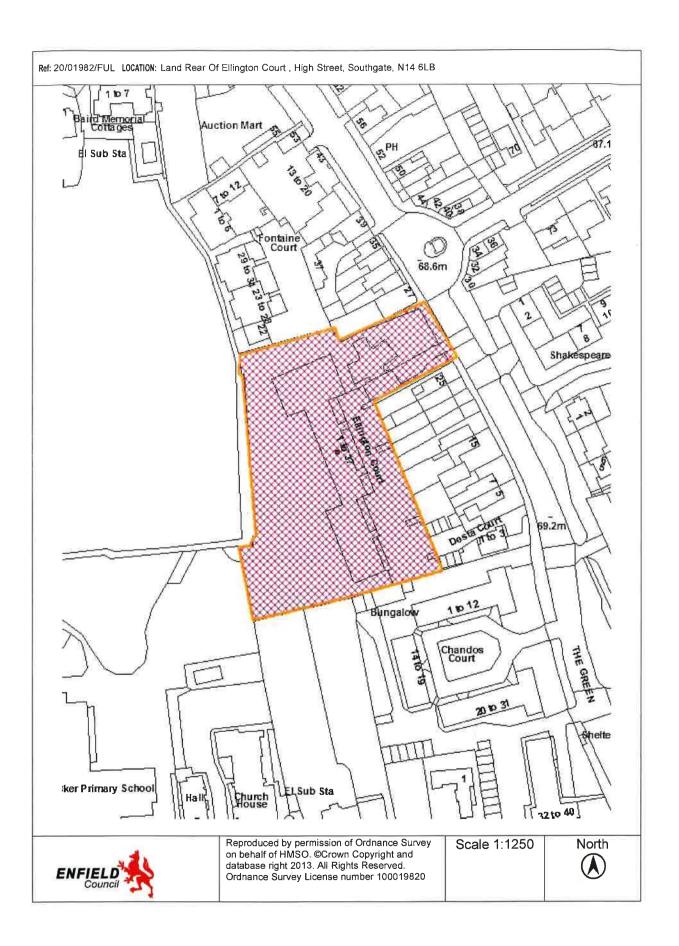
ELD			
Date: 18 July 2023			
Contact Officers:  Michael Kotoh-Mortty Claire Williams		Category Full Application	
Councillor Request on 28.08.20 Cllr Derek Levy			
ton Court, Sc	outhgate N14 6LB		
Applicant Name & Address: Akelius UK Twelve Ltd c/o Agent		Agent Name & Address:  Mr Julian Sutton JMS Planning & Development Ltd Build Studios 203 Westminster Bridge Road London SE1 7FR	
	Date: 18  Contact Michael K Claire Wil  Councillo Cllr Dere	Date: 18 July 2023  Contact Officers: Michael Kotoh-Mortty Claire Williams  Councillor Request on 28.08.20 Cllr Derek Levy  con Court, Southgate N14 6LB  1982/FUL  ential building (use class C3) with asser parking, cycle parking and associate  Agent Name & Address Mr Julian Sutton JMS Planning & Develouild Studios 203 Westminster Bridg London	

# 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 Derek Levy due to the level of local interest.
- 2.0 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. Details of external materials
  - 4. Detailed drawings of external materials to scale of between 1:20 and 1:1
  - 5. No additional fenestrations
  - 6. Details of levels
  - 7. Sustainable Drainage Systems (SuDS)
  - 8. Water consumption
  - 9. Energy statement
  - 10. EPC
  - 11. Cycle parking details
  - 12. Refuse details
  - 13. Construction Management Plan
  - 14. Tree Protection
  - 15. Tree replacement
  - 16. Soft Landscaping
  - 17. Boundary treatment
  - 18. Biodiversity Enhancements
  - 19. Installation of green roof
  - 20. Hard Surfacing
  - 21. External lighting
  - 22. Details of levels
  - 23. M4(3) Building regulations
  - 24. Details of 1x disabled parking space
  - 25. Communal garden management plan
  - 26. Removal of PD Rights

2.2 That the Head of Development Management be authorised to GRANT planning permission subject to conditions.

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.

# 3.0 Executive Summary

- 3.1 The applicant seeks permission to erect a two storey residential building with a flat roof at the rear of Ellington Court to accommodate 6 flats with associated amenity space and parking.
- 3.2 There were several objections and concerns regarding the initial submission which detailed a three storey residential development that entailed 9 units. However, the scheme has been amended to acceptably overcome previous concerns. The revised scheme includes a reduction in the height of the proposed building by one floor to realise a two storey development at the site to provide 6 units.
- 3.3 The scheme is considered acceptable for the following reasons:
  - 1) The proposal would add six new residential units of accommodation to the Borough's housing stock.
  - 2) The scheme would provide 4x3bed family units, 1x1 bed unit and 1x2bed unit.
  - The quality of accommodation that would be provided is of an acceptable standard.
  - 4) There is no identified adverse impact on neighbouring residential amenity or the Conservation Area.
  - 5) There are no identified adverse effects on highway safety or traffic generation.

## 4.0 Site and Surroundings

- 4.1 The application site comprises 1-49 Ellington Court which is a four-storey residential block that accommodates 49 residential flats. Communal gardens are located to the rear of the site and measures approximately 2,469 square metres.
- 4.2 The building was designed by renowned architect Sir Frederick Gibberd and is sited within the Southgate Green Conservation Area. The Character Appraisal indicates that Ellington Court dates between 1936-1950 and the property is identified as a neutral building. Owing to its demonstrable architectural interest as an inter-war Art Deco structure and its association with the pioneer of British modernist apartment buildings, Sir Frederick Gibberd, the site can be considered as a Non-Designated Heritage Asset (NDHA).
- 4.3 The development pattern within the vicinity features a variety of build forms, scale and designs. The rear boundary of the site abuts Walker Primary School to the west, alongside Walker Cricket Ground which is a designated Local Open Space. To the north is a row of two storey residential properties and a block of flats. There are a row of two storey residential properties to the east which partially screen off Ellington Court from views along the High Street. The south of the site is bounded by a group of terraced residential properties that are three storey in height.

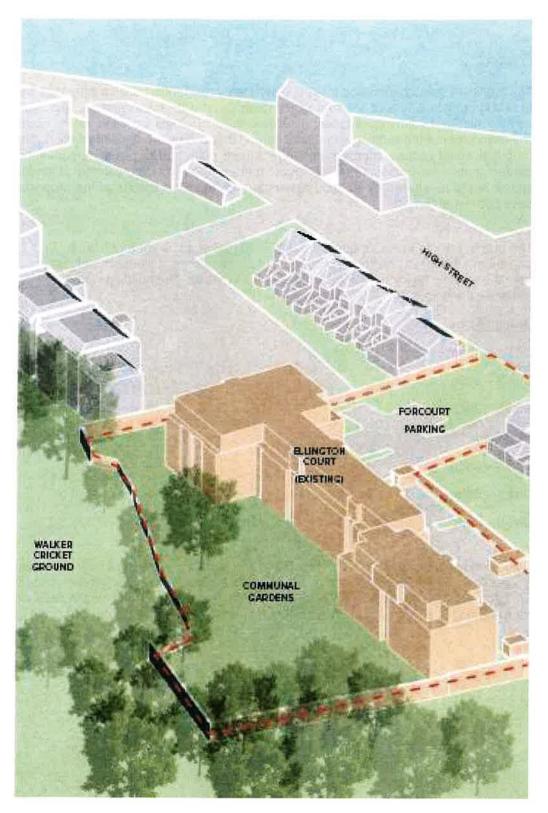


Figure 1: Site context

# 5.0 Proposal

- 5.1 The applicant seeks permission to erect a two storey residential building with a flat roof to accommodate 6 flats at the rear of Ellington Court with associated car and cycle parking alongside amenity spaces. The new building would be sited to the south western corner of the existing communal garden that serves the residential court. The proposal would occupy approximately 697 square metres of the existing communal garden space which measures 2469 square metres. The remaining communal garden space would be shared by existing residents and future occupants of the proposed development at the site.
- 5.2 The building would measure approximately 7.13 metres in height and have a maximum width of 24.59 metres and depth of 23.50 metres. It would be set away from the existing building by approximately 10.74 metres. The building would comprise the following:

# **Ground Floor**

Unit 1 - 3b5p

Unit 2 - 3b6p

Unit 3 - 2b4p

## First Floor

Unit 4 - 3b5p

Unit 5 - 3b6p

Unit 6 - 1b2p

5.3 Cycle parking is proposed to the north of Ellington Court together with a new pedestrian access that leads to the proposed residential development at the rear garden space of Ellington Court. The Agent has clarified that there are 37 existing unallocated car parking spaces at the frontage of Ellington Court and these parking spaces could be

utilised by the future occupants of the proposed residential development. One new disabled parking space is sited to the front of the site.

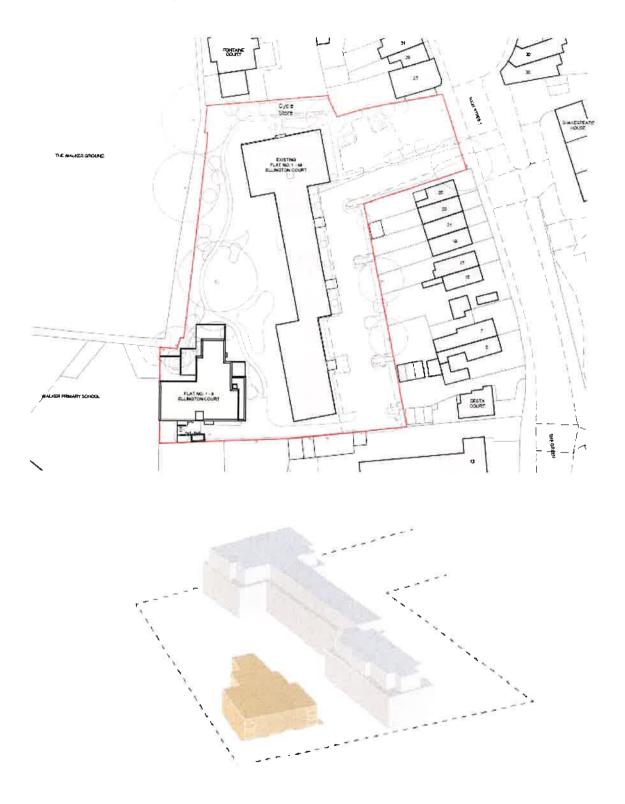


Figure 2: Proposed Block Plan and scale.

- The initial proposal detailed a flat roofed three storey 9 unit residential development and following discussions with the agent regarding the scale and impact of the proposal on the setting, the scheme has subsequently been revised to feature a scale-down to 6 units by removing the initially proposed second floor. Hence, the design of the revised scheme is now a two storey residential development.
- 6.0 Relevant Planning History
- 6.1 19/00494/FUL Refurbishment and improvement of existing building and grounds, including new windows, entrance doors, boxing to conceal pipework on primary elevation, new access doors and terraces to ground floor flats, landscaping works and front/street wall.: GRANTED with Conditions on 03.04.2019.
- 6.2 19/00475/PREHER Proposed extension to existing building to create 13 residential units.: Pre-application advice given on 13.09.2019.

## 7.0 Consultation

## <u>Public</u>

7.1 A site notice was put up as the application falls within the Southgate Green Conservation Area. The proposal was also advertised in the Enfield Independent.

Number notified	102
Representations made	2
Objections	2
Other / support comments	0

In summary, the objections raise the following concerns:

- Impact on existing rear communal space; little space would be left for residents.
- The site is already densely populated with 40 flats.
- Impact on existing rear trees which sustain wildlife. The application site is not a wasteland.
- 7.2 An objection was received from Cllr Levy stating that the initial proposal had several concerns on policy grounds and that it was a departure from the Local Plan. The case was therefore called in to committee should Officers be minded to approve the proposal.
- 7.3 Officer response: The concerns will be discussed in more detail in the analysis section of the report.

## Internal and third-party consultees

## 7.4

Consultee	Objection	Comment
Conservation Officer	No	Objections removed following receipt of revised plans. Materials conditions suggested.
Traffic and Transportation	No	Objections removed following receipt of revised details.
Tree Officer	No	Objections removed following receipt of revised details. Condition suggested.

- 8.0 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.
- For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Enfield Core Strategy (2010); the Enfield Development Management Document (2014); and The London Plan (2021).

## National Planning Policy Framework (2021)

- 8.3 The National Planning Policy Framework sets out at Paragraph 11 a presumption in fayour 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; 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.
- 8.4 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."
- 8.5 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.
- 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.

8.7 Paragraph 197 of the National Planning Policy Framework states that:

"In determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness."

Furthermore, at Paragraphs 199 and 200, it states:

"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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional."

Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

#### The London Plan (2021)

8.8 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:

GG1 Building strong and inclusive communities

GG2 Making the best use of land

GG3 Creating a healthy city

GG5 Growing a good economy

GG6 Increasing efficiency and resilience

D1 London's form, character and capacity for growth

D3 Optimising site capacity through the design-led approach

D4 Delivering good design

D6 Housing quality and standards

D11 Safety, security and resilience to emergency

D12 Fire safety

D14 Noise

H1 Increasing housing supply

HC1 Heritage conservation and growth

SI12 Flood risk management

T2 Healthy Streets

T4 Assessing and mitigating transport impacts

T5 Cycling

T6.1 Residential parking

## Core Strategy (2010)

8.9 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. The following is considered particularly relevant:

CP2 Housing supply and locations for new homes

CP4 Housing quality

**CP5** Housing types

CP6 Meeting particular housing needs

CP20 Sustainable energy use and energy infrastructure

CP21 Delivering sustainable water supply, drainage and sewerage infrastructure

CP22 Delivering sustainable waste management

CP25 Pedestrians and cyclists

CP28 Managing flood risk through development

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

CP31 Built and Landscape Heritage

**CP32 Pollution** 

**CP36 Biodiversity** 

CP46 Infrastructure contributions

#### Development Management Document (2014)

8.10 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:

DMD3 Providing a mix of different sized homes

DMD6 Residential character

DMD8 General standards for new residential development

DMD7 Development of Garden Land

DMD9 Amenity space

DMD10 Distancing

DMD37 Achieving high quality and design-led development

DMD38 Design process

DMD44 Preserving Heritage Assets

DMD45 Parking standards and layout

DMD46 Vehicle Crossovers and Dropped Kerbs

DMD47 Access, new roads and servicing

DMD49 Sustainable Design and Construction Statements

DMD50 Environmental Assessment Methods

DMD51 Energy efficiency standards

DMD53 Low and Zero-Carbon Technology

DMD56 Heating and cooling

DMD58 Water efficiency

DMD59 Avoiding and reducing flood risk

DMD60 Assessing flood risk

DMD 61 Managing surface water

DMD 68 Noise

**DMD78 Nature Conservation** 

DMD80 Trees on development sites

DMD81 Landscaping

## 8.11 Other Material Considerations

National Planning Policy Framework (NPPF), 2021 Nationally Described Space Standard (NDSS, 2015)

London Plan Housing, Supplementary Planning Guidance (2016)

Southgate Green Conservation Area Character Appraisals

Southgate Green Conservation Area Management Appraisals

Manual for Streets 1 & 2

Revised Technical Standards for Footway Crossovers 2013

Enfield 'Waste and Recycling Storage' Planning Guidance (2019)

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

- 8.12 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.
- 8.13 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.
- 8.14 Key local emerging policies from the plan are listed below:

SE1 Responding to the climate emergency

SE2 Sustainable design and construction

SE4 Reducing energy demand

SE5 Greenhouse gas emissions and low carbon energy supply

SE6 Renewable energy development

SE7 Climate change adaptation and managing heat risk

SE9 Protection and improvement of watercourses

SE10 Sustainable drainage systems

BG2 Protecting nature conservation sites

BG3 Biodiversity net gain, rewilding and offsetting

**BG7 Watercourses** 

BG8 Urban greening and biophilic principles

BG11 Blue and green infrastructure plans

DE1 Delivering a well-designed, high quality and resilient environment

DE13 Housing standards and design

D3: Inclusive design

T1: Promoting sustainable transport ENV1: Local environmental protection

D1: Securing contributions to mitigate the impact of development

#### 9.0 Assessment

The main issues arising from this proposal to consider are:

- 1. Principle of development
- 2. Quality of accommodation
- 3. Character and appearance within the Conservation Area
- 4. Impact upon the amenity of neighbours
- 5. Parking and cycle parking
- 6. Trees
- 7. Biodiversity
- 8. SuDS

## Principle of development

- 9.1 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". The NPPF and London Plan advise that local authorities should seek to deliver a wide choice of highquality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Policy GG1 of the current London Plan recognises the need for more homes in London to promote opportunity and choice in ways that meet their needs at a price that is affordable. Policy GG4 of the London Plan also encourages the Council to provide a range of housing choices in order to take account of the various groups. Housing should be provided across a range of different sizes and types taking account of the requirements of different user groups.
- 9.2 Policy CP 5 of the Core Strategy seeks to ensure that new developments offer a range of housing sizes to meet housing needs whilst ensuring that the quality and character of existing neighbourhoods is also respected. There is greatest need in the Borough for family sized housing with 3+ bedrooms, however the Borough requires housing of all sizes and six additional flats would add to the Borough's housing stock and would contribute to the strategic objectives of the Borough.

- 9.3 Policy DMD7 (Garden Land) specifies that all new residential development must meet the following criteria:
  - a. The development does not harm the character of the area;
  - b. Increased density is appropriate, taking into account the site context in terms of its location, accessibility and the provision of local infrastructure;
  - c. The original plot is of a sufficient size to allow for additional dwellings which meet the standards in DMD8 'General Standards for New Residential Development', (and other design policies);
  - d. The individual plot sizes, orientation and layout created are appropriate to, and would not adversely impact on the residential amenity within the development, or the existing pattern of development in that locality;
  - e. An adequate amount of garden space is retained within both of the individual plots in accordance with the minimum amenity space standards (DMD 9 'Amenity Space'), and the role of each space is enhanced to contribute towards other plan objectives such as biodiversity; green corridors and networks; flood risk; climate change; local context and character; and play space; and
  - f. The proposals would provide appropriate access to the public highway.
- 9.4 The proposed two storey residential development would sit at the rear garden of the four storey existing residential block at Ellington Court and the proposal would not be visible at the front street. This aspect of the proposal would accord with DMD6, DMD10, DMD37, DMD44 with no visual damage on the streetscene. The revised scheme features brickwork and fenestrations that would appear sympathetic to the character of the host property and therefore the proposal alongside with the reduced scale would not be conspicuous at this location in view of policy DMD6. The scheme would be well embedded at the rear elevation of the host residential block with no significant visual impact to the character of the Conservation Area, having regard to policy DMD44. Furthermore, the retained rear garden space at Ellington Court would be sufficient to provide communal amenity to both existing and future occupiers of the new development in view of policy DMD7 and in this regard, the proposal would not compromise amenity provision at the site. The other aspects of DMD7 will be discussed in more detail in other sections of this report.
- 9.5 Significant weight must be attributed to the presumption in favour of approving sustainable residential development and the planning merits of providing new homes. However, these planning merits must be balanced against all other relevant planning considerations which seek to ensure that appropriate regard is given to design, impact on the character of the area, residential amenity, traffic generation and highway safety and acceptability with regards to sustainability and flooding.

## Housing Mix

9.6 The revised scheme features 4 x 3b units, 1 x 2b unit, 1 x 1bp unit respectively which would provide a mix of housing types at this location with a greater number of three bed family units which is welcomed and thereby contributing towards the Council's housing targets.

#### Unit sizes and quality of accommodation

9.7 Policy D6 of the London Plan (2021) Table 3.1 refers to the Technical Housing Standards - nationally described space standards, which stipulates the minimum space standards for new development. The proposed dwelling would be expected to meet and where possible exceed these minimum standards and those contained within the Housing Supplementary Planning Guidance SPG (March 2016).

Unit	Dwelling type (bedroom (b)/persons- bedspaces (p))	Required GIA (sq.m) in London Plan	GIA (sq,m)
Flat 1	3b5p	86	93
Flat 2	3b6p	95	96
Flat 3	2b4p	70	85
Flat 4	3b5p	86	93
Flat 5	3b6p	95	110
Flat 6	1b2p	50	56

9.8 The submitted plans indicate that the gross internal areas of the proposed units would accord with policies D6 of the London Plan (2021), CP4 of the Core Strategy and the Technical Housing Standards – Nationally Described Space Standard (March 2015). It should also be noted that any area with a headroom of less than 1.5 metres is not counted within the Gross Internal Area unless used solely for storage. A section drawing has been provided on the submitted plans which shows the internal height of the residential block would be 2.46m on both floors and therefore the stated head height would accord with the minimum requirement of 2.3m in line with policy D6. The submission shows that there would be reasonable space to stand in the main areas of the new dwelling, dual aspect units are proposed, and the habitable rooms would gain sufficient natural lighting. The proposal would therefore realise good quality accommodation that would contribute towards the Council's housing stock.

#### Amenity space

9.9 DMD9 of the Development Management Document seeks to ensure that new development retains sufficient amenity spaces. The submitted floorplans indicate that the proposed amenity space for the development would be the following:

Unit	Dwelling type (bedroom (b)/persons- bedspaces (p))	Minimum required amenity space in policy DMD 9 (sq.m)	Poposed amenity space (sq,m)
Flat 1	3b5p	8	31
Flat 2	3b6p	9	48

Flat 3	2b4p	7	31
Flat 4	3b5p	8	8
Flat 5	3b6p	9	10
Flat 6	1b2p	5	8

The above arrangement would accord with the minimum requirements under policy DMD9 of the DMD.

## Design and Impact on Conservation Area

- 9.10 Policy DMD6 of the DMD provides standards for new development with regard to scale and form of development, housing quality and density. Policy DMD8 provides general standards for new residential development and reiterates the requirement for a development to be of an appropriate scale, mass and bulk, provide high quality amenity space and provide access to parking and refuse areas. DMD37 encourages achieving a high quality and design led development, which is reiterated within policies D4 and D8 of the London Plan (2021).
- 9.11 The existing development pattern on the streetscene features a variety of properties that generally maintain a uniformity in scale and character.
- 9.12 Earlier concerns were raised by the Heritage Advisor and Cllr Levy regarding the impact of the proposal on the Conservation Area. These concerns have now been addressed under the revised scheme through a reduction in the scale of the proposal from the initial three storey 9 unit development to a two storey six unit development and in this regard, the revised scheme would be more of a subservient addition to the rear garden of the host property at Ellington Court, thereby seamlessly assimilating into the existing development pattern within the Conservation Area and the revised proposal would accord with policies DMD6 and DMD44.
- 9.13 The proposed two storey residential development would sit at the rear garden of the four storey existing residential block at Ellington Court and the proposal would not be visible at the front street. This aspect of the proposal would accord with DMD6, DMD10, DMD37, DMD44 with no visual damage on the streetscene. The revised scheme features brickwork and fenestrations that would appear sympathetic to the character of the host property and therefore the proposal alongside with the reduced scale would not be conspicuous at this location in view of policy DMD6. The scheme would be well embedded at the rear elevation of the host residential block with no significant visual impact to the character of the Conservation Area, having regard to policy DMD44. Furthermore, the retained rear garden space at Ellington Court would be sufficient to provide communal amenity to both existing and future occupiers of the new development in view of policy DMD7 and in this regard, the proposal would not compromise amenity provision at the site.
- 9.14 Appropriate conditions relating to external materials will be attached to the permission to ensure that a high quality design is achieved on the site.

# Impact upon the amenity of neighbours

9.15 Policies DMD8 and DMD10 of the Development Management Document refer to neighbouring amenities and distancing standards. DMD10 sets out minimum distances between rear windows however given the siting of the new building.

- However the most appropriate standard would be the minimum separation distance between windows and side boundaries of 11m.
- 9.16 The proposed east facing flank windows of the scheme would retain some 13-15m separation to the rear façade of the host property at Ellington Court and this would accord with policy DMD10 and would be sufficient spacing to ensure the proposal does exacerbate any impacts of overlooking, sense of enclosure or privacy at this location.
- 9.17 A daylight/sunlight report was submitted and assessed against the widely recognised standards set out in BRE's Daylight, Sunlight, and Overshadowing assessments to quantify the potential daylight and sunlight affect to the neighbouring residential properties in respect of the three storey building. The report has been undertaken by constructing a detailed 3D model of the existing and proposed development sites and surroundings, then using specialist computer software, daylight and sunlight simulations and numerical calculations are run within the 3D model environment.
- 9.18 The report concludes that the findings indicate that the development is not of an excessive scale for the immediate surrounding area in daylight and sunlight terms and will broadly meet the intentions of the BRE guide. It should be noted that the scale and massing of the building has been reduced by removing a storey so that the building comprises two stories rather than three which would further reduce any impact on the existing flats at Ellington Court. Consequently, it is considered that the proposal would meet the aims of the BRE Guidelines and would not impact on neighbouring properties in terms of loss of light.

#### Transportation, servicing and parking

- 9.19 The London Plan, Core Strategy and DMD policies encourage and advocate sustainable modes of travel and require that each development should be assessed on its respective merits and requirements, in terms of the level of parking spaces to be provided for example.
- 9.20 There are 33 existing car parking spaces on the site. The agent has clarified that only 22 of the existing 33 parking spaces are in use at the site. There are therefore 11 unallocated parking spaces at the site which could be utilised by the occupiers of the proposed development.
- 9.21 The PTAL of the site is 4, and it is a close to Southgate tube station (approx. 600m). This is an acceptable walking distance according to "Journeys on Foot" (Institute of Highways and Transportation) and therefore a relaxation of the parking standards could be permitted. The Transport Statement includes a parking survey on surrounding roads. It suggests that parking is approaching saturation with on average only five spaces being available over two nights. However, parking surveys were also undertaken and showed 11 spaces available in the existing car park out of 33 spaces. The Transportation team have confirmed that car parking provision is acceptable, and the agent has confirmed that the existing units could be redistributed to the new residential units. One disabled parking space is proposed and the exact location of this space will be conditioned.
- 9.22 A new pedestrian path is proposed which is welcomed to improve connectivity across the site. With regard to servicing the site can be serviced from within the existing site car park.
- 9.23 A total of 18 cycle spaces will be provided for the six units. There are also 48 spaces approved as retrospective provision for the existing units. This is welcomed and ensures cycle parking for both existing and proposed meets London Plan standards.

The location of cycle parking and refuse storage provision has been provided however full details have not been submitted and therefore this will be requested and secured through conditions.

#### Impact on trees at the site

- 9.24 The submitted details indicate that 5 individual trees and 2 groups of tress would be removed to facilitate the proposal and these trees are T3 (category U), T9 (category B1), T12 (category U), T13 (category U), T14 (category U) and group of trees G1 and G2 (category C), where category U refers to a tree that is Unsuitable for Retention, category C refers to a tree that is of Low Quality and Value whereas category B1 refers to a tree of Moderate Quality and Value. The submitted Tree Survey indicates that 14 individual trees would be retained at the site.
- 9.25 The initial proposal sought to retain tree T9, however, given that this tree would touch the proposed residential block, the Tree Officer recommended a removal of tree T9. The agent has agreed that this removed tree could be replaced elsewhere at the site by way of a tree condition and associated landscape condition. The Tree Officer has therefore recommended a condition to ensure that suitable replacement trees and landscaping are implemented at the site in line with policies DMD80 and DMD81.
- 9.26 The proposed loss of trees is not significant and clearly no significant or high value trees or quantity of trees are being removed. All other trees and vegetation can be retained. The Council's Tree Officer has reviewed the arboricultural report and is satisfied that the approach to the trees on the site is the correct one and has no objection.

# Sustainable Drainage Systems (SuDS)

- 9.27 London Plan policies 5.12 and 5.13 require the consideration of the effects of development on flood risk and sustainable drainage respectively. Core Policy 28 ("Managing flood risk through development") confirms the Council's approach to flood risk, inclusive of the requirement for SuDS in all developments. Policy DMD59 ("Avoiding and reducing flood risk") confirms that new development must avoid and reduce the risk of flooding, and not increase the risks elsewhere and that planning permission will only be granted for proposals which have addressed all sources of flood risk and would not be subject to, or result in unacceptable levels of flood risk on site or increase the level of flood risk to third parties.
- 9.28 DMD61 ("Managing surface water") requires the submission of a drainage strategy that incorporates an appropriate SuDS scheme and appropriate greenfield runoff rates. The scheme proposes a permeable pedestrian path and a green roof to the new two storey building. To fully ensure that the scheme accords with policy requirements a SuDS condition is recommended in view of policies DMD59 and DMD61 to ensure that the development is safe from flooding and does not increase the risk of flooding elsewhere.

#### Biodiversity

9.29 In accordance with policy requirements the scheme will need to incorporate biodiversity enhancements. If approved, conditions will be attached to ensure details

of ecological enhancements such as bat/bird boxes and appropriate landscaping are planted.

#### Sustainable Design and Construction

- 9.30 Policy DMD49 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 future needs having regard to technical feasibility and economic viability. Policy DMD51 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 CP20 of the Core Strategy which states that the Council will require all new developments, 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.
- 9.31 An energy statement has been submitted which sets out that a minimum of 35% reduction of carbon emissions will be achieved and an air source heat pump will be incorporated within the scheme. To ensure the scheme achieves no less than 35% reduction in carbon emissions a condition will be attached to any permission.

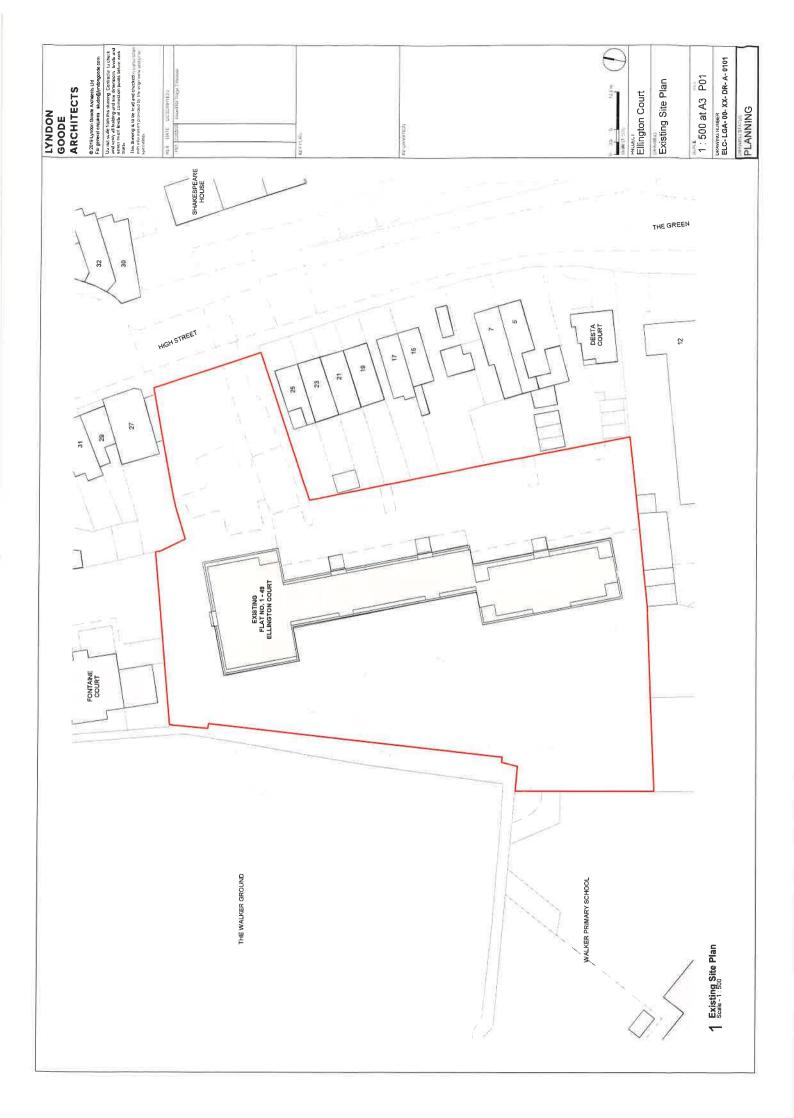
# Accessibility

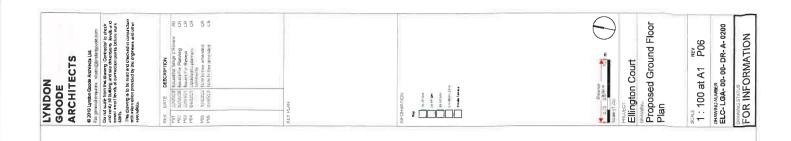
- 9.32 Internally each floor will be served by an easy rise staircase and passenger lift. All dwellings are proposed to be designed to meet building regulation Part M4(2), with 1 no. Ground floor unit (Unit 3) is designed to meet Part M4(3) wheelchair adaptable/accessible units which is in accordance with policy requirements and will be secured through conditions.
- 10.0 Community Infrastructure Levy (CIL)
- 10.1 The proposed development would create new residential units and would therefore be liable to pay CIL at borough and mayoral levels, the applicable borough CIL Zone is the Higher Rate Eastern Zone (£120 per sqm) and Zone 2 for Mayoral (MCIL2, £60 per sqm). The Enfield CIL will be approximately £73,863.60 and the Mayoral CIL will be £36, 931.80.
- 11.0 Public Sector Equalities Duty
- 11.1 In line with the Public Sector Equality Duty the council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. Section 149 of the Act requires public authorities to have due regard to several equality considerations when exercising their functions including decision making on planning applications. These considerations include: Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; Advance equality of opportunity between persons who share a relevant protected characteristic (explained in detail below) and persons who

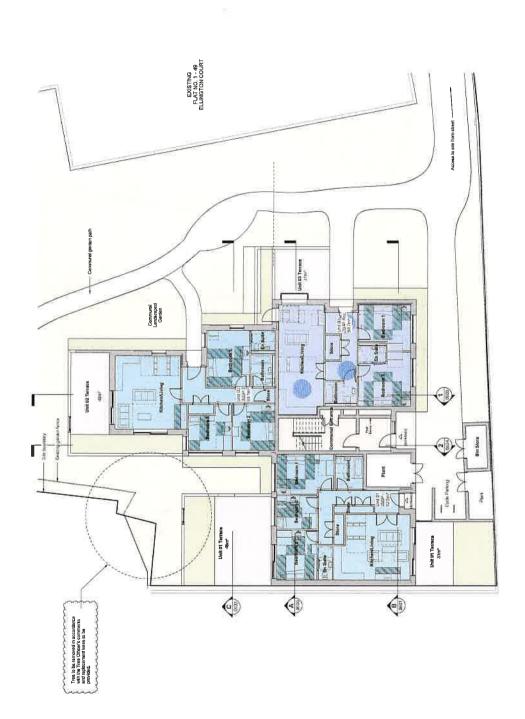
- do not share it; Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 11.2 The main objective of the duty has been to ensure public policies and programmes are implemented fairly, in particular with regard to their impact on the protected characteristics identified above. In making this recommendation, due regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, marriage / civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).
- 11.3 When determining the planning application (and thereby accounting for the representations resulting from public consultation), the Council has considered the potential effects of the proposed development on those with protected characteristics as defined under the Equality Act 2010. In doing this, the Council has had due regard to equality considerations and attribute appropriate weight to such considerations. In providing the recommendation to Members that planning consent should be granted, officers have considered equalities impacts in the balance, alongside the benefits arising from the proposed development. The Council has also considered appropriate mitigation to minimise the potential effects of the proposed development on those with protected characteristics.
- 11.4 There are no statutory or regulatory requirements for the form or content of an equalities assessment. The scale and significance of such impacts cannot always be quantified, and it is common to address this through descriptive analysis of impacts and identifying whether such impacts are adverse or beneficial. The key elements of the Proposed Development which have an impact that could result in an equalities effect include the design and physical characteristics of the proposals subject to the planning application. Officers do not consider there would be a disproportionate equalities effect.
- 11.5 In line with the Human Rights Act 1998, it is unlawful for a public authority to act in a way which is incompatible with a Convention right, as per the European Convention on Human Rights. The human rights impact has been considered, with particular reference to Article 1 of the First Protocol (Protection of property), Article 8 (Right to respect for private and family life) and Article 14 (Prohibition of discrimination) of the Convention.
- 11.6 The Human Rights Act 1998 does not impair the right of the state to make decisions and enforce laws as deemed necessary in the public interest. The recommendation is considered appropriate in upholding the council's adopted and emerging policies and is not outweighed by any engaged rights.
- 12.0 Conclusion and Recommendation
- 12.1 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".
- 12.2 Having regard to the assessment in this report, the development would provide additional residential units at the site. This would contribute towards the Borough's

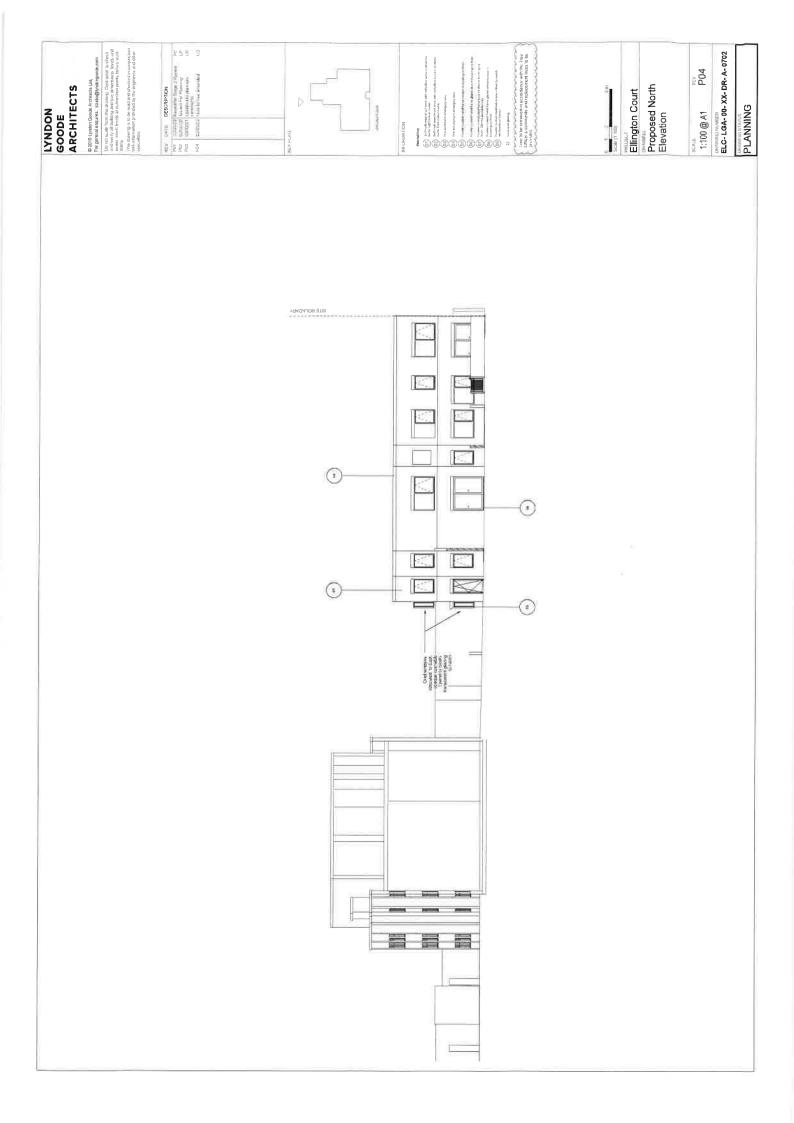
strategic objectives in terms of delivering new homes. The quality of accommodation that the proposed 6 unit residential block would provide is acceptable, based on the up-to-date housing quality standards outlined in The London Plan (2021). The development would not result in the harmful overlooking of neighbours nor would it result in harm to the amenity and living conditions of neighbours or the Southgate Green Conservation Area.

- 12.3 It is considered that the form, design and appearance of development would not be significantly dissimilar to host residential block at Ellington Court and thus the proposed scheme would acceptably relate with the character of the surrounding Conservation Area.
- 12.4 The above assessment against the development plan policies has produced the following conclusion:
  - The proposal would provide 6 new flats with an acceptable standard of 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 Conservation Area.
  - The proposal, by virtue of its form and small scale, would not harm the amenity of occupying and neighbouring residents.
  - There are no identified adverse effects on highway safety or traffic generation.
  - The reasons for the objections to the initial planning application have been acceptably overcome by the revised scheme.
- 12.5 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.

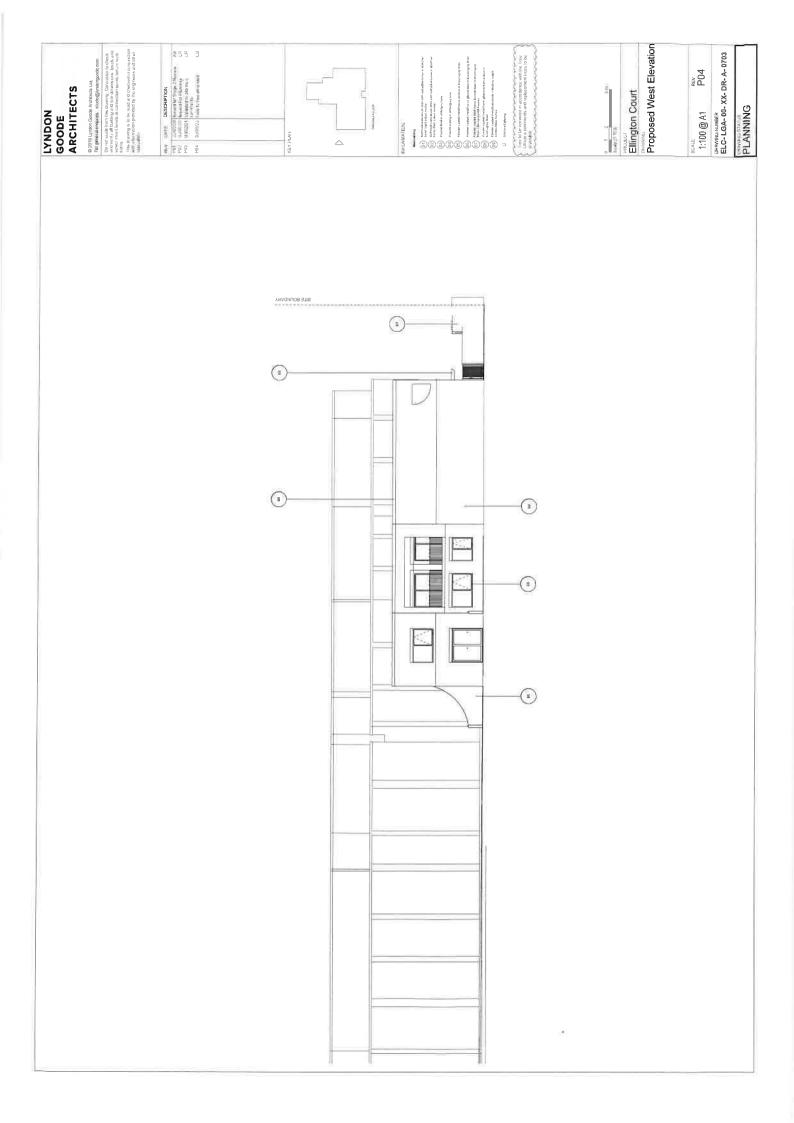




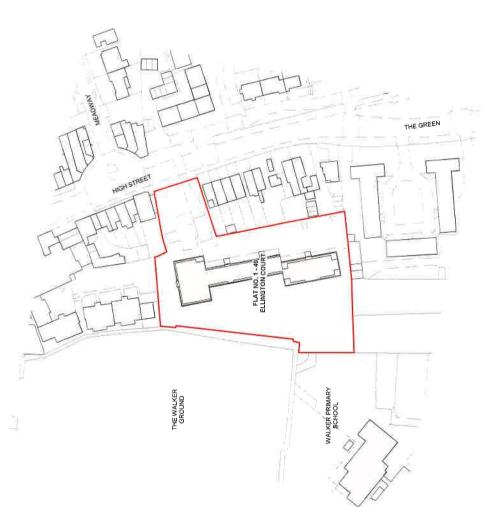




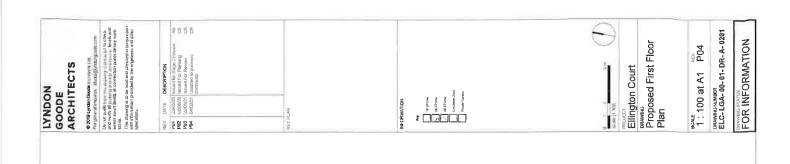




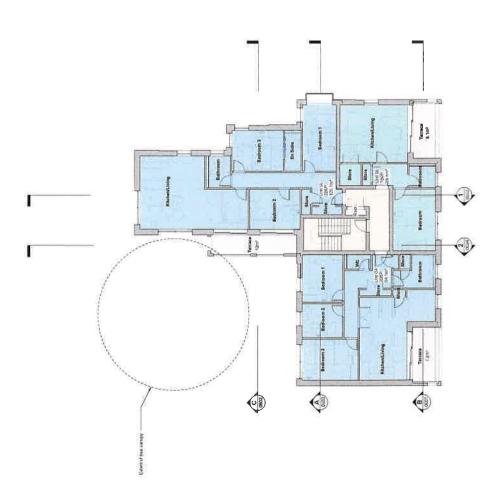




Existing Location Plan



EXISTING FLAT NO. 1 - 49 ELLINGTON COURT



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TREES					
Abbreviation	Species	Mumber	Height/Girth	Specification	Density
AME LAM	AmelancNer lamarkli	13	1.5.2m	cc	AS DWG
BET JAQ	Betula utilus Var. jacquemontri	- 1	2 2 Sm	AB	AS DWG
RELIFEN	Beluia pendula	3	12 14cm	нв	AS DWG
CAR BET	Carpinus betulus	3	12-14-m	RB	AS DWG
PRU AVI	Prunus avium		12-14cm	RB.	AS DWG
PRU CER	Prunus cerasilera	4	12-14cm	RB	AS DWG
SOR AUC	Sorbus aucuparia Streetwise	4.	12:14cm	RB.	AS DWG
SYR VUL	Syringa vulgare	2	1,5 2m	CG	AS DWG
SAURS					
Abbreviation	Species	Number	hinight/town	Specification	Density
AUC VAR	Augusta paptinga 'Vanagata'	Z58	54.	CG	1/m2
BER PUR	flergeria purpurescens	167	.36	66	4/m2
CEA REP	Cestertius 'Repens'	347	34	66	4/m2
TSA OH:	Churcya 'Artes Pearl'	191	344	69	4/m2
CHO TLUS	Christya Sundance	149	34	CG	4/m2
COR ALB	Correct alba	309	54	69	4/m2
EUO AUR	Euphymous Aureopictus	230	94	CG	4/m2
EUO GOL	Eupnymous 'Emerald and Gold'	90	31	68	4/m2
SEB-MET	Histor Martin	254	34	66	4/m2
HEB RAK	Hebe rakalensis	34	31	CE	4/m2
HYP HID	Hypericum 'Hidcote'	20	34	CG	4/m2
PHO JES	Phornium 'Jester'	4	104	66	AS DWG
ROSICAN	Rosa carring	78	54	cs	3/m2
RUS ACU	Roscus aculeatus	105	36	ĊĠ	4/m2
SAM NIG	Sambucus nigra	101	31	co	4/m2
SPI GOL	Spirea japonica 'Goldflame'	73	34	60	4/m2
/IB DAV	V-burnum Davidli	263	31	cs	4/m2
HEDGES					
Native Hedge					
Abbreviation	Species	Number	Height/Girth	Specification	Density
ACE CAM	Acer campestre	106	90-120cm	BB	7/linear m
CAR BET	Carpinus betulus	300	90 L20cm	88	7/linear m
RA MON	Crataegus monogyna	106	90 120cm	an.	7/linear m
TR ANT	Ligustrum vulgare	106	90-120cm	BA	7/linear m
ROS CAN	Rosa canina	100	90 120cm	10.00	7/linear m
//B OPU	Viburnum opulus	106	90-120cm	HE	7/linear m
omal Heiter					
Abbreviation	Species	Number	Height/Girth	Specification	Density
UK SEM	Busin sempervirens	300	51.	cs	5/linear m

#### OUTLINE SPECIFICATION

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