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PLANNING COMMITTEE

Tuesday, 23rd May, 2023 at 7.00 pm
Conference Room, Civic Centre, Silver
Street, Enfield, EN1 3XA

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MEMBERS

Councillors: Sinan Boztas (Chair), Bektas Ozer (Vice-Chair), Kate Anolue, Mahym Bedekova, Lee Chamberlain, Peter Fallart, Thomas Fawns, Ahmet Hasan, Michael Rye OBE, Jim Steven, Doug Taylor and Eylem Yuruk

N.B. Involved parties may request to make a deputation to the Committee by contacting Democracy@enfield.gov.uk before 10am on the meeting date latest

AGENDA – PART 1

1. WELCOME AND APOLOGIES

2. DECLARATIONS OF INTEREST

To receive any declarations of interest.

3. MINUTES OF PREVIOUS MEETING (Pages 1 - 4)

To approve the minutes of the meeting held on Tuesday, 18th April 2023, as a true and correct record.

4. REPORT OF THE HEAD OF PLANNING (Pages 5 - 8)

To receive and note the covering report of the Head of Planning.

5. 22/03892/FUL - 9 PRIVATE ROAD, ENFIELD, EN1 2EL (Pages 9 - 74)

RECOMMENDATION:

That the Head of Development Management be authorised to GRANT

planning permission subject to conditions

WARD: Grange Park

6. **23/00152/HOU - 65 KINGWELL ROAD, BARNET, EN4 0HZ** (Pages 75 - 96)

RECOMMENDATION:
Grant subject to conditions.

WARD: Cockfosters

7. **23/00271/FUL - 69 LANCASTER AVENUE, ENFIELD EN2 0DW** (Pages 97 - 114)

RECOMMENDATION:
That the Head of Development Management be authorised to GRANT planning permission subject to conditions.

WARD: Whitewebbs

8. **22/03389/RE4 - THOMAS HARDY HOUSE 39 LONDON ROAD ENFIELD EN2 6DS** (Pages 115 - 128)

RECOMMENDATION:
That in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 the Head of Development Management be authorised to GRANT planning permission subject to the conditions detailed in the report.

WARD: Town

9. **SCHEME OF DELEGATION** (Pages 129 - 142)

To receive and agree the revised Scheme of Delegation.

10. **DATES OF FUTURE MEETINGS**

To note that the dates of future meetings are as follows:

Tuesday 6th June 2023 (provisional)
Tuesday 20th June 2023
Tuesday 4th July 2023 (provisional)
Tuesday 18th July 2023
Tuesday 1st August 2023 (provisional)
Tuesday 29th August 2023 (provisional)
Tuesday 5th September 2023 (provisional)
Tuesday 19th September 2023
Tuesday 17th October 2023
Tuesday 7th November 2023 (provisional)

Tuesday 21st November 2023
Tuesday 19th December 2023
Tuesday 9th January 2024 (provisional)
Tuesday 23rd January 2024
Tuesday 13th February 2024 (provisional)
Tuesday 20th February 2024
Tuesday 5th March 2024 (provisional)
Tuesday 19th March 2024
Tuesday 23rd April 2024

These meetings will commence at 7:00pm and will be held in the Conference Room at the Civic Centre.

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PLANNING COMMITTEE - 18.4.2023

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON TUESDAY, 18 APRIL 2023****COUNCILLORS**

PRESENT Sinan Boztas (Chair), Gunes Akbulut, Kate Anolue, Lee Chamberlain, Peter Fallart, Ahmet Hasan, Mohammad Islam, Michael Rye OBE, Jim Steven, Doug Taylor, and Eylem Yuruk

ABSENT Elif Erbil (Vice-Chair) and Nawshad Ali

OFFICERS: Brett Leahy (Director of Planning and Growth), Andy Higham (Head of Development Management), Sharon Davidson (Planning Decisions Manager), Mike Hoyland (Senior Transport Planner), Dino Ustic (Senior Planning Officer), Karolina Grebowiec-Hall (Principal Planner), Elizabeth Paraskeva (Legal Representative), and Harry Blake-Herbert (Governance Officer)

Also Attending: Applicant and agent representatives, members of the public, deputies, and officers observing.

**1
WELCOME AND APOLOGIES**

The Chair welcomed everyone to the meeting.

Apologies for absence were received from Cllr Nawshad Ali and Cllr Elif Erbil (Vice-Chair). Cllr Ali was substituted by Cllr Eylem Yuruk.

**2
DECLARATIONS OF INTEREST**

There were no declarations of interest received regarding any items on the agenda.

**3
MINUTES OF PREVIOUS MEETING**

AGREED the minutes of the meetings held on Tuesday 7 March 2023 and Tuesday 21 March 2023 as a correct record.

**4
REPORT OF THE HEAD OF PLANNING**

Received the report of the Head of Planning, which was **NOTED**.

PLANNING COMMITTEE - 18.4.2023

5

22/00900/OUT - 368 COCKFOSTERS ROAD, BARNET, EN4 0JT

Dino Ustic, Senior Planning Officer, introduced the report, highlighting the key aspects of the application.

Updates and clarifications to the report had been circulated to the committee.

A deputation was received from Cllr Alessandro Georgiou, Cockfosters Ward Councillor, who spoke against the officers' recommendation. Cllr Georgiou asked that if Members were not minded to refuse the application, they at least defer it, in order to give the applicant and officers time to review the details of the application, and address the concerns.

The agent, Mr Graham Fisher, spoke in response.

Officers responded to comments and questions, and confirmed that the additional updates/clarifications which were made to the report were circulated to Members on Friday. They acknowledged that some inaccuracies remained, notably the mention of two as opposed to one building footprint.

Officers confirmed that this was an outline application, and referred to site access and the quantum of development only. They advised that no category A or B trees would be lost, and a condition would be added to require the same number of trees to remain on the site. Officers emphasised that a qualified arboriculture consultant had raised no objections to the proposal, that a planning condition would be sufficient, and that reserved matters could come back to the committee at that later stage.

Officers provided further advice on TPO designation, and on parking space.

The proposal having been put to the vote; Members voted:

7 FOR
0 AGAINST
4 ABSTENTIONS

and so, it was **AGREED**:

That the Head of Development Management be authorised to **GRANT** planning permission subject to the conditions set out in the report.

6

23/00327/FUL - LAND WEST OF SILVER STREET STATION AND ON TO THE A406 VIA WILBURY WAY, ENFIELD

This item was withdrawn from the agenda. Officers would review the proposals with the applicant, before bringing it back to committee.

PLANNING COMMITTEE - 18.4.2023

7

22/04095/RE3 - LAND ADJACENT TO THE NEW RIVER EXTENDING FROM TENNISWOOD ROAD TO BULLSMOOR LANE

Karolina Grebowiec-Hall, Principal Planner, introduced the report, highlighting the key aspects of the application.

Deputations were received from Patricia McAdden and from Meral Sonmez, both local residents, speaking against the officer's recommendation.

Sarah Whitehouse, of Norman Rourke Pryme Ltd, spoke in response, on behalf of the applicant/ agent.

The officer responded to comments and questions, and advised that the New River corridor was a public amenity and a newly designated cycle route. Secure by Design officers at the police, had raised no concerns. She provided further details in respect of lighting, use of the public footpath, and screening.

Cllr Rye expressed disappointment that the application had not been submitted in two parts, suggesting he had few concerns regarding the section of the path already open to the public. He agreed with the concerns of residents of Ladysmith Road and Sinclair Close. Cllr Rye had previously met with officers to raise issues. He would prefer the potential alternative path. He encouraged Members to visit the site, to understand the concerns for themselves.

Officers confirmed that the proposals had been submitted as one application, and officers had considered it as such throughout. The applicant had assessed the alternative route, and found the traffic, safety, and cost implications were prohibitive.

In response to Member's queries regarding a section of land controlled by St Ignatius College, officers advised that conversations were ongoing, and increasingly positive; and that this section of the path had an alternative route for those who cannot access it. Officers confirmed that the proposed route was chosen as it maximised the benefits of cycle safety and the healthy streets initiative.

In response to Members' queries regarding consultation, officers advised that the applicant had hosted a number of webinars to residents in December. A following three webinars were conducted in March, targeting sections of the route where concerns had been raised, with invitations sent by post to residents, and had attendances of one and two.

Members had ongoing concerns in respect of the issues raised by residents, the proposed route, the consultation process, loss of privacy, light spill, and screening.

The Director of Planning and Growth provided further advice, including that an additional condition could be included in respect of further planting as a

PLANNING COMMITTEE - 18.4.2023

means to reduce privacy concerns, and on the consideration of any alternative route.

In response to Members' further queries, officers confirmed that CCTV had been included in the proposals. The applicant had tried to ensure the benches were not adjacent to residential properties, that other locations could be considered, and the details of these could be a condition.

Cllr Rye proposed that a decision on the application be deferred until a Member site visit could take place. This would also allow time to find out if St Ignatius College were prepared to sell the land and facilitate access to that section of the application, as well as get clarity on the potential of the alternative route. This was seconded by Cllr Chamberlain.

Cllr Taylor suggested an update on the progress of St Ignatius College discussions, as opposed to a resolution. Cllr Rye agreed to this.

This amended proposal, having been put to the vote; Members voted:

11 FOR
0 AGAINST
0 ABSTENTIONS

and so, it was **AGREED** unanimously that a decision on the application be **DEFERRED**, and that a Member site visit be arranged.

**8
SUMMARY OF APPEAL DECISIONS 2022/23**

Andy Higham, Head of Development Management, introduced the report, highlighting the key aspects for noting.

Officers responded to Members' comments and questions. It was confirmed that, with regards to the Arnos Grove application, the Inspector had considered the new London Plan, and the Council's own Local Plan in their review, which had not been adopted when Members made their decision. Brett Leahy advised that officers sought to provide Members with their interpretations through the weightings given to key considerations, and to advise on future national policy changes when they presented reports. Officers confirmed there was no update on the Cockfosters application: this was still being considered by the government for call in, and there could not be an appeal during this time.

**9
DATE OF FUTURE MEETINGS**

NOTED that the dates of future meetings would be confirmed following Annual Council on Wednesday 10 May 2023.



London Borough of Enfield

Report Title	Report of Head of Development Management
Report to	Planning Committee
Date of Meeting	23 rd May 2023
Cabinet Member	Councillor Susan Erbil
Executive Director / Director	Brett Leahy – Director of Planning & Growth Sarah Cary – Executive Director Housing, Regeneration & Development
Report Author	Andy Higham andy.higham@enfield.gov.uk
Ward(s) affected	All
Key Decision Number	Non Key
Classification	Part 1 Public

Purpose of Report

1. To advise members on process and update Members on the number of decisions made by the Council as local planning authority.

Recommendations

I. To Note

Background

2. Section 70 of the Town and Country Planning Act 1990 states that the Local Planning Authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section 54A of that Act, as inserted by the Planning and Compensation Act 1991, states that where in making any determination under the Planning Acts, regard is to be had to the development, the determination shall be made in accordance with the plan unless the material considerations indicate otherwise.
3. The development plan for the London Borough of Enfield is the London Plan (March 2015), the Core Strategy (2010) and the Development Management Document (2014) together the London Plan 2021. Other supplementary documents material to the assessment are identified in the individual reports.
4. Other background papers are those contained within the file, the reference number of which is given in the heading to each application and which can be viewed via the online planning register on the Council's website.

Main Consideration

5. On the Schedules attached to this agenda, recommendations in respect of planning applications and applications to display advertisements are set out.
6. Also set out in respect of each application a summary of any representations received. Any later observations will be reported verbally at your meeting.
7. In accordance with delegated powers, 422 applications were determined between 04/04/2023 and 09/05/2023, of which 151 were granted and 91 refused
8. A Schedule of Decisions is available in the Members' Library.

Relevance to Council Plans and Strategies

9. The determination of planning applications supports good growth and sustainable development. Depending on the nature of planning applications, the proposals can deliver new housing including affordable housing, new employment opportunities, improved public realm and can also help strengthen communities

Financial Implications

10. None

Legal Implications

11. None

Equalities Implications

12 None

Report Author: Andy Higham
Head of Development Management
andy.higham@enfield.gov.uk
020 8132 0711

Date of report: 12.05.2023

Appendices

None.

Background Papers

To be found on files indicated in Schedule.

Background Papers

None

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LONDON BOROUGH OF ENFIELD**PLANNING COMMITTEE****Date:** 23 May 2023**Report of**

Director of Planning & Growth - Brett Leahy

Contact Officers:Louise Lewis
Sharon Davidson**Category**

Minor dwellings

Ward

Grange Park

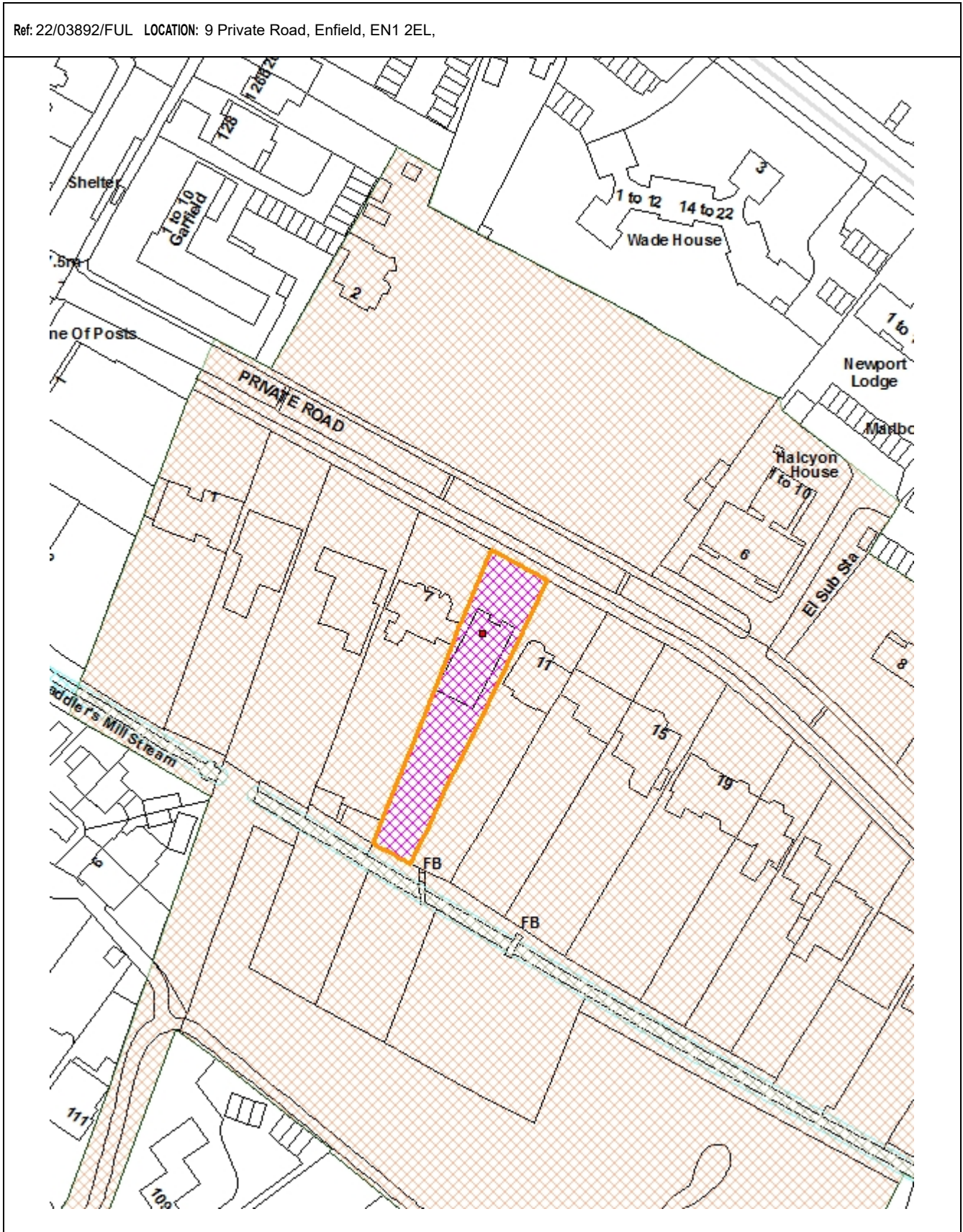
Councillor Request

Cllr Milne

LOCATION: 9 Private Road, Enfield, EN1 2EL**APPLICATION NUMBER:** 22/03892/FUL**PROPOSAL:** Conversion of single family dwelling house into 4 self-contained dwellings with parking and amenity spaces, together with alterations to rear facade and roofspace to the garden.**Applicant Name & Address:**Mr Vassos Menelaou
9 Private Road
Enfield
EN1 2EL**Agent Name & Address:**Mr Gavin Henneberry
Grosbry Architecture Studio
13 Creffield Road
Colchester
CO3 3JB**RECOMMENDATION:**

1. That the Head of Development Management be authorised to GRANT planning permission subject to conditions

Ref: 22/03892/FUL LOCATION: 9 Private Road, Enfield, EN1 2EL,



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Scale 1:1250

North



1. Note for Members

Although an application of this scale and nature would normally be determined under delegated authority the application has been reported to committee for determination at the request of Councillor Milne..”

2. Executive Summary

The proposal is for conversion of an existing house to four self-contained flats. The front garden would be re-ordered to provide car parking spaces and allow for servicing, and the rear garden would be subdivided into four private gardens.

Following amendments to the scheme reconsultation has taken place. Comments received to date are summarised below. Any further comments received will be reported at the meeting.

3. Recommendation

- 3.1 That the Head of Development Management be authorised to grant planning permission subject to the following conditions

Conditions:

Time limit

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the decision notice.

Reason: To comply with the provisions of s51 of the Planning & Compulsory Purchase Act 2004.

Approved plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
Proposed lower ground floor A2201 0200 PL2 dated 26/4/2023 received 26/4/2023
Proposed upper ground floor A2201 0201 PL2 dated 26/4/2023 received 26/4/2023
Proposed first floor A2201 0202 PL1 dated 18/4/2023 received 19/4/2023
Proposed second floor A2201 0203 PL1 dated 18/4/2023 received 19/4/2023
Proposed roof plan A2201 0204 PL1 dated 18/4/2023 received 19/4/2023
Proposed rear elevation A2201 0400 PL1 dated 18/4/2023 received 19/4/2023
Proposed side elevation A2201 0402 PL1 dated 18/4/2023 received 19/4/2023
Proposed side elevation A2201 0403 PL1 dated 18/4/2023 received 19/4/2023
Proposed section AA A2201 0300 PL1 dated 18/4/2023 received 19/4/2023
Proposed section BB A2201 0301 PL1 dated 18/4/2023 received 19/4/2023
Proposed section CC A2201 0302 dated 18/4/2023 received 19/4/2023
Proposed section DD A2201 0303 dated 18/4/2023 received 19/4/2023
Proposed section EE and FF A2201 0304 dated 18/4/2023 received 19/4/2023.

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

Surface water drainage

3. Prior to the commencement of development details of surface drainage works shall be submitted to and approved in writing by the Local Planning Authority. The details shall be based on an assessment of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles as set out in the London Plan Drainage Hierarchy and the Technical Guidance to the National Planning Policy Framework and shall seek to achieve a Greenfield runoff rates for 1 in 1 year and 1 in 100 year (plus climate change). The scheme shall include source control measures. The drainage system shall be installed/operational in accordance with the approved details prior to the first occupation and a continuing management and maintenance plan put in place to ensure its continued function over the lifetime of the development.

Reason: To ensure the sustainable management of water, minimise flood risk and to minimise discharge of surface water outside of the curtilage of the property in accordance with the NPPF (2021), Policies SI 12 & SI 13 of the London Plan (2021) and Policy CP28 of the Enfield Core Strategy (2010). (In order that the details can be incorporated into the development this is a PRE-COMMENCEMENT CONDITION).

Ventilation and overheating

4. Prior to the commencement of development details of a scheme of passive ventilation including provision for night-time cooling and means of minimising summer solar gain to the dwellings shall be submitted to and approved in writing by the local planning authority. The scheme shall be completed in accordance with the approved details prior to occupation of the flats and retained as approved thereafter.

Reason: To secure good internal living standards and in the interests of energy efficiency and mitigating the effects of climate change. (In order that the details can be incorporated into the development this is a PRE-COMMENCEMENT CONDITION).

Architectural details

5. Prior to any works taking place to the outside of the building details of the following shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details thereafter. (For the avoidance of doubt, the details submitted with the application are insufficient to meet the requirements of the condition).
 - The fins proposed to the rear gable window at second floor;
 - any replacement or new windows and doors other than to the rear elevation;
 - upper ground floor windows to the rear elevation;
 - rainwater goods.

Reason: To ensure that the character and appearance of the Conservation Area is preserved and in the interests of visual amenity.

Water efficiency

6. Prior to first occupation details of the internal consumption of potable water shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate reduced water consumption through the use of water efficient fittings, appliances and recycling systems to show consumption equal to or less than 105 litres per person per day for the residential uses. The development shall be carried out strictly in accordance with the details so approved with the approved measures implemented and operational prior to first occupation and maintained as such thereafter.

Reason: To promote water conservation and efficiency measures in all new developments and where possible in the retrofitting of existing stock in accordance with Policies CP21 of the Enfield Core Strategy (2010) and DMD58 of the Enfield Development Management Document (2014).

Energy Statement

7. Prior to the commencement of development an 'Energy Statement' shall be submitted to and approved in writing by the Local Planning Authority. Submitted details shall demonstrate the energy efficiency of the development and shall provide for no less than a 35% improvement in the total CO2 emissions arising from the operation of the development and its services over Part L of Building Regs 2013. The development shall be carried out strictly in accordance with the details so approved with the approved measures implemented and operational prior to first occupation and maintained as such thereafter.

Reason: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets are met in accordance with the NPPF (2021), Policy SI 2 of the London Plan (2021) and Policy CP20 of the Enfield Core Strategy (2010). (In order that the details can be incorporated into the development this is a PRE-COMMENCEMENT CONDITION).

Energy certificate

8. Following practical completion of works and within six months of first occupation a final Energy Performance Certificate with Building Regulations Compliance Report shall be submitted to and approved in writing by the Local Planning Authority. Where applicable, a Display Energy Certificate shall be submitted within 18 months following first occupation.

Reason: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets are met in accordance with the NPPF (2021), Policy SI 2 the London Plan (2021), Policy CP20 of the Enfield Core Strategy (2010).

Landscaping and parking layout

9. Prior to the development being occupied, and notwithstanding the approved plans, a scheme of landscaping, vehicle parking and surfacing shall be implemented in accordance with details that have previously been submitted to and approved in writing by the local planning authority. The landscaping shall be completed prior to first occupation of any of the flats and retained as approved thereafter. (For the

avoidance of doubt, the details submitted with the application are insufficient to meet the requirements of the condition).

The scheme shall include details of:

- sustainable drainage features as approved under condition 3 above;
- biodiversity enhancements;
- boundary treatments, including provision for pedestrians and wheelchair users to access the site. The site shall not be gated;
- a minimum of one car parking space which complies with the requirements of Part M of the Building Regulations in respect of being an accessible space;
- provision for the charging of electric vehicles, both cars and cycles;
- planting and hard surfacing including the provision of a privacy buffer to the ground floor front window of Dwelling A;
- provision for the secure and covered parking of a minimum of eight cycles including provision for non-standard cycles (such as tricycles and cargo bikes);
- provision for the storage of twelve refuse bins.

Reason: In the interests of ensuring sustainable surface water drainage, amenity, biodiversity and the safety of users of the site, to ensure access for all and to encourage travel by sustainable modes.

Obscure glazing

10. Prior to the flats being occupied the side-facing windows to Dwelling D shown on drawing A2201 0203 revision PL1 shall be obscure glazed to at least level 3 on the Pilkington Scale and retained as such thereafter.

Reason: In the interests of protecting neighbour amenity.

Electric vehicle charging points

11. Prior to the flats being occupied an electric vehicle charging point shall be installed to each of the car parking spaces, and provision made for the charging of electric bicycles.

Reason: In the interests of energy efficiency and reducing greenhouse gas emissions.

Controlling use of lower ground floor roof

12. The roof to the lower ground floor shall not be used as a terrace or balcony, and the rear upper ground floor windows shall not be converted to doors.

Reason: In the interests of neighbour amenity.

Delegated Authority

3.2 That the Head of Development Management be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

4. Site & Surroundings

- 4.1 Private Road is a private road running south-east off London Road alongside the Clock Parade local centre. There is a row of detached houses on deep plots along the south side of the road, with Riverside Park behind. The north side of the road is occupied by some green space and some purpose built flats as well as a row of town houses.
- 4.2 The road is not tarmacked and has a slightly informal appearance. There are trees in the street and both the fronts of the plots and the fronts of the houses follow consistent lines.
- 4.3 The application site is a plot about 14m wide at the front, 8m wide at the rear, and 75m from front to rear. The house is of two storeys at the front and three at the back. The site slopes down from front to rear, has a loft conversion, and according to the plans is a four bedroomed house with an additional loft room. From the front it appears as a neat symmetrical house with a central tiled gable, a tall narrow window over the front door, and a cat slide roof to each side with a first floor dormer. To the right of the front door is a window, to the left a garage door (although there is no garage behind it). There is a front wall with gates leading to a generous driveway about 13m deep.
- 4.4 The appearance to the rear is different, and it is obvious that a lot of work has been carried out to alter and extend the building. The eaves line to the sides and rear is just above first floor cill level, windows to the rear have been enlarged, and the lower ground floor has been extended to provide a large living space opening onto the garden.
- 4.5 Some of the neighbouring houses have been, or are being, very substantially extended. No 7 was, at the time of site inspection, being extended behind a scaffold. It appears that there were originally large dwellings to the north side of the road but some of these were replaced with large blocks of purpose built flats some decades ago.
- 4.6 The site is in the Bush Hill Park Conservation Area. No 9 and it's immediate neighbours are identified in the CA Character Appraisal as dating to 1914 – 1935.

5. Proposal

- 5.1 The application is to change the use of the house from a single family dwelling to four separate flats/maisonettes. There would be two dwellings (Units A and B) with living rooms at the basement level, each with a private garden accessed from the living space. Of these, one would be a three bedroom property with one bedroom at basement level and two at ground floor level. The other would have two bedrooms at ground floor level. Each of these dwellings would be accessed at the upper ground floor level of the dwelling from the central hall of the house, which would be retained as a lobby serving all of the four dwellings.
- 5.2 From the central hall would be a stair going up to the first floor landing. This would provide access to unit C, which would be a two-bedroom dwelling entirely at first floor level. Unit D would have one bedroom at first floor level and a living space at second floor level. The breakdown of accommodation would be as follows:
- 5.3 Unit A: two storey, two bedroom, four person, GIA 82 sq m. Appears NDSS compliant in terms of floor area.

Unit B: two storey, three bedroom, five person, GIA 99 sq m. Appears NDSS compliant in terms of floor area.

Unit C: one storey, two bedroom, three person, GIA 64 sq m. Appears NDSS compliant in terms of floor area.

Unit D: two storeys, one bedroom, two person, GIA 60 sq m. Appears NDSS compliant in terms of floor area.

- 5.4 The rear garden would remain in place but would be divided into four separate sections. Two of the flats would have direct access to their section of garden, the other two would not and would have to exit the front of the house and walk alongside it to get to their garden.
- 5.5 The front elevation of the house would remain largely unchanged. The existing garage doors are proposed to be brought back into use for the storage of bins in a small area behind. The driveway would be marked out to provide four car parking spaces and a turning space which would require additional hard surfacing over some of an area that is currently grassed. Landscaping would be reworked and bin storage and collections points provided.
- 5.6 To the rear, the elevation would change more substantially. The internal levels would change and so instead of having basement windows, ground floor windows and then first floor windows partly in the roof, there would be three levels of windows on the rear wall and one in the roof. There would be a very small increase in massing at the rear at upper floors only.

6. Relevant Planning History

Application site

- 6.1 15/01277/HOU. Extension to the existing basement, creation of a terrace and means of enclosure associated with the extension and terrace. Conditional approval 25/6/2015. It does not appear that the development was carried out fully in accordance with the approved plans however the variations are not considered to be material to the consideration of this application.
- 6.2 ENF/21/0722. Relating to construction of a wall to the front of the property and untidy land. Closed – no further action.

Surrounding Sites (if necessary)

21/00781/HOU – No 7 Private Road Single story rear/side extension together with new roof to accommodate rooms in the roof space with front recessed dormer, rear/side rooflights and fenestration alterations (Amended Description). Approved 19/5/2021.

7. Consultation

Statutory and Non-Statutory Consultees

Transportation

- 7.1 No objection but further information is sought relating to access design, cycle parking and bin storage. Conditions recommended.

Environment Agency

7.2 No objection subject to the inclusion of an informative on the decision notice.

Historic England GLAAS

7.3 Do not consider that consultation is required under their consultation criteria.

Thames Water

7.4 No comment to make.

Education

7.5 No response received.

SuDS Team

7.6 Object to the proposal as the SuDS strategy does not meet requirements.

Officer's note: It should be noted that in this case the physical development is not affecting the footprint of the building, and it is not reasonable to require that the existing impact is mitigated. It is reasonable and proportionate to the scale of the development proposed to require that sustainable drainage features are incorporated into the external landscaping works proposed as part of the development. This is proposed to be dealt with by condition).

Bush Hill Park Conservation Area Study Group (BHPCASG)

7.7 Objects to the proposal:

- Symmetry of the front elevation will be compromised by the proposal. This means that the roof will be more dominant and compromise the attractive scale of the original design. (Officer's note: Alterations to the front elevation are not proposed).
- Proposed front elevation windows are not in scale with the original design. (Officer's note: Alterations to the front elevation are not proposed).
- Proposed side elevation is ugly and out of scale when compared to the original.
- Parking provision for four vehicles is of particular detriment to the area.
- Proposal is detrimental to the conservation areas.

Public – original consultation

7.8 Consultation letters were sent to two neighbouring properties. Notice was also displayed at the site (dated 11/1/2023) and published in the local press (dated 18/1/2023).

7.9 Following amendments to the scheme, affecting the layout of the front garden and parking arrangements, neighbours and contributors were reconsulted on the 20/4/2023.

7.10 In response to the first consultation 10 representations were received, including one from the Private Road Resident's Association, which in summary raise the following points.

Principle of development

- Could set a precedent for more conversions
- Reduce stock of large family homes

Officers' response

See assessment section below

Residential amenity

- Privacy and overlooking – more windows
- Noise and overlooking from living rooms and kitchens on upper floors and from second floor balcony
- Noise from additional residents and subdivision of garden, also from extraction equipment
- Increased windows will create more light pollution

Officers' response

See assessment section below.

Parking and street

- Car parking arrangement will not work
- Parking will spill onto road outside property
- Parked cars and pathways already a hazard to pedestrians
- Street parking is discouraged due to potential blocking of the street and to preserve the rural feel
- More clutter from bins
- Removing the garden to allow a car park is not environmentally sound

Officers' response

See assessment section below.

Design and Conservation Area

- Changes will detract from unique feeling of the road
- The shingle pathways are an eyesore
- Plans will change the original look of the house

Officers' response

See assessment section below.

Other matters

- Owners did not comply with planning [permission] when they altered the house previously and [the council] took no action
- Most residents own up to the middle of the road, causing potential problems for a multiple occupancy property

Officers' response

The matters are not relevant to determination of this application.

- 7.11 Following the submission of amended plans reconsultation was undertaken on 20 April 2023. The following comments were received.
- 7.12 The Private Road Residents Association repeat their objection to the principle of subdivision and express concern about the character of the road, being of mainly single family dwellings of individual character. They also object to refuse bins being sited at the frontage.
- 7.13 Councillor Dey, Ward Councillor for Grange Park ward, supports the objection of the Resident's Association.
- 7.14 The BHPCASG maintain their objection.
- 7.15 A further three comments have been received repeating some previous comments and making the following additional comments:
- Concern regarding access into site as shown on the swept path analysis
 - Noise and disturbance from people using the cycle parking
 - Concerns about location of bin storage
 - Appearance of rear elevation.

8. Relevant Planning Policies

- 8.1 Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the development plan so far as material to the application: and to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Framework 2021

- 8.2 The National Planning Policy Framework (NPPF) introduces a presumption in favour of sustainable development. In this respect, sustainable development is identified as having three dimensions - an economic role, a social role and an environmental role. For decision taking, this presumption in favour of sustainable development means:
- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and

pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 8.3 The NPPF recognises that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision making.
- 8.4 In relation to achieving appropriate densities Paragraph 124 of the NPPF notes that planning policies and decisions should support development that makes efficient use of land, whilst taking into account:
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
 - b) local market conditions and viability;
 - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
 - d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
 - e) the importance of securing well-designed, attractive and healthy places.
- 8.5 Paragraph 48 of the NPPF details when weight may be given to relevant emerging plans. This guidance states that the stage of preparation, the extent to which there are unresolved objections and the degree of consistency of relevant policies to the Framework are relevant.

Housing Delivery Test / Presumption in Favour of Sustainable Development:

- 8.6 The NPPF sets out at Paragraph 11 a presumption in favour of sustainable development. For decision taking this means:
- "(c) approving development proposals that accord with an up-to date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (8), granting permission unless:
- (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (7); or
 - (ii) any adverse impacts of so doing would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 8.7 Footnote (8) referenced here advises "This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of

housing was substantially below (less than 75% of) the housing requirement over the previous 3 years."

- 8.8 In summary, the presumption in favour of sustainable development applies in two situations – where a Council is unable to demonstrate a five-year housing land supply, and when a Council fails to achieve 75 per cent or more in the Housing Delivery Test.
- 8.9 Enfield Council currently fails against both criteria – and is therefore subject to the most severe government sanctions which impact the Council’s consideration of housing-led planning applications.
- a) **5-year housing land supply:** Members will be aware of the need to be aware of the Council’s housing land supply – and how it impacts on decision making. When there is not an up-to-date Local Plan and 5-year housing land supply cannot be demonstrated then this has a significant impact on the weight given to material planning considerations. The NPPF presumption, or ‘tilted balance’, applies in Enfield due to the Council’s inability to demonstrate the required five-year housing land supply. The Council is unable to demonstrate a 5-year supply of deliverable housing sites and this impacts on the status of its Local Plan policies.
- b) **Housing delivery test:** The NPPF presumption, or ‘tilted balance’, also applies in Enfield because Enfield is one of 51 Councils which have achieved below 75 per cent against the Housing Delivery Tests – it is therefore also subject to the Housing Delivery Tests most severe government sanction, the NPPF’s presumption in favour of sustainable development.
- 8.10 The Housing Delivery Test (HDT) is an annual measurement of housing delivery introduced by the Government through the NPPF. It measures the performance of local authorities by comparing the completion of net additional homes in the previous three years to the housing targets adopted by local authorities for that period.
- 8.11 Local authorities that fail to meet 95% of their housing targets need to prepare a Housing Action Plan to assess the causes of under delivery and identify actions to increase delivery in future years. Local authorities failing to meet 85% of their housing targets are required to add 20% to their five-year supply of deliverable housing sites targets by moving forward that 20% from later stages of the Local Plan period. Local authorities failing to meet 75% of their housing targets in the preceding 3 years are placed in a category of "presumption in favour of sustainable development".
- 8.12 The Council's recent housing delivery has been below our housing targets. This has translated into the Council being required to prepare a Housing Action Plan in 2019 and being placed in the "presumption in favour of sustainable development category" by the Government through its Housing Delivery Test. This status has recently been confirmed for the period 2022-23.
- 8.13 In 2020 Enfield delivered 56% of the 2,328 homes target and was as a result placed into the “presumption in favour of sustainable development” category. In January 2021 Enfield delivered 67% of its homes target. The Council therefore remains in the “presumption in favour of sustainable development”.
- 8.14 This is referred to as the "tilted balance" and the NPPF states (see paragraph 8.6 above) that for decision-taking this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when

assessed against the policies in the Framework taken as a whole – which also includes the Development Plan.

- 8.15 Under the NPPF paragraph 11(d) where the most important development plan policies for the application are deemed to be 'out of date', planning permission should be granted. That does not mean out of date policy can be disregarded, but it means that less weight can be applied to it, and applications for new homes should be given weight by the Planning Committee when undertaking their assessment taking account of the “tilted” balance that applies. The level of weight given is a matter of planning judgement and the statutory test continues to apply, that the decision should be, as section 38(6) of the Planning and Compulsory Purchase Act 2004 requires, in accordance with the development plan unless material considerations indicate otherwise.

The London Plan 2021

- 8.16 The London Plan together with Enfield’s Local plan forms the Development Plan for this application. It is the overall strategic plan for London setting out an integrated economic, environmental, transport and social Framework for the development of London for the next 20-25 years. The following policies of the London Plan are considered particularly relevant:

GG1	Building Strong and Inclusive Communities
GG2	Making the Best Use of Land
GG3	Creating a Healthy City
GG4	Delivering the Homes Londoners Need
D3	Optimising Site Capacity through the Design-Led Approach
D4	Delivering Good Design
D6	Housing Quality and Standards
H1	Increasing Housing Supply
H2	Small Sites
T5	Cycling
T6.1	Residential parking

Local Plan - Overview

- 8.17 Enfield’s Local Plan comprises the Core Strategy, Development Management Document, Policies Map and various Area Action Plans as well as other supporting policy documents. Together with the London Plan, they form the statutory development plan for the Borough. Enfield’s Local Plan sets out planning policies to steer development where they align with the NPPF and the London Plan 2021. Whilst many of the policies do align with the NPPF and the London Plan, it is noted that these documents do in places supersede the Local Plan in terms of some detail and as such the proposal is reviewed against the most relevant and up-to-date policies within the Development Plan.

Enfield Core Strategy: 2010

- 8.18 The Core Strategy was adopted in November 2010 and sets out a spatial planning framework for the development of the Borough through to 2025. The document provides the broad strategy for the scale and distribution of development and supporting infrastructure, with the intention of guiding patterns of development and ensuring development within the Borough is sustainable.

CP2	Housing supply and locations for new homes
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CP4	Housing quality
CP5	Housing types
CP20	Sustainable Energy Use and Energy Infrastructure

Development Management Document (2014)

8.19 The Council's Development Management Document (DMD) provides further detail and standard based policies by which planning applications should be determined. Policies in the DMD support the delivery of the Core Strategy.

8.20 The following local plan Development Management Document policies are considered particularly relevant:

DMD3	Providing a Mix of Different Sized Homes
DMD4	Loss of Existing Residential Units
DMD5	Residential Conversions
DMD6	Residential Character
DMD8	General Standards for New Residential Development
DMD9	Amenity Space
DMD37	Achieving High Quality and Design-Led Development
DMD44	Conserving and Enhancing Heritage Assets
DMD45	Parking Standards and Layout
DMD47	Access, New Roads and Servicing
DMD51	Energy Efficiency Standards DMD 56 Heating and Cooling
DMD58	Water Efficiency

8.21 Other Material Considerations

- National Planning Practice Guidance
- Mayor of London Housing Supplementary Planning Guidance (SPG) (Adopted March 2016)
- Enfield Local Housing Needs Assessment 2020
- Community Infrastructure Levy Regulations 2010 (as amended)
- Technical housing standards – nationally described space standard (2015)
- Enfield Waste and Recycling Storage Planning Guidance (2010)
- Enfield Characterisation Study
- Bush Hill Park Conservation Area Character Appraisal (2015) (BHPCACA)
- Transport for London Cycle Design Standards (2014)
- Energy Guidance London Plan Guidance (LPG) 2021
- Be Seen Energy Monitoring LPG 2021
- Draft Housing Design Standards LPG 2022
- Draft Fire Safety LPG 2022
- Draft Urban Greening Factor LPG 2021
- Draft Air quality positive LPG 2021
- Making Enfield: Enfield Heritage Strategy 2019-2024 SPD (2019)
- The Setting of Heritage Assets – Historic Environment Good Practice Advice in Planning: 3, Historic England (2017)
- The Environment Act 2021
- The Planning (Listed Buildings and Conservation Areas) Act 1990

Enfield Local Plan (Regulation 18) 2021

8.22 The Enfield Local Plan - Reg 18 Preferred Approach was approved for consultation on 9th June 2021. The Regulation 18 document sets out the Council's preferred

policy approach together with draft development proposals for several sites. It is Enfield's Emerging Local Plan.

8.23 As the emerging Local Plan progresses through the plan-making process the draft policies within it will gain increasing weight, but at this stage it has relatively little weight in the decision-making process.

8.24 Key local emerging policies from the plan are listed below:

Policy DM SE2	Sustainable design and construction
Policy DM SE4	Reducing energy demand
Policy DM SE5	Greenhouse gas emissions and low carbon energy supply
Policy DM SE7	Climate change adaptation and managing heat risk
Policy DM SE8	Managing flood risk
Policy DM SE10	Sustainable drainage systems
Policy SPBG3	Biodiversity net gain, rewilding and offsetting
Policy DM BG8	Urban greening and biophilic principles
Policy DM DE1	Delivering a well-designed, high-quality and resilient environment
Policy DM DE2	Design process and design review panel
Policy DM DE10	Conserving and enhancing heritage assets
Policy DM DE11	Landscape design
Policy DM DE13	Housing standards and design
Policy DM H3	Housing mix and type
Policy DM T2	Making active travel the natural choice
Policy SP D1	Securing contributions to mitigate the impact of development

9. Analysis

9.1. The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 seek to establish that planning decisions are taken in accordance with the Development Plan unless material considerations indicate otherwise. Furthermore, paragraph 11 (c) of the NPPF goes on to state that development proposals that accord with the development plan should be approved without delay.

9.2. As explained at Section 8, the Council is subject to the so called "tilted balance" and the NPPF states that for decision-taking this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole – which also includes the Development Plan. Under the NPPF paragraph 11(d) the most important development plan policies for the application are deemed to be 'out of date'. However, the fact that a policy is considered out of date does not mean it can be disregarded, but it means that less weight can be applied to it, and applications for new homes should be considered with more weight (tilted) by planning committee. The level of weight given is a matter of planning judgement and the statutory test continues to apply, that the decision should be, as section 38(6) of the Planning and Compulsory Purchase Act 2004 requires, in accordance with the development plan unless material considerations indicate otherwise.

9.3. This report sets out the analysis of the issues that arise from the proposal when assessed against the development plan and the NPPF

9.4. This application has been subject to negotiation to address the concerns raised by officers and local residents through the consultation process.

9.5. The main considerations of the development are the following:

- Principle of Development
- Character, Heritage and Design
- Neighbouring Residential Amenity
- Quality of Accommodation
- Biodiversity, Trees and Landscaping
- Traffic, Access and Parking
- Drainage
- Carbon Emissions and Sustainability

Principle of Development

- 9.6 The proposal is to convert one family house into four separate flats. One of the flats would have three bedrooms, and so would be counted as a family dwelling. The development overall would provide a mix of dwellings sizes and would contribute towards meeting the local housing need which is described in section 8 above.
- 9.7 In principle, the increase of housing density on plots that can accommodate more than one dwelling is acceptable and in accordance with London Plan policy GG2 and DMD policy 5. This subject to consideration of other relevant planning matters.
- 9.8 Neighbours have commented that the proposal would reduce the stock of 4, 5 and 6 bedroom family homes but policy DMD4 seeks to prevent especially the loss of “family homes” and this is taken to mean three bedroom dwellings as clarified in policy DMD5. Policy DMD5 includes the criterion that, for the conversion of existing family units into self-contained flats, compensatory provision for family accommodation (3 bedrooms +) should be provided within the development. The development would include a three-bedroom unit and so comply with this policy.
- 9.9 Policy DMD5 requires that the number of conversions must not exceed 20% of all properties along any road; and only one out of a consecutive row of 5 units may be converted. There is no planning history indicating that any of the other houses in the road have been subdivided. Neighbours have expressed concern that the proposed development could set a precedent for further conversions but policy DMD5 controls the extent of conversions allowed in an area so the concept of precedent is not something that needs to be given significant weight.
- 9.10 The NPPF supports development of small sites and brownfield land to provide new housing. Although this application is for a conversion rather than for a more comprehensive redevelopment it will provide additional homes and is therefore in accordance with the general direction of national policy.
- 9.11 It is considered that the proposal to convert the building into four flats would be in accordance with relevant local and national policy.

Character, Heritage and Design

- 9.12 The site is within the Bush Hill Park Conservation Area and therefore the impact on the area as a heritage asset has to be assessed. Private Road was added to the Conservation Area in 1994. No 9 is identified as having a positive contribution to the Conservation Area and is specifically mentioned within the BHPACA in respect of the appearance to the street.

- 9.13 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should “have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses” (Section 66). In relation to conservation areas, special attention must be paid to “the desirability of preserving or enhancing the character or appearance of that area” (Section 72).
- 9.14 The replacement of individual dwellings with blocks of flats is mentioned within the Appraisal as a problem however that is not what this proposal is for. Rather the application provides for the retention of the existing dwelling and its subdivision to flats. Only modest changes are proposed to the property to achieve this and these are considered to have limited impact on the Conservation Area and would therefore be in accordance with policy DMD44.
- 9.15 The principle of subdivision of the property is not considered harmful to the Conservation Area. The physical alterations to the building in the form of the hip-to-gable alterations and extension are considered harmful, although this harm is at the lower end of less than substantial. This harm therefore needs to be balanced against public benefits and in this instance the public benefits in the form of the delivery of additional residential units, for which there is an evidenced need, is considered to outweigh the harm. The extensions and alterations proposed also need to be considered in the context of changes made to neighbouring properties, where similar gable roof forms exist.
- 9.16 The fins proposed to the rear balcony of the upper floor flat are not sufficiently detailed within the application and further information is required. This should be secured by condition. Details of rainwater goods should also be secured.
- 9.17 The impact of changes to the front landscaping should also be taken into account in terms of impact on the character and appearance of the Conservation Area. The BHPACA identifies a “semi-rural” atmosphere to the street, and an abundance of street greenery. However, the front garden of this property is largely hard surfaced (block paving) with some grassed areas and planting. The frontage is enclosed by a brick wall with substantial piers and gates. The proposal does increase the area of hard surfacing behind this wall, to accommodate parking and manoeuvring space to support the residential units, but nevertheless retains areas for soft landscaping. The detail of the landscaping scheme can be addressed through condition. The changes to the front garden would be considered harmful, but again at the lower end of less than substantial harm and again it is considered that this harm is outweighed by the public benefits of providing additional housing where there is an evidenced need for such housing.
- 9.18 Neighbours have commented that changes at the front of the site, to the parking arrangements and use of the road, would affect the character of the area. The plans show that the works to be carried out would be restricted to the front garden of the plot, behind the front boundary wall. The private road outside the plot is not within the application red line. This means that the planning authority has no control over work done to the road outside the plot as part of this application. This would have to be considered separately as a civil matter between the various owners of the private road.
- 9.19 The works within the plot would be reworking the surfacing and landscaping of the front garden to provide parking spaces, access and to provide a privacy buffer to the new front bedroom. The front garden is mostly but not completely hard surfaced already so this aspect of the proposal, subject to details being agreed by condition, is

considered acceptable. Details should however be secured in respect of the appearance and surface water drainage and suitable conditions are recommended.

- 9.20 Neighbours have commented that the development would change the look and character of the road. This is not of itself a reason to resist the proposal as it is the impact of a change, not the fact that something is changing, that has to be assessed. Overall, it is considered that the harm from the changes proposed is at the lower end of less than substantial and that this harm is outweighed by the significant public benefits to be delivered through the provision of additional residential units.
- 9.21 On balance the proposal is consistent with relevant Policies of the Enfield Development Management Document (DMD) 2014 and the NPPF in particular section 16.

Neighbouring Residential Amenity

- 9.22 The proposal would not include any windows providing new views towards neighbouring properties, but the use of some rooms behind windows would change. There are currently ground and first floor windows, as well as windows to rooms in the roofspace, that provide views over neighbouring properties but these views are not unusual in an urban residential context.
- 9.23 The upper ground floor windows to the rear would be at the same level as the roof to the lower ground floor. In order to prevent this being used as a terrace in the future a condition is recommended. In addition, in order to ensure that these windows have opening lights for ventilation purposes, details are required under the architectural details condition.
- 9.24 As some of the upstairs rooms would change from bedrooms to living spaces the use of those spaces would intensify, and this does have to be considered in terms of impact on neighbours. The windows in question would face rear, directly down and over rear gardens, and sideways, towards Nos 7 and 11.
- 9.25 The top floor living room window is recommended to have fins fitted at the outer edge of the terrace, which would prevent sideways overlooking over gardens to each side. In addition a condition is recommended to secure obscure glazing to the side-facing roof windows to the upper floor which already exist but serve a loft room, in order to avoid overlooking from the more intensive use of the space as the living room to a flat. It is not recommended that these windows be fixed shut as a balance has to be made between avoiding overlooking and allowing occupants to ventilate their space and the overlooking would be towards the side of the neighbouring dwellings.
- 9.26 A concern has been raised about noise from extraction equipment. This is a legitimate concern, and as ventilation is an issue identified elsewhere in this report it is considered appropriate to impose a condition requiring details of passive ventilation to the flats.
- 9.27 Neighbours have also commented about noise from activity in the gardens, but although there might be more intensive use of the gardens it does not follow that the noise would be unacceptable in planning terms. A planning application cannot be refused because people might make noise, the issue to be considered is whether reasonable people occupying the dwellings in a reasonable way would make an amount of noise that would be harmful to neighbours, taking into account the details of the proposal. It is not considered that the proposed level of occupation and use of the garden would automatically result in unacceptable levels of noise.

- 9.28 Neighbours have also commented about an increase in noise from having more residents in the building. The conversion would have to comply with the Building Regulations in respect of noise insulation, and there is no reason to suppose that the fact of having more residents in the building would lead to unacceptable noise levels for neighbours.
- 9.29 It is considered that the proposal would not have any harmful impact on neighbour amenity sufficient to warrant a refusal of the proposal. Some changes over time to the amount of activity and noise is to be expected in residential areas.

Quality of Accommodation

- 9.30 Unit A. 2B4P. This unit would have living space at lower ground floor, in a room 4m wide and just over 9m deep. This room would have windows only at the rear leading out onto its garden. Much of this space would be single storey, with no rooms above, and a rooflight is proposed to introduce some natural light to the inner part of the room. The two bedrooms would be at ground floor level, one with a window to the shared front driveway and one with a window looking out over the flat roof of the lower ground floor.
- 9.31 Cross ventilation would be possible to the bedroom level but not to the basement / living room level unless the rooflight was openable or some passive ventilation system was installed. The rooflight could be openable but the opening would have to face away from other flats in order to avoid overlooking. The floor to ceiling height in part of this dwelling would be about 2.25m, which is below the 2.5m required by London Plan policy D6 but as this is a conversion it is considered that some flexibility can be applied.
- 9.32 This unit would have 54sq m of private amenity space accessed directly from the living space. This meets the requirements of policy.
- 9.33 Unit B. 3B5P. This unit would have living space at lower ground floor, in a room 5.15m wide and 6-9m deep. Windows would be to the rear leading onto the garden, with a rooflight towards the centre of the space. There would be one bedroom at the lower ground floor, with a window looking out onto a small internal courtyard. This is described as a garden space but as it would be entirely enclosed by 2.5m high walls with a balustrade above, and partially underneath the upper floor, it is not considered that this space would provide the usual level of outlook and light to the bedroom. The lightwell would be directly overlooked by the living room windows to unit C two floors above. Ventilation and light would be restricted but a bedroom does not require high light levels, and a condition is proposed requiring details of passive ventilation. Many amenity areas are overlooked from neighbouring dwellings and there would be no views towards the window. On balance, and as this bedroom would be the third bedroom to the flat, the provision is considered acceptable.
- 9.34 The upper floor bedrooms would both be at the rear of the building and cross ventilation would be reliant on side windows to a bathroom; these windows would be to a shared access to the rear gardens for units C and D. The lower floor would have limited cross ventilation, being reliant on the bedroom window to the light well, so details of passive ventilation here would also have to be considered at condition stage.
- 9.35 This unit would have 60sq m of private amenity space accessed directly from the living space. This meets the requirements of policy.

- 9.36 Unit C. 2B4P. This unit would be entirely on the first floor. There would be a living space with windows to the rear only, a bedroom with window to the rear and a bedroom with window to the front. Cross ventilation would be achievable. Internal privacy would be acceptable.
- 9.37 The private amenity space to Unit C would be accessed by residents leaving their flat and walking downstairs, out of the front door, and along the side of the building and then also along the side of the garden to Unit B. Although this is less than ideal the flat is unlikely to be occupied by a family, and the space could be used for planting/growing, drying laundry and other outdoor activities.
- 9.38 Unit D. 1B2P. This unit would have the entrance and bedroom on the first floor and a living space on the second floor. There would be very limited scope for ventilation to the bedroom, although it would face north so there would be limited solar gain in summer. The windows to the upper level, within the roofspace, would be mainly to the rear elevation but there would also be existing rooflights that would add natural light to the space. There would be a small balcony to the rear, and there would be fins across the opening to restrict views out. Details of the fins have not been provided and these are to be secured by condition to ensure that the design of the fins provides a suitable outlook as well as protecting neighbour amenity.
- 9.39 The private amenity space to Unit D would be accessed by residents leaving their flat and walking downstairs, out of the front door, and along the side of the building and then also along the side of the garden to Unit B. Although this is less than ideal the flat is unlikely to be occupied by a family, and the space could be used for planting/growing, drying laundry and other outdoor activities.
- 9.40 London Plan policy D6 states that single aspect dwellings should be avoided unless it is considered a more suitable design approach than a dual aspect dwelling, in the interests of optimising site capacity. Single aspect dwelling proposals should demonstrate that adequate passive ventilation, daylight and privacy will be provided, and the avoidance of overheating should also be shown. Although none of the dwellings proposed is entirely single aspect the two lowest dwellings, in particular, would have very restricted cross ventilation and the use of the ground floor front room as a bedroom for unit A would further restrict passive ventilation, as residents are unlikely to want to leave this window open when the room is empty or when they are sleeping. The passive ventilation to unit B would also be very restricted. It is considered that the ventilation arrangements for these dwellings, and the control of overheating, needs very careful consideration and so further details should be secured by condition.
- 9.41 Subject to the conditions being satisfactorily addressed the proposal will be in accordance with policies relating to residential amenity for new dwellings.

Biodiversity, Trees and Landscaping

- 9.42 Landscaping of the site is recommended to be secured by condition. The loss of landscaping will be relatively minor and restricted to work carried out to the front garden to provide more organised car parking, and also at the rear to subdivide the existing garden. The work to the front garden will include planting which can be specified to be supportive of biodiversity, and the landscaping of the rear gardens can also include suitable planting.

- 9.43 The drainage strategy submitted shows surface water drainage accommodated on the site. Although the strategy is not approvable as submitted and further details are required, it is considered that there is sufficient space on the site to accommodate surface water drainage meeting policy requirements including surface features. This will affect landscaping and so the drainage features are included in the landscaping condition.
- 9.44 Subject to conditions being suitably addressed, the proposal would be considered in accordance with relevant policies.

Traffic, Access and Parking

- 9.45 The site has a PTAL of 2 which is moderate. There are several bus services within 300m of the site leading directly to centres with shops and facilities, including railway stations, and London Road has been upgraded with cycle lanes.
- 9.46 The proposal shows only one access into the site which would have to be shared by pedestrians, cyclists, wheelchair users and drivers. London Plan policy and DMD47 both require safe access for pedestrians and people with disabilities and the plans show a safe route for pedestrians and others within the site. As the people using the parking area would be resident rather than strangers, and details of the front boundary treatment and the parking area layout could be amended by condition, this is considered acceptable.
- 9.47 The proposal shows four car parking spaces on the front driveway. Policy T6.1 sets out that the development as a whole should have a maximum of 3.25 car parking spaces however this is clearly impractical. One car parking space per dwelling is considered acceptable given the nature of the area. The plans do not show any infrastructure for charging electric vehicles and as the spaces would be in a communal area a condition is recommended to secure this.
- 9.48 Swept path analysis has been provided to show that vehicles can manoeuvre in and out. A concern has been raised about drivers having to drive around a tree to get into the site but this is an existing situation. Other front drives in the road have trees in front and there is no indication that people manoeuvring around trees has caused harm in the past.
- 9.49 Neighbours have objected on the grounds that car parking is likely to spill out onto the private road. This road is private and not public highway, and there is no public right of way along the road. This means that highway safety is unlikely to be compromised by additional car parking outside a property 80 metres up the road and also that the owners of the road can take their own action against unauthorised parking on the road.
- 9.50 Concern about the safety of pedestrians is legitimate, however the proposed car parking meets the standards required by policy and more car parking cannot be required. Again, the owners of the road can take their own action in this matter.
- 9.51 Concerns of neighbours and the Resident's Association about the state of the road cannot be addressed as part of the planning application as the road is private, so this would be a matter to be dealt with between the owners of the road.

Cycle parking

- 9.52 There is sufficient space within the site to make suitable provision. A concern has been raised about the disturbance arising from the use of cycle parking in the rear, but it is not considered that people moving cycles to and from the area behind their own home would be out of character for a residential area. A condition is recommended requiring the submission of further details.

Refuse

- 9.53 The application proposes refuse bin storage in the front section of what is currently the garage. Separate collections points are shown on the plans which are considered acceptable. If residents choose to have garden waste bins these are more likely to be stored in the rear gardens where they would be used; this is considered acceptable. The details of this are included in the recommended landscaping condition.
- 9.54 Concerns have been expressed regarding the visual clutter from bins serving the houses, but there is space for a suitable bin store and collection point to be provided. It is not considered that the visual impact of having refuse bins at the front of the property would be a reason to resist the provision of additional much-needed housing, nor would the associated noise from bins being moved on collection day as this is a normal feature of residential areas.
- 9.55 Overall it is considered that the arrangements for parking and servicing would be, subject to conditions, acceptable.

Drainage

- 9.56 Policy DMD61 sets out the requirement for all development to incorporate Sustainable Drainage System (SuDS). However it should be noted that in this case the physical development is not affecting the footprint of the building, and it is not reasonable to require that the existing impact is mitigated. It is reasonable and proportionate to the scale of the development proposed to require that sustainable drainage features are incorporated into the external landscaping works proposed as part of the development.
- 9.57 The applicant has submitted a Drainage Strategy however the plan within the document is incorrect and the document does not meet policy requirements. As the development is small scale it is considered that details could be agreed by a pre-commencement condition. There is overlap between SuDS features and landscaping so the drainage scheme is referenced in the landscaping condition.

Carbon Emissions and Sustainability

- 9.58 Local plan policy CP20 requires all new development to address the causes and impact of climate change, to minimise energy use and to use energy generated from renewable sources. Policy DMD 49 requires that all new development must achieve the highest sustainable design and construction standards having regard to technical feasibility and economic viability. This policy also required mitigation and adaptation to climate change.
- 9.59 Policy DMD56 requires that all new developments (excluding householder applications) is designed to control and manage heat gain and reduce the reliance on mechanical cooling, subject to technical and economic feasibility and other relevant planning considerations.

- 9.60 The applicant has provided no information on these points. Given that the works to convert the house would require substantial internal alteration it should be possible to incorporate additional insulation and energy efficiency measures, and it would also be possible to incorporate the use of solar panels and methods of managing solar gain to the south (rear) elevation.
- 9.61 Conditions are recommended to secure details of energy efficiency and control of summer solar gain in order to ensure that the development complies with relevant policies.

Community Infrastructure Levy (CIL)

Mayoral CIL

- 9.62 Mayoral CIL is collected by the Council on behalf of the Mayor of London. The amount that is sought for the scheme is calculated on the net increase of gross internal floor area multiplied by an Outer London weighting (increased to £60 per sqm as of 1st April 2019).

Enfield CIL

- 9.63 The Council introduced its own CIL on 1st April 2016. Enfield has identified three residential charging zones, and the site falls within the higher rate charging zone (£120/sqm).
- 9.64 The proposed development is for the creation of additional dwellings so it is CIL liable. The proposed increase in floor area is 5 sq m. CIL liability is expected to be £789 for Enfield CIL and £323 for Mayoral CIL. The final CIL liability will be calculated at the point notices are issued.

10. Public Sector Equality Duty

10. In accordance with the Public Sector Equalities Duty, it is considered the proposal would not disadvantage people who share one of the different nine protected characteristics as defined by the Equality Act 2010 compared to those who do not have those characteristics.

11. Conclusion

The provision of additional dwellings has to be given significant weight and this site is in a sustainable location, well related to services and facilities. The proposed dwellings would all meet or exceed the minimum standards in terms of quality of living accommodation, and would provide a mix of dwelling sizes including one family-sized dwelling. There would not be a concentration of such conversions in the locality. The subdivision of the property in principle is not considered to harm the character or appearance of the conservation area. The proposed physical alterations to the building and site frontage do result in some harm to the Conservation Area but this is considered to be at the lower end of less than substantial and is outweighed by the significant public benefits of providing additional housing units. The details submitted show that suitable drainage, access, parking and surfacing and landscaping can all be secured subject to details being provided by condition. Taking these and other material considerations into account, the application is recommended for approval.

DWELLING	TYPE	GIA (sqm)	LEVEL	HR	ROOM	AREA (sqm)
DWELLING A	2 Bed 4 Person	82.82	Lower Ground Floor	1	LKID	37.23
			Lower Ground Floor	1	Store	6.90
			Lower Ground Floor	1	Circulation	1.48
			Upper Ground Floor	1	Circulation	6.96
			Upper Ground Floor	1	Bedroom 1	12.35
			Upper Ground Floor	1	Bedroom 2	12.24
DWELLING B	3 Bed 6 Person	99.07	Lower Ground Floor	1	Garage	54.68
			Lower Ground Floor	1	LKID	37.23
			Lower Ground Floor	1	Bedroom 3	11.82
			Lower Ground Floor	1	Circulation	1.23
DWELLING C	2 Bed 3 Person	64.51	Upper Ground Floor	1	Circulation	9.23
			Upper Ground Floor	1	Bedroom 1	14.35
			Upper Ground Floor	1	Bedroom 2	11.02
			Upper Ground Floor	1	Ensuite	3.98
			Upper Ground Floor	1	Bathroom	8.57
			Lower Ground Floor	1	Garage	50.85
DWELLING D	1 Bed 2 Person	61.90	First Floor	1	Circulation	6.16
			First Floor	1	LKID	2.92
			First Floor	1	Bedroom 1	12.00
			First Floor	1	Bedroom 2	12.16
			First Floor	1	Bathroom	3.92
			Lower Ground Floor	1	Garage	125.86
Less than 1.5m height not Counted			Spaced Floor		Balcony	3.00
			Spaced Floor		Garage	65.58
Total Habitable Rooms						12
Plot Area (Ha)						0.073
Habitable Rooms/Ha						163



NOTES

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PROJECT
 9 Private Road
 Enfield, EN1 2EL

DRAWING TITLE
 Proposed First Floor

DATE
 11/11/22

GRAPHIC SCALE
 0m 0.5m 1m 2m 3m 4m 5m 10m

NOTES
 18.4.2023 - Rev. PL1 - M4(2) annotations added; Schedule of accommodation adjusted.

SCALE
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 1:100 (A3)

PROJECT NO.
 2201

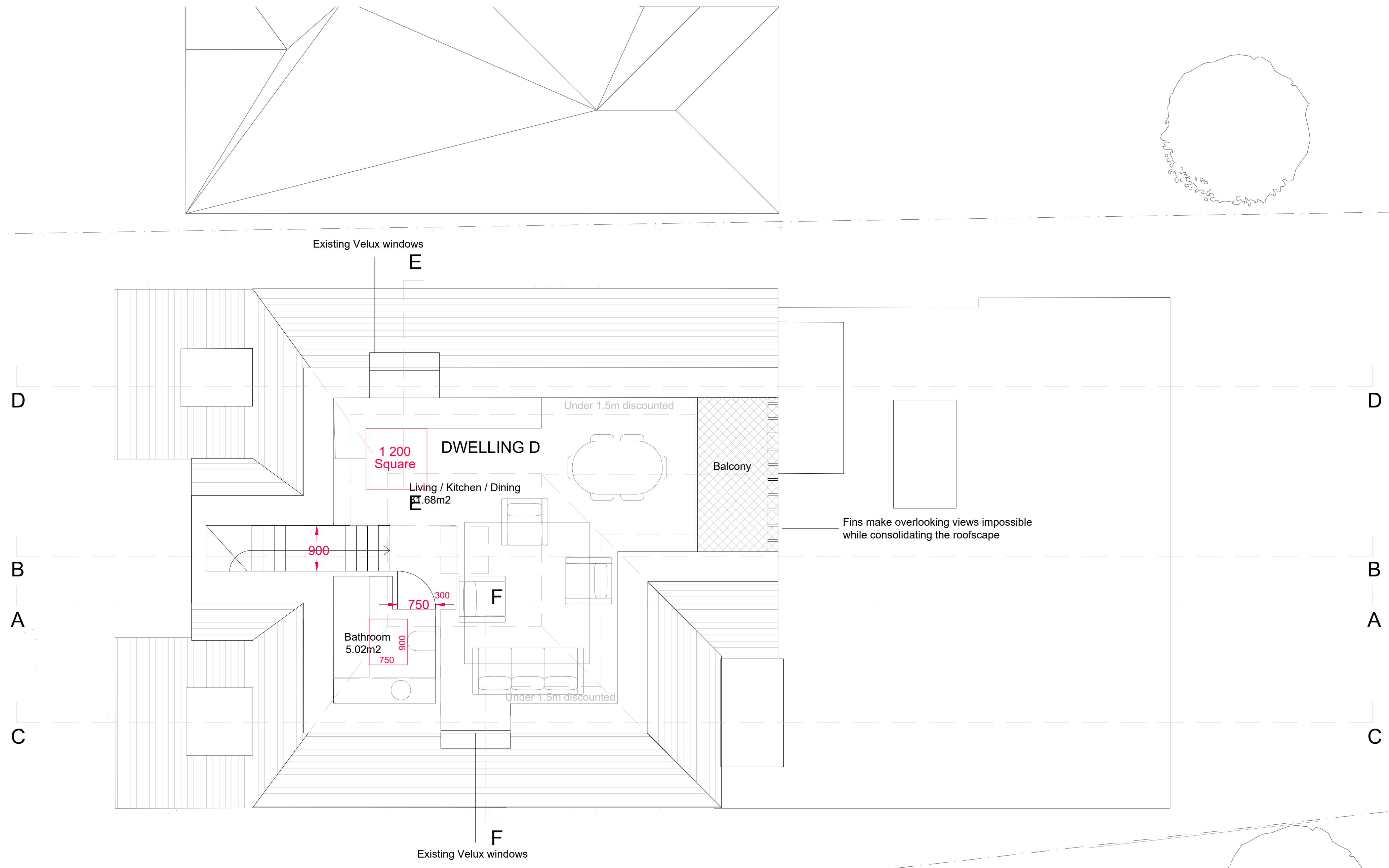
NORTH

STATUS
 PLANNING

DRAWING NUMBER
 A 2201 0202

REV
 PL1

TYPE	G/A (sqm)	LEVEL	HR	ROOM	AREA (sqm)		
DWELLING A - 2 Bed 4 Person	82.82	Lower Ground Floor	1	LKID	37.23		
		Lower Ground Floor		Store	6.90		
		Lower Ground Floor		Circulation	1.48		
		Upper Ground Floor		Circulation	6.96		
		Upper Ground Floor	1	Bedroom 1	12.35		
		Upper Ground Floor	1	Bedroom 2	12.24		
DWELLING B - 3 Bed 6 Person	99.07	Lower Ground Floor		Garden	54.68		
		Lower Ground Floor	1	LKID	37.23		
DWELLING C - 2 Bed 3 Person	64.51	Lower Ground Floor	1	Bedroom 3	11.82		
		Lower Ground Floor		Circulation	1.23		
		Upper Ground Floor		Circulation	9.23		
		Upper Ground Floor	1	Bedroom 1	14.35		
		Upper Ground Floor	1	Bedroom 2	11.02		
		Upper Ground Floor		Ensuite	3.98		
		Upper Ground Floor		Bathroom	8.57		
		Lower Ground Floor		Garden	50.85		
		DWELLING D - 1 Bed 2 Person	61.90	First Floor		Circulation	6.16
				First Floor	1	LKID	2.92
First Floor	1			Bedroom 1	12.00		
First Floor	1			Bedroom 2	12.16		
First Floor				Bathroom	3.90		
Lower Ground Floor				Garden	125.86		
Less than 1.5m height not Counted		Second Floor		Balcony	3.00		
		Second Floor		Garden	65.58		
		Total Habitable Rooms	12				
		Pktd Area (Ha)	0.073				
		Habitable Rooms/Ha	163				



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PROJECT
 9 Private Road
 Enfield, EN1 2EL

DRAWING TITLE
 Proposed 2nd Floor Plan

DATE
 11/11/22

GRAPHIC SCALE

NOTES
 18.4.2023 - Rev. PL1 - M4(2) annotations added; Schedule of accommodation adjusted; Indication of areas under 1.5m free head height added.

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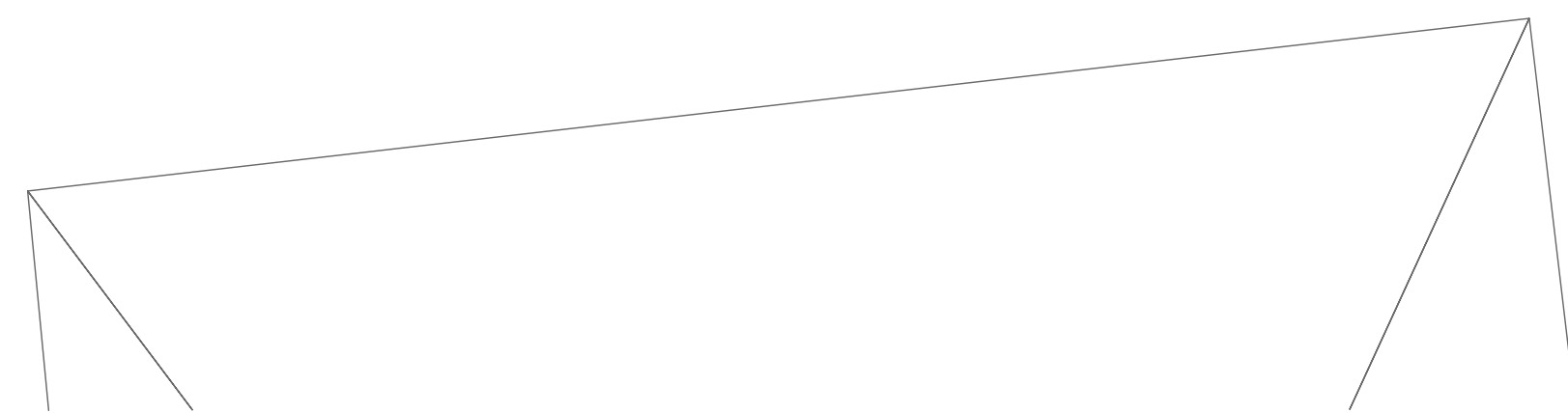
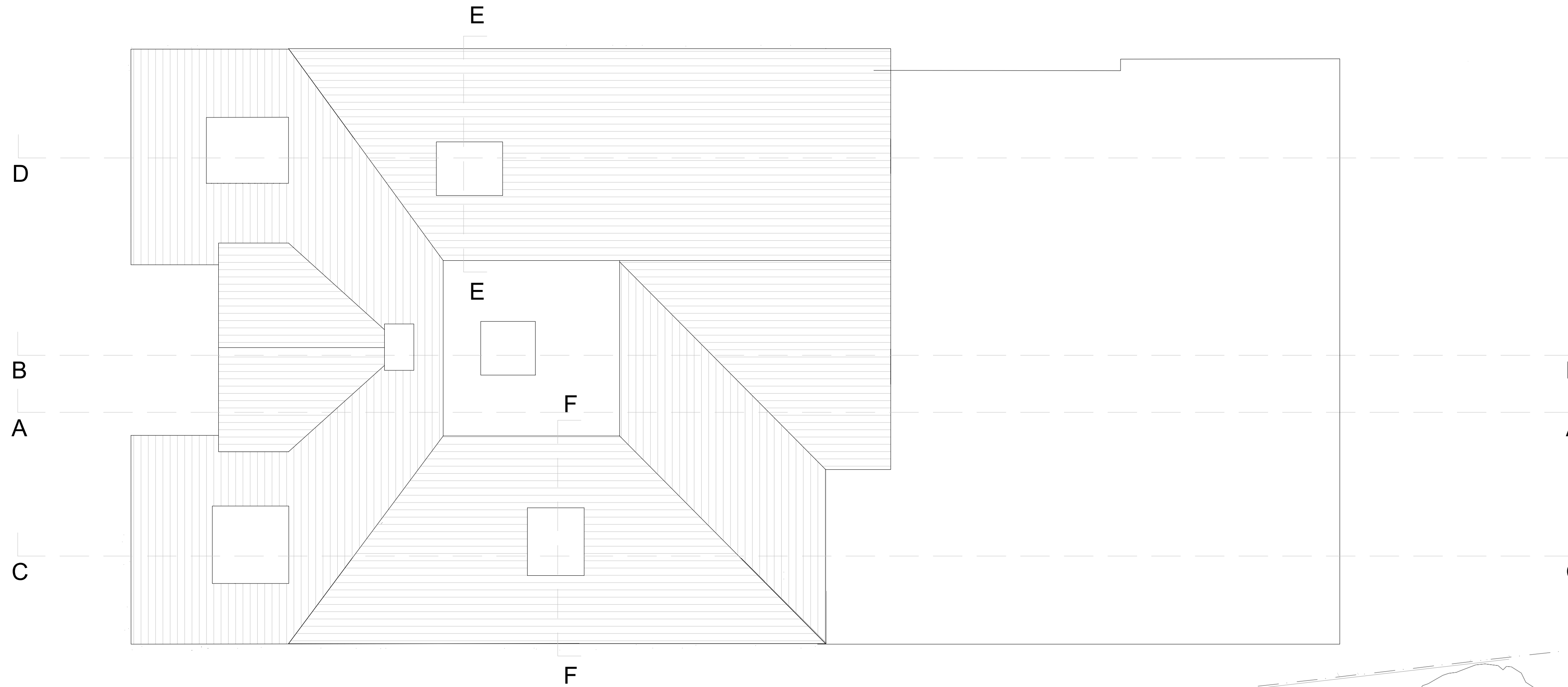
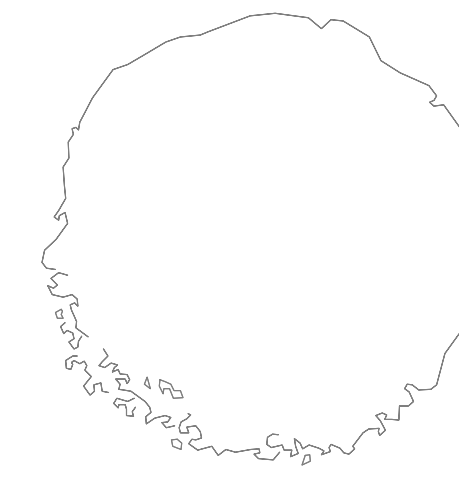
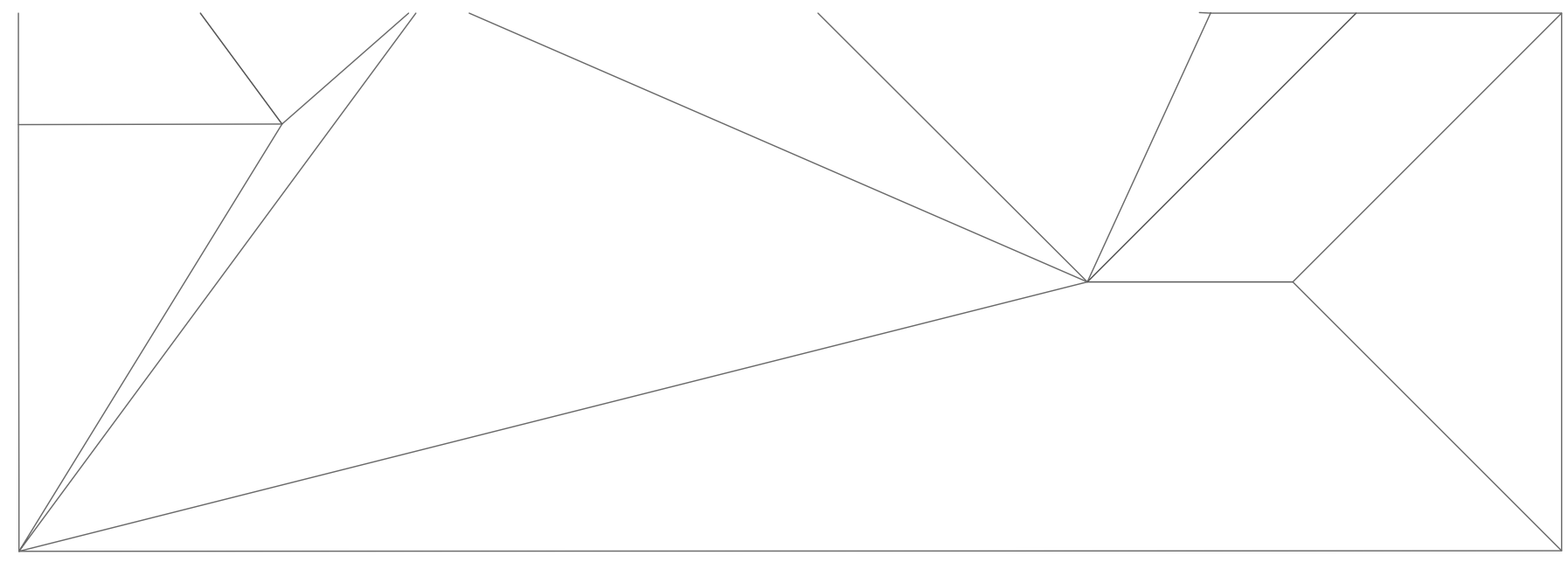
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PROJECT NO.
 2201

STATUS
 PLANNING

DRAWING NUMBER
 A 2201 0203

REV
 PL1



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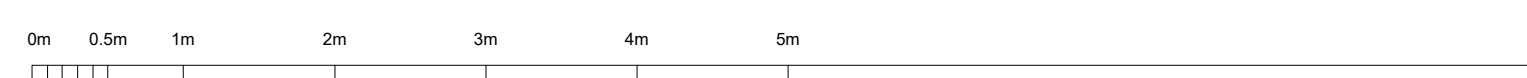
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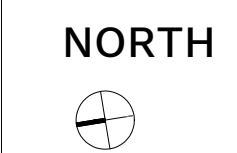
PROJECT
 9 Private Road
 Enfield, EN1 2EL

DATE
 11/11/22

GRAPHIC SCALE



SCALE
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DRAWING TITLE
 Proposed Roof Plan

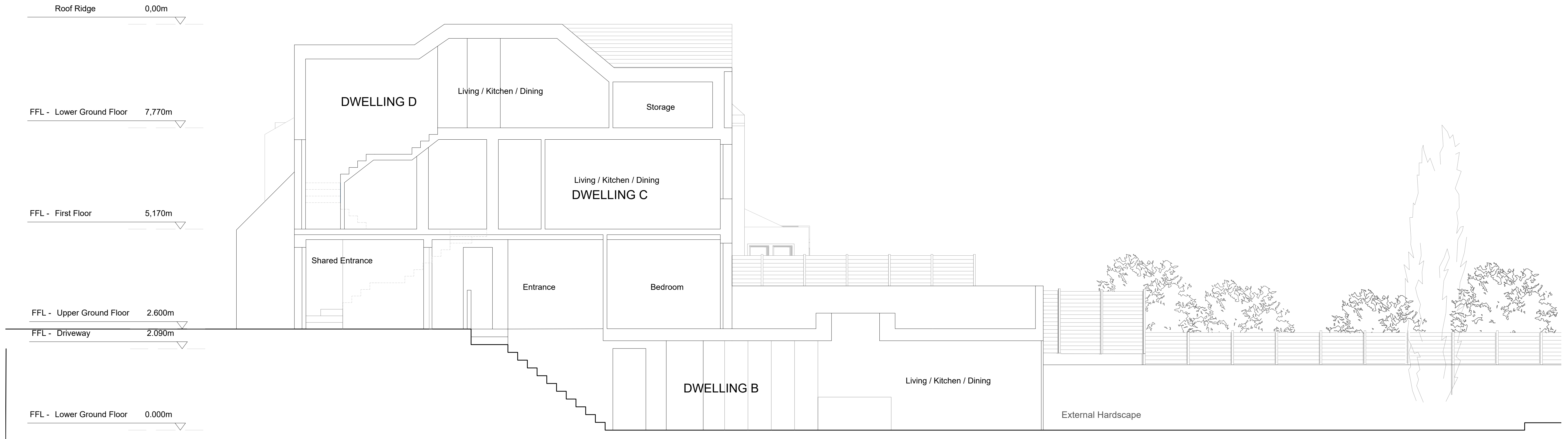
NOTES
 18.4.2023 - Rev. PL1 - Section lines added.

PROJECT NO.
 2201

STATUS
 PLANNING

DRAWING NUMBER
 A 2201 0204

REV
 PL1



NOTES

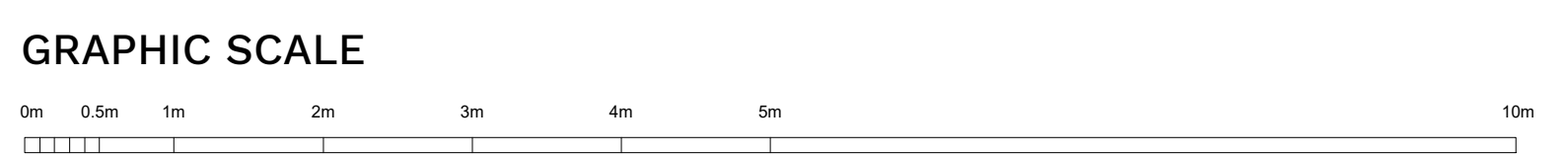
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DRAWING TITLE
 Proposed Section A-A

DATE
 11/11/22



NOTES
 18.4.2023 - Rev. PL1 - Communal staircase riser and tread adjusted for M4 (2)

SCALE
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 1:100 (A3)

PROJECT NO.
 2201

NORTH

STATUS
 PLANNING

DRAWING NUMBER
 A 2201 0300

REV
 PL1

Roof Ridge 0,00m

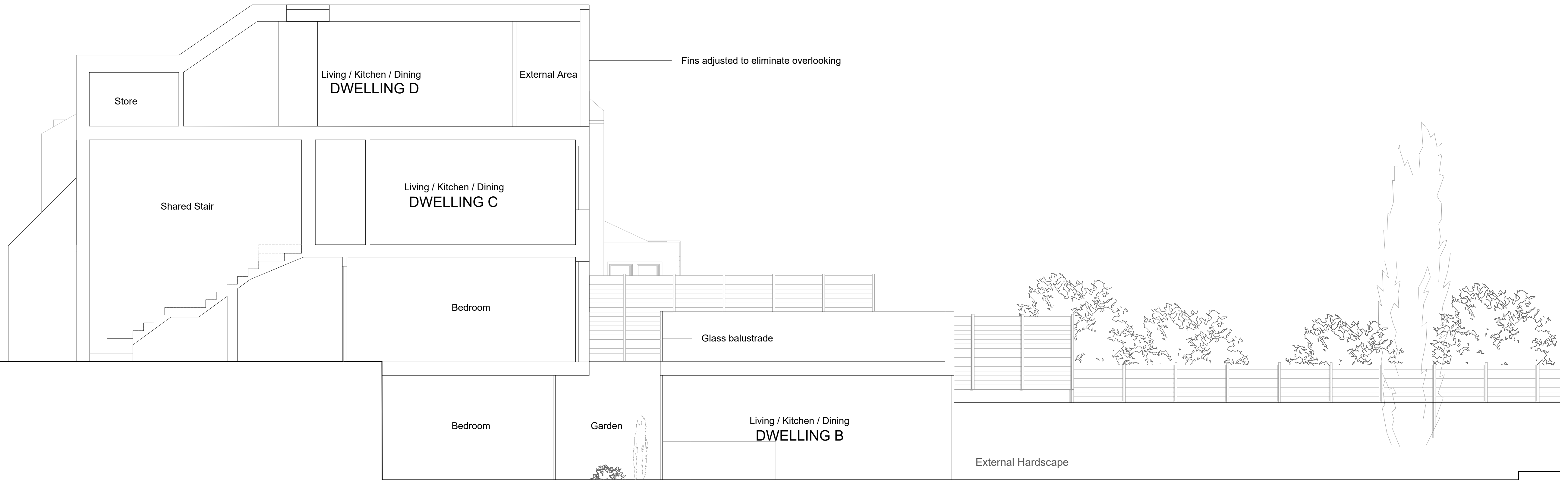
FFL - Lower Ground Floor 7,770m

FFL - First Floor 5,170m

FFL - Upper Ground Floor 2,600m

FFL - Driveway 2,090m

FFL - Lower Ground Floor 0,000m



NOTES

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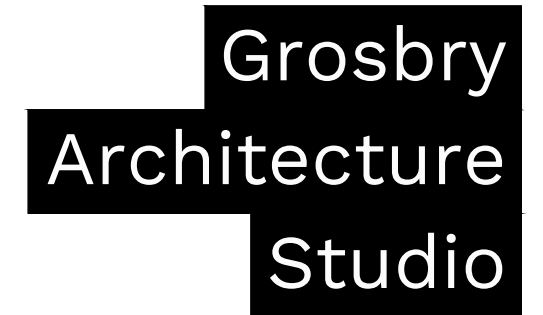
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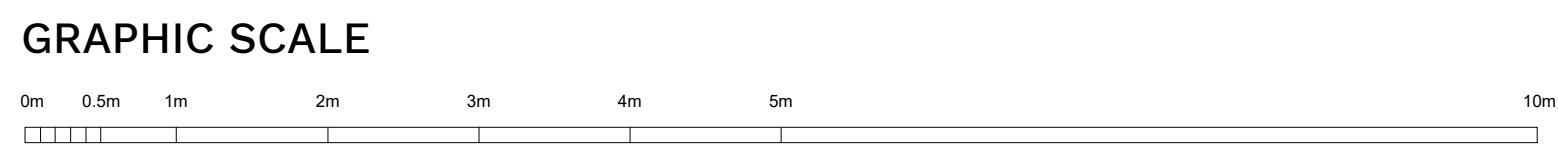
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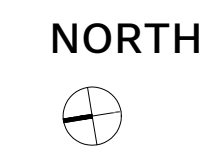


PROJECT
 9 Private Road
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DATE
 11/11/22



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DRAWING TITLE
 Proposed Section B-B

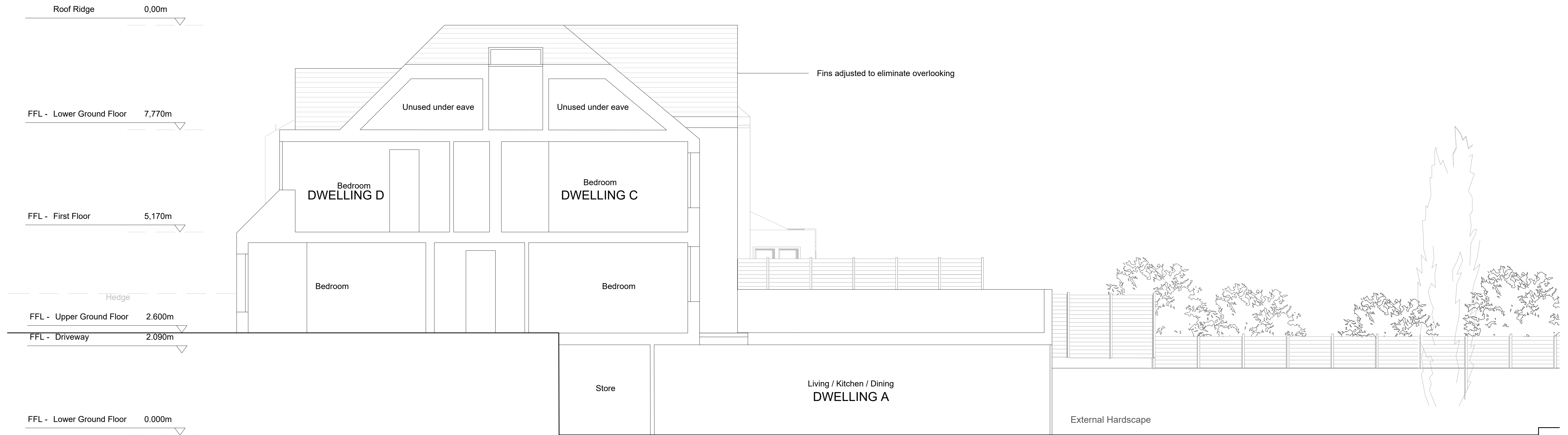
NOTES
 18.4.2023 - Rev. PL1 - M4(2) stair adjustment.

PROJECT NO.
 2201

STATUS
 PLANNING

DRAWING NUMBER
 A 2201 0301

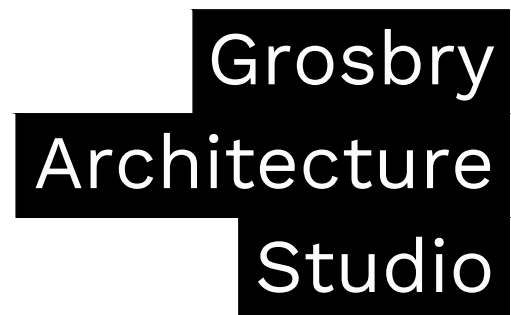
REV
 PL1



NOTES

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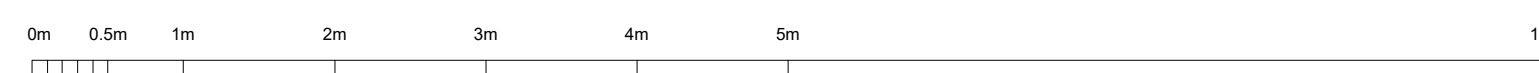
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PROJECT
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DATE
 18/4/23

GRAPHIC SCALE



SCALE
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NORTH

DRAWING TITLE
 Proposed Section C-C

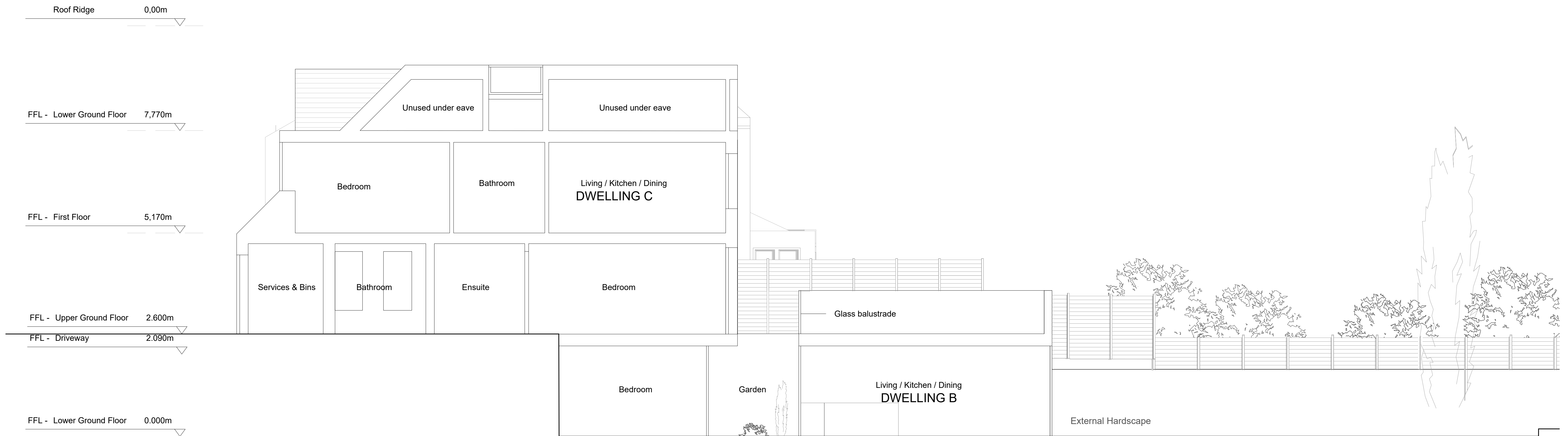
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PROJECT NO.
 2201

STATUS
 PLANNING

DRAWING NUMBER
 A 2201 0302

REV
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NOTES

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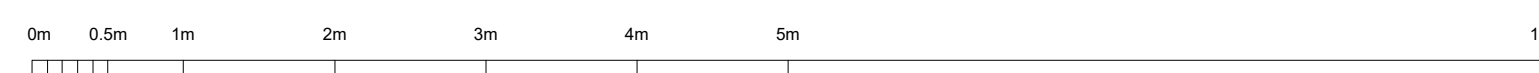
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DATE
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GRAPHIC SCALE



SCALE
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 1:100 (A3)

NORTH

DRAWING TITLE
 Proposed Section D-D

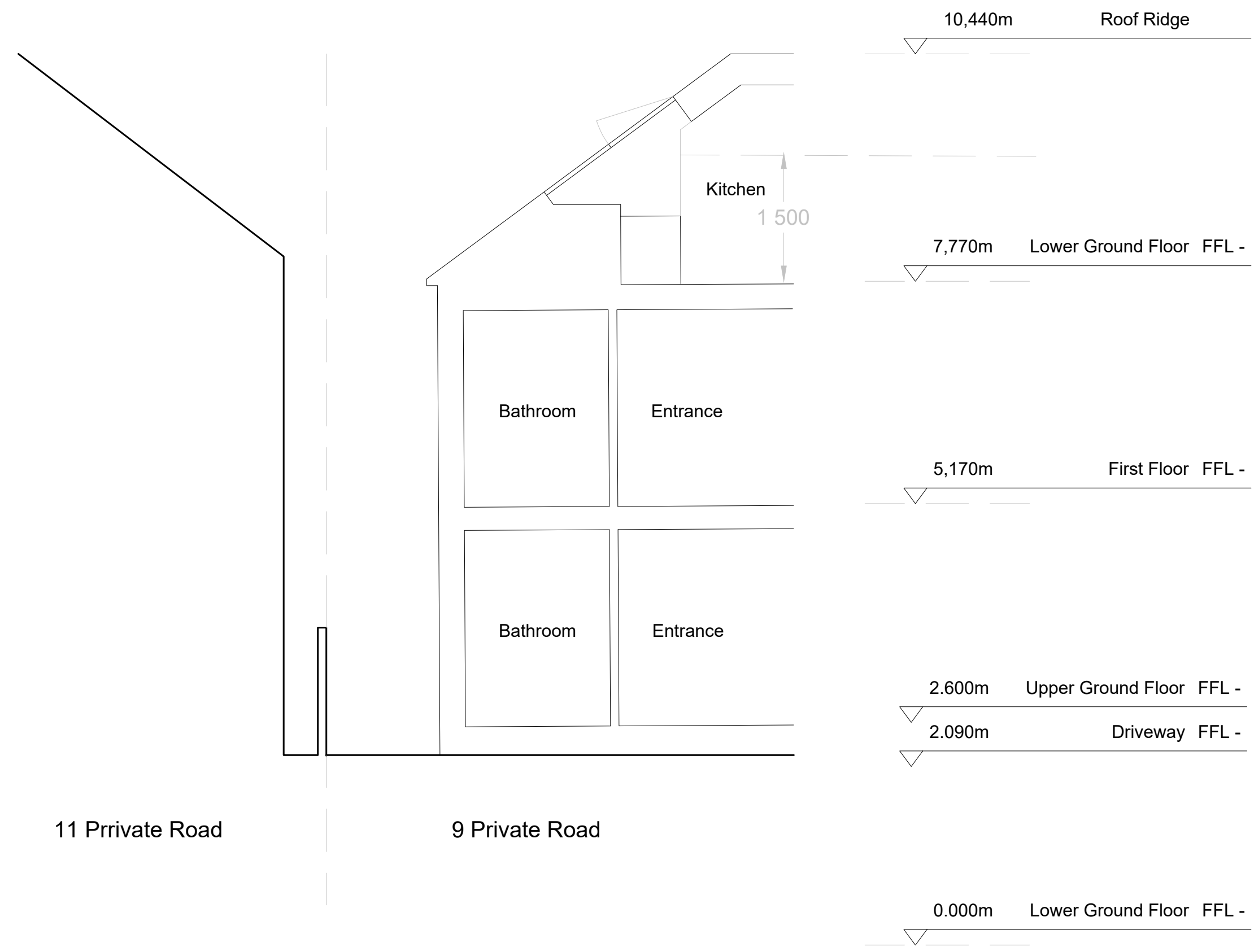
NOTES
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PROJECT NO.
 2201

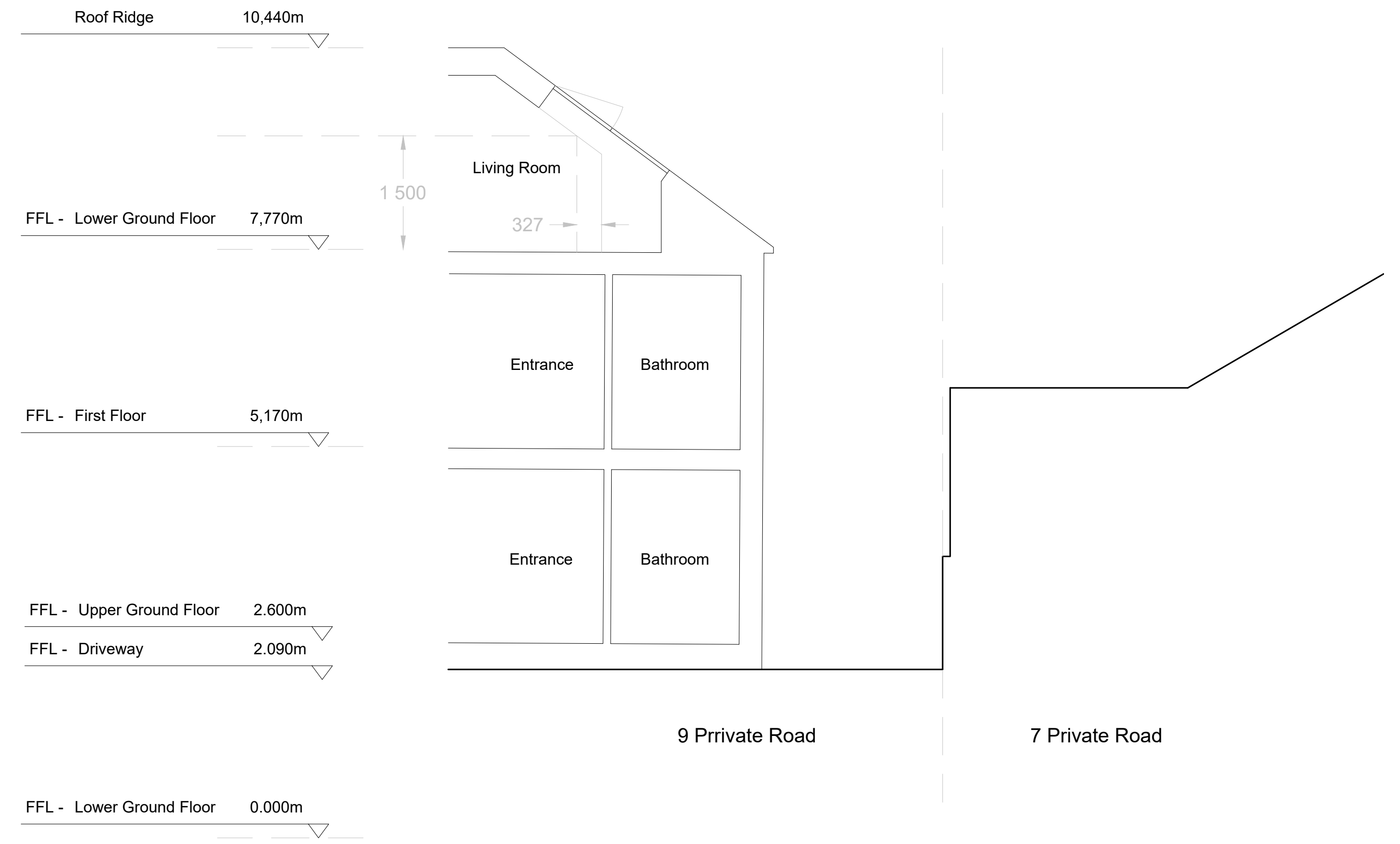
STATUS
 PLANNING

DRAWING NUMBER
 A 2201 0303

REV
 -



Section E

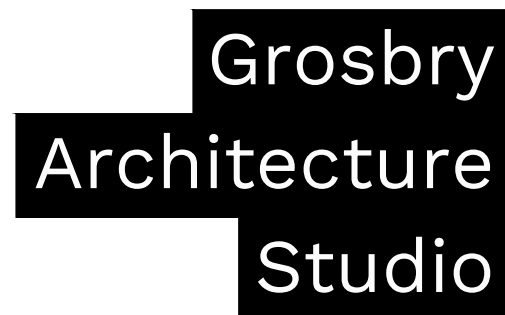


Section F

NOTES

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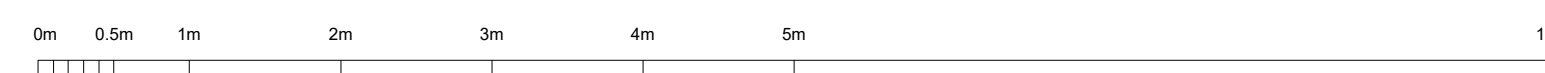
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PROJECT
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DATE
 18/4/23

GRAPHIC SCALE



SCALE
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 1:100 (A3)

NORTH

DRAWING TITLE
 Proposed Section E-E & F-F

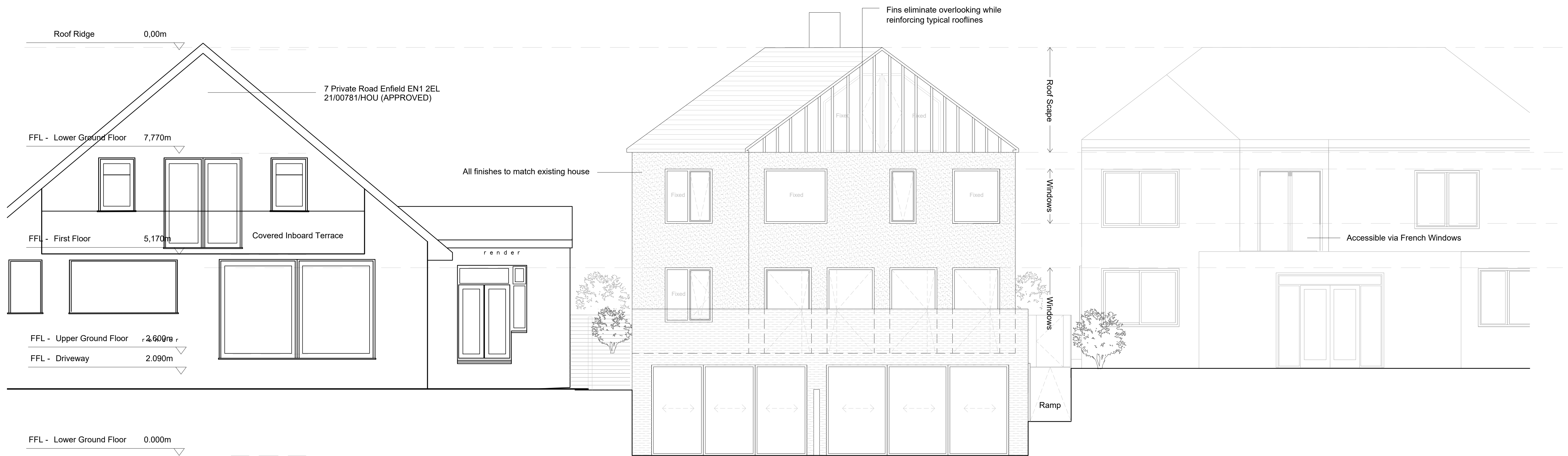
NOTES
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PROJECT NO.
 2201

STATUS
 PLANNING

DRAWING NUMBER
 A 2201 0304

REV
 -



NOTES

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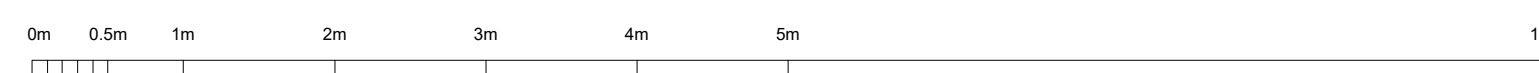
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DATE
 11/11/22

GRAPHIC SCALE



SCALE
 1:50 (A1)
 1:100 (A3)

NORTH

DRAWING TITLE
 Proposed Rear Elevation

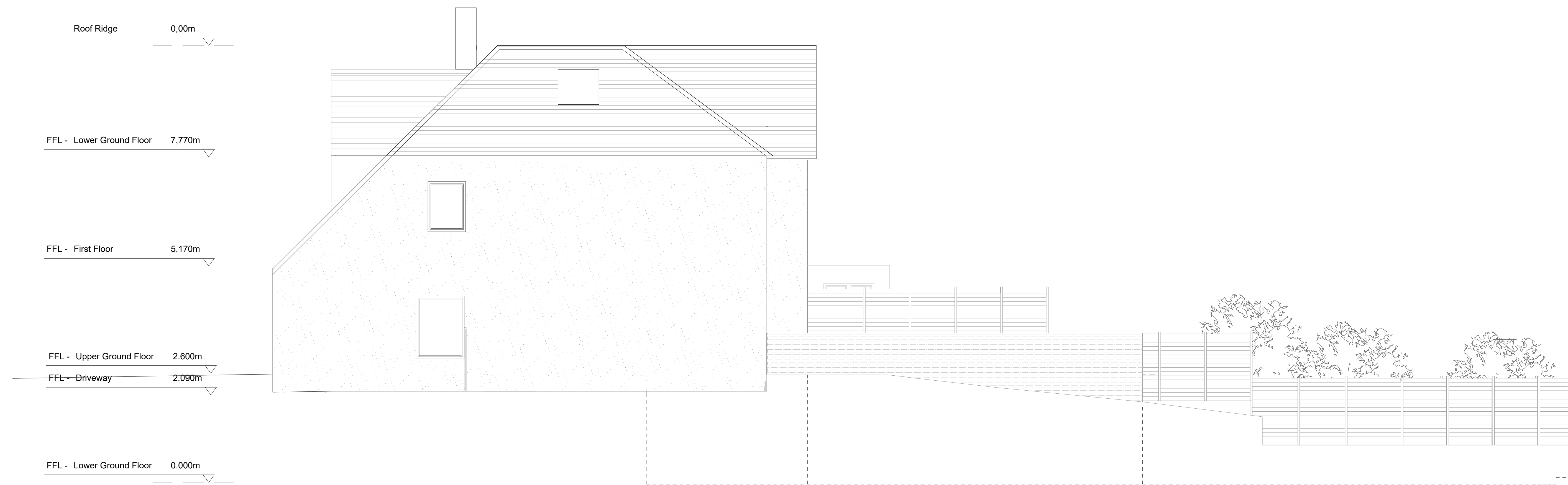
NOTES
 18.4.2023 - Rev. PL1 - Side resident gate added.

PROJECT NO.
 2201

STATUS
 PLANNING

DRAWING NUMBER
 A 2201 0400

REV
 PL1



NOTES

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PROJECT
 9 Private Road
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DRAWING TITLE
 Proposed Side Elevation

DATE
 11/11/22

GRAPHIC SCALE

NOTES
 18.4.2023 - Rev. PL1 - M4(2) level access and privacy adjusted.

SCALE
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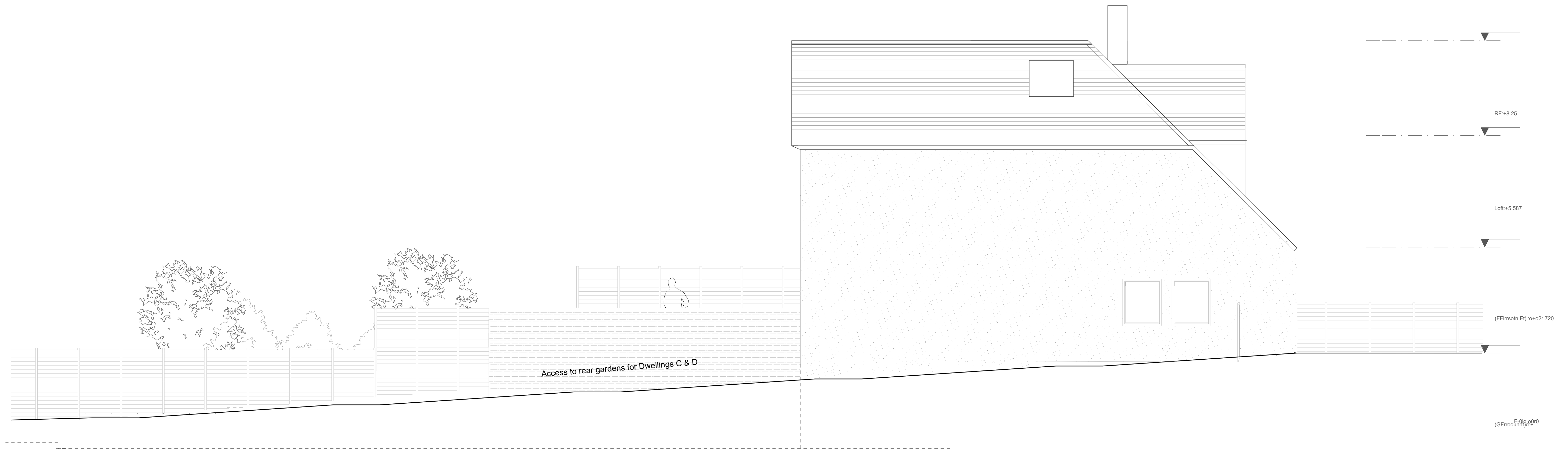
PROJECT NO.
 2201

NORTH

STATUS
 PLANNING

DRAWING NUMBER
 A 2201 0402

REV
 PL1



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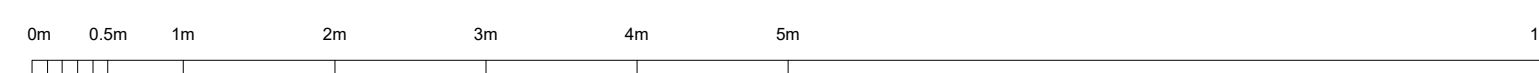
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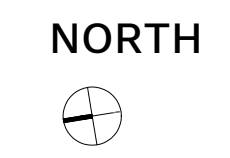
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DATE
 11/11/22

GRAPHIC SCALE



SCALE
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DRAWING TITLE
 Proposed Side Elevation

NOTES
 18.4.2023 - Rev. PL1 - M4(2) compliant ramp adjusted.

PROJECT NO.
 2201

STATUS
 PLANNING

DRAWING NUMBER
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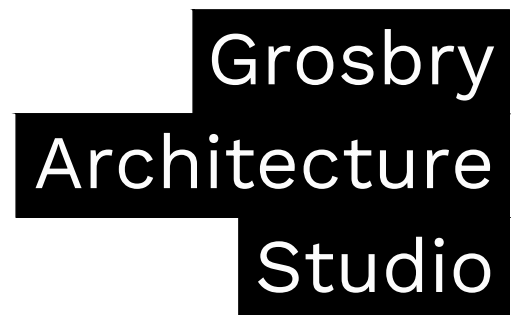
REV
 PL1



NOTES

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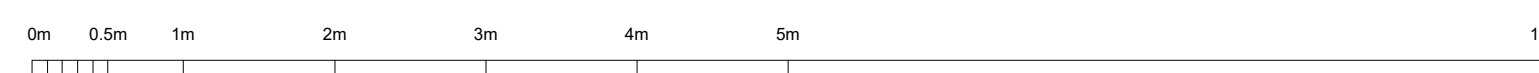
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PROJECT
 9 Private Road
 Enfield, EN1 2EL

DATE
 11/11/22

GRAPHIC SCALE



SCALE
 1:50 (A1)
 1:100 (A3)

NORTH

DRAWING TITLE
 Existing Front Elevation

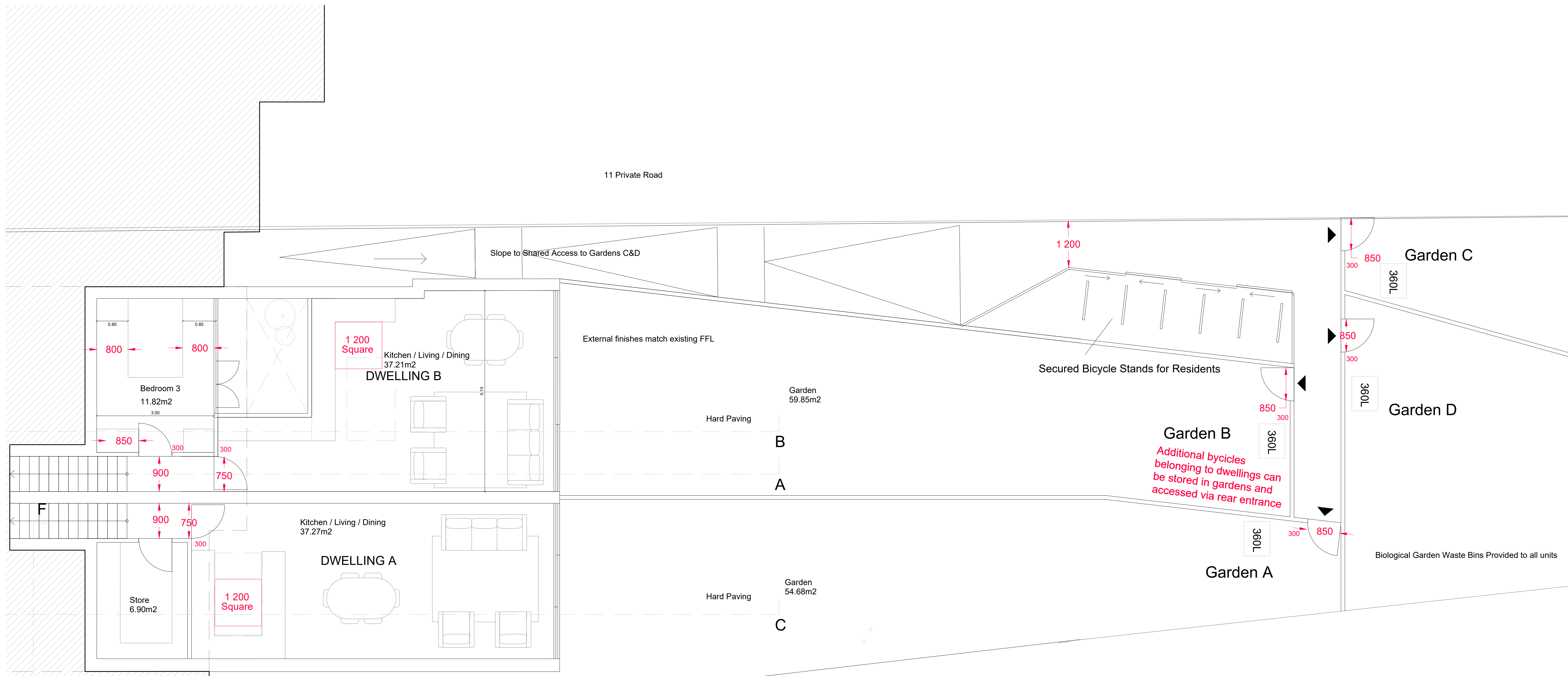
NOTES
 27.4.2023 - Rev. PL1 - Updated to reflect existing fenestration.

PROJECT NO.
 2201

STATUS
 PLANNING

DRAWING NUMBER
 A 2201 0141

REV
 PL1



DWELLING	TYPE	GIA (sqm)	LEVEL	HR	ROOM	AREA (sqm)			
DWELLING A	2 Bed 4 Person	63.52	Lower Ground Floor	1	LKID	37.21			
			Lower Ground Floor	1	Store	6.90			
			Lower Ground Floor	1	Circulation	1.43			
			Upper Ground Floor	1	Circulation	6.96			
			Upper Ground Floor	1	Bedroom	12.24			
			Upper Ground Floor	1	Bedroom 2	12.24			
			Upper Ground Floor	1	Bathroom	3.98			
			Lower Ground Floor	1	Garden	54.68			
			DWELLING B	3 Bed 5 Person	99.07	Lower Ground Floor	1	LKID	37.21
						Lower Ground Floor	1	Bedroom 3	11.82
Lower Ground Floor	1	Circulation				1.23			
Upper Ground Floor	1	Circulation				9.23			
Upper Ground Floor	1	Bedroom 1				14.35			
Upper Ground Floor	1	Bedroom 2				11.02			
Upper Ground Floor	1	Ensuite				3.88			
Upper Ground Floor	1	Bathroom				6.57			
Lower Ground Floor	1	Garden				59.85			
DWELLING C	2 Bed 3 Person	64.51				First Floor	1	Circulation	6.18
			First Floor	1	LKID	2.80			
			First Floor	1	Bedroom 1	12.05			
			First Floor	1	Bedroom 2	12.16			
			First Floor	1	Bathroom	3.80			
			Lower Ground Floor	1	Garden	125.98			
			DWELLING D	1 Bed 2 Person	51.90	First Floor	1	Circulation	3.75
						First Floor	1	Store	12.00
						First Floor	1	Bedroom	2.81
						First Floor	1	Ensuite	2.81
Second Floor	1	Circulation				2.44			
Second Floor	1	Bathroom				5.02			
Second Floor	1	LKID				25.92			
Second Floor	1	Balcony				5.00			
Lower Ground Floor	1	Garden				65.58			
Total Habitable Rooms 12									
Plot Area (HA) 0.073									
Habitable Rooms/HA 163									

NOTES

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PROJECT
9 Private Road
Enfield, EN1 2EL

DATE
11/11/22

DRAWING TITLE
Proposed Lower Ground Floor

GRAPHIC SCALE

NOTES
26.4.2023 - Rev. PL2 - Biological garden waste bins added; Fully enclosed shared bicycle store provided.

SCALE
1:50 (A1)
1:100 (A3)

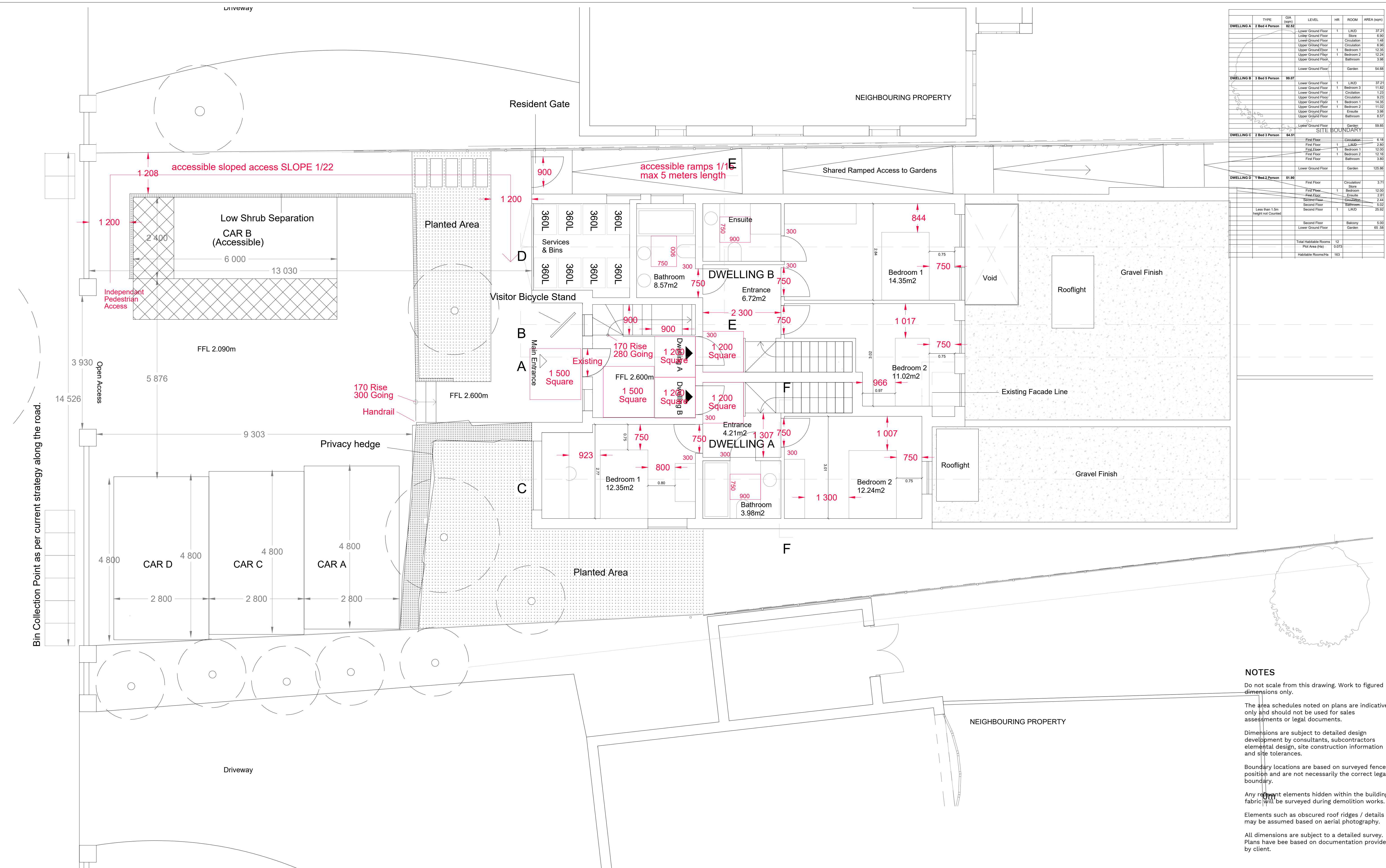
NORTH

PROJECT NO.
2201

STATUS
PLANNING

DRAWING NUMBER
A 2201 0200

REV
PL2



DWELLING	TYPE	GIA (sqm)	LEVEL	HR	ROOM	AREA (sqm)			
DWELLING A	2 Bed 4 Person	82.82	Lower Ground Floor	1	LKID	37.23			
			Lower Ground Floor	1	Store	6.90			
			Lower Ground Floor	1	Circulation	1.48			
			Upper Ground Floor	1	Circulation	6.96			
			Upper Ground Floor	1	Bedroom 1	12.35			
			Upper Ground Floor	1	Bedroom 2	12.24			
DWELLING B	3 Bed 6 Person	99.07	Lower Ground Floor	1	Garden	54.68			
			Lower Ground Floor	1	LKID	37.23			
DWELLING C	2 Bed 3 Person	64.51	Lower Ground Floor	1	Bedroom 3	11.82			
			Lower Ground Floor	1	Circulation	1.23			
			Upper Ground Floor	1	Circulation	9.23			
			Upper Ground Floor	1	Bedroom 1	14.35			
			Upper Ground Floor	1	Bedroom 2	11.02			
			Upper Ground Floor	1	Bedroom 2	11.02			
			Upper Ground Floor	1	Ensuite	3.98			
			Upper Ground Floor	1	Bathroom	8.57			
			Lower Ground Floor	1	Garden	50.85			
			SITE BOUNDARY						
			DWELLING D	1 Bed 2 Person	51.90	First Floor	1	Circulation	6.16
						First Floor	1	LKID	2.95
First Floor	1	Bedroom 1				12.00			
First Floor	1	Bedroom 2				12.10			
First Floor	1	Bathroom				3.90			
Lower Ground Floor	1	Garden				125.86			
First Floor	1	Circulation				3.73			
First Floor	1	Store				12.00			
First Floor	1	Ensuite				2.81			
Second Floor	1	Ensuite				2.44			
Less than 1.5m height not counted.									
Second Floor									
Bathroom									
Garden									
Total Habitable Rooms 12									
Plot Area (Ha) 0.073									
Habitable Room/Ha 163									

NOTES

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PROJECT
 9 Private Road
 Enfield, EN1 2EL

DATE
 11/11/22

DRAWING TITLE
 Proposed Upper Ground Floor

GRAPHIC SCALE

NOTES
 26.4.2023 - Rev. PL2 - Frontage updated in line with swept path analysis. Bicycle parking updated. Bin stores updated.

SCALE
 1:50 (A1)
 1:100 (A3)

NORTH

PROJECT NO.
 2201

STATUS
 PLANNING

DRAWING NUMBER
 A 2201 0201

REV
 PL2

Bin Collection Point as per current strategy along the road.

Page 46

1. Note for Members

Although an application of this scale and nature would normally be determined under delegated authority the application has been reported to committee for determination at the request of Councillor Milne..”

2. Executive Summary

The proposal is for conversion of an existing house to four self-contained flats. The front garden would be re-ordered to provide car parking spaces and allow for servicing, and the rear garden would be subdivided into four private gardens.

Following amendments to the scheme reconsultation has taken place. Comments received to date are summarised below. Any further comments received will be reported at the meeting.

3. Recommendation

- 3.1 That the Head of Development Management be authorised to grant planning permission subject to the following conditions

Conditions:

Time limit

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the decision notice.

Reason: To comply with the provisions of s51 of the Planning & Compulsory Purchase Act 2004.

Approved plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
Proposed lower ground floor A2201 0200 PL2 dated 26/4/2023 received 26/4/2023
Proposed upper ground floor A2201 0201 PL2 dated 26/4/2023 received 26/4/2023
Proposed first floor A2201 0202 PL1 dated 18/4/2023 received 19/4/2023
Proposed second floor A2201 0203 PL1 dated 18/4/2023 received 19/4/2023
Proposed roof plan A2201 0204 PL1 dated 18/4/2023 received 19/4/2023
Proposed rear elevation A2201 0400 PL1 dated 18/4/2023 received 19/4/2023
Proposed side elevation A2201 0402 PL1 dated 18/4/2023 received 19/4/2023
Proposed side elevation A2201 0403 PL1 dated 18/4/2023 received 19/4/2023
Proposed section AA A2201 0300 PL1 dated 18/4/2023 received 19/4/2023
Proposed section BB A2201 0301 PL1 dated 18/4/2023 received 19/4/2023
Proposed section CC A2201 0302 dated 18/4/2023 received 19/4/2023
Proposed section DD A2201 0303 dated 18/4/2023 received 19/4/2023
Proposed section EE and FF A2201 0304 dated 18/4/2023 received 19/4/2023.

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

Surface water drainage

3. Prior to the commencement of development details of surface drainage works shall be submitted to and approved in writing by the Local Planning Authority. The details shall be based on an assessment of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles as set out in the London Plan Drainage Hierarchy and the Technical Guidance to the National Planning Policy Framework and shall seek to achieve a Greenfield runoff rates for 1 in 1 year and 1 in 100 year (plus climate change). The scheme shall include source control measures. The drainage system shall be installed/operational in accordance with the approved details prior to the first occupation and a continuing management and maintenance plan put in place to ensure its continued function over the lifetime of the development.

Reason: To ensure the sustainable management of water, minimise flood risk and to minimise discharge of surface water outside of the curtilage of the property in accordance with the NPPF (2021), Policies SI 12 & SI 13 of the London Plan (2021) and Policy CP28 of the Enfield Core Strategy (2010). (In order that the details can be incorporated into the development this is a PRE-COMMENCEMENT CONDITION).

Ventilation and overheating

4. Prior to the commencement of development details of a scheme of passive ventilation including provision for night-time cooling and means of minimising summer solar gain to the dwellings shall be submitted to and approved in writing by the local planning authority. The scheme shall be completed in accordance with the approved details prior to occupation of the flats and retained as approved thereafter.

Reason: To secure good internal living standards and in the interests of energy efficiency and mitigating the effects of climate change. (In order that the details can be incorporated into the development this is a PRE-COMMENCEMENT CONDITION).

Architectural details

5. Prior to any works taking place to the outside of the building details of the following shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details thereafter. (For the avoidance of doubt, the details submitted with the application are insufficient to meet the requirements of the condition).
 - The fins proposed to the rear gable window at second floor;
 - any replacement or new windows and doors other than to the rear elevation;
 - upper ground floor windows to the rear elevation;
 - rainwater goods.

Reason: To ensure that the character and appearance of the Conservation Area is preserved and in the interests of visual amenity.

Water efficiency

6. Prior to first occupation details of the internal consumption of potable water shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate reduced water consumption through the use of water efficient fittings, appliances and recycling systems to show consumption equal to or less than 105 litres per person per day for the residential uses. The development shall be carried out strictly in accordance with the details so approved with the approved measures implemented and operational prior to first occupation and maintained as such thereafter.

Reason: To promote water conservation and efficiency measures in all new developments and where possible in the retrofitting of existing stock in accordance with Policies CP21 of the Enfield Core Strategy (2010) and DMD58 of the Enfield Development Management Document (2014).

Energy Statement

7. Prior to the commencement of development an 'Energy Statement' shall be submitted to and approved in writing by the Local Planning Authority. Submitted details shall demonstrate the energy efficiency of the development and shall provide for no less than a 35% improvement in the total CO2 emissions arising from the operation of the development and its services over Part L of Building Regs 2013. The development shall be carried out strictly in accordance with the details so approved with the approved measures implemented and operational prior to first occupation and maintained as such thereafter.

Reason: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets are met in accordance with the NPPF (2021), Policy SI 2 of the London Plan (2021) and Policy CP20 of the Enfield Core Strategy (2010). (In order that the details can be incorporated into the development this is a PRE-COMMENCEMENT CONDITION).

Energy certificate

8. Following practical completion of works and within six months of first occupation a final Energy Performance Certificate with Building Regulations Compliance Report shall be submitted to and approved in writing by the Local Planning Authority. Where applicable, a Display Energy Certificate shall be submitted within 18 months following first occupation.

Reason: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets are met in accordance with the NPPF (2021), Policy SI 2 the London Plan (2021), Policy CP20 of the Enfield Core Strategy (2010).

Landscaping and parking layout

9. Prior to the development being occupied, and notwithstanding the approved plans, a scheme of landscaping, vehicle parking and surfacing shall be implemented in accordance with details that have previously been submitted to and approved in writing by the local planning authority. The landscaping shall be completed prior to first occupation of any of the flats and retained as approved thereafter. (For the

avoidance of doubt, the details submitted with the application are insufficient to meet the requirements of the condition).

The scheme shall include details of:

- sustainable drainage features as approved under condition 3 above;
- biodiversity enhancements;
- boundary treatments, including provision for pedestrians and wheelchair users to access the site. The site shall not be gated;
- a minimum of one car parking space which complies with the requirements of Part M of the Building Regulations in respect of being an accessible space;
- provision for the charging of electric vehicles, both cars and cycles;
- planting and hard surfacing including the provision of a privacy buffer to the ground floor front window of Dwelling A;
- provision for the secure and covered parking of a minimum of eight cycles including provision for non-standard cycles (such as tricycles and cargo bikes);
- provision for the storage of twelve refuse bins.

Reason: In the interests of ensuring sustainable surface water drainage, amenity, biodiversity and the safety of users of the site, to ensure access for all and to encourage travel by sustainable modes.

Obscure glazing

10. Prior to the flats being occupied the side-facing windows to Dwelling D shown on drawing A2201 0203 revision PL1 shall be obscure glazed to at least level 3 on the Pilkington Scale and retained as such thereafter.

Reason: In the interests of protecting neighbour amenity.

Electric vehicle charging points

11. Prior to the flats being occupied an electric vehicle charging point shall be installed to each of the car parking spaces, and provision made for the charging of electric bicycles.

Reason: In the interests of energy efficiency and reducing greenhouse gas emissions.

Controlling use of lower ground floor roof

12. The roof to the lower ground floor shall not be used as a terrace or balcony, and the rear upper ground floor windows shall not be converted to doors.

Reason: In the interests of neighbour amenity.

Delegated Authority

3.2 That the Head of Development Management be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

4. Site & Surroundings

- 4.1 Private Road is a private road running south-east off London Road alongside the Clock Parade local centre. There is a row of detached houses on deep plots along the south side of the road, with Riverside Park behind. The north side of the road is occupied by some green space and some purpose built flats as well as a row of town houses.
- 4.2 The road is not tarmacked and has a slightly informal appearance. There are trees in the street and both the fronts of the plots and the fronts of the houses follow consistent lines.
- 4.3 The application site is a plot about 14m wide at the front, 8m wide at the rear, and 75m from front to rear. The house is of two storeys at the front and three at the back. The site slopes down from front to rear, has a loft conversion, and according to the plans is a four bedroomed house with an additional loft room. From the front it appears as a neat symmetrical house with a central tiled gable, a tall narrow window over the front door, and a cat slide roof to each side with a first floor dormer. To the right of the front door is a window, to the left a garage door (although there is no garage behind it). There is a front wall with gates leading to a generous driveway about 13m deep.
- 4.4 The appearance to the rear is different, and it is obvious that a lot of work has been carried out to alter and extend the building. The eaves line to the sides and rear is just above first floor cill level, windows to the rear have been enlarged, and the lower ground floor has been extended to provide a large living space opening onto the garden.
- 4.5 Some of the neighbouring houses have been, or are being, very substantially extended. No 7 was, at the time of site inspection, being extended behind a scaffold. It appears that there were originally large dwellings to the north side of the road but some of these were replaced with large blocks of purpose built flats some decades ago.
- 4.6 The site is in the Bush Hill Park Conservation Area. No 9 and it's immediate neighbours are identified in the CA Character Appraisal as dating to 1914 – 1935.

5. Proposal

- 5.1 The application is to change the use of the house from a single family dwelling to four separate flats/maisonettes. There would be two dwellings (Units A and B) with living rooms at the basement level, each with a private garden accessed from the living space. Of these, one would be a three bedroom property with one bedroom at basement level and two at ground floor level. The other would have two bedrooms at ground floor level. Each of these dwellings would be accessed at the upper ground floor level of the dwelling from the central hall of the house, which would be retained as a lobby serving all of the four dwellings.
- 5.2 From the central hall would be a stair going up to the first floor landing. This would provide access to unit C, which would be a two-bedroom dwelling entirely at first floor level. Unit D would have one bedroom at first floor level and a living space at second floor level. The breakdown of accommodation would be as follows:
- 5.3 Unit A: two storey, two bedroom, four person, GIA 82 sq m. Appears NDSS compliant in terms of floor area.

Unit B: two storey, three bedroom, five person, GIA 99 sq m. Appears NDSS compliant in terms of floor area.

Unit C: one storey, two bedroom, three person, GIA 64 sq m. Appears NDSS compliant in terms of floor area.

Unit D: two storeys, one bedroom, two person, GIA 60 sq m. Appears NDSS compliant in terms of floor area.

- 5.4 The rear garden would remain in place but would be divided into four separate sections. Two of the flats would have direct access to their section of garden, the other two would not and would have to exit the front of the house and walk alongside it to get to their garden.
- 5.5 The front elevation of the house would remain largely unchanged. The existing garage doors are proposed to be brought back into use for the storage of bins in a small area behind. The driveway would be marked out to provide four car parking spaces and a turning space which would require additional hard surfacing over some of an area that is currently grassed. Landscaping would be reworked and bin storage and collections points provided.
- 5.6 To the rear, the elevation would change more substantially. The internal levels would change and so instead of having basement windows, ground floor windows and then first floor windows partly in the roof, there would be three levels of windows on the rear wall and one in the roof. There would be a very small increase in massing at the rear at upper floors only.

6. Relevant Planning History

Application site

- 6.1 15/01277/HOU. Extension to the existing basement, creation of a terrace and means of enclosure associated with the extension and terrace. Conditional approval 25/6/2015. It does not appear that the development was carried out fully in accordance with the approved plans however the variations are not considered to be material to the consideration of this application.
- 6.2 ENF/21/0722. Relating to construction of a wall to the front of the property and untidy land. Closed – no further action.

Surrounding Sites (if necessary)

21/00781/HOU – No 7 Private Road Single story rear/side extension together with new roof to accommodate rooms in the roof space with front recessed dormer, rear/side rooflights and fenestration alterations (Amended Description). Approved 19/5/2021.

7. Consultation

Statutory and Non-Statutory Consultees

Transportation

- 7.1 No objection but further information is sought relating to access design, cycle parking and bin storage. Conditions recommended.

Environment Agency

7.2 No objection subject to the inclusion of an informative on the decision notice.

Historic England GLAAS

7.3 Do not consider that consultation is required under their consultation criteria.

Thames Water

7.4 No comment to make.

Education

7.5 No response received.

SuDS Team

7.6 Object to the proposal as the SuDS strategy does not meet requirements.

Officer's note: It should be noted that in this case the physical development is not affecting the footprint of the building, and it is not reasonable to require that the existing impact is mitigated. It is reasonable and proportionate to the scale of the development proposed to require that sustainable drainage features are incorporated into the external landscaping works proposed as part of the development. This is proposed to be dealt with by condition).

Bush Hill Park Conservation Area Study Group (BHPCASG)

7.7 Objects to the proposal:

- Symmetry of the front elevation will be compromised by the proposal. This means that the roof will be more dominant and compromise the attractive scale of the original design. (Officer's note: Alterations to the front elevation are not proposed).
- Proposed front elevation windows are not in scale with the original design. (Officer's note: Alterations to the front elevation are not proposed).
- Proposed side elevation is ugly and out of scale when compared to the original.
- Parking provision for four vehicles is of particular detriment to the area.
- Proposal is detrimental to the conservation areas.

Public – original consultation

7.8 Consultation letters were sent to two neighbouring properties. Notice was also displayed at the site (dated 11/1/2023) and published in the local press (dated 18/1/2023).

7.9 Following amendments to the scheme, affecting the layout of the front garden and parking arrangements, neighbours and contributors were reconsulted on the 20/4/2023.

7.10 In response to the first consultation 10 representations were received, including one from the Private Road Resident's Association, which in summary raise the following points.

Principle of development

- Could set a precedent for more conversions
- Reduce stock of large family homes

Officers' response

See assessment section below

Residential amenity

- Privacy and overlooking – more windows
- Noise and overlooking from living rooms and kitchens on upper floors and from second floor balcony
- Noise from additional residents and subdivision of garden, also from extraction equipment
- Increased windows will create more light pollution

Officers' response

See assessment section below.

Parking and street

- Car parking arrangement will not work
- Parking will spill onto road outside property
- Parked cars and pathways already a hazard to pedestrians
- Street parking is discouraged due to potential blocking of the street and to preserve the rural feel
- More clutter from bins
- Removing the garden to allow a car park is not environmentally sound

Officers' response

See assessment section below.

Design and Conservation Area

- Changes will detract from unique feeling of the road
- The shingle pathways are an eyesore
- Plans will change the original look of the house

Officers' response

See assessment section below.

Other matters

- Owners did not comply with planning [permission] when they altered the house previously and [the council] took no action
- Most residents own up to the middle of the road, causing potential problems for a multiple occupancy property

Officers' response

The matters are not relevant to determination of this application.

- 7.11 Following the submission of amended plans reconsultation was undertaken on 20 April 2023. The following comments were received.
- 7.12 The Private Road Residents Association repeat their objection to the principle of subdivision and express concern about the character of the road, being of mainly single family dwellings of individual character. They also object to refuse bins being sited at the frontage.
- 7.13 Councillor Dey, Ward Councillor for Grange Park ward, supports the objection of the Resident's Association.
- 7.14 The BHPCASG maintain their objection.
- 7.15 A further three comments have been received repeating some previous comments and making the following additional comments:
- Concern regarding access into site as shown on the swept path analysis
 - Noise and disturbance from people using the cycle parking
 - Concerns about location of bin storage
 - Appearance of rear elevation.

8. Relevant Planning Policies

- 8.1 Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the development plan so far as material to the application: and to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Framework 2021

- 8.2 The National Planning Policy Framework (NPPF) introduces a presumption in favour of sustainable development. In this respect, sustainable development is identified as having three dimensions - an economic role, a social role and an environmental role. For decision taking, this presumption in favour of sustainable development means:
- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and

pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 8.3 The NPPF recognises that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision making.
- 8.4 In relation to achieving appropriate densities Paragraph 124 of the NPPF notes that planning policies and decisions should support development that makes efficient use of land, whilst taking into account:
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
 - b) local market conditions and viability;
 - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
 - d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
 - e) the importance of securing well-designed, attractive and healthy places.
- 8.5 Paragraph 48 of the NPPF details when weight may be given to relevant emerging plans. This guidance states that the stage of preparation, the extent to which there are unresolved objections and the degree of consistency of relevant policies to the Framework are relevant.

Housing Delivery Test / Presumption in Favour of Sustainable Development:

- 8.6 The NPPF sets out at Paragraph 11 a presumption in favour of sustainable development. For decision taking this means:
- "(c) approving development proposals that accord with an up-to date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (8), granting permission unless:
- (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (7); or
 - (ii) any adverse impacts of so doing would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 8.7 Footnote (8) referenced here advises "This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of

housing was substantially below (less than 75% of) the housing requirement over the previous 3 years."

- 8.8 In summary, the presumption in favour of sustainable development applies in two situations – where a Council is unable to demonstrate a five-year housing land supply, and when a Council fails to achieve 75 per cent or more in the Housing Delivery Test.
- 8.9 Enfield Council currently fails against both criteria – and is therefore subject to the most severe government sanctions which impact the Council's consideration of housing-led planning applications.
- a) **5-year housing land supply:** Members will be aware of the need to be aware of the Council's housing land supply – and how it impacts on decision making. When there is not an up-to-date Local Plan and 5-year housing land supply cannot be demonstrated then this has a significant impact on the weight given to material planning considerations. The NPPF presumption, or 'tilted balance', applies in Enfield due to the Council's inability to demonstrate the required five-year housing land supply. The Council is unable to demonstrate a 5-year supply of deliverable housing sites and this impacts on the status of its Local Plan policies.
- b) **Housing delivery test:** The NPPF presumption, or 'tilted balance', also applies in Enfield because Enfield is one of 51 Councils which have achieved below 75 per cent against the Housing Delivery Tests – it is therefore also subject to the Housing Delivery Tests most severe government sanction, the NPPF's presumption in favour of sustainable development.
- 8.10 The Housing Delivery Test (HDT) is an annual measurement of housing delivery introduced by the Government through the NPPF. It measures the performance of local authorities by comparing the completion of net additional homes in the previous three years to the housing targets adopted by local authorities for that period.
- 8.11 Local authorities that fail to meet 95% of their housing targets need to prepare a Housing Action Plan to assess the causes of under delivery and identify actions to increase delivery in future years. Local authorities failing to meet 85% of their housing targets are required to add 20% to their five-year supply of deliverable housing sites targets by moving forward that 20% from later stages of the Local Plan period. Local authorities failing to meet 75% of their housing targets in the preceding 3 years are placed in a category of "presumption in favour of sustainable development".
- 8.12 The Council's recent housing delivery has been below our housing targets. This has translated into the Council being required to prepare a Housing Action Plan in 2019 and being placed in the "presumption in favour of sustainable development category" by the Government through its Housing Delivery Test. This status has recently been confirmed for the period 2022-23.
- 8.13 In 2020 Enfield delivered 56% of the 2,328 homes target and was as a result placed into the "presumption in favour of sustainable development" category. In January 2021 Enfield delivered 67% of its homes target. The Council therefore remains in the "presumption in favour of sustainable development".
- 8.14 This is referred to as the "tilted balance" and the NPPF states (see paragraph 8.6 above) that for decision-taking this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when

assessed against the policies in the Framework taken as a whole – which also includes the Development Plan.

- 8.15 Under the NPPF paragraph 11(d) where the most important development plan policies for the application are deemed to be 'out of date', planning permission should be granted. That does not mean out of date policy can be disregarded, but it means that less weight can be applied to it, and applications for new homes should be given weight by the Planning Committee when undertaking their assessment taking account of the “tilted” balance that applies. The level of weight given is a matter of planning judgement and the statutory test continues to apply, that the decision should be, as section 38(6) of the Planning and Compulsory Purchase Act 2004 requires, in accordance with the development plan unless material considerations indicate otherwise.

The London Plan 2021

- 8.16 The London Plan together with Enfield’s Local plan forms the Development Plan for this application. It is the overall strategic plan for London setting out an integrated economic, environmental, transport and social Framework for the development of London for the next 20-25 years. The following policies of the London Plan are considered particularly relevant:

GG1	Building Strong and Inclusive Communities
GG2	Making the Best Use of Land
GG3	Creating a Healthy City
GG4	Delivering the Homes Londoners Need
D3	Optimising Site Capacity through the Design-Led Approach
D4	Delivering Good Design
D6	Housing Quality and Standards
H1	Increasing Housing Supply
H2	Small Sites
T5	Cycling
T6.1	Residential parking

Local Plan - Overview

- 8.17 Enfield’s Local Plan comprises the Core Strategy, Development Management Document, Policies Map and various Area Action Plans as well as other supporting policy documents. Together with the London Plan, they form the statutory development plan for the Borough. Enfield’s Local Plan sets out planning policies to steer development where they align with the NPPF and the London Plan 2021. Whilst many of the policies do align with the NPPF and the London Plan, it is noted that these documents do in places supersede the Local Plan in terms of some detail and as such the proposal is reviewed against the most relevant and up-to-date policies within the Development Plan.

Enfield Core Strategy: 2010

- 8.18 The Core Strategy was adopted in November 2010 and sets out a spatial planning framework for the development of the Borough through to 2025. The document provides the broad strategy for the scale and distribution of development and supporting infrastructure, with the intention of guiding patterns of development and ensuring development within the Borough is sustainable.

CP2	Housing supply and locations for new homes
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CP4	Housing quality
CP5	Housing types
CP20	Sustainable Energy Use and Energy Infrastructure

Development Management Document (2014)

8.19 The Council's Development Management Document (DMD) provides further detail and standard based policies by which planning applications should be determined. Policies in the DMD support the delivery of the Core Strategy.

8.20 The following local plan Development Management Document policies are considered particularly relevant:

DMD3	Providing a Mix of Different Sized Homes
DMD4	Loss of Existing Residential Units
DMD5	Residential Conversions
DMD6	Residential Character
DMD8	General Standards for New Residential Development
DMD9	Amenity Space
DMD37	Achieving High Quality and Design-Led Development
DMD44	Conserving and Enhancing Heritage Assets
DMD45	Parking Standards and Layout
DMD47	Access, New Roads and Servicing
DMD51	Energy Efficiency Standards DMD 56 Heating and Cooling
DMD58	Water Efficiency

8.21 Other Material Considerations

- National Planning Practice Guidance
- Mayor of London Housing Supplementary Planning Guidance (SPG) (Adopted March 2016)
- Enfield Local Housing Needs Assessment 2020
- Community Infrastructure Levy Regulations 2010 (as amended)
- Technical housing standards – nationally described space standard (2015)
- Enfield Waste and Recycling Storage Planning Guidance (2010)
- Enfield Characterisation Study
- Bush Hill Park Conservation Area Character Appraisal (2015) (BHPCACA)
- Transport for London Cycle Design Standards (2014)
- Energy Guidance London Plan Guidance (LPG) 2021
- Be Seen Energy Monitoring LPG 2021
- Draft Housing Design Standards LPG 2022
- Draft Fire Safety LPG 2022
- Draft Urban Greening Factor LPG 2021
- Draft Air quality positive LPG 2021
- Making Enfield: Enfield Heritage Strategy 2019-2024 SPD (2019)
- The Setting of Heritage Assets – Historic Environment Good Practice Advice in Planning: 3, Historic England (2017)
- The Environment Act 2021
- The Planning (Listed Buildings and Conservation Areas) Act 1990

Enfield Local Plan (Regulation 18) 2021

8.22 The Enfield Local Plan - Reg 18 Preferred Approach was approved for consultation on 9th June 2021. The Regulation 18 document sets out the Council's preferred

policy approach together with draft development proposals for several sites. It is Enfield's Emerging Local Plan.

8.23 As the emerging Local Plan progresses through the plan-making process the draft policies within it will gain increasing weight, but at this stage it has relatively little weight in the decision-making process.

8.24 Key local emerging policies from the plan are listed below:

Policy DM SE2	Sustainable design and construction
Policy DM SE4	Reducing energy demand
Policy DM SE5	Greenhouse gas emissions and low carbon energy supply
Policy DM SE7	Climate change adaptation and managing heat risk
Policy DM SE8	Managing flood risk
Policy DM SE10	Sustainable drainage systems
Policy SPBG3	Biodiversity net gain, rewilding and offsetting
Policy DM BG8	Urban greening and biophilic principles
Policy DM DE1	Delivering a well-designed, high-quality and resilient environment
Policy DM DE2	Design process and design review panel
Policy DM DE10	Conserving and enhancing heritage assets
Policy DM DE11	Landscape design
Policy DM DE13	Housing standards and design
Policy DM H3	Housing mix and type
Policy DM T2	Making active travel the natural choice
Policy SP D1	Securing contributions to mitigate the impact of development

9. Analysis

9.1. The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 seek to establish that planning decisions are taken in accordance with the Development Plan unless material considerations indicate otherwise. Furthermore, paragraph 11 (c) of the NPPF goes on to state that development proposals that accord with the development plan should be approved without delay.

9.2. As explained at Section 8, the Council is subject to the so called "tilted balance" and the NPPF states that for decision-taking this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole – which also includes the Development Plan. Under the NPPF paragraph 11(d) the most important development plan policies for the application are deemed to be 'out of date'. However, the fact that a policy is considered out of date does not mean it can be disregarded, but it means that less weight can be applied to it, and applications for new homes should be considered with more weight (tilted) by planning committee. The level of weight given is a matter of planning judgement and the statutory test continues to apply, that the decision should be, as section 38(6) of the Planning and Compulsory Purchase Act 2004 requires, in accordance with the development plan unless material considerations indicate otherwise.

9.3. This report sets out the analysis of the issues that arise from the proposal when assessed against the development plan and the NPPF

9.4. This application has been subject to negotiation to address the concerns raised by officers and local residents through the consultation process.

9.5. The main considerations of the development are the following:

- Principle of Development
- Character, Heritage and Design
- Neighbouring Residential Amenity
- Quality of Accommodation
- Biodiversity, Trees and Landscaping
- Traffic, Access and Parking
- Drainage
- Carbon Emissions and Sustainability

Principle of Development

- 9.6 The proposal is to convert one family house into four separate flats. One of the flats would have three bedrooms, and so would be counted as a family dwelling. The development overall would provide a mix of dwellings sizes and would contribute towards meeting the local housing need which is described in section 8 above.
- 9.7 In principle, the increase of housing density on plots that can accommodate more than one dwelling is acceptable and in accordance with London Plan policy GG2 and DMD policy 5. This subject to consideration of other relevant planning matters.
- 9.8 Neighbours have commented that the proposal would reduce the stock of 4, 5 and 6 bedroom family homes but policy DMD4 seeks to prevent especially the loss of “family homes” and this is taken to mean three bedroom dwellings as clarified in policy DMD5. Policy DMD5 includes the criterion that, for the conversion of existing family units into self-contained flats, compensatory provision for family accommodation (3 bedrooms +) should be provided within the development. The development would include a three-bedroom unit and so comply with this policy.
- 9.9 Policy DMD5 requires that the number of conversions must not exceed 20% of all properties along any road; and only one out of a consecutive row of 5 units may be converted. There is no planning history indicating that any of the other houses in the road have been subdivided. Neighbours have expressed concern that the proposed development could set a precedent for further conversions but policy DMD5 controls the extent of conversions allowed in an area so the concept of precedent is not something that needs to be given significant weight.
- 9.10 The NPPF supports development of small sites and brownfield land to provide new housing. Although this application is for a conversion rather than for a more comprehensive redevelopment it will provide additional homes and is therefore in accordance with the general direction of national policy.
- 9.11 It is considered that the proposal to convert the building into four flats would be in accordance with relevant local and national policy.

Character, Heritage and Design

- 9.12 The site is within the Bush Hill Park Conservation Area and therefore the impact on the area as a heritage asset has to be assessed. Private Road was added to the Conservation Area in 1994. No 9 is identified as having a positive contribution to the Conservation Area and is specifically mentioned within the BHP CACA in respect of the appearance to the street.

- 9.13 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should “have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses” (Section 66). In relation to conservation areas, special attention must be paid to “the desirability of preserving or enhancing the character or appearance of that area” (Section 72).
- 9.14 The replacement of individual dwellings with blocks of flats is mentioned within the Appraisal as a problem however that is not what this proposal is for. Rather the application provides for the retention of the existing dwelling and its subdivision to flats. Only modest changes are proposed to the property to achieve this and these are considered to have limited impact on the Conservation Area and would therefore be in accordance with policy DMD44.
- 9.15 The principle of subdivision of the property is not considered harmful to the Conservation Area. The physical alterations to the building in the form of the hip-to-gable alterations and extension are considered harmful, although this harm is at the lower end of less than substantial. This harm therefore needs to be balanced against public benefits and in this instance the public benefits in the form of the delivery of additional residential units, for which there is an evidenced need, is considered to outweigh the harm. The extensions and alterations proposed also need to be considered in the context of changes made to neighbouring properties, where similar gable roof forms exist.
- 9.16 The fins proposed to the rear balcony of the upper floor flat are not sufficiently detailed within the application and further information is required. This should be secured by condition. Details of rainwater goods should also be secured.
- 9.17 The impact of changes to the front landscaping should also be taken into account in terms of impact on the character and appearance of the Conservation Area. The BHPCACA identifies a “semi-rural” atmosphere to the street, and an abundance of street greenery. However, the front garden of this property is largely hard surfaced (block paving) with some grassed areas and planting. The frontage is enclosed by a brick wall with substantial piers and gates. The proposal does increase the area of hard surfacing behind this wall, to accommodate parking and manoeuvring space to support the residential units, but nevertheless retains areas for soft landscaping. The detail of the landscaping scheme can be addressed through condition. The changes to the front garden would be considered harmful, but again at the lower end of less than substantial harm and again it is considered that this harm is outweighed by the public benefits of providing additional housing where there is an evidenced need for such housing.
- 9.18 Neighbours have commented that changes at the front of the site, to the parking arrangements and use of the road, would affect the character of the area. The plans show that the works to be carried out would be restricted to the front garden of the plot, behind the front boundary wall. The private road outside the plot is not within the application red line. This means that the planning authority has no control over work done to the road outside the plot as part of this application. This would have to be considered separately as a civil matter between the various owners of the private road.
- 9.19 The works within the plot would be reworking the surfacing and landscaping of the front garden to provide parking spaces, access and to provide a privacy buffer to the new front bedroom. The front garden is mostly but not completely hard surfaced already so this aspect of the proposal, subject to details being agreed by condition, is

considered acceptable. Details should however be secured in respect of the appearance and surface water drainage and suitable conditions are recommended.

- 9.20 Neighbours have commented that the development would change the look and character of the road. This is not of itself a reason to resist the proposal as it is the impact of a change, not the fact that something is changing, that has to be assessed. Overall, it is considered that the harm from the changes proposed is at the lower end of less than substantial and that this harm is outweighed by the significant public benefits to be delivered through the provision of additional residential units.
- 9.21 On balance the proposal is consistent with relevant Policies of the Enfield Development Management Document (DMD) 2014 and the NPPF in particular section 16.

Neighbouring Residential Amenity

- 9.22 The proposal would not include any windows providing new views towards neighbouring properties, but the use of some rooms behind windows would change. There are currently ground and first floor windows, as well as windows to rooms in the roofspace, that provide views over neighbouring properties but these views are not unusual in an urban residential context.
- 9.23 The upper ground floor windows to the rear would be at the same level as the roof to the lower ground floor. In order to prevent this being used as a terrace in the future a condition is recommended. In addition, in order to ensure that these windows have opening lights for ventilation purposes, details are required under the architectural details condition.
- 9.24 As some of the upstairs rooms would change from bedrooms to living spaces the use of those spaces would intensify, and this does have to be considered in terms of impact on neighbours. The windows in question would face rear, directly down and over rear gardens, and sideways, towards Nos 7 and 11.
- 9.25 The top floor living room window is recommended to have fins fitted at the outer edge of the terrace, which would prevent sideways overlooking over gardens to each side. In addition a condition is recommended to secure obscure glazing to the side-facing roof windows to the upper floor which already exist but serve a loft room, in order to avoid overlooking from the more intensive use of the space as the living room to a flat. It is not recommended that these windows be fixed shut as a balance has to be made between avoiding overlooking and allowing occupants to ventilate their space and the overlooking would be towards the side of the neighbouring dwellings.
- 9.26 A concern has been raised about noise from extraction equipment. This is a legitimate concern, and as ventilation is an issue identified elsewhere in this report it is considered appropriate to impose a condition requiring details of passive ventilation to the flats.
- 9.27 Neighbours have also commented about noise from activity in the gardens, but although there might be more intensive use of the gardens it does not follow that the noise would be unacceptable in planning terms. A planning application cannot be refused because people might make noise, the issue to be considered is whether reasonable people occupying the dwellings in a reasonable way would make an amount of noise that would be harmful to neighbours, taking into account the details of the proposal. It is not considered that the proposed level of occupation and use of the garden would automatically result in unacceptable levels of noise.

- 9.28 Neighbours have also commented about an increase in noise from having more residents in the building. The conversion would have to comply with the Building Regulations in respect of noise insulation, and there is no reason to suppose that the fact of having more residents in the building would lead to unacceptable noise levels for neighbours.
- 9.29 It is considered that the proposal would not have any harmful impact on neighbour amenity sufficient to warrant a refusal of the proposal. Some changes over time to the amount of activity and noise is to be expected in residential areas.

Quality of Accommodation

- 9.30 Unit A. 2B4P. This unit would have living space at lower ground floor, in a room 4m wide and just over 9m deep. This room would have windows only at the rear leading out onto its garden. Much of this space would be single storey, with no rooms above, and a rooflight is proposed to introduce some natural light to the inner part of the room. The two bedrooms would be at ground floor level, one with a window to the shared front driveway and one with a window looking out over the flat roof of the lower ground floor.
- 9.31 Cross ventilation would be possible to the bedroom level but not to the basement / living room level unless the rooflight was openable or some passive ventilation system was installed. The rooflight could be openable but the opening would have to face away from other flats in order to avoid overlooking. The floor to ceiling height in part of this dwelling would be about 2.25m, which is below the 2.5m required by London Plan policy D6 but as this is a conversion it is considered that some flexibility can be applied.
- 9.32 This unit would have 54sq m of private amenity space accessed directly from the living space. This meets the requirements of policy.
- 9.33 Unit B. 3B5P. This unit would have living space at lower ground floor, in a room 5.15m wide and 6-9m deep. Windows would be to the rear leading onto the garden, with a rooflight towards the centre of the space. There would be one bedroom at the lower ground floor, with a window looking out onto a small internal courtyard. This is described as a garden space but as it would be entirely enclosed by 2.5m high walls with a balustrade above, and partially underneath the upper floor, it is not considered that this space would provide the usual level of outlook and light to the bedroom. The lightwell would be directly overlooked by the living room windows to unit C two floors above. Ventilation and light would be restricted but a bedroom does not require high light levels, and a condition is proposed requiring details of passive ventilation. Many amenity areas are overlooked from neighbouring dwellings and there would be no views towards the window. On balance, and as this bedroom would be the third bedroom to the flat, the provision is considered acceptable.
- 9.34 The upper floor bedrooms would both be at the rear of the building and cross ventilation would be reliant on side windows to a bathroom; these windows would be to a shared access to the rear gardens for units C and D. The lower floor would have limited cross ventilation, being reliant on the bedroom window to the light well, so details of passive ventilation here would also have to be considered at condition stage.
- 9.35 This unit would have 60sq m of private amenity space accessed directly from the living space. This meets the requirements of policy.

- 9.36 Unit C. 2B4P. This unit would be entirely on the first floor. There would be a living space with windows to the rear only, a bedroom with window to the rear and a bedroom with window to the front. Cross ventilation would be achievable. Internal privacy would be acceptable.
- 9.37 The private amenity space to Unit C would be accessed by residents leaving their flat and walking downstairs, out of the front door, and along the side of the building and then also along the side of the garden to Unit B. Although this is less than ideal the flat is unlikely to be occupied by a family, and the space could be used for planting/growing, drying laundry and other outdoor activities.
- 9.38 Unit D. 1B2P. This unit would have the entrance and bedroom on the first floor and a living space on the second floor. There would be very limited scope for ventilation to the bedroom, although it would face north so there would be limited solar gain in summer. The windows to the upper level, within the roofspace, would be mainly to the rear elevation but there would also be existing rooflights that would add natural light to the space. There would be a small balcony to the rear, and there would be fins across the opening to restrict views out. Details of the fins have not been provided and these are to be secured by condition to ensure that the design of the fins provides a suitable outlook as well as protecting neighbour amenity.
- 9.39 The private amenity space to Unit D would be accessed by residents leaving their flat and walking downstairs, out of the front door, and along the side of the building and then also along the side of the garden to Unit B. Although this is less than ideal the flat is unlikely to be occupied by a family, and the space could be used for planting/growing, drying laundry and other outdoor activities.
- 9.40 London Plan policy D6 states that single aspect dwellings should be avoided unless it is considered a more suitable design approach than a dual aspect dwelling, in the interests of optimising site capacity. Single aspect dwelling proposals should demonstrate that adequate passive ventilation, daylight and privacy will be provided, and the avoidance of overheating should also be shown. Although none of the dwellings proposed is entirely single aspect the two lowest dwellings, in particular, would have very restricted cross ventilation and the use of the ground floor front room as a bedroom for unit A would further restrict passive ventilation, as residents are unlikely to want to leave this window open when the room is empty or when they are sleeping. The passive ventilation to unit B would also be very restricted. It is considered that the ventilation arrangements for these dwellings, and the control of overheating, needs very careful consideration and so further details should be secured by condition.
- 9.41 Subject to the conditions being satisfactorily addressed the proposal will be in accordance with policies relating to residential amenity for new dwellings.

Biodiversity, Trees and Landscaping

- 9.42 Landscaping of the site is recommended to be secured by condition. The loss of landscaping will be relatively minor and restricted to work carried out to the front garden to provide more organised car parking, and also at the rear to subdivide the existing garden. The work to the front garden will include planting which can be specified to be supportive of biodiversity, and the landscaping of the rear gardens can also include suitable planting.

- 9.43 The drainage strategy submitted shows surface water drainage accommodated on the site. Although the strategy is not approvable as submitted and further details are required, it is considered that there is sufficient space on the site to accommodate surface water drainage meeting policy requirements including surface features. This will affect landscaping and so the drainage features are included in the landscaping condition.
- 9.44 Subject to conditions being suitably addressed, the proposal would be considered in accordance with relevant policies.

Traffic, Access and Parking

- 9.45 The site has a PTAL of 2 which is moderate. There are several bus services within 300m of the site leading directly to centres with shops and facilities, including railway stations, and London Road has been upgraded with cycle lanes.
- 9.46 The proposal shows only one access into the site which would have to be shared by pedestrians, cyclists, wheelchair users and drivers. London Plan policy and DMD47 both require safe access for pedestrians and people with disabilities and the plans show a safe route for pedestrians and others within the site. As the people using the parking area would be resident rather than strangers, and details of the front boundary treatment and the parking area layout could be amended by condition, this is considered acceptable.
- 9.47 The proposal shows four car parking spaces on the front driveway. Policy T6.1 sets out that the development as a whole should have a maximum of 3.25 car parking spaces however this is clearly impractical. One car parking space per dwelling is considered acceptable given the nature of the area. The plans do not show any infrastructure for charging electric vehicles and as the spaces would be in a communal area a condition is recommended to secure this.
- 9.48 Swept path analysis has been provided to show that vehicles can manoeuvre in and out. A concern has been raised about drivers having to drive around a tree to get into the site but this is an existing situation. Other front drives in the road have trees in front and there is no indication that people manoeuvring around trees has caused harm in the past.
- 9.49 Neighbours have objected on the grounds that car parking is likely to spill out onto the private road. This road is private and not public highway, and there is no public right of way along the road. This means that highway safety is unlikely to be compromised by additional car parking outside a property 80 metres up the road and also that the owners of the road can take their own action against unauthorised parking on the road.
- 9.50 Concern about the safety of pedestrians is legitimate, however the proposed car parking meets the standards required by policy and more car parking cannot be required. Again, the owners of the road can take their own action in this matter.
- 9.51 Concerns of neighbours and the Resident's Association about the state of the road cannot be addressed as part of the planning application as the road is private, so this would be a matter to be dealt with between the owners of the road.

Cycle parking

- 9.52 There is sufficient space within the site to make suitable provision. A concern has been raised about the disturbance arising from the use of cycle parking in the rear, but it is not considered that people moving cycles to and from the area behind their own home would be out of character for a residential area. A condition is recommended requiring the submission of further details.

Refuse

- 9.53 The application proposes refuse bin storage in the front section of what is currently the garage. Separate collections points are shown on the plans which are considered acceptable. If residents choose to have garden waste bins these are more likely to be stored in the rear gardens where they would be used; this is considered acceptable. The details of this are included in the recommended landscaping condition.
- 9.54 Concerns have been expressed regarding the visual clutter from bins serving the houses, but there is space for a suitable bin store and collection point to be provided. It is not considered that the visual impact of having refuse bins at the front of the property would be a reason to resist the provision of additional much-needed housing, nor would the associated noise from bins being moved on collection day as this is a normal feature of residential areas.
- 9.55 Overall it is considered that the arrangements for parking and servicing would be, subject to conditions, acceptable.

Drainage

- 9.56 Policy DMD61 sets out the requirement for all development to incorporate Sustainable Drainage System (SuDS). However it should be noted that in this case the physical development is not affecting the footprint of the building, and it is not reasonable to require that the existing impact is mitigated. It is reasonable and proportionate to the scale of the development proposed to require that sustainable drainage features are incorporated into the external landscaping works proposed as part of the development.
- 9.57 The applicant has submitted a Drainage Strategy however the plan within the document is incorrect and the document does not meet policy requirements. As the development is small scale it is considered that details could be agreed by a pre-commencement condition. There is overlap between SuDS features and landscaping so the drainage scheme is referenced in the landscaping condition.

Carbon Emissions and Sustainability

- 9.58 Local plan policy CP20 requires all new development to address the causes and impact of climate change, to minimise energy use and to use energy generated from renewable sources. Policy DMD 49 requires that all new development must achieve the highest sustainable design and construction standards having regard to technical feasibility and economic viability. This policy also required mitigation and adaptation to climate change.
- 9.59 Policy DMD56 requires that all new developments (excluding householder applications) is designed to control and manage heat gain and reduce the reliance on mechanical cooling, subject to technical and economic feasibility and other relevant planning considerations.

- 9.60 The applicant has provided no information on these points. Given that the works to convert the house would require substantial internal alteration it should be possible to incorporate additional insulation and energy efficiency measures, and it would also be possible to incorporate the use of solar panels and methods of managing solar gain to the south (rear) elevation.
- 9.61 Conditions are recommended to secure details of energy efficiency and control of summer solar gain in order to ensure that the development complies with relevant policies.

Community Infrastructure Levy (CIL)

Mayoral CIL

- 9.62 Mayoral CIL is collected by the Council on behalf of the Mayor of London. The amount that is sought for the scheme is calculated on the net increase of gross internal floor area multiplied by an Outer London weighting (increased to £60 per sqm as of 1st April 2019).

Enfield CIL

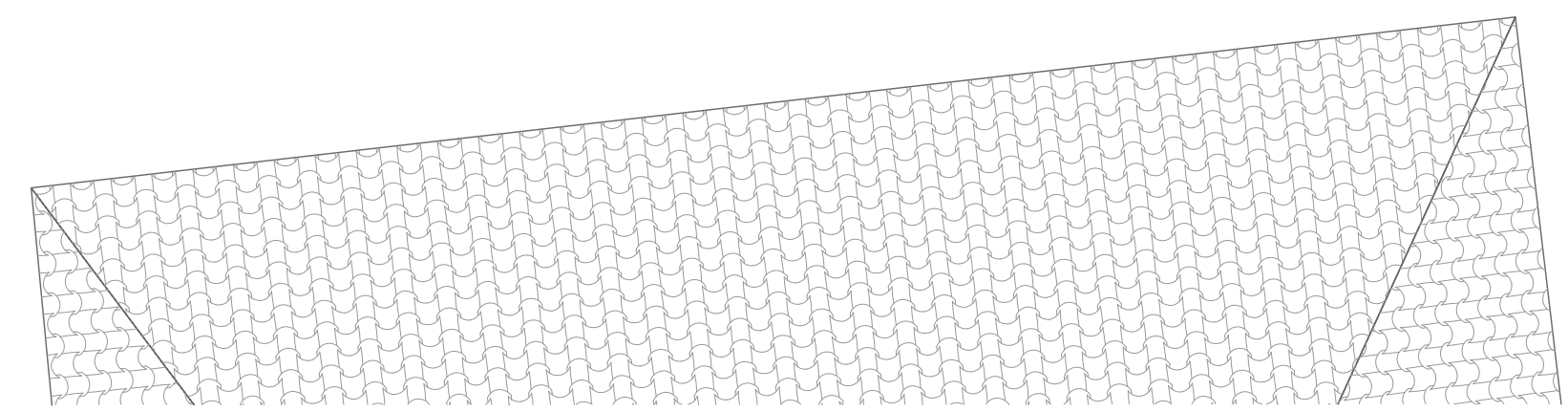
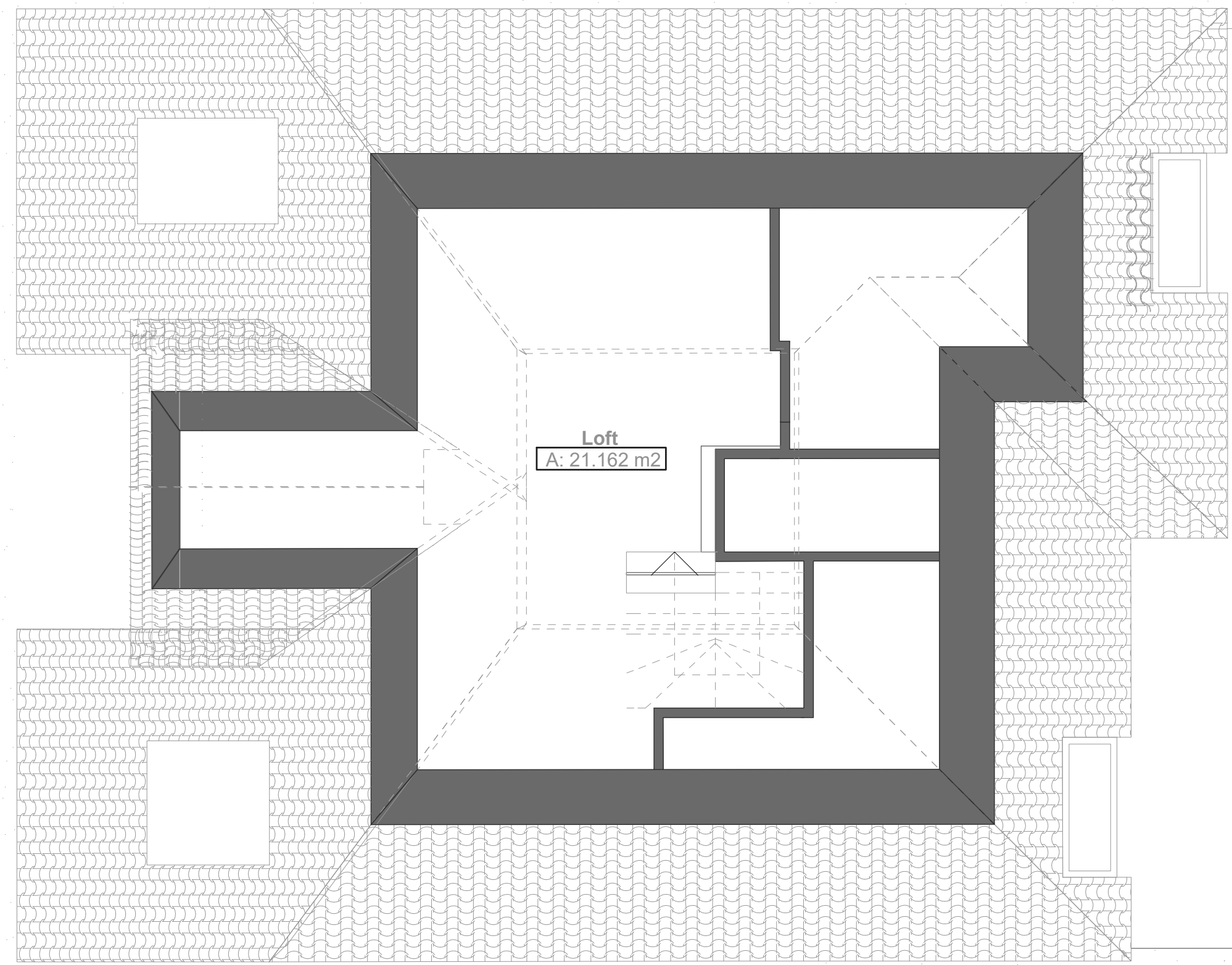
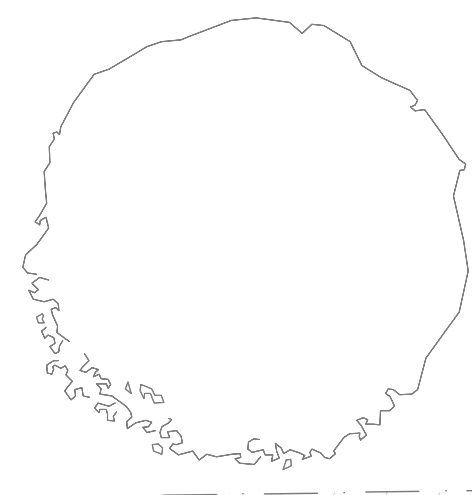
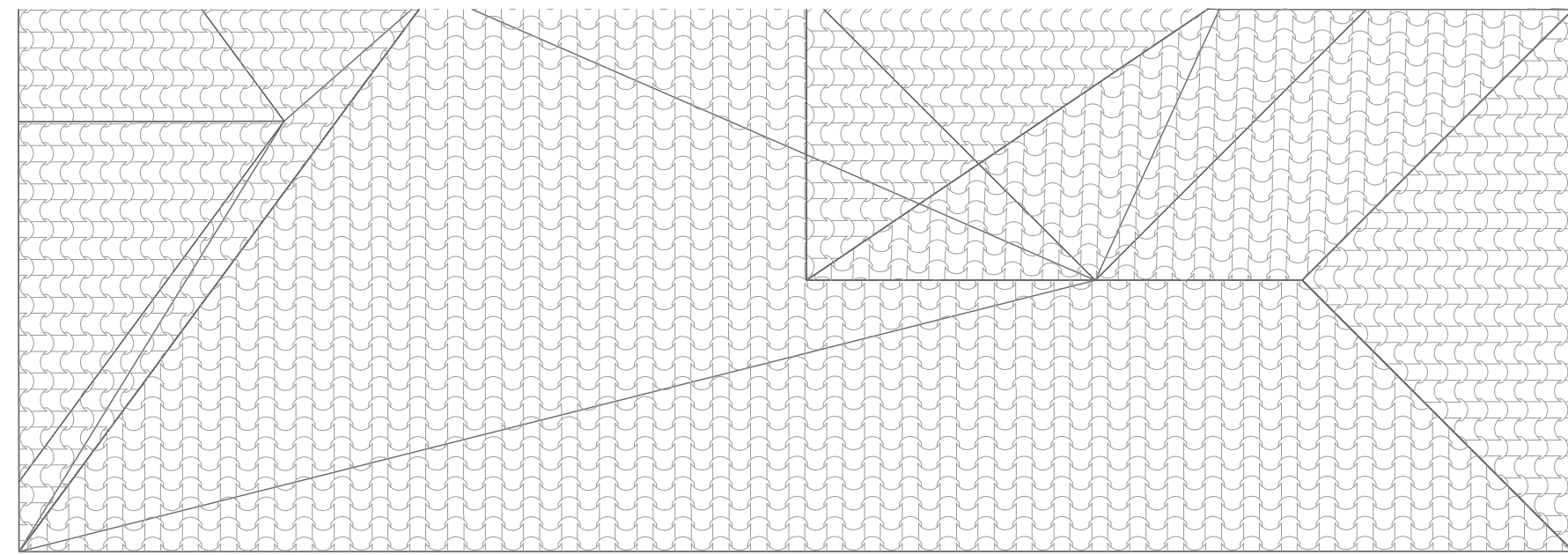
- 9.63 The Council introduced its own CIL on 1st April 2016. Enfield has identified three residential charging zones, and the site falls within the higher rate charging zone (£120/sqm).
- 9.64 The proposed development is for the creation of additional dwellings so it is CIL liable. The proposed increase in floor area is 5 sq m. CIL liability is expected to be £789 for Enfield CIL and £323 for Mayoral CIL. The final CIL liability will be calculated at the point notices are issued.

10. Public Sector Equality Duty

10. In accordance with the Public Sector Equalities Duty, it is considered the proposal would not disadvantage people who share one of the different nine protected characteristics as defined by the Equality Act 2010 compared to those who do not have those characteristics.

11. Conclusion

The provision of additional dwellings has to be given significant weight and this site is in a sustainable location, well related to services and facilities. The proposed dwellings would all meet or exceed the minimum standards in terms of quality of living accommodation, and would provide a mix of dwelling sizes including one family-sized dwelling. There would not be a concentration of such conversions in the locality. The subdivision of the property in principle is not considered to harm the character or appearance of the conservation area. The proposed physical alterations to the building and site frontage do result in some harm to the Conservation Area but this is considered to be at the lower end of less than substantial and is outweighed by the significant public benefits of providing additional housing units. The details submitted show that suitable drainage, access, parking and surfacing and landscaping can all be secured subject to details being provided by condition. Taking these and other material considerations into account, the application is recommended for approval.



NOTES

Do not scale from this drawing. Work to figured dimensions only.

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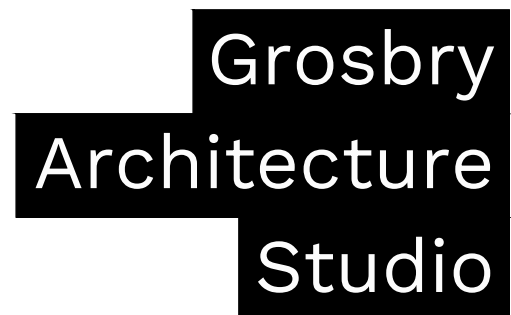
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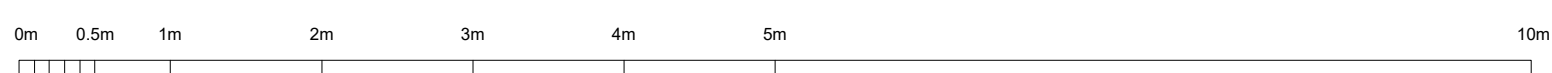
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PROJECT
 9 Private Road
 Enfield, EN1 2EL

DATE
 11/11/22

GRAPHIC SCALE



SCALE
 1:50 (A1)
 1:100 (A3)

NORTH

DRAWING TITLE
 Existing & Second Floor

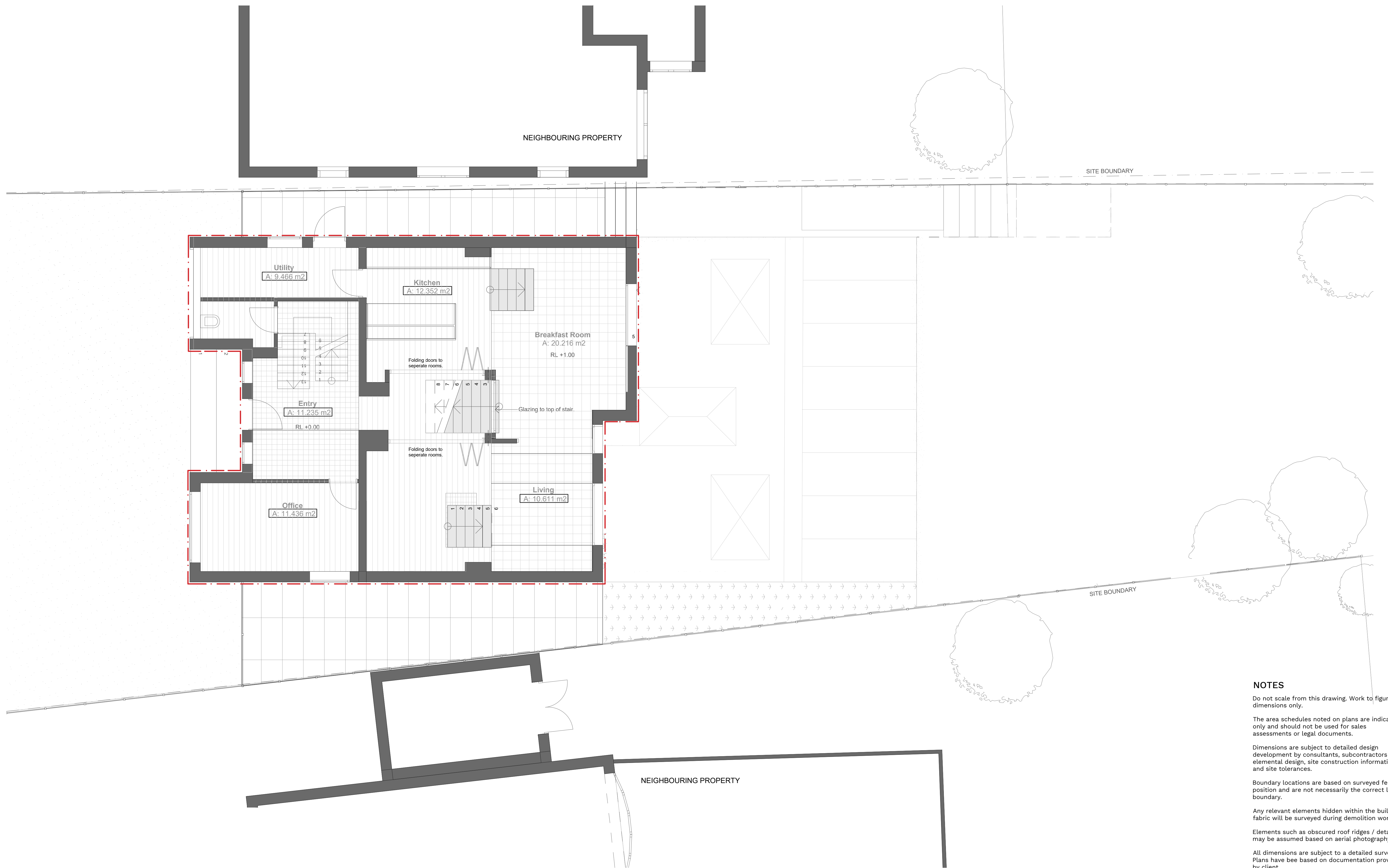
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PROJECT NO.
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STATUS
 TENDER

DRAWING NUMBER
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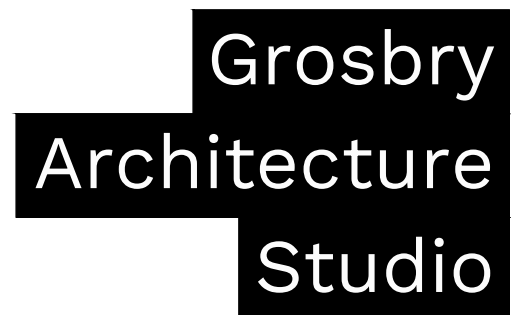
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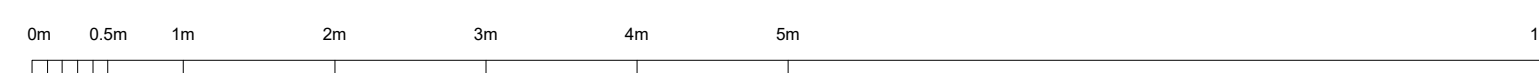


PROJECT
 9 Private Road
 Enfield, EN1 2EL

DRAWING TITLE
 Existing Ground Floor

DATE
 11/11/22

GRAPHIC SCALE



NOTES

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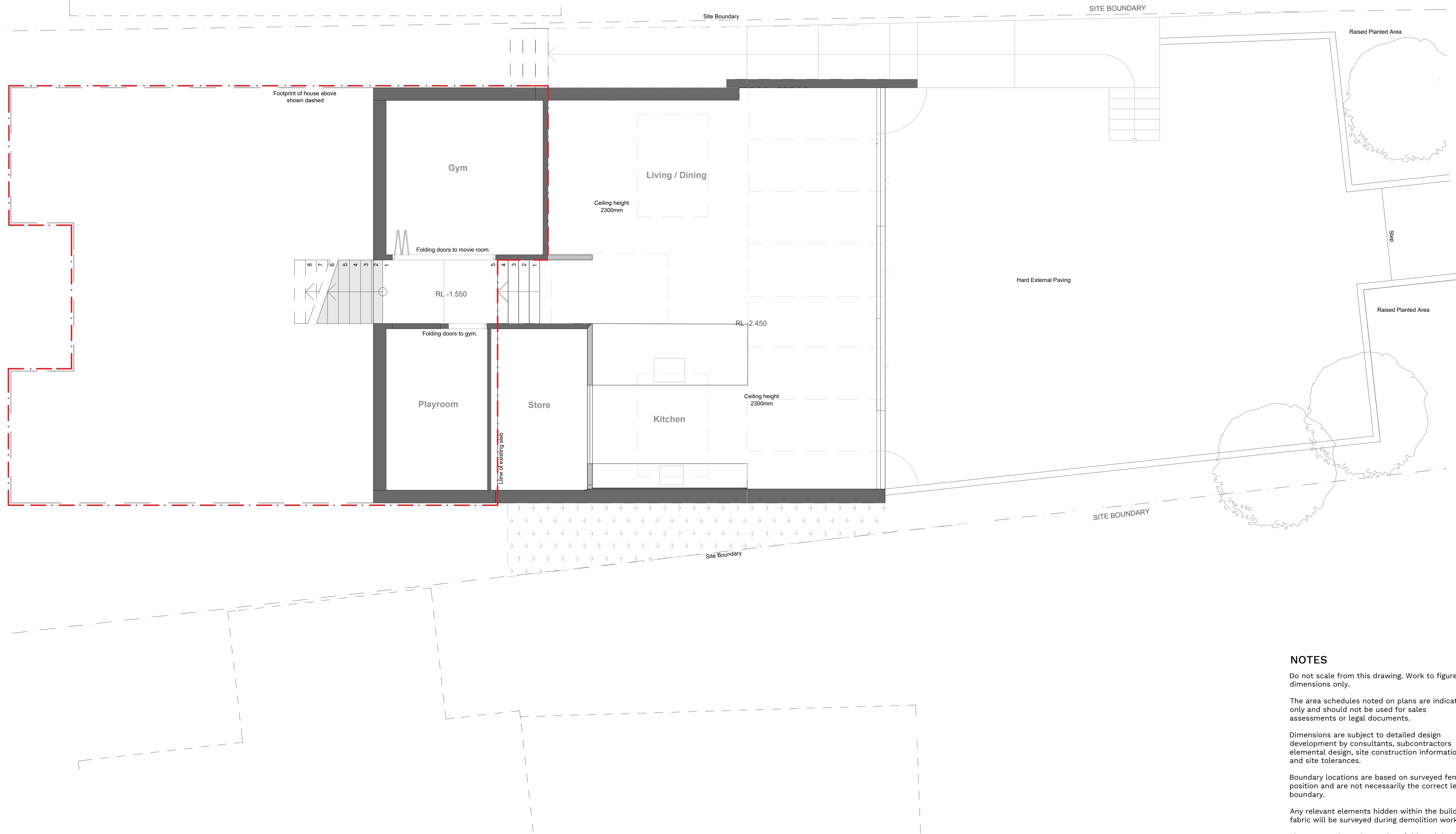
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PROJECT NO.
 2201

STATUS
 TENDER

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REV
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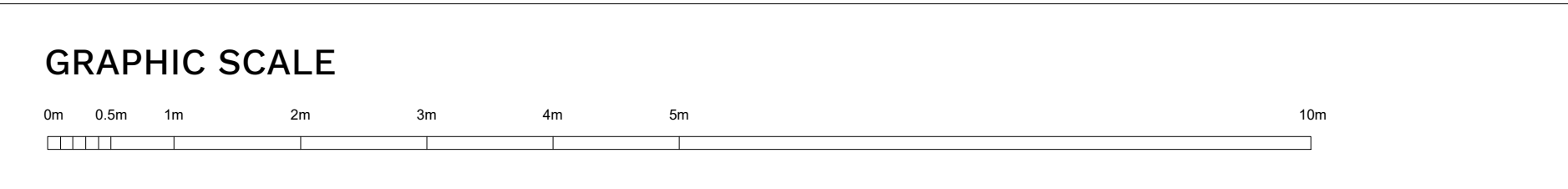
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PROJECT
 9 Private Road
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DRAWING TITLE
 Existing Lower Ground Floor

DATE
 11/11/22



NOTES

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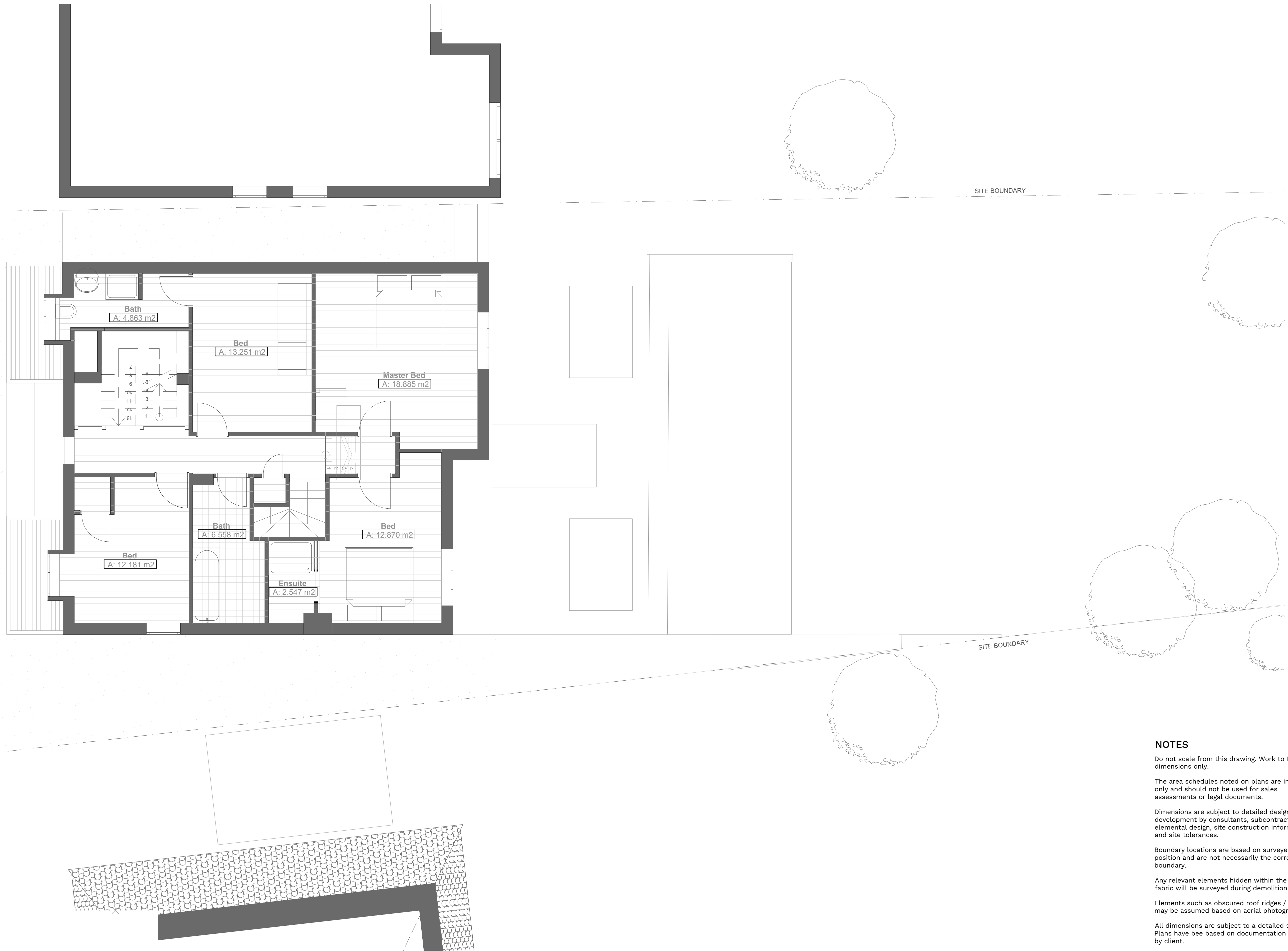
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STATUS
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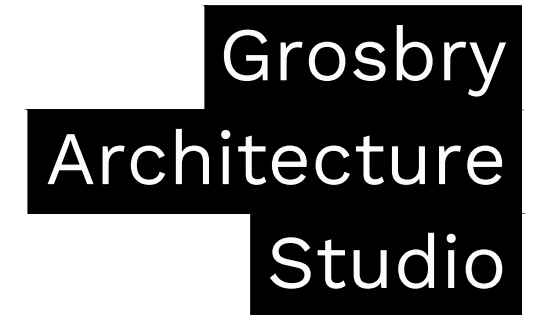
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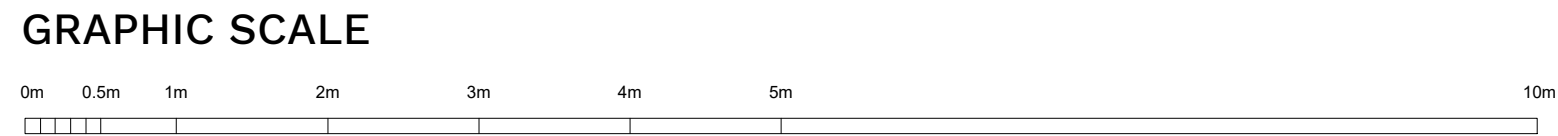
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PROJECT
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DATE
 11/11/22



SCALE
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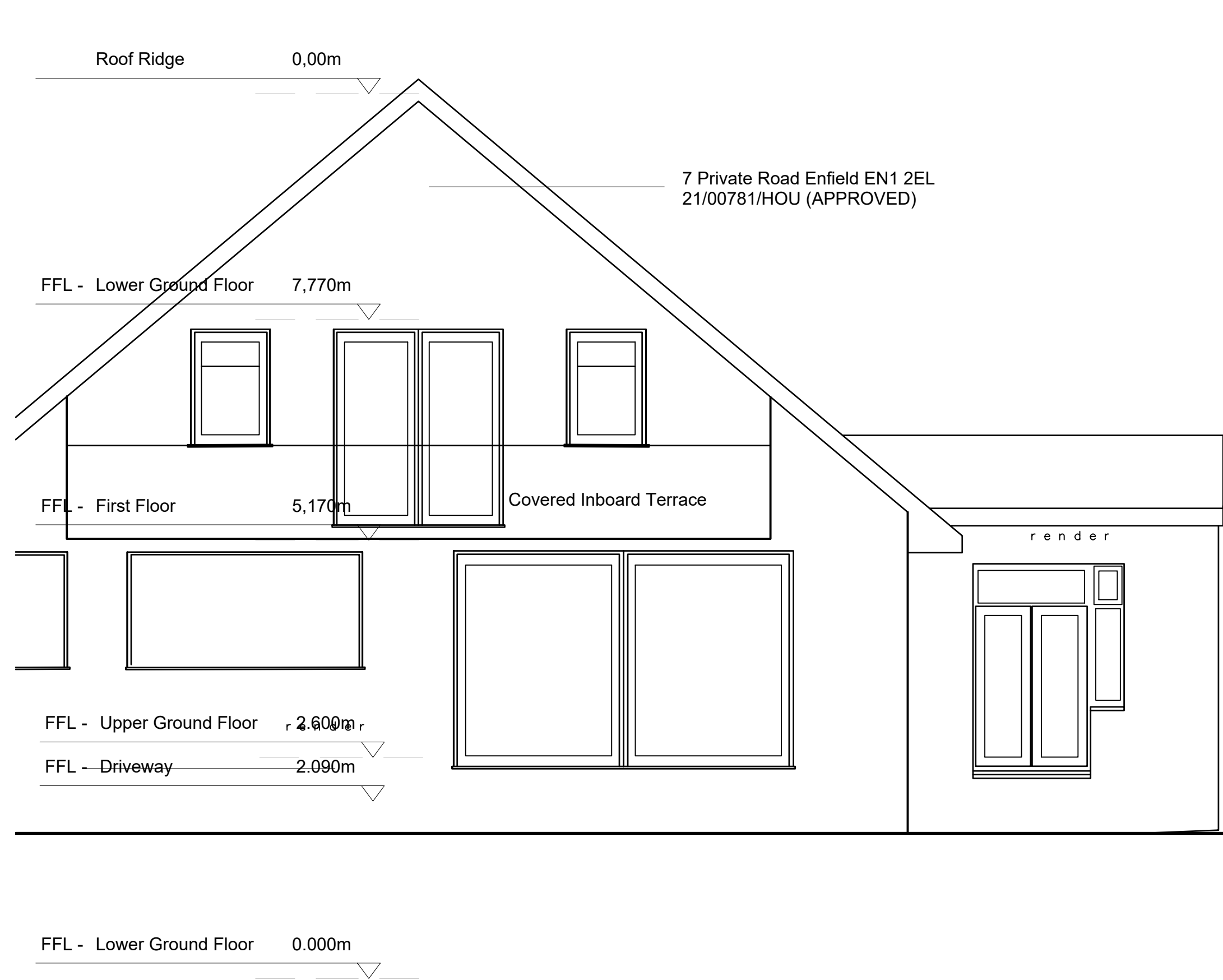
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 Existing First Floor

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PROJECT NO.
 2201

STATUS
 TENDER

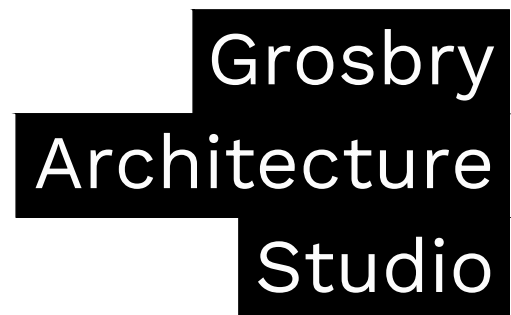
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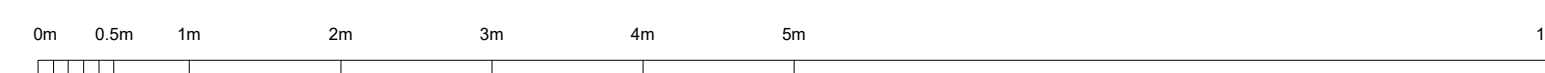
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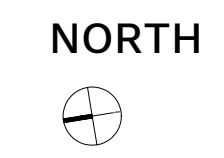
PROJECT
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DATE
 11/11/22

GRAPHIC SCALE



SCALE
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DRAWING TITLE
 Existing Rear Elevation

NOTES

PROJECT NO.
 2201

STATUS
 PLANNING

DRAWING NUMBER
 A 2201 0140

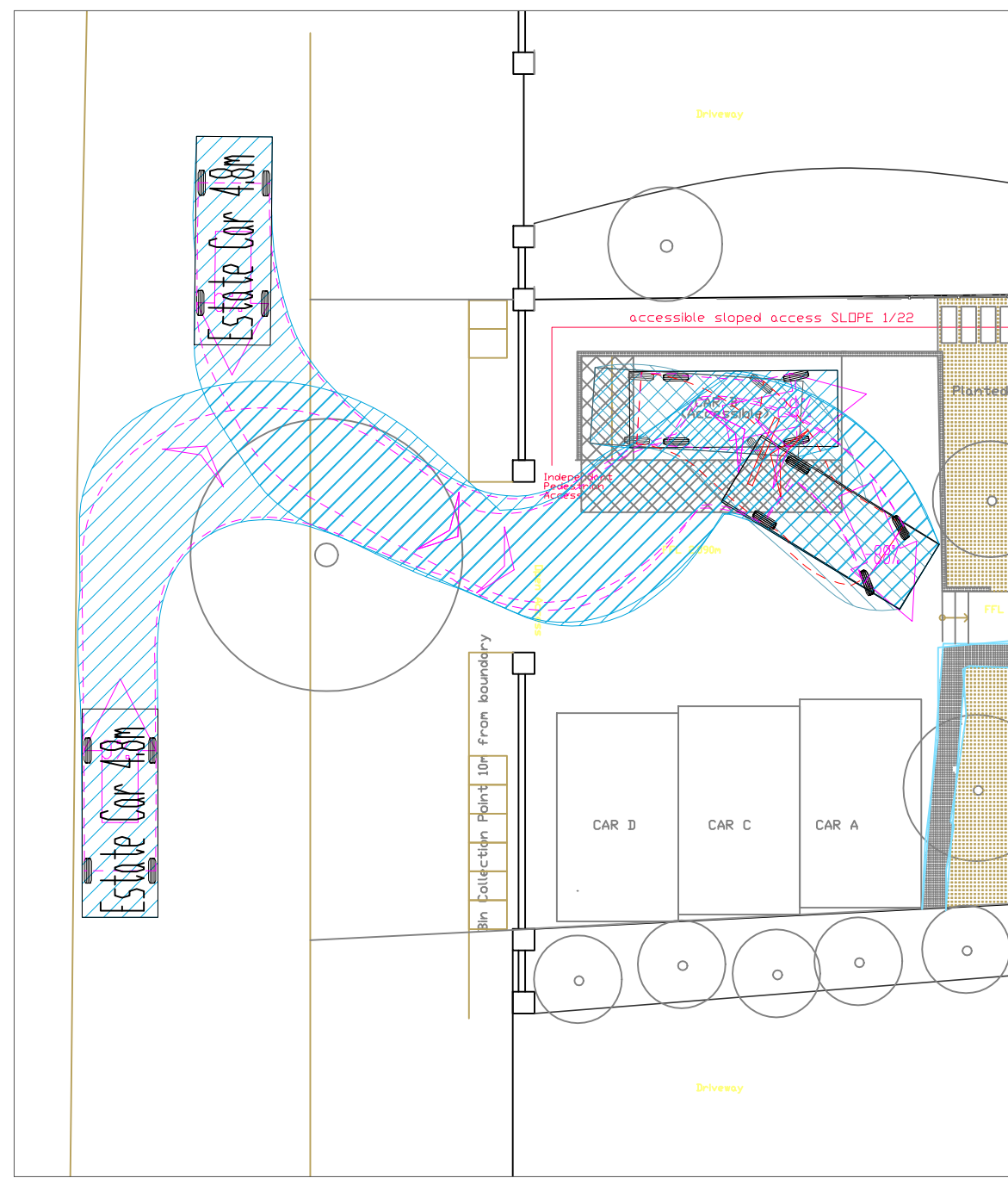
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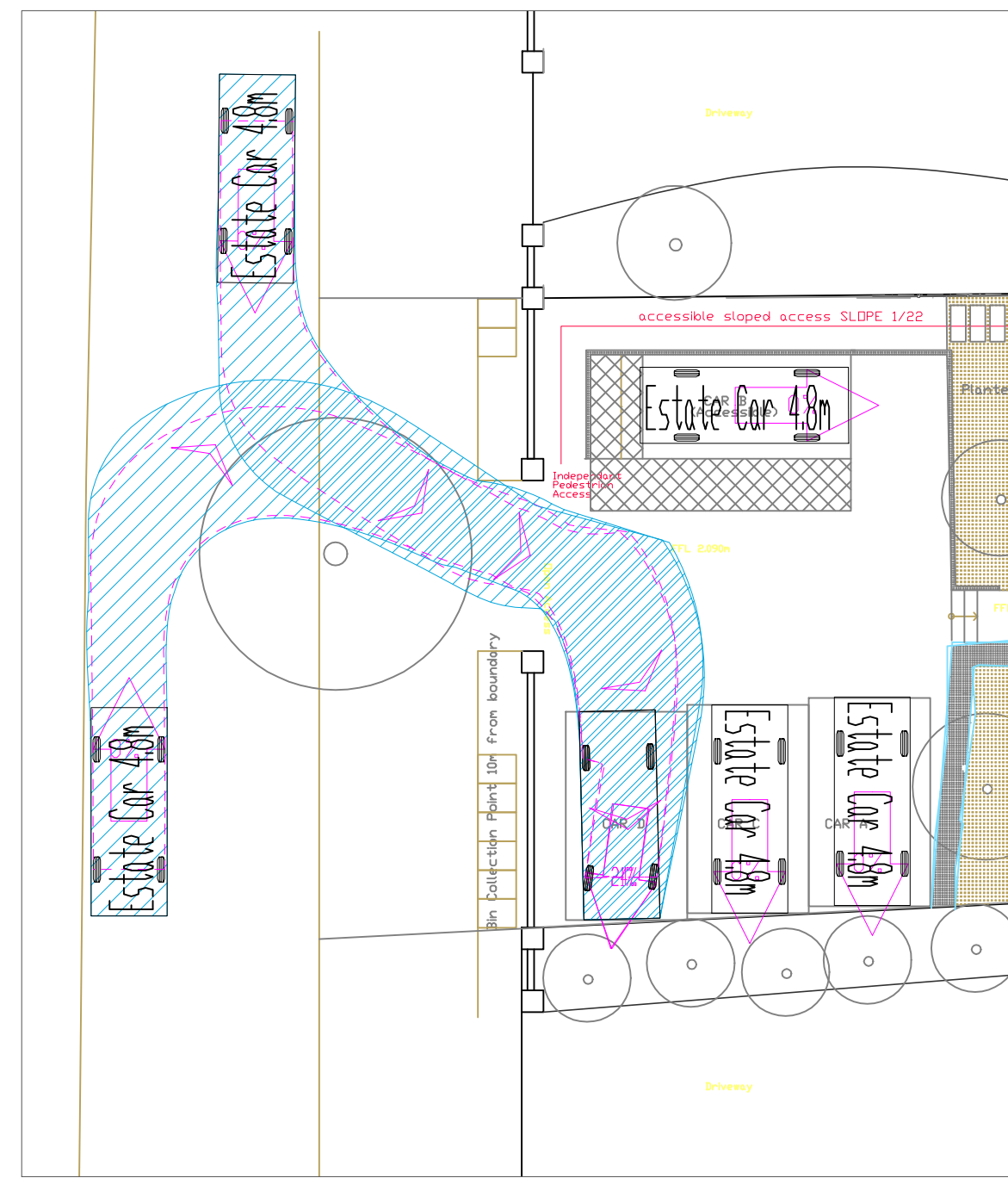
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- Materials and workmanship shall comply to the appropriate British Standards and Codes of Practice unless otherwise stated.
- The activities required to construct the work, shown on drawings clearly marked CONSTRUCTION, may be subject to the provisions of the Construction (Design & Management) Regulations 2015. The Contractor and Client must ensure that they are adequately conversant with these regulations and that the appropriate procedures required under the regulations are always observed.
- Sweep path analysis: When generic vehicles are used for sweep path analysis, they may differ from specific makes and models of that type. Driver ability can vary hugely. What one driver is capable of, another may not be so any analysis shown to be tight on space will come down driver ability and the difference between make and models of vehicles.
- UTILITIES NOTE: The position of any existing public or private sewers, utility services, plant or apparatus shown on this drawing is believed to be correct, but no warranty to this is expressed or implied. Other such plant or apparatus may also be present but not shown. The Contractor is therefore advised to undertake their own investigation where the presence of any existing sewers, services, plant, or apparatus may affect his operations.
- Printed drawings not valid in black and white.

REVISIONS

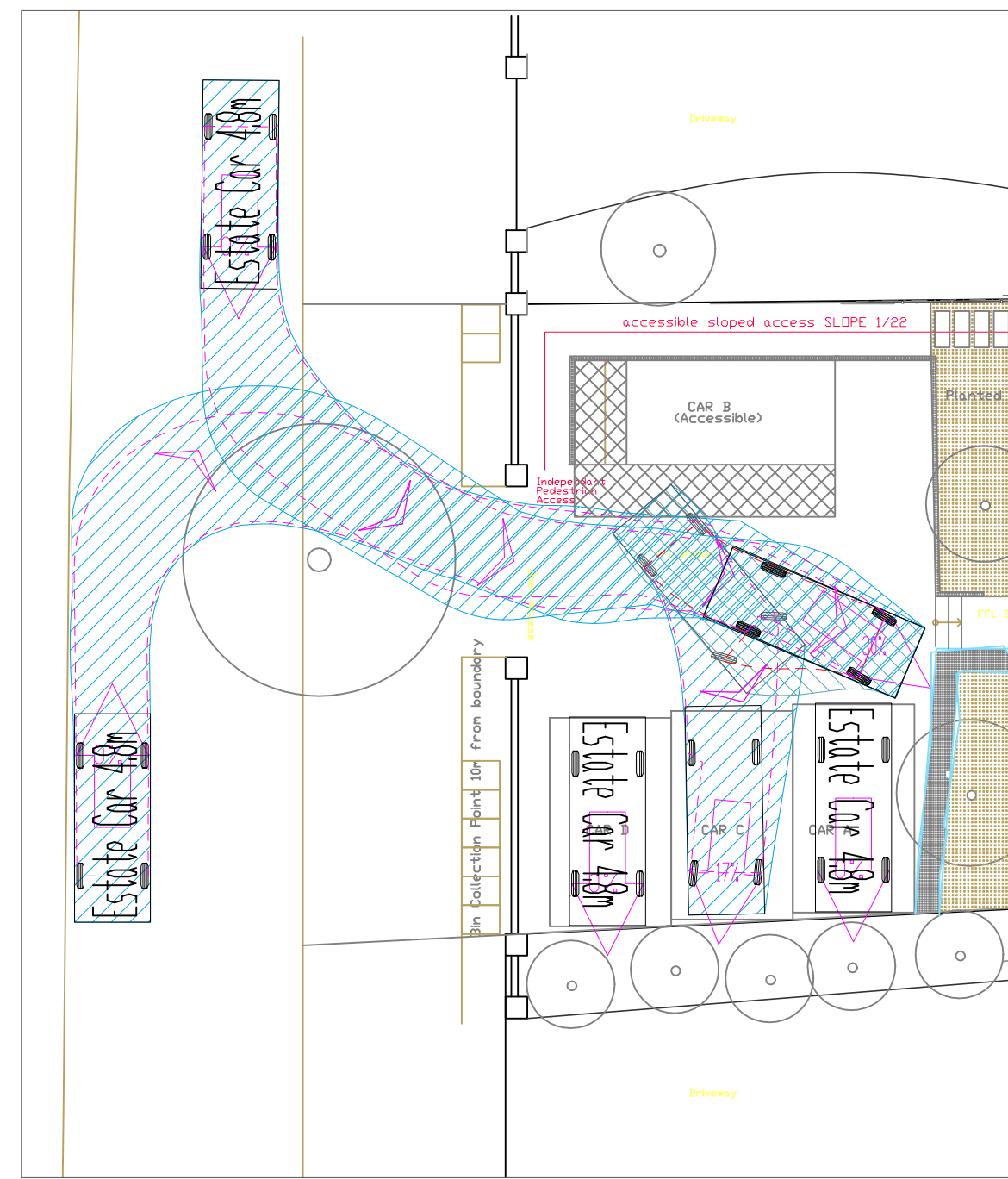
ENTER AND PARK TO ACCESSIBLE BAY IN FORWARD GEAR



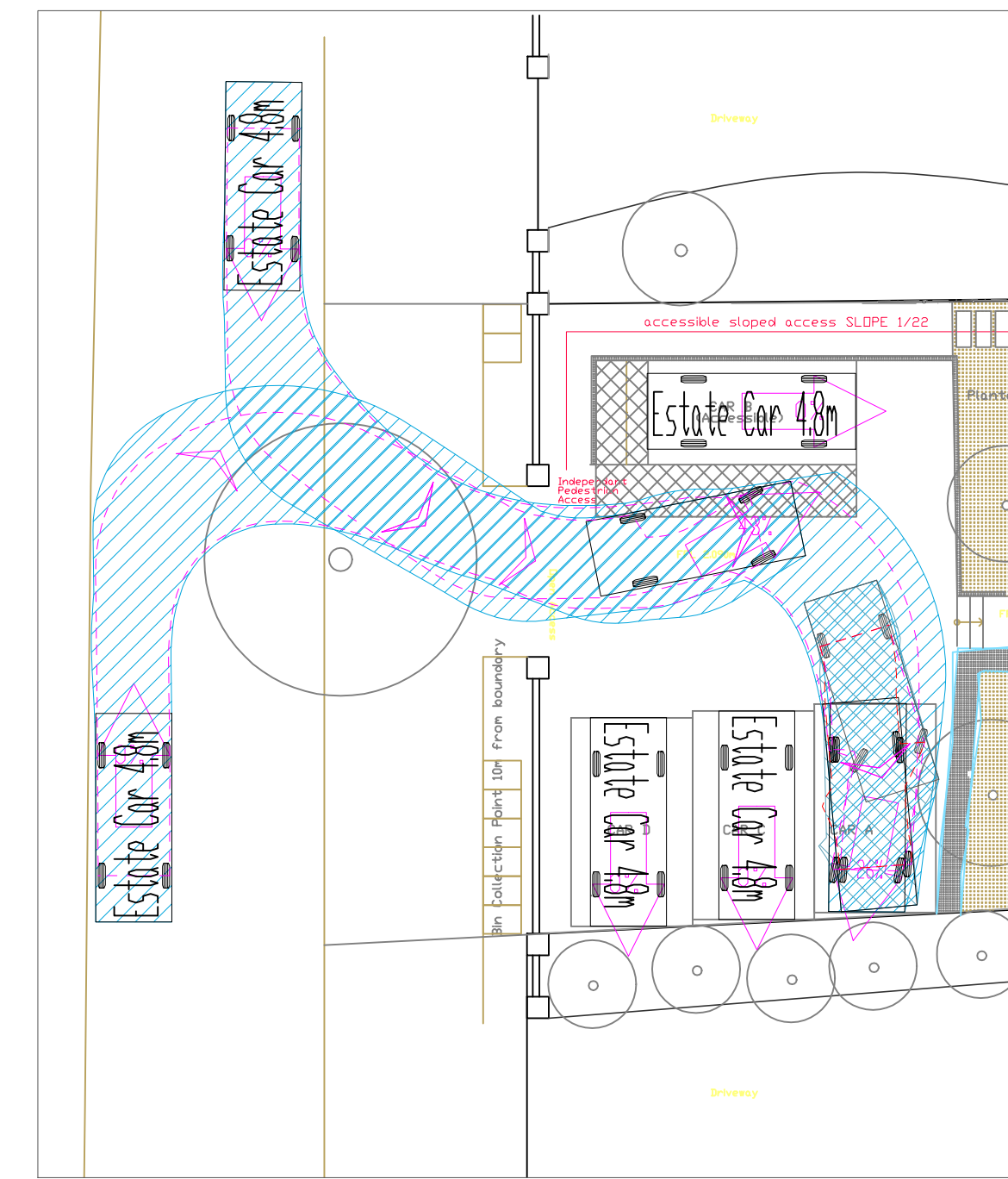
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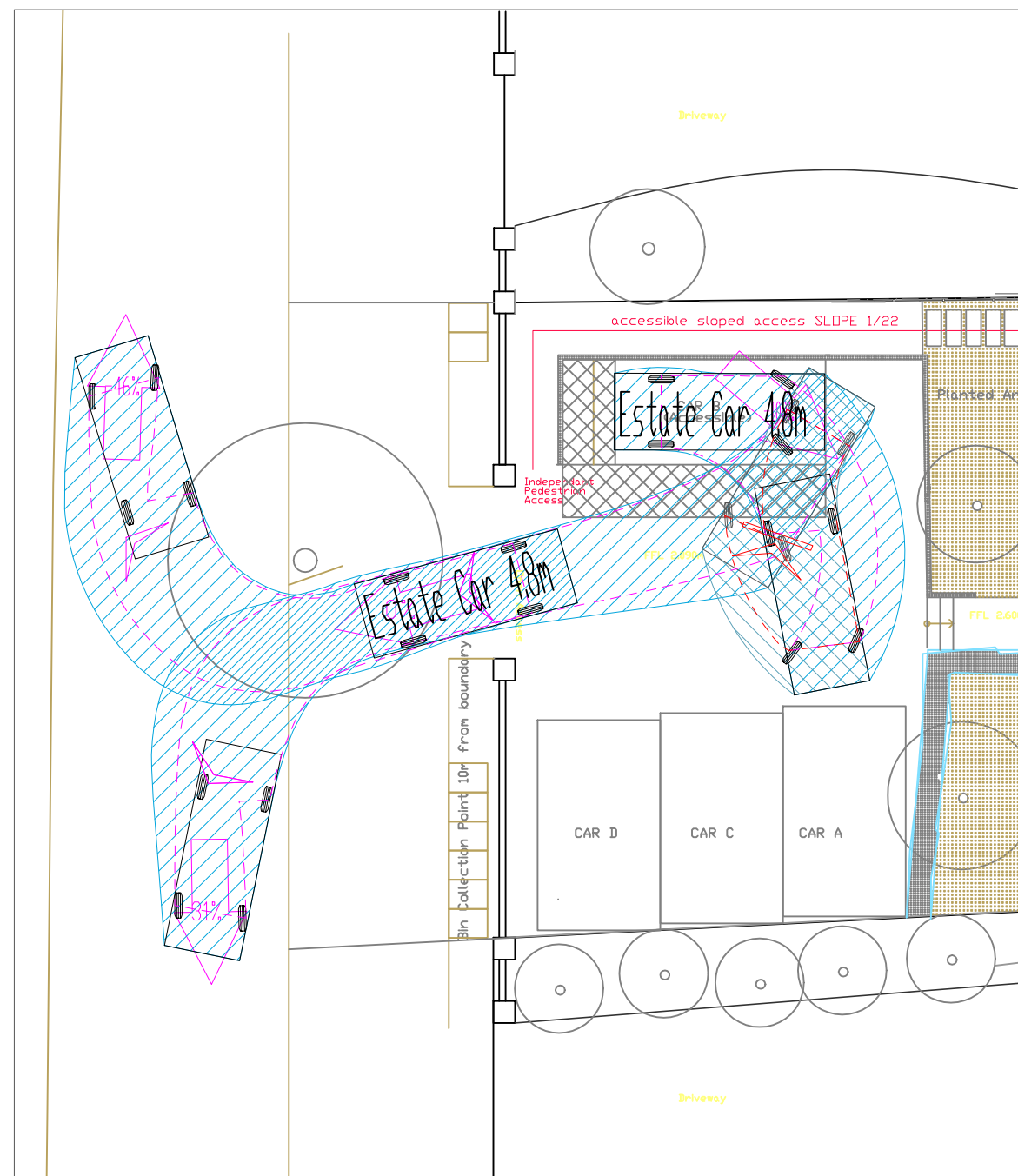
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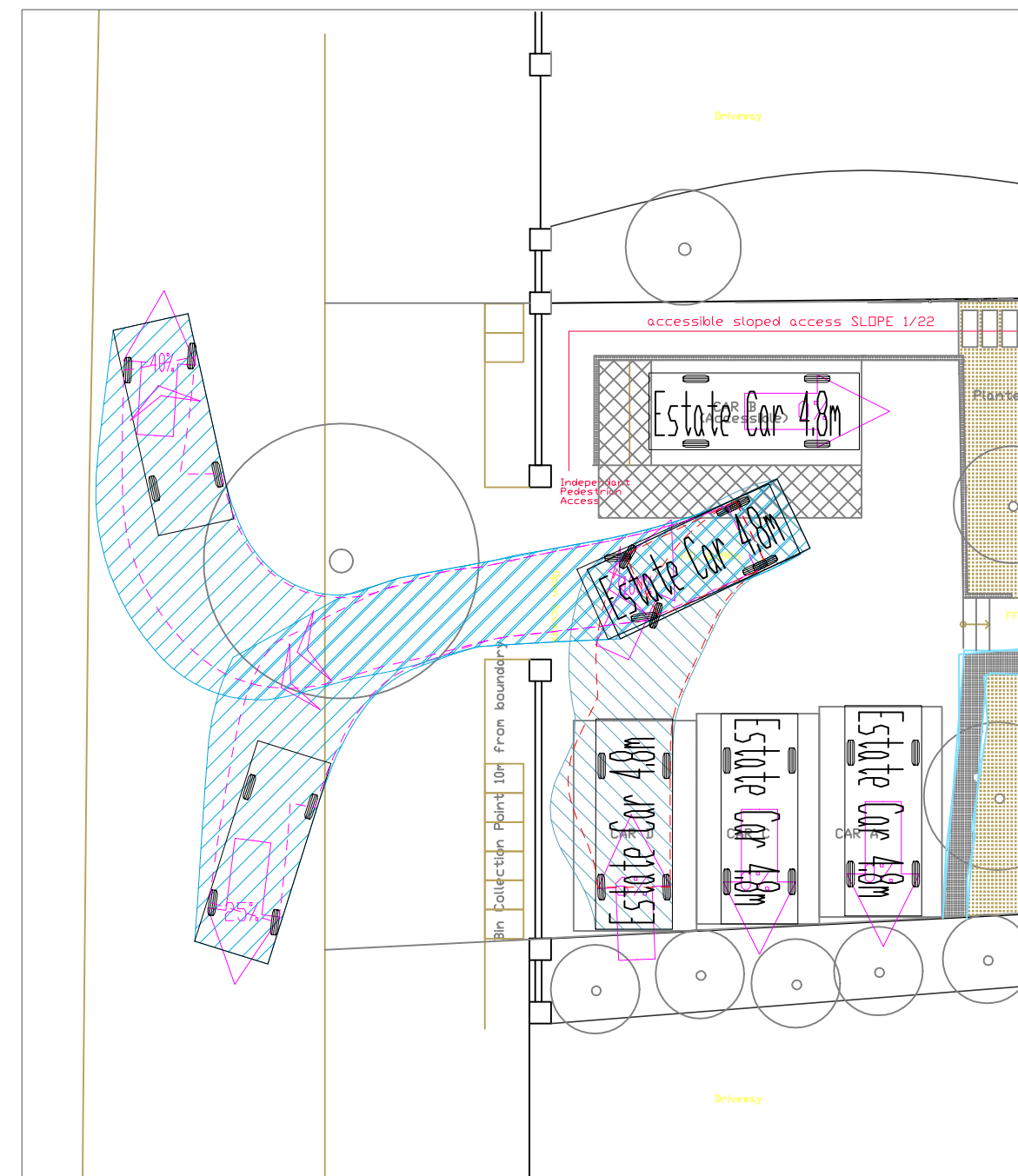
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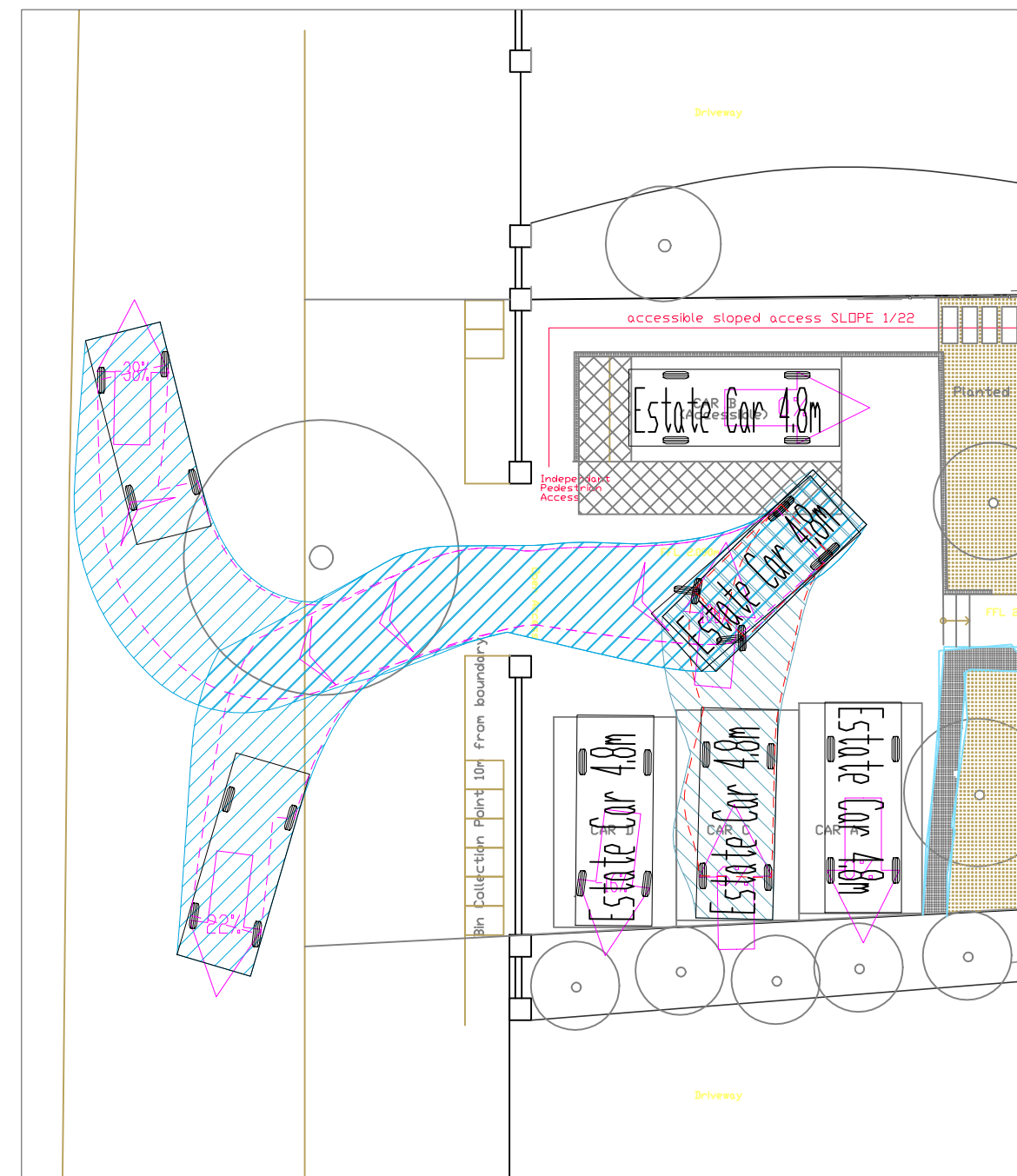
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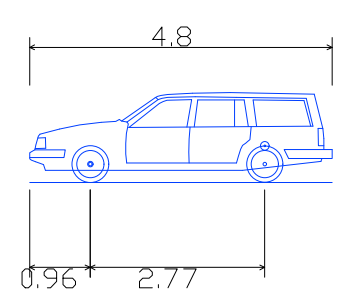
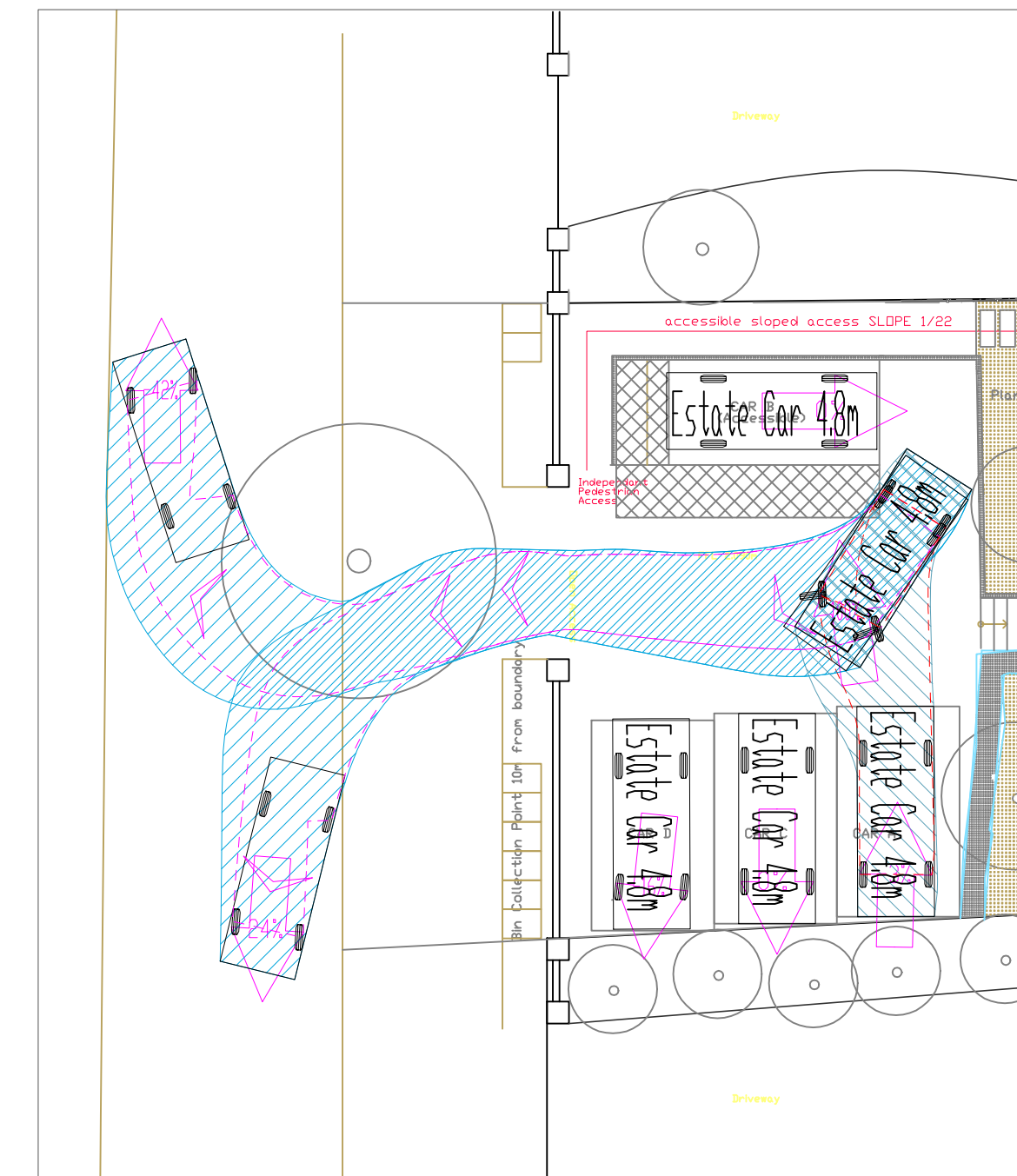
REVERSE FROM BAY AND EXIT IN FORWARD GEAR



REVERSE FROM BAY AND EXIT IN FORWARD GEAR

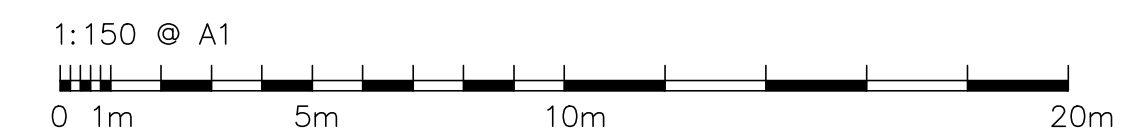
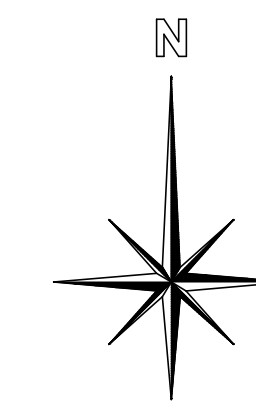
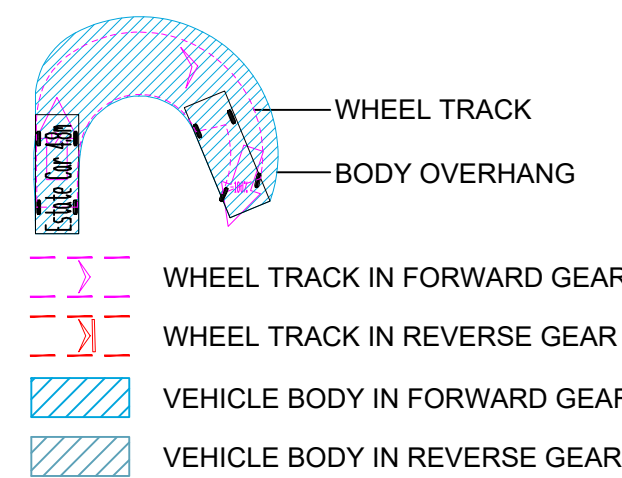


REVERSE FROM BAY AND EXIT IN FORWARD GEAR



Estate Car 4.8m
 Overall Length 4.800m
 Overall Width 1.750m
 Overall Body Height 1.424m
 Min Body Ground Clearance 0.189m
 Max Track Width 1.655m
 Lock to lock time 4.00s
 Kerb to Kerb Turning Radius 4.950m

KEY TO VEHICLE ENVELOPES



LONDON BOROUGH OF ENFIELD**PLANNING COMMITTEE****Date: 23 May 2023****Report of**

Director of Planning & Growth - Brett Leahy

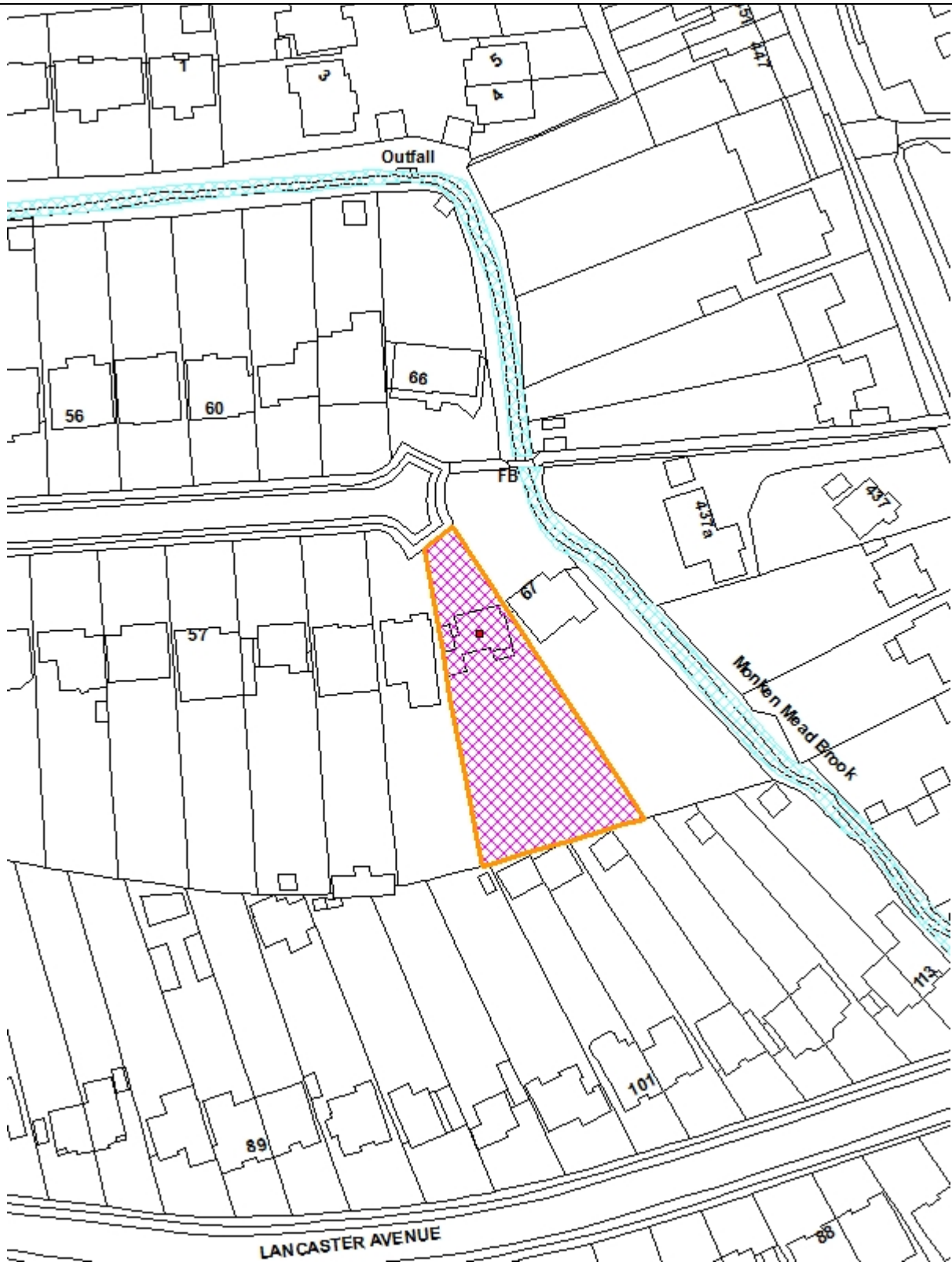
Contact Officers:Ms L Lewis
Sharon Davidson**Category****Householder****Ward****Cockfosters****Councillor Request**

Cllr Georgiou

LOCATION: 65 Kingwell Road, Barnet, EN4 0HZ**APPLICATION NUMBER: 23/00152/HOU****PROPOSAL: Single storey rear extension, first floor side extension with a canopy to the front.****Applicant Name & Address:**Mr Bilal Ustun
65 Kingwell Road
Enfield
EN4 0HZ**Agent Name & Address:**Mr Murat Aydemir
Intelliarch Ltd
47 Eversley Park Road
London
N21 1JJ**RECOMMENDATION:**

1. Grant subject to conditions.

Ref: 23/00152/HOU LOCATION: 65 Kingwell Road, Barnet, EN4 0HZ,



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Scale 1:1250

North



1. Note for Members

Although an application of this scale and nature would normally be determined under delegated authority, the application has been reported to committee for determination at the request of Councillor Georgiou for several reasons including concerns around the permitted development, the submission of the proposal while the permitted development extension is still being built, the mass of the proposed extensions, views of trees, size of the outbuilding, and concerns over the content of the planning statement.

2. Executive Summary

The application is for extensions to a house. The application as initially submitted included an outbuilding at the end of the garden to accommodate a swimming pool but this has been withdrawn from the proposal.

3. Recommendation

That planning permission be GRANTED subject to the following conditions

Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the decision notice.

Reason: To comply with the provisions of s51 of the Planning & Compulsory Purchase Act 2004.

Approved plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
Proposed block plan 1446-65 revision B dated 7/3/2023 received 7/3/2023
Proposed ground floor plan 1446-70 revision A dated 18/1/2023 received 19/1/2023
Proposed first floor plan 1446-80 revision A dated 18/1/2023 received 19/1/2023
Proposed second floor plan 1446-100 revision A dated 18/1/2023 revised 19/1/2023
Proposed roof plan 1446-111 dated 18/3/2023 received 20/3/2023
Proposed south elevation 1446-120 revision A dated 18/1/2023 received 19/1/2023
Proposed north elevation 1446-121 dated 27/3/2023 received 27/3/2023
Proposed west elevation 1446-130 revision A dated 18/1/2023 received 19/1/2023
Proposed east elevation 1446-140 revision A dated 18/1/2023 received 19/1/2023.

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

Matching materials

3. All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building.

Reason: To safeguard the appearance of the premises and the character of the immediate area.

Delegated Authority

- 3.1 That the Head of Development Management be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

4. Site & Surroundings

- 4.1 The site is in Hadley Wood, towards the east side of the settlement not far from Cockfosters Road. The site is not near to the Conservation Area.
- 4.2 The plot faces Kingwell Road to the north and the garden faces south. The plot is 8m wide at the front, about 32m wide at the far rear and is overall 70m deep. The rear garden from the back of the existing house is about 40m long. The surrounding area is residential. It appears that the application site is one of several houses that would originally have been built to the same design but most of these have already been extended. Neighbouring dwellings have also been extended, some substantially.
- 4.3 The application dwelling has previously been extended at two storeys to the rear, and to the side/rear at single storey to provide a garage and another room. The house is in the process of being extended upwards following a grant of prior approval. The additional storey is substantially complete externally.
- 4.4 Due to the dwellings at this end of the street being at the head of a cul de sac the front building line of numbers 63-67 effectively curves, and the fronts of the dwellings are closer together than the rears. The distance between the front corner of No 65 and the front corner of No 67 is less than 2m but the buildings are nearly 6m apart at the rear.

5. Proposal

- 5.1 The proposal is to construct side and rear extensions to the dwelling. The side/rear extension would incorporate the existing side garage but make it wider and rework the existing footprint behind. The upper part of the extension, which would be new floorspace, would accommodate a bedroom and associated space. This element would be set in from the side boundary slightly and would project rearwards wrapping around the corner of the original first floor.
- 5.2 The existing two storey rear extension projects outwards sideways beyond the side wall of the house but due to the layout of No 65 and also No 67 this element is not visible from the street. This would be increased in height very slightly but not to a material extent.
- 5.3 The rear extension would be across the entire width of the building at ground floor, bringing the projection out to line up with the existing element behind the garage.

5.4 The plans show substantial reworking of the interior, but this is only material to consideration of the application to a very limited extent.

5.5 At the front a porch canopy would be constructed outside the front door.

6. Relevant Planning History

Application site

6.1 20/03411/PHA - Prior approval for the erection of a 2nd floor extension to accommodate additional habitable rooms for existing single family dwelling to a maximum height of 2.4m. Refused 22/2/2021 as the proposed additional storey would have been above an extension which does not comply with the Permitted Development requirements. This application was also refused due to lack of information relating to controlling the impact of the development on neighbours.

6.2 21/03163/PHA - Prior approval for the erection of a 2nd floor extension to accommodate additional habitable rooms for existing single family dwelling to a maximum height of 10.158m. Granted subject to conditions 18/11/2021.

6.3 ENF/22/0869 - Alleged scaffolding built against neighbours house overlooking property. Case closed.

7. Consultation

Statutory and Non-Statutory Consultees

SuDS Team

7.1 Sustainable drainage strategy required. Further information required relating to the outbuilding and swimming pool.

Public

7.2 Consultation letters dated 20/2/2023 were sent to 7 neighbouring and nearby properties. Following the withdrawal of the outbuilding from the proposal reconsultations were issued, on the 5/4/2023. In response to the first consultation 7 representation were received which, in summary, raise the following points.

Design of extensions

- Proposed extensions will add further mass
- Disproportionately oversized dwelling out of proportion with locality especially No 67
- Side extension will largely obscure view of mature trees in rear gardens, view of vegetation crucial to setting of Hadley Wood
- Cluttered south elevation
- Plans do not show front elevation in context of neighbouring properties

- Three storey house unlikely to have been approved is submitted as single application

Officers' response

These matters are considered in the assessment section below.

Other matters

- Removal of trees and shrubbery at rear of garden
- Loss of trees has caused neighbour's outbuilding to move
- Additional height has removed privacy [regarding properties at the rear]
- Application submitted before upwards extension completed but on the basis that the three storey building is "existing"
- Precedent allowing applicants to "cherry pick" aspects of permitted development
- Trespassing and encroachment on neighbouring property
- Garage/single storey extension has been demolished at the permitted development stage and steels have been put in place to support an additional floor above

Officers' response

The removal of trees and shrubbery, which are not located within a Conservation Area or protected by a Tree Preservation Order, does not fall under planning control. Other points are addressed below.

Outbuilding

- The planning statement includes incorrect comments
- Would be too close to boundaries affecting vegetation on neighbouring plots
- No drainage plans provided

Officers' response

The outbuilding has been removed from the proposal.

8. Relevant Planning Policies

- 8.1 Section 70(2) of the Town and Country Planning Act 1990 requires the Committee have regard to the provisions of the development plan so far as material to the application: and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Framework 2021

- 8.2 The National Planning Policy Framework (NPPF) introduces a presumption in favour of sustainable development. In this respect, sustainable development is identified as having three dimensions - an economic role, a social role and an environmental role. For decision taking, this presumption in favour of sustainable development means:

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

8.3 The NPPF recognises that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision making.

8.4 Paragraph 48 of the NPPF details when weight may be given to relevant emerging plans. This guidance states that the stage of preparation, the extent to which there are unresolved objections and the degree of consistency of relevant policies to the Framework are relevant.

The London Plan 2021

8.5 The London Plan together with Enfield's Local plan forms the Development Plan for this application. It is the overall strategic plan for London setting out an integrated economic, environmental, transport and social Framework for the development of London for the next 20-25 years. The following policies of the London Plan are considered particularly relevant:

D4 Delivering Good Design

Local Plan - Overview

8.6 Enfield's Local Plan comprises the Core Strategy, Development Management Document, Policies Map and various Area Action Plans as well as other supporting policy documents. Together with the London Plan, they form the statutory development plan for the Borough. Enfield's Local Plan sets out planning policies to steer development where they align with the NPPF and the London Plan 2021. Whilst many of the policies do align with the NPPF and the London Plan, it is noted that these documents do in places supersede the Local Plan in terms of some detail and as such the proposal is reviewed against the most relevant and up-to-date policies within the Development Plan.

Enfield Core Strategy: 2010

8.7 The Core Strategy was adopted in November 2010 and sets out a spatial planning framework for the development of the Borough through to 2025. The document provides the broad strategy for the scale and distribution of development and

supporting infrastructure, with the intention of guiding patterns of development and ensuring development within the Borough is sustainable.

CP30 Maintaining and improving the quality of the built and open environment
CP25 Managing flood risk through development

Development Management Document (2014)

8.8 The Council's Development Management Document (DMD) provides further detail and standard based policies by which planning applications should be determined. Policies in the DMD support the delivery of the Core Strategy.

8.9 The following local plan Development Management Document policies are considered particularly relevant:

DMD9 Amenity Space
DMD9 Distancing
DMD11 Rear extensions
DMD14 Side extensions.

8.10 Other Material Considerations

National Planning Practice Guidance
Community Infrastructure Levy Regulations 2010 (as amended)

Enfield Local Plan (Reg 18) 2021

8.11 The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for several sites. It is Enfield's Emerging Local Plan.

8.12 As the emerging Local Plan progresses through the plan-making process, the draft policies within it will gain increasing weight, but at this stage it has relatively little weight in the decision-making process.

8.13 Key local emerging policies from the plan are listed below:

Policy DM SE2 – Sustainable design and construction
Policy DM SE4 – Reducing energy demand
Policy DM SE5 – Greenhouse gas emissions and low carbon energy supply
Policy DM SE7 – Climate change adaptation and managing heat risk
Policy DM SE8 – Managing flood risk
Policy DM SE10 – Sustainable drainage systems
Strategic Policy SPBG3 – Biodiversity net gain, rewilding and offsetting
Policy DM BG8 – Urban greening and biophilic principles
Policy DM DE13 – Housing standards and design
Policy DM DE14 – External amenity standards
Policy DM DE15 – Residential extensions

9. Analysis

- 9.1. The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 seek to establish that planning decisions are taken in accordance with the Development Plan unless material considerations indicate otherwise. Furthermore, paragraph 11 (c) of the NPPF goes on to state that development proposals that accord with the development plan should be approved without delay.
- 9.2. This report sets out the analysis of the issues that arise from the proposal when assessed against the development plan and the NPPF
- 9.3. This application has been subject to negotiation to address the concerns raised by officers and local residents through the consultation process.
- 9.4. The main considerations of the development are the following.
 - Principle of Development
 - Character and Design
 - Neighbouring Residential Amenity
 - Flood Risk and Drainage
 - Trees and Landscaping
 - Traffic, Access and Parking

Principle of Development

- 9.5. The principle of extending residential properties in residential areas is acceptable subject to consideration of material planning matters.

Character and Design

- 9.6. The existing dwelling is a three storey house with ground floor extensions to side/rear and a two storey rear extension. Although some concerns have been raised about the state of construction of the new top floor, in respect of consideration of this proposal the third storey is there, has been granted prior approval, and looks likely to be completed. It cannot be assessed in itself as part of this proposal, but it does form part of the context in which the proposed additional extensions will be assessed.
- 9.7. The existing character is that the dwelling has at some point been rendered, although as with the other houses that were originally built to the same design it would have been of red brick. The windows have also at some point been replaced but are of a similar appearance. The new top floor has been designed in keeping with the character of the pre-existing house.
- 9.8. In terms of impact on the streetscene, the only consideration is the additional first floor above the garage as this is the only element that will be visible from the street. This would be set back from the side boundary by about one metre. The ground floor would be up to the boundary with No 63, as per existing. As existing however there is a flat roof and as proposed the roof would be pitched. This means that if the guttering is to avoid encroachment onto neighbouring land it would have to be enclosed as box guttering or something similar. No details have been provided of this but the plans clearly show that this has been considered and that the guttering would be within the site.

- 9.10 Policy DMD 14 states that side extensions must not create a continuous façade of properties which would be out of character with the locality. The local character is of detached dwellings, although many of them have been so substantially extended that there is no meaningful gap at ground floor, and a minimal offset to the boundary of 1m at first floor.
- 9.11 No 63 to the west of the application site has been extended to the side and is now about 1m from the shared boundary at ground and first floor, with no first floor set back. No 63, and No 61 beyond, are each set back from the boundary by 1m at first floor but effectively adjoining at ground floor. There are similar ground floor arrangements between other pairs of houses on the street although it appears that this might be an evolution of an original feature where two detached houses were joined by walls to garages and side gates.
- 9.12 No 67 to the east has not been extended to the side alongside the application site, but due to the difference in orientation the front corner of this property is so close to the boundary that side extension would be impractical.
- 9.13 The character of the area appears to have evolved over time so that the predominant character of , well-spaced houses with gaps between them giving views to landscaping behind is changing to what is, in some areas, a row of extremely large houses with little spacing in between..
- 9.14 The proposed first floor extension follows this emerging character of build at ground floor to the boundary and build at first floor about one metre off the boundary. The roof to this element would be pitched like that of the main house, and it is not considered that this would be out of character with the area.
- 9.15 The extensions to the rear would not affect the public realm. Policy DMD11 requires only that there is no adverse visual impact, but there is a lower threshold where the extensions are not visible from the public realm. The rear extensions would be of various forms, with pitches to the new rear and side elements and the retained flat roof to the existing two storey rear element. This would only be viewable from neighbouring gardens and, given the varied appearances of other extensions in the area, and the size of the plots and gardens, it is not considered that the rear extension appearance would be harmful.
- 9.16 A porch canopy is proposed at the front. It is very similar to porch canopies on several other nearby houses and therefore is compatible with the established character of the surrounding area.
- 9.17 A condition is recommended to secure matching materials.

Neighbouring Residential Amenity

- 9.18 The proposed side extension to the west would introduce a second floor alongside the side elevation of No 63. There are side windows to No 63 but according to the plans for extensions to that house these windows serve non-habitable rooms and so minimal weight needs to be given to impact.
- 9.19 The minor increase in height to the existing rear extension would not have any material impact on neighbours.

- 9.20 The proposed single storey rear extension would not project beyond the rear building line of No 63 and would be about 4m laterally from the rear of No 67. The rear of No 67 faces slightly away from the side of No 65 and so it is not considered that the proposed single storey extension would have any material impact on either of the two adjacent neighbours.
- 9.21 Some neighbours to the rear have commented about the impact on privacy however these comments appear to relate to the additional storey that is not under consideration. Regardless of which windows are causing the concern, there is a window to window separation distance of about 80m, which is roughly four times the usual requirement. Comments about overlooking of gardens, given that the garden to the application site is about 40m long, cannot be supported.
- 9.22 Overall, it is considered that the proposed extensions would not have any harmful impact on the amenities of occupiers of neighbouring and nearby dwellings and is therefore in accordance with relevant policies.

Flood Risk and Drainage

- 9.23 The site is not in a flood zone and as the outbuilding has been withdrawn from the proposal there are no concerns relating to surface water impact of that element.
- 9.24 Policy DMD61 requires that all development maximises the use of Sustainable Drainage. No relevant information has been provided however the site is already either built on or hard surfaced where development is proposed and so it is not considered that a requirement for a sustainable drainage strategy would be proportionate in this case.

Trees and Landscaping

- 9.25 Some comments have been received about the removal of trees and shrubbery in the garden, but the site is not in a Conservation Area and there are no tree preservation orders applicable. This means that the removal of trees and shrubs fall outside of planning control.
- 9.26 The loss of the view alongside the house is not considered to be harmful in terms of landscaping. This is a change that must have occurred each time a nearby house was extended to the side and is therefore an established part of the evolution of the streetscene.
- 9.27 As the proposal is for domestic extensions only it is not considered that a requirement for a scheme of landscaping would be proportionate.

Access, Traffic, and Parking

- 9.28 The proposal will retain the garage although slightly larger. There would no change to the sideway alongside the east side of the house, and the proposal does not include any changes to the frontage of the property. This means that there are no access, traffic or parking issues to consider.

Community Infrastructure Levy (CIL)

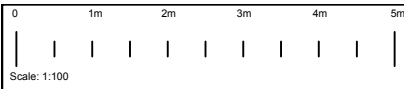
- 9.29 The development would result in additional floorspace of less than 100 sq m and so would not have to pay CIL.

10 Public Sector Equality Duty

- 10.1 In accordance with the Public Sector Equalities Duty, it is considered the proposal would not disadvantage people who share one of the different nine protected characteristics as defined by the Equality Act 2010 compared to those who do not have those characteristics.

10. Conclusion

- 10.1 The proposal is for small scale residential extensions that are in keeping with the character of the area and would not have any harmful impact on neighbour amenity. The application is recommended for approval.

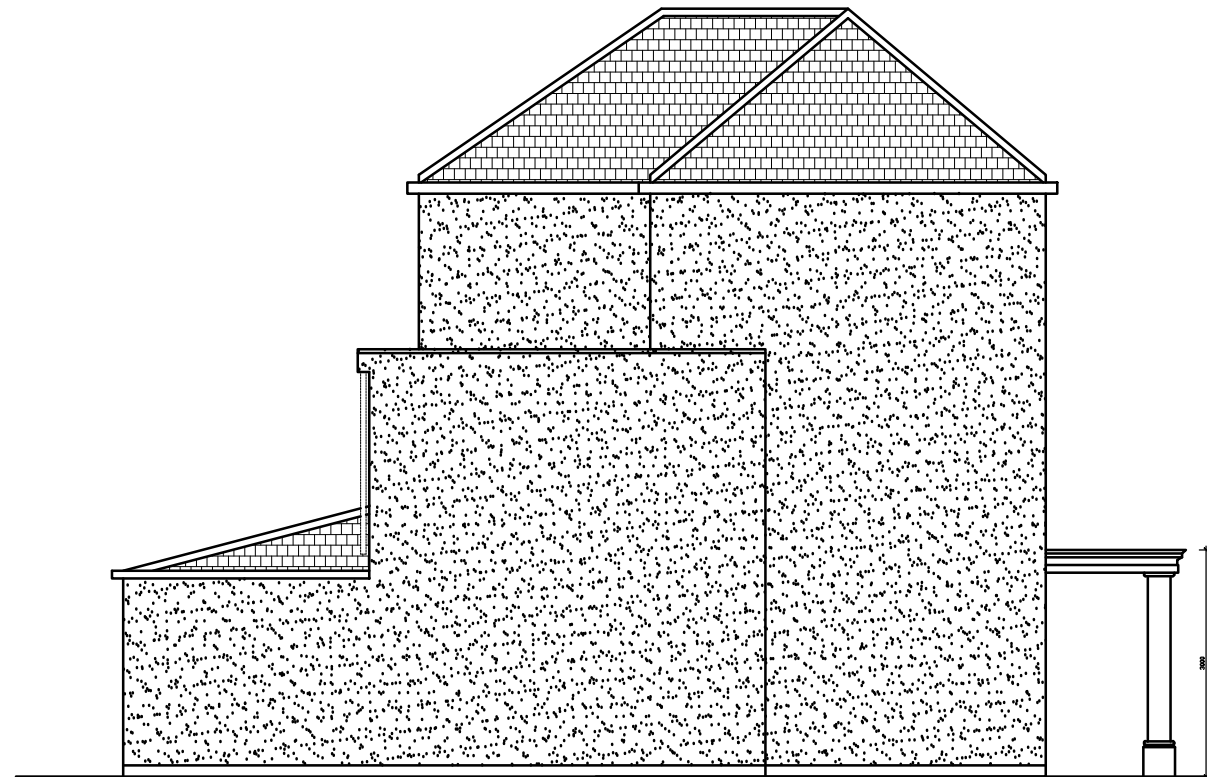


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Proposed East Elevation

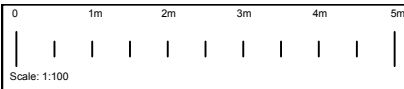
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project 65 Kingwell Road Cockfosters EN4 0HZ	
title Proposed East Elevation	
scale 1:100 @ A3	dwn MA
date 18th January 2023	chk
dng no. 1446-140	rev A

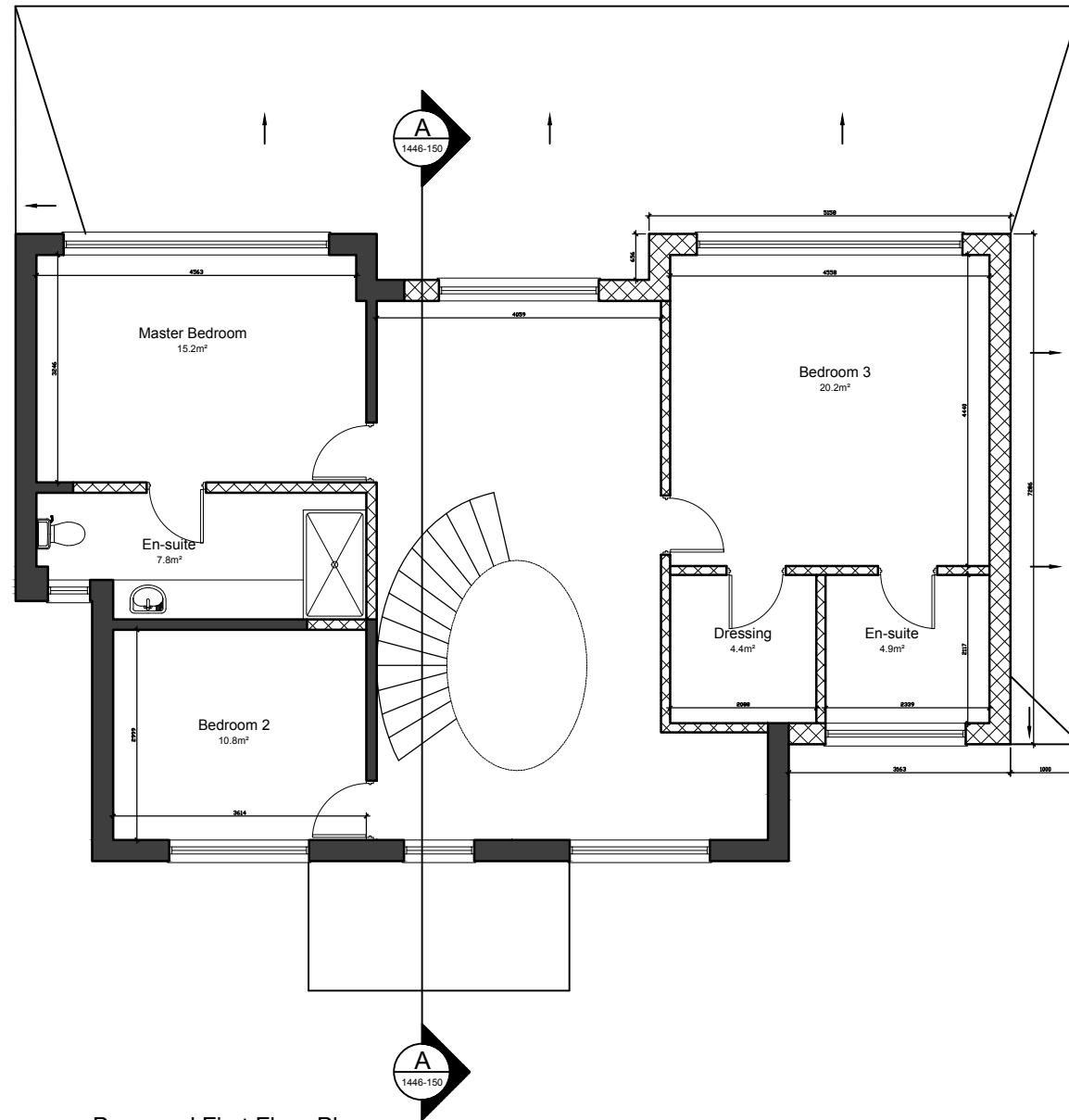


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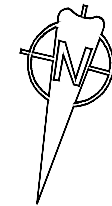
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Proposed First Floor Plan
101m²



-  Full site boundaries (1476m²)
-  Proposed new extension
-  Existing house
-  Demolished structure

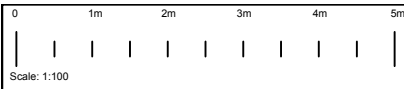
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title Proposed First Floor Plan	
scale 1:100 @ A3	dwn MA
date 18th January 2023	chk chk
drg no. 1446-80	rev A

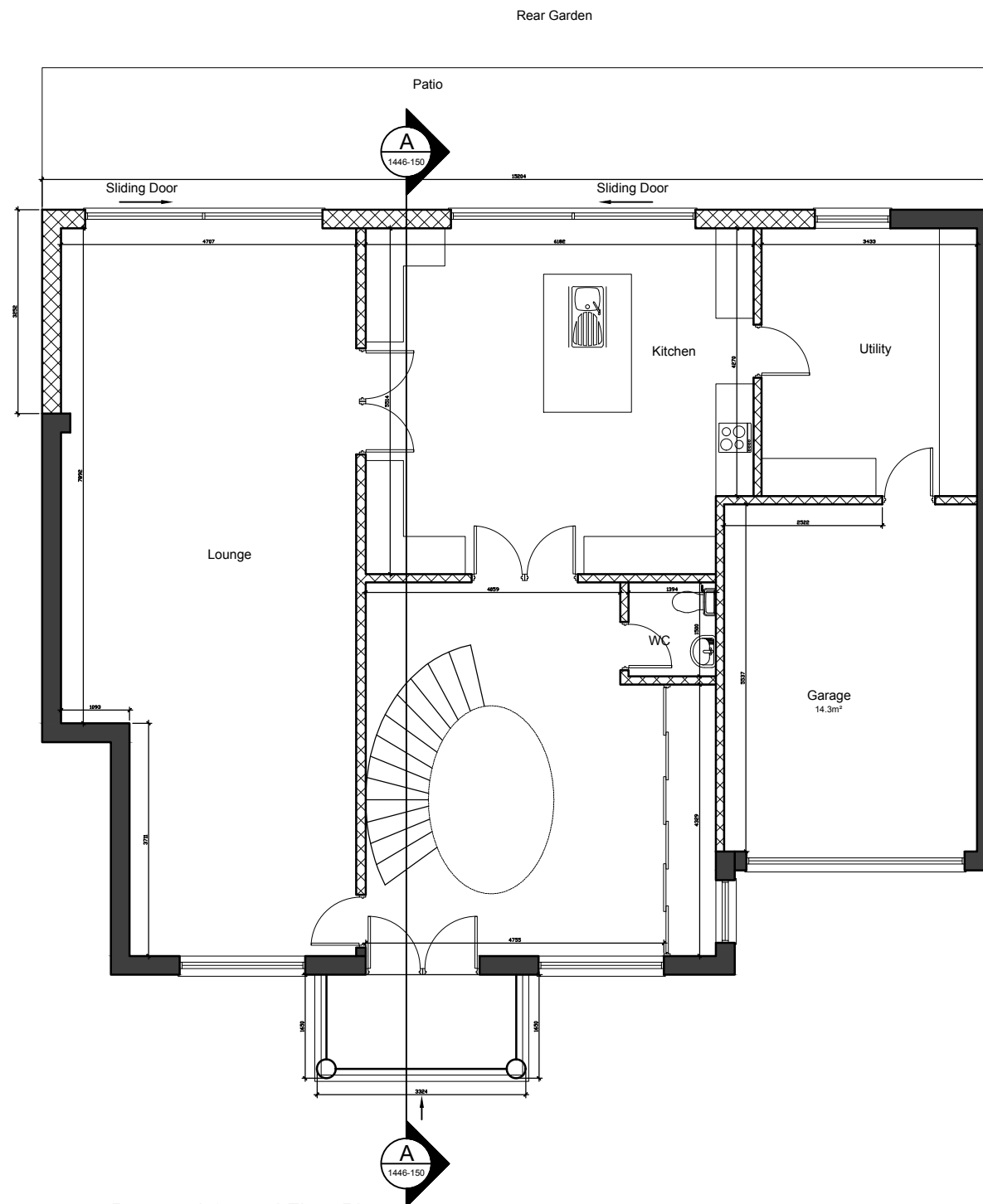


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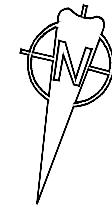
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Proposed Ground Floor Plan
158m²



-  Full site boundaries (1476m²)
-  Proposed new extension
-  Existing house
-  Demolished structure

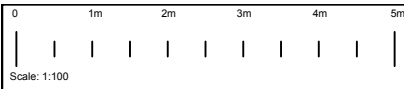
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title Proposed Ground Floor Plan	
scale 1:100 @ A3	dwn MA
date 18th January 2023	chk chk
drg no. 1446-70	rev A

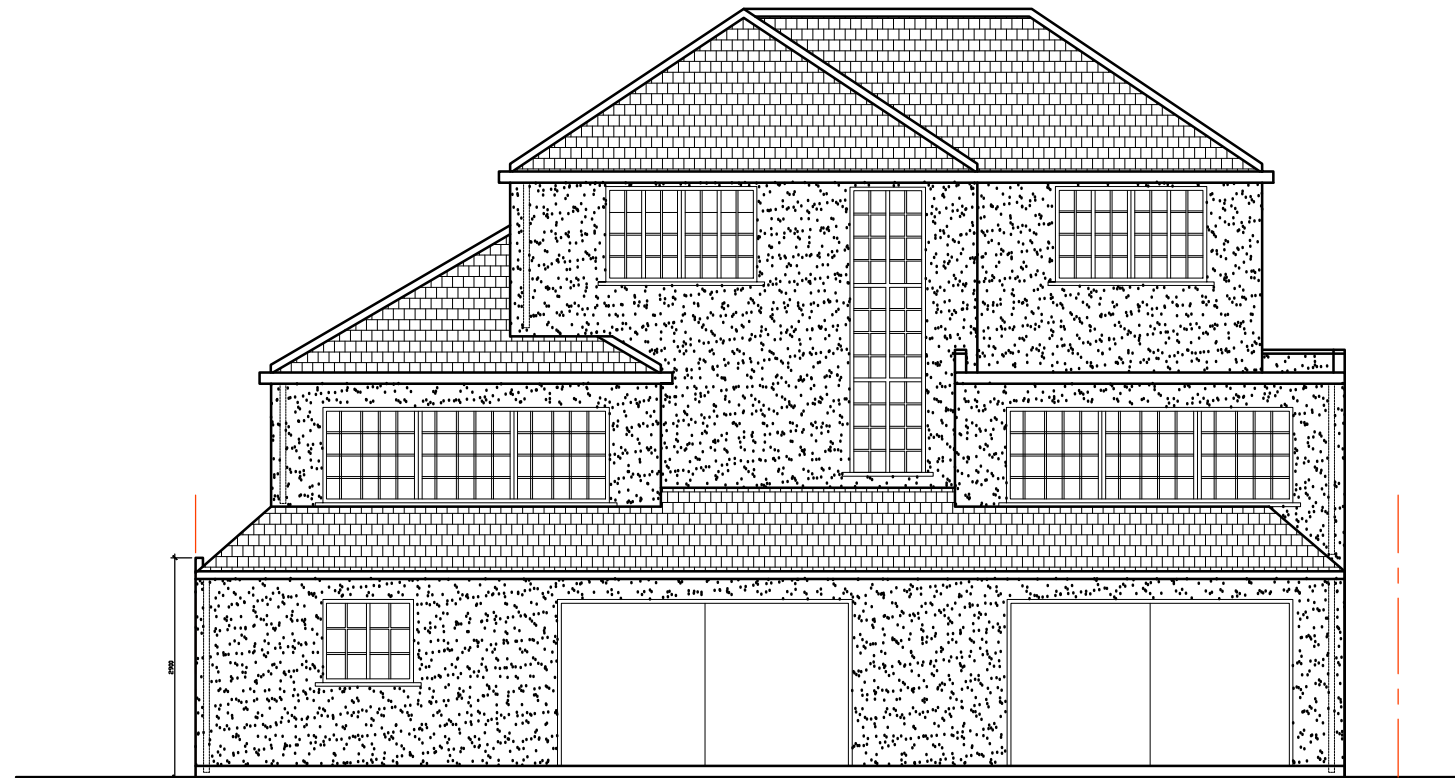


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Proposed South Elevation

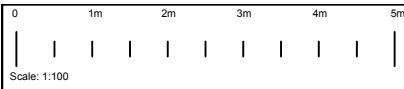
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title	Proposed South Elevation	
scale	1:100 @ A3	dwn MA
date	18th January 2023	chk
drg no.	1446-120	rev A

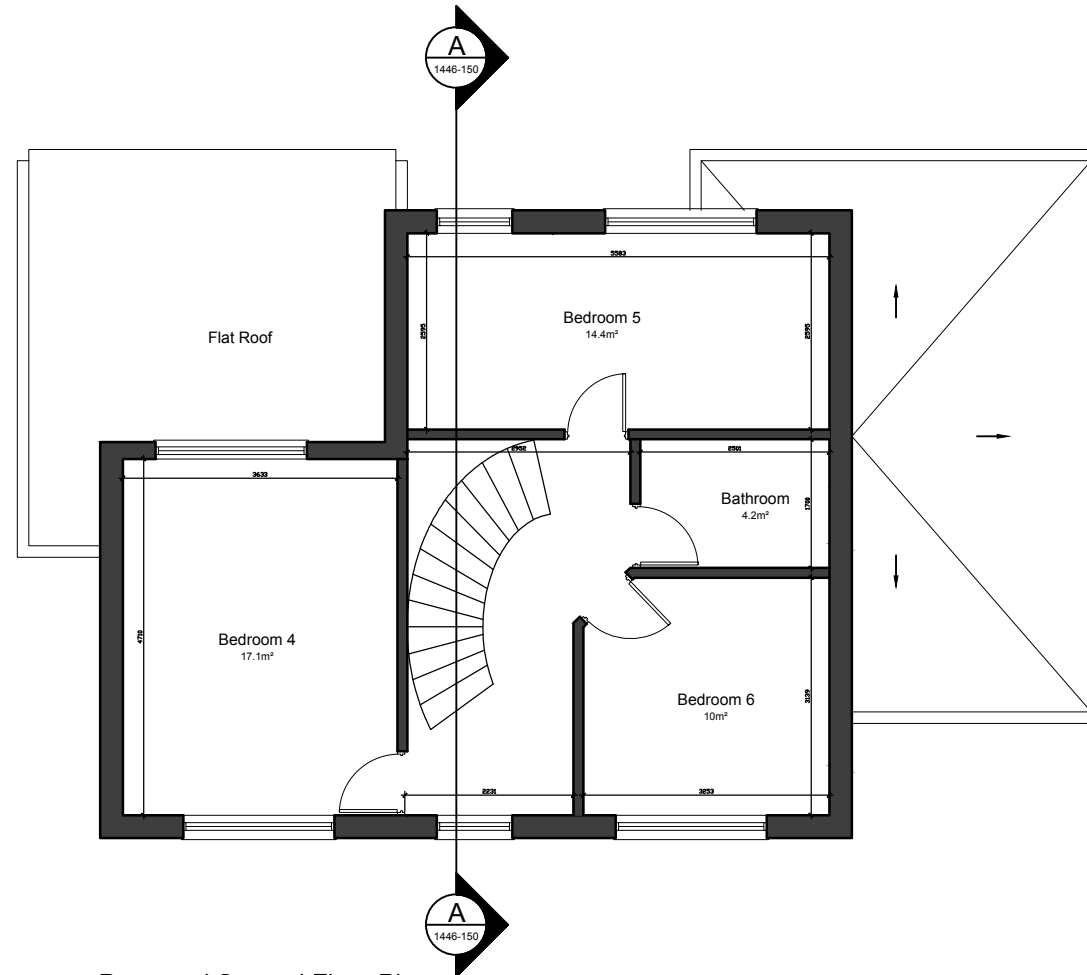
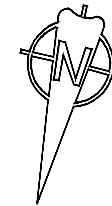


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Proposed Second Floor Plan
60m²

	Full site boundaries (1476m ²)
	Proposed new extension
	Existing house
	Demolished structure

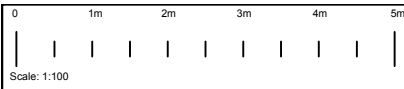
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title	Proposed Second Floor Plan	
scale	1:100 @ A3	dwn MA
date	18th January 2023	chk
drg no.	1446-100	rev A

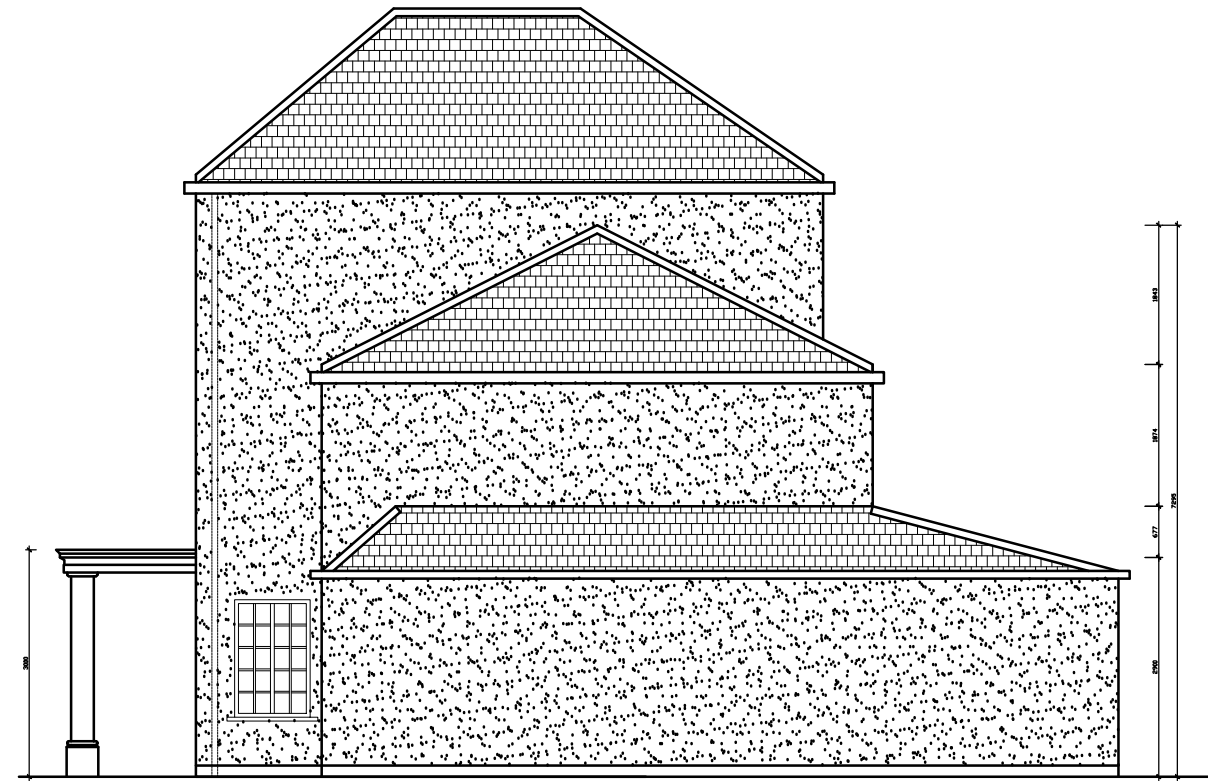


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Proposed West Elevation

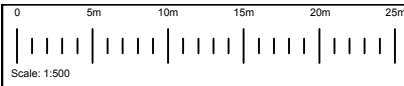
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project	65 Kingwell Road Cockfosters EN4 0HZ	
title	Proposed West Elevation	
scale	1:100 @ A3	dwn MA
date	18th January 2023	chk
drg no.	1446-130	rev A

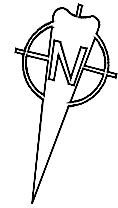
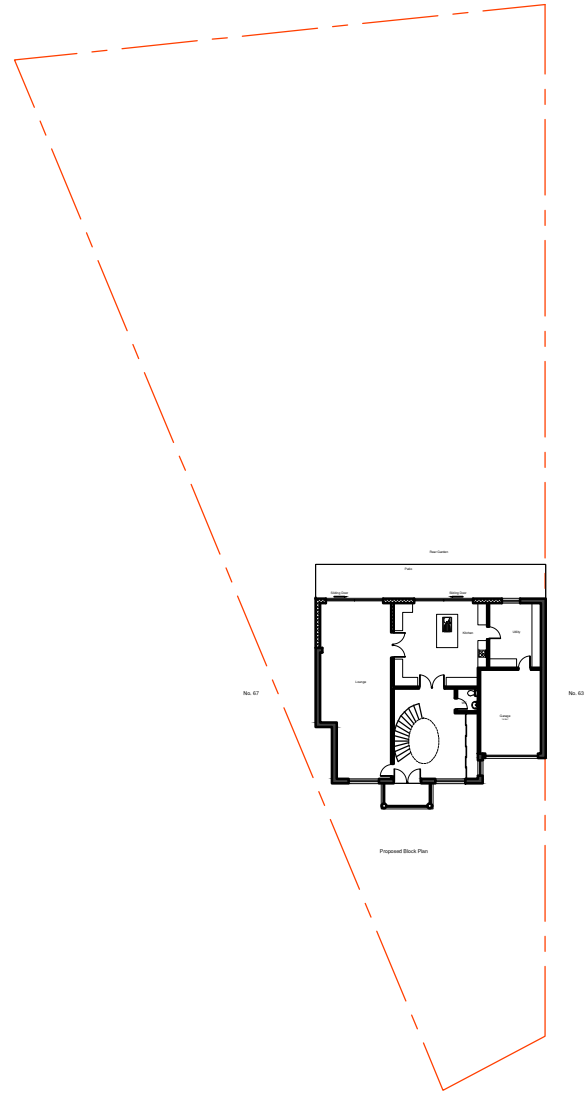


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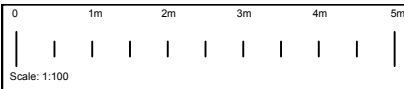
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project 65 Kingwell Road Cockfosters EN4 0HZ	
title Proposed Block Plan	
scale 1:200 @ A3	dwn MA
date 7th March 2023	chk
dng no. 1446-65	rev B



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Proposed North Elevation

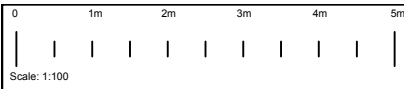
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project 65 Kingwell Road Cockfosters EN4 0HZ	
title Proposed North Elevation	
scale 1:100 @ A3	dwn MA
date 27th March 2023	chk chik
dng no. 1446-121	rev

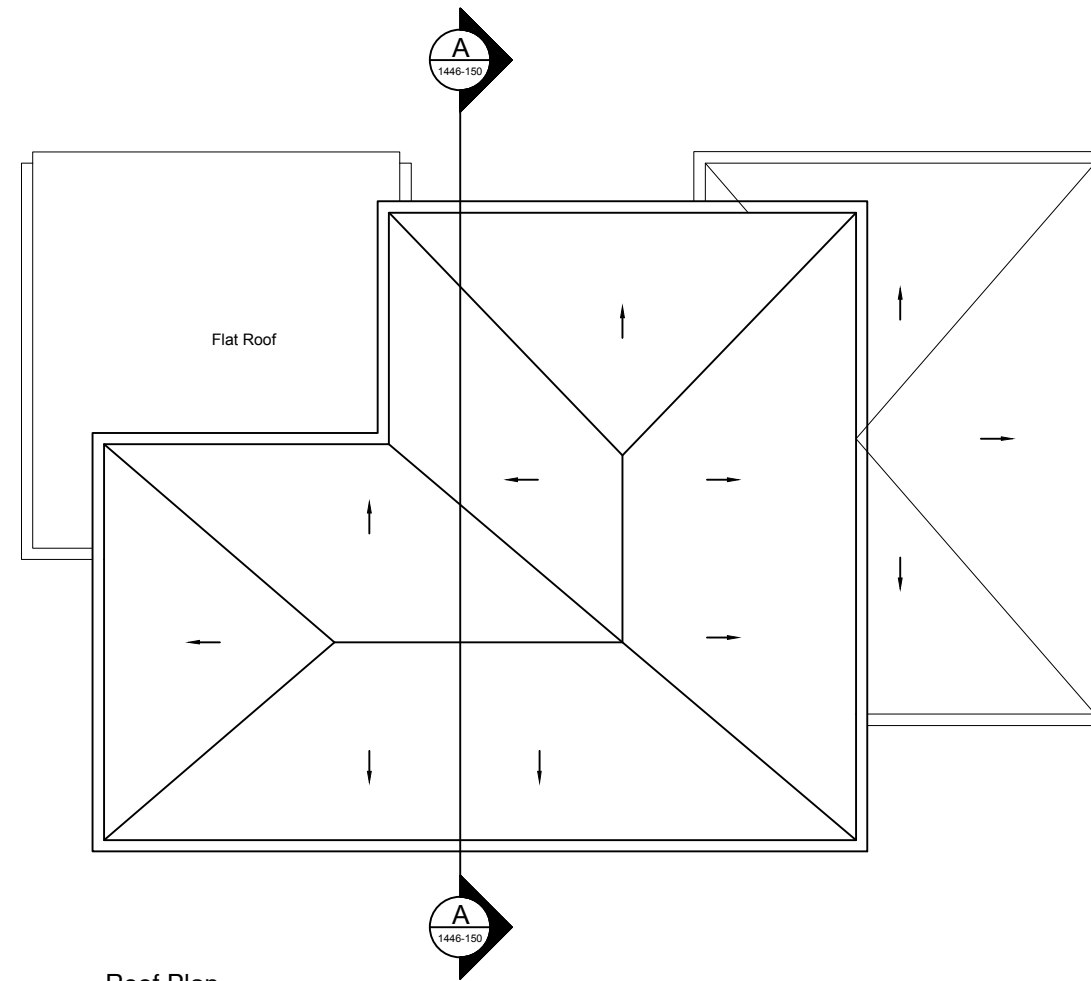
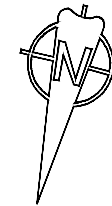


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Roof Plan

-  Full site boundaries (1476m²)
-  Proposed new extension
-  Existing house
-  Demolished structure

FOR PLANNING

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Intelligent Architecture and Surveying

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project
65 Kingwell Road
Cockfosters EN4 0HZ

title
Proposed Roof Plan

scale
1:100 @ A3

dwn
MA

date
18th March 2023

chk
chk

drg no.
1446-111

rev

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LONDON BOROUGH OF ENFIELD**PLANNING COMMITTEE****Date: 23 May 2023****Report of**

Director of Planning & Growth - Brett Leahy

Contact Officers:Amma Busia
Sharon Davidson**Category**

Minor

Ward

Whitewebbs

Councillor Request

Councillor Dyson

LOCATION: 69 Lancaster Avenue, Enfield EN2 0DW**APPLICATION NUMBER:** 23/00271/FUL**PROPOSAL:** Single storey side extension to provide enclosed seating area**Applicant Name & Address:**Mr Da Silva
69 Lancaster Avenue
Enfield**Agent Name & Address:**Mr F Da Costa
Costa Builders Group
5 Tenby Road
Enfield**RECOMMENDATION:**

1. That the Head of Development Management be authorised to GRANT planning permission subject to conditions

Ref: 23/00271/FUL LOCATION: 69 Lancaster Road, Enfield, EN2 0DW,



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Scale 1:1250

North



1. Note for Members

- 1.1. Although an application of this scale and nature would normally be determined under delegated authority, the application has been reported to committee for determination at the request of Councillor Dyson, given the level of public interest in the proposed development.

2. Recommendation

- 2.1. That the Head of Development Management be authorised to GRANT planning permission subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the decision notice.

Reason: To comply with the provisions of S.51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans as set out in the attached schedule which forms part of this notice.

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

3. That development shall not commence until details of all external finishing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details before occupation.

Reason: To ensure a satisfactory appearance.

4. The premises shall only be used between the hours of 09:00AM and 19:00PM on Mondays to Saturdays and 10:00AM and 17:00pm on Sundays and not outside of these hours.

Reason: To protect the amenities of surrounding residential occupiers.

5. Prior to commencement of development, details of proposed source control SUDs measures (e.g. green roof, rain gardens, permeable paving) shall be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details before the development is first occupied.

Reason: To ensure the sustainable management of water, minimise flood risk, minimise discharge of surface water outside of the curtilage of the property in accordance with Policy CP28 of the Enfield Core Strategy (2010), Policy DMD61 of the Enfield Development Management Document (2014), Policy SI 13 of the London Plan (2021) and National Planning Policy Framework (2021) to maximise opportunities for sustainable development, improve water quality, biodiversity, local amenity and recreation value.

6. The development shall not commence until details of the siting and design of a minimum of 1 short stay cycle parking space has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in

accordance with the approved details before it is occupied, and the facility retained for the life of the building.

Reason: To ensure the provision of cycle parking in accordance with Policy T5 of the London Plan (2021) and the Council's adopted standards.

3. Executive Summary

- 3.1. The application seeks permission for a single storey side extension to provide a seating area to support the existing use as butchers and associated small café. The property is located within the Lancaster Road Local Centre, formed of commercial ground floor uses, with residential over, and where this use is considered appropriate. The proposal supports local business and having regard to the conditions recommended, including a control over the hours of operation of the premises, the development proposed through this application would have no undue impact on the amenities of the occupiers of adjoining properties and is compliant with relevant policies of the development plan.

4. Site and Surroundings

- 4.1. The subject site is located on the northern side of Lancaster Road and comprises a butchers shop and associated small café which falls under Use (Class E).
- 4.2. The site is located within the Lancaster Road Local Centre which is formed of a mix of commercial uses on the ground floor and residential above. Directly opposite the site is a petrol station, towards the rear of the site there is a motor garage shop that separates the application site and the run of terrace houses along Acacia Road.
- 4.3. The site is not within a Conservation Area nor is it Listed or in the setting of a Listed Building or Locally Listed Building.
- 4.4. The subject site has a PTAL score of 2 (poor).

5. Proposal

- 5.1. The application seeks planning permission for a single storey side extension to provide an enclosed indoor seating area.
- 5.2. The development description has been amended as part of the assessment of this application due to concerns raised during the consultation period and the previous development description not accurately reflecting the proposed works.

6. Relevant Planning History

Application site

- 6.1. P13-01138PLA Construction of first floor to provide a 3-bed self-contained flat with rooms in roof and side dormer window. **Permission Granted with Conditions.** 19/03/2015.

- 6.2. TP/03/2409 Construction of first floor to provide 2 No. 2-bed self-contained flats with rooms in roof incorporating two front dormer windows and new entrance lobby at ground floor level to side of existing car showroom. **Refused** 06/02/2004.
- 6.3. TP/03/1811 Construction of first floor to provide No.2. 2-bed self-contained flats with rooms in roof incorporating two front dormer windows and new entrance lobby at ground floor level to side of existing car showroom. **Refused** 07/11/2003.
- 6.4. TP/01/1218 Construction of first floor to provide residential unit with rooms in roof, above existing car showroom (originally granted permission under ref: GDO 5489 dated 18/08/53 and GDO 5489A dated 13/09/54). **Permission Granted with Conditions** 18/10/2001.
- 6.5. LDC/99/0299 Completion of the development granted by permissions dated 15/08/53 (GDO 5489) and 13/09/54 (GDO 5489A) is lawful. **Granted** 25/02/2000.

Enforcement

- 6.6. ENF/22/0870 Alleged large structure been built in front of shop no planning permission. The structure concerned is the timber open sided structure to the Acacia Road frontage, which would be removed if this application is approved. Enforcement action is therefore currently pending the outcome of this application.
- 6.7. ENF/20/0802 Alleged untidy roof. **Case Closed** 15/02/2021.
- 6.8. ENF/17/0233 Alleged tyres on top of wooden structure. **Case Closed** 19/11/2019.

7. Consultation

Statutory and Non-Statutory Consultees

Transportation

- 7.1. Transportation raises no objection.

Environmental Health

- 7.2. Environmental Health raises no objection to the application subject to conditions, as there is unlikely to be any negative environmental impact. In particular, no concerns are raised regarding air quality or contaminated land.

SuDS

- 7.3. SuDS requires source control SuDS measures (e.g., green roof, rain gardens and permeable paving) to be utilized for this development.
- 7.4. Comments from Environmental Health, Transportation and SuDS to be captured as part of the assessment in the Analysis section.

Public Consultation

- 7.5. Consultation letters were sent to (23) neighbouring and nearby properties dated 09.02.2023 to 05.03.2023. In response (8) objections were received which in summary, raises the following points:

Summary of responses

- Close to adjoining properties
- Inadequate parking provision
- Noise nuisance
- Anti-social behaviour
- Out of keeping with character of area
- Over development
- Strain on existing community facilities
- Traffic related issues
- Information missing from plans
- Loss of light
- Inadequate access
- Increase of pollution

Officers' response

The development description and existing plans have been amended due to concerns raised during public consultation. The matters raised are assessed in the 'Principle of Development', 'Character and Design', 'Neighbouring Residential Amenity' and 'Access, Traffic, and Parking' sections of this report.

8. Relevant Planning Policies

- 8.1. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee have regard to the provisions of the development plan so far as material to the application: and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Enfield Core Strategy (2010); the Enfield Development Management Document (2014); and The London Plan (2021).

The London Plan (2021)

- 8.3. The London Plan together with Enfield's Local plan forms the Development Plan for this application. It is the overall strategic plan for London setting out an integrated economic, environmental, transport and social Framework for the development of London for the next 20-25 years. The following policies of the London Plan are considered particularly relevant:

Policy SD6	–Town centres and high streets
Policy SD7	–Town centres: development principles and development plan documents
Policy D3	– Optimising Site Capacity through the Design-Led Approach
Policy D4	– Delivering Good Design
Policy D14	– Noise
Policy S12	– Flood risk management
Policy T2	– Healthy Streets
Policy T3	– Transport capacity, connectivity and safeguarding
Policy T4	– Assessing and mitigating transport impacts
Policy T5	– Cycling
Policy T6	– Car parking

Enfield Core Strategy (2010)

- 8.4. The Core Strategy was adopted in November 2010 and sets out a spatial planning framework for the development of the Borough through to 2025. The document provides the broad strategy for the scale and distribution of development and supporting infrastructure, with the intention of guiding patterns of development and ensuring development within the Borough is sustainable. The following policies of the Core Strategy is considered particularly relevant:

- Policy CP13 – Promoting economic prosperity
- Policy CP16 – Economic success and Skills
- Policy CP24 – The Road Network
- Policy CP25 – Pedestrians and Cyclists
- Policy CP30 – Maintaining and Improving the Quality of the Built Environment and Open Environment
- Policy CP32 – Pollution

Enfield Development Management Document (2014)

- 8.5. The Council's Development Management Document (DMD) provides further detail and standard based policies by which planning applications should be determined. Policies in the DMD support the delivery of the Core Strategy. The following local plan Development Management Document policies are considered particularly relevant:

- Policy DMD6 – Residential character
- Policy DMD25 – New Retail, Leisure and Office Development
- Policy DMD28 – Large Local Centres, Small Local Centres and Local Parades
- Policy DMD37 – Achieving High Quality and Design-Led Development
- Policy DMD39 – The design of business premises
- Policy DMD45 – Parking standards and layout
- Policy DMD47 – Access, new roads, and servicing (peds, cyclists, vehicular access, refuse, operations for nurseries)
- Policy DMD61 – Managing surface water
- Policy DMD68 – Noise

Use Classes

From 1 September 2020, the Town and Country Planning (Use Classes) Order 1987 was amended. Former Use Class, A1/2/3 (retail, financial and professional services, cafes and restaurant) and B1 (offices) are to be treated as Class E.

9. Analysis

Principle of Development

- 9.1. The principle of an extension to the side of the existing building to provide seating to support the existing lawful use is acceptable in this location. However, this acceptability in principle must be balanced against the impact on the character of the area, neighbouring amenity, the local highway and sustainable design.

- 9.2. A number of objections have been raised regarding the lawful use of the site operating as a butcher and a café and serving food on the premises. There has also been concerns that if permission is granted the shop would be converted into a restaurant. The Business and Planning Act 2020 introduced a significant change to the Use Classes Order 1987. Essentially, the new regulations (effective from 1 September 2020) introduce a broad category of 'commercial, business and service' uses, known as Class E. The new Class E effectively amalgamates the former Class A1 (retail), Class A2 (financial and professional services), A3 (restaurants/cafes), B1 (offices) along with health/medical uses, creches, nurseries (all formerly D1 uses) and indoor sports/recreation (formerly D2 use). The premises has historically been used for retail purposes. The amalgamation of the use classes allowed the introduction of a café without the need for planning permission. The use of the site as a butchers and café is therefore lawful and this application does not propose changing that use.

Design, Appearance & Impact on the character

- 9.3. Policy CP 30 of the Core Strategy requires new development to be of high-quality design and in keeping with the character of the surrounding area. Policy DMD 37 sets out criteria for achieving high quality and design led development and seeks to resist development that is inappropriate to its context or fails to have appropriate regard to its surroundings. Policy DMD 39 requires that an active frontage is retained, and the design of the frontage is compatible with the use of the premises and the surrounding area.
- 9.4. The subject site is located on the corner, on the northern side of Lancaster Road between the junction with Acacia Road. Immediately to the east of the site is a petrol station. To the rear of the site on Acacia Road is a motorcycle service garage which separates the shops from the run of residential terraces along Acacia Road. In the surrounding context along Lancaster Road is a local parade with a mix of both commercial properties on the ground floor and residential above.
- 9.5. The plans show that the proposed extension would be finished in materials consistent with the existing building, by enclosing the side extension with transparent glass on both the front, rear, and side elevations. The proposed extension would be set back from the front elevation by approximately 1 metre, with a width of approximately 3 metres and a height of approximately 4 metres with a flat roof to match the height of the existing shop. The proposed extension would extend the full depth of the existing shop along Acacia Road. The proposed extension would retain an active frontage along Lancaster Road, and the height, scale and siting of the development would visually relate to the host building. It would not result in a visually intrusive or discordant form of development in this location.

Neighbouring Residential Amenity

- 9.6. Policy D3 of the London Plan (2021) states that developments should have appropriate regard to their surroundings, and that they improve the environment in terms of residential amenity. Policy DMD68 states that development that generate or would be exposed to an unacceptable level of noise will not be permitted.
- 9.7. Environmental Health do not object to the proposal and comment that there is unlikely to be a negative environmental impact or an impact on residential amenity. In particular there are no concerns regarding air quality or odour.
- 9.8. A number of objections have been raised regarding noise and disturbances experienced from the existing use of the site (Use Class E) and patrons congregating outside the shop. Whilst the comments are noted, the use of the site is lawful. This application is not considering the use of the site but whether the proposed single storey side extension to the existing building is acceptable. It is considered that the proposed extension in itself would not have an adverse impact on the amenities of nearby residents in terms of light, outlook or privacy
- 9.9. It is acknowledged that an extension as proposed and its use for seating increases the capacity of the premises to accommodate customers and that this increase in activity needs to be considered in the context of its impact on residential amenity. The outdoor space around the shop is presently used by customers of the premises. The proposed extension would internalise this use by enclosing the space, so customers are seated within the building rather than outside. This in itself could have a positive impact. The entrance to the premises will be focused to the Lancaster Road frontage, away from the more noise sensitive predominantly residential properties in Acacia Road. In this context, the extension of a commercial premises used for a purpose appropriate to its location within a commercial centre is considered acceptable and will not in itself impact the amenities of the occupiers of nearby properties. A condition is recommended to control the hours of use, given the expansion of the premises to accommodate additional seating and having regard to the inter-relationship with the residential properties nearby

Access, Traffic, and Parking

- 9.10. The Transport officer noted that the existing private forecourt area around the building is often being used for unauthorised parking of cars and motorbikes with drivers evidently driving over the unreinforced kerb to access the land. The proposed extension would remove the unauthorised parking as the current situation provides no benefit to the highway.
- 9.11. The proposed extension would not extend past the existing building line on Lancaster Road, therefore visibility at the junction of Lancaster Road and Acacia Road would not be affected by the proposal.
- 9.12. The existing premises has a gross internal floorspace of approximately 89 square metres. The proposed single storey side extension would add an additional 41 square metres. In accordance with Policy T5 of the London Plan a minimum of 1 short cycle parking space must be provided. A condition is recommended to secure the provision of the cycle parking space.

Flood/ Surface water risk

- 9.13. The site is located in Flood Zone 1 and is in an area with high surface water flood risk and therefore in accordance with DMD policy, source control SuDS measures (e.g. green roof, rain gardens and permeable paving) should be utilised. A condition is recommended to address this.

Other Matters

- 9.14. Objections have been received from local residents advising that should this planning application be granted and the extension constructed, the applicant has plans to operate the premises as a restaurant. The current use is a butcher and café which falls within Class E. A restaurant would also fall within Use Class E and would not therefore require planning permission. Nevertheless, this application is not proposing the change of use of the site. The application currently under consideration is for a single storey side extension to provide an enclosed seating area. If at any time in the future a planning application is submitted proposing to change the use of the premises from Class E or for further extensions to the property, they would be assessed on their merits at that time.

Community Infrastructure Levy (CIL)

- 9.15. The site is located within the intermediate rate charging zone of £60 per sqm as per the Council's adopted CIL charging schedule as of April 2016. Given the proposed extension be below 100 per sqm it would not be CIL liable.

10. Public Sector Equality Duty

- 10.1 In accordance with the Public Sector Equalities Duty, it is considered the proposal would not disadvantage people who share one of the different nine protected characteristics as defined by the Equality Act 2010 compared to those who do not have those characteristics.

Conclusion

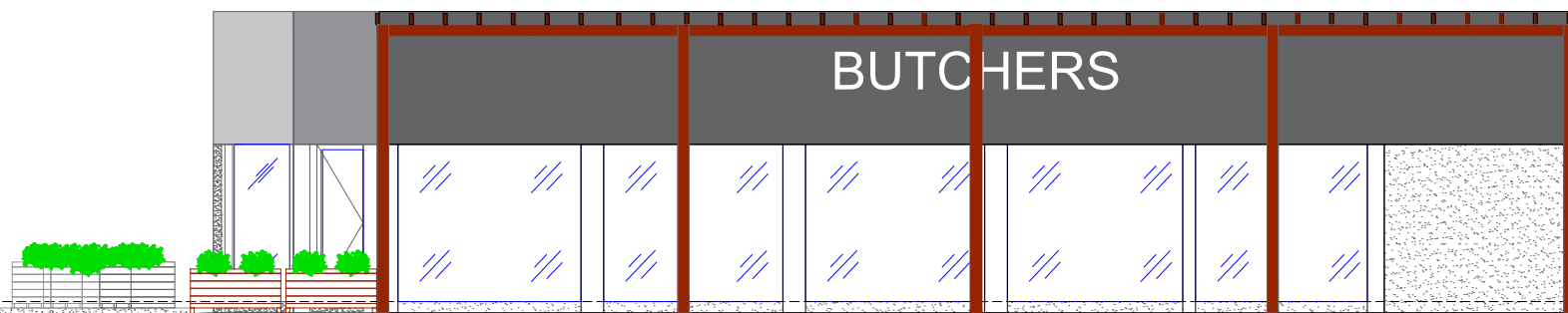
- 10.1. The proposed single storey side extension would not detract from the vitality, function or character of the surrounding area.
- 10.2. In addition, it is considered the proposed enclosed extension would not cause any undue harm to the amenities of neighboring residential properties. The proposal would not harm the safety and free flow of traffic on the adjoining highway and subject to condition would not increase surface water flood risk.
- 10.3. The proposal is considered acceptable in relation to Policies D4, D14, T4, T5 of the London Plan (2021), Policies CP 13 and CP 30 of the Council's Core Strategy (2010) and Policies DMD 25, DMD 37, DMD 39, DMD 45, DMD 68 of the Council's Development Management Document (2014).



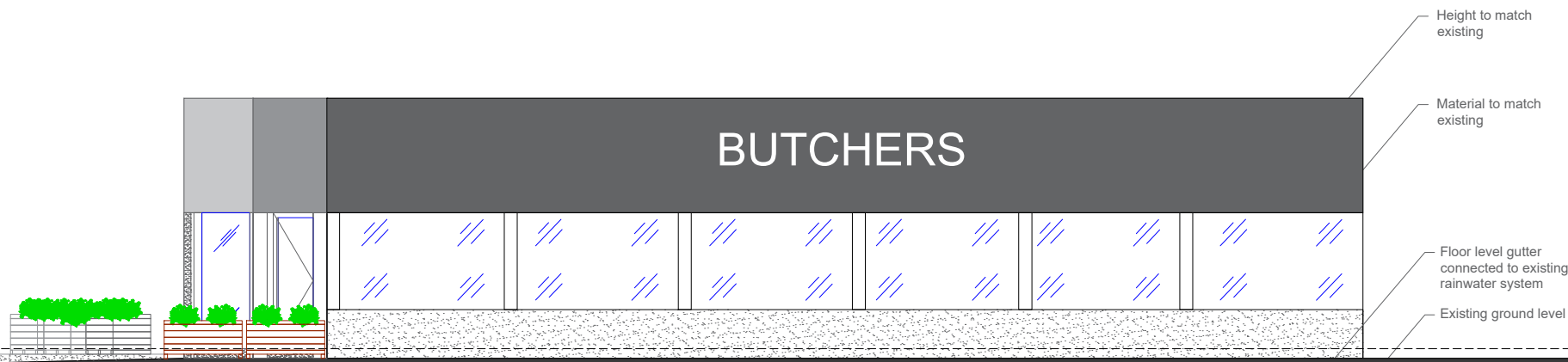
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GENERAL NOTES.

1. All dimensions are in mms. uno.
2. The contractor shall check all dimensions on site prior to any construction and report any discrepancy to the client.
3. The materials for new construction shall be generally similar to the existing so that the new work shall blend into the existing, unless noted otherwise.
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EXISTING EAST ELEVATION PLAN
(Acacia Road Facade)



PROPOSED EAST ELEVATION PLAN
(Acacia Road Facade)

CLIENT:
Mr Jean Da Silva

PROJECT NAME:
Shop side extension

ADDRESS:
69 Lancaster Road
London
EN2 0DW

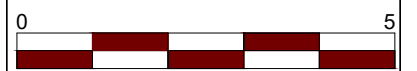
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Shop Elevations Plan - Front facade
Existing and Proposal

PROJECT NUMBER:
05012023-1

DATE:
11/04/2023

SCALE:
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SHEET:
ARR - 03B





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CLIENT:

Mr Jean Da Silva

PROJECT NAME:

Shop side extension

ADDRESS:

69 Lancaster Road
London
EN2 0DW

PAGE TITLE:

Floor Plan - Existing and Proposal

PROJECT NUMBER:

05012023-1

DATE:

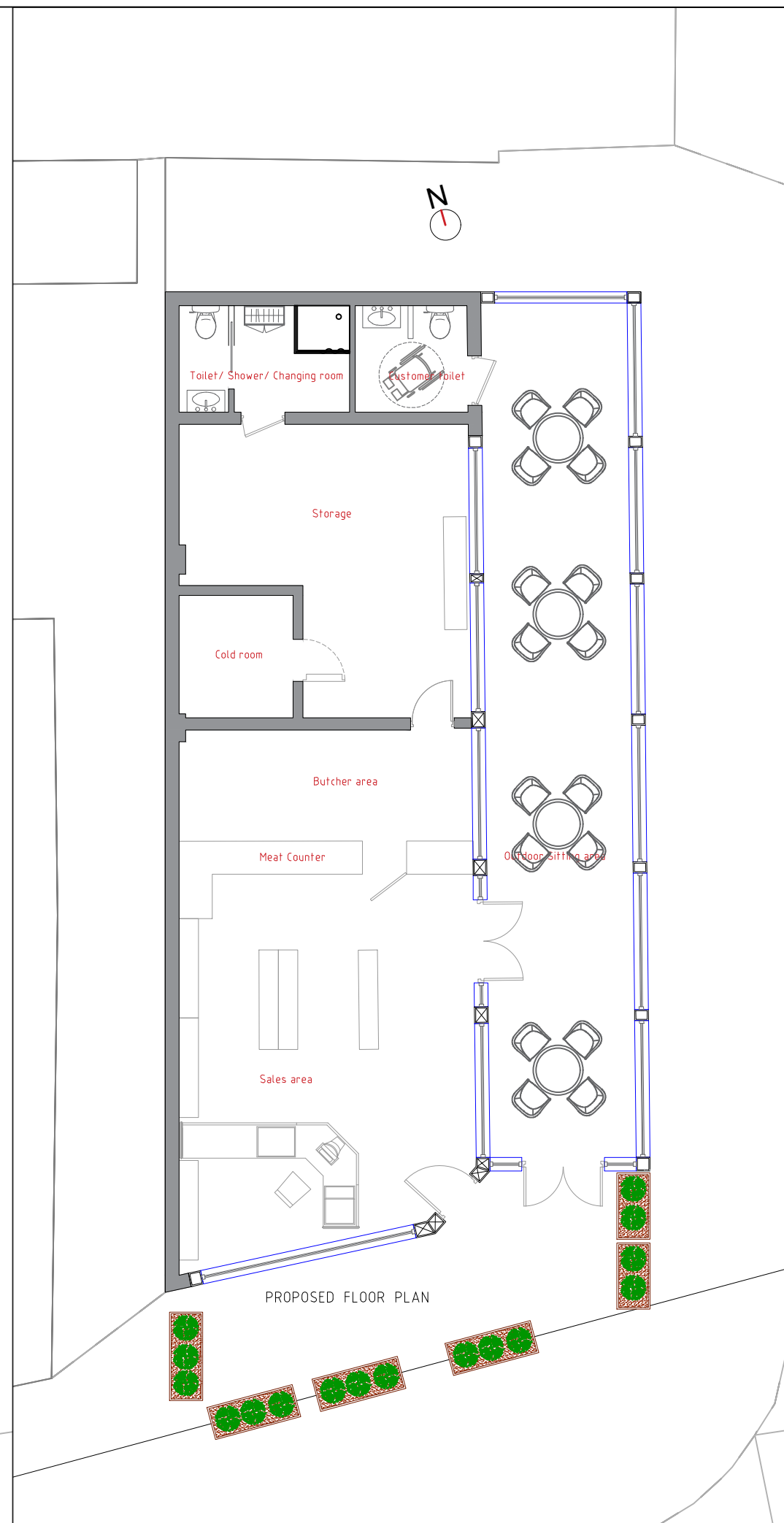
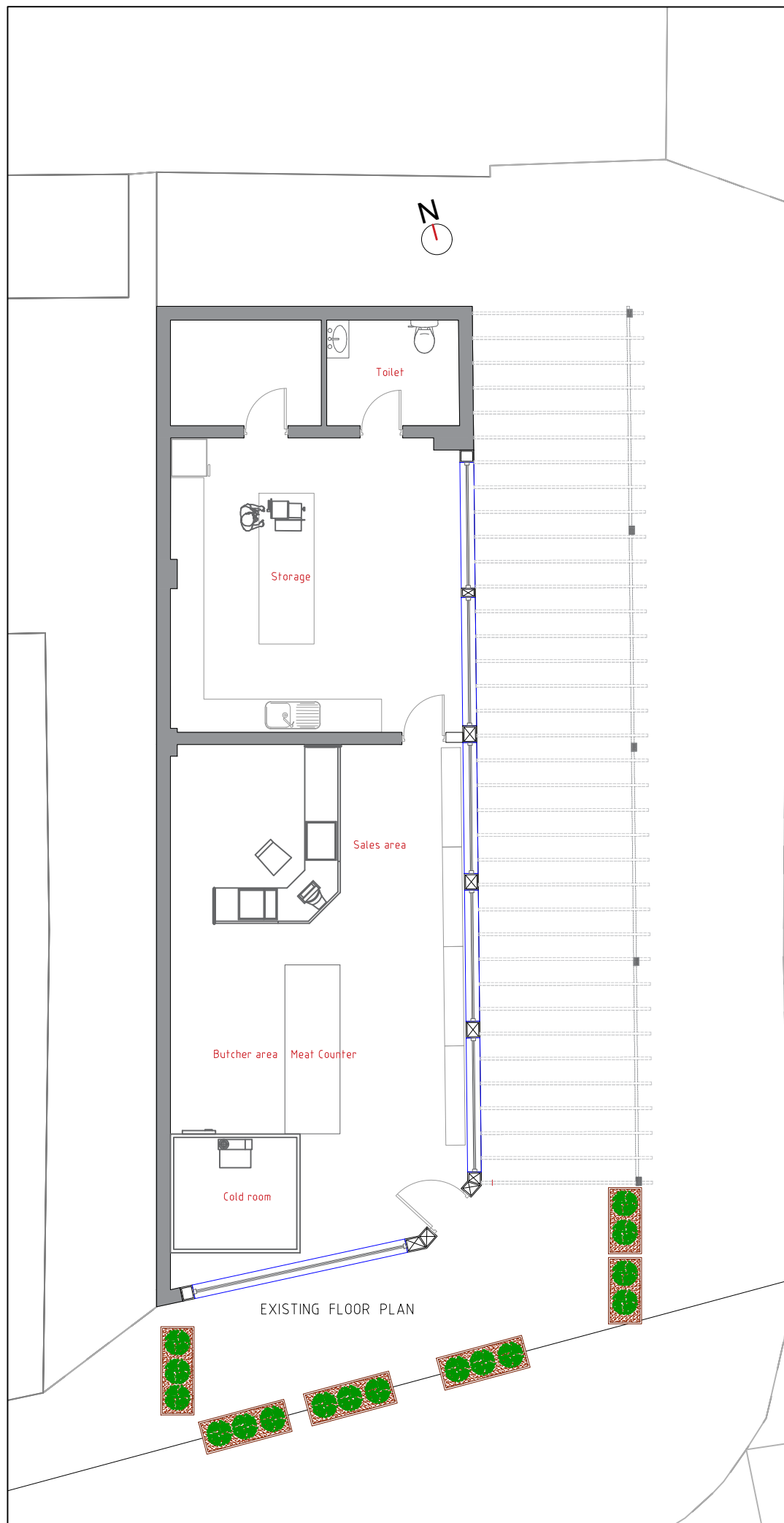
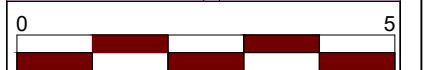
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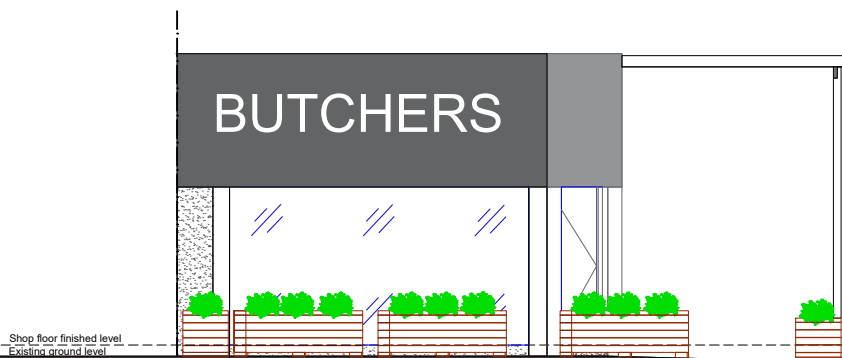




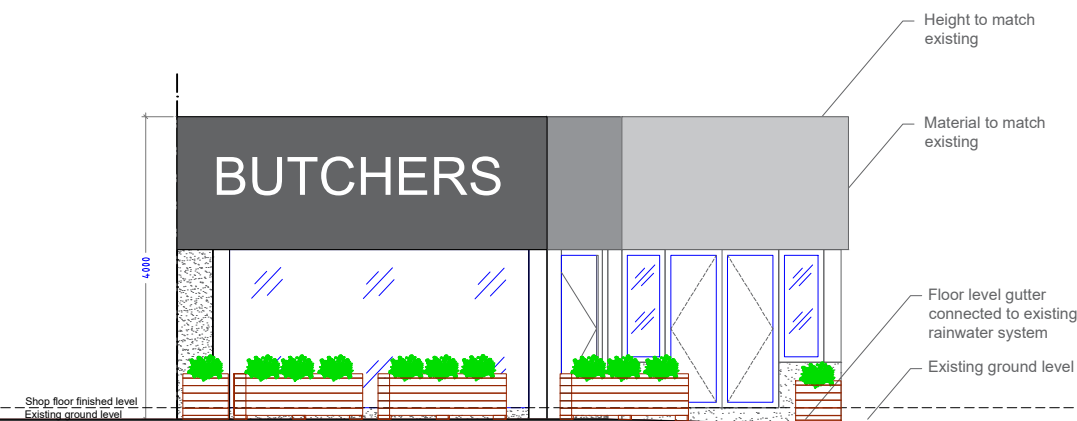
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EXISTING FRONT ELEVATION PLAN
(Lancaster Road Facade)



PROPOSED FRONT ELEVATION PLAN
(Lancaster Road Facade)

CLIENT:
Mr Jean Da Silva

PROJECT NAME:
Shop side extension

ADDRESS:
69 Lancaster Road
London
EN2 0DW

PAGE TITLE:
Shop Elevations Plan - Front facade
Existing and Proposal

PROJECT NUMBER:
05012023-1

DATE:
11/04/2023

SCALE:
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SHEET:
ARR - 03





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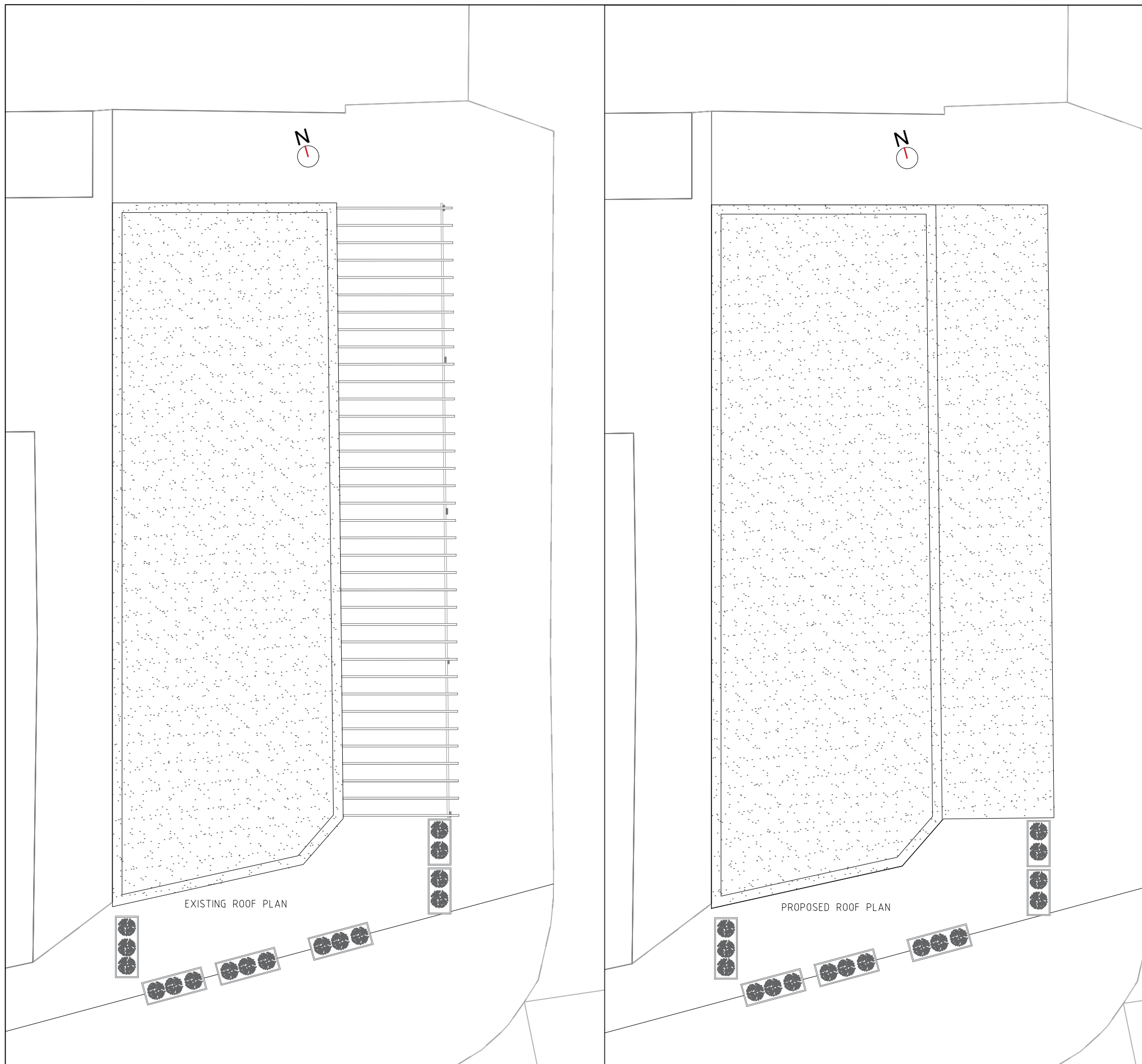
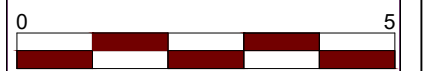
CLIENT:
Mr Jean Da Silva

PROJECT NAME:
Shop side extension

ADDRESS:
69 Lancaster Road
London
EN2 0DW

PAGE TITLE:
Roof Plan - Existing and Proposal

PROJECT NUMBER: 05012023-1	SHEET: AR - 02
DATE: 11/04/2023	
SCALE: 1:100 @ A3	



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LONDON BOROUGH OF ENFIELD**PLANNING COMMITTEE****Date: 23rd May 2023****Report of**Director of Planning &
Growth - Brett Leahy**Contact Officers:**Amma Busia
Sharon Davidson**Category**

Minor

Ward

Town

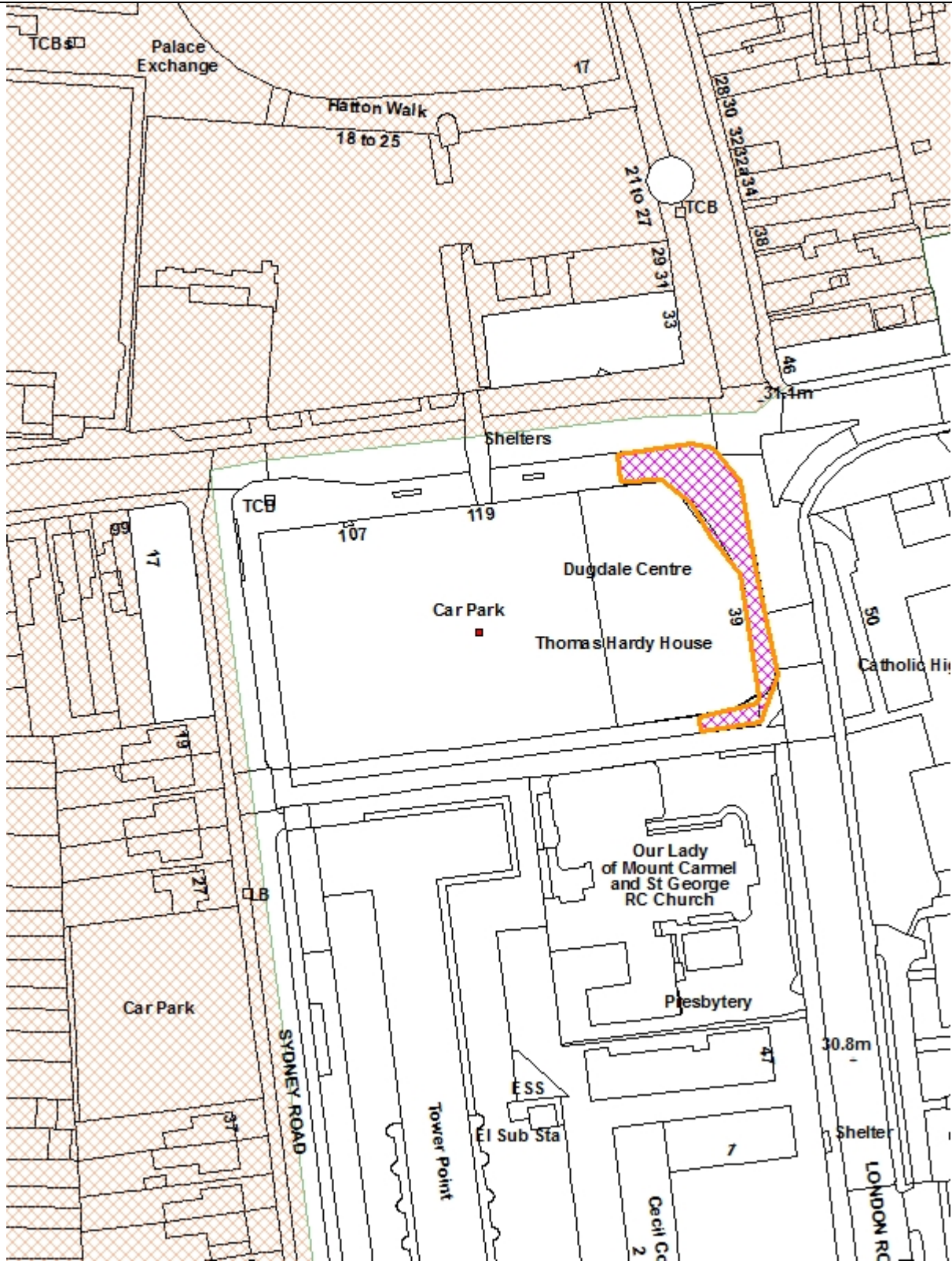
Councillor Request

No

LOCATION: Thomas Hardy House 39 London Road Enfield EN2 6DS**APPLICATION NUMBER:** 22/03389/RE4**PROPOSAL:** Installation of outdoor seating and tables**Applicant Name & Address:**London Borough of Enfield
Head of Cultural Development
Civic Centre
Enfield**Agent Name & Address:**TP Bennett LLP
One America Street
London**RECOMMENDATION:**

That in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 the Head of Development Management be authorised to GRANT planning permission subject to the following conditions

Ref: 22/03389/RE4 LOCATION: Thomas Hardy House, 39 London Road, Enfield, EN2 6DS



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Scale 1:1250

North



1. Note for Members

- 1.1. The application is reported to Planning Committee for determination in accordance with the scheme of delegation because the application site is Council owned.

2. Recommendation

- 2.1. That in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 the Head of Development Management be authorised to GRANT planning permission subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the decision notice.
2. Reason: To comply with the provisions of S.51 of the Planning & Compulsory Purchase Act 2004.
3. The development hereby permitted shall be carried out in accordance with the approved plans as set out in the attached schedule which forms part of this notice.

A11914 TPB ZZ 00 DR A 0401 P01

A11914 TPB ZZ 00 DR A 0402 P3

A11914 TPB ZZ 00 DR A 0400 P01

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

4. No development above existing ground level shall commence until details of the materials and specification for the outdoor seating and tables to be used shall be approved in writing by the Local Planning Authority. A schedule of materials and their use in the approved scheme is required and samples made available on site. A photograph showing all samples to be inspected must be submitted. The development shall be constructed in accordance with the approved details.

Reason: To ensure a satisfactory external appearance.

3. Executive Summary

- 3.1. Planning permission is sought for the installation of outdoor seating and tables.

The primary public benefits of the scheme can be summarised as follows:

- a) Create an engaging public realm for people of all ages, with opportunities for social interaction
- b) Promote vitality of the town centre;
- c) Promote an inclusive development by providing a location and service to all members of the local and wider community to gather.

Furthermore, it has been recognised that:

- The development by virtue of its town centre location would not unacceptably harm the amenity of occupying and neighbouring residents.

- The proposals would not cause any unacceptable harm upon highway safety or the flow of traffic in the locality.

3.2. The development would be appropriate and broadly in accordance with relevant National and Regional Policy, Core Strategy and Development Management policies.

4. Site and Surroundings

4.1. The site is located in Enfield Town, the principal commercial and administrative centre of the Borough, which is designated as a Major Centre. The public transport accessibility level (PTAL) of the site is 5 (Very Good).

4.2. The site is bound to the north by Cecil Road, to the east by London Road, to the south by Our Lady of Mount Carmel and St George Roman Catholic Church and Tower Point and to the west by Sydney Road.

4.3. The site is approximately 1.5ha and encompasses the single structure known as Thomas Hardy House. This building was constructed in the early 21st century as part of a wider town centre regeneration development. This building houses the Dugdale Centre - a theatre, café and museum, the Enfield Local Studies Library and Archive, conference facilities and offices occupied by the local Council, the Palace Exchange car park and two retailers (Iceland Foods and Lidl).

4.4. The site is located outside of the Enfield Town Conservation Area. However, the northern side of Cecil Road (opposite side of the road) and western side of Sydney Road (opposite side of the road) is located within the Enfield Town Conservation Area. There are no Listed Buildings, Scheduled Monuments or World Heritage Sites in the immediate vicinity. The Our Lady of Mount Carmel and St George Roman Catholic Church is however Locally Listed.

4.5. Thomas Hardy House is serviced from an access road to the south of the building, as are the adjoining retailers.

5. Proposal

5.1. The proposal seeks planning permission for the installation of permanent outdoor seating and tables that would sit against the face of the building.

6. Relevant Planning History

Application site Thomas Hardy House

21/04659/CND Details pursuant to ref: 21/00754/RE4: Construction Management Plan (8), for the change of use of part ground and first floor from community (Class F1) to office (Class E) use with associated external alterations, replacement plant and cycle parking. GRANTED 11/03/2022.

21/04619/CND Details submitted pursuant to reference 21/00754/RE4: acoustic report (4) in respect of change of use of part ground and first floor from community (Class F1) to office (Class E) use with associated external alterations, replacement plant and cycle parking. GRANTED 25/01/2022.

21/02732/CEA Installation of two air source heat pumps. GRANTED 15/09/2021.

21/00754/RE4 Change of use of part ground and first floor from community (Class F1) to office (Class E) use with associated external alterations, replacement plant and cycle parking. GRANTED 26/08/2021.

No.109-111 Cecil Road

TP/03/2030/4 - Details of shopfront for Unit LSU4 submitted pursuant (in part) to Condition 04 of approval under Ref: TP/03/2030 and Condition 04 of approval under Ref: TP/00/0977/7 for development involving retail space, cultural facility and multi-storey car park in association with the Enfield Town Centre development. GRANTED 29/ 11/2007.

TP/03/2030/VAR1 - Variation of condition 21 of Ref:TP/00/0977, condition 10 of Ref:TP/00/0977/7 and condition 09 of Ref:TP/03/2030 to allow extension of delivery times to 0700 - 1900 hours Mondays to Saturdays and 0800 - 1800 hours on Sundays for Unit LSU3. Refused 11 Oct 2007. Appeal allowed 08/ 05/ 2008.

TP/03/2030 - Redevelopment of site to provide retail floor space, cultural facility including library and multi-storey car park in association with the comprehensive redevelopment of land at Enfield Town Centre under planning permission Ref:TP/00/0977. Granted with Conditions 25/ 08/ 2004.

Known as Enfield Town Centre

20/03575/LBEPRE - Proposed change of use of part ground and first floor from community (Class F1) to office (Class E) use with associated external alterations. Date Issued 05/12/2020.

TP/00/0977/44 - Revised details of a scheme for external lighting (initially approved in 15 December 1004 under ref: TP/00/0977/27) submitted pursuant to condition 10 of approval under Ref: TP/00/0977/2 for Enfield Town Centre redevelopment (reserved matters application). 13/02/2007.

TP/00/0977/41 - Details of the treatment of the common boundary with Nos. 21-27 London Road, involving construction of an externally illuminated word-wall, submitted pursuant to condition 07 of approval under Ref:TP/00/0977 for Enfield Town Centre redevelopment. Approved 05/ 01/2007.

TP/00/0977/48 - Submission of details as follows in respect of redevelopment of the Town Centre: Planting / landscaping, cycle parking and street furniture pursuant to conditions 04, 13 & 25 of approval under Ref:TP/00/0977; Link bridge, fountain island, treatment of George Mews, landscaping within the retail development and landscaping/enclosure for the civic facility and multi-storey car park pursuant to conditions 02, 05, 08, 09 & 13 of approval under Ref:TP/00/0977/2; Link bridge and landscaping/enclosure for the civic facility and multi-storey car park pursuant to conditions 02 & 09 of approval under Ref:TP/00/0977/7; Link bridge and landscaping/enclosure for the civic facility and multi- storey car park pursuant to conditions 02 & 08 of approval under Ref:TP/03/2030. Approved 15/12/ 2006.

TP/00/0977/45 Revised details of external materials submitted pursuant to condition 01 of approval granted under ref: TP/00/0977/35 and conditions 1 and 3 of TP/00/0977/2, TP/00/0977/7 (reserved matters applications) and TP/03/2030 (full application) for Enfield Town Centre redevelopment (Cecil Road Block). Approved 18/12/2006.

TP/00/0977/35 - Revised details of external appearance (Cecil Road block only) pursuant to condition 3 of the outline planning permission granted under Ref: TP/00/0977 for the redevelopment of the site for retail, leisure, library and cultural facility, multi-storey car park and associated road works. Granted with Conditions 16/12/2005.

TP/00/0977/11 - Approval of proposed shopfronts and facility for security grills integral to the design (Unit LSU2 only), pursuant to condition 4 of Planning Approval Ref TP/00/0977/2 dated 11/12/01 for the related Approval of Details submission regarding the details of siting, design, external appearance, materials of construction, and servicing arrangements pursuant to conditions 1, 2 (part only), 3, 24 of the outline planning permission granted under Ref: TP/00/0977 for the redevelopment of the site for retail, leisure, library and cultural facility, multi-storey car park and associated road works. Approved 19/08/2003.

TP/00/0977 - Demolition and part demolition of buildings and structures together with comprehensive redevelopment for retail (Class A1/A2/A3), leisure (Class D2), and cultural facility including library (Class D1) together with car parking and servicing, alterations to existing highway including permanent stopping up of Sydney Road (between Cecil Road and Church Street) and extension to Genotin Road to link London Road, landscaping and other ancillary works. Granted with Conditions 03/05/2001.

Redwood House (33 London Road)

20/01920/FUL - Construction of a part 4th,5th and 6th floor rooftop extension with terraces to provide 7 self-contained units. Approved 11/01/ 2022.

7. Consultation

Statutory and Non-Statutory Consultees

Transportation

- 7.1. No objection, subject to the strip of land located in front of the site intended to accommodate permanent tables and chairs being “stopped up” using powers under section 247 of the Town and Country Planning Act 1990.

Public Consultation

- 7.2. Consultation letters were sent to (31) neighbouring and nearby properties dated 14.10.2022 to 07.11.2022. No comments were received at the time of writing this report.

8. Relevant Planning Policies

- 8.1. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the development plan so far as material to the application: and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Enfield Core Strategy (2010); the Enfield Development Management Document (2014); and The London Plan (2021).

The London Plan (2021)

- 8.3. The London Plan together with Enfield's Local Plan forms the Development Plan for this application. It is the overall strategic plan for London setting out an integrated economic, environmental, transport and social Framework for the development of London for the next 20-25 years.
- 8.4. The following policies of the London Plan are considered particularly relevant:

Policy GG1	Building strong and inclusive communities
Policy GG2	Making the best use of land
Policy GG3	Creating a healthy city
Policy GG5	Growing a good economy
Policy GG6	Increasing efficiency and resilience
Policy SD6	Town centres and high streets
Policy D4	Delivering good design
Policy D5	Inclusive design Policy
Policy S1	Developing London's social infrastructure
Policy HC1	Heritage conservation and growth
Policy T2	Healthy Streets
Policy T3	Transport capacity, connectivity and safeguarding
Policy T4	Assessing and mitigating transport impacts

Enfield Core Strategy: 2010

- 8.5. The Core Strategy was adopted in November 2010 and sets out a spatial planning framework for the development of the Borough through to 2025. The document provides the broad strategy for the scale and distribution of development and supporting infrastructure, with the intention of guiding patterns of development and ensuring development within the Borough is sustainable.
- 8.6. The following policies of the Core Strategy is considered particularly relevant:

Policy CP9	Supporting community cohesion
Policy CP11	Recreation, Leisure, Culture and Arts
Policy CP13	Promoting economic prosperity
Policy CP17	Town Centres
Policy CP24	The road network
Policy CP25	Pedestrians and cyclists
Policy CP26	Public transport
Policy CP30	Maintaining and improving the quality of the built and open environment
Policy CP31	Built and Landscape Heritage

Enfield Development Management Document (2014)

- 8.7. The Council's Development Management Document (DMD) provides further detail and standard based policies by which planning applications should be determined. Policies in the DMD support the delivery of the Core Strategy.
- 8.8. The following local plan Development Management Document policies are considered particularly relevant:

Policy DMD17 Protection of Community Facilities
Policy DMD25 Locations for New Retail, Leisure and Office Development
Policy DMD37 Achieving High Quality Design-Led Development
Policy DMD42 Design of Civic/Public Buildings and Institutions '
Policy DMD44 Conserving and Enhancing Heritage Assets
Policy DMD47 Access, new roads, and servicing (pedestrians, cyclists, vehicular access, refuse, operations for nurseries)
Policy DMD79 Ecological Enhancements
Policy DMD81 Landscaping

Enfield Draft New Local Plan

- 8.9. Work on a New Enfield Local Plan has commenced so the Council can proactively plan for appropriate sustainable growth, in line with the Mayor of London's "good growth" agenda, up to 2041. The Enfield New Local Plan will establish the planning framework that can take the Council beyond projected levels of growth alongside key infrastructure investment.
- 8.10. As the emerging Local Plan progresses through the plan-making process the draft policies within it will gain increasing weight but at this stage it has relatively little weight in the decision-making process.

Other relevant policy and guidance

TfL London Cycle Design Standards (2014)
GLA: Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)
GLA: Shaping Neighbourhoods: Character and Context SPG (2014)
GLA: London Sustainable Design and Construction SPG (2014)
GLA: Accessible London: Achieving an Inclusive Environment SPG (2014)
Healthy Streets for London (2017)
Manual for Streets 1 & 2, Inclusive Mobility (2005)
National Design Guide (2019)

9. Analysis

Principle of Development

- 9.1. Built in the early 2000s, as part of the 'Enfield Town Centre Phase II Redevelopment' (Ref: TP/00/0977), Thomas Hardy House was a major objective within the Council's Leisure Strategy and an opportunity to provide a fully accessible community facility incorporating theatre, archive, local history museum and a new central library directly linked at first floor level, thus helping to meet lifelong learning and social inclusion objectives coupled with the art gallery and performance spaces at ground floor level. The provision at first floor level of a new central library was subsequently replaced at the development stage, with conference facilities provided instead, following the refurbishment of the nearby Enfield Town Library on Church Street.
- 9.2. Thomas Hardy House and specifically the Dugdale Centre has more recently comprised a theatre, café and museum at ground floor level, the Enfield Local Studies Library and Archive and conference facilities at first floor level, and the offices of the Children and Family Services at second floor of the building.
- 9.3. The previously approved scheme relocated the Enfield Local Studies Library and Archive at first floor level to a newly formed space meeting the National Archive accreditation standards within the Civic Centre via a temporary home at the Ridge Avenue Library (Winchmore Hill). The conference facilities at first floor level within the Dugdale Centre would be replaced in a refurbished ground floor of the Civic Centre which would also see a newly formed meeting and training hub, capable of hosting public meetings.
- 9.4. At ground floor level, the Dugdale Centre would still retain the theatre, café and museum, with a greater capacity to host meetings, conferences and training events. These changes have already been granted planning permission.
- 9.5. It is considered that the proposal to provide outdoor seating and tables in relation to its town centre location would create an engaging public realm for people of all ages, with opportunities for social interaction, whilst also promoting cultural and social wellbeing. The principle is acceptable.

Design, Appearance & Impact on the character

- 9.6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas.
- 9.7. Chapter 12 (“Achieving well-designed places”) of the NPPF outlines the importance of good design to the built environment. Paragraph 130 outlines a number of criteria that planning policies and decisions should aim to ensure of developments. Of most relevance in this case are those sections which relate to local distinctiveness, character and integration of development into the built environment in that the proposal should aim to be “sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)”
- 9.8. London Plan policy HC1 (“Heritage conservation and growth”) advises that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 9.9. Enfield Core Strategy Policy CP30 (“Maintaining and improving the quality of the built and open environment”) seeks to ensure that new developments are high quality and design-led, having regard to their context while Policy CP31 (“Built and Landscape Heritage”) of the of the Core Strategy sets out a requirement that development should conserve and enhance designated and non-designated heritage assets.
- 9.10. Policy DMD37 (“Achieving High Quality Design-Led Development”) states that development that is not suitable for its intended function that is inappropriate to its context, or which fails to have appropriate regard to its surroundings, will be refused. However, it also recognised there is a degree of subjectivity in this assessment of acceptable design.
- 9.11. Enfield Development Management Document Policy DMD42 (“Design of Civic/Public Buildings and Institutions”) states that Civic buildings, institutions and other buildings providing services to the public, must be designed to a high standard and have prominence within their community.
- 9.12. Policy DMD44 (“Conserving and Enhancing Heritage Assets”) states that development which fails to conserve and enhance the special interest, significance or setting of a heritage asset will be refused. The design, materials and detailing of development affecting heritage assets or their setting should conserve the asset in a manner appropriate to its significance.
- 9.13. Thomas Hardy House is in a prominent location on the corner of London Road and Cecil Road. It has a strong presence in the local townscape, being visible in the approach from the east from Genotin Road and in views north and south along London Road.
- 9.14. Whilst the application site itself does not fall within a relevant designation, opposite the site is the Enfield Town Conservation Area (a designated heritage asset), and the impact of the development upon its setting should therefore be considered.

- 9.15. The proposed outdoor seating and tables would sit up against the face of the building and would not look out of place in the context of the surrounding area. Therefore, the proposal would not harm the setting of the adjacent Conservation Area. However, this is a prominent location and therefore it is important to ensure that the seating is appropriate in terms of quality/specification and therefore a condition is recommended requiring the submission of details.

Neighbouring Residential Amenity

- 9.16. Enfield Core Strategy Policy CP9 (“Supporting community cohesion”) promotes attractive, safe, accessible and inclusive neighbourhoods while Core Strategy Policy CP30 (“Maintaining and improving the quality of the built and open environment”) seeks to ensure that new developments are high quality and design-led, having regard to their context.
- 9.17. The surrounding area is a mix of commercial and residential. The proposed outdoor seating and tables, in this vibrant town centre setting, is considered minimal and would not have any significant impact on the amenities of nearby residents.

Highways

- 9.18. The Traffic and Transportation team were consulted and raised no objection to the proposed permanent seating and tables that sits against the face of the building subject to a stopping up order. They raised concerns about the informal permanent seating and planters within the central section that would sit on currently adopted highway. This central section does not form part of the application under consideration. It is shown on the plans indicatively and would be subject to a S115EB License under the Highways Act which would be applied for separately.

Community Infrastructure Levy (CIL)

- 9.19. The development is not CIL liable given the nature of the proposal.

10. Public Sector Equalities Duty

- 10.1 In accordance with the Public Sector Equalities Duty, it is considered the proposal would not disadvantage people who share one of the different nine protected characteristics as defined by the Equality Act 2010 compared to those who do not have those characteristics.

11. Conclusion

- 11.1. Having regard to the above assessment, it is considered the proposal is acceptable for the following reasons:

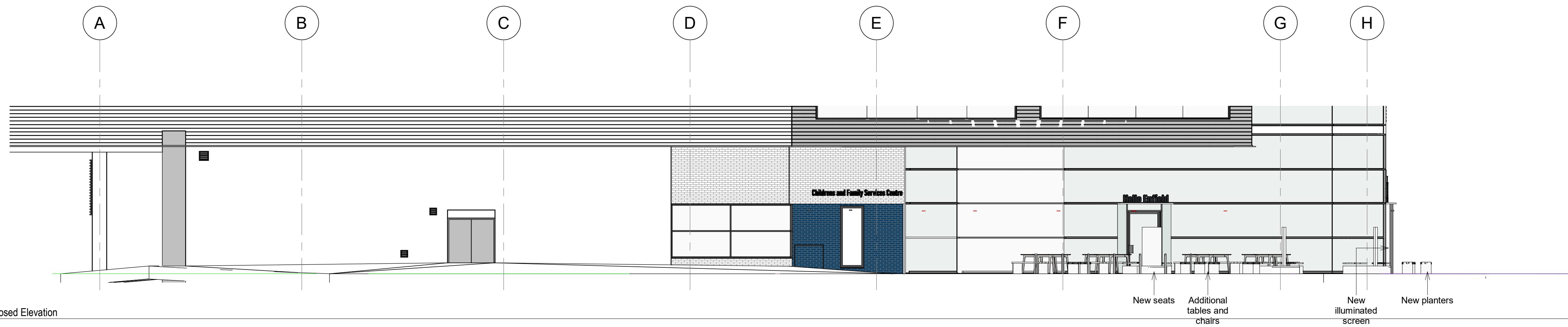
- The proposal would allow the approved scheme to continue to contribute positively to the aims of the original proposal, which was to provide a suitable replacement community facility that maintains public provision and accessibility.
- The proposal would not cause harm to the vitality and viability of the Major Centre of the borough and would not result in any harm to the character and appearance of the wider area and the adjacent Enfield Town

Conservation Area.

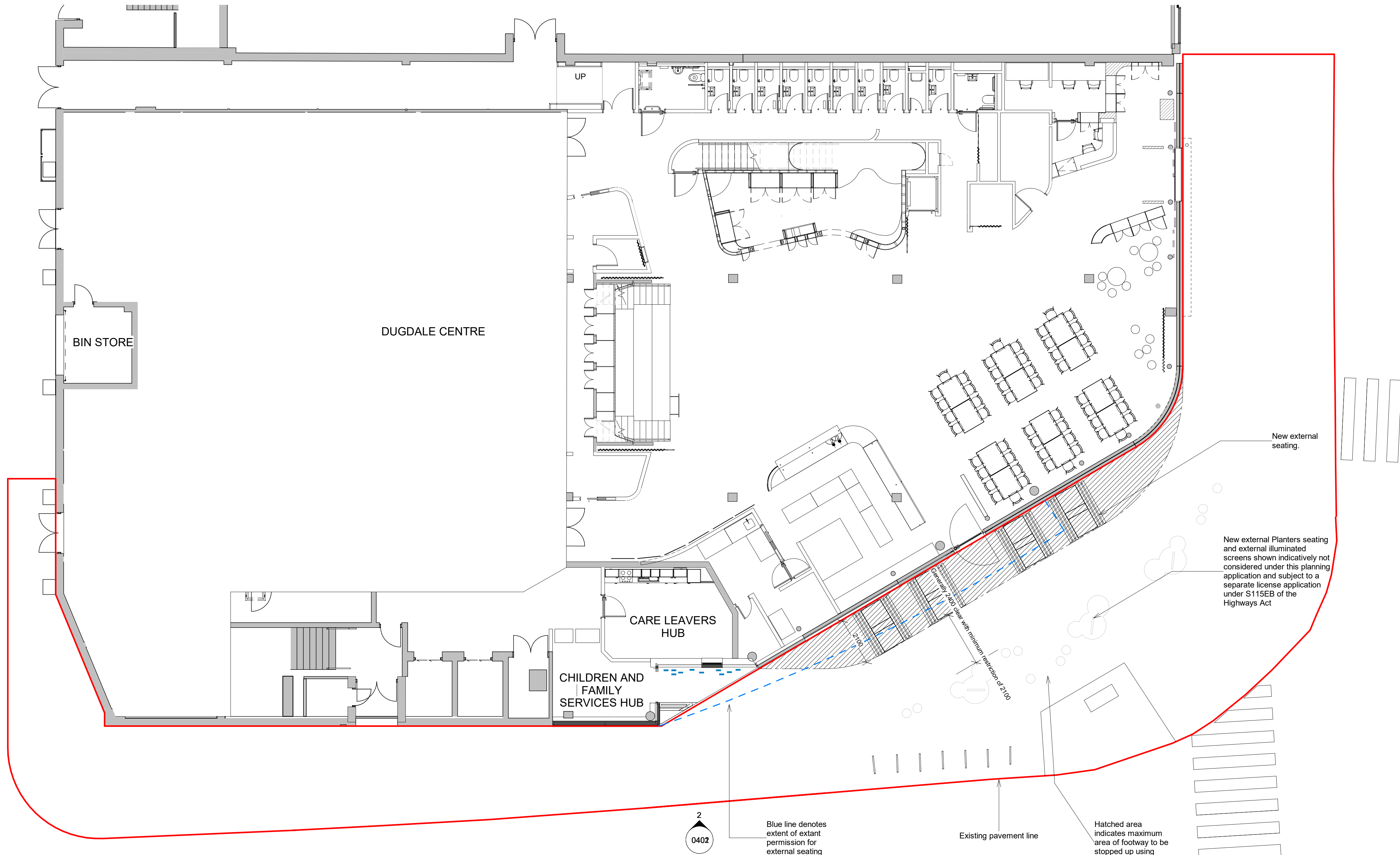
- it would not result in any harmful impacts upon the amenity of neighbouring or nearby residents.
- The proposal would not result in any significant harm to highway safety or the flow of traffic in the locality.

The development would be in accordance with relevant National and Regional Policy, the Core Strategy and Development Management Document policies.

2 0402_Proposed Elevation
1:100



1 0402-Proposed Ground Floor Plan
1:100

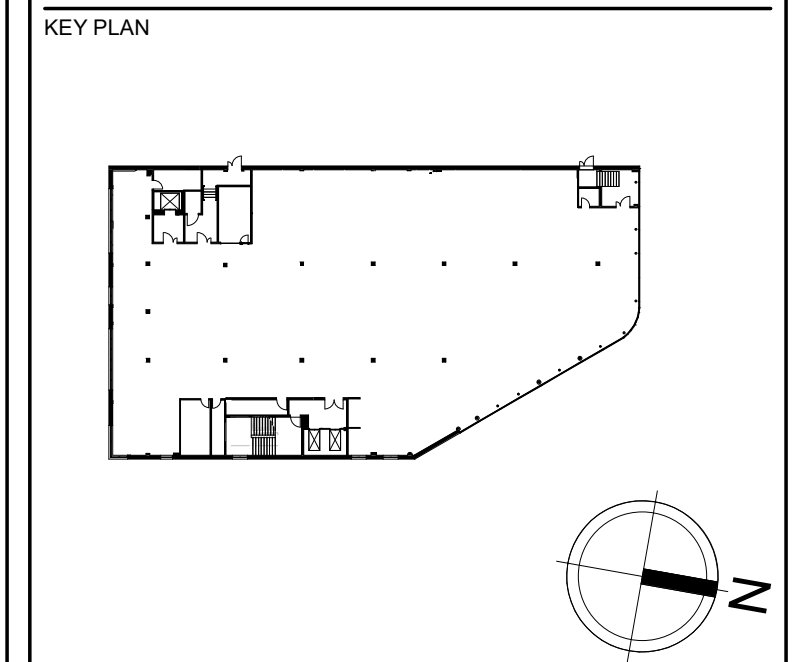


CLIENT
Enfield Council

STRUCTURAL ENGINEER
Pick Everard

SERVICES ENGINEER
Pick Everard

CONSULTANT



NOTES:

CHECK DIMENSIONS ON SITE AND REPORT DISCREPANCIES TO THE ARCHITECT.

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No.	Date	Comments	Drawn	Checked
P1	06/05/2023	Annotation updates	JC	AC
P2	06/05/2023	Blue line added - annotation updates	JC	AC
P3	06/05/2023	Redaction coverage, where and areas needed to allow clear visibility to be provided to drivers	JC	AC
P4	06/05/2023	Planning issue	JC	AC

Issue Status

Planning

tp bennett
architecture
interiors
planning

One America Street | London SE1 0NE UK +44 (0) 20 7208 2000 | www.spbennett.com

Project
Thomas Hardy House
39 London Road
London, EN2 6DS

Drawing Title
Proposed Ground Floor Plan

Drawn	Date	Scale @ A1	Alt. Ref.
Author	1:100	A11914	

Project	Originator	Volume	Level	Type	Role Number	Rev.
A11914	TPB	ZZ	00	DR	A 0402	P4

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London Borough of Enfield

Report Title	Scheme of Delegation for Planning Applications and Planning Enforcement
Report to	Planning Committee
Date of Meeting	23 rd May 2023
Cabinet Member	Councillor Susan Erbil
Executive Director / Director	Brett Leahy – Director of Planning & Growth Sarah Cary – Executive Director Housing, Regeneration & Development
Report Author	Andy Higham andy.higham@enfield.gov.uk
Ward(s) affected	All
Key Decision Number	Non Key
Classification	Part 1 Public

Purpose of Report

1. This report updates the current Scheme of Delegation which enables officers to make decisions on matters pertaining to the processing and determination of all planning applications and planning enforcement investigations without reference to the Planning Committee.
2. The report outlines the necessary updates to the existing scheme of delegation to reflect changes in personnel and post titles following new appointments and the restructure of the Planning Service. No alterations to the scope of delegated authority are requested.

Recommendations

- I. That the Planning Committee agrees the revised scheme of delegation
Note

Background

3. This report sets out changes to the scheme of delegation, reflecting recent appointments and changes to roles within the Planning Service.
4. There are no changes proposed to the actual scheme of delegation

Preferred Option and Reasons For Preferred Option

5. No other options are considered appropriate. The Council is at risk of legal challenge to any of its decision making where staff operate with powers that have not been properly delegated. To avoid legal challenge therefore, the Council needs to have an up to date scheme of delegation.
6. This is an ongoing process to ensure that the Council has effectively and legally delegated its statutory powers to officers. The delegation arrangements ensure an effective performance management framework for planning application and enforcement
7. The recommendations in this report will help to ensure that the Council has a defined and transparent scheme of delegation to ensure effective decision making and that the Council is able to demonstrate a clear risk-based approach in responding to reports of unlawful development or use of land and property

Relevance to Council Plans and Strategies

8. The determination of planning applications supports good growth and sustainable development. Depending on the nature of planning applications, the proposals can deliver new housing including affordable housing, new employment opportunities, improved public realm and can also help strengthen communities

Financial Implications

9. None

Legal Implications

10. Under Section 101 of the Local Government Act 1972, Local Authorities have a general power to discharge their functions through officers.

11. Part 2 of the Council's Constitution authorises the Director of Law and Governance to institute, defend or participate in any legal proceedings. The delegation of authority sought in this respect will continue the existing arrangement to provide parallel authority to that vested in the Director of Law and Governance.
12. The current arrangements within the legal department are adequate to ensure that there is compliance with the Constitution arrangements of the Council and the legal requirements needed to discharge their functions through officers for prosecutions work in the Council.

Equalities Implications

13 None

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Date of report: 12.05.2023

Appendices

Attached – Appendix 1

Background Papers

None.

Background Papers

None

Appendix 1

SCHEME OF DELEGATION **(May 2023)** **PLANNING APPLICATIONS AND PLANNING ENFORCEMENT**

The Executive Director - Place Housing, Regeneration and Development, the Director of Planning & Growth, the Head of Planning and Building Control, the Head of Development Management, the Head of Technical Support, Planning Decisions Manager (s), Principal Planning Officers and Technical Support Team Leader(s) (subject to limitations imposed by the Head of Planning & Building Control or Head of Development Management) will determine all applications for planning permission and other development, including Certificates, prior approvals and tree matters under the Planning Acts, the Planning and Compensation Act 2004, Section 11 of the London Local Authorities Act 1995, Sections 23 and 24 of the Local Government (Miscellaneous Provisions) Act 1976, Section 17 of the Land Compensation Act 1961 as amended by Section 232 of the Localism Act 2011 and any statutory re-enactment or modification thereof and subordinate legislation made there-under. These are detailed in the schedule of powers below at points (a) – (r) inclusive, (nn) and (oo).

The Executive Director of Housing, Regeneration & Development, the Director of Planning & Growth, the Head of Planning & Building Control, the Head of Development Management, the Head of Technical Support, the Planning Enforcement Manager, Planning Decisions Manager (s), the Principal Planning / Enforcement Officers and the Technical Support Team Leader(s) (subject to limitations imposed by the Head of Planning & Building Control or Head of Development Management), may determine the enforcement matters with reference to the Planning and Compensation Act 1991, Section 11 of the London Local Authorities Act 1995, Sections 23-26 of the Local Government (Miscellaneous Provisions) Act 1976 and any statutory re-enactment or modification thereof and subordinate legislation made there-under. These are detailed in the schedule of powers detailed at points (r) to (oo) inclusive.

The Planning Enforcement Manager, the Principal Enforcement Officers, the Head of Technical Support and the Technical Support Team Leader(s) (Subject to limitations imposed by the Head of Planning & Building Control or Head of Development Management, may determine enforcement matters detailed at points (r), (s), (gg), (hh), (ii), (jj), (kk), (ll), (mm) and (oo).

The Head of Planning & Building Control, Head of Development Management, Planning Decisions Managers, the Head of Technical Support, the Principal Technical Support Officers, and the appointed Tree Officer (Development Management) may determine all tree and hedge matters detailed in the schedule

of powers below at points (m) and (n), and may determine enforcement matters detailed at points (z), (gg) and (hh)

The Planning Enforcement Manager, the Principal Planning Officer for Planning Enforcement and the Principal Planning Officer for Commercial Nuisance (Subject to limitations imposed by the Head of Planning and Building Control or Head of Development Management), may determine enforcement matters detailed at points (aa) and (bb).

Subject to the following **EXCEPTIONS**:

1. Detailed applications for the erection of 10 or more residential units.
2. Outline applications for residential development with a site area of more than 0.5 hectares.
3. Detailed applications for the erection of non-residential development (excluding extensions to existing buildings), in excess of 1,000 sq. metres (gross).
4. Outline applications for the erection of non-residential development with a site area of more than 1 hectare.
5. Applications for the mining and working of minerals or the use of land for mineral working deposits.
6. Applications which are advertised as a departure from the adopted local plan and which are recommended for approval.

Note - Applications in categories 1 to 6 may be refused under delegated authority. Applications for industrial or warehouse development (Use Class B2 E1g(ii) & (iii), B2 and B8) where they are located in designated Strategic Industrial Locations may be determined under delegated authority, including SIL

7. Applications submitted by or on behalf of a Councillor (or their spouse/partner) or by any member of staff (or their spouse/partner) responsible to the Director of Planning & Growth of this Council. Private applications made by or on behalf of an Executive Director, Directors and the Chief Executive of this Council and their respective spouses/partners; or other members of staff who regularly attend Planning Committee.
8. Applications that have been considered by a Panel of the Planning Committee.
9. Applications which any Councillor requests in writing to the Head of Planning & Building Control, Head of Development Management or Planning Decision Managers within 28 days of the circulation of details of the application should be determined by Committee, subject to agreement of the Chairman.

10. Any other application or issue which, by reason of its scale, impact upon the environment, or the level of public or likely Councillor interest, should, in the opinion of the Director of Planning & Growth, Head of Planning & Building Control and the Head of Development Management, in consultation with the Chair of Planning Committee, be determined by the Committee.

SCHEDULE OF POWERS TO BE DELEGATED

This list includes those planning powers most often exercised by this Council

<u>Category</u>		<u>Relevant Legislation</u>
Planning Applications: -		
(a)	Planning Permission.	S57 - 63; S.70; S.299; of Town & Country Planning Act 1990. Town & Country Planning (General Development Procedure) Order 1995. Planning & Compensation Act 2004 Planning Act 2008
(b)	Advertisement Consent.	S220 of Town & Country Planning Act 1990. S9 - 14 of Part III of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). LBE advertisements (including roundabouts)
(c)	Listed Building Consent.	S10 - 19 of Planning (Listed Buildings & Conservation Areas) Act 1990.
(d)	Conservation Area Consent.	S74 of Planning (Listed Buildings & Conservation Areas) Act 1990.
(e)	Certificates of Lawfulness of Development (Existing and Proposed) – to confirm lawful against the Town and Country Planning General Permitted Development Order 2015 (as amended) – all Classes in Schedule 1 & 2 Certificates of Alternative Use / Development	S191 - 192 of Town & Country Planning Act 1990. S10 of Planning and Compensation Act 1991. Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended). Section 17 of the Land Compensation Act 1961 as amended by Section 232 of the Localism Act 2011
(f)	Prior Approval	
	Telecommunications / Communications	Part 16 of Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Temporary uses of buildings and land	Part 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Agriculture & Forestry	Part 6 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended).
Non domestic extensions, alterations etc.	Part 7, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Development relating to roads including Development by Highway Authorities	Part 9, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Heritage & Demolition	Part 11 of Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended and applications for 'relevant demolition'
Development by Local Authorities	Part 12 of Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Water and Sewerage	Part 13 of Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Renewable Energy	Part 14 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Power Related Development	Part 15 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Miscellaneous development	Part 18 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Construction of New Dwellinghouses	Part 20 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Development within the curtilage of a dwellinghouse	Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Change of Use (Various)	Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Change of Use - casino, betting office, pay day loan shop or hot food takeaway to commercial, business and service	Schedule 2, Part 3, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Drinking establishments with expanded food provision	Schedule 2, Part 3, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Change of use - retail, betting office or pay day load shop or casino to restaurant or cafe	Schedule 2, Part 3 Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Change of Use - commercial, business and service or betting office or pay day loan shop to mixed use	Schedule 2, Part 3, Class G of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Change of Use – mixed use to retail commercial, business and service or betting office or pay day loan shop	Schedule 2 Part 3 Class H of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Change of Use - Development consisting of a change of use of a building from any use falling within Class B2 (general industrial) of Schedule 1 to the Use Classes Order, to a use for any purpose falling within Class B8 (storage or distribution) of that Schedule.	Schedule 2 Part 3 Class J of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Change of Use of a building from any use falling within Class B2 (general industrial) of Schedule 1 to the Use Classes Order, to a use for any purpose falling within Class B8 (storage or distribution) of that Schedule.	Schedule 2 Part 3 Class I of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Change of Use to a use falling within launderette, betting office, pay day loan shop, hot food takeaway to Residential (C3)	Schedule 2 Part 3 Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Change of Use - commercial, business and service uses to dwellinghouse (C3)	Schedule 2 Part 3 Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Change of use – specified sui generis use to dwellinghouse	Schedule 2 Part 3 Class N of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Change of use – offices to dwellinghouses	Schedule 2 Part 3 Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Change of use – storage or distribution to dwellinghouses	Schedule 2 Part 3 Class P of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Change of Use - Premises in light industrial use to dwellinghouses	Schedule 2 Part 3 Class PA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Changes of use – agricultural buildings to dwellinghouses	Schedule 2 Part 3 Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Changes of use – agricultural buildings to flexible commercial use	Schedule 2 Part 3 Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Changes of use – agricultural buildings to state-funded school or registered nursery	Schedule 2 Part 3 Class S of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Change of use – commercial, business, hotels etc. to state funded schools or registered nursery	Schedule 2 Part 3 Class T of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Change of Use - use permitted under a permission granted on an application	Schedule 2 Part 3 Class V of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as

		amended)
(g)	Development by the Council. 'Other' applications where no objections are received	Regulations 3 and 4 of Town & Country Planning General Regulations 1992.
(h)	Other Authority Development.	Article 10 of Town & Country Planning (General Development Procedure) Order 1995.
(i)	Reserved Matters.	S92 - 93 of Town & Country Planning Act 1990.
(j)	Variation and discharge of Conditions.	S73 of Town & Country Planning Act 1990.
(k)	Legal agreements associated with applications determined under delegated authority including modification of extant agreements	S106 of Town & Country Planning Act 1990. S106a of the Town and Country Planning Act 1990 S278 of the Highways Act 1980
(l)	Environmental Impact screening and scoping opinions	Town and Country Planning (Environmental Impact Assessment) Regulations 1999 2011 (as amended)
(m)	Works to trees Works to hedgerows	S198 and 211 of the Town and Country Planning Act 1990, (Tree Preservation) Regulations 2012 The Hedgerows Regulations 1997
(n)	The making and confirmation of a Tree Preservation Order	S198, 199, 201, 300 of the Town and Country Planning Act 1990, (Tree Preservation) Regulations 2012
(o)	Non Material Amendment	S96A of the Town and Country Planning Act 1990 (as amended)
(p)	Minor Material Amendment	S73 of the Town and Country Planning Act 1990 (as amended)
(q)	Hazardous Substances Consent	S6-9, 13,14,17,18 Planning (Hazardous Substances) Act 1990 S5 The Planning (Hazardous Substances) Regulations 2015
(r)	Permission in Principal / Technical	Town and Country Planning (Permission

	Details Consent	in Principle) Order 2017 (as amended) Town and Country Planning (Brownfield Land Register) Regulations 2017
Enforcement Action: -		
(r)	Planning Contravention Notices	S171C of the Town and Country Planning Act 1990. S1 of the Planning and Compensation Act 1991.
(s)	Request for information as to the interest in land	Section 330 of the Town and Country Planning Act 1990
(t)	Breach of Condition Notices	S187A of the Town and Country Planning Act 1990 S2 of the Planning and Compensation Act 1991.
(u)	Enforcement Notices	S.172 of the Town and Country Planning Act 1990.
(v)	Listed Building Enforcement Notices	S38 of the Planning (Listed Building and Conservation Areas) Act 1990
(w)	Conservation Area Enforcement Notices	S74 of the Planning (Listed Building and Conservation Areas) Act 1990
(x)	Special Enforcement Notices – Crown land	S94 of the Town and Country Planning Act 1990.
(y)	Completion Notices	S94 of the Town and Country Planning Act 1990.
(z)	Tree Notices Replacement Trees Dangerous Trees High Hedge Replacement Hedgerows	S207 of the Town and Country Planning Act 1990. S23, 24 of the Local Government (Miscellaneous Provisions) Act 1976 Part 8 of the Anti-Social Behaviour Act 2003 The Hedgerows Regulations 1997
(aa)	Notices – maintenance of land and hazardous substances	S215 of the Town and Country Planning Act 1990. S24 of the Planning (Hazardous Substances) Act 1990

(bb)	Unauthorised Placards, Posters and Advertisement Hoardings	S224, 225 of the Town and Country Planning Act 1990. S10 and S11 London Local Authorities Act 1995
(cc)	Advertisement Discontinuance Notices	S224, 225 of the Town and Country Planning Act 1990.
(dd)	Stop Notices	S183 of the Town and Country Planning Act 1990.
(ee)	Temporary Stop Notices	S171E of the Town and Country Planning Act 1990.
(ff)	Injunctions	S187B and S214A of the Town and Country Planning Act 1990. S3 of the Planning and Compensation Act 1991. S94 of the Community Infrastructure Levy Regulations 2010 S44A Planning (Listed Buildings and Conservation Areas) Act 1990 S11 of the The Hedgerows Regulations 1997
(gg)	Notice of right to entry without a warrant.	S196A, S214B and S324 of the Town and Country Planning Act 1990. S88 of the Planning (Listed Building and Conservation Areas) Act 1990 SS36 and 36A of the Planning (Hazardous Substances) Act 1990 S74 of the Anti-Social Behaviour Act 2003 S109 of the Community Infrastructure Levy Regulations 2010 S12 of the Hedgerows Regulations 1997
(hh)	Right of entry under a warrant	S196B and S214C of the Town and Country Planning Act 1990. S88A of the Planning (Listed Building and Conservation Areas) Act 1990 S13 of the Hedgerows Regulations 1997
(ii)	Decisions not to take enforcement action	Planning Enforcement Policy

(jj)	Prosecutions relating to failure to comply with the requirements of any enforcement action or a breach of the law that carries criminal sanctions without the need for a notice to be served.	Planning Enforcement Policy
(kk)	Works in default action	Under the legislation referred to in this schedule, where applicable, including S178 and S219 of the Town and Country Planning Act 1990 S42 and S74 of the Planning (Listed Building and Conservation Areas) Act 1990 S77 of the Anti-Social Behaviour Act 2003 S97 of the Town and Country Planning Act 1990 S102 of the Town and Country Planning Act 1990 S209 of the Town and Country Planning Act 1990
(ll)	Powers to execute urgent works to preserve a listed building	S54 and S55 of the Planning (Listed Building and Conservation Areas) Act 1990
(mm)	CIL Stop Notices	S89 of the Community Infrastructure Levy Regulations 2010
(nn)	Revoke, Revision and Modifications of Planning Permissions	S97 of the Town and Country Planning Act 1990 S23 of the Planning (Listed Building and Conservation Areas) Act 1990
(oo)	Discontinuance of Use or Alteration of Building or Works	S102 of the Town and Country Planning Act 1990