

**LONDON BOROUGH OF ENFIELD**

**PLANNING COMMITTEE**

**Date: 20 June 2023**

**Report of**

Director of Planning &  
Growth - Brett Leahy

**Contact Officers:**

Sharon Davidson  
Kate Perry

**Category**

Householder

**Ward**

Whitewebbs

**Councillor Request**

Cllr Dyson

**LOCATION:** 11 Park Nook Gardens Enfield EN2 0HT

**APPLICATION NUMBER:** 22/01969/HOU

**PROPOSAL:** Demolition of side lean-to and erection of a single storey wrap around side and rear extension.

**Applicant Name & Address:**

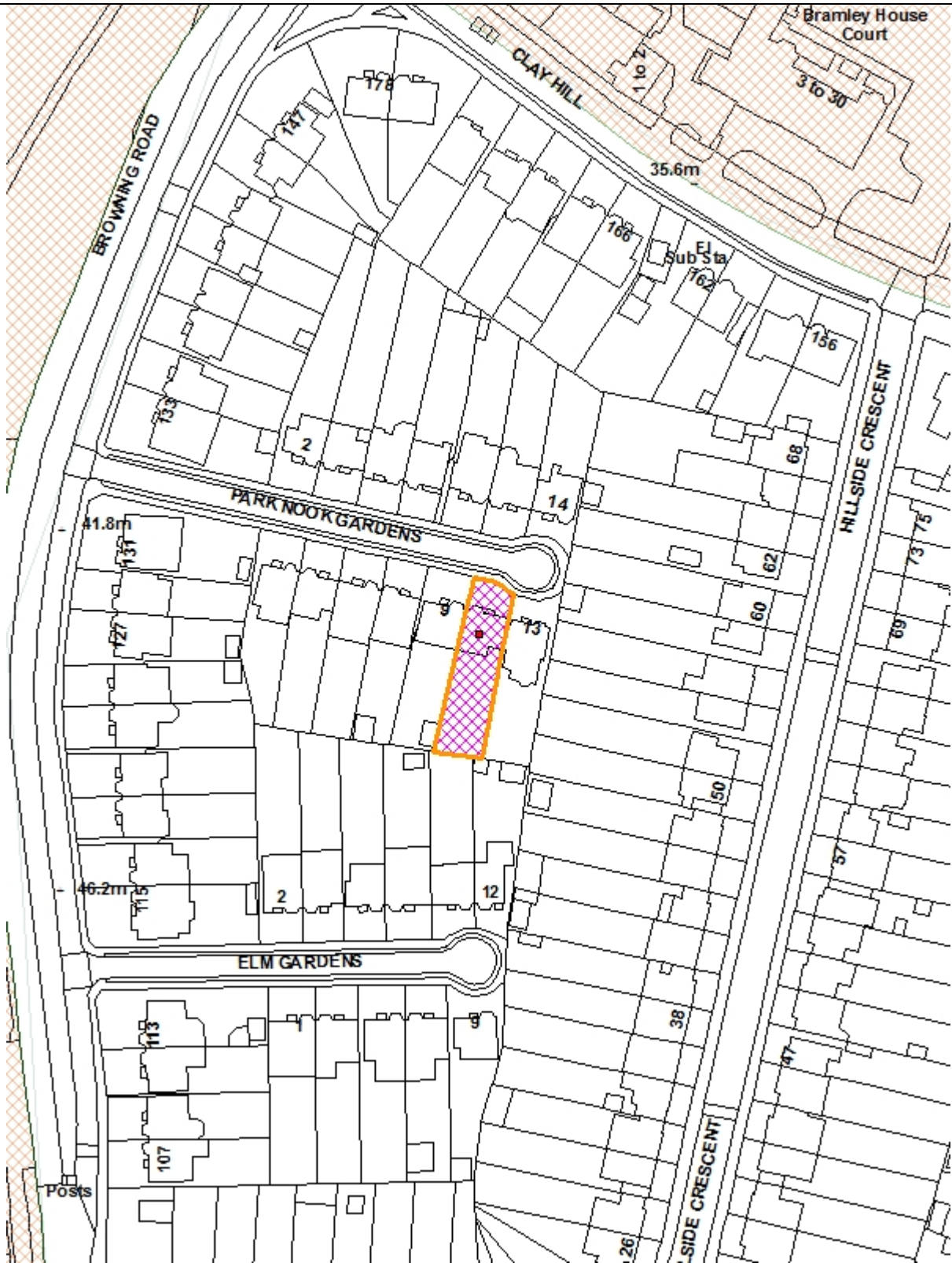
Ms Louise Harries  
11 Park Nook Gardens  
Enfield  
Enfield  
EN2 0HT

**Agent Name & Address:**

Mr Marc Wetherill  
Capital Architectural Design  
189 Cat Hill  
Barnet  
EN4 8HS

**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



## **1.0 Note for Members**

1.1 Although an application of this scale and nature would normally be determined under delegated authority, the application has been reported to committee for determination at the request of Councillor Dyson for the following reasons (in summary):

- Plans would negatively impact the bungalow next door at 13 Park Nook Gardens in terms of blockage of sunlight into the kitchen and would mean they are in darkness. This will impact the physical and mental well-being of the owners of 13 Park Nook Gardens.
- It will be difficult for the owners of 13 Park Nook Gardens to access their property during works due to the demolition of the side lean to.
- The works will negatively impact on the foundations to 13 Park Nook Gardens as the bungalow was built in the 1930s on shallow foundations and cracks to the bungalows could occur due to the proximity of the proposed demolition of the side lean to and building wrap around extension to 11 Park Nook Gardens.

## **2.0 Executive Summary**

2.1 The application is for the erection of a single storey side and rear extension which would wrap around the property. The development would have no undue impact on the character and appearance of the subject dwelling or the immediate area and would not unacceptably harm the amenities of the occupiers of adjoining properties. It is compliant with relevant policies of the development plan.

## **3.0 Recommendation**

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

### Time

1. 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 s51 of the Planning & Compulsory Purchase Act 2004.

### Approved plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

2022/934-100 Revision C

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

### External Finishing Materials

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

Reason: To ensure a satisfactory appearance.

## Restricted PD – Flat Roofs

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any amending Order, no balustrades or other means of enclosure shall be erected on the roof of the extension(s). No roof of any part of the extension(s) shall be used for any recreational purpose and access shall only be for the purposes of the maintenance of the property or means of emergency escape.

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

- 3.2 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.

### **4.0 Site & Surroundings**

- 4.1 The subject property is a two-storey, semi-detached house, situated towards the end of the cul-de-sac, Park Nook Gardens, on the southern side of the road. The cul-de-sac is characterised by similar 1930's semi-detached houses, apart from number 13, immediately to the east, which is a single storey bungalow and number 14, opposite number 13, which is a two-storey detached house.
- 4.2 The subject property benefits from a single storey side extension, a small rear facing dormer and front rooflight. There is hardstanding and a dropped kerb to the front.
- 4.3 Several properties along Park Nook Gardens benefit from single storey and two storey side extensions. Numbers 5, 7 and 10 have wrap around side and rear extensions.
- 4.4 The property is neither listed nor does it fall within a conservation area.

### **5.0 Proposal**

- 5.1 The proposal seeks planning permission for the erection of a single storey side and rear extension which would wrap around the property.
- 5.2 The side extension would be located on the eastern side of the property and would replace an existing structure which currently contains a workshop/ utility room and cloakroom. The new extension would be built up close to the boundary with number 13 Park Nook Gardens similar to the existing situation however, where it projects to the rear of the property it would be stepped in a minimum of 1.3m for the final 2.7m. The proposed extension next to the boundary with number 13 Park Nook Gardens would be deeper than the existing structure extending to the rear by a further 5.3m approximately. The extension would have a flat roof measuring 2.8m for most of its depth. Where it wraps around to the rear the eaves height would remain at 2.8m but it would have a mono-pitch roof extending to an overall height of 3.9m.
- 5.3 The rear extension would measure 3m in depth from the original rear wall. There would be a small patio beyond with steps up to the rear garden. The extension would accommodate an extended kitchen dining and living space.

## 6.0 Relevant Planning History

### Application site

- 6.1 TP/89/1346 | Erection of 2-storey side extension and single storey front extension to provide front entrance porch garage and additional living accommodation.  
Granted with conditions 26.03.1990
- 6.2 TP/88/0390 | Erection of a part 2-storey part single storey extension at front and side of house to provide garage front entrance porch and additional living accommodation.  
Granted with conditions 09.09.1988
- 6.3 23/00679/CEA  
Single storey rear extension, single storey side extension and hip to gable with rear dormer and front rooflights.  
Granted 28.04.2023

### Neighbouring sites

- 6.4 **14 Park Nook Gardens Enfield EN2 0HT**  
21/03563/HOU | Single storey side / rear extension with raised terrace (amended description)  
Granted with conditions 17.11.2021
- 6.5 **5 Park Nook Gardens, Enfield EN2 0HT**  
16/02253/HOU | Single storey rear extension.  
Granted with conditions 25.07.2016

## 7.0 Consultation

### 7.1 Statutory and Non-Statutory Consultees

#### *Internal*

None

#### *External*

None

### 7.2 Public

Number notified	8
Consultation start date	16.06.2022
Consultation end date	10.07.2022
Representations made	1
Objections	1
Other/support comments	0

- 7.3 One objection was received during the consultation period. The response is summarised as follows:

- Loss of light
- Loss of outlook
- Loss of privacy
- Development too high
- Development is too deep
- Development is too close to the boundary
- Impact on the character of the area/out of keeping
- Concerns regarding party walls
- Concerns regarding impact of development on neighbouring foundations and structural integrity of adjacent property

#### 7.4 Officer comment

Whilst concerns regarding the party wall have been noted, matters relating to party walls are a civil matter and are not a material planning consideration. Similarly, concerns relating to the structural integrity of the adjacent property are not a material planning consideration. Compliance with building regulations and inspection by building control officers would ensure that the development is acceptable in this regard. Other points are addressed in the analysis section of this report.

### 8.0 **Relevant Planning Policies**

- 8.1 Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to 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

- 8.2 The National Planning Policy Framework (NPPF) introduces a presumption in favour of sustainable development. In this respect, sustainable development is identified as having three dimensions - an economic role, a social role and an environmental role. For decision taking, this presumption in favour of sustainable development means:
- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
  - b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
  - c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 8.3 The NPPF recognises that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision making.
- 8.4 Paragraph 48 of the NPPF details when weight may be given to relevant emerging plans. This guidance states that the stage of preparation, the extent to which there are unresolved objections and the degree of consistency of relevant policies to the Framework are relevant.

#### The London Plan 2021

- 8.5 The London Plan together with Enfield's Local plan forms the Development Plan for this application. It 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:

D4 Delivering Good Design

#### Local Plan - Overview

- 8.6 Enfield's Local Plan comprises the Core Strategy, Development Management Document, Policies Map and various Area Action Plans as well as other supporting policy documents. Together with the London Plan, they form the statutory development plan for the Borough. Enfield's Local Plan sets out planning policies to steer development where they align with the NPPF and the London Plan 2021. Whilst many of the policies do align with the NPPF and the London Plan, it is noted that these documents do in places supersede the Local Plan in terms of some detail and as such the proposal is reviewed against the most relevant and up-to-date policies within the Development Plan.

#### Enfield Core Strategy: 2010

- 8.7 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.

CP30 Maintaining and improving the quality of the built and open environment

#### Development Management Document (2014)

- 8.8 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.
- 8.9 The following local plan Development Management Document policies are considered particularly relevant:

DMD11	Rear extensions
DMD14	Side extensions
DMD 37	Achieving high quality design led development

#### 8.10 Other Material Considerations

National Planning Practice Guidance  
Community Infrastructure Levy Regulations 2010 (as amended)

#### Enfield Local Plan (Reg 18) 2021

8.11 The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for several sites. It is Enfield's Emerging Local Plan.

8.12 As the emerging Local Plan progresses through the plan-making process, the draft policies within it will gain increasing weight, but at this stage it has relatively little weight in the decision-making process.

8.13 Key local emerging policies from the plan are:

Policy DM DE15 – Residential extensions

### **9.0 Analysis**

9.1. The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 seek to establish that planning decisions are taken in accordance with the Development Plan unless material considerations indicate otherwise. Furthermore, paragraph 11 (c) of the NPPF goes on to state that development proposals that accord with the development plan should be approved without delay.

9.2. This report sets out the analysis of the issues that arise from the proposal when assessed against the development plan and the NPPF

9.3. This application has been subject to negotiation to address the concerns raised by officers and local residents through the consultation process and the amendments made are explained further below.

9.4. The main considerations of the development are the following.

- Principle of Development
- Character and Design
- Neighbouring Residential Amenity

#### Principle of Development

9.5 The principle of extending residential properties in residential areas is acceptable subject to consideration of material planning matters.

#### Character and Design

9.6 Policy D4 of the London Plan, policy CP30 of Enfield's Core Strategy and Policy DMD37 of the Council's Development Management Document all require development proposals to be design led and of high quality, having regard to their context and surroundings through positively responding to local distinctiveness



through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

- 9.7 Policies DMD11 and DMD14 require that residential rear and side extensions do not cause an adverse visual impact and must secure a common alignment of extensions. In the case of rear extensions, these should not normally exceed 3 metres in depth beyond the original rear wall in the case of semi-detached and terraced properties nor exceed a height of 3 metres from ground level when measured to the eaves with an allowance of between 3.3-3.5 metres to the top of a parapet wall or 4m to the pitch. Side extensions should not result in the appearance of a continuous façade or “terracing effect” and should retain a distance of 1m from the boundary.

#### ***Rear extension***

- 9.8 The rear extension, at 3m in depth, 2.8m in height to the eaves and 3.9m to the top of the mono-pitch roof, would comply with policy guidance outlined in DMD11. The materials would match those of the host dwelling and the fenestration would be proportionate and in keeping.

#### ***Side extension***

- 9.9 The side extension would replace an existing extension (albeit deeper to the rear as outlined in para. 5.2 of this report). The new extension would measure a maximum of 2.8m in height along the side of the original dwelling and would have a flat roof. It would have no flank windows, a set of doors to the front and would be constructed in materials matching those of the host dwelling. It would be built close to the side boundary, however given it would be single storey it would not result in a terracing effect. The existing single storey side extension is built up to the boundary and there are a number of examples of similar extensions in Park Nook Gardens. The side extension would appear acceptable in the streetscene.
- 9.10 Overall, the development is considered to be in keeping with the character and appearance of the subject dwelling and the immediate street scene and it would comply with the relevant policies of the development plan.

#### **Residential Amenity**

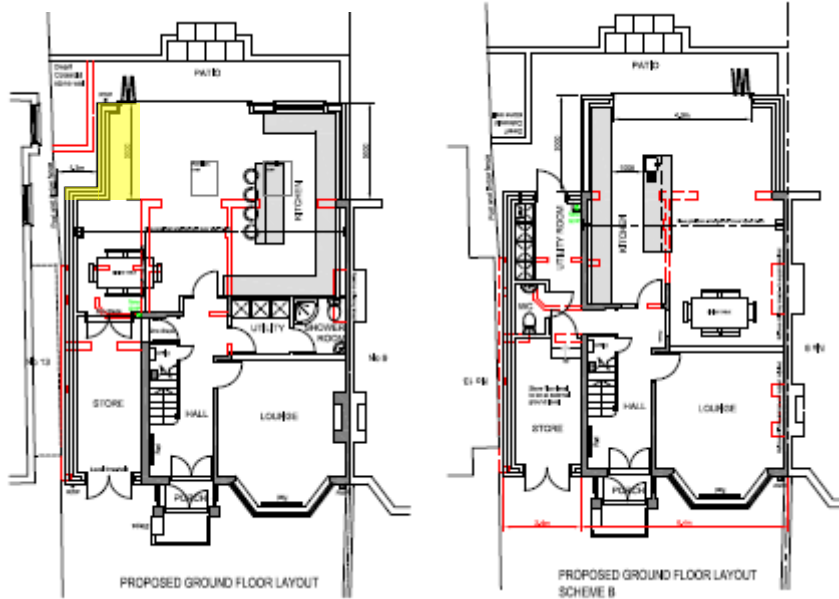
- 9.11 Policy DMD11 requires that proposed rear extensions cause no unacceptable impact on the amenities of neighbouring residential occupiers. The policy states that rear extensions should not normally exceed 3m in depth for terraced and semi-detached dwellings and extensions of a greater depth should not exceed a line taken at a 45-degree angle from the mid-point of the nearest original ground floor window to any of the adjacent properties. Where extension secure common alignment of extensions with neighbouring properties they are likely to be acceptable.

#### ***9 Park Nook Gardens***

9. 12 The rear extension would project 3m in depth from the rear elevation and along the common boundary with number 9 Park Nook Gardens. This would meet the policy requirement of DMD 11 and would result in an acceptable relationship with this property. It would not result in an unacceptable loss of light or outlook and nor would it be overly dominant or result in an unacceptably heightened sense of enclosure. In terms of privacy, no windows are proposed in the side elevation and therefore no concerns are raised regarding additional overlooking.

### **13 Park Nook Gardens**

- 9.13 Number 13 Park Nook Gardens has an existing single storey rear extension. The depth of the extension currently proposed would secure common alignment with the depth of the neighbours existing rear extension. No concerns are therefore raised in relation to loss of light or outlook to and from the rear facing windows and glazed patio door.
- 9.14 However, number 13 also has two windows in the side elevation facing west towards the boundary with number 11. The existing side extension at number 11 does not impact these windows because it is not as deep as the extension currently proposed. The proposed extension would impact light and outlook from the side windows. Light would be particularly affected in the afternoon and evening when the sun moves round to the west.
- 9.15 When applying policy, less weight is usually afforded to side windows as they are normally considered to be secondary and not to be the main source of light to a room. It is noted that in this case, the additional depth to the room, in part created by the existing extension at the neighbouring property, means there is a greater reliance on the side windows to provide light to the kitchen area which is deeper within the house, and further away from the south facing windows and glazed patio doors.
- 9.16 Given the concerns raised by the occupiers of number 13 Park Nook Gardens, particular consideration has been given to the impact on the side windows. In an effort to address concerns regarding outlook and loss of light in relation to the side windows, amendments have been made to the design. The eaves height of the side/rear extension has been reduced to 2.8m and the rear part of the extension has been moved away from the common boundary by between 1.3m and 1.42m for the final 2.7m to allow afternoon light more opportunity to enter the kitchen at number 13.
- 9.17 It is noted that the neighbouring occupier has suggested that the 45 degree angle specified in DMD 11 should be applied from the side windows. However, whilst not stated explicitly in the policy, it is widely accepted that this policy requirement relates to rear facing windows. If it were to be applied to side facing windows extensions to the rear of existing residential properties would rarely be permissible.
- 9.18 It should also be recognised that much of this proposed development could be achieved under permitted development. An application under the provisions of Schedule 2, Class A of the GPDO (2015) was granted by the Council on 28.04.2023. The approved application demonstrates what could be achieved by utilising the properties permitted development rights. A comparison of the proposed ground floor plan and that submitted with the approved permitted development application is shown below. The area shaded in yellow (illustrative – added by Officer) identifies the footprint of development which could not be implemented under the approved permitted development application.



Current Planning Application

Current Permitted Development Application

- 9.19 Having regard to this as well as the other considerations outlined in this report; the height of the development, the set in from the boundary and that there are unaffected south facing windows and patio doors providing light to the neighbours kitchen and dining space, the impact on residential amenity is not considered to be unacceptable when assessed against relevant policy.

Community Infrastructure Levy (CIL)

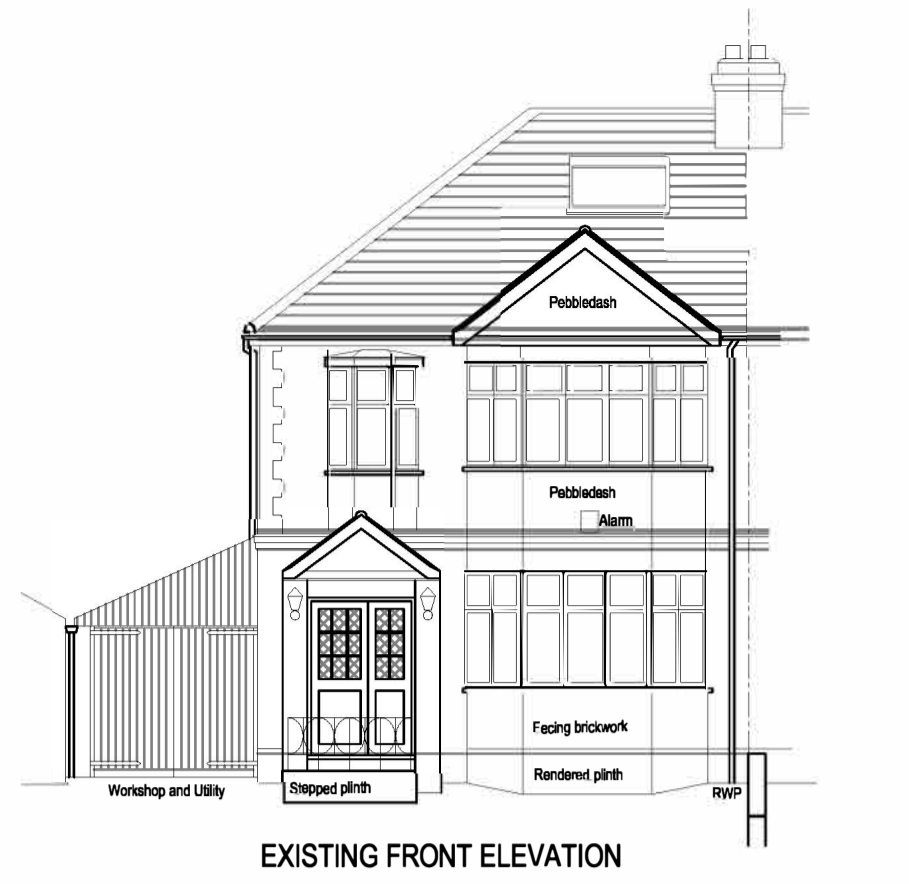
- 9.20 The development would result in additional floorspace of less than 100 sq m and so would not have to pay CIL.

**10.0 Public Sector Equality Duty**

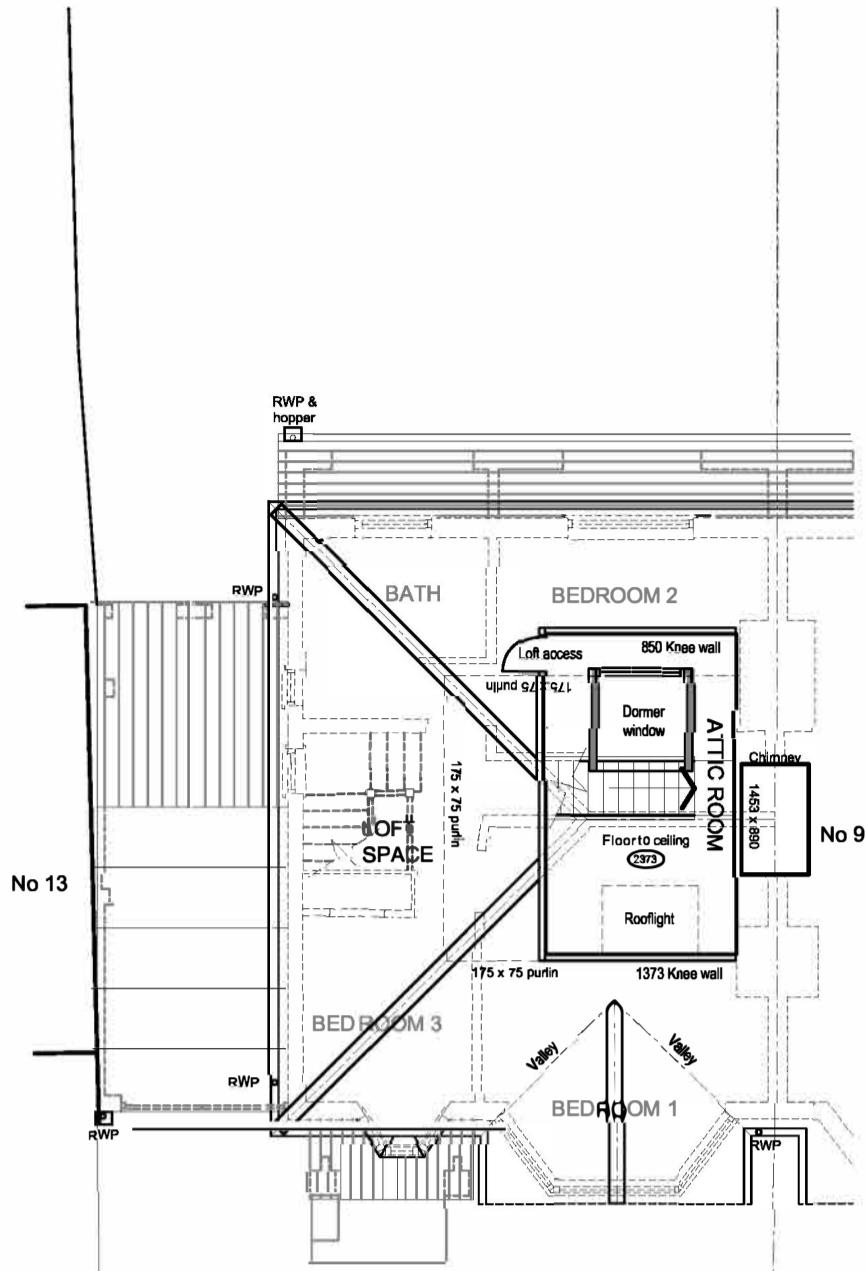
- 10.1 In accordance with the Public Sector Equalities Duty, it is considered the proposal would not disadvantage people who share one of the different nine protected characteristics as defined by the Equality Act 2010 compared to those who do not have those characteristics.

**11.0 Conclusion**

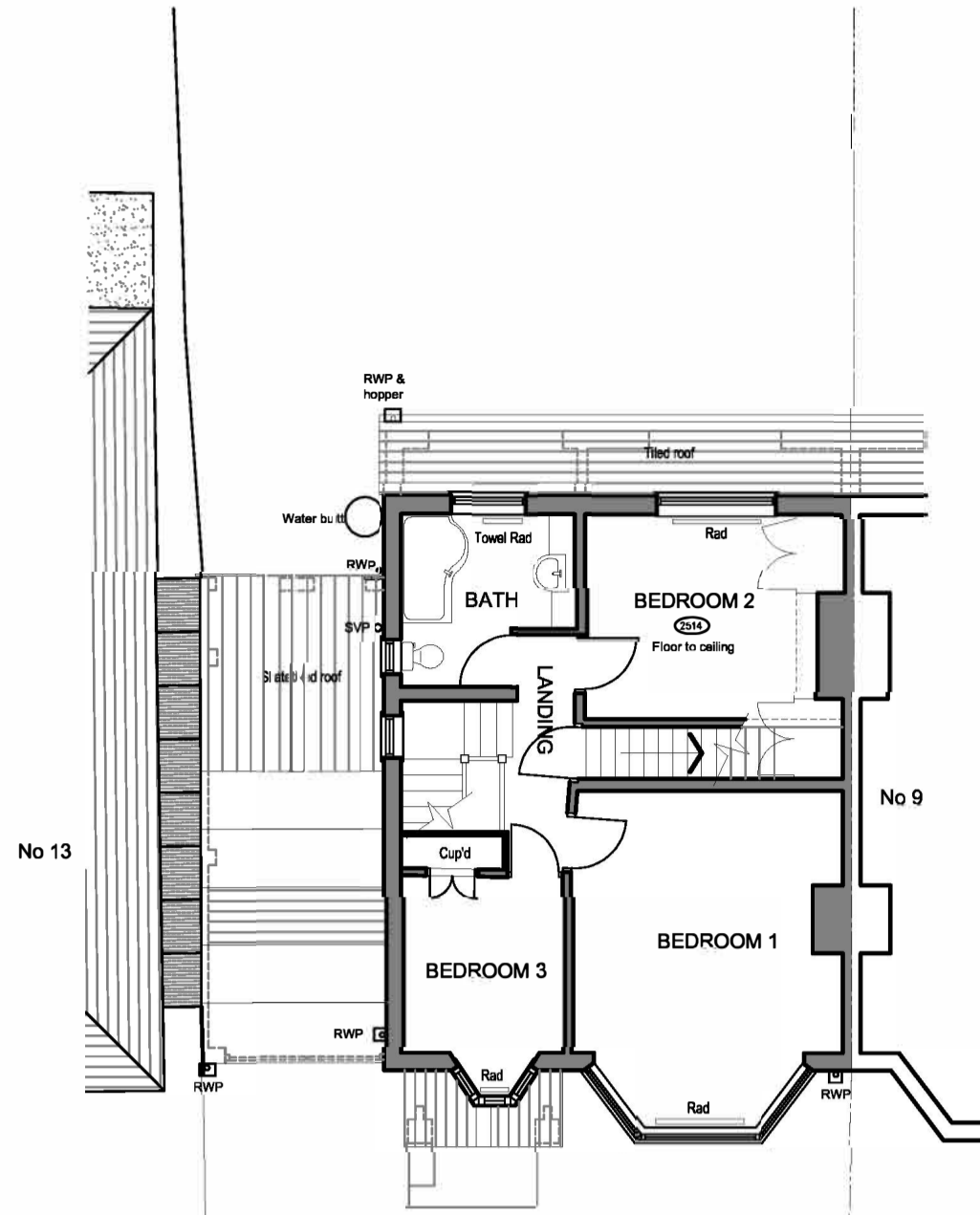
- 11.1 The proposal is for small scale residential extensions that are in keeping with the character of the area and would not have an unacceptable impact on neighbouring amenity. The application is recommended for approval.



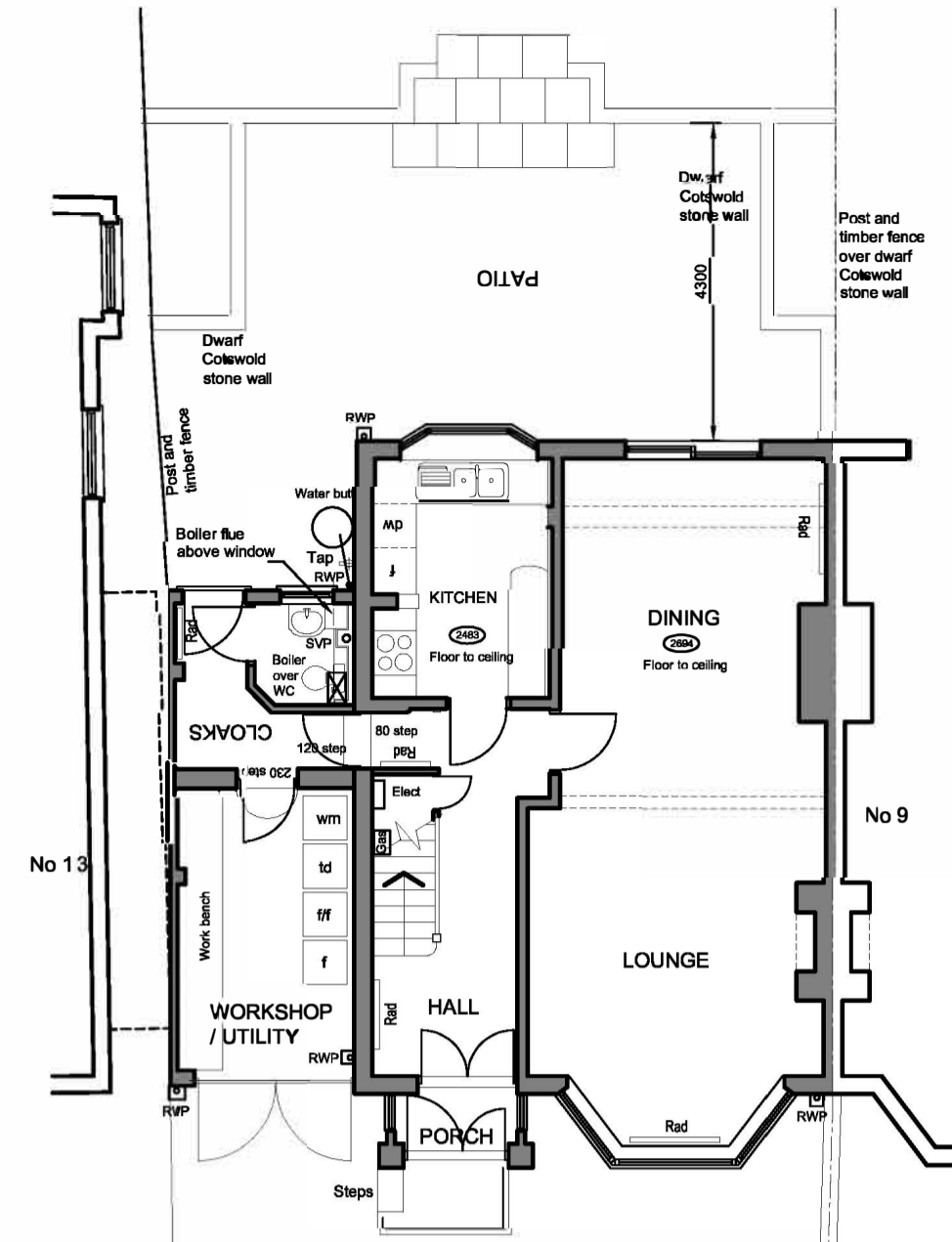
EXISTING FRONT ELEVATION



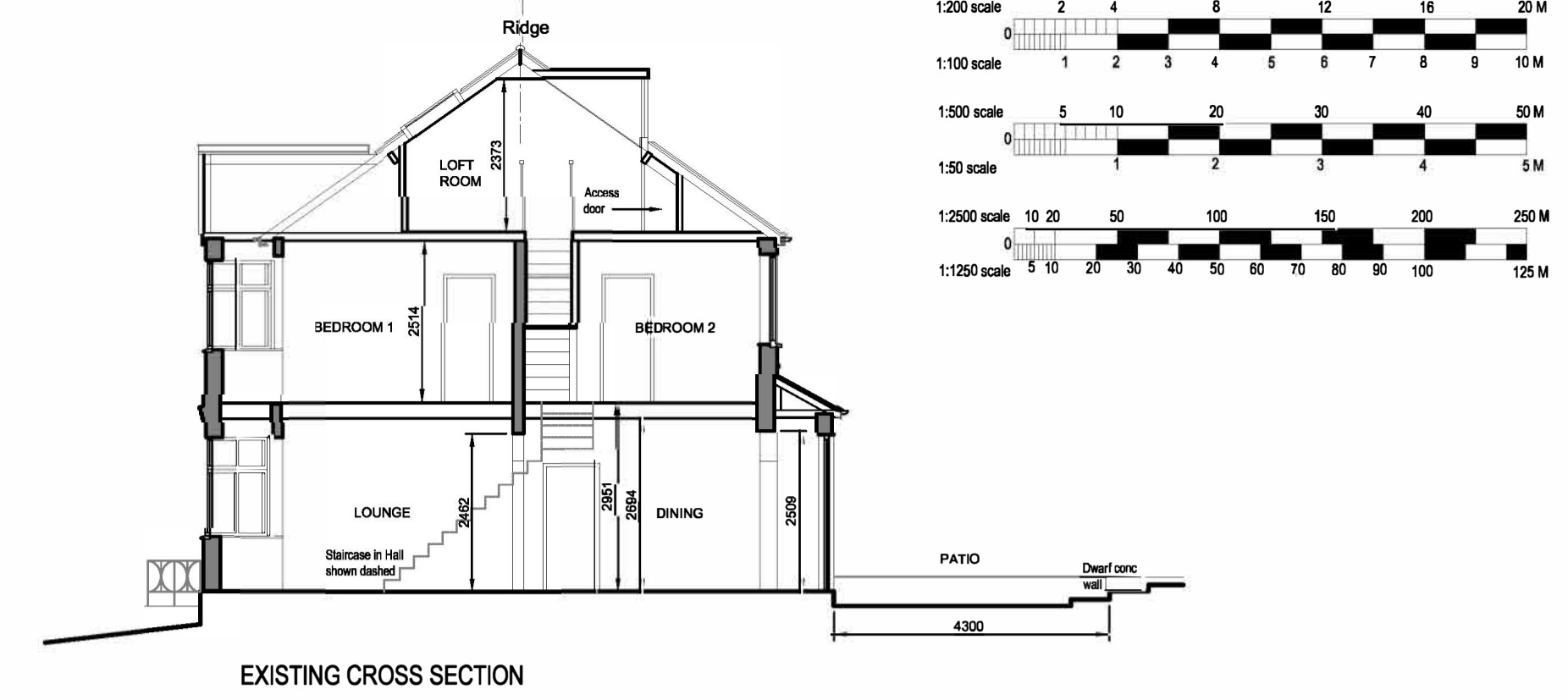
EXISTING ROOF PLAN



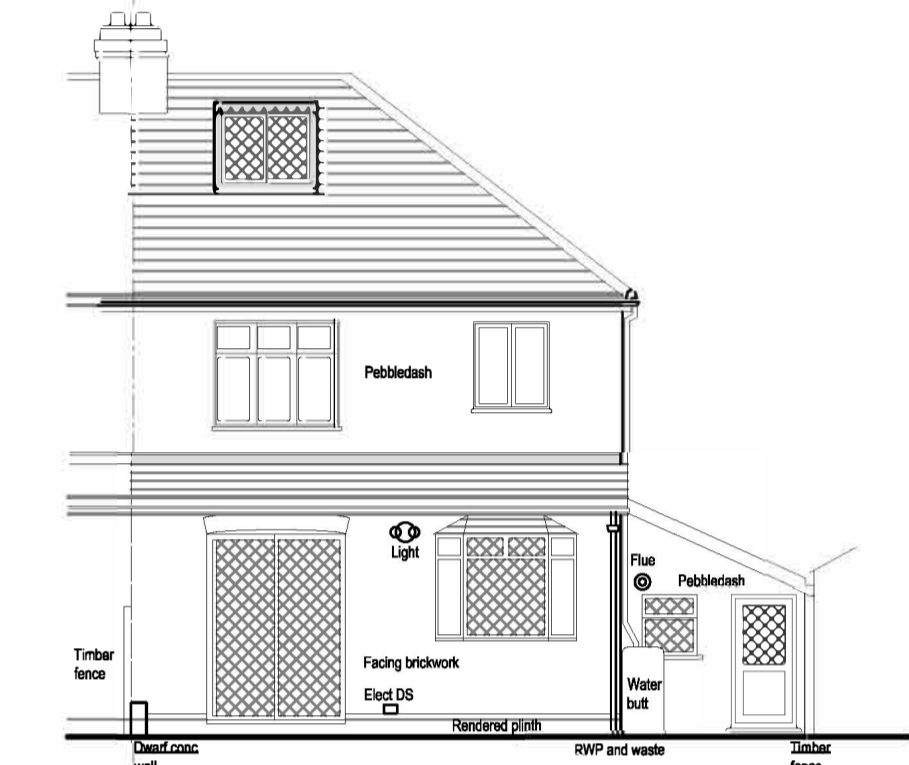
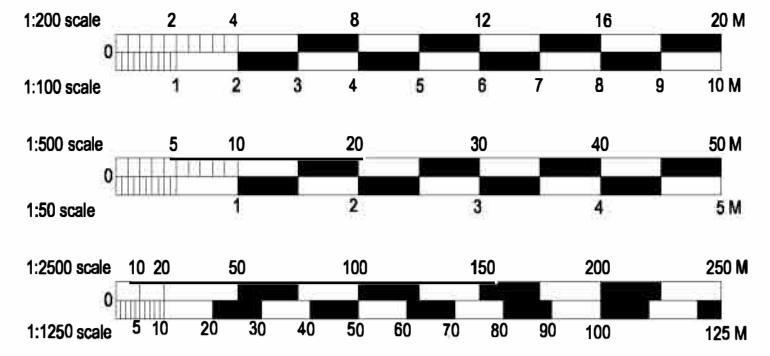
EXISTING FIRST FLOOR LAYOUT



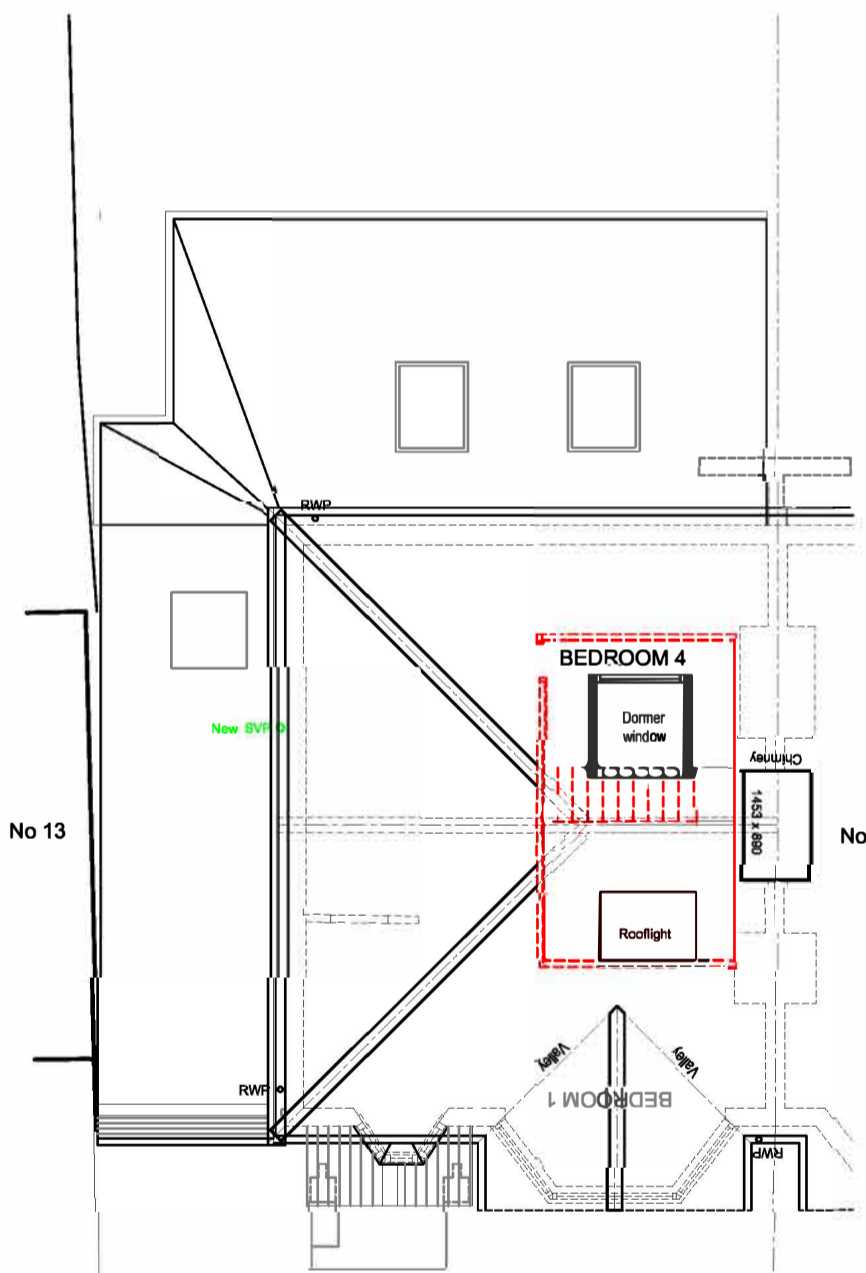
EXISTING GROUND FLOOR LAYOUT



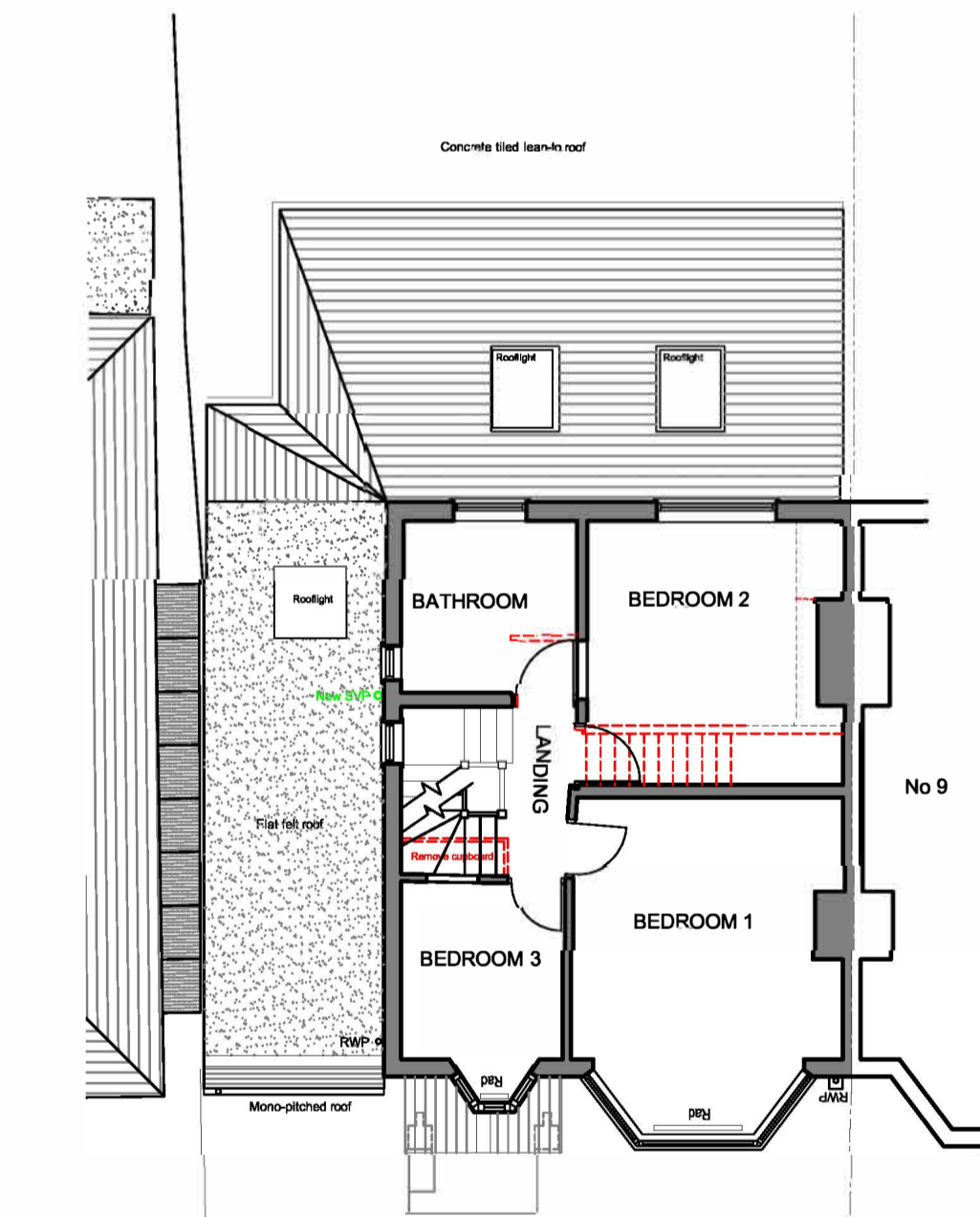
EXISTING CROSS SECTION



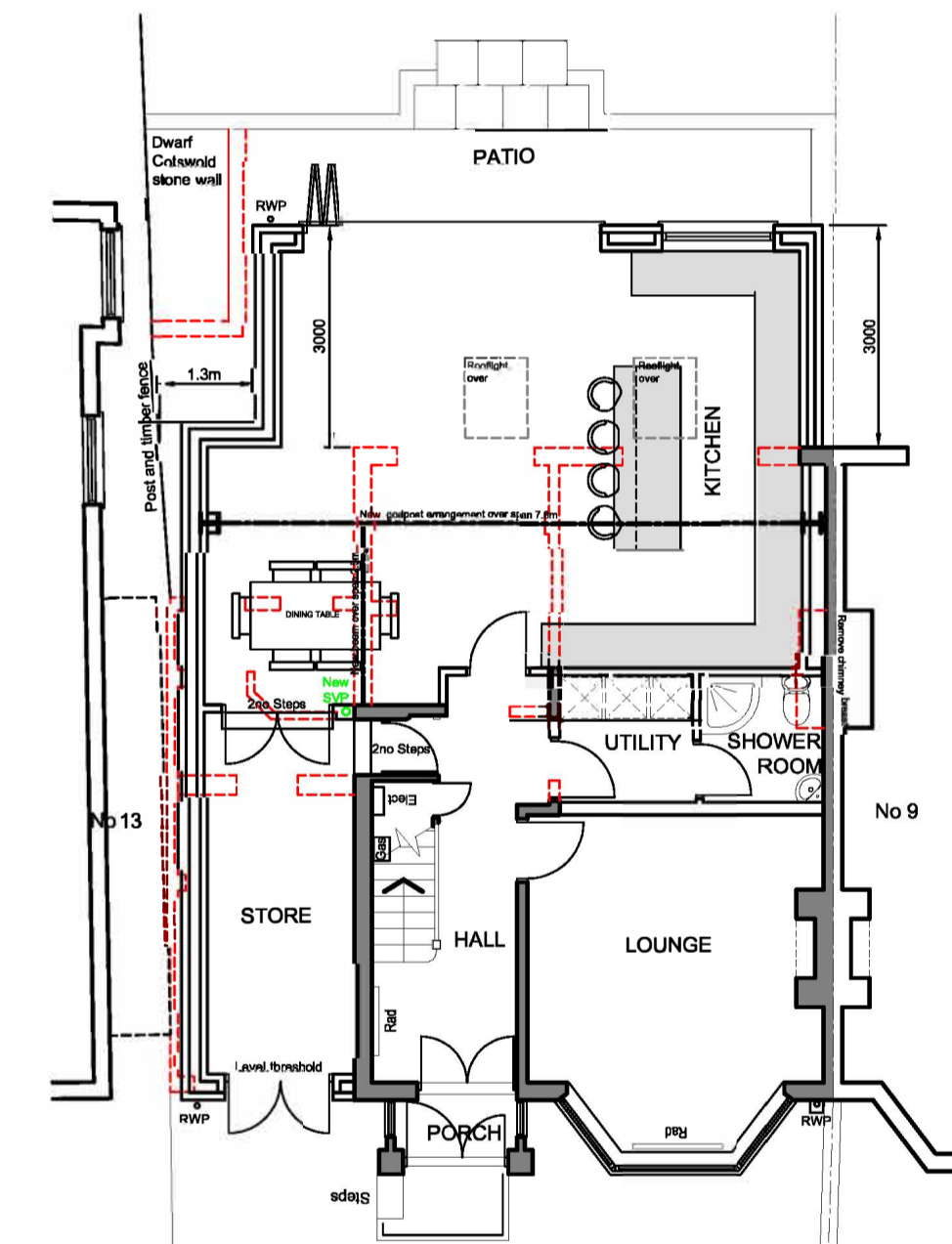
EXISTING REAR ELEVATION



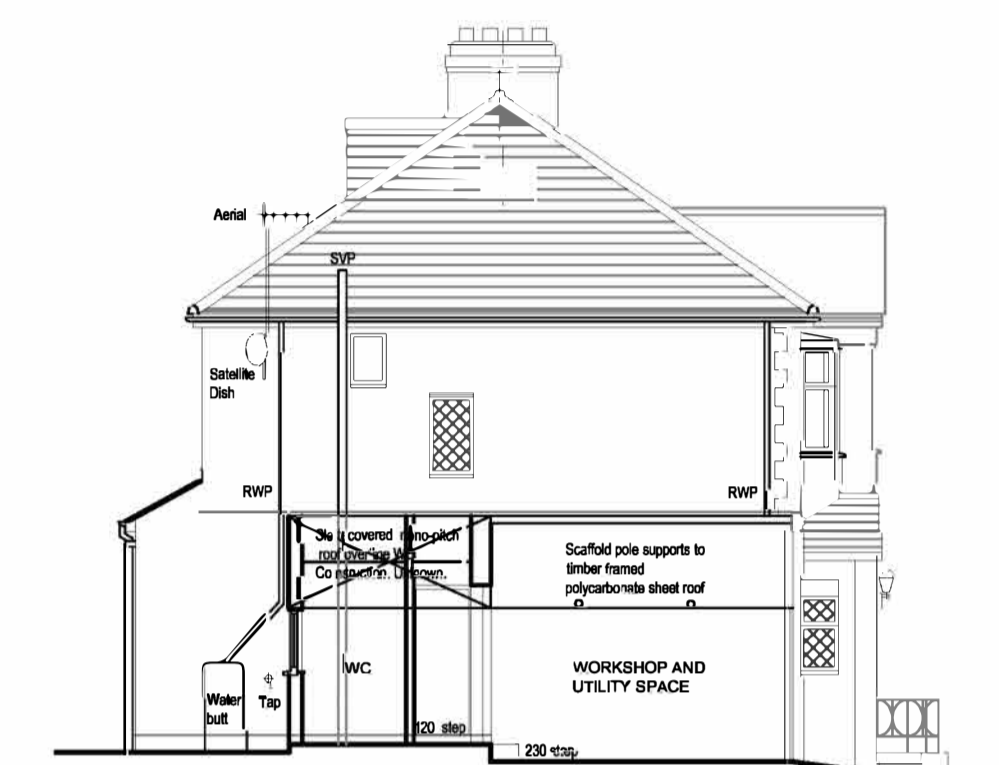
PROPOSED LOFT PLAN



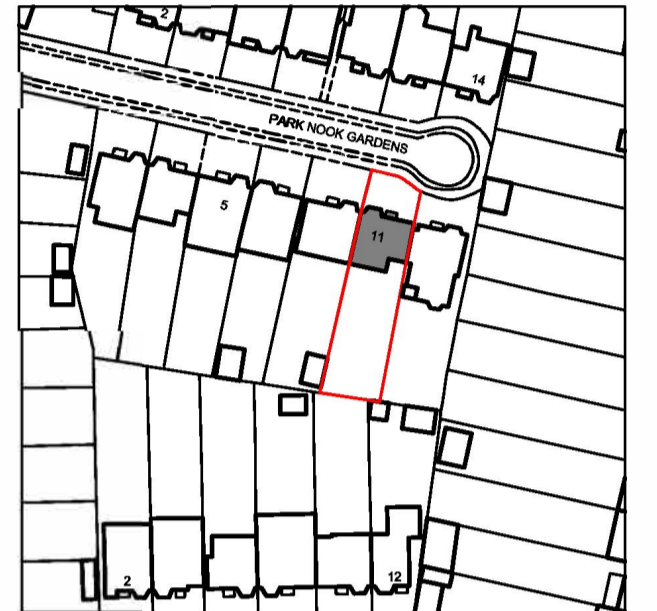
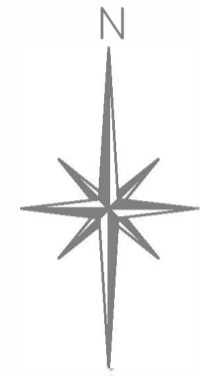
PROPOSED FIRST FLOOR LAYOUT



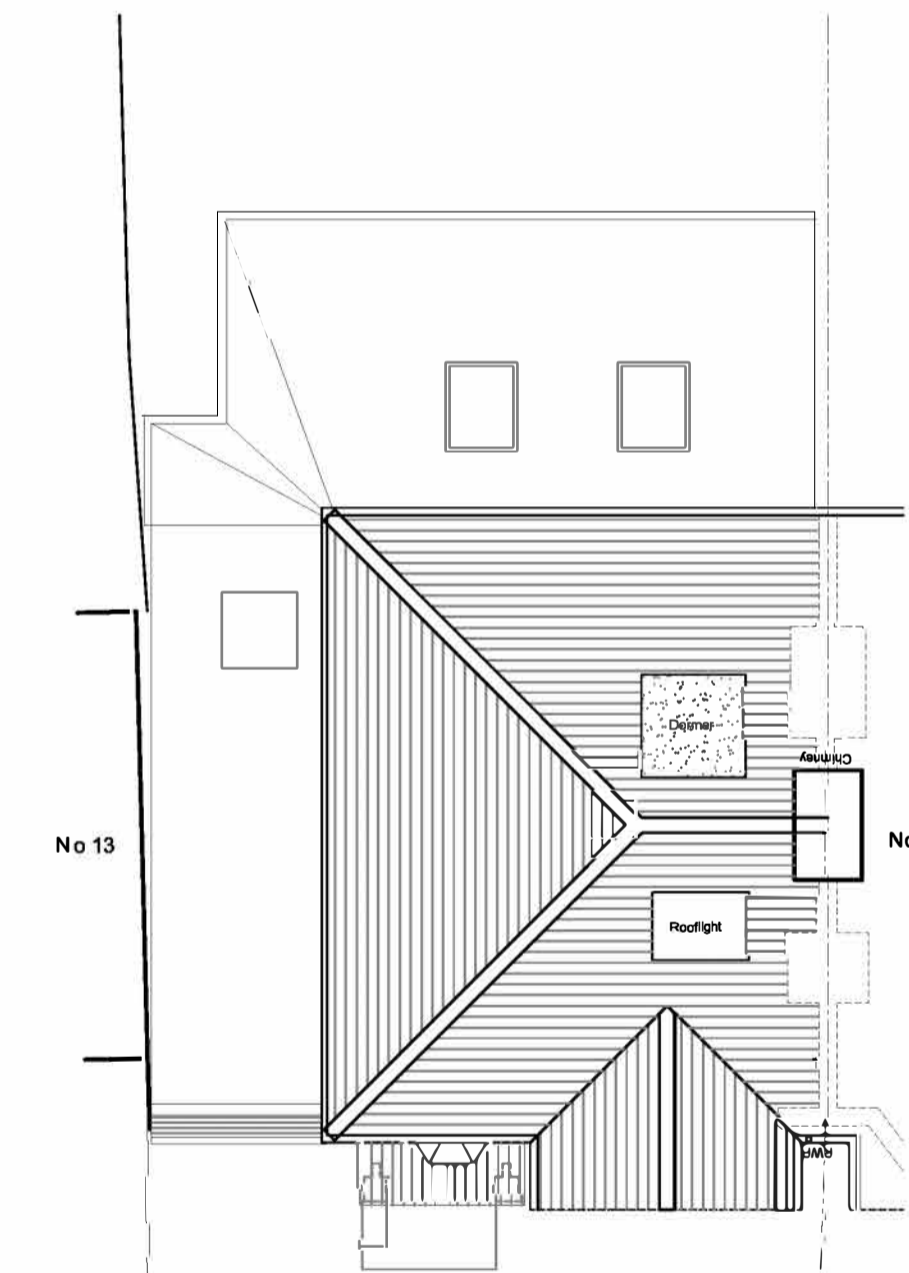
PROPOSED GROUND FLOOR LAYOUT



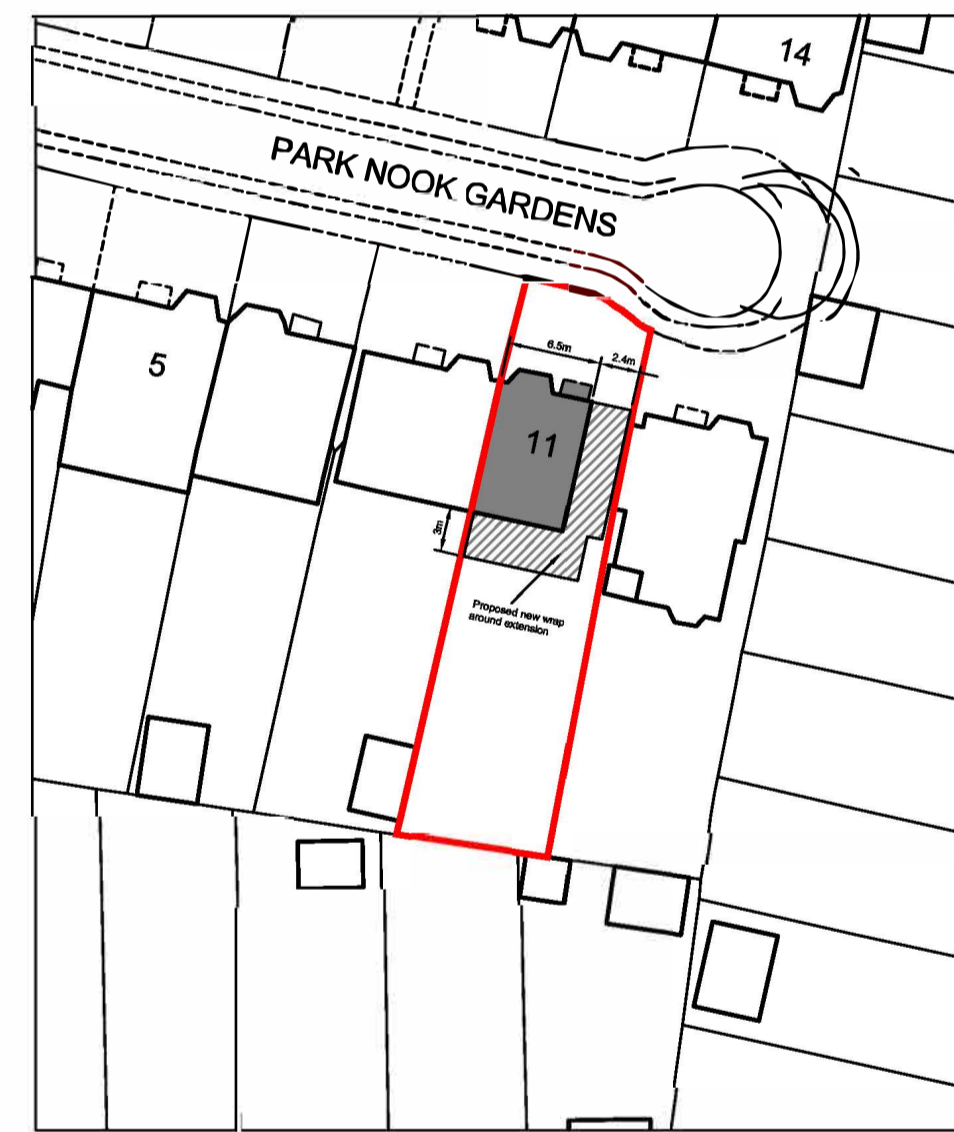
EXISTING SIDE ELEVATION



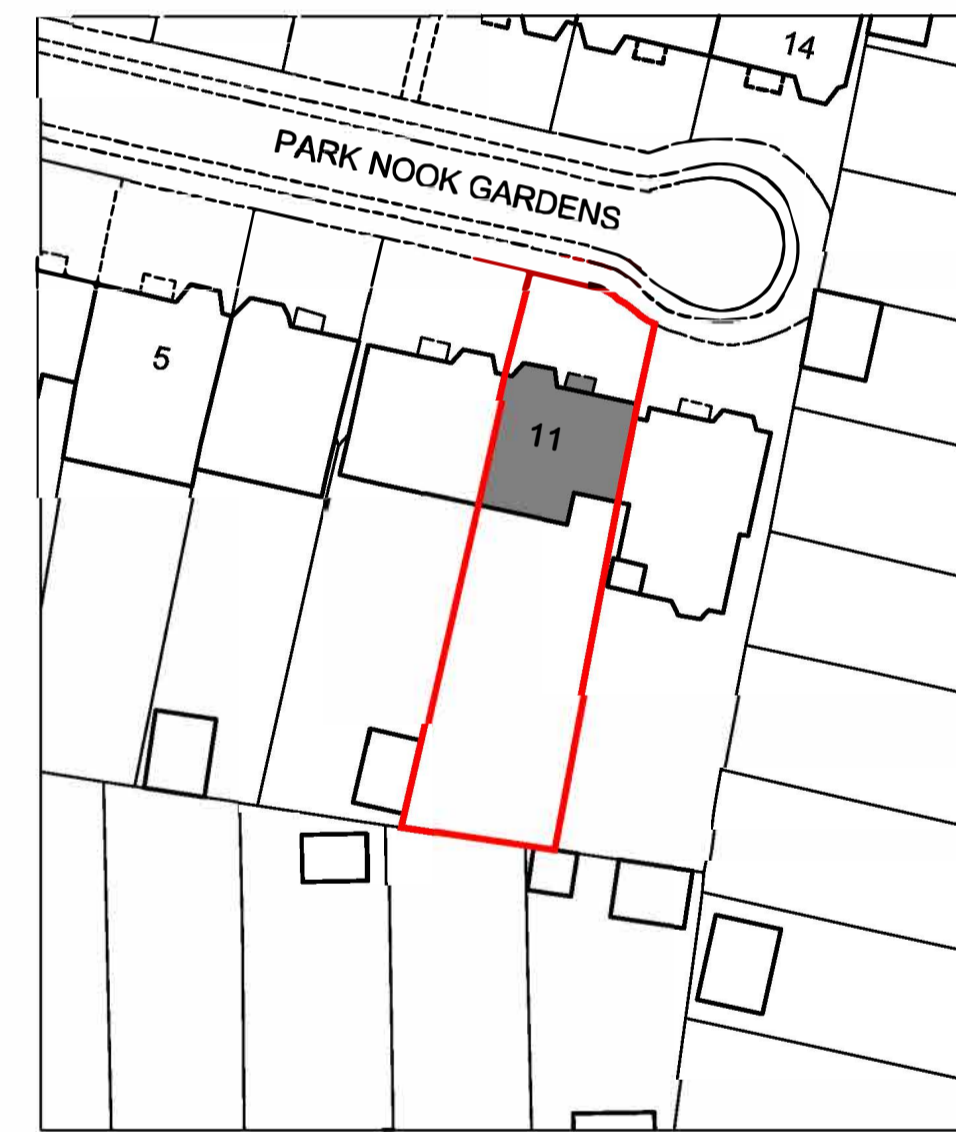
SITE LOCATION LAYOUT Scale 1:1250



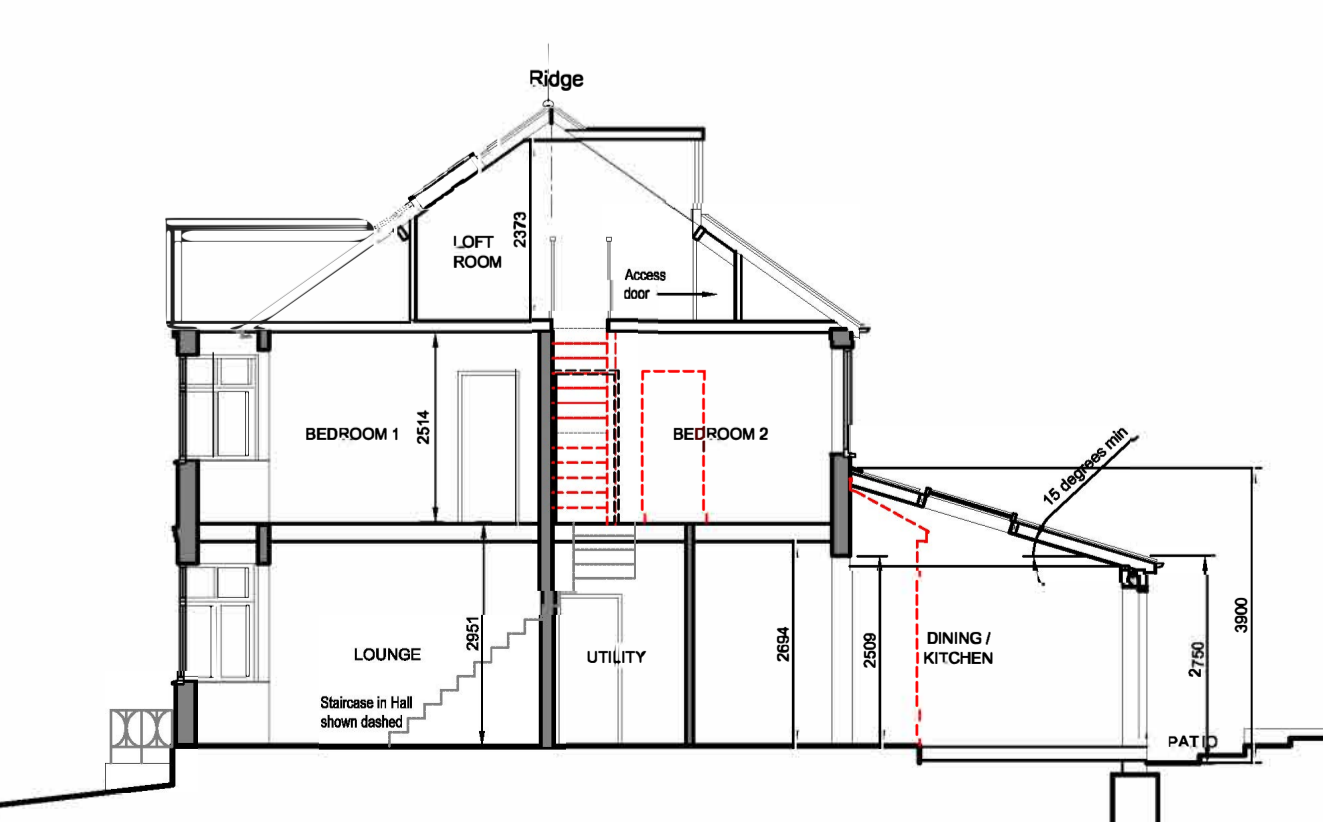
PROPOSED ROOF PLAN



PROPOSED BLOCK PLAN Scale 1:500



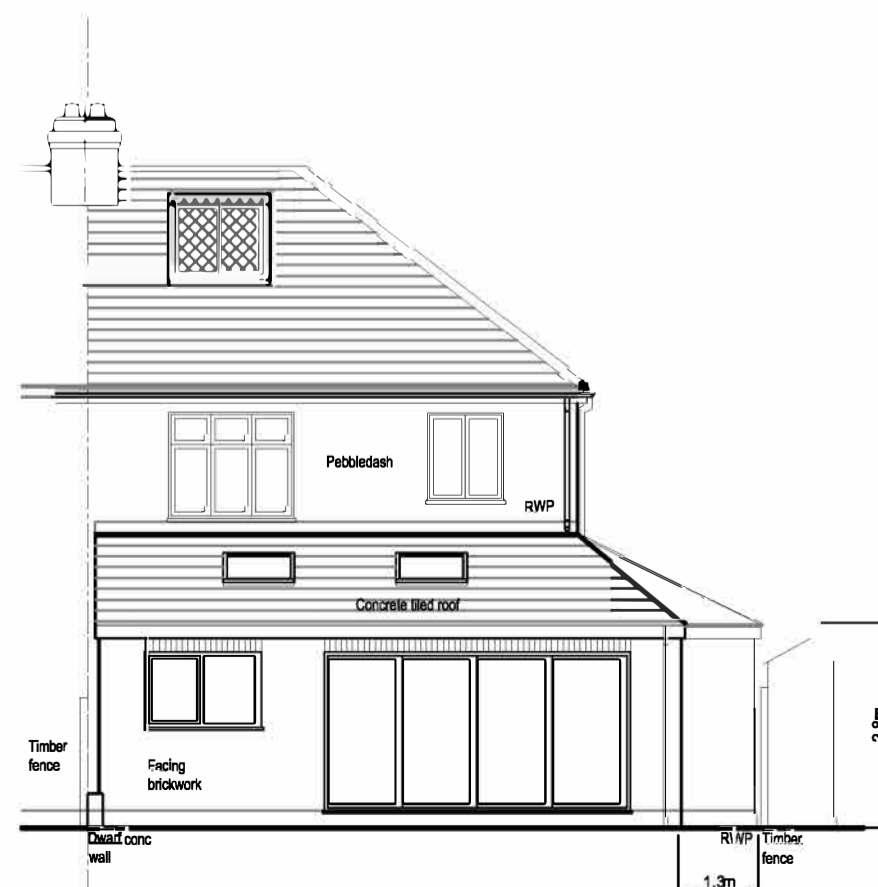
EXISTING BLOCK PLAN Scale 1:500



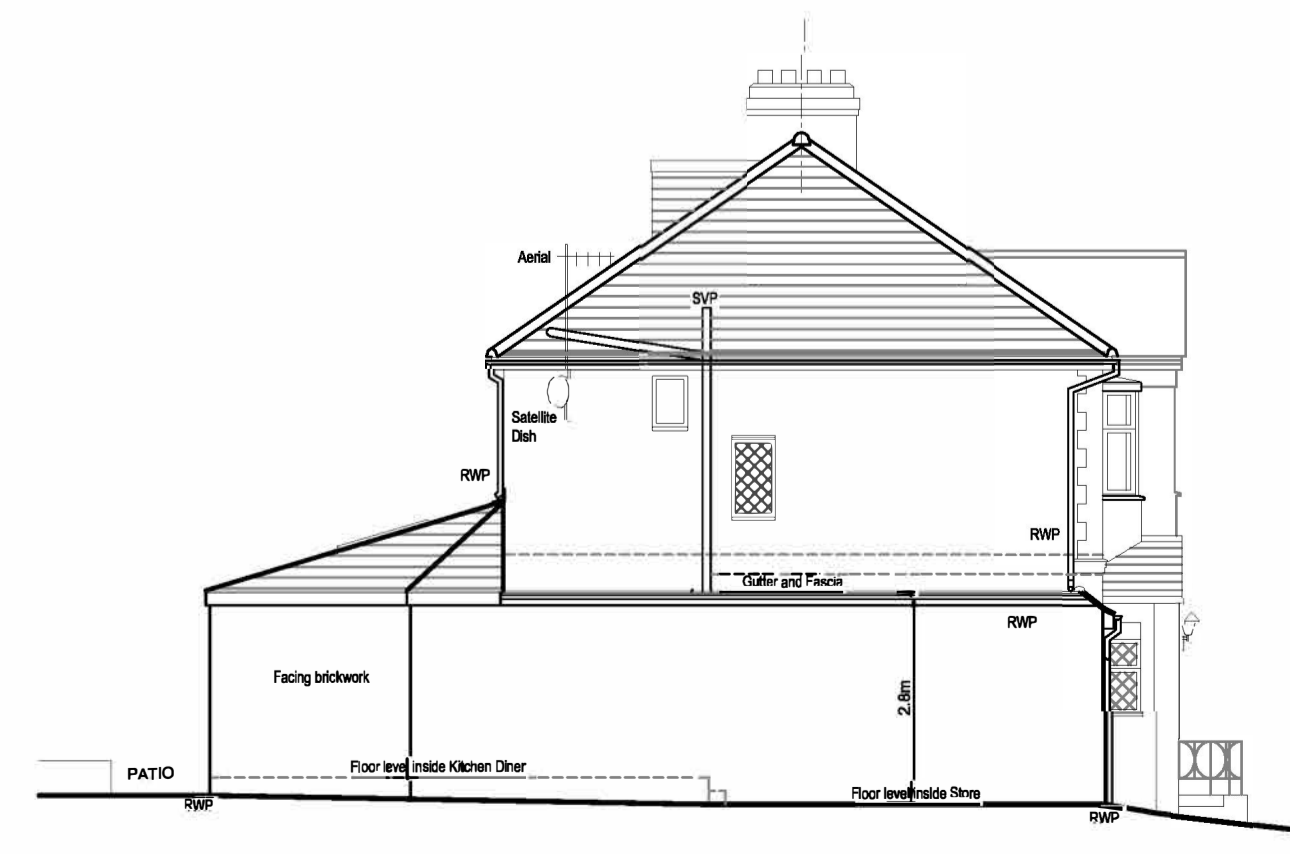
PROPOSED CROSS SECTION



PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION

C - 03-08-2022 - REAR EXTENSION REDUCED IN WIDTH, ROOF REVISED.  
 B - 01-08-2022 - LOFT REMOVED, SIDE EXTENSION REDUCED IN HEIGHT WITH REVISED ROOF.  
 A - 08-06-2022 - PROPOSED BLOCK PLAN ADDED.

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 EMAIL - INFO@CAPITALARCHITECTURALDESIGN.COM  
 189 CAT HILL, COCKFOSTERS EN4 8HS

PROJECT  
**PROPOSED EXTENSION TO 11 PARK NOOK GARDENS ENFIELD EN2 0HT**

CLIENT  
**LOUISE HARRIES**

DRAWING  
**EXISTING & PROPSD PLANS, SECTIONS, ELEVATIONS AND LOCATION PLANS**

SCALE	DATE	DRAWING NO.	REV
1:50	MARCH 2022	2022/934-100	C
1:100			
1:1250			

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