

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date : 28th September 2010

Report of
Assistant Director, Planning &
Environmental Protection

Contact Officer:
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Ward:
Southgate Green

Application Number : CAC/10/0007

Category: Conservation Area
Consent

LOCATION: Former BROOMFIELD PARK NURSING HOME, 110-112, ALDERMANS HILL, LONDON, N13 4PT

PROPOSAL: Demolition of existing building (RETROSPECTIVE) in connection with approved redevelopment of site for residential use under Ref:TP/07/1560.

Applicant Name & Address:

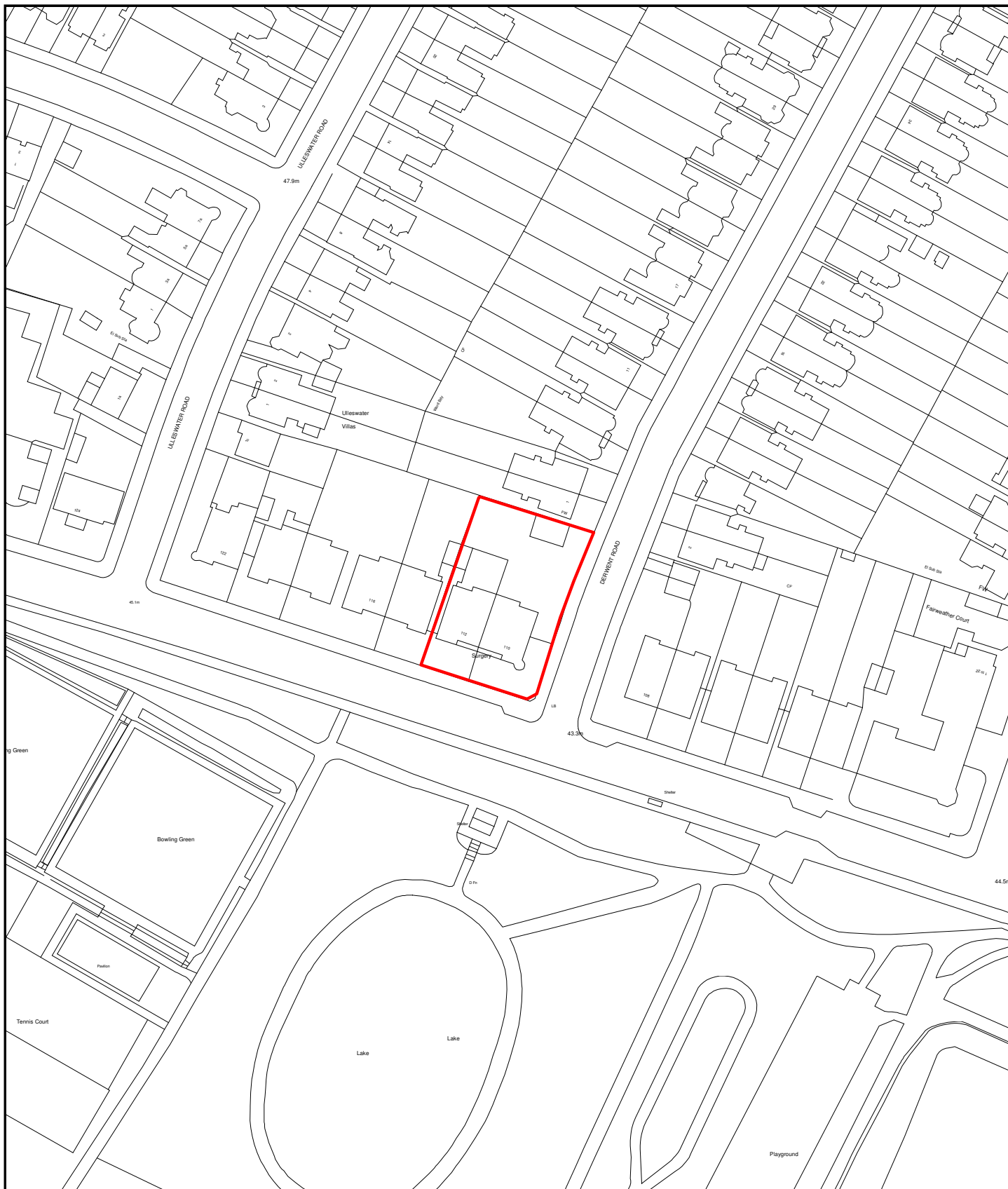
Sherif Raafat,
Ballater Investments Ltd
Templar House,
Don Road,
St. Helier,
Jersey,
JE1 2TR

Agent Name & Address:

Marianne Wren,
Curl La Tourelle Architects
80, Lambie Street
London
NW5 4AB

RECOMMENDATION:

That conservation area consent be **GRANTED** subject to conditions.



Development Control



Scale - 1:1250
Time of plot: 10:20

Date of plot: 15/09/2010

1.0 Site and Surroundings:

- 1.1 The application site comprises a vacant plot of land situated on the corner of Alderman's Hill and Derwent Road within The Lakes Conservation Area. The surrounding area is residential in character.
- 1.2 Previously, prior to the demolition that has occurred, the site contained a two storey Edwardian style building dating from approx. 1905 which was formerly occupied as a Residential Care Home. The property formed part of a group of Edwardian style buildings comprising the application properties and Nos. 114, 116, 118, 120 and 122 Alderman's Hill.
- 1.3 The property consisted of a pair of two-storey semi-detached buildings with a large rear garden. There was a single storey rear extension at 110 Alderman's Hill together with two existing detached garages situated in the rear garden, one of which is shared with the adjoining property at 114 Alderman's Hill; the other being situated at the rear boundary towards 1 Derwent Road. There is an existing cross over and gates to access the latter from Derwent Road.

2.0 Proposal:

- 2.1 Permission is sought retrospectively for the demolition of the existing buildings on the site, in connection with a proposed residential redevelopment of the site, for which planning permission was granted in 2007 under ref: TP/07/1560.
- 2.2 The proposal needs to be considered in conjunction with an application for a minor material amendment which is reported elsewhere on this agenda

3.0 Relevant Planning History:

TP/07/1560 – planning permission for the demolition of existing nursing home and erection of a 2-storey block of 10 x 2-bed self-contained flats with accommodation in roof space, front, side and rear dormers and parking to rear was granted in October 2007. The permission remains valid until 25th October of this year.

TP/07/1560/DP1 - Details of external finishing materials, surfacing materials, enclosure, parking layout, access roads and junctions, soft landscaping, refuse storage and methodology submitted pursuant to conditions 1, 2, 3, 4, 5, 6, 7 and 9 of approval under ref: TP/07/1560 for demolition of existing nursing home and erection of a 2-storey block of 10 x 2-bed self-contained flats with accommodation in roof space, front, side and rear dormers and parking to rear approved August 2010

TP/07/1560/NM1 – an application for a non material amendment to approval granted under Ref: TP/07/1560 to insert an additional condition into the planning permission has yet to be determined although it is acceptable in principle.

4.0 Consultations:

- 4.1 Statutory and Non Statutory Consultees:

4.1.1 English Heritage advise that the application should be determined in accordance with national and local policy guidance and on the basis on your specialist conservation advice

4.2 Public

4.2.1 47 letters of objection have been received which raise all or some of the following points:

- Properties should not have been demolished without the necessary Conservation Area Consent
- Demolition is a criminal offence and Developer should be prosecuted
- The demolition represents an unacceptable breach of planning control;
- Properties were attractive and picturesque original Edwardian buildings
- Properties represented some of the most significant visual properties within the Conservation Area
- Original buildings formed an important frontage for the Conservation Area and an important visit towards Broomfield Park
- Character Appraisal for the Conservation Area identifies the building as having original features and making a positive contribution to the character of the Conservation Area
- With the designation of the Conservation Area and their status, consent for demolition should not be granted
- Approval would send out the wrong signals to other Developers
- There is lack of any supporting information to justify why the demolition should be permitted;
- Proposal fails to meet the statutory test for demolition in a conservation area
The 2007 replacement scheme is not an acceptable replacement for a building on a prominent corner location, lacking townscape and design quality
- Maintaining the Conservation would not be achieved by a non conforming, out of character development.0
- Does not relate to the neighbouring buildings
- Unacceptable loss of rear garden to car parking
- Demolition harms the character and appearance of the Conservation Area
- any new development should reflect and be more in keeping with the Edwardian nature of the area

4.2.2 In addition to these objections, there have been many more letters received objecting to the principle of development. As the 2007 planning permission remains valid and must therefore receive weight when assessing future schemes, on balance, minimal weight can be given to objections focusing on the principle of development.

4.2.3 The Enfield Society comment that whilst the original permission pre dated the designation of the Conservation Area, this does not excuse the unauthorised demolition. In the circumstances, it would not be reasonable to expect the original building to be reconstructed in facsimile but it does seem reasonable that the design of the original excessively monolithic and poorly detailed residential block should be altered to reflect the ambience of the demolished original Edwardian bullrings. As proposed, it detracts from rather than enhancing the conservation area object to the unauthorised demolition given the designation of the Conservation Area. Any replacement development

4.2.4 The Fox Lane and District Residents Association comment that Nos 110-112 Aldermans Hill were an extremely attractive Edwardian building forming an important part of the Lakes Conservation Area and fronting onto Broomfield Park. As a result of the demolition that occurred, the character of the conservation area has been harmed in the most conspicuous and public part of the street scene by this action. The developer should be made to account for their actions in a court of law and if consent is given, it will open the door for other developers to commit similar acts of vandalism.

4.3 Conservation Advisory Group

4.3.1 The Group raise no objection subject to the acceptability of the replacement scheme.

5.0 Relevant Policies:

5.1 Unitary Development Policies

- (I) C1 Areas of Architectural or Historical interest
- (II) C26 Demolition in Conservation Areas
- (II)C27 Retention of Buildings with Architectural, Historic or Townscape Interest
- (II)C28 Inappropriate Development within Conservation Areas

5.2 Local Development Framework:

5.2.1 The Enfield Plan – Core Strategy has now completed its Examination in Public on the ‘soundness’ of the plan and the Inspectors report is now awaited. In the light of the matters raised, it is considered some weight can now be attributed to the policies contained in the Core Strategy and the following policies from this document are of relevance:

- SO10 Built environment
- CP31 Built and landscape heritage

5.3 London Plan

- 4B.8 Respect local context and communities
- 4B.11 London’s Built Heritage
- 4B.12 Heritage Conservation

5.4 Other Material Considerations

PPS5 – Planning for the Historic Environment

The Lakes Conservation Area Character Appraisal

6.0 Analysis:

6.1 Background

- 6.1.1 This is an application for Conservation Area Consent required in connection with the demolition of a building in a conservation area. Unfortunately, the demolition has already occurred. This occurrence in advance of obtaining the necessary consent is extremely regrettable and represents a serious breach of planning control: one that does render the developer liable to criminal prosecution.
- 6.1.2 However, in determining our approach to the restitution of this site, it cannot be ignored that planning permission was granted in 2007 for the redevelopment of the site, involving the demolition of the existing building, for 10 flats. This permission is still valid.
- 6.1.3 It is acknowledged that this grant of planning permission pre dated the designation of the Conservation in February of this year. The designation of the Conservation Area however, does not invalidate the permission. It does though place a statutory requirement on the Developer to secure Conservation Area Consent for the demolition of the original building. This enables the acceptability of the demolition and the replacement development to be assessed in terms of the impact on the character and appearance of the conservation area.

6.2 Impact on Character and Appearance of the Conservation Area

- 6.2.1 The Conservation Area designation does not prevent redevelopment of the site nor does it prevent the principle of a residential development composed of flats. Any development however, including demolition, must meet the test in PPS5 “planning for the Historic Environment” regarding the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment: in the case, the Lakes Conservation Area.
- 6.2.2 The special architectural and historic character of the Conservation Area derives primarily from the homogenous, collective value of its high quality Edwardian buildings. With regard to Nos 110-112 Aldermans Hill although they are not listed they are acknowledged within the Character Appraisal for the Conservation Area (along with the majority of other dwellings dating from the Edwardian era) to be buildings which positively contribute to its character and appearance. Moreover, the Appraisal identifies that the buildings together with others fronting Aldermans Hill, form a distinct architectural edge to the estate. This “edge” is further enhanced by the prominent location of the site on the corner of Aldermans Hill and Derwent Road.
- 6.2.3 Policy (II) C26 of the Unitary Development Plan refers to the demolition of buildings, which should be resisted unless the buildings are incapable for their designed use, and that there is an intention to introduce a scheme which would enhance the character and appearance of the area.
- 6.2.4 It is not disputed that the original buildings are identified as having a positive contribution to the character and appearance of the Conservation Area. Where it not for the demolition that has already occurred, this status could have formed an argument for resisting a consent being granted. However, the present situation means that an objection in the principle would not advance the restitution of an acceptable development which it considered is in the interests of the Conservation Area. Thus, a further test when assessing applications for demolition should be given more weight in this particular

circumstance: this being the adequacy of the replacement development which is considered a more applicable test to apply in terms of realising a development which addresses the current appearance.

- 6.2.5 Notwithstanding this, it is accepted that the design and appearance of the 2007 scheme is now inappropriate within the context of the conservation area as it does not respect the form, design and detailing attributes which contribute to its distinctiveness. As a result, the 2007 development is considered to be visually unacceptable and without amendment, would lead to a recommendation that conservation area consent should not be granted.
- 6.2.6 In response to the breach of planning control, discussions have taken place with the Developer. These have resulted in the submission of amendments to the elevations of the 2007 scheme. These are reported elsewhere on this agenda under ref: TP/07/1560/MM1 and if the proposals within the application are found to be acceptable, it would enable conservation area consent to be granted subject to conditions linking the consent to the amended plans for the revised scheme. It must be noted that this approach is supported by the Council's Conservation team

7.0 Conclusion:

- 7.1 Accordingly, in the light of the position detailed at Para 6.2.6, subject to the considered acceptability of the minor material amendment it is recommended that Conservation Area Consent be granted for the following reason:
- 1 The unauthorised demolition of the buildings identified in the application and the redevelopment in accordance with the amended elevations approved under TP?07/1560MMA1, will not harm the special character and appearance of the Lakes Conservation Area having regard to Policies (I)C1 and (II)C26 of the Unitary Development Plan.

8.0 Recommendation

- 8.1 That conservation area consent be **GRANTED** subject to the following condition:
1. The retrospective conservation area consent is subject to a contract being entered into for the carrying out of works approved under ref TP/07/1560/MM1 as shown on Drg Nos 794A/PL/05 - /06 - /07 - /08 - /09 - /10 - /15 - /16 - /17 - /18 - /19 - /20 - /21. Confirmation of this contract shall be confirmed to the local planning authority prior to the construction work commencing.

Reason: in the interests of the appearance and character of The Lakes Conservation Area and to ensure the development makes a positive contribution to the character and local distinctiveness of the historic environment