection to an additional house on the reasonable sized plot depending on the trees on consideration of the existing trees on site.

## **5. Relevant Policy**

### **5.1 London Plan**

3A.1	Increasing London's supply of housing
3A.3	Maximising the potential of sites
3A.5	Housing choice
3A.6	Quality of new housing provision
3C.22	Improving conditions for cycling
3C.23	Parking strategy
4A.3	Sustainable design and construction
4B.1	Design principles for a compact city
4B.8	Respect local context and communities

### **5.2 Unitary Development Plan**

(I) GD1	New development to have appropriate regard to its surroundings
(II) GD2	New development to improve the environment
(II) GD3	Design and character
(II) C30	Buildings, extensions and alterations in Conservation Areas
(II) C38	Tree protection in Conservation Areas
(II) GD6	Traffic implications
(II) H8	Privacy and overlooking
(II) H9	Amenity space
(II) T13	Access onto public highway
(II) T16	Access for people with disabilities

### **5.3 Local Development Framework**

5.3.1 The Enfield Plan is now proceeding through the Examination in Public process into the soundness of the Plan. It is considered some weight can now be attributed to the policies contained in the Core Strategy and the following policies from this document are of relevance:

- SO4 New homes
- CP4 Housing quality
- CP9 Supporting community cohesion
- CP30 Maintaining and improving the quality of the built and open environment

### **5.3 Other Material Considerations**

- PPS1 Delivering Sustainable Communities
- PPS3 Housing
- PPS5 Planning and the Historic Environment
- PPG13 Transport

Hadley Wood Conservation Area Character Appraisal 2006

## **6. Analysis**

### **6.1 Principle**

- 6.1.1 The site is within an existing housing area and forms part of a substantial rear garden. The recent changes to PPS3 explicitly remove garden land from the definition of 'previously-developed land' and therefore the policy presumption in favour of making a more effective and efficient use of such land does not now apply. However, the Council must continue to consider the application on its merits and assess whether the proposal to redevelop the site as proposed, including the introduction of two dwellings within what presently constitutes the rear garden of the existing properties, would harm the character or appearance of the area or would have a detrimental impact on the amenities of the occupiers of adjoining properties. Accordingly, the changes to PPS3, do not introduce an objection in principle to the development of garden land but remove the weight to be attached to achieving a more efficient and effective use of such land.
- 6.1.2 The previously refused schemes TP/02/0959 and TP/02/770 are also relevant to the consideration of this application. However, there are key differences since the decisions were made. At the time of those applications the main development (i.e. three detached houses) was under construction and the application site had been retained as a wooded area to screen these new houses and ensure the development satisfactorily integrated into the area. Since then, many of the trees that were on the plot have been removed and therefore the plot does not form the same function as it did then. A number of trees remain around the periphery of the site and with the exception of a number of the lowest grade trees, these are to be retained.
- 6.1.3 With reference to these decisions, firstly, TP/02/0770 was for a two storey detached dwelling, which had a plot frontage of 31 metres and virtually extended across the full width (23m x 14m) and towards the frontage given the proposed detached garage. As a result, the proposal was considered to represent a cramped form of development, which had a greater visual prominence within the Conservation Area. The building would also have presented a substantial elevation within 2 metres of the site boundary to nos.1-6 Alderwood Mews and required the removal of a large grouping of trees. In comparison, the scheme in question has a smaller footprint (14m x

15m) and site coverage and thus is more sympathetically integrates into the locality.

- 6.1.4 Secondly, TP/02/0959 was for a two storey chalet style bungalow, which had a plot frontage of 23 metres and again was sited within the middle of the plot and set back from the access road by approximately 10 metres. This property had dimensions of 22 metres by 13 metres and extended across the width of the plot. With the removal of the trees within the site, this represents a material change in circumstances which potentially enables a new scheme to address the previous reasons for refusal.
- 6.1.5 However, the issues for consideration remain the integration of the new development with the character of the area, whether the plot is large enough to support a new dwelling of the scale and layout proposed and the effect on the area and those of neighbouring occupiers are safeguarded.

## 6.2 Effect on Character and Appearance of Surrounding Area

- 6.2.1 Taking into account the revisions to PPS3, the key consideration is whether the proposed development would detract from the existing residential form and character of the area.
- 6.2.2 The principle of development to the rear of the Crescent East frontage is already established through the development of Alderwood Mews. AS already identified, the character of this development is one of detached properties set with good sized residential curtilages. This form of backland development is also evident to the north of the application site. Consequently, it is considered that as the subdivision of this site would result in a plot and dwelling of comparable size to those existing in Alderwood Mews, the form and pattern of development would not be out of keeping or detrimental to the existing character of the area. Moreover, it is considered that the proposed development would reflect this in regards to width, frontage and depth and sits comfortably on its plot, which relates appropriately to the character of the street scene
- 6.2.3 In addition, with a density of 125 hrph, this is below the suggested density range of 150-200 hrph and is considered appropriate.
- 6.2.4 The amenity space provision should be equal to 100% of the total gross internal floor area (GIA) of the proposed dwelling or a minimum of 60 sq.m whichever is the greater in area. As well as providing a visual setting for the dwelling in the general street scene, the amenity space should provide for the passive or active recreation of the occupants. The amenity space provision for the new dwelling equates to approximately 429.sq.m (area calculated relates to space to east and north of building only). The dwelling has a gross internal floor area of approximately 355 sq.m. Accordingly, the level of amenity space at approximately 120% is above the 100% provision required by UDP policy and is consistent with the garden sizes for the existing plots within this development.
- 6.2.5 It is also important to consider the remaining amenity space to serve the existing dwelling at no. 8 Alderwood Mews. The dwelling has a gross internal floor area of approximately 420 sq.m and the amenity space is 375 sq.m. The level of amenity space at approximately 89% is below the 100% provision. However given that this area of amenity space is all private amenity space

and consists of a large area sited to the rear and additional parcels to either side elevation, which is comparable to the pattern of development within the street scene, the level of amenity space is adequate for the proposed dwelling and accords with policy (II) H9 of the UDP.

- 6.2.6 Additionally, it was noted that the site in question has been largely fenced off and therefore does not appear to have functioned as the main area of private amenity space to serve No.8 Alderwood Mews for a period of time. Furthermore, the amenity space figure could increase given that existing areas to the rear of the garage and landscaped areas to the front of the site were not included within the calculation, but could assist to create a suitable setting and further pockets of amenity space.

### 6.3 Effect on Character on Conservation Area

- 6.3.1 Since the previous refusals, a Character Appraisal of this Conservation Area has been undertaken. This does not refer specifically to the development at Alderwood Mews or the need to retain views to the woodlands or greenery within this development. However, the Character Appraisal notes that the loss of original architectural details, increased car parking, the replacement of original boundary walls, the need for appropriate management of street trees and the need for appropriate highway maintenance are key issues detracting from the character of the Conservation Area. Mindful of this, the proposed development would have minimal presence within the street scene and thus, it is considered it would serve to preserve the character and appearance of the Conservation Area.

- 6.3.2 The proposed dwelling is considered to be sympathetic to the Conservation Area in regards to design, detailing and choice of materials. The crown roofline and dormer windows would respect and integrate satisfactorily within the existing street scene. The dwelling features two and a half storeys in heights, which is compatible with neighbouring dwellings. The materials proposed of brickwork to match no. 8 Alderwood Mews and plain tiles are in keeping with the building styles within the immediate vicinity.

### 6.4 Effect on Neighbouring Properties

- 6.4.1 A number of residents have raised objections in regards to loss of sunlight/daylight and privacy particularly in relation to the rear gardens of Crescent East and relationship with no.8 Alderwood Mews.
- 6.4.2 Policy (II) H8 seeks to maintain adequate distances between buildings so as to safeguard the privacy of occupiers of existing and proposed dwellings. There are no proposed windows within the ground floor side elevation and the first floor windows within these elevations serve non-habitable rooms and therefore could be conditioned to contain obscured glazing should the scheme be granted. The proposed dwelling is also positioned to respect the 11 metre separation from the eastern boundary in terms of distance of first floor windows to the boundary.
- 6.4.3 The position of the building would not give rise to any loss of sunlight /daylight to the occupiers of No.8 Alderwood Mews. Additionally the separation distances and relationship of the proposed dwelling to both the flats at 1-6 Alderwood Mews and adjacent dwelling at. 6 Crescent East are considered acceptable and therefore would not have any detrimental impacts on



residential amenities. The rear windows would not give rise to unacceptable overlooking as there is a separation of 11 metres from the common boundary and additionally views would be restricted to the bottom section of the garden, not the immediate patio area and amenity space to the rear of the dwelling.

6.4.4 The proposed dormer windows within the front elevation would have views towards the street scene and railway embankment and therefore would not impact on privacy to adjacent occupiers.

6.4.5 The proposal shows that the flank walls of the dwelling would maintain a distance of 2 metres to the common boundary with No 8 Alderwood Mews and a minimum of 11 metres from the boundary with the rear garden of 6 Crescent East to the east.

## 6.5 Traffic and Parking

6.5.1 The plans indicate that the hard standing at 8.0 x 6.0 would provide for four off street parking spaces (including those within the proposed garage), which is considered acceptable for the low PTAL rating at 1a, having regard to Policy 3C.23 of the London Plan.

6.5.2 Refuse would be collected as existing for the neighbouring houses, this is considered acceptable, however a condition could be secured for details of refuse storage, should the scheme be granted.

## 6.6 Loss of Trees

6.6.1 The proposal would result in the loss of a number of trees (graded c in the report), particularly to the rear and side (north and east elevations) of the site.

6.6.2 A significant number of trees have already been removed from the site to facilitate the existing development. Consequently, the trees retained around the periphery and those which are located on the application site are therefore all the more important in ensuring the existing development is satisfactorily integrated into the established character of the area.

6.6.3 In comparison to the previously refused schemes, it appears that a cluster of trees, which were centrally located on the plot have since been removed since 2002, which formed the first reason for refusal.

6.6.4 The submitted Arboricultural predevelopment report and accompanying plans 366409/2 and site survey L27 09 indicate the root protection areas and number of trees to be felled as part of the development. The report indicates that 8 of the trees are Grade C and therefore proposed to be felled as part of the development and a further 8 trees are graded A, B and B/C and therefore of sufficient quality in terms of their condition and amenity value to justify retention. The Councils Arboricultural officer does not dispute this information and states that the principal trees are located on the boundaries of the plots thus indicating that the proposed development could be reasonably screened if these trees were retained. It is considered appropriate to attach conditions requiring replacement planting and a landscaping scheme to maintain the appearance of the site, should the scheme be granted.

6.6.5 It is therefore considered that the removal of a number of trees would not be detrimental to the character and appearance of the Conservation Area and

would still maintain a spread of tree coverage to both the north and east boundaries having regard to Policy (II) C38 of the UDP and consequently the previous reason for refusal based on trees has been overcome.

## 6.7 Other Issues

- 6.7.1 A letter has been received by the freeholders of Alderwood Mews stating that access for vehicles such as builders' plant and equipment such as heavy lorries associated with the development would not be granted. However, this is not a planning consideration and therefore would need to be resolved by all interested parties, should the scheme be granted.

## 7. **Conclusion**

- 7.1 In the light of the above, it is considered that the proposed detached dwelling would maintain the character and appearance of the Hadley Wood Conservation Area and would not have a detrimental impact on neighbouring amenities

## 8. **Recommendation**

- 8.1 That planning permission be granted subject to the following conditions:
- 1 C07 – Details of materials
  - 2 C09 – Details of hard surfacing
  - 3 C10 – Details of levels
  - 4 C11 – Details of enclosure
  - 5 C15 – Private vehicles only-garage
  - 6 C17 – Details of landscaping
  - 7 The development shall not commence until details of a replacement planting scheme detailing the 8 trees to be removed and semi mature replacement trees including planting plans, specifications of species, sizes, planting centres and numbers have been submitted to and approved in writing by the Local Planning Authority. Subsequently these works shall be carried out as approved.  
Reasons: The landscaping of this site is required in order to protect and enhance the existing visual character of the Hadley Wood Conservation Area in accordance with UDP policies
  - 8 For the duration of the construction period the retained trees to the north and east of the site protected under LBE No.276 shall be protected by fencing a minimum height of 1.2 metres at a minimum distance of 1 metre from the tree. No building activity shall take place within the protected area. Hand digging should initially take place during excavation works and an arboriculturalist should be present on site to oversee the works and advise on procedures to protect the trees if required.  
Reason: To protect the retained trees protected under LBE No.276 during construction
  - 9 C19 – Details of refuse storage
  - 10 C24 – Obscured glazing –first floor flank elevations
  - 11 C25 – No additional fenestration
  - 12 Removal of PD Rights
  - 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 1995 (as amended by Town and Country Planning (General Permitted Development) (Amendment)

(No. 2) (England) Order 2008 no development within Schedule 2, Part 1 Classes A to E shall be carried out to the dwelling or within the curtilage unless Planning Permission has first been granted by the Local Planning Authority

Reason: To ensure an adequate level of amenity space provision is retained with the rear gardens of the proposed properties and to protect the privacy of surrounding occupiers in accordance with Policies (I) GD1 and (I) GD2, (II) GD3 and (II) H9 of the Unitary Development Plan 1994.

14 C51a – Time limited permission

