

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date : 31st August 2010

Report of
Assistant Director, Planning &
Environmental Protection

Contact Officer:
Aled Richards Tel: 020 8379 3857
Andy Higham Tel: 020 8379 3848
Mr S. Newton Tel: 020 8379 3851

Ward: Enfield
Highway

Application Number : TP/10/0882

Category: Dwellings

LOCATION: 1, MEADOW CLOSE, ENFIELD, EN3 5PE

PROPOSAL: Subdivision of site and conversion of detached building at rear into a 2-bed single family dwelling (RETROSPECTIVE).

Applicant Name & Address:

Mr Ozcan Hassan
1, MEADOW CLOSE
ENFIELD
EN3 5PE

Agent Name & Address:

Mr David Snell
89, Bengoe Street
Hertford
Herts
SG14 3EZ

RECOMMENDATION:

That Planning Permission is **REFUSED**.



Development Control



Scale - 1:1250
Time of plot: 10:14

Date of plot: 13/08/2010

1. Site and Surroundings

- 1.1 The application site comprises the side/rear garden of 1 Meadow Close: a 2-storey end of terrace dwelling located at the junction of Meadow Close and Bell Lane.
- 1.2 The site has been enclosed by boundary treatments comprising of a 1.84m high fence along the common boundary of 1 Meadow Close, a 1.95m high boundary wall fronting Bell Lane with 2.04m high brick piers on either side of 2.05m high vehicular access gate. Along the boundaries with those properties fronting Redlands Road, the boundary treatments have been damaged but at one time comprised of mostly fences. Towards the rear, a damaged wall approximately 2m in height is formed, and along the rear boundary, the boundary treatment varies in height from 1.64m to 1.84m.
- 1.3 The surrounding area is characterised by 2-storey terraced dwellings on the southern side of Bell Lane and those side streets running from Bell Lane, playing fields to the north of Bell Lane, and Albany School, Community Centre and Children's Centre immediately east of the playing fields.
- 1.4 Bell Lane is a busy non-classified road, with a traffic island bollard approximately 1m east of the site boundary

2. Proposal

- 2.1 Retrospective planning permission is sought for the subdivision of site and conversion of detached building into a 2-bed single family dwelling.

3. Relevant Planning Decisions

- 3.1 An application for the sub-division of site and erection of a detached 2-storey 3-bed house at side/rear (ref: TP/07/0622) was refused planning permission in July 2007 because the proposal was considered to be an overdevelopment of the site and would result in an incongruous and cramped form of development out of keeping and character with the surrounding pattern of development as well as being visually detrimental to the appearance of the street scene and the surrounding area. In addition, there were concerns on the impact, in terms of overshadowing and loss of outlook to the occupiers of 1 Meadow Close.
- 3.2 A revised application for the sub-division of site and erection of a detached 2-storey 3-bed house at side/rear (ref: TP/07/1593) was refused in October 2007 for the same reasons given previously. A subsequent Appeal was dismissed in June 2008 because the Inspector considered that:
 1. The proposed dwelling would stand out as an isolated element in the street scene unrelated to the surrounding terraces, especially when viewed from the playing fields opposite and along Bell Lane, thereby harming the character and appearance of the street scene.
 2. The Inspector also considered that the lack of space around the proposed house (including amenity space) would lead to an overdevelopment of the site and would be harmful to the character

and appearance of the area and to the living conditions of future occupiers.

3. There would not be an unacceptable impact on the living conditions of the future residents of 1 Meadow Close.
 4. There is sufficient distancing between the site and the resident of Redlands Road to not have an unacceptable impact on the amenities of those residents.
- 3.3 A retrospective application (ref: TP/07/1774) for the erection of a part single, part 2-storey rear extension was granted planning permission in October 2007.
- 3.4 A two storey side extension was granted planning permission (TP/09/1554) in December 2009.

4. Consultations

4.1 Statutory and non-statutory consultees

- 4.1.1 Thames Water advise that with regard to water and sewerage infrastructure, there are no objections.

4.2 Public

Four letters of objection have been received from three nearby or adjoining properties, raising some or all of the following points:

Impact on amenity

- Loss of sunlight from the properties it backs onto.
- The building has been built right on my boundary wall.
- Occupiers can be heard talking when we are at the bottom of our garden.

Traffic and safety

- A vehicle has been parked in the property, in a dangerous position to enter the public highway.
- How can the driver of the property see children as they reverse out?

Other

- The applicant has always built first and then applied for planning permission.
- The building has no footings, no damp proofing and the wall facing Nos.117-123 (odd) Redlands Road has never been rendered.
- Applicant informed neighbours at the time of construction that he was building a bungalow but then changed it to a 'playhouse' when we objected.
- Many complaints were made to the Council but these fell on deaf ears as we were told that it was allowed under "permissible build".
- Planning Enforcement were given assurances by the applicant that was a playhouse.

- A 6 foot wall with sliding gate was erected next to the public highway but was again told that this was “permissible build”.
- How can this building have been allowed to be built?
- Previous applications have been refused to lack of space and proximity to other properties.
- How can the foreign influxes of rouge [sic] builders able to build this monstrosity with no regards to the rules and regulations get away with this under the Enfield Council?
- It appears that the Council are happy to turn a blind eye to some residents, letting them do as they please and then a complete opposite rule book is used for others.
- There are people living in the building which is surely breaking the law?
- The building should be destroyed and a no build order be placed on the land.

5. Relevant Policy

5.1 The London Plan

Policy 2A.1	Sustainability criteria
Policy 3A.1	Increasing London’s supply of housing
Policy 3A.2	Borough housing targets
Policy 3A.3	Maximising the potential of sites
Policy 3C.22	Improving conditions for cycling
Policy 3C.23	Parking strategy
Policy 4A.3	Sustainable design and construction
Policy 4B.1	Design principles for a compact city
Policy 4B.8	Respect local context and communities

5.2 Unitary Development Plan

(I)GD1	Regard to surroundings
(I)GD2	Surroundings and quality of life
(II)GD3	Aesthetics and functional design
(II)GD6	Traffic
(II)GD8	Site access and servicing
(II)GD12	Resist development in areas at risk from flooding
(I)H1	Contribute to strategic housing needs of Greater London
(II)H6	Range in size and tenure of housing stock
(II)H8	Privacy
(II)H9	Amenity Space
(II)T16	Adequate access for pedestrians and people with disabilities
(II)T19	Needs and safety of cyclists

5.3 Local Development Framework

- 5.3.1 The Enfield Plan – Core Strategy has now completed its Examination in Public on the ‘soundness’ of the plan and the Inspectors report is now awaited. In the light of the matters raised, 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:

SO1: Enabling and focusing change
 SO4: New homes

SO5: Education, health and wellbeing
SO8: Transportation and accessibility
SO10: Built environment
CP2: Housing supply and locations for new homes
CP4: Housing quality
CP5: Housing types
CP21: Delivering sustainable water supply, drainage and sewerage infrastructure

5.4 Other Material Considerations

PPS1: Delivering Sustainable Development
PPS3: Housing
PPG13: Transport
PPS25: Development and Flood Risk

Enfield Strategic Housing Market Assessment (2010)

6. **Analysis**

6.1 Principle

6.1.1 In broad terms, the proposal is consistent with the aims of PPS3, The London Plan and with Policies (I)H1 and (II)H6, all of which seek to contribute to the strategic housing needs of Greater London and to maintain an appropriate range in the size and tenure of the housing stock. However, whilst the residential use is consistent with the existing residential use of the site, the subdivision needs to be assessed in terms of its impact on form and pattern of prevailing development and the character and appearance of the surrounding area. A further consideration is the recently revised PPS 3 Housing which removes any presumption in favour of supporting development on existing residential gardens as brownfield land.

6.1.2 The broad thrust of policy therefore must have regard to the relevant policies within the Development Plan that seek to, in particular, protect the residential amenities of the neighbouring and future occupiers, the character and appearance of the surrounding area and to ensure it has appropriate regard to highway issues.

6.1.3 In addition, there are relevant refused planning applications and an appeal decision relating to the subdivision of this site which are material to the assessment of this proposal..

6.2 Impact on Character of Surrounding Area

6.2.1 The site falls within an area with a Public Transport Accessibility Level (PTAL) rating of 1b. The London Plan suggests that a density of 150-200 habitable rooms per hectare (hrph) may therefore be appropriate for this location. Three habitable rooms are proposed on a site of approximately 0.012627sqm, providing a density of 237.59hrph. This would suggest that in terms of density, the proposed development would represent an overdevelopment of the site and thus, may not be acceptable.

6.2.2 The assessment of density must acknowledge PPS3 and the London Plan, which encourage greater flexibility in the application of policies to promote

higher densities but it is also recognised that this must not be to the detriment of the character and appearance of the locality.

- 6.2.3 With regards to amenity space provision, dwelling houses should provide 100% of the gross internal area (GIA) of the dwelling or 60sqm, whichever is the greater. The proposed GIA is 77.5sqm and the proposed amenity space as provided is 27.4sqm, thus providing a ratio of 35%. On this basis, the level of amenity space provision would not be acceptable and again, is an indication of the overdevelopment of the site and one that is out of keeping with the prevailing form of development.
- 6.2.4 The resulting amenity space provision for the existing dwelling must also be considered, as it would be unacceptable to compromise provision or quality for the existing dwelling. Approximately 108sqm of amenity space will be retained for the existing dwelling, which, due to the approved extensions, has a GIA of approximately 101.92sqm. The proposed level of amenity space for the existing dwelling would not meet with the minimum standard in terms of provision. It should be noted that the submitted plans do not show an existing single storey rear extension, which has been accounted for in terms of the amenity space calculation, nor is the correct scale shown.
- 6.2.5 The use of the outbuilding as a dwelling results in a residential development that relates more poorly to adjoining developments than the previously refused schemes. The inspector, when considering the scheme for a detached 2-storey, 3-bed house commented that the dwelling would stand out as an isolated element in the street scene unrelated to the surrounding terraces. This was particular evident when viewed from the playing fields opposite and from views along Bell Lane.
- 6.2.6 Whilst the building may not be as prominent in terms of overall height, as the previously considered schemes, as a separate dwelling it is still an isolated element in the street scene. It would however become more prominent should the front boundary walls be reduced, as discussed below.
- 6.2.7 It is still considered that a detached dwelling in this locality does not relate satisfactorily to the surrounding development or the existing pattern of development in the locality. The proposal still presents an incongruous form of development within the street scene.
- 6.2.8 Living conditions for occupiers is very poor. Due to the very contrived nature of the scheme, the building is partly sunk below ground level, resulting in window ledges not more than 0.3m above ground level and low ceiling heights. Whilst this may be acceptable in terms of building regulations, the outlook for the occupiers of the building is onto boundary treatments which would not ordinarily tower above 'ground floor windows'. For example, the wooden fence separating the site from 1 Meadow Close is within the normally permitted height of up to 2m, yet it rises a further 0.6m above the top of those windows which are within 1m of that fence. This also severely limits the amount of natural light entering the building.
- 6.2.9 In addition, there is only a single source of light for the bedroom within the roof space – a roof light on the north elevation, and no ventilation or windows provided for the bathroom.

6.2.10 The height of the building does not accord with any of the 2-storey dwelling houses throughout the immediate area. As a dwelling, its height is therefore out of context, out of keeping and out of character with the surrounding pattern of development.

6.2.12 As an outbuilding, its massing in close proximity to side boundaries (rear boundaries of the adjoining properties on Redlands Road) would not present too many issues. However as a dwelling house, the proximity to those side boundaries is out of character with the general rhythm of development as there is a general open spacious gap between and around properties. The Inspector also considered that the lack of space around the Appeal scheme (including amenity space) would lead to an overdevelopment of the site and would be harmful to the character and appearance of the area and to the living conditions of future occupiers.

6.3 Impact on Neighbouring Properties

6.3.1 Whilst the structure is visible above the existing boundary treatment of those properties fronting Redlands, there is less impact on the amenities of the adjoining occupiers fronting Redlands Road than the previously considered 2-storey schemes. In relation to the scheme dismissed at Appeal (ref: TP/07/1593) the Inspector considered that the proposal would not unduly impact on the outlook or amenities of those adjoining occupiers.

6.3.2 There is no overlooking arising from this single storey structure.

6.3.4 A point of objection raised by one of the neighbouring occupiers was when standing in their rear garden, being able to hear the occupiers of the building. It is considered that there would be no more additional noise arising from the occupation of the building than there would already be experienced from surrounding residential developments.

6.4 Housing Need

6.4.1 The Core Strategy, currently with Secretary of State for consideration, seeks to ensure new developments offer a range of housing sizes to meet housing need. In particular, it seeks to ensure 20% of market housing is for four or more bedroom houses. The Core Strategy policy is based on evidence from the research undertaken by Ecotec.

6.4.2 The findings of Ecotec's research, Enfield Strategic Housing Market Assessment (February 2010), demonstrates a shortage of houses of all sizes, particularly houses with three or more bedrooms across owner occupier, social and private rented sectors. The greatest requirement in the owner occupied market housing sector is for family sized housing (ie 3+ bedrooms). This is equivalent to a need for 1,667 family sized homes of which nearly 40% is for four bedroom homes over a period of two years.

6.4.3 The earlier findings of Fordham's Research, Enfield Council Housing Study (September 2005) corroborate Ecotec's findings. The research showed there was an absolute shortage of four bedroom properties in the owner occupied sector, which is unique to that sector. The report modelled the potential demand and supply for different sized properties from 2003-2011 and found the greatest relative shortfall is for three or more bedroom properties for owner occupation.

6.4.4 The conversion of the building into a 2-bed dwelling would not accord with the housing needs of the Borough as there is an overprovision of 1- and 2-bed dwellings.

6.5 Access and Highway Safety

6.5.1 There is an existing vehicular access onto Bell Lane which served the former garage. Whilst there is a traffic island bollard in close proximity to the access point, there are no objections to the re-use of the access point.

6.5.2 There are however, safety concerns due to the height of the boundary treatment not allowing for suitable visibility splays. Should planning approval be given, the front boundary treatment would have to be reduced to no more than 1m in height in order to provide for sight splays. However, it is also recognised that there would still remain a potential issue in terms of visibility for traffic/ pedestrians approaching from the east, as the boundary fence for No. 123 Redlands Road is 1.63m in height.

6.6 Parking

6.6.1 Due to the low PTAL level, it would not be appropriate to relax parking standards, therefore the provision of one parking space is required. However, the parking space is slightly deficient in depth as measurements taken on site (from the wall of the building to the inside of the closed gate) confirm that the average depth of this forecourt is 4.72m, when it should be at least 4.8m.

6.6.2 Measurements taken on site with the vehicular gate closed (4.725m by 3.2m), indicate that the proposed parking area would be slightly deficient in terms of meeting with adopted standards and could result in a vehicle overhanging onto the public footway, should the gate be removed altogether.

6.7 Sustainable Design and Construction

6.7.1 The building has not been designed to meet with lifetime home standards as there is no level threshold for disabled access as the entrance door is set 0.42m below ground level, with steps leading down. Inside the entrance area, there is a further 0.17m step down into the living areas. To gain access to the rear courtyard / amenity area from within the building requires a 0.5m step up.

6.7.2 In addition, the very confined nature of the living space would make it very difficult for a wheelchair user to manoeuvre.

6.7.3 Insulation, particularly within the roof space would not meet with current standards and would need to be upgraded, however this is would be an issue to be addressed under Building Regulations. Should soundproofing and / or additional insulation be required this would further reduce the amount of liveable space.

6.8 Other Matters

6.8.1 Objectors have raised concerns that the footings are inadequate, there is no damp proofing and that the external wall facing the properties on Redland Road has not been rendered.

- 6.8.2 In relation to the footings and damp proofing, these are not Planning issues but instead are considered under Building Regulations. Building Control has confirmed however, that these elements are acceptable.
- 6.8.3 With regards to the exposed brickwork, as discussed above, should planning permission be granted, a condition would be imposed to ensure that the wall is rendered to match. This is not only required for aesthetic purposes but to also ensure that the wall is weather proof. Access over the properties of third parties to finish the wall is not a planning consideration.
- 6.8.4 In terms of Building Regulations, the building has only been approved as a playhouse with no sleeping accommodation.

7. Conclusion

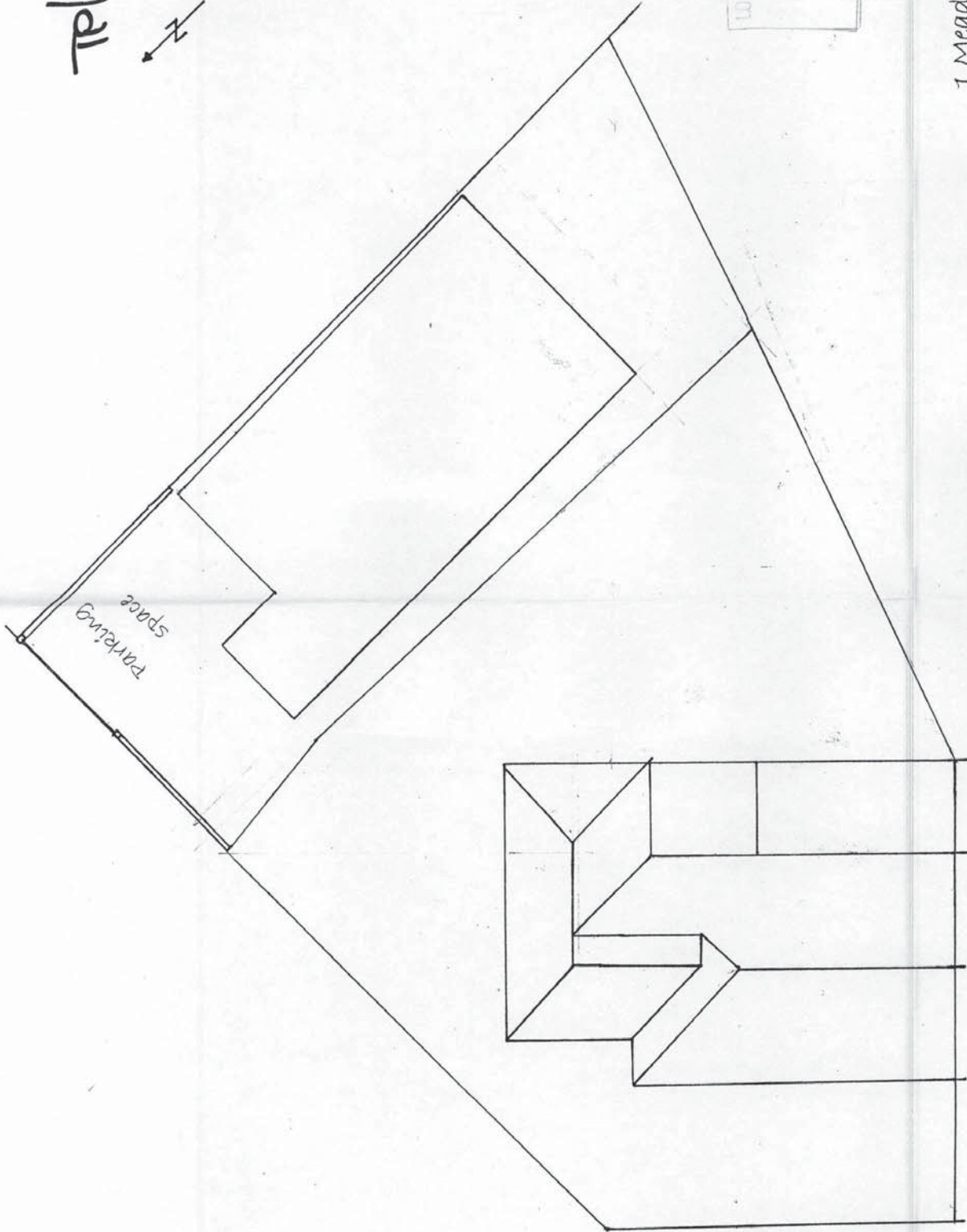
- 7.1 It is considered that the scheme has not overcome all of the objections raised by the Local Planning Authority when determining earlier subdivision schemes at the site, nor has it overcome the concerns of the Inspector in relation to one of those schemes being dismissed at Appeal.
- 7.2 The scheme results in a development that is out of keeping and character with the surrounding pattern of development, is harmful to the appearance of the area, provides inadequate parking facilities, and results in poor living conditions for occupiers.

8. Recommendation

- 8.1 That Planning Permission is REFUSED for the following reasons:
1. The development by virtue of its overall size, scale, appearance, design and close proximity to boundaries is considered to be an overdevelopment of the site and would result in an incongruous and cramped form of development out of keeping and character with the surrounding pattern of development as well as being visually detrimental to the appearance of the street scene and the surrounding area and leading to poor living conditions for occupiers, contrary to Policies (I)GD1, (I)GD2, (II)GD3 and (II)H9 of the Unitary Development Plan and with Policies 3A.3, 3A.6, 4B.1 & 4B.8 of the London Plan and with PPS1: Delivering Sustainable Development and PPS3: Housing..
 2. The proposed dwelling, by virtue of its size, scale, appearance, design and close proximity to boundaries does not maintain sufficient separation to boundaries resulting in unacceptable harm to the rhythm of development, detrimental to the appearance of the property, to the street scene and the wider area. This is contrary to Policies (I)GD1, (I)GD2, (II)GD3, (II)H9 of the Unitary Development Plan and with Policies 3A.3, 3A.6, 4B.1 & 4B.8 of the London Plan and with PPS1: Delivering Sustainable Development and PPS3: Housing.
 3. The development does not accord with the identified housing needs of the Borough and would therefore lead to a greater imbalance in the size of dwellings in the Borough, contrary to policy (II)H6 of the Unitary Development Plan, policies 3A.2 and 3A.3 of the London Plan and with PPS1: Delivering Sustainable Development and PPS3: Housing.

F880/01/97

TP/10/0882



LONDON BOROUGH OF ENFIELD
22 JUN 2010
DEVELOPMENT SERVICES

1 Meadow Close, Enfield

Site layout

Scale: 1-100

Drawing No. MC/2

No.1 Meadow Close

F880/01/97

TP1010882

1 Meadow Close, Enfield

Drawing No. MC/1

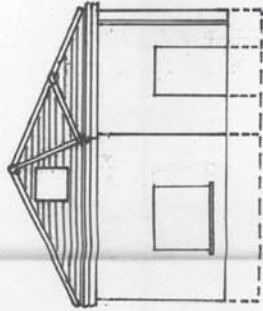
Plans and elevations

Scale: 1-100

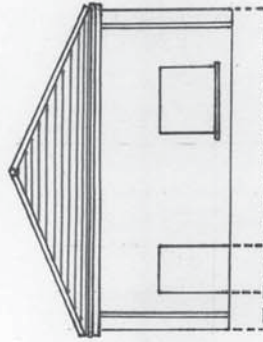
LONDON BOROUGH OF ENFIELD

22 JUN 2010

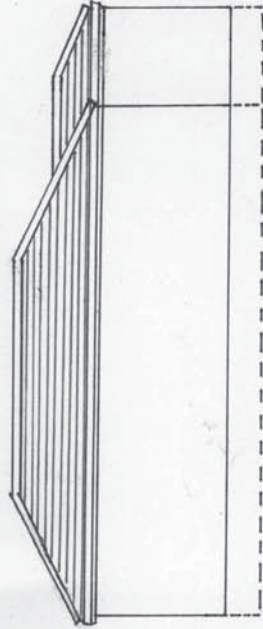
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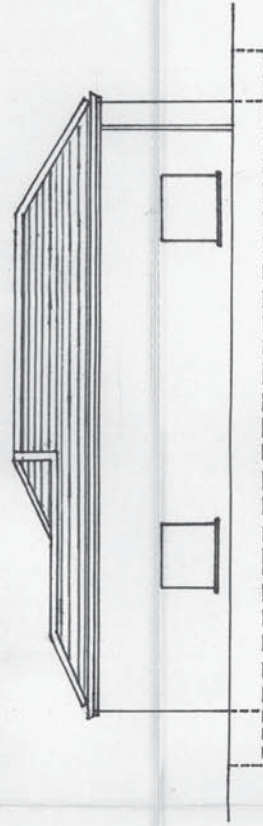
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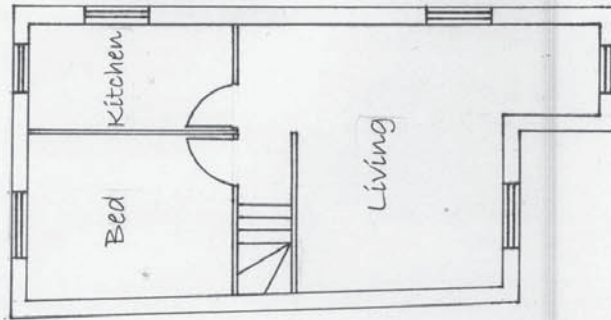
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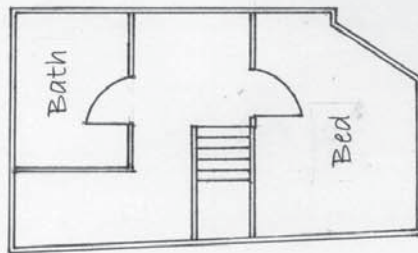
East side elevation



West side elevation



Ground floor



First floor