

## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 30<sup>th</sup> June 2015

**Report of**

Assistant Director, Planning &  
Environmental Protection

**Contact Officer:**

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**Ward:** Southbury

**Application Number :** 15/02057/RE4

**Category:** Minor

**LOCATION:** 74-144 OLD ROAD, ENFIELD, EN3 5XZ

**PROPOSAL:** Construction of third floor with pitched roof over to provide an additional 9 x 2-bed self-contained flats, with sun pipe rooflight and solar panels and render to external walls from first floor level and above.

**Applicant Name & Address:**

Mr Alan Headland  
London Borough of Enfield  
The Edmonton Centre  
36-44 South Mall  
Edmonton Green  
London  
EN9 0TN

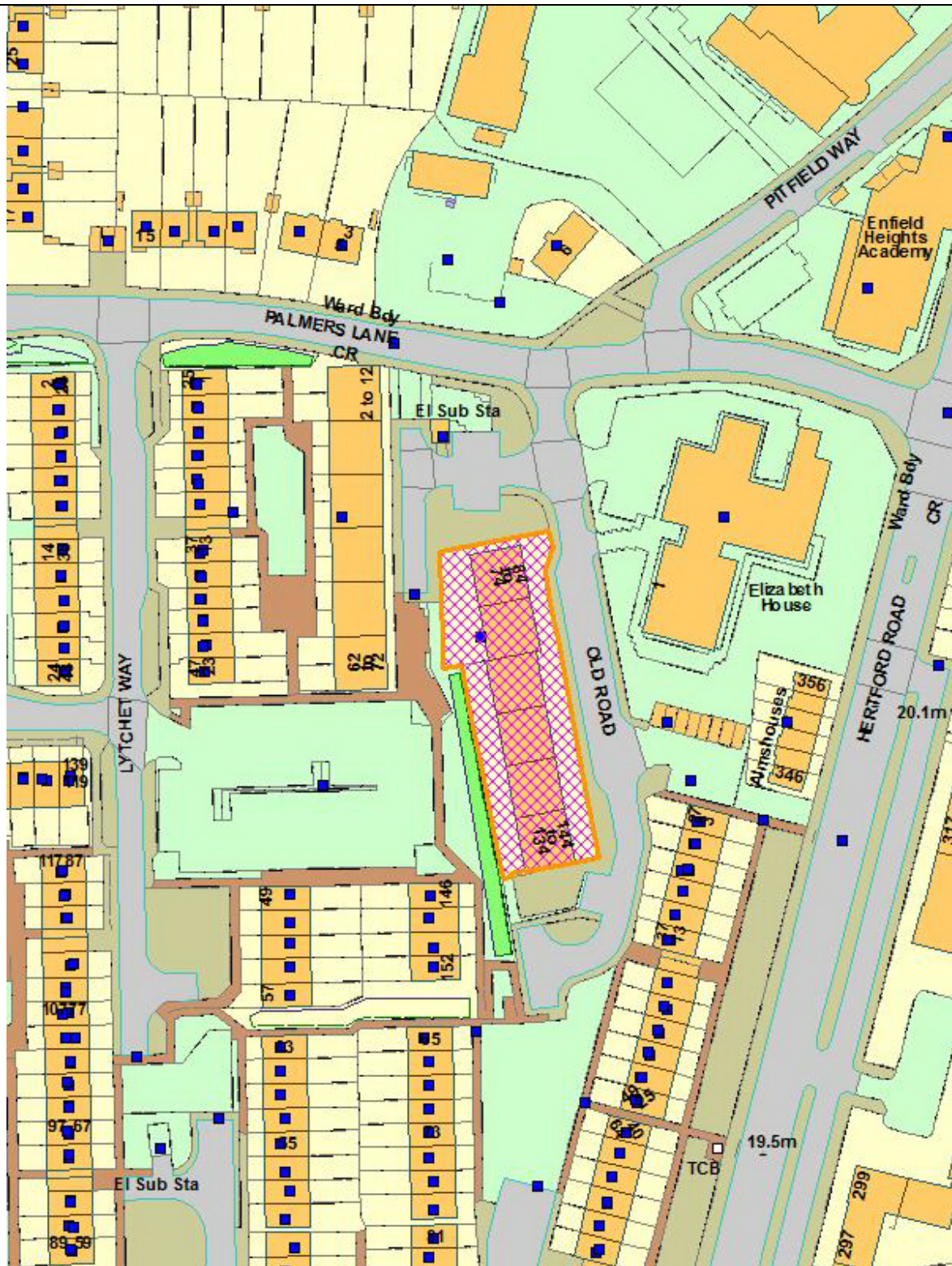
**Agent Name & Address:**

Mr Colin Deans  
Playle & Partners LLP  
Crest House 138  
Main Road  
Sidcup  
Kent  
DA14 6NY

**RECOMMENDATION:**

That planning permission be deemed to be **GRANTED** in accordance with Regulation 3 of the Town & Country Planning General Regulations 1992 subject to conditions

Ref: 15/02057/RE4 LOCATION: 74 - 144 Old Road, EN3 5XZ, ,



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Scale 1:1250

North



## **1. Site and Surroundings**

- 1.1 The subject site forms part of the Lytchet Way Estate, a housing estate owned and managed by Enfield Council. The estate is bounded to the north by Palmers Lane, to the east and south by the classified Hertford Road and Carterhatch Road respectively albeit where a portion of the estate to the south transcends this principal boundary. To the west the site abuts the mainline railway between Liverpool Street and Cheshunt.
- 1.2 The site is punctured by a series of adopted residential streets (of which Lawson Road forms a part) albeit where principal access to the estate is limited to the junctions between Carterhatch Road, Moorfield Road and Sherbourne Avenue to the south and Palmers Lane, Old Road and Lytchet Way to the north. There are no vehicle through routes across the estate.
- 1.3 The estate comprises 24 blocks of flats and maisonettes ranging in height between 2, 3 and 4 storeys, albeit where the highest concentration of units culminates in the 14 storey Hastings House to the south.
- 1.4 The site relies on informal on-street parking and more formalised surface car parking areas for its overall parking provision. The site has a PTAL of 2 and is serviced by regular bus routes (279, 121, 191 and 307) to both the Hertford Road and Carterhatch Lane. The nearest mainline railway station is Turkey Street located to the north of the site.
- 1.5 The site is not within a Conservation Area and does not form part of the curtilage of a Listed Building.
- 1.6 A number of established trees pepper the site throughout and the area.
- 1.7 The site is subject to an area Tree Preservation Order.
- 1.8 The site is not within a flood zone nor is it at risk of surface water flooding.

## **2. Proposal**

- 2.1 This is an application for the construction of a third floor to provide 8 additional residential units (6 x 2-bed and 2 x 1-bed) with pitched roof over, sun pipe roof lights and solar panels and render to external walls from first floor level and above. The scheme forms part of a wider estate renewal programme which sees the submission of three applications (under refs: 15/01938/RE4, 15/01939/RE4 & 15/01941/RE4) for the construction of additional floor to provide a total of 25 additional units. A further application under ref: 15/01940/RE4 was submitted that also incorporated the creation of a third storey to provide a further 9 units, however, due to loading issues with the existing block this was downgraded to the creation of a pitched roof and render finish to the building above ground floor.

## **3. Relevant Planning Decisions**

- 3.1 The wider site has an extensive planning history including a series of applications to install pitched roofs and replace windows and doors to several of the blocks under refs: 15/01477/FUL, P14-00683PLA, P14-00678PLA & P14-00673PLA). It is also understood that a further programme of external wall insulation is planned for the estate.

## **4. Consultations**

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

#### Education:

- 4.1.1 At the time of writing, no response had been received, albeit where following amendment to the NPPG and the Written Ministerial Statement of 27<sup>th</sup> March 2015, education contributions can no longer be sought. Any response will be reported as a late item.

#### Traffic and Transportation:

- 4.1.2 No objections in principle, however, having reviewed the scheme colleagues in Traffic and Transportation has requested that additional information be provided, notably in relation refuse storage, cycle parking, construction management and pedestrian access / safety. At the time of writing, no additional information had been received to address these discreet points albeit where it is considered that such items can be conditioned. Any response from the applicant will be reported as a late item.

#### Thames Water:

- 4.1.3 No objection subject to an informative.

### **4.2 Public response**

- 4.2.1 The application was referred to 92 surrounding properties and 3 site notices were posted on and around the site. One written representation was received from the residents of No.118 Old Road objecting to the development on the following grounds:

- Inadequate access
- Inadequate parking provision
- Increase in traffic
- Loss of parking
- Noise nuisance
- Strain on existing community facilities

- 4.2.2 In addition it is understood that a public consultation was held between LB Enfield, Playle & Partners LLP, Pellings LLP (consultant for the Decent Homes scheme) and the residents and leaseholders of Lytchet Way on 28 April 2015.

## **5. Relevant Policy**

### **5.3.1 The London Plan (2015)**

Policy 2.6 – Outer London: vision and strategy

Policy 2.7 – Outer London: economy

Policy 2.8 – Outer London: transport

Policy 2.14 – Areas for regeneration  
Policy 3.1 – Ensuring equal life chances for all  
Policy 3.2 – Improving health and addressing health inequalities  
Policy 3.3 – Increasing housing supply  
Policy 3.4 – Optimising housing potential  
Policy 3.5 – Quality and design of housing developments  
Policy 3.6 – Children and young people’s play and informal recreation facilities  
Policy 3.7 – Large residential developments  
Policy 3.8 – Housing choice  
Policy 3.9 – Mixed and balanced communities  
Policy 3.10 – Definition of affordable housing  
Policy 3.11 – Affordable housing targets  
Policy 3.12 – Negotiating affordable housing on individual private residential and mixed use schemes  
Policy 3.13 – Affordable housing thresholds  
Policy 3.14 – Existing housing  
Policy 3.15 – Coordination of housing development and investment  
Policy 3.16 – Protection and enhancement of social infrastructure  
Policy 3.17 – Health and social care facilities  
Policy 3.18 – Education facilities  
Policy 4.12 – Improving opportunities for all  
Policy 5.1 – Climate change mitigation  
Policy 5.2 – Minimising carbon dioxide emissions  
Policy 5.3 – Sustainable design and construction  
Policy 5.5 – Decentralised energy networks  
Policy 5.6 – Decentralised energy in development proposals  
Policy 5.7 – Renewable energy  
Policy 5.9 – Overheating and cooling  
Policy 5.10 – Urban greening  
Policy 5.11 – Green roofs and development site environs  
Policy 5.12 – Flood risk management  
Policy 5.13 – Sustainable drainage  
Policy 5.15 – Water use and supplies  
Policy 5.18 – Construction, excavation and demolition waste  
Policy 5.21 – Contaminated land  
Policy 6.9 – Cycling  
Policy 6.10 – Walking  
Policy 6.12 – Road network capacity  
Policy 6.13 – Parking  
Policy 7.1 – Building London’s neighbourhoods and communities  
Policy 7.2 – An inclusive environment  
Policy 7.3 – Designing out crime  
Policy 7.4 – Local character  
Policy 7.5 – Public realm  
Policy 7.6 – Architecture  
Policy 7.7 – Location and design of tall and large buildings  
Policy 7.8 – Heritage assets and archaeology  
Policy 7.9 – Heritage-led regeneration  
Policy 7.14 – Improving air quality  
Policy 7.15 – Reducing noise and enhancing soundscapes  
Policy 7.16 – Green Belt  
Policy 7.18 – Protecting local open space and addressing local deficiency  
Policy 7.19 – Biodiversity and access to nature  
Policy 7.21 – Trees and woodlands

## Housing Supplementary Planning Guidance

### 5.3.2 Local Plan – Core Strategy

Strategic Objective 1: Enabling and focusing change  
Strategic Objective 2: Environmental sustainability  
Strategic Objective 3: Community cohesion  
Strategic Objective 4: New homes  
Strategic Objective 8: Transportation and accessibility  
Strategic Objective 9: Natural environment  
Strategic Objective 10: Built environment  
Core Policy 1: Strategic growth areas  
Core policy 2: Housing supply and locations for new homes  
Core policy 3: Affordable housing  
Core Policy 4: Housing quality  
Core Policy 5: Housing types  
Core Policy 6: Housing need  
Core Policy 8: Education  
Core Policy 9: Supporting community cohesion  
Core Policy 20: Sustainable Energy use and energy infrastructure  
Core Policy 21: Delivering sustainable water supply, drainage and sewerage infrastructure  
Core Policy 24: The road network  
Core Policy 25: Pedestrians and cyclists  
Core Policy 26: Public transport  
Core Policy 28: Managing flood risk through development  
Core Policy 29: Flood management infrastructure  
Core Policy 30: Maintaining and improving the quality of the built and open environment  
Core Policy 31: Built and landscape heritage  
Core Policy 32: Pollution  
Core Policy 33: Green Belt and countryside  
Core Policy 34: Parks, playing fields and other open spaces  
Core Policy 36: Biodiversity  
Core Policy 40: North east Enfield

Biodiversity Action Plan  
S106 SPD

### 5.3.3 Development Management Document

DMD1: Affordable housing on sites capable of providing 10 units or more  
DMD3: Providing a mix of different sized homes  
DMD4: Loss of existing residential units  
DMD6: Residential character  
DMD8: General standards for new residential development  
DMD9: Amenity space  
DMD10: Distancing  
DMD15: Specialist housing need  
DMD16: Provision of new community facilities  
DMD17: Protection of community facilities  
DMD18: Early years provision  
DMD37: Achieving high quality and design-led development  
DMD38: Design process

DMD42: Design of civic / public buildings and institutions  
DMD43: Tall buildings  
DMD45: Parking standards and layout  
DMD47: New road, access and servicing  
DMD48: Transport assessments  
DMD49: Sustainable design and construction statements  
DMD50: Environmental assessments method  
DMD51: Energy efficiency standards  
DMD52: Decentralised energy networks  
DMD53: Low and zero carbon technology  
DMD55: Use of roofspace / vertical surfaces  
DMD57: Responsible sourcing of materials, waste minimisation and green procurement  
DMD58: Water efficiency  
DMD59: Avoiding and reducing flood risk  
DMD60: Assessing flood risk  
DMD61: Managing surface water  
DMD62: Flood control and mitigation measures  
DMD63: Protection and improvement of watercourses and flood defences  
DMD64: Pollution control and assessment  
DMD65: Air quality  
DMD66: Land contamination and instability  
DMD67: Hazardous installations  
DMD68: Noise  
DMD69: Light pollution  
DMD70: Water quality  
DMD71: Protection and enhancement of open space  
DMD72: Open space provision  
DMD73: Child play space  
DMD76: Wildlife corridors  
DMD77: Green chains  
DMD78: Nature conservation  
DMD79: Ecological enhancements  
DMD80: Trees on development sites  
DMD81: Landscaping

#### 5.3.4 North East Enfield Area Action Plan (Submission Version)

#### 5.4 National Planning Policy Framework

5.4.1 The National Planning Policy Framework (NPPF) introduces a presumption in favour of sustainable development. In this respect, sustainable development is identified as having three dimensions – an economic role, a social role and an environmental role. For decision taking, this presumption in favour of sustainable development means:

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

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or

Specific policies in the Framework indicate development should be restricted.

- 5.4.2 The NPPF recognises that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision making.
- 5.4.3 In addition, paragraph 173 of the NPPF states that in the pursuit of sustainable development careful attention must be given to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

## 5.5 National Planning Practice Guidance

- 5.5.1 On 6<sup>th</sup> March 2014, the Department for Communities and Local Government (DCLG) launched the National Planning Practice Guidance (NPPG) to consolidate and simplify previous suite of planning practice guidance. Of note to members is that the NPPG strongly advocates good design as an integral part of sustainable development. The National Planning Policy Framework recognises that design quality matters and that planning should drive up standards across all forms of development. As a core planning principle, plan-makers and decision takers should always seek to secure high quality design.
- 5.5.2 Achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations. Local planning authorities are required to take design into consideration and should refuse permission for development of poor design. Local planning authorities should give great weight to outstanding or innovative designs which help to raise the standard of design more generally in the area. This could include the use of innovative construction materials and techniques. Planning permission should not be refused for buildings and infrastructure that promote high levels of sustainability because of concerns about incompatibility with an existing townscape.

## 5.5 Other Material Considerations

London Plan Housing SPG  
Affordable Housing SPG  
Enfield Market Housing Assessment  
Providing for Children and Young People's Play and Informal Recreation SPG and revised draft  
Accessible London: achieving an inclusive environment SPG  
Planning and Access for Disabled People: a good practice guide (ODPM)  
London Plan Sustainable Design and Construction SPG  
Mayor's Climate Change Adaption Strategy  
Mayor's Climate Change Mitigation and Energy Strategy



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

## **6. Analysis**

6.1 The main issues to consider are as follows:

- i. Principle of additional units;
- ii. Scale, design and character;
- iii. Housing mix;
- iv. Quality of accommodation;
- v. Amenity of neighbouring properties;
- vi. Parking, access and servicing;
- vii. Sustainability and biodiversity;
- viii. S.106 Obligations; and
- ix. Community Infrastructure Levy

### 6.2 Principle

6.2.1 The proposal seeks to intensify the current use of the site to create an additional 9 x 2-bed self-contained units. The site lies within an established residential area with an associated curtilage of a sufficient size to support an intensification of use and, the status of the existing residential use would be considered to be previously developed land consistent with the sequential preference for development sites contained within the NPPF. The site falls within the boundaries of the North East Enfield Area Action Plan. While not Policies are directed specifically at the Lytchet Way Estate, the document contains a presumption to support a rolling programme of estate renewal. The subject scheme would qualify under this presumption. In this regard, the development would be compatible with Policies 3.3 and 3.4 of the London Plan and Core Policy 5 of the Core Strategy 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.

6.2.2 However, the position must be qualified in relation to other material considerations.

### 6.3 Design

#### *Density*

6.3.1 For the purposes of the London Plan density matrix, it is considered the site lies within a suburban area due the fact that the surrounding area is characterised by lower density dwelling typologies. The site has a Public Transport Accessibility Level of 2 indicating a moderate level of accessibility to alternative transport modes.

6.3.2 In this regard, the density matrix suggests a density of between 150 and 250 habitable rooms per hectare. The character of the area indicates that the

average unit size in the area has between than 3.1 – 3.7 rooms. This suggests a unit range of 40 to 80 units per hectare. However, the site forms part of an existing established housing estate and seeks to erect an additional storey to an existing building, in this regard it is considered that a numerical measure of density would not be appropriate. In this regard, it is acknowledged that advice contained within the NPPF and the London Plan Housing SPG suggests that a numerical assessment of density must not be the sole test of acceptability in terms of the integration of a development into the surrounding area and that weight must also be given to the attainment of appropriate scale and design relative to character and appearance of the surrounding area. Thus, the density range for the site must be appropriate in relation to the local context and in line with the design principles in Chapter 7 of the London Plan and Core Strategy Policy 30: Maintaining and improving the quality of the built and open environment and commensurate with an overarching objective that would seek to optimise the use of the site and will be discussed in the following paragraphs with a wider context of neighbours objections cited on the basis of overdevelopment, bulk and massing.

- 6.3.3 The surrounding area is characterised by a relative loose urban fabric that defines the estate with large individual blocks with substantial physical separation afforded by public realm, parking and adopted highway. The wider estate is defined by a mix of maisonettes and flats built over 2-4 storeys with blocks adjacent to the subject site to Moorfield Road, Lytchet Way and Lawson Road to the west and south of the site both built over 4 storeys. Recent applications to install pitched roofs to the existing blocks have been approved to a number of surrounding blocks with blocks to Lytchet Way built over 4 storeys and incorporating a pitched roof. In this regard, it is considered that the development would respect the established development parameters of the wider estate and subsequently would serve to integrate with the pattern of development within the surrounding area in terms of scale, bulk and massing.
- 6.3.4 In terms of its general aesthetic with the decision to partially render the façade, the subject estate does possess a largely consistent palette of materials throughout albeit where it is considered that the estate is looking tired and relatively oppressive with blank facades that add little in terms of visual interest. Mindful of wider aspirations to render surrounding blocks, it is considered that the works to render the exterior would serve to actively enhance the quality of the area.
- 6.3.5 It is noted that the Design and Access Statement indicates that the external render options would draw from a palette of four tri-colour render options across each of the 4 development sites. Whilst the LPA would acknowledged that the wider estate would benefit from an enhancement in the exterior finish, the estate does benefit from a harmonised design, materials palette and sense of place which the LPA would be reluctant to erode with ad hoc changes. In this regard, while the principle of the change is acceptable, the LPA request that members allow delegated authority to negotiate the wording of conditions to ensure an estate wide approach to design is adopted and carried out.
- 6.3.6 In relation to the installation of a pitched roof, the applicant has stated that it forms part of a wider initiative to enhance the appearance of the estate as a whole and would match already consented examples to the south of the site. In this regard, it is considered that the pitched roofs would be a welcome

enhancement to the general aesthetic of these 1960s blocks and would serve to better integrate them into the more traditional architectural styling's of the surrounding area. Therefore, it is considered that the proposals would comply with the requirements of Policy CP30 of the Core Strategy, DMD 37 of the Submission version Development Management Document and Policy 7.4 of the London Plan.

### *Housing Mix*

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

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

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

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

6.3.10 The subject scheme comprises 9 x 2-bed (4 person) units. While it is clear that the development would only provide smaller sized units, the nature of development in utilising the exiting block and consequently the existing cores, the location of the units to the fourth floor and the omission of private dedicated amenity is such that the provision of family units would not necessarily be appropriate given the constraints of the site. Further, information submitted at the request of the Local Planning Authority as to the mix of the wider estate comprises 33.3% 1-bed units and 66.7% 3-bed units overall, which when taken in context of housing mix targets would see the over-provision of family sized units. In this regard, it is considered that the inclusion of 2-bed units actual contributes to the vibrancy of the overall mix and when taking the constraints of the site into account, the provision of smaller units is preferable and sufficient to compensate for any stated

deficiencies. Moreover, the provision of 100% affordable housing across each of the three sites must be afforded significant weight in deliberations where it can clearly be demonstrated that the development would directly contribute to an established and critical housing need.

### *Residential Standards*

6.3.11 Policy 3.5 of the London Plan seeks to ensure that housing developments are of the highest quality internally, externally and in relation to their context and to the wider environment. Table 3.3, which supports this Policy, sets out minimum space standards for dwellings. The draft Housing SPG and London Housing Design Guide build on this approach and provide further detailed guidance on key residential design standards, including the need for developments to avoid single aspect dwellings that are north facing, where exposed to noise exposure categories C or D, or contain 3 or more bedrooms. Core Policy 4 reiterates the need for high quality design in all new homes, clearing reference relevant guidance above.

6.3.12 The London Plan contains minimum standards for the size of new residential accommodation that replaces the Councils Supplementary Planning Guidance. The following figures are relevant for consideration of the proposed development:

<b>Unit type</b>	<b>Occupancy level</b>	<b>Floor area (m<sup>2</sup>)</b>
Flats	1p	37
	1b2p	50
	2b3p	61
	2b4p	70
	3b4p	74
	3b5p	86
	3b6p	95
	4b5p	90
	4b6p	99
2 storey houses	2b4p	83
	3b4p	87
	3b5p	96
	4b5p	100
	4b6p	107
3 storey houses	3b5p	102
	4b5p	106
	4b6p	113

6.3.13 From correctly scaled and verified drawings, the subject scheme achieves the following floor areas:

<b>Unit</b>	<b>Occupancy level</b>	<b>Floor area (m<sup>2</sup>)</b>
Flat A	2b4p	68
Flat B	1b2p	70.7
Flat C	1b2p	67.4
Flat D	2b4p	67.4
Flat E	2b4p	70.7
Flat F	2b4p	67.4
Flat G	2b4p	67.4
Flat H	2b4p	70.7

Flat I	2b4p	66
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6.3.14 All of the units meet or significantly exceed specified standards, each creating functional a usable space. This is compliant with Policy 3.5 of the London Plan

#### *Amenity Space*

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

<b>Dwelling type</b>	<b>Average private amenity space (across the whole site)</b>	<b>Minimum private amenity required for individual dwellings (m<sup>2</sup>)</b>
1b 2p	N/A	5
2b 3p	N/A	6
2b 4p	N/A	7
3b 4p	N/A	7
3b 5p	N/A	8
3b 6p	N/A	9

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

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

6.3.17 Due to the constraints of utilising an existing footprint, the newly created units do not benefit from private amenity provision. Whilst clearly contrary to the provisions of DMD9, the existing units within the estate also do not benefit from private provision. Although this point alone would not be sufficient to justify an absence of provision, the wider estate has been designed to incorporate generous areas of public realm and communal amenity including a number of playgrounds peppered throughout which could be held to directly compensate for the omission of private amenity provision. However, consistent with the views of the Local Planning Authority during pre-application stage, the applicant was advised to provide a survey and schedule of enhancements to upgrade existing provision so as it could be held that the further intensification of use would result in a further improvement of the public realm. Unfortunately this was not provided but given the wider social benefit of the delivery of viable affordable units to the estate, it is considered that refusal on this basis would be difficult to substantiate when considered on balance, an enhancement is still rightly sought and hence a condition will be levied to secure this enhanced provision.

#### *Impact to Neighbouring Properties*

6.3.18 In the determination of this application, due regard must be given to the potential impact of the new residential development on the amenities enjoyed by neighbouring properties particularly given objections raised by

neighbouring properties. Under the current submission objectors cited concerns relating to the bulk and massing of the building, loss of outlook, privacy and light as reasons to object to the scheme.

- 6.3.19 In this regard, the principles underpinning DMD8, DMD10 and indeed DMD11 apply both of which seek to ensure that new residential development is of an appropriate scale, bulk and massing and preserves amenity in terms of daylight, sunlight, outlook, privacy, overlooking and noise.
- 6.3.20 In relation to the scale, bulk and massing of the development, it is clear from the previous sections that the increased height can be accommodated within the existing footprint and pattern of development. The design and layout of the Old Road blocks is such that the subject block tapers towards Nos. 2-72 Old Road resulting in a reduction of separation to the north end to a minimum within the surround with separation distances of around 19m between facing windows. While this would not accord with DMD10 of the Development Management Document – which would typically require 30m separation distances between facing windows of three (or more) storeys – weighting must be given to the pattern of development in the surround and indeed the relationship of the current blocks where it must be considered that the inclusion of an additional storey would not serve to undermine a sense of privacy particularly where the development would not give rise to overlooking in excess of levels currently experienced and as a result of the offset in angles would diminish to the south.
- 6.3.21 However, at pre-application stage concern was expressed in relation to the impact of the additional storey on access to daylight, sunlight and the potential for overshadowing given the increase in the overall height of the block. In this regard, a daylight and sunlight analysis was requested to accompany the submission. This document was duly submitted and the results indicate that an analysis of daylight and sunlight penetration taken at the summer solstice, the winter solstice and the winter equinox is such that while the additional storey would impact upon the neighbouring Nos. 2-72 Old Road, the degree of overshadowing would be limited affecting the lower ground units of this block only during the worse performing winter months whereas for the remainder of the year would remain within acceptable parameters and in any case, given the relationship of the blocks already results in some overshadowing and would not therefore be considered as unacceptable.

#### *Parking*

- 6.3.22 The London Plan recommends a maximum residential car parking standard of 1-1.5 spaces per unit for terraced houses and flats and in accordance with the NPPF no minimum parking prerequisite is stipulated.
- 6.3.23 The subject scheme provides for no additional dedicated parking provision. A parking survey of the surrounding roads has indicated that significant on-street parking provision exists within the surrounding estate to comfortably accommodate – in accordance with stated Policy – the additional 9 units to the site with a parking survey taken over two nights that indicated that the surrounding roads immediate vicinity showed that only 24% of allocated and on-street parking is occupied lining Old Road. In this regard, it is considered that the parking demand derived from the new units can be accommodated.

6.3.24 In addition, the Policy 6.13 seeks to secure 20% active electric charging points and a further 20% passive provision, given the nature of the parking strategy adopted by the application and the utilisation of the existing built form, it is not considered that the provision of electric charging points would be feasible.

#### *Walking & Cycling*

6.3.25 Details of cycle parking provision have been omitted. Mindful of the requirements of Table 6.3 of the London Plan, Traffic and Transportation have stated that a minimum of 16 cycle parking spaces be provided for the 8 additional units. This was raised at pre-application stage and will be conditioned.

6.3.26 No improvements to pedestrian access are being proposed. Having regard to the proposed intensification of use on site, some improvements, particularly to help pedestrians to cross the nearby roads will be required to comply with Policy 6.10 (walking) and DMD Policy 47 which both highlight that all new development should make provision for attractive, safe, clearly defined and convenient routes and accesses for pedestrians, including those with disabilities. A Grampian condition is recommended to provide:

- Improvements to pedestrian crossing facilities (by means of realignment, tactile paving and installation of pedestrian refuge or similar) at the junction of Palmers Lane and Old Road, and
- Pedestrian dropped kerbs at the junction of Old Road and Old Road cul-de-sac.

6.3.27 This is considered acceptable and necessary to improve the pedestrian environment consistent with the provisions of DMD47 and a condition will be levied.

#### *Servicing*

6.3.28 Details of refuse storage have been omitted. This can be secured by condition.

#### *Sustainability*

6.3.29 Policy 5.3 of the London Plan relates to sustainable design and construction seeking to ensure that the design and construction of the proposed development has regard to environmental sustainability issues such as energy and water conservation, renewable energy generation, and efficient resource use. In Policy CP4 of the Core Strategy and DMD50 of the Development Management Document the Council would adopt a strategic objective to achieve the highest standard of sustainable design and construction throughout the Borough. In this regard, accreditation through the BRE Environmental Assessment Method: The Code for Sustainable Homes requires all new residential development to exceed a Code Level 4 rating.

6.3.30 In addition, the Council requires the provision of inclusive design and accessible housing, through building to Lifetime Home standards on all new residential development.

- 6.3.31 Details relating to the achievement of wider Council objectives for sustainable design and construction have been omitted as part of an Article 10A notification despite such documentation being requested a pre-application stage for submission with the final application. However, the applicant has provided an undertaking to achieve a Code Level 4 rating (and by association a 19% improvement over Part L1A of Building Regulations 2013 for energy efficiency) and supported by the installation of photovoltaics to the roof. In this instance it is considered that an undertaking is sufficient to stand as confirmation that the improvements and targets are technically feasible and economically viable and therefore these measures can be secure by condition.
- 6.3.32 Given the fact that the development is seeking to utilise the existing cores, it is not technically feasible for the development to achieve Lifetime Homes standards, albeit where the applicant has confirmed that the existing ground floor units are wheelchair accessible.
- 6.3.33 Conditions to secure energy efficiency, Code compliance, water efficiency, sustainable drainage, biodiversity enhancements and, commensurate with the concerns of residents under the original application, construction management will be levied with the scheme to comply with relevant Policy.

#### *Biodiversity and Trees*

- 6.3.34 The site contains a number of established trees. Despite requests at pre-application stage for a tree survey to be provided, this too has been omitted in lieu of a commitment to provide one prior to commencement. In consultation with the Council's Tree Officer, no objection has been raised subject to wider landscaping enhancements which will be covered by the public realm condition.

#### *Affordable Housing*

- 6.3.35 As the application is made on behalf of Enfield Council it is not appropriate to secure relevant and appropriate contributions via a Section 106 agreement. On November 28th 2014 the Minister for Housing and Planning statement announced S106 planning obligation measures to support small scale developers and self-builders. Paragraphs 12 to 23 of the National Planning Policy Guidance (NPPG) were amended to state that contributions for affordable housing and tariff style planning obligations should not be sought from small scale and self-build developments containing 10 units or less with a gross area of no more than 1000 sq.m.
- 6.3.36 This change in national policy has particular impacts on the Council's local planning policy as detailed in the S106 SPD (adopted November 2011) and policy DMD 2 of the Development Management Document (adopted 19th November 2014) which currently requires contributions for Affordable Housing from all schemes of one unit upwards. The S106 SPD also requires contributions towards education on all developments, including those for a single dwelling, which increase pressure on school places.
- 6.3.37 The Council considered the implications of the Ministerial Statement on the policies contained in the recently adopted DMD and S106 SPD at its Local Plan Cabinet Sub Committee on the 15th January 2015 and for an interim period resolved:



- Education contributions will no longer be required for developments of less than 11 units.
- Affordable housing contributions will no longer be required for schemes of 1-9 units where the applicant is an individual, a self-builder.
- In addition, consideration should also be given to the impact of seeking contributions from small scale developers. A small scale developer is defined at in the Draft Revised S106 SPD as an individual or company which does not own or is not linked or partnered with companies which employ 10 more staff or have an annual turnover of more than 2 million Euros (currently £1.57m). This means that we will need to continue to seek viability assessments for such schemes. We are also considering options to simplify the process of assessing viability so that the requirement to submit information does not have a disproportionate burden.

6.3.38 Since this resolution, an appeal decision has been made ( Southgate Office Village App/Q5300/A/14/2226587). The appeal decision letter states:

*'...The Written Ministerial Statement (WMS) does not seek to distinguish between sites of 10 units or less built by 'small scale developers' or 'large scale developers' – nor does it seek to define what a 'small scale developer' might be by reference to turnover or number of employees.*

*The PPG itself, in referring to the WMS, states that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sq.m (gross internal area). Amendments made on 27th February 2015 to the PPG make it clear that the 10 unit threshold represents national planning policy, a matter reinforced through the written statement to Parliament by the Secretary of State for Communities and Local Government on 26th March 2015.*

*Against this background I find that the in focussing on 'small scale developers', the Council's interpretation of the WMS is somewhat strained. The PPG is clear that it is the size of the development that governs whether or not a contribution should be sought. In this case I am clear that seeking a contribution towards affordable housing would directly contravene recent national planning policy, a matter that should be afforded very substantial weight in the overall planning balance.'*

6.3.39 In the light of this decision , it has been agreed that affordable housing contributions will no longer be sought for developments of 10-units or less provided the floor area (GIA) does not exceed 1000,sq.m.

6.3.40 The development proposed comprises 9 units with a floor area of 571sq.m and therefore no contribution is sought. However, as a Council application, the development is seeking to provide 100% affordable housing. This is clearly in excess of levels required by CP5 of the Core Strategy and will be secured by condition.

CIL

6.3.41 The scheme qualifies for a CIL contribution. The development results on 571 sq.m of additional floor space resulting in a contribution (not index adjusted) of £11,420.

## **7. Recommendation**

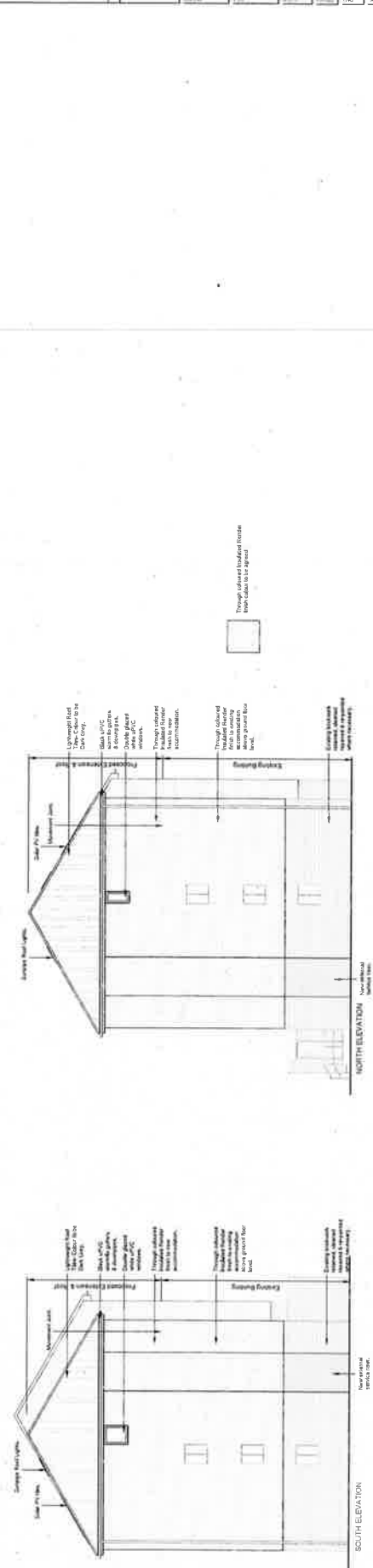
7.1 That planning permission granted in accordance with Regulation 3/4 of the Town and Country Planning General Regulations 1992 subject to conditions to address the following issues (see schedule below).

### Conditions in summary

1. Approved Plans
2. Time limitation
3. Details of Materials
4. Details of Levels
5. Landscape / public realm / communal amenity enhancement and management plan
6. Bird / Bat boxes
7. Potable Water
8. Sustainable Drainage System
9. Carbon reductions including performance certificate (19% over Part L)
10. CfSH Code 4
11. Construction Management Plan
12. Pedestrian improvement scheme
13. Cycle parking spaces
14. Refuse storage
15. Affordable housing

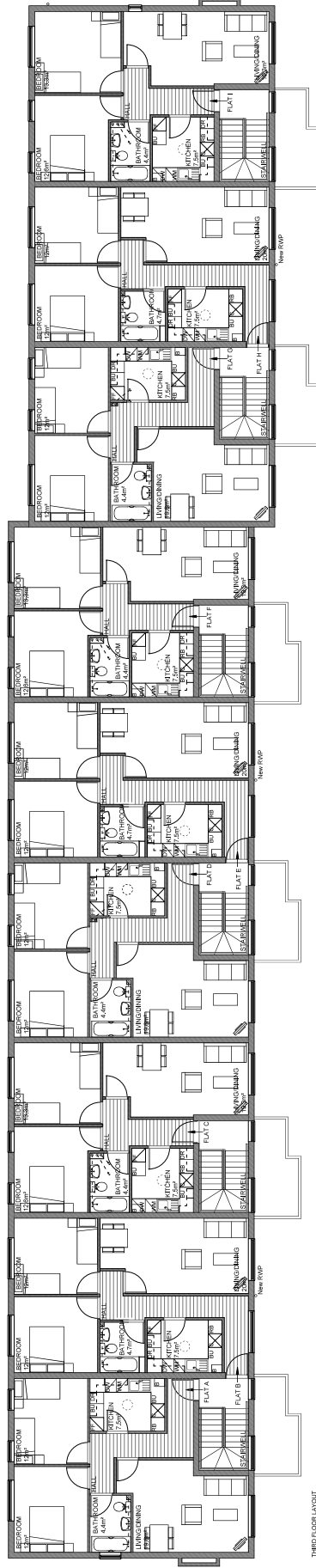
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D Render option changed	23.04.16
C Elevator heights and door	06.04.16
B Windows corrected	17.03.16
A Internal Layout	13.03.16
Amendment:	
PLAYLE & PARTNERS LLP CONSULTING ARCHITECTS	
Lychet Way Estate - 74-144 Old Street, Enfield, EN3 5XZ	
Proposed Elevations	
Enfield Borough Council	
CD	
11.02.2015	1:100 @ A1
8190/P46	

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THIRD FLOOR LAYOUT

ACCOMMODATION SCHEDULE FOR FLATS 31-60 LAWSON ROAD

FLAT NO.	FLAT TYPE	AREA
A	2B4P	68m <sup>2</sup>
B	2B4P	70.7m <sup>2</sup>
C	2B4P	67.4m <sup>2</sup>
D	2B4P	67.4m <sup>2</sup>
E	2B4P	70.7m <sup>2</sup>
F	2B4P	67.4m <sup>2</sup>
G	2B4P	67.4m <sup>2</sup>
H	2B4P	70.7m <sup>2</sup>
I	2B4P	68m <sup>2</sup>



REV. COMMENT. DATE  
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**Lychet Way Estate - 74 -**  
**144 Old Road, Enfield, EN3**  
**5XZ**

**Proposed Furniture**  
**Layouts**

**Enfield Borough Council**

**CD**

**26/03/2015**

**1:100 @ A1**

**8190/P48**