

**LONDON BOROUGH OF ENFIELD**

**PLANNING COMMITTEE**

**Date:** 22 November 2022

**Report of**

Head of Planning

**Contact Officers:**

Andy Higham  
David Gittens  
Kate Perry

**Category**

Minor Application

**Ward**

Cockfosters

**Councillor Request**

Councillor Alessandro Georgiou

**LOCATION:** 385 Cockfosters Road Barnet EN4 0JS

**APPLICATION NUMBER:** 22/01738/FUL

**PROPOSAL:** Redevelopment of the site involving demolition of existing dwelling house and erection of a 3-storey block comprising of 9 self-contained flats, car parking spaces and new landscaping (REVISED DESCRIPTION)

**Applicant Name & Address:**

Mr Ellinas  
385 Cockfosters Road  
Barnet  
EN4 0JS

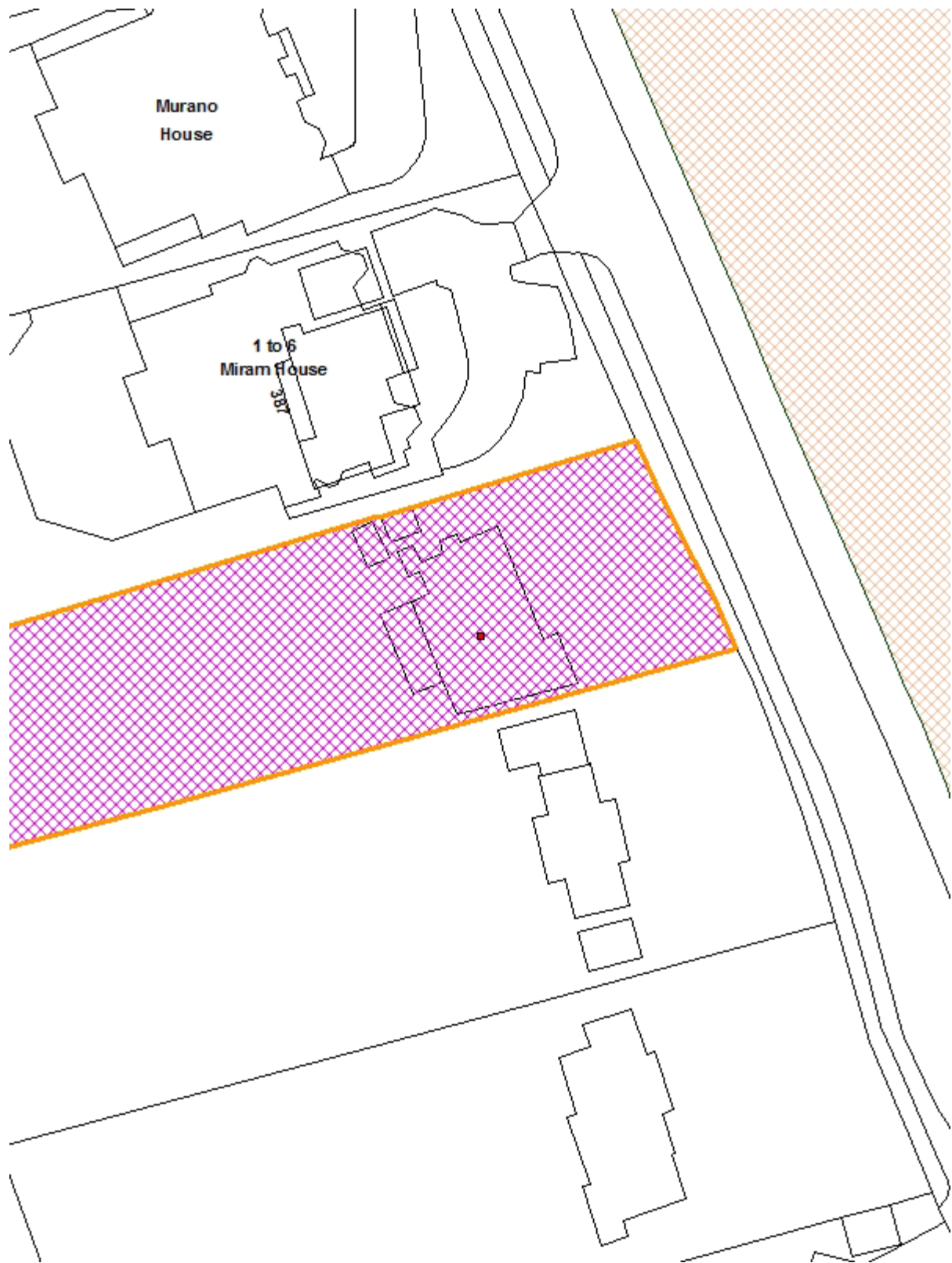
**Agent Name & Address:**

Nick Makasis  
GML Architects  
Unit 3, 1-4 Christina Street  
London  
EC2A 4PA

**RECOMMENDATION:**

1. That the Head of Development Management be authorised to GRANT planning permission subject to conditions.
2. That the Head of Development Management be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

Ref: 22/01738/FUL    **LOCATION: 385 Cockfosters Road, Barnet, EN4 0JS,**



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## **1 Note for Members**

- 1.1 This case was reported to the Planning Committee of 18 October 2022 but was deferred for:
- inaccuracies of the report of Officers regarding Policy DMD3 (as a consequence paragraph 9.2.7 has been adjusted;
  - the inadequacy of car parking provision,
  - insufficient replacement trees proposed; and,
  - the impact of the outbuilding, which was out of character in the area and would be likely to set a precedent for any future development in the vicinity.
- 1.2 This report is an adjustment of the original report to the Committee that seeks to address all of the above reasons.
- 1.3 Although a planning application of this nature would normally be determined under delegated authority, the application is been reported to the Planning Committee for determination at the request of Cllr Georgiou due to the level of local interest.

## **2 Recommendation**

- 2.1 That the Head of Development Management be authorised to GRANT planning permission subject to the following conditions:

1. Time Limit
2. Approved Plans
3. Approved Housing Mix
4. Finishing Materials
5. Surfacing Materials
6. Means of Enclosure
7. SuDS Implementation
8. Landscaping
9. Demolition and Construction Plan – Transport
10. Demolition and Construction Plan – Environmental Health
11. Control of Non-Road Mobile Machinery (NRMM)
12. No Impact Piling
13. Insulation and Ventilation
14. Tree Protection
15. Tree Planting (9 replacement trees for 6 removed)
16. Ecology
17. Bat and Bird Boxes
18. Nesting Birds

- 2.2 That the Head of Development Management be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

## **3 Executive Summary**

- 3.1 The applicant originally sought permission for the redevelopment of the site involving demolition of existing dwelling house and erection of a 3-storey block comprising of 9 self- contained flats, together with single storey garden pavilion at rear, 9 car parking spaces and new landscaping.
- 3.2 However, following the deferral of the application at the meeting of the Planning Committee of 18 October 2022, the applicant has revised the application and removed the single storey garden outbuilding from the proposal and has included an additional parking space (now 10 parking spaces).

### 3.3 The scheme is considered acceptable for the following reasons:

1. It would provide 56% family-sized units (3 bedroom) (see section 9.2 of this report).
2. All units meet DCLG and London Plan Space Standards including gross internal areas, private outdoor amenity space, habitable room outlook and, floor to ceiling heights (see section 9.3 of this report). It is sympathetically designed and in keeping with the emerging pattern of development (see section 9.4 of this report).
3. It does not have an unacceptable impact on neighbouring amenity (see section 9.5 of this report).
4. It meets London Plan parking standards including electric vehicle capabilities, cycle parking and disabled parking (see section 9.6 of this report).
5. It meets Energy and Water consumption requirements of 35% over part L 2013 standard (the development achieves 63.31% and uses PV panels and individual heat pumps) and 105litres per person per day (see section 9.11 of this report).

## 4 Site and Surroundings

- 4.1 The application site is located on the west side of Cockfosters Road, which slopes south to north. The parallelogram-shaped site has an area of approximately 0.25ha in size or 2,500m<sup>2</sup>, a depth of 91m and 24m wide. There is a significant fall in the site from the front to the back of approximately 7 metres over the 100 metre depth of the site. It sits between Miriam House (387) and Sambrook Court (383), both granted permission for redevelopment in 2014 and 2017 respectively.
- 4.2 The site contains a detached two-storey dwellinghouse with accommodation in the roof. The site has two vehicular access which lead to a paved area at the front for parking. The site has a large rear amenity space that stretches down towards Hadley Wood Golf Course which runs across the bottom of the site and is designated Green Belt. The site also faces further Green Belt which begins on the opposite side of Cockfosters Road. The site comprises a number of mature trees.
- 4.3 The surrounding area is predominantly residential in nature and is characterised by large family houses on large expansive plots set away from the highway. Dwellings generally have large front driveway/ gardens areas and large, deep rear gardens that back down onto Hadley Wood Golf Course to the rear of the site. More recently there have been a number of approved developments in the area for apartment blocks (please see relevant planning history), a number of which have been constructed.
- 4.4 The site has a PTAL 1a designation, representing very poor access to public transportation services. The closest northbound bus stop is approximately 50m away and the closest southbound bus stop is 118m away. Cockfosters Underground Station is approximately 1.3km to the south and Hadley Wood Train Station approximately 1.9km to the north-west.
- 4.5 The site is within Flood Zone 1. Areas classified as Flood Zone 1 are those that have less than a 0.1% chance of flooding.
- 4.6 The site is not located in a Conservation Area and does not contain a Listed Building.

## 5 Proposal

- 5.1 The applicant seeks permission for the redevelopment of the site involving demolition of existing dwelling house and erection of a 3-storey block comprising of 9 self-

contained flats, car parking spaces and new landscaping.

5.2 The development would create 5 x 3bed, 3 x 2bed and 1 x 1bed self-contained units.

5.3 Cycle storage and refuse storage would be located at the front of the site.

5.4 The site will retain one of two existing vehicular accesses.

## 6 Consultations

### Internal

Consultee	Objection	Comment
LLFA	No	No objection following provision of additional information. Condition required regarding implementation of approved drainage/SuDS
Environmental Health	No	Conditions required regarding emissions and non-road mobile machinery, no impact piling without approval from LPA, limits on sound during construction and the requirement of a construction management plan.
Trees	No	No objection subject to the Arboricultural report being adhered to.
Transportation	N	Condition required regarding construction management plan

### External

6.1 Historic England: No objection

### Public

Number notified	35
Consultation start date	09.06.2022
Consultation end date	03.07.2022
Representations made	3
Objections	2
Other/support comments	1

6.2 Three representations were made during the consultation period, two objections and one comment in support of the proposal. The representations may be summarised as follows:

- Overdevelopment
- Too close to adjoining properties
- General dislike of proposal
- Inadequate private amenity space
- Strain on local infrastructure
- Strain on community facilities
- Increase in traffic
- Inadequate public transport provisions
- Increase of pollution
- Noise nuisance
- Inadequate parking

## 7 Relevant Planning History

### ***Application Site***

- 7.1 21/02557/PREAPP | Proposed demolition of single family dwelling and creation of 9 self-contained units  
Closed 29.07.2021
- 7.2 TP/04/0093 | New pitched roof to replace existing flat roof together with loft conversion incorporating a rear dormer window.  
Granted with conditions 23.02.2004
- 7.3 TP/95/0638 | Construction of hipped roof at side of existing house, construction of boiler housing at side, and erection of a front entrance porch, and raised patio to rear.  
Granted with conditions 18.09.1995
- 7.4 TP/73/0953 | 2 STOREY  
Granted with conditions 03.09.1973

### ***Sites along Cockfosters Road***

- 7.5 **357 Cockfosters Road**  
20/01831/FUL | Redevelopment of site involving demolition of buildings and erection of 2 storey building with rooms in roof to provide 24 residential units within 3 blocks with basement level associated parking and landscaping.  
Refused (20.10.2020) for the following reasons:
1. Overdevelopment
  2. Substandard private and communal outdoor amenity space
  3. Overlooking
  4. Overprovision of parking
  5. Inadequate cycle storage
  6. Inadequate refuse and recycling storage
  7. Impact on and loss of trees and absence of AIA
  8. Inadequate affordable housing provision
  9. Failure to meet SuDS requirements
  10. Lack of FRA submitted in relation to basement
- 7.6 **397 Cockfosters Road**  
20/00353/FUL | Redevelopment of site and erection of part 2, part 3 storey building with lower ground level (basement) to provide 11 self-contained flats with solar panels, terraces and balconies and associated landscaping and parking.  
Granted with conditions 24.02.2021 (granted at Planning Committee 24.11.2020)
- 7.7 **381 Cockfosters Road**  
17/02323/FUL | Redevelopment of site and erection of 2 storey block of 9 self-contained flats comprising 8 x 2 bed and 1 x 3 bed with basement level, terraces and balconies, installation of lift and associated parking and landscaping.  
Granted with conditions 17.05.2018
- 7.8 P14-02203PLA | Redevelopment of site and erection of a new block of 9 flats (comprising of 1 x 3 bed, 6 x 2 bed and 2 x 1 bed).  
Granted with conditions 20.03.2015

- 7.9 **383 Cockfosters Road**  
P14-02130PLA | Redevelopment of the site to create 9 flats (6x2-beds,3x3-beds) and associated parking.  
Granted with conditions 27.04.2017
- 7.10 **387 Cockfosters Road**  
P13-03013PLA | Demolition of existing dwellinghouse and erection of a 2-storey block of 6 x 2 bed self-contained flats, incorporating accommodation in basement and roof space, rear balconies and terraces, basement car parking, provision of associated surface car parking together with detached refuse building to front of site.  
Granted with conditions 09.06.2014

## 8 Relevant Policies

- 8.1 Section 70(2) of the Town and Country Planning Act 1990 requires the Committee have regard to the provisions of the development plan so far as material to the application: and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

### National Planning Policy Framework 2021 (NPPF)

- 8.2 The National Planning Policy Framework sets out at Para 11 a presumption in favour of sustainable development. For decision taking this means:  
“(c) approving development proposals that accord with an up-to date development plan without delay; or  
(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (8), granting permission unless:  
  
    (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (7); or  
    (ii) any adverse impacts of so doing would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 8.3 Footnote (8) referenced here advises “This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous 3 years.”
- 8.4 In the three years to 2021 Enfield only met 67% of its housing requirement and this means we now fall into the “presumption in favour of sustainable development” category.
- 8.5 This is referred to as the “tilted balance” and the National Planning Policy Framework (NPPF) states that for decision-taking this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole – which also includes the Development Plan. Under the NPPF paragraph 11(d) the most

important development plan policies for the application are deemed to be 'out of date'. However, the fact that a policy is considered out of date does not mean it can be disregarded, but it means that less weight can be applied to it, and applications for new homes should be considered with more weight (tilted) by planning committee. The level of weight given is a matter of planning judgement and the statutory test continues to apply, that the decision should be, as section 38(6) of the Planning and Compulsory Purchase Act 2004 requires, in accordance with the development plan unless material considerations indicate otherwise.

### The London Plan 2021

- 8.6 The London Plan is the overall strategic plan for London setting out an integrated economic, environmental, transport and social framework for the development of London for the next 20-25 years. The following policies of the London Plan are considered particularly relevant:

D3: Optimising site capacity through the design-led approach

D4: Delivering good design

D5: Inclusive design

D6: Housing quality and standards

D7: Accessible housing

D14: Noise

G3: Metropolitan open land

GG4: Delivering the homes Londoners need

GG6: Increasing efficiency and resilience

H1: Increasing housing supply

H2: Small sites

H10: Housing size mix

SI 2: Minimising greenhouse gas emissions

SI 5: Water infrastructure

SI 7: Reducing waste and supporting the circular economy

SI 12: Flood risk management

SI 13: Sustainable drainage

T1: Strategic approach to transport

T2: Healthy Streets

T5: Cycling

T6: Car parking

T6.1: Residential parking

### 8.2 Core Strategy (2010)

The Core Strategy was adopted in November 2010 and sets out a spatial planning framework for the development of the Borough through to 2025. The document provides the broad strategy for the scale and distribution of development and supporting infrastructure, with the intention of guiding patterns of development and ensuring development within the Borough is sustainable

CP 2: Housing Supply and Locations for New Homes

CP 4: Housing Quality

CP 5: Housing Types

CP 20: Sustainable Energy Use and Energy Infrastructure

CP 21: Delivering Sustainable Water Supply, Drainage and Sewerage Infrastructure

CP 22: Delivering Sustainable Waste Management

CP 24: The Road Network

CP 25: Pedestrians and Cyclists



CP 28: Managing Flood Risk Through Development  
CP 30: Maintaining and Improving the Quality of the Built and Open Environment

### 8.3 Development Management Document (2014)

The Council's Development Management Document (DMD) provides further detail and standard based policies by which planning applications should be determined. Policies in the DMD support the delivery of the Core Strategy. The following local plan Development Management Document policies are considered particularly relevant:

DMD 3: Providing a Mix of Different Sized Homes  
DMD 4: Loss of Existing Residential Units  
DMD 6: Residential Character  
DMD 7: Development of Garden Land  
DMD 8: General Standards for New Residential Development  
DMD 9: Amenity Space  
DMD 10: Distancing  
DMD 11: Rear Extensions  
DMD 37: Achieving High Quality and Design-Led Development  
DMD 38: Design Process  
DMD 45: Parking Standards and Layout  
DMD 46: Vehicle Crossovers and Dropped Kerbs  
DMD 47: Access, New Roads and Servicing  
DMD 48: Transport Assessments  
DMD 49: Sustainable Design and Construction Statements  
DMD 51: Energy Efficiency Standards  
DMD 53: Low and Zero Carbon Technology  
DMD 56: Heating and Cooling  
DMD 58: Water Efficiency  
DMD 59: Avoiding and Reducing Flood Risk  
DMD 61: Managing Surface Water  
DMD 68: Noise  
DMD 79: Ecological Enhancements  
DMD 80: Trees on Development Site  
DMD 81: Landscaping  
DMD 83: Development adjacent to the Green Belt

### 8.4 Other relevant Policy/Guidance

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
DCLG Technical Housing Standards – Nationally Described Space Standard (2015)  
London Housing SPG (2016)  
London Cycle Parking Standards – Chapter 8  
London Borough of Enfield Strategic Housing Market Assessment (2015)  
Enfield Local House Needs Assessment (2020)  
Enfield Waste and Recycling Storage Planning Guidance EN20/V2 (2020)  
Enfield Strategic Flood Risk Assessment (2008)

## 9 Analysis

### 9.1 Principle of the Development

9.1.1 The NPPF and London Plan advise that local authorities should seek to deliver a wide choice of high-quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Furthermore, Para 120 of Chapter 11 (Making efficient use of land) of the of the NPPF (2021) expects Councils to promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

9.1.2 In principle therefore, the use of this site for residential purposes and more intensive residential development (where this is compatible with the character and amenities of the locality) is supported. Moreover, given the existing context of housing need within the Borough, the proposed 9 new dwellings (net increase of 8 which addresses the loss of the existing family dwelling house) would make a positive contribution towards meeting the strategic housing needs of Greater London and increasing the housing stock of the Borough in accordance with the National Planning Policy Framework (NPPF) and the Policy CP5 of the Enfield Core Strategy (2010). In this context, it is acknowledged the redevelopment of the site could help delivery and contribute to the Council's strategic housing delivery targets which is welcome.

9.1.3 It is also considered the proposal would be compatible with Policy GG2 (Making the best use of land) of the London Plan (2021). The policy seeks development to meet the following:

- c) proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling
- d) applying a design-led approach to determine the optimum development capacity of sites

9.1.4 Notwithstanding the presumption in favour of sustainable development and the tilted balance to be applied in assessing and weighing up the benefits of the scheme, it is important to consider the proposed development on its own merits and that it is assessed in relation to other material considerations. This will enable an informed opinion to be reached as to whether on balance the impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

### 9.2 Housing Need and Tenure Mix

9.2.1 The London Plan (2021) sets a target for the provision of 52,287 new homes each year. In addition, the London Plan identifies a need for a minimum of 1,246 dwellings per year to be delivered over the next 10-years in the Borough. Whilst Enfield's 2019 Housing Action Plan recognises that the construction of more affordable high-quality homes is a clear priority, only 51% of approvals in the Borough have been delivered over the previous 3-years.

9.2.2 Enfield's Housing and Growth Strategy (2020) was considered by Cabinet in January 2020 and approved at February's Council meeting (2020) and sets out the Council's

ambition to deliver adopted London Plan and Core Strategy plus ambitious draft London Plan targets.

- 9.2.3 Policy H1 (Increasing housing supply) of the London Plan (2021) seeks to optimise the potential for housing delivery on all suitable and available brownfield sites especially on the sources of capacity including but not limited to small sites as identified in Policy H2 of the London Plan (2021).
- 9.2.4 The application site accords with Policy H1's identified need for housing and is appropriate for development for residential housing schemes.

#### *Affordable Housing Provision*

- 9.2.5 With reference to Policies CP3 and DMD 1 (Affordable Housing on sites capable of providing 10 units or more), no affordable housing is required to be provided in connection with this proposal as the development involves less than 10 units

#### *Housing Mix*

Policy DMD3 encourages a mix of housing types to be provided in residential development proposals. Whilst policy CP5 of the Core Strategy states that where less than 10 units are created, developers are encouraged to provide different sized homes. For market housing this includes 20% 1 and 2 bed units (1-3 persons), 15% 2 bed units (4 persons), 45% 3 bed units (5-6 persons), and 20% 4+ bed units (6+persons) persons.

- 9.2.6 The proposed development would provide 56% of family sized homes, with 2 of them located at ground floor level and 2 at first floor level, all with adequate private amenity space and access to a large outdoor communal space and with use of a lift. The proposed units are considered acceptable and no objection is raised on this basis.

3 bedroom units	56% (5 units)
2 bedroom units	33% (3 units)
1 bedroom units	11% (1 unit)

Table 1: Proposed housing Mix

### 9.3 Standard of Accommodation

- 9.3.1 Policy DMD8 of the Development Management Document and Policy D6 of the London Plan set minimum internal space standards for residential development. The Department for Communities and Local Government's Technical Housing Standards - Nationally Described Space Standard (2015) applies to all residential developments within the Borough. The London Plan Housing SPG adopted in 2016 has been updated to reflect the Nationally Described Space Standards.
- 9.3.2 All units would meet or exceed the minimum Gross Internal Area (GIA) and built in storage requirements in line with space standards and Policy D6 of the London Plan. In addition, all bedrooms exceed minimum space standards outlined in policy D6 of the London Plan, including the two single bedrooms which both exceed the required 2.15m in width. All habitable rooms would have a floor to ceiling height of 2.5m. No objection is raised.

Unit	Type	Proposed GIA m <sup>2</sup>	Minimum required m <sup>2</sup>	Floor level	Proposed Storage m <sup>2</sup>	Minimum m <sup>2</sup>	Complies
1	3B6P	135	95	GF	3	2.5	Y
2	2B4P	98	70	GF	3	2	Y
3	3B6P	105	95	GF	3	2.5	Y
4	3B6P	130	95	FF	3	2.5	Y
5	2B4P	71	70	FF	3	2	Y
6	3B6P	97	95	FF	2.5	2.5	Y
7	3B5P	90	86	SF	2.5	2.5	Y
8	1B2P	55	50	SF	2	1.5	Y
9	2B3P	68	61	SF	2.5	2	Y

Table 2: Proposed GIA and built in storage by unit measured against London Plan policy D6 and table 3.1.

- 9.3.3 All bedrooms across all units (22 in total) have either front or rear facing (or both) windows. It is noted that three bedrooms (unit 1, B3, unit 4, B3 and unit 7, B3) rely on windows created by a box projecting from the flank of the proposed building in order to avoid side facing windows. A similar design was introduced on the scheme for the redevelopment of the neighbouring site at 387 Cockfosters Road and is considered acceptable.

#### *Private Amenity Space*

- 9.3.4 Policy DMD9 and Policy D6 of the London Plan require new development to provide good quality amenity space that is not significantly overlooked by surrounding uses. Policy D6 specifically seeks a minimum of 5m<sup>2</sup> of private outdoor space should be provided for 1-2 person dwellings and an extra 1m<sup>2</sup> should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.
- 9.3.5 All units exceed the minimum standards outlined in Policy D6 of the London Plan (see table 3).

Unit	Type	Proposed amenity (m <sup>2</sup> )	Minimum required (m <sup>2</sup> )	Achieves min depth and width of 1.5m
1	3B6P	21	9	Y
2	2B4P	35	7	Y
3	3B6P	44	9	Y
4	3B6P	9.5	9	Y
5	2B4P	27	7	Y
6	3B6P	14.5	9	Y
7	3B5P	10	8	Y
8	1B2P	13.8	5	Y
9	2B3P	8.5	6	Y

Table 3: Private outdoor amenity space measured against London Plan policy D6

- 9.3.6 In addition to private amenity space all units have access to the large communal garden to the rear. It is considered the amenity space arrangements are therefore acceptable.

#### 9.4 Impact on the Character of the Surrounding Area

- 9.4.1 Chapter 2 'Spatial Development patterns' of the London Plan (Para 2.0.3) highlights that if London is to meet the challenges of the future, all parts of London will need to embrace and manage change. Not all change will be transformative – in many places, change will occur incrementally. This is especially the case in outer London, where the suburban pattern of development has significant potential for appropriate intensification over time, particularly for additional housing
- 9.4.2 Paragraph 3.1.7 of Policy D1 states as change is a fundamental characteristic of London, respecting character and accommodating change should not be seen as mutually exclusive. Understanding of the character of a place should not seek to preserve things in a static way but should ensure an appropriate balance is struck between existing fabric and any proposed change. Opportunities for change and transformation, through new building forms and typologies, should be informed by an understanding of a place's distinctive character, recognising that not all elements of a place are special and valued.
- 9.4.3 Policy D3 of the London Plan (2021) expects "all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity".
- 9.4.4 Policy DMD 8 (General standards for new Residential development) expects development to be appropriately located taking into account the nature of the surrounding area and land uses, access to local amenities, and any proposed mitigation measures and be an appropriate scale, bulk and massing while Policy DMD 6 provides standards for new development with regards to scale and form of development, housing quality and density. Moreover, Policy DMD 37 encourages development to achieve a high quality and be design led. This is re-iterated by Policy CP30 of the Core Strategy as well as the fundamental aims of the NPPF. Policy CP30 seeks to maintain and improve the quality of the built and open environment. The fundamental aim of the NPPF is to secure sustainable development and to achieve sustainable development. A development is required to have a good design.
- 9.4.5 In terms of density of the site, the London Plan (2021) does not include a numerical standard for density, however, it is considered that by virtue of all space standards being met, and in addition adequate setback from the front and a large rear amenity space being retained, that the density of development would be acceptable.
- 9.4.6 With reference to the aforementioned policy context, Cockfosters Road has a varied appearance with recent development having a neo-Georgian form dwellings through development of similar blocks of flats. These retain a deep frontage and large area of amenity space but tend to include three floors of accommodation by utilising the roof.
- 9.4.7 The proposed design has been revised following discussions involving the applicant and the Council's urban design team. As a result, the roof profile reflects that of neighbouring development (aside from No 383 which is of a more modern design), the proposed building has been positioned further away from the road and at least 1.5m of defensible space has been included for front facing windows in Units 1 and 3 (ground floor).

- 9.4.8 When reviewing the front elevation, the height of the proposed building and its roof formation would respect that of its neighbours and would only be approximately 0.6m taller at its ridge than the existing dwelling at its highest point. This would not have any significance on the overall appearance in the street scene. The roof would be hipped with a flat crown and the space utilised for a green roof, photovoltaic panels and an extractor unit for the heat pumps, alongside flat rooflights and one long lantern rooflight positioned toward the front, providing light to the communal hallway.
- 9.4.9 The proposed is slimmer than its immediate neighbours, owing to the site being less wide by comparison. The proposed bears more resemblance to the adjacent No 387 Cockfosters Road with a central gable, modest front dormers and a colonnade entrance, however the proposed design is simpler in form.
- 9.4.10 In terms of materials, the development would use London Stock Yellow brick (similar to Nos 383 and 389) but with diamond pattern detailing to the front and flank elevations. Further detailing would be provided with white cast stone string courses inserted to demarcate the floor levels and for the door and window surrounds and keystones. The roof would comprise grey slate tiles and the dormers zinc cladding, similar to Nos 379, 383, 387 and 389. The overall proposed design of the building is considered to be acceptable within the street scene.
- 9.4.11 In terms of massing and proximity to boundaries, drawing 4374/PA/031 indicates the proposed building would be sited 1.6m from the north boundary with No 387 and 2m from the south boundary with No 383. This is comparable to the recently developed No 383. No 387 does retain more distance to the boundary, however owing to the proposed being slimmer, the impact would not result in an overdominance nor lead to the creation of a continuous facade.
- 9.4.12 The rear of the proposed resembles that of the front in terms of material palette and design. Whilst adjacent neighbours have either dug down or included basement levels, the subject property has not and would incorporate wide steps down to the rear amenity space from private amenity terraces for the ground floor units. The steps would not be considered to be over-dominant in their context. Each balcony is enclosed with visually permeable metal railings, similar to those at No 383. The design at the rear is considered to be acceptable.

## 9.5 Impact on the Neighbouring Amenity

- 9.5.1 The National Planning Policy Framework identifies as a core planning principle that planning should always seek a high quality of design and a good standard of amenity for all existing and future occupants of land and buildings. Policy D3 of the London

Plan states that developments should have appropriate regard to their surroundings and enhance the local context. Policy CP 30 of the Core Strategy seeks to ensure that new developments are high quality and design-led, having regards to their context. Policy DMD 8 states that new developments should preserve amenity in terms of daylight, sunlight, outlook, privacy, overlooking, noise, and disturbance.

9.5.2 Policy DMD 11 requires that a single-storey rear extension does not exceed a 45-degree line taken from the nearest neighbouring ground floor window or secure a common alignment of rear extensions. It also requires that first floor or higher rear extensions must not exceed a 30-degree line taken from the nearest corresponding neighbouring windows. Although not a rear extension, the above criteria are helpful in assessing impact to neighbours.

9.5.3 The properties most impacted by the proposed development are the immediate neighbours, Nos 383 and 387 Cockfosters Road.

#### ***383 Cockfosters Road and 387 Cockfosters Road***

9.5.4 The main building breaches neither 45-degree nor 30-degree guidance. There are no flank windows proposed which would face No 383 or No 387.

#### ***Both neighbours***

9.5.5 It is recognised that due to the number of prospective occupiers and the balconies proposed, a greater sense of overlooking may be perceived for the immediately neighbouring occupiers. However, this is likely to be a similar position for a number of residents in the immediate length of Cockfosters Road and given the emerging pattern of development, notwithstanding the tilted balance that must be given weight in the overall planning balance of acceptability, is not considered to be unacceptable or lead to harm justifying a reason for refusal.

9.5.6 With regard to concerns raised about additional noise, pollution and disturbance, it is acknowledged that the proposed development will intensify the use of the site. However, given the spacing and separation to neighbouring properties and the overall size of the subject site, the quantum of development proposed is not considered unacceptable in this context. Furthermore, it will contribute to much need housing (including family accommodation) which will contribute to the strategic housing needs

of the Borough. On the advice of the Environmental Health Consultee conditions regarding construction vehicle emissions and non-road mobile machinery, restrictions on impact piling, as well as limits on sound levels during construction and the requirement of a construction management plan will be added to the decision, should permission be granted.

## 9.6 Highways, Access Car and Cycle Parking, Servicing and Construction Traffic

9.6.1 Policy DMD8 requires new residential development to provide adequate parking while DMD45 seeks to minimise car parking and to promote sustainable transport options. The Council recognises that a flexible and balanced approach needs to be adopted to prevent excessive car parking provision while at the same time recognising that low on-site provision sometimes increases pressure on existing streets.

9.6.2 Policy T6.1 of the London Plan (2021) sets out maximum parking standards for different land uses, as well as EV charging and disabled parking provision. The site has a Public Transport Accessibility Level (PTAL) of 1a which indicates that access to frequent public transport is very poor. Table 4 below provides a summary of the proposed parking which meets London Plan standards.

<b>London Plan Guidance</b>	<b>Maximum for development according to guidance</b>	<b>Proposed</b>
<b>Up to</b> 1.5 spaces per dwelling for 1-2 and 3+ bedroom dwellings in an outer London area with a PTAL rating of 1a	13.5 spaces (1.5 per unit)	9 spaces (1 per unit)
EV capabilities	20%	33%
Passive EV provision	Remaining spaces	All remaining spaces
Disabled parking	No numerical requirement for under 10 units	2 spaces

Table 4: Vehicular parking provision

9.6.3 At the meeting of the Planning Committee the provision of parking spaces within the scheme was discussed, whereupon it was suggested that the provision of an additional 10<sup>th</sup> car parking space, for visitors, could be reasonably accommodated within the scheme in order to reduce concerns of local residents with regard to pressures of on-street parking demand.

9.6.4 Accordingly, following the meeting, the applicant has now provided a revised parking layout that demonstrates parking for 10 cars on the site.

9.6.5 The Transport Statement which indicates the development is of a size that does not require a residents Travel Pack, all residents will be provided with a Travel Pack to encourage sustainable non-car travel. This is welcomed as mitigation and taking the likelihood of any on street parking and that the standard is a maximum, the revision is acceptable.

9.6.6 The Transport Statement also indicates that prior to commencement a Construction Logistics Plan will be provided. The LPA agree and this report already indicates that should permission be granted a Construction Management Plan would be required as a condition prior to commencement.

9.6.7 It is noted by the Transportation Consultee that the most northward of the two site accesses will be closed and the more southward access will be widened to 4.9m and will allow two cars to pass. The access will be set back 5m from the highway so vehicles



may wait off of Cockfosters Road. Following further information being provided by the applicant in the form of visibility splays which confirmed are proposed at 0.6m for 2m either side of the access, the Transportation Consultee raised no objection to the access for the site. The applicant should note that any works in relation to crossovers or the highway will be undertaken by the Local Authority and at the applicants expense. It is also noted that the maximum width for a crossover is limited to 4.8m and on application for the crossover, the proposed may need to be reduced. An informative regarding this will be included in the decision notice should permission be granted.

9.6.8 A total of 18 long stay cycle parking spaces and two short-stay cycle parking spaces are required for the proposed development in accordance with the London Plan. Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycle Design Standards (e.g. covered, secured, lit, etc.). Following additional information being provided regarding design and that the cycle storage is enclosed with solid walls rather than having open mesh sides, the Transportation Consultee raised no objection. It is noted there are two secure cycle units in front of flats 1 and 3 on the ground floor, these will be for the respective flat's use only to prevent unacceptable impact on amenity.

9.6.9 Policies DMD45 and DMD46 of the Council's Development Management Document seek to protect against an adverse impact on pedestrians and other road users. This would include during the demolition (where relevant) and construction process. Particularly as the access to the site is on a bend in the road, Transport have requested that both a Demolition Management Plan and a Construction Management Plan are produced for approval by the Council as a pre-commencement condition.

## 9.7 Refuse Storage

9.7.1 Policy DMD 47 specifies that new development will only be permitted where adequate, safe, and functional provision is made for refuse collection. Policy DMD 57 requires all new development to make appropriate provision for waste storage, sorting and recycling, and adequate access for waste collection. The Waste and Recycling Storage Planning Guidance from Enfield Council (EN20/V2) provides further specifications.

9.7.2 A bin store has been provided with access onto Cockfosters Road. It is considered there will unlikely be issues with refuse collection and further refuse vehicles will not be expected to enter the site. In this regard, it is noted the store has a door that does not open out over the highway and this is welcomed. No objection is therefore raised to this element

## 9.8 Sustainable Drainage Systems (SuDS) and Flood Risk

9.8.1 Policy DMD 61 states that a drainage strategy will be required for all development to demonstrate how proposed measures manage surface water as close to its source as possible and follow the drainage hierarchy in the London Plan. The policy seeks to ensure a development such as the one proposed includes at least one 'at source' SuDS measure resulting in a net improvement in water quality. Policy DMD 59 requires new development to avoid and reduce risk of flooding and not increase risks elsewhere.

9.8.2 The applicant has provided an FRA & SuDS Strategy Report as supporting evidence for the proposal. The SuDS Consultee assessed the document and required further information regarding source control measures, greenfield runoff rate, cross sections of the detention basin showing the inflow and outflow levels, as well as overland flow routes for exceedance events. This information was provided, and no further objection was raised. The SuDS Consultee requested a condition confirming that SuDS measures have been fully implemented in accordance with the agreed details prior to the occupation of the development.

## 9.9 Trees

9.9.1 Policy DMD 80 requires that all development and demolition must comply with established good practice, guidelines and legislation for the retention and protection of trees. Proposals must:

- a. Retain and protect trees of amenity and biodiversity value on the site and in adjacent sites that may be affected by the proposals;
- b. Ensure that the future long term health and amenity value of the trees is not harmed;
- c. Provide adequate separation between the built form and the trees including having regard to shading caused by trees and buildings.

9.9.2 An Arboricultural statement has been submitted for the 18 trees that are on the site. None of these are Category A trees. All Category B trees would be retained while 8 Category C trees would be removed. The Tree Officer has raised no objection to the loss of trees on site, given those being lost were Category C. Now that the outbuilding is removed from the scheme the number of trees that would be felled as a consequence of the proposal has been reduced from 8 trees to 6 trees, with replacement planting for 9 replacement trees having been agreed. In order to ensure that the method outlined within the Arboricultural Impact Assessment is adhered to, a condition will be applied requiring sign off of tree works.

## 9.10 Biodiversity

9.10.1 Policy DMD79 requires developments resulting the creation of 100m<sup>2</sup> of floorspace or one net dwelling or more should provide on-site ecological enhancements having regard to feasibility and viability.

9.10.2 The applicant submitted an Ecology Report in support of the proposal. The findings of the report are as follows:

- *No protected species or evidence of protected species were found on site at the time of the survey.*
- *The site provides negligible potential for badger, Great Crested Newt (GCN) and reptiles due to the lack of suitable habitat and limited connectivity to more suitable habitats.*
- *The building provides moderate potential for roosting bats due to the hung tile to the rear dormer and gaps and access points throughout the building's roof.*
- *The introduced shrub and scattered trees habitats provide moderate potential for breeding birds.*

9.10.3 The Ecology Report also indicated that should any badgers, great crested newts or other reptiles are found during demolition/construction, works must stop and advice should be sought.

9.10.4 In terms of bats the report found that a bat emergence survey was required. This was undertaken and a report sent to the officer on 26.08.2022 which found no evidence of roosting bats at the subject property.

9.10.5 In terms of breeding birds, the report recommended no further surveys, however, did recommend the development should take place outside of nesting season and if this is not possible a qualified ecologist should be on site to ensure the building/vegetation is not occupied by breeding birds prior to demolition or site clearance. In the event

breeding birds are found, a buffer zone would be required until the nest is no longer in use.

9.10.6 The report also suggests mitigation measures and enhancements for the site (see table 14 of the Ecology Report). In order to ensure the advice within the report is followed a condition would be applied to the decision to require the applicant to submit to the LPA a written verification report from a qualified ecologist prior to occupation.

#### 9.11 Energy and Water Efficiency

9.11.1 Policy DMD 49 states all new development must achieve the highest sustainable design and construction standards and include measures capable of mitigating and adapting to climate change to meet futures needs having regard to technical feasibility and economic viability. Policy DMD 51 states further energy efficiency standards and that all developments will be required to demonstrate how the proposal minimises energy related CO<sub>2</sub> emissions which must adhere to the principles of the energy hierarchy in the policy. This follows policy CP 20 of the Core Strategy which states that the Council will require all new developments, and where possible via retrofitting process in existing development to address the causes and impacts of climate change by: minimising energy use; supplying energy efficiently; and using energy generated from renewable sources in line with the London Plan and national policy. The adopted policies require that new developments achieve the highest sustainable design and construction standards having regard to technical feasibility and economic viability.

9.11.2 The applicant has submitted an Energy Statement which states that a 'Lean, Clean, Green' has been adopted and that the development achieves an overall improvement (DER/TER) in regulated emissions at over 63.31% above Part L 2013 standard. This is achieved through the adoption of passive design standards, insulation with heating and hot water to be provided via heat pump technology and roof mounted PV installations. The PV panels, as well as the external condensers for the heat pumps are shown on the roof plan and are not considered to be unacceptable in terms of design.

9.11.3 The Energy Statement also indicates water usage will be limited to 105litres per person per day in accordance with policy SI 5 of the London Plan.

#### 9.12 Community Infrastructure Levy (CIL)

9.12.1 The London Borough of Enfield falls within Mayoral Community Infrastructure Levy therefore development will be liable to Mayoral CIL. The development site is also liable for higher rate CIL payment of £120/sqm as per the adopted Community Infrastructure Levy Charging Schedule (2016).

9.12.2 If the proposal was deemed acceptable, the development would be subject to both CIL rates above.

### **10 Public Sector Equalities Duty**

10.1 Under the Public Sector Equalities Duty, an equalities impact assessment has been undertaken. Due to the nature of the proposal, it is considered the proposal would not disadvantage people who share one of the different nine protected characteristics as defined by the Equality Act 2010 compared to those who do not have those characteristics.

## 11. Conclusion

- 11.1 The starting point for the determination of any planning application is the development plan. Paragraph 11(d) of the NPPF, and the application of the tilted balance means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, which also includes the Development Plan. Moreover, planning permission should be approved unless “the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed”.
- 11.2 Having regard to the assessment in this report, the development would provide 9 units of residential accommodation including 5 family sized units, which it is considered, would be consistent with the thrust of national planning policy and the adopted “development plan” to optimise development on small sites. It would also and importantly, increase the delivery of new homes in response to the Housing delivery Test and the need to deliver new homes.
- 11.3 It is acknowledged that consideration of this proposal has involved some balanced judgements. It is considered however that the form, design and appearance of development, would not be dissimilar to other recent development and thus, is appropriate for the location and would sympathetically relate with the character and visual amenities of the surrounding area. In all other respects including parking, access, relationship to existing / retained trees etc, the proposed scheme is considered acceptable as outlined in the aforementioned report.
- 11.4 The above assessment against the development plan policies has produced the following conclusion:
- The proposal would provide 9 dwellings with a good standard of living accommodation that would contribute to the housing stock in the borough.
  - The proposed development is considered appropriate in form and design and would not result in detrimental harm to the character and appearance of the locality .
  - The proposal would not cause any unacceptable harm upon highway safety or the flow of traffic in the locality.
  - The proposal, by virtue of size, location and proximity would not harm the amenity of occupying and neighbouring residents.
  - The design and construction of the proposal would have appropriate regard to environmental sustainability issues including energy and water conservation, renewable energy generation, and efficient resource use, as ensured by the included conditions.
  - The proposal would retain and protect trees of amenity and biodiversity value.
  - The development would be appropriate and in accordance with relevant National and Regional Policy, Core Strategy and Development policies for the reasons noted above.
- 11.1 Having regard also to the mitigation secured by the recommended conditions and the presumption in favour of sustainable development it is considered that the benefits of the development would outweigh any identified impacts. When assessed against the suite of relevant planning policies it is considered that

planning permission should be granted subject to conditions.



**KEY**

- TREE TO BE REMOVED
- PROPOSED TREE
- EXISTING TREE
- SCREENING PLANTER
- BORDER
- METAL FENCE
- SHRUB
- ACTIVE CHARGING POINT
- PASSIVE CHARGING POINT

outline of omitted pavillion dotted in pink

new fence 1.8MT

Hadley Wood Golf Club  
new fence 1.8MT

new fence 1.8MT

387

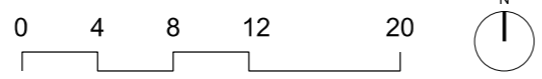
383

Cockfosters Road

EXISTING SEWER

385 COCKFOSTERS ROAD

**Proposed Site Plan**



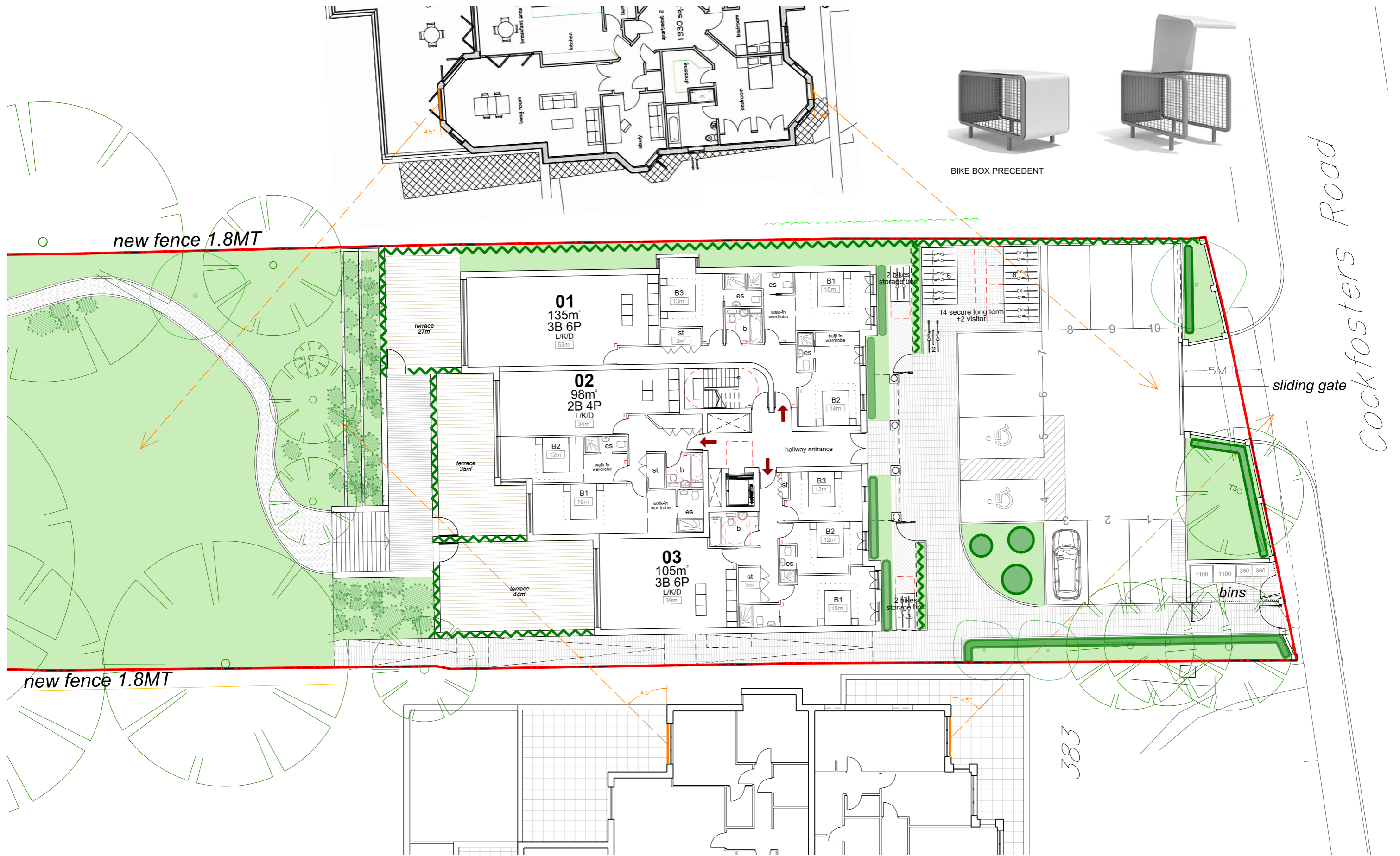
22/08/2022 **rev A** Pavilion reduced by 25% and general amendments  
 21/10/2022 **rev B** Pavilion omitted, parking increased to 10 spaces  
 site entrance and bin store repositioned, tree works amended

**G M L Architects**

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**4374/PA/020B**



22/08/2022 rev A Pavillion reduced by 25% and general amendments  
 21/10/2022 rev B Pavillion omitted, parking increased to 10 spaces

385 COCKFOSTERS ROAD

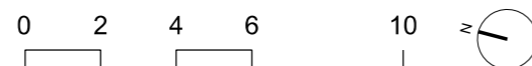
**Proposed Ground Floor Plan**

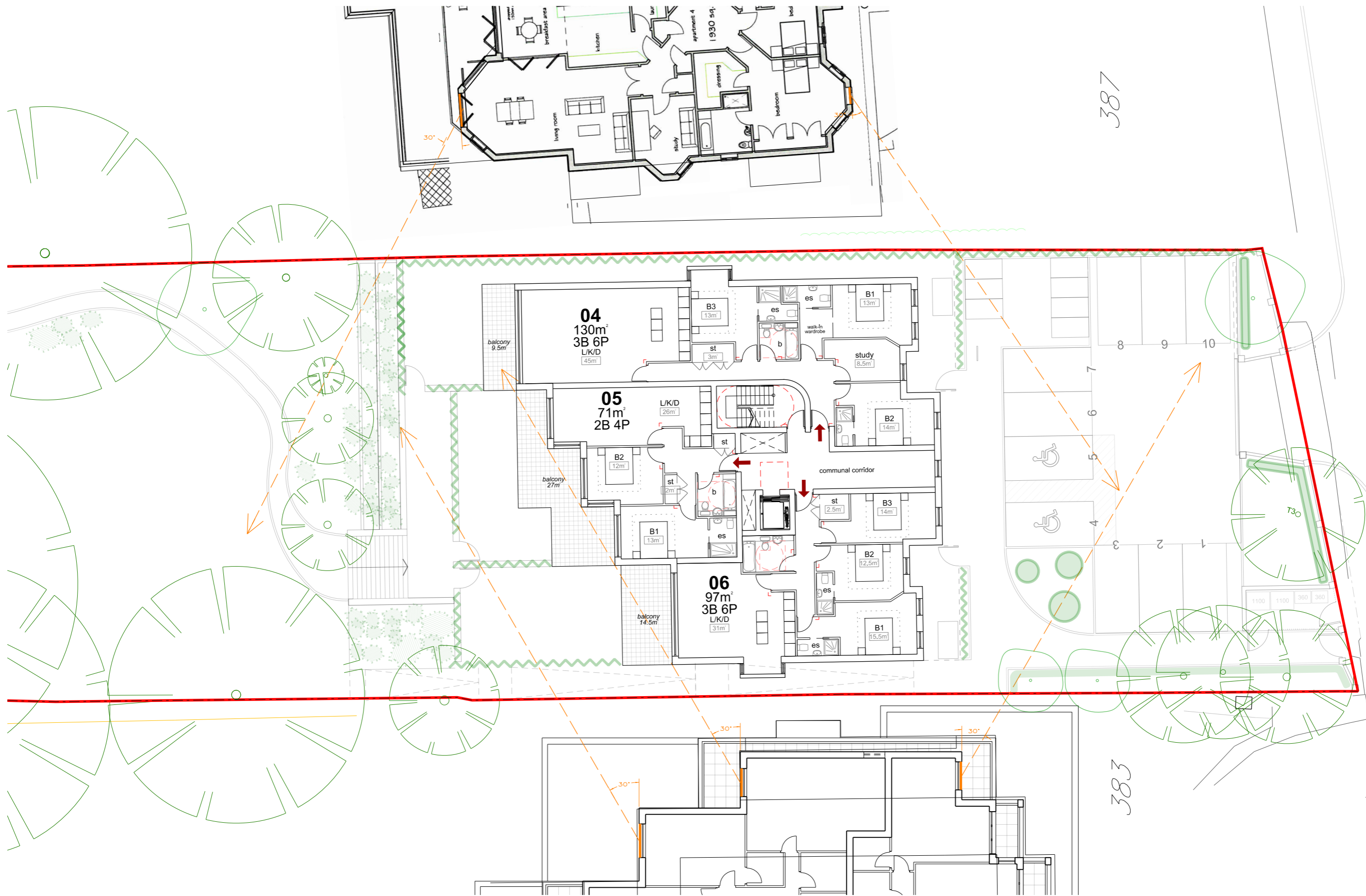
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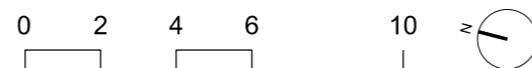
22/08/2022 rev A Pavillion reduced by 25% and general amendments  
 21/10/2022 rev B Pavillion omitted, parking increased to 10 spaces

385 COCKFOSTERS ROAD  
**Proposed First Floor Plan**

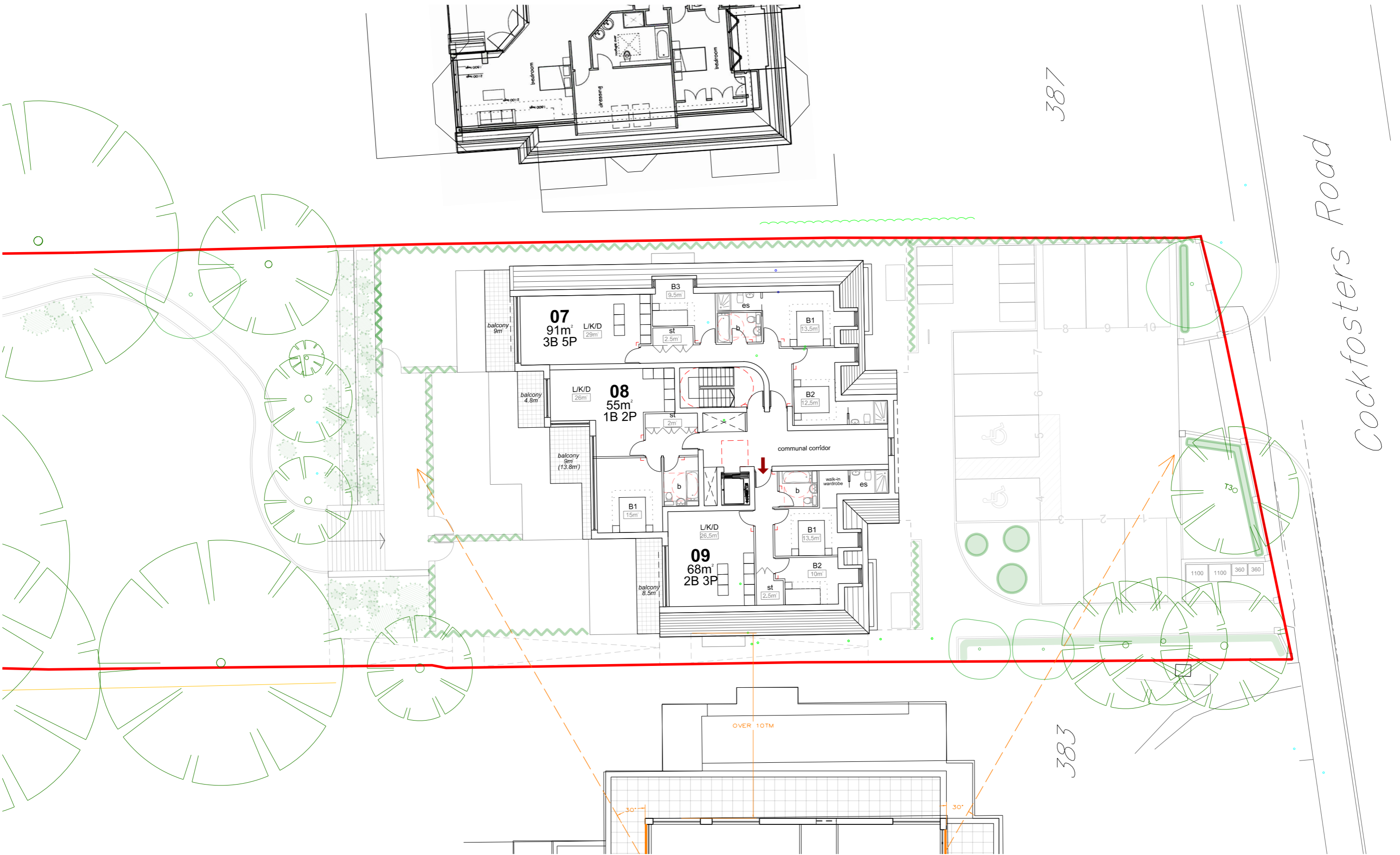
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— outline of previous pavillion  
dotted in pink

22/08/2022 rev A Pavillion reduced by 25% and general amendments  
21/10/2022 rev B Pavillion omitted, parking increased to 10 spaces

385 COCKFOSTERS ROAD

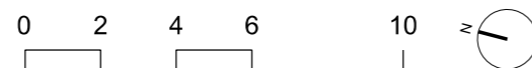
**Proposed Second Floor Plan**

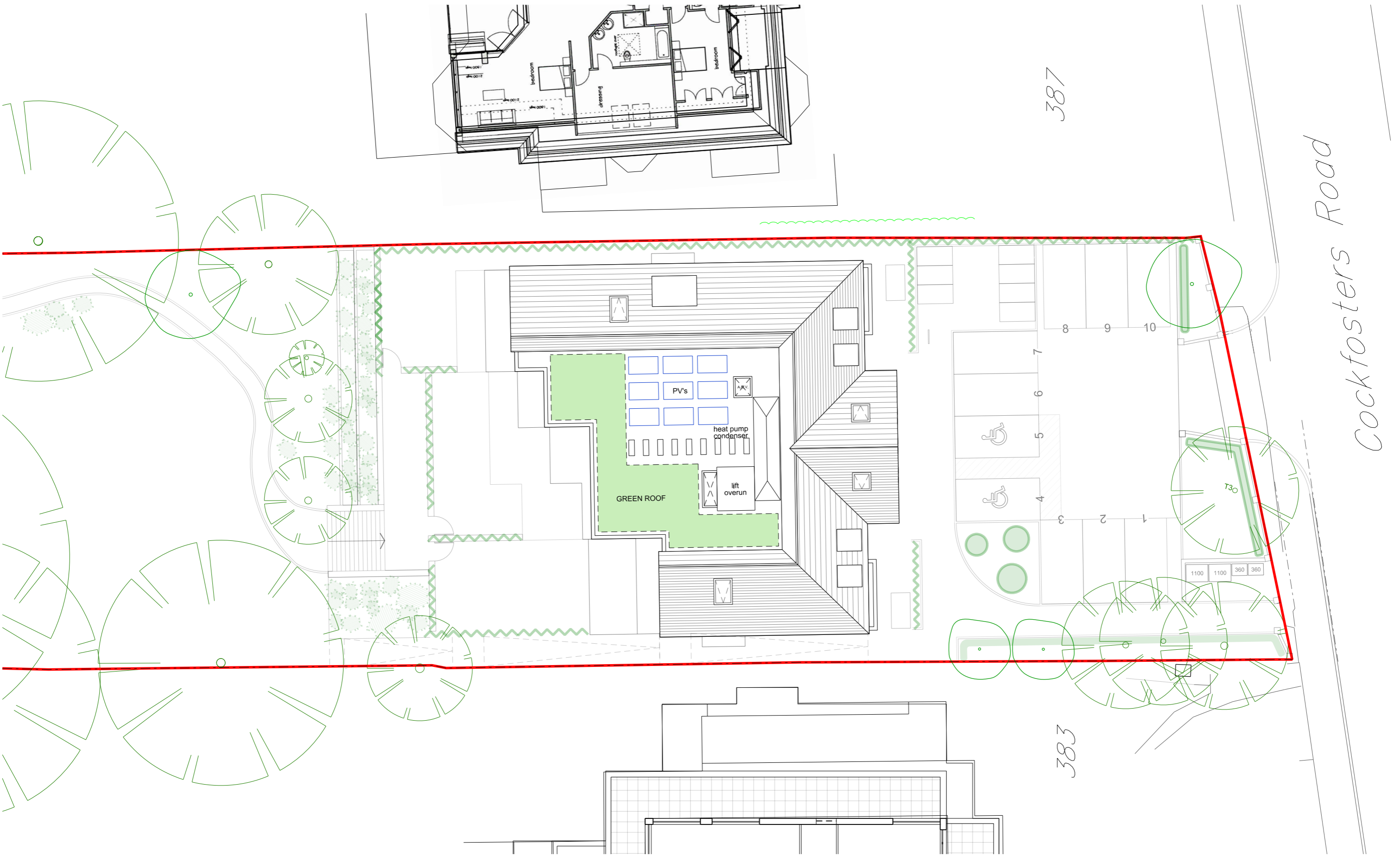
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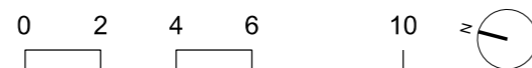
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385 COCKFOSTERS ROAD  
**Proposed Roof Plan**



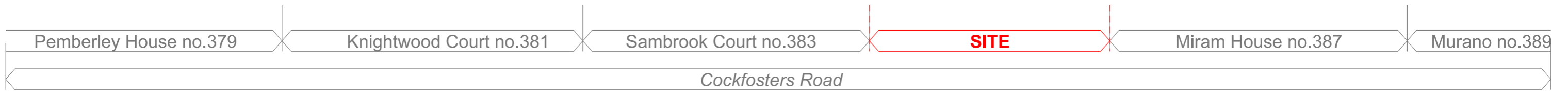
22/08/2022 **rev A** Pavilion reduced by 25% and general amendments  
 21/10/2022 **rev B** Pavilion omitted, parking increased to 10 spaces

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22/08/2022 **rev A** Pavillion reduced by 25% and general amendments  
 21/10/2022 **rev B** Amended following LPA requested changes to parking

385 COCKFOSTERS ROAD

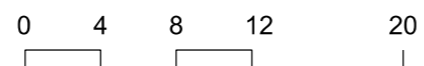
**Proposed Street Elevation**

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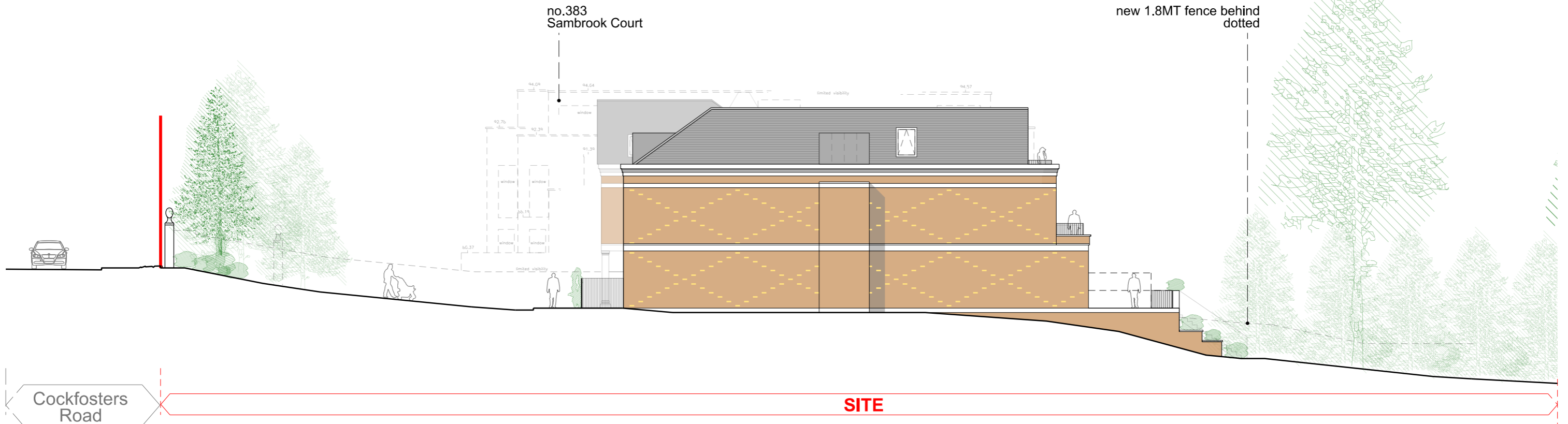
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**4374/PA/030B**





Proposed Front Elevation  
East Elevation



Proposed Side Elevation  
North Elevation

22/08/2022 rev A Pavilion reduced by 25% and general amendments  
21/10/2022 rev B Pavilion omitted

385 COCKFOSTERS ROAD

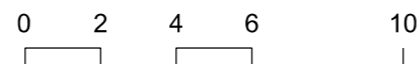
**Proposed Elevations**

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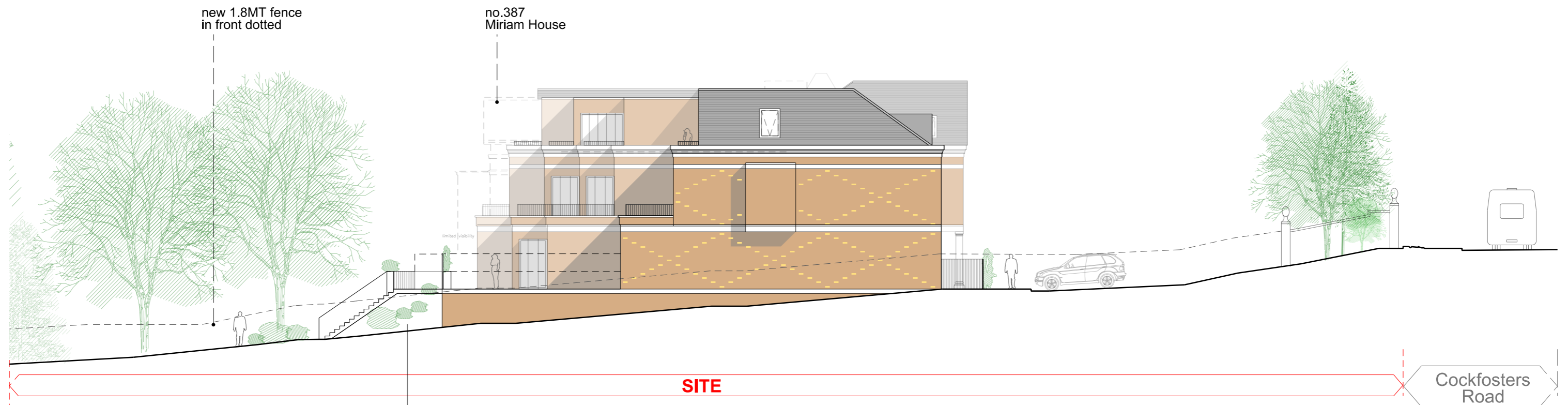
4374/PA/031B





Proposed Rear Elevation  
West Elevation

New landscaped banking



Proposed Side Elevation  
South Elevation

New landscaped banking

Cockfosters Road

22/08/2022 rev A Pavilion reduced by 25% and general amendments  
21/10/2022 rev B Pavilion omitted

385 COCKFOSTERS ROAD

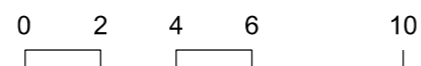
**Proposed Elevations**

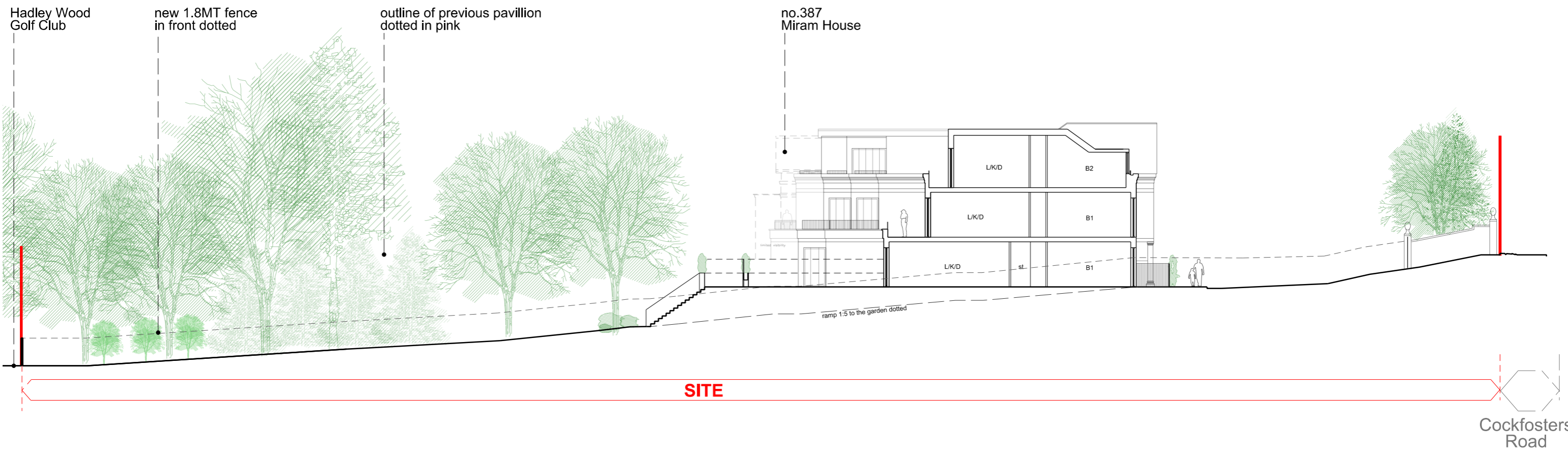
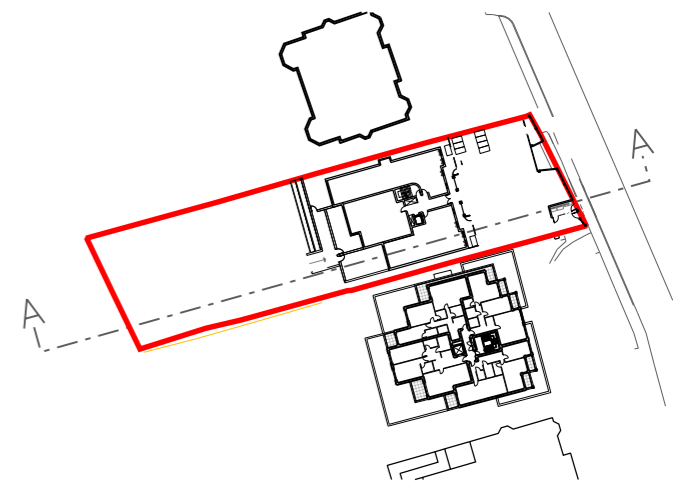
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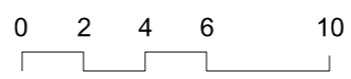


Cockfosters Road

22/08/2022 **rev A** Pavillion reduced by 25% and general amendments  
 21/10/2022 **rev B** Pavillion omitted

385 COCKFOSTERS ROAD

**Proposed Section AA**



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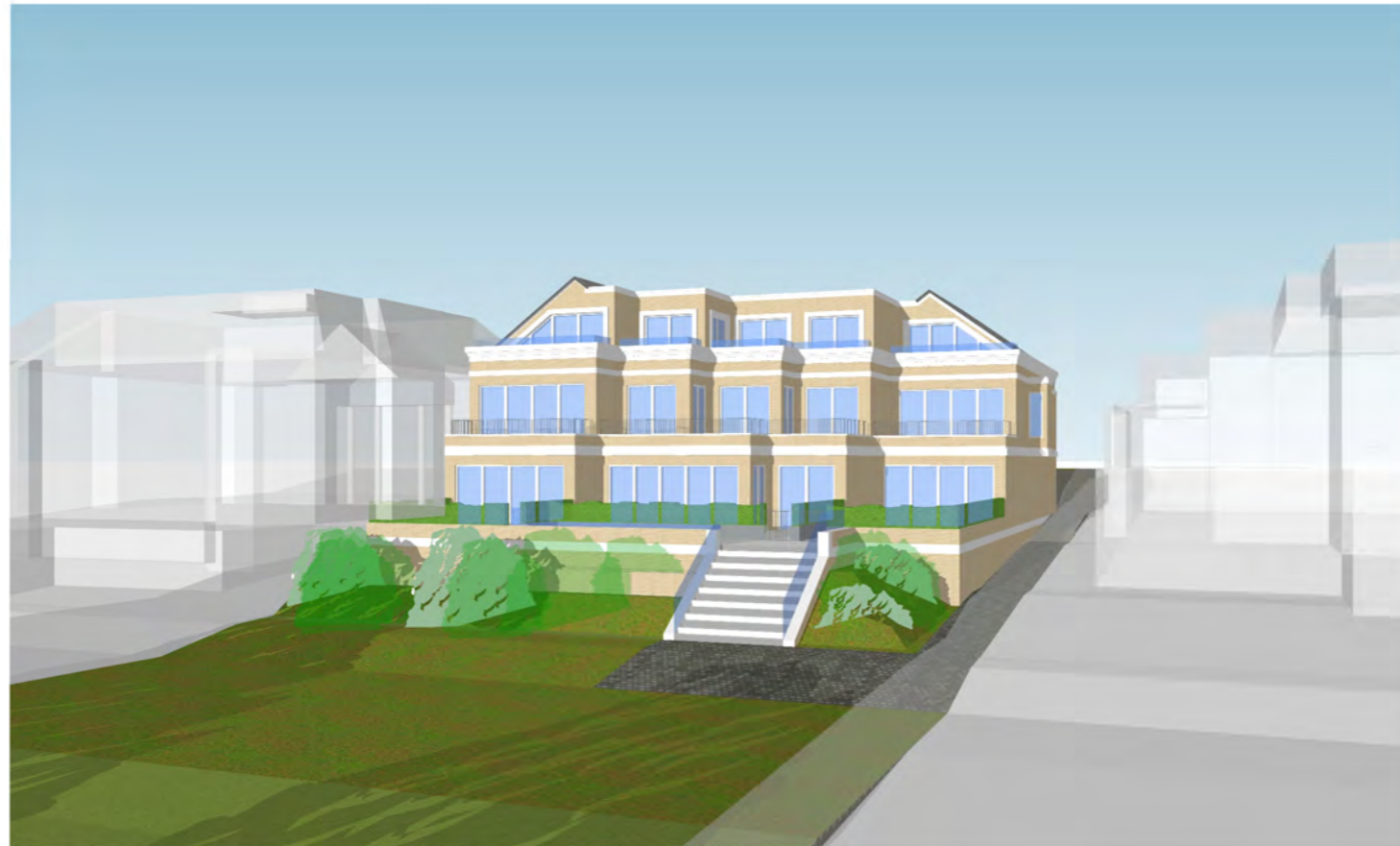
UNIT 3,1-4 Christina Street, London, EC2A 4PA  
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**4374/PA/035B**



**Illustrative Front Elevation**



**Illustrative Rear Elevation**

385 COCKFOSTERS ROAD

**Illustrative 3D View**

22/08/2022 rev A Pavilion reduced by 25% and general amendments

**G M L Architects**

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**4374/PA/050A**

