

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date : 4th February 2015

Report of

Assistant Director, Planning,
Highways & Transportation

Contact Officer:

Andy Higham 020 8379 3848
Sharon Davidson 020 8379 3841
Mr Nigel Catherall 020 8379 3833

Ward:

Bowes

Ref: 14/04449/FUL

Category: Full Application

LOCATION: 20-22 Green Lanes, London, N13 6HT

PROPOSAL: Conversion of 1st floor into 3 self-contained flats comprising 2 x 1-bed and 1 x2-bed, together with a first floor rear extension.

Applicant Name & Address:

Mr Huseyin Tim
OZ Tum, 20-22 Green Lanes
London
N13 6HT
United Kingdom

Agent Name & Address:

Mr Tanyel Gulbahar
15 Ryecroft Crescent
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EN5 3BP
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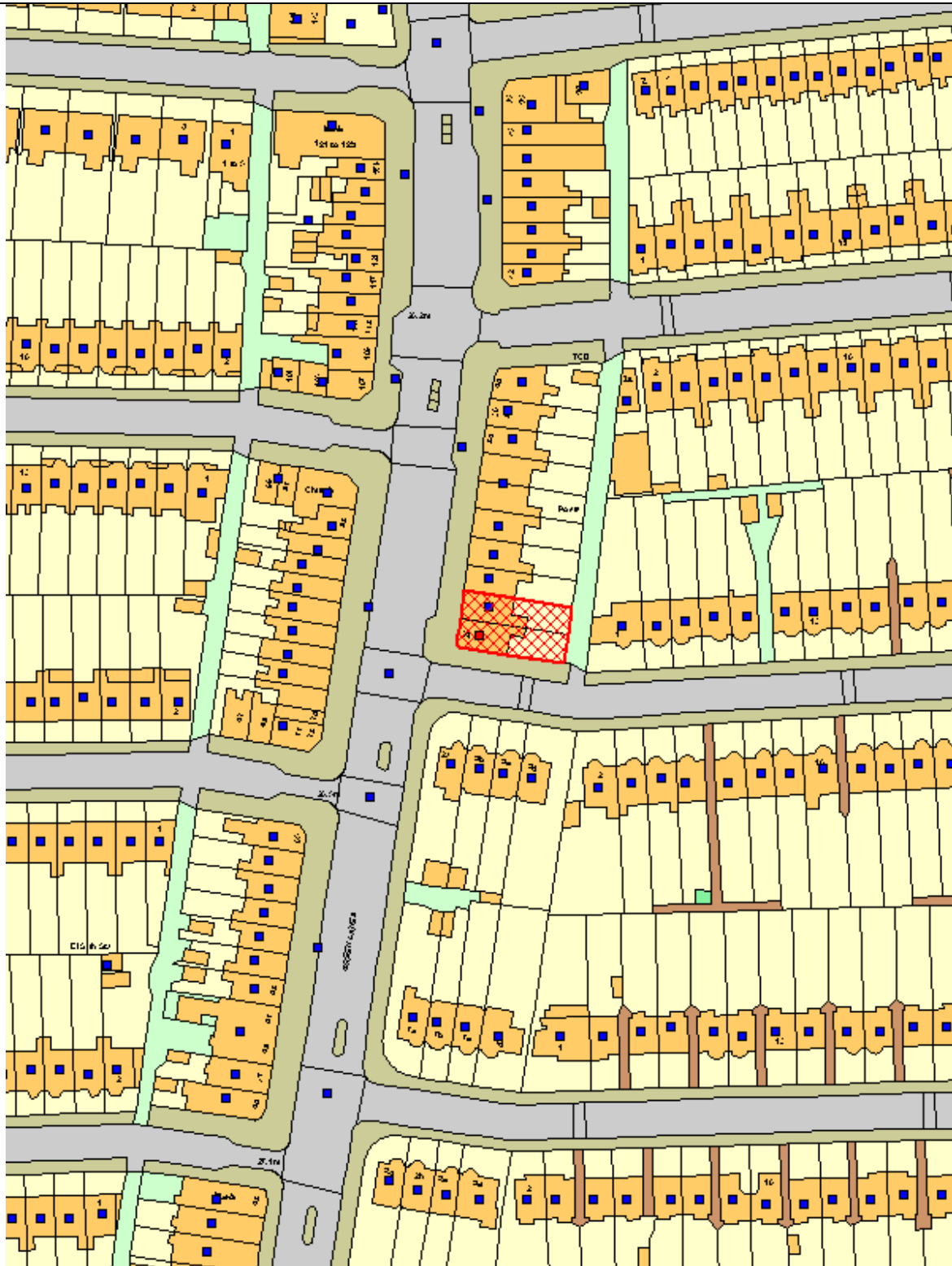
RECOMMENDATION:

That planning permission be **REFUSED** for reasons.

Note for Members:

This application would normally be dealt with under delegated powers but it is referred to Planning Committee for consideration at the request of Councillor Savva in the light of the planning history of the site.

Ref: 14/04449/FUL LOCATION: 20-22 Green Lanes, London, N13 6HT,



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Scale 1:1250

North



1. Site and Surroundings

- 1.1 The application premises comprise the first floor of a two-storey parade on the eastern side of Green Lanes, on the corner of the junction with Grenoble Gardens. The ground floor of both 20 and 22 Green Lanes comprises a single A1 shop, converted into one retail unit under planning ref TP/08/1401. The properties on the opposite corner of Grenoble Gardens are residential with the dwellinghouse frontages facing Grenoble Gardens and set back from the public highway with the provision of front gardens.
- 1.2 The premises is located within a parade of properties with retail use at ground floor, and residential use at first and second floors. The application site falls within the Green Lanes "Large Local Centre". With the exception of the commercial uses, the surrounding area is predominantly residential in character.

2. Proposal

- 2.1 Permission is sought for a first floor rear extension and conversion of the existing premises to 3 flats (2 x 1 bed and 1 x 2 bed).
- 2.2 This application follows three previous refusals of planning permission for a first floor rear extension and conversion to 3 flats. The current application differs from these as the depth of the rear extension has been reduced and the internal configuration of the flats has been altered.
- 2.3 It should be noted that the submitted plans appear to already show the existence of 3 flats and self-containment of the first floor with access on Grenoble Gardens. A look into the planning history indicates that permission for this has not been given, and the applicant stated in the previously refused application TP/08/0797 that at the time of making the application there were only two flats above 20 & 22 Green Lanes. Following the previous refusals and in response to submitted existing plans, an Enforcement investigation was begun and following a visit to the application site was closed as only two flats were found to be in existence. No subsequent application has been received.

3. Relevant Planning Decisions

- 3.1 P14-01849PLA - Conversion of 1st floor residential unit into 3 self-contained flats, 2 x 1-bed and 1 x 2-bed together with a first floor rear extension. Refused, July 2014 for the following reasons:
 1. The proposed conversion of the two first floor self-contained flats into three self-contained flats, having regard to the floor area of the flats designated on plan no. 20081028-PL06 as Flat-1 and Flat-2, would provide a substandard form of residential accommodation and would not meet the minimum space standards, as well as resulting in a generally poor quality form of residential environment and an over intensive use of this property, detrimental to the amenities of future occupiers as well as the amenities of the surrounding area, contrary to Policy 3.5 of the London Plan, Core Policy 4 of the Core Strategy, Policy DMD 5 of the Development Management Document (Submission Version), Policy (II) H16 of the Unitary Development Plan, and the London Housing SPG.

2. The proposed first floor rear extension, by virtue of its size, design, and siting would result in a cumbersome appearance with elongated flank along Grenoble Gardens, flat roof, and awkward stepped rear building line, which would be out of keeping and character with the surrounding area, and detrimental to the street scene, contrary to Policy (II) GD3 of the Development Management Document, Core Policy 30 of the Core Strategy, Policy DMD 37 of the Development Management Document (Submission Version), and Policy 7.4 of the London Plan.
 3. Insufficient distance would be maintained between the proposed first floor extension and the adjacent street tree, the proposed development will be within the canopy of the tree which will result in inappropriate and unnecessary pruning, to the detriment of the amenity value of the tree, contrary to Policy DMD 80 of the Development Management Document (Submission Version).
 4. Due to the absence of a mechanism to secure the affordable housing and education contributions required, along with an insufficient level of information within the submitted viability assessment, the proposal fails to provide a sufficient level of contribution to affordable housing, contribution to associated education infrastructure, and associated monitoring fees, contrary to Policies 3, 8 and 46 of the Enfield Plan and the associated S106 Supplementary Planning Document.
- 3.2 TP/09/1004 - Conversion of first floor into 3 x 1-bed self contained flats together with a first floor rear extension. Refused, September 2009.
 - 3.3 TP/08/2246 - Self-containment and conversion of first floor into 3 affordable residential flats involving first floor rear extension. Refused, March 2009.
 - 3.4 TP/08/0797 - Conversion of 2 units into 1 retail unit on ground floor and 3 self contained flats on first floor (comprising 2 x 2-bed and 1 x 1-bed) involving a single storey rear extension, excavation of basement, first floor rear extension and new shop front. Refused, July 2008.
 - 3.5 TP/00/1524 - Part single storey, part 2-storey rear extension. Refused, November 2000.
 - 3.6 INV/09/0997 - Alleged flat conversion not as plans.
 - 3.7 TP/08/1401 - Conversion of 2 units into one retail unit together with a single storey rear extension, excavation of basement at rear and new shop front (revised scheme). Granted with conditions, September 2008.
 - 3.8 TP/02/0527 - Single storey rear extension. Granted with conditions, May 2002.

4. Consultations

4.1 Statutory and non-statutory consultees

4.1.1 None

4.2 Public

4.2.1 Consultation letters were sent to ten neighbouring properties. No replies were received.

5. Relevant Policy

5.1 The Development Management Document was adopted by the Council in November 2014, the Unitary Development Plan now being superseded, as such this analysis is on the basis of the policies listed below, these policies are considered to be consistent with the NPPF and therefore it is considered that due weight should be given to them in assessing the development the subject of this application.

5.2 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 7.4	Local character
Policy 7.6	Architecture

5.3 Core Strategy

CP2	Managing the supply and location of new housing
CP3	Affordable housing
CP4	Housing Quality
CP5	Housing Types
CP6	Meeting Particular Housing Needs
CP8	Education
CP9	Supporting Community Cohesion
CP20	Sustainable Energy use and Energy Infrastructure
CP21	Delivering Sustainable Water Supply, Drainage and Sewerage Infrastructure
CP30	Maintaining and Improving the Quality of the Built and Open Environment
CP46	Infrastructure Contributions

5.4 Development Management Document

DMD2	Affordable Housing on Sites of less than 10 units
DMD3	Providing a Mix of Different Sized Homes
DMD5	Residential Conversions
DMD6	Residential Character
DMD8	General Standards for New Residential Development
DMD9	Amenity Space
DMD37	Achieving High Quality and Design-Led Development
DMD38	Design Process
DMD45	Parking Standards and Layout
DMD49	Sustainable Design and Construction Statements

5.5 Other Material Considerations

National Planning Policy Framework
 London Housing SPG
 Strategic Housing Market Assessment (SHMA) (2010)

6. Analysis

6.1 The main issues for consideration are the quality of accommodation to be provided as a consequence of the conversion to 3 units, the impact of the extension on the residential amenities of the surrounding neighbours, namely No.24 Green Lanes and No.1 and Nos 2a-d Grenoble Gardens, the design and appearance of the extension, and the impact on the adjacent street tree.

6.2 Conversion to 3 flats

6.2.1 *Principle*

6.2.2 The principle of the proposal would be compatible with Policies 3.3 and 7.5 of the London Plan and Core Policy 2 of the Local Development Framework insofar as it provides an addition to the Borough's housing stock which actively contributes towards both Borough specific and London-wide strategic housing targets.

6.2.3 Whilst the proposal would result in a loss of 3-bed units, given their limited internal area, poor layout, lack of communal areas, and complete lack of amenity space, it is considered that the accommodation, being sited above commercial premises, is more appropriately utilised as smaller units of accommodation and therefore in this particular circumstance is considered acceptable in principle.

6.2.4 *Floor area*

6.2.5 London Plan policy 3.5 requires that in the case of a 1-bedroom flat the gross internal area (GIA) of the converted accommodation should be 50m², According to the submitted plans flat 1 would occupy a floor area of 40.04m². This represents a significant shortfall of the required standard of 50m² resulting in a poor form of residential accommodation to the detriment of future occupiers, contrary to Policy DMD 5 of the Development Management Document and Policy 3.5 of the London Plan, and the London Housing SPG.

6.2.6 According to the submitted plans flat 2 would occupy a floor area of 52.97m² - this complies with the minimum standard. However, the London Housing

SPG seeks a minimum provision of 23m² for living/dining/kitchen and only 17.45m² would be provided in the proposed flat 2. Further to this, whilst the bedroom is of a reasonable size in terms of floor area alone, the London Housing SPG seeks a minimum room width of 2.75m, but only a width of 2.35m is provided. The combination of these factors would result in a poor standard and contrived form of accommodation, contrary to Policy DMD 5 of the Development Management Document and Policy 3.5 of the London Plan, and the London Housing SPG.

- 6.2.7 London Plan policy 3.5 requires that in the case of a 2-bedroom flat the gross internal area (GIA) of the converted accommodation should be 61m² for 2 bed, 3 people. According to the submitted plans flat 3 would occupy a floor area of 65.01m² which is comfortably above the required standard. Whilst one of the bedrooms is below London Housing SPG standards in terms of floor area, the shortfall is minimal and the room is of a regular shape. The second bedroom has a limited width, but being a secondary bedroom would be considered acceptable in this case. The proposed accommodation in flat 3 is therefore considered acceptable having regard to Policy DMD 5 of the Development Management Document and Policy 3.5 of the London Plan, and the London Housing SPG.

6.2.8 *Car Parking, Servicing and Traffic Generation*

- 6.2.9 Given the existing building contains 2 x 3-bed units, the conversion to 2 x 1-bed and 1 x 2-bed self-contained units will not significantly increase trip generation or parking demand especially given the locations proximity to public transport (PTAL 3). Should planning permission be granted, conditions would be required in relation to details of cycle parking provision and refuse storage.

6.3 First floor rear extension

6.3.1 *Impact on surrounding area*

- 6.3.2 The extension is of a similar design to that refused under planning ref P14-01849PLA, except that the current proposal has a depth reduced by 2.36m, resulting in a depth of the flank return of 18.26m. The previous application was refused by virtue of its size, design, and siting that was considered would adversely affect the visual amenities of the street scene. On this section of Green Lanes there are examples of properties extended at ground floor level, there are no extensions at first floor level. The size, scale, and design of the proposed extension would result in a cumbersome and overbearing appearance with elongated flank along Grenoble Gardens and prolonged flat roof, which would be out of keeping and character with the surrounding area, and detrimental to the street scene, of particular concern given the siting of the property on the corner of two roads, along with the lack of separation from the public highway, which allows the rear element to be viewed from a significant section of the immediate surrounding area, contrary to Core Policy 30 of the Core Strategy, Policy DMD 37 of the Development Management Document, and Policy 7.4 of the London Plan.

6.3.3 *Impact on neighbouring properties*

- 6.3.4 The proposed extension is set away from the boundary with the adjoining property No.24 Green Lanes and is designed in such a way that there would

be minimal impact on the outlook to the residents of No.24, having regard to Policy DMD 11 of the Development Management Document.

6.3.5 *Impact on street tree*

6.3.6 The application site is adjacent to a public footpath which contains a mature silver maple tree, the siting of which is immediately adjacent to the proposed first floor extension, with the canopy spreading to the area to be extended. The Council's Tree Officer commented that adequate consideration has not been given for the tree, the proposed development will be within the canopy of the tree which will result in inappropriate and unnecessary pruning. Furthermore there will be considerable shading and nuisance to the property which will result in continued pressure from future residents to prune or remove the tree. Adequate separation of the tree and building has not been considered and this is contrary to DMD policy 80. The proposed first floor rear extension is therefore considered unacceptable in terms of its impact on the adjacent street tree, contrary to Policy DMD 80 of the Development Management Document.

6.4 Sustainability

6.4.1 No energy statement has been submitted and as such does not address the validation requirements set by the LPA. Building Regulations compliance should be the baseline and then seeking an 8% improvement over this threshold. However, this element could be secured by Condition and as such is not considered to be a reason for refusal.

6.5 S106 Contributions

6.5.1 On 28th November 2014 the Government introduced immediate changes to the National Planning Practice Guidance to state that contributions for affordable housing and tariff style planning obligations should not be sought for small scale and self-build developments containing 10 units with a gross area of no more than 1000sq.m. In the light of the implications for this for the Councils adopted DMD policy, a report was taken to the Local Plan Cabinet Sub Committee on 15th January 2015. At the meeting and in the light of guidance issued, Members agreed the approach set out below for dealing with planning applications and as the basis for future consultation on the revised S106 SPD.

6.5.2 Education contributions will no longer be required for developments of less than 11 units.

6.5.3 Affordable housing contributions may still be sought for developments of 1-9 units in accordance with the following:

Individuals and self-builders will be exempt from requiring to pay affordable housing contributions;

Contributions may continue to be required from other developers subject to viability testing, with a view to ensuring that contributions do not result in a disproportionate burden and an obstacle to the delivery of housing.

Affordable Housing

6.5.3 In this instance we are seeking to establish whether the applicant constitutes an individual, a self-builder or other developer to establish if an affordable housing contribution might be required. An update will be provided at the meeting.

6.6 CIL

6.6.1 As of the April 2010, legislation in the form of CIL Regulations 2010 (as amended) came into force which would allow 'charging authorities' in England and Wales to apportion a levy on net additional floorspace for certain types of qualifying development to enable the funding of a wide range of infrastructure that is needed as a result of development. Since April 2012 the Mayor of London has been charging CIL in Enfield at the rate of £20 per sqm. The Council is progressing its own CIL but this is not expected to be introduced until spring / summer 2015.

6.6.2 The development does not involve the addition of more than 100sq.m of new floor space and therefore would not be CIL liable.

7. **Conclusion**

7.1 The proposed first floor rear extension and conversion of the property to 3 flats is not considered to have overcome the previous reasons for refusal and therefore would still result in an adverse impact on the appearance and character of the surrounding area and street scene, detrimental impact on the adjacent street tree, and would still result in the provision of substandard residential accommodation to the detriment of future occupiers.

8. **Recommendation**

8.1 That planning permission be REFUSED for the following reasons:

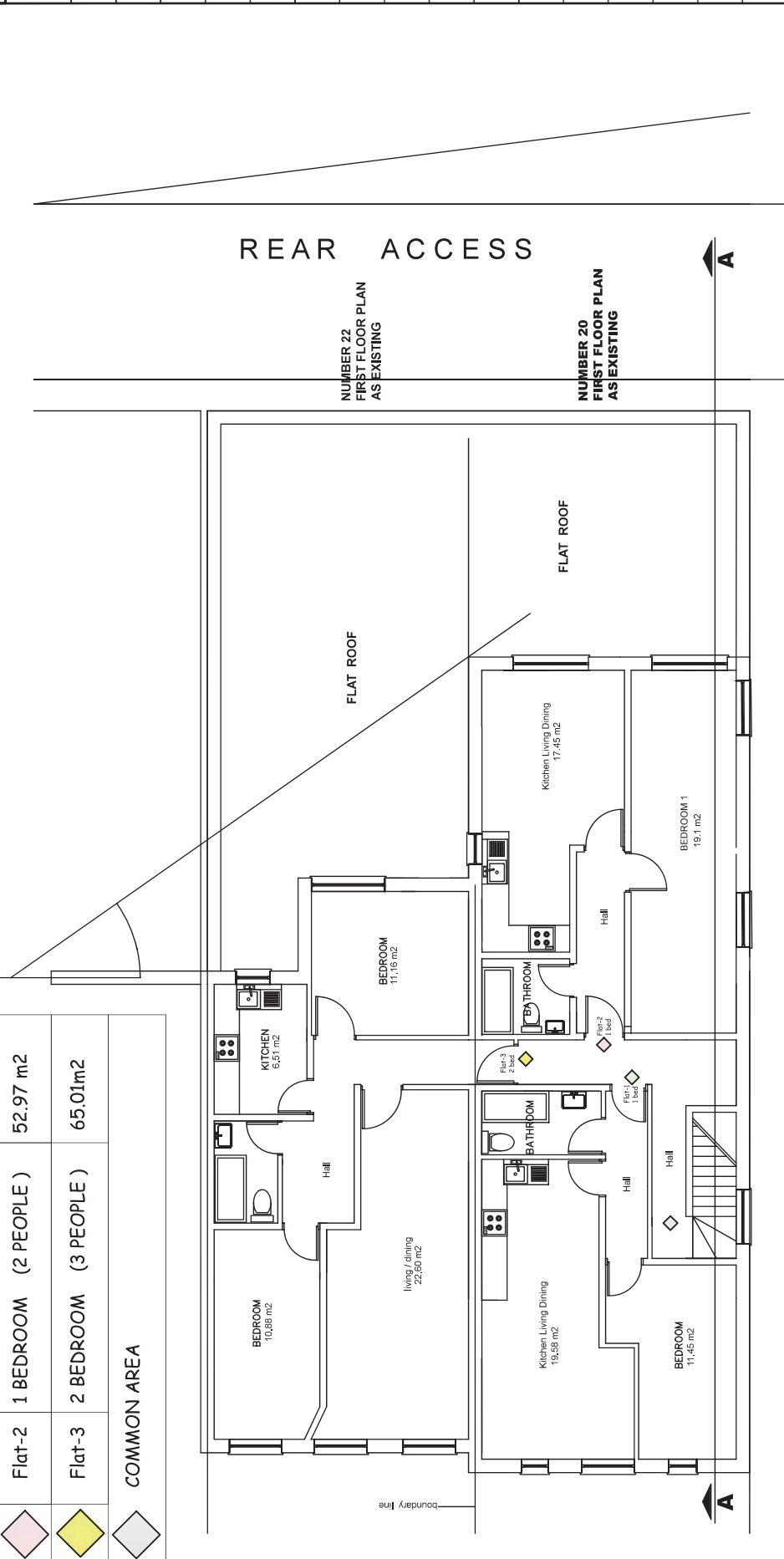
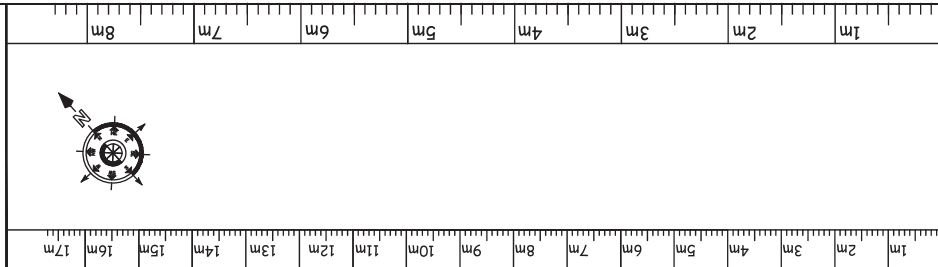
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3. Insufficient distance would be maintained between the proposed first floor extension and the adjacent street tree, the proposed development will be

within the canopy of the tree which will result in inappropriate and unnecessary pruning, to the detriment of the amenity value of the tree, contrary to Policy DMD 80 of the Development Management Document.

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 ARCHITECTS
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 TEL: 0208 366 8900 EMAIL: info@blitzgold.com

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KEY:
 NEW DOUBLE GLAZED WHITE UPVC WINDOWS TO MATCH EXISTING
 NEW BRICK WORK TO MATCH EXISTING
 PROPOSED FLAT ROOF



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PROJECT:
 20-22 GREEN LANES,
 LONDON,
 N13-6HT

DRAWING TITLE:
 Proposed First Floor Plan

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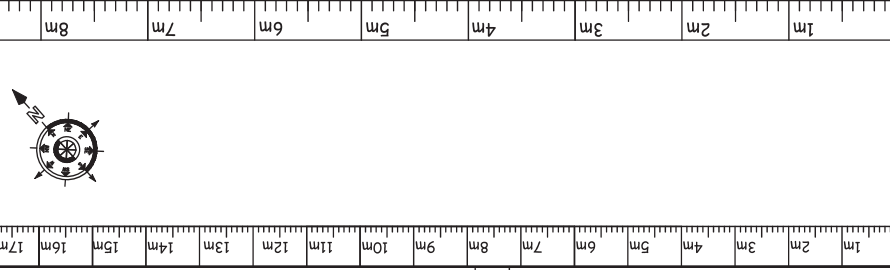
PROPOSED FIRST FLOOR PLAN

LEGEND		AREA
	Flat-1 1 BED (1 PEOPLE)	40.04 m ²
	Flat-2 1 BEDROOM (2 PEOPLE)	52.97 m ²
	Flat-3 2 BEDROOM (3 PEOPLE)	65.01 m ²
	COMMON AREA	

BLITZGOLD & ASSOCIATES

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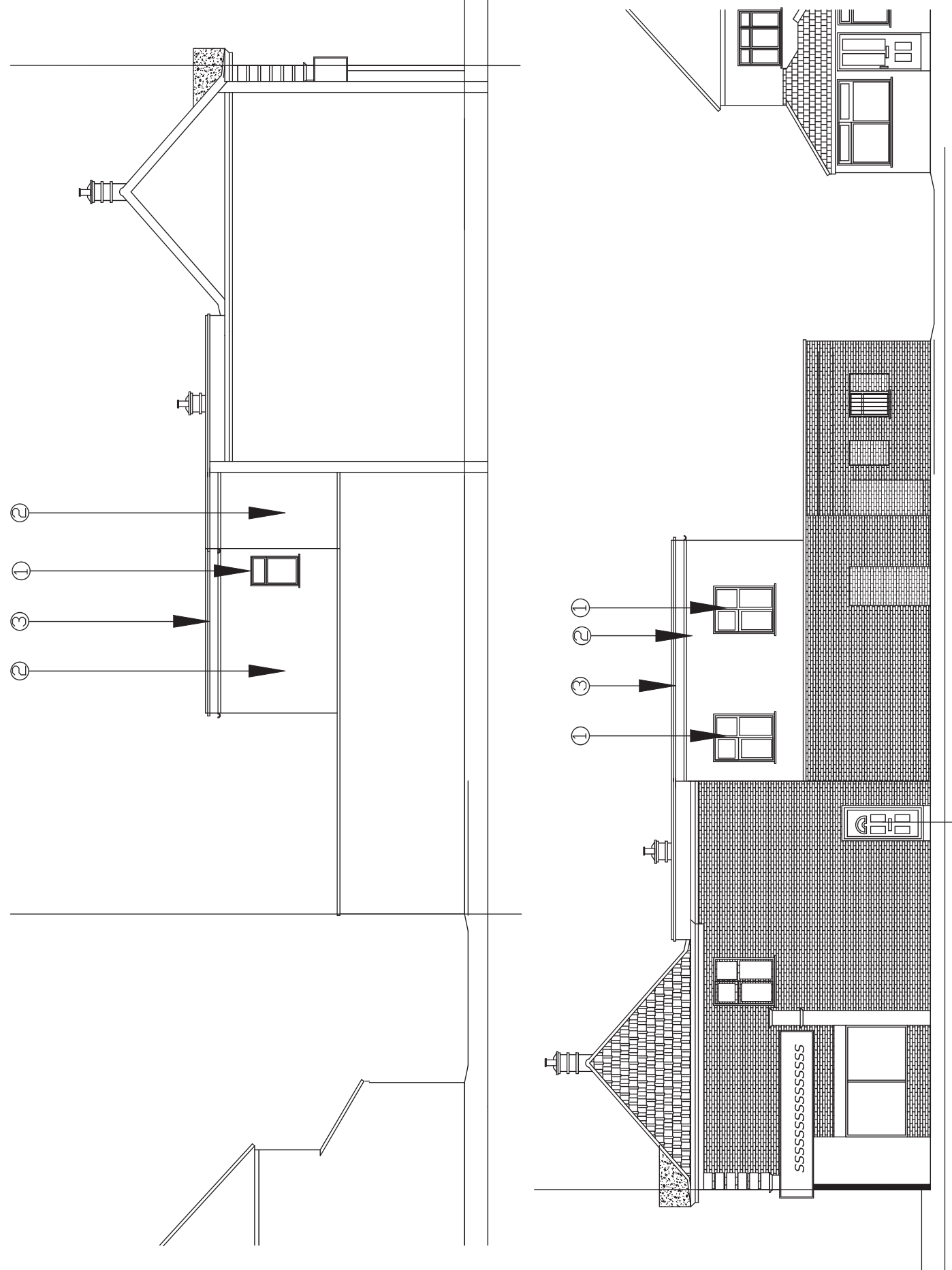
PROJECT
20-22 GREEN LANES,
LONDON,
N13-6HT

DRAWING TITLE

Proposed Side Elevations

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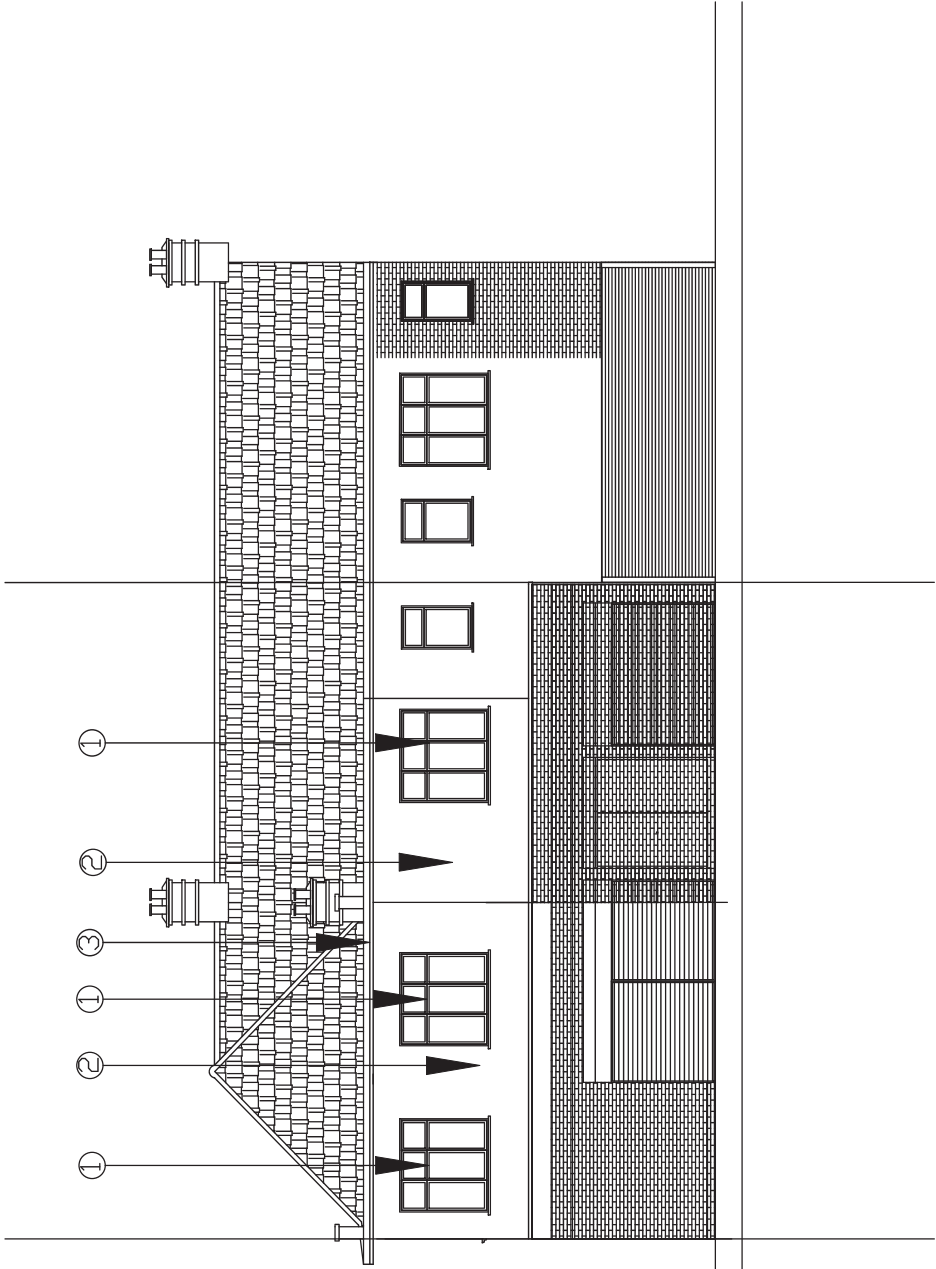
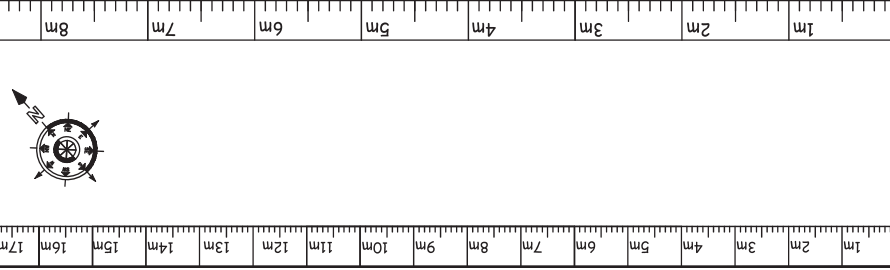


ENTRANCE TO FIRST FLOOR

PROPOSED SIDE ELEVATION

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PROJECT
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DRAWING TITLE

PROPOSED REAR ELEVATION

Proposed Rear Elevation

REF. NO.	2008/02/28-PL08	CHECKED BY	
SCALE	A3@1:100	DRAWN BY	TQLEBAHAR
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