

# Public Document Pack



## PLANNING COMMITTEE

Tuesday, 26th April, 2016 at 7.30 pm  
Venue: Dugdale Centre, Rooms 2 & 3,  
Thomas Hardy House, 39 London Road,  
Enfield, EN2 6DS

Contact: Jane Creer / Metin Halil  
Committee Administrator  
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## MEMBERS

Councillors : Dinah Barry, Lee Chamberlain, Jason Charalambous, Dogan Delman, Christiana During, Christine Hamilton, Ahmet Hasan, Jansev Jemal, Derek Levy (Vice-Chair), Anne-Marie Pearce, George Savva MBE and Toby Simon (Chair)

**N.B. Any member of the public interested in attending the meeting should ensure that they arrive promptly at 7:15pm**

**Please note that if the capacity of the room is reached, entry may not be permitted. Public seating will be available on a first come first served basis.**

**Involved parties may request to make a deputation to the Committee by contacting the committee administrator before 12:00 noon on 25/04/16**

## AGENDA – PART 1

- 1. WELCOME AND APOLOGIES FOR ABSENCE**
- 2. DECLARATION OF INTERESTS**

Members of the Planning Committee are invited to identify any disclosable pecuniary, other pecuniary or non pecuniary interests relevant to items on the agenda.

- 3. MINUTES OF THE PLANNING COMMITTEE 22 MARCH 2016.**

To receive the minutes of the Planning Committee meeting held on Tuesday 22 March 2016.

**(TO FOLLOW)**

**4. REPORT OF THE ASSISTANT DIRECTOR, PLANNING, HIGHWAYS AND TRANSPORTATION (REPORT NO. 232) (Pages 1 - 2)**

To receive the covering report of the Assistant Director, Planning, Highways & Transportation.

4.1 Applications dealt with under delegated powers. (A copy is available in the Members' Library.)

**5. P13/03636PLA - 36 WALSINGHAM ROAD, ENFIELD, EN2 6EY (Pages 3 - 48)**

RECOMMENDATION: That subject to the completion of a S106 Agreement to secure the obligations as set out in the report, the Head of Development Management / a Planning Decisions Manager be authorised to grant planning permission subject to conditions

WARD: Grange

**6. 15/04043/FUL - KEBLE PREPARATORY SCHOOL, WADES HILL, LONDON, N21 1BG (Pages 49 - 70)**

RECOMMENDATION: Refusal

WARD: Winchmore Hill

**7. 15/04736/FUL - 2A/2B PARK AVENUE, LONDON, N18 2UH (Pages 71 - 108)**

RECOMMENDATION: Approval subject to conditions and S106 Agreement

WARD: Edmonton Green

**8. 16/00349/RE4 - GARAGES ADJACENT TO 1, 13, 24 & 38 PADSTOW ROAD, ENFIELD, EN2 8BU (Pages 109 - 150)**

RECOMMENDATION: Approval in accordance with Regulation 3 / 4 of the Town and Country Planning General Regulations 1992, subject to conditions and unilateral undertaking.

WARD: Highlands

**9. 15/05117/FUL - CONSERVATIVE CLUB, 278 BAKER STREET, ENFIELD, EN1 3LD (Pages 151 - 166)**

RECOMMENDATION: Approval subject to conditions.

WARD: Chase

**10. 16/00103/HOU - 64 ELMHURST ROAD, ENFIELD, EN3 5TB (Pages 167 - 176)**

RECOMMENDATION: Approval subject to conditions.

WARD: Turkey Street

## **11. EXCLUSION OF THE PRESS AND PUBLIC**

If necessary, to consider passing a resolution under Section 100A(4) of the Local Government Act 1972 excluding the press and public from the meeting for any items of business moved to part 2 of the agenda on the grounds that they involve the likely disclosure of exempt information as defined in those paragraphs of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).  
(There is no part 2 agenda)

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**MUNICIPAL YEAR 2015/2016 - REPORT NO 232**

**COMMITTEE:**  
PLANNING COMMITTEE  
26.04.2016

|                       |        |
|-----------------------|--------|
| AGENDA - PART 1       | ITEM 4 |
| SUBJECT -             |        |
| MISCELLANEOUS MATTERS |        |

**REPORT OF:**  
Assistant Director, Planning,  
Highways and Transportation

**Contact Officer:**  
Planning Decisions Manager  
Sharon Davidson Tel: 020 8379 3841

**4.1 APPLICATIONS DEALT WITH UNDER DELEGATED POWERS** INF

4.1.1 In accordance with delegated powers, 320 applications were determined between 18/03/2016 and 15/04/2016, of which 235 were granted and 85 refused.

4.1.2 A Schedule of Decisions is available in the Members' Library.

Background Papers

To be found on files indicated in Schedule.

**4.2 PLANNING APPLICATIONS AND APPLICATIONS TO DISPLAY ADVERTISEMENTS** DEC

On the Schedules attached to this report I set out my recommendations in respect of planning applications and applications to display advertisements. I also set out in respect of each application a summary of any representations received and any later observations will be reported verbally at your meeting.

Background Papers

- (1) 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. 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 with other supplementary documents identified in the individual reports.
- (2) Other background papers are those contained within the file, the reference number of which is given in the heading to each application.

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## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 26 April 2016

**Report of**  
Assistant Director - Planning,  
Highways & Transportation

**Contact Officer:**  
Andy Higham  
Andy Bates  
Mr S. Newton

**Ward:** Grange

**Application Number :** P13-03636PLA

**Category:** Householder  
Developments

**LOCATION:** 36, WALSINGHAM ROAD, ENFIELD, EN2 6EY

**PROPOSAL:** Subdivision of site and erection of 1 x 2 storey 4 -bed dwelling incorporating access to Walsingham Road.

**Applicant Name & Address:**  
Kevin Fitzgerald  
36, WALSINGHAM ROAD,  
ENFIELD,  
EN2 6EY

**Agent Name & Address:**  
Andy Meader  
Pegasus Group  
Abbey House  
Grenville Place  
Bracknell  
Berkshire  
RG12 1BP

#### RECOMMENDATION:

That subject to the completion of a S106 Agreement to secure the obligations as set out in the report, the Head of Development Management / the Planning Decisions Manager be authorised to **GRANT** planning permission subject to conditions.

#### NOTE TO MEMBERS:

The Report has been amended at paragraph 6.2.33 to demonstrate how matters of archaeology are being addressed by condition and at Section 6.9 to reflect the introduction of the Enfield CIL on 1 April.

Ref: P13-03636PLA LOCATION: 36, Walsingham Road, Enfield, EN2 6EY, , ,



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Scale 1:1250

North





## **1. Site and Surroundings**

- 1.1. The application site comprises of a piece of garden land to the side of No.36 Walsingham Road, on the juncture of Walsingham and Uvedale Roads. The site comprises an irregular shaped plot, close to a sharp bend at the junction of Uvedale Road, together with a narrow strip of land extending to the north west (the embankment), adjacent to a public footpath linking properties on Uvedale Road/Walsingham Road to Town Park.
- 1.2. The properties along the northern boundary of the site fronting Essex Road (Nos.26-40 (even)) are within the Enfield Town Conservation Area and all of the aforementioned properties (except for Nos.30 & 40) are covered by an Article 4(2) Direction removing permitted development rights for certain types of development.
- 1.3. The currently separated garden, falls within the Enfield Town Conservation Area and Article 4 Direction area whilst the embankment is excluded. The garden is included in the conservation area as it historically formed part of the rear garden of 28 Essex Road.

## **2. Proposal**

- 2.1. Permission is sought for the subdivision of the site and erection of a detached 4-bed single family dwelling incorporating access to Walsingham Road.
- 2.2. The proposed dwelling would have a maximum width of 10.3m, a maximum depth of 12.9m, it will be 4.9m to eaves level, and approximately 7.4m to the ridge of a pitched roof. The front roof plane will contain a projecting gable feature and two dormer windows and the rear roof plane will contain three dormer windows.
- 2.3. The ground floor will accommodate a lounge, dining room, kitchen, wc, utility room and an integral single-vehicle garage. The first floor will contain four bedrooms, a bathroom and ensuite.

## **3. Relevant Planning Decisions**

- 3.1. An application (ref: TP/87/0161) for the erection of detached 4-bedroom house with integral garage on land forming part of side garden of house was granted planning permission in July 1987. This dwelling is known as 36A Walsingham Road and is sited to the south-east of No.36.
- 3.2. An application for the demolition of garage and erection of a 2-storey side extension with basement garage (ref: TP/05/1527) was refused planning permission because of concerns of the roof design. A revised scheme (ref: TP/05/2172) was subsequently approved.
- 3.3. An application for the subdivision of site and erection of a detached 4-bed single family dwelling to side incorporating detached garage at front and vehicular access to Walsingham Road (ref: TP/10/0818) was refused in November 2010 for the following reasons:
  1. *The development would result in the loss of an important garden element intrinsic to the character of the Conservation Area and would neither preserve or enhance the setting of the Conservation Area but rather detract from the character of the Enfield Town Conservation Area.*

2. *The proposed development due to the position and design of the access arrangements would result in vehicles movements crossing the footway which as a result of poor sight lines would give rise to conditions prejudicial to the free flow and safety of pedestrians and vehicles using the adjoining highways.*

3.4. Planning permission (ref: P12-02849PLA) was granted for the demolition of existing 2 storey extension and garage, erection of 2 storey side/front extension to both sides and single storey rear extension with construction of hard standing to form carriage drive with vehicular access in July 2013. This scheme is currently being implemented.

#### 4. Consultations

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

###### Conservation Officer

4.1.1. The Conservation Officer has confirmed that following a review of the submitted Heritage Statement and the Drury McPherson report, the following comments are provided:

- No objections to the proposed development in principle, however objections are raised in relation to the proposed materials;
- Fully concur with the findings published by Drury McPherson Partnership in their report dated 27 May 2014;
- The report goes as far as suggesting that the above site should be omitted from the boundaries of the conservation area;
- It is my opinion that the proposals will conserve and enhance the conservation area, by virtue of the fact that they will obscure the view through the CA from Walsingham Road to Tower Point;
- I would argue that the significance of the designated heritage asset and its setting will remain unaffected by the proposals. Setting is defined as 'the surroundings in which a place experienced'. Special regard must be had by the decision-maker to the assessment of the impact of any development on the desirability of preserving the setting of a non-designated heritage asset. The predominant guidance on development within the setting of heritage assets is contained within the English Heritage document *The Setting of Heritage Assets* (2015);
- I would assert that the proposed building should make use of high quality materials. uPVC/ synthetic substitutes for natural materials (reconstituted stone/ composite roof tiles etc.) are not accepted in sites in the setting of conservation areas. In addition, if minded to approve, I would strongly recommend that further details of the proposed windows/doors/eaves/chimney/ brickwork (including bond, mortar, brick type) be submitted to the local authority for approval in writing prior to the commencement of works;
- I would also not support the use of obscure glazing to the flank elevation. I would recommend that this should be substituted with sandblasted glass.

###### Traffic and Transportation

4.1.2. No objections are raised for the following reason:

*On balance the low traffic speeds and self-enforcing nature of the residential street environment in terms of highway safety, and the good visibility which can be*

*improved through the addition of a condition requiring landscaping alterations, means the scheme does not have an unacceptable highway safety impact with regards vehicles using the access solely for the new house*

#### Tree Officer

4.1.3. No objections are raised.

#### English Heritage (GLAAS)

4.1.4. It has been advised that the site lies within the Ermine Street Archaeological Priority Area connected with the Roman settlement close to Leighton Road. There is a possibility that groundworks could affect important remains connected with the Roman settlement and a condition is recommended to enable reasonable access by the Enfield Archaeological Society and record features of interest.

#### Conservation Advisory Group

4.1.5. No objections have been raised because it was the opinion of the group that there would be no harm to the character and appearance of the conservation area as a result of the proposals.

#### Ecology

4.1.6. The status of the submitted Phase 1 Habitat Survey and its conclusions was re-evaluated, with the following comments provided, inter alia:

*“since it has been established that the site does not host protected species nor does it host priority habitats, the proposed development would be in accordance with planning policy in relation to ecology and biodiversity. As such, subject to a condition to protect nesting birds and a condition to enhance the ecological value of the site post development, there is no reason on ecology grounds for not permitting the development”*

## **4.2. Public Response**

4.2.1. Letters were sent to the occupiers of 74 adjoining and nearby properties in addition to the posting of site and press publicity. Seventy letters of objection (inclusive of pro forma letters, and letters from the Friends of Town Park and the Essex Road Residents Association), together with twelve letters of support have been received. It should be noted that the total number of responses received (82) includes those received (54) prior to the application first being reported to Members in June 2014.

4.2.2. The letters of objection have raised some or all of the following points:

#### Impact on Conservation Area / Street scene

- A similar plan was refused in 2010.
- A large house would be built on an important part of the conservation area, which the local authority has a duty to protect.
- The development would destroy an important part of the conservation area, ruining views into and out of the region.
- The current gardened area is critical to the conservation area.
- Revisions to landscaping and removal of garage at front is meaningless.

- The whole of the site is within the conservation area.
- Overdevelopment
- An Article 4 is in place on the majority of house in Essex Road to stop people building up at the rear of their houses, blocking views into and out of the conservation area. The development will spoil the very features the conservation area was put in place to protect and block out views of the skyline and other green garden areas.
- The design is not of a sufficiently high standard
- The statutory test and policy requirements are not satisfied.
- Detrimental to the character of the conservation area.
- It neither enhances or preserves the setting of the conservation area but seriously detracts from its character.
- The clear and very recent message from the courts is that the desirability of preserving the setting of heritage assets is not merely a balancing exercise.
- The introduction of a driveway on the grass verge has a detrimental effect on the character of the conservation area.
- The proposal does not shield the view of Tower Point, this is a false statement. A large tree, which does, will be lost to the proposal.
- Any new house will be substantially higher than the other surrounding houses and those within the conservation area. Properties near Town Park are scaled down and are smaller two storey with dormers or are bungalows.
- Due to expansion of No.36 it will look even more squeezed in, out of proportion, and due to the land elevation will be intrusive and dominate the area, changing the character completely.
- There has been no consultation to change the conservation area boundaries.
- The garden being overgrown is not a reason to build over it.
- The Pegasus Report is confused and misleading.
- The parcel of land has trees which screen the Essex Road properties. This offers a leafy green end to the vista down Uvedale Road.
- Tower Point is only visible from a select area of Walsingham road and is not as prominent as everyone is making out.
- The council previously considered this part of land significant and in changing its view was criticised by the High Court Judge and the council lost on all 7 points with costs awarded against.
- The scheme assessed is exactly the same as rejected by the High Court.
- 82% of the proposed house is in the conservation area.
- Development of any sort on this piece of garden land would spoil the very features the conservation area was put in place to protect and block out views of the skyline and other green garden areas.
- There will be substantial harm to this parcel of land.

#### Amenity

- Overshadowing
- Overlooking
- Daylight / sunlight / noise issues
- Loss of privacy
- Loss of views
- Flank wall of existing building is hidden by trees and the proposed wall will be 1m from boundary with No.32 Essex Road, casting a shadow, being totally dominant and reducing amenity, ruining the sunny aspect of the garden and views out of the conservation area.

### Biodiversity

- The area is a haven for wildlife.

### Highway Safety

- Dangerous for pedestrians and children with cars blindly reversing out.
- Overlooking into rear garden of Nos.26, 28 and 34 Essex Rd.
- No turning circle within the site resulting in cars reversing out blindly.
- Hazard for pedestrians.
- Dangerous corner.
- Loss of valuable parking spaces.
- This corner of Walsingham Road is one of 3 primary routes into Town Park. Sightlines are crucial and the creation of an additional driveway in close proximity to the entrance would create a further hazard.
- Proposed driveway is steeply elevated with low walls obscuring the pavement. This is a hazard.
- Carriage drive is shown incorrectly.

### Other Matters Raised

- Between 2010 and the present day there has been no significant changes in planning policy which can support a staggering U-turn, raising concerns in respect of the lawfulness of the Council's decision making process.
- Relying on the presumption in favour of sustainable development demonstrates that planning policy is being incorrectly applied.
- The reason for securing a legal agreement to act as a public benefit to outweigh the less than substantial harm to the setting of the conservation area is unlawful.
- The decision to override the professional advice of CAG raises serious questions in respect of the Council's ability to discharge their duty under the S72 of the Planning (Listed Building and Conservation Areas) Act 1990.
- Elements of the Character Appraisal have been overlooked. No reference to sub area 5 (Town Park), only to sub area 2 (the New Town).
- S106 agreements should only be relied upon where they are necessary to make the development acceptable in planning terms. The Council's questionable approach is to rely on the contributions to justify the harm to the conservation area as a public benefit that outweighs the harm that results.
- Until it is clearly stated what the harm is, it is difficult to understand the correlation between the harm and public benefit.
- Members are being asked to permit a development that doesn't comply with the development plan on the basis that it will secure S106 contributions. The council's reasoning is contrary to s.38(6) of the Planning and Compulsory Purchase Act 2004 and regulation 122 of the 2010 CIL Regs.
- The driveway was included in a separate application to extend the existing dwelling. It has been implemented in breach of numerous planning conditions.
- The proposed development is crucially located close to the pedestrian path that leads directly to Enfield Town Park. The applicant has ensured that an earlier consent granted in 2013 for an extension to number 36 includes the driveway that will form the main vehicular access to the new dwelling. In turn, there are various breaches of the 2013 Permission that have not been resolved and have a direct bearing on highway safety. Despite this, Members are being asked to approve this application without debating highway safety.

- The Committee Report also fails to address why the Council has not considered paragraph 53 of the NPPF which directs Councils to consider resisting inappropriate development of residential gardens. The proposal is for a large detached property in a cramped location at the edge of the conservation area. If permitted it will result in the loss of an open area at the entrance to Enfield Town Park.
- There is an existing shortage of school places / GP's / dentists and no a & e.
- A four bed new build serves no purpose.
- Do not understand why the application has been re-submitted having been thrown out by the courts.
- Approval of this scheme would give the impression that council employees are now working on behalf of developers.

4.2.3. The letters of support have raised some or all of the following points:

Impact on Conservation Area / Street scene

- Letters have been received requesting objections to the new house however, although understanding of the concerns to maintain the character of the area, there is a shortfall of residential units.
- Do not support town cramming however the development site would not result in such development.
- The plot is of a sufficient size to accommodate a new dwelling and would relate well to the surrounding residential properties.
- Can understand why the developers considered that this part of the site should be removed from the conservation area as it does not have an obvious association with it as it does not now form a rear garden of one of the properties of Essex Road.
- The proposal would make a positive contribution to the conservation area and would not result in significant harm.
- It would shield views of Tower Point from Walsingham Road and Uvedale Road; Tower Point provides an unsympathetic form of architecture of no merit, which dominates and detracts from the skyline and conservation area. The character Appraisal also refers to this building as being a negative feature.
- The proposal will screen views to some extent of the rear building facades of the properties fronting Essex Road which are of limited architectural merit, especially as some have had the intervention of rear extensions which have altered and disturbed the original symmetry and rhythm of the rear building lines.
- Views of the site from Essex Road and Town Park would be limited as the new house built on the entrance to the park blocks views of the site and the site can only be glimpsed from limited gaps between the buildings on Essex Road.
- Some of the land would be lost to built development but garden space would remain for the existing and provided for the new house.
- There is a variety of housing types in Walsingham and Uvedale Roads which add to the interest of the street. The new dwelling would not be out of keeping.
- The design and form would not be unduly dominant and the ridgeline will not extend above the adjoining neighbours.
- The use of front dormers reduces the scale of the building.
- The design reflects those on Walsingham Road and Uvedale Road which seems more appropriate than trying to reflect the houses in the conservation area.
- The frontage of the building is located on Walsingham Road, thereby forming part of its street scene.

- Building on open land does have an impact on the environment as generally open views are nicer than built development however this needs to be balanced against the need for new housing and that new development can be sympathetically designed to fit in with and preserve and enhance the existing environment.
- The development will preserve and enhance the conservation area by improving views into the conservation area by reducing views of Tower Point.
- The land has become vacant and derelict. With the current need and demand for housing, this is an acceptable and sensible application.
- Overdevelopment of land is dependent on acreage and not on the opinion of residents who do not live in our roads.
- It would be nice to see a family house opposite my house.
- The new house will enhance the area

#### Highway Safety

- The impact on pedestrian and road safety would be minimal as the comings and goings generated would be minimal.
- Anyone who lives near this corner knows that the only time it is busy is between 8am to 9am and 5pm to 6pm.
- Cyclists would be the hazard to people using the walk.

#### Amenity

- Conditions should be imposed for appropriate landscaping, obscure glazing for the flank window and no additional flank windows as first floor level.
- While development will run along rear gardens of Nos.26 & 28 Essex Road, given change in levels, orientation of the site and depth of gardens, the proposal will not result in an unacceptable loss of light or on balance be detrimental to the visual and residential amenities to residents of Essex Road.
- Due to distancing levels, the scheme will not appear over dominant or overbearing.

#### Other Matters Raised

- Reasons given for objecting are weak and vindictive.
- Literature against the development has been printed for residents in Private Road, Park Crescent and Park Avenue to sign. This does not affect them.

### **5. Relevant Policy**

- 5.1.** The National Planning Policy Framework (“NPPF”), published in March 2012, advises at para. 14 that a presumption of sustainable development is at the heart of the NPPF. For decision taking this means that unless material considerations indicate otherwise, developments which accord with the development should be approved without delay. Where a development plan is absent, silent or relevant policies are out of date, permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted (e.g. designated heritage assets).
- 5.2.** The policies listed below are up-to-date and considered to be consistent with the NPPF and therefore it is considered that due weight should be given to them in assessing the development the subject of this application.

### 5.3. The London Plan

|             |   |
|-------------|---|
| Policy 3.3  | Increasing housing supply   |
| Policy 3.4  | Optimising housing potential  |
| Policy 3.5  | Quality and design of housing developments                          |
| Policy 3.6  | Children and young people's play and informal recreation facilities |
| Policy 3.8  | Housing choice  |
| Policy 3.9  | Mixed and balanced communities                                      |
| Policy 3.11 | Affordable housing targets  |
| Policy 3.12 | Negotiating affordable housing                                      |
| Policy 3.13 | Affordable housing thresholds                                       |
| Policy 3.14 | Existing housing  |
| Policy 5.1  | Climate change mitigation   |
| Policy 5.2  | Minimising carbon dioxide emissions                                 |
| Policy 5.3  | Sustainable design and construction                                 |
| Policy 5.5  | Decentralised energy networks                                       |
| Policy 5.6  | Decentralised energy in development proposals                       |
| Policy 5.7  | Renewable energy  |
| Policy 5.8  | Innovative energy technologies                                      |
| Policy 5.9  | Overheating and cooling   |
| Policy 5.10 | Urban greening  |
| Policy 5.11 | Green roofs and development site environs                           |
| Policy 5.13 | Sustainable drainage  |
| Policy 5.14 | Water quality and wastewater infrastructure                         |
| Policy 6.3  | Assessing the effects of development on transport capacity          |
| Policy 6.9  | Cycling   |
| Policy 6.12 | Road network capacity   |
| Policy 6.13 | Parking   |
| Policy 7.1  | Lifetime neighbourhoods   |
| Policy 7.2  | An inclusive environment  |
| Policy 7.3  | Designing out crime   |
| Policy 7.4  | Local character   |
| Policy 7.6  | Architecture  |
| Policy 7.8  | Heritage assets and archaeology                                     |
| Policy 7.14 | Improving air quality   |
| Policy 7.15 | Reducing noise and enhancing soundscapes                            |
| Policy 7.19 | Biodiversity and access to nature                                   |

### 5.4. Core Strategy

|       |   |
|-------|---|
| CP2:  | Housing supply and locations for new homes                                |
| CP3:  | Affordable housing  |
| CP4:  | Housing quality   |
| CP5:  | Housing types   |
| CP9:  | Supporting community cohesion   |
| CP20: | Sustainable energy use and energy infrastructure                          |
| CP21: | Delivering sustainable water supply, drainage and sewerage infrastructure |
| CP22: | Delivering sustainable waste management                                   |
| CP24: | The road network  |
| CP25: | Pedestrians and cyclists  |
| CP26: | Public transport  |
| CP28: | Managing flood risk through development                                   |
| CP30: | Maintaining and improving the quality of the built and open environment   |
| CP31: | Built and landscape heritage  |



- CP32: Pollution
- CP34: Parks, playing fields and other open spaces
- CP36: Biodiversity
- CP46: Infrastructure contributions

**5.5. Development Management Document**

- DMD2 Affordable Housing for Development of Less than 10 Units
- DMD3 Providing a Mix of Different Sized Homes
- DMD6 Residential Character
- DMD7 Development of Garden Land
- DMD8 General Standards for New Residential Development
- DMD9 Amenity Space
- DMD10 Distancing
- DMD13 Roof Extensions
- DMD37 Achieving High Quality Design-Led Development
- DMD38 Design Process
- DMD44 Preserving and Enhancing Heritage Assets
- DMD45 Parking Standards
- DMD47 New Roads, Access and Servicing
- DMD48 Transport Assessments
- DMD49 Sustainable Design and Construction Statements
- DMD50 Environmental Assessment Methods
- DMD51 Energy Efficiency Standards
- DMD53 Low and Zero Carbon Technology
- DMD54 Allowable Solutions
- DMD55 Use of Roof Space / Vertical Surfaces
- DMD56 Heating and Cooling
- DMD57 Responsible Sourcing of Materials
- DMD58 Water Efficiency
- DMD59 Avoiding and Reducing Flood Risk
- DMD60 Assessing Flood Risk
- DMD61 Managing Surface Water
- DMD65 Air Quality
- DMD68 Noise
- DMD69 Light Pollution
- DMD70 Water Quality
- DMD72 Open Space Provision
- DMD73 Children's Play Space
- DMD78 Nature Conservation
- DMD79 Ecological Enhancements
- DMD81 Landscaping

**5.6. Other Relevant Policy/Guidance and Considerations**

- National Planning Policy Framework
- National Planning Practice Guidance
- LBE S106 SPD
- Enfield Strategic Housing Market Assessment (2010)
- Monitoring Report and Housing Trajectory 2015 (2016)
- Enfield Town Conservation Area Character Appraisal (2015)
- Community Infrastructure Levy Regulations 2010
- Historic England: The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning: 3

## **6. Analysis**

### **6.1. Principle**

- 6.1.1. In broad terms, the proposal would be consistent with the aim of the London Plan and with policies within the Core Strategy which seek to contribute to the strategic housing needs of Greater London and the Borough. In addition, regard must also be given to all other relevant planning considerations which include seeking to ensure that the appropriate regard is given to heritage matters, an acceptable design, no undue adverse impact on neighbour amenity, and acceptability in highways terms
- 6.1.2. Although the proposal may meet with the broad aim above, consideration must also be given to a previously refused application to subdivide the plot and erect a detached 4-bed dwelling house (ref: TP/10/0818, the “2010 scheme”). The plans considered for that scheme are attached at Appendix 1 of this report.
- 6.1.3. Since the 2010 scheme, the National Planning Policy Framework (“NPPF”) was introduced in March 2012 and the National Planning Practice Guidance (“NPPG”) in March 2014. At the heart of the NPPF is the presumption in favour of sustainable development as described in paragraphs 11-16 of the NPPF. A key aim of the NPPF is to encourage sustainable development, within the statutory context of determining planning applications in accordance with the development plan unless material considerations indicate otherwise (s 38(6) PACPA 2004 and s 70(2) TCPA 1990).
- 6.1.4. The NPPG advises that the conservation of heritage assets in a manner appropriate to their significance is a core planning principle. It also advises that conservation is an “active process of maintenance and managing change”. Heritage assets are considered to be an irreplaceable resource and effective conservation delivers wider social, cultural, economic and environmental benefits.
- 6.1.5. Section 72 (general duty as respects conservation areas in exercise of planning functions) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“Listed Buildings Act”) confirms that, in respect of buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. ‘Preserving’ in this context means doing no harm (as explained by the HL in *South Lakeland DC v S of S* [1992] 2 AC 141 at p.150)
- 6.1.6. Section 38(6) of the Planning and Compulsory Purchase Act 2004 confirms that regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

### **6.2. Heritage Considerations**

#### *Statutory Background and the NPPF*

- 6.2.1. Sections 66 and 72 of the Listed Buildings Act confirm that special attention shall be paid to the desirability of preserving a listed building or its setting (s.66) and preserving or enhancing the character or appearance of that area (s.72). The Court of Appeal in *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council* [2014] EWCA Civ 137, concluded that where an authority finds that a development proposal would harm the setting of a listed building or the character and appearance of a conservation area, it must give that harm “*considerable importance and weight*”.

- 6.2.2. Justice Lindblom reconfirmed the Barnwell judgement and the considerations to be undertaken by a planning authority in *The Forge Field Society & Ors, R v Sevenoaks District Council* [2014] EWHC 1895 (Admin) by observing at para.49 that:

*“when having to give considerable importance and weight to any harm it did not mean that an authority’s assessment of likely harm to the setting of a listed building or to a conservation area is other than a matter for its own planning judgement. It does not mean that the weight the authority should give to harm which it considers would be limited or less than substantial must be the same as the weight it might give to harm which would be substantial. But it is to recognize...that a finding of harm...gives a strong presumption against planning permission being granted. The presumption is a statutory one. It is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. But an authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and demonstrably applies that presumption to the proposal it is considering”*

- 6.2.3. In *R. (on the application of Hughes) v South Lakeland DC* [2014] EWHC 3979 (Admin), the court addressed the correct approach to assessing development proposals in a conservation area as well as covering the approach to heritage in the NPPF. Judge Waksman QC addressed relevant guidance at paras 131-135 NPPF. He explained that in a para.134 case, harm to a designated heritage asset was to be given more weight than it would if it were simply one of a number of factors to be considered. Where non-designated heritage assets were being considered the harm was to be taken into account as part of a ‘balanced judgment’ (paras 50-53 see NPPF para. 135).

- 6.2.4. In *Pugh v Secretary of State for Communities and Local Government* [2015] EWHC 3 (Admin), Gilbart J considered at paras.49 and 50 that:

*“the significance of a heritage asset still carries weight at the balancing stage required by paragraph 134, and to the extent that Kenneth Parker J in *Colman v Secretary of State for Communities and Local Government & Ors* [2013] EWHC 1138 and Jay J in *Bedford Borough Council v SSCLG* [2013] EWHC 2854 suggest otherwise, I prefer the approach of Judge Waksman QC. Thus, the value and significance of the asset, whatever it may be, will still be placed on one side of the balance. The process of determining the degree of harm, which underlies paragraph 132 of NPPF, must itself involve taking into account the value of the heritage asset in question. Not all effects are of the same degree, nor are all heritage assets of comparable significance, and the decision maker must assess the actual significance of the asset and the actual effects upon it.*

*But one must not take it too far so that one rewrites NPPF. It provides a sequential approach to this issue. Paragraphs 126-134 are not to be read in isolation from one another. There is a sequential approach in paragraphs 132 -4 which addresses the significance in planning terms of the effects of proposals on designated heritage assets. If, having addressed all the relevant considerations about value, significance and the nature of the harm, and one has then reached the point of concluding that the level of harm is less than substantial, then one must use the test in paragraph 134. It is an integral part of the NPPF sequential approach. Following it does not deprive the considerations of the value and significance of the heritage asset of weight: indeed it requires consideration of them at the appropriate stage. But what one is not required to do is to apply some different test at the final stage than that of the balance set out in paragraph 134. How one strikes the balance, or what weight*

*one gives the benefits on the one side and the harm on the other, is a matter for the decision maker. Unless one gives reasons for departing from the policy, one cannot set it aside and prefer using some different test"*

6.2.5. In Jones v Mordue [2015] EWCA Civ 1243, the CA indicated that, generally, a decision maker who works through the relevant paragraphs (para 131-134 NPPF) in accordance with their terms will have complied with a s66/72 duty. Recently, the High Court in Forest of Dean DC v S of S and Gladman [2016] EWHC 421 have indicated that where there is a finding of less than substantial harm to a designated heritage asset, the harm has to be weighed against the public benefits of a the proposal in the ordinary unweighted way because it is a policy indicating development should be restricted so that the presumption in para 14 of the NPPF is disapplied by virtue of footnote 9 of the NPPF.

6.2.6. Section 12 of the NPPF (Conserving and enhancing the historic environment) advises LPAs to recognise heritage assets as an "*irreplaceable resource*" and to "*conserve them in a manner appropriate to their significance*" (para. 126).

6.2.7. When determining planning applications, LPAs are advised to take into account of:

- "*the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *the desirability of new development making a positive contribution to local character and distinctiveness*" (para.131)

6.2.8. Paragraphs 132 -134 NPPF provide:

132 "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

133 Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

134 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

6.2.9. Paragraph 135 provides guidance in relation to non-designated heritage assets. The development proposal must also be assessed against the significance of the heritage asset, and “a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”.

6.2.10. In addition, at paragraph 137, LPAs are also advised to look for opportunities for new developments within conservation areas and within the setting of heritage assets to better reveal their significance. Where a proposal preserves those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

6.2.11. The NPPF provides a glossary of terminology at Appendix 2 which Members may find useful. The relevant heritage terms include:

- ***“Heritage Asset:*** *A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).*
- ***Setting of a heritage asset:*** *The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral*
- ***Significance (for heritage policy):*** *The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.”*

6.2.12. Paragraph 20 of the NPPG provides some guidance on the term “public benefit”:

*“Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (Paragraph 7). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.*

*Public benefits may include heritage benefits, such as:*

- *sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- *reducing or removing risks to a heritage asset*
- *securing the optimum viable use of a heritage asset in support of its long term conservation”*

6.2.13. A “benefit” is not limited solely to heritage benefits but to all material planning benefits arising from a particular scheme, providing that they meet with the relevant policy tests for conditions and obligations.

- 6.2.14. The NPPG advises that the extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which the asset is experienced is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places.
- 6.2.15. The NPPG also advises that the conservation of heritage assets in a manner appropriate to their significance is a core planning principle. It also advises that conservation is an “*active process of maintenance and managing change*”. Heritage assets are an irreplaceable resource and effective conservation delivers wider social, cultural, economic and environmental benefits.
- 6.2.16. Significance, as advised within the NPPF derives not only from a heritage asset's physical presence but also from its setting. When assessing significance, it is advised that great weight should be given to the asset's conservation and the more important the asset, the greater the weight to be applied. Where a development leads to less than substantial harm to the significance of the heritage asset, the harm should be weighed against the public benefits of the proposal, including its optimum viable use. The NPPG advises that what matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset. It does also advise that ‘substantial harm’ is a high test, so may not arise in many cases.

#### Local Plan

- 6.2.17. Planning law requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise, as confirmed at s.38(6) of the Planning and Compulsory Purchase Act 2004 (“the 2004 Act”) and s.70(2) of the Town and Country Planning Act 1990 (“T&CPA 1990”). The Local Plan, as confirmed at s.38(2) of the 2004 Act, comprises of: the Spatial Development Strategy for Greater London Consolidated with Alterations Since 2011 (March 2015)(“London Plan”), the Enfield Plan Core Strategy 2010-2015 (“Core Strategy”) and the Development Management Document (“DMD”).
- 6.2.18. London Plan policy 7.8 (Heritage Assets and Archaeology) advises that at a strategic level, London's heritage assets and historic environment should be identified

#### **Strategic**

- A. *London's heritage assets and historic environment, including listed buildings, registered historic parks and gardens and other natural and historic landscapes, Conservation Areas, World Heritage Sites, registered battlefields, scheduled monuments, archaeological remains and memorials should be identified, so that the desirability of sustaining and enhancing their significance and of utilising their positive role in place shaping can be taken into account.*
- B. *Development should incorporate measures that identify, record, interpret, protect and, where appropriate, present the site's archaeology.*

#### **Planning decisions**

- C. *Development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate.*

- D. *Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.*
- E. *New development should make provision for the protection of archaeological resources, landscapes and significant memorials. The physical assets should, where possible, be made available to the public on-site. Where the archaeological asset or memorial cannot be preserved or managed on-site, provision must be made for the investigation, understanding, recording, dissemination and archiving of that asset.*

#### **LDF preparation**

- F. *Boroughs should, in LDF policies, seek to maintain and enhance the contribution of built, landscaped and buried heritage to London's environmental quality, cultural identity and economy as part of managing London's ability to accommodate change and regeneration.*
- G. *Boroughs, in consultation with English Heritage, Natural England and other relevant statutory organisations, should include appropriate policies in their LDFs for identifying, protecting, enhancing and improving access to the historic environment and heritage assets and their settings where appropriate, and to archaeological assets, memorials and historic and natural landscape character within their area.*

6.2.19. Core Policy 31 (Built and Landscape Heritage) confirms that the Council will implement national and regional policies and work with partners to “*pro-actively preserve and enhance all of the Borough's heritage assets*”. This is to be achieved by the following:

- *Reviewing heritage designations and their boundaries where appropriate, and continuing to maintain non-statutory, local lists and designations based on formally adopted criteria;*
- *Ensuring that built development and interventions in the public realm that impact on heritage assets have regard to their special character and are based on an understanding of their context. Proposals within or affecting the setting of heritage assets will be required to include a thorough site analysis and character appraisal which explicitly demonstrates how the proposal will respect and enhance the asset;*
- *Identifying opportunities for the repair and restoration of heritage assets and working with owners of heritage assets on English Heritage's Heritage at Risk Register to find viable solutions to secure the asset's long-term future. Where necessary, the Council will make full use of its legislative powers to ensure their preservation;*
- *Ensuring developments in areas of archaeological importance take into account the potential for new finds by requiring consultation with English Heritage and on-site investigations, including the appropriate recording and dissemination of archaeological evidence;*
- *Supporting appropriate initiatives which increase access to historic assets, provide learning opportunities and maximise their potential as heritage attractions, particularly at Forty Hall and the Area of Special Character in the north west of the Borough; and*
- *Finding new ways to record and recognise Enfield's intangible heritage resources and, where possible, open up wider public access to them.*

6.2.20. The DMD was adopted by the Council in November 2014. Policy DMD44 (Preserving and Enhancing Heritage Assets) confirms the following:

1. *Applications for development which fail to conserve and enhance the special interest, significance or setting of a heritage asset will be refused*
2. *Development affecting heritage assets or their setting should seek to complement the asset in all aspects of its design, materials and detailing*
3. *All applications affecting heritage assets or their setting should include a Heritage Statement. The applicant will also be required to record and disseminate detailed information about the asset gained from desk-based and on-site investigations. Information should be provided to the Local Planning Authority, Historic Environment Record and English Heritage. In some circumstances, a Written Scheme of Investigation will be required.*

#### Enfield Town Conservation Area Character Appraisal

6.2.21. Part of the site (approximately 57% of the curtilage of the proposed dwelling) falls within the Enfield Town Conservation Area and in particular, within a sub area defined as “the New Town”. The special interest for this character area is summarised at para. 2.7.10 of the Character Appraisal:

- *This is a contained area, with clearly defined boundaries, all of which was laid out and built between the 1860s and 1890s;*
- *There is clear separation by use, date and built form from its setting area;*
- *Most houses are in London stock brick, providing visual unity, but each street retains its own character deriving from scale, plot size and views;*
- *All streets have a range of good quality architectural details and features;*
- *The relationship with Town Park (particularly the views from Essex Road) provides views of exceptional quality as a setting for the buildings on the west side of the area;*
- *Mature street trees and garden trees complement the townscape and provide focuses, vistas and a backdrop to the buildings.*

6.2.22. The Problems and Pressures of this character area are identified at para. 2.7.11 of the Character Appraisal. The principle issues are identified as:

- *The visual intrusiveness of Tower Point has been exacerbated by the colour and reflectivity of the re-cladding, and the design of the glazed balcony additions to the elevations.*
- *Sydney Road is affected by the poor design and condition of modern buildings from the 1960s-1970s along one side.*
- *The proximity of the shopping centre and the pressure for car parking space at busy times impinge on the northern end of Sydney Road. Raleigh Road is better protected, because there is no entry from Cecil Road.*
- *The problem of loss of character over many years through incremental change under permitted development rights, to which smaller properties are especially vulnerable, is widespread in this character area and is particularly noticeable in Raleigh Road. Doors, windows and property boundaries have all suffered from unacceptable change over many years. An Article 4 (2) direction was adopted in 2006 to control further change, but detailed monitoring is needed to ensure that it*



*is operating efficiently and that original or traditional features, materials and designs are re-instated where possible.*

- *Front-garden car-parking detracts from the character of the larger properties, where it has sometimes been carried out without due regard to sensitive detailing and planting. Again, an Article 4 (2) direction is now in operation to help manage future change.*
- *The insertion and addition of garages and hard-standings, both in new development and in existing properties, is changing the character of the street by widening accesses from the highway and creating footway crossings;*
- *The Sydney Road car park is badly designed and laid out, with poor quality hard landscaping, boundaries and signage. It breaks the rhythm of the street's semi-detached villas.*
- *The fine view of Town Park from Essex Road has been compromised by the ball-park area (Figure 18), whose bright blue colour and rectilinear form intrudes on the open green space in the centre of vision.*

6.2.23. The factors for consideration will be:

- The significance of the asset
- Proximity
- Visibility
- Compatibility of the proposal with the context and setting of the asset
- The sensitivity to harm of the asset

6.2.24. The above factors must be considered against the identified special interest and setting of the Conservation area.

#### *Heritage Assessment*

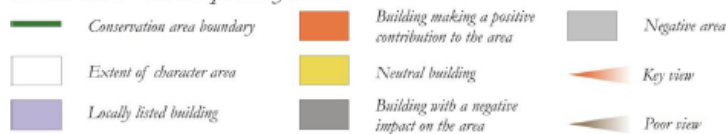
6.2.25. There are no listed buildings in proximity of the site. Number 4 Essex Road, a locally listed building, is sited approximately 140m to the east, however this is considered too far removed from the application site (and is not visible) to be of any consequence to the assessment of the current application. The only designated heritage asset to be given any consideration therefore is the conservation area, with particular regard given to the statutory requirement to give special attention to preserving or enhancing its character or appearance (s.72).

6.2.26. Although part of the application site is within the conservation area, it is not visible from Essex Road, neither can it be experienced from Essex Road or from the wider conservation area. Moreover, there are no views into the site from Walsingham and Uvedale Roads due to the elevated ground level of the site and the existence of boundary fencing. Paragraph 6.2 of the submitted Heritage Statement considers that the " *historic significance of the site is very limited due to the peripheral location and the fact that there is no relationship between the site and the Conservation Area as a whole, other than previously forming part of the curtilage of one of the properties fronting on to Essex Road. The site does not contribute to the significance, character or appearance of the Enfield Town Conservation Area in its own right, nor does it have an important role in the setting of this part of the Conservation Area, appearing as part of the Walsingham Road frontage, rather than having a relationship with the properties on Essex Road*". The above is further supported at para.3.3 of the Drury McPherson report.

6.2.27. The view towards the conservation area from Walsingham and Uvedale Roads is not identified within the Character Appraisal as a “key view” (see image below, the key view identified is that into Town Park), as also confirmed in the submitted Heritage Statement (para.6.3). The view from these roads is only of the rear of the dwelling houses fronting Essex Road, which are of no particular architectural or historical merit. Notwithstanding this, standing outside the existing widened footway crossing, the rear of No.32 Essex Road becomes visible beyond two trees (two semi mature trees (a sycamore and an ash) in close proximity to each other and identified as T3 on the submitted plans) at the bottom of the garden of No.34 Essex Road. These views, and the aforementioned trees, remain unaffected by the proposed development because the front building line of the proposed dwelling is in common alignment with the existing dwelling at 36 Walsingham Road. Views to the rear of other dwellings fronting Essex Road are prohibited from existing trees along the fence line separating the application site from the existing dwelling at 36 Walsingham Road. These trees will be removed as a result of the development however the development will not result in any further loss of views into the conservation area from this vantage point.



*Enfield Town Conservation Area Character Appraisal:  
the new town - townscape analysis*



**Figure 19: Townscape analysis (the New Town)**

6.2.28. The level of distancing between the rear of the rear of the Essex Road dwellings and their common boundary with the application site is such that a sense of openness

and spaciousness is retained. Moreover, as mentioned above, due to the higher ground elevation of the Essex Road dwellings (and the application site) to the ground level of Walsingham Road itself, only the first floor and roofs are visible above fence lines. As considered within the Drury McPherson report, the submitted Heritage Statement and supported by Council's Conservation Officer, the application site makes no contribution in its own right to the significance of the conservation area.

- 6.2.29. Paragraph 2.7.7 of the Character Appraisal considers that gardens have "*considerable*" importance because front gardens are not deep therefore views through gaps to back gardens or across and into long corner plots are "*extremely important*". From Essex Road, the only potential view of the proposed dwelling house will be between Nos.32 and 34. Whilst these two dwelling houses are part of separate pairs of semi-detached dwellings, they are linked by respective extensions at their rear / side. Beyond this, above the front walls of the aforementioned extensions, are views of trees at the bottom end of the garden, approximately 50m distant from the back edge of the pavement (the proposed dwelling house would sit a further 1m to 2m beyond the rear boundaries). When the trees are not in leaf, due the distances involved and the presence of the aforementioned extensions, there may be some glimpses only of the very top of the flank wall / roof of the proposed dwelling. Any potential view would be so minor that it would not have any effect on the ability of a casual observer to appreciate the significance of the conservation area (for example, the built form, architectural detailing of dwellings, views towards Town Park). Moreover, due to the distances involved and the narrow gap between Nos.32 and 34 Essex Road, any observer would have to knowingly look for the development. During the Spring / Summer months, any potential glimpses of the proposed dwelling should be obscured by the trees in leaf at the bottom of the gardens. Having regard to the above, it is therefore considered that the proposed development would not harm the importance of views into rear gardens. Having regard to the above, it is considered that the proposed development will not harm the significance of the conservation area.
- 6.2.30. It is acknowledged that the built form, materials and architectural detailing will differ from those dwellings fronting Essex Road, however, this is not necessarily harmful. It is also acknowledged that in refusing the 2010 application, the officer considered that the proposed dwelling should "*take as a guide those dwellings within the Conservation Area not those directly outside*" (para.6.1.4). However, unless all elements (style, design, materials, workmanship) are an exact replica of those dwellings, the proposed dwelling would risk being a pastiche of the Essex Road dwellings. Given the significant level of distancing involved between the proposed dwelling and those on Essex Road, this potentially allows for a built form and pallet of materials that differs from those dwellings within the conservation area. Moreover, to replicate the dwellings on Essex Road would result in a dwelling which would be completely out of keeping and character with the street scene to which it should relate, Walsingham Road. Heritage advice contained within the Drury McPherson report and supported by Council's Conservation Officer confirms that in relation to design, "*this should relate, in terms of volume, height and use of materials, to the streetscape of Walsingham Road, which provides its context*" (para.4.3). This is reinforced at 7.11 of the submitted Heritage Statement. Although the Drury McPherson report and the submitted Heritage Statement considers the proposed palette of materials to be appropriate, officers are of the opinion that an improvement could be made in the replacement of the proposed uPVC fenestration with traditional timber joinery. Having regard to the above, it is considered that subject to securing details of the materials proposed (the applicant has agreed to provide wooden fenestration), the proposed development will not harm the significance of the conservation area.

6.2.31. The proposed development, due to it not being visible from Town Park and the level of distancing to Essex Road, will not cause any harm to the relationship between Town Park and its views from Essex Road.

6.2.32. When assessed against the “problems and pressures” of this part of the conservation area, the proposed development would not further exacerbate any of the identified issues. Standing opposite the widened crossover, views into the conservation area over the embankment are terminated by Tower Point in the background. The proposed dwelling would largely block this view, thus contributing to enhancing the setting of the conservation area, a view supported at para.7.15 of the submitted Heritage Statement.

#### *Archaeology*

6.2.33. As advised in the supporting paragraphs to DMD44 (“Conserving and Enhancing Heritage Assets”), many heritage assets remain undiscovered. They also contain information about our past which can easily be damaged and never replaced. In relation to archaeology, as advised by Historic England (GLAAS), due to the site sitting within the Ermine Street Archaeological Priority Area, important Roman remains connected with the Roman settlement close to Leighton Road could be affected. Historic England has suggested a condition to enable reasonable access by the Enfield Archaeological Society to record findings. This is reflected in proposed condition 22.

#### *Summary of Heritage Considerations*

6.2.34. The site, although within the conservation area due to historical boundary lines, is clearly isolated from the wider conservation area and is not experienced from within the conservation area.

6.2.35. Due to the level of distancing to those elements which are considered to form the special interest of the Conservation area and the open spacious gap which would still be retained between the dwellings on Essex Road and the proposed dwelling, the development will not harm the significance of the conservation area (and/or sub area).

6.2.36. The development is considered to continue to conserve the setting of the conservation area and from some vantage points, to enhance the setting by blocking views toward Tower Point, an identified negative feature of the conservation area. Moreover, by condition proposed, any archaeological findings will be recorded.

6.2.37. Having regard to the statutory requirement to give special attention to the desirability of preserving or enhancing the character or appearance of a conservation area (s.72) the proposal has been assessed against the identified heritage asset as set out above. It is considered that the development proposals will not lead to any harm to the significance of the designated heritage asset (conservation area) and will continue to preserve and enhance it having regard to Policy 7.8 of the London Plan, Core Policy 31, Policy DMD44 of the Development Management Document, and with section 12 of the NPPF. The development proposals must therefore now be assessed against any other material considerations, in accordance with s.38(6) of the 2004 Act and s.70(2) of the T&CPA 1990.

### **6.3. Impact on Character of Surrounding Area**

### Design

- 6.3.1. There is clear guidance on the approach to the matter of design. The NPPF (section 7) confirms that the Government attaches great importance to the design of the built environment, with good design being a key aspect of sustainable development but Paragraph 59 of the NPPF confirms that design policies should “*avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally*”. Paragraph 60 further advises that “*decision should not impose architectural styles or particular tastes... [nor] stifle innovation, innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles...[although it is] proper to seek to promote or reinforce local distinctiveness*” while paragraph 61 advises that “*...decisions should address...the integration of new development into the natural, built and historic environment*”.
- 6.3.2. London Plan policy 7.1 (“Lifetime neighbourhoods”) advises that the design of new buildings and the spaces created by them should “*help to reinforce or enhance the character, permeability, and accessibility of the neighbourhood*” while policies 7.4, 7.5 and 7.6 confirm the requirement for achieving the highest architectural quality, taking into consideration the local context and its contribution to that context. Design should respond to contributing towards “a positive relationship between urban structure and natural landscape features...” Policy DMD 37 (“Achieving High Quality and Design Led Development”) confirms the criteria upon which application will be assessed. However, it also recognised there is a degree of subjectivity in this assessment of acceptable design.
- 6.3.3. Although sitting mostly within the conservation area, the proposed dwelling has not been designed to reflect the style and type of housing within the conservation area. As discussed above, it is considered entirely appropriate that the proposed dwelling should be more reflective of the housing on the street to which it relates, Walsingham Road. Details of materials will be secured by condition.
- 6.3.4. The relationship to flank boundaries is considered appropriate given the level of distancing from the common boundary (and proposed flank wall) to the rear of the dwellings on Essex Road. A sense of “spaciousness” between the proposed and existing developments continues to be maintained.
- 6.3.5. The proposed dwelling will be similar in height to the existing house at No.36 Walsingham Road. Whilst it is recognised that the wider street scene does contain some bungalows on the opposite side of the road (some with accommodation within the roof space), in street scene terms, it would not be unacceptable for a two-storey dwelling to be erected on the site. Whilst there is no uniform roof type in the area, front dormer windows are common, as are projecting gable features. The proposed dwelling features these elements.

### Density

- 6.3.6. The assessment of any development must acknowledge the NPPF and the London Plan, which encourage greater flexibility in the application of policies to promote higher densities. Policy 3.4 of the London Plan in particular encourages the development of land to optimise housing potential but recognises this must be appropriate for the location taking into account local context, character, design and public transport capacity. The site falls within an area with a Public Transport Accessibility Level (PTAL) rating of 2, therefore the London Plan suggests that a

density range of 150-250 habitable rooms per hectare (hrph) may be appropriate for this location.

- 6.3.7. Seven habitable rooms are proposed on a site measuring approximately 0.041319sqm, providing a density of approximately 169hrph. This is at the lower end of the suggested range and given the location and nature of the site, a development at the lower end of this range is considered appropriate.

#### Amenity Space Provision

- 6.3.8. Amenity space standards contained with the DMD are based upon the number of rooms and occupancy level, for example, a 4-bed 6-person dwelling should provide 50sqm of private amenity space across the whole site.
- 6.3.9. The proposed GIA is approximately 160sqm and the proposed amenity space is calculated to be approximately 250sqm (147sqm at the rear), thus providing a ratio of 156%. On this basis, the level of amenity provision exceeds adopted standards. It is recognised that the proposed dwelling provides a greater footprint than the existing dwelling but one that would be comparable in size to No.36A. Moreover, whilst the depth of the proposed rear garden (maximum point, 12m) is less than the approximate average of 30m for those dwellings fronting Essex Road, the level of provision (total and at the rear) exceeds many of the properties immediately adjacent on Essex Road. On balance, this element of the development proposal is considered acceptable.
- 6.3.10. The resulting amenity space provision for the existing dwelling must also be assessed, because it would be unacceptable to compromise provision or quality for the existing occupiers. Approximately 219sqm of amenity space will be retained for the existing dwelling, which now has a GIA of approximately 226sqm following the implementation of the 2012 permission. The proposed level of amenity space for the existing dwelling exceeds DMD standards and it will still remain comparable with the garden provision of other dwellings within the area.
- 6.3.11. Although some of the site is within the conservation area and is covered by an Article 4 Direction, the Direction only restricts development "*facing or visible from a highway or open space*". Having regard to the footprint of the dwelling proposed and the potential, under the current permitted development ("PD") rights regime for a detached dwelling to extend up to 4m under normal householder PD rights (up to 8m under the prior notification scheme), it is considered appropriate to impose a condition restricting PD for extensions.
- 6.3.12. In addition, there is also the potential for large outbuildings to be erected under Class E. Whilst it is recognised that under the PD regime, not more than 50% of the original garden for the proposed dwelling can be covered by outbuildings and extensions, having regard to the importance attached to gardens within the conservation area, it is considered appropriate to restrict permitted development rights.

#### Garden Land Development

- 6.3.13. Although garden land is not included in the definition of "previously developed land", this does not exclude all development upon it. The NPPF advises that policies should resist inappropriate development where for example, it will cause harm to the local area (para.53). DMD 7 provides the criteria upon which the development of garden land would be permitted:

- a. *The development does not harm the character of the area;*
- b. *Increased density is appropriate taking into account the site context in terms of its location, accessibility and the provision of local infrastructure;*
- c. *The original plot is of a sufficient size to allow for additional dwellings which meet the standards in DMD 8 'General Standards for New Residential Development', (and other design policies);*
- d. *The individual plot sizes, orientation and layout created are appropriate to, and would not adversely impact on the residential amenity within the development, or the existing pattern of development in that locality;*
- e. *An adequate amount of garden space is retained within both of the individual plots in accordance with the minimum amenity space standards (DMD 9 'Amenity Space'), and the role of each space is enhanced to contribute towards other plan objectives such as biodiversity; green corridors and networks; flood risk; climate change; local context and character; and play space;*
- f. *The proposals would provide appropriate access to the public highway*

6.3.14. When assessed against the above, the proposed development is considered to:

- a. not harm the character of the area;
- b. provides for a density level which is at the lower end of the suggested range and which is appropriate and in keeping for the locality;
- c. it complies with the criteria within DMD8 and DMD9;
- d. the orientation, layout, plot sizes is acceptable; and
- e. appropriate access, as discussed below, is provided to the highway.

6.3.15. It is considered that having regard to the above, no harm would arise to the character of the area through the development of the garden plot. The proposed development due to its design, size and siting, does not detract from the character and appearance of the street scene or the surrounding area having regard to Policies 3.5, 7.1, 7.4 & 7.6 of the London Plan, Core Policy 30 of the Core Strategy, DMD Policies 7, 8, 9 and 10 of the Development Management Document, and with guidance contained within the National Planning Policy Framework (in particular section 7).

#### **6.4. Impact on Neighbour Amenity**

- 6.4.1. A flank window is proposed for the first floor, facing No.34 Essex Road. Notwithstanding the level of distancing between the flank wall and the rear of No.34 Essex Road is approximately 30m, the window would serve an ensuite which would normally have obscure glazing. A condition would be imposed on any approval to secure obscure glazing.
- 6.4.2. Three windows are proposed for the rear of the dwelling serving two bedrooms and a centrally positioned bathroom. Each of the three windows look towards the bottom of the rear garden of No.26 Essex Road and will vary in distance from that common boundary line from approximately 13m to 15.5m. The level of distancing to the boundary is considered acceptable and would not lead to undue overlooking and loss of privacy. Moreover, the windows only look over the bottom of the garden where in suburban residential settings, some mutual overlooking is to be expected and would not constitute undue harm.
- 6.4.3. Conditions are proposed to secure obscure (sand blasted) glazing for the first floor flank window serving the ensuite and to restrict additional fenestration. A further condition to restrict permitted development rights for roof extensions is considered unnecessary in this instance because the proposed dwelling is provided with gable ends and therefore side dormers or hip-to-gable extensions would not be possible.

Moreover being sited within a conservation area, roof extensions will require planning permission.

## 6.5. Highway Safety

### Traffic Generation

- 6.5.1. There are no concerns over the potential traffic generation of one additional dwelling house.

### Access

- 6.5.2. As evidenced by the second reason for refusal of the 2010 application, concerns were raised in relation to vehicular sight lines, particularly as the previously refused scheme included a detached garage sited at the north-west end of the embankment which was to be levelled to accommodate an area of hard standing, and a widened crossover extending towards Town Park. The concerns centred over driver visibility when reversing out of the site due to the high volume of use of the footpath outside of the application site because of the attraction of Town Park and the important pedestrian route through the park to areas beyond. The officer report did note that this concern could potentially be overcome by condition to secure adequate visibility splays.
- 6.5.3. The existing vehicular access serving No.36 has been widened in accordance with application reference P12-02849PLA and a carriage drive has been formed. It should be noted that the access was not extended towards Town Park, which is located approximately 20m distant. In order for the access to be a safety concern, visibility around the vehicular access would need to fall below the splays specified in the most recent highway safety guidance contained in Manual for Streets. The guidance confirms that consideration needs to be given to frequency of vehicle movements, the speed and volume of traffic, the amount of pedestrian activity, and the width of the footway, before judging that visibility splays need to be provided.
- 6.5.4. With regard to site specific conditions, low vehicle movements and pedestrian activity mean visibility splays are not essential. The access can only be used by one vehicle at a time as it only provides the space for one vehicle; it isn't an access to a larger car park, and although the park will generate pedestrian activity it is not the only access to the park, so pedestrian activity will be spread out around the other access points. On this basis, defined visibility splays are not considered essential and the guidance would be more applicable to a town centre location with a high level of foot fall.
- 6.5.5. Notwithstanding the above, visibility splays can still be achieved due to the elevated position of any vehicle on the hard standing and the straight geometry of Walsingham Road along both sides of the access. The required dimensions of the minimum visibility splays are taken from the Council's '*Revised Technical Guidelines 2013*', which requires a splay of 2.0m either side of the access from a 2.0m point taken from the back of the centre crossover. The splay should be from above 0.60m. The drawings clearly show that the existing dwarf boundary wall of the embankment will be retained but with the addition of a brick pier that rises up to approximately 0.7m in height. Whilst the height of the brick pier would not strictly accord with the recommended 0.6m, having regard to the gradient of the ground (sloping up into the site), the 0.1m difference is considered to be compensated for, thus maintaining adequate sight lines for vehicles reversing out of the site. An appropriately worded condition could be imposed to control the height of any landscaping to the front of the



property. Boundary treatments of up to 1m in height are normally permitted adjacent to a highway under Article 3 and Schedule 2, Part 2, Class A of the GPDO. It is considered appropriate, in light of the above, to impose a condition to remove this permitted development right.

- 6.5.6. In addition to drivers having a good visibility, any pedestrians would have clear sight of any vehicles reversing out of the hardstanding well in advance of the crossover location, as shown in the image below:



View towards No.36 Walsingham Road from public footpath leading towards Town Park

#### Parking, Traffic & Highway Safety

- 6.5.7. The provision of one space for the house is in accord with adopted standards. Whilst concerns about existing parking are noted, there is no requirement for additional spaces to be provided. Similarly, the traffic generated from the access will be minimal given that only one space is being provided, and the existing 'no parking' restrictions ensure visibility along both sides of Walsingham Road is acceptable for vehicular traffic.
- 6.5.8. The character of the area means that traffic speeds will be generally low given the almost 90 degree bend in the road, and it is not unreasonable to expect drivers to naturally take more care. This assumption is based on observations from the site, further supported by research undertaken for the Manual for Streets para 2.2.5 (2 ODPM and Home Office (2004) Safer Places: The Planning System and Crime Prevention. London: TSO). This is further supported by accident data, which shows no accidents have taken place in the last four years on Walsingham Road, despite one of the neighbouring properties having an access even closer to the park entrance (see image below) and offering poorer visibility for both pedestrians and drivers in comparison to the widened access.



View of existing access for 1a Uvedale Road, with the public path leading to Town Park entrance to the right

## 6.6. Housing Need

- 6.6.1. Section 6 of the NPPF (Delivering a wide choice of high quality homes) provides guidance on housing delivery and the quality and location of new houses. Paragraph 47 of the NPPF aims to “boost significantly the supply of housing” through the use of an evidence base and an annually updated supply of specific deliverable sites with a 5% buffer. Paragraph 48 confirms that local planning authorities should make allowance for windfall sites in the five-year supply if there is compelling evidence that such sites have consistently become available, although it is advised that this should not include residential gardens. Housing applications are to be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (para.49). Paragraph 53 advises that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.
- 6.6.2. The Core Strategy seeks to ensure new developments offer a range of housing sizes to meet housing need. In particular, it seeks to ensure that with regard to market housing, 45% are 3+bedroom houses and 20% is 4+bedroom houses. The Core Strategy policy is based on evidence from the research undertaken by Ecotec.
- 6.6.3. The findings of Ecotec’s research, Enfield Strategic Housing Market Assessment (February 2010), demonstrates a shortage of houses of all sizes, particularly houses with 3+bedrooms across owner occupier, social and private rented sectors. The greatest requirement in the owner occupied market housing sector is for family sized housing.
- 6.6.4. The earlier findings of Fordham’s Research, Enfield Council Housing Study (September 2005) corroborate Ecotec’s findings. The research showed there was an

absolute shortage of four bedroom properties in the owner occupied sector, which is unique to that sector. The report modelled the potential demand and supply for different sized properties from 2003-2011 and found the greatest relative shortfall is for three or more bedroom properties for owner occupation. This is confirmed with data in the Monitoring Report and Housing Trajectory 2015 ("Monitoring Report") which was reported to the Local Plan Cabinet Sub-Committee on 3 March 2016.

- 6.6.5. The Monitoring Report confirms that in 2014/15, new 3+ bedroom houses accounted for 23% of provision when Core Policy 5 and DMD3 seek 65%. The proposed development will provide for a 4-bed dwelling, which, having regard to the Housing Study and the more recent Monitoring Report, is identified as being a type of greatest need.
- 6.6.6. With regard to development on garden land, policy DMD7 has a presumption against development on garden land unless the criteria contained within the policy are met. As discussed above, the scheme is considered to satisfy the criteria to permit this garden land development.
- 6.6.7. In relation to housing supply, the London Plan 2011 housing target was originally planned to cover a 10 year period from 2011/12 to 2020/21 and required Enfield to provide 5,600 additional dwellings, some 560 per year (the previous target from 2006/07 to 2016/17 was 3,950 additional dwellings). The most recent housing trajectory report, confirms that since 2012, there has been a cumulative shortfall in housing delivery versus the annual target of 560, with the cumulative shortfall for the year 2015/16 being 164 dwellings. The borough must identify a supply over the next five years (2016/17 to 2020/21) of 4,190 (798 per annum plus the 5% buffer).
- 6.6.8. Having regard to the above, whilst sufficient land has been identified to meet with the Council's housing targets, the policy requirement is not to just meet with the target but to exceed it (policy 3.3, London Plan). Although the development would only result in one additional dwelling, the development will contribute in helping the Council to exceed its identified housing target. Moreover, the proposed dwelling is of a size for which there is an identified shortfall.

## **6.7. Sustainable Design and Construction**

### BREEAM / Code for Sustainable Homes

- 6.7.1. A written ministerial statement ("WMS") in March 2015 confirmed the withdrawal of the code for sustainable homes. Although the applicant had submitted information to demonstrate compliance with the code, it is no longer necessary for a planning assessment to be made with respect to this element.

### Biodiversity / Ecology

- 6.7.2. A Phase 1 Habitat Survey undertaken in March 2014 established that there was negligible ecological value at the site and therefore there were no ecological constraints to the proposed development. Notwithstanding this, it was recommended that any vegetation was to be cleared outside of the bird nesting season (March to August inclusive) or if clearance could not be avoided within this period, an ecologist would have to firstly confirm whether nesting birds are present.
- 6.7.3. A review of the submitted ecological survey has confirmed that its findings and conclusions remain valid. A condition will be imposed in relation to vegetation clearance.

- 6.7.4. Having regard Core Policy 36, which advises that all schemes should looking to enhance the ecological value of the respective site, a condition will be imposed to secure enhancements such as bird and bat boxes / bricks / tiles in addition to native plantings.

#### Energy

- 6.7.5. The development is able to exceed the minimum 8% improvement required above Building regulations. A condition will be imposed to secure this.

#### Drainage

- 6.7.6. The applicant should be designing a drainage strategy that ensures that any runoff is managed as close to the source as possible. This can be achieved through a variety of measures such as green roofs and sustainable urban drainage systems (SUDS). A condition will be imposed requiring the applicant to submit details of a drainage scheme which will also involve the investigation into the use of SUDS.

### **6.8. Viability**

- 6.8.1. On 28 November 2014 a WMS was published, announcing changes to s106 planning obligations for small scale development. Paragraphs 12 to 23 of the National Planning Policy Guidance (NPPG) were amended to state that contributions for affordable housing and tariff style planning obligations should not be sought from small scale and self-build developments containing 10 units or less with a gross area of no more than 1000sqm.
- 6.8.2. The position was subsequently challenged and a case was brought to the High Court by West Berkshire District Council and Reading Borough Council refuting the decision on 28 November 2014 to make alterations to national policy in respect of planning obligations for affordable housing and social infrastructure contributions and the decision on 10 February to maintain those Policy changes following the completion of an Equalities Impact Assessment (EqIA).
- 6.8.3. On 31 July 2015 Mr Justice Holgate upheld the challenge and ruled that the changes to national policy on 28 November 2014 were unlawful and contrary to the provisions of the Town and Country Planning Act 1990 (as amended) and the Planning and Compulsory Purchase Act 2004. In addition, Mr Justice Holgate ruled that the statement failed to comply with the public sector equality duty under the Equality Act 2010 and consequently failed to give due regard to all material considerations. On this basis, Mr Justice Holgate quashed the policy and subsequent changes to the NPPG. Accordingly, paragraphs 012-023 of the NPPG on planning obligations have been removed.
- 6.8.4. As the development results in the net increase of residential accommodation, the consequence of this ruling is that the provisions of Policies CP3 and CP46 of the Core Strategy and DMD2 of the Development Management Document remain applicable to the scheme as a material consideration. Therefore, contributions to accord with the S106 SPD apply in full, unless it can be demonstrated that such contributions would undermine the viability of the development as a whole.

#### Affordable Housing

- 6.8.5. Affordable housing is housing designed to meet the needs of households whose income is insufficient to allow them access to “decent and appropriate housing in their borough” (para.5.17 Core Strategy). Having regard to Core Policy 3, for developments of less than 10 dwellings the Council will seek a financial contribution to deliver off-site affordable housing provision based on a borough-wide target of 20%. The level of contribution is based upon the expected sales value, using comparable data where appropriate, and the formula provided within the S106 SPD.
- 6.8.6. A value of £500,000 is being used as the assumed sales value, which is supported by a covering letter from Bowyer Bryce. Applying the S106 SPD formula, the scheme should therefore be making a contribution of £43,930 towards off-site affordable housing provision in the Borough.
- 6.8.7. As discussed below at para.6.9.4, due to the scheme not being determined before 1 April 2016, consideration must be given to the Enfield CIL (£19,200.00). To contribute a further £19,200.00 would jeopardise the deliverability of the scheme, therefore in this instance, the Enfield CIL amount should be deducted from the affordable housing element. This would still result in £24,730.00 being provided towards affordable housing whilst at the same time, allow for the construction of a much needed family-sized dwelling.
- 6.8.8. Any contribution will need to be secured via a s106 Agreement.

#### Education

- 6.8.9. Core Policy 8 sets out the education infrastructure requirements of the borough, with the Monitoring Report confirming the increase in the number of primary (930 additional places in 2012/13, 2315 additional places in 2013/14) and secondary school places (1006 additional places 2014/15). Core Policy 46 confirms that infrastructure contributions for learning and skills facilities is one of the priorities while the supporting text at para.7.3.1 of the S106 SPD also confirms that contributions will be sought on all residential developments.
- 6.8.10. Table 7.3 of the S106 SPD confirms that a 4-bed unit should be making a contribution of £11,408.98. The applicant has confirmed that this contribution will be made and this will also need to be secured through the s106 Agreement.

### **6.9. Community Infrastructure Levy (CIL)**

#### *Mayoral CIL*

- 6.9.1. The 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 the Outer London weight of £20 together with a monthly indexation figure (274 for March 2016).
- 6.9.2. The development is CIL liable for the construction of 160sqm of new residential floor space and the CIL calculation is:  $(£20/m^2 \times 160m^2 \times 274)/223 = £3,931.84$ .

#### *Enfield CIL*

- 6.9.3. On 1 April 2016, the Council introduced its own CIL. The money collected from the levy (Regulation 123 Infrastructure List) will fund rail and causeway infrastructure for Meridian Water. As a result of the application not being determined prior to 1 April, the Enfield CIL must now be taken into consideration. The application of the CIL

formula, having regard to the March indexation figure (274), would therefore result in the scheme being liable for £19,200.00.

## 6.10. Section 106 / Legal Agreement

6.10.1. Section 106 contributions can still be sought for items of infrastructure not identified on the Regulation 123 list. A legal agreement will be required to secure the affordable housing and education contributions as set out above. A 5% monitoring fee will also be incurred as per the S106 SPD.

6.10.2. In summary, the scheme will be providing the following S106 contributions to the Council:

|                       |                   |
|-----------------------|-------------------|
| • Affordable Housing: | £24,730.00        |
| • Education:          | £11,408.98        |
| • Monitoring fee:     | £ 1,806.95        |
| <b>Total:</b>         | <b>£37,945.93</b> |

6.10.3. Having regard to the above contributions, the proposed development would provide a sufficient level of contributions towards affordable housing, education infrastructure and associated monitoring fees and through the associated legal agreement to secure the required planning obligations, has appropriate regard to Policies 3.10, 3.11, 3.12 and 3.13 of the London Plan, Core Policies 3 & 46 of the Core Strategy, Policy DMD2 of the DMD, the associated S106 Supplementary Planning Document, and the National Planning Policy Framework.

6.10.4. In addition, the contribution towards affordable housing, whilst not explicitly stated in any supporting document as a reason to support the development, having regard to the considerations contained within Section 12 of the NPPF as outlined above and also to the guidance within the NPPG, would represent a public benefit in favour of the development because of the identified need for affordable housing in the Borough.

## 6.11. Other Matters Raised

### Judicial Review

6.11.1. References have been made to a judicial review ("JR") of the previous decision to grant planning permission. A JR is a process whereby the lawfulness of a decision is reviewed by the Courts and if successful, the decision is quashed and the local authority is required to reconsider the application afresh. This may or may not result in the same decision being made by the local authority. The application for JR was made on 7 Grounds:

1. Breaches of duty under s.72 of the Listed Buildings Act, §70(1) & 70(2) of the T&CPA 1990 and s.38(6) of the 2004 Act;
2. Breach of Regulation 122 of the 2010 CIL Regulations;
3. A failure to have regard to material considerations;
4. A regard to irrelevant considerations;
5. The decision was Wednesbury unreasonable;
6. Lack of consultation with local residents; and
7. An unlawful consultation (Drury McPherson Report)

- 6.11.2. The council agreed to the quashing order on the basis of Ground 1: that in identifying any harm to the significance of the conservation area, the officer report should have made clear that it is then a matter of law that the harm is given considerable importance and weight. The report therefore fell into material error. Previously, officers were of the view that the introduction of any development where previously there had not been any, amounted to some harm. In having to reconsider the application afresh and in light of a review of relevant case law, officers have concluded that the proposed development will not lead to any harm to the significance of the conservation area.
- 6.11.3. The JR did not, as has been incorrectly stated, “reject” the council’s decision on all 7 grounds. The council did not accept Grounds 2-7 and the Judge did not consider Grounds 2-7 on the basis of Ground 1 being conceded.
- 6.11.4. In relation to Grounds 2-7, where necessary, these are addressed above.

#### Miscellaneous

- 6.11.5. It has always been a key principle of decision making that the determination of any planning application is made in accordance with the development plan unless material considerations indicate otherwise. Although the majority of the development site is on land, which for historical reasons, is within the conservation area, this does not preclude development from taking place. As outlined above, it is considered that no harm arises to the significance of this sub-area of the conservation area or even to the conservation area as a whole.
- 6.11.6. The development of garden land is permitted under current planning policy, subject to satisfying the criteria of DMD8. It is considered that the development adequately demonstrates compliance with the policy.
- 6.11.7. In relation to the access points that have been constructed, one of which (the “existing”) is a widened vehicular crossing and the second, near to the boundary with 36A Walsingham Road, these do not normally require planning permission as they can be constructed under permitted development rights due to their location on a non-classified road, by virtue of Article 3, Schedule 2 and Part 2, Class B of the General Permitted Development Order 2015 (as amended).
- 6.11.8. Whilst the access points did form part of the 2013 permission, that permission, and any conditions attached, would only take effect from the commencement of development. Construction of the widened and new vehicular crossings was undertaken on 9 January 2014 and commencement works in relation to the approved extensions occurred on 17 February 2014, therefore the works were not undertaken pursuant to the planning permission but as permitted development. For clarity, the southern point of access was amended at the request of the Highway Services to ensure there was no conflict with existing underground services. Notwithstanding, and as the application as originally submitted showed the access points in the wrong position, the plans were amended to correct this.
- 6.11.9. All relevant planning conditions attached to the 2012 planning permission (P12-02849PLA) were discharged on 20 October 2013 to the satisfaction of the Local Planning Authority.

## **7. Conclusion**

- 7.1.** It is considered that this isolated site itself does not contribute to the significance of the conservation area or to the New Town sub-area because it cannot be experienced from within any part of the conservation area. The development is considered to not lead to any harm or to a loss of significance to the identified heritage asset. Whilst the proposed dwelling would mostly be sited on an area of garden land within the conservation area, the gardens of the Essex Road properties and views into them from Essex Road, Walsingham Road and Uvedale Road are not harmed. The development proposal continues to conserve and enhance the setting of the conservation area. This is a view that has been supported through independent heritage advice and by Council's Conservation Officer.
- 7.2.** It has been concluded that the development proposal will not result in any harm to the significance of the conservation area and its sub-area. As such, it is not necessary to identify any public benefits to outweigh the harm. Nevertheless, the provision of a new family dwelling, for which there is an evidenced need and a contribution towards affordable housing, again for which there is an evidenced need, are benefits which do arise from the scheme.
- 7.3.** Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF and related guidance provide important material considerations to be considered in the planning decision making process.
- 7.4.** Having regard to the statutory requirement to give special attention to the desirability of preserving or enhancing the character or appearance of a conservation area (s.72), and to all other material planning considerations, it is considered that on balance, planning permission should be granted for the following reasons:
1. The proposed development, due to its design, size and siting, will not lead to any harm or to a loss of significance to the Enfield Town Conservation Area sub-area the "New Town" or to the conservation area as a whole and will preserve the special character and setting of the designated heritage asset having regard to Policy 7.8 of The London Plan, Core Policy 31 of the Core Strategy, DMD Policy 44 of the Development Management Document, and with guidance contained within the National Planning Policy Framework (in particular section 12).
  2. The proposed development would contribute to increasing London's supply of housing and assist in meeting with the provision of family housing within the Borough, having regard to Policies 3.3 & 3.4 of The London Plan, Core Policies 2 and 4 of the Core Strategy, and with guidance contained within the National Planning Policy Framework (in particular section 6).
  3. The proposed development due to its design, size and siting, does not detract from the character and appearance of the street scene or the surrounding area having regard to Policies 3.5, 7.1, 7.4 & 7.6 of the London Plan, Core Policy 30 of the Core Strategy, DMD Policies 7, 8, 9 and 10 of the Development Management Document, and with guidance contained within the National Planning Policy Framework (in particular section 7).
  4. The proposed development due to its design, size and siting, does not unduly harm the existing amenities of the occupiers of adjoining properties in terms of loss of light, outlook or privacy and in this respect complies with Policy 7.6 of the London Plan, Core Policy 30, DMD Policy 10 of the Development Management Document, and with guidance contained within the National Planning Policy Framework (in particular section 7).



5. Having regard to conditions attached to this permission, the proposal makes appropriate provision for access and parking, including cycle parking and visibility splays, and in this respect complies with Policies 6.3, 6.9, 6.12 & 6.13 of the London Plan, DMD Policies 45 and 47 of the Development Management Document, and with guidance contained within the National Planning Policy Framework (in particular section 4).
6. The proposed development, by virtue of measures proposed and conditions imposed, will contribute to the mitigation of and adaptation to climate change, having regard to Policies 5.1, 5.2, 5.3, 5.7, 5.8, 5.9, 5.10 & 5.13 of the London Plan, Core Policy 32, DMD Policies 51, 53, 58, 59 and 61 of the Development Management Document, and with guidance contained within the National Planning Policy Framework (in particular section 10).

## 8. Recommendation

- 8.1. That subject to the completion of a S106 Agreement to secure the obligations as set out above, the Head of Development Management / the Planning Decisions Manager be authorised to **GRANT** planning permission subject to the following conditions:

1. C61            Approved Plans – Revised  
Unless otherwise required by any condition attached to this permission, 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: In the interest of proper planning and for the avoidance of doubt.
2. C51A        Time Limited Permission  
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: As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
3. NSC1        Fenestration  
Notwithstanding any submitted plan or supporting documentation, fenestration to be used throughout the development hereby approved shall be in timber, with joinery details (1:20 and 1:5 sections) being provided to the Local Planning Authority for approval in writing. The fenestration shall be installed in accordance with the approved details and they shall not be altered without the prior written approval of the Local Planning Authority.  
  
Reason: Having regard to the setting of the Enfield Town Conservation Area.
4. C24         Obscure Glazing  
Notwithstanding the submitted plans, the glazing to be installed in the first floor flank elevation of the development indicated on drawing No.KF-001-14/B shall be in sandblasted glass and fixed shut up to a

minimum height of 1.7m above finished floor level. The glazing shall not be altered without the approval in writing of the Local Planning Authority.

Reason: To safeguard the privacy of the occupiers of adjoining properties and to ensure an adequate appearance having regard to the surrounding conservation area.

5. C25 No Additional Fenestration  
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no external windows or doors other than those indicated on the approved drawings shall be installed in the development hereby approved without the approval in writing of the Local Planning Authority.

Reason: To safeguard the privacy of the occupiers of adjoining properties.

6. C08 Details of Materials  
Notwithstanding any submitted plan or supporting documentation, the development shall not commence until details of the external finishing materials have been submitted to the Local Planning Authority and approved in writing. The submitted detail shall include:
- a. Brick type
  - b. Details of bonding and mortar

The development shall be carried out in accordance with the approved detail.

Reason: Having regard to the setting of the Enfield Town Conservation Area.

7. C09 Details of Hard Surfacing  
The development shall not commence until details of the surfacing materials to be used within the development, not including the hard surfacing already approved for the driveway, but including footpaths, have been submitted to and approved in writing by the Local Planning Authority. The surfacing shall be carried out in accordance with the approved detail before the development is occupied.

Reason: To ensure that the development does not prejudice highway safety and to ensure a satisfactory appearance.

8. NC2 Front Boundary Wall  
The front boundary wall and piers shall not be higher than 0.7m in height.

Reason: In the interest of highway safety.

9. C16 Private Vehicles Only – Garage / Parking Areas  
The garage and parking areas to be provided shall be kept available for the parking of private motor vehicles at all times. The garage / parking areas shall be used solely for the benefit of the occupants of

the dwelling of which it forms part and their visitors and for no other purpose and permanently retained as such thereafter.

Reason: To ensure that the development complies with adopted Policy and to prevent the introduction of activity that would be detrimental to visual and residential amenity.

10. C17

#### Details of Landscaping

Prior to occupation full details of soft landscape proposals shall be submitted to the Local Planning Authority for approval in writing. The details shall include:

- a. Planting plans
- b. Written specifications (including cultivation and other operations associated with plant and grass establishment)
- c. Schedules of plants and trees, to include native and wildlife friendly species and large canopy trees in appropriate locations and plantings that would not interfere with vehicular sightlines (noting species, planting sizes and proposed numbers / densities)
- d. Implementation timetables.
- e. Wildlife friendly plants and trees of local or national provenance
- f. Specifications for fencing demonstrating how hedgehogs and other wildlife will be able to continue to travel across the site (gaps in appropriate places at the bottom of the fences)

The landscaping shall be provided in accordance with the approved details prior to first occupation.

Reason: To ensure the provision of amenity, and biodiversity enhancements, afforded by appropriate landscape design in accordance with adopted policy, and to ensure highway safety.

11. C19

#### Details of Refuse Storage & Recycling Facilities

Within three months of commencement of the development, details of refuse storage facilities including facilities for the recycling of waste to be provided within the development, in accordance with the London Borough of Enfield – Waste and Recycling Planning Storage Guidance ENV 08/162, shall be submitted to the Local Planning Authority for approved in writing. The facilities shall be provided in accordance with the approved details before the development is occupied or use commences.

Reason: In the interest of amenity and the recycling of waste materials in support of the Boroughs waste reduction targets and having regard to visual amenity.

12. NSC3

#### Energy

The energy efficiency of the development shall provide for no less than a 8% improvement in the total CO<sub>2</sub> emissions arising from the operation of the development and its services over Part L of Building Regs 2013 as the baseline measure. Prior to first occupation, confirmation shall be provided to the Local Planning Authority.

Reason: To ensure that the development meets or exceeds the energy efficiency and sustainable development policy requirements of the London Plan and the Core Strategy.

13. NSC4

SUDS 1

No development shall take place until an assessment has been carried out into the potential for disposing of surface water by means of a sustainable drainage (SUDS) scheme, in accordance with the principles of sustainable drainage systems set out in national planning policy guidance and statements, and the results of that assessment have been provided to the Local Planning Authority. The assessment shall take into account the design storm period and intensity (1 in 100 and 1 in 1 year storm events); methods to delay and control the surface water discharged from the site; and measures to prevent pollution of the receiving groundwater and/or surface waters.

Reason: To ensure that the proposal would not result in an unacceptable risk of flooding from surface water run-off or create an unacceptable risk of flooding elsewhere.

14. NSC5

SUDS 2

Surface water drainage works shall be carried out in accordance with details that have been submitted to, and approved in writing by, the Local Planning Authority before the development commences. Those details shall include a programme for implementing the works. Where, in the light of the assessment required by the above condition, the Local Planning Authority concludes that a SUDS scheme should be implemented, details of the works shall specify:

- a. a management and maintenance plan, for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime; and
- b. the responsibilities of each party for implementation of the SUDS scheme, together with a timetable for that implementation.

Reason: To ensure implementation and adequate maintenance to ensure that the proposal would not result in an unacceptable risk of flooding from surface water run-off or create an unacceptable risk of flooding elsewhere.

15. C59

Details of cycle storage

Within three months of commencement of the development, details (including elevational details) for covered cycle parking for the storage of a minimum of 2 bicycles shall be submitted to the Local Planning Authority for approved in writing. The approved cycle storage shall be provided prior to first occupation of the development and permanently maintained, kept free from obstruction, and available for the parking of cycles only.

Reason: To provide secure cycle storage facilities free from obstruction in the interest of promoting sustainable travel.

16. NSC6

Tree / Shrub Clearance

All areas of trees, hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March to August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.

Reason: To ensure that wildlife is not adversely impacted by the proposed development in accordance with national wildlife legislation and in line with CP36 of the Core Strategy. Nesting birds are protected under the Wildlife and Countryside Act, 1981 (as amended).

17. NSC7

Arboricultural

All tree works as detailed within the BS5837 Tree Survey, Arboricultural Impact Assessment and Method Statement shall be undertaken in accordance with good arboricultural practice and British Standard 3998: 2010 Recommendations for Tree Work.

Reason: In order to maintain the tree(s) amenity value and health.

18. NSC8

Tree Protection

Tree protection measures and works in proximity to retained trees, within the site and on adjacent sites, shall be undertaken in accordance with the details as set out in the BS5837 Tree Survey, Arboricultural Impact Assessment and Method Statement. There shall be no deviation from the approved measures without the prior written approval of the Local Planning Authority.

Reason: In the interest of visual amenity having regard to the setting of the Enfield Town Conservation Area and in the interest of preserving the health of retained trees.

19. NSC9

Biodiversity Enhancements

Prior to occupation of the development, 3 bat boxes and 3 bird boxes are to be installed on and around the new building under the supervision of a suitably qualified ecologist. A brief letter report confirming that the boxes have been installed, including a simple plan showing the location and type of boxes, is to be submitted to the Council within 3 months of installation.

Reason: To ensure that the ecological value of the site is enhanced post development in line with CP36 of the Core Strategy.

20. NSC10

Restriction of PD - Front Boundary Enclosure

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no walls, fences, gates or any other means of enclosure, including piers, shall be erected on any part of the site lying between any wall of buildings fronting a highway and the highway boundary, without the prior approval in writing of the Local Planning Authority.

Reason: To ensure a satisfactory appearance and in the interests of maintaining adequate visibility splays having regard to highway safety.

21. NSC11      Restriction of PD – Extensions and Outbuildings  
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no buildings or extensions to buildings shall be erected, other than those expressly authorised by this permission, without the prior approval in writing of the Local Planning Authority.

Reason: In the interest of preserving garden land which is identified as being of importance within the Enfield Town Conservation Area.

22. NSC12      Archaeology  
The developer shall notify the Greater London Archaeology Advisory Service of the start of groundworks no less than two weeks before commencement and permit access by the Enfield Archaeological Society, at any reasonable time to be agreed between the applicant and the Enfield Archaeological Society, to monitor the development and record features of interest.

Reason: To enable the recording of any features of archaeological interest.

23. NSC13      Construction Methodology  
That development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Planning Authority. The construction methodology shall contain:

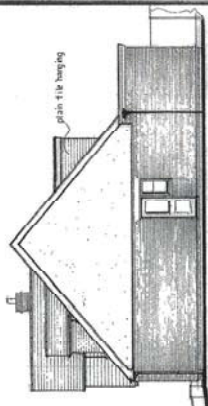
- a. a photographic condition survey of the roads, footways and verges leading to the site;
- b. arrangements for the loading, unloading and turning of delivery, construction and service vehicles clear of the highway;
- c. arrangements for wheel cleaning;
- d. arrangements for the storage of materials;
- e. hours of work;
- f. arrangements for the securing of the site during construction;
- g. A construction management plan written in accordance with the 'London Best Practice Guidance: The control of dust and emission from construction and demolition'.

The development shall be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the implementation of the development does not lead to damage to the existing highway and to minimise disruption to neighbouring properties and the environment.



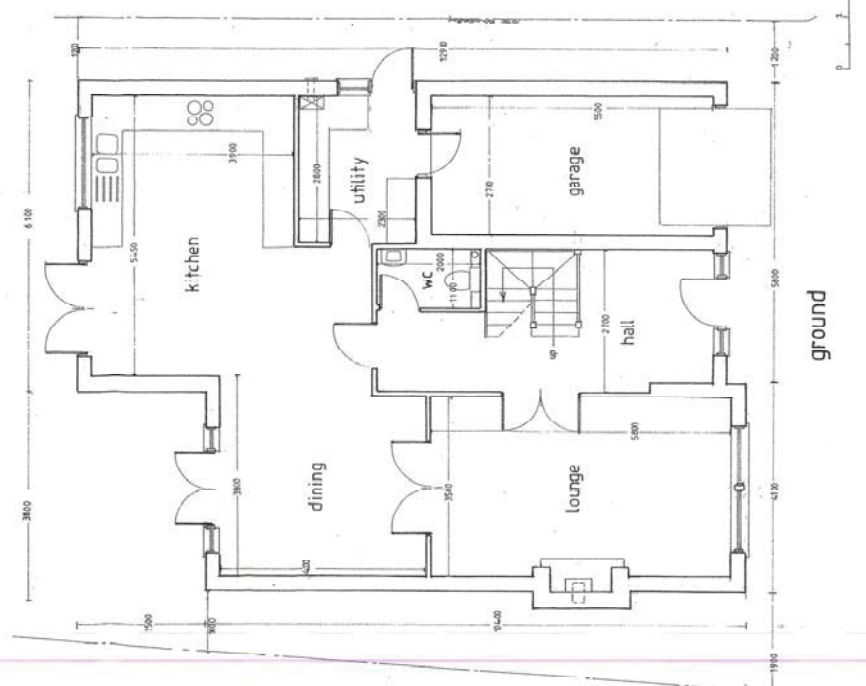
Proposed Elevations 1:100



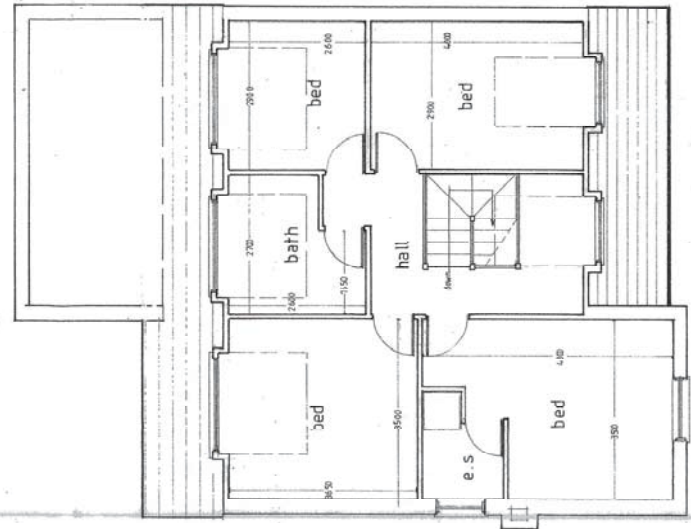
side south

side north

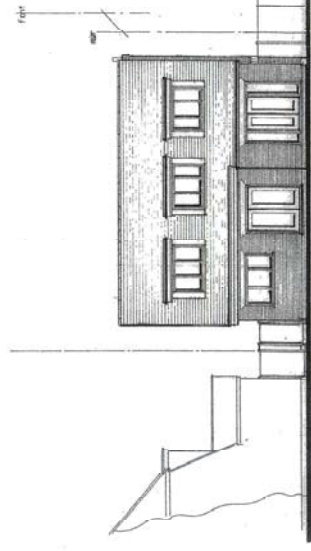
Proposed Floor Plans 1:50



ground



first



rear east

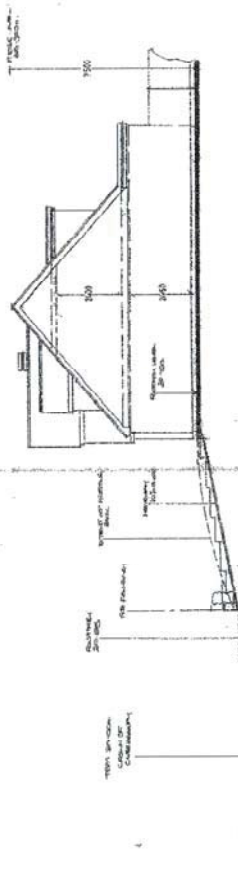
*Revised Plans Received 01/04/2014*

|  |                               |   |
|--|-------------------------------|---|
| All dimensions to be checked on site.  |                               |   |
| REVISION   | DATE                          | REMARK  |
| 8  | March 2014                    | Width of building reduced to increase boundary separation |
| <b>PROPOSED:</b> 4 BEDROOM DETACHED HOUSE                                      |                               |   |
| <b>SITE:</b> Land adjacent to: 38 WALSHINGHAM ROAD, ENFIELD, MIDDLESEX EN9 6EY |                               |   |
| <b>CLIENT:</b> Mr Mrs K. FITZGERALD  |                               |   |
| <b>DRAWING SCALE:</b> PROPOSED ELEVATIONS 1:100<br>PROPOSED FLOOR PLANS 1:50   |                               |   |
| Original drawing format @ A1   |                               |   |
| <b>DATE:</b> MARCH 2014  | <b>DRAWING No. / Revision</b> | <b>W</b>  |
|  | KC-001 - 14 / B               |   |





Street Scene Elevations 1:100



Site Section 1:100

| REVISION  | DATE       | REMARK  |
|---|------------|---|
| B   | March 2014 | With it Building reduced to increase boundary separation<br>for the proposed driveway.<br>Change from floor |
| <p>PROPOSED: 4 BEDROOM DETACHED HOUSE</p>   |            |   |
| <p>SITE: Land adjacent to P13-03636/2A<br/>36 WALSHINGHAM ROAD<br/>ENFIELD,<br/>MIDDLESEX<br/>EN2 6EY</p> |            |   |
| <p>CLIENT: Mr &amp; Mrs K. FITZGERALD</p>   |            |   |
| <p>DRAWING SCALE: PROPOSED SITE SECTION 1:100<br/>PROPOSED STREET SCENE ELEVATION 1:100</p>               |            |   |
| DATE  | MARCH 2014 | DRAWING No / Revision<br>KF-003 - 14 / B  |

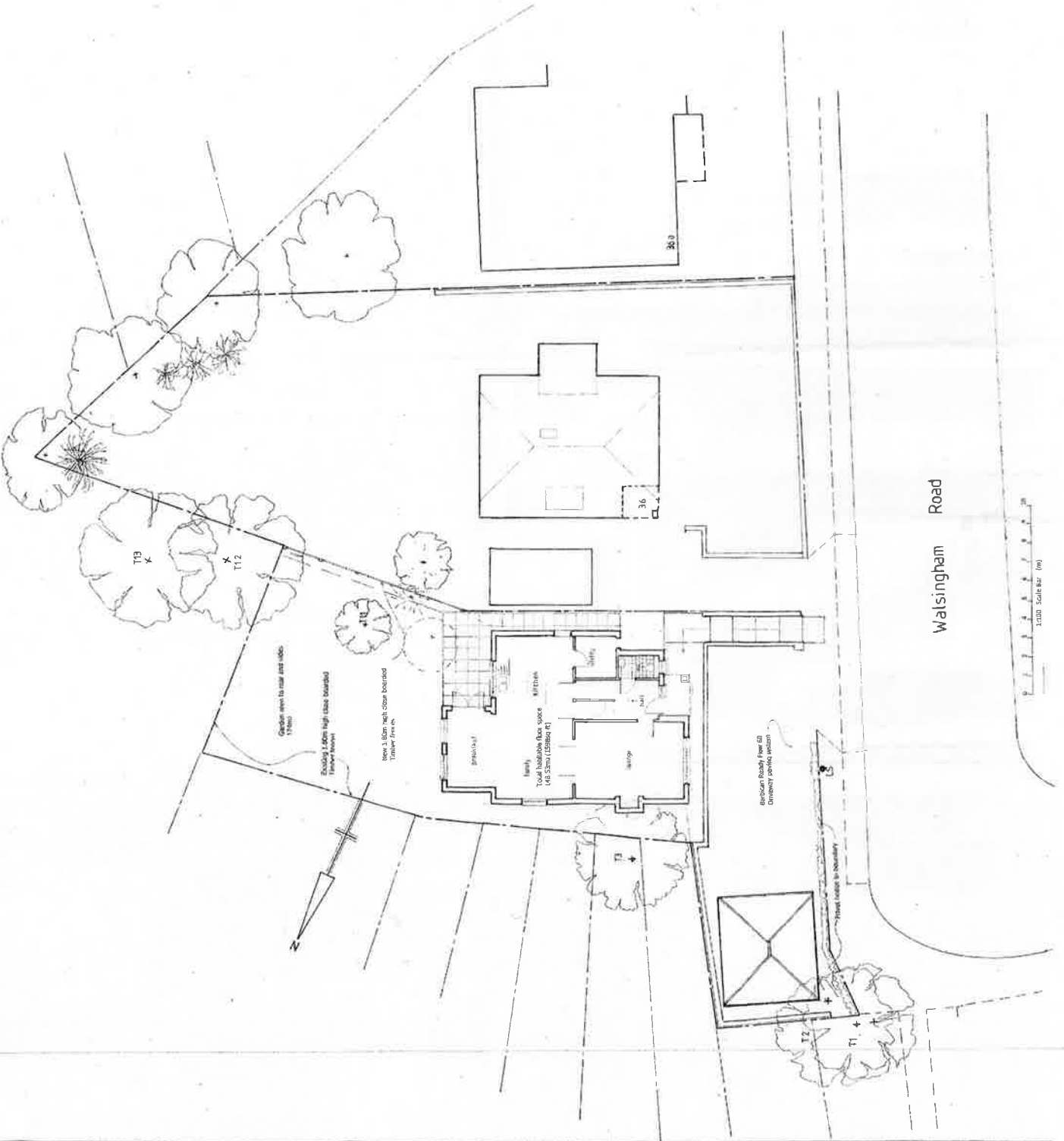


APPENDIX 1

PLANS OF REFUSED SCHEME: REFERENCE TP/10/0818

Proposed Site Block Plan 1:100

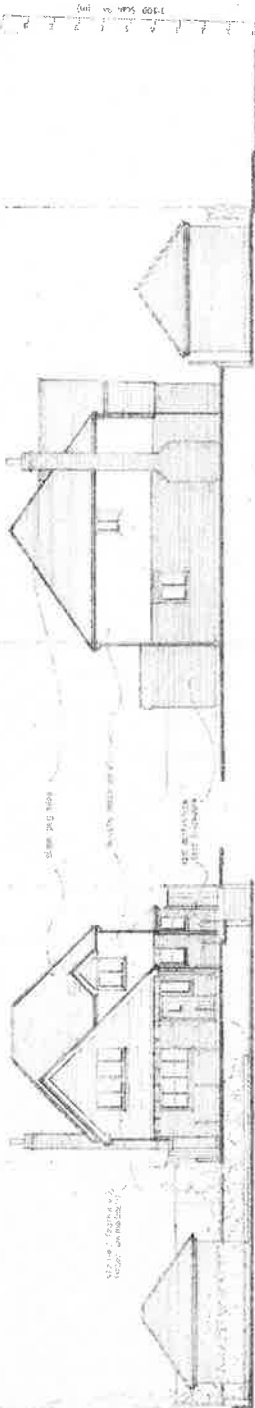
TP/00/0818



|   |                        |
|---|------------------------|
| All dimensions to be checked on site.<br>Prepared by: <b>MR FITZGERALD</b>              |                        |
| REVISION  | DATE                   |
| A   | May 2010               |
| REMARK<br>Prepared for Planning & Building Control Applications                         |                        |
| PROPOSED: 4 BEDROOM DETACHED HOUSE & DETACHED GARAGE                                    |                        |
| SITE:<br>Land adjacent to:<br>36 WALSHINGHAM ROAD,<br>ENFIELD,<br>MIDDLESEX,<br>EN2 8EY |                        |
| CLIENT: <b>MR &amp; MRS K. FITZGERALD</b>   |                        |
| DRAWING SCALE: PROPOSED SITE BLOCK PLAN 1:100   |                        |
| Original Drawing format: A1   |                        |
| DATE  | DRAWING No. / Revision |
| MAY 2010  | KF-004-10 / A          |

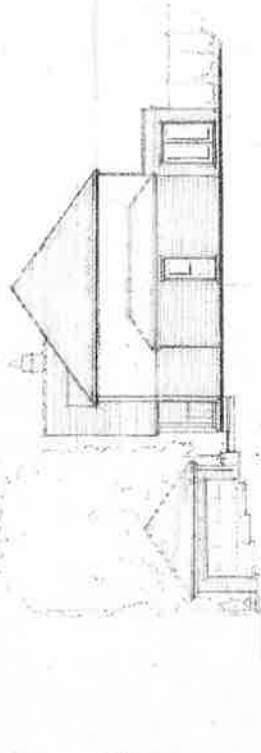


Proposed Elevations 1:100

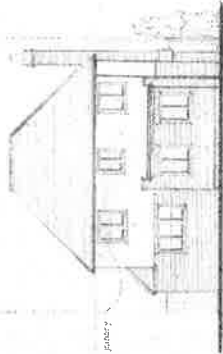


front west

side north



side south



rear east



side north

RECEIVED  
SEP 17 10  
MUNICIPALITY

IP 10 1052  
Revised Additional Drawing  
Received 4/1/10  
Under cover of 4/24/10  
Dated 3/19/10

Approved by the Client

|          |                |   |
|----------|----------------|---|
| REVISION | DATE           | APPROVED  |
| 1        | September 2010 | Proposed for Planning & Building Control Applications<br>Roof Alteration 17/10/2010 |

PROPOSED: 4 BEDROOM DETACHED HOUSE & DETACHED GARAGE


SITE:  
Land adjacent to:  
38 WALSHSTAM ROAD  
ENFIELD  
MIDDLESEX  
EN2 8EY

CLIENT: MR & MRS K. FITZGERALD

DRAWING SCALE: PROPOSED ELEVATIONS 1:100

Approved by the Council

|                        |                |
|------------------------|----------------|
| DATE:                  | SEPTEMBER 2010 |
| DRAWING NO. / REVISION | KS-102-10 6    |



|  |  |  |
|--|--|--|
| <b>LONDON BOROUGH OF ENFIELD</b>   |  |  |
| <b>PLANNING COMMITTEE</b>  |  | <b>Date :</b> 26th April 2016  |
| <b>Report of</b><br>Assistant Director, Planning,<br>Highways & Transportation   | <b>Contact Officer:</b><br>Andy Higham 020 8379 3848<br>Sharon Davidson 020 8379 3841<br>Francis Wambugu 020 8379 5076 | <b>Ward:</b><br>Winchmore Hill   |
| <b>Ref:</b> 15/04043/FUL   |  | <b>Category:</b> Full Application  |
| <b>LOCATION:</b> Keble Preparatory School, Wades Hill, London, N21 1BG   |  |  |
| <b>PROPOSAL:</b> Minor material amendments to P14-00584PLA to allow retention of existing building involving replacement of existing asphalt roof finish with zinc, removal of the parapet walling, replacement of three bubble roof lights with frameless glazed roof lights and removal of skylight at rear. |  |  |
| <b>Applicant Name &amp; Address:</b><br>Keble School<br>Wades Hill<br>Winchmore Hill<br>London<br>N21 1BG  |  | <b>Agent Name &amp; Address:</b><br>Mr Sean Kehoe<br>Sean Kehoe<br>15 Pellerin Road<br>London<br>N16 8AY |
| <b>RECOMMENDATION:</b><br>That planning permission is recommended be <b>REFUSED</b> for the attached reason/s.   |  |  |
| <b>Note for Members:</b><br><br>Although an application of this nature would normally be determined under delegated authority, due to the history of the site and for transparency, it is considered appropriate for the application to be determined by the Planning Committee                                |  |  |

Ref: 15/04043/FUL LOCATION: Keble Preparatory School, Wades Hill, London, N21 1BG



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Scale 1:1250

North



## 1. Site and Surroundings

- 1.1 The subject site comprises a school on the western side of Wades Hill, to the south and west of Harwoods Yard. The school site comprises an 'L' shape, with a variety of buildings serving its educational function mostly on the western half of the site, with the main school building adjacent to the northern boundary. Vehicular access into the school is located between Glenwood House, a Grade II Listed Building, and No.38 Wades Hill. The main school building is sited adjacent to residential properties on Harwoods Yard and Broadfields Avenue. The area is predominately residential and is characterised by a mixture of terraced and semi-detached properties. The southern half of the site falls within the Winchmore Hill Green Conservation Area.

## 2. Proposal

- 2.1 The application is for a minor material amendment to planning permission P14-00584PLA. The extension was built to a greater height than that approved and an additional rooflight was installed. Current proposals seek to retain the extension but with alterations involving removal of the parapet walling, replacement of the existing asphalt roof finish with zinc, replacement of three bubble roof lights with frameless glazed roof lights and removal of one skylight at rear.
- 2.2 A previous application ref: 14/04111/FUL for minor material amendment to planning permission P14-00584PLA to allow an increase in the height of the building and installation of 1 additional roof light was refused by committee on the basis that, *The extension, given its size, siting, design, and height has led to a loss of outlook and an increased sense of enclosure for the occupiers of No.1 Harwoods Yard, detrimental to their amenities. In this respect the development is contrary to Policy DMD 37 of the Development Management Document.*
- 2.3 The current proposal is a follow up on the previous refusal.

## 3. Relevant Planning History

- 3.1 14/04111/FUL – Minor material amendments to approval P14-00584PLA to allow an increase in the height of the building and installation of 1 additional roof light – refused 18.12.14.
- 3.2 ENF/14/0232 - Alleged development larger than plans - ongoing
- 3.3 P14-00584PLA - Demolition of existing stores/changing rooms and erection of a single storey side and rear extension – 26.2.14.

## 4. Consultations

### 4.1 Statutory and non-statutory consultees

#### 4.1.1 Winchmore Hill Residents Association

No comment

#### 4.1.2 Conservation Officer

No comment

## 4.2 Public response

4.2.1 Consultation letters were issued to 13 neighbouring properties.

4.2.2 Seven objection letters have been received raising the following concerns:

- The extension will continue to block light to neighbouring property, more so than the original building and was not what was agreed originally
- The size and shape of the building remains the same to the one refused last year by planning being 3 feet too high; only the roofing material is different.
- Being in a conservation area, the school should be respectful of the value of the conservation area
- Out of keeping with character of area
- Detrimental impact on neighbouring properties at Harwoods Yard
- White finished walls an eye sore
- Extensions to school every summer holiday causing noise/dust and general inconvenience
- Does not comply with planning permission
- Close to adjoining properties
- Will infringe on the amenity and enjoyment of neighbouring property
- Thought only one retrospective application can be made, this is the second
- Conflict with local plan
- Development too high
- General dislike of proposal
- Information missing from plans
- Drawings contain inaccuracies
- Blocking light and views and sky plane
- Building too big, awkward, bulky and unduly affecting amenity of neighbouring property
- Will contribute to a 'tunnelling effect' in the rear garden.
- Not built in accordance with approved drawings
- Not high quality
- Materials and detailing are an improvement but these are not minor amendments

Fourteen letters have been received in support:

- Supports further development at the school in provision of modern facilities to enhance the children's experience.
- Plans look as though they are a fantastic improvement on the quality and look of the school buildings
- Refurbishment and developing the premises will in future help the boys to excel and enjoy the amenities provided by the school.
- School is an asset to the local community together with Palmers Green High.
- The councillors and the borough should do the right thing for the school and the 220 boys that attend and their 440 parents.
- School has good intentions



- Upgrades particularly to older buildings would improve the site
- Zinc roofing should give the site much improved finish and aspect especially for neighbouring properties
- Demolition will result in wastage of resources; the building is fit for purpose.
- Children should be the main consideration
- Proposal is in line with the school's aims for the present and future education of all the boys.
- Refusal of scheme would be highly punitive for a school of this size and pupils would undoubtedly be impacted.
- Schools are under pressure to meet demand for places whilst keeping their facilities safe, modern and appropriate even before they meet their main function of educating children.
- The application should be supported to enable the school resolve the matter satisfactorily.

## **5 Relevant Policies**

### **5.1 The London Plan 2015**

|            |  |
|------------|--|
| Policy 7.1 | Building London's neighbourhoods and communities |
| Policy 7.4 | Local character                                  |
| Policy 7.5 | Public realm                                     |
| Policy 7.8 | Heritage assets                                  |

### **5.2 Core Strategy**

|      |   |
|------|---|
| CP30 | Maintaining and improving the quality of the built and open environment |
| CP32 | Built and landscape environment   |

### **5.3 Development Management Document (DMD)**

|        |   |
|--------|---|
| DMD 11 | Rear extensions                                   |
| DMD 37 | Achieving high quality and design-led development |
| DMD 44 | Preserving and enhancing heritage assets          |

### **5.4 Other Relevant Considerations**

National Planning Policy Framework  
National Planning Practice Guidance  
Winchmore Hill Green Conservation Area character appraisal

## **6. Analysis**

### **6.1 Principle**

The principle of the extension was established through the grant of planning permission under planning reference P14-00584PLA.

### **6.2 Background**

- 6.2.1 The extension was built to a greater height than that approved under planning reference P14-00584PLA and an additional rooflight was installed.
- 6.2.2 A subsequent application ref: 14/04111/FUL for minor material amendments to approval P14-00584PLA to allow an increase in the height of the building and installation of 1 additional roof light was submitted. The proposals were assessed by officers who concluded that the additional height of the extension and installation of an additional rooflight would not unduly impact on the amenities enjoyed by the residents of the adjacent property No.1 Harwoods Yard. The application was presented to the planning committee with an officer recommendation to grant planning permission.
- 6.2.3 The planning committee overturned officer's recommendation and refused the application. In refusing the application, the committee was of the view that the extension, given its size, siting, design, and height has led to a loss of outlook and an increased sense of enclosure for the occupiers of No.1 Harwoods Yard, detrimental to their amenities.
- 6.2.4 The main issue to consider therefore with regard to this application is whether the current proposals have satisfactorily addressed the concerns raised by committee with particular regard to loss of outlook and sense of enclosure on the occupiers of No. 1 Harwoods Yard. The proposals will also be assessed with regard to their impact on the surrounding area.

### 6.3 Impact on Character of Surrounding Area

- 6.3.1 Core Policy 30 requires all developments and interventions in the public realm to be of high quality and have special regard to their context whilst Policy 37 of Development Management Document requires that development be suitable for its intended function and be appropriate to its context having appropriate regard to its surroundings
- 6.3.2 It was noted in the previous planning assessment under planning reference 14-00584PLA that, The Winchmore Hill Green Character Appraisal does not individually refer to the Keble Preparatory School and identifies it as a neutral building. Whilst the area of the school site where the proposed extension is sited is not within the Conservation Area, due to its siting adjacent to Harwoods Yard the extension would be a visible presence within the Conservation Area. However, the relationship of the proposed structure to host building is considered appropriate.
- 6.3.3 The additional height to the element of the extension sited between the main school building and the dwellinghouse at No.1 Harwoods Yard does not have an impact on the character of the Conservation Area due to its siting between the two built forms which screen it from views to the Conservation Area.
- 6.3.4 The additional height to the element which extends beyond the rear of the dwellinghouse at No.1 Harwoods Yard has been increased by 0.65m as built to what was approved. The height of the parapet wall adjacent to the shared boundary with No.1 Harwoods Yard where the roof pitches away from the boundary is to the approved height up to where the angle of the pitch is more pronounced. As part of current proposals, the height of the flat roof element furthest from the boundary with No. 1 Harwoods Yard and abutting the main

school building is proposed to be raised by between 98mm to 180mm so that the maximum increase would be 0.709m and this height is necessary to create a fall of 3% for rainwater drainage purposes but with no significant additional impact given their scale. It is proposed to remove the bubble rooflight on the pitched roof facing No. 1 Harwoods Yard rear garden. These improvements together with the removal of the parapet surround and the new zinc roof would enhance the appearance of the extension when viewed from the rear garden of No. 1 Harwoods Yard and the wider surrounding area. In the analysis of the original application it was asserted that the relationship of the proposed structure to the main school building was appropriate. The additional height does not alter this analysis and the overall height of the structure still relates well to the main school building.

- 6.3.5 Notwithstanding the relationship with the main school building, the scale and siting of the subject extension and in particular its height and massing are more apparent when viewed from the rear garden area of adjacent property No. 1 Harwoods Yard. Although the proposed alterations have greatly improved the external visual appearance of the extension they have not addressed the main issue regarding its dominating presence on the adjacent property which results in poor outlook and sense of enclosure. It is therefore considered that the additional height to the approved structure would unduly impact on the neighbouring property and surrounding area, having regard to Core Policies 30 and 31 of the Core Strategy, and Policies DMD 37 and DMD 44 of the Development Management Document, and having regard to the Winchmore Hill Conservation Area Character Appraisal.

#### 6.4 Impact on Neighbouring Properties

*Approved extension:*

- 6.4.1 Policy 37 of Development Management Document requires that development be suitable for its intended function and be appropriate to its context having regard to its surroundings.
- 6.4.2 The height of the approved extension adjacent to the shared boundary with No.1 Harwoods Yard was 2.4m. In recommending grant of planning permission under planning reference P14-00584PLA it was noted that the proposed extension would breach a 45 degree line taken from the centre of the rear facing windows at No.1, however, taking into account the existing boundary treatment, as well as the existing outbuilding adjacent to the shared boundary with No.1, it was considered that the proposed extension would not result in an unacceptably prominent or overbearing presence when viewed from the rear of No.1 Harwoods Yard, or from the neighbouring properties in Harwoods Yard.

*Existing extension:*

- 6.4.3 With regard to the 'as built' extension, the committee was of the view that, given its size, siting, design, and height the extension has led to a loss of outlook and an increased sense of enclosure for the occupiers of No.1 Harwoods Yard, detrimental to their amenities. In this respect the development is contrary to Policy DMD 37 of the Development Management Document.

*Proposed alterations:*

- 6.4.4 The current proposals in seeking to overcome the reasons for previous refusal include some alterations to the 'as built' structure.
- 6.4.5 The parapet walling surrounding the flat roof is proposed to be removed thereby reducing the height of the extension at the sides by 340mm.
- 6.4.6 The existing bubble skylight on the sloping side roof facing the rear garden to No. 1 Harwoods Yard is to be removed thereby ensuring that the potential to cause harm to the amenities enjoyed by the residents of this property through noise emanating from within the extension is no longer an issue.
- 6.4.7 The existing asphalt roof cover over the extension is proposed to be replaced with zinc and the three existing bubble skylights on the roof would be replaced with frameless glazed rooflights. In addition, it is proposed to improve the corner details to the front and side walling adjacent number 1 Harwoods Yard. However, the new zinc roof would require a minimum drainage fall of 3% as opposed to the 1.5% required by the existing asphalt roofing and this would be achieved by increasing the height of the roof by between 98mm and 180mm from the point where it pitches away.
- 6.4.8 Overall, these measures would significantly enhance the visual appearance of the extension when viewed from the garden area of No.1 Harwoods Yard as well as from the surrounding area.

*Resulting extension:*

- 6.4.9 The extension is built to a height of 2.4m along the shared boundary. From the 2.414m element the extension has a sloping roof up to a flat roofed element at a height of between 3.224m, this being 0.65m higher than the approved scheme. Although the roof pitches away from the boundary, the additional height makes the bulk and massing of the extension more apparent when viewed from the rear garden area of No. 1 Harwoods Yard. As mentioned above, the height of the flat roof element furthest from the boundary with No. 1 Harwoods Yard and abutting the main school building is to be raised by between 98mm to 180mm so that the maximum increase would be 0.709m and although this increase is insignificant due to its scale, it is considered that as it is not proposed to reduce the height, bulk and massing, the proposals have failed to overcome reasons for previous refusal.
- 6.4.10 Having regard to the above it is considered that although the measures proposed would greatly improve the outlook and visual appearance of the extension and this is commendable, they have not overcome the reasons for previous refusal as they have failed to address the main issue relating its height and scale and the resulting loss of outlook and sense of enclosure to the residents of the adjacent property No.1 Harwoods Yard. Accordingly the proposals are unacceptable having regard to Core Policy 30 of the Core Strategy, and Policy DMD 37 of the Development Management Document.

6.5 Other issues identified through consultation

- 6.5.1 A number of issues have been raised by adjoining residents regarding dust/noise and general disturbance, inaccuracies in the plans, information missing from the plans and the quality of the building. It can be confirmed that

the applicant has submitted additional plans that have satisfactory details and it is proposed to improve the quality of works. The issues regarding noise/dust and general disturbance are unavoidable but a temporary consequence of development and cannot be considered as grounds to refuse planning permission.

6.5.2 A number of supporting letters have been received highlighting the fact that the school is a community asset and the need to support its modernisation of the facilities and that any demolition of the building would be a wastage of resources. These comments are noted and although material considerations cannot override the policy considerations.

## 7. Conclusion

7.1 In the light of the above, it is considered that the minor material amendment sought is unacceptable as it would result in harm on the amenities of the occupiers of adjoining property.

## 8. Recommendation

8.1 That planning permission be REFUSED for the following reason:

1. The extension, given its size, siting, design, and height has led to a loss of outlook and an increased sense of enclosure for the occupiers of No.1 Harwoods Yard, detrimental to their amenities. In this respect the development is contrary to Policy DMD 37 of the Development Management Document.













02 Proposed Site Plan  
1:500



01 Proposed Site Location Plan  
1:1250

notes  
Do not scale drawings - use figure dimensions only. All dimensions to be verified and checked on site. Read the drawing in conjunction with all related drawings and specifications. Notify architect immediately of any discrepancy found therein.

drawing notes



REV | BY | (DATE) | DATE | AMENDMENT DETAILS

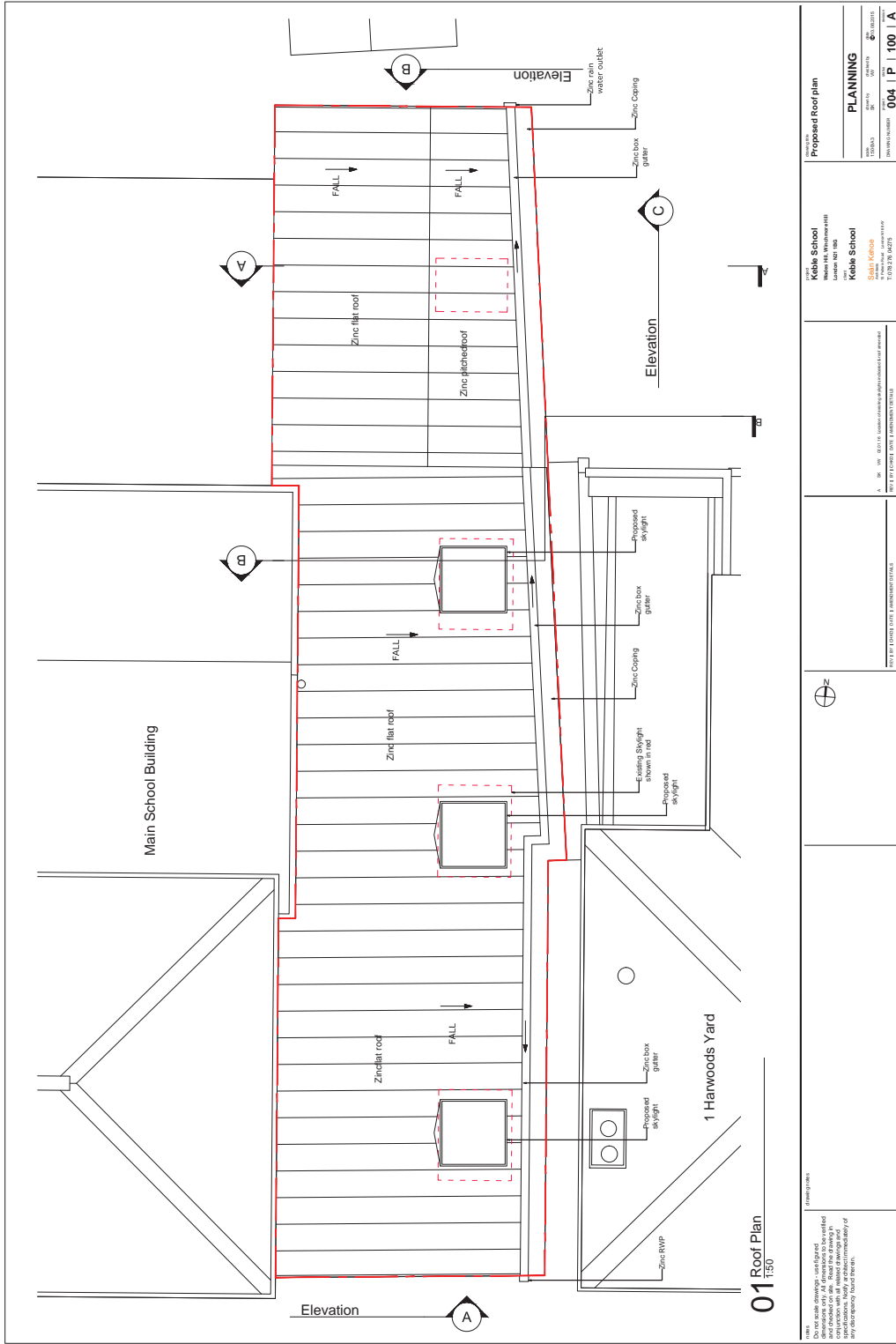
REV | BY | (DATE) | DATE | AMENDMENT DETAILS

project  
**Kebble School**  
Wardle Hill, Woodchester Hill  
London, NE1 1BS  
client  
**Kebble School**  
Seán Keble  
02088 888 888  
T: 078 278 04275

drawing title  
**Site Plan**

**PLANNING**

|                |               |            |            |
|----------------|---------------|------------|------------|
| scale          | date          | checked by | date       |
| EA3            | SK            | VW         | 02/08/2015 |
| drawing number | 004   P   199 |            |            |



01 Roof Plan  
1:50

Notes:  
Do not scale drawings - use figured dimensions.  
Check all dimensions against the site plan and drawings on site. Read the drawings in conjunction with the specification and any discrepancy should be reported immediately to the architect.

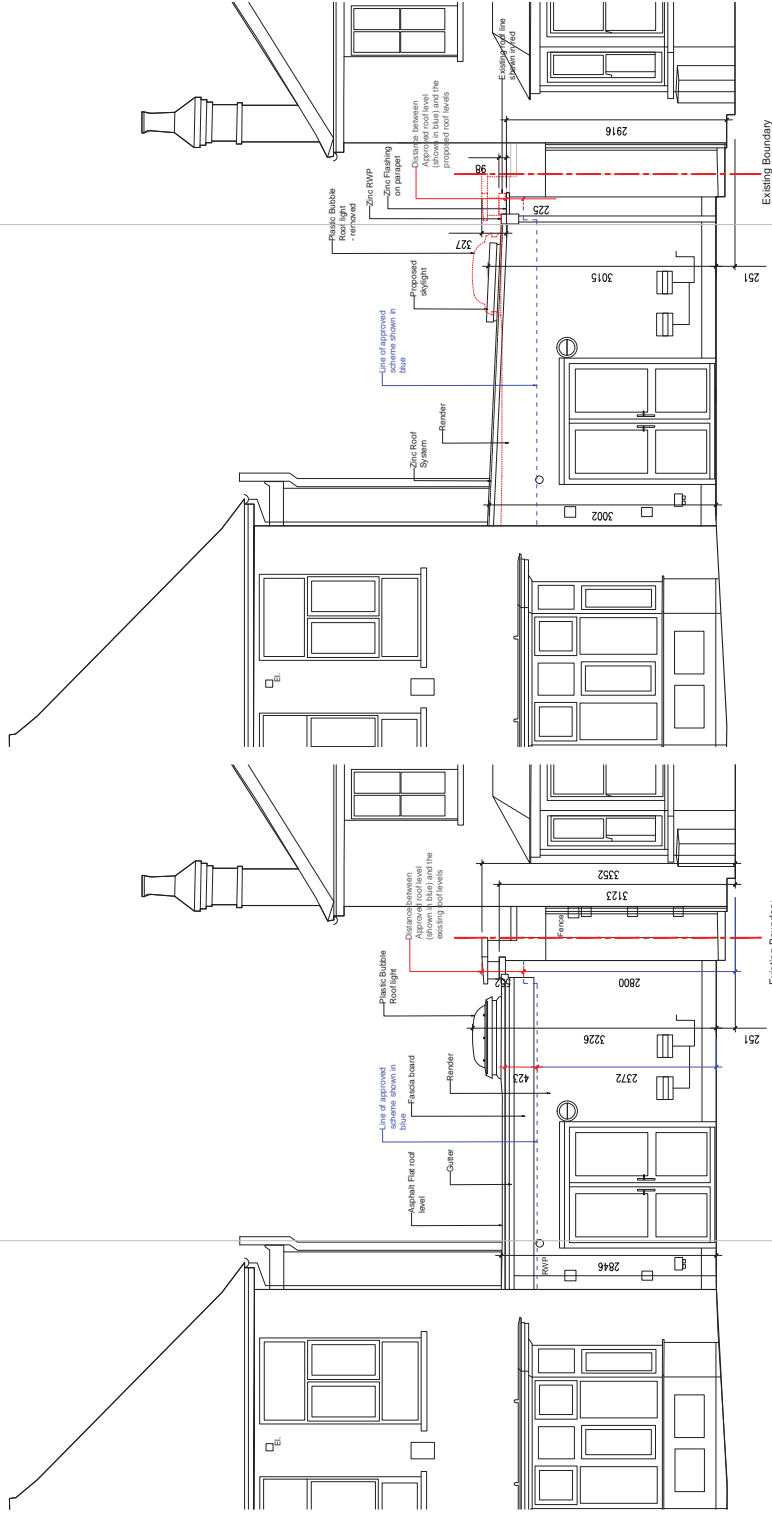
REVISED DATE: 14/03/2024

REVISED DATE: 14/03/2024

REVISED DATE: 14/03/2024

REVISED DATE: 14/03/2024

|   |  |
|---|--|
| <p>Project: <b>Kelke School</b><br/>                 Location: <b>1 Harwoods Yard</b><br/>                 Client: <b>Kelke School</b><br/>                 Architect: <b>Shah Khorram</b><br/>                 Phone: <b>01753 236 402/275</b></p> | <p>Proposed Roof Plan<br/>                 PLANNING<br/>                 004   P   100   A</p> |
|---|--|



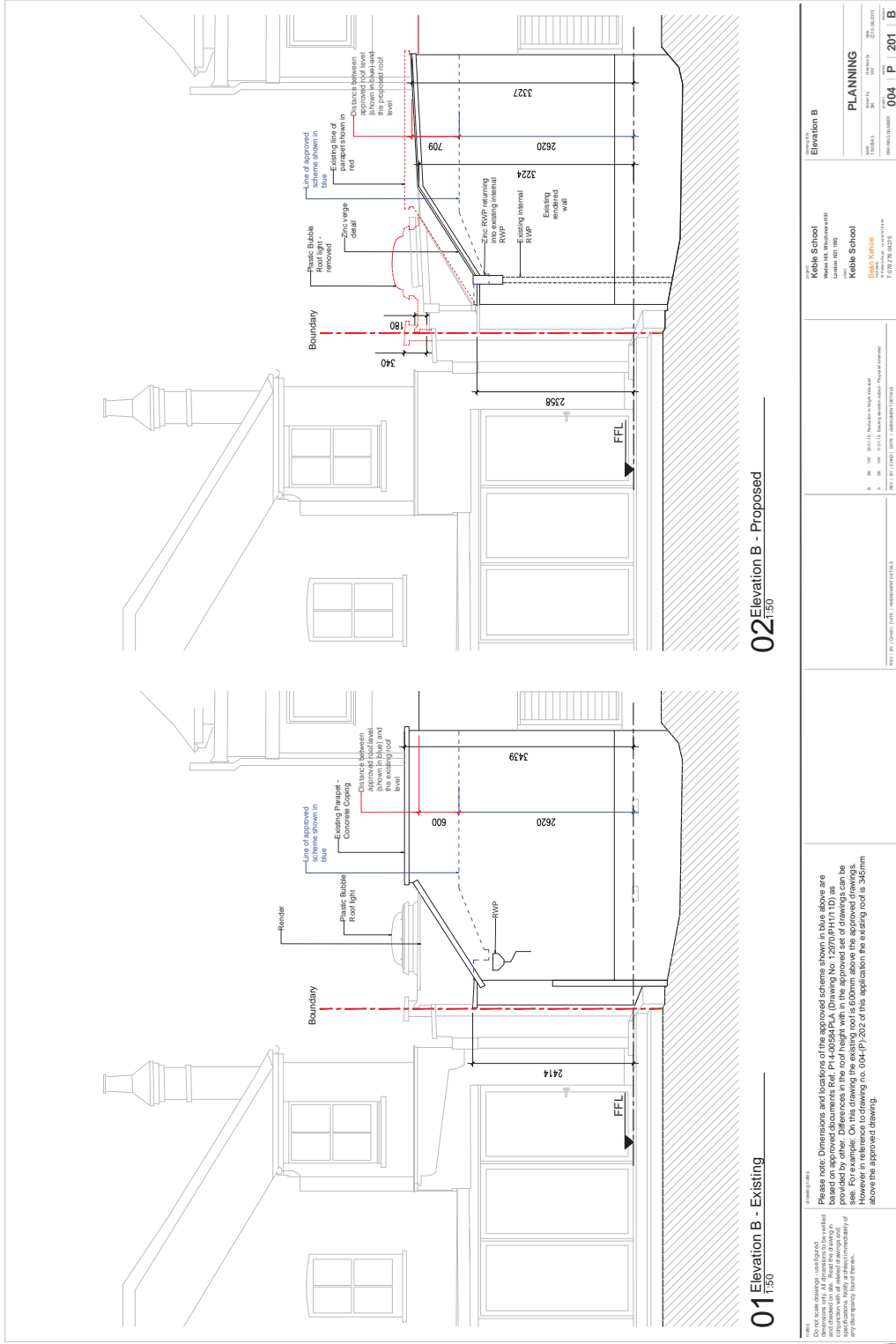
01 Elevation A - Existing  
1:50

02 Elevation A - Proposed  
1:50

Do not scale drawings. Use figure and dimensions only. All dimensions are shown in millimeters. Proposed dimensions and locations of the approved scheme are shown in blue. All other dimensions are based on the approved S&P P14-0058-FLA (Drawing No: 1237/0/PH1/10C) as provided by other.

DATE: 10/11/2023  
 DRAWN BY: JAMES HAY  
 CHECKED BY: JAMES HAY  
 PROJECT NO: 14/0058-FLA  
 SHEET NO: 004 | P | 200 | B

04  
 Kaleb School  
 West Hill, Westmore Hill  
 Brisbane QLD 4010  
 Kaleb School  
 10/11/2023  
 JAMES HAY  
 JAMES HAY  
 10/11/2023



**01 Elevation B - Existing**  
1:50

**02 Elevation B - Proposed**  
1:50

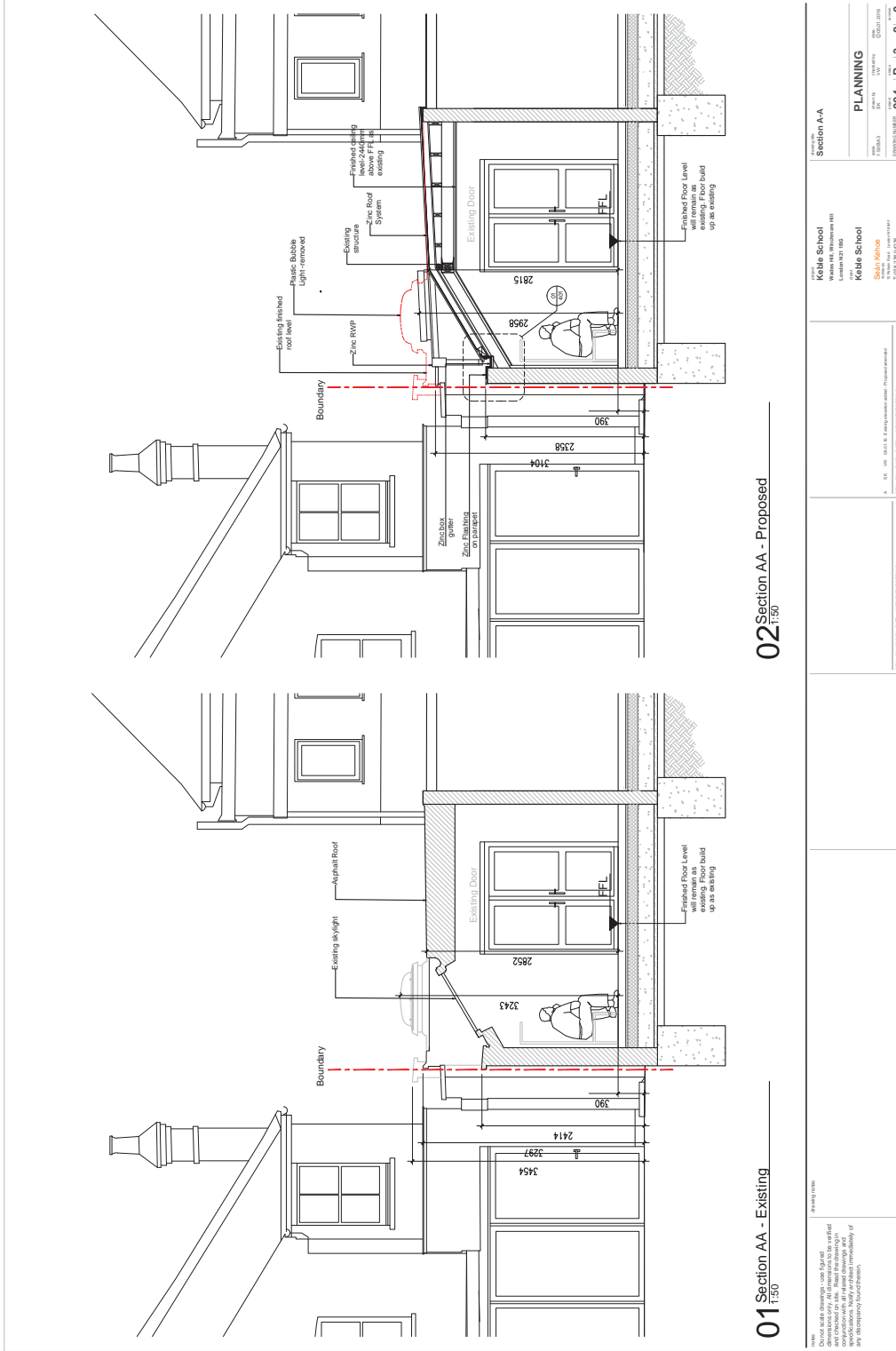
**Notes:**  
Do not scale drawings - use figured dimensions.  
Please note: Dimensions and locations of the approved scheme shown in blue above are based on approved documents Ref. P4-4-00584-FLA (Drawing No. 12370/P/H/1/D) as provided by other. Differences in the roof height with in the approved set of drawings can be due to the use of different levels. However in reference to drawing no. 004/P/202 of this application the existing roof is 345mm above the approved drawing.

**Client:** Kettle School  
Location: Kettle School  
Project: Kettle School  
Scale: Kettle School  
T: 019 276 401272

**PLANNING**

**004 P | 201 | B**

REV. NO. DATE DESCRIPTION OF CHANGE



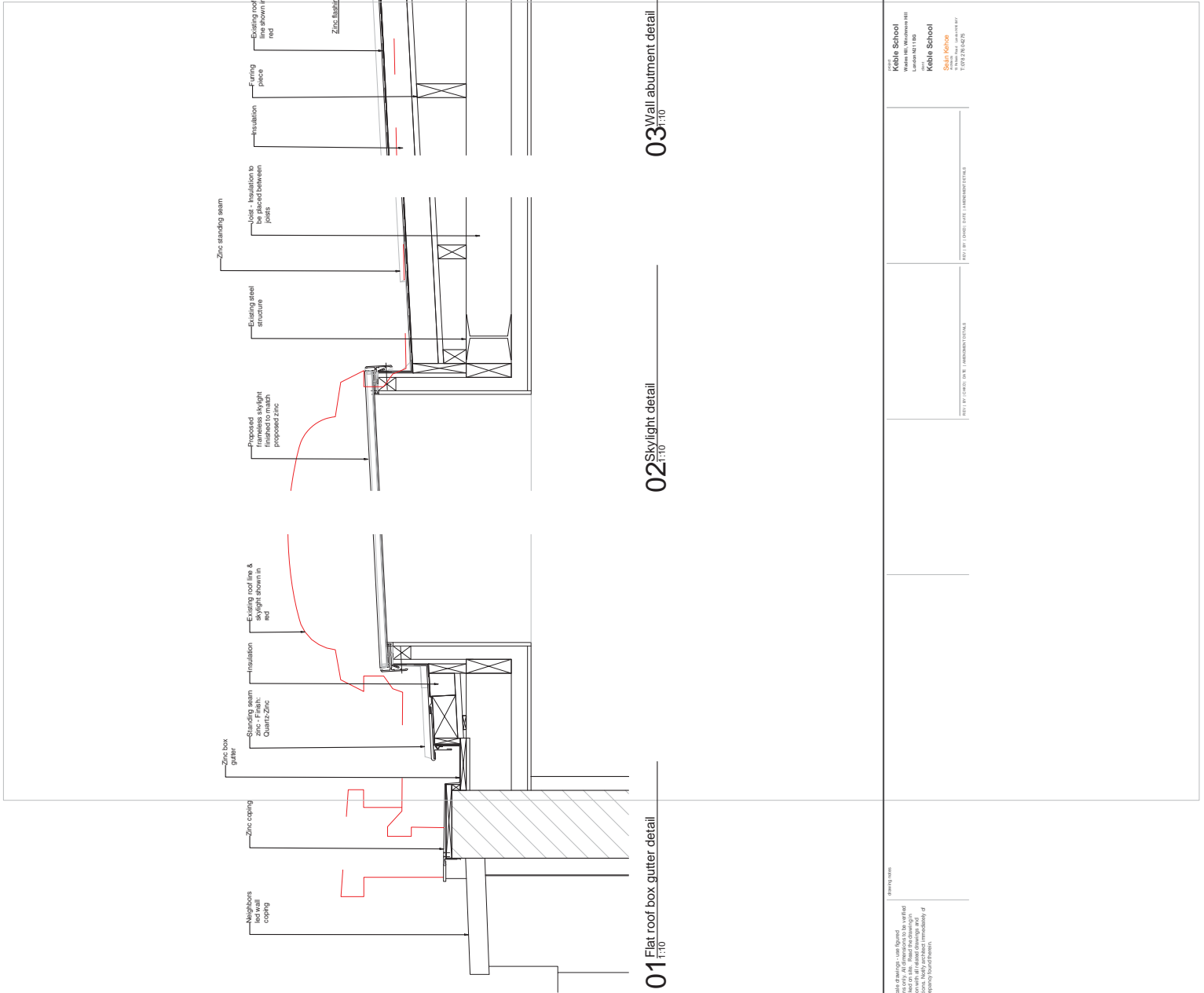
01 Section AA - Existing  
1:50

02 Section AA - Proposed  
1:50

Drawings and design are based on information provided by the client. All dimensions are verified in the field. The architect is not responsible for any discrepancies between the drawings and the actual construction.

|  |  |   |
|--|--|---|
| <p><b>Section A-A</b></p> <p><b>Keble School</b><br/>Wales Hill, Melbourne Hill<br/>London E21 1BS</p> <p><b>Keble School</b><br/>Stair Solution<br/>1700-1705, London E21 1BS<br/>1700-1705, London E21 1BS</p> |  | <p><b>PLANNING</b></p> <p>004 P 3 0 0</p> |
| <p>PROJECT: 004 P 3 0 0</p> <p>DATE: 02/01/2016</p>  |  | <p>004 P 3 0 0</p>                        |





01 Flat roof box gutter detail  
1:10

02 Skylight detail  
1:10

03 Wall abutment detail  
1:10

Notes:  
Do not scale drawings. Use figures and dimensions as indicated on the drawing. Report the drawing in accordance with the specifications. Notify architect immediately if any discrepancy found herein.

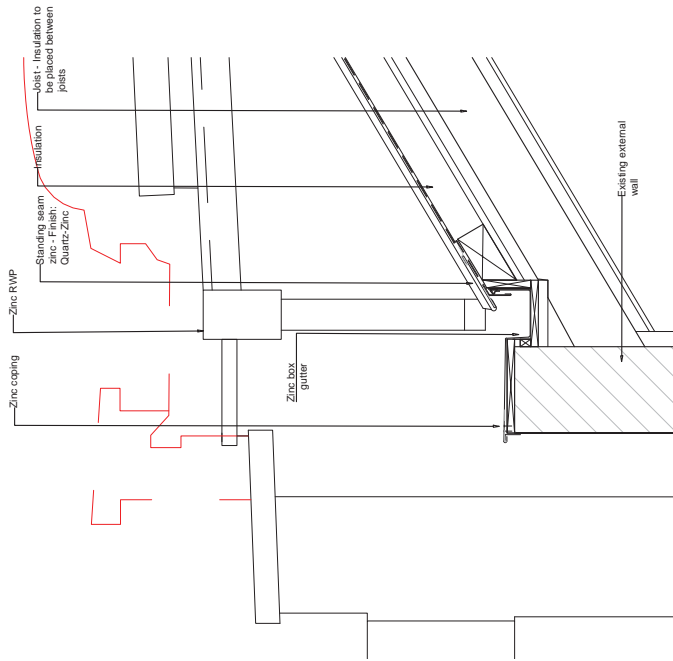
Drawn by:

Project: **Details**  
Sheet: **001**

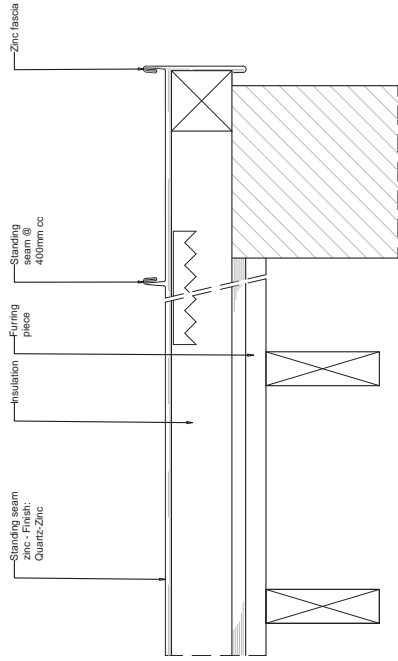
Client: **Keeble School**  
1400 West 10th Street  
Vancouver, BC V6H 2G6  
Tel: 604.681.1100  
Fax: 604.681.1101

Architect: **PLANING**  
1155A.3  
2019  
02/10/2019

Revision Number: **004** | P | **400**



01 Pitched roof box gutter detail  
1:10



02 Verge detail  
1:15

Notes:  
Do not scale drawings - use figured dimensions.  
Check all dimensions on site. Read the drawings in their proper context. Notify architect immediately of any discrepancy found on site.

**Details**  
Sheet 3

Project: **Kelke School**  
Location: **Wendover Hill, Kelke**

Client: **Kelke School**  
Architect: **Stuart Kirk**

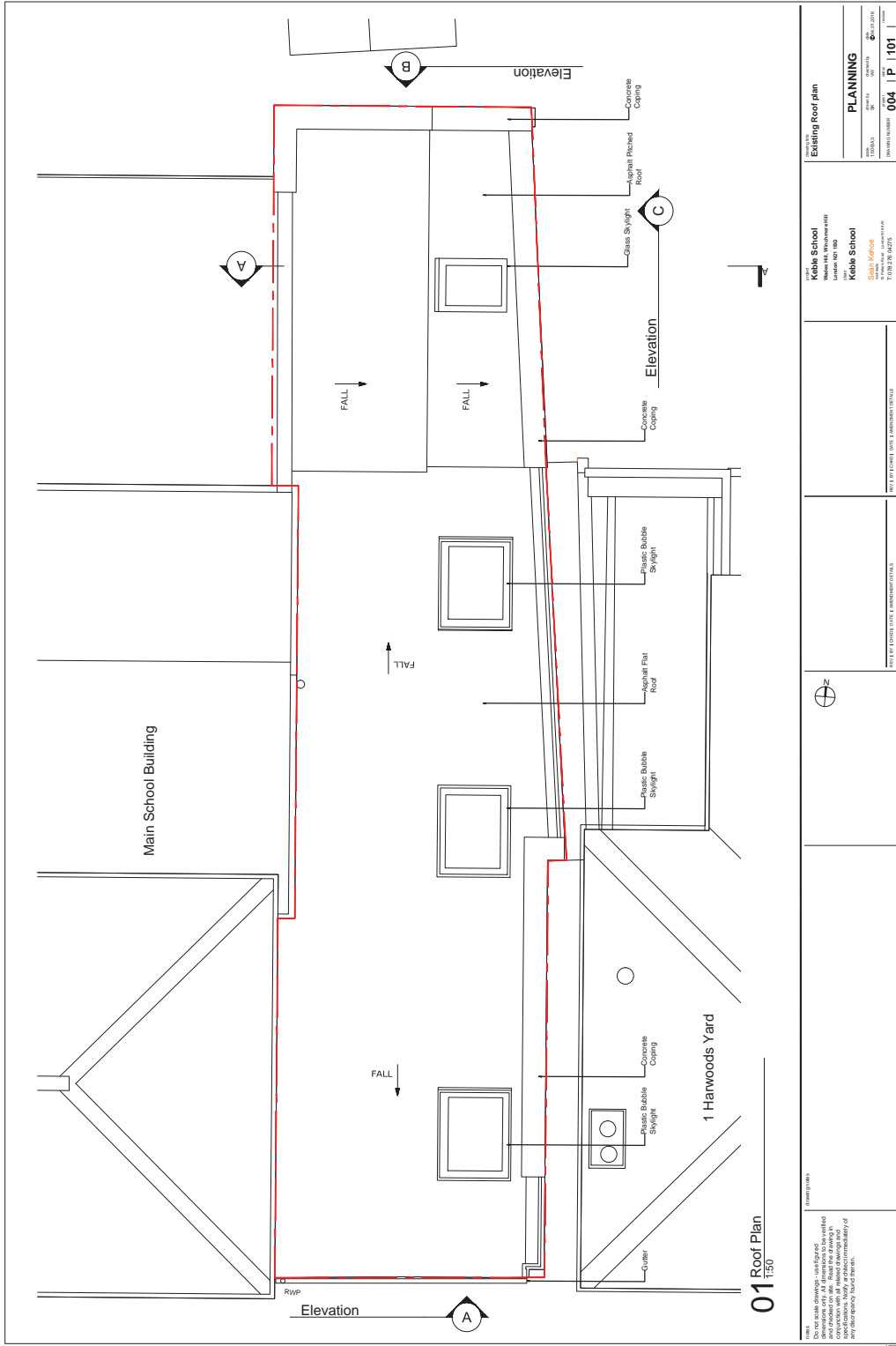
DATE: \_\_\_\_\_  
BY: \_\_\_\_\_  
CHECKED BY: \_\_\_\_\_  
SCALE: \_\_\_\_\_

PROJECT NUMBER: **004** | P | **401**

REV BY / DATE / DATE / AMENDMENT DETAILS

REV BY / DATE / DATE / AMENDMENT DETAILS





01 Roof Plan  
1:50

Notes: Do not scale drawings - unfigured dimensions are approximate. Check all dimensions and details on site. Read the drawing in conjunction with the specification and any correspondence thereto.

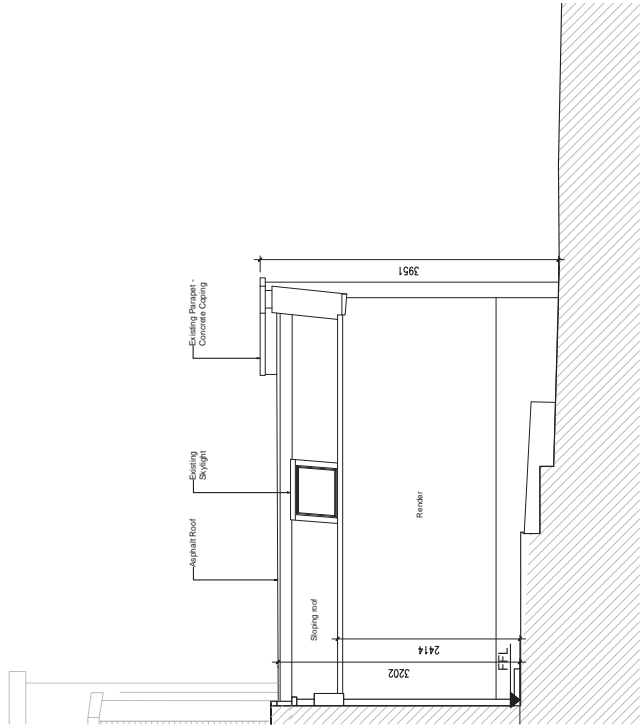
Client: Kettle School  
 Project: Kettle School  
 Location: 100 Hawwoods Yard  
 Date: 11/10/2024  
 T: 01753 230 400/272

Project Name: Kettle School  
 Project Number: 004 | P | 101

Scale: 1:50  
 Date: 11/10/2024

Project Name: Kettle School  
 Project Number: 004 | P | 101

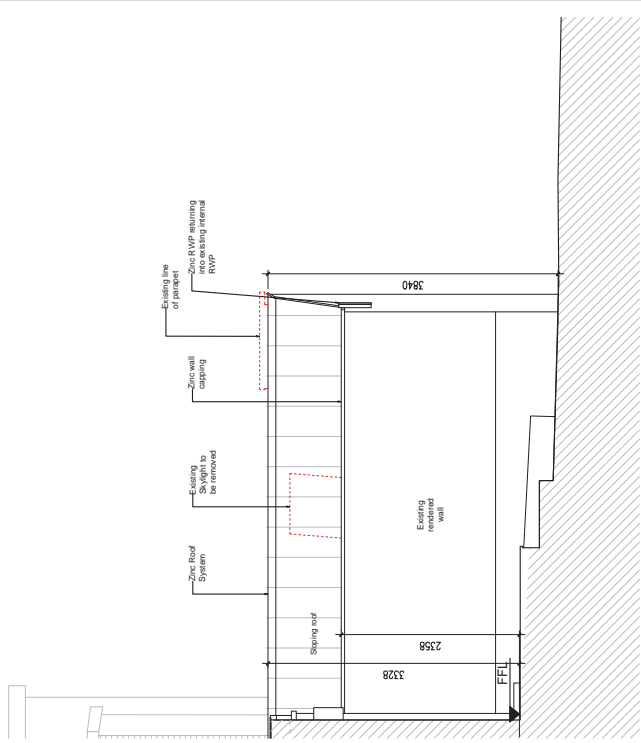
Scale: 1:50  
 Date: 11/10/2024



01 Elevation C - Existing  
1:50

Change notes

Do not scale drawings - use figured dimensions only. Verify field dimensions on site. Read the drawing in conjunction with the specification and project conditions. Notify architect immediately of any discrepancy found on site.



02 Elevation C - Proposed  
1:50

Client  
**Kettle School**  
1000 Lakeshore Blvd  
Kettle School  
St. Catharines, ON  
T 905.376.4027

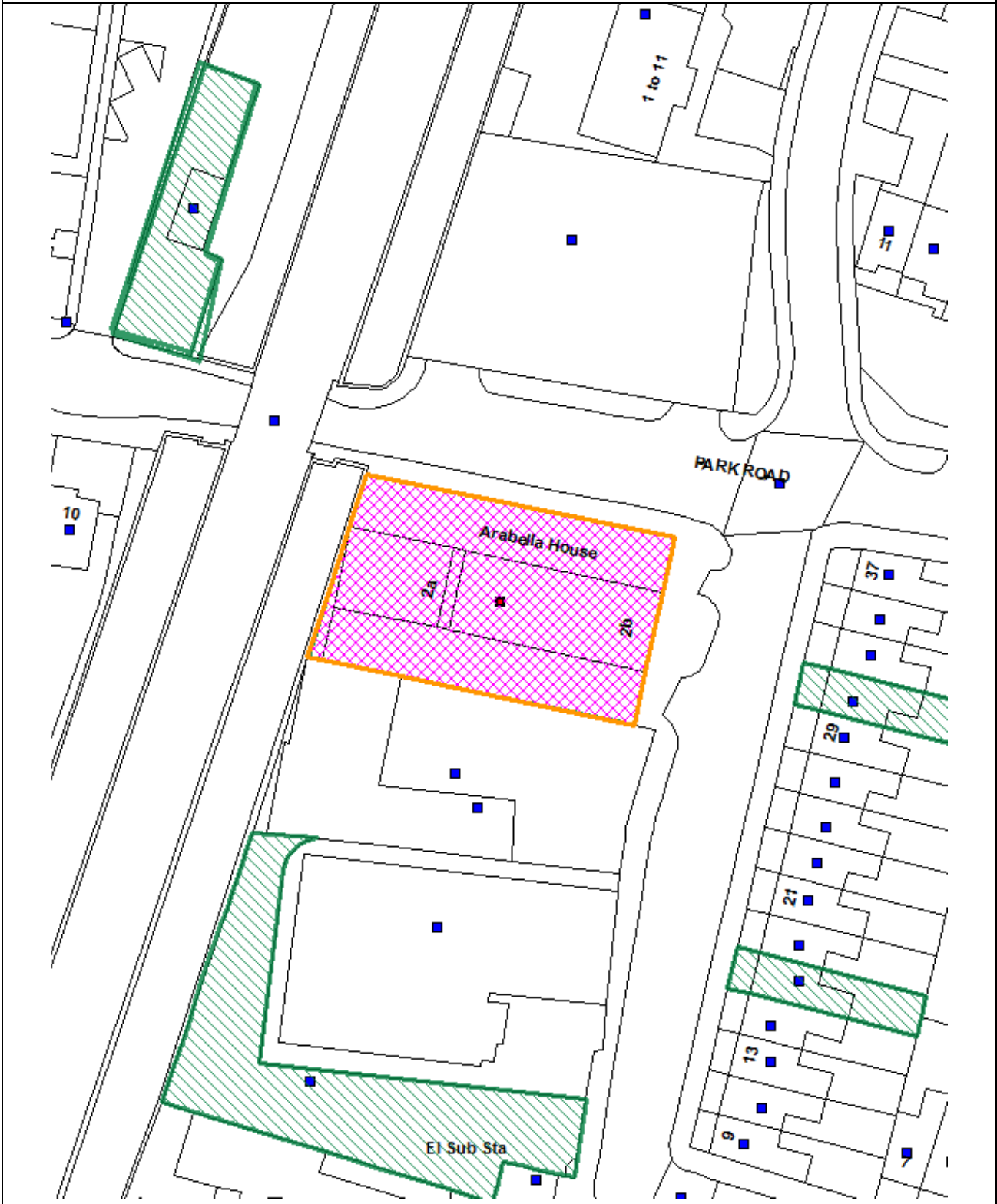
Architect  
**Stahl Krcovc**  
200 University Ave  
St. Catharines, ON  
T 905.376.4027

REV. NO. DATE DESCRIPTION DETAILS  
1 01/22/2024 PRELIMINARY DESIGN

Sheet No. **004** | **P** | **202** | **A**  
Project No. 1000343  
Drawing Title **Elevation C**  
Drawing Type **PLANNING**  
Drawing Date 01/22/2024

|  |   |                                 |
|--|---|---------------------------------|
| <b>LONDON BOROUGH OF ENFIELD</b>   |   |                                 |
| <b>PLANNING COMMITTEE</b>  |   | <b>Date : 26th April 2016</b>   |
| <b>Report of</b><br>Assistant Director, Planning &<br>Environmental Protection   | <b>Contact Officer:</b><br>Andy Higham Tel: 020 8379 3848<br>Kevin Tohill Tel: 020 8379 3841<br>Ray Reilly Tel: 020 8379 3579 | <b>Ward:</b> Edmonton<br>Green. |
| <b>Application Number : 15/04736/FUL</b>   |   |                                 |
| <b>LOCATION: 2A / 2B Park Avenue, London, N18 2UH.</b>   |   |                                 |
| <b>PROPOSAL:</b> Demolition of existing warehouse and erection of a part 3, part 4 storey block to provide 14 flats (comprising 4x3bed, 7x2 bed, 3x1 bed flats), including basement level parking area for 6 x car parking spaces and cycle parking. |   |                                 |
| <b>Applicant Name &amp; Address:</b><br>Magic Home Ltd.<br>7-11 Green Lanes,<br>London,<br>N13 4TN.  | <b>Agent Name &amp; Address:</b><br>Peter Ottery<br>112 Southbury road<br>Enfield<br>EN1 1YE                                  |                                 |
| <b>RECOMMENDATION:</b> That planning permission be <b>GRANTED</b> subject to conditions and completion of a S106 Agreement.  |   |                                 |

Ref: 15/04736/FUL LOCATION: 2A / 2B Park Avenue, London, N18 2UH,



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Scale 1:1250

North



## **1. Site and surroundings**

- 1.1 The application site is located on the corner of Park Avenue and Park Road and is addressed as 2A/2B Park Avenue. The site currently consists of an original warehouse building of 2 storeys in height with a triple apex roof. At present the site appears to have been broken up into three individual units, the unit on the outside which is derelict, the middle unit which appears to be occupied by a Christian church group and a 2 storey warehouse/lock up appears to make up the third unit. Having analysed the council planning records there appears to be no registered planning permission for the use of the site for the Christian group.
- 1.2 The surrounding area is mixed in nature, there is a hostel to the direct west of the building (under the same ownership), to the north opposite on Park Road is a derelict site although this site has planning permission for a development of 18 units. To the east opposite on Park Avenue are two storey houses and to the south lies a series of industrial uses and car mechanic garages.
- 1.3 The site is not located in a Conservation Area and is not listed. The site has a PTAL rating of 5. The site is not located within a controlled parking zone and it is relatively flat lying.

## **2. Proposal**

- 2.1 The applicant seeks full planning permission for the demolition of the existing buildings on the site and the erection of a part 3, part 4 storey building to accommodate 14 flats (comprising 4 x 3- bed, 7 x 2- bed and 3 x 1 –bed). The building would be 9m high to third floor level and 12m high to fourth floor level. The building would be 26.5m wide and approximately 16m deep. It would consist of a modern design with buff brick with the 4<sup>th</sup> floor a recessed rendered finish. The windows are proposed as grey aluminium and the design would also include for balconies and terraces.
- 2.2 Amended plans have been submitted by the applicant based on concerns raised about the lack of car parking associated with the development and the cumulative impact of the scheme approved for 18 flats on the opposite side of the street at Number 10 Park Road. The application now proposes a basement car parking area accessed from rear corner of the site off Park Avenue. This would accommodate for 6x car parking spaces and 28 cycle parking spaces.

## **3. Relevant planning history**

- 3.1 P12-00581PLA: Conversion of 9 supported living units into 12 self-contained studio flats for social housing. Withdrawn.
- 3.2 14/04851/FUL: Demolition of existing vacant warehouse and erection of a 3-storey block of 12 self-contained flats. Withdrawn.
- 3.3 P15-02002-FUL: Demolition of existing warehouse and erection of a part 3 storey, part 4 storey block to provide 14 flats (comprising 2 x 3- bed, 9 x 2- bed and 3 x 1 -bed) with associated car parking, cycle/refuse storage and landscaping.

This application was an Article 10a submission deemed invalid for the following reasons:

1. The application has not robustly justified the failure to provide a suitable mechanism to secure financial contributions towards off site education and infrastructure provisions, contrary to Policies 8 and 46 of the Local Plan as well as the requirements outlined in the Local Authority's S106 Supplementary Planning Document.
2. Insufficient detail has been submitted to enable the Local Planning Authority to accurately assess the credentials of the scheme against the Code for Sustainable Homes with an objective to meet a minimum of Code Level 4. In this regard, the development fails to take into account the principles of sustainable design and construction contrary to Core Policy 4 of the Core Strategy, DMD 50 of the Development Management Document and Policies 5.2 & 5.3 of the London Plan as well as the National Planning Policy Framework.

**Other Relevant Planning History:**

- 3.4 14/02467/FUL: *10 Park Road (Site Opposite)* Erection of a four storey block comprising 18 self-contained flats (7 x 1-bed, 7 x 2-bed, 4 x 3-bed) with balconies, amenity area, associated access via Park Road and surface car parking. S106 - S106 Granted with conditions.

**4. Consultation**

Public Consultations

- 4.1 The 21 day public consultation period started on the 23rd of October and concluded on the 13<sup>th</sup> of June. 3 Site notices were posted close to the site on 28<sup>th</sup> of October. The application was also advertised in the local paper. There were no comments received from any members of the public.

Internal

- 4.2 Traffic and Transportation – Traffic and Transportation have noted an improvement to the scheme via the provision of the 6 car parking spaces and have raised no objections subject to conditions and S106 obligations to mitigate against parking impacts in the surrounding area.
- 4.3 Environmental Health- No objections subject to conditions
- 4.4 Housing Officer – A minimum of 6 units should be provided towards affordable housing, 4 as social or affordable rent and 2 as intermediate.

External

- 4.5 Thames Water – no objections
- 4.6 Environment Agency- no objections.

## 5. Relevant Policy

### 5.1 Development Management Document

|       |   |
|-------|---|
| DMD1  | Affordable Housing on site capable of providing 10 or more units. |
| DMD3  | Providing a Mix of Different Sized Homes                          |
| DMD6  | Residential Character   |
| DMD7  | Development of garden land  |
| DMD8  | General Standards for New Residential Development                 |
| DMD9  | Amenity Space   |
| DMD10 | Distancing  |
| DMD37 | Achieving High Quality and Design-Led Development                 |
| DMD47 | New Roads, Access and Servicing                                   |
| DMD49 | Sustainable Design and Construction Statements                    |
| DMD50 | Environmental Assessment Methods                                  |
| DMD51 | Energy Efficiency Standards                                       |
| DMD64 | Pollution Control and Assessment                                  |
| DMD68 | Noise   |
| DMD69 | Light Pollution   |
| DMD76 | Wildlife Corridors  |
| DMD77 | Green Chains  |
| DMD78 | Nature Conservation   |

### 5.2 Core Strategy

|       |   |
|-------|---|
| SO2   | Environmental sustainability  |
| SO4   | New homes   |
| SO5   | Education, health and wellbeing   |
| SO8   | Transportation and accessibility  |
| SO10  | Built environment   |
| CP2   | Housing supply and locations for new homes                                |
| CP3   | Affordable housing  |
| CP4   | Housing quality   |
| CP5   | Housing types   |
| CP6   | Meeting particular housing needs  |
| CP8   | Education   |
| CP9   | Supporting community cohesion   |
| CP16  | Taking part in economic success and improving skills                      |
| CP20  | Sustainable energy use and energy infrastructure                          |
| CP21  | Delivering sustainable water supply, drainage and sewerage infrastructure |
| CP22  | Delivering sustainable waste management                                   |
| CP24  | The road network  |
| CP25  | Pedestrians and cyclists  |
| CP30  | Maintaining and improving the quality of the built and open environment   |
| CP32: | Pollution   |
| CP36  | Biodiversity  |
| CP46  | Infrastructure Contribution   |

### 5.3 London Plan (2015) (including REMA)

|     |   |
|-----|---|
| 3.3 | Increasing housing supply   |
| 3.4 | Optimising housing potential  |
| 3.5 | Quality and design of housing development                           |
| 3.6 | Children and young people's play and informal recreation facilities |

- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable housing
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on schemes
- 3.13 Affordable housing thresholds
- 4.1 Developing London's economy
- 4.4 Managing industrial land and premises
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.8 Innovative energy technologies
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self sufficiency
- 6.3 Assessing the effects of development on transport capacity
- 6.9 Cycling
- 6.12 Road network capacity
- 6.13 Parking
- 7.1 Building London's neighbours and communities
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.19 Biodiversity and access to nature
- 7.21 Trees and Woodland
  
- 5.4 Other Relevant Policy
  - National Planning Policy Framework
  
- 5.5 Other Material Considerations
  - The Mayors Housing SPG (2012)
  - Section 106 Supplementary Planning Document (Nov.2011)
  - Enfield Strategic Housing Market Assessment (2010)



## 6. Analysis

6.1 The main issues for consideration regarding this application are as follows:

- Principle of the Development
- Scale and Density
- Design and Impact on the Character of the Surrounding Area
- Neighbouring Amenity
- Standard of Accommodation and Proposed Mix of Units
- Private Amenity provisions
- Traffic, Parking and Servicing Issues
- Affordable Housing and other S106 Contributions
- Sustainability
- Tree Issues

### 6.2 Principle of the Development

6.2.1 There were no objections raised to the principle of the redevelopment of the site on the previous applications and this remains to be the case at officer level. The principle of the development would be supported insofar as the proposal provides for additional housing in the borough of which there is an identified need. The proposed site is in a relatively accessible location with a PTAL of 5 and as such additional housing should be encouraged in such locations.

6.2.2 Similar to the last applications there has been relatively little information submitted with regards the use of the current site and whether the loss of the current employment use would be suitable. However officers have assessed the case on site and taking into account the relatively dilapidated appearance of the site it is considered that the redevelopment to provide additional residential units for the area would be the better use of the site.

6.2.3 In addition since the previous submissions the scheme has been significantly improved. From the perspective of design and bulk it is much less top heavy than the previous scheme with specific regard to the scale and form of the top floor. This is now much more recessed and subordinate to the 3 storey section of the building. In addition through negotiations with the applicant 4 family units are now to be provided as part of the scheme which is considered suitable taking into account the relative confines of the site and its practicality to accommodate family housing.

### 6.3 Density and Scale

#### *Density*

6.3.1 Density assessments must acknowledge new guidance outlined in the NPPF and particularly the London Plan, which encourage greater flexibility in the application of policies to promote higher densities, although they must also be appropriate for the area.

6.3.2 Policy 3.4 (Table 3.2) of the London Plan sets standards for appropriate density levels with regards to location, existing building form, massing, and having regard to the PTAL (Public Transport Accessibility Level) score. From

assessing the plans it is considered a total of 40 habitable rooms would be provided on the site which is of approximately 0.054 hectares. According to the guidance in (Table 3.2) of the London Plan as the site has a site specific PTAL rating of 5 in an urban location, an overall density of between 200-700 hr/ha may be acceptable. Upon calculating the density of the proposed development against this density matrix, based on habitable rooms per hectare this development would equate to 740 hr/ha.

6.3.3 Therefore these results show that from a density perspective this proposal would be slightly in excess of the recognisable density threshold for an urban area.

6.3.4 However, it must be noted that the criteria of density would not be a singular element and would be assessed alongside other planning requirements such as suitability of the site, scale of building/s and standard and quality of accommodation proposed. In this case due to the tightness of the site neighbouring amenity would also be a primary consideration. These issues will be referred to later in the report.

#### 6.4 Scale, Design Character and Impact on the Surroundings

6.4.1 As referred to earlier the building is proposed as part 3, part 4 storey in height. It is 26.5m wide and 16.5m deep. It would be set against the existing hostel building which is 2 storey in height and the building would back onto single storey industrial buildings at the rear. Opposite on Park Avenue are 2 storey houses and due regard has been given to the fact that the site opposite on Number 10 Park Road has been granted planning consent for a part 3, part 4 storey building.

6.4.2 Similar to the previous submission P15-02002-FUL from the perspective of scale it is considered that the principle of a part 3, part 4 storey is acceptable on the site. This would largely replicate the scale and height of the scheme that has been granted across the road at Number 10 Park Road.

6.4.3 There were a number of issues that were raised as concerns on the previous application, mainly in relation to the bulk, scale and prominence of the fourth floor and the lack of fenestration and orientation of the scheme onto Park Avenue.

6.4.4 On this submission the proposed 4<sup>th</sup> floor is recessed in approximately 2m behind the main parapet wall on all elevations particularly so on the front and side elevations which are most prominent on the Park Road and Park Avenue. This has been achieved by reducing the number of flats at 4<sup>th</sup> floor level and re-accommodating one flat at ground level. As a result the proposed 4<sup>th</sup> floor is now much more subordinate and as a result of its reduced bulk and scale would be much less dominant. Having re-assessed the proposal on site officers consider that the proposal has been sufficiently reduced in scale to be deemed acceptable. In addition the introduction of additional fenestration onto the Park Avenue elevation to complement the front Park Road elevation has introduced an additional element of visual interest and overall a much more balanced appearance to the development.

6.4.5 In addition due regard should be given to the permission granted on the opposite side of Park Road at Number 10 and having assessed this proposal in line with that permission it is considered that both developments would complement each other. In conclusion from the design scale and character this proposed development is considered acceptable as it would integrate acceptably into the adjoining Park Road/ Park Avenue streetscene having regard to policies DMD6, 8 and 37, CP30 of the Core Strategy and London Plan policies 7.4 and 7.6.

#### 6.5 Neighbouring Amenity

6.5.1 From the perspective of neighbouring amenity, it is considered the proposal should be assessed against the following properties,

- Houses opposite on Park Avenue.
- Adjacent Hostel at Number 2A.
- New Development opposite on Number 10 Park Avenue.
- Industrial premises to the rear

#### Houses opposite on Park Avenue

6.5.2 The site sits directly opposite to Numbers 27 to 37 Park Avenue which would be most affected by the development proposals. The proposed building is set hard on the eastern edge of the site (back of the public footpath) and therefore the proposed building would have a separation distance of approximately 17.5 to 18m from the front elevation of the houses at Number 27 to 37 Park Avenue. The recessed 4<sup>th</sup> floor would represent a separation distance of 22m between the houses on Number 27-37 Park Avenue.

6.5.3 With respect to distancing standards it is recognised that this is below the requirements of DMD 10 which in such circumstances would specify a distance of at least 25m. However this refers to rear windows and in this case it must be acknowledged that the windows would be looking out onto and across a public highway. Officers have assessed the proposal externally from within the front gardens of Number 37 and whilst the new building would create an obvious additional dominance when viewed across the street, it is not considered that it would create such an impact to warrant refusal. In addition to this it should be noted that the proposed building would not break a 25 degree line of site towards the sky from the ground floor windows of the houses opposite on Park Avenue, therefore would be acceptable in principle from the perspective of Daylight and Sunlight BRE guidance.

#### Adjacent Hostel at 2A

6.5.4 As referred to earlier there is a hostel directly adjacent the application site. It sits directly west of the site between the western boundary and the railtrack further west.

6.5.5 From the perspective of neighbouring amenity it is considered the proposed development will have an acceptable impact onto the adjoining hostel. At present to the front the two storey warehouse building sits approximately 6m forward of the building line and the nearest adjacent windows on the hostel. By comparison the proposed building would be sited 4.5m forward of this

building line and increase to a part 3 part 4 storey height. Whilst this would create additional bulk laterally it is not considered that it would create a significant degree of additional harm in terms of blocking outlook from those north most facing front windows. In addition as the windows are north facing it is also not considered that it would create a significant impact in terms of loss of daylight and sunlight.

- 6.5.6 In addition to the rear of the hostel, it should be noted that the neighbouring amenity situation would improve with the demolition of the existing rear two storey warehouse building to be replaced by rear gardens.

*New Development opposite on Number 10 Park Road.*

- 6.5.7 A planning application has been granted at Number 10 Park Road opposite under 14/02467/FUL. This development granted consent for 18 flats within a 4 storey building. From assessing the proposed plans the distance between this scheme and that granted scheme would be approximately 18-19 metres across Park Road. Again this is a similar relationship to those houses on Park Avenue. However having assessed the surrounding area, this is a relatively established separation distance and overall officers consider that this distance would provide for a sufficient level of separation and distances between both blocks. In addition to this it should be noted that the proposed building would not break a 25 degree line of site towards the sky from the ground floor windows of the houses opposite on Park Avenue, therefore would be acceptable in principle from the perspective of Daylight and Sunlight BRE guidance.

*Industrial Premises to the rear*

- 6.5.8 To the rear of the site lies a car mechanics yard and industrial buildings. Having assessed the proposal against these buildings it is not considered that there would not be any neighbouring amenity impacts. The premises are business uses with no residential uses on site.
- 6.5.9 It is recognised that the proposed site with the rear facing windows could have potential implications for development on the site to the rear in the future, however this is not considered to be a sufficient reason to refuse this current application at this stage. It is considered that any privacy impact as a result of the proposed scheme on a future scheme to the rear would need to be addressed on any future submission via angled or obscured windows on that site.
- 6.5.10 In conclusion all factors considered the proposal has an acceptable impact in terms of neighbouring amenity to all adjoining occupiers.

6.6 *Standard of Accommodation and Proposed Mix of Units.*

*Standard of Accommodation*

- 6.6.1 The application proposes 3x1bed, 7x2 bed and 4x3 bed flats, 14 in total.
- 6.6.2 Policy 3.5 of the London Plan specifies that 1 bed flats should a minimum floor area of 50sqm, 2 bed flats should have a minimum internal floor area of 61 square metres with 3b4p flats at 74 sqm or 3b6p flats at 86 sqm. All units

have been measured and verified and are above the required London Plan standards for the respective units. From assessing the plans all units would have useable and accessible layouts and all room sizes are acceptable with specific regards to living/diners and single and double bedrooms. All units would be dual aspect. It is recognised that there are units on the ground floor relatively close to the boundary, however having assessed the situation on site it is considered on balance that all units would have sufficient defensible space. Flat 1 on the corner is the most exposed but specifically only in relation to the rear terrace. A condition will be assigned to any approval requesting final details of how this terrace is to be secured from the public highway.

- 6.6.3 However there are no wheelchair accessible units proposed as part of the development, however this could be arranged by an appropriate planning condition. The flats on the ground floor can be adapted to all be wheelchair accessible.

#### *Housing Mix*

- 6.6.4 DMD 3 and Policy 5 of the Core Strategy seeks new development to incorporate a mix of dwelling types and sizes to meet housing needs in the Borough with family sized accommodation (3 bed or larger) is the greatest area of need.

- 6.6.5 The Council's dwelling mix ratios are as follows:

1 and 2 person flats - 20%  
2 bed flats - 15%  
3 bed houses - 45%  
4 + bed houses - 20%

- 6.6.6 The development provides the following dwelling mix:

3 no.1b 2p (21.5%)  
7 no.2b 3p (and) 4p (combined 50%)  
4no. 3b 4 or 5p (28.5%)

- 6.6.7 One of reasons for concern on the previous application was the insufficient amount of family units proposed as part of the scheme. On that submission there were only 2 family units proposed out of the total of 14. In addition there was no justification submitted to justify the lack of more family units.

- 6.6.8 Since then officers have had a number of discussions with the applicant in relation to the scheme and it has been agreed that the scheme could viably provide 4 family units. 1 of these units would be located on the ground floor with a rear garden, the second would be located at second floor level with 2x3 bed flats at 3<sup>rd</sup> floor level with large usable terraces. Whilst this percentage of family units is not specifically policy compliant it has been agreed that it is all the scheme can viably provide. In addition taking into account the access requirements and the building envelope, 4 family units are what can fit comfortably into the scheme, having regard to the confines of the site and the numbers flats that can be accommodated at each respective floor without impacting on the loss of another flat. In addition due regard should be given to the fact that there are 3x 2 bed 4 person flats proposed as part of the scheme

which could feasibly accommodate smaller family units. One of these units would also have direct access to the rear garden area.

6.6.9 In addition whilst it is not of specific relevance to this case it is noted that the scheme opposite at Number 10 Park Road has been approved with 4 family units out of the total of 18.

6.6.10 All factors taken into account it is considered that this submission overcomes the previous reason for refusal and that the proposed mix of units and standard of accommodation overall is considered acceptable.

## 6.7 Private Amenity

6.7.1 Since the implementation of the London Housing Supplementary Planning Document and the introduction of the councils draft Development Management Document, amenity space standards have been relaxed.

6.7.2 Policy DMD9 now specifies the requirements for private and communal amenity space for such developments.

6.7.3 Overall it is considered the private amenity provisions proposed are acceptable. Each of the proposed flats would be served by its own self-contained amenity areas. The ground floor flats would benefit from their own policy compliant rear gardens directly behind the proposed unit along with front facing terraces. In addition the remaining 11 flats would benefit from individual balconies all of which appear to be policy compliant having regard to minimum requirements of DMD9.

6.7.4 All factors taken into account it is considered that the amenity provisions proposed is acceptable and in accordance with DMD9. Whilst there is no communal amenity space proposed, this is a result of the tight confines of the site. Nevertheless each individual unit is adequately served by its own private amenity space.

## 6.8 Traffic and Transportation

6.8.1 Due to the nature of the proposal the councils traffic and transportation department have been consulted on the application.

### Access

6.8.2 The proposal does clearly indicate separate access for pedestrians which meets the requirements of London Plan Policy 6.10: Walking and Enfield DMD 47: "All developments should make provision for attractive, safe, clearly defined and convenient routes and accesses for pedestrians, including those with disabilities."

6.8.3 The proposals also indicate that a vehicular crossover will be created to provide access to a basement area via a ramp. The existing off-street parking provision and related vehicular crossovers will be removed. This is not contrary to Enfield DMD Policy 46 relating to vehicle crossovers.

6.8.4 The access ramp has been designed to meet required standards, and incorporates an area with a minor gradient next to the footway to improve

visibility for vehicles exiting the site. Given the width of the access ramp only allows one way movement, an entry / exit system will need to be put in place to prevent vehicles having to reverse onto the public highway.

The site can be serviced from Park Road where the highway adjacent to the site has an area of single yellow line which does not have loading / unloading restrictions.

### Car Parking

6.8.5 The current London Plan maximum standards (Table 6.2) refer to maximum provision of 1.5 spaces per unit in areas with a PTAL rating of 5 and similar residential densities. It is also noted that the London Plan refers to the promotion of car-free or low car developments in appropriate locations.

6.8.6 Census data for LB Enfield gives car ownership information by number of bedrooms and tenure. The table below gives the average across all tenures because details have not been provided of tenure type for the development.

| <b>Car ownership by number of bedrooms – average of all tenures</b> | No cars or vans in household % | 1 car or van in household % | 2 cars or vans in household % | 3 cars or vans in household % | 4 or more cars or vans in household % |
|---|--------------------------------|-----------------------------|-------------------------------|-------------------------------|---------------------------------------|
| 1 bedroom   | 60%                            | 36%                         | 4%                            | 0%                            | 0%                                    |
| 2 bedrooms  | 40%                            | 48%                         | 11%                           | 1%                            | 0%                                    |
| 3 bedrooms  | 23%                            | 47%                         | 23%                           | 5%                            | 1%                                    |
| 4 bedrooms  | 11%                            | 35%                         | 36%                           | 13%                           | 5%                                    |
| 5 or more bedrooms  | 11%                            | 28%                         | 37%                           | 16%                           | 8%                                    |
| Average   | 32%                            | 43%                         | 18%                           | 4%                            | 1%                                    |

6.8.7 This means that based on census data indicative car ownership for this development would be:

| <i>Number of Units and Bedrooms</i> | <i>Number of Vehicles</i> |
|-------------------------------------|---------------------------|
| 3x1 bed                             | 1.3                       |
| 7x2 bed                             | 5.1                       |
| 4x3 bed                             | 4.6                       |

6.8.8 This equates to provision of 11 vehicles at a ratio of around 0.79 per unit. It is noted that the area around the site is under continuing parking stress with limited on-street parking in high demand. This has been exacerbated by the introduction of yellow lines at the junction of Park Road and Fore Street which, while addressing issues of highway safety and free flow of traffic, has reduced the on-street car parking capacity. In addition there are no plans for a CPZ to be introduced in the near future so any overspill parking cannot be readily constrained.

6.8.9 The plans indicate provision for six car parking spaces in a basement area accessed via a ramp from Park Avenue. This equates to a ratio of around 0.43 car parking spaces per unit.

6.8.10 Whilst lower than the indicative ratio noted above (0.79 per unit) it is considered that this level of provision is appropriate:

- Planning permission has been granted on an adjacent site for a development with parking at a ratio of 0.22 spaces per unit. It should be noted that for future developments in the area, the cumulative impact on parking capacity will be a factor in determining the appropriate level of provision.
- The PTAL of the site is 5 which indicates relatively good access to public transport. This is mainly due to the frequent bus services available on Fore Street and the proximity of Silver Street station.
- The applicant has indicated a willingness to provide S106 contributions, including for car club membership and cycling and walking improvements, with a view to mitigating unmet demand for car trips.
- The site manager should prepare and be responsible for a travel plan which encourages residents to use alternatives to private cars.
- The site will be exempted from any future Controlled Parking Zone.

6.8.11 As indicated above any further higher density development in this area would have to address the issue of the cumulative impact of neighbouring developments on car parking provision. This would mean that a higher parking ratio would be expected if other suitable mitigating measures have not been put in place, such as the introduction of controlled parking in the area.

6.8.12 Given the basement area will be accessed from the residential accommodation via stairs, it is not appropriate for disabled parking provision to be made in the basement area. Instead it is noted that disabled parking can be accommodated on an area of single yellow line on Park Road which also has the advantage of being close to the main pedestrian access points.

#### Cycle Parking

6.8.13 The development would provide secure, integrated, convenient and accessible cycle parking in line with the minimum standards set out in the Further Alterations to the London Plan Table 6.3 and the guidance set out in the London Cycle Design Standards.

6.8.14 The proposal indicates that there will be a secure shelter suitable for storing 28 bicycles in the basement area. Given that this storage can only be accessed by residents it is assumed that this is long term provision so exceeds the minimum requirements in the current London Plan as set out in Table 6.3:

- Long Stay: 1 space per Studio and 1-bed dwelling;
- Long Stay: 2 spaces per all other dwellings.

In addition the applicant must provide short stay cycle parking in an accessible location:

- Short Stay: 1 space per 40 units, with a minimum provision of 2 spaces.

6.8.15 S106 contributions could be used to provide on-street cycle parking which would address this requirement.



Waste

6.8.15 The Council's requirements are set out in Enfield's Waste and Recycling Planning Storage Guidance (ENV-08-162):

| <b>Number of Properties</b> | <b>Number of Containers required for Refuse:</b> | <b>Number of Containers required for Recycling:</b> |
|-----------------------------|--|---|
| 13 - 18 units               | 3 x 1100 litre bin                               | 1 x 1280 litre bin                                  |

These containers must be:

- Within 10 metres of the collection point.
- Bins must be stored on a hard surface or in a storage cupboard.
- Bins that are stored in a storage cupboard must be housed in chambers constructed in accordance with the British Standard Code of Practice BS 5906:1980 "Storage and On-Site treatment of solid waste from buildings".
- Footpaths between the container housing and the nearest vehicular access should be free from steps or kerbs, have a solid foundation, have a smooth solid surface, be level and have a gradient no more than 1:12 and a minimum width of 2 metres.

6.8.16 The application indicates that a separate waste store is being provided with capacity for 6 containers. The location of the store should meet the Council's requirements. Details of the capacity and type of container have not been specified but can be secured by way of a condition.

Highway S106 Contributions

6.8.17 The applicant should commit to S106 contributions which support the proposal for the development to be car free:

- a. Cycling infrastructure improvements - in part for provision of short stay cycle parking on-street. (For application number 15/02002/FUL on the same site a level of £9,333.24 was agreed.)
- b. Pedestrian environment improvements – focused on access to Silver Street station, bus services in Fore Street and the junction of Park Avenue with Park Road. (For application number 15/02002/FUL on the same site a level of £15,000 was agreed.)
- c. Three year car club membership per unit and driving credit of £100 per membership (there are two car club bays within walking distance of the site) – this will be essential for those units without car parking provision.

6.8.18 It should be noted that the applicant has agreed to these highways S106 Contributions.

## 6.9 S106 Contributions

### *Affordable Housing*

- 6.9.1 Having regard to policies DMD1 and CP3 of the Core Strategy as the site is proposing 10 or more units (14) it should be complying with borough wide target of achieving 40% affordable housing and a mix of tenures to reflect a borough wide target of 70% social rent and affordable rent and 30% Intermediate. This would reflect 6 units on this site as affordable housing.
- 6.9.2 As part of the original submission the applicant has submitted a Viability Assessment that originally concluded that the scheme would not be viable to contribute on-site affordable units. This Viability Assessment was assessed by the councils own independently appointed Viability Assessor and it had been agreed that the scheme cannot provide on –site units but that it could afford off site contributions of £85,000.
- 6.9.3 However since this period to address the parking requirements on the site, a basement has been added to the scheme to provide 6 car parking spaces and 28 cycle parking spaces. As a result of this the Viability of the scheme has been reviewed again by the councils own viability assessor and it has been agreed as a result of additional construction cost of the basement the scheme would no longer be viable to pay affordable housing contributions.

### *Education Contributions*

- 6.9.3 Having regard to policy CP46 of the Core Strategy and the councils S106 SPD, this application would also be required to provide education contributions towards local schools in the area.
- 6.9.4 This application proposes 3x1 bed, 7x2 bed and 4x3 bed units which would equate to a contribution of £42,435.67 towards off site education contributions. However as referred to in section 6.9.3 as above the councils viability assessor has confirmed that the scheme would be no longer viable to pay this education contribution. Taking into account the introduction of the borough CIL charge on 1<sup>st</sup> April, it is considered that this approach is acceptable.

### *Other S106 Contributions/ Head of Terms*

- 6.9.5 Highways Contributions of £35,724 broken down as follows:
- £9,333.24 towards cycle route improvements;
  - £15,000 towards pedestrian environment improvements, particularly focused on access to Silver Street station, bus services in Fore Street and the junction of Park Avenue with Park Road;
  - One three year car club membership per unit and driving credit of £100 per membership (there are two car club bays within walking distance of the site);
  - Removal of redundant crossovers and footway resurfacing in front of the site.
  - Ineligibility of the proposed units from obtaining parking permits within any future CPZ in the immediate adjoining area.

6.9.6 The S106 Monitoring fees would amount to £1786.20. The applicant has agreed to pay this fee in addition to the highway contributions as above.

6.10 Sustainable Design and Construction

*Lifetime Homes*

6.10.1 The London Plan and Core Strategy confirm that all new housing is to be built to Lifetime Homes' standards. This is to enable a cost-effective way of providing adaptable homes that are able to be adapted to meet changing needs.

6.10.2 The scheme appears to meet as much as possible the 16 criteria for Lifetime Homes. However, confirmation of this should be secured by condition.

*Energy / Energy efficiency*

6.10.3 The London Plan adopts a presumption that all developments will meet carbon dioxide emission reductions that will improve upon 2010 Building Regulations, leading to zero carbon residential buildings from 2016. Policy 5.2 establishes a target for 2010-2013 to be a 25% improvement over Part L of current Building Regulations

6.10.4 At this stage there has been no energy statement submitted to support the application. However it is considered these energy matters can be dealt with via planning conditions.

6.11 CIL

6.11.1 The size of the proposed development would be liable to a Community Infrastructure Levy contribution as the size exceeds 100 sq.m. The net gain of the new created floor area is 900 sq.m, inclusive of the 14 units and the communal staircase area and the new basement area.

6.11.2 As a result the borough CIL payment would be 900sqm x £40 per sqm (CIL Rate for Edmonton Area) = £36,000.

6.11.3 This would result in a Mayoral CIL contribution of 900 sq.m x £20 = £18,000 x 274/223 = £22,116.59.

**7. Conclusion**

- 7.1 It is considered that this development proposal is acceptable. It has an acceptable impact to the character and appearance of the site and surrounding Park Road area. It will provide for 4 additional family units and 14 additional residential units a whole in a relatively accessible part of the borough.
- 7.2 It is considered that its scale, bulk and appearance is acceptable and would be comparable and complement the approved building on the opposite side of Park Road. The proposed development would also have an acceptable impact onto adjoining neighbours amenities.
- 7.3 It is not considered that the proposal development would create an impact to neighbours amenity or create unacceptable impact to highway function and safety.
- 7.4 In conclusion there are no justifiable reasons to refuse the application. Subject to the conditions outlined as below and the completion of the S106 Legal Agreement it is recommended that planning permission is granted.

**8. Recommendation**

8.1 That planning permission be approved subject to the following conditions:

1. C60 Approved Plans
2. C07 Details of Materials
3. C09 Details of Hard Surfacing
4. C10 Details of Levels
5. C11 Details of Enclosure
7. C17 Details of Landscaping
8. C19 Details of Refuse Storage & Recycling Facilities
9. C59 Cycle parking spaces
10. Construction Methodology

That development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Planning Authority. The construction methodology shall contain:

- a. arrangements for wheel cleaning;
- b. arrangements for the storage of materials;
- c. hours of work;
- d. arrangements for the securing of the site during construction;
- e. the arrangement for the parking of contractors' vehicles clear of the highway.
- f. The siting and design of any ancillary structures.
- g. A construction management plan written in accordance with the 'London Best Practice Guidance: The control of dust and emission from construction and demolition'.

The development shall be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the implementation of the development does not lead to damage to the existing highway and to minimise disruption to neighbouring properties and the environment.

11. Amenity Space for Flat 1.

Prior to occupation of the development details of the security measures to serve the rear terrace assigned to Flat 1 shall be submitted to and approved in writing by the local planning authority.

Reason: In the interest of amenity and public safety.

12. Lifetime Homes Standards

All the units shall comply with Lifetime Home standards in accordance with details to be submitted to and approved in writing by the LPA. The development shall be carried out strictly in accordance with the details approved and shall be maintained thereafter.

Reason : To ensure that the development allows for future adaptability of the home to meet with the needs of future residents over their life time in accordance with Policy CP4 of the Core Strategy and Policy 3.5 of the London Plan 2011.

13. Redundant Access

Prior to the commencement of development details of the redundant points of access and reinstatement of the footway shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and permanently retained.

Reason: To provide safe and accessible linkages for pedestrians and cyclists and to preserve the interests of highway amenity.

14. Basement Parking/ Access

The development shall not commence until details of the access and egress to the basement car park, including the gradients of the ramp and visibility splays at the boundary with the public highway, have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to its occupation.

Reason: To ensure the basement access arrangements do not prejudice highway safety and the free flow of traffic.

15. Travel Plan

The development hereby approved shall not be occupied until such time as a Travel Plan incorporating the components set out in Appendix C of the ODPM/DfT publication "Using the planning process to secure travel plans" has been submitted to and approved in writing by the LPA. The approved Travel Plan shall thereafter be implemented and adhered to.

Reason: In the interests of sustainability and to ensure that traffic generated from the site is minimised.

16. Energy Statement

The development shall not commence until a detailed 'Energy Statement' and relevant SAP calculations has been submitted and approved in writing by the Local Planning Authority. Submitted details will demonstrate the energy efficiency of the development and shall provide for no less than 11% total CO2 emissions arising from the operation of a development and its services over Part L of Building Regs 2010 ensuring that standard conversion factor indicate that natural gas is the primary heating fuel. The Energy Statement should outline how the reductions are achieved through the use of Fabric

Energy Efficiency performance, energy efficient fittings, and the use of renewable technologies.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter. Following practical completion of works a final Energy Performance Certificate shall be submitted to an 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 Policy CP20 of the Core Strategy, Policies 5.2, 5.3, 5.7 & 5.9 of the London Plan 2011 and the NPPF.

17. Energy Performance Certificate

Following practical completion of works a final Energy Performance Certificate shall be submitted to an approved in writing by the Local Planning Authority prior to occupation of the development.

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 Policy CP20 of the Core Strategy, Policies 5.2, 5.3, 5.7 & 5.9 of the London Plan 2011 and the NPPF.

18. C51 Time Limited Permission- 3 years.

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PROJECT: 2B Park Avenue  
CLIENT: Paul Simon Homes Ltd.  
DATE: March 2015  
SCALE: 1:500 @ A2 / 1:1000 @ A4  
DRAWING NO.: 15/15/051  
REVISION:  
REVISION DATE:



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5344100

534050

192760

Arabella House

SOLOMON AVENUE

PARK ROAD

PARK AVENUE

PARK ROAD

11

3

8

2

2a

37

29

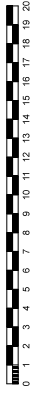
2b

2a

1

SCALE: 1:250 @ A2 / 1:400 @ A4  
DRAWING NO.: 1637.0405  
REVISION: 1637.0405  
REVISION DATE:

PROJECT: 28 Park Avenue  
CLIENT: Paul Simon Homes Ltd.  
DATE: March 2015

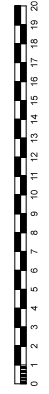


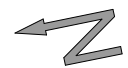
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DRAWING NO.: 1251 (03/2014)  
REVISION: A  
REVISION DATE: Sep. 2015

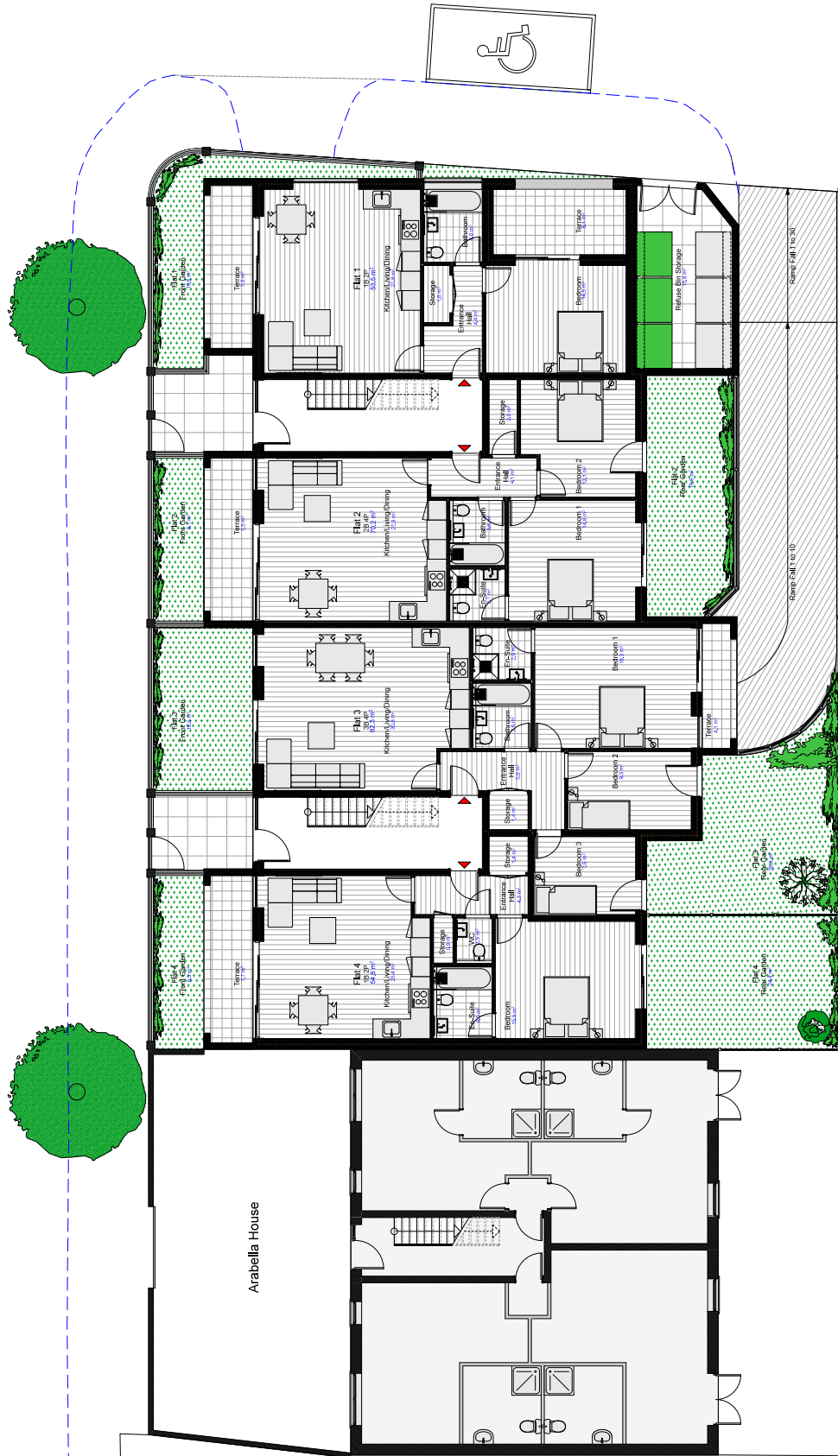
PROJECT: 2A & 2B Park Avenue  
CLIENT: Paul Simon Homes Ltd.  
DATE: March 2015





PARK ROAD

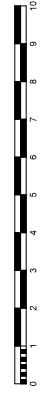
PARK AVENUE



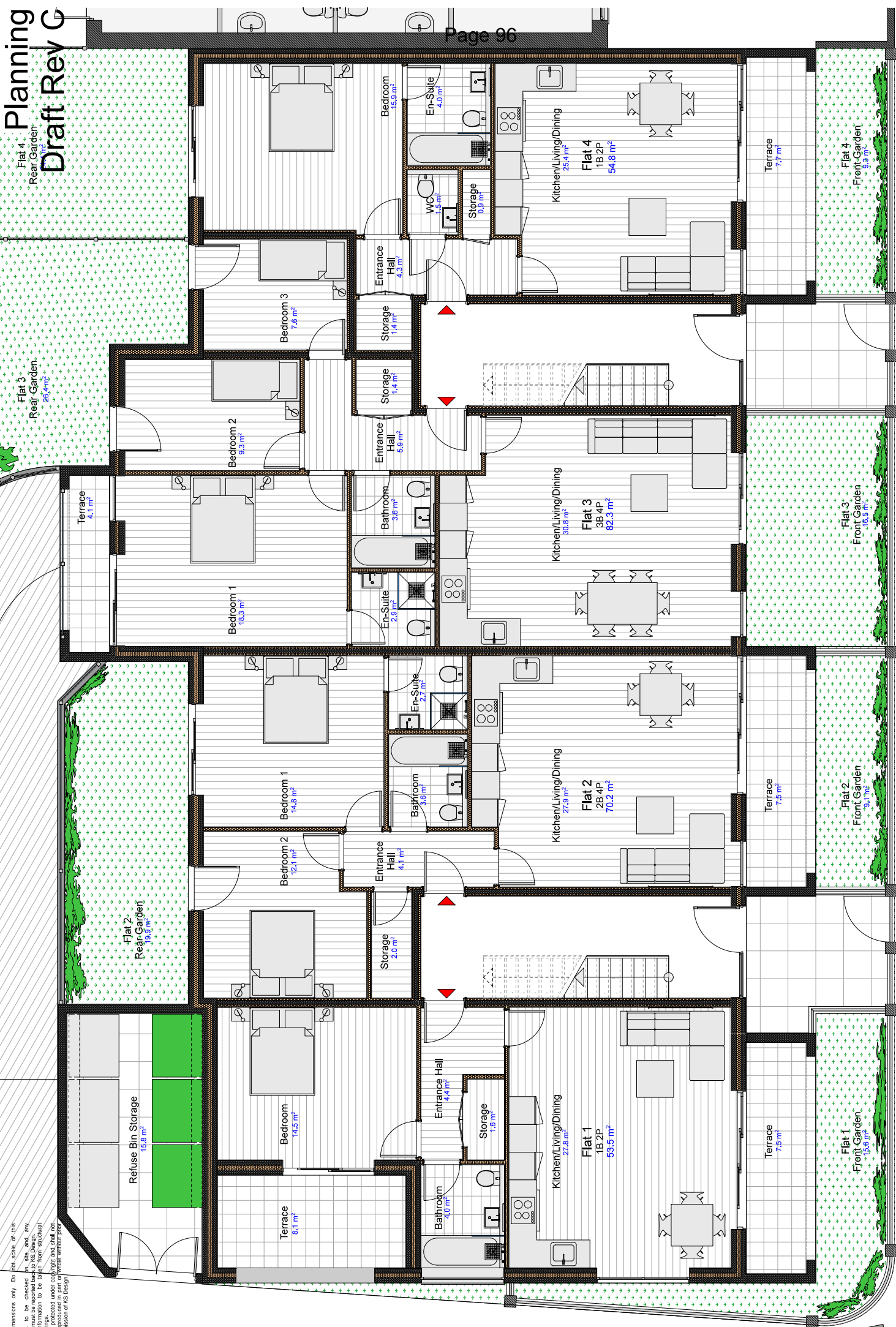
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SCALE  
DRAWING NO. 1:100 @ A2, 1:200 @ A4  
REVISION B 12th 05/07/15  
REVISION DATE March 2015

PROJECT 2 B Park Avenue  
CLIENT Paul Simon Homes Ltd.  
DATE March 2015



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Planning  
 Draft Rev G

Proposed  
 Ground Floor Plan

SCALE: 1:50 @ A3, 1:100 @ A4  
 DRAWING NO: B 103\_05/08  
 REVISION: B  
 REVISION DATE: March 2015

PROJECT: 28 Park Avenue  
 CLIENT: Paul Simon Homes Ltd.  
 DATE: March 2015

Flat 1  
 1B 2P  
 53.5 m<sup>2</sup>

Flat 2  
 2B 4P  
 70.2 m<sup>2</sup>

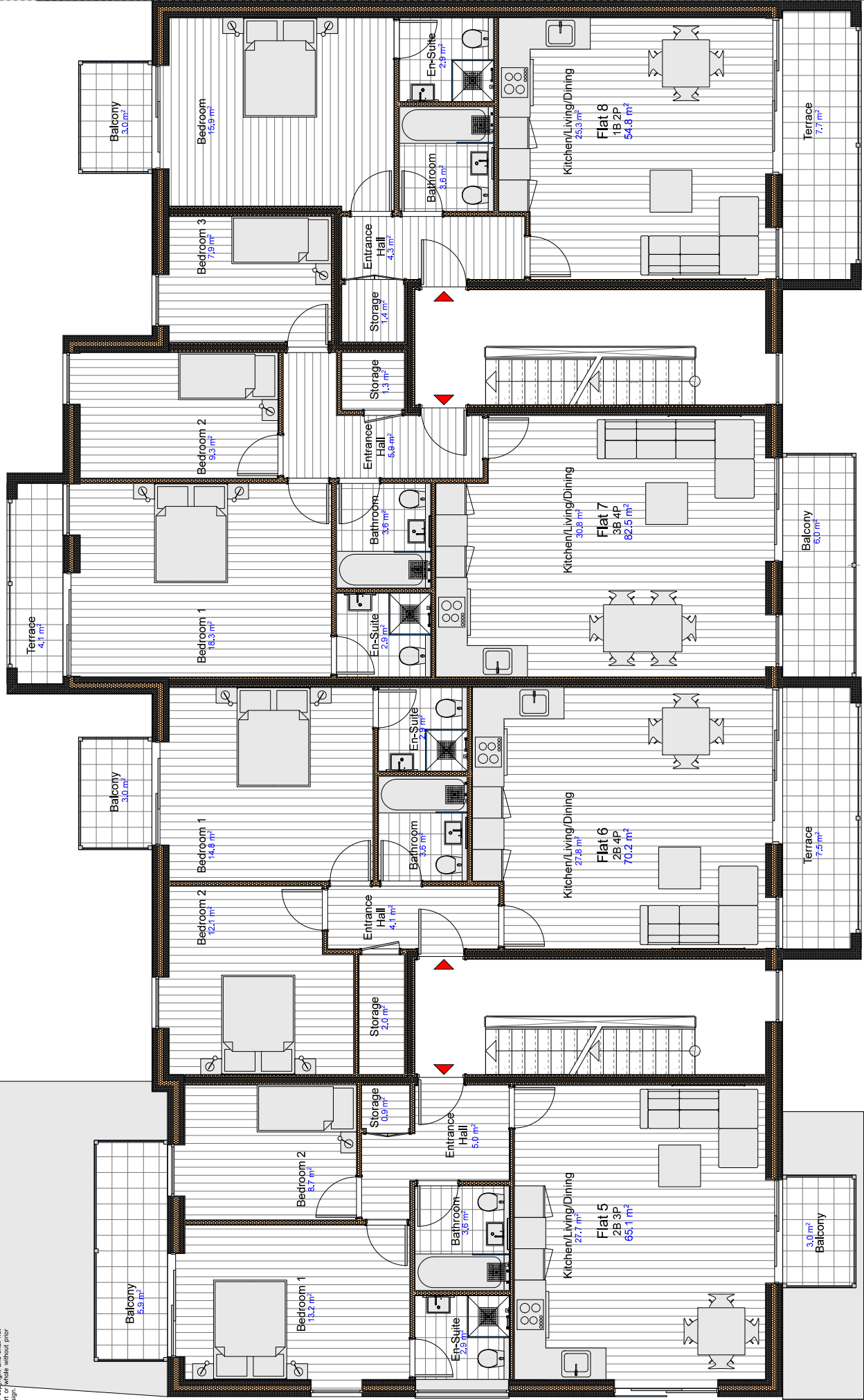
Flat 3  
 3B 4P  
 82.3 m<sup>2</sup>

Flat 4  
 1B 2P  
 54.8 m<sup>2</sup>

Refuse Bin Storage  
 15.8 m<sup>2</sup>

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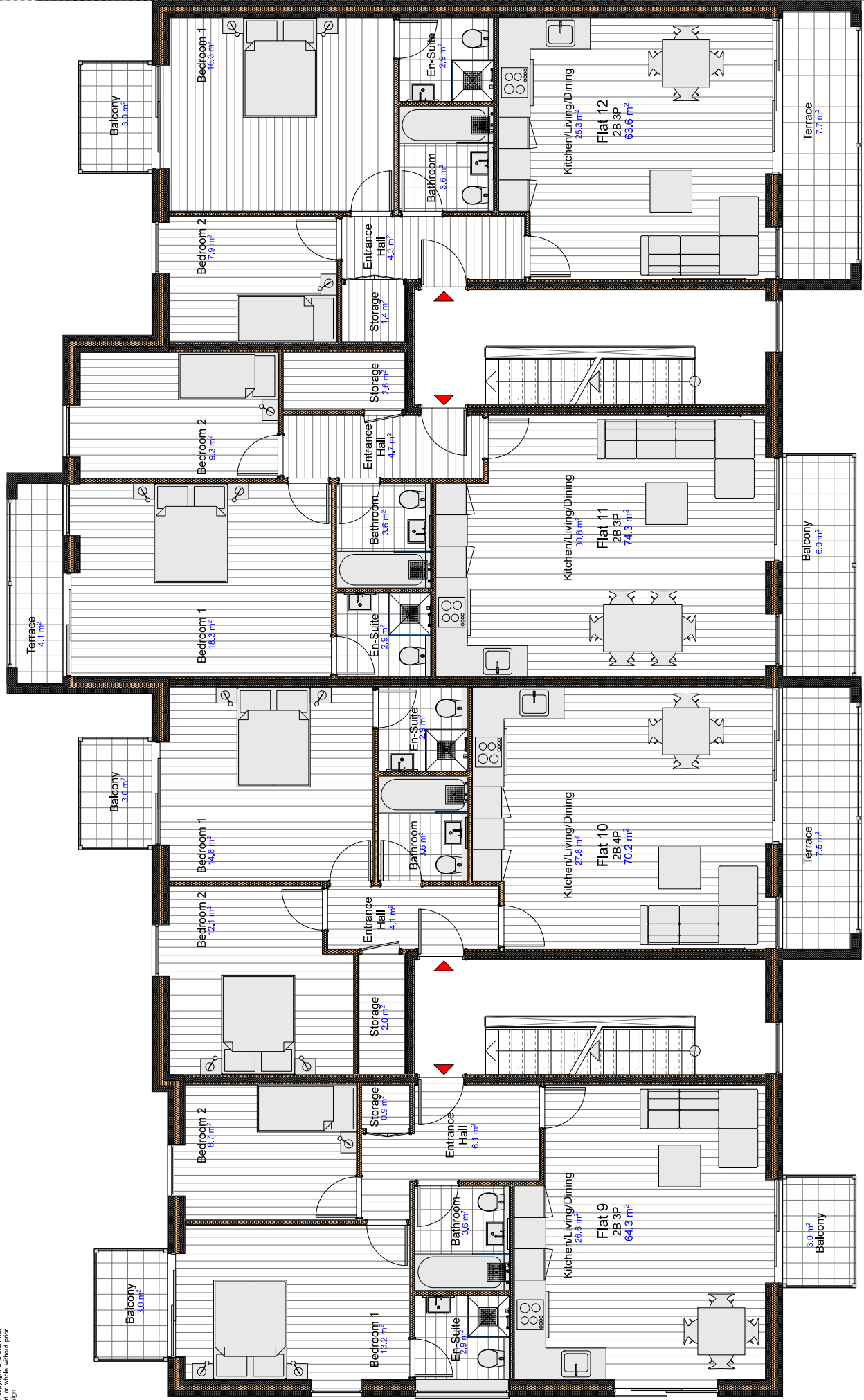


SCALE: 1:50 @ A2: 1:100 @ A4  
DRAWING NO.: 103\_05/11  
REVISION: A  
REVISION DATE: Sep. 2015

PROJECT: 28 Park Avenue  
CLIENT: Paul Simon Homes Ltd.  
DATE: March 2015



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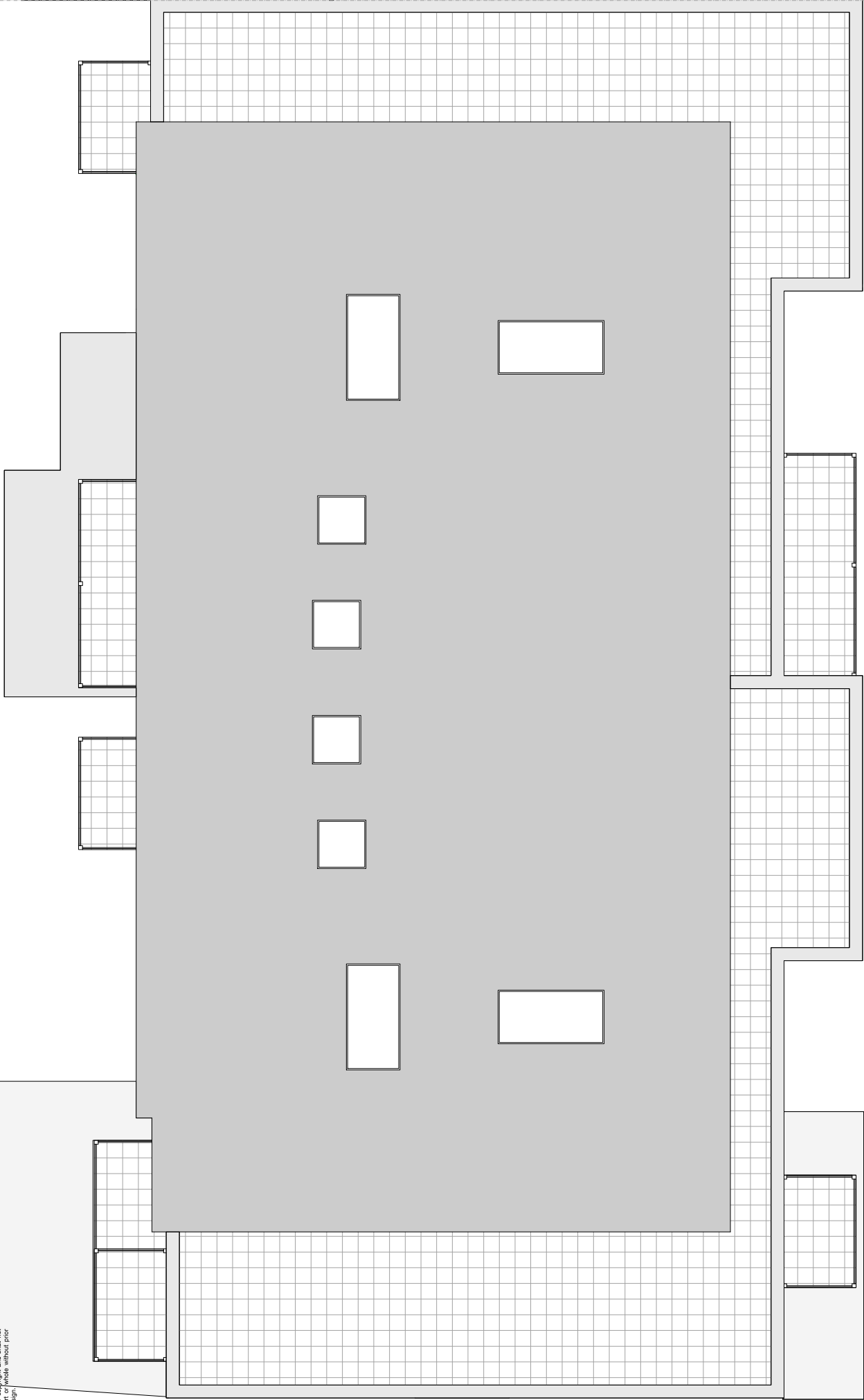
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SCALE: 1:50 @ A3, 1:100 @ A4  
 DRAWING NO: 126\_03/05/B  
 REVISION: B  
 REVISION DATE: Jan. 2015

PROJECT: 28 Park Avenue  
 CLIENT: Paul Simon Homes Ltd.  
 DATE: March 2015



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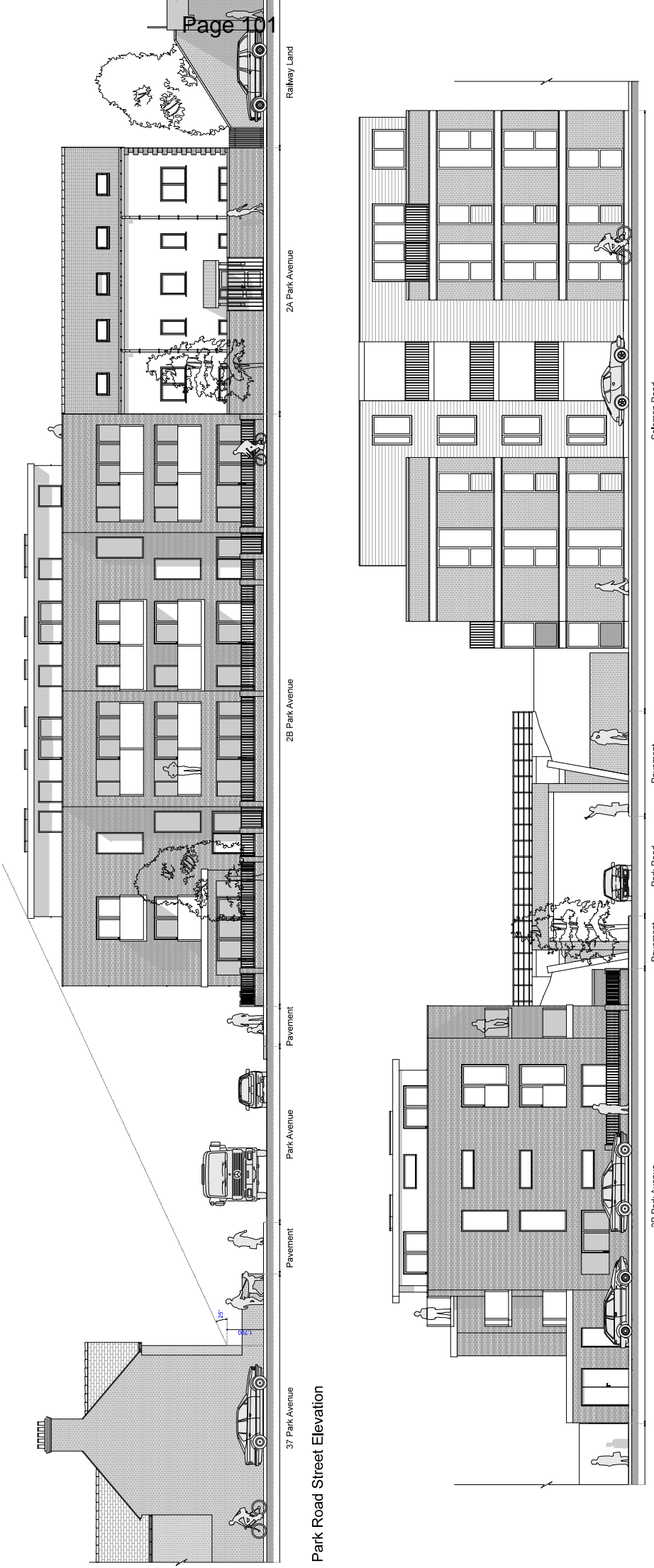
**PROJECT:** 28 Park Avenue  
**CLIENT:** Paul Simon-Homes Ltd.  
**DATE:** March 2015

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**DRAWING NO.:** 100\_001/04  
**REVISION:** B  
**REVISION DATE:** Jan. 2016



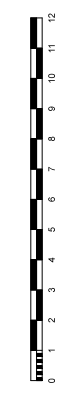


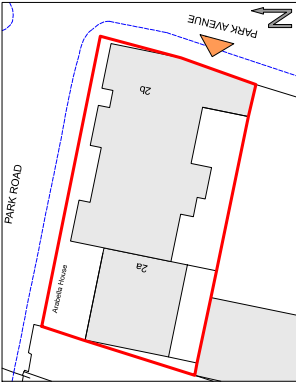
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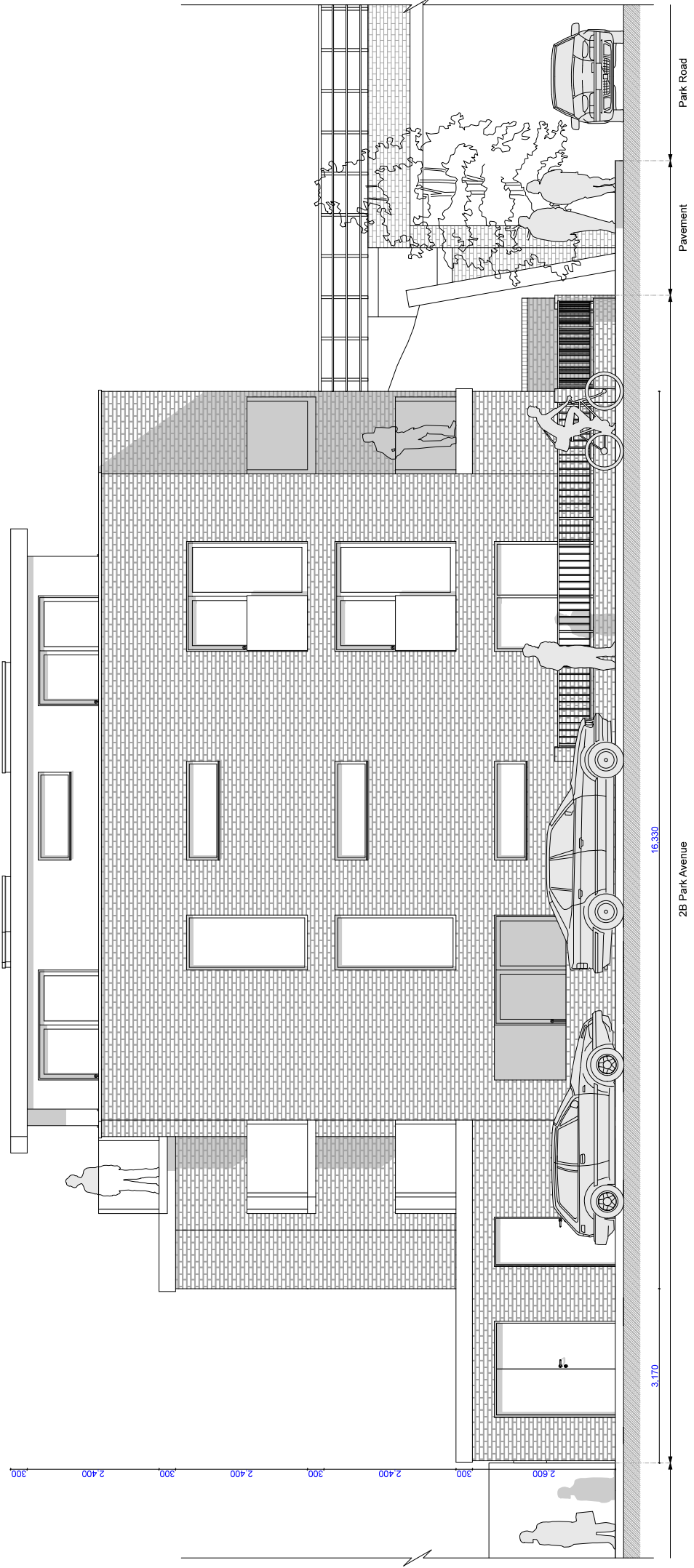
Park Road Street Elevation

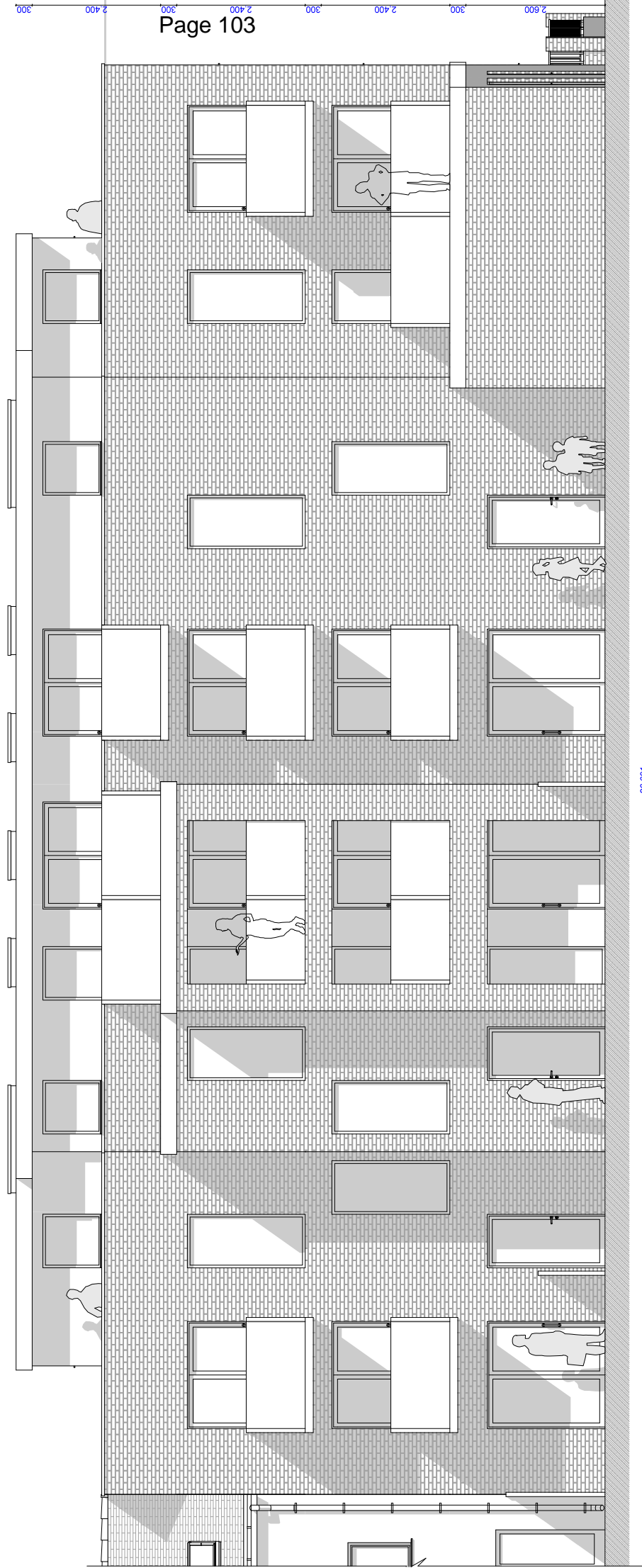
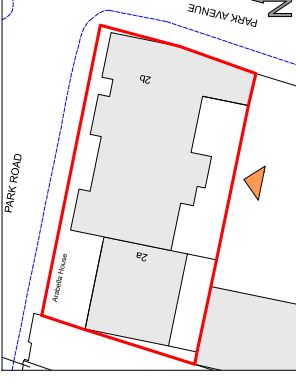
Park Avenue & Solomon Road Street Elevation





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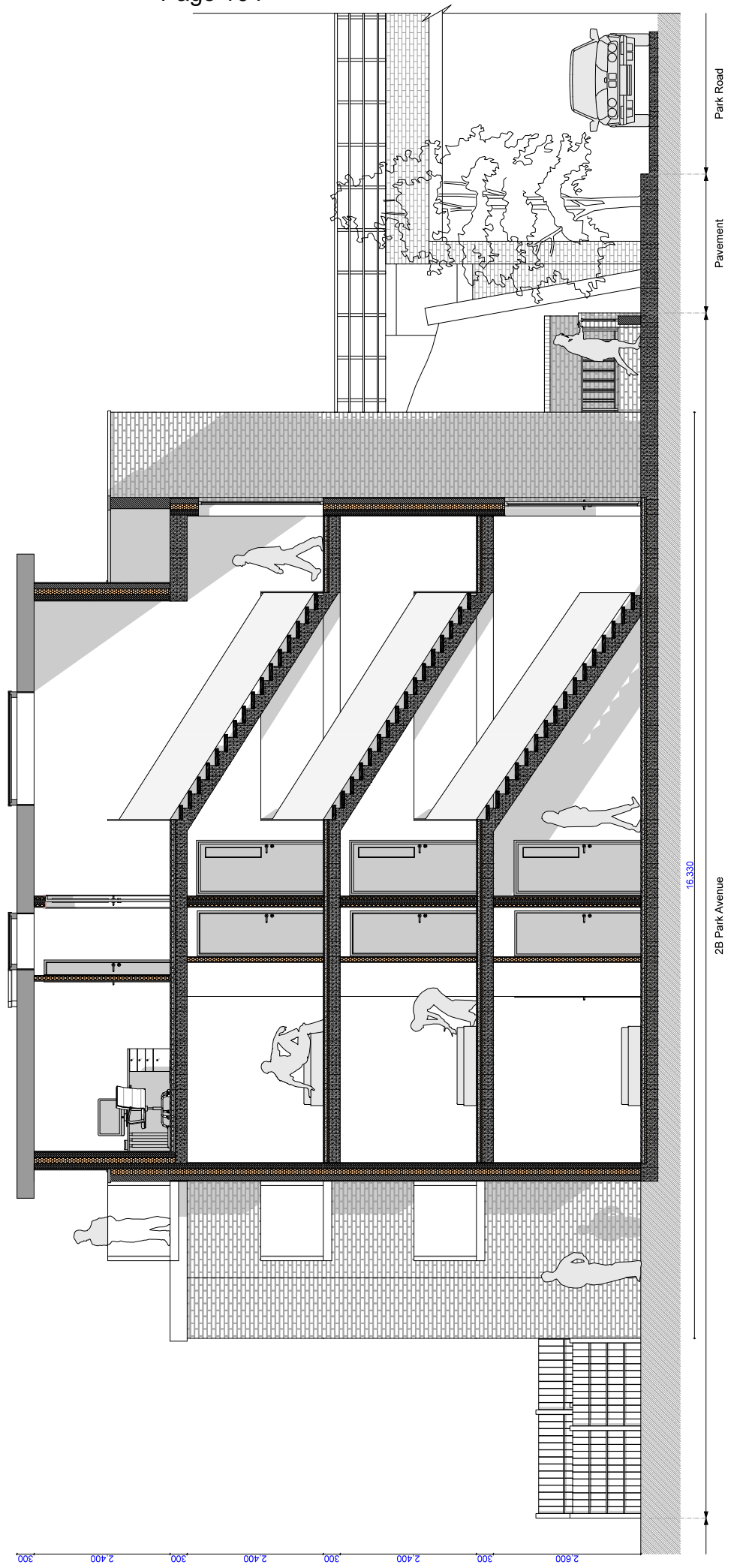
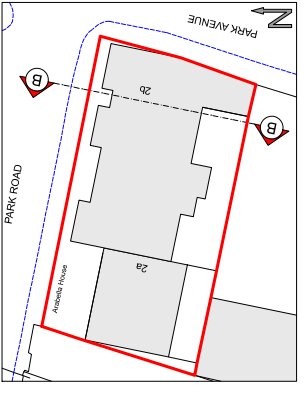




26.691

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2B Park Avenue

Park Road

Pavement

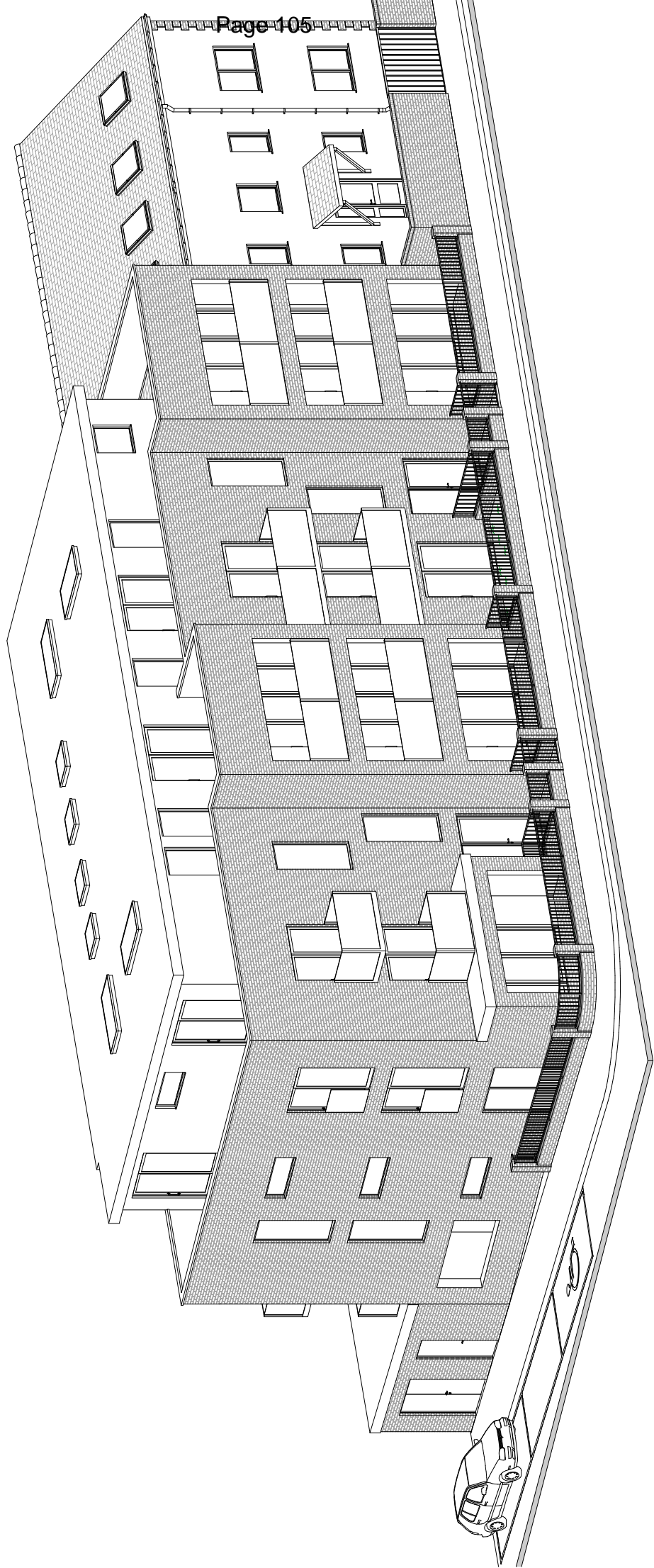
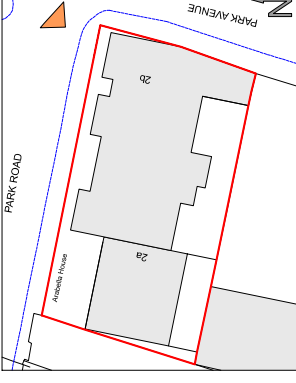
16.330

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 REVISION DATE: Jan. 2016

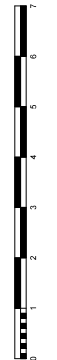
PROJECT: 2B Park Avenue  
 CLIENT: Paul Simon-Homes Ltd.  
 DATE: March 2015

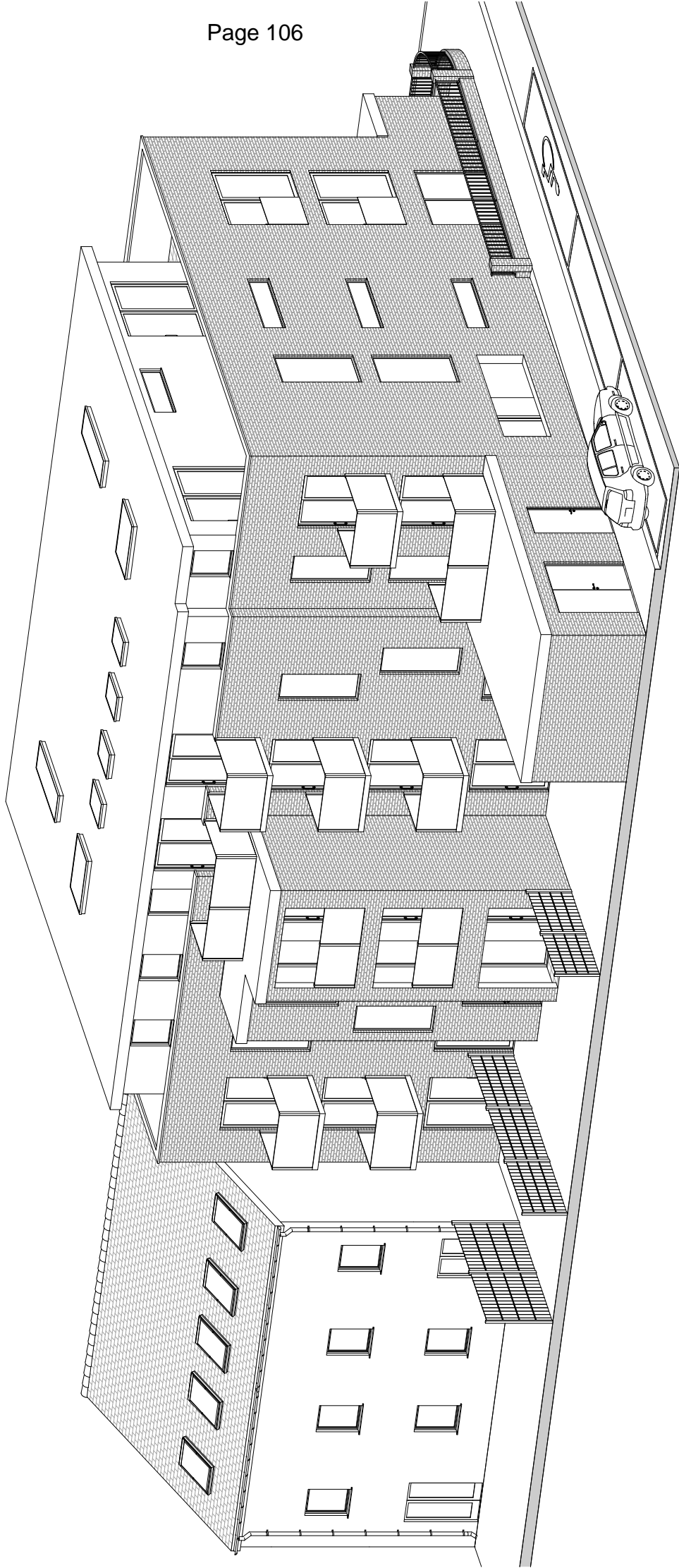
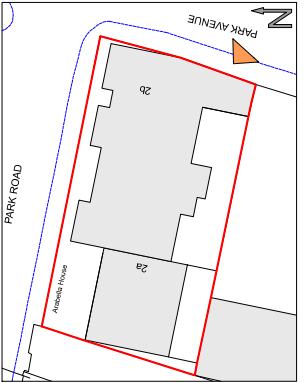


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 REVISION: B  
 REVISION DATE: Jan. 2016

PROJECT: 2B Park Avenue  
 CLIENT: Paul Simon Homes Ltd.  
 DATE: March 2015

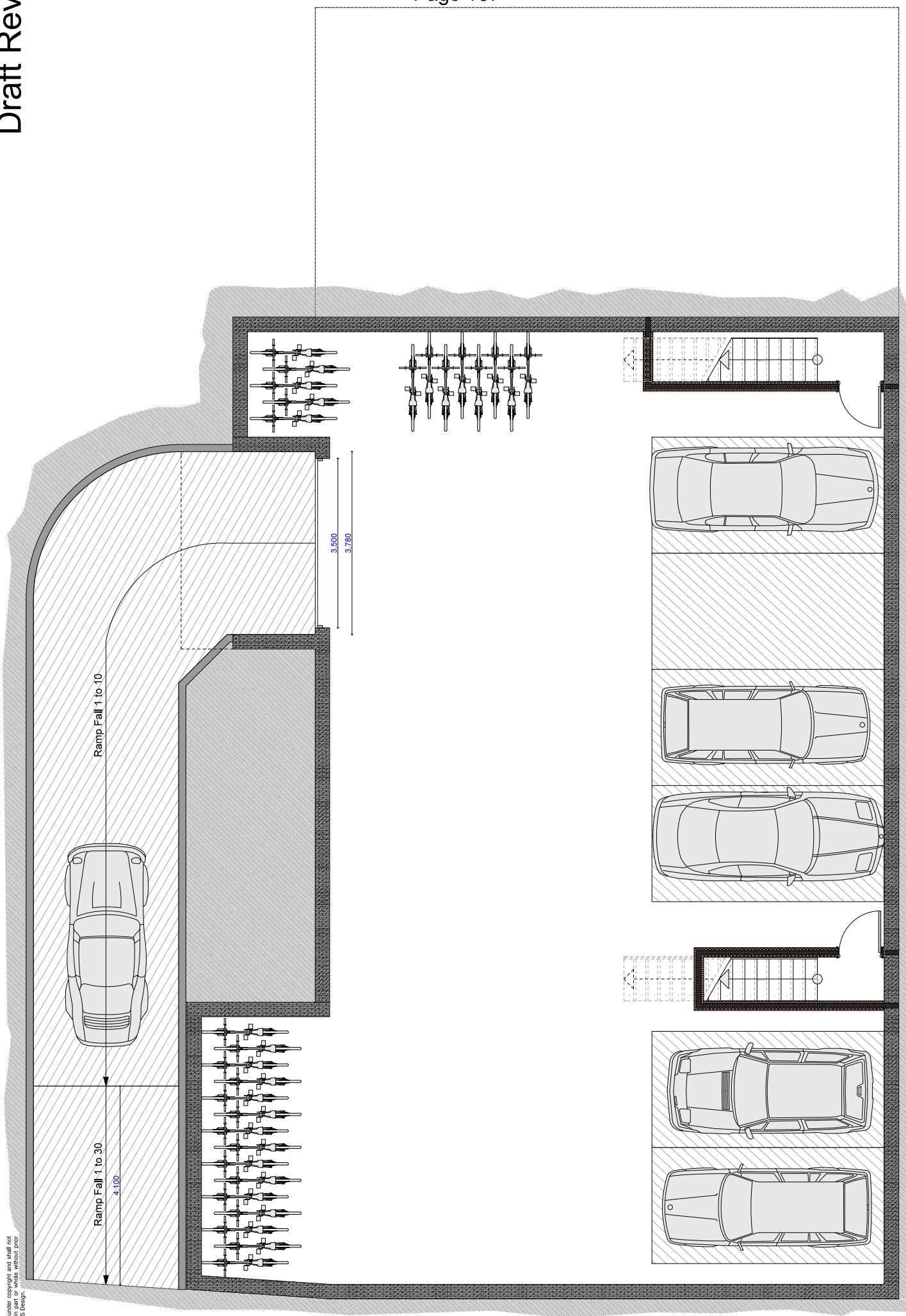




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SCALE  
DRAWING NO.  
REVISION  
REVISION DATE

PROJECT: 28 Park Avenue  
CLIENT: Paul Simon Homes Ltd.  
DATE: March 2016



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## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 26<sup>th</sup> April 2016

**Report of**

Assistant Director, Planning &  
Environmental Protection

**Contact Officer:**

Andy Higham Tel: 020 8379 3848  
Andy Bates Tel: 020 8379 3004  
Robert Singleton Tel: 020 8379  
3837

**Ward:** Highlands

**Application Number :** 16/00349/RE4

**Category:** Dwellings

**LOCATION:** GARAGES ADJACENT TO 1, 13, 24, & 38, PADSTOW ROAD, ENFIELD, EN2 8BU

**PROPOSAL:** Demolition of garages and erection of 6 x 2-storey single family dwellings involving balconies to front (comprising: Site 1 – 2 x 2 bed semi-detached houses; Site 2 – 3 x 2 bed terraced houses; and, Site 3 – 1 x 2 bed detached houses) involving car parking on Site 4 and landscaping

**Applicant Name & Address:**

Mr Nick Fletcher  
Project Manager,  
Health, Housing and Adult Social Care  
London Borough of Enfield  
C/O Agent

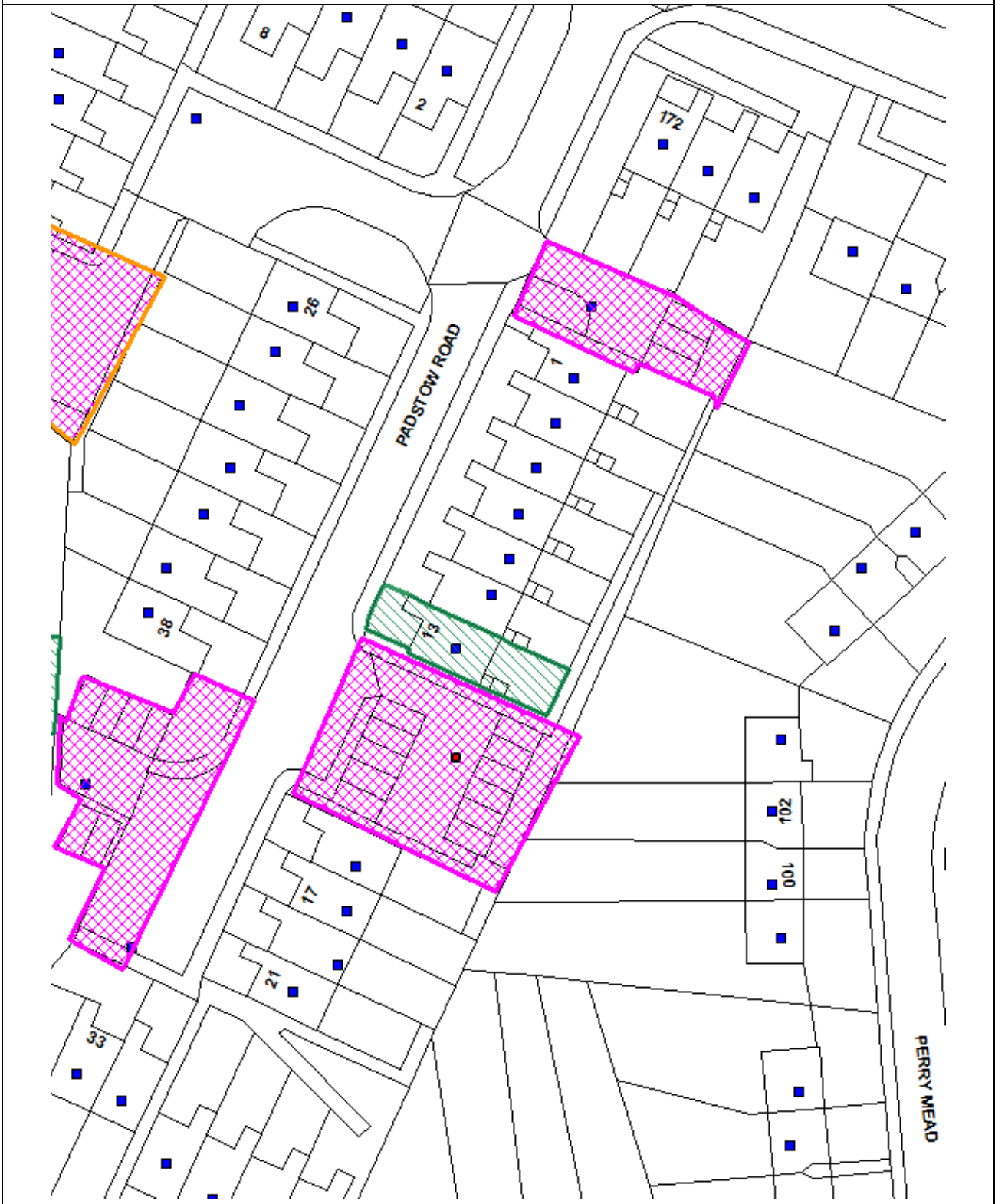
**Agent Name & Address:**

MS Natalya PAIt  
HTA Design LLP  
105-110 Kentish Town,  
London,  
NW1 9PX

**RECOMMENDATION:**

That planning permission to be **GRANTED** in accordance with Regulation 3/4 of the Town and Country Planning General Regulations 1992 subject to conditions and Unilateral Undertaking.

Ref: 16/00349/RE4 LOCATION: Garages Adjacent To 1, 13, 24 ,\_ 38, Padstow Road, Enfield, E



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Scale 1:1250

North



## 1. Site and Surroundings

- 1.1 The site comprises a series of four previously developed sites currently occupied by a total of 24 garages and equating to a combined area of 1466 sq.m. In accordance with the submission, at present only 50% of the existing garages are used for the parking of private motor vehicles. The four sites form part of a wider housing estate lining Padstow Road, a residential cul-de-sac. The estate is accessed via the classified Holtwhites Hill to the north east.



Illustration1: Site Plan

- 1.2 For clarity, the four sites can be described as follows:

### Site 1

- 1.3 Comprises a 371 sq.m plot situated on the western edge of the Padstow Road spur. The site is bounded by the gardens of No.14 John Gooch Drive to the west and to No.16 Chasewood Avenue the south. The site currently contains has eight garages all of which are vacant. Several trees are present on the site.

### **Site 2**

- 1.4 Comprises a 514 sq.m rectangular plot between Nos. 13 and 15 Padstow Road. The site is bounded to the east by the gardens of Nos. 100, 102 and 104 Perrymead. The site contains eleven garages, five of which are occupied with only three of those by local residents.

### **Site 3**

- 1.5 Comprises a 219 sq.m plot adjacent to No.1 Padstow Road and close to the junction with Holtwhites Hill. The site is bounded by the gardens of Nos. 168, 170 and 172 Holtwhites Hill to the north and No.112 Perrymead to the east. The site contains three garages, all of which are occupied and with two by local residents.

### **Site 4**

- 1.6 Comprises a 362 sq.m plot adjacent to No.38 Padstow Road. The site is bounded to the west by the gardens of Nos. 12 and 14 Chasewood Avenue. The site contains six garages, all of which are occupied by local residents.
- 1.7 The surrounding area is characterised a mix of residential units. Padstow Road exclusively comprises two-storey single family dwelling houses with a similar architectural 1960s / 1970s motif and design. The wider area comprises a mix of housing types with a series of estates, flats and single family dwellings peppered throughout.
- 1.8 The site is not within a Conservation Area nor is it a Listed Building.

## **2. Proposal**

- 2.1 The project proposes the demolition of the existing garages and redevelopment of the four sites.

Underpinning the scheme is a wider Council initiative known as 'Small Sites 2' driven by the Housing Department for the controlled release of brownfield land owned by the Local Authority for the provision of new residential accommodation and affordable housing.

### **Site 1**

- No. 2 x 2-bed, two storey semi-detached houses

### **Site 2**

- No. 3 x 2-bed two storey terraced houses

### **Site 3**

- No. 1 x 2-bed two storey detached house

### **Site 4**

- Decant car parking.

2.2 As originally submitted, the scheme also included the removal of grass verges and provision of 14 on-street parking spaces. Having reviewed the scheme, Officers expressed concern in relation to the harm caused by the loss of the verges and the over-provision of additional parking to an area with sufficient levels of on and off-street parking. Following negotiations with the applicant, these additional car parking spaces have been removed and the grass verges reinstated.

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

3.1 15/01436/PREAPP & 15/04117/PREAPP – Proposed erection of a terrace of 4 x 3-bed 2-storey dwelling houses & proposed erection of a terrace of 3 x 2-bed 2-storey dwelling houses (follow up to ref: 15/01436/PREAPP) – The redevelopment of the site has been the subject of extensive pre-application discussions with a two of iterations presented for consideration. To date two formal pre-application responses have been issued (29/04/15 and 10/10/15 respectively) each have established the principle of redevelopment of the sites for residential purposes subject to achieving an appropriate density, ensuring a suitable standard of accommodation, a satisfactory relationship to existing neighbouring development, appropriate servicing and access arrangements and car parking.

### **4. Consultations**

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

##### Traffic and Transportation:

4.1.1 Following reinstatement of the grass verges, no objection subject to conditions for both cycle parking and refuse storage.

##### Tree Officer:

4.1.2 No objection to the loss of trees, but loss of grass verges not supported.

##### Environmental Health:

4.1.2 Raise no objections to the scheme subject to conditions relating to contamination and demolition.

##### Education:

4.1.3 At the time of writing no response had been received from colleagues in Education. Any response received will be reported as a late item albeit where an undertaking to pay relevant contributions for education provision in the Borough and in accordance with the s106 SPD has been agreed.

##### Thames Water:

4.1.4 No objections subject to informatives.

## **4.2 Public response**

4.2.1 The application was referred to 78 surrounding properties and a site notice was placed at the site (21 days expired 22/03/16). At the time of writing two written representations were received from residents of Nos. 9 & 24 Padstow Road objecting to the development citing the following grounds:

- Close to adjoining properties
- Development too high
- Inadequate access
- Inadequate parking provision
- Increase in traffic
- Increase of pollution
- Loss of light
- Loss of parking
- Loss of privacy
- Noise nuisance
- Over development
- Strain on existing community facilities

## **5. Relevant Policy**

5.1 The National Planning Policy Framework (NPPF) published in March 2012 allowed Local Planning Authorities a 12 month transition period to prepare for the full implementation of the NPPF. Within this 12 month period Local Planning Authorities could give full weight to the saved Unitary Development Plan policies (UDP) and the Core Strategy, which was adopted prior to the NPPF. The 12 month period has now elapsed and as from 28th March 2013 the Council's saved UDP and Core Strategy policies will be given due weight in accordance to their degree of consistency with the NPPF.

5.2 The Development Management Document (DMD) policies have been prepared under the NPPF regime to be NPPF compliant. The Submission version DMD document was approved by Council on 27th March 2013 and is now under examination. An Inspector has been appointed on behalf of the Government to conduct the examination to determine whether the DMD is sound. The examination is a continuous process running from submission through to receiving the Inspector's Report. Public Examination of the document was completed on Thursday 24th April 2014. The DMD provides detailed criteria and standard based policies by which planning applications will be determined, and is considered to carry significant weight having been occasioned at Public Examination and throughout the examination stage.

5.3 The policies listed below are considered to be consistent with the NPPF and therefore it is considered that due weight should be given to them in assessing the development the subject of this application.

### **5.3.1 The London Plan (Consolidated)**

Policy 2.6 – Outer London: vision and strategy

Policy 2.7 – Outer London: economy

Policy 2.8 – Outer London: transport

Policy 3.1 – Ensuring equal life chances for all

Policy 3.2 – Improving health and addressing health inequalities

Policy 3.3 – Increasing housing supply  
Policy 3.4 – Optimising housing potential  
Policy 3.5 – Quality and design of housing developments  
Policy 3.6 – Children and young people’s play and informal recreation facilities  
Policy 3.7 – Large residential developments  
Policy 3.8 – Housing choice  
Policy 3.9 – Mixed and balanced communities  
Policy 3.11 – Affordable housing targets  
Policy 3.14 – Existing housing  
Policy 3.16 – Protection and enhancement of social infrastructure  
Policy 4.1 – Developing London’s economy  
Policy 4.12 – Improving opportunities for all  
Policy 5.1 – Climate change mitigation  
Policy 5.2 – Minimising carbon dioxide emissions  
Policy 5.3 – Sustainable design and construction  
Policy 5.5 – Decentralised energy networks  
Policy 5.6 – Decentralised energy in development proposals  
Policy 5.7 – Renewable energy  
Policy 5.9 – Overheating and cooling  
Policy 5.10 – Urban greening  
Policy 5.11 – Green roofs and development site environs  
Policy 5.12 – Flood risk management  
Policy 5.13 – Sustainable drainage  
Policy 5.15 – Water use and supplies  
Policy 5.18 – Construction, excavation and demolition waste  
Policy 5.21 – Contaminated land  
Policy 6.9 – Cycling  
Policy 6.10 – Walking  
Policy 6.12 – Road network capacity  
Policy 6.13 – Parking  
Policy 7.1 – Building London’s neighbourhoods and communities  
Policy 7.2 – An inclusive environment  
Policy 7.3 – Designing out crime  
Policy 7.4 – Local character  
Policy 7.5 – Public realm  
Policy 7.6 – Architecture  
Policy 7.7 – Location and design of tall and large buildings  
Policy 7.14 – Improving air quality  
Policy 7.15 – Reducing noise and enhancing soundscapes  
Policy 7.18 – Protecting local open space and addressing local deficiency  
Policy 7.19 – Biodiversity and access to nature  
Policy 7.21 – Trees and woodlands

Housing SPG

### 5.3.2 Local Plan – Core Strategy

Core Policy 1: Strategic growth areas  
Core policy 2: Housing supply and locations for new homes  
Core policy 3: Affordable housing  
Core Policy 4: Housing quality  
Core Policy 5: Housing types  
Core Policy 6: Housing need  
Core Policy 20: Sustainable Energy use and energy infrastructure

Core Policy 21: Delivering sustainable water supply, drainage and sewerage infrastructure

Core Policy 24: The road network

Core Policy 25: Pedestrians and cyclists

Core Policy 26: Public transport

Core Policy 28: Managing flood risk through development

Core Policy 29: Flood management infrastructure

Core Policy 30: Maintaining and improving the quality of the built and open environment

Core Policy 32: Pollution

Core Policy 34: Parks, playing fields and other open spaces

Core Policy 36: Biodiversity

Biodiversity Action Plan

S106 SPD

#### 5.3.4 Development Management Document

DMD1: Affordable Housing on Sites Capable of Providing 10 units or more

DMD3: Providing a Mix of Different Sized Homes

DMD6: Residential Character

DMD8: General Standards for New Residential Development

DMD9: Amenity Space

DMD10: Distancing

DMD15: Specialist Housing Need

DMD37: Achieving High Quality and Design-Led Development

DMD38: Design Process

DMD45: Parking Standards and Layout

DMD47: New Road, Access and Servicing

DMD48: Transport Assessments

DMD49: Sustainable Design and Construction Statements

DMD50: Environmental Assessments Method

DMD51: Energy Efficiency Standards

DMD53: Low and Zero Carbon Technology

DMD55: Use of Roofspace/ Vertical Surfaces

DMD57: Responsible Sourcing of Materials, Waste Minimisation and Green Procurement

DMD58: Water Efficiency

DMD59: Avoiding and Reducing Flood Risk

DMD64: Pollution Control and Assessment

DMD65: Air Quality

DMD68: Noise

DMD69: Light Pollution

DMD79: Ecological Enhancements

DMD80: Trees on development sites

DMD81: Landscaping

#### 5.4 National Planning Policy Framework

- 5.4.1 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:



- approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out of date, 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; or

Specific policies in the Framework indicate development should be restricted.

5.4.2 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.

5.4.3 In addition, paragraph 173 of the NPPF states that in the pursuit of sustainable development careful attention must be given to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

## 5.5 National Planning Practice Guidance

5.5.1 On 6<sup>th</sup> March 2014, the Department for Communities and Local Government (DCLG) launched the National Planning Practice Guidance (NPPG) to consolidate and simplify previous suite of planning practice guidance. Of particular note for members, the guidance builds on paragraph 173 of the NPPF stating that where an assessment of viability of an individual scheme in the decision-making process is required, decisions must be underpinned by an understanding of viability, ensuring realistic decisions are made to support development and promote economic growth. Where the viability of a development is in question, local planning authorities should look to be flexible in applying policy requirements wherever possible.

## 5.5 Other Material Considerations

Housing SPG

Affordable Housing SPG

Enfield Market Housing Assessment

Providing for Children and Young People's Play and Informal Recreation SPG and revised draft

Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People; a good practice guide (ODPM)

Sustainable Design and Construction SPG;

Mayor's Climate Change Adaption Strategy; Mayor's Climate Change Mitigation and Energy Strategy;

Mayors Water Strategy  
Mayor's Ambient Noise Strategy  
Mayor's Air Quality Strategy  
Mayor's Transport Strategy;  
Land for Transport Functions SPG  
London Plan; Mayoral Community Infrastructure Levy  
Circular 06/05 Biodiversity and Geological Conservation- Statutory  
Obligations and Their Impact within the Planning System

## **6. Analysis**

6.1 The main issues to consider are as follows:

- i. Principle of redevelopment to provide residential accommodation and in particular the compatibility of the development with the provisions of the NPPF and the definition of previously developed land;
- ii. Housing mix;
- iii. Design;
- iv. Amenity of neighbouring properties;
- v. Highway safety;
- vi. Sustainability and biodiversity;
- vii. S.106 Obligations; and
- viii. Community Infrastructure Levy

### 6.2 Principle

6.2.1 The site lies within a predominantly residential area and hence the principle of residential development is broadly acceptable and consequently compatible with Policies 3.3 and 3.4 of the London Plan, Core Policy 5 of the Core Strategy. The provisions of the National Planning Policy Framework supports the redevelopment of previously developed site (known as brownfield land) identifying such sites as sustainable locations for development and preferential in planning terms to sites that would erode the openness of the wider environment including greenfield and green belt land. Developments that seek to utilise these alternative sites must demonstrate the exceptional circumstances where the loss of open space, the setting such space offers and the multiplicity of benefits such areas provide can be justified.

6.2.2 The Development Management Document reiterates this presumption and Policy DMD71 of states that development involving the loss of other open space will be resisted unless:

- a. Replacement open space can be re-provided in the same locality and of better quality to support the delivery of the Council's adopted Parks and Open Spaces Strategy; or
- b. It has been demonstrated through the submission of an assessment that the open space in question is surplus to requirements.

6.2.3 The development area comprises 4 sites containing garages and associated hardstanding and would fall within relevant definitions of brownfield land and the principle of development to these sites can be supported.

6.2.4 Additional land in the form of grass verges also featured as part of the original submission. These areas were earmarked for additional car parking

provision. The areas are outside of relevant brownfield definitions and Officers considered that the verges contributed to the open aspect, green and leafy feel of this suburban location that serve to characterise the area. Whilst of modest individual quality, the contribution of these spaces to soften the built form, break up the large expanse of hard-surfacing and contribute positively to the loose suburban fabric that defines the surround to such an extent that the loss of these areas could not be justified in planning terms. Given the constraints of the surrounding area, replacement open space cannot be provided and whilst not of recreational use, these grass verges provide valuable visual amenity that positively contributes to the appearance of the estate.

6.2.5 Although Officers acknowledged that the applicant has sought to reprovide parking provision to the wider estate, the level of existing on/off-street parking meant that the removal of the verges was excessive when considered against the parking requirements to service the number of units that are within the estate. This point is expanded upon in the Transportation section below. The benefits of the additional parking would not outweigh the significant harm resultant from the loss of the open space and following negotiation with the applicant, these areas have been removed from the scheme.

### 6.3 Housing Mix

6.3.1 London Plan Policy 3.8 encourages a full range of housing choice. This is supported by the London Plan Housing SPG, which seeks to secure family accommodation within residential schemes, particularly within the social rented sector, and sets strategic guidance for councils in assessing their local needs. Policy 3.11 of the London Plan states that within affordable housing provision, priority should be accorded to family housing. Also relevant is Policy 1.1, part C, of the London Housing Strategy which sets a target for 42% of social rented homes to have three or more bedrooms, and Policy 2.1, part C, of the draft Housing Strategy (2011) which states that 36% of funded affordable rent homes will be family sized.

6.3.2 Core Policy 5 of the Core Strategy seeks to ensure that '*new developments offer a range of housing sizes to meet housing need*' and includes borough-wide targets housing mix. These targets are based on the finding of Enfield's Strategic Housing Market Assessment and seek to identify areas of specific housing need within the borough. The targets are applicable to the subject scheme and are expressed in the following table:

| Tenure                       | Unit Type                       | Mix |
|------------------------------|---------------------------------|-----|
| <b>Market Housing</b>        | 1 and 2-bed flats (1-3 persons) | 20% |
|                              | 2-bed houses (4 persons)        | 15% |
|                              | 3 bed houses (5-6 persons)      | 45% |
|                              | 4+ bed houses (6+ persons)      | 20% |
| <b>Social Rented Housing</b> | 1 and 2-bed flats (1-3 persons) | 20% |
|                              | 2-bed houses (4 persons)        | 20% |
|                              | 3 bed houses (5-6 persons)      | 30% |

|  |                            |     |
|--|----------------------------|-----|
|  | 4+ bed houses (6+ persons) | 30% |
|--|----------------------------|-----|

6.3.3 While it is acknowledged that there is an established need for all types of housing, the study demonstrates an acute shortage of houses with three or more bedrooms across owner occupier, social and private rented sectors.

6.3.4 The subject scheme proposes 100% market housing provision comprising 6 x 2-bed residential units. In accordance with submitted figures the proposed development would fail to achieve the housing mix targets stipulated by Core Policy 5 with what would be an overconcentration of the 2B 4P units. However, the area is already defined by 3-bed units and the proposal actually contributes to the mix of housing available on the estate. Furthermore, the constraints of the individual sites are such that to provide larger units would serve to reduce the number of units and potentially result in an incongruous form of development. In this regard, it is considered that the stated mix is acceptable on balance.

#### 6.4 Design

##### *Density*

6.4.1 For the purposes of the London Plan density matrix, it is considered the site lies within a suburban area with a PTAL 2-3 albeit where the vast majority of the wider area has a much lower PTAL indicating that it has modest access to public transport, despite being within close proximity to Enfield Town public transport access links. In this regard, the density matrix suggests a density of between 150 and 250 habitable rooms per hectare. The character of the area indicates that the average unit size in the area has between than 3.1 – 3.7 rooms. This suggests a unit range of 40 to 80 units per hectare.

6.4.2 Consistent with the advice given a pre-application stage, the number of units proposed at the site has been reduced to positively respond to the concerns of the Local Planning Authority. In density terms, across the 4 sites, such a reduction has resulted in the creation of 163 habitable rooms per hectare or 40 units which would be within acceptable parameters.

6.4.3 It is acknowledged that advice contained within the NPPF and the London Plan Housing SPG suggests that a numerical assessment of density must not be the sole test of acceptability in terms of the integration of a development into the surrounding area and that weight must also be given to the attainment of appropriate scale and design relative to character and appearance of the surrounding area particularly given the concerns of objectors to the scheme. Thus, the density range for the site must be appropriate in relation to the local context and in line with the design principles in Chapter 7 of the London Plan and Core Strategy Policy 30: Maintaining and improving the quality of the built and open environment and commensurate with an overarching objective that would seek to optimise the use of the site and will be discussed in the following paragraphs.

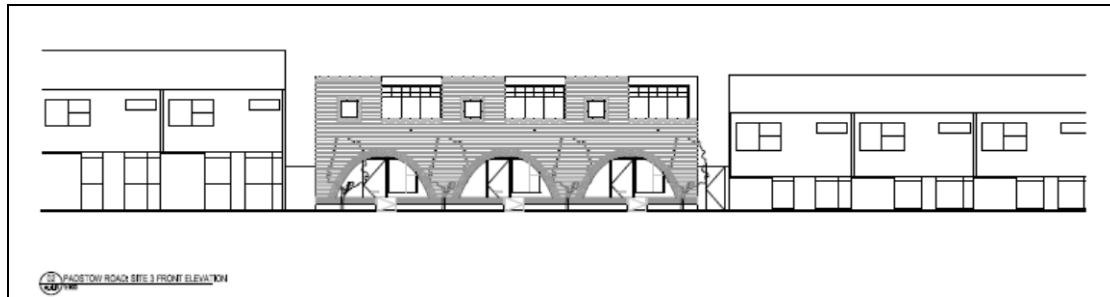
6.4.5 The surrounding area is characterised by a loose suburban fabric with a predominance of low rise 2-storey terraced building typology interspersed by larger flatted development over 3-4 storeys. Padstow Road itself, is exclusively characterised by smaller three bed-units of uniform design and

relatively modest – yet proportionate – plot sizes. All of the sites have a broadly regular configuration with only the tapering boundary of Site 1 presenting an irregularity of form. The wider estate possesses a general aesthetic typical of development from the 1960-1970s with relatively squat building with shallow roof planes forming grid rows of remarkably uniform development that offers only subtle changes in the arrangement of materials, type of fenestration and the facilities offered by the units. The general pattern and rhythm of development is consistent throughout the estate and can be read as a whole.



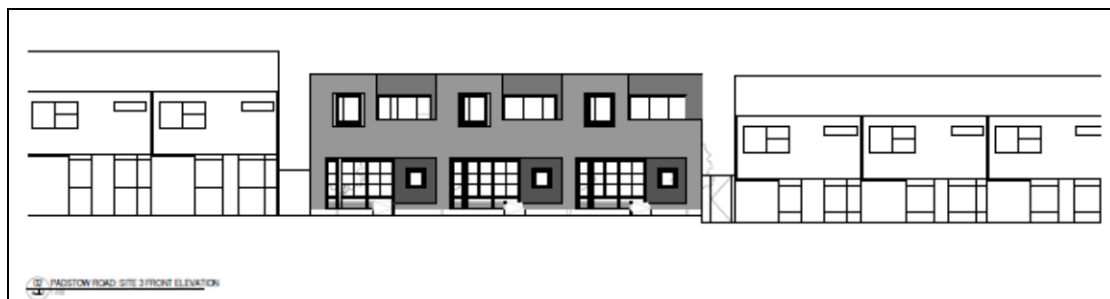
**Illustration 2: Street View**

- 6.4.6 It is acknowledged that the subject scheme would depart from the general aesthetic of the area with a more contemporary take on the design of the units, the NPPF is clear in its mandate that Local Planning Authorities do not impose architectural styles or particular tastes on development rather that they advocate high quality design and reinforce local distinctiveness. Indeed, following a reduction in the number of units, each of the dwellings would have broadly regular plot sizes, building footprints and building lines that would serve to broadly respect the pattern and rhythm of development in the surrounding area. Whilst the chamfered edge to the southernmost unit to Site 1 is noted, it would not be discernible from the street scene and the property would present a uniform frontage by proportion and design.
- 6.4.7 However, while it is considered that modern design would be appropriate to the locality in accordance with the provisions of the NPPF, this is not at the expense of local distinctiveness – the imperative that development responds appropriately to its context and the character and appearance of the surrounding area. As originally submitted, each of the units featured a distinctive entrance feature that comprised a large recessed arch.



**Illustration 3: Site 3 Front Elevation (Original Submission)**

6.4.8 The surrounding estate is completely devoid of similar features and the established consistency and architectural rhythm replicated throughout the Padstow Road estate with its boxy / angular design and clear horizontal break between the ground and first floors was not borne out in the original submission. Consistent with the views of the Local Planning Authority at pre-application stage, Officers expressed significant concern in relation to this feature and the front elevational treatment, stating that this element of the design would result introduction of a wholly alien and incongruous feature within the street scene. The recession of the entrance and first floor terrace largely blank façade and the undulation of the arches would ensure that the development would be read not in terms of individual units, but as a single entity that lacked horizontal and vertical breaks, which rather than reinforcing local distinctiveness would result in a significantly harmful elevational treatment that would serve to disrupt the pattern and rhythm of development in the surrounding area and dominate the street scene. There appeared to be no coherent design justification for the proposals and neither did they result in specific benefits for the form of development that would justify their inclusion. A series of meetings were held with the applicant and following extensive negotiation, these elements of the scheme were removed and revised elevations submitted.



**Illustration 4: Site 3 Front Elevation (Revised Submission)**

6.4.9 As can be seen from the elevation above, the imposition of a full width rectangular recess, provides and replicates the defined horizontal break so prevalent a feature in the surrounding estate. The design feature ensures the units can be read individually and that the built form is sufficiently broken so as to ensure that the pattern and rhythm of development is preserved without the need to sacrifice contemporary design. Indeed, the revisions now clearly draw from design references in the surround with a larger glazed box area at ground floor indicative of the single storey garage and storage boxed projections that feature on neighbouring properties, and an arrangement of

fenestration at first floor that broadly reflects adjacent units, all of which contribute to the integration of the built form.

6.4.10 While the distribution / peppering of the new units across the wider area could be held to disrupt the uniform appearance of the estate, crude pastiche of the existing units – which themselves are of limited quality – is not considered appropriate, particularly as these units would be unlikely to achieve current standards imposed upon new build housing and would have conversely created more substantive planning issues than such a replication in design would solve. For example, the decision to incorporate a flat roof rather than a pitch was to ensure that the current standards for floor to ceiling heights could be achieved without exceeding maximum height parameters of adjacent properties which would have disrupted the rhythm of development and created an incongruity within the street scene.

6.4.11 Therefore, on balance – and following revisions – the scale, bulk massing and design of the scheme is considered to be appropriate and would serve to reflect and reinforce local distinctiveness and the pattern of development in the surrounding area

#### *Residential Standards*

6.4.10 The Mayor's London Plan and any adopted alterations form part of the development plan for Enfield. In addition to this, Enfield's Local Plan comprises the relevant documents listed in policy context section above.

6.4.11 On 27th March 2015 a written ministerial statement (WMS) was published outlining the government's policy position in relation to the Housing Standards Review. The statement indicated that as of the 1st of October 2015 existing Local Plans, neighbourhood plan, and supplementary planning document policies relating to water efficiency, access and internal space should be interpreted by reference to the nearest equivalent new national technical standard. Decision takers should only require compliance with the new national technical standards where there is a relevant current Local Plan policy.

6.4.12 DMD5 and DMD8 of the Development Management Document and Policy 3.5 of the London Plan set minimum internal space standards for residential development. In accordance with the provisions of the WMS, the presence of these Policies within the adopted Local Plan is such that the new Technical Housing Standards – Nationally Described Space Standard would apply to all residential developments within the Borough. It is noted that the London Plan is currently subject to Examination, with Proposed Alterations currently being considered which seek to reflect the Nationally Described Space Standards.

6.4.13 Notwithstanding the fact that the existing Development Plan Policies broadly align with the new technical standards and in acknowledgement of London Plan review process, the LPA has sought Counsel Advice in relation to the status of adopted Local Plan Policy. As a starting point, when determining applications for planning permission and related appeals, as decision maker is required:

- a. By section 70(2) of the 1990 Act to have regard, inter alia, to the provisions of the development plan, so far as material to the application, and to any other material planning considerations; and,

- b. By section 38(6) of the Planning and Compulsory Purchase Act 2004, to decide the matter in accordance with the development plan unless material considerations indicated otherwise.
- 6.4.14 The weight to be given to material considerations is for the decision maker (i.e. the LPA or the Secretary of State) making the decision in the exercise of its planning judgment.
- 6.4.15 The changes announced as part of the WMS are a material planning consideration in the determination of applications. However, the change to national policy is only one of a number of material planning considerations that must be taken into account in the determination of any particular application or appeal. As a matter of law, the change to national policy cannot supplant, or override, any other planning considerations, including any provisions of the development plan, that are material to the application.
- 6.4.16 Section 38(6) of the 2004 Act must be read together with section 70(2) of the 1990 Act. The effect of those two provisions is that the determination of an application for planning permission, or a planning appeal, is to be made in accordance with the development plan, unless material considerations indicate otherwise.
- 6.4.17 It is for the decision-maker to assess the relative weight to be given to all material considerations, including the policies of the development plan material to the application or appeal (see *City of Edinburgh Council v Secretary of State for Scotland* (1997)). Accordingly, when determining such applications the Council must have regard to and apply the provisions of the Local Plan including DMD5, DMD8 and 3.5 which requires that all new residential development attain a minimum internal floor area across all schemes and remain a material consideration.
- 6.4.18 Table 3.3 of The London Plan (2011) specifies minimum Gross Internal Areas (GIA) for residential units. Paragraph 3.36 of the London Plan specifies that these are minimum sizes and should be exceeded where possible. As the London Plan has been adopted, the GIA's have considerable weight. In addition, paragraph 59 of the National Planning Policy Framework (2012) (NPPF) states that local planning authorities should consider using design codes where they could help deliver high quality outcomes. Policy 3.5 of The London Plan also specifies that Boroughs should ensure that, amongst other things, new dwellings have adequately sized rooms and convenient and efficient room layouts.
- 6.4.19 In view of paragraph 59 of the NPPF and Policy 3.5 of The London Plan, and when considering what is an appropriate standard of accommodation and quality of design, the Council has due regard to the Mayor of London's Housing Supplementary Planning Guidance (SPG) (November 2012). As an SPG, this document does not set new policy. It contains guidance supplementary to The London Plan (2011) policies. While it does not have the same formal Development Plan status as these policies, it has been formally adopted by the Mayor as supplementary guidance under his powers under the Greater London Authority Act 1999 (as amended). Adoption followed a period of public consultation, and it is therefore a material consideration in drawing up Development Plan documents and in taking planning decisions.



6.4.20 When directly compared, the difference between the Development Plan standards and the new Nationally Described Space Standard can be expressed in the following table:

| Unit Type       | Occupancy Level | London Plan Floor Area (m <sup>2</sup> ) | National Space Standard Floor Area (m <sup>2</sup> ) |
|-----------------|-----------------|--|--|
| Flats           | 1p              | 37                                       | 37   |
|                 | 1b2p            | 50                                       | 50   |
|                 | 2b3p            | 61                                       | 61   |
|                 | 2b4p            | 70                                       | 70   |
|                 | 3b4p            | 74                                       | 74   |
|                 | 3b5p            | 86                                       | 86   |
|                 | 3b6p            | 95                                       | 95   |
|                 | 4b5p            | 90                                       | 90   |
|                 | 4b6p            | 99                                       | 99   |
| 2 storey houses | 2b4p            | 83                                       | 79   |
|                 | 3b4p            | 87                                       | 84   |
|                 | 3b5p            | 96                                       | 93   |
|                 | 4b5p            | 100                                      | 97   |
|                 | 4b6p            | 107                                      | 106  |
| 3 storey houses | 3b5p            | 102                                      | 99   |
|                 | 4b5p            | 106                                      | 103  |
|                 | 4b6p            | 113                                      | 112  |

6.4.21 In accordance with submitted plans and with reference to the schedule of accommodation all of the units either meet or exceed relevant standards and hence would be broadly acceptable.

#### *Inclusive Access*

6.4.20 London Plan SPG and Local Plan imposes further standards to ensure the quality of accommodation is consistently applied and maintains to ensure the resultant development is fit-for-purpose, flexible and adaptable over the lifetime of the development as well as mitigating and adapting to climatic change. In this regard, all units are required to achieve Lifetime Homes standards with a further 10% being wheelchair accessible. The WMS replaced Lifetime Homes standards with optional Building Regulations standards M4(2) and M4(3). These optional standards are applicable to the scheme as the development plan contains clear Policies requiring specialist housing need and in a more broad sense, development that is capable of meeting the reasonable needs of residents over their lifetime. The new standards are broadly equivalent to Lifetime Homes and Wheelchair Accessible Homes and accordingly it is expected that all properties are designed to achieve M4(2) with a further 10% achieving M4(3).

6.4.21 The development has been designed to accommodate these requirements and is considered to be acceptable subject to conditions.

#### *Amenity Provision/Child Playspace*

6.4.23 Policy DMD9 seeks to ensure that amenity space is provided within the curtilage of all residential development. The standards for houses and flats are as follows:

| Dwelling type | Average private amenity space (across the whole site) | Minimum private amenity required for individual dwellings (m <sup>2</sup> ) |
|---------------|---|---|
| 1b 2p         | N/A   | 5   |
| 2b 3p         | N/A   | 6   |
| 2b 4p         | N/A   | 7   |
| 3b 4p         | N/A   | 7   |
| 3b 5p         | N/A   | 8   |
| 3b 6p         | N/A   | 9   |
| 2b 4p (house) | 38  | 23  |
| 3b 5p (house) | 44  | 29  |
| 4b 6p (house) | 50  | 35  |

6.4.24 In addition to the standards for private amenity space set out above, flats must provide communal amenity space which:

- a. Provides a functional area of amenity space having regard to the housing mix/types to be provided by the development;
- b. Is overlooked by surrounding development;
- c. Is accessible to wheelchair users and other disabled people;
- d. Has suitable management arrangements in place.

6.4.25 From submitted plans it is clear that the area average capable of providing screened private amenity space to the rear of each of the units meets or exceeds minimum and average standards by some margin.

6.4.22 London Plan policy 3.6 requires that development proposals that include residential development make suitable provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs at a ratio of 10 sq.m of play space per child. This would result in a requirement for 7.3 sq.m of play space required based on child yield.

6.4.23 No formal play provision has been provided, however, regard must be given to the nature, type and context of the development within the wider surround. Each of the family unit benefits from Policy compliant doorstep private gardens which are of a sufficient size to ensure practical and functional use. In accordance with the Play and Informal Recreation SPG, the presence of private garden space removes the requirement to provide playspace for the under 5's and further states that where existing provision is within 400m for 5-11 year olds and 800m for 12+ year olds this too can be taken into account in determining the degree and nature of the playspace requirement. While there are no public recreation grounds within these thresholds, Town Park is within walking distance to the south of the site and mindful of the quantum of development it is considered that the absence of dedicated play space is broadly acceptable given the provision of generously proportioned private garden areas to each of the units.

## 6.5 Impact of Neighbouring Properties

6.5.1 Policy DMD8 of the Development Management Document seeks to ensure that all new residential development is appropriately located, taking account of the surrounding area and land uses with a mandate to preserve amenity in

terms of daylight, sunlight, outlook, privacy, noise and disturbance. In addition, DMD10 imposes minimum distancing standards to maintain a sense of privacy, avoid overshadowing and to ensure that adequate amounts of sunlight are available for new and existing developments.

### **Site 1**

- 6.5.2 The context of the site is such that the properties likely to be impacted by the scheme are to the adjacent No.24 Padstow Road to the north, No.14 John Gooch Drive to the west and to Nos.16-40 Chasewood Avenue the south.
- 6.5.3 In taking each in turn, it is noted that residents to No.24 Padstow Road have objected to the scheme on the grounds of impact of the built form. The subject property currently benefits from two small secondary windows to the flank elevation. As part of the development of the scheme, additional separation has been afforded to the northern boundary of the development site, both to facilitate access and to offer some form of relief to these windows. This is to be welcomed, albeit where such windows would be afforded limited weighting in deliberations given their existing relationship to the garages and the fact that they are secondary sources of light to No.24. It is considered that the impact of the development to these windows is acceptable.
- 6.5.4 It is also noted that the rear building line of the development to Site 1 – and indeed to all of the Sites – is approximately 1.7m deeper than the established rear building line of No.24. Policy DMD11 offers standards for residential extensions to the rear of properties that assess the impact of development to neighbouring properties. Whilst not directly applicable to new build units, the principles established by this Policy set useful benchmarks by which to assess harm and the Policy stipulates that ground floor extensions must not exceed 3m in depth (or if site conditions allow a larger extension not to exceed a 45-degree line plotted from the nearest original neighbouring ground floor window), with first floor extensions not allowed to exceed a 30-degree line plotted from the mid-point of the nearest original neighbouring first floor window. Having reviewed the subject site and associated plans, it is clear that the development does not breach any of the relevant criteria and this coupled with the modest projection and increased separation to the northern boundary ensures that the impact to this property is acceptable.
- 6.5.5 To No.14 John Gooch Drive and Nos.16-40 Chasewood Avenue, DMD9 states that development must maintain adequate distancing between building so as to preserve adequate daylighting / sunlight and privacy. The relative orientation of each property is such that distancing standard applicable relates to a minimum separation of 11m must be maintained between facing windows and side boundaries – increasing to 22m between rear facing. From scaled and verified aerial photographs and from submitted plans, it is clear that the separation distances between the properties and the development would exceed this minimum standard by some margin and would not therefore cause undue harm despite the imposition of a new two storey built form. To Nos.16-40 Chasewood Avenue, this is further ameliorated by the fact that the new units would actually directly abut a large hardsurfaced car parking area rather than the boundary of any garden, this coupled with the retention of trees to this boundary is such that the development would also be largely screened.

- 6.5.6 At 25m, the distancing to existing properties lining Padstow Road to the east would also be acceptable.

**Site 2**

- 6.5.7 The context of the site is such that the properties likely to be impacted by the scheme are to the adjacent Nos. 13 and 15 Padstow Road to the north and south and Nos. 100, 102 and 104 Perrymead to the east.
- 6.5.8 To Padstow Road it is also noted that the rear building line of the development to Site 2 – and indeed to all of the Sites – is approximately 1.7m deeper than the established rear building line of Nos. 13 and 15. Policy DMD11 offers standards for residential extensions to the rear of properties that assess the impact of development to neighbouring properties. Having reviewed the subject site and associated plans, it is clear that the development does not breach any of the relevant criteria and this coupled with the modest projection ensures that the impact to this property is acceptable.
- 6.5.9 In relation to those properties lining Perrymead at 30m, the distancing to these properties would exceed minimum standards by some margin and would also be acceptable.

**Site 3**

- 6.5.10 The context of the site is such that the properties likely to be impacted by the scheme are to the adjacent No.1 Padstow Road to the south, Nos. 168, 170 and 172 Holtwhites Hill to the north and No.112 Perrymead to the east.
- 6.5.11 As with Sites 1 and 2, the additional projection of the scheme is not considered harmful and would not breach relevant measures established by DMD11. In relation to the units lining Perrymead to the rear, again, the context of the site is such that a significant separation of over 35m is offered between rear facing windows and would exceed with minimum separation standards advocated by DMD9 by some margin.
- 6.5.12 To Nos. 168, 170 and 172 Holtwhites Hill, the relative orientation of each property is such that distancing standard applicable relates to a minimum separation of 11m must be maintained between facing windows and side boundaries to accord with DMD10. From scaled and verified aerial photographs and from submitted plans, it is clear that the separation distances between the properties and the development would meet this minimum standard. It is acknowledged that the scheme will result in some loss of daylight to the garden areas of these properties due to their relative orientation, but this will not be sustained for significant periods of time during the day and will alleviate in the summer months. In any case, principal living areas should remain largely unaffected. Given the proportions of the subject development and despite the increase in proximity if the built form, the development would comply with relevant standards and while discernible, the proposal would not cause undue harm to residential amenity and would relate well to the separation distances between properties in the surrounding area.

**Site 4**

- 6.5.13 Development to this site would be limited to the demolition of existing garages and creation of formalised car parking bays. The nature of the works is such that there will be no discernible impact on the residential amenity of surrounding properties subject to relevant surface water attenuation measures which are yet to be agreed, but will be secured by condition.

## 6.6 Highway Safety

### *Site Context*

- 6.5.1 The Public Transport Accessibility Level (PTAL) of the site is 2 indicating it has a low level of public transport accessibility despite being within close proximity to Gordon Hill Mainline Train Station and indeed the range of transport available from Enfield Town.
- 6.5.2 There is a single access to the site from Holtwhites Hill – a classified road. Padstow Road has no parking restrictions and benefits from both informal on-street parking as well as formalised off-street parking both in terms of hard-standing and integral garages. In total the sites comprise 24 individual garages. Of the 24, 10 are vacant, 9 are occupied by local residents with a further 5 occupied by private individuals.
- 6.5.4 The proposed development seeks to provide 1 cycle parking space per unit with a further 24 car parking spaces resulting in the loss of two grass verges.

### *Access and Servicing*

- 6.5.6 Pedestrian access is clearly defined and the proposed arrangements meet London Plan Policy 6.10 Walking and Enfield DMD Policy 47 which requires that '*[a]ll developments should make provision for attractive, safe, clearly defined and convenient routes and accesses for pedestrians, including those with disabilities.*'
- 6.5.7 The plans indicate that where new dwellings are being provided the existing access to garages will be closed off and the footway reinstated. Therefore no vehicular access and related off street parking is proposed for the dwellings. This is in line with Enfield DMD Policy 46. The applicant will need to cover the cost of reinstatement of the footway and should contact Highway Services to discuss this. There will also need to be stopping up of the public highway on the site between the current Nos. 13 and 15 Padstow Road which will require a s278 agreement.
- 6.5.8 In general terms, the intensification of use across the three sites will not result in a significant increase in serving demands in excess of levels currently experienced. The unrestricted parking in the area coupled with retained and ample turning-heads ensures that larger vehicles including waste vehicles can enter and exit the site easily.

### *Car Parking*

- 6.5.9 The current London Plan Policy 6.13 – and related maximum standards as set out in Table 6.2 in the Parking Addendum – indicate that the maximum provision for a new development of this size and setting is up to 1.5 car parking spaces per residential unit. There is also maximum provision set by number of bedrooms with a 2 bed having less than 1 space and a 3 bed less

than 1.5. The following section has been examined in consultation with colleagues in Traffic and Transportation.

- 6.5.10 In the responses to the various pre-applications it was indicated that, given the poor access to public transport of the site, as a minimum the parking ratio would have to be 0.6 per unit. Given the mix of units a maximum (as an average across the sites) would be 1.25 per unit. Therefore provision of around 1 space per unit is considered to be a suitable median.
- 6.5.14 It should be noted that there is already provision of circa 28 on-street and 11 off-street car parking spaces without the garage and other associated spaces. This means that for the existing dwellings there is effectively 1 to 1 provision. In addition, the parking surveys undertaken in support of the application indicate that the Padstow Road area has around 50% usage of available parking capacity.
- 6.5.15 In real terms, this means that, even taking into account the new housing units, proposals for 24 new parking spaces would lead to a parking ratio of around 1.4 spaces per unit which is close to London Plan maximums. This itself can be held to be contrary to the underlying principles of Transport Policies that seeks to promote sustainable transport options, however, in taking account of the real world accessibility of the site, and the significant weight that must be attributed to the harm associated with the loss of the grass verges, on balance it is considered that such provision is excessive.
- 6.5.16 Accordingly – and following negotiations with the applicant – revised plans have been submitted in support of the application, which indicate that the conversion of grass verges into car parking provision is no longer proposed. Whilst this affects 14 parking spaces, as set out above it is not considered that this will have a significant impact on overall car parking space availability in the local area and would not outweigh the significant harm caused by the loss of the verges.
- 6.5.17 In this regard, the lower provision of car parking is deemed acceptable as the level of parking proposed will not increase demand to unsustainable levels or lead to traffic generation that could result in conditions that may have a negative impact on the free flow of traffic and highway safety conditions, having regard to The London Plan Policy 6.13 and Policy DMD 45.
- 6.5.18 In relation to cycle parking, submitted plans indicate storage facilities to the rear of each property to provide storage for a single bicycle. In accordance with Table 6.3 of the London Plan 2 x long stay spaces are required per 2-bed (or larger dwellings), also it is preferable for such storage to be directly accessible to the highway. A further 2 x short stay space are required in the wider surround. While it is clear that existing provision is at odds with relevant cycle parking standards, it is considered that this can be secured by condition.

## 6.6 Sustainable Design and Construction

### *Energy*

- 6.6.1 In accordance with London Plan Policy 5.2 and DMD51 of the Development Management Document, the application includes an energy strategy for the development setting out how carbon dioxide emissions will be reduced with

an overarching target to reduce carbon dioxide emission by 19% over Part L of Building Regulations 2013 across the site.

- 6.6.2 The Policy embeds the principles of the energy hierarchy (be lean, be clean, be green) and requires strict adherence to the hierarchy to maximise energy efficiency in development from the ground up, ensuring that the structure of the energy policies serve to incentivise considered innovative design as the core value in delivering exemplar sustainable development in accordance with the Spatial Vision for Enfield and Strategic Objective 2 of the Core Strategy. Indeed, reflecting the overarching strategic vision for the borough, the Policy goes further than the London Plan and instils a flexibility in the decision making process to seek further efficiencies and deliver exemplar developments within our regeneration areas.
- 6.6.3 An Energy Statement has not been submitted with the scheme, however, the D&A indicates that the development will commit to the Code 4 equivalent energy strategy. This is considered acceptable and is controlled subject to condition.

#### *Code for Sustainable Homes*

- 6.6.4 Core Policy 4 of the adopted Core Strategy requires that all residential developments should seek to exceed Code Level 3 of the Code for Sustainable Homes. DMD50 of the Development Management Document has updated this target and new residential developments within the Borough are now required to exceed a Code Level 4 rating. The WMS formally withdrew the Code for Sustainable Homes and in its transitional arrangement indicated that the Code would only remain applicable to legacy case. The scheme is not defined as a legacy case and hence the requirements of the Code do not apply.

#### *Green Roofs*

- 6.6.13 Policy DMD55 of the Development Management Document seeks to ensure that new-build developments, and all major development will be required to use all available roof space and vertical surfaces for the installation of low zero carbon technologies, green roofs, and living walls subject to technical and economic feasibility and other relevant planning considerations. Despite pre-application advice, green roofs have been omitted from the scheme and while it is acknowledged that the use of photovoltaic panels to the roof may limit the options for green roof provision, it is not considered that this point alone is sufficient to omit the requirement. In this regard, it is considered that further feasibility testing – secured via condition – will be necessary to ensure that the development maximises the biodiversity and sustainable drainage benefits in accordance with the DMD and Biodiversity Action Plan (BAP).

#### *Biodiversity*

- 6.6.14 An ecological report has been submitted with the application. The report indicates that no protected species will be affected by the development proposals and contains a number of recommendations to enhance biodiversity in the surrounding area. Several trees are also scheduled to be lost as a result of works. Whilst there are no objections from the Tree Officer in relation to the removal of the trees, all developments are required to enhance the biodiversity of a site and its surround and a condition to secure

such enhancements will be levied. Consistent with the position of Officers in relation to the grass verges, the Tree Officer welcomes their retention and would suggest an enhanced landscaping strategy be extended to these areas. This may feature as part of a Unilateral Undertaking between the parties, but is currently in the process of discussion and will be reported as a late item.

*Flood Risk/Sustainable Urban Drainage*

- 6.6.16 The subject site is not within a Flood Zone and hence has a low annual probability of flooding. In accordance with Policies DMD 59, 60, 61 and 62 the adequate management of surface water-run-off is a key consideration in the detailed specification of the scheme. To comply with relevant Policy a condition to secure Sustainable Drainage Systems will be levied to ensure compliance with the predicted 1 in 1 and 1 in 100 year (allowing for climate change) and over a 6 hour period. At the time of writing no comments had been received from the Council's SuDS Team. This will be reported as a late item.

*Pollution & Air Quality*

- 6.6.17 Core Policy 32 of the Core Strategy and Policy 7.14 of the London Plan seek to ensure that development proposals should achieve reductions in pollutant emissions and minimise public exposure to air pollution.
- 6.6.18 In consultation with Environmental Health no objections have been raised subject to relevant conditions relating to site contamination and demolition.

6.7 *S106 Contributions*

- 6.7.1 The application has been submitted on behalf of the Council and relevant requirements governed by the s106 SPG shall be secured via Unilateral Undertaking including but not limited to:
- a. Affordable housing provision
  - b. Education contributions

*Affordable Housing*

- 6.7.3 Policy CP3 of the Core Strategy states that '*[s]ome form of contribution towards affordable housing will be expected on all new housing sites...For developments of less than ten dwellings, the Council will seek to achieve a financial contribution to deliver off-site affordable housing based on a Borough-wide target of 20%.*' This is reiterated in Policy DMD2 of the Development Management Document.
- 6.7.4 As submitted, the scheme seeks to deliver the 6 market units. A submitted valuation report from the applicant indicates that £250,601.32 is payable for affordable housing with a further £36,782.50 payable in education contributions. The valuation of the resale value of the units is considered to be realistic given current market conditions and the contributions will be secured by a Unilateral Undertaking.

6.8 *Community Infrastructure Levy*



- 6.8.1 As of the April 2010, legislation in the form of CIL Regulations 2010 (as amended) came into force which would allow 'charging authorities' in England and Wales to apportion a levy on net additional floorspace for certain types of qualifying development to enable the funding of a wide range of infrastructure that is needed as a result of development. Since April 2012 the Mayor of London has been charging CIL in Enfield at the rate of £20 per sqm.
- 6.8.2 The development will result in 513 sq.m of new floor area equating to a total of £12,514.44 is payable (as index adjusted).
- 6.8.3 Enfield's CIL was formally adopted and came into force as of 1<sup>st</sup> April 2016. The development will result in 513 sq.m of new floor area equating to a total of £37,543.32 is payable (as index adjusted).

## 7. **Conclusion**

- 7.1 The subject development utilises existing and underutilised brownfield sites. The quantum, mix and tenure of the development taking into account all relevant considerations is considered to be appropriate to the site and following revisions responds positively to established character and appearance of the surrounding area as well as securing the delivery of housing to the area. In this regard, members are being asked in considering the officer recommendation to grant planning permission, to also grant delegated powers to officers to agree the final wording for the conditions deemed necessary to render the scheme acceptable in planning terms.

## 8. **Recommendation**

- 8.1 **That planning permission be to be granted in accordance with Regulation 3/4 of the Town and Country Planning General Regulations 1992 subject to conditions**

- 8.2 **That officers be granted delegated authority to finalise the precise wording of the conditions to cover the issues identified within the report and summarised below.**

### 8.3 **Conditions in summary**

1. C60 – Approved Plans
2. C07 – Details of Materials
3. C09 – Details of Hard Surfacing
4. C10 – Details of Levels
5. C11 – Details of Enclosure
6. C13 – Details of Loading/Unloading/Turning Facilities
7. C16 – Private Vehicles
8. C19 – Details of Refuse Storage & Recycling Facilities
9. C21 – Construction Servicing Area
10. C22 – Details of Const. Vehicle Wheel Cleaning
11. C25 – No additional Fenestration
12. C41 – Details of External Lighting
13. C59 – Cycle parking spaces The development shall not commence until details of the siting, number and design of covered cycle parking spaces have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved

details prior to occupation of any part of the development and shall thereafter be permanently retained for cycle parking.

Reason: To ensure the provision of cycle parking in line with the Council's adopted standards.

14. RSC3 – Servicing Management Plan
15. RSC4 – Submission and compliance with construction logistics plan
16. RSC17 – Restriction of PD
17. No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority. The landscape details shall include:
  - Planting plans
  - Written specifications (including cultivation and other operations associated with plant and grass establishment)
  - Schedules of plants and trees, to include native and wildlife friendly species and large canopy trees in appropriate locations (noting species, planting sizes and proposed numbers / densities)
  - Full details of tree pits including depths, substrates and irrigation systems
  - The location of underground services in relation to new planting
  - Implementation timetables.
  - Biodiversity enhancements with relevant ecological (value) assessment to show a net gain in the ecological value of the site in accordance with the Biodiversity Action Plan
  - Specifications for fencing demonstrating how hedgehogs and other wildlife will be able to travel across the site (e.g. gaps in appropriate places at the bottom of the fences)

Reason: To ensure the provision of amenity, and biodiversity enhancements, to be afforded by appropriate landscape design, and to increase resilience to the adverse impacts of climate change in line with Core Strategy policies CP36 and Policies 5.1 – 5.3 in the London Plan.

18. All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

19. No demolition, construction or maintenance activities audible at the site boundary of any residential dwelling shall be undertaken outside the hours of 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 Saturday or at any

time on Sundays and bank or public holidays without the written approval of the Local Planning Authority, unless the works have been approved in advance under section 61 of the Control of Pollution Act 1974.

Reason: To minimise noise disturbance.

20. No impact piling shall take place without the prior written approval of the Local Planning Authority and shall only take place in accordance with the terms of any such approval.

Reason: To minimise noise disturbance.

21. Deliveries of construction and demolition materials to and from the site by road shall take place between 08:00 – 18:00 Monday to Friday & 08:00 - 13:00 on Saturday and at no other time except with the prior written approval of the Local Planning Authority.

Reason: To minimise noise disturbance.

22. No development shall take place until Construction Management Plan, written in accordance with the 'London Best Practice Guidance: The control of dust and emissions from construction and demolition' or relevant replacement detailing how dust and emissions will be managed during demolition and construction work shall be submitted to the local planning authority for approval. Once approved the Construction Management Plan shall be fully implemented for the duration of any demolition and construction works.

Reason: To minimise the impact of the development upon air quality.

23. The development shall not commence until a scheme to deal with the contamination of the site including an investigation and assessment of the extent of contamination and the measure to be taken to avoid risk to health and the environment has been submitted to and approved in writing by the Local Planning Authority. Remediation shall be carried out in accordance with the approved scheme and the Local Planning Authority provided with a written warranty by the appointed specialist to confirm implementation prior to the commencement of development.

Reason: To avoid risk to public health and the environment.

24. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: To provide for the maintenance of retained and any new planting in the interests of preserving or enhancing visual amenity.

25. Following practical completion details of the internal consumption of potable water have been submitted to and approved in writing by the Local Planning Authority. Submitted details will 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 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 Policy CP21 of the Core Strategy, Policy 5.15 of the London Plan.

26. The development shall not commence until details of a rainwater recycling system have been submitted to and approved in writing by the Local Planning Authority. The details submitted shall also demonstrate the maximum level of recycled water that can feasibly be provided to the development.

The development shall be carried out strictly in accordance with the details so approved 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 Policy CP21 of the emerging Core Strategy, Policy 5.15 of the London Plan.

27. The development shall not commence until details of surface drainage works have been submitted 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 Technical Guidance to the National Planning Policy Framework and shall be designed to a 1 in 1 and 1 in 100 year storm event allowing for climate change. The drainage system shall be installed/operational 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.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

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 Policy CP28 of the Core Strategy, DMD61 of the Development Management Document, Policies 5.12 & 5.13 of the London Plan and the NPPF..

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 Policy CP28 of the Core Strategy, Policies 5.12 & 5.13 of the London Plan and the NPPF.

28. All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably

qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.

Reason: To ensure that wildlife is not adversely impacted by the proposed development in accordance with national wildlife legislation and in line with CP36 of the Core Strategy. Nesting birds are protected under the Wildlife and Countryside Act, 1981 (as amended).

29. No development hereby permitted shall commence until details of biodiversity enhancements, to include 6 bird and 6 bat bricks/tubes/tiles designed and incorporated into the materials of the new buildings, has been submitted and approved in writing by the council.

Reason: To minimise the impact of the development on the ecological value of the area and to ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity in accordance with Policy CP36 of the Core Strategy, the Biodiversity Action Plan and Policy 7.19 of the London Plan.

30. The development shall not commence until a feasibility study for the provision of green/brown roof(s) shall be submitted and approved in writing by the Local Planning Authority.

The green/brown roof shall not be used for any recreational purpose and access shall only be for the purposes of the maintenance and repair or means of emergency escape. Details shall include full ongoing management plan and maintenance strategy/schedule for the green/brown roof to be approved in writing by the Local Planning Authority.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: To minimise the impact of the development on the ecological value of the area and to ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity in accordance with Policy CP36 of the Core Strategy, the Biodiversity Action Plan and Policies 5.11 & 7.19 of the London Plan.

31. Following the practical completion of works a final Energy Performance Certificate with associated Building Regulations Compliance Report shall be submitted to an 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 CO<sub>2</sub> emission reduction targets are met in accordance with Policy CP20 of the Core Strategy, Policies 5.2, 5.3, 5.7 & 5.9 of the London Plan 2011 and the NPPF.

32. The development shall provide for no less than a 19% reduction on the total CO<sub>2</sub> emissions arising from the operation of a development and its

services over Part L of Building Regs 2013 as stated in the accompanying energy statement.

The development shall be carried out strictly in accordance with the energy statement so approved and maintained as such thereafter.

Reason: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO<sub>2</sub> emission reduction targets are met in accordance with Policy CP20 of the Core Strategy, Policies 5.2, 5.3, 5.7 & 5.9 of the London Plan 2011 and the NPPF.

33. The renewable energy technologies (photovoltaics), shall be installed and operational prior to the first occupation of the development. The development shall not commence until details of the renewable energy technologies shall be submitted and approved in writing by the Local Planning Authority. The details shall include:
- a. The resulting scheme, together with any flue/stack details, machinery/apparatus location, specification and operational details;
  - b. A management plan and maintenance strategy/schedule for the operation of the technologies;
  - c. (if applicable) A servicing plan including times, location, frequency, method (and any other details the Local Planning Authority deems necessary); and,

Should, following further assessment, the approved renewable energy option be found to be no-longer suitable:

- d. A revised scheme of renewable energy provision, which shall provide for no less than 20% onsite CO<sub>2</sub> reduction, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site, the details shall also include a response to sub-points a) to c) above. The final agreed scheme shall be installed and operation prior to the first occupation of the development.

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reason: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO<sub>2</sub> emission reduction targets by renewable energy are met in accordance with Policy CP20 of the Core Strategy, Policies 5.2, 5.3, 5.7 & 5.9 of the London Plan 2011 and the NPPF.

34. The development shall not commence until a Green Procurement Plan has been submitted to and approved in writing by the Local Planning Authority. The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including by use of low impact, locally and/or sustainably sourced, reused and recycled materials through compliance with the requirements of MAT1, MAT2 and MAT3 of the Code for Sustainable Homes and/or relevant BREEAM standard. The Plan must also include strategies to secure local procurement and employment opportunities. Wherever

possible, this should include targets and a process for the implementation of this plan through the development process.

The development shall be constructed and procurement plan implemented strictly in accordance with the Green Procurement Plan so approved.

REASON: To ensure sustainable procurement of materials which minimises the negative environmental impacts of construction in accordance with Policy CP22 and CP23 of the Core Strategy and Policy 5.3 of the London Plan.

35. The development shall not commence until an undertaking to meet with best practice under the Considerate Constructors Scheme and achieve formal certification has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the implementation of the development does not adversely impact on the surrounding area and to minimise disruption to neighbouring properties.

36. The development shall not commence until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan should include as a minimum:

- a. Target benchmarks for resource efficiency set in accordance with best practice
- b. Procedures and commitments to minimize non-hazardous construction waste at design stage. Specify waste minimisation actions relating to at least 3 waste groups and support them by appropriate monitoring of waste
- c. Procedures for minimising hazardous waste
- d. Monitoring, measuring and reporting of hazardous and non-hazardous site waste production according to the defined waste groups (according to the waste streams generated by the scope of the works)
- e. Procedures and commitments to sort and divert waste from landfill in accordance with the waste hierarchy (reduce; reuse; recycle; recover) according to the defined waste groups

In addition no less than 85% by weight or by volume of non-hazardous construction, excavation and demolition waste generated by the development has been diverted from landfill

Reason: To maximise the amount of waste diverted from landfill consistent with the waste hierarchy and strategic targets set by Policies 5.17, 5.18, 5.19, 5.20 of the London Plan and the draft North London Waste Plan.

37. That development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Planning Authority. The construction methodology shall contain:

- a. a photographic condition survey of the roads, footways and verges leading to the site;

- b. details of construction access and associated traffic management to the site;
- c. arrangements for the loading, unloading and turning of delivery, construction and service vehicles clear of the highway;
- d. arrangements for the parking of contractors vehicles;
- e. arrangements for wheel cleaning;
- f. arrangements for the storage of materials;
- g. hours of work;
- h. A construction management plan written in accordance with the 'London Best Practice Guidance: The control of dust and emission from construction and demolition' or relevant replacement.

The development shall be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the implementation of the development does not lead to damage to the existing highway and to minimise disruption to neighbouring properties and the environment.

38. Development shall not commence until an Employment and Skills Strategy to accord with the provisions of the s106 SPD has been submitted to and approved in writing by the Local Planning Authority.

The development shall be implemented in accordance with the strategy and verification of compliance with the approved details shall be submitted for approval prior to first occupation.

Reason: To accord with the s106 SPD and secure local employment and training opportunities.

39. C51A Time Limited Permission

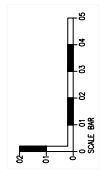


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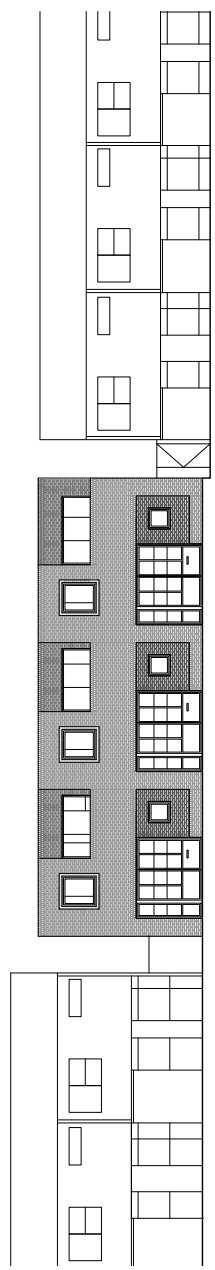


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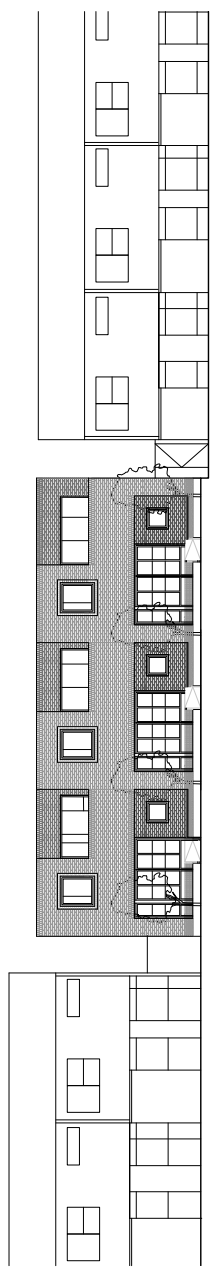
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CLIENT: BOROUGH OF ENFIELD  
PROJECT: PAISLOW ROAD, LONDON  
DRAWING TITLE: SITE 2: ELEVATION 1 & 2

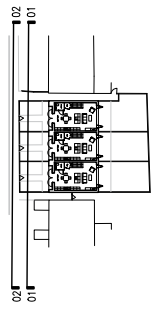
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11. PAISLOW ROAD, SITE 2, FRONT ELEVATION

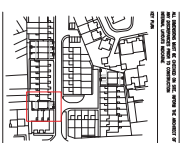


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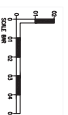


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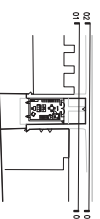
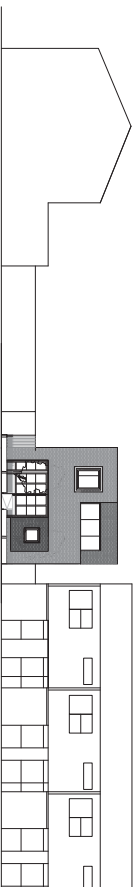
PROPOSED SOUTH ELEVATION



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PROPOSED NORTH ELEVATION



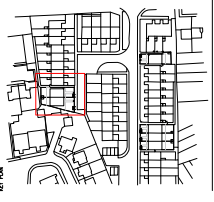
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PROPOSED NORTH ELEVATION  
ARCHITECT  
LONDON ROAD  
LONDON  
SITE: 3, ELSHAM 1 & 2

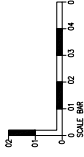
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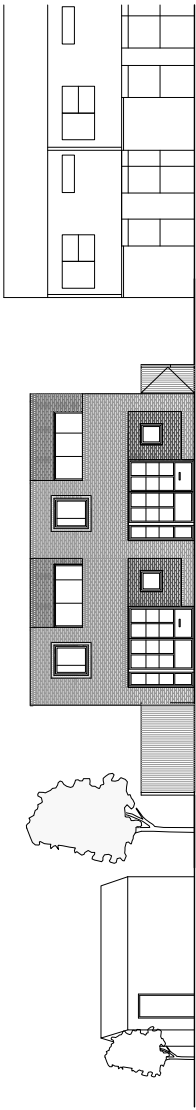


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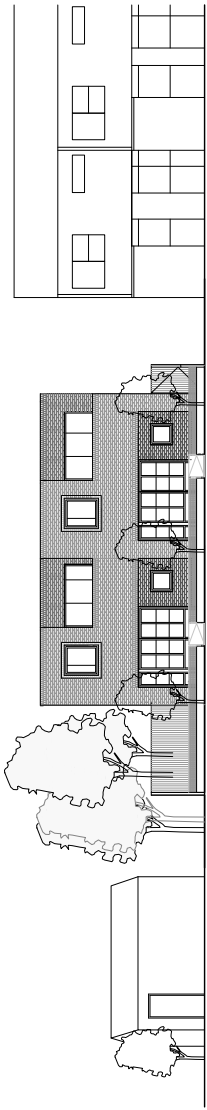
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100 High Street, London, SE1 1TH, UK  
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CLIENT: BOROUGH OF ENFIELD  
PROJECT: PAULSTON ROAD  
LONDON  
DRAWING TITLE: SITE 1: ELEVATION 1 & 2

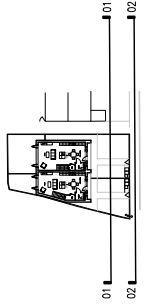
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PROJECT NO: PAD\_P\_310  
REV: 01  
DATE: 11/10/18



01 - PAULSTON ROAD, SITE 1, FRONT ELEVATION

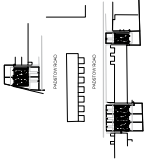


02 - PAULSTON ROAD, SITE 1, FRONT ELEVATION



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**NOTES:**  
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**KEY:**  
 Proposed  
 Footings

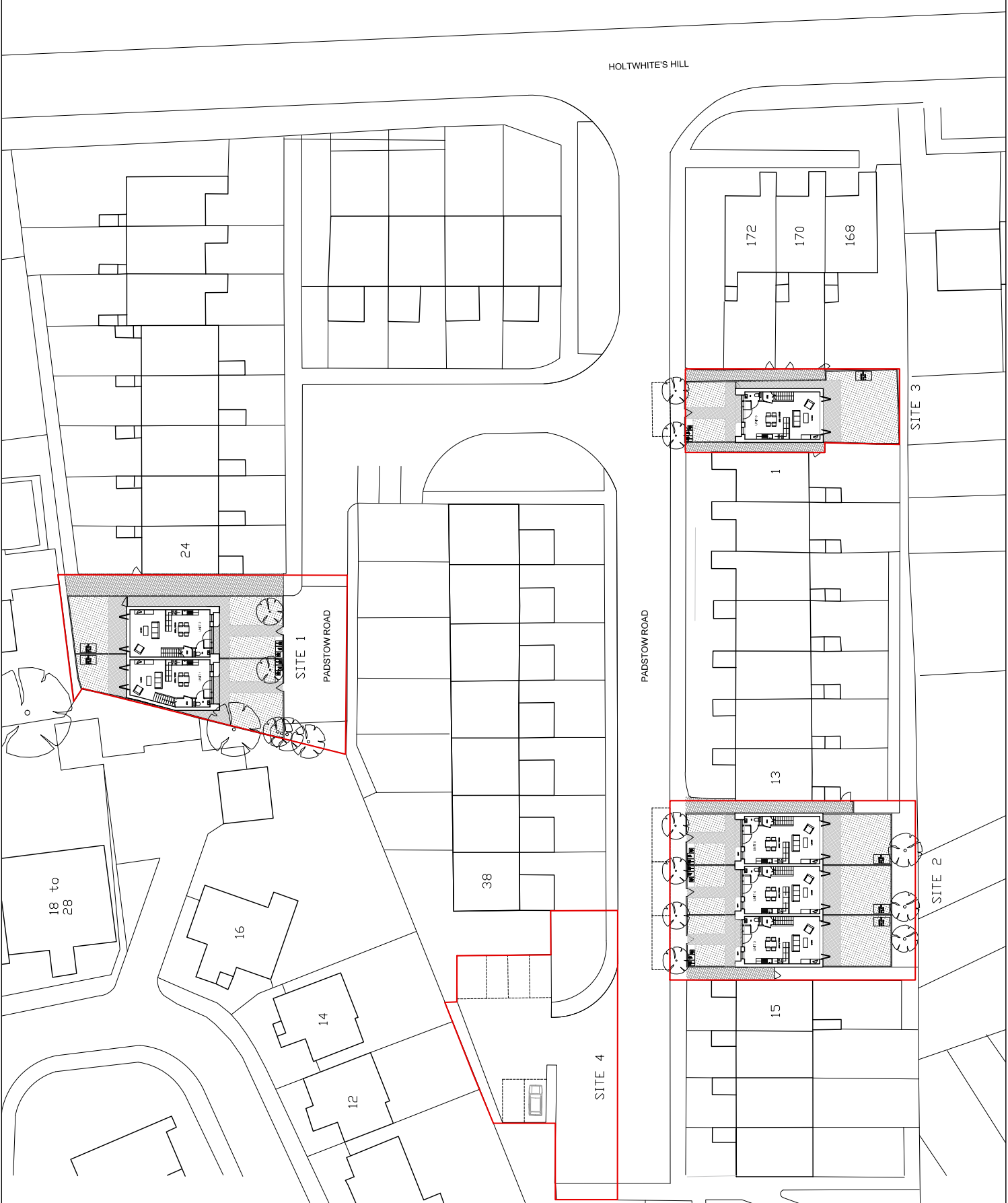


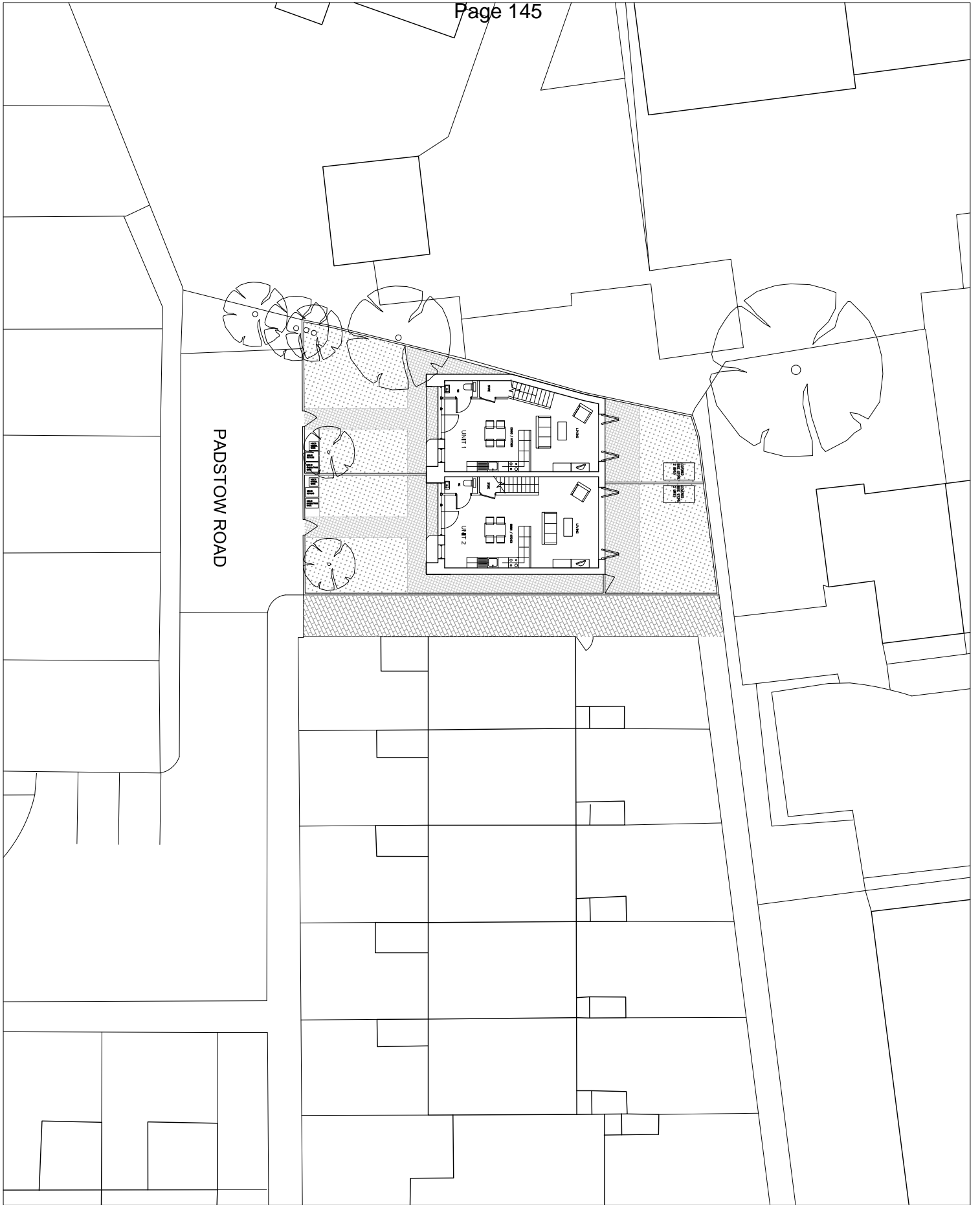
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CLIENT:  
 BOROUGH OF ENFIELD  
 PADSTOW ROAD  
 LONDON  
 ENGLAND  
 PROPOSED SITE PLAN

SCALE: 1:100  
 DATE: 10/10/16  
 DRAWING NO: PAD\_P\_090  
 REV: P05  
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PADSTOW ROAD

UNIT 1

UNIT 2

**NOTES**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING REGULATIONS AND ALL APPLICABLE STANDARDS.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING SERVICES AND STRUCTURES.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT ROADS AND PATHS.

6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT UTILITIES.

7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT TREES AND LANDSCAPING.

8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT FENCES AND WALLS.

9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT SIGNAGE AND MARKINGS.

10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT ELECTRICAL AND TELECOMMUNICATIONS INFRASTRUCTURE.

11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT WATER AND SEWERAGE NETWORKS.

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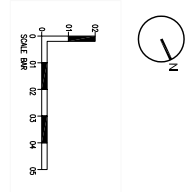
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30. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT COSMOS MONUMENTS AND BUILDINGS.



**KEY**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING REGULATIONS AND ALL APPLICABLE STANDARDS.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING SERVICES AND STRUCTURES.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT ROADS AND PATHS.

6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT UTILITIES.

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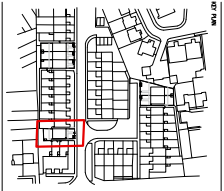
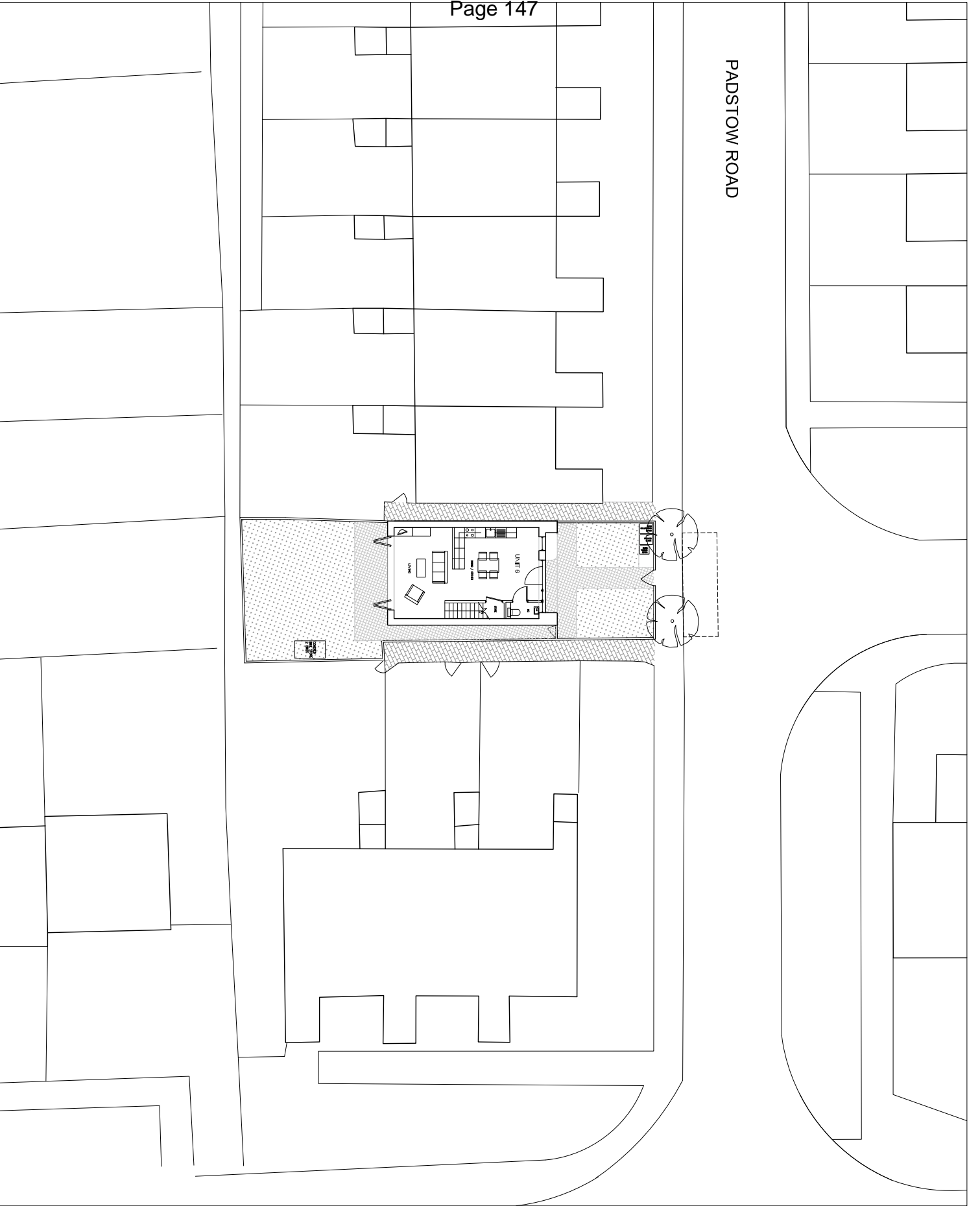
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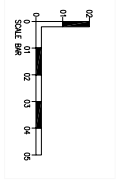


PADSTOW ROAD



**NOTES**

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FOR A FULL LIST OF REVISED DRAWINGS, PLEASE REFER TO THE PROJECT INFORMATION SHEET (PIS) ON THE PROJECT WEBSITE.

**PROJECT INFORMATION SHEET (PIS)**

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**PROJECT ADDRESS:** PADSTOW ROAD, LONDON  
**PROJECT TYPE:** SITE 3: GROUND FLOOR GA

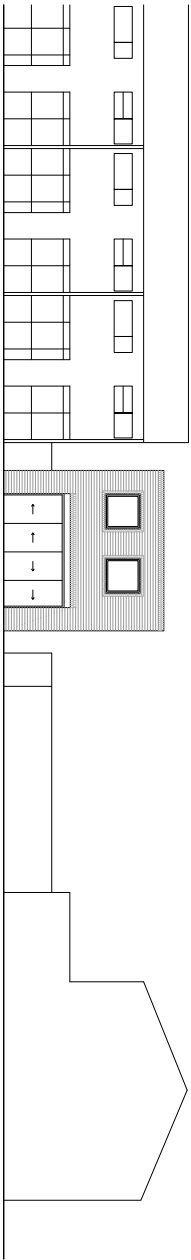
**CLIENT:** BOROUGHT OF ENFIELD  
**PROJECT MANAGER:** PADSTOW ROAD  
**PROJECT ADDRESS:** LONDON

**DATE:** 12/11/2024  
**SCALE:** 1:100  
**STATUS:** PLANNING  
**PROJECT NO.:** PAD\_P\_102  
**DATE:** 12/11/2024

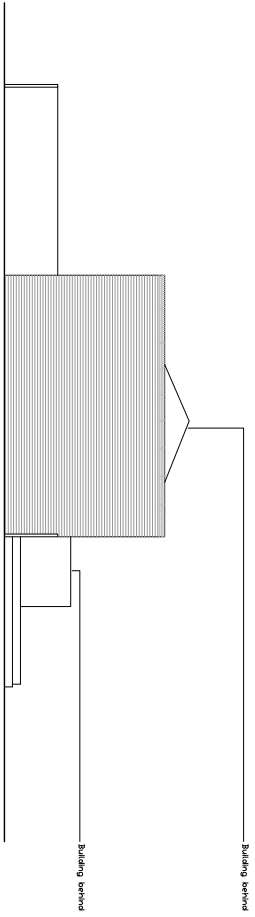




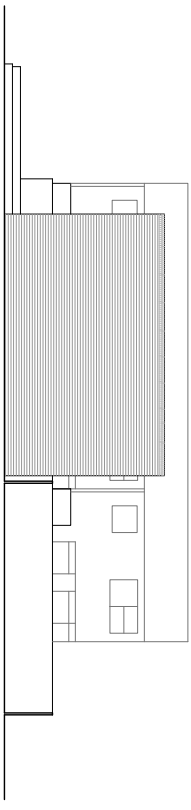




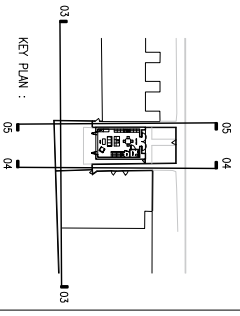
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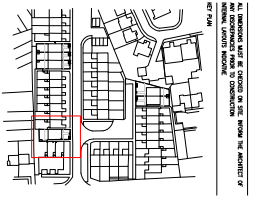
15.4 PASSTON ROAD: SITE 3 SIDE ELEVATION



15.5 PASSTON ROAD: SITE 3 SIDE ELEVATION

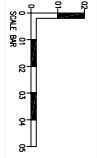


KEY PLAN :



16. PASSTON ROAD: SITE 3

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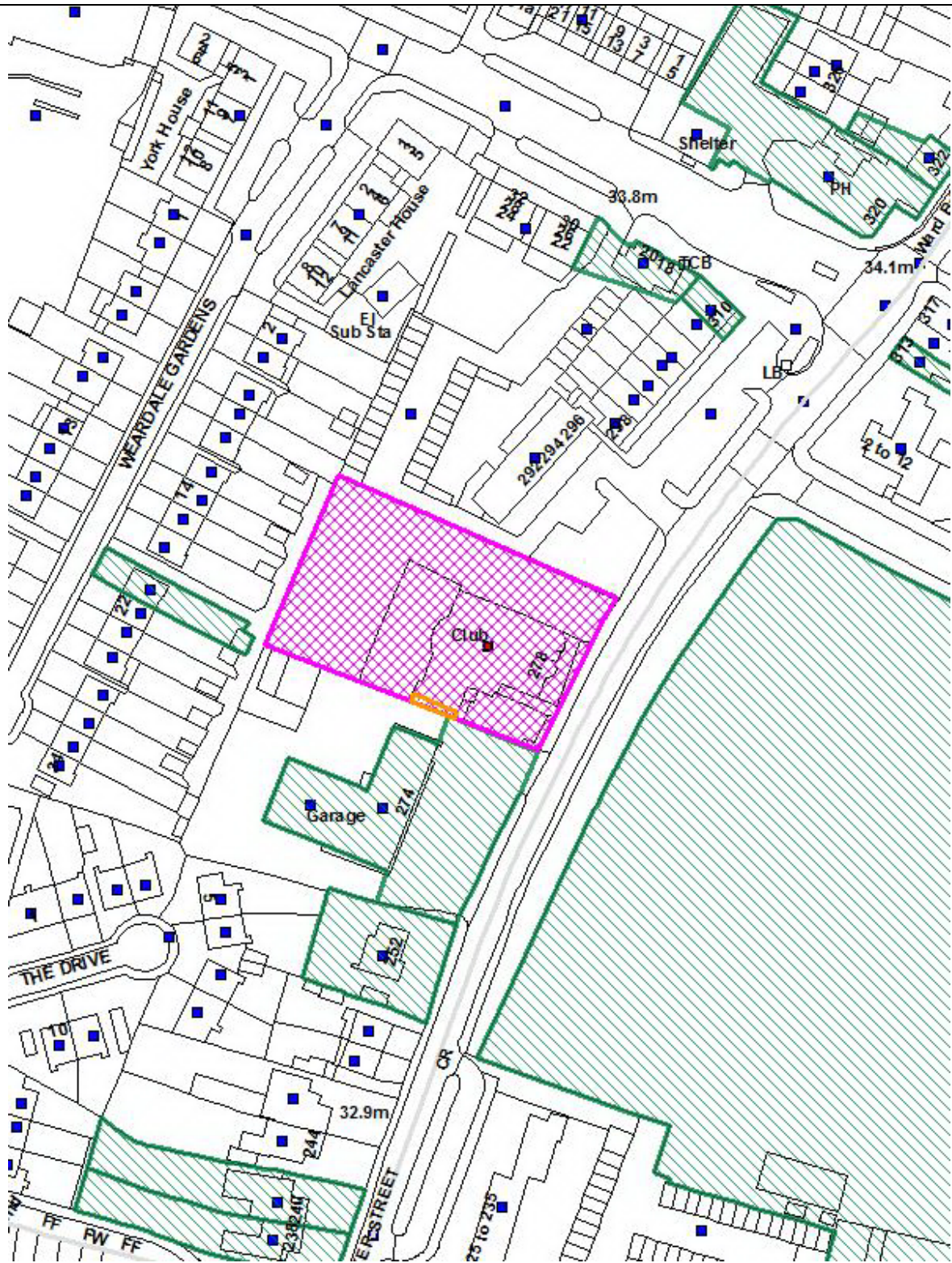
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**LONDON BOROUGH OF ENFIELD****PLANNING COMMITTEE****Date :** 26<sup>th</sup> April 2016**Report of**Assistant Director, Planning,  
Highways & Transportation**Contact Officer:**Andy Higham  
Sharon Davidson  
Mr Patrick Brennan**Ward:**

Chase

**Ref:** 15/05117/FUL**Category:** Full Application**LOCATION:** Conservative Club, 278 Baker Street, Enfield, EN1 3LD**PROPOSAL:** Replacement telecommunications monopole to a maximum height of 15.20m (including 6 antennae) with 1 equipment cabinets at base.**Applicant Name & Address:**Vodafone Limited And CTIL  
The Connection  
Newbury  
Berkshire  
UK  
RG14 2FN**Agent Name & Address:**Elanor Jacques  
Phoenix House  
Pryford Road  
West Byfleet  
Surrey  
UK  
KT14 6RA**RECOMMENDATION:** It is recommended that the application is approved subject to conditions.**Note for Members:** Although an application of this nature would normally be determined under delegated powers the application is reported to Planning Committee at the request of Councillor Vicki Pite, due to public objection.

Ref: 15/05117/FUL LOCATION: Conservative Club, 278 Baker Street, Enfield, EN1 3LD



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Scale 1:1250

North



## 1. Site and Surroundings

- 1.1 The subject site is on the west side Baker Street and features a variety of buildings ranging from 1-2 storeys in height which are occupied by the North Enfield Conservative Club. This proposal relates to the modern two-storey addition to the original building towards the rear of the site.
- 1.2 The character of the surrounding area is mixed, with a car dealership located directly to the south and flatted developments to the north. The surrounding area is otherwise predominantly residential in character.
- 1.3 The subject site is not within a Conservation Area, however, the main building heralds from circa 18th Century and is a Locally Listed Building.

## 2. Proposal

- 2.1 The application seeks planning permission for replacement of a telecommunications monopole on the southern elevation of the existing Conservative Club to a maximum height of 15.20m (including 6 antennae) with 1 equipment cabinet at the base.
- 2.2 In comparison with the existing telecommunications monopole, the proposal would be almost identical, however would be 1.35m taller than the existing structure which has a height of 13.85m.

## 3. Relevant Planning Decisions

- 3.1 The following planning history is considered to be relevant:

| Reference  | Proposal  | Decision                              | Date              |
|------------|---|---------------------------------------|-------------------|
| PA/10/0025 | Installation of a telecommunications monopole to a maximum height of 13.85m with antennas and cabinets attached to south elevation from first floor level | Details / Prior Approval not required | 23 September 2010 |

## 4. Consultations

### 4.1 Statutory and non-statutory consultees

#### External

- 4.1.1 None

#### Internal

- 4.1.2 None.

### 4.2 Public response

- 4.2.1 Letters were sent to 36 adjoining and surrounding properties and in response **five (5) objections** were received. The grounds of objection can be summarised as follows:

- Too close to residential buildings.

- Height.
- Visual impact.
- Health impacts.
- Impact on character.
- Impact on surrounding property value.

4.2.2 It is noted that concerns relating to the impact of the proposal on the value of surrounding properties is not a material planning consideration and cannot be considered as part of the assessment of this application.

4.2.3 The remaining matters listed above are addressed in the assessment section of this report.

#### 4.3 **Councillor involvement**

4.3.1 This application has been called-in to Committee by Cllr Pite.

### 5. **Relevant Policies**

#### London Plan

Policy 4.1 Encouraging a connected economy

Policy 7.4 Local character

Policy 7.6 Architecture

#### Core Strategy

Policy 30 Maintaining and improving the quality of the built and open environment

#### Development Management Document

DMD 37 Achieving high quality and design-led development

DMD 44 Conserving and enhancing heritage assets

#### Other Relevant Policy Considerations

National Planning Policy Framework

National Planning Policy Guidance

### 6. **Analysis**

6.1 The proposal consists of the replacement of an existing telecommunications monopole on the southern elevation of the existing Conservative Club to a maximum height of 15.20m (including 6 antennae) with an associated equipment cabinet at the base. The proposal is required to provide new and enhanced telecommunications coverage within Enfield.

6.2 The proposal would be largely identical to the existing structure, however would be 1.35m taller than the existing monopole, which has a maximum height of 13.85m.

- 6.3 It should be noted that permitted development regulations allow for the construction of telecommunications apparatus up to a height of 15m above ground level without the need for planning permission. The current proposal would therefore be only 200mm higher than what could be constructed under permitted development (subject to prior approval).
- 6.4 Having regard to the nature of the proposal and applicable planning policy, the key considerations in the assessment of this application relate to:
- Impact on the character of the surrounding area; and
  - Impact on neighbours' amenity.

6.5 An assessment in relation to each is provided below.

Impact on the character of the surrounding area

- 6.6 The character of the site's immediate surrounds is mixed and features both commercial and residential buildings in a variety of forms.
- 6.7 The proposed monopole would be located on the southern elevation of the two-storey extension to the original building, and would be set back significantly from the highway. The adjoining property to the south is occupied by a car dealership with a large hardstand area at the front used for the display of vehicles, and therefore the southern elevation is somewhat exposed to the highway.
- 6.8 While it is acknowledged that the proposed mast will be visible from the public highway and, to a lesser extent, from other surrounding public vantage points due to its projection above the ridge of the roof, the proposal would be significantly recessed from the public highway and the majority of the structure and associated cabinets would remain below the ridgeline and largely screened from view by existing built form.
- 6.9 It is considered that any impacts on the appearance of the building associated with an additional 1.35m in height would be negligible and would not cause any discernible adverse impacts on the character of the surrounding area when compared with the existing structure.
- 6.10 Policy DMD 44 also requires consideration of the impact of the proposal on the locally listed building. In this regard, it is noted that the structure would be erected in the same location on the modern addition to the building as the existing monopole, and as noted would be only marginally taller, having a minimal additional impact on the heritage asset. It is, therefore, considered that the proposal would not materially impact the special architectural and historic interest of the original building.

Impact on the neighbours' amenity

- 6.11 The primary amenity considerations with respect to this proposal relate to the potential visual impact of the proposed structure.
- 6.12 However, it is noted that with telecommunications applications, residents are often also understandably concerned with the potential health impacts of such structures, and indeed, a number of objections have identified this as a concern.

- 6.13 While these concerns are acknowledged, the impacts of such proposals are controlled under separate legislation and it is beyond the role of the Council to further consider concerns relating to health impacts.
- 6.14 That said, the NPPF (Para 45) requires that such proposals be supported by evidence that, among other things, the cumulative exposure will not exceed the guidelines of the International Council on Non-Ionizing Radiation Protection (ICNIRP). The applicant has provided a declaration that the proposed mast meets with these guidelines.
- 6.15 The application material also includes a statement which addresses the potential health impacts as follows:

*'We recognise that the growth in mobile technology has led, in some cases, to public concern about perceived health effects of mobile technology and development, in particular about siting masts close to local communities. Quite naturally, the public seeks reassurance that masts are not in any way harmful or dangerous.*

*We are committed to providing the latest independent peer-reviewed research findings, information, advice and guidance from national and international agencies of radiofrequency (RF) electromagnetic fields.*

*Vodafone and Telefonica ensure that our radio base stations are design, built and operated so that the public are not exposed to radio frequency fields above the guidelines set by the International Commission on Non-Ionising Radiation Protection (ICNIRP). In fact, radio base stations operate at low power and emit low levels of radiofrequency fields, typically hundreds of thousands of times lower than the ICNIRP general public guidelines'.*

- 6.16 Notwithstanding the above, the perception of harm can be a material consideration in the assessment of such applications.
- 6.17 In this regard, it is considered that given the separation of the proposed mast of at least 35m to the boundary with the nearest residential property, and that the proposal would only be marginally taller than an existing similar structure, the proposal would not result an increase in amenity impacts to surrounding properties. As previously noted, it is considered that any visual impacts as a result of an increase in the height of the structure by 1.35m are considered negligible and would not give rise to any additional adverse amenity impacts which would have a material impact.
- 6.18 With respect to other material considerations, given the nature of the proposal, there would be no impacts on neighbouring amenity with respect to overlooking or privacy, and the proposal would not cause any additional shadows which would be considered to have a material impact.

## **7. Conclusion and Recommendation**

- 7.1 Having regard to the above assessment, it is recommended that the application is approved subject to the following conditions:

|         |   |
|---------|---|
| C60     | Approved Plans                                |
| Non-Std | Removal of structure after no longer required |
| C51     | Time Limited Permission                       |

Informative



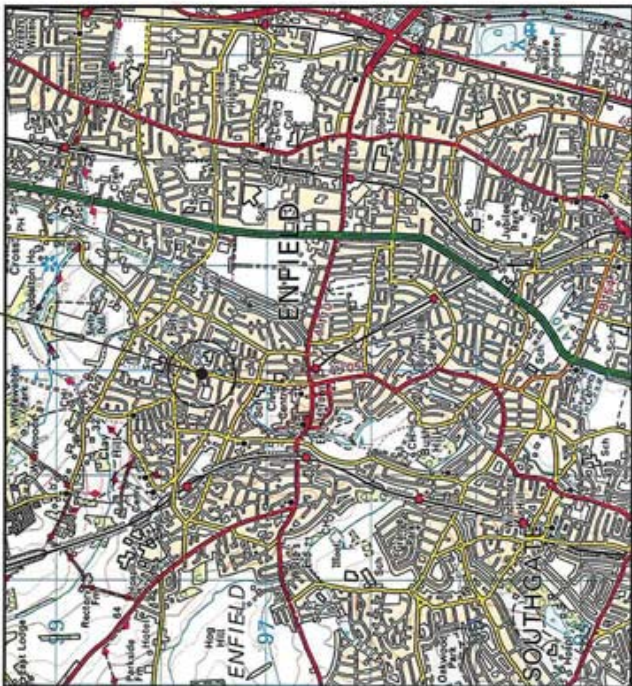
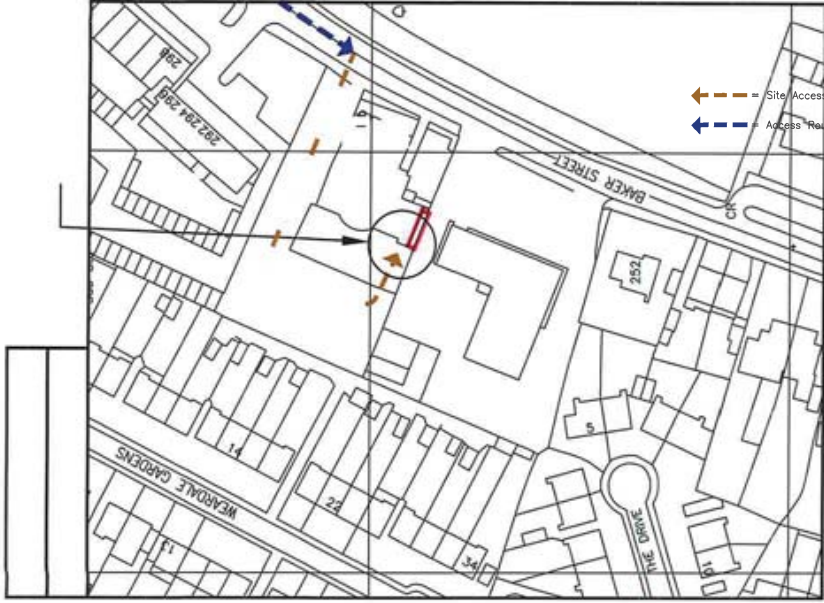
The applicant is reminded that the proposed mast, base station and associated equipment must fully comply with the guidelines set by the International Commission on Non-Ionising Radiation Protection (ICNIRP).

A. Method for Approval: NY DCF 03/07/15

# GallifordTry



Drawn

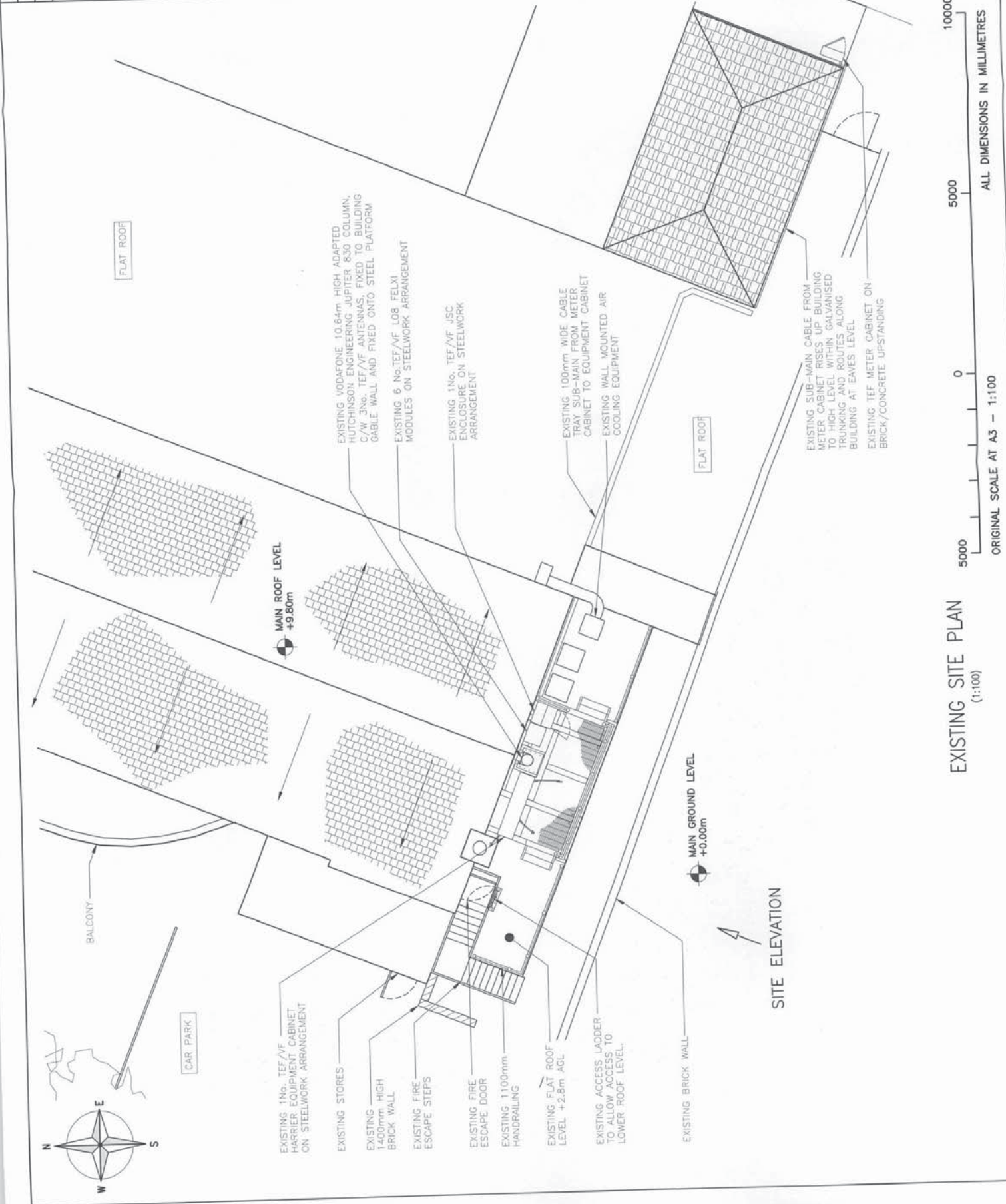


ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE  
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 CONCESSION REQUIRED NO  
 NOTES:  
 - VODAFONE SUITE KEYS  
 - CHERRY PICKER ACCESS TO ANTENNAS

| REV | Issued for Approval | BY | CH | DATE     |
|-----|---------------------|----|----|----------|
| A   |                     | KW | DF | 02.07.15 |

WOLVEY - HINCKLEY - LEICESTERSHIRE - LE10 3JF  
 Tel: +44 (0)1455 222792 Fax: +44 (0)1455 222798

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| Cell Name                       | Opt.                 |
| NORTH ENFIELD CONSERVATIVE CLUB | -                    |
| Cell ID No                      | VF                   |
| CTIL                            | TEF                  |
| 145378                          | 040902               |
| 77293                           |                      |
| Site Address / Contact Details  |                      |
| 278 BAKER STREET                |                      |
| ENFIELD                         |                      |
| LONDON                          |                      |
| EN1 3LD                         |                      |
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| Purpose of Issue:               | PLANNING             |
| Drawing Number:                 | 200                  |
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| Date:                           | Checklist:           |
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| KW                              | 02.07.15             |
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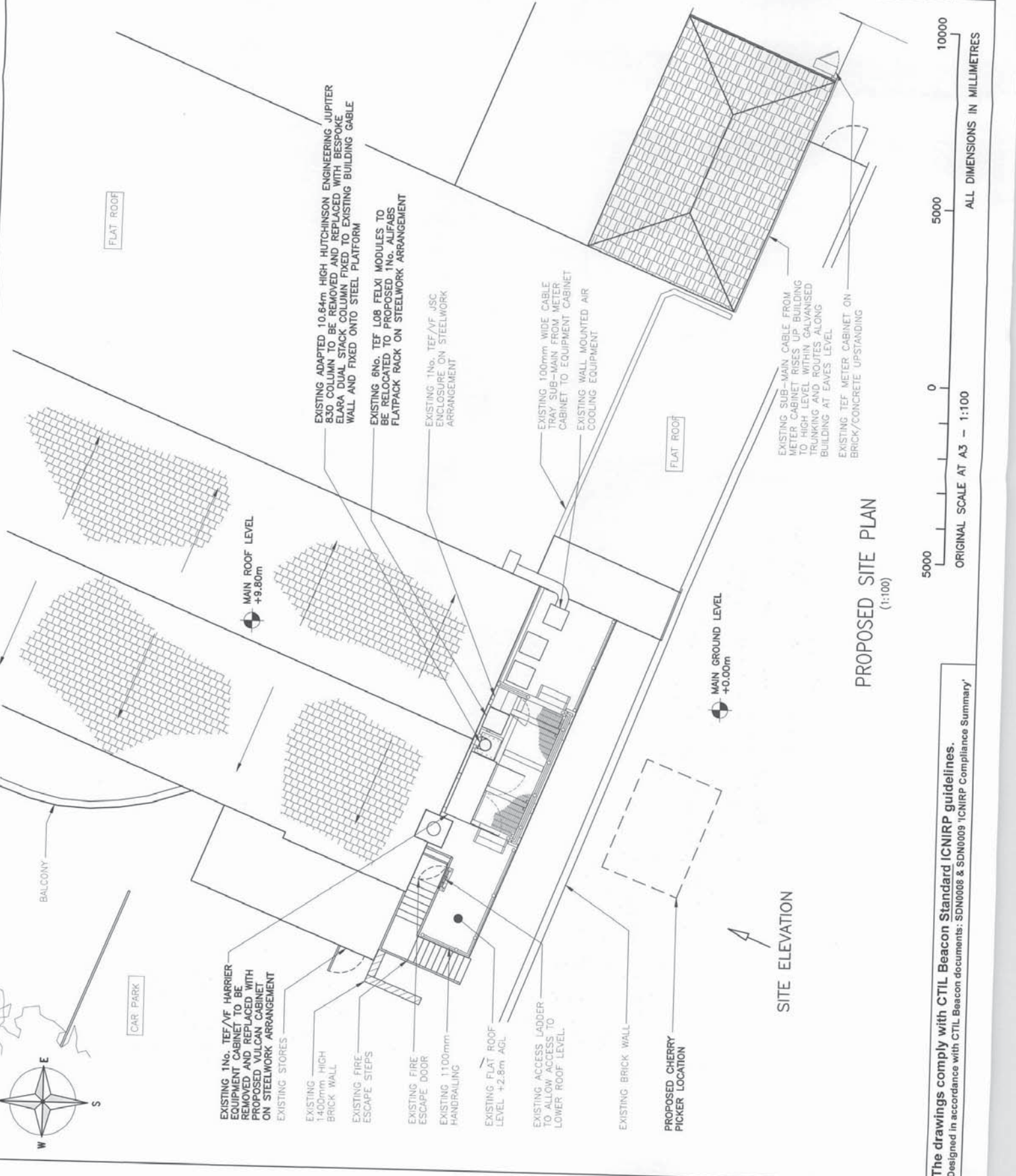
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ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE  
 N.G.R E: 532984 N: 197690  
 CONCESSION REQUIRED NO  
**CONFIRMATION REQUIRED:**  
 EXISTING ANTENNA SUPPORT STEELWORK TO BE CHECKED FOR STRUCTURAL CAPACITY & SUITABILITY FOR PROPOSED UPGRADE.

| REV | Issued for Approval | NO       | DATE |
|-----|---------------------|----------|------|
| A   | MODIFICATION        | 02.07.15 |      |

**GallifordTry**  
 WOLVEY - HINCHLEY - LEICESTERSHIRE - LE10 3JF  
 Tel: +44 (0)1452 227792 Fax: +44 (0)1455 227558

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| Cell Name  |                      | Opt      |
| NORTH ENFIELD CONSERVATIVE CLUB                  |                      | -        |
| Cell ID No                                       |                      | VF       |
| CTIL   | TEF                  | VF       |
| 145378   | 040902               | 77293    |
| Site Address / Contact Details                   |                      |          |
| 278 BAKER STREET<br>ENFIELD<br>LONDON<br>EN1 3LD |                      |          |
| Drawing Title                                    |                      |          |
| PROPOSED SITE PLAN                               |                      |          |
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| NOV  | DF                   | 02.07.15 |
|  |                      | 02.07.15 |



The drawings comply with CTIL Beacon Standard ICNIRP guidelines.  
 Designed in accordance with CTIL Beacon documents: SDN0008 & SDN0009 'CNIRP Compliance Summary'

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R | E: 532984 | N: 197690

CONCESSION REQUIRED | NO

NOTES:



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Tel: +44 (0)1455 222792 Fax: +44 (0)1455 222758



Cell Name

NORTH ENFIELD CONSERVATIVE CLUB

Opl -

Cell ID No

TEF VF

145378

040902

77293

Site Address / Contact Details

278 BAKER STREET  
ENFIELD  
LONDON  
EN1 3LD

Drawing Title: EXISTING SITE ELEVATION

Purpose of Issue: PLANNING

Drawing Number: 300

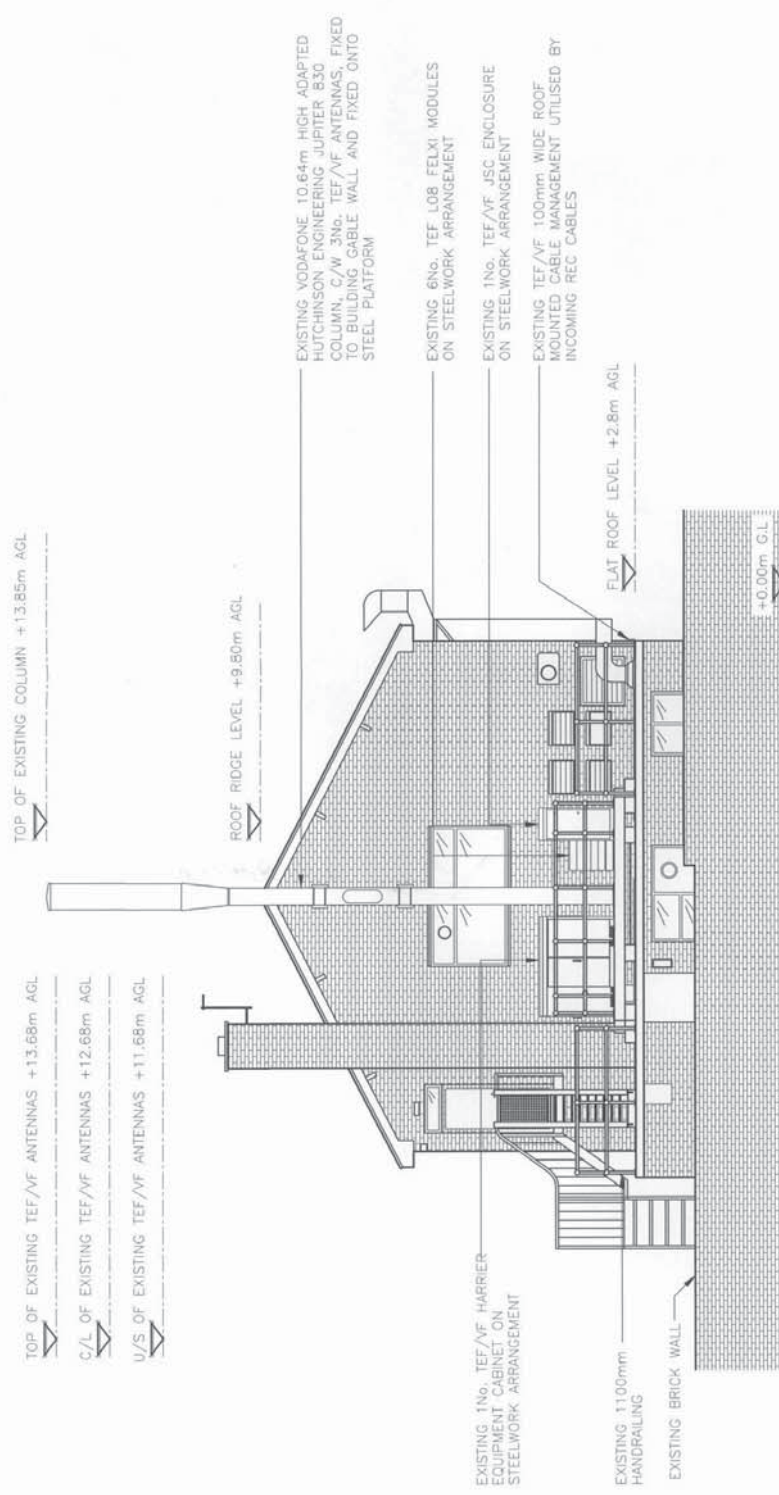
Surveyed By: gao

Original Street Size: A3

Drawn: RW

Date: 02.07.15

Issue: A



EXISTING SITE ELEVATION  
(1:100)



ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE  
 N.G.R. E: 532984 N: 197690  
 CONCESSION REQUIRED NO

CONFIRMATION REQUIRED:  
 EXISTING ANTENNA SUPPORT STEELWORK TO BE CHECKED FOR STRUCTURAL CAPACITY & SUITABILITY FOR PROPOSED UPGRADE.

| REV | Issued for Approval | DATE | BY | CH |
|-----|---------------------|------|----|----|
| A   | 02.07.15            |      |    |    |



|                                 |        |
|---------------------------------|--------|
| Cell Name                       | Opt    |
| NORTH ENFIELD CONSERVATIVE CLUB | -      |
| Cell ID No                      |        |
| CTIL                            | VF     |
| 145378                          | 040902 |
|                                 | 77293  |

Site Address / Contact Details  
 278 BAKER STREET  
 ENFIELD  
 LONDON  
 EN1 3LD

|                      |                         |
|----------------------|-------------------------|
| Drawing Title:       | PROPOSED SITE ELEVATION |
| Purpose of Issue:    | PLANNING                |
| Drawing Number:      | 301                     |
| Surveyed By:         | 000                     |
| Original Sheet Size: | A3                      |
| Drawn:               | 02.07.15                |
| Checked:             | DAF                     |
| Date:                | 02.07.15                |
| Issue:               | A                       |

TOP OF PROPOSED COLUMN +15.20m AGL

- TOP OF PROPOSED ANTENNAS +15.00m AGL
- C/L OF PROPOSED ANTENNAS +14.30m AGL
- U/S OF PROPOSED ANTENNAS +13.60m AGL
- TOP OF PROPOSED ANTENNAS +13.10m AGL
- C/L OF PROPOSED ANTENNAS +12.40m AGL
- U/S OF PROPOSED ANTENNAS +11.70m AGL

ROOF RIDGE LEVEL +9.80m AGL

EXISTING ADAPTED 10.64m HIGH HUTCHINSON ENGINEERING JUPITER 830 COLUMN TO BE REMOVED AND REPLACED WITH BESPOKE ELARA DUAL STACK COLUMN FIXED TO EXISTING BUILDING CABLE WALL AND FIXED ONTO STEEL PLATFORM

EXISTING 6No. TEF/UF FELXI MODULES TO BE RELOCATED TO PROPOSED 1No. ALFABS FLATPACK RACK ON STEELWORK ARRANGEMENT

EXISTING 1No. TEF/UF JSC ENCLOSURE ON STEELWORK ARRANGEMENT

EXISTING TEF/UF 100mm WIDE ROOF MOUNTED CABLE MANAGEMENT UTILISED BY INCOMING REC CABLES

FLAT ROOF LEVEL +2.80m AGL

+0.00m G.L.

EXISTING 1No. TEF/UF HARRIER EQUIPMENT CABINET TO BE REMOVED AND REPLACED WITH PROPOSED VULCAN CABINET ON STEELWORK ARRANGEMENT

EXISTING 1100mm HANDRAILING

EXISTING BRICK WALL

PROPOSED SITE ELEVATION  
 (1:100)



The drawings comply with CTIL Beacon Standard ICNIRP guidelines.  
 Designed in accordance with CTIL Beacon documents: SDN0008 & SDN0009 'ICNIRP Compliance Summary'

15/05059/PAT

Waldon Telecom Ltd  
Phoenix House  
Pyrford Road  
West Byfleet  
Surrey KT14 6RA

Telephone  
01932 411 011  
Facsimile  
01932 411 012

Email  
eng@waldontelecom.com  
Website  
waldontelecom.com



Our ref: CTIL\_145378

CD

The Chief Planning Officer  
London Borough of Enfield,  
Civic Centre,  
Silver Street,  
Enfield  
EN1 3XA

4/11 Recd

**BY RECORDED DELIVERY**

3<sup>rd</sup> November 2015

Dear Sirs,

**PROPOSED UPGRADE TO BASE STATION INSTALLATION AT CTIL\_145378, TEF\_40902, VF\_77293 AT NORTH ENFIELD CONSERVATIVE CLUB LIMITED, 278 BAKER STREET, ENFIELD EN1 3LD (NGR: 532984,197690).**

This is a full planning application, and notice in accordance with the electronic communications code under the Telecommunications Act 1984 Schedule 2 as amended by the Communications Act 2003, for permission for the development of:

***The removal and replacement of a 10.64m wall mounted pole with a new 12m wall mounted pole supporting 6no. antennas, the replacement of 1no. cabinet and development ancillary thereto at North Enfield Conservative Club Limited, 278 Baker Street, Enfield EN1 3LD (NGR: 532984,197690).***

Telefónica UK Limited has entered into an agreement with Vodafone Limited pursuant to which the two companies plan to jointly operate and manage a single network grid across the UK. These arrangements will be overseen by Cornerstone Telecommunications Infrastructure Ltd (CTIL) which is a joint venture company owned by Telefónica UK Limited and Vodafone Limited.

This agreement allows both organisations to:

- pool their basic network infrastructure, while running two, independent, nationwide networks
- maximise opportunities to consolidate the number of base stations
- significantly reduce the environmental impact of network development

This application is submitted for and on behalf of CTIL and Vodafone Ltd:

The application comprises:

- Planning application form and certificates
- Planning drawings - Ref. No's: 100A,200A,201A,300A,301A
- Prescribed fee - £385 (Cheque made payable to the Local Authority)
- General Background Information for Telecommunications Development
- Site Specific Supplementary Information
- Health and Mobile Phone Base Stations document
- Design and Access Statement
- ICNIRP declaration & clarification statement

This application has been prepared in accordance with the Code of Best Practice on Mobile Network Development (July 2013)

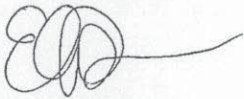
The enclosed application is identified as the most suitable site option and design that balances operational need with local planning policies and national planning policy guidance.

Furthermore we would like to assist the council and would like to arrange a presentation or meeting with your officers and members to discuss the issues if appropriate.

We are committed to maintaining a positive relationship with all Local Planning Authorities and we would be happy to provide any additional information in relation to this application.

We look forward to receiving your acknowledgement and decision in due course.

Yours faithfully



**Eleanor Jacques**  
**Waldon Telecom**  
(for and on behalf of CTIL and Vodafone Ltd)

Tel: 01932 411011  
E-mail: [Eleanor.jacques@waldontelecom.com](mailto:Eleanor.jacques@waldontelecom.com)



## DESIGN AND ACCESS STATEMENT

This Design and Access Statement is provided in conjunction with the Supplementary Information Template, drawings and supporting material that was submitted with this planning application.

In accordance with the Code of Best Practice on Mobile Network Development and published Government guidance, this proposal was drawn up having regard to the need for good design.

In particular:

- Considerations of design and layout are informed by the context, having regard not just to any immediate neighbouring buildings but the townscape and landscape of the wider locality. The local pattern of streets and spaces, building traditions, materials and ecology all help to determine the character and identity of the development.
- The scale, massing and height of proposed development have been considered in relation to that of adjoining buildings; the topography, the general pattern of heights in the area; and views, vistas and landmarks.

The following general design principles have been taken into account in respect of this proposed telecommunications development:

- A proper assessment of the character of the area concerned.
- That the design shows an appreciation of context;

### SITE CONDITIONS, TECHNICAL CONSTRAINTS, LANDSCAPE FEATURES AND CAPACITY REQUIREMENTS

#### Introduction

It needs to be borne in mind that the proposed development is for a mobile telecommunications installation. Hence, access is deliberately restricted, where appropriate, for the security of the installation.

#### Pre Application Discussions and Negotiations

The site and proposal were assessed against the traffic light model contained within the Code of Best Practice on Mobile Network Development and assigned amber rating. Consultation was undertaken with letters outlining the proposal and inviting comment issued to the representatives of the Chase Ward and Town Ward as well as Rt Hon Joan Ryan MP.

A copy of the consultation letters can be provided upon request.

#### Documentation Submitted with Application

- Plans and elevations
- Supporting statement

### Design Component

- Use proposed: The proposal is for an upgrade to an existing joint development by mobile operators Telefónica UK Limited and Vodafone Limited in order to provide new and enhanced coverage within Enfield.
- Amount: The proposed upgrade consists of the removal and replacement of a 10.64m wall mounted pole with a new 12m wall mounted pole supporting 6no. antennas, the replacement of 1no. cabinet and development ancillary thereto located at Enfield Conservative Club. The amount of necessary equipment has been minimised through the sharing of infrastructure.
- Layout: The pole is sited and wall mounted on the south side of Enfield Conservative Club building, with the equipment housing located at the base of the pole. The development would occupy a very narrow footprint.
- Scale: The total height of the proposed wall mounted pole structure is 12 metres. The proposed antenna heights of 14.30 metres and 12.40 metres (to the centre) are required in order that the signal from each set of antennas is able to clear surrounding trees and other "clutter" in the area and that they are able to extend from the application site to cover the whole of the intended target areas. Dimensions for the proposed equipment cabinets are 1898mm x 798mm x 164mm (h).
- Landscaping: Given the nature of the proposed development, landscaping measures were not considered appropriate.
- Appearance: The proposal has been designed with the aim of achieving a balance between minimising visual impact and achieving the technical requirements of the two operators since the upgrade replicates the existing pole.

### Access

Access to the development is by definition limited to the operator and its authorised agents. Those who access the equipment in regard to both construction and maintenance visits will be industry workers who have been trained to access the site safely and will be wearing appropriate PPE. Appropriate warning signage will be displayed.

Access arrangements will not change following construction. All operators have a site database, which is accessed prior to construction and prior to site maintenance visits. In terms of access, the database gives directions to the site and dictates where parking is to be undertaken.

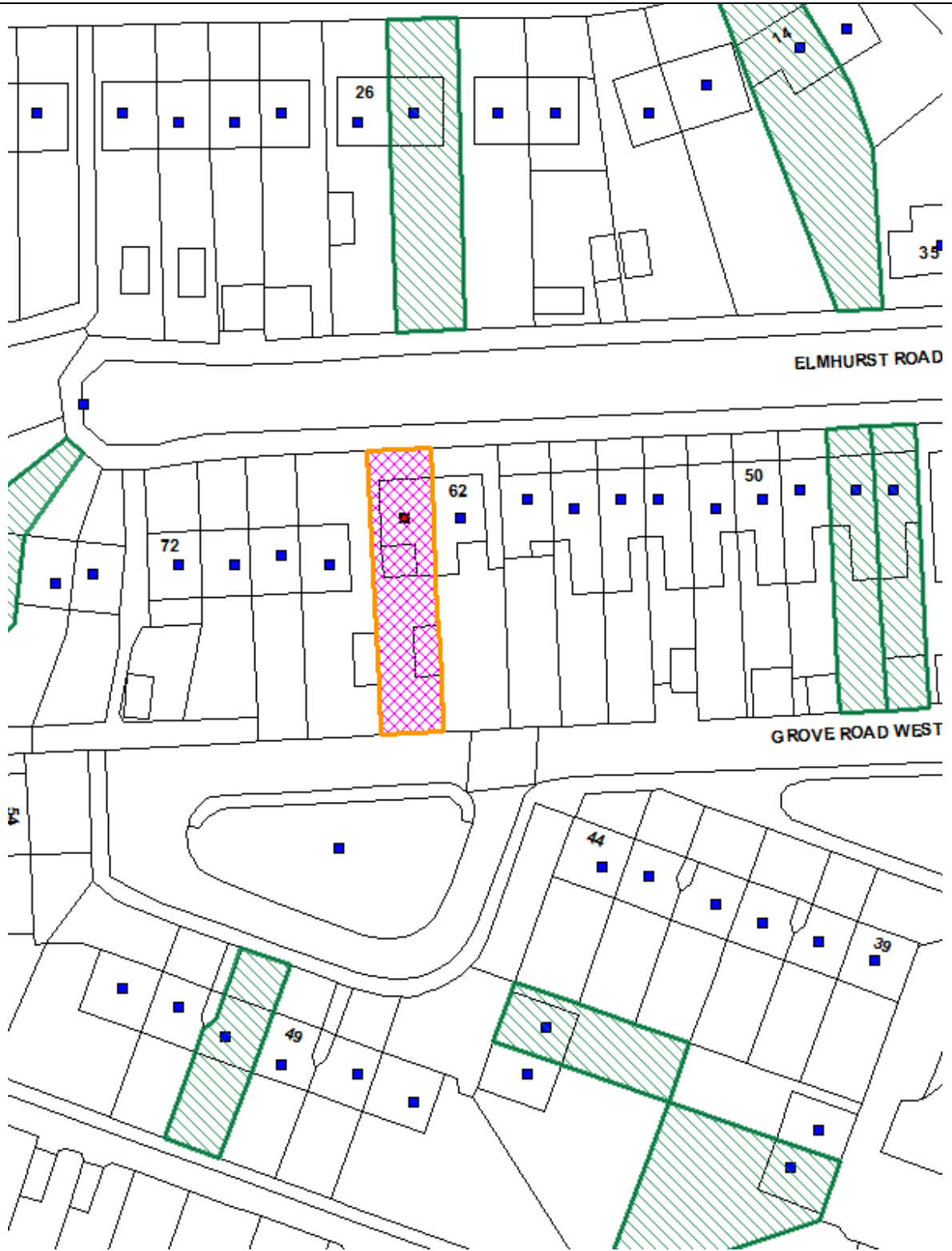
**LONDON BOROUGH OF ENFIELD****PLANNING COMMITTEE****Date :** 26<sup>th</sup> April 2016**Report of**Assistant Director, Planning,  
Highways & Transportation**Contact Officer:**Andy Higham  
Sharon Davidson  
Mr Brian O'Donovan**Ward:**

Turkey Street

**Ref:** 16/00103/HOU**Category:** Householder**LOCATION:** 64 Elmhurst Road, Enfield, EN3 5TB,**PROPOSAL:** First floor rear extension with flank window.**Applicant Name & Address:**Mr Jermaine Gordon  
64 Elmhurst Road  
Enfield  
EN3 5TB  
United Kingdom**Agent Name & Address:**Mr Amir Faizollahi  
6 Bournwell Close  
London  
EN4 0JX  
United Kingdom**RECOMMENDATION:** It is recommended that the application is approved subject to conditions.

**Note for Members:** *A planning application of this nature would normally be determined under delegated authority. However, the agent occasionally works for the Building Control team within Development Management and in accordance with the scheme of delegation, the application is reported to Planning committee for consideration.*

Ref: 16/00103/HOU LOCATION: 64 Elmhurst Road, Enfield, EN3 5TB,



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Scale 1:1250

North



## 1. Site and Surroundings

- 1.1 The subject site is a two-storey semi-detached property located to the southern side of Elmhurst Road.
- 1.2 The surrounding residential street is defined by two-storey semi-detached and terraced properties.
- 1.3 The site is located within an established residential area. It is not located within a conservation area and does not contain a listed building.

## 2. Proposal

- 2.1 The application seeks planning permission to construct a first floor rear extension above existing ground floor extension. The proposal would extend to a maximum depth of 3.05m, including bay window. The proposal would include a width of 2.85m, with an eaves height of 5.5m and a maximum height of 6.75m. An obscure glazed and non-openable window is to be included to the original flank elevation of the property.
- 2.2 The extensions will be constructed out of matching materials.

## 3. Relevant Planning Decisions

| Reference  | Proposal                               | Decision                                       | Date       |
|--|--|--|------------|
| 16/00106/CEA<br>(Certificate of Lawfulness - Permitted Development for Householders) | Rear Dormer                            | Granted  | 09.03.2016 |
| 16/00136/PRH (Prior Approval Notification for Larger Residential Extensions)         | Single-storey rear extension (6m deep) | No Objection<br>Prior Approval<br>Not Required | 23.02.2016 |

## 4. Consultations

### 4.1 Statutory and non-statutory consultees

#### External

- 4.1.1 None

#### Internal

- 4.1.2 None.

### 4.2 Public response

- 4.2.1 There were 2 neighbouring properties consulted with regard to the application, with the neighbourhood consultation period ending on 17<sup>th</sup> February 2016. No responses were received.

## 5. Relevant Policies

### London Plan

|             |                  |
|-------------|------------------|
| Policy 3.14 | Existing housing |
| Policy 7.4  | Local character  |
| Policy 7.6  | Architecture     |

### Core Strategy

|           |   |
|-----------|---|
| Policy 4  | Housing quality   |
| Policy 30 | Maintaining and improving the quality of the built and open environment |

### Development Management Document

|        |   |
|--------|---|
| DMD 6  | Residential character                             |
| DMD 11 | Rear Extensions                                   |
| DMD 37 | Achieving high quality and design-led development |

### Other Relevant Policy Considerations

National Planning Policy Framework  
National Planning Policy Guidance

## 6. Analysis

- 6.1 The adopted policies encourage the maintenance and enhancement of existing housing stock. However, proposals must also be assessed in relation to material considerations such as impact on the character of the surrounding area and impact on the neighbours' amenity.
- 6.2 In particular, DMD 11 is of relevance to this application. The provisions of DMD 11 seek to mitigate the form and scale of rear extensions to protect the character of a dwelling as well as the amenity of neighbouring properties. To this end, first floor rear extensions should not exceed a line taken at 30 degrees from the mid-point of the nearest original first floor window to any of the adjacent properties; and where appropriate, secure a common alignment.

### Impact on the neighbours' amenity

- 6.3 It is considered that there are only two neighbouring properties which could be impacted upon by the proposed rear extension, No's 62 and 66 Elmhurst Road.
- 6.4 In relation to the adjacent property to the west, No.66 Elmhurst Road, it should be noted that the subject site (No.64 Elmhurst Road) is positioned approximately 4.2m forward of No. 66 Elmhurst Road with regard to building lines. The proposed first floor rear extension would not extend beyond the rear elevation of the adjacent property to the west, and the only flank fenestration located to the eastern side of No. 66 Elmhurst Road is an obscure glazed bathroom windows. Regardless, the development would not breach a 30 degree angle from this obscure glazed window

(this will be secured by way of condition), or any habitable room window for that matter and thus, would be deemed to be in accordance with Policy DMD11.

- 6.5 With regard to the adjoining property to the east, No.62 Elmhurst Road, the first floor extension would extend to a maximum depth of 3.05m in depth. The proposed feature would extend to a depth of 2.3m and would then be set-in 0.5m from both sides to create a bay window which would extend to a depth of 0.75m, creating the cumulative depth of 3.05m. The proposal would be set-in 2.8m from the shared boundary to the east and it would be set-back approx. 3.3m from the centre-point of the closest first floor window at No. 62 Elmhurst Road.
- 6.6 The proposed extension would be marginally intercepted when a 30 degree line is taken from the closest first floor window at No. 62 Elmhurst Road. However, the 30 degree line would clear the main section of the extension and would be marginally intercepted by the bay window.
- 6.7 In this instance, when having regard to the substantial set-back of the proposal from the adjacent property and closest first floor window, the marginal extent of the 30 degree breach (approx. 250mm) and the fact that the bay window would angle away from the adjacent property to the east, it is considered the any impacts upon No. 64 Elmhurst Road would be negligible.
- 6.8 Furthermore, it is noted no objections have been received from the neighbour of 164 Elmhurst Road in this regard. As such, on balance it is considered the impacts on this neighbouring property are acceptable. In relation to the proposed first floor flank elevation, it is considered that as it is to be obscure glazed and non-openable, will not impact on any neighbouring properties amenity.
- 6.9 Overall for the rationale set out above, the proposed extension is of an appropriate scale which maintains the amenity of both the original building and adjoining neighbouring properties, as such it is considered the proposal is consistent with DMD 11.

#### Impact on the character of the subject site and surrounding area

- 6.10 DMD 6 and DMD 37 state that development will only be permitted if it is of a scale and form appropriate to the existing pattern of development having regard to the character typology. Whilst the extension will be new, it is considered that it would subservient with regard to the host property and surrounding properties; it will not have an undue impact on the character and appearance of the host building, the adjoining semi-detached dwelling or surrounding dwellings. Whilst the proposal would be visible from Grove Road, a number of the properties upon the street benefit from original two-storey rear additions. It will not be an incongruous addition to the rear of the property and would not have a detrimental impact upon the character of the immediate and surrounding environment.
- 6.11 As such, it will not have an undue impact on the surrounds nor will it detract from the overall character and appearance of the residential surrounds, with regard to DMD6 and DMD37.

#### Community Infrastructure Levy

- 6.12 As of April 2010, new legislation in the form of Community Infrastructure Levy (CIL) Regulations 2010 (as amended) came into force which allow 'charging authorities' in England and Wales to apportion a levy on net additional floorspace for certain types of qualifying development to enable the funding of a wide range of infrastructure that is needed as a result of development. Since April 2012, the Mayor of London has been charging CIL in Enfield at the rate of £20 per sqm. The Council is progressing its own CIL but this is not expected to be introduced until spring / summer 2014.

- 6.13 The proposed alterations and additions are not CIL liable.

Others Matters

- 6.14 Members are informed that the applicant has sought consent for a number of extensions to the building seeking to take advantage of opportunities to enlarge the property. Many of these do not require formal planning consent from the Council, however there are potentially phasing issues that will impact in due course on what can, cannot, be built.
- 6.15 The applicant is advised that the ground floor rear extension under Prior Approval Ref. 16/00136/PRH (if it adheres to Class A of the GPDO) would need to be complete before works for the first floor rear extension can be carried out. The applicant is also advised that if works on the rear dormer roof extension granted as per Certificate of Lawfulness Ref. 16/00106/CEA are to be carried out, then this would materially affect the first floor rear extension proposal determined in this application and would require a re-submission of planning permission to be determined accordingly.

**7. Conclusion and Recommendation**

- 7.1 Having regard to the above assessment, it is recommended that the application is approved subject to the following conditions:

Conditions

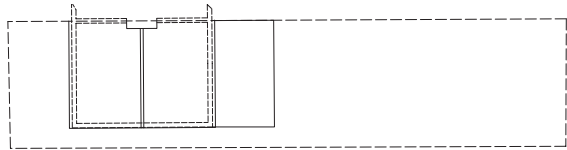
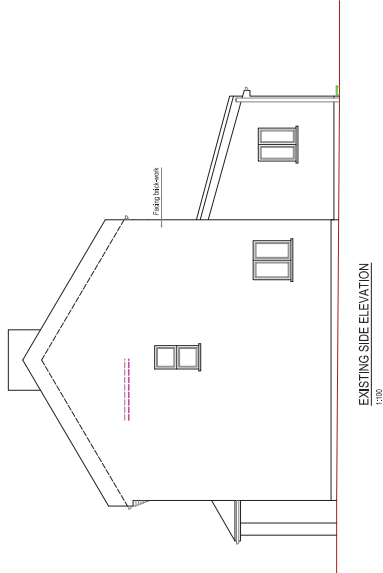
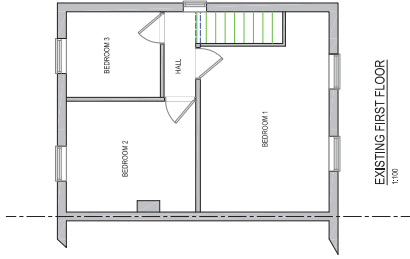
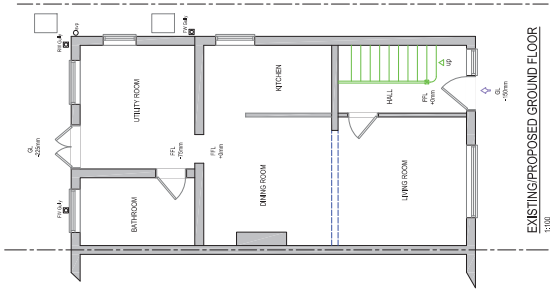
1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the decision notice.  
  
Reason: To comply with the provisions of S.51 of the Planning & Compulsory Purchase Act 2004.
2. The development hereby permitted shall be 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. The external finishing materials shall match those used in the construction of the existing building and/or areas of hard surfacing.  
  
Reason: To ensure a satisfactory appearance.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any amending Order, no external windows or doors other than those indicated on the approved drawings shall be installed in the development hereby approved without the approval in writing of the Local Planning Authority.  
  
Reason: To safeguard the privacy of the occupiers of adjoining properties.
5. The glazing serving the western flank elevation of the development indicated on drawing No 002; shall be fixed shut and in obscured glass with an equivalent obscuration as level 3 on the Pilkington Obscuration Range. The glazing shall not be altered without the approval in writing of the Local Planning Authority.



Reason: To safeguard the privacy of the occupiers of adjoining and neighbouring properties.

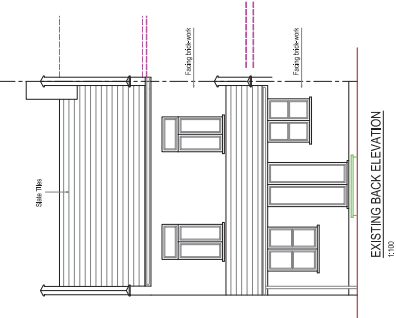
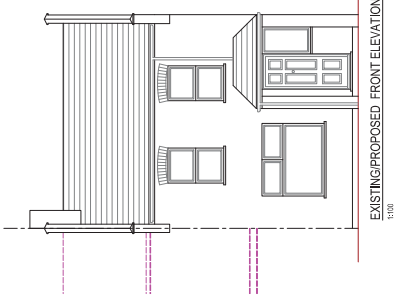
Informatives:

1. The applicant is advised that the ground floor rear extension under Prior Approval Ref. 16/00136/PRH (if it adheres to Class A of the GPDO) would need to be complete before works for the first floor rear extension can be carried out.
2. The applicant is advised that if works on the rear dormer roof extension granted as per Certificate of Lawfulness Ref. 16/00106/CEA are to be carried out, then this would materially affect the subject first floor rear extension and would require a re-submission of planning permission to be determined accordingly.



THE CONTRACTOR SHALL CHECK ALL DIMENSIONS, SQUARENESS AND LEVELS OF ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH THE RELEVANT BUILDING REGULATIONS, LOCAL AUTHORITY REGULATIONS, CONTRACT SPECIFICATIONS AND ANY OTHER RELEVANT REGULATIONS.

This proposed work may still be subject to the Building Regulations. The contractor shall ensure that all work is carried out in accordance with the relevant Building Regulations, Local Authority Regulations, Contract Specifications and any other relevant regulations.

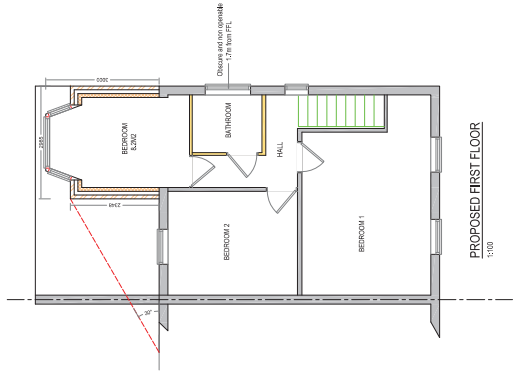


LOCATION PLAN 1:1250



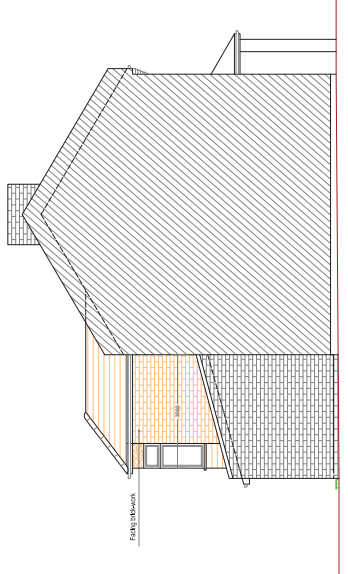
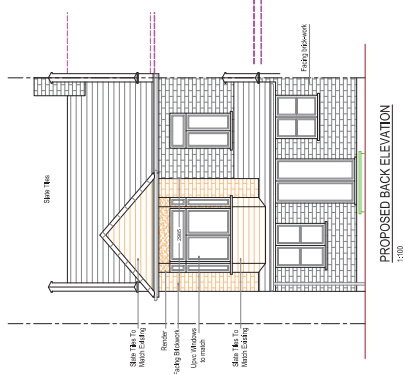
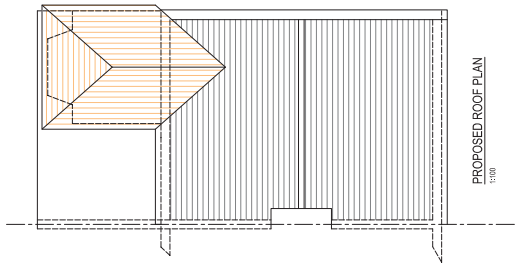
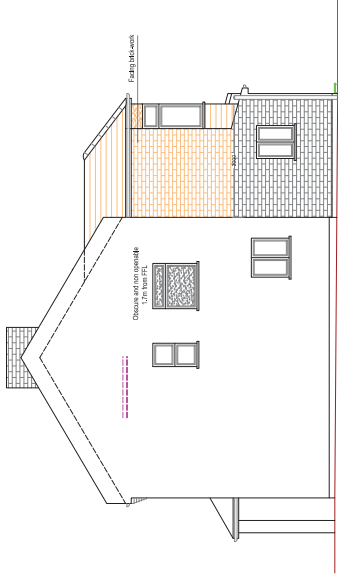
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| DWG NO:                 | EN4/17/2016 |
| DATE:                   | 12/02/16    |
| 64 Elmwood Road EN4 5TB |             |

This drawing and design is intended for use on the project only. It is not to be used for any other purpose. The contractor shall ensure that all work is carried out in accordance with the relevant Building Regulations, Local Authority Regulations, Contract Specifications and any other relevant regulations.



THE CONTRACTORS ARE TO CHECK ALL DIMENSIONS, DRAWINGS AND SPECIFICATIONS AGAINST THE CURRENT BUILDING REGULATIONS, INTERPRETATIONS, CODES OF PRACTICE AND LOCAL AUTHORITY REQUIREMENTS.

THIS DOCUMENT IS TO BE USED AS A GUIDE ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE BUILDING REGULATIONS OFFICER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND THE BUILDING REGULATIONS OFFICER.



|                          |                 |
|--------------------------|-----------------|
| DWG 002                  | Etching/Revised |
| 12/11/2024               | 02/02/2018      |
| 64 Elmhurst Road EN4 8TB |                 |



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