

## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

**Date:** 20<sup>th</sup> December 2016

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

**Contact Officer:**  
Andy Higham  
Kevin Tohill  
Mr R. Reilly

**Ward:**  
Winchmore Hill

**Application Number:** P12-03011PLA

**Category:** Dwellings

**LOCATION:** 42, STATION ROAD, LONDON, N21 3RA

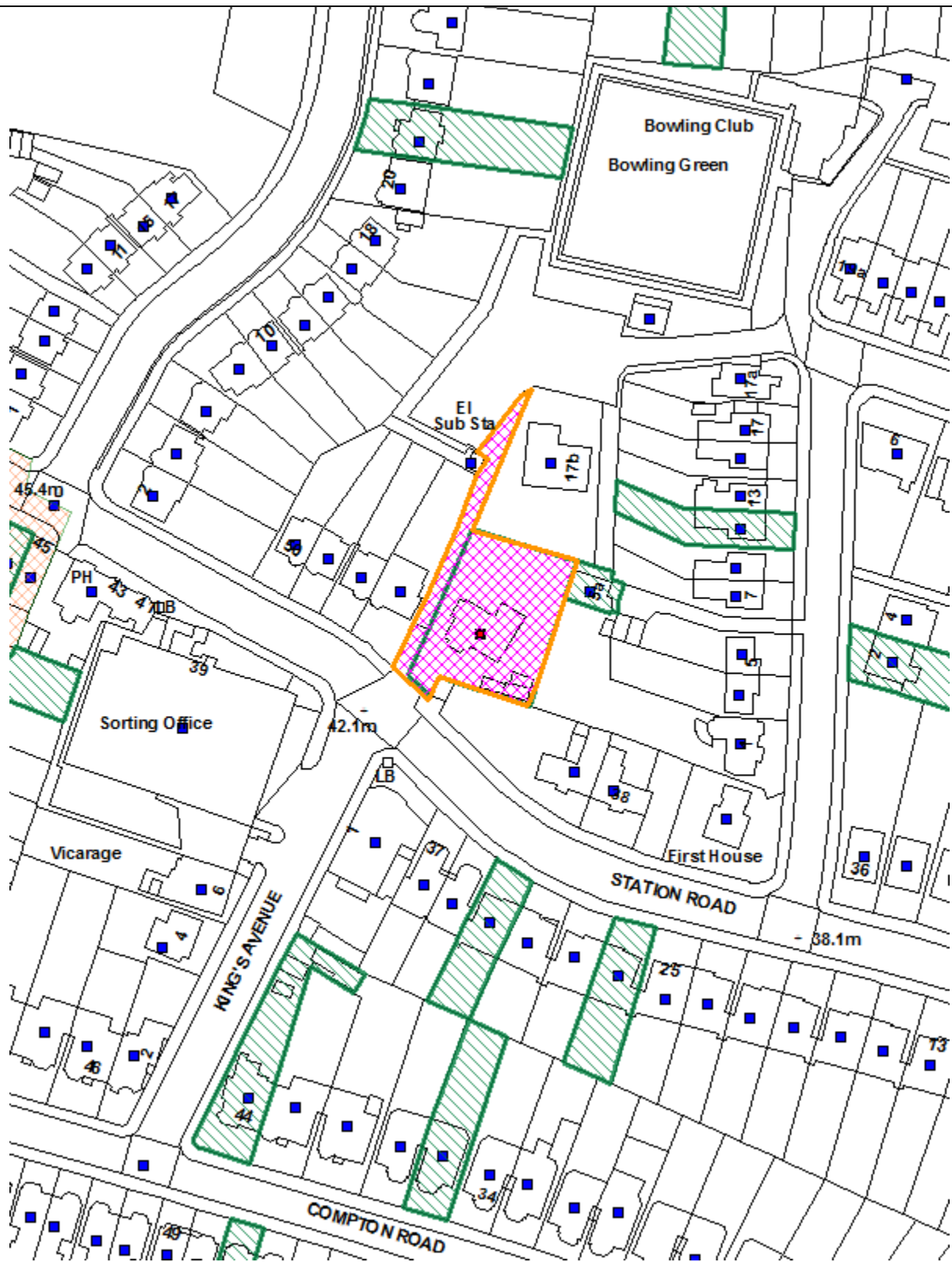
**PROPOSAL:** Demolition of the house and erection of a block 7 flats (3x3 bed and 4x2 bed) self contained flats. (OUTLINE- Access, Layout and Scale).

**Applicant Name & Address:**  
Tony Michaelides  
42, STATION ROAD,  
LONDON,  
N21 3RA

**Agent Name & Address:**  
Andreas Paschali,  
Alexander Elliott Ltd  
224, Ballards  
London  
N3 2LX

**RECOMMENDATION:**

That the Planning Decisions Manager / Head of Development Management be authorised to **GRANT** outline planning permission subject to conditions.



### **\* Advisory Note to Planning Committee Members:**

This proposal was recommended for approval by officers, subsequently agreed and recommended for approval by the Council's Planning Committee in November 2013 subject to completion of a S106 Agreement. Following this the council's legal department were instructed to proceed with the S106 Agreement, wherein a completed S106 was not returned by the applicant until June 2016. However, as a result of changes to National Planning Policy in relation to S106 for small sites and the subsequent court of appeal decision earlier in 2016 the council's S106 policy has also changed. As a result the council would no longer be requesting S106 for this development. The scheme is proposing no more than 10 units and is not above 1000sqm additional floorspace. Please refer to section 6.8 of this report for further dialogue on this matter.

As the resolution by Planning Committee in November 2013 was to grant the subject to the completion of the S106, following subsequent changes to S106 policy this case has now been referred back to the Planning Committee with a recommendation to Grant with Conditions. The Planning Committee are advised that there are no other changes to the scheme with regards to the application description or the proposed plans. In addition although the council has since adopted the Development Management Document and there have been updates to the London Plan, the introduction of these policy documents in officer's professional opinions would not alter the original determination of the application. Therefore, the planning committee is advised to grant outline planning permission subject to conditions.

### **1.0 Site and surroundings**

- 1.1 The site is currently occupied by a large detached two storey residential house accessed directly from Station Road. The house is positioned in the middle of the plot with a relatively large front driveway space and rear garden area. The site is flanked on either side by residential houses of a similar nature and is backed onto from the rear by a residential bungalow.
- 1.2 The surrounding area is residential and comprises primarily of houses, with the only main exception being the Royal Mail sorting office on the opposite side of the street. The site is located a short distance east of the Winchmore Hill Conservation Area.
- 1.3 The site has a PTAL of 2 and is located within a relatively short walking distance of Winchmore Hill train station.

### **2.0 Proposal**

- 2.1 This is an outline planning application providing details of access, layout and scale. It proposes the demolition of the existing house and the construction of a three storey building incorporating basement, ground and first floor levels with accommodation in the roof, to incorporate 3x3 bed and 4x2 bed flats. The proposal also involves the creation of a level of private amenity space for the basement level flats and also a communal amenity area for the 4x2 bed flats.
- 2.2 A new vehicular access would be created at the side of the proposed building providing access via a ramp to the rear of the property, where it is proposed

to locate 9 car parking spaces at basement level. In addition it is proposed to locate a cycle shelter at the rear.

### **3.0 Relevant Planning Decisions**

- 3.1 TP/03/2172: Part single storey, part two-storey side extension to both sides, part single storey, part two-storey rear extension together with alterations to front elevation. This application was granted with conditions.
- 3.2 TP/05/1405: Erection of brick front wall with metal gates. This application was refused.
- 3.3 TP/07/1751: Erection of replacement front wall and gates (revised scheme). This application was refused but allowed at appeal.
- 3.4 TP/07/2360: Erection of replacement front wall and gates (revised scheme). This application was granted with conditions.

### **4.0 Consultations**

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

##### Traffic and Transportation

- 4.1.1 Traffic and Transportation raise no objections to the principle of the proposed development on trip generation, access and parking grounds, subject to some alterations to facilitate better access to car parking and two way access into the site, which is considered could be dealt with by condition.

##### Education

- 4.1.2 Education confirmed that based on the unit mix a contribution of £19,384 is sought towards education provision within the Borough. However as mentioned above due to changes in the s106 requirements, there will be no education contribution required.

##### Tree Officer

- 4.1.3 The Tree Officer has confirmed that the findings in the arboriculture report provided are correct and that there are no objections, although it is recommended that tree protection and landscaping conditions are included.

##### Biodiversity Officer

- 4.1.4 The Biodiversity Officer is also satisfied with the biodiversity elements of the project and has stated that all issues can be dealt with by planning condition.

##### Sustainable Design Officer

- 4.1.5 The Sustainable Design Officer is satisfied with the information submitted at this stage subject to conditions.

## **4.2 Public**

4.2.1 Letters were sent to 30 local neighbours and a site notice was displayed outside the property. Thirteen responses were received. A second consultation was undertaken following the receipt of revised plans when a further 5 responses were received. A third consultation was undertaken when following receipt of further revised drawings and a further 17 responses were received.

4.2.2 The objections raised across all consultations can be summarised as follows:

- Overdevelopment of the site.
- This house belonged to the Cresswell Family and it is considered that its loss would result in an important piece of local history.
- Proposed design is not in keeping with the existing building or surrounding street scene.
- Will impact on local resident's privacy due to proximity of scheme to neighbouring boundaries.
- The proposed balconies will result in unacceptable overlooking and encroachment onto neighbouring residents.
- The proposed rear parking area and side access road would result in unacceptable levels of noise and activity due to vehicle movements.
- The proposed rear amenity deck will create an unacceptable level of noise and disturbance to neighbouring residents.
- There are not enough parking spaces every house has at least two cars.
- The submitted plans do not adequately show a comparison to the existing house on the site.
- The red line boundary around the site is incorrect and takes into account part of a neighbours property. (Note an amended plan has been sent in that resolves this matter)
- The proposed basement would result in an overdevelopment and there will be significant impact to local neighbours during construction of the building and potential for subsidence of neighbouring properties.
- The level of activity will increase on the site and the exit is unsafe onto the busy highway.

4.2.3 On the 25<sup>th</sup> of November 2016, because of the 3 years period that had lapsed a further consultation was carried out to 44 neighbouring properties for 14 days. At the time that the committee report was drafted no responses had been received. Any public comments received will be reported verbally as an addendum to the committee report on the 20<sup>th</sup> of December.

## **5.0 Relevant Policy**

5.1 The policies listed below are considered to be consistent with the NPPF and therefore it is considered that due weight should be given to them in assessing the development the subject of this application

### **5.2 The London Plan**

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 3.8	Housing choice
Policy 3.9	Mixed and balanced communities
Policy 3.14	Existing housing
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 5.8	Innovative energy technologies
Policy 5.9	Overheating and cooling
Policy 5.10	Urban greening
Policy 5.11	Green roofs and development site environs
Policy 5.13	Sustainable drainage
Policy 5.14	Water quality and wastewater infrastructure
Policy 6.3	Assessing the effects of development on transport capacity
Policy 6.9	Cycling
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 7.6	Architecture
Policy 7.14	Improving air quality
Policy 7.15	Reducing noise and enhancing soundscapes
Policy 7.19	Biodiversity and access to nature

### 5.3 Local Plan – Core Strategy

CP2:	Housing supply and locations for new homes
CP3:	Affordable housing
CP4:	Housing quality
CP5:	Housing types
CP20:	Sustainable energy use and energy infrastructure
CP21:	Delivering sustainable water supply, drainage and sewerage infrastructure
CP22:	Delivering sustainable waste management
CP25:	Pedestrians and cyclists
CP26:	Public transport
CP30:	Maintaining and improving the quality of the built and open environment
CP32:	Pollution
CP36:	Biodiversity
CP46:	Infrastructure contributions

### 5.4 Development Management Document

DMD 2	Affordable Housing on Sites of less than 10 units
DMD 3	Providing a Mix of Different Sized Homes
DMD 6	Residential Character

DMD 7	Development of Garden Land
DMD 8	General Standards for New Residential Development
DMD 9	Amenity Space
DMD10	Distancing
DMD37	Achieving High Quality and Design-Led Development
DMD38	Design Process
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
DMD56	Heating & Cooling
DMD57	Responsible Sourcing of Materials, Waste Minimisation and green Procurement
DMD58	Water Efficiency
DMD59	Avoiding and Reducing Flood Risk
DMD61	Managing surface water
DMD64	Pollution Control and Assessment
DMD65	Air Quality
DMD68	Noise
DMD69	Light Pollution
DMD79	Ecological Enhancements
DMD80	Trees on development sites
DMD81	Landscaping

## 5.5 Other Relevant Considerations

National Planning Policy Framework  
 Enfield Strategic Housing Market Assessment (2010)  
 S106 SPD

## 6.0 **Analysis**

6.1 This is an outline application seeking approval for access, layout and scale with all other matters reserved. Therefore the application has been assessed under those criteria. In terms of the criteria of scale, relevant factors of neighbouring amenity and privacy have been taken into consideration. The layout has been adjudged to not only incorporate the layout of the site but also the layout of the residential units and the level of private amenity proposed. The criteria of both layout and access has been assessed by the traffic and highways department taking into account the safety requirements of the access along with car parking and cycle parking provisions.

### 6.2 Principle of the Development

6.2.1 The proposal would be compatible with Policies 3.3 and 3.4 of the London Plan and Core Policy 2 of the Local Development Framework insofar as it provides an addition to the Borough's housing stock which actively contributes towards both Borough specific and London-wide strategic housing targets. It is acknowledged that the proposal would result in the loss of a large family house. However, it is considered that this is significantly outweighed by

the net gain of six additional residential units and most notably 2 additional family units and therefore the principle of redevelopment is considered acceptable.

### 6.3 Scale

#### *Density*

- 6.3.1 Density assessments must acknowledge 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.
- 6.3.2 Policy 3.4 (Table 3.2) of the London Plan sets standards for appropriate density levels with regard to location, existing building form, massing, and having regard to the PTAL (Public Transport Accessibility Level) score. The site has a PTAL rating of 2 and is in a suburban location. Accordingly, the London Plan density matrix would suggest a density of between 150-250hr/ha. The density of the proposed development (24 habitable rooms for a site area of 0.0929ha) equates to 258 hr/ha. This is above the recommended density range. However, in addition to a numerical assessment of density, it is important to consider the size and scale of the building and how this fits within the site context.

#### *Scale and Neighbouring Amenity*

- 6.3.3 One key consideration is whether the proposed development would detract from the existing residential form and character of the area. Policy 3.5 of the London Plan advocates that housing developments should be of the highest quality and should enhance the quality of local places taking into account factors such as physical context, local character and density. Additionally, regard should be had to the quality of the accommodation to be provided for future residents and in this respect minimum floorspace standards set out in Table 3.3 should be adhered to. This has been addressed in the floorspace and layout section of the report.
- 6.3.4 Having regard to scale and mass, the application proposes a three storey building consisting of basement, ground and first floor with accommodation in the roof space to create 3x3 bed and 4x2 bed flats. The applicant has provided amended plans and elevations that show the outline of the existing house. From this it can be confirmed that the existing property is 18 metres wide for its two storey section with an additional single storey element 3 metres wide at the side. The existing house has a stepped hipped roof with a top height of 9 metres above ground level at the highest point, which steps down to 8 metres towards the boundary with the Radcliffe Road properties.
- 6.3.5 In comparison the proposed building would be 21 metres wide at basement level reducing in width to 17.2 metres, with an overall top-height including the proposed basement level of 12 metres. This would result in a building height of approximately 10 metres above existing ground level, which equates to an increase in height of 1 metre compared to the highest part of the existing house and 2 metres at the lowest part of the existing hipped roof.



- 6.3.6 The proposed building also would be set 6.5 metres from the boundary with No. 44 at basement level, which increases to approximately 8.5 metres from the boundary above ground level. This is an increase in distance of 2.3 metres from the current relationship. However it is noted that it would be set closer to the rear garden boundary with No.1 Radcliffe Road, positioned on the boundary line at basement level and achieving a separation distance of 2.7 metres above ground level.
- 6.3.7 In terms of the actual building size compared to the existing large detached house, it is considered that the scheme would be acceptable. It is noted that the proposal would be closer to the boundary of No. 1 Radcliffe Road. However, it is considered this would not materially harm the amenities of the occupants of this property due to the distance between both sites. In terms of building height, although the proposed structure would be one metre higher than the highest part of the current house, again due to the separation distances, this is also deemed to be acceptable and would not result in harm to the amenities of the adjoining occupiers.
- 6.3.8 The proposed building line would retain the existing building line of the street, particularly with No. 44 Station Road, which is considered acceptable.
- 6.3.9 On the original submission, one of the main concerns in terms of scale was the form of the proposal and specifically the proposed second floor level. Essentially it was considered that the introduction of this level of accommodation and more specifically the introduction of larger external balconies would introduce a level of activity, overall presence and sense of intrusion and overlooking not in keeping with the established residential area and detrimental to the residential amenities of the immediate neighbouring residents, specifically those at 5a Radcliffe Road, 17b Radcliffe Road and 44 Station Road.
- 6.3.10 The application has since been amended, firstly with the removal of the balconies on the rear of the building above ground level and also due to the introduction of a more traditional hipped roof to accommodate the third floor level 3 bed flat. Overall it is considered that these amended proposals overcome the primary objections that were raised in the first instance.
- 6.3.11 The development would achieve the minimum separation distance of 25 metres to the facing windows of 17b Radcliffe Road. This would be in accordance Policy (II) H8 of the UDP and DMD10 of the Submission version Development Management Document.
- 6.3.12 It is considered that due to the oblique angled relationship of the proposed building to No. 5a Radcliffe Road, that there would be no direct overlooking of this property. Essentially from the perspective of scale and neighbouring amenity, it is considered that the proposed schemes relationship to 5a will be relatively similar to existing arrangement on site and there would not be any further undue impact.
- 6.3.13 The occupants of both 5a and 17b Radcliffe Road have raised concerns about the level of the proposed rear amenity deck. However, the submitted sections confirm that it would be situated at the same level as the existing rear garden area, therefore it is not considered that it would create any additional impact from the perspective of over looking these neighbouring boundaries.

6.3.14 It is also noted that the proposed scheme would increase the scale of the building on site and its relationship and orientation to the garden boundary with Number 40 Station Road. However it is considered there would be an acceptable distance, at 7 metres, retained from the boundary to avoid any undue overlooking into this neighbouring garden. In addition although the applicant's arboriculture report suggests that the trees along this boundary between both sites can be removed, the Council's Tree Officer has confirmed that there would not be a need to remove these trees and that the proposed development, including the basement, is highly unlikely to impact upon the trees and hedging along this boundary. Taking this advice into account it is considered that a condition to retain the existing boundary treatment with Number 40 will assist in screen the development from the neighbouring property and minimising any overlooking into this garden.

### *Conclusion*

6.3.15 In summary, based on the amended plans, the proposed scheme is considered acceptable from the perspective of scale and neighbouring amenity, it would not appear out of scale with the adjoining built form of Station Road and the surrounding area and neither would it create an unacceptable impact onto adjoining residents having regard to policy (II) H8 of the UDP, CP30 of the Core Strategy and 7.6 of the London Plan.

6.3.16 There have been objections in relation to the scale of the proposed basement and the associated excavation works and potential for neighbouring subsidence. These are noted. However, other legislation is in place to ensure neighbouring properties are protected in respect of such works.

6.3.17 Officers note the concerns relating to the introduction of the communal amenity deck to the rear of the site along with the noise from vehicles movements at the rear. Although it is considered that the proposal would result in increased activity to the rear of the site, it is not considered that it would be to such an extent that would cause undue harm to the amenities of adjoining occupiers.

6.3.18 It is also noted that there have been many comments and objections received in relation to the design of the proposal and its subsequent impact onto the character and appearance of the streetscene. However this matter has been reserved as part as of this outline application and is not a material consideration at this stage.

## 6.4 Layout

### *Floorspace and Layout*

6.4.1 Policy 3.5 of the recently amended London Plan (2011) refers to Table 3.3, which illustrates minimum space standards for new developments. The following figures are relevant for flats:

	Dwelling type (bedroom (b)/persons- bedspaces (p))	GIA (sq.m)
Flats	1p	37

	1b2p	50
	2b3p	61
	2b4p	70
	3b5p	74

6.4.2 These are now the minimum space standards that all developments in the borough will be assessed against. The following table outlines the total internal floorspace areas of all units on the proposed development.

Proposed Unit	Dwelling type (bedroom (b)/persons-bedspaces (p))	GIA proposed units
Lower Ground Both Units	3b5p	90
Ground Floor Both Units	2b4p	71.9
1 <sup>st</sup> Floor both Units	2b4p	77.5
Roof Level Units	3b5p	116.5

6.4.3 The floorspaces have been measured using the submitted drawings. The floor space of all units proposed are acceptable and exceed the floorspace standards specified in Policy 3.5 of the London Plan and outlined in the London Housing Supplementary Planning Guidance.

6.4.4 From the perspective of stacking and floor layout, in the main it is considered that the proposed units would be appropriately stacked and all of the units would have a dual aspect. All units have an appropriate and accessible layout and having regard to the elevations provided would have acceptable ceiling heights. The applicant has also provided confirmation that the all units, specifically the basement level units would be provided with sufficient Daylight and Sunlight in line with the latest BRE regulations.

#### *Site Layout*

6.4.5 The application proposes to site the building in the middle of the site, 13 metres from the rear boundary and at a distance of 12 metres from the front gate way, which steps down significantly in distance to the garden boundary with No. 40 Station Road. Above ground level the building would be positioned 8.5 metres from the side boundary with No. 44 and 2.7 metres from the boundary with No. 1 Radcliffe Road.

6.4.6 The application proposes to use the same vehicular access and excavate the site to provide accommodation at lower ground floor level, but also an access ramp to a rear parking area accommodating 9 car parking spaces. The issue of access will be discussed later in the report.

6.4.7 The site layout is generally acceptable. As discussed earlier there have been objections raised about the location of the car parking to the rear of the site and potential for noise as a result. However, it is considered that the level of

vehicular movement would be not to such as to cause undue harm and inconvenience to neighbours.

#### *Private Amenity*

- 6.4.8 One of the main considerations with this application and a material consideration in terms of site layout is the level of amenity provision provided for future residents of the development. The two basement level three bed flats would be served by rear and front facing balcony areas that equates to an area of approximately 15 square metres. This is Policy compliant in terms of DMD9. These two units would also have access to the grassed amenity area at basement level, that would not be useable by any other of the proposed units and a condition will be imposed on the application to ensure that these areas are sufficiently screened for sole use by residents at basement level.
- 6.4.9 The 4 flats at ground and first floor level would have access to the amenity deck to the rear of the site at ground level. This is approximately 180 square metres in area. Overall it is considered that the rear decking area would provide adequate shared amenity space for the 4x2 bed units having regard for DMD9. The 3 bed unit proposed at roof/second floor level would be served by a front facing winter garden approximately 20 square metres in size which is also considered to be adequate provision.
- 6.4.10 In conclusion it is considered that all 7 proposed flats would be adequately served in terms of amenity space. However, it is considered necessary to impose conditions to regularise the use of the amenity spaces to an optimum level. Such conditions would include details of the boundary and balcony screening within the site along with rationalising the use of the rear amenity deck.

#### 6.5 Highways Issues: Access and Layout

- 6.5.1 Due to the nature of the proposal the Councils Traffic and Transportation section have provided comments on the application.

#### *Accessibility*

- 6.5.2 It is noted that the proposed site is within a reasonable walking distance of Winchmore Hill Station and bus stops are located in a close vicinity of the site (nos 329, 125 and W9). Therefore, it is accepted that the site is well served by public transport.

#### *Pedestrian Access*

- 6.5.3 The main pedestrian access will be provided off Station Road. It will be 1.2m wide (1.2m minimum according to the DfT Inclusive Mobility). However, whilst the location and width of the proposed pedestrian access is considered acceptable, the drawings should clearly show that the proposed levels comply with the DfT standards.

#### *Cycle Parking*

- 6.5.4 The proposed development includes the provision of 12 cycle parking spaces within the lower ground floor car park which is in accordance with the TfL

Cycle Parking Standards requiring a minimum of 1 cycle space per unit. Whilst the overall level of provision is considered acceptable, it is important to ensure the proposed facility is acceptable in terms of layout and design and therefore a condition is recommended to require further details.

*Car parking provision*

6.5.5 The number of spaces that can be provided within the site needs to be assessed against the relevant parking standard and any departure from standards justified in terms of satisfying predicted demand.

The parking standard for residential use, as set out in Table 6.2 of The London Plan:

Maximum residential parking standards			
Number of Beds	4 or more	3	1-2
	2 – 1.5 per unit	1.5 – 1 per unit	Less than 1 per unit

Applying these standards to the proposed development would result in the parking provision range shown in Table 1.

No. of beds	3x2 and 4x2
No. of units	7
Min provision per unit	0
Total	0
Max provision	7
Total	9

Table 1: Parking provision based on London Plan 2011 standards (from London Plan p.205)

Nine spaces are proposed for the new 7 units, above London Plan standards. The London Plan indicates that the standard should be appropriate for the specific development and take account of local circumstances. As the site's PTAL is only 2 then it is appropriate to approve 9 spaces.

*Car parking layout*

6.5.6 Originally the proposed parking layout did not meet the minimum requirements for a reversing space which should be 6m and parking spaces sizes, i.e. 4.8m by 2.4m and 3.6m x 4.8m for disabled. However, amended plans have been submitted that show that this 6 metre reversing space is achievable. Final details of the proposed parking layout as advised by highways will be dealt with via planning condition.

### *Vehicular Access*

- 6.5.7 The development proposes to utilize the existing vehicular crossovers directly from Station Road. This will require reducing the width of the existing access. The new access ramp leading into the lower ground floor will be approximately 4.0m in width which will not allow for 2 way access meaning that with reduced visibility any vehicle leaving the site would force the incoming car back onto the highway. This is not acceptable and therefore a condition should be imposed requiring detailed drawings to show a vehicle waiting area of approx 4.8m wide by 6.0m long from the back edge of highway to allow vehicles to stop clear of the highway. Furthermore, a drawing showing that the following visibility can be achieved would be required:

-pedestrian visibility starting at 0.6m to 1.0m in height above the footway for a distance of 2.0m horizontal from either edge of the access measured from a point 2.0m back from the edge of the footway

-carriageway visibility, at least 70m in both directions, measured from a point 2.0.m back from the edge of the highway.

It is considered that these outstanding issues can be dealt with by planning conditions.

### *Refuse*

- 6.5.8 The location of the refuse facilities is considered acceptable. It will allow for a kerbside collection as it is located within a 10m pulling distance for refuse operatives. Details will be secured by a condition.

### *Traffic Generation*

- 6.5.9 Given a net increase of just 6 units compared to the existing use, it is considered that a development of 7 units is unlikely to generate a significant increase in traffic on the surrounding highway network. Therefore, the impact of the proposal on traffic is deemed to be minor and acceptable.

### *Concluding Comments*

- 6.5.10 The Traffic and Transportation section have confirmed that there are some outstanding issues with the application, particularly in relation to the practicality of two way vehicle movement on the site. However ultimately it is considered that these issues can be resolved by planning conditions.

## 6.6 Sustainable Design and Construction

- 6.6.1 The Councils Sustainable Design Officer has provided an assessment of the application and is broadly happy with the direction of travel in relation to energy efficiency. However, it is considered that certain elements of the scheme need to seek to maximise the sustainable design and construction measures rather than the minimal approach stated commensurate with the sensitivities of the site. These can be summarised below:

1. Site Waste Management Plan (SWMP) - The scheme would require a SWMP and in accordance with Core Policy 22 and emerging DMD56 and London Plan Policy 5.18 I would expect no less that 85% of CE&D waste to be diverted from landfill to comply with Policy. This can be conditioned.

2. Lifetime Homes exemptions would not apply to the subject scheme and it would be expect a full Lifetime Homes statement to validate the accessibility of the scheme. Revised details will need to be conditioned if minded to approve as the internal layouts of the flats are not fully compliant.

3. The site falls within a SINC's buffer zone and hence the ecological sensitivities of the site are acute and officers would expect a full ecological report and landscaping strategy that significantly enhances the biodiversity of the site in accordance with the BAP. It is also considered a biodiverse roof could be factored into the design. This can be conditioned.

4. It is considered there is a significant argument for the SD&C credentials of the scheme to be maximised and hence officers would expect further work/commitment to achieve a Code Level 4 and a 25% improvement over BR. This is commensurate with the sensitivities of the site and indeed the obvious potential to deliver a sustainable development to align with the criteria set out to determine the presumption for sustainable development stated by the NPPF.

5. The energy strategy needs to be amended to examine the feasibility of utilising Low and Zero Carbon technology particularly given the flat roof design.

6.6.2 In summary, at this outline stage there are no significant reasons to refuse the application on sustainability grounds as most of the issues referred to could be dealt with by way of condition.

#### 6.7 Trees and Biodiversity

6.7.1 The Tree Officer has not raised any objections to the scheme and has concluded that the scheme is acceptable subject to conditions. The Tree Officer has also confirmed that the proposed basement works should not impact negatively upon any existing on site trees and has suggested that all existing on site and neighbouring trees and hedges can be retained as part of the proposal.

6.7.2 The Biodiversity Officer has also not raised any objections.

#### 6.8 S106/ Contributions

6.8.1 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.

6.8.2 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.

- 6.8.3 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.
- 6.8.4 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.
- 6.8.5 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.
- 6.8.6 The development proposed comprises 7 units with a floor area of approximately 600sq m and therefore no contribution is sought.

## 6.9 Community Infrastructure Levy

- 6.9.1 The development is CIL Liable.
- 6.9.2 In this instance the proposed residential development would be subject to a £20 per square metre levy in accordance with the GLA's CIL Charging Schedule and £120 per sqm with regards to the borough schedule. The net gain of floor area has been calculated as 342sqm:
- Mayoral CIL =  $(£20/m^2) \times (342m^2) \times 272/223$  (BCIS CIL Index) = £8,342.95.
- Borough CIL =  $(£120/m^2) \times (342m^2) \times 272/274$  (BCIS CIL Index) = £40,740.43
- 6.9.3 Should permission be granted, a separate CIL liability notice would need to be issued.

## 7.0 **Conclusion**

- 7.1 Applications for planning permission are determined in accordance with the local development plan and regional planning policies unless material considerations dictate otherwise. The National Planning Policy Framework has established a presumption in favour of sustainable development while paragraph (19) also advises that significant weight should be placed on the need to support economic growth through the planning system.
- 7.2 The principle of the redevelopment of the site for residential purposes is considered acceptable. The surrounding area is residential in composition



and thus, in general, residential use would continue to represent an appropriate land use for this site. The proposal would contribute towards the Borough's housing stock, providing for an acceptable mix and tenure of residential accommodation in a sustainable location with good access to public transport, whilst providing for acceptable level of living accommodation.

- 7.3 The scheme due to its relationship to neighbouring residential properties would not have an undue detrimental impact on the amenities of adjoining residents. It is considered the proposal is sufficiently set back and significantly reduced in scale from the original submitted proposal to not pose an unacceptable impact onto adjoining residents.
- 7.4 It is acknowledged that a number of concerns have been raised in relation to this planning application from local residents, specifically in relation to its scale, height, design, proposed basement and general functionality of the development. However the planning application has been thoroughly assessed and is considered to be in accordance with adopted local planning policies and strategic London Planning policies as well as guidance outlined in the National Planning Policy Framework.

## **8.0 Recommendation**

- 8.1 That the Head of Development Management/Planning Decisions Manager be authorised to GRANT planning permission subject to the following conditions:

### **1. Conformity with approved drawings**

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. Details of Design**

The development shall not commence until detailed drawings showing the design of buildings, including existing and proposed levels, have been submitted to and approved in writing by the Local Planning Authority. The buildings shall be constructed in accordance with the approved details before the development is occupied.

Reason: To ensure a design which complies with borough policies.

### **3. Details of External Appearance**

The development shall not commence until details of the external appearance of the development, including the materials to be used for external surfaces of buildings and other hard surfaced areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details before it is occupied.

Reason: To ensure an appearance which complies with borough Policies.

#### 4. Site Waste Management Plan

The development shall not commence until a Site Waste Management Plan (SWMP) has been submitted to and approved in writing by the Local Planning Authority. The plan should include as a minimum:

- i. Target benchmarks for resource efficiency set in accordance with best practice
- ii. Procedures and commitments to minimise non- hazardous construction waste at a design stage.
- iii. Procedures for minimising hazardous waste.
- iv. Monitoring, measuring and reporting of hazardous and non hazardous site waste production according to the defined waste groups (according to the waste streams generated by the scope of the works)
- v. Procedures and commitments to sort and divert waste from landfill in accordance with the waste hierarchy

Reason: To maximise the amount of waste diverted from landfill consistent with the waste hierarchy and strategic targets set by Policies 5.17, 5.18, 5.19 , 5.20 of the London Plan and the draft North London Waste Plan,.

#### 5. C16 Private vehicles only

The parking area(s) forming part of the development including the identified blue badge and visitor parking spaces shown on the approved plan shall be retained for that purpose at all times. They must only be used for the parking of private motor vehicles and shall not be used for any other purpose.

Reason: To ensure that the development complies with borough policies, to ensure the retention of blue badge and visitor parking and to prevent the introduction of activity which would be detrimental to amenity.

#### 6. C10 Details of Levels

The development shall not commence until plans detailing the existing and proposed ground levels including the levels of any proposed buildings, roads and/or hard surfaced areas 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 that levels have regard to the level of surrounding development, gradients and surface water drainage.

#### 7. C11 Details of Enclosure

The site shall be enclosed in accordance with 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 that element of the development, having regard to the phasing agreed pursuant to Condition 8, is occupied.

Reason: To ensure satisfactory appearance and safeguard the privacy, amenity and safety of adjoining occupiers and the public and in the interests of highway safety.

#### 8. Construction Methodology

That development shall not commence until a construction methodology statement has been submitted to and approved in writing by the Local Planning Authority. The construction methodology statement shall contain:

- (a) A photographic condition survey of the roads, footways and verges leading to the site.
- (b) Details of construction access and associated traffic management to the site.
- (c) Arrangements for the loading, unloading and turning of delivery, construction and service vehicles clear of the highway.
- (d) Arrangements for the parking of contractor's vehicles
- (e) Arrangements for wheel cleaning
- (f) Arrangement for the storage areas
- (g) Hours of work
- (h) A construction management plan written in accordance with London Best Practice Guidance: The control of dust and emission from construction demolition.
- (i) The storage and re removal of excavation material
- (j) Noise mitigation measures during construction and demolition

The development shall be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the implementation of the development does not lead to damage to the existing highway, does not prejudice air quality from adverse dust and to minimise disruption to neighbouring properties.

#### 9. C59- Cycle parking

The development shall not be occupied until details of the siting, number and design of secure/covered 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 returned for cycle parking.

Reason: To ensure the provision of cycle parking spaces in line with the Council's adopted standards.

#### 10. C9 - Details of hard surfacing

The development excluding ground works shall not commence until details of the surfacing materials to be used within the development including footpaths, access roads and parking areas and road markings have been submitted to and approved in writing by the Local Planning Authority. The surfacing shall be carried out in accordance with the approved detail before the development is occupied or use commences.

Reason: To ensure that the development does not prejudice highway safety and a satisfactory appearance.

#### 12. C19- Refuse storage

The development shall not be occupied until details of refuse storage facilities including facilities for the recycling of waste to be provided within the development, in accordance with the London Borough of Enfield – Waste and Recycling Planning Storage Guidance ENV 08/162, have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details before the development is occupied or use commences.

Reason: In the interests of amenity and the recycling of waste materials in support of the Boroughs waste reduction targets.

### 13. Landscaping

The development shall not commence until details of existing planting to be retained and trees, shrubs and grass to be planted and the treatment of any hard surfaced amenity areas have been submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped in accordance with the approved details in the first planting season after completion or occupation of the development whichever is the sooner. Any trees or shrubs which die, becomes severely damaged or diseased within five years of planting shall be replaced with new planting in accordance with the approved details.

Reason: To provide a satisfactory appearance and ensure that the development does not prejudice highway safety.

### 14. Grampian Condition- Access and Parking Lay-by.

Notwithstanding the submitted drawings, prior to commencement of the development a plan showing details of the proposed access and provisions for on site parking lay-by at the entrance point shall be submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with approved details prior to the occupation of any part of the development.

Reason: In the interests of highways safety.

### 15. Private Amenity

Prior to the commencement of the development details of the proposed arrangements for the private amenity space for each residential unit shall be submitted to the Local Planning Authority. This should include final details of the each amenity area for each proposed unit and include garden boundary treatments for the 2 basement level flats, details of the wintergarden for the proposed second floor unit and details of the proposed amenity decking area to the rear of the site. The development shall be completed in accordance with approved details prior to occupation.

Reason: In order to ensure that satisfactory private amenity is provided within the development.

### 16. Existing Boundary Treatment

The existing boundary planting shown on Plan 260.S.07A with Numbers 40 and 44 Station Road and Numbers 1, 5a and 17b Radcliffe Road shall be retained.

Reason: In the interests of retaining a satisfactory appearance and form of the landscaped elements on the site and in the interests of protecting the existing boundary treatment and neighbouring amenities.

#### 17. Tree Protection

For the duration of the construction period all trees and shrubs shown on the approved plans and application as being retained shall be protected by fencing a minimum height of 1.2 metres at a minimum distance of 2 metres from the existing planting. No building activity shall take place within the protected area. Any tree or shrub which dies or is damaged during the construction period shall be replaced prior to occupation of the development.

Reason: To protect existing planting during construction.

#### 18. Energy Efficiency

In accordance with the submitted energy strategy the energy efficiency of the development shall provide for no less than 25% total Co2 emissions arising from the development and its services over Part L of Building Regulations 2010 (expressed as a 25 % improvement of the DER over TER utilising gas as the primary heating fuel). The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter. Following practical completion of works a Final Energy Performance Certificate shall be submitted to and approved in writing by the LPA. Where applicable, a Display Energy Certificate shall be submitted within 18 Months following first occupation.

Reason: In the interest of sustainable development and to ensure that the LPA may be satisfied that Co2 emission targets are met in accordance with Policy CP20 of the Core Strategy, Policies 5.2, 5.3, 5.7 and 5.9 of the London Plan 2011 and the NPPF.

#### 19. Details of Water Efficiency

Prior to the commencement of development, details regarding the internal consumption of potable water shall be submitted to and approved in writing by the local planning authority. Submitted details shall demonstrate reduced water consumption through the use of water efficient fittings, appliances and recycling systems to show consumption equal to or less than 105 litres per person per day. The development shall be carried out in accordance with the details approved and maintained there after.

Reason: To promote water conservation and efficiency in all new developments and where possible in accordance with Policy CP21 of the Core Strategy and Policy 5.15 of the London Plan.

#### 20. Obscured Glazing

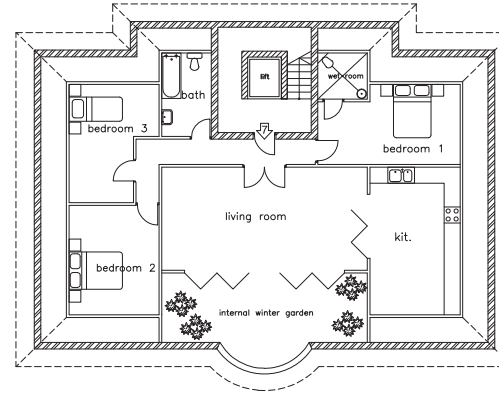
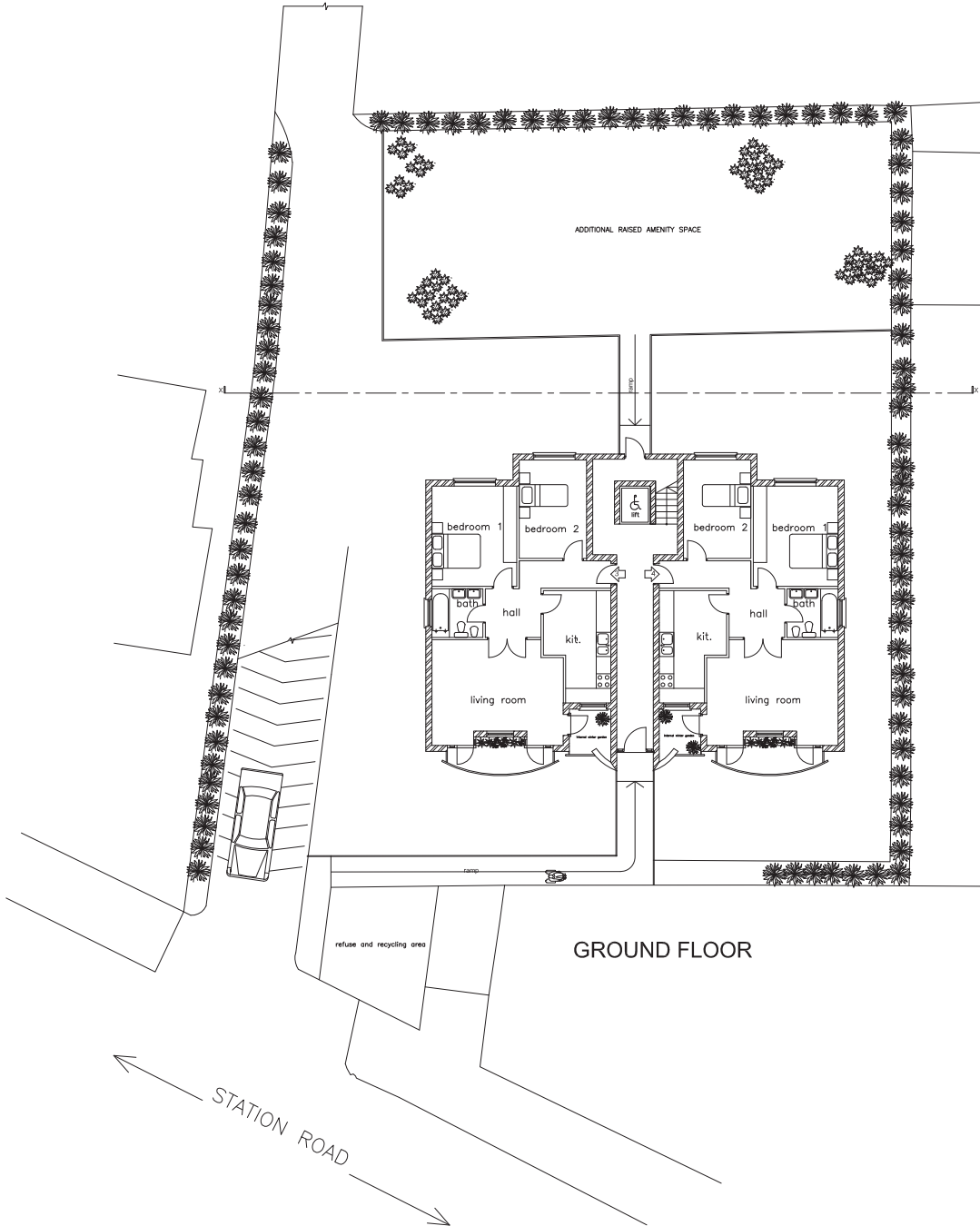
The glazing to be installed on the side elevation of the development indicated on drawing No 260 S.02 B shall be in obscured glass. The glazing shall not be altered without the approval in writing of the Local Planning Authority.

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

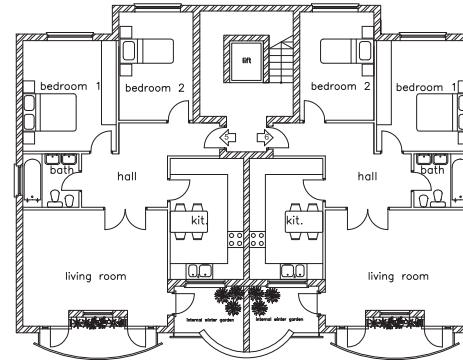
#### 21. Time Limit

Application for the approval of any reserved matters must be made to the Local Planning Authority not later than (i) the expiration of three years beginning with the date of this decision notice and (ii) the development to which this permission relates must be begun not later than the expiration of two years from the final approval of the last reserved matter to be approved.

Reason: To comply with S.51 of the Planning and Compulsory Purchase Act 2004.



SECOND FLOOR



FIRST FLOOR

FOR INFORMATION ONLY

revisions	
A	general revisions
B	internal winter garden

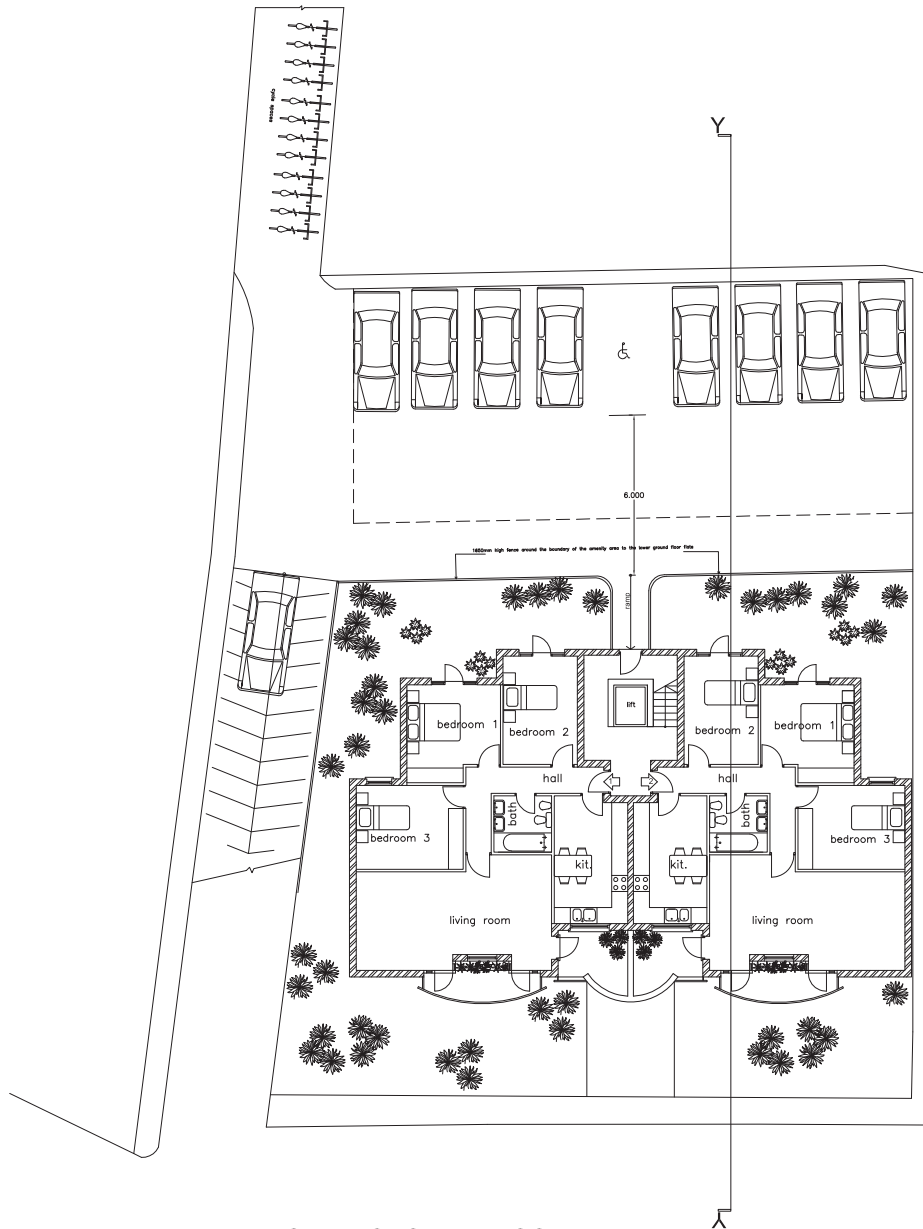
Job title  
42 STATION ROAD N21  
drawing title  
PLANS AS PROPOSED

**Alexander Elliott**  
Architecture—Surveying—Design  
224 Ballards Lane, London N3 2LX  
TEL:020 8445 9821 FAX:020 8446 0206  
e-mail: design@archivos.co.uk



Project No	260	date	Sept 12
scale	1:100 @ A1	drawn	
drawing No	A B		
<b>260.S.02</b>			

do not scale off this drawing, all dimensions to be checked on site, any discrepancies to be referred to the Surveyors



LOWER GROUND FLOOR

FOR INFORMATION ONLY

revisions	
A	13.11.12 additional parking space
B	10.05.13 general revisions
C	09.10.13 6m zone

Job title  
 42 STATION ROAD N21  
 drawing title  
 PLANS AS PROPOSED

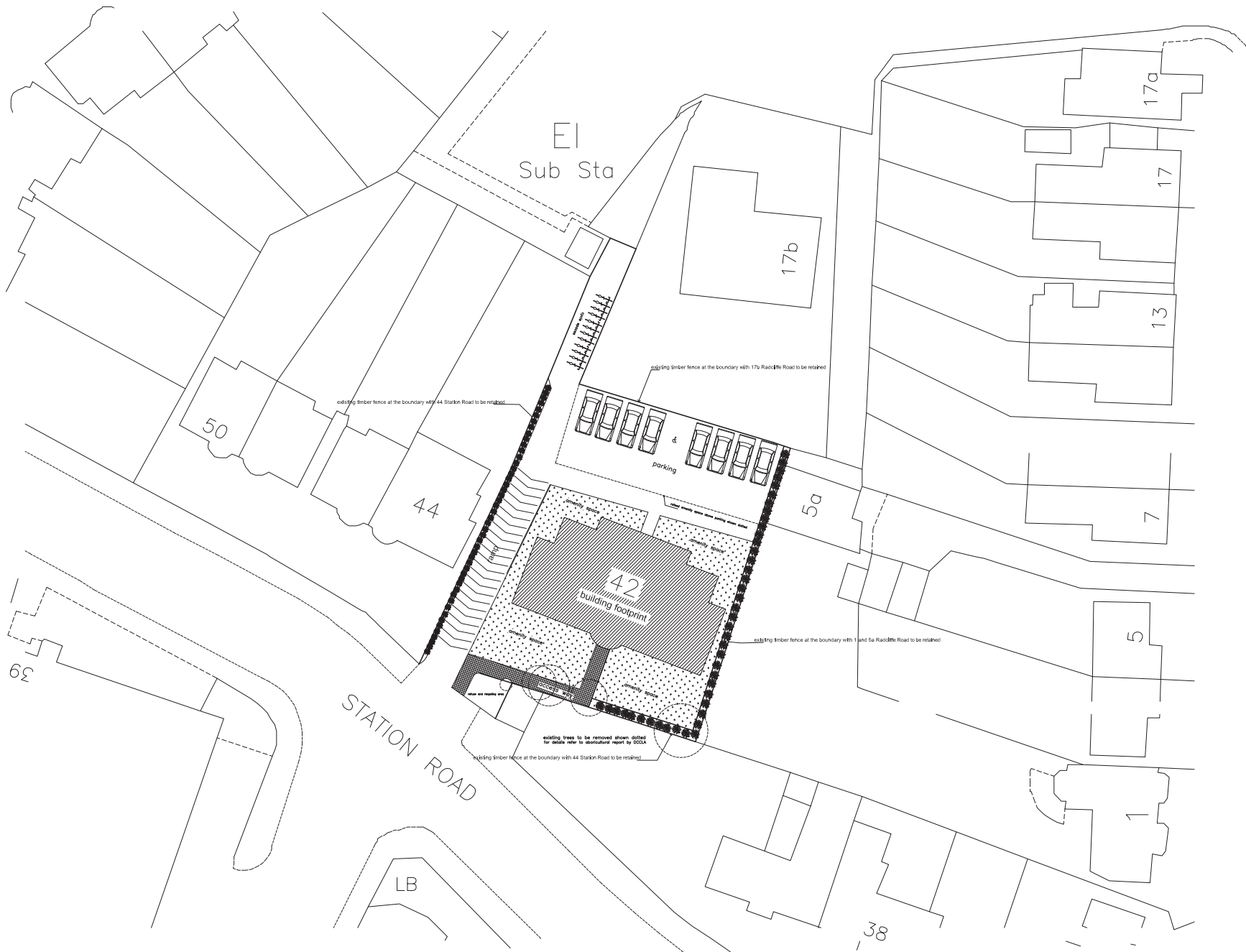
**Alexander Elliott**  
 Architecture—Surveying—Design  
 224 Ballards Lane, London N3 2LX  
 TEL:020 8445 9821 FAX:020 8446 0206  
 e-mail: design@archivos.co.uk

Project No	260	date	Sept 12
scale	1:100	drawn	
drawing No	260.S.01	A	B
		C	

do not scale off this drawing, all dimensions to be checked on site, any discrepancies to be referred to the Surveyors







NOT FOR CONSTRUCTION

revisions	
A	06,11,13 boundary treatments

Job title  
42 STATION ROAD N21

drawing title  
BLOCK PLAN

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Architecture-Surveying-Design  
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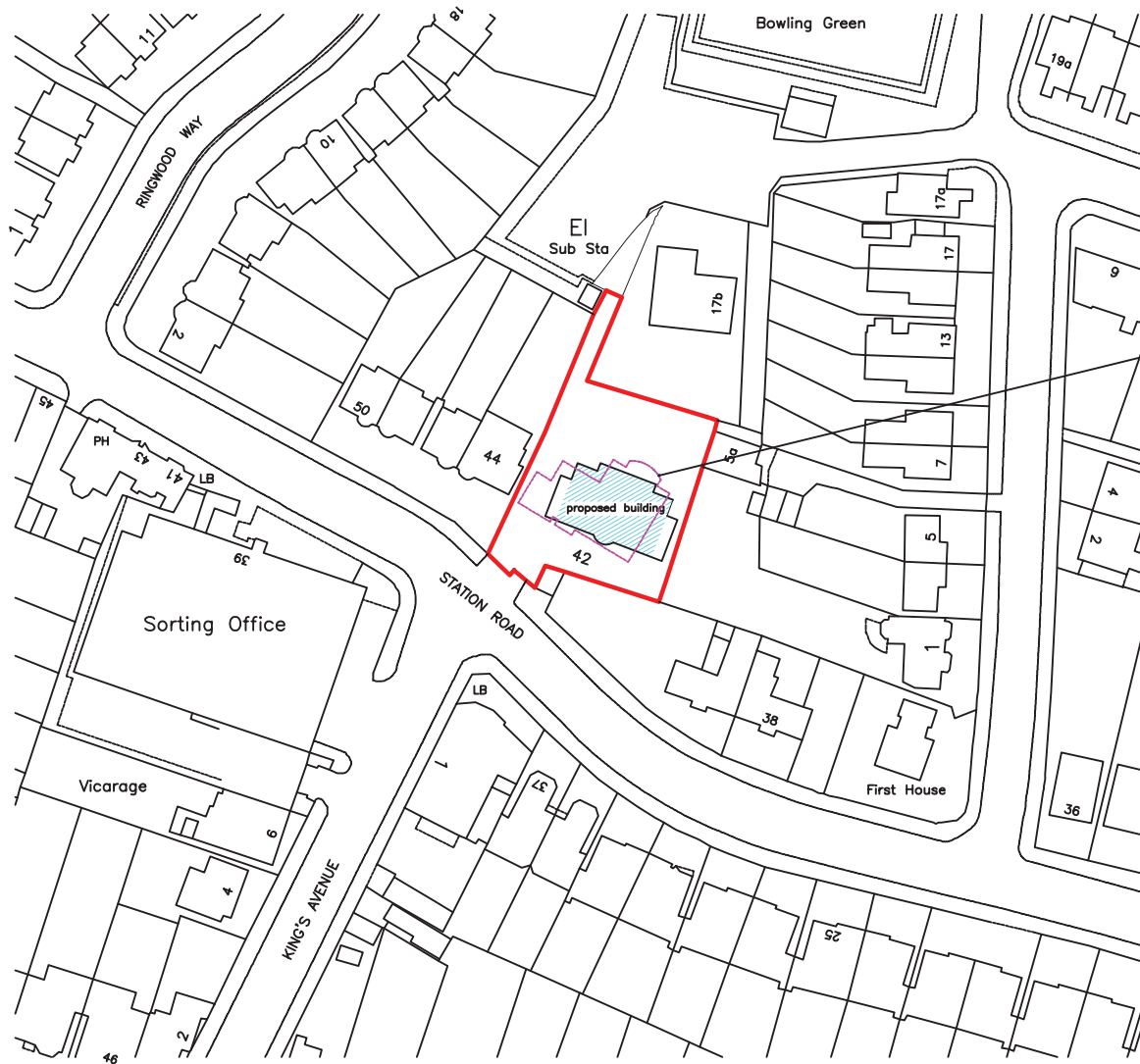
Project No	260	date	Oct.2013
scale	1:200 @A1	drawn	

drawing No	A		
<b>260.S.07</b>			

do not scale off this drawing, all dimensions to be checked on site, any discrepancies to be referred to the Surveyors



notes



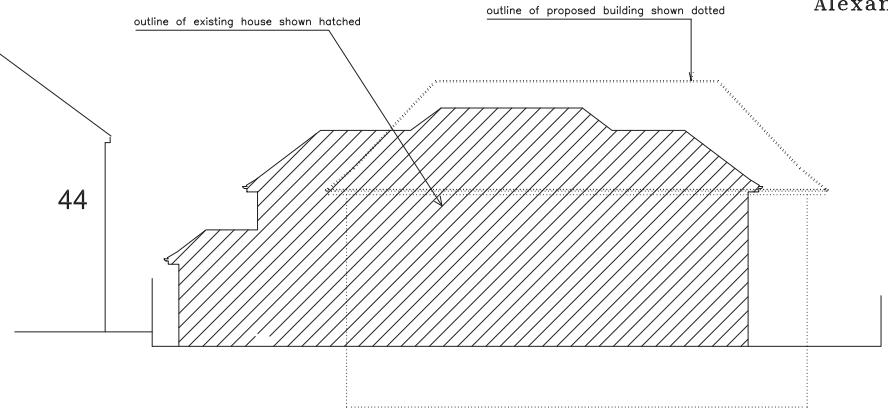
OUTLINE OF EXISTING BUILDING SHOWN DOTTED

Job title	Project No 260	date Sept. 12
42 STATION ROAD N21	scale 1:1250	drawn
drawing title	drawing No	ABC
SITE PLAN	260.ST.01	

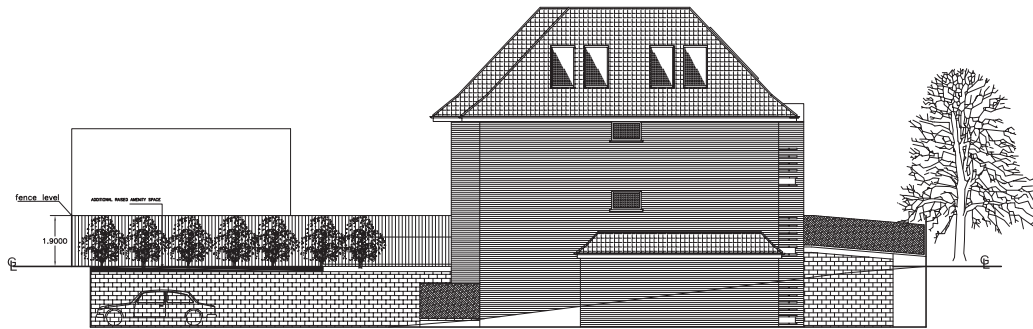




ELEVATION TO STATION ROAD



ELEVATION TO STATION ROAD



NORTH WEST ELEVATION



NORTH EAST ELEVATION



NORTH WEST ELEVATION

FOR INFORMATION ONLY

revisions	
A	10.05.13 general revisions
B	19.08.13 orn't balconies

Job title  
42 STATION ROAD N21

drawing title

ELEVATIONS AS PROPOSED

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Project No 260 date Sept 12  
scale 1:100 @ A1 drawn

drawing No  
**260.S.03**

A	B		
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do not scale off this drawing, all dimensions to be checked on site, any discrepancies to be referred to the Surveyors

