LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date: 20th September 2016

Report of

Assistant Director, Planning & Environmental Protection

Contact Officer:

Andy Higham Tel: 020 8379 3848 Kevin Tohill Tel: 020 8379 3841 Ray Reilly Tel: 020 8379 3579 Ward: Southgate

Green.

Application Number: 16/00500/FUL

LOCATION: 16 Arnos Grove, London, N14 7AS

PROPOSAL: Subdivision of the site and erection of 2-storey 4 bed detached single family dwelling with associated landscaping and parking.

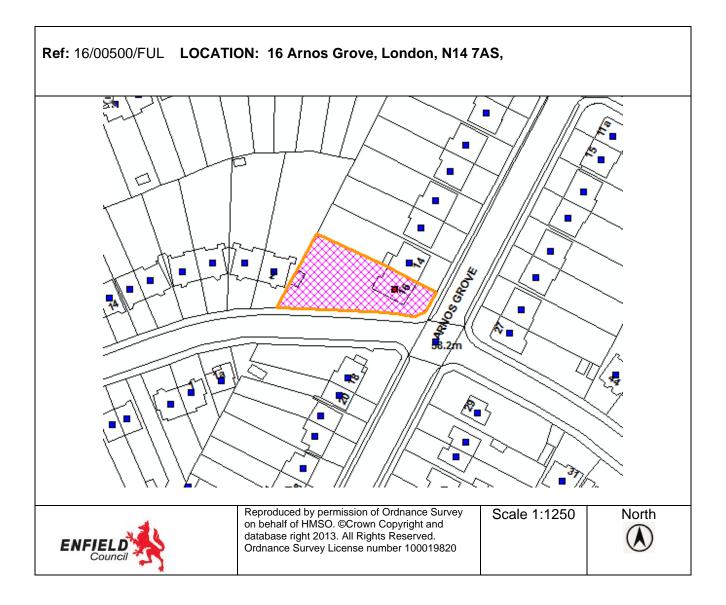
Applicant Name & Address:

Mr And Mrs J Zinkin 16 Arnos Grove London N14 7AS **Agent Name & Address:**

Building Design Consultancy UK Ltd 42 Forestdale Southgate London N14 7DX

United Kingdom

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



1.0 Site and Surroundings

- 1.1 The subject site is a return frontage corner plot located at the junction of Arnos Grove and Brycedale Crescent. At present there us a relatively large extended semi-detached house located on the plot with front driveway parking and a large rear garden that also faces onto Brycedale Crescent. There is a small rear garage and outside parking area at the rear of the site accessed off an existing public highway vehicular access. There is a drop in land levels of approximately 1.5m from the front of the site on Arnos Grove to the rear most part of the site.
- 1.2 The site is bounded by number 14 a semi-detached house with rear garden to the North, Number 2 Brycedale Crescent to the west and Brcyedale Crescent public highway to the south. The surrounding is mainly residential made up of large family houses in a semi-detached built form.
- 1.3 The site is not located in a Conservation Area and it is not Listed.

2.0 Proposal

2.1 The application proposes to subdivide the site and erect a 2 storey 4 bed house with accommodation in the roof within the rear most area of the garden facing out onto Brycedale Crescent. The proposed house would be approximately 13m wide and 9m deep with an additional ground floor rear projection a further 2m deep. It would be situated along the boundary with Number 2 Brycedale Crescent and proposed in a detached form. It proposes a garage to the side of the house which is proposed to accommodate one car along with a front driveway area which would accommodate at least another parking space. To the rear a garden area of approximately 90sqm is proposed.

3.0 Sites Planning History:

- 3.1 TP/74/0920: EXTENSION Refused 25th July 1974.
- 3.2 TP/74/1480: EXTENSION Granted 3rd December 1974.

4.0 Consultations

4.1 Internal

4.1.2 Traffic and Transportation - No objections, subject to conditions and informatives.

4.2 Public

4.2.1 8 Neighbours were consulted on 1st of June 2016. 1 Objection on behalf of the adjoining neighbour at Number 2 Brycedale Crescent was received raising objections summarised as follows:

- The proposed development will impact upon habitable rooms on Number 2 Brycedale Crescent especially with regard to the loss of light.
- The feather edged fencing between both boundaries of the site should be retained.
- Why is boundary at the rear not 2.2m as shown with boundary treatment to the north?
- The gap between the side wall of the proposed houses and that of the boundary for Number 2 is only 150mm which will allow for debris and leaves to gather.
- A detached dwelling is out of character with the predominant semi-detached form of the area.
- The garage is not wide enough to accommodate a car easily and the forecourt driving area does not sufficiently large enough to allow vehicles to turn.

5.0 Relevant Policy

5.1 <u>Core Strategy</u>

SO4	New homes
SO8	Transportation and accessibility
SO10	Built environment
CP4	Housing Quality
CP5	Housing Types
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
CP32	Pollution

S106 Supplementary Planning Document (Adopted November 2011)

5.2 The London Plan (revised 2015)

3.3	Increasing housing supply
3.4	Optimising housing potential
3.5	Quality and design of housing developments
3.8	Housing choice
5.2	Minimising carbon dioxide emissions
5.3	Sustainable design and construction
5.7	Renewable energy
5.13	Sustainable drainage
5.14	Water quality and wastewater infrastructure
5.15	Water use and supplies
5.18	Construction, excavation and demolition waste
6.9	Cycling
6.13	Parking
7.1	Building London's neighbourhoods and communiti

7.2 7.3 7.4 7.5 7.6 8.2	An inclusive environment Designing out crime Local character Public realm Architecture Planning Obligations
8.3	Community Infrastructure Levy
5.3 <u>Develo</u>	pment Management Document
DMD 2 DMD 3 DMD 6 DMD 7 DMD 8 DMD 9 DMD10 DMD11 DMD13 DMD14 DMD37 DMD38 DMD45 DMD45 DMD51 DMD53 DMD51 DMD53 DMD58 DMD59 DMD64 DMD65 DMD68 DMD69 DMD69 DMD72 DMD80	Affordable Housing for developments of less than 10 units Providing a Mix of Different Sized Homes Residential Character Development of Garden Land General Standards for New Residential Development Amenity Space Distancing Rear Extensions Roof Extensions Side Extensions Side Extensions Achieving High Quality and Design-Led Development Design Process Parking Standards and Layout Sustainable Design and Construction Statements Energy Efficiency Standards Low and Zero Carbon Technology Water Efficiency Avoiding and Reducing Flood Risk Pollution Control and Assessment Air Quality Noise Light Pollution Open Space Provision Trees on development sites
DMD81	Landscaping

Other Relevant Considerations

National Planning Policy Framework London Housing Supplementary Planning Guidance.

6.0 Officers Analysis

The principle issues for consideration under this application are:

- Principle of the Development;
- Density and Scale;
- Design, Character and Visual Appearance;
- Standard of Accommodation;
- Private Amenity Space;
- Highways Issues; and
- S106 Requirements and CIL Requirements.

6.1 Principle of the Development

- 6.1.1 All separate planning considerations for this proposal will be referred to in detail later in this report. However, upon assessment of relevant planning policy and following site inspections, the principle of the development is acceptable as the proposal is for residential development on a residential plot and it will add to the councils housing stock in the area and provide for an additional 4 bed family house which is much needed in the area, provided that it complies with other relevant planning matters.
- 6.1.2 DMD 7 states that the Council seeks to protect and enhance the positive contribution gardens make to the character of the Borough and its carries on to state that development of garden land would only be allowed where it would not affect the character of the area, increased density is appropriate, an acceptable standard of living accommodation is proposed, the proposal doesn't impact upon neighbours amenities and acceptable access can be achieved from the public highway.
- 6.1.3 Whilst this proposal is in relation to a rear garden site, it is not a typical rear garden as it faces onto the public highway and has good access off Brycedale Crescent. In addition the proposed site/rear garden is considered large enough to accommodate a family house without compromising the character of the area and neighbours amenity. All these issues will be referred to in greater detail later in the report, however from the perspective of principle it is considered the proposed subdivision of this house is acceptable.

6.2 Scale and Density

- 6.2.1 Density assessments must acknowledge new guidance outlined in the NPPF and particularly the London Plan, which encourage greater flexibility in the application of policies to promote higher densities, although they must also be appropriate for the area.
- 6.2.2 Policy 3.4 (Table 3.2) of the London Plan sets standards for appropriate density levels with regards to location, existing building form, massing, and having regard to the PTAL (Public Transport Accessibility Level) score. From assessing the plans it is considered a total of 6 habitable rooms would be provided. When added to the existing houses which has 6 habitable rooms also a total of 12 habitable rooms are proposed on the site which is of 0.0836 hectares. According to the guidance in (Table 3.2) of the London Plan as the site has a site specific PTAL rating of 2 in a suburban location, an overall density of between 150-250/ha may be acceptable. Upon calculating the density of the proposed development against this density matrix, based on habitable rooms per hectare this development would equate to 144 hr/ha.
- 6.2.3 Therefore these results show that from a density perspective this proposal would result in a density in accordance with the guidance outlined in the London Plan.
- 6.3 Design, Siting and Visual Appearance.
- 6.3.1 Policy DMD 37 aims to ensure that high standards of design are taken into consideration, with reference to the boundary treatment of the property, the use of materials and the proposals siting, layout, alignment, spacing, height, bulk and massing. In addition Policy 7.4 of the London Plan and DMD 6

states that developments should have regard to the form, function and structure of an area and the scale mass and orientation of surrounding buildings. In addition new policies in the DMD namely 11, 13 and 14 provide specific guidance in relation to impact of development with regard to design and neighbours amenity.

- 6.3.2 As has been referred to earlier in the report, the application proposes to subdivide the site and erect a 2 storey 4 bed house with the 4th bedroom in the roof space. The house would be approximately 13m wide across the frontage facing onto Brycedale Crescent with a side garage and approximately 9m deep with a 2m single storey part width rear projection at the back. The house is plotted to form a common alignment with Number 2 Brycedale Crescent adjacent. The proposed side garage is plotted to run down the angled boundary with 2 Brcyedale Cresent but the 2nd storey level of the proposed house would be set in 3.5m from the boundary line at the front and 1.6m at the rear. The house is designed in a relatively traditional form with bay windows, materials and a traditional hipped roof that matches the context of the adjoining area.
- 6.3.3 From the perspective of design and character it is considered the proposed application is acceptable. Due regard has been given to the fact that the house is proposed in a detached form in an area predominantly made up of semi-detached houses. However it is not considered that alone would constitute a reason for refusal. There is an identified need for such houses in the borough, however from a design perspective it is considered that the proposed house is well designed to keep within the character of the area. It is designed to keep within the character of the houses in the area on both Brycedale Crescent and Arnos Grove with design features such as the bay windows the traditional hipped roof, the use of materials and even the traditional quoin feature on the corners of the house. It is plotted to form a common alignment with Number 2 and overall it is considered it would sit comfortably within the streetscene.
- 6.3.4 In addition the side garage proposed would help link the proposed house to the side boundary of Number 2 so that it would not appear wholly detached, but at the same time it is set back far enough at first floor level from the boundary line and the side elevation of Number 2 to not appear overly cramped on the site and would avoid a creating future terracing affect with that property. In addition it would be set approximately 13m from the rear elevation of the existing house at Number 16 Arnos Grove which is considered to be an adequate degree of separation from that property also to not appear overly cramped within the streetscene.
- 6.3.5 Overall taking all factors into consideration, from the perspective of design, character and visual amenity it is considered the proposed development is acceptable.

6.4 <u>Neighbouring Amenity</u>

6.4.1 DMD 6 and 8 seek to ensure that residential developments do not prejudice the amenities enjoyed by the occupiers of neighbouring residential properties in terms of privacy, overlooking and general sense of encroachment. In addition Policies 7.4 of the London Plan and CP30 of the Local Plan seek to ensure that new developments have appropriate regard to their surroundings,

- and that they improve the environment in terms of visual and residential amenity.
- 6.4.2 With regards to neighbouring amenity the main properties to assess the proposal against are Numbers 2 Brycedale Crescent, Number 14 Arnos Grove and Number 16 Arnos Grove itself.

Impact on 2 Brycedale Crescent

- 6.4.3 Due regard has been given to the fact that objections have been received on behalf of the occupants at Number 2. However from assessing the proposed plans against council policy and having carried out a site assessment it is considered the proposed development has an acceptable impact in terms of amenity. At ground floor the proposed side garage would butt up against the existing side garage at Number 2. There are no side windows on this garage. Then at the rear the proposed single storey rear projection is shallower than the rear/ side extension on Number 2.
- 6.4.4 Having assessed the proposal on site it is considered the proposed development would also have an acceptable impact onto the first floor level of Number 2. To the rear common alignment would be achieved at first floor level and both houses would be separated from one another by 4.5 metres. To the front the proposed house would not impact upon a 30 degree line of sight from the nearest side bedroom window and having assessed the proposal on site it is considered the first floor level of the proposed house is set far enough away from this window to not negatively impact upon on outlook or access to natural light. The other windows on the side elevation of Number 2 serves a stairwell and a bedroom further forward on the side elevation both which would not be negatively impacted upon.
- 6.4.5 Full consideration have been given to the objections which have been received from the neighbouring occupier at Number 2, however having assessed the proposal on site in accordance with council policy it is considered that the impact to their amenity is considered minimal due to the siting and design of the development and therefore considered acceptable.

Impact on Number 14 Arnos Grove

- 6.4.6 Number 14 is set to the immediate north of the Number 16 with the rear garden of Number 16 set to the immediate North of the proposed site. The boundary line of the rear garden is relatively well screened with some high hedging and trees which allows for an enhanced sense of privacy between both neighbouring gardens.
- 6.4.7 The proposed house is plotted at a slight oblique angle to this boundary line and the two storey section of the proposed house is sited at a distance of between 8.5m and 10 m from this adjoining boundary with the exception of the ground floor projection which would be set 8m from the side boundary. By comparison the proposed house would be set 18m away from the rear elevation of Number 14 at an oblique angle.
- 6.4.8 Having assessed this proposal on site it is considered the development would have a minimal impact onto the occupier of Number 14 Arnos Grove. The proposed house would be well set down the rear garden of Number 16 to not negatively impact upon the occupiers of Number 14 in terms of blocking

daylight, sunlight and outlook to the rear facing bedroom windows. In addition there is a noticeable drop in land level from the rear patio area of Number 14 to the proposed site which would assist with reducing the visual bulk of the house.

6.4.9 In addition to this it is considered that the proposed rear elevation is sufficiently set away from the side garden boundary at an average distance of 9m so as to not unacceptably block daylight and sunlight into the rear garden. From the rear elevation of Number 14 the proposed house would also be plotted a distance of 16m down the garden parallel to the side boundary. Whilst the proposed house would be physically noticeable from the rear garden of Number 14 it is considered that it is set away and separated from the boundary line along with being set at a lower land level so as not to appear overly dominant. It is acknowledged that there are side facing windows which would face out onto the rear garden of Number 14. One of these serves a bedroom window and it is considered this is sufficiently separated to not create an undue level of overlooking. There are two other windows at first floor level that are proposed to serve a bathroom and dressing room. To avoid overlooking and the perception of overlooking of the rear garden of Number 14 a planning condition would be assigned that both of these windows are obscured glazed and fixed shut to 1.7m high. Subject to this condition the impact onto Number 14 Arnos Grove is deemed acceptable.

Impact on Number 16 Arnos Grove

- 6.4.10 Whilst it is acknowledged that the applicants reside at Number 16 the impact onto this property should be taken into consideration nonetheless to protect their amenity and that of any future occupiers.
- 6.4.11 Having assessed the proposal on site, it is considered that the impact onto Number 16 would be minimal. The floor level and outside patio level of Number 16 is set approximately 1.5m higher than the land level of the rear garden. In addition the outlook from Number 16 would not be negatively impacted upon by the proposed house as its rear window would face obliquely away from it. In addition it is not considered the proposed house would unacceptable block outlook from Number 16, it would be situated at on average 13m from the rear wall of Number 16. Furthermore, there are no side elevation windows to habitable rooms that would unacceptably impact upon Number 16 with regards to overlooking and loss of privacy.
- 6.4.12 Therefore officers consider that the proposal would not have an unacceptable impact on the occupiers of Number 16 having regard to DMD6 and 8.
- 6.5 Standard of Accommodation and Private Amenity
- 6.5.1 The application proposes a 4 bed 7 person house over ground, first and loft levels The total internal area is approximately 206sqm. This is in excess of the minimum requirements for such as house and overall it is considered the proposal would provide for a very good family home. In addition, each of the rooms would individually meet current space standards.
- 6.5.2 The rear garden has an area in excess of 90sqm which is compliant with DMD9. It could be accessed directly from the rear and side of the house. In addition the original house at Number 16 would retain a usable level of garden for the existing or future occupiers.

6.6 Transport Issues

- 6.6.1 With regards to the highways issues in relation to the application the councils Traffic and Transportation department have commented on the application, however no objection has been raised.
- 6.6.2 Pedestrian access is clearly defined so meets the requirements of London Plan Policy 6.10 Walking and Enfield DMD 47: "All developments should make provision for attractive, safe, clearly defined and convenient routes and accesses for pedestrians, including those with disabilities. "Vehicular access is proposed via an existing vehicle crossover which satisfies DMD Policy 46.
- 6.6.3 The current London Plan Policy 6.13 and related maximum standards as set out in Table 6.2 in the Parking Addendum indicate that the maximum provision for a new development of this size and setting is up to 1.5 car parking spaces per residential unit.
- 6.6.4 The proposal appears to indicate 1 off-street parking space in a garage with a turning area. The dimensions of the garage do not meet council requirements (minimum 7m by 3m internal dimensions) so it has not been included in the parking assessment. However there is space on the hardstanding to the front of the property to accommodate a car which means there is sufficient car parking provision. In addition it is not envisaged that one additional house would create such an impact to on street parking in the area to warrant refusal.
- 6.6.5 The development should provide secure, integrated, convenient and accessible cycle parking in line with the minimum standards set out in the Further Alterations to the London Plan Table 6.3 as required by DMD Policy 45 and the guidance set out in the London Cycle Design Standards. With regard to the Further Alterations to the London Plan minimum cycle parking standards (Table 6.3), the following should be provided:

Long Stay: 2 spaces per 2-bed and larger dwellings; and Short Stay: 1 space per 40 units, with a minimum provision of 2 spaces.

- 6.6.6 Based on the plans cycle parking provision should be 2 long stay spaces and 2 additional spaces for short stay provision. The proposal indicates parking for 1 cycle in the garage and while this location and quantum fails to meet standards, the proposal has sufficient floorspace to accommodate the requirements. As such, this will be secured by way of a condition.
- 6.6.7 DMD 47 specifies that new development will only be permitted where adequate, safe and functional provision is made for refuse collection. The location for waste storage indicated on the plans meets the requirements for this type of development as set out in Council guidance (ref. ENV 08/162)

6.7 S106/ Contributions

6.7.1 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) 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.
- 6.7.2 On 11 May 2016, the Government won its appeal in the Court of Appeal against the High Court's quashing of the Written Ministerial Statement dated 28 November 2014. The Written Ministerial Statement exempted small scale development of 10 units (or less) from providing affordable housing and other 'tariff based' contributions under Section 106. Following the publication of the Court of Appeal judgement, Paragraph 31 of the National Planning Policy Guidance (NPPG) was reinstated.
- 6.7.3 This means that the change to national planning policy which initially came into force on 28 November 2014 now applies. Affordable housing (and other tariff-based contributions, such as those for education) are not payable on schemes where development delivers no more than 10 units and the site has a maximum gross floorspace of 1,000 square metres.
- 6.7.4 The Council has received legal advice and considered recent Planning Inspectorate decisions on appeal on this matter. It has concluded that, in general, it would be unwise to determine that DMD/S106 SPD policy would prevail above the national guidance in this regard. On this basis, the Council will no longer pursue S106 contributions for education or affordable housing on small sites. This matter, and its impact, will be re-evaluated in the review of the Local Plan.
- 6.7.5 In the light of the Court of Appeal decision and reinstatement of paragraph 31 of the NPPG, affordable housing contributions will no longer be sought for developments of 10 units or less provided the combined gross floor area does not exceed 1,000 square metres.
- 6.7.6 The development proposed comprises 1 units with a floor area of 206 sq m and therefore no contribution is sought.

6.8 CIL Contribution

- 6.8.1 The proposed scheme would also be liable to a Community Infrastructure Levy contribution as the size of the proposed development exceeds 100m2. The size of the new useable Gross Internal Floor area created has been calculated as 206.8sqm.
 - Mayors CIL 206.8 m2x£20 = £4,136 x 271/223 (BCIS CIL Index) = £5,026.26.
 - Borough CIL- 206.8 m2 X £120 = £ 24,816 x 271/274 (BCIS CIL Index) = £24,544.29.

7.0 Conclusion

7.1 Having regard to the above, it is considered that the proposed development is considered acceptable providing an additional family dwelling for the borough. It would not have an adverse impact to the character and setting of the streetscene and surrounding area or to the visual and residential amenity of neighbouring properties. In addition it is considered the application would result in providing and additional decent family sized house whilst making

appropriate provisions for existing trees, private amenity and car parking in relation to the development.

8.0 Recommendation

That planning permission be GRANTED subject to planning conditions outlined as below:

1. C51 Time Limit

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.

2. C60 Approved Plans

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.

3. C07 Details of Materials

Prior to the commencement of development above ground, details of the external finishing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: To ensure a satisfactory external appearance.

4. C25 No Additional Fenestration

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, 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. Obscure Glazing

The glazing to be installed in the rear facing bathroom and dressing room windows and side facing ensuite window shall be obscure glazed and fixed shut below 1.7m above finished first floor level elevation of the development The glazing shall not be altered without the approval in writing of the Local Planning Authority.

Reason: To safeguard the privacy of the occupiers of adjoining properties.

6. Boundary Treatment and Landscaping

Prior to occupation of the development hereby details of a hard and soft landscaping scheme including details of boundary treatments around and within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall also be in place prior to occupation of the development.

Reason: In the interest of visual and residential amenity

7. Cycle Parking

The development shall not commence until details of the siting, number and design of two long stay and two short stay cycle parking spaces have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed and permanently retained for cycle parking.

Reason: To meet London Plan requirements.

8. Enclosure

The site shall be enclosed in accordance with the details to be submitted to and approved in writing by the Local Planning Authority. The means of enclosure shall be erected in accordance with the approved detail before the development is occupied. Reason: To ensure satisfactory appearance and safeguard the privacy, amenity and safety of adjoining occupiers and the public.

9. Removal of Permitted Development rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any amending Order no development within Schedule 2, Part 1 Classes A, B, C, D or E of the Order shall be carried out to any of the houses or within their curtilage unless planning permission has first been granted by the Local Planning Authority.

Reason: To ensure that any potential extensions/ outbuildings do not unduly impact on the amenity of adjoining occupiers, the character and appearance of the development or unacceptably erode amenity space provision available to the property.

