

# LONDON BOROUGH OF ENFIELD

## PLANNING COMMITTEE

**Date :** 27 June 2017

**Report of**  
Assistant Director,  
Regeneration & Planning

**Contact Officer:**  
Andy Higham  
Sharon Davidson  
Ms Eloise Kiernan  
Tel No: 020 8379 3830

**Ward:**  
Palmers Green

**Ref:** 17/00275/FUL

**Category:** Full Application

**LOCATION:** 1 Windsor Road, London, N13 5PP,

**PROPOSAL:** Change of use of existing single storey side extension from tutoring (Class D1 to residential (Class C3) to increase existing ground floor unit with alterations to front fenestration.

**Applicant Name & Address:**  
Mr J Stewart  
2A Viga Road  
London  
N21 1HJ

**Agent Name & Address:**  
John Perrin And Sons Ltd  
885 Green Lanes  
London  
N21 2QS

**RECOMMENDATION:**

It is therefore recommended that planning permission be **GRANTED** with conditions.

Ref: 17/00275/FUL LOCATION: 1 Windsor Road, London, N13 5PP,



## **1. Site and surroundings**

- 1.1 The application site comprises a two storey end-of-terraced building, which is situated on the southern side of Windsor Road with an access road immediately to the west. The property features a single storey side extension that is attached to no. 1 Windsor Road.
- 1.2 The street scene features a number of dwellings of a similar design, age and character.
- 1.3 The site is not listed, or within a Conservation Area.

## **2. Proposal**

- 2.1 The applicant seeks full planning permission for the change of use of part ground floor from tutoring (Class D1) to residential (Class C3), enlarging existing dwelling with alterations to front fenestration.
- 2.2 This differs from the previously refused application ref.16/00125/FUL, which was for the conversion of existing ground floor office used for tutoring to a 1-bed self-contained flat together with a single storey rear extension.
- 2.3 An amended plan has been received during the determination period to demonstrate the proposed layout and clarify the proposed openings of the proposed unit.

## **3. Relevant Planning Decisions**

- 3.1 16/01396/PRJ - Change of use from Office Use (Class B1 (a) to residential (Class C3) including single storey rear extension-prior approval required.
- 3.2 16/00125/FUL - Conversion of office to studio flat including erection of single-storey rear extension-refused for the following reasons:
  - 1. The proposed flat by reason of its inadequate floorspace, represents a substandard and inappropriate form of accommodation which would be detrimental to the residential amenities of future occupants, contrary to Policy 3.5 of the London Plan, Policy CP4 of the Enfield Plan Core Strategy, Policy DMD8 of the Development Management Document, the Mayor of London Housing Supplementary Planning Guidance and the National Planning Policy Framework.
  - 2. The single storey rear extension by virtue of its siting, height and depth would result in a loss of outlook and be overly dominant to the neighbouring occupiers at no. 1 Windsor Road, contrary to Core Policy 30 of the Core Strategy and Policy 11 of the Development Management Document.
  - 3. Insufficient information has been submitted to robustly justify an absence of a full contribution towards off site affordable housing provision. In this regard it

is considered that the proposal fails to provide a sufficient level of affordable housing and associated monitoring fees, contrary to Policies 3 and 46 of the Core Strategy, Policy DMD2 of the Development Management Document, Policies 3.10, 3.11, 3.12 and 3.13 of the London Plan and the S106 Supplementary Planning Document.

4. Insufficient evidence has been submitted to demonstrate the overall energy efficiency of the scheme to accord with the 8% CO2 reduction targets set by the London Plan and the principles of the energy hierarchy. In the absence of an appropriate mechanism to secure a financial contribution for a deficit from this target to accord with the adopted s106 SPD this is contrary to the objectives of Core Policy 20 of the Core Strategy, DMD51 of the Development Management Document and Policies 5.2, 5.3 and 5.4 of the London Plan as well as the NPPF.

- 3.2 15/01306/FUL - Conversion of office at ground floor to a 1-bed self-contained flat together with a single storey rear extension-refused and dismissed at appeal

#### **4. Consultation**

##### **4.1 Statutory and Non Statutory Consultation**

- 4.1.1 Traffic and Transportation - No objections subject to conditions.
- 4.1.2 Commercial Waste - No comments.
- 4.1.3 Environmental Health - No objections subject to conditions.
- 4.1.4 Thames Water - No objections.

##### **4.2 Public Responses**

- 4.2.1 Letters were sent to 37 adjoining and nearby residents on 26 January 2017 with reconsultation on 20 March 2017. Twenty seven responses were received, which raised the following matters:
  - Loss of tuition centre would be detrimental to community, which has benefited from the maths centre for the last 20 years;
  - Conflicts with Local Plan;
  - Loss of parking;
  - Loss of privacy; and
  - Strain on existing community facilities.
- 4.2.2 The applicant has also produced a petition with approximately 100 signatures and information including declarations from past and existing pupils and photos of the maths centre.
- 4.2.3 Additionally, Cllr Erin Celebi has expressed an interest in the site.

## **5. Relevant Policy**

### **5.1 Development Management Document**

DMD6	Residential Character
DMD37	Achieving High Quality and Design-Led Development
DMD45	Parking
DMD49	Sustainable Design and Construction Statements
DMD68	Noise

### **5.2 Core Strategy**

CP4: Housing quality  
CP5: Housing types  
CP30: Maintaining and improving the quality of the built and open environment

### **5.3 London Plan**

Policy 3.5	Quality and design of housing developments
Policy 6.13	Parking
Policy 7.4	Local character
Policy 7.6	Architecture

### **5.4 Other Policy**

National Planning Policy Framework  
National Planning Practice Guidance

## **6. Analysis**

### **6.1 Background**

- 6.1.1 Several planning applications have been submitted to convert the existing office into self-contained residential accommodation. These have all been refused and ref: 15/01306/FUL was dismissed at appeal.
- 6.1.2 The first scheme ref: 15/01306/FUL was for a one-bed flat with extensions and was refused due to inadequate floorspace and impact of the extension on neighbouring occupiers. This was dismissed at appeal due to inadequate floorspace.
- 6.1.3 The most recent scheme 16/00125/FUL was for a one-bed studio with extensions and was refused due to inadequate floorspace, impact of the extension on neighbouring occupiers and insufficient information for energy efficiency and affordable housing. A key consideration is therefore whether the scheme overcomes the reasons for refusal and matters raised in the appeal decision.

- 6.1.4 On assessment of the submitted plans, the proposed layout was akin to that refused under ref: 16/00125/FUL and therefore an amended plan 2543/4A was sought to clarify the layout and openings.

## 6.2 Principle of development

- 6.2.1 The proposals seek to convert the existing floorspace serving an office into residential accommodation to provide an enlarged one-bedroom flat at ground floor level. The openings would be removed and the floorspace would thus serve as a kitchen and lounge area.
- 6.2.2 A number of representations have been received against the loss of the office accommodation, which is currently used as a maths tuition centre. The loss of the existing office accommodation would not be detrimental to the character and appearance of the street scene as it occupies an existing extension attached to a dwelling and is sited within a residential location. Planning records indicate that this element of the building was in use as office accommodation, however as representations and photographic evidence were received for further applications in 2016, it was clear that the office accommodation was in fact an established teaching facility for 20 years. This matter was not previously raised during the determination of planning application ref. 15/01306/FUL, or by the Inspector within the dismissed appeal decision and as such officers consider that it can't be raised as an issue on this occasion.

## 6.3 Unit Sizes

- 6.3.1 Policy 3.5 of the London Plan, as detailed in Table 3.3 stipulates the minimum space standards for new development. The proposed unit would be expected to meet and where possible exceed these minimum standards. The proposals will also be expected to meet the design criteria in the London Housing SPG.
- 6.3.2 The GIA excludes staircases, communal areas and any other area which is incapable of practical use. Additionally, each unit would need to be self-contained and have, inter alia, rooms of an adequate size and shape and feature its own entrance, kitchen and bathroom accommodation.

Flats	Dwelling type (bedroom (b)/persons- bedspaces (p))	Required GIA (sq.m) in London Plan	GIA (sq,m)
Flat 1	1b2p	50	70

- 6.3.3 The amended floor plans demonstrate that the proposed floorspace would be utilised as part of the existing one-bed flat. It is not proposed to create an additional flat within the office floorspace, which was refused by the Council and dismissed at appeal. The proposed floorspace would increase the accommodation to approximately 70 sq.m, and therefore provide more spacious living accommodation for occupants, which has addressed the previous reason for refusal and is considered acceptable, having regard to policies 3.5 of the London Plan and CP4 of the Core Strategy.

#### 6.4 Neighbouring Amenities

- 6.4.1 The proposed extensions have been removed from the scheme and therefore the previous reasons for refusal based on residential amenities have been addressed.
- 6.4.2 The increased floorspace and new openings to serve the one-bed unit would not have any further impacts on residential amenities over the existing arrangement.

#### 6.5 Character and Appearance

- 6.5.1 The proposed removal of the existing door and window and replacement with a larger window would not be detrimental to the character and appearance of the building, or visual amenities of the street scene. The alteration is of a minor nature and in keeping with the existing building, having regard to policy DMD37 of the DMD.

#### 6.6 Traffic and Transportation

- 6.6.1 The application site is located on Windsor Road, which is unclassified with a PTAL of 2 and therefore has a low level accessibility to public transport.
- 6.6.2 The proposals are not considered to increase the trip generation over and above the existing office use of the site. There are no changes to the level of car parking spaces on site as a result of the proposals. It was noted that there are 6 parking spaces located at the rear of no.1, which fall out of the application boundary. These are accessed by a non-adopted access road. Overall it is not considered that the proposals would lead to significant adverse impacts which will be prejudicial to the free flow of traffic in the area.

##### *Cycle Parking*

- 6.6.2 No details are given relating to cycle storage, however there is a space on the site to accommodate this and therefore details could be secured by an appropriate condition, should the scheme be granted, having regard to Policy DMD45 of the DMD and 6.9 of the London Plan.

##### *Refuse Storage*

- 6.6.3 No details are given relating to refuse storage, however there is a hardstanding to the front of the site, which could accommodate and therefore details could be secured by an appropriate condition, should the scheme be granted, having regard to Policy DMD47 of the DMD.

#### 6.7 s106 and Community Infrastructure Levy (CIL)

- 6.7.1 As of the April 2010, new legislation in the form of CIL Regulations 2010 (as amended) came into force which would allow 'charging authorities' in England

and Wales to apportion a levy on net additional floorspace for certain types of qualifying development to enable the funding of a wide range of infrastructure that is needed as a result of development. Since April 2012 the Mayor of London has been charging CIL in Enfield at the rate of £20 per sum. The Council is progressing its own CIL but this is not expected to be introduced until spring / summer 2014.

- 6.7.2 In this instance the development would not be liable for CIL as it is a conversion of existing floorspace under 50 sq.m.

## **7. Conclusion**

- 7.1 In conclusion, the proposed scheme is considered to have addressed the previous reasons for refusal and the matters rose in the appeal decision and are therefore, now considered acceptable.

## **8. Recommendation**

- 8.1 In light of the above, it is therefore recommended that planning permission be granted with the following attached conditions:

### **1. 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. 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. Materials to Match**

The external finishing materials shall match those used in the construction of the existing building and/or areas of hard surfacing.

Reason: To ensure a satisfactory appearance.

### **4. Refuse Details**

The development shall not commence 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.

5. No Additional Fenestration

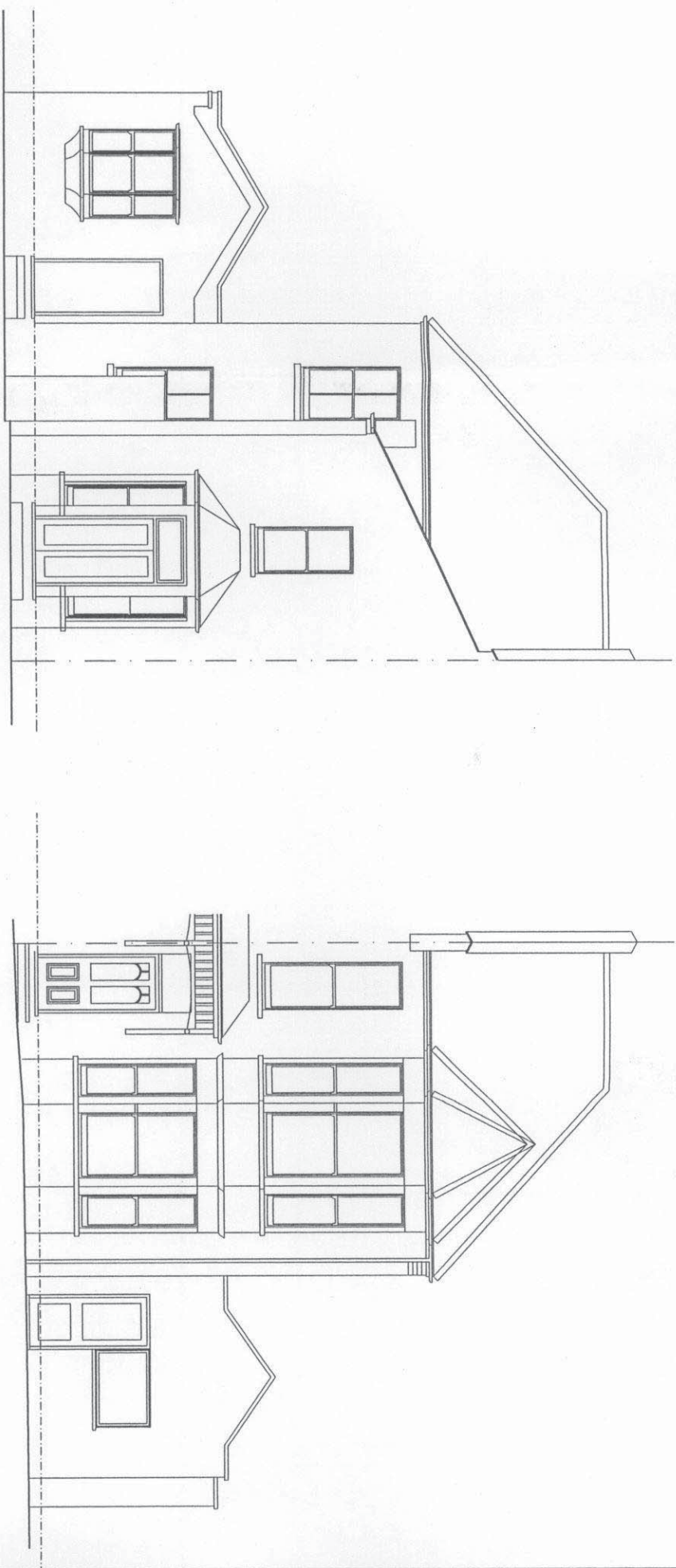
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any amending Order, no external windows or doors other than those indicated on the approved drawings shall be installed in the development hereby approved without the approval in writing of the Local Planning Authority.

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

6. Cycle Parking

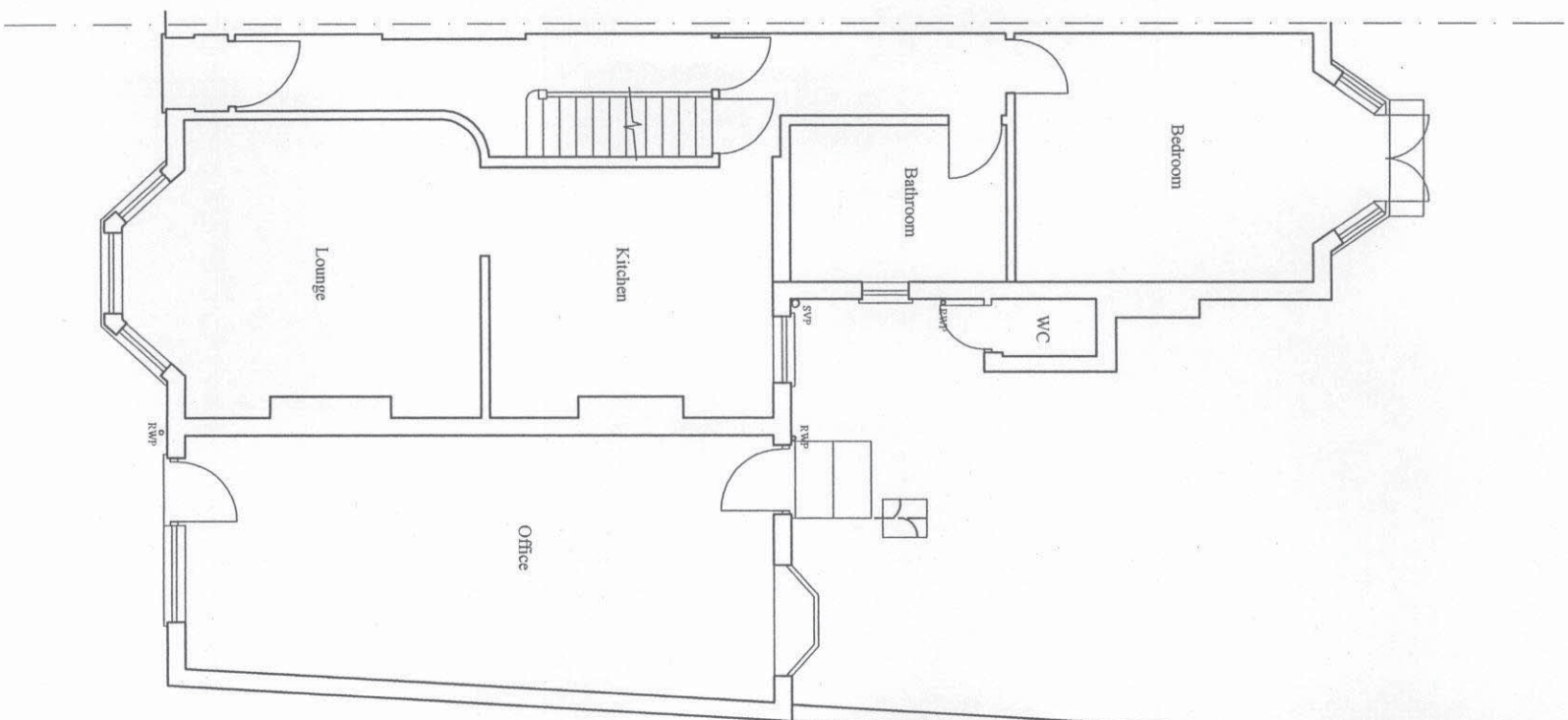
The development shall not commence until details of the siting, number and design of secure/covered cycle parking spaces have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed and permanently retained for cycle parking.

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

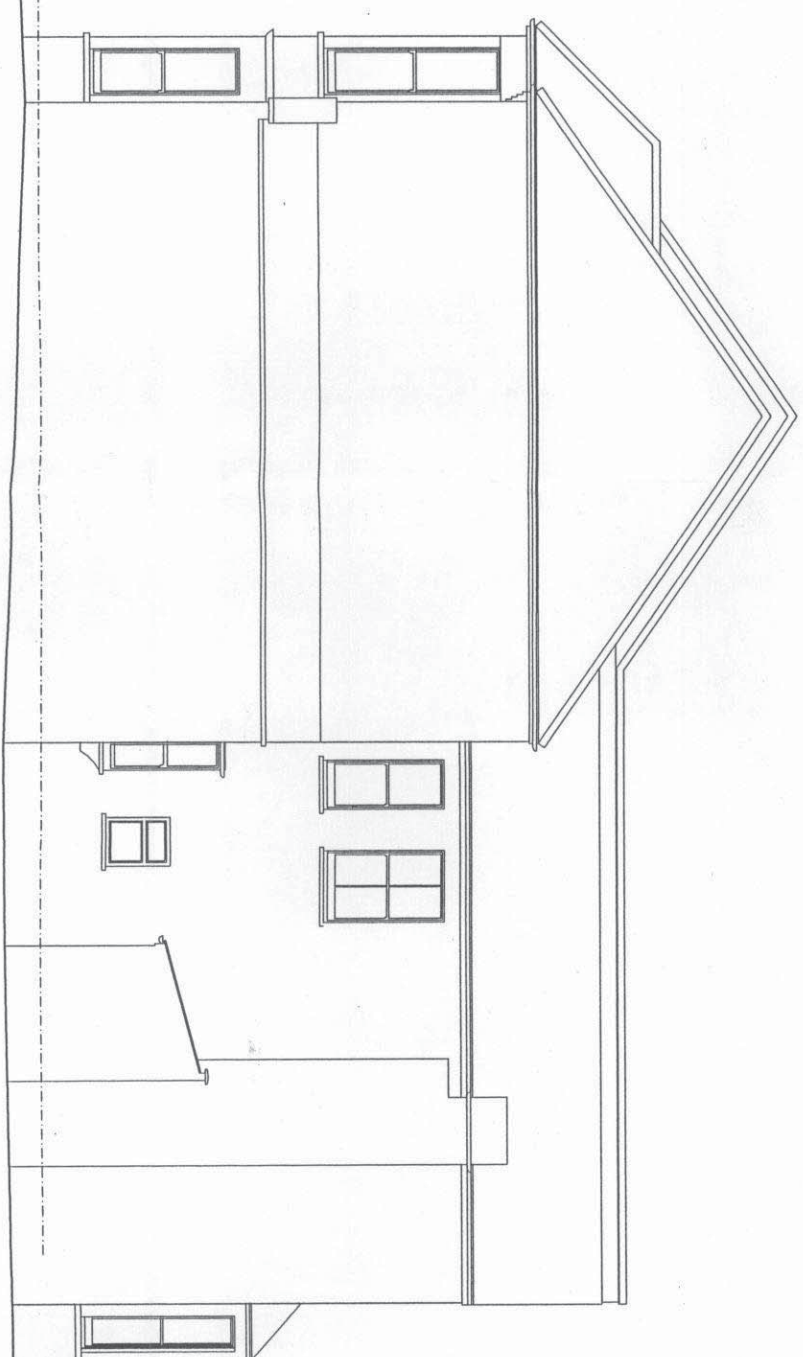


rear elevation

front elevation

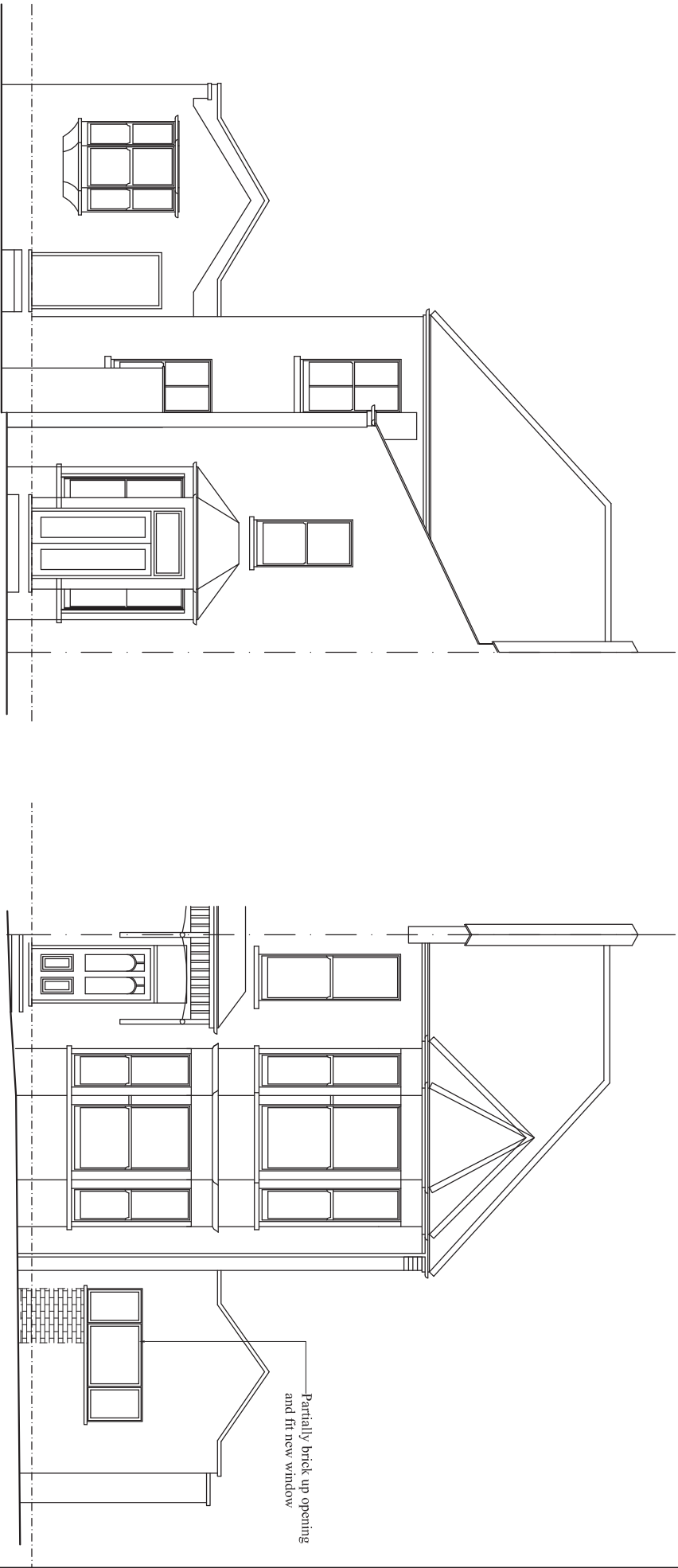


ground floor plan



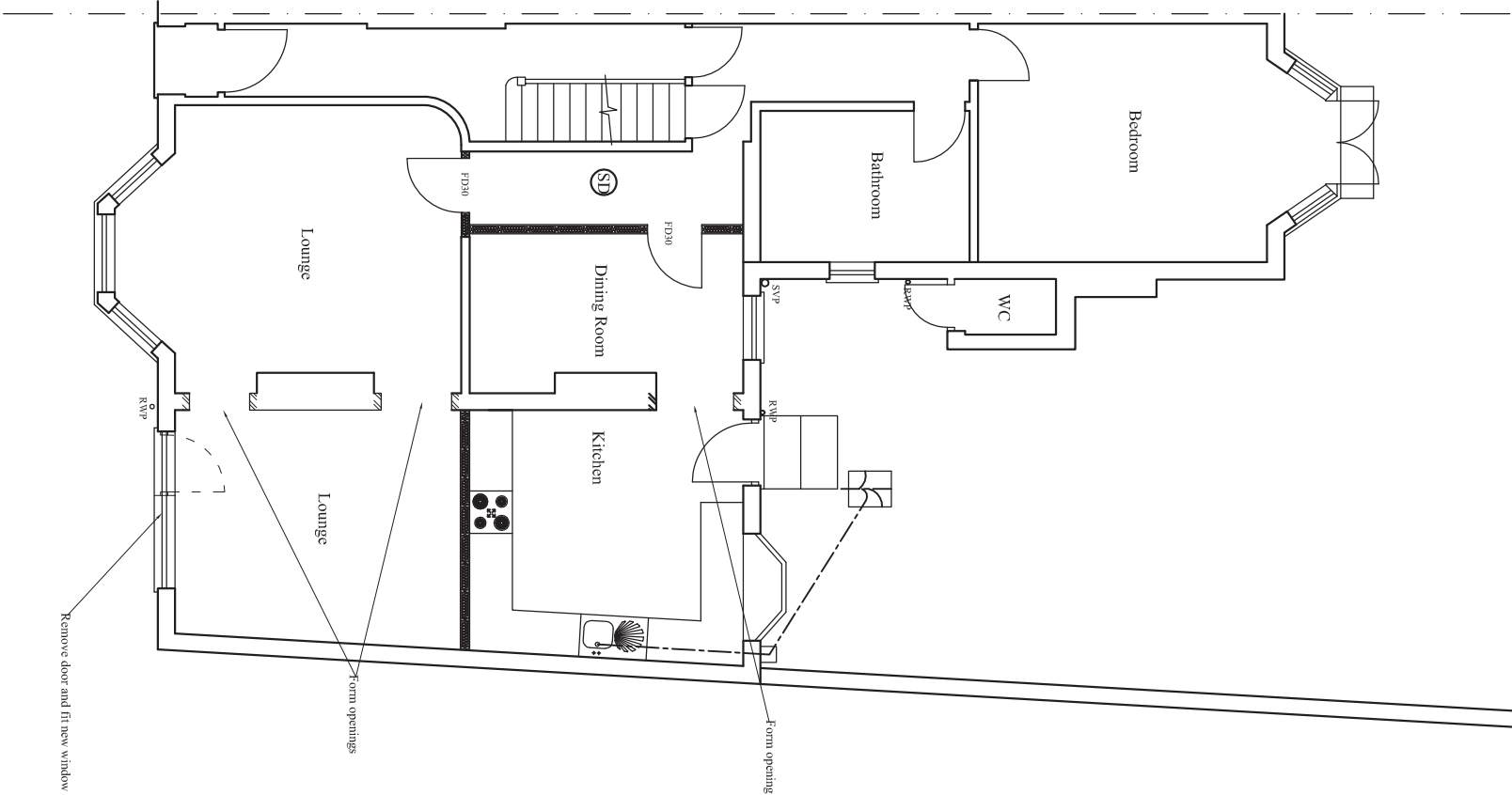
side elevation

project	
Survey as existing	
site	1 Windsor Road, London N13
date	January 2015
scale	1:100 @ A3
JOHN PERRIN & SONS Ltd	
BUILDING SURVEYORS & DESIGNERS	
888 Green Lane, Wembley Hill, London HA2 7AS	
Tel: 0181 903 2500 Fax: 0181 903 2505	
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All dimensions are to be checked on site.	
drawing number	2543/1

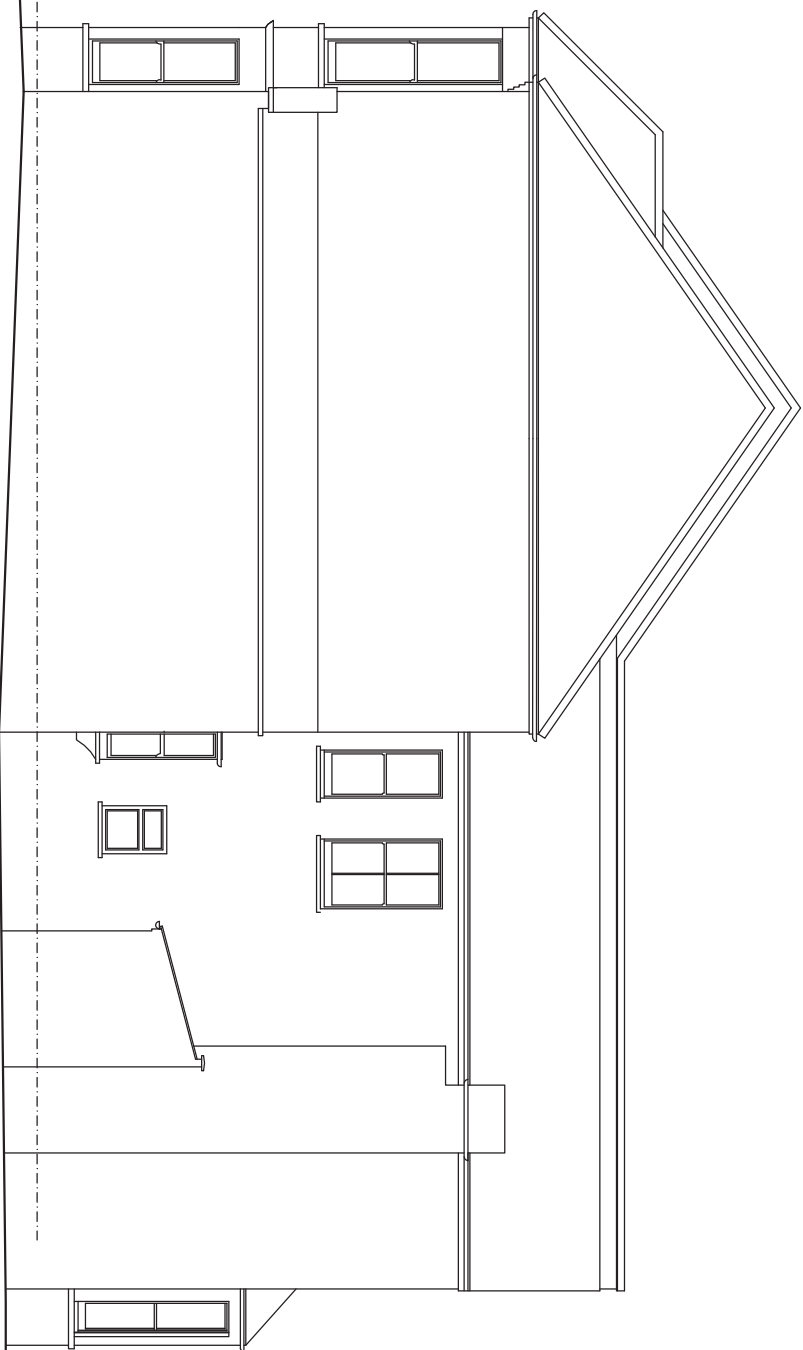


rear elevation

front elevation



ground floor plan



side elevation

Project		Proposed change of use from D1 to extension to ground floor flat	
Site		1 Windsor Road, London N13	
Date	Scale		
January 2015	1:100 @ A3		
JOHN PERRIN & SONS Ltd			
BUILDING SURVEYORS & DESIGNERS			
888 Great Lane, Widdoware Hill, London N21 7QS			
Tel: 0208 344 0334 Fax: 0208 292 0995			
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All dimensions are to be checked on site.			
Drawing number			
2543/4A			





1/250  
SITE PLAN  
1 WINDSOR ROAD

0 10 20 30 40 50