

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date : 13 September 2016

Report of

Assistant Director, Planning,
Highways & Transportation

Contact Officer:

Andy Higham
Sharon Davidson
Mr Mark Smith

Ward:

Cockfosters

Ref: 16/02291/FUL

Category: Full Application

LOCATION: 17 Grosvenor Gardens, London, N14 4TU,

PROPOSAL: Minor material amendment to Appeal Ref: APP/Q5300/D/15/3141038 (Application ref: 15/01191/HOU) - to allow increase of height to roof of outbuilding.

Applicant Name & Address:

Mr Herc Eracli
17, Grosvenor Gardens
SOUTHGATE
N14 4TU

Agent Name & Address:

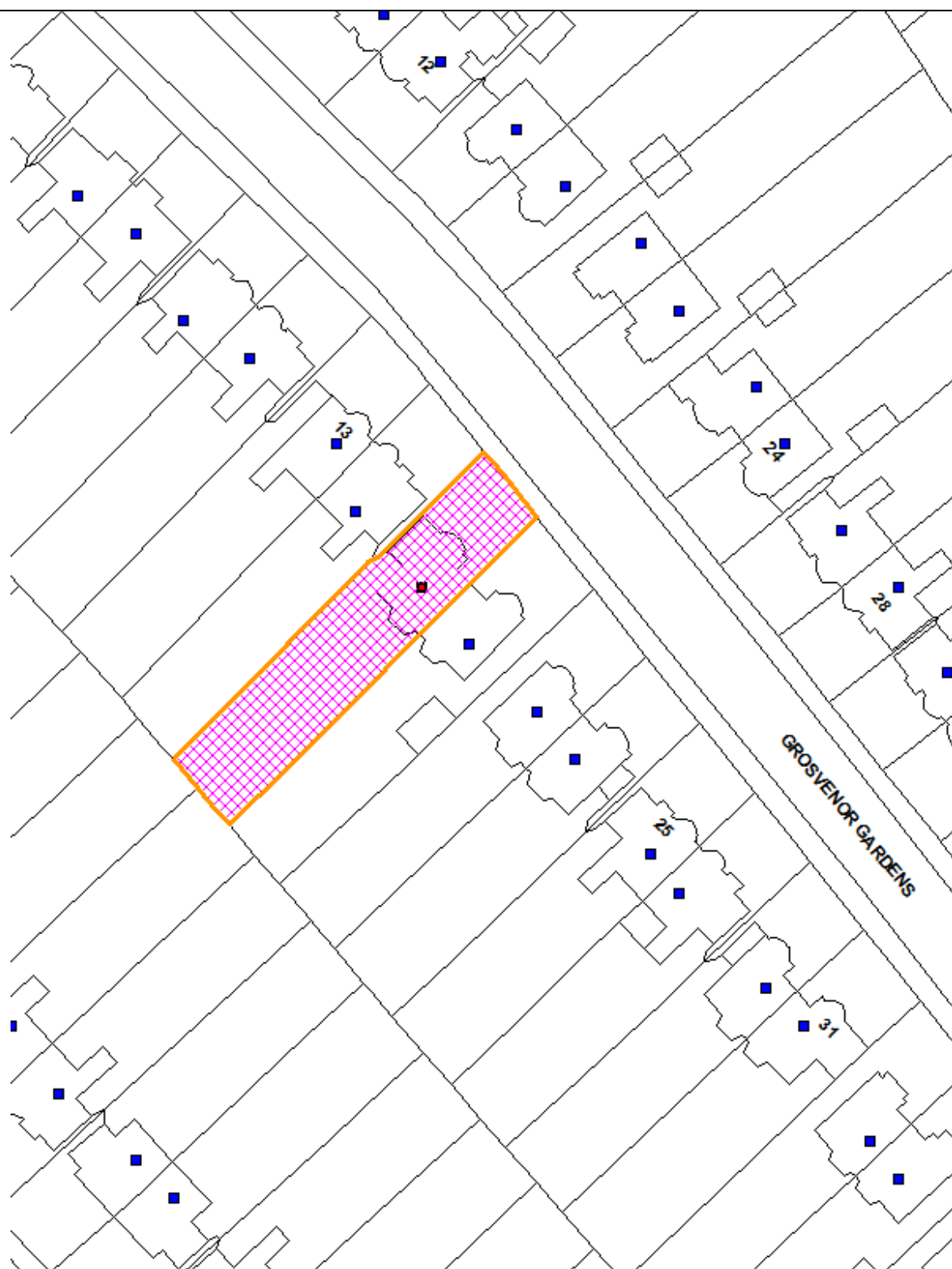
Mr Antoni Eracli

Please email all letters
United Kingdom

RECOMMENDATION:

That the application be **REFUSED** for reasons.

Ref: 16/02291/FUL LOCATION: 17 Grosvenor Gardens, London, N14 4TU,



1. Site and Surroundings

- 1.1 Grosvenor Gardens is a residential street fronted by semi-detached dwellings. The street is on undulating land and the garden of No 17 is at a lower level than No 15 (to the north west) and higher than No 19 (with which No 17 forms a pair) to the south east. The underlying land form also drops from west to east resulting in the rear gardens sloping down towards the houses.

2. Proposal

- 2.1 The application seeks planning permission for a minor material amendment to the development recently granted planning permission on appeal (Application Ref: 15/01191/HOU) to allow a reduction in the height of the existing building by 100mm, rather than 300mm as approved through that appeal.
- 2.3 The permission granted on appeal also included provision for :
- i) the erection of new timber supports immediately adjacent to the boundary fence to the common boundary with No.19, to support 300mm of trellis, which would sit above the height of the existing boundary fence; and
 - ii) a new 1.8m high trellis fence perpendicular to the boundary fence with No.19. together with a planting bed in front. The applicant proposes to plant climbers to ultimately cover the proposed trellis.
- 2.4 The application does propose any change to the trellis or planting to the boundary with No 19.

3. Relevant Planning History

- 3.1 P13-02505PLA retention of outbuilding for use as gym ancillary to the dwelling was refused by Planning Committee 24/9/2014. A subsequent appeal, APP/Q5300/D/14/3001500 was dismissed by the Planning Inspectorate 25/2/2015. In dismissing the appeal the Inspector noted:
- ☐ It is significant in scale and extends across much of the plot's width with the side walls close to and parallel with the shared rear boundaries with the properties on either side of the site. Taken together with its flat roof, I consider that the appeal scheme appears as a large bulky structure that in my experience is atypical of ancillary outbuildings and structures that are generally found in the gardens of residential properties.
 - ☐ Of the properties close to the site, it is the occupiers of 19 Grosvenor Gardens that are most likely to be affected by the appeal scheme.
 - ☐ As the outbuilding occupies an elevated position in relation to the rear garden of No 19 due to the notable difference in ground levels, it projects significantly above the timber fence that largely marks the common boundary between these adjacent properties.
 - ☐ When seen from the dining room window and the rear garden of No 19, the outbuilding... due its scale, height and position, it is my judgement that the outbuilding unacceptably dominates the external outlook from the dining room window in particular.

- 3.2 15/01191/HOU reduction in height of existing outbuilding for use as gym ancillary to the dwelling was refused by Planning Committee 28/9/2015. The application proposed the reduction in height of the existing building by 300mm, together with additional trellis fencing to be added to the boundary fencing along the boundary with No.19 and additional planting. The subsequent appeal APP/Q5300/D/15/3141038 was allowed by the Planning Inspectorate 11/4/2016 with the following conditions:
1. *Other than as may be required by condition 4 the development hereby permitted shall be carried out in accordance with the following approved drawings: GROS/2015/03B, GROS/2015/04A, GROS/2015/06 and GROS/2015/07.*
 2. *Within six months of the date of this decision the height of the building shall be reduced in accordance drawing number GROS/2015/04A.*
 3. *The reduced-height building hereby permitted shall not be occupied until the trellis fencing and planting to the boundary with No 19 Grosvenor Gardens as shown on drawing numbers GROS/2015/03B, /04A and /07 has been provided in accordance with the approved drawings. That fencing shall thereafter be retained.*
 4. *Details of measures to be taken to prevent the overlooking of the rear garden and dining room windows of No 19 Grosvenor Gardens from the window of the outbuilding, including details of any structures and planting that may be proposed, shall be submitted to and approved in writing by the local planning authority. The reduced-height building hereby permitted shall not be occupied until those measures have been carried out in accordance with the approved details. Those measures shall thereafter be retained.*

4. Consultations

Statutory and non-statutory consultees

- 4.1 None.

Public response

- 4.2 The neighbours were notified of the application by mail (6 letters).
- 4.3 3 objections were received which raised the following concerns (summarised).
- Loss of privacy.
 - Loss of outlook.
 - Development too high.
 - Incongruous form of development.
 - Out of keeping with the character of the area.
 - General dislike of the proposal.
- 4.4 The objectors also expressed their frustration with the development and the planning process.

5. Relevant Policies

5.1 London Plan

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

5.2 Core Strategy

- Policy 30 Maintaining and improving the quality of the built and open environment

5.3 Development Management Document

- DMD 12 Outbuildings

5.4 Other Relevant Policy Considerations

- National Planning Policy Framework
- National Planning Policy Guidance

6. Analysis

- 6.1 This application seeks planning permission for a minor material amendment to the development recently granted planning permission on appeal to reduce the height of the building as constructed by 100mm instead of 300mm as approved following the recent appeal decision.
- 6.2 The main issue to consider therefore is the effect of this lesser reduction in height on the amenities and outlook of the occupiers of No 19 Grosvenor Gardens. The Planning Inspectorate has already ruled on all other matters.
- 6.3 In its most recent appeal decision (Appeal Ref: APP/Q5300/D/15/3141038), the Planning Inspectorate stated:

[8] In common with the previous Inspector I had the benefit of seeing the outbuilding from within the dining room of No 19 and from the garden of that property. The dining room is lit by a rear bay window with almost full height glazing to the rear and sides. A glazed door in the centre of the bay provides stepped access down to the rear garden. From within the dining room the outbuilding is partly screened by the boundary fence; however both that building and the dining room are at higher levels than the rear gardens and much of the rear elevation of the outbuilding, including the entire window, can be seen from the dining room above the fence. At the time of my visit the appellant had placed bamboo plants in pots alongside the boundary fence but their wispy foliage did not disguise the presence of the building.

[9] Whilst my attention was focussed on the building I was nevertheless aware that it was seen against the backdrop of the rear of the houses in Prince George Avenue and that the dining room had a wider outlook including the rear garden of No 19. From within the garden, at a lower level than the dining room, the fence provided a greater degree of

screening and less of the outbuilding was visible. At the end of the garden the full height of the building was experienced with an expanse of white-rendered wall above the fence line.

[10] The proposal would result in the reduction in the height of the building by 0.3m. The floor level and windows would be unchanged and the reduction would be achieved by removing part of the wall above window level. I consider that the deep masonry section above the window makes a significant contribution to the perceived bulk and prominence of the building when seen from neighbouring properties. The reduced-height building would still be seen from No 19 but in my view the reduction in height proposed would be sufficient to prevent it from being physically overbearing.

[11] In addition the appellant proposes to supplement the boundary fence to No 19 with a 0.3m trellis and construct a 1.8m high trellis fence at right angles to the boundary fence across the front of the outbuilding to support climbing plants. These structures would not affect the bulk of the building but they would limit its visibility from No 19 which would be further reduced when the trellises are populated by climbing plants.

[12] I consider that these measures would ensure that the outbuilding would not be unacceptably harmful to the outlook from No 19.

6.4 This most recent appeal decision must be considered along with that referenced above in relation to the retention of the existing building without any reduction in height. The Inspector considered that the building as it presently exists unacceptably dominates the external outlook from the dining room window of No. 19. A 300mm reduction in height, together with the additional boundary works, was deemed to be sufficient to reduce the dominance of the building and address the identified harm. It is considered that the modest reduction in the height of the building as now proposed, by 100mm, would fail to reduce the perceived bulk and prominence of the building to an acceptable level. The scale of the building would continue have an undue impact on the amenities and outlook of the occupiers of No 19 Grosvenor Gardens.

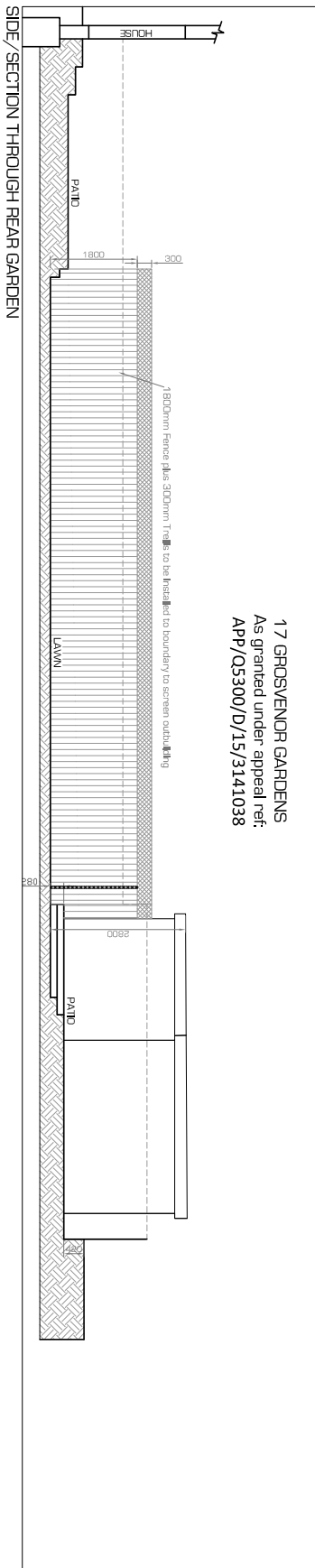
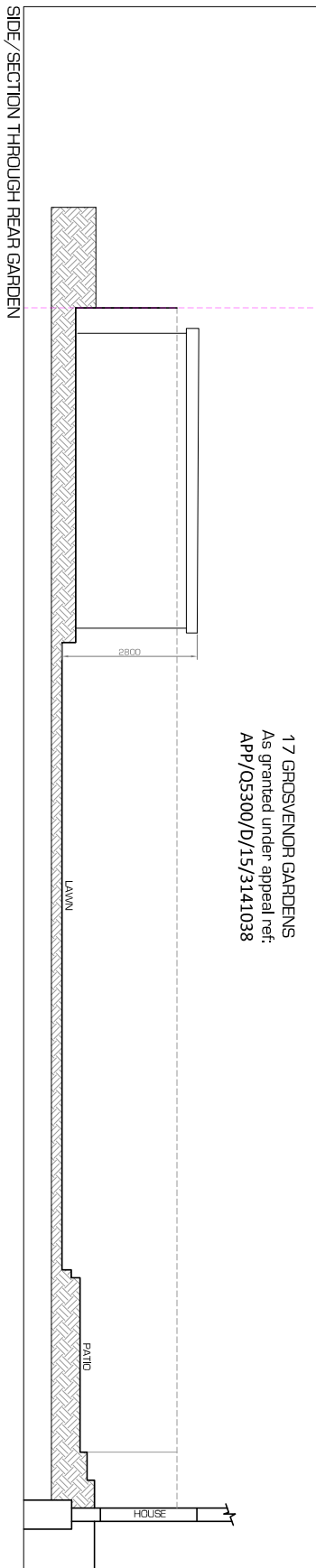
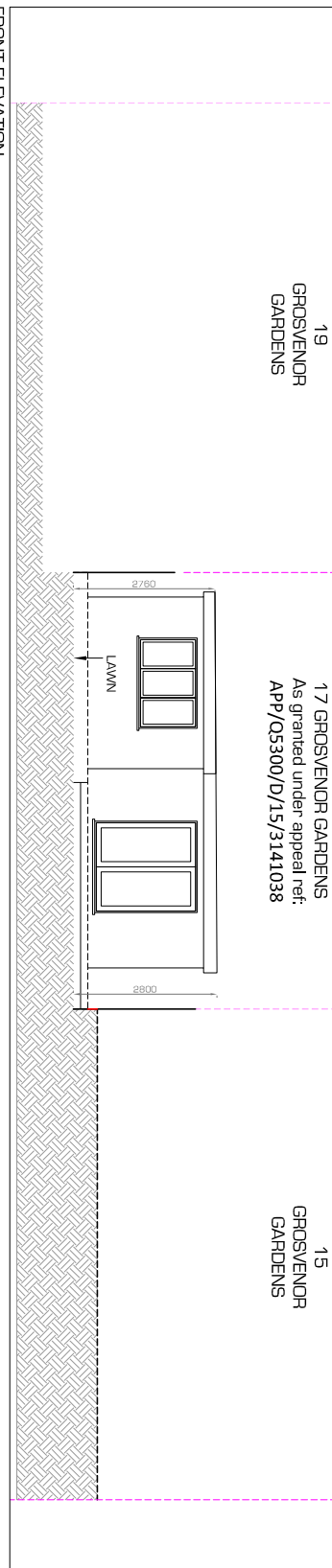
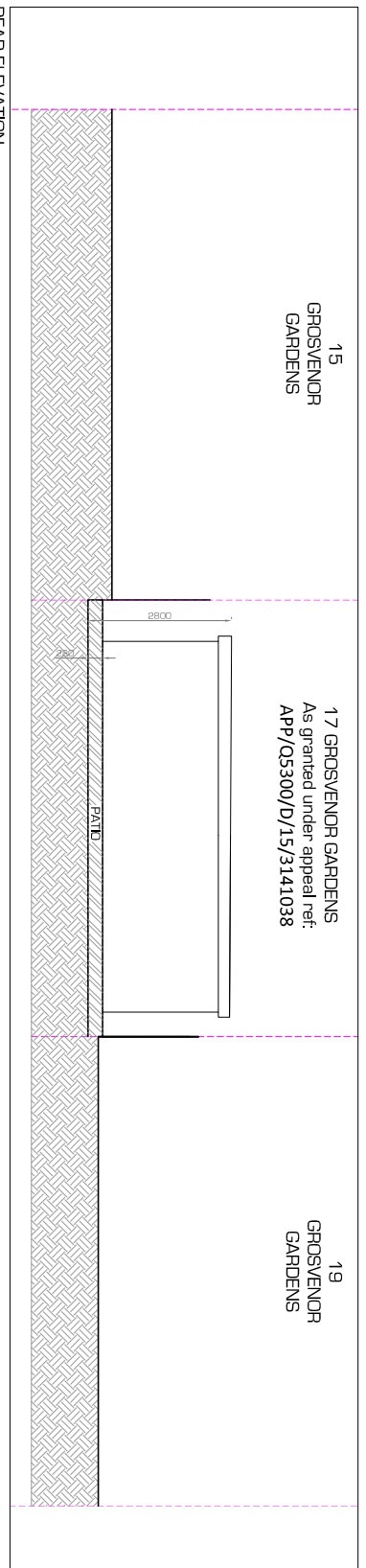
7. Recommendation

7.1 That the application be REFUSED for the following reason:

The proposal would fail to reduce the perceived bulk and prominence of the building to an acceptable level and would have an undue impact on the amenities and outlook of the occupiers of No 19 Grosvenor Gardens contrary to Policies 3.14 and 7.4 of the London Plan, CP30 of the Core Strategy and DMD12 of the Development Management Document.







APPROVED ELEVATIONS APP/Q5300/D/15/3141038

Customer name & site address:
Mr. H. Eracli
17 Grosvenor Gardens
London, N14 4TU

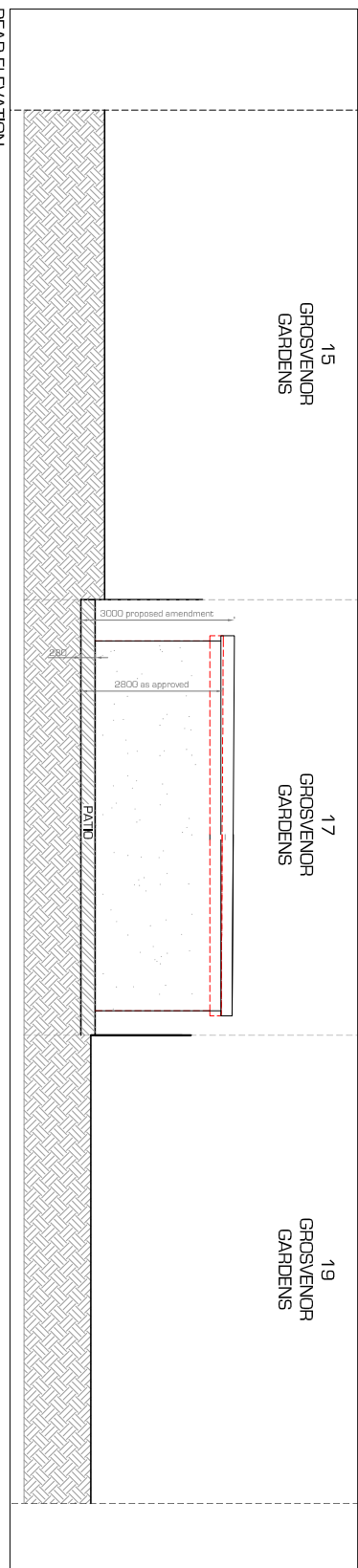
Works:
Amendment to approved appeal
ref: APP/Q5300/D/15/3141038

Council: Enfield
Date: 19th April 2016
Scale: 1:100 @ A3
Dwg no. GROS/2016/02

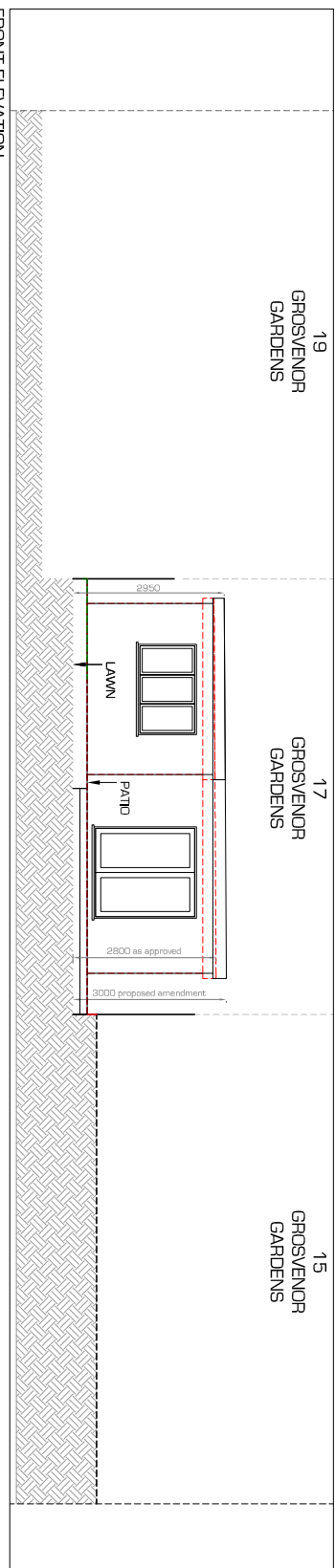
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PLAN & DESIGN -

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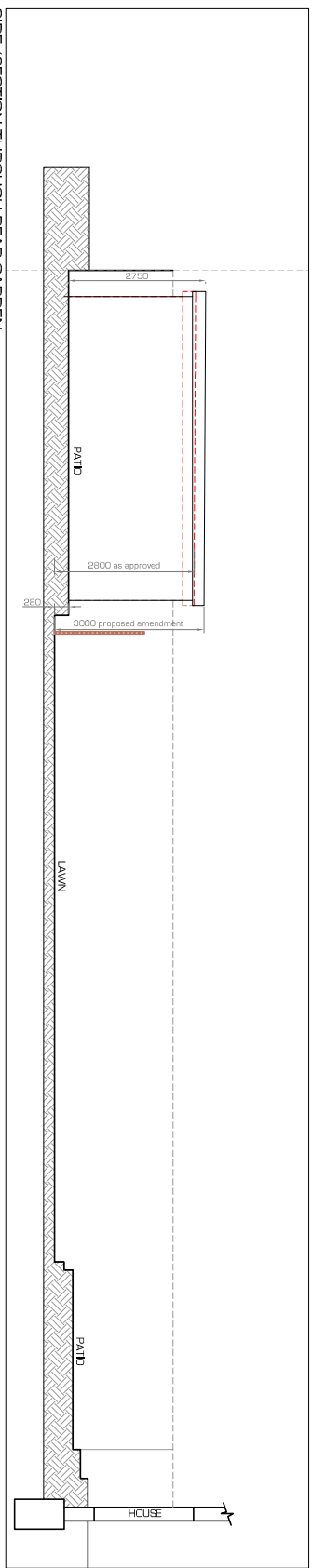




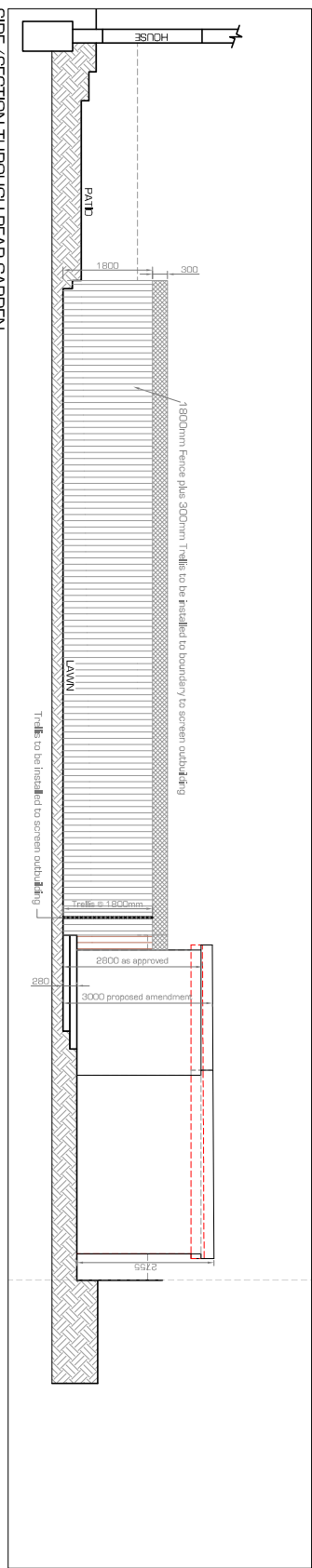
REAR ELEVATION



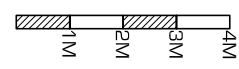
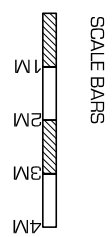
FRONT ELEVATION



SIDE/SECTION THROUGH REAR GARDEN



SIDE/SECTION THROUGH REAR GARDEN



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<p>- KUDOS - PLAN & DESIGN - WWW.KUDOSPLANS.CO.UK info@kudosplans.co.uk T: 07904585920</p>		<p>PROPOSED ELEVATIONS</p>		<p>Council: Enfield</p>
<p>Customer name & site address: Mr. H. Eracli 17 Grosvenor Gardens London, N14 4TU</p>		<p>Works: Amendment to approved appeal ref: APP/Q5300/D/15/3141038</p>		<p>Date: 19th April 2016</p>
				<p>Scale: 1:100 @ A3</p>
				<p>Dwg no. GROS/2016/04</p>

The floor plan shows a house with a central living area, a kitchen, a dining room, and a large lounge. A staircase leads to a basement. The house is surrounded by a lawn and a garden. A driveway leads to a garage. The plan also shows a shed, a lawn, and a garden. The house is situated on a plot of land with a boundary line. The plan is labeled with '20055' and '15'.

