

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date: 5th March 2024

Report of

Head of Planning & Building
Control – Karen Page

Contact Officers:

Amma Busia – Case Officer
Sharon Davidson – Planning
Decisions Manager

Category

Minor (Dwellings)

Ward

Grange Park

Councillor Request

Councillor Dey

LOCATION: 14 Maxim Road, London N21 1EX

APPLICATION NUMBER: 23/02832/FUL

PROPOSAL: Redevelopment of site by the erection of 2 x semi-detached dwelling houses, with rooms in the roof and an additional crossover

Applicant Name & Address:

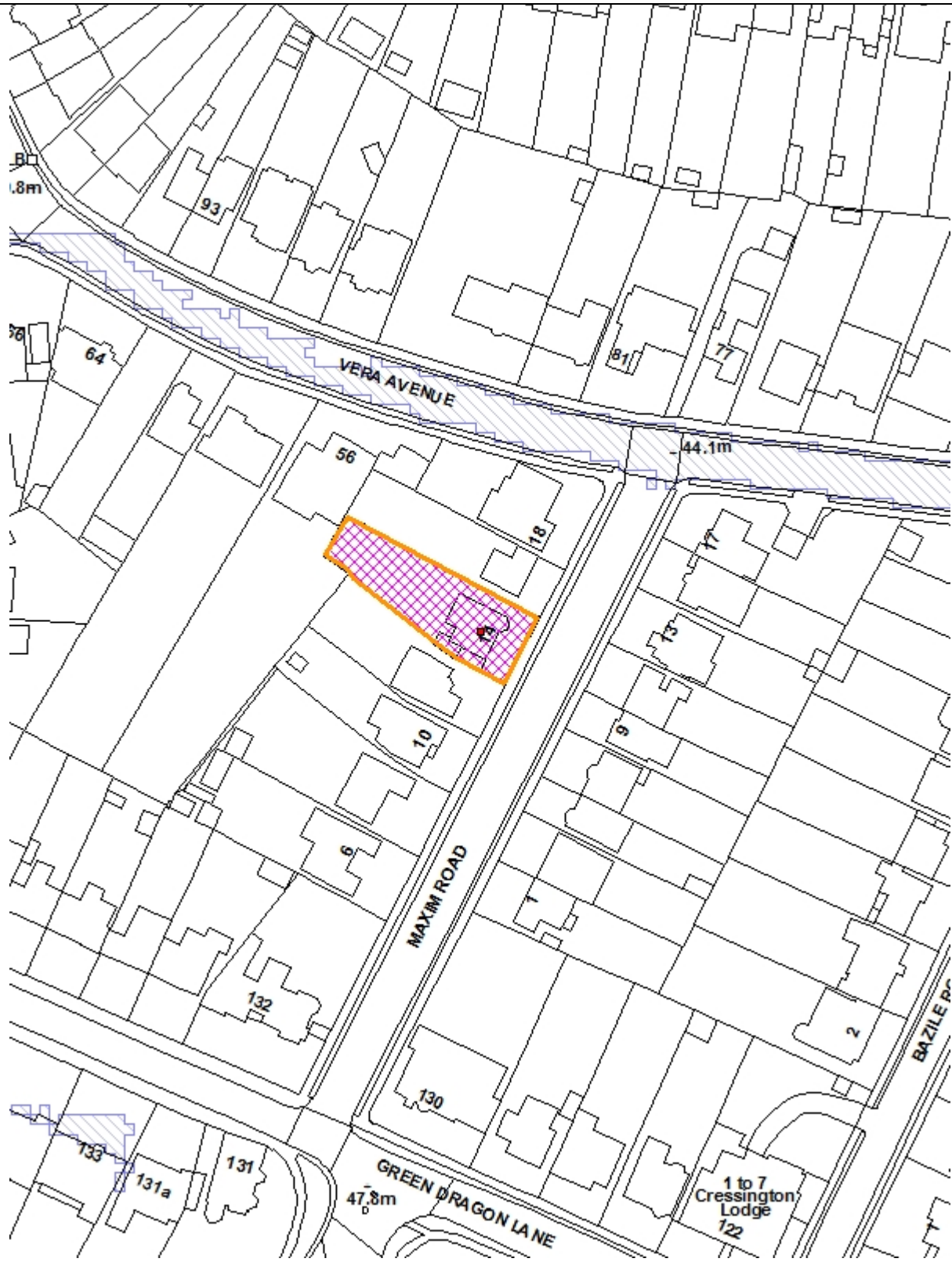
Mr. Joachim Sander
56 Vera Avenue
London
N21 1RL

Agent Name & Address:

Karl Lowe
Lowe Design & Project Management
Schuetzenstrasse 3A
Velen
46342
Germany

RECOMMENDATION:

1. The Planning Decisions Manager be authorised to GRANT planning permission subject to conditions and the completion of a Section 106 Agreement.
2. The Planning Decisions Manager be granted delegated authority to finalise the wording of the Section 106 Agreement and agree the final wording of the conditions to cover the matters in the Recommendation section of this report.



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Scale 1:1250

North



1. Note for Members

- 1.1. Although an application of this scale and nature would normally be determined under delegated authority, the application has been reported to committee for determination at the request of Councillor Dey, due to the level of local interest.

2. Recommendation

- 2.1. That subject to the completion of a Section 106 Agreement to secure the matter covered in this report, the Planning Decisions Manager be authorised to GRANT planning permission subject to conditions:

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

2. Approved plans

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. Materials

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

Reason: To ensure a satisfactory appearance.

4. Sustainable drainage (SuDS)

Notwithstanding the details set out in the submitted Preliminary Drainage Strategy (29-193, 10th of October 2023), prior to the commencement of any construction work (excluding demolition), details of the Sustainable Drainage Strategy shall be submitted to and approved in writing by the Local Planning Authority and must conform with the Landscaping Strategy. The details shall include:

- Sizes, storage volumes, cross-sections, long-sections (where appropriate) and specifications of all the source control SuDS measures
- Final sizes, storage volumes, invert levels, cross-sections and specifications of all site control SuDS measures including ponds, soakaways and underground tanks. Include calculations demonstrating functionality where relevant

Reason: To ensure the sustainable management of water, minimise flood risk, minimise discharge of surface water outside of the curtilage of the property and ensure that the drainage system will remain functional throughout the lifetime of

the development in accordance with Policy CP28 of the Core Strategy, DMD 61, and Policies S112 & S113 of the London Plan and the NPPF

5. Cycle parking

That above ground works shall not commence until details of two secure and covered cycle parking spaces per house have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before it is occupied.

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

6. Construction Traffic Management Plan

No development, including the demolition of the existing building, shall commence until a Construction Management Plan has been submitted to and approved by the Local Planning Authority. The Construction Management Plan shall be written in accordance with London Best Practice Guidance and contain:

- a) A photographic condition survey of the public roads, footways and verges leading to the site;
- b) Details of construction access and associated traffic management;
- c) Arrangements for the loading, unloading and turning of delivery, construction and service vehicles;
- 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) The storage and removal of excavation material;
- i) Measures to reduce danger to cyclists;
- j) Membership of the Considerate Contractors Scheme.

The development shall be carried out in accordance with the approved Construction Management Plan unless otherwise agreed by the Local Planning Authority.

Reason: To ensure construction does not lead to damage of the nearby public road network and to minimise disruption to the neighbouring properties.

7. Construction Management Plan

No development, including demolition, shall take place until Construction Management Plan, written in accordance with the Mayor of London's supplementary planning guidance 'The Control of Dust and Emissions During Construction and Demolition' 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 protect the local amenity from demolition/construction dust.

8. All Non-Road Mobile Machinery (NRMM)

All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent

guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reasons: In the interests of good air quality with regard to Policy SI 1 of the London Plan (2021).

9. Energy Performance Certificate

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

Reason: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets are met in accordance with Policy CP20 of the Enfield Core Strategy (2010), Policies DMD49, DMD50 and DMD51 of the Enfield Development Management Document (2014).

10. Water Consumption

Prior to first occupation, details of the internal consumption of potable water shall be submitted to and approved in writing by the Local Planning Authority. 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. 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 SI 5 of the London Plan (2021) and Policy CP21 of the Enfield Core Strategy (2010).

11. Obscure Glazing

The glazing to be installed in all flank elevations of the development shall be in obscured glass and fixed shut to a height of 1.7m above the floor level of the room to which they relate. 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.

12. Permitted development

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.

13. Permitted development

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any amending Order, no buildings or

extensions to buildings shall be erected without the prior approval in writing of the Local Planning Authority.

Reason: to safeguard the residential amenity of neighbouring occupiers and prevent excessive site coverage.

- 2.2. The Planning Decisions Manager be granted delegated authority to finalise the wording of the Section 106 Agreement and agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

3. Executive Summary

- 3.1. The application seeks planning permission to demolish the existing bungalow and erect a pair of two storey semi-detached dwellings comprising of 4 bedroom 7 persons and 4 bedroom 8 persons dwellings, with additional vehicle crossovers.
- 3.2. The scheme is considered acceptable for the following reasons:
 - a) The proposal would provide two new family sized units of accommodation which would contribute to the Borough's housing stock.
 - b) The quality of accommodation exceeds the minimum standard in accordance with the London Plan.
 - c) The proposal would not have a detrimental impact on the character and appearance of the wider street scene.
 - d) The proposal would not negatively impact the amenities of the neighbouring residential properties.
 - e) There is no identified adverse effect on highway safety or traffic generation.

4. Site and Surroundings

- 4.1. The application site is situated on the western side of Maxim Road and contains a detached bungalow with accommodation within the roof space.
- 4.2. The application property incorporates a hipped roofline with a flat roof front dormer window and attached car port to the side elevation.
- 4.3. The typology of the surrounding area is mixed, with the application site flanked by two storey detached dwellings, whilst on the opposite side of the road, there are a mix of two storey detached and semi-detached dwelling houses.
- 4.4. Most properties have generous plots and have been extended along the side and rear elevation.
- 4.5. The site is not within a Conservation Area nor is it Listed or in the setting of a Listed Building or Locally Listed Building.
- 4.6. The subject site has a PTAL score of 2 (poor).

5. Proposal

- 5.1. The application seeks planning permission to demolish the existing 2 bed 3-person bungalow and replace with a pair of two-storey semi-detached dwellinghouses that would provide 4 bed 7 persons and 4 bed 8 persons dwellings.

6. Relevant Planning History

Application site

- 6.1. P13-03523PLA Two storey side, part single side/rear extension including creation of a first floor with rooms in roof, 2 x rear dormers and side rooflights, 2 x vehicular access to front. Permission Granted with Conditions. 30.01.2014.

7. Consultation

Statutory and Non- Statutory Consultees

Transportation

- 7.1. Transportation raises no objection subject to the applicant entering into a s106 for CPZ exclusion and a condition requiring cycle parking.

Environmental Health

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

SuDS

- 7.3. SuDS require further details however this can be addressed via a pre-commencement condition.

Thames Water

- 7.4. No objection and an informative provided.

Crossover Team

- 7.5. No objection to a new crossover, the applicant is advised not to carry out any work to the frontage of the site until an estimate has been carried out by the Council's Crossover Team.

Public Consultation

- 7.6. Consultation letters were sent to (13) neighbouring and nearby properties dated 12.10.2023 to 05.11.2023. In response (8) objections were received which in summary, raises the following points:

Summary of responses

- Inadequate distance from other properties
- Inappropriate scale, height, massing
- Close to adjoining properties
- Conflict with local plan
- Development too high
- General dislike of proposal
- Inadequate parking provision
- Information missing from plans
- Impact on daylight and sunlight
- Loss of privacy
- Loss of light
- Overshadowing
- Loss of parking
- More open space needed on development
- Out of keeping with character of area
- Over development

Officers' response

The proposed plans have been amended due to concerns raised during the public consultation. Due to the amendments, the consultation was re-sent, and the period ran from 11.01.2024 to 01.02.2024. (8) objections were received which in summary raises the following points:

- Inadequate distance from other properties
- Inappropriate scale, height, massing
- Close to adjoining properties
- Conflict with local plan
- Development too high
- General dislike of proposal
- Inadequate parking provision
- Information missing from plans
- Impact on daylight and sunlight
- Loss of privacy
- Loss of light
- Overshadowing
- Loss of parking
- More open space needed on development
- Out of keeping with character of area
- Over development

The matters raised are assessed in the 'Principle of Development', 'Character and Design', 'Neighbouring Residential Amenity' and 'Access, Traffic, and Parking' sections of this report.

8. Relevant Planning Policies

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

National Planning Policy Framework (2023)

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

8.4. In relation to achieving appropriate densities Paragraph 128 of the NPPF notes that planning policies and decisions should support development that makes efficient use of land, whilst taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.

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

Housing Delivery Test / Presumption in Favour of Sustainable Development:

8.6. The NPPF sets out at Paragraph 11 a presumption in favour of sustainable development. For decision taking this means:

- (c) approving development proposals that accord with an up-to date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (8), granting permission unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (7); or
 - (ii) any adverse impacts of so doing would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

8.7. Footnote (8) referenced here advises "This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites....; or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous 3 years."

- 8.8. In summary, the presumption in favour of sustainable development applies in two situations – where a Council is unable to demonstrate a five-year housing land supply, and when a Council fails to achieve 75 per cent or more in the Housing Delivery Test.
- 8.9. Enfield Council currently fails against both criteria – and is therefore subject to the most severe government sanctions which impact the Council's consideration of housing-led planning applications.
- a) **5-year housing land supply:** Members will be aware of the need to be aware of the Council's housing land supply – and how it impacts on decision making. When there is not an up-to-date Local Plan and 5-year housing land supply cannot be demonstrated then this has a significant impact on the weight given to material planning considerations. The NPPF presumption, or 'tilted balance', applies in Enfield due to the Council's inability to demonstrate the required five-year housing land supply. The Council is unable to demonstrate a 5-year supply of deliverable housing sites and this impacts on the status of its Local Plan policies.
- b) **Housing delivery test:** The NPPF presumption, or 'tilted balance', also applies in Enfield because Enfield is one of 51 Councils which have achieved below 75 per cent against the Housing Delivery Tests – it is therefore also subject to the Housing Delivery Tests most severe government sanction, the NPPF's presumption in favour of sustainable development.

- 8.10. The Housing Delivery Test (HDT) is an annual measurement of housing delivery introduced by the Government through the NPPF. It measures the performance of local authorities by comparing the completion of net additional homes in the previous three years to the housing targets adopted by local authorities for that period.
- 8.11. Local authorities that fail to meet 95% of their housing targets need to prepare a Housing Action Plan to assess the causes of under delivery and identify actions to increase delivery in future years. Local authorities failing to meet 85% of their housing targets are required to add 20% to their five-year supply of deliverable housing sites targets by moving forward that 20% from later stages of the Local Plan period. Local authorities failing to meet 75% of their housing targets in the preceding 3 years are placed in a category of "presumption in favour of sustainable development".
- 8.12. The Council's recent housing delivery has been below our housing targets. This has translated into the Council being required to prepare a Housing Action Plan and being placed in the "presumption in favour of sustainable development category" by the Government through its Housing Delivery Test.
- 8.13. In 2022 Enfield delivered 2270 of the 3098 homes target, this equates to 73% of the target and as a result continues to be placed into the "presumption in favour of sustainable development" category.
- 8.14. This is referred to as the "tilted balance" and the NPPF states (see paragraph 8.6 above) that for decision-taking this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole – which also includes the Development Plan.
- 8.15. Under the NPPF paragraph 11(d) where the most important development plan policies for the application are deemed to be 'out of date', planning permission should be granted. That does not mean out of date policy can be disregarded, but it means that less weight can be applied to it, and applications for new homes should be given weight by the Planning Committee when undertaking their assessment taking account of the "tilted" balance that applies. The level of weight given is a matter of planning judgement and the statutory test continues to apply, that the decision should be, as section 38(6) of the Planning and Compulsory Purchase Act 2004 requires, in accordance with the development plan unless material considerations indicate otherwise.

The London Plan (2021)

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

Policy GG2 Making the best use of land
Policy D3 Optimising Site Capacity through the Design-Led Approach
Policy D4 Delivering Good Design

Policy D6	Housing Quality and Standards
Policy H1	Increasing housing supply
Policy S12	Flood risk management
Policy T2	Healthy Streets
Policy T4	Assessing and mitigating transport impacts
Policy T5	Cycling
Policy T6	Car parking
Policy T6.1	Residential car parking

Enfield Core Strategy (2010)

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

Policy CP2	Housing supply and location for new homes
Policy CP4	Housing quality
Policy CP5	Housing types
Policy CP25	Pedestrians and cyclists
Policy CP28	Managing flood risk through development
Policy CP30	Maintaining and Improving the Quality of the Built Environment and Open Environment
Policy CP32	Pollution

Enfield Development Management Document (2014)

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

Policy DMD4	Loss of Existing Residential Units
Policy DMD6	Residential character
Policy DMD8	General standards for new residential development
Policy DMD9	Amenity space
Policy DMD10	Distancing
Policy DMD11	Rear extensions
Policy DMD13	Roof extensions
Policy DMD14	Side extensions
Policy DMD37	Achieving high quality and design led development
Policy DMD38	Design process
Policy DMD45	Parking standards and layout
Policy DMD46	Dropped kerb
Policy DMD47	Access, new roads, and servicing (peds, cyclists, vehicular access, refuse, operations for nurseries)
Policy DMD51	Energy efficiency standards

Policy DMD58 Water efficiency
Policy DMD59 Avoiding and reducing flood risk
Policy DMD60 Assessing flood risk
Policy DMD61 Managing surface water
Policy DMD68 Noise

Other Material Considerations

8.19. Refuse and Recycle Storage Guide Enfield (EN20/ V2)

Enfield Local Plan (Reg 18) 2021

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

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

8.22. Key local emerging policies from the plan are listed below:

Policy DM SE2 Sustainable design and construction
Policy DMSE4 Reducing energy demand
Policy DMSE6 Renewable energy development
Policy DM SE7 Climate change adaptation and managing heat risk
Policy DM SE10 Sustainable drainage systems
Policy DM DE1 Delivering a well-designed, high-quality and resilient environment
Policy DM DE11 Landscape design
Policy DM DE13 Housing standards and design

9. Analysis

9.1. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee have regard to the provisions of the

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

9.3. The main issues arising from this proposal to consider are:

1. Principle of Development
2. Design, Appearance & Impact on the Character of the Surrounding Area
3. Impact on Neighbouring Residential Amenities
4. Quality of Accommodation and Private Amenity
5. Transportation and Parking
6. Flood/ Surface water risk
7. Sustainable Development

Principle of Development

- 9.4. The NPPF and London Plan advises that Local Authorities should seek to deliver a wide choice of high-quality homes and create sustainable, inclusive, and mixed communities. The Council has failed the most recent Housing Delivery Test therefore residential development is subject to the presumption in favour of sustainable development. The titled balance therefore has to be applied in assessing and weighing up the benefits of the scheme. Whether on balance the impacts of not granting permission would significantly outweigh the benefits when assessed against the policies in the NPPF taken as a whole.
- 9.5. Policy CP5 of the Enfield Core Strategy seeks to ensure that new developments offer a range of housing needs whilst ensuring that the quality and character of existing neighbourhoods is also respected. There is a great need in the Borough for family sized housing with 3 + bedrooms and the proposal would retain 3 + family sized housing by providing two 4 bedrooms dwellings.
- 9.6. Policy DMD4 of the Enfield Development Management Document sets out that proposal that result in the loss of existing residential units, particularly family homes, that can still be used, with or without adaption, will only be permitted if there is no net loss of residential floorspace as a result of the development. The existing bungalow has a Gross Internal Area (GIA) of 131.2sqm . The proposed development would optimize the site by providing a pair of two-storey semi-detached family sized dwellinghouses and would result in a net gain of 315sqm of residential floor space and a net gain of one family sized dwelling.
- 9.7. Therefore, the proposed development is deemed acceptable in principle, subject to further planning considerations as outlined below.

Design, Appearance & Impact on the Character of the Surrounding Area

- 9.8. Policies DMD6 and DMD8 of the Enfield Development Management Document provide standards for new development with regards to scale, form of development, housing quality, density, amenity space and access to parking and refuse areas.
- 9.9. Policy DMD11 states that residential rear extensions would only be permitted if there is no adverse visual impact. Policy DMD13 states that roof extensions should be of an appropriate size and location within the roof plane and be in keeping with the character of the property, and not dominate when viewed from the surrounding area.
- 9.10. Policy DMD14 states that side extensions will only be permitted where they do not result in the creation of a continuous façade of properties. Further, a minimum separation distance of 1m from the boundary should be maintained. Policy DMD14 particularly part (c) refers to the importance of addressing the bulk and dominance of the proposal along the street frontage and its subordination in relation to the existing dwelling.
- 9.11. Policy DMD37 aims to ensure that high standards of design are taken into consideration, with reference to the boundary treatment, the use of materials and the proposals siting, layout, spacing, height, bulk, and massing of the development.

- 9.12. Along the side of the street of the application site there are a mix of bungalows including the subject site (4) and two storey detached dwellings (3):
- Nos. 6, 8, 14 (subject site) and 18 Maxim Road - Bungalows
 - Nos. 10, 12 and 16 Maxim Road – Two storey detached dwellings.
- 9.13. On the other side of the street there are a mix of two storey detached dwelling (1) and two-storey semi-detached dwellings (4):
- Nos. 1 – 3, 5 -7, 9 – 11, 15 – 17 Maxim Road – Two storey semi-detached dwellings.
 - No. 13 Maxim Road - Two storey detached dwelling.
- 9.14. The application site existing building line protrudes slightly forward than the properties along the side of the street it resides, and the proposal seeks to retain the existing building line. The proposal would be set in along the boundaries on both ground and first floor and would meet the minimum requirement of 1 metre in accordance with Policy DMD14.
- 9.15. The proposed ground and first floor rear elements would be full width and secure a common alignment with the extensions at Nos. 12 and 16 Maxim Road, therefore the extensions depth would not negatively impact the character of the surrounding area.
- 9.16. Objections were raised regarding the height and size of the roof, the previously submitted plans showed the roof overhang and extended beyond the roof of No. 12 Maxim Road by approximately 1 metre and No. 16 Maxim Road by approximately 500 millimetres. The plans were revised, and the roof height reduced and set in appropriately along the boundary by a minimum of 1 metre. The roof would now extend beyond the roof height of No. 12 Maxim Road by approximately 500 millimetres and No. 16 Maxim Road by approximately 200 millimetres. Whilst it is acknowledged that the roof would still extend beyond the height of the neighbouring properties, the surrounding area roof heights and designs are not consistent or uniform and therefore the proposed roof height is not considered to negatively impact the character of the surrounding area.

Impact on Neighbouring Residential Amenities

- 9.17. Policy DMD8 states that new developments should preserve amenity in terms of daylight, sunlight, outlook, privacy, overlooking, noise, and disturbance.

- 9.18. Policy DMD10 aims to ensure that new development should maintain a minimum distance between rear facing windows of 25 metres for 1-3 storey buildings unless it can be demonstrated that the proposed development would not result in housing with inadequate daylight/ sunlight or privacy for the proposed or surrounding developments.
- 9.19. Policy DMD11 of the Development Management Document seeks to ensure that residential extensions do not negatively impact on the residential amenities of neighbouring properties.
- 9.20. Given the location of the site, the properties most likely to be impacted by the proposal are Nos.12 and 16 Maxim Road. As part of the revised consultation, the plans were amended to show the windows and doors accurately that serve Nos. 12 and 16 Maxim Road.

Impact to No.12 Maxim Road

- 9.21. There is a window and door on the front elevation that serves the front entrance and hallways of No.12 Maxim Road. These spaces are not considered habitable rooms and therefore would not be impacted by the development.
- 9.22. The proposed ground floor element would secure a common alignment with the rear extension at No.12 Maxim Road. Therefore, the extension would not intercept a 45-degree line when taken from the nearest window at the neighbouring property. The proposed first floor rear element would secure a common alignment with the extension at No.12 Maxim Road and would not intercept a 30-degree line.

Impact to No.16 Maxim Road

- 9.23. No.16 Maxim Road has planning permission and construction is underway to build a part single, part two storey side and rear extensions, including roof extension with rear dormer, rooflights and replacement solar panels (ref: 22/00193/HOU). This approved extension introduced a new full height window to the flank elevation of the dwelling facing the application site, to provide a secondary source of light to the large open plan kitchen/dining space, which was also to be served by full height, full width sliding doors. Additional light to this space was also to be provided through 3 rooflights to the extension roof.
- 9.24. The proposed rear extension would intercept a 45-degree line by a nominal amount from the original building footprint at ground floor level and would intercept a 30-degree line from the first-floor level. However, when taking into account, the approved extension that is currently being built at No.16 Maxim Road, then there would be no impact on the amenities of No.16 Maxim Road when taken from the rear elevation.
- 9.25. The revised plans now show the windows on the flank and rear elevations of No.16 Maxim Road. On the ground floor flank elevation, one window serves the hallway to the front, and one window serves the kitchen and dining room to the rear. On the rear elevation at ground floor a full width sliding door serves the same kitchen and dining room. On the first floor one window serves the staircase and hallway.

- 9.26. The revised plans show that the location of the side windows on the flank elevations on both the ground and first floor serves the hallways and therefore are not considered habitable rooms. The new windows to the flank elevation serves the kitchen and dining room but this room is also served by a full glazed sliding doors to the rear elevation and three rooflights. The occupier of the neighboring property has submitted their own daylight and sunlight assessment which shows that this new window would experience a loss of nearly 61% of its existing levels of daylight when assessed using the VSC test. And the new window would lose over 50% of its annual sunlight hours and over 90% of its sunlight hours measured during the winter months. Whilst the new side window facing the application site in itself would experience a loss of light, this window is considered a secondary source of light to the room as a whole, which has its main source of light from the floor to ceiling height patio doors to the rear elevation. Therefore, the room as whole would continue to have access to sufficient sunlight and daylight from its other primary source of light and from the rooflights included in the design of the new extension. It is therefore considered that the amenities of the neighbouring occupiers would not be unduly harmed as a result of the proposed development.
- 9.27. There are windows proposed on the flank elevations of the development to serve bathrooms. A condition is recommended requiring these to be fixed and obscure glazed to protect neighbouring amenities.

Quality of Accommodation and Private Amenity

- 9.28. Policy D6 of the London Plan, as detailed in Table 3.1 stipulates the minimum space standards for new development. Policy DMD8 requires that new residential development must 'meet or exceed minimum space standards in the London Plan and London Housing Design Guide'.

	Dwelling type (bedroom (b) / persons bed spaces (p)	GIA proposed (sq.m)	Required GIA (sq.m) in London Plan
House 1	4b 8p	160	130
House 2	4b 7p	155	121

- 9.29. The submitted plans indicate that the replacement dwellings would meet the gross internal area in accordance with the London Plan and all rooms would have adequate outlook.
- 9.30. A minimum floor to ceiling heights of 2.5 metres for at least 75% of the gross internal area is required so that new housing is of adequate quality, especially in terms of daylight penetration, ventilation and cooling, and sense of space. The submitted section shows that the floor to ceiling height would meet this target.

- 9.31. Policy DMD9 of the Enfield Development Management Document sets out levels of provision of amenity space in new development. A 4b6p would be required to provide a minimum of 35sqm of private amenity space. The proposed development would subdivide the rear garden and exceed the amenity requirement for both dwellings by providing approximately 97sqm (House 1) and 89sqm (House 2) respectively and therefore considered acceptable.

Transportation and Parking

- 9.32. The site has a PTAL of 2 which indicates poor levels of access to public transport. The site is located in the Grange Park CPZ and therefore to ensure future occupants would not be able to apply for residents parking permits, the applicant has agreed to enter into a unilateral undertaking.
- 9.33. The proposed dwellings would each have one off street parking space, and this would require an additional crossover which would result in the loss of one on-street car parking space. The Transport officer raised no objection as both spaces proposed would meet the minimum required dimensions. The Highway officer raised no objection to the new crossover, this would require a separate approval.
- 9.34. The submitted plans show the location for waste storages for both dwelling to the side of each dwelling. However, the details of the waste storages can be secured by condition.
- 9.35. The submitted plans do not show cycle parking. In accordance with the London Plan standards and to encourage the use of sustainable modes of transport each new dwelling would require two cycle parking spaces. There is capacity to accommodate cycle parking within each plot and therefore a condition is recommended to secure the provision of the cycle parking spaces.

Flood/ Surface water risk

- 9.36. All minor developments must maximise the use of SuDS in accordance to the London Plan Drainage Hierarchy and the principles of a SuDS Management Train. Source control SuDS measures (e.g., green roof, rain gardens and permeable paving) must be utilised for this development. The site is located in Flood Zone 1 and in an area with low surface water flood risk. The applicant submitted a drainage strategy. The plans show that permeable paving would be lined with an impermeable material, and this may lead to clay cracking. The SuDS officer therefore encourages the use of an underdrain for the permeable paving with no impermeable liner. The rain water pipes should discharge on the surface of source control SuDS features rather than into the sub-base, as this would cause siltation. Cross sections, sizes and specifications of the proposed SuDS features and overland flow routes for exceedance events including spot levels are required. The SuDS officer raised no objection, subject to a condition to address the outstanding matters.

Sustainable Development

- 9.37. Policies SI 12 and SI 13 of the London Plan relates to sustainable design and construction seeking to ensure that the design and construction of new developments have regard to environmental sustainability issues such as energy and water conservation, renewable energy generation, and efficient resource use.
- 9.38. Policy DMD49 of the Development Management Document states that all new development must achieve the highest sustainable design and construction standards having regard to technical feasibility and economic viability. CO2 reductions targets above the requirements of Part L of the Building Regulations (2021). An energy statement has been provided which demonstrates that the proposal would exceed the CO2 reduction targets in accordance with Part L of the Building Regulations.
- 9.39. Policy DMD58 of the Development Management Document states new residential development, including new build and conversions, will be required to achieve as a minimum water use of under 105 litres per person per day. No information has been provided as part of the assessment of this application. This detail can be secured by condition.

Community Infrastructure Levy (CIL)

- 9.40. The Enfield CIL is charged at between £40-£120 per square metre GIA for residential development dependent on location as outlined in the [Enfield CIL charging schedule](#) (adopted 1 April 2016). The site is located within the Boroughs Higher Rate charging Zone (£120/sqm). Mayoral CIL is charged at £60/sq.m.

Chargeable category	Rate	Proposed Use	Proposed floorspace	Existing Retained floorspace	Demolished floorspace
Enfield CIL	120	Residential	315	0	131.2
MCIL	60	Residential	315	0	131.2
Total CIL liability					£43,855.80

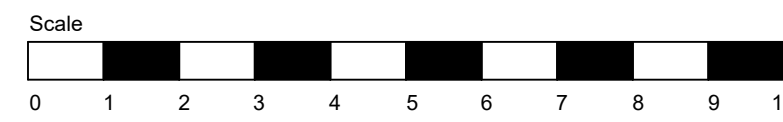
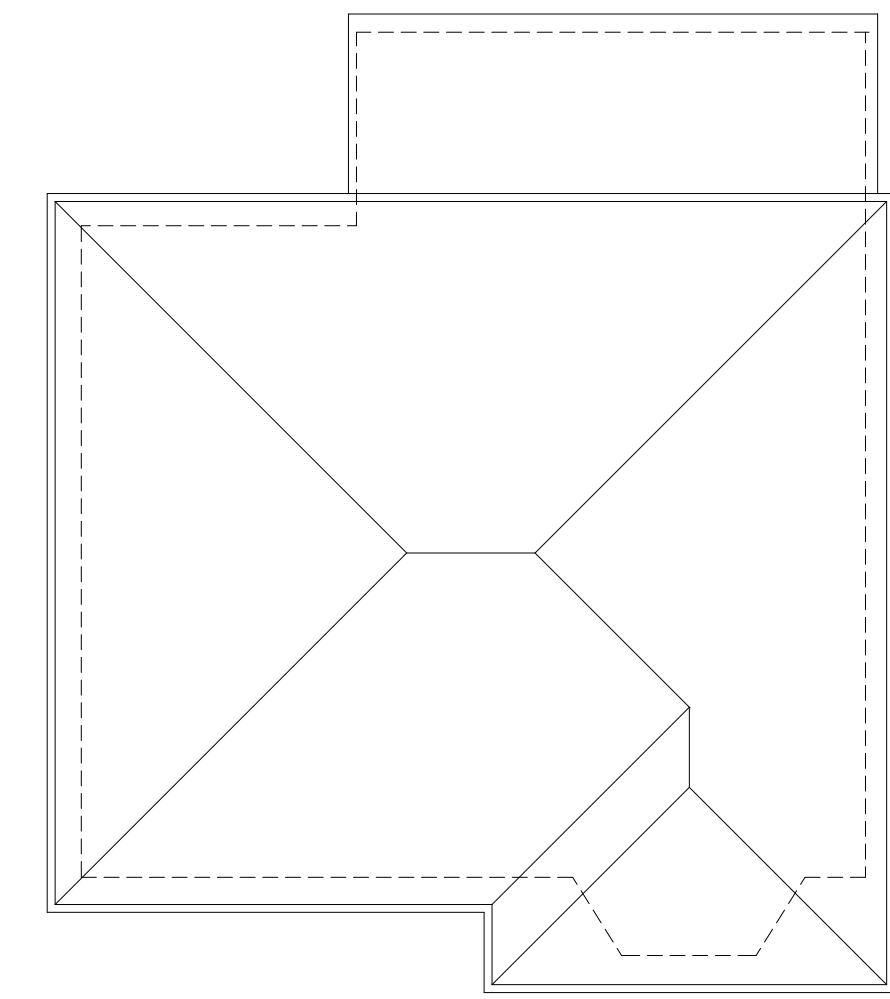
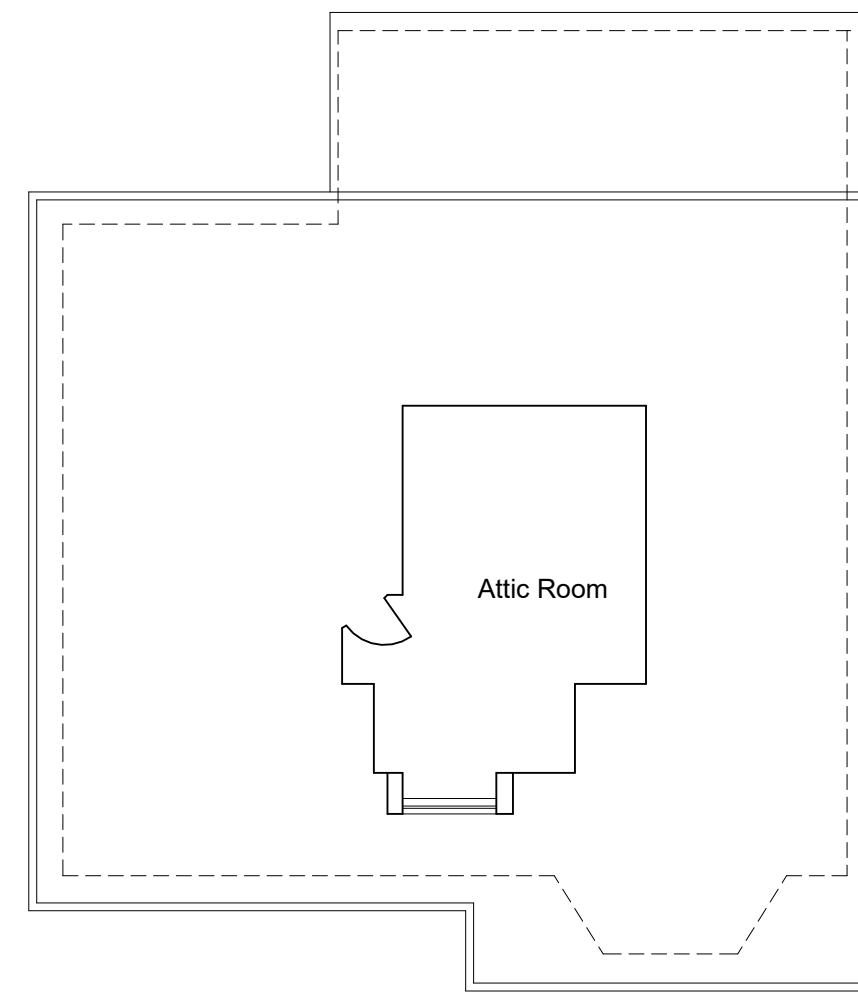
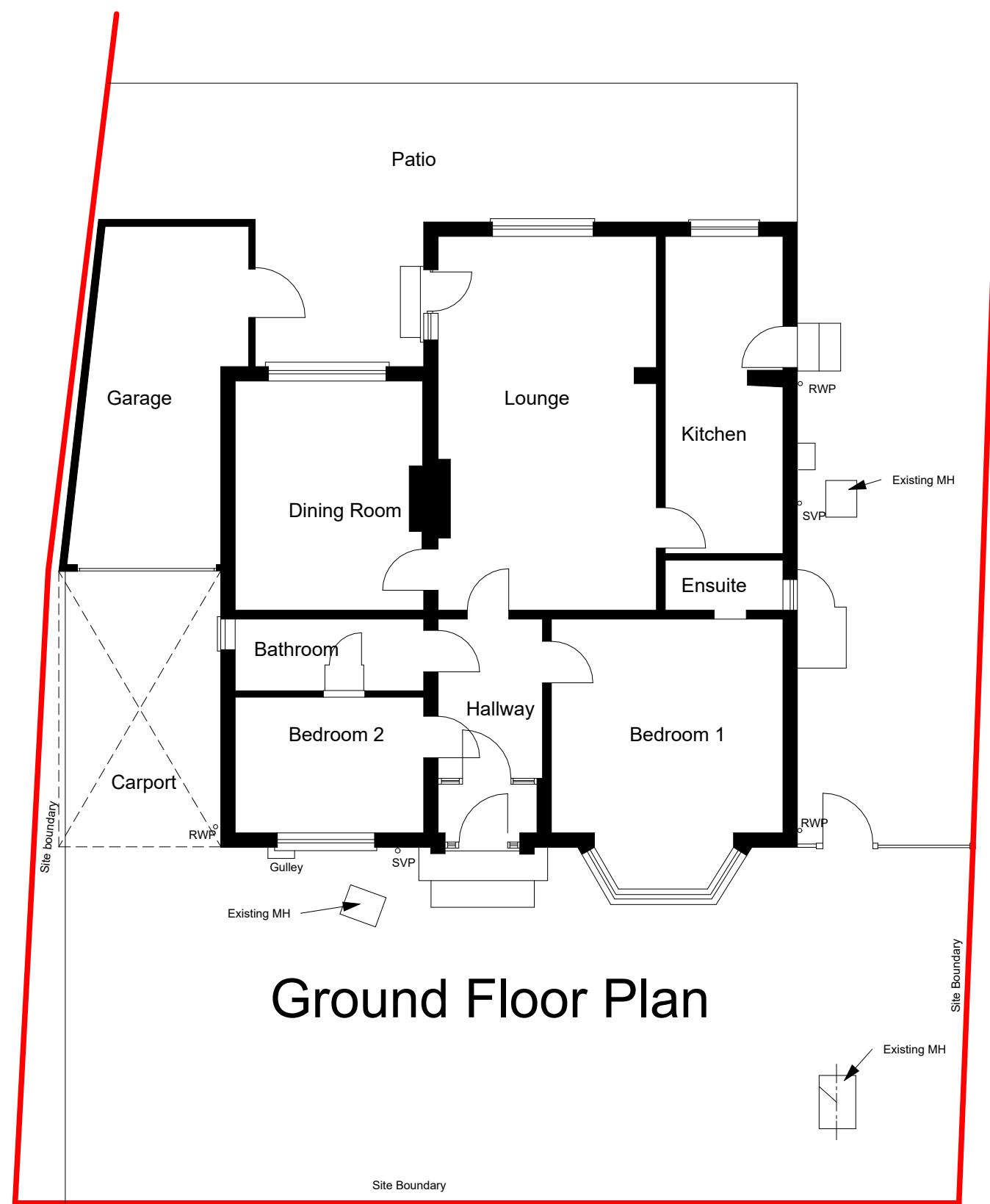
- 9.41. In this instance the development would be liable for CIL as it involves the creation of a dwelling/new floorspace the following assessment has been done:

10. Public Sector Equality Duty

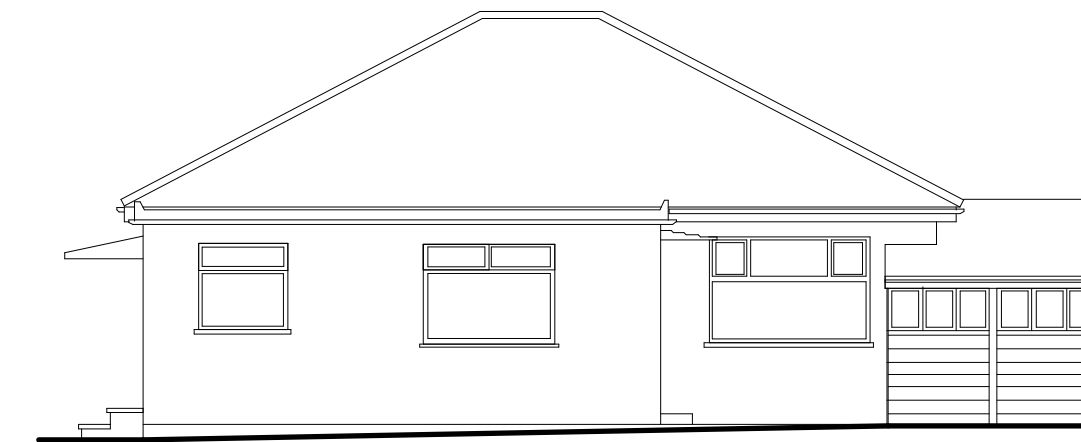
- 10.1. In line with the Public Sector Equality Duty the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. Section 149 of the Act requires public authorities to have due regard to several equality considerations when exercising their functions including decision making on planning applications. It is considered that the proposal to grant planning permission for this development would not disadvantage people who share any of the different nine protected characteristics compared to those who do not have those characteristics and therefore it is considered that the development would not have a disproportionate equalities effect. Accordingly, the recommendation is considered appropriate in upholding the council's adopted and emerging policies and is not outweighed by any engaged rights.

11. Conclusion

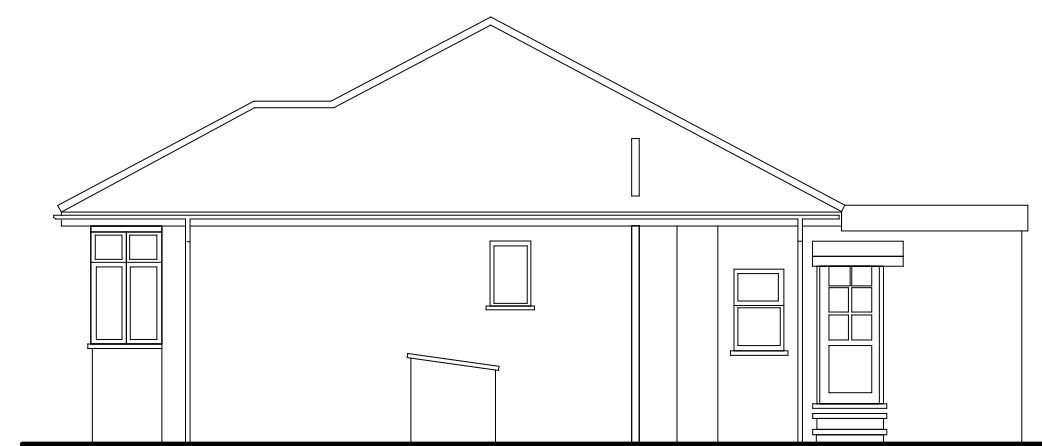
- 11.1. Having regard to the assessment in this report, the development would provide two family sized dwellings. This would contribute towards the Borough's strategic objectives in terms of delivering new homes and family sized homes. The quality of accommodation is acceptable and exceeds minimum standards. The development would not result in in harm to the amenity and living conditions of neighbours or the wider character and appearance of the area. Having regard to the presumption in favour of sustainable development, it is considered that the benefits of the development would outweigh any identified impacts. It is considered that planning permission should be granted subject to conditions and a legal agreement to ensure future residents are excluded from applying for CPZ parking permits.



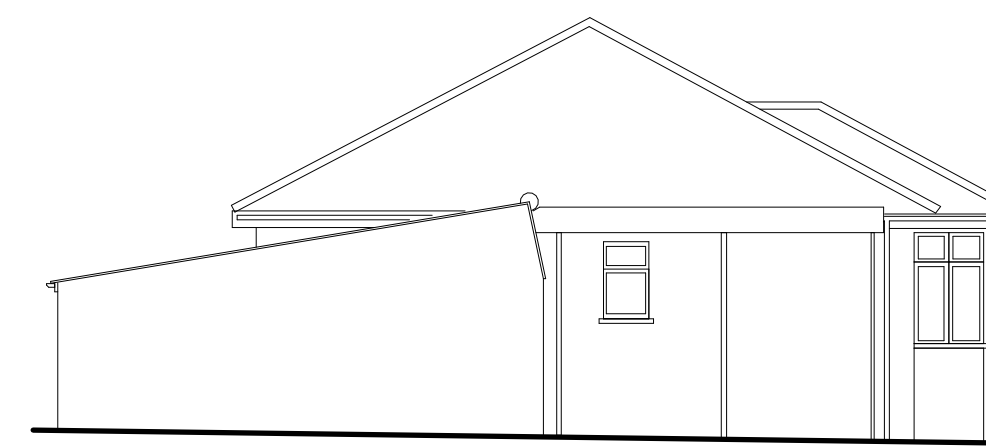
Front Elevation



Rear Elevation



Side Elevation



Side Elevation

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Drawing: Existing Plans & Elevations

Drawing Nr.: P111

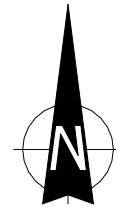
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Scale 1 : 100 @ A1

Project: Replacement Semi-Detached Houses with additional cross over

Site: 14 Maxim Road, London, N21 1EX

Client: J. Sander

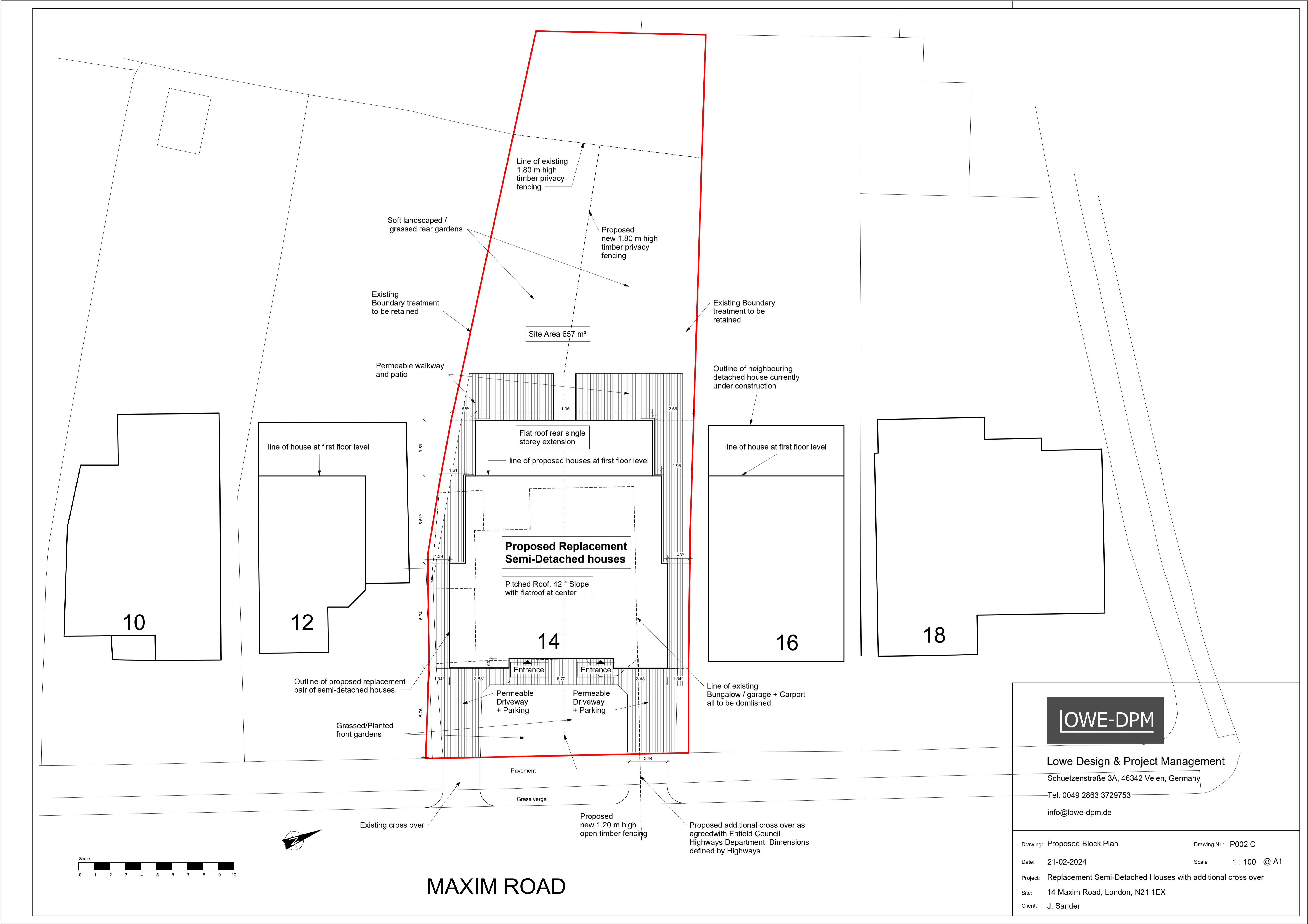


Map Number: TQRQM23135093519023
Map produced for: Joachim Sander
crown copyright and database rights 2023 OS 100042765
Date of purchase: 15-05-2023

Drawing : OS Map
Client : J. Sander
Project : Replacement Semi-Detached Houses with additional cross over
14 Maxim Road, London, N21 1EX
Scale : 1 : 1250 @ A4

Date : 25.08.2023
DWG Nr. : P001

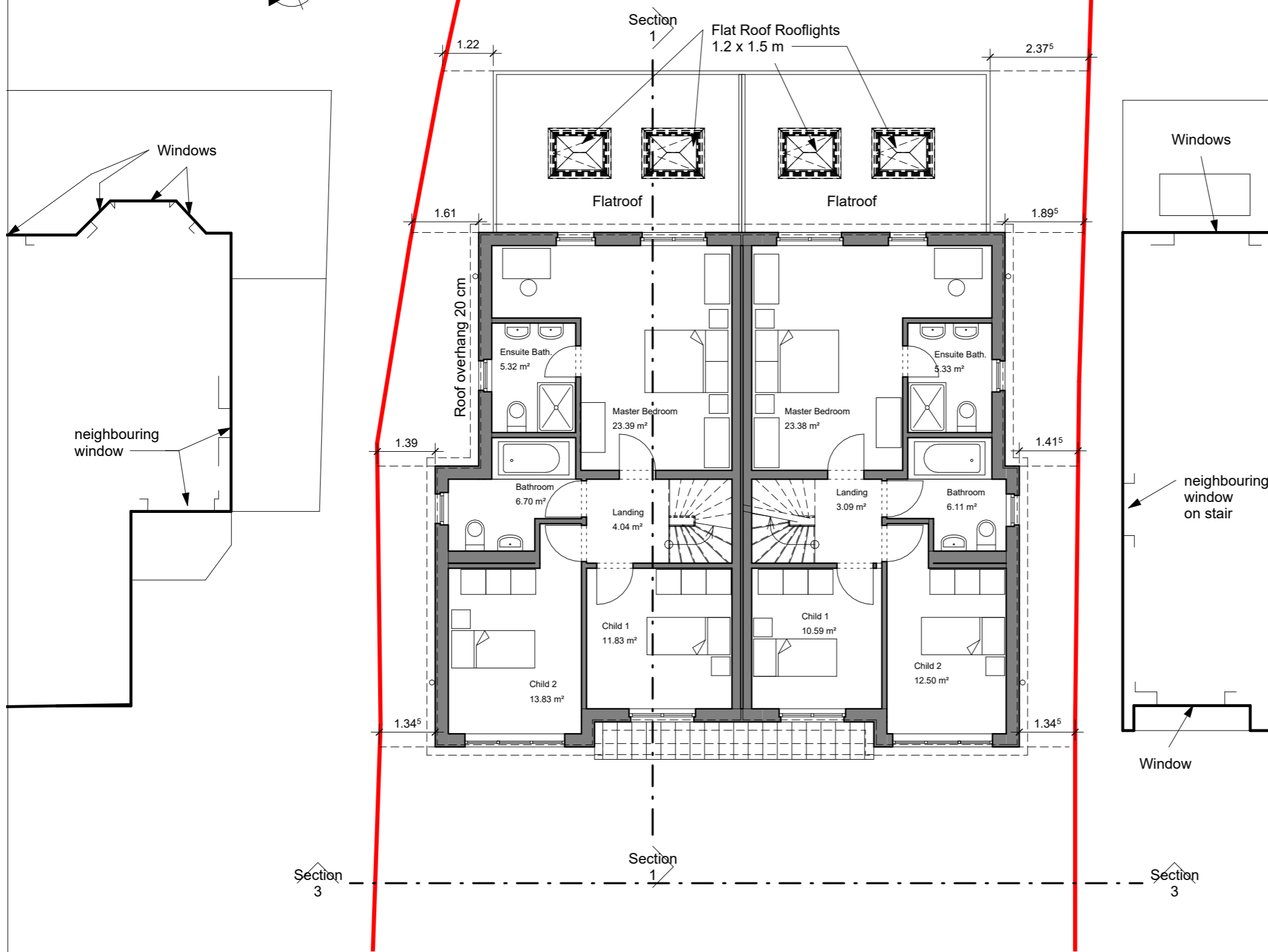
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Drawing: Proposed Block Plan
 Drawing Nr.: P002 C
 Date: 21-02-2024
 Scale: 1 : 100 @ A1
 Project: Replacement Semi-Detached Houses with additional cross over
 Site: 14 Maxim Road, London, N21 1EX
 Client: J. Sander

MAXIM ROAD



Project: **Replacement Semi-Detached Houses with additional cross over**

Drawing: **Proposed Upper Floor Plan**

DWG Nr.: **P102 C**

Index:

Site.: **14 Maxim Road, London, N21 1EX**

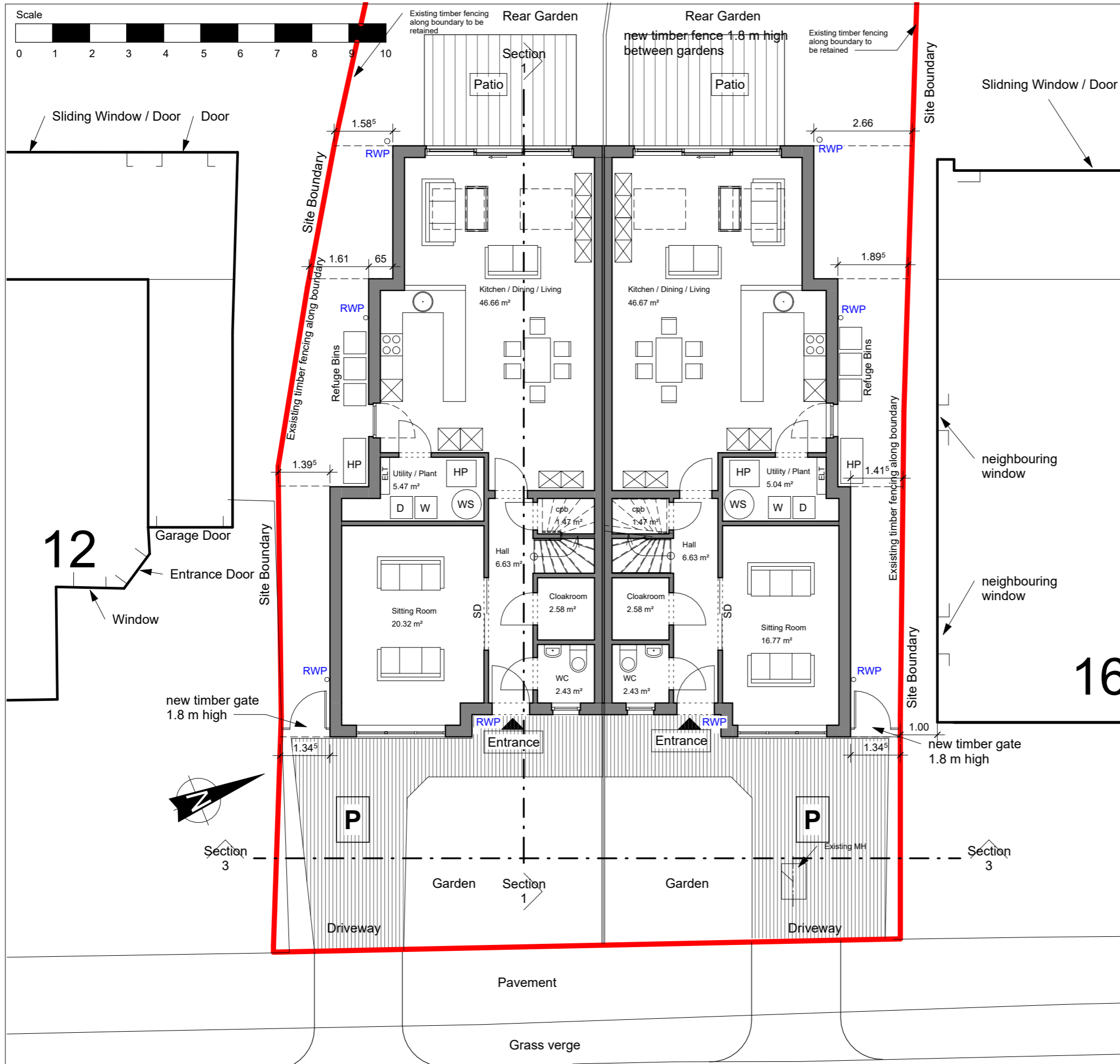
Client: **J. Sander**

Scale: **1 : 100 @ A3**

Date: **19.12.2023**



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Project: Replacement Semi-Detached Houses with additional cross over

Drawing: Proposed Ground Floor Plan

DWG Nr.: P101 C

Index:

Site.: 14 Maxim Road, London, N21 1EX

Client: J. Sander

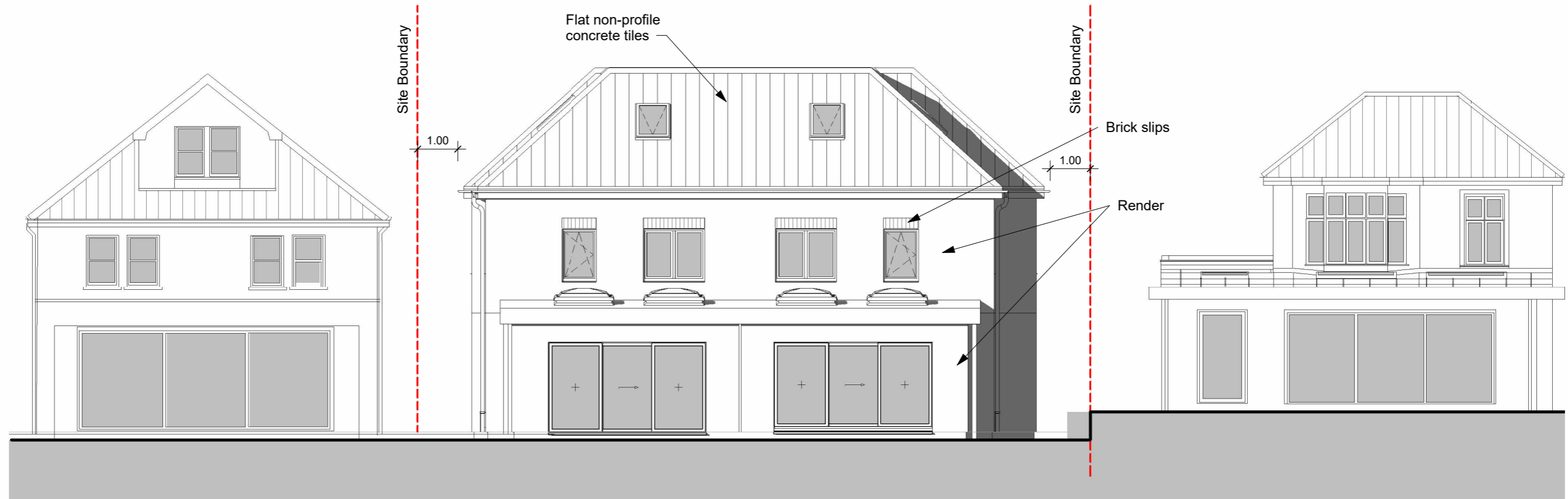
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Date: 19.12.2023



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Road



Project: **Replacement Semi-Detached Houses with additional cross over**

Drawing: **Proposed Rear Elevation**

DWG Nr.: **P105 B**

Index:

Site: **14 Maxim Road, London, N21 1EX**

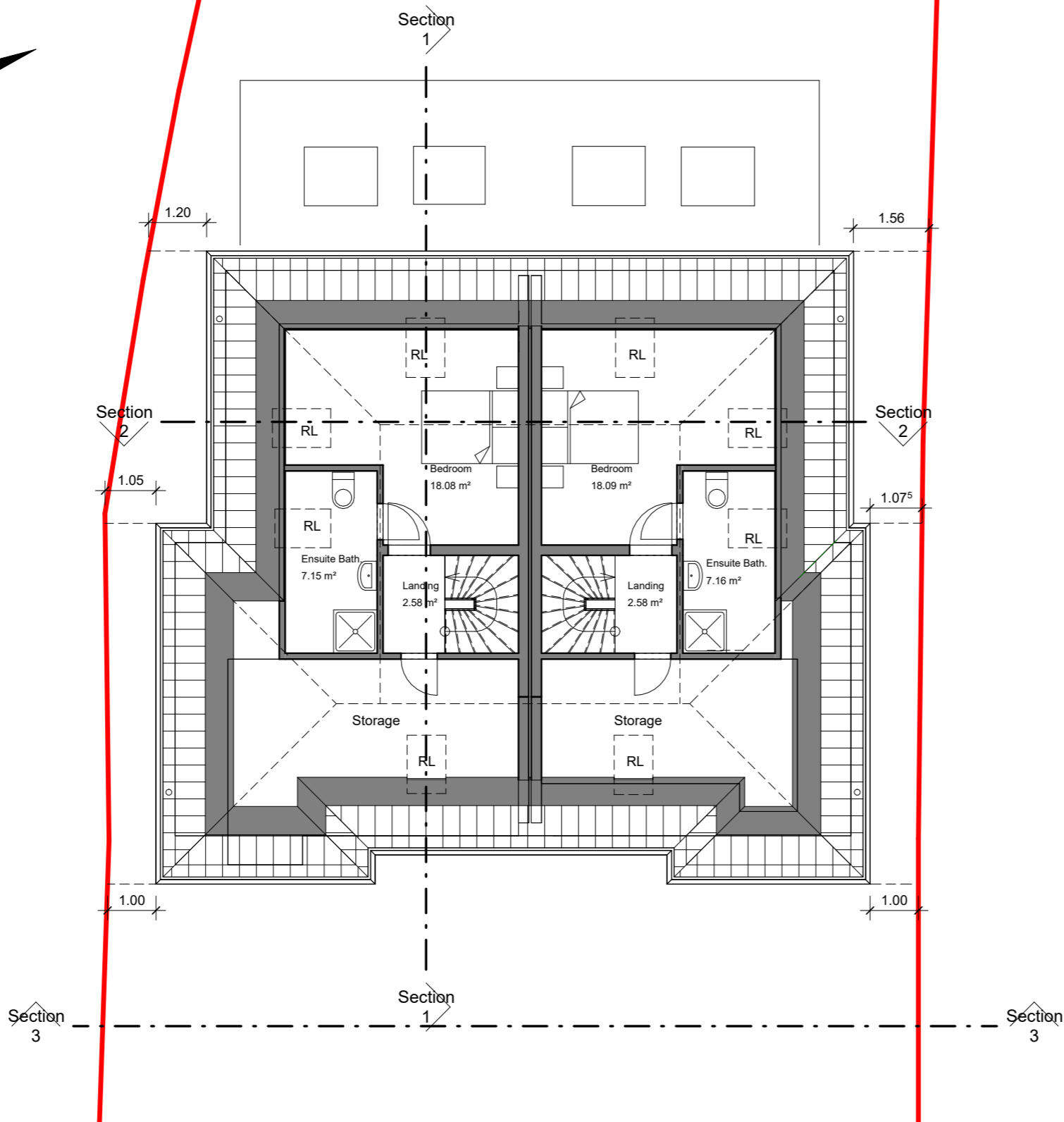
Client: **J. Sander**

Scale: **1 : 100 @ A3**

Date: **17.12.2023**



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Project: **Replacement
Semi-Detached
Houses with
additional cross over**

Drawing: **Proposed Attic Floor Plan**

DWG Nr.: **P103 B**

Index:

Site.: **14 Maxim Road,
London, N21 1EX**

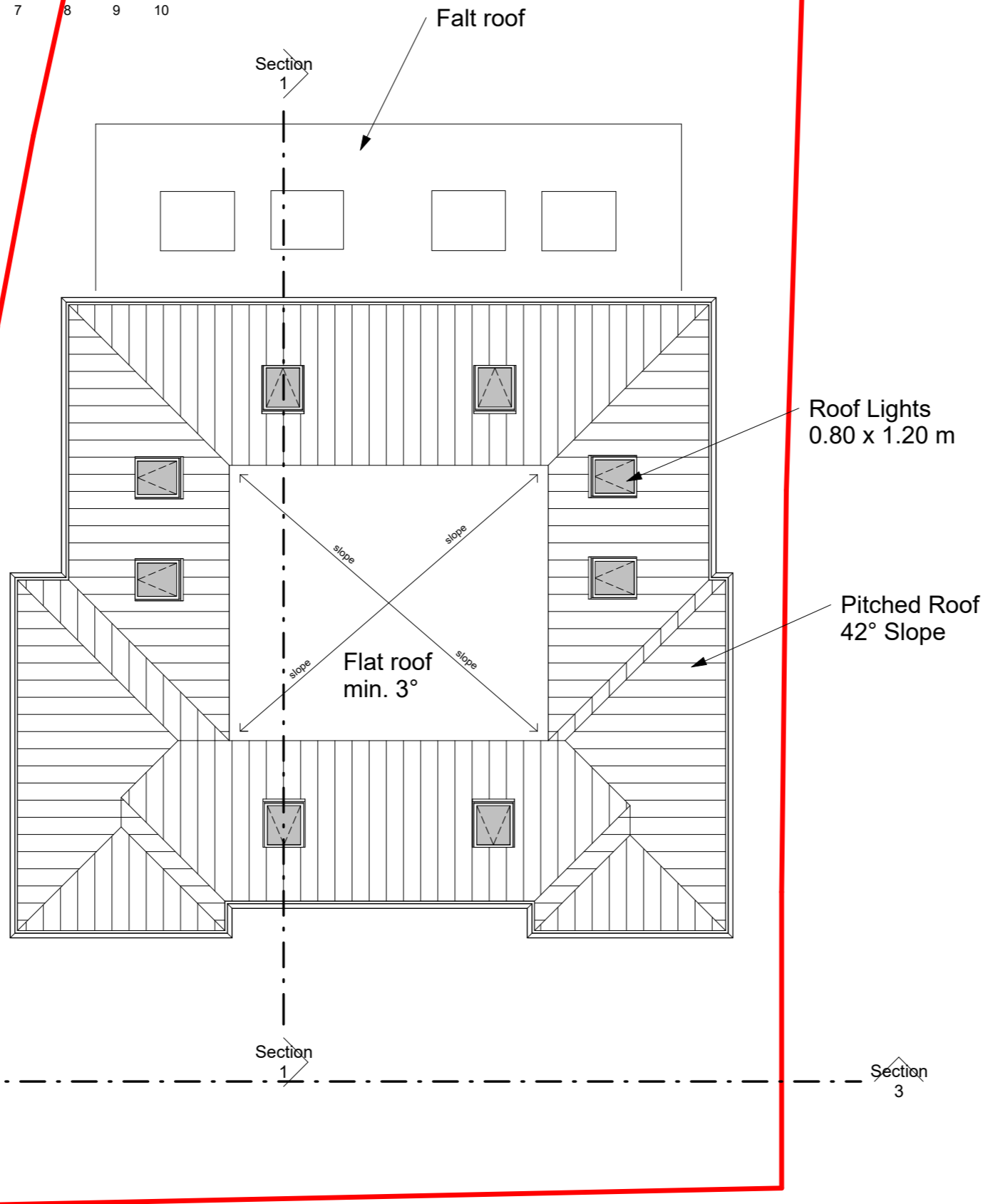
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Scale: **1 : 100 @ A3**

Date: **17.12.2023**



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Project: **Replacement
Semi-Detached
Houses with
additional cross over**

Drawing: **Proposed Roof Plan**

DWG Nr.: **P109 B**

Index:

Site.: **14 Maxim Road,
London, N21 1EX**

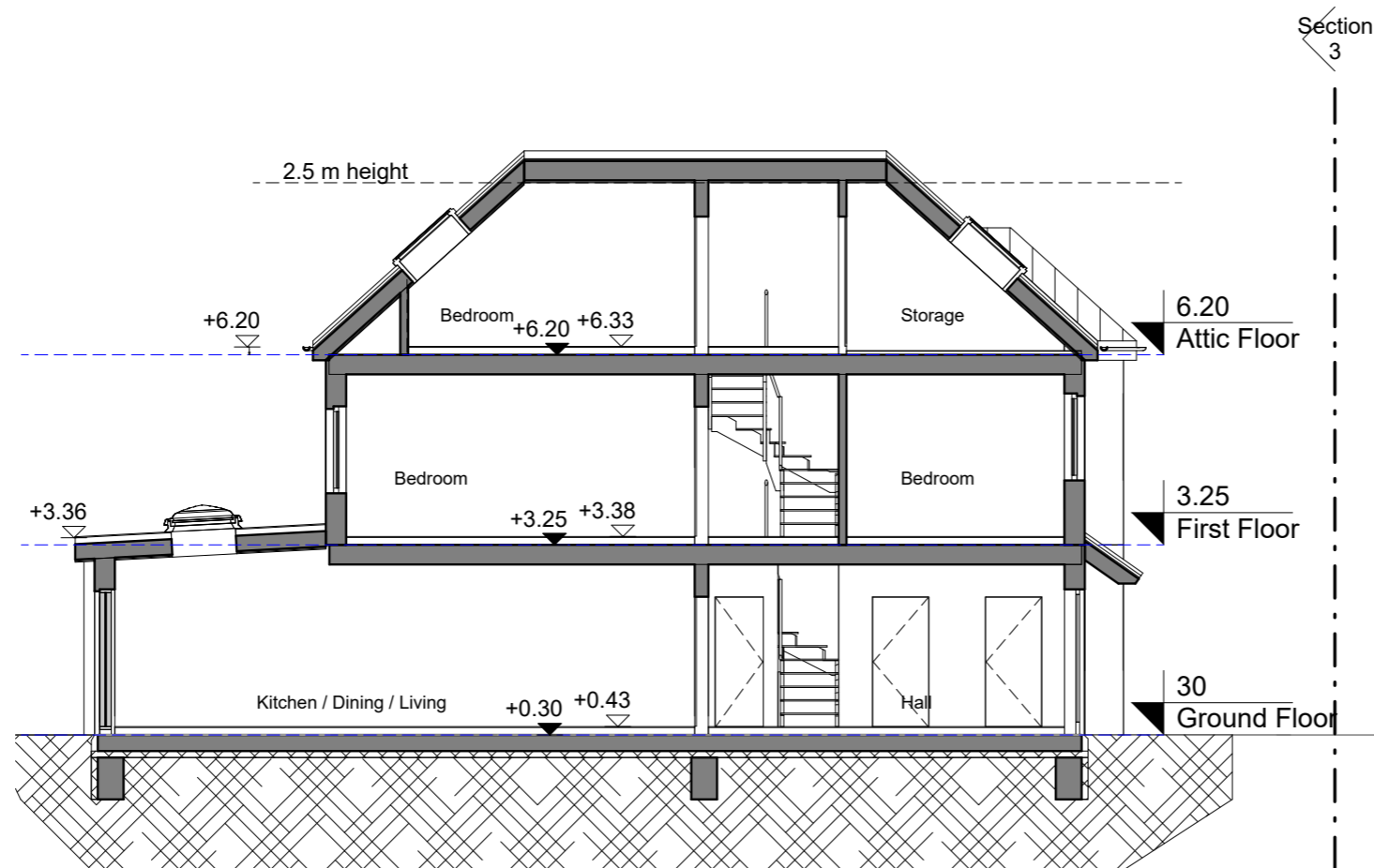
Client: **J. Sander**

Scale: **1 : 100 @ A3**

Date: **17.12.2023**



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Project: **Replacement
Semi-Detached
Houses with
additional cross over**

Drawing: **Proposed Section 1-1**

DWG Nr.: **P108 B**

Index:

Site.: **14 Maxim Road,
London, N21 1EX**

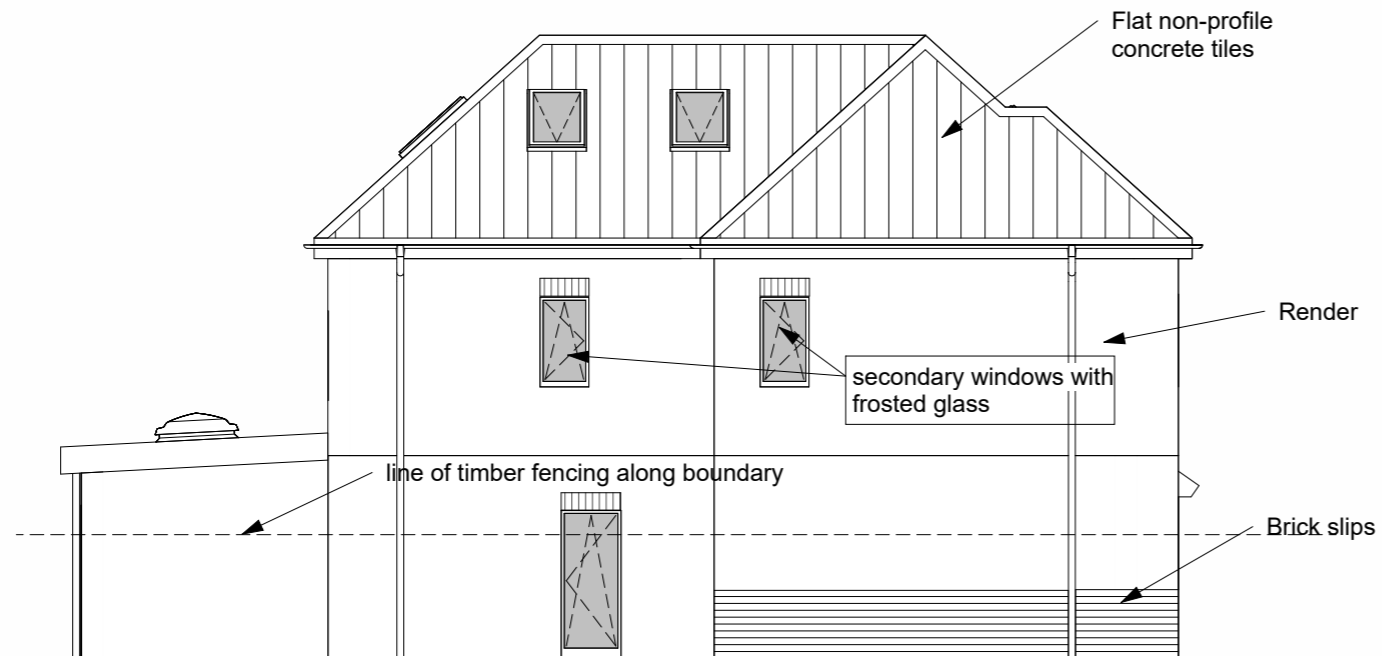
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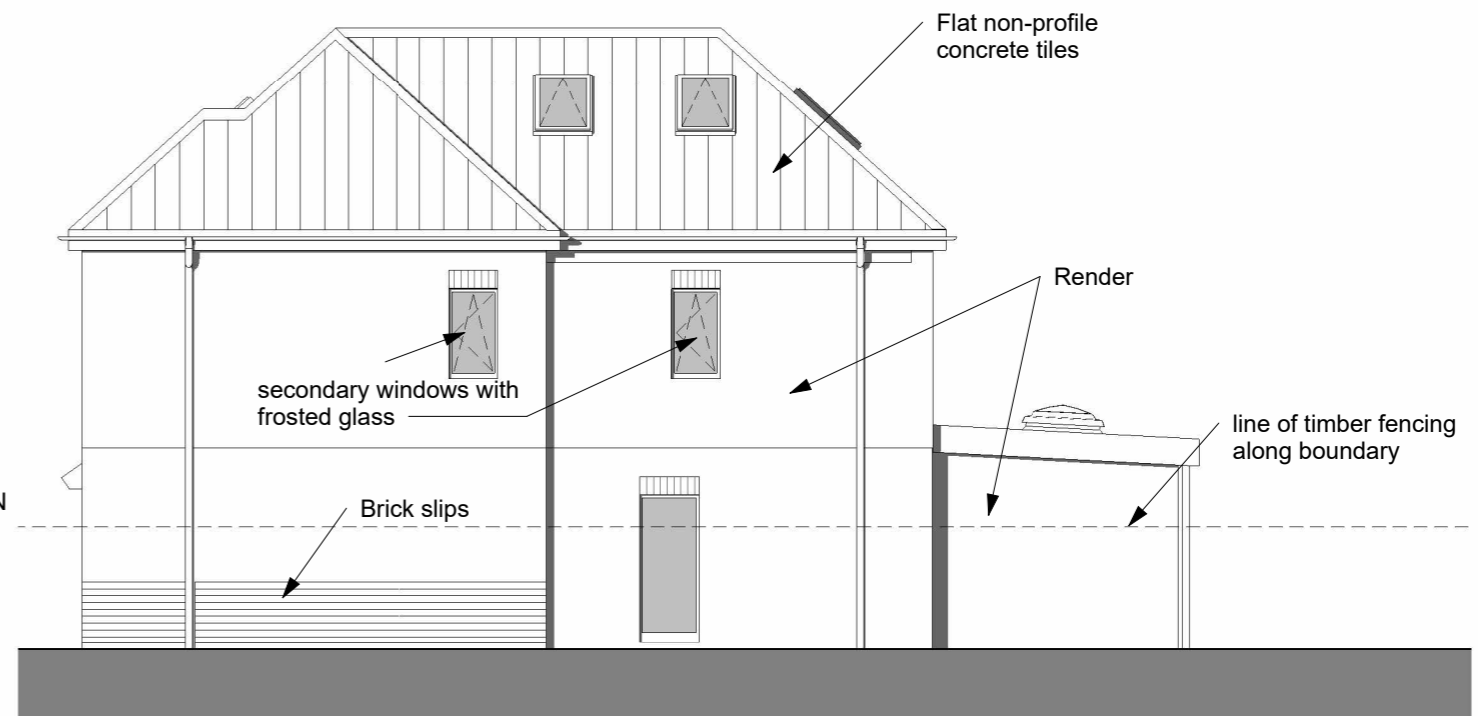
Date: **17.12.2023**

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SOUTH ELEVATION



NORTH ELEVATION

Project: **Replacement Semi-Detached Houses with additional cross over**

Drawing: **Proposed Side Elevations**

DWG Nr.: **P106 B**

Index:

Site: **14 Maxim Road, London, N21 1EX**

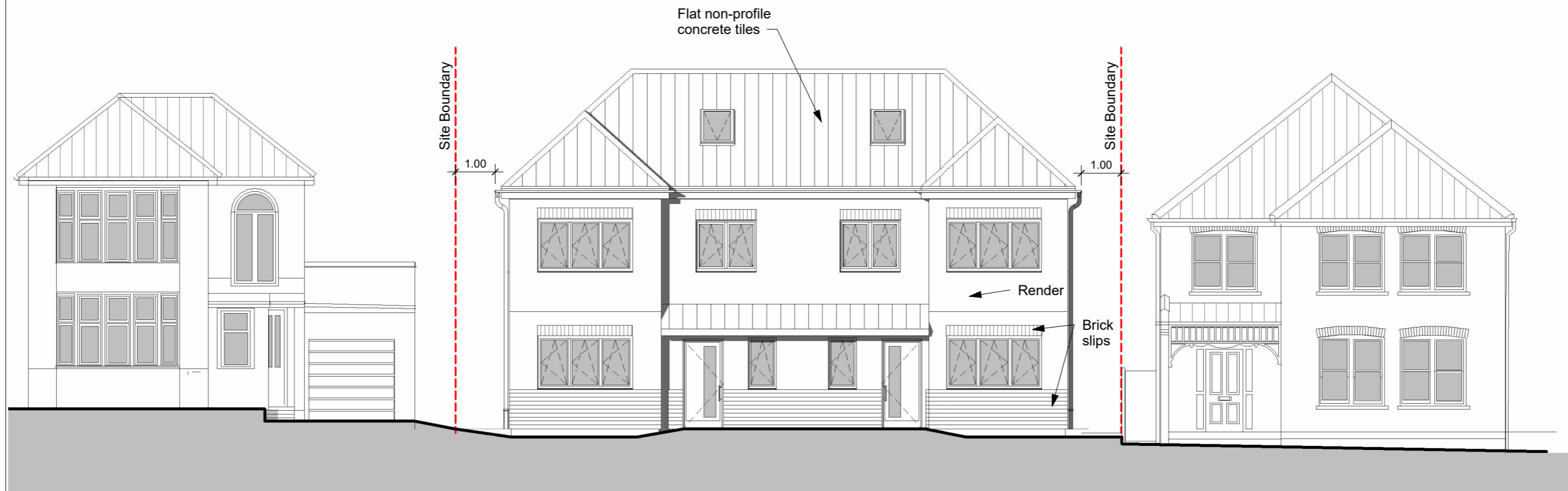
Client: **J. Sander**

Scale: **1 : 100 @ A3**

Date: **17.12.2023**



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Project: **Replacement Semi-Detached Houses with additional cross over**

Drawing: **Proposed Front / Street Elevation**

DWG Nr.: **P104 B**

Index:

Site: **14 Maxim Road, London, N21 1EX**

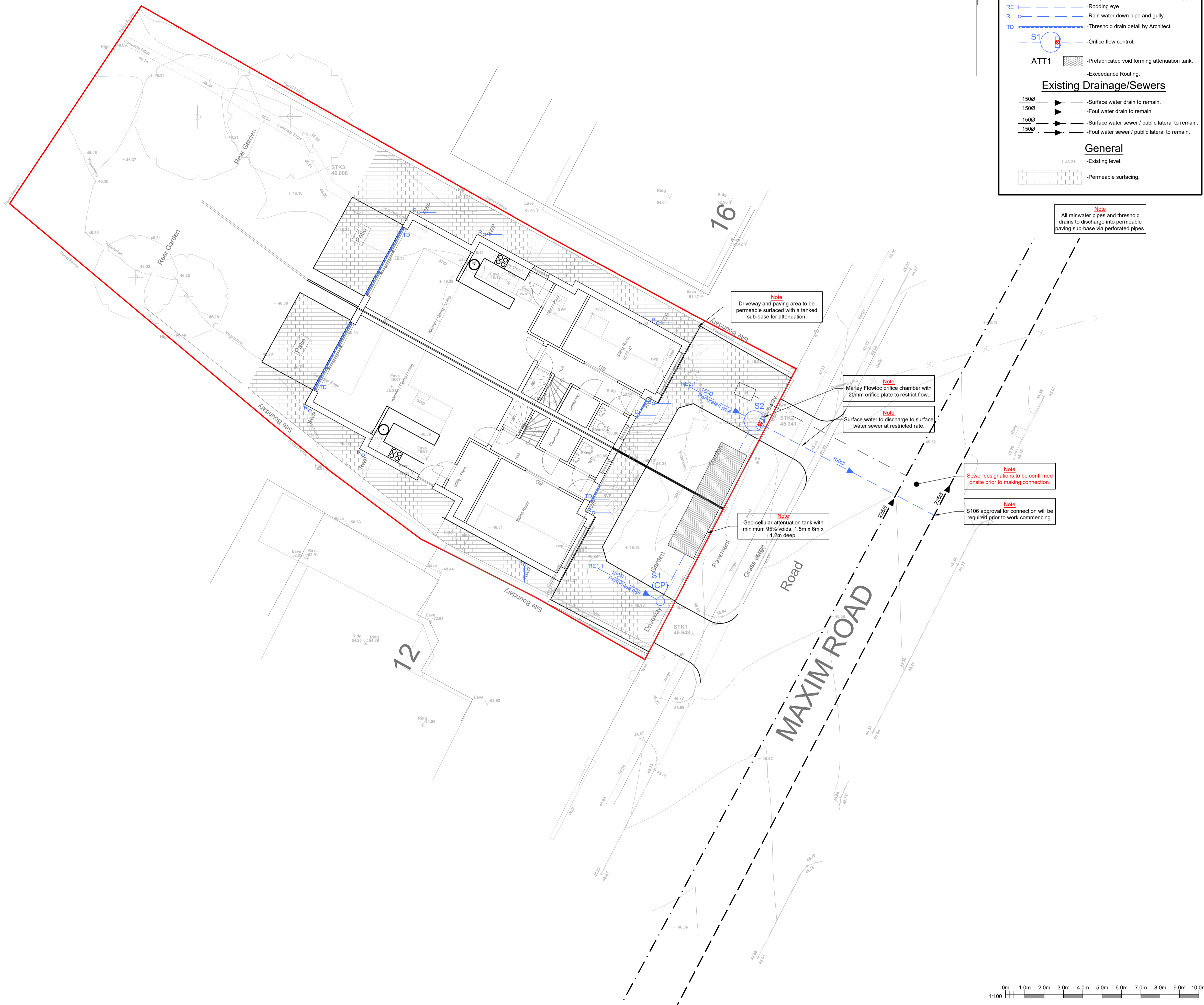
Client: **J. Sander**

Scale: **1 : 100 @ A3**

Date: **17.12.2023**



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Key:

Private Drainage

- 1500 1.80 S1 - Surface water drain.
- 1500 S1 - Surface water chamber. (CP denotes catchpit chamber minimum 300mm sump).
- RE - Rodding eye.
- R - Rain water down pipe and gully.
- TD - Threshold drain detail by Architect.
- S1 - Orifice flow control.

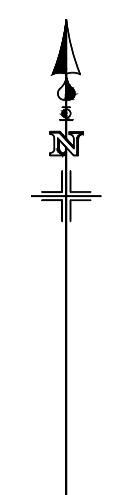
ATT1 - Prefabricated void forming attenuation tank.

Existing Drainage/Sewers

- 1500 - Surface water drain to remain.
- 1500 - Foul water drain to remain.
- 1500 - Surface water sewer / public lateral to remain.
- 1500 - Foul water sewer / public lateral to remain.

General

- +46.21 - Existing level.
- Permeable surfacing.



NOTES

- Do not scale this drawing.
- This drawing is to be read in conjunction with all other relevant Engineer's and Architect's drawings and specifications.

Note
Driveway and paving area to be permeable surfaced with a tanked sub-base for attenuation.

Note
Marley Flowloc orifice chamber with 20mm orifice plate to restrict flow.

Note
Surface water to discharge to surface water sewer at restricted rate.

Note
Geo-cellular attenuation tank with minimum 95% voids. 1.5m x 6m x 1.2m deep.

Note
Sewer designations to be confirmed onsite prior to making connection.

Note
S106 approval for connection will be required prior to work commencing.

Note
All rainwater pipes and threshold drains to discharge into permeable paving sub-base via perforated pipes.

Drawings References:

Drawing:	Drawing no:	Rev:	Date:
Topographical Survey	14MaximRd-TOPO		Sept'23
Ground Floor Plan			

RISK ASSESSMENT

Residual Risks Identified

- None currently identified, 09/10/23.

Contractor's General Risk Items

(List is not exhaustive but includes commonly raised issues)

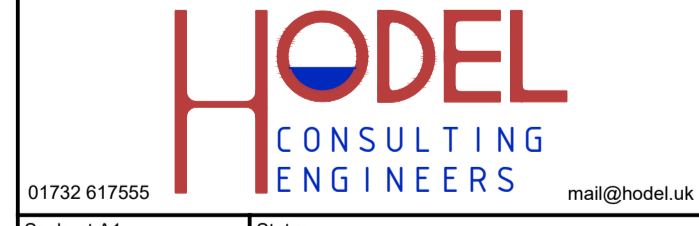
- Location of all buried services.
- Existing drainage:
 - Gases, confined spaces, diseases.
 - Maintain flow in drains during works.
- Manual lifting of heavy objects; manhole covers, drainage pipes, concrete rings, kerbs, etc.
- Excavation for drainage trenches and manholes.
- Security:
 - Keep site secure from members of the public.
 - maintain public safety when accessing site.

Rev	Date	By	Chkd.	Revision notes
-	10/10/23	JH	JH	Issued for scheme purposes.

Job Title
**14 Maxim Road
Enfield, London
N21 1EX**

Drawing Title
Engineering Layout

Client
Mr J Sander



Scale at A1: **1:100** Status: **SCHEME PURPOSES ONLY**

Drawn:	Checked:	Approved:
JH	JH	-
Date: Oct '23	Date: Oct '23	Date: XXX

Drawing No.: **23-193_C01** Revision: **-**

