

# LONDON BOROUGH OF ENFIELD

## PLANNING COMMITTEE

Date : 9 February 2016

**Report of**  
Assistant Director, Planning,  
Highways & Transportation

**Contact Officer:**  
Andy Higham  
Sharon Davidson  
Matthew Thode

**Ward:**  
Palmers Green

**Ref:** 15/05074/HOU

**Category:** Householder

**LOCATION:** 56 Hamilton Crescent, London, N13 5LW,

**PROPOSAL:** Single storey rear extension with a roof light

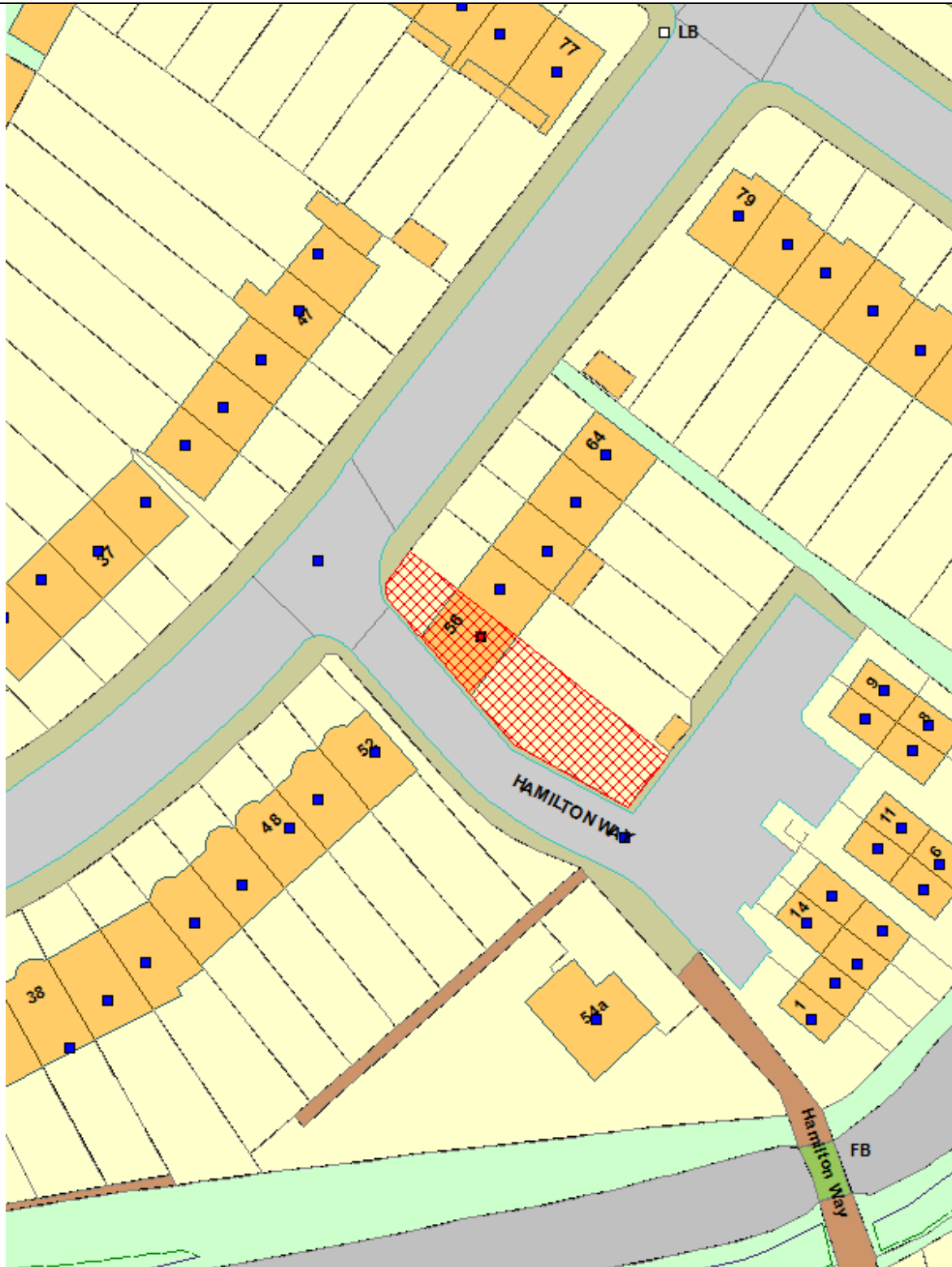
**Applicant Name & Address:**  
Mrs Athena Sofocleous  
56 Hamilton Crescent  
London  
N13 5LW

**Agent Name & Address:**  
Mr Amir Faizollahi  
6 Bournwell Close  
London  
EN4 0JX  
United Kingdom

**RECOMMENDATION:**

Having regard to the above assessment, it is recommended that the application is **approved** subject to conditions.

Ref: 15/05074/HOU LOCATION: 56 Hamilton Crescent, London, N13 5LW,



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Scale 1:1250

North



## 1. Introduction

- A planning application of this nature would normally be determined under delegated authority. However, the applicant occasionally works for the Building Control team within Development Management and in accordance with the scheme of delegation, the application is reported to Planning committee for consideration.

## 2. Site and Surroundings

- The subject property is a two storey end of terrace dwelling located on the corner of Hamilton Crescent and Hamilton Way, a small cul-de-sac. As such both roads form both the side and rear boundary, with one residential neighbour adjoining the property at 58 Hamilton Crescent.
- The terrace is typical of an end of terrace site and is flat in topography, with a small garden shed located to the rear. A site visit was carried out on the morning of 12 January 2016.
- The site is not located within a conservation area and does not contain a listed building.

## 3. Proposal

- Approval is sought to carry out a single storey rear extension to the property. In particular, planning permission is being sought for an extension measuring 4.5 metres in depth from the existing original rear wall, with a 1.5 metre by 1.5 metre in-set on the common boundary with the property of 58 Hamilton Crescent. This results in the rear extension being 3 metres in depth on the common boundary. The rear extension is to measure 3 metres in height to the parapet, with a flat roof.
- Plans submitted:
  - DW 001 Existing, dated 05.11.2015
  - DW 002 Proposed Plan and Elevations dated 05.11.2015

## 4. Relevant Planning Decisions

- The following planning history is considered to be relevant:

| Reference    | Proposal   | Decision | Date              |
|--------------|--|----------|-------------------|
| 15/02639/PRH | Single storey rear extension 5m deep x 4m high (3m high to eaves)      | Refused  | 14 July 2015      |
| 15/03848/PRH | Single storey rear extension 4.9m deep x 4m high (3m high to eaves)    | Refused  | 21 September 2015 |
| 15/04361/PRH | Single-storey rear extension 4.5m deep x 3.3m high (3m high to eaves). | Refused  | 22 October 2015   |

## 5. Consultations

### Statutory and non-statutory consultees

- External: No external consultations.
- Internal: No internal consultations.

### Public response

- Letters were sent to 7 adjoining and surrounding properties for a 21 day public consultation period ending on 8<sup>th</sup> December 2015. As a result, **one (1) objection** from a member of the public has been received.
- Whilst the submitter has made further note of their objections, they have identified the following matters as their key areas of concern:
  - *Close to adjoining properties*
  - *Conflict with local plan*
  - *Development too high*
  - *General dislike of proposal*
  - *Loss of light*
  - *Impact on amenity*
  - *Loss of privacy*
  - *Over development*
  - *Impact on biodiversity and landscape in relation to surrounding trees*
  - *Reduction in property value*
  - *Impact on party wall*
  - *Potential security issues*
- It is noted that property values and security issues during construction are not material planning considerations. In addition, it is noted any party wall issues would be a civil matter to be resolved under the ambit of other legislation.
- The other matters identified are addressed in the Analysis section of this report.

## 6. Relevant Policies

### London Plan

|             |                  |
|-------------|------------------|
| Policy 3.14 | Existing housing |
| Policy 7.4  | Local character  |
| Policy 7.6  | Architecture     |

### Core Strategy

|      |  |
|------|--|
| CP4  | Housing quality  |
| CP30 | Maintaining and improving the quality of the built environment |

## Development Management Document

|       |  |
|-------|--|
| DMD6  | Residential character                              |
| DMD11 | Rear Extensions                                    |
| DMD37 | Achieving High Quality and Design Lead Development |
| DMD38 | Design Process                                     |

## Other Relevant Policy Considerations

National Planning Policy Framework  
National Planning Policy Guidance

### **7. Analysis**

- Development Management Document (DMD) adopted November 2014 Policy 11 is the key consideration in the following assessment in relation to the impacts of the rear extension on both the adjoining neighbours amenity and states the following:

#### DMD 11

1. *Proposed extensions will only be permitted if:*
  - a. *There is no impact on the amenities of the original building and its neighbouring properties;*
  - b. *Adequate amenity space and the maintenance of satisfactory access to existing garages or garage/parking space is retained; and*
  - c. *There is no adverse visual impact.*
2. *Single storey extensions must:*
  - a. *Not exceed 3 metres in depth beyond the original rear wall in the case of terraced and semi-detached properties, or 4 metres for detached dwellings. In the case of a flat roof, the single storey extension should not exceed a height of 3 metres from ground level when measured to the eaves with an allowance of between 3.3-3.5 metres to the top of a parapet wall. For pitched roofs the extension should not exceed 4 metres in height when measured from the ridge and 3 metres at the eaves.*
  - b. *Not exceed a line taken at a 45-degrees from the mid-point of the nearest original ground floor window to any of the adjacent properties; or*
  - c. *Secure a common alignment of rear extensions.*
3. *First floor extensions must:*
  - a. *Not exceed a line taken a 30-degrees from the mid-point of the nearest original first floor window to any of the adjacent properties; and,*
  - b. *Where appropriate, secure a common alignment of rear extensions.*

#### Impacts on immediate neighbours

- In relation to the adjoining neighbours, it is noted the neighbour at 58 Hamilton Crescent is the only directly adjoining residential neighbour in relation to the proposed rear extension due to the subject site being a corner site.
- In regard to the height of the single storey rear extension, it is to measure 3 metres in height at the highest point of the parapet, which is in-keeping with the 3.3- 3.5 metres stated by DMD11. As such, the height of the single storey extension is considered to be acceptable.
- In relation to the depth of the rear extension, the extension on the common boundary with 58 Hamilton Crescent, runs for 3 metres along the common boundary before it is inset by 1.5 metres off the boundary, then runs the full depth of 4.5 metres from the original rear wall. This results in a 45 degree inset being achieved off this boundary.
- Whilst this is in excess of the 3 metres stipulated for terraced dwellings under DMD11, the inset mitigates the effects and impact the full 4.5 metres would otherwise have the potential to have on this common boundary. In particular, the additional depth of the 1.5 metres will be inset at an appropriate distance to avoid dominance of any additional bulk beyond the 3 metres depth. This will result in a reduced visual impact on the property of 58 Hamilton Crescent whilst ensuring the amenities of this property and in particular the rear yard is maintained.
- In regards to maintaining the admission of daylight and sunlight, given the recessive height and set back of the additional 1.5 metres off the boundary, it is considered the extension will maintain an appropriate degree of sunlight and daylight admission onto the property of 58 Hamilton Crescent.
- It is considered the proposal is an appropriate level of development on-site when taking into account the recessive and inset design of the rear extension to minimise visual impact and impact upon the existing amenity of the neighbouring property of 58 Hamilton Crescent. As such, the proposal is not considered contrary to DMD11 in relation to the property of 58 Hamilton Crescent.

#### Character

- The proposed extension is single storey and subordinate in architectural style with the inclusion of a flat roof. The extension is to be constructed from brick face work which will match the existing dwelling on site and is considered to be appropriate. The skylight to be located on the roof will not be ancillary and appropriate given its scale and position on top of the flat roof.
- The extension will run the length of 4.5 metres along the side of Hamilton Way. Given the height of the extension at 3 metres and the separation distance afforded by the road, it is considered the brick wall along this boundary will not be incongruent or of an inappropriate residential scale when viewed from the wider road.

- DMD 6 and DMD 37 state that development will only be permitted if it is of a scale and form appropriate to the existing pattern of development having regard to the character typology. Whilst the extension will be new, it will not have an undue impact on the character and appearance of the host building or row of terraces. It will not be an incongruous addition to the rear of the row of terraces. As such, it will not have an undue impact on the surrounds nor will it detract from the overall character and appearance of the row of terraces.

#### Privacy

- The proposed extension will have all windows orientated to the rear of the subject site which will avoid any impacts on privacy of the adjoining property of 158 Hamilton Crescent and the existing fence along Hamilton Way will avoid any inappropriate views onto the site from the public realm.

#### Vegetation and Biodiversity

- It is noted there are no tree protection orders relating to any of the trees onsite. However two Cyprus trees are identified to the rear of the property at 58 Hamilton Crescent. Discussion with Council's Tree Officer has confirmed the works will be clear of these trees.
- It is noted as part of the works that a small tree as identified in the site photograph will need to be removed as part of the works, however this is a small tree, which provides minimal visual amenity both to the site and surrounds.
- An objection raised by a neighbour as noted in section 4.1 of this report makes note of a large holly tree being within the area of the works. However, having visited the site, the area of works will be clear of any larger trees and as such, the dripline of the tree which will ensure no impact on the tree results.

#### Community Infrastructure Levy

- As of April 2010, new legislation in the form of Community Infrastructure Levy (CIL) Regulations 2010 (as amended) came into force which allow 'charging authorities' in England and Wales to apportion a levy on net additional floor space 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 development is not liable for a Community Infrastructure Levy in this instance.

### **8. Conclusion and Recommendation**

- It is considered the rear extension is of a design and scale that is appropriate for the surrounding context of an end of terrace dwelling when having regard to the recessive height and design. Due to the design of the extension and in particular

the inset wall of the rear extension, it avoids inappropriate impact on the property of 58 Hamilton Crescent.

- As such, the proposal is not contrary to Policies 3.14 and 7.4 of the London Plan, Policies 4 and 30 of the Core Strategy, and Policies 6, 11, 37 and 38 of the Development Management Document.
- Having regard to the above assessment, it is recommended that the application is approved subject to the following conditions:

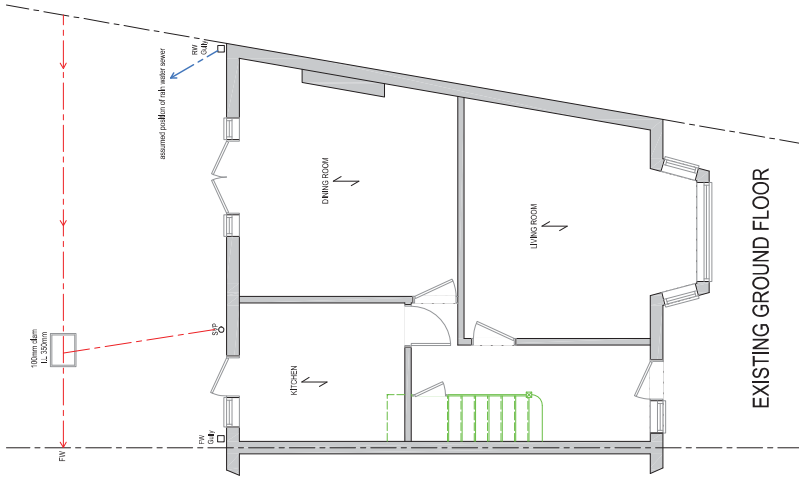
#### Conditions

1. The development hereby permitted shall be carried out in accordance with the approved plans, as set out in the attached schedule which forms part of this notice.  
Reason: For the avoidance of doubt and in the interests of proper planning.
2. The external finishing materials shall match those used in the construction of the existing building and/or areas of hard surfacing.  
Reason: To ensure a satisfactory appearance.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any amending Order, no balustrades or other means of enclosure shall be erected on the roof of the extension(s). No roof of any part of the extension(s) shall be used for any recreational purpose and access shall only be for the purposes of the maintenance of the property or means of emergency escape.  
Reason: To safeguard the privacy of the occupiers of adjoining properties.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any amending Order, no external windows or doors other than those indicated on the approved drawings shall be installed in the development hereby approved without the approval in writing of the Local Planning Authority.  
Reason: To safeguard the privacy of the occupiers of adjoining properties.
5. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the decision notice.  
Reason: To comply with the provisions of S.51 of the Planning & Compulsory Purchase Act 2004.

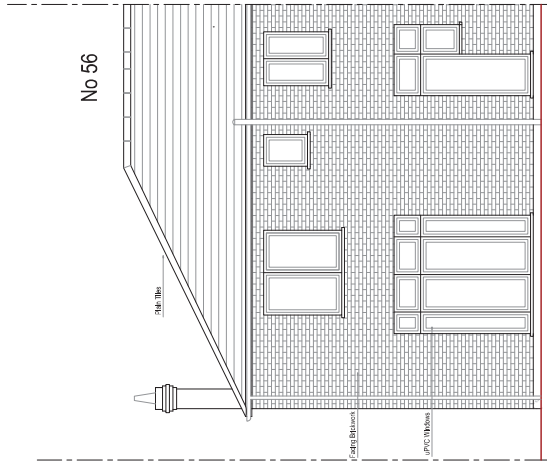


**NOTES:**  
 THE CONTRACTOR IS TO CHECK ALL DIMENSIONS, CLEAR RISKS AND GENERAL CONDITIONS ON SITE BEFORE COMMENCING WORK. ALL WORKS ARE TO BE CARRIED OUT IN ACCORDANCE WITH CURRENT BUILDING REGULATIONS, BRITISH STANDARDS, CODE OF PRACTICE AND LOCAL AUTHORITY REQUIREMENTS.

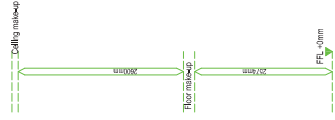
The proposed works are fully within the terms of the Building Regulations. The building owner must notify and obtain formal approval from the local authority. The party wall procedure must be followed. For more information visit the party wall information booklet from www.adgim.gov.uk/part119wall-1996 or Tel: 0870 722 6236



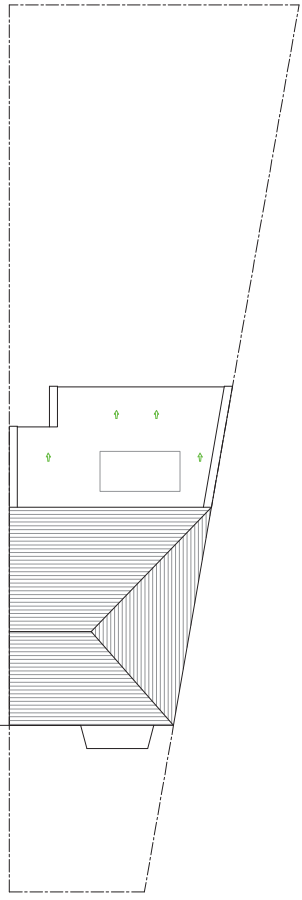
EXISTING GROUND FLOOR



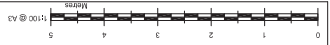
EXISTING BACK ELEVATION



LOCATION PLAN 1:1250



BLOCK PLAN 1:200



|                              |           |
|------------------------------|-----------|
| DWG 001                      | Existing  |
| 1:50 / 1:100 @ A3            | 5/11/2015 |
| 56 Hamilton Crescent N13 5LW |           |

