

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date: 23rd January 2018

Report of

Assistant Director, Regeneration
& Planning

Contact Officer:

Andy Higham
Sharon Davidson
Ms Marina Lai
Tel No: 0208 379 4944

Ward:

Winchmore Hill

Application Number: 17/03651/FUL

Category: Minor Dwellings

LOCATION: The Cottage, Church Hill, London, N21 1JA

PROPOSAL: Subdivision of site and erection of a detached 2-storey 2-bed single family dwelling house at side with vehicular access via Church Hill.

Applicant Name & Address:

Mr Matthew Smith
3 Woodside Cottages
Church Hill

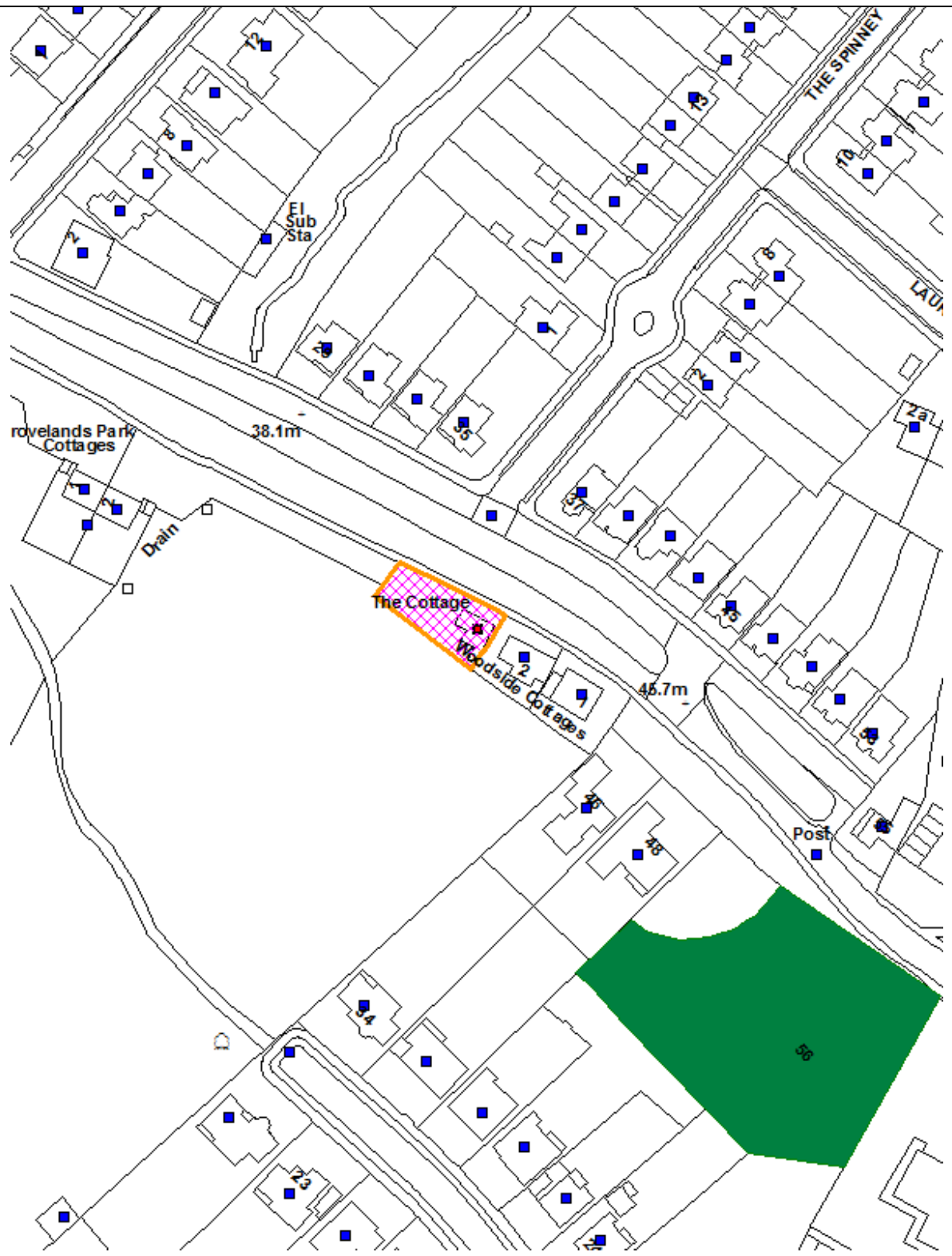
Agent Name & Address:

Mr Matthew G Smith
First Architect
36 Woodland Way
Winchmore Hill

RECOMMENDATION: That planning permission be **REFUSED**.

Note for Members: The application is reported to planning committee following the request from Cllr. Dinah Barry.

Ref: 17/03651/FUL LOCATION: The Cottage, Church Hill, London, N21 1JA



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Scale 1:1250

North



1. Site and Surroundings

- 1.1. The application site, known as The Cottage, is a Grade II listed dwelling house located on the northern side of Church Hill. The site is sited within the Winchmore Hill Conservation Area and also forms a group of 3 x Grade II listed detached cottages dated from pre1830's along Church Hill. The other two cottages are named as 'No.1 Woodside Cottage' and 'The Old School House'.
- 1.2. The site contains an empty land to the side. To the rear is Grovelands Park, part of which is woodland.
- 1.3. Winchmore Hill started as a small rural village, which was transformed into a residential suburb in the early 20th century. Together, Winchmore Hill Green and Vicars Moor Lane Conservation Areas encompass the surviving historic settlement, which still retains much of the character of the former village. Winchmore Hill Green was designated as a conservation area in 1968 and extended in 1974.
- 1.4. The surrounding is predominately residential in nature, characterised with large detached / semi-detached dwelling houses of various design eras.

2. Proposal

- 2.1. Planning Permission is sought for the subdivision of the site and erection of a two-storey 2-bed 3 person detached dwellinghouse on the existing vacant land of the site.
- 2.2. Orientated with an alignment of the front and rear elevations of the existing house, the new house would appear as a replication of 'The Cottage', in terms of building form, roof form, fenestrations and materials. The new house would have a separation of 2.25m to the flank wall of The Cottage.
- 2.3. The current proposal is a re-submission. The main differences between the current scheme and previous scheme are mainly of fenestrations and reallocation of the proposed crossover.

3. Relevant Planning History

- 3.1. 17/01520/FUL: Planning consent was refused for subdivision of site and erection of a detached 2-storey 2-bed single family dwelling house at side with vehicular access via Church Hill, by reasons of:
 - 1) The proposed new dwelling house, by reason of its side entrance door, fenestrations, close proximity to the rear boundary and location visibility of proposed crossover and the extent of associated hard standing, fails to respect the rhythm and particular character of the Woodside Cottages distracting from the established pattern of development in the locality, detrimental to the character and appearance of the conservation area contrary to CP4 and CP30 of the Core Strategy, and DMD6, DMD8, DMD7, DMD 37 and DMD38 of the Development Management Document.

- 2) The proposed development would result in a piecemeal erosion of the greenery on Church Hill leading to the gradual urbanisation of the Conservation Area, failing to conserve and enhance the character of the Winchmore Hill Conservation Area, contrary to Policy 7.8 of London Plan, CP31 of the Core Strategy and DMD44 of the Development Management Document.
 - 3) In the absence of Tree Survey Report, the proposed development would provide inadequate separation to a number of third party owned trees nearby which have a high amenity value to the character of the local landscape, and result in a significant harm to the retention and long term survival of these trees, detrimental to biodiversity and local amenity contrary to DMD 37 and DMD 80 of the Development Management Document.
- 3.2. 17/01953/LBD: Listed Building Consent was refused for subdivision of site and erection of a detached 2-storey 2-bed single family dwelling house at side with vehicular access via Church Hill. is recommended refusal, by reasons of:
- 1) The proposed new dwellinghouse, by reason of the positioning of side entrance door, inappropriate style of fenestration, close proximity to the rear boundary and location and design of the crossover with associated hard standing, fails to respect the rhythm and detailing of the group of listed cottages (The Cottage, Woodside Cottages, Church Hill; 1 Woodside Cottages, Church Hill; The Old School House, Church Hill), and detracts from the established pattern of development in the locality, resulting in a development that is both detrimental to the character and appearance of the conservation area and the setting of neighbouring listed buildings contrary to CP4 and CP30 of the Core Strategy, and DMD6, DMD8, DMD7, DMD 37 and DMD38 of the Development Management Document, Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policies 7.4, 7.6 and 7.8 of the Local Plan.
- 3.3. 16/03348/PREAPP: a pre-application request was received for proposed subdivision of site and erection of a detached 2-storey 3-bed dwellinghouse (Options A and B), or a two storey extension to side with detached garage. It was concluded that the principle of development on this site **would not be supported**.
- 3.4. The agent was advised under the above pre-application request that the proposed development would be considered inappropriate to this sensitive location and does not preserve or enhance the significance or setting of the grade II listed heritage asset or better reveal its significance. Moreover, it would fail to preserve and enhance the character and appearance of the Conservation Area. In particular, this harm would not be outweighed by any public benefit that could potentially be delivered by the scheme.
- 3.5. TP/09/1552: Planning application for subdivision of site and erection of a detached 2-storey 2-bed dwellinghouse at side with associated car parking and vehicular access was **withdrawn**.
- 3.6. A meeting between the agent and the council's Officers was set up before the above application was withdrawn. During the meeting, the agent was advised that the proposal would result in a fracturing of its curtilage of a Listed

Building and therefore adversely affect the setting of the Listed Building. As such, the proposed development on this site would not be supported. The above application was later withdrawn.

- 3.7. TP/05/1060: Application for the same development was considered **invalid**.

4. Consultations

Responses from Neighbours:

- 4.1. The application was referred to 6 x surrounding properties, and no comments were received.

Responses from statutory consultees:

- 4.2. Historic England: This application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Responses from internal consultees:

- 4.3. Transport Team: No objection to the proposal, subject to conditions.
- 4.4. Environmental Health: No objections to the proposal.
- 4.5. Tree Officer: placed no objections to the submitted Tree Survey Report.
- 4.6. CAG: The Group supported the proposal.

CAG noted that the SDCT supported this application. This application is a further attempt to introduce a new cottage into the historic group of cottages. Members have diverse views on the principle as to whether it is right to introduce a new cottage into this setting. The applicant has tried to address the objections, made by Enfield, in the rejection of the earlier application (17/01520/FUL). The main entrance has been moved to the front elevation and the cottage has been repositioned on the site. This has resulted in better spacing with its neighbour and greater visual continuity with the historic group. Once again CAG voted on the proposal; the result being very similar to the vote taken on the initial submission.

5. Relevant Policies

5.1. Core Strategy

CP2: Housing Supply and Locations for New Homes
CP4: Housing Quality
CP24: The Road network
CP 25: Pedestrians and Cyclists
CP26: Public Transport
CP30: Maintaining and Improving the Quality of the Built and Open Environment
CP31: Heritage

5.2. Development Management Document

DMD 6: Residential Character
DMD 7: Development of Garden Land
DMD 8: General Standards for New Residential Development
DMD 9: Amenity Space
DMD10: Distancing
DMD 37: Achieving High Quality and Design-Led Development
DMD 44: Conserving and Enhancing Heritage Assets
DMD 45: Parking Standards and Layout
DMD47: New roads, access and servicing
DMD48: Transport assessments
DMD49: Sustainable design and construction
DMD79: Ecological Enhancements
DMD80: Trees
DMD 81: Landscaping

5.3. London Plan

Policy 3.5: Quality and Design of Housing Developments
Policy 3.14: Existing housing
Policy 5.3 Sustainable design and construction
Policy 6.9: Cycling
Policy 6.13: Parking
Policy 7.4: Local Character
Policy 7.6: Architecture
Policy 7.8: Heritage
Policy 8.3: Community infrastructure levy

5.4. National Planning Policy Framework (NPPF)

Section 7: Requiring Good Design
Section 12: Preserving and Enhancing Historic Environment

5.5. Other Relevant Policy Considerations

Enfield Characterisation Study
Mayor's Supplementary Housing Guidance
Technical housing standards - nationally described space standard
Winchmore Hill & Vicars Moor Lane Conservation Area Character Appraisal
2015

6. Main Issues to be Considered

6.1. The current application is a re-submission of a similar development 17/01520/FUL & 17/01953/LBD. The previous scheme was refused on 4 x grounds:

1. *The proposed new dwelling house, by reason of its side entrance door, fenestrations, close proximity to the rear boundary and location visibility of proposed crossover and the extent of associated hard standing, fails to respect the rhythm and particular character of the Woodside Cottages distracting from the established pattern of development in the locality, detrimental to the character and appearance of the conservation area.*

2. *The proposed development would result in a piecemeal erosion of the greenery on Church Hill leading to the gradual urbanisation of the Conservation Area, failing to conserve and enhance the character of the Winchmore Hill Conservation Area.*
3. *In the absence of Tree Survey Report, the proposed development would provide inadequate separation to a number of third party owned trees nearby which have a high amenity value to the character of the local landscape, and result in a significant harm to the retention and long term survival of these trees, detrimental to biodiversity and local amenity.*
4. *The proposed new dwellinghouse, by reason of the positioning of side entrance door, inappropriate style of fenestration, close proximity to the rear boundary and location and design of the crossover with associated hard standing, fails to respect the rhythm and detailing of the group of listed cottages (The Cottage, Woodside Cottages, Church Hill; 1 Woodside Cottages, Church Hill; The Old School House, Church Hill), and detracts from the established pattern of development in the locality, resulting in a development that is both detrimental to the character and appearance of the conservation area and the setting of neighbouring listed buildings.*

6.2. As such, the main issues to be considered under this application will be whether or not that the amended scheme has adequately addressed the Reasons of Refusal issued under 17/01520/FUL & 17/01953/LBD, in addition to the following planning considerations:

- Quality of living accommodation;
- The acceptability of the scheme in terms of its impact on amenity of future residents and adjoining occupiers; and
- Transport impact in terms of associated car / cycle parking, servicing and refuse arrangements.

Reason of Refusal 1): Design

- 6.3. DMD6 and DMD8 of the council's adopted DMD require that new residential development must not harm the character of the area, and the design and scale must be considered in the context of the surrounding pattern of development.
- 6.4. Under the previous scheme, the proposed new house, by reason of its side entrance door, fenestrations, close proximity to the rear boundary and location visibility of proposed crossover and the extent of associated hard standing, was considered to disregard the rhythm and particular character of the Woodside Cottages distracting from the established pattern of development in the locality. It was also considered that the design was neither nuanced nor contextual in its approach and failed to take cues from the predominantly vernacular buildings found in the surrounding Conservation Area.
- 6.5. The current scheme is proposed a number of amendments in order to address the issues raised. The main entrance has been moved to the central of the front elevation and the new cottage has been repositioned on the site.

The crossover has been reallocated to the side, allowing the front garden to be landscaped. The fenestration and proposed materials would replicate the design of The Cottage, while the rear building line would also secure a common alignment of the neighbouring property. All these have resulted in better spacing with its neighbour and greater visual continuity with the historic group.

- 6.6. It is then considered that the Reason of Refusal 1) has been adequately addressed.

Reason of Refusal 2) and 4): impact on the setting of existing listed building groups and the character and appearance of the conservation area

- 6.7. The application site is a Grade II listed dwelling house within the Winchmore Hill Conservation Area and forms a group of 3 x Grade II listed detached cottages dated from pre1830's along Church Hill.
- 6.8. The proposal would involve the subdivision of the curtilage of a Grade II listed building. The principal heritage considerations will therefore be given to the impact of the proposed development upon the setting of the listed building(s) / its significance and the character and appearance of the Conservation Area.
- 6.9. Under the previous scheme, to introduce a new cottage at this location was not supported in principle owing to its adverse impact on the setting of the listed cottage group. Moreover, the proposed development would result in a loss of greenery which is not supported in line with the Winchmore Hill Conservation Area Character Appraisal. The piecemeal erosion of the greenery on Church Hill will lead to the gradual urbanisation of the Conservation Area and detract from the setting of existing buildings.
- 6.10. Sections 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states: 'In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historical interest which it possesses.'
- 6.11. The National Planning Policy Framework (NPPF) provides guidance with local planning authorities on how to safeguard this special interest. Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. As heritage assets are irreplaceable, any harm should require clear and convincing justification.
- 6.12. Paragraphs 134 states that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing optimum viable use.
- 6.13. The NPPF also requires local planning authorities to 'identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal'.

- 6.14. DMD44 (Conserving and Enhancing Heritage Assets) resists developments that fail to conserve and enhance the special interest, significance or setting of a heritage asset. Paragraph 8.5.4 goes on to state:

Development affecting the significance of an asset may include, but is not limited to: the introduction of new structures/objects; alterations; complete or partial demolition; removal of buildings/features or parts thereof; the introduction of signage or advertisements; changes of use (including the use of open spaces); subdivision or fragmentation; changes to landscaping; the removal of built or landscape features or parts thereof; or any other form of development which fails to conserve and enhance the asset or its setting.

- 6.15. As cited in the council's adopted the Character Appraisal 2015 (shown below), the setting of the vernacular Woodside Cottages is identified as one of the architectural highlights within the conservation area and are of special interest and warrant every effort being made to conserve them.

Character area: Church Hill

2.7.1. Church Hill is much wider than the roads around and its gently curving nature is more informal than other roads in the Conservation Area.....Approaching from the west, Woodside Cottages provide a strong gateway, their proximity to the road and distinctive, white painted weatherboarding in strong contrast to the preceding suburban housing. A belt of trees on the opposite side of the road gives these buildings an apparently rural setting, masking the ranks of interwar semis beyond.

- 6.16. A distinctive characteristic of the existing three Grade II listed cottages is their relationship to one another due to the fall in ground level, with each lower than the adjacent dwelling. The frontage with horizontally constructed weatherboard, formal window arrangements and single roof plane is repeated in each cottage to assist in integrating these three properties into a set of uniformity having a prominent view along Church Hill.
- 6.17. The proposal would result in a fracturing of the curtilage of a listed building materially affecting the setting of a listed building. It is also noted that the proposed new house is designed to replicate the adjacent listed cottages which would also materially affect the setting of a group of listed buildings.
- 6.18. Whilst it is acknowledged that this proposal would provide for additional housing within the borough, it is considered that the principle of the back garden house at this location is not considered acceptable in principle. The proposal plotting a cottage of replicated design of adjacent listed cottage group would be an insensitive development, adversely affecting the setting of the heritage asset and failing to conserve and enhance the character of the conservation area that the council seeks to protect. As such, the development would not be supported.

Reason of Refusal 3): Impact on Trees

- 6.19. The applicant has submitted a Tree Survey Report demonstrating the impact on the existing and adjoining trees as a result of the proposed development. The council's Tree Officer placed no objection to the Report, subject to the submitted Tree Protection Plan and Arboricultural Method Statement being

made condition. In addition the submitted details for the foundation system would be also made condition to minimize harm to the woodland trees root system.

- 6.20. Subject to conditions, the proposal is not considered to generate an undue impact on existing trees on site and adjoining sites. Therefore, the Reason of Refusal 3) has been adequately addressed.

Quality of accommodation

- 6.21. The 'Technical housing standards - nationally described space standard' (2015) sets out the minimum gross internal floor area (GIA) of 79sqm for 2-bed four person over two-storey dwelling, which the proposal adequately complies with.
- 6.22. With regards to its layout, the proposal is also considered to provide adequate resource to light, ventilation and outlook.
- 6.23. DMD 9 (Amenity Space) requires that new residential development must provide quality private amenity space that is not significantly overlooked by surrounding development and meets or exceeds the minimum standards of 29sqm for a dwelling house. The proposed outdoor garden is considered adequate to meet the needs of the new house.
- 6.24. In light with the above assessments, the proposed development is considered to provide an acceptable quality of accommodations to future occupiers of the development.

Impact on neighbouring amenity

- 6.25. DMD 6 and 8 ensure that residential developments do not prejudice the amenities enjoyed by the occupiers of neighbouring residential properties in terms of privacy, overlooking and general sense of encroachment. In addition Policies 7.4 of the London Plan and CP30 of the Local Plan seek to ensure that new developments have appropriate regard to their surroundings, and that they improve the environment in terms of visual and residential amenity. DMD 10 also specifies that facing windows for 2-2 storeys should be 22 metres apart.
- 6.26. The new house would align with the front building line of the listed 3 x dwelling houses, with a distance of 8.2m to the flank wall of No.3. Despite that such a distance is below the requirement of 11m as set out in DMD10, it is noted that the flank wall of No.3 contains no upper floor windows and the existing distances between the existing dwelling houses of No.1 - No.3 The Cottage are varies and also are less than 11m. Given its local context and sitting, the proposed development is, on balance, not considered to generate any detrimental impact to the amenity of adjoining occupiers.

Transport Impact

- 6.27. The council's Transport Team was consulted on the proposal and provided with the following comments.
- 6.28. **Vehicular access:** The proposed off-street park area would have a sufficient space enabling adequate manoeuvring to be undertaken and vehicles to be

able to exit onto roadways in a forward's direction. Such arrangements are considered acceptable, and details of the vehicular access can be dealt with by way of planning condition.

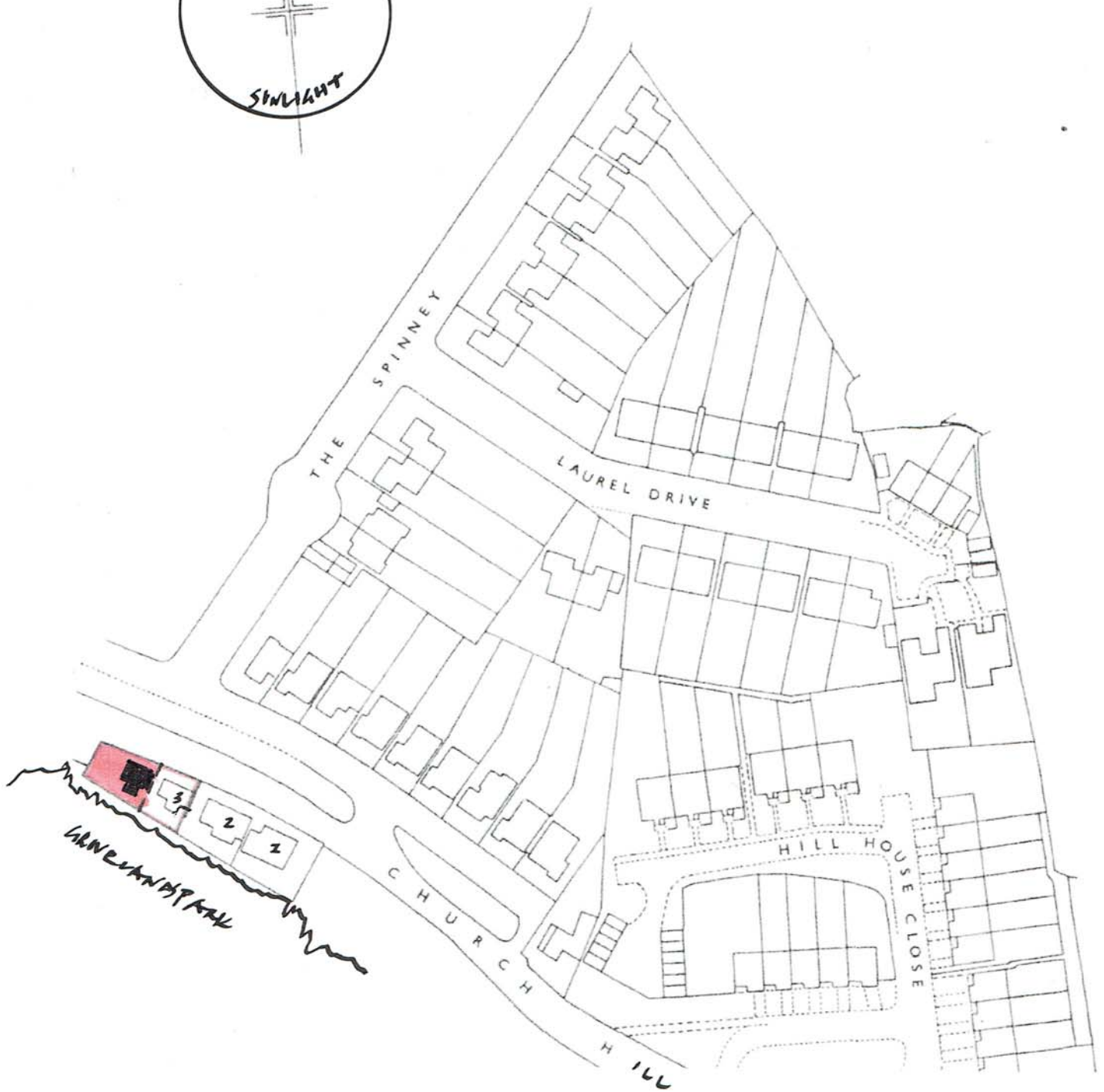
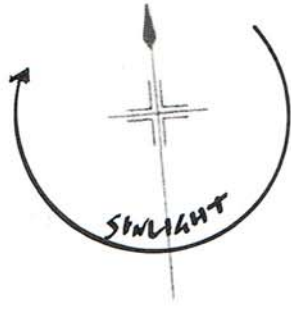
- 6.29. **Car Parking:** The proposal would contain 1 x off street car parking space to the side of the new house, which is acceptable for a development of this scale.
- 6.30. **Refuse and Recycling:** DMD 47 specifies that new development will only be permitted where adequate, safe and functional provision is made for refuse collection. The refuse and recycling provision should be provided in line with the Council's Refuse and Recycling Guide ENV 08 162. This could be dealt with by way of planning condition.
- 6.31. **Cycle Parking:** The development must provide secure, integrated, convenient and accessible cycle parking in line with the minimum standards set out in the current London Plan Table 6.3 as required by DMD Policy 45 and the guidance set out in the London Cycle Design Standards. This could be dealt with by way of planning condition.
- 6.32. Subject to conditions, the proposal is considered to generate an acceptable level of impact on transport.

7. Conclusion

- 7.1. In light with the above assessment, the proposed subdivision of the site was not supported in principle, owing to its adverse impact on the setting of the listed buildings and the character of the conservation area.

8. Recommendation

- 8.1. Planning consent is recommended refusal by reasons of:
 - 1) The proposed development would result in a piecemeal erosion of the greenery on Church Hill leading to the gradual urbanisation of the Conservation Area, both detrimental to the character and appearance of the Winchmore Hill Conservation Area and the setting of neighbouring listed buildings, contrary to CP4 and CP30 of the Core Strategy, and DMD6, DMD7, DMD8, DMD 37, DMD38 and DMD44 of the Development Management Document, Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policies 7.4, 7.6 and 7.8 of the Local Plan.



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REVISION / DATE

AUGUST 2017

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DRAWING NUMBER

FA/3WSC/500

SCALE

1:1250/A4

CLIENT

Address 3 WOODSIDE COTTAGES
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SCHEME DEVELOPMENT (2BED HOUSE)
Drawing LOCATION PLAN



FIRST ARCHITECT
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/ AUGUST 2016

DRAWING NUMBER
FA/3WS/P2

CLIENT
Address MARTIN HARVEY
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EXTERNAL WALL FINISH - TIMBER CLADDING
 WINDOWS/DOORS - HW PAINTED P/G
 ROOF FINISH - SLATE



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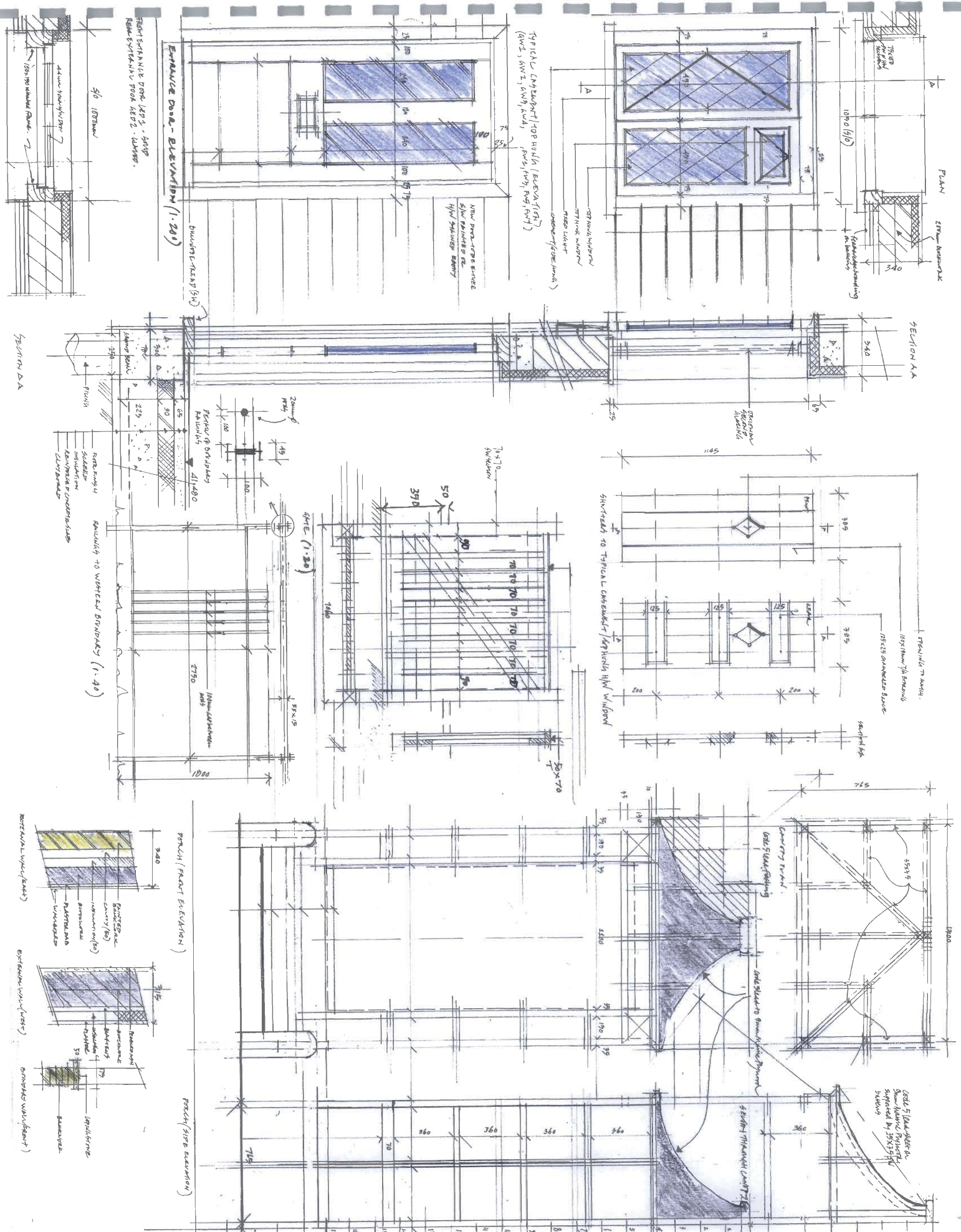
1:200/A4

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SCHEME

NEW DETACHED HOUSE
 PROPOSED STREET ELEVATION



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SCALE
Various / A3

SCHEME
Drawing
DEVELOPMENT (2 bed House)
DETAILS OF WINDOWS, CLADDING
DOORS, GATE, BOUNDARY WALLS