PLANNING COMMITTEE Date : 19 th December 2017			ite: 19 th December 2017	
Report of Assistant Director, Regeneration & Planning	Contact Officer Andy Higham David Gittens Maria Demetri Tel No: 020 837		Ward: Highlands	
Ref: 17/02775/FUL			Category: Major Dwellings	
LOCATION: Former Comfo	ort Hotel, 52 Rowant	ree Road. I	EN2 8PW	
3 bed) involving side dorm	ner, installation of	terraces, b	ats comprising (2 x 1 bed , 4 x 2 bed, 4 alconies and light wells, alterations ing.	
3 bed) involving side dorm	ner, installation of	terraces, b	alconies and light wells, alterations	
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1. Site and Surroundings

- 1.1 The subject site is located on the northern side of Rowantree Road, to the west of Chasewood Avenue. The site is an irregular shape, with an area of 1,615sqm and is occupied by a former hotel (Comfort Hotel) with a large hardstand car parking area within the front forecourt. The hotel ceased trading in October 2014. The property has also been referred to as Enfield House previously.
- 1.2 The existing building is a turn of the century four-storey building with a prominent unsightly flat roof side extension dating from the late 1960s/early 1970s, which provides a total of 1,468m2 floor area including 34 rooms (13 single, 18 double, 2 family, 1 triple), reception area, residents' bar, residents' lounge, commercial kitchen, conference room and administration offices.
- 1.3 With the exception of the subject site, the surrounding area is residential and features mostly semi-detached two-storey single family dwellings in a mix of styles.
- 1.4 The site is not located within a Conservation Area and does not contain a Listed Building.

2. Proposal

- 2.1 The proposal seeks permission for the conversion of the hotel into 10 self contained flats comprising of the following mix:
 - 2 x 1 beds (2 persons)
 - 4 x 2 beds (each flat being a mix of 3 and 4 persons)
 - 4 x 3 beds (each flat being a mix of 5 and 6 persons)
- 2.2 The proposal also involves the erection of a side dormer, installation of terraces, balconies and light wells, alterations to the fenestration of the building together with associated landscaping and parking.

3. Relevant Planning History

- 3.1 14/05014/FUL: Redevelopment of site involving demolition of existing building and erection of 21 self-contained flats within a 4-storey block (7 x 1-bed, 11 x 2-bed, 3 x 3-bed) with associated car parking. Refused to grant planning permission on the 24.04.2015.
- 3.2 15/04634/FUL: Demolition of existing hotel and erection of 3 storey building with accommodation in roofspace to provide 16 flats with terraces and balconies comprising 2 X 1 bed, 7 X 2 bed and 7 X 3 bed, ramp to under croft, vehicle access, forecourt parking and associated landscaping. Refuse to grant planning permission on the 11.03.2016.

- 3.3 This scheme was appealed by the appellant and subsequently dismissed at appeal on the 22.09.2016. The reference number was APP/Q5300/W/16/3151837.
- 3.4 16/03382/FUL: Redevelopment of site and erection of 3-storey residential block of 13 self contained flats comprising 7x3 bed, 3x1 bed and 3x2 bed involving basement parking, landscaping and two parking spaces on front forecourt. Withdrawn on the 10.10.2016.

4. Consultation

4.1 Statutory and non-statutory consultees

4.1.1 Sustainable Urban Drainage

4.1.1.2 It is not clear if the developers have conducted a detailed SuDS Assessment in order to treat and attenuate roof runoff based on the submitted document. A detailed sustainable drainage strategy must be submitted. The Sustainable Urban Drainage Officer has requested this information to be secured by way of a condition prior to the commencement of development should Members be minded to approve the scheme.

4.1.2 Conservation Officer and Senior Urban Design Officer

4.1.2.1 The retention of the parent building is most welcome given that it is an attractive building. In addition, the alterations to the currently unsightly extension to make it respect the existing building is deemed to have been approached considerately. This is deemed as a good example how a building can be retrofitted to a high quality design and how the facades can be upgraded in a respectful manner.

4.1.3 <u>Traffic and Transport</u>

- 4.1.3.1 The overall principle of the development is acceptable but there are issues that need to be addressed. In summary, the response of the Transport Officer is as follows:
- 4.1.3.2 Given, the scale of development, it is considered that 10 spaces (including 2 visitor spaces and a least 1 disabled bay is adequate to serve the site. The proposal has provided a total of 14 spaces as per the existing situation on the site. The Transport Officer has requested the removal of parking spaces to allow an entrance and exit point on the site. It is noted that the existing accesses on site are established.
- 4.1.3.3 Further details regarding zip car provision, disabled spaces and vehicle charging need to be advanced.
- 4.1.3.4 Pedestrian access is required to be demonstrated from the public highway.

- 4.1.3.5 18 long term residential cycle parking and 4 visitor spaces are required to be provided on site.
- 4.1.3.6 The servicing of the site on street is considered acceptable subject to the location of the refuse storage bins and a refuse collection strategy being secured.
- 4.1.3.7 The construction management plan has short falls.
- 4.1.3.8 Discussions between the Agent, the Transport Officer and the Planning Officer have been on going. Amended plans and additional details have been received on the 24th August 2017. The outcome of these discussions have been portrayed within the Committee Report under the section "Traffic and Transport".
- 4.1.4 Environmental Health
- 4.1.4.1 No objection raised. No conditions required to be imposed.

4.1.5 <u>Tree Officer</u>

4.1.6 No objection raised. No conditions required to be imposed regarding trees. Landscaping would be beneficial to the front of the site.

4.2 Public

- 4.2.1 98 residents were notified directly by letter. A site notice was erected by the site. A press notice was also advertised. In total eight (8) neighbours have written to object to the application. In summary, their objections are as follows:
 - Close to adjoining properties
 - Conflict with local plan
 - Inadequate access
 - Inadequate parking provision
 - Inadequate public transport provisions
 - Increase danger of flooding
 - Increase in traffic
 - Increase of pollution
 - Information missing from plans
 - Loss of light
 - Loss of parking
 - Loss of privacy
 - Noise nuisance
 - Not enough info given on application
 - Out of keeping with character of area
 - Over development
 - Strain on existing community facilities
 - Shortfall reading the submitted information

- Construction issues raised
- Parking issues (many residents consider that 14 spaces are not sufficient)
- Density issues
- Overdevelopment
- General impact to the street scene

4.3 Councillor response

- 4.3.1 Councillor Glynis Vince (Highlands Ward Councillor) has objected to this application formally. The Councillors comments are as follows:
 - Street Scene: The streetscape of this cul-de-sac is largely one and two storey, detached or semi-detached houses and bungalows of a vernacular style (brick & tiled pitched roofs). There are no blocks of flats on this cul-de-sac section of Rowantree Road. All properties are owner occupied, freehold, single dwelling houses, none of which have been converted or contain flats. The development proposed is not of a high quality design and does not enhance the existing buildings to warrant an exception.
 - Street Scene: The new dormer abutting the left gable on the front elevation will be affect the street elevation. There is no real enhancement to the street elevation.
 - Parking Provision & Overflow: Residents cannot be expected to accept overflow parking from the development, on to the surrounding streets as an acceptable solution.
 - Privacy & Overlooking: New windows in East elevation facing No.1 Chasewood will result in a loss of privacy.
 - Privacy & Overlooking: New dormer windows and roof terrace will result in a loss of privacy to No.54 Rowantree Road.
 - Roads & Pavements: Rowantree Road was recently re-surfaced and any approval should include Section-106 agreements to ensure that a preconstruction survey, protection during construction, re-instatement and enhancement of road surfaces, kerbs and pavements in the cul-de-sac. These will undoubtedly be damaged by the proposed development and have been grossly neglected by the council which has left us with a patchwork of uneven tarmac as pavements.
 - I understand that a development will take place on this site. However, the scale and design quality of the proposal needs to be addressed.

5. Relevant Policy

- 5.1 The policies listed below are consistent with the NPPF and therefore it is considered that full weight should be given to them in assessing the development the subject of this application.
- 5.1.1 <u>The London Plan</u>

- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing development
- 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 3.11 Affordable housing targets
- Policy 4.1 Developing London's economy
- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.7 Renewable energy
- Policy 5.8 Innovative energy technologies
- 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 5.15 Water use and supplies
- Policy 5.16 Waste net self sufficiency
- 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 neighbours and communities
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture
- Policy 7.19 Biodiversity and access to nature
- Policy 7.21 Trees and Woodland
- 5.1.2 Local Plan Core Strategy
 - SO2 Environmental sustainability
 - SO4 New homes
 - SO5 Education, health and wellbeing
 - SO8 Transportation and accessibility
 - SO10 Built environment
 - CP1 Strategic growth areas
 - CP2 Housing supply and locations for new homes
 - CP3 Affordable housing
 - CP4 Housing quality
 - CP5 Housing types
 - CP16 Taking part in economic success and improving skills
 - 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
- CP30 Maintaining and improving the quality of the built and open
- environment
- CP32 Pollution
- CP36 Biodiversity
- CP45 New Southgate
- CP46 Infrastructure Contribution

5.1.3 Development Management Document

DMD3	Providing a Mix of Different Sized Homes
DMD6	Residential Character
DMD8	General Standards for New Residential Development
DMD9	Amenity Space
DMD10	Distancing
DMD 13	Roof extensions
DMD22	Loss of Employment Outside of Designated Areas
DMD37	Achieving High Quality and Design-Led Development
DMD38	Design Process
DMD 44	Heritage
DMD45	Parking Standards and Layout
DMD46	Vehicle crossovers and dropped kerbs
DMD47	New Roads, Access and Servicing
DMD48	Transport assessments
DMD49	Sustainable Design and Construction Statements
DMD50	Environmental Assessment Methods
DMD51	Energy Efficiency Standards
DMD53	Low and zero carbon technology
DMD54	Allowable solutions
DMD55	Use of roof space / vertical surfaces
DMD56	Heating and cooling
DMD57	Responsible sourcing of materials, waste minimisation and greer
	procurement
DMD58	Water efficiency
DMD61	Managing surface water
DMD64	Pollution Control and Assessment
DMD68	Noise
DMD69	Light Pollution
DMD76	Wildlife Corridors
DMD79	Ecological enhancements
DMD80	Trees on development sites
DMD81	Landscaping

5.1.4 Other Material Considerations

National Planning Practice Guidance National Planning Policy Framework S106 SPD Enfield Characterisation Study Nationally Described Space Standards London Housing SPG Enfield Housing Market Assessment

6. Analysis

- 6.1 The Councils adopted policies encourage the provision of new housing. However, proposals must also be assessed in relation to material considerations such as impact on the character of the surrounding area and impact on the neighbours' amenity.
- 6.2 Having regard to the nature of the proposed development and the relevant planning policy, it is considered that the key issues in the assessment of this application relate to the following:
 - Principle of development;
 - Development density;
 - Impact on the character of the surrounding area;
 - Housing mix and quality of accommodation;
 - Private and communal amenity space;
 - Impact on neighbouring amenity;
 - Traffic and Transport;
 - Impact on trees/biodiversity; and
 - Developer contributions and CIL.

Principle of development

- 6.3 The London Plan and the Council's adopted policies encourage the provision of new housing in appropriate locations and require that new residential development offers a range of housing sizes to meet housing needs whilst ensuring that the quality and character of existing neighbourhoods is also respected. These policies also seek to protect against the loss of employment land unless it can be demonstrated that the land is no longer viable or suitable for employment.
- 6.4 The subject site was formerly occupied by the Comfort Hotel (Use Class C1) and therefore the proposal would result in the loss of an employment use. Policy DMD 22 states that 'Proposals involving a change of use that would result in a loss or reduction of employment outside of Strategic Industrial Locations (SIL) or Locally Significant Industrial Site (LSIS) will be refused, unless it can be demonstrated that the site is no longer suitable and viable for continued use employment use'. DMD 22 requires that proposals involving a change of use that would result in the loss of employment meet the following criteria:
 - It would not compromise other employment uses on the site or potential future employment uses on the neighbouring sites; and

- Mitigation for the loss of employment is provided in accordance with Council's S106 SPD.
- 6.5 In assessing the previous applications, and as per the Inspectors decision, for the site the Council accepted that the site was no longer viable for use as a hotel and agreed a financial contribution of £28,000 to mitigate the loss of employment on the site in accordance with DMD 22. The applicant has once again agreed to a financial contribution of £28,000 to mitigate the loss of employment on the site with respect to this application. It is prudent to note that the Inspector stated that the £28,000 contribution was acceptable as the payment would be proportionate to the loss of employment at the former hotel.
- 6.6 It is considered that there has been no significant change of circumstances or policy which would warrant the Council forming a different view with respect to the loss of employment on this site in the assessment of this application. On the basis that the loss of employment use on the site is acceptable and has been appropriately mitigated, the principle of residential development of the site is considered acceptable given the residential character of the surrounding area.
- 6.7 The proposed development should be assessed against material considerations such as impact on the character of the surrounding area, impact on the neighbours' amenity, housing mix, quality of accommodation and amenity space, highway considerations, sustainable design and construction, landscaping and biodiversity enhancements, and viability.

Development density

- 6.8 DMD 6 of the DMD provides standards for new development with regards to scale and form of development, housing quality and density. The surrounding area is characterised by detached and semi detached dwelling houses and has a distinctive character of suburban development. According to the guidance in the London Plan, as the site has a site specific PTAL rating of 1a and is in a suburban location, an overall density of between 150-200 hr/ha may be acceptable. The site area equates to 1600 m2. The density of the proposed development against this density matrix, based on habitable rooms per hectare would equate to 231 hr/ha. This demonstrates that the density of the scheme is slightly above the recommendations of the Density Matrix in Table 3.2.
- 6.9 It is acknowledged that advice contained within the NPPF and the London Plan Housing SPG suggests that a numerical assessment of density must not be the sole test of acceptability in terms of the integration of a development into the surrounding area and that weight must also be given to the attainment of appropriate scale and design relative to character and appearance of the surrounding area. The appropriateness of the development is discussed within the Committee Report.

Impact on the character of the surrounding area

6.10 DMD 8 provides general standards for new residential development and reiterates the requirement for a development to be of an appropriate scale, mass

and bulk, provide high quality amenity space and provide access to parking and refuse areas. DMD 37 encourages achieving a high quality and design led development. The design of an extension would need to respect the character of the surrounding area but also make a positive contribution to the places identity. This policy is re-iterated by CP30 of the Core Strategy as well as the fundamental aims of the NPPF.

- 6.11 The parent building is to be retained. The existing extension is to be retrofitted and its fenestration details are to be altered. The flank elevations of the existing building involve the inclusion and alteration of openings. There is a side dormer to be erected to the parent roof, utilising the existing flat roof area of the existing extension. The alterations to the building, although marginal, allow the retention of the building, the upgrade of the unsightly extension and allows for the fabric of the building to be updated to a high quality.
- 6.12 With regards to the proposed side dormer, this element has been set down from the ridge of the existing building and is set back from the front wall of the building by 3.5m. Given the existing height of the building and the set back of the dormer on the site, only oblique views to this structure would be read from the human scale from the street. It has also been designed with a flat roof which respects the existing flat roof structure currently on the roof of the extension. The terrace serving this top floor flat has been drastically reduced in size to ensure that with its glazed enclosure, it would not be overtly apparent when read with the parent building and the existing extension.
- 6.13 The windows to be inserted on the east flank elevation are to be obscure glazed and are strategically placed to break up the expanse of the existing flank elevation. In addition, it should be noted that the existing windows are to be removed, which are over the three storeys and currently add nothing but visual clutter on the flank elevation.
- 6.14 The existing windows on the west flank elevation are to be utilised or they are being re-positioned to allow for optimisation internally in terms of living accommodation. A window with views out to the front and rear is being inserted on the first floor which appears to be a light weight structure and adds visual character to the flank elevation. It is noted that more windows are to be inserted on the ground floor and lower ground floor, however, this again is to allow optimisation internally of the building and to add a vertical emphasis on this elevation.
- 6.15 The existing flat roof of the extension to the rear is to be altered by removing part of it and creating a solid parapet wall. The removal of part of the roof is welcome as it provides a simplistic finish and demonstrates that the cumulative impact of the current extensions can be improved visually.
- 6.16 To the front elevation, a balustrade is to be added above the door that is akin to the existing balustrade contained to the top floor. This is deemed to be acceptable as it respects the character of the building. In addition, the window serving the balustrade area is to be altered to have the same proportions as the larger bay window glazing.

- 6.17 The most notable, and most welcomed, alterations to the front elevation are the alterations to the fenestration of the currently unsightly extension. A glazed link is now proposed between the parent building and the extension. Modern glazing has been introduced which is clean and simplistic. Its proportions are akin to the existing bay windows serving the parent building. The balcony areas to the front elevation have been recessed within the extensions built form to ensure that these features are not dominant and again respect the proportions of the bay windows in the parent unit. In this regard the alterations to the existing extension, in terms of the fenestration detailing, successfully provide a strong rhythm and pattern of development that is intrinsically linked with the parent building. The juxtaposition between the two elements has been well designed and is considered a successful example of how two different elements can be designed to embrace the distinctiveness of the parent building.
- 6.18 The rear elevation is also to be altered with a similar approach. The changes to the rear elevation are deemed to be acceptable because the increase in glazing allows the solid (render) to void (glazing) ratio to be more equal allowing for the structure to appear lighter in appearance rather than oppressive and dominant.
- 6.19 The retention of the building is welcomed and the alterations to the existing extension are considered to have been successfully designed against the parent building. It is suggested to impose conditions relating to the materials to match the existing building, particularly with regards to the side dormer.

Housing mix and quality of accommodation

6.20 London Plan Policy 3.8 encourages a full range of housing choice. This is supported by the London Plan Housing SPG, which seeks to secure family accommodation within residential schemes, particularly within the social rented sector, and sets strategic guidance for councils in assessing their local needs. Core Policy 5 of the Core Strategy seeks to ensure that 'new developments offer a range of housing sizes to meet housing need' and includes borough-wide targets housing mix. These targets are based on the finding of Enfield's Strategic Housing Market Assessment and seek to identify areas of specific housing need within the borough. A summary of the proposed housing mix against the relevant policy requirements is provided below:

Type of unit	Council requirements	Proposed development
1 & 2-bed flats/houses (1-4 persons)	35%	60%
3 bed houses , (5-6 persons)	45%	40%
4+ bed houses (6+ persons)	20%	0%

- 6.21 Whilst the proposal does not achieve the ideal recommended mix, as a conversion scheme there are limitations in the existing built form but despite this the proposal achieves a good level of provision of family size units and this is deemed to be acceptable.
- 6.22 Core Policy 4 of the Enfield Plan, Policy 3.5 of the London Plan and the Nationally Described Space Standards seek to ensure that new residential development is of a high standard. The following is the breakdown of the figures required for new residential units:

Flat number	Bedroom and persons	Nationally described space standards	Proposed by the
		space standards	development
Flat 1	3 bedroom, 5 person	86 m2	118 m2
Flat 2	3 bedroom, 4 person	84 m2	102 m2
Flat 3	3 Bedroom, 5 person	93 sqm	100 m2
Flat 4	1 bedroom, 2 person	50 sqm	81 m2
Flat 5	3 bedroom, 6 person	95 m2	115 m2
Flat 6	2 bedroom, 4 person	70 m2	78 m2
Flat 7	1 bedroom 2 person	50 m2	81 m2
Flat 8	2 bedroom, 4 person	70 m2	74 m2
Flat 9	2 bedroom, 3 person	61 m2	88 m2
Flat 10	3 bedroom, 6 person	95 sqm	152 m2

6.23 All the flats exceed the requirements of the Nationally Described Space Standards. All habitable room windows would have outlook either to the front or rear of the site with regards to the first and second floor. There are habitable room windows on the flank elevation on the lower ground floor and ground floor that would face onto the shared side boundary. The majority of these windows are existing but where they are not, they would not face directly on to the shared boundary. Rather, there would be a separation distance. Whilst this is not general practice that is allowed through the Borough, it is considered that given that the building is being retained an on balance assessment needs to be made. The windows that are habitable on the flank lower ground and ground floor are bedrooms and there remains a separation distance to the shared boundary. The proposed arrangement is considered to make the best use of the existing built form.

Private and communal amenity space

6.24 Each flat has its own private amenity space and each has access through the building to the rear communal amenity space. The communal area would be overlooked by the flatted units to the rear of the site. In addition, the communal area is large, functional and within the private area of the site. With regards to the provision of private amenity, the proposal is providing the following:

Flat number	Bedroom and persons	DMD 9 requirements	Proposed
Flat 1	3 bedroom, 5 person	8sqm	12 sqm + 12
			sqm = 24

			sqm
Flat 2	3 bedroom, 4 person	7sqm	21 sqm
Flat 3	3 Bedroom, 5 person	8sqm	9sqm
Flat 4	1 bedroom, 2 person	5sqm	6sqm
Flat 5	3 bedroom, 6 person	9sqm	5sqm and part of the rear garden
Flat 6	2 bedroom, 4 person	7sqm	9sqm
Flat 7	1 bedroom 2 person	5sqm	6sqm
Flat 8	2 bedroom, 4 person	7sqm	18sqm
Flat 9	2 bedroom, 3 person	6sqm	5sqm
Flat 10	3 bedroom, 6 person	9sqm	12 sqm

- 6.25 The only flat that has a short fall in amenity space is flat 9, and the short fall is 1sqm. Flat 9 has a minor shortfall in terms of private amenity space however the unit benefits form the communal use of the garden and occupiers would not therefore be disadvantaged.
- 6.26 Overall, the scheme makes good provision for external space for future residents. A landscaping condition has been recommended to ensure that the communal area can have fixed communal features for example a picnic bench.

Impact on neighbouring amenity

- 6.27 DMD 8 requires that new residential development must 'Preserve amenity in terms of daylight, sunlight, outlook, privacy, overlooking, noise and disturbance'. It is prudent to note that the main structure of the existing hotel is to be retained. There is to be the inclusion of a dormer, terraces and means of enclosures on the flank elevation. An assessment is required to be undertaken regarding the impact of these features to the surrounding neighbours.
- 6.28 With regards to the side dormer and the terrace, during the application, the Agent appreciated the concerns of the adjoining neighbour and reduced the overall size of the terrace area. In addition, a plan was provided demonstrating sight lines to the dormer would be obscured by the current building. In this regard, the dormer and terrace would not cause a detrimental impact to residential amenity.
- 6.29 The majority of the windows on the flank elevation exist. Where new windows are proposed they are either obscure glazed or are situated on the ground floor and lower ground floor without views out of the site. It should also be noted that the windows which are obscure glazed do not serve habitable rooms. In this regard, there would be no detrimental impact.
- 6.30 All windows and terrace areas to the front elevation and the rear elevation would have views out to the public highway or the existing rear garden. In this regard, there would be no impact on neighbours.
- 6.31 While some level of noise and light will be reintroduced to the site, this will be on a normal residential scale appropriate in a residential area. Indeed, any impacts

would not be anticipated to be greater than the use of the site for a hotel with 34 rooms and capacity for many more occupants.

- 6.32 It is also prudent to note that the proposed flues serving the flats are to be vented vertically and not on the side elevation towards the neighbouring properties. Although not a planning requirement, the Agent has clarified this to appease neighbours concerns.
- 6.33 Asbestos has also been raised as a concern by the neighbours. Asbestos does not form part of the Planning Regulations, however, the Agent has confirmed that prior to the commencement of development, the contractor will be required to undertake a full survey of the building and ascertain if any remedial works are required. The contractor will be required to employ a suitably qualified asbestos company to survey and carry out remedial works.
- 6.34 Overall, no objection is raised to this element of the scheme subject to conditions safeguarding residential amenity including obscure glazing. The conditions will be required to remain in perpetuity.

Traffic and Transport

Policy

6.35 DMD 45 relates to car parking, cycle provision and parking design. A proposal would need to adhere to the requirements of DMD 45 and the London Plan to be deemed as acceptable. DMD 47 states that new development proposals will need to demonstrate that enough space for servicing, circulation and access to, from and through the site is provided. All developments must be fully accessible to pedestrians and cyclists and assist with general permeability within an area, the current development does not provide this.

Access

6.36 The existing vehicle accesses to the site are to be retained. This is deemed to be acceptable given the existing situation. However, given the site layout, it would mean pedestrian and cycle access into the site would also be through these vehicle access gates. The Transport officer has raised concern regarding this however, it is considered that this matter can be overcome with a dual surface. A condition can be imposed to ensure that a dual surface be advanced from the public highway, through the parking area to the front entrance of the building but also the refuse area and cycle footpath.

Refuse and recycle storage/collection

6.37 The refuse and recycle storage area is situated off of the street frontage in between the car parking spaces. It is considered that this location is acceptable as it would not result in a structure directly abutting the street. Whilst it is not conventional to have the area in this location, the plans have been amended to ensure that the refuse area is not the first element of the hardstanding that is read. In this regard, no objection is raised.

Servicing/home deliveries

6.38 The development is to be serviced from the street. It is considered that this is acceptable given that this is how other homes are serviced on this cul-de-sac. The servicing of the site would not cause harm to the public highway in terms of the safe and free flow of pedestrian and vehicle movement.

Cycle parking provision

6.39 18 cycle spaces are required to be provided for residents and 4 visitor spaces are required to be provided in an accessible location. Originally as submitted the plan did not represent this figure required by the London Plan. The plans have since been revised ensuring that there are now 4 short stay spaces to the front of the site and 18 secure long stay spaces to the rear of the site. The access to the residents spaces is wide enough to manoeuvre a vehicle through and is accessible to all residents. No objection is raised to this element of the scheme subject to conditions including that the access path be lit with down lighters with low light emissions.

Car parking provision

- 6.40 The site is situated in a PTAL 1a location. There are no parking controls in the vicinity of the site. The majority of objections received by local residents relate to parking implications. The Transport Officer has confirmed that the site only needs to provide 10 on site car parking spaces however, the proposal has provided 14 car parking spaces. The Transport Officer suggested that the number of spaces be reduced to provide an entrance and exit into the site however, it was considered unreasonable to pursue this given that the accesses already exist on the site and he reduction in parking numbers would exacerbate issues raised not only by residents but also Cllr Vince. The parking provision on site is an over supply of spaces in accordance with the London Plan requirements however it is considered unreasonable to refuse the scheme on this ground given residents concerns, Cllr Vince's concerns and due to the existing hard standing and accesses.
- 6.41 The plan has been updated since the original submission, demonstrating that there are to be 2 visitor spaces (labelled V on drawing 424714-14) and there would be one dedicated disabled space. Details of the electronic charging points have not been advanced, however, these can be secured by way of condition. Each of the parking spaces, other than the disabled space, is 2.4m wide by 4.8m deep. In addition, each space has adequate space to the front to allow a vehicle to turn out of the space and on to the public highway in a forward gear.
- 6.42 No objection is raised to the proposal submitted subject to conditions. Whilst two options have been submitted, it is considered that the proposal providing 14 spaces, rather than 11 is the most appropriate for the site, particularly given the

objections raised by the local residents and the ward Cllr, whilst being mindful that the Transport Officer has requested 10 spaces only. The Transport Officer has worked with the Agent in guiding the development regarding transportation matters.

Sustainable development

6.43 The submitted Energy Statement demonstrates that a saving of 8% will be made in CO² emissions. However, there is a requirement of achieving 35% on site as it is retrofitting the existing building. Major developments are required to achieve 0% CO² emissions, however, this scheme cannot achieve it as it is retrofitting the building. To ensure that the building achieves a 35% reduction, such details can be secured by way of a condition. In addition, the site would need to achieve "Very Good" under the BREEAM standards. This also can be secured by way of condition. Finally, the updated water efficiency report demonstrates that efficiency measures can be achieved below the 105 litre per person per day requirement set within the Development Management Document.

Impact on trees/biodiversity

- 6.44 In total 9 trees and 2 hedges are to be removed. This is two more trees and one more hedge than previously agreed to be removed by the Tree Officer and the Planning Inspector. The additional two trees each are category C which are of low quality and value and thus there is no objection to their removal. The hedge to be removed is a category B Leyland Cypress hedge. There is no objection to the removal of this hedge, of particular note, it is not protected by a preservation order and thus can be removed. The retained trees are to be protected and this is to be secured by way of a condition pertaining to the submitted Tree Protection Plan, Arboricultural Method Statement and Arboricultural Impact Assessment. In this regard, no objection is raised subject to the tree protection conditions.
- 6.45 A detailed landscaping scheme is required to be secured by way of condition to ensure that tree and hedge planting is appropriate in terms of species and in a location that would respect the street scene. This is deemed to be acceptable to secure by way of condition.
- 6.46 There are no known or perceived ecological constraints pertaining to the site. To ensure ecological enhancement a condition is to be imposed relating to bird and bat boxes. No objection is therefore raised.

Developer contributions and CIL

Section 106

6.47 On November 28th 2014 the Minister for Housing and Planning state announced, in a written ministerial statement, S106 planning obligation measures to support small scale developers and self-builders. Paragraphs 12 to 23 of the National Planning Policy Guidance (NPPG) were amended to state that contributions for affordable housing and tariff style planning obligations should not be sought from small scale developments containing 10 units or less with a gross area of no more than 1000 sq m.

- 6.48 In April 2015, the Government's new policy approach was challenged in the High Court by two Local Authorities (West Berkshire District Council and Reading Borough Council). The challenge in the High Court was successful and on 31st July 2015, Mr Justice Holgate quashed the Secretary of State's decision to adopt the new policy by way of written ministerial statement. As a consequence, paragraphs 12 to 23 of the Planning Obligations section of the National Planning Practice Guidance (NPPG) were removed.
- 6.49 The Government subsequently appealed the High Court decision. The Court of Appeal on the 11th May 2016 upheld the Government's position set out in the 28th November 2014 written ministerial statement; this reinstates the small sites exemption from paying S106 affordable housing and other tariff style contributions and also reinstates the vacant building credit.
- 6.50 The Court of Appeal found the written ministerial statement to be lawful; however in making the judgement the Court found that the statement should not be applied as a blanket exemption which overrides the statutory development plan and the weight given to the statutory development plan is a consideration to be made by the local planning authority.
- 6.51 The National Planning Practice Guidance was subsequently updated on the 20th May and paragraph 31 was added to the guidance to include the small sites exemption and vacant building credit. West Berkshire District Council and Reading Borough Council have until the 1st June 2016 to make an application to appeal the decision in the Supreme Court.
- 6.52 The London Borough of Enfield will no longer be seeking contributions for education on schemes which are 11 and below, and thus in this schemes instance, there is no contribution towards education. However, the council will be seeking affordable housing contributions on schemes which are 10 units or less which have a combined gross floor space of more than 1000sqm. This is in conjunction with the criteria stipulated within the Planning Practice Guidance. The proposal is marginally above 1000 sqm and thus would require a S106 contributions towards affordable housing.
- 6.53 Originally, a viability report was submitted by the applicant to demonstrate that no contribution towards affordable housing could be made. This viability report was independently assessed. It was found that the scheme could contribute an offsite affordable housing monetary sum of £396,000. The applicant provided a rebuttal to the independent review with full evidence. This evidence was critiqued by an independent viability assessor and a quantity surveyor. The conclusion found that the scheme could generate an affordable housing contribution of £343,000. This sum was marginally below what was originally expected the scheme could generate. The agent discussed the matter with the applicant, and it was confirmed that the contribution. It is prudent for Members to note that the provision of 2 on site affordable housing units would neither be desirable for a

Registered Provider (RP) and their management would not be impractical. In this regard, the Council has secured a monetary contribution of £343,000 towards off site affordable housing.

- 6.54 The following are therefore what is required to be secured by way of the Section 106 UU:
 - Affordable Housing (off site) at £343,000.
 - £28,000 towards employment contribution;
 - Securing the provision of a car club agreement;
 - A monitoring fee of £1,400 towards affordable housing and employment; and
 - A monitoring fee of £350 towards the monitoring of the car club agreement.
- 6.55 The submission details that a car club agreement is to be provided and secured through the Section 106 UU. The car club agreement is to use existing spaces in Enfield and the agreement will allow usage of spaces closer to the site on Rowantree Road, as and when they become available. This is welcome and opens up the provision of car clubbing within the Borough.

CIL

- 6.56 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.
- 6.57 The development would be liable to a Community Infrastructure Levy contribution as the development involves new residential floor space over 1,000 sqm. By the time this application is determined the building will not have been occupied for six months in the preceding three years and therefore CIL will be payable. The Council CIL will therefore total £118,680.00 and the Mayoral CIL will total £25,013.27.

<u>Other</u>

6.58 Matters securing the Construction Management Plan are on going at the time of the write up of this Committee Report. It is considered that this Plan can be secured through a condition with the details to be submitted prior to the construction of the development should members be minded to approve the scheme.

7.0 Conclusion

7.1 In conclusion it is considered that this development proposal is acceptable and is therefore recommended for approval. The proposal would have no undue impact to the character and appearance of the site and surrounding area, improving the

existing dilapidated appearance and unsympathetic extension. It will provide for 10 additional residential units and would bring back the vacant site into an appropriate use. In addition, there would be no undue harm to existing residential amenity or the highway.

8.0 Recommendation

- 8.1 That planning permission be <u>GRANTED</u> subject to a completed Section 106 Agreement and conditions. The suggested conditions are as follows:
 - 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. Plans

The development hereby permitted shall be carried out in accordance with the approved plans including plans:

- 42414-8
- 42414-13
- 424714-14 received 28.08.2017
- 424714-15 B received 16.08.2017
- 424714-16 C received 16.08.2107
- 424714-17 C received 16.08.2017
- 424714-18 B received 16.08.2017
- 424714-19 B received 16.08.2017
- 424714-20 B received 16.08.2017
- Water efficiency report received 07.08.2017

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Materials to match and making good

All finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance.

4. Hardstanding/demarcated path

The development 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. This shall also include a dedicated demarcated dual surface linking the pedestrian/cycle users from the public highway to the entrance of the building and cycle spaces. 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.

5. Refuse

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, 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.

6. Sustainable Urban Drainage

The development shall not commence until a Sustainable Drainage Strategy has been submitted and approved in writing by the Local Planning Authority. The details shall include:

- A plan of the existing site
- A topographical plan of the area
- Plans and drawings of the proposed site layout identifying the footprint of the area being drained (including all buildings, access roads and car parks)
- The controlled discharge rate for a 1 in 1 year event and a 1 in 100 year event (with an allowance for climate change), this should be based on the estimated greenfield runoff rate
- The proposed storage volume
- Information on proposed SuDS measures with a design statement describing how the proposed measures manage surface water as close to

its source as possible and follow the drainage hierarchy in the London Plan (DMD 61- 10.5.12) This includes cross-sections and specifications.

- Geological information including borehole logs, depth to water table and/or infiltration test results
- Details of overland flow routes for exceedance events
- A management plan for future maintenance

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: To ensure the sustainable management of water, minimise flood risk and to minimise discharge of surface water outside of the curtilage of the property in accordance with DMD 61 of the Development Management Document, Core Policy 28 of the Core Strategy, Policies 5.12 & 5.13 of the London Plan 2011 and the NPPF.

7. Landscaping

Within 3 months of commencement of works full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority. The landscape details shall include:

- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants and trees, to include native and wildlife friendly species and large canopy trees in appropriate locations (noting species, planting sizes and proposed numbers / densities)
- Full details of tree pits including depths, substrates and irrigation systems
- The location of underground services in relation to new planting
- Implementation timetables.
- Biodiversity enhancements including the provision of 3 bird boxes, 3 bat boxes and 1 insect house
- SuDS enhancements
- Specifications for fencing demonstrating how hedgehogs and other wildlife will be able to travel across the site (e.g. gaps in appropriate places at the bottom of the fences)
- A maintenance and management strategy
- Location and design of picnic bench(es) and bench(es) in the communal area

All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision of amenity, that the communal area be useable and functional, and biodiversity enhancements, to afforded by appropriate landscape design, and to increase resilience to the adverse impacts of climate change the in line with Core Strategy policies CP36 and Policies 5.1 - 5.3 in the London Plan.

8. CO² emissions

The development shall not commence until an 'Energy Statement' has been submitted and approved in writing by the Local Planning Authority. Submitted details will demonstrate the energy efficiency of the development and shall provide for no less than a 35% improvement in total CO² emissions arising from the operation of a development and its services over Part L of Building Regs 2013 utilising gas as the primary heating fuel. Should Low or Zero Carbon Technologies be specified as part of the build the location of the plant along with the maintenance and management strategy for their continued operation shall also be submitted. The Energy Statement should outline how the reductions are achieved through the use of Fabric Energy Efficiency performance, energy efficient fittings, and the use of renewable technologies.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that $\rm CO^2$ emission reduction targets are met in accordance with Policy CP20 of the Core Strategy, Policies 5.2, 5.3, 5.7 & 5.9 of the London Plan 2011 and the NPPF.

9. EPC

Following practical completion of works a final Energy Performance Certificate shall be submitted to an approved in writing by the Local Planning Authority.

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 Local Planning Authority may be satisfied that $\rm CO^2$ emission reduction targets are met in accordance with Policy CP20 of the Core Strategy, Policies 5.2, 5.3, 5.7 & 5.9 of the London Plan 2011 and the NPPF.

10. Cycle spaces

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. This shall include the long stay and short stay spaces. 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 and that they are of a satisfactory appearance.

11. External lighting

The development shall not commence until details of any external lighting proposed have been submitted to and approved in writing by the Local Planning Authority..

Reason: To ensure that the development does not prejudice the amenities of adjoining occupiers and / or the visual amenities of the surrounding area.

12. Obscure glazing

The glazing on the flank elevations, not including the lower ground floor and ground floor, shall be in obscured glass with an equivalent obscuration as level 3 on the Pilkington Obscuration Range and be non opening below 1.7m of the finished floor level. 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 and neighbouring properties.

13. No new fenestration

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.

14. Electric Charging Points

That prior to development commencing, details of siting, type and design of plugs, the energy sources and the strategy/management plan of supplying and maintaining the electric charging points to be provided in accordance with London Plan standards (minimum 20% of spaces to be provided with electric charging points and a further 20% passive provision for electric vehicles in the future) shall be provided to the Local Planning Authority for approval in writing. All electric charging points shall be installed in accordance with the approved details prior to occupation of any of the units and permanently maintained and retained.

Reason: To ensure that the development complies with the sustainable development policy requirements of the London Plan.

15. Construction Management Plan

The development shall not commence until a construction management plan has been submitted to and approved by the Local Planning Authority. The construction management plan shall be written in accordance with London Best Practice Guidance and contain:

a) A photographic condition survey of the public roads, footways and verges leading to the site.

b) Details of construction access and associated traffic management.

c) Arrangements for the loading, unloading and turning of delivery, construction and service vehicles.

d) Arrangements for the parking of contractors' vehicles.

e) Arrangements for wheel cleaning.

f) Arrangements for the storage of materials.

g) Hours of work.

h) The storage and removal of excavation material.

i) Measures to reduce danger to cyclists.

j) signing up to membership of the Considerate Contractors Scheme.

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

Reason: To ensure construction does not lead to damage of the nearby public road network and to minimise disruption to the neighbouring properties.

16. BREEAM

Evidence confirming that the development achieves a BREEAM rating of no less than 'Very Good' shall be submitted to and approved in writing by the Local planning Authority. The evidence required shall be provided in the following formats and at the following times:

- a design stage assessment, conducted by an accredited Assessor and supported by relevant BRE interim certificate, shall be submitted at preconstruction stage prior to the commencement of superstructure works on site; and,
- b. a post construction assessment, conducted by an accredited Assessor and supported by relevant BRE accreditation certificate, shall be submitted following the practical completion of the development and within 3 months of first occupation.

The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior approval of the Local Planning Authority.

Reason: In the interests of addressing climate change and to secure sustainable development in accordance with the strategic objectives of the Council and Policies 3.5, 5.2, 5.3, 5.7, 5.9, 5.12, 5.13, 5.15, 5.16, 5.18, 5.20 & 6.9 of the London Plan 2011 as well as the NPPF.

17. Tree Protection

Prior to the commencement of the development hereby approved (including all preparatory work), a scheme for the protection of the retained trees including a tree protection plan (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the local planning authority.

Specific issues to be dealt with in the TPP and AMS:

- a) Location and installation of services/ utilities/ drainage.
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees
- c) Details of construction within the RPA or that may impact on the retained trees
- d) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.

- e) Boundary treatments within the RPA
- f) Methodology and detailed assessment of root pruning
- g) Arboricultural supervision
- h) The method of protection for the retained trees

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies.

18. Site supervision of trees

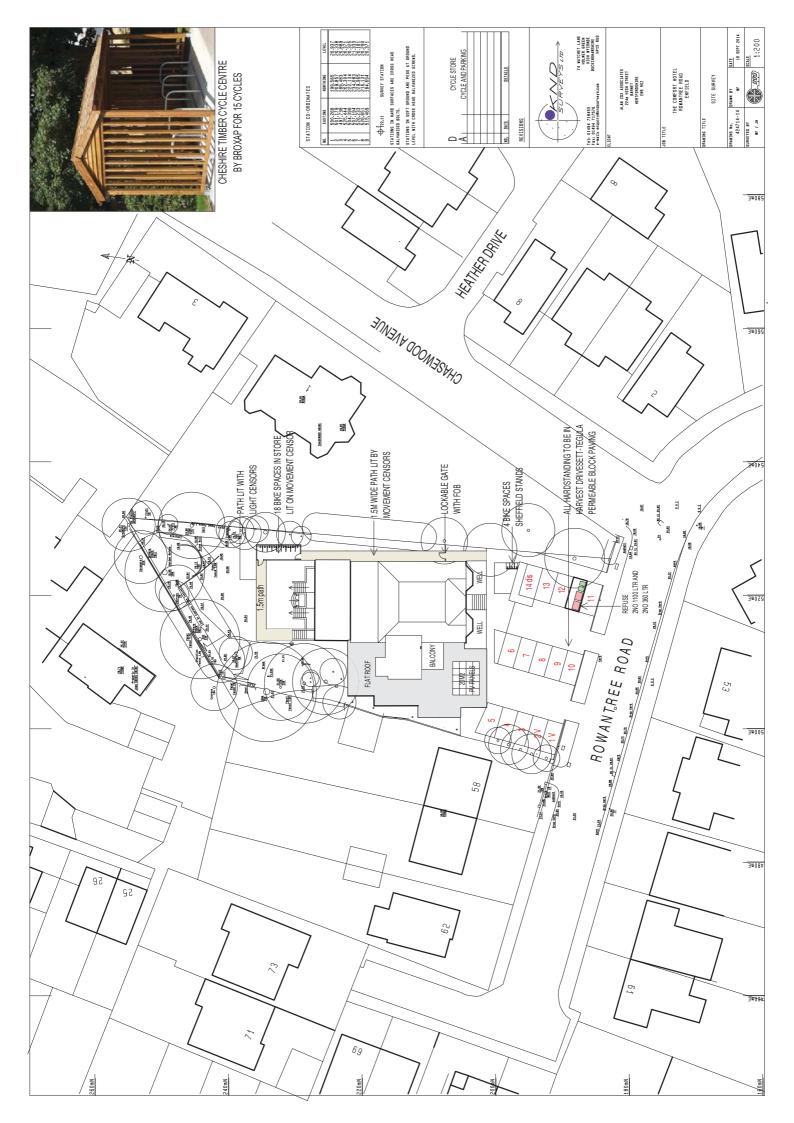
Prior to the commencement of the development hereby approved (including all preparatory work), details of all Tree Protection Monitoring and Site Supervision (where arboricultural expertise is required) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

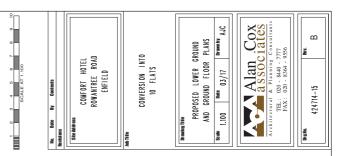
Reason: To ensure the retention of, and avoid damage to, the retained trees on the site that represent an important visual amenity to the locality in accordance with policies.

19. Submission of materials

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.

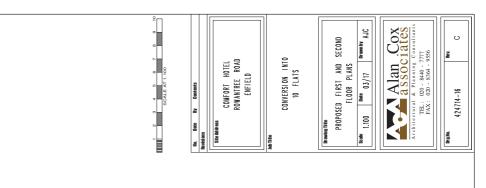
Reason: To ensure an appearance that respects the existing fabric of the building.













UNIT 9 2 BED 88M2



UNIT 8 2 BED 74M2



