

## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 24<sup>th</sup> April 2012

**Report of**  
Assistant Director, Planning &  
Environmental Protection

**Contact Officer:**  
Aled Richards Tel: 020 8379 3857  
Andy Higham Tel: 020 8379 3848  
Ms K. Perry Tel: 020 8379 3853

**Ward:** Grange

**Application Number :** TP/11/1391

**Category:** Dwellings

**LOCATION:** 26A, EVERSLEY CRESCENT, LONDON, N21 1EJ

**PROPOSAL:** Demolition of existing bungalow, erection of 1 x 5-bed 2 storey single family dwelling with integral garage.

**Applicant Name & Address:**  
T Ismail  
26A, EVERSLEY CRESCENT,  
LONDON,  
N21 1EJ

**Agent Name & Address:**  
A Huseiyin,  
AHarchitects  
89, WELLINGTON ROAD  
ENFIELD  
EN1 2PL

**RECOMMENDATION:** That planning permission be GRANTED subject to conditions

#### Note for Members

Although a report of this nature would normally be determined under delegated authority, due to the level of interest within the local community regarding the application, in the interests of openness, it has been decided to report the application to Planning Committee for determination.

## **1. Site and Surroundings**

- 1.1 The property is a detached bungalow situated on the eastern side of Eversley Crescent. It is positioned on the inside of a curve in Eversley Crescent as a result of which, the curtilage is angled so that it is wider on its frontage. Located within a residential area, the site is bound by 2-storey residential dwelling houses to the north and south: Nos. 26 and 28 Eversley Crescent..
- 1.2 There is on-site parking for 2 to 3 vehicles in front of the existing dwelling while the rear garden is approximately 34 metres and narrows.
- 1.3 It should also be noted that the application site is located on a slope with the adjoining property at No.28 being located on higher ground and No.26 on lower.

## **2. Proposal**

- 2.1 Permission is sought for the erection of a new 2 storey 5 bedroom single family dwelling house following demolition of the existing bungalow.
- 2.2 The dwelling would measure a maximum of 15.5 metres in depth and 15 metres in width. It would have a hipped roof measuring a maximum of 9.1 metres in height reducing to 6.8m on the southern side. It would have a forward projecting gable and forward facing hipped roof dormer.
- 2.3 The proposed dwelling would incorporate an integral garage and provide off street parking to the front

## **3. Relevant Planning Decisions**

- 3.1 There is no planning history directly related to the application site. The neighbouring property (No.26 Eversley Crescent) has planning permission for a part 2-storey, part first floor side and rear extension which was granted on the 13<sup>th</sup> June 2011 under planning reference TP/11/0363.
- 3.2 In addition, a similar form of development was approved at 33 Eversley Crescent (opposite the application site). This involved the demolition of the existing house and the erection of a new 2-storey 6-bed single family dwelling with integral double garage, balcony to front at first floor and a rear dormer window and was granted under planning reference TP/07/2121 on the 18<sup>th</sup> December 2007.

## **4. Consultations**

- 4.1 Statutory and non-statutory consultees
  - 4.1.1 Thames Water raise no objections
  - 4.1.2 The Council's Biodiversity Officer comments that the risk of bats being present is low and that there should be no objections to the development on ecological grounds

4.1.3 The Council's Tree Officer has confirmed there is no objection to the proposed scheme subject to conditions to protect the established trees on site

## 4.2 Public

4.2.1 Consultation letters have been sent to 5 neighbour properties, In addition, notice was also displayed at the site. In response, 11 letters of objection were received including 3 representations from No. 26 Eversley Crescent and 3 from No.25 Eversley Crescent. The objections raised can be summarised as follows:

- It is an overdevelopment of the site;
- The development would result in a loss of privacy;
- The development would result in a loss of outlook;
- The submitted plans misrepresent the neighbouring property at number 26 (this has been addressed and revised plans submitted);
- Would result in a loss of sunlight and air to the rear garden area of number 26 and first floor windows;
- The occupier of number 26 Eversley Crescent has raised concern with regard to the impact on number 28 Eversley Crescent in terms of loss of outlook as this dwelling has a number of windows facing the application site (the occupier of number 28 has not raised objection);
- Loss of open character of the road;
- The house is too large for the site;
- Harmful to visual amenity and the character of the area;
- Will result in an increase in traffic;
- Would have an overbearing impact on the immediate neighbours;

4.2.2 A number of neighbours also made reference to a covenant relating to the site which restricts development on the site to one storey. This is noted however, it is not a material planning consideration.

## 5. **Relevant Policy**

### 5.1 Core Strategy

CP2: Housing supply and locations for new homes

CP4: Housing quality

CP5: Housing types

CP21: Delivering sustainable water supply, drainage and sewerage infrastructure

CP30 Maintaining and enhancing the built environment

CP36 Biodiversity

### 5.2 Unitary Development Plan

- (II) GD3 Design and character
- (II) GD6 Traffic implications
- (II) GD8 Site access and servicing
- (II)H6 Maintain range of housing
- (II) H8 Privacy and overlooking
- (II) H9 Amenity space
- (II) H10 Replacement parking
- (II)T13 Access onto public highway

- (II) C36 Trees
- (II) C37 Trees

### 5.3 London Plan

- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing development
- Policy 3.8 Housing choice
- Policy 3.9 Mixed and balanced communities
- Policy 3.10 Definition of affordable housing
- Policy 3.11 Affordable housing targets
- Policy 3.12 Negotiating affordable housing on schemes
- Policy 3.13 Affordable housing thresholds
- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.7 Renewable energy
- Policy 5.13 Sustainable drainage
- Policy 5.14 Water quality and wastewater infrastructure
- Policy 5.15 Water use and supplies
- Policy 5.16 Waste self sufficiency
- Policy 6.13 Parking
- Policy 7.1 Building London's neighbours and communities
- Policy 7.2 An inclusive environment
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture

### 5.4 Other Relevant Policy

National Planning Policy Framework (2012)

## 6. **Analysis**

### 6.1 Principle

6.1.2 The principle of redeveloping this residential site for residential purposes is accepted. Moreover, given the two storey form of many of the neighbouring and nearby properties in Eversley Crescent, the proposed two storey would also in principle be acceptable. However, the application must be judged on its own merits and assessed in relation to material considerations including, among others, the impact of the development on the character of the area and neighbouring residential amenity.

6.1.2 It should also be noted that proposal would be compatible with Policies 3.3 and 3.4 of the London Plan and Core Policy 2 of the Core Strategy insofar as it would maintain the Borough's housing stock.

### 6.2 Density

6.2.1 The London Plan's density matrix indicates that an acceptable habitable room per hectare (hrph) range for a suburban site with poor access to public transport (PTAL 1b) would be 150-200 hrph. For the proposed development

with 10 habitable rooms and a site area of approximately 953m<sup>2</sup>, the density would be 105 hrph. This is below that recommended in the London Plan. However, it is considered compatible with the form and character of the surrounding area and as a result, an argument that the site is being underdeveloped would be difficult to sustain.

- 6.2.4 However, a numerical assessment of density is but one consideration. Regard must be had to the size and scale of the development proposed and how this impacts on the character of the wider area.

### 6.3 Impact on the street scene and the character of the area

- 6.3.1 Within the context of the street scene and the fall in ground levels across the site, it is considered that the proposed two storey dwelling would have a scale and mass that is appropriate relative to the setting which would it is considered, result in an appropriate form of development relative to the neighbouring properties. In addition, although the proposed dwelling would include a hipped roof with forward facing gable and front pitched roof dormer, there are a number of examples of forward facing dormers in Eversley Crescent and therefore this aspect of the proposal would not be out of keeping with neighbouring properties or the wider street scene. Overall therefore, it is considered that the proposal would integrate satisfactorily into the pattern of development along Eversley Crescent and would relate acceptably in street scene terms, to neighbouring properties in terms of its scale and height.
- 6.3.2 With regard to siting, the ground floor canopy to the front of the property and part of the garage would extend forward of the notional building line (because of the curve in the road there is no clear building line but a relationship to the street scene) by 0.8m. However, the main two storey front elevation of the property would reflect the existing setting and is considered compatible with the neighbouring properties.
- 6.3.3 The area occupied by the integral garage would infill an area which is currently open but the design of the property with staggered roof heights and broken elevational design means it would not appear overly dominant in the street scene. In addition, having regard to Policy (II) H14, the proposal maintains adequate separation to the site boundaries. In particular, to the north, a distance of 1.5m is maintained to the site boundary while to the south a distance of 4.6m is maintained which narrows to 1.5m as the site tapers inwards towards the rear.
- 6.3.4 Neighbours have raised concerns regarding the impact of the development on the street scene which they consider to be overly dominant and causes a loss of openness. However, whilst these concerns are acknowledged, it is also recognised that any development which results in the removal of a bungalow and the addition of a 2-storey dwelling will have a greater presence in the street scene and in the outlook from neighbouring properties. Notwithstanding this, it is considered that the development currently proposed has been designed to take in to account the design, proportions and siting of neighbouring properties and consequently, it would not appear out of keeping with the pattern of surrounding development which is dominated by 2 storey detached dwellings. Both the developments cited in the planning history section above have (in the case of No.33) and would (in the case of No.26)

result in the addition of substantial built development in the street scene with a comparable level of separation to the site boundaries as currently proposed.

#### 6.4 Residential Amenity

- 6.4.1 The properties most affected by the proposed development would be No.26 and No.28 Eversley Crescent.
- 6.4.2 With regard to the impact on No.26, this dwelling is located to the south side of the development and would be at a lower level. Although the rear elevation is orientated slightly towards the application site, the development would not breach a 45 degree angle from rear ground floor windows of this property. At first floor, there is a rear facing bedroom window and although the proposed dwelling would breach a 30 degree angle from this rear window, the separation at 13.5 metres is considered sufficient to avoid any loss of outlook or light. Furthermore, the development at this point would be lower in height with an eaves height of 3.4m with the roof above designed to hip away from No.26.
- 6.4.3 This relationship has been further improved by the removal of a side facing dormer (repositioned in the rear roof slope) to minimise the impact of the development. It should also be noted that the bedroom at No.26 has an additional large window to the front of the property which is also an important source of light to the room and would not be affected by the proposed development.
- 6.4.4 There are also side facing first floor windows at No.26 serving a WC, bathroom and an office which will look towards the development. However, given the separation previously discussed and the secondary nature of 2 of the rooms (WC and bathroom) this will not have an undue impact. Overall therefore, it is considered that the development would not have an undue impact on light and outlook to the rear facing windows of No.
- 6.4.5 With regard to privacy, the addition of a first floor will result in windows at a higher level and this will afford greater views of the neighbouring property particularly given the change in ground levels between the sites. The neighbours at No.26 have raised concerns about the impact of overlooking on their amenity space particularly the area directly to the rear of their house. However, the development has been amended to remove a side facing dormer which has now been relocated to face the rear. Furthermore, there is a mature tree screen between the 2 sites and a condition will be imposed to ensure that this boundary is maintained. There are only 3 first floor rear windows proposed and only one side facing first floor roof light which will be obscure glazed. This is not considered to be unacceptable for this development and nor would it cause an unreasonable level of overlooking for the occupiers of the neighbouring property given the residential context.
- 6.4.6 Turning to the impact on No.28 Eversley Crescent, this dwelling has a number of windows in its side elevation facing towards the development site. In addition, it must also be acknowledged that the two storey dwelling would be positioned on the common boundary and would project beyond this notional rear building line. However, as it is located at a higher ground level and there is significant separation between the 2 buildings (9m at its closest point rising to a maximum of 17m at the front), it is considered the

development will not have any undue impact on outlook for the occupiers of this property or the levels of general residential amenity.

6.4.6 With regard to privacy, although there are 2 first floor side facing windows proposed facing No.28, these both serve bathrooms and a condition will be imposed to ensure these are obscure glazed and non-opening. As with No.26, the first floor rear facing windows will result in an increased perception of overlooking towards the rear amenity space. However, the level of overlooking is not considered unacceptable for residential development in such a residential environment.

6.4.7 It is stated in the Design and Access statement that a patio at a height level with the rear doors of the dwelling is proposed. This is not clearly indicated on the submitted plans particularly in terms of its height. In order to protect the privacy of neighbours, it is recommended that should the patio be higher than the 300mm above ground level afforded by permitted development, a separate planning permission would be required.

#### 6.5 Internal layout of the new dwelling

6.5.1 The space standards for new residential development are set out in table 3.3 of the London Plan 2011. For a 2 storey 4 bed, 6 person house the Gross Internal Area (GIA) should be 107 sq. m. The supporting text states that 20 sq.m should be added for the extra double bedroom therefore requiring a GIA of 127 sq. m. The proposed dwelling has 5 double bedrooms and proposes a gross internal area of 364 sq. m which exceeds the minimum space requirement. The quality of the accommodation is therefore considered satisfactory.

#### 6.6 Amenity space

6.6.1 The submitted drawings indicate that the proposed new dwelling would have a private amenity space to the rear of the site of approximately 374 sq. m.

6.6.2 Paragraph 5 in Appendix A1.7 of the Unitary Development Plan states that in new housing, the total amenity space provision should be of a size equal to 100% of the total GIA of the house or a minimum of 60 m<sup>2</sup>, whichever is the greater in area. The dwelling currently proposed has a GIA of approximately 364 sq. m and the rear amenity space would be 374 sq. m. The development therefore exceeds the required standard.

#### 6.7 Parking, Access and Servicing

6.7.1 With regard to parking, pedestrian and vehicle access, and servicing the development will maintain the existing access and servicing arrangements. There is a carriage driveway to the front with on-site car parking for 2 to 3 cars and an integral garage. This is adequate to serve the development.

#### 6.8 Sustainable Design and Construction

6.8.1 To accord with the stipulations of Core Policy 4 of the Core Strategy and Policy 5.2 of the London Plan, all new residential developments must achieve a minimum of Level 3 under the Code for Sustainable Homes. An Energy

Statement has been submitted with the application which demonstrates that the subject application meets this minimum requirement.

6.8.2 Core Policy 4 also requires that all new developments should be built to Lifetime Homes Standards to ensure that a development meets the reasonable needs of potential residents over the lifetime of the property. The size and footprint of the development suggests that the development will be able to meet Lifetime Homes Standard however this has not been demonstrated in the plans. A condition is recommended to ensure measures are taken to ensure the development meets the requirements of Lifetime Homes.

#### 6.9 Section 106 Contributions:

6.9.1 Section 106 (S106) of the Town and Country Planning Act 1990 allows a local planning authority to enter into a legally-binding agreement or planning obligation with a landowner in association with the granting of planning permission.

6.9.2 The current proposal has been assessed in relation to the Council's Section 106 Supplementary Planning Document (adopted 1.11.11) which details when a contribution will be required. As the current proposal involves a replacement dwelling and not a new residential unit no contributions are required in this case.

### 7. **Conclusion**

7.1 Having regard to those considerations outlined above, approval of the planning application is recommended for the following reasons:

- 1) The proposed development, by reason of its size, scale, siting and design, would not be detrimental to the character and appearance of the surrounding area or the street scene. Furthermore, the proposed development would not result in conditions that would be detrimental to the amenities of adjoining neighbouring occupiers, having regard to Policies (II)GD3, (II)H8, (II)H12 and (11)H14 of the Unitary Development Plan, Core Policy 30 of the Core Strategy and 7.1 and 7.4 of the London Plan.
- 2) The proposed development does not prejudice the provision of on site parking nor would it lead to additional parking and therefore, does not give rise to conditions prejudicial to the free flow and safety of traffic on the adjoining highways having regard to Policy (II)GD6 and (II) GD8 of the Unitary Development Plan.

### 8. **Recommendation**

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

- 1) C60 - Approved Plans
- 2) C07 – Details of external finishing materials
- 3) C09 – Details of hard surfacing
- 4) C10 – Details of levels
- 5) C15 – Private vehicles only – garages
- 6) C16 – Private vehicles only – parking areas



- 7) C17 – Landscaping
- 7) Retained Trees

No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS 3998. If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason: To screen, preserve and enhance the development and ensure adequate landscape treatment in the interest of amenity and to ensure that the retained trees, shrubs and hedgerows on the site are not adversely affected by any aspect of the development.

- 8) No works or development shall take place until a scheme for the protection of the retained trees (section 7, BS 5837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. This scheme shall include:
  - a, a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (paragraph 5.2.2 of BS 5837) of every retained tree on site and on neighbouring or nearby property to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.
  - b, the details of each retained tree as required at paragraph 4.2.6 of BS 5837 in a separate schedule.
  - c, a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS 3998.
  - d, written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works.
  - e, the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS 5837).
  - f, the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS 5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
  - g, the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS 5837).
  - h, the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS 5837).
  - i, the details of any changes in levels or the position of any proposed excavations within 5 metres of any Root Protection Area (paragraph

- 5.2.2 of BS 5837) of any retained tree, including those on neighbouring or nearby ground.
- j, the details of any special engineering required to accommodate the protection of retained trees (section 10 of BS 5837), (e.g. in connection with foundations, bridging, water features, surfacing)
  - k, the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the Root Protection Areas of retained trees.
  - l, the details of the working methods to be employed for the installation of drives and paths within the Root Protection Area's of retained trees in accordance with the principles of "No-Dig" construction.
  - m, the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site.
  - n, the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.
  - o, the details of the method to be employed for the stationing, use and removal of site cabins within any Root Protection Areas (paragraph 9.2.3 of BS 5837).
  - p, the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS 5837).
  - q, the timing of the various phases of the works or development in the context of the tree protection measures.

Reason: To screen, preserve and enhance the development and ensure adequate landscape treatment in the interest of amenity and to ensure that the retained trees, shrubs and hedgerows on the site are not adversely affected by any aspect of the development.

- 9) The following activities must not be carried out under any circumstances:
  - a, No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
  - b, No works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.
  - c, No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.
  - d, No mixing of cement or use of other materials or substances shall take place within Root Protection Areas, or close enough to a Root Protection Area that seepage or displacement of those materials or substances could cause them to enter a Root Protection Area
  - e, No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To screen, preserve and enhance the development and ensure adequate landscape treatment in the interest of amenity and to ensure that the retained trees, shrubs and hedgerows on the site are not adversely affected by any aspect of the development.

- 10) The development shall not commence until details demonstrating compliance with Lifetime Homes Criteria have been submitted to and 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 ensure the development is capable of adaptation to meet with the future needs of residents over the lifetime of the home having regard to residential standards in CP4 of the Core Strategy.

- 11) Evidence confirming that the development achieves a rating of no less than 'Code Level 3' under the Code for Sustainable Homes shall be submitted to and approved in writing by the Local planning Authority. The evidence required shall be provided in the following formats and at the following times:
- a. a design stage assessment, conducted by an accredited Assessor and supported by relevant BRE interim certificate, shall be submitted at pre-construction stage prior to the commencement of superstructure works on site; and,
  - b. a post construction assessment, conducted by an accredited Assessor and supported by relevant BRE accreditation certificate, shall be submitted following the practical completion of the development and prior to the first occupation.

The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior approval of the Local Planning Authority.

Reason: In the interests of addressing climate change and to secure sustainable development in accordance with Core Policy 4 of the Core Strategy and Policies 5.2 and 5.3 of the London Plan as well as the NPPF.

- 12) C24 – Obscure glazing  
13) C25 – No additional fenestration  
14) C19 – Refuse and recycling facilities  
15) Notwithstanding the provisions of Class A, B and C of the Town and Country Planning (General Permitted Development) Order 1995 (as amended 2008) 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: in order to safeguard the residential amenities of neighbouring properties and the appearance of the property in the street scene.

- 16) The rear patio shall not exceed a height of 300mm above ground level at any point.

Reason: in order to safeguard the amenities of the neighbouring residential properties

- 17) C51A – Time limit

Directive: The applicant is advised that insufficient detail has been submitted with regard to the proposed rear patio. A patio of 300mm above original ground level can be built under permitted development. If any part of the proposed rear patio extends to more than 300mm a new planning application will be required.