



Application Reference:	P0808.20
Location:	35 Risebridge Road
Ward:	Pettits
Description:	Demolition of existing bungalow and construction of replacement 5 bedroom dwelling with integral garage
Case Officer:	Cole Hodder
Reason for Report to Committee:	A Councillor call-in has been received.

1. BACKGROUND

- 1.1 The application has been called in by Councillor Osman Dervish.
- 1.2 The application was considered by members of the Planning Committee at the meeting held on 27 August 2020 where it was deferred to enable the applicant to more robustly demonstrate how the impacts on neighbouring amenity through loss of light and overshadowing have been considered.
- 1.3 The report is now brought back to members with a summary of the response to the above matters set out in the following section of this report.

1.4 SUMMARY OF CHANGES

- 1.5 In response to the above and the areas of concern raised by Planning Committee members the applicant instructed a specialist in daylight and sunlight assessments to prepare a technical note exploring the potential impacts that the scheme may have in relation to loss of daylight and sunlight to neighbouring properties.
- 1.6 Daylight and sunlight assessments are carried out using methodologies set out in the guidance document published by the Building Research Establishment (BRE) entitled 'Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice', Second Edition, 2011.
- 1.7 The technical note expands upon the impact of the development on habitable rooms for the unattached neighbour to the West of the site as well as those properties fronting Heath Drive which were the subject of the Planning Committee's debate. In addition matters of loss of light and overshadowing to

the amenity areas of surrounding properties has also been considered with regards to the position of the sun's path.

- 1.8 The analysis provided concludes that when making an assessment using the approved methodologies set out within the BRE Guidelines that the proposed development would comply fully and as such would not result in any adverse impacts to the daylight or sunlight enjoyed by its neighbours in planning terms. It has therefore been demonstrated that any impact upon neighbouring amenity through loss of light and overshadowing would not be capable of substantiating a decision to refuse permission.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 2.1 The application site is in existing residential use and the provision of a replacement dwelling in this location is not objectionable. The form and massing of the dwelling, detailing and appearance in the street-scene is not regarded as harming the integrity of the Conservation Area setting. The development would not harm neighbouring amenity, nor create any material impacts which are not capable of being mitigated by the suggested planning conditions. Accordingly it is not considered that a decision to refuse permission could be substantiated.

3 RECOMMENDATION

- 3.1 That the Committee resolve to GRANT planning permission subject to conditions to secure the following matters:

Conditions

1. Time Limit 3 years - Development must be commenced no later than three years from the date of this permission.
2. Accordance with plans - The development must not deviate from the approved plans.
3. Materials – Sample materials for all to be used in construction of the dwelling shall be provided to ensure harmony with the surrounding area.
4. Details of hard/soft landscaping including scheme of planting
5. Details of Boundary treatment

6. Garage restriction – Integral garage shown on approved plans shall be used for the storage of motor vehicles only and not for any business use.
7. Cycle Storage - Details of cycle storage provision
8. Refuse and recycling - Details of refuse storage
9. Permitted development rights removed – Consistent with Article 4 Direction for this part of Conservation Area.
10. Hours of construction - 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.
11. *Construction Methodology – To control the adverse impact of the development on the amenity of the public and nearby occupiers*

4 PROPOSAL AND LOCATION DETAILS

4.1 Proposal

- 4.2 Permission is sought for the demolition of the existing detached bungalow and the construction of a replacement dwelling in its place.
- 4.3 The submission follows an earlier approval under reference P0309.13 and the applicant has replicated the content of that consented scheme.

4.4 Site and Surroundings

- 4.4 The current application relates to 35 Risebridge Road which is located on the northern side of Risebridge Road close to the junction with Heath Drive. The subject property is low level and unobtrusive but possesses little architectural merit and is somewhat of a departure from the prevailing character of the immediate area which is typified by two storey Arts and Crafts style dwellings.
- 4.5 The site is within the Gidea Park Conservation Area where an Article 4 Direction applies that has removed certain permitted development throughout the area. This has been done to maintain the character and to preserve the appearance of the locality which typifies the Garden Suburb qualities.

4.6 Planning History

The following planning decisions are relevant to the application:

- 4.7 P0309.13 – Demolition of existing bungalow and construction of new 5 bedroom dwelling - **APPROVED SUBJECT TO CONDITIONS**

5 LOCAL REPRESENTATION

5.1 A total of fifteen neighbouring properties were notified about the application and invited to comment.

5.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 3 objections

The following Councillors made representations:

Councillor Osman Dervish

- Overbearing and overdevelopment in the Conservation Area.

Representations

5.7 Objections

- Loss of privacy
- Loss of light/overshadowing
- Uncharacteristic materials/features

5.8 Some matters raised such as disturbance during works are not material planning considerations, however in the event of approval should members feel that it would be necessary a condition could be imposed requiring a Construction Methodology. This has been added provisionally in section 3.1(9) of this report.

5.9 The impacts of the development on neighbouring amenity will be explored in the material considerations section of this report.

5.9 Other comments highlight discrepancies between the supporting statement provided and drawings submitted. Prior to submission the applicant sought pre-application advice from the Council with a scheme which would have seen a number of departures from the earlier consented scheme, incorporating an increased overall ridge height amongst other significant changes. These changes included the provision of a Juliette balcony in the rear elevation. The advice given by the LPA was to omit those features and to seek to align more closely with the earlier submission.

5.10 Officers are mindful of the discrepancies, however its contents do not supersede the approved drawings which correlate with the detail shown on the earlier consented scheme and do not show those departures specified.

5.11 A condition would be imposed in the event of approval requiring samples of all materials to be used in the external construction of the dwelling. Concerns are expressed over the finish of external facing brickwork and the resultant appearance of the dwelling in the street-scene. Through requiring further

detail by planning condition a visual appearance consistent with the heritage setting is envisaged to be capable of being secured. There is nothing inherent within the suggested materials including facing brickwork which would represent grounds to withhold permission.

5.12 Other stakeholders

Gidea Park Civic Society – Objection made over space between neighbouring dwellings. Combined with large outbuilding concern over overdevelopment of the site.

5.13 In response to the above, the footprint of the proposed dwelling is in reality not significantly greater than the existing dwelling. There is no preclusion against outbuildings within the Conservation Area. Notwithstanding that the outbuilding was the subject of a separate application, the revised position of the proposed dwelling deeper into the plot is not regarded as harming the spacious character of the site. The plot depth and extent of development is in keeping with the surrounding pattern of development. There is some judgement involved over the spacing between dwellings, however the relationship would not be without precedent.

5.10 Where material other matters raised will fully be considered in the substance of this report.

6 MATERIAL PLANNING CONSIDERATIONS

6.1 The main planning issues raised by the application that the committee must consider are:

- Principle of development/Conservation Area
- Design and Appearance
- Quality of living environment for future occupiers
- Impact on neighbouring amenity and;
- Implications for highways, pedestrian access and parking

6.2 Principle of development

The subject property is located within the Gidea Park Conservation Area which was designated in 1970 and extended in 1989 to include the purpose built railway station and owes its unique character to the efforts of Sir Herbert Raphael in the early 20th century to create a Garden Suburb with an array of houses designed by well-known architects of the day complemented by a smaller development of modern style dwellings during the inter-war period.

6.3 Throughout the Conservation Area there are numerous examples of replacement dwellings, some of which have adopted more modern features whilst seeking to take cues from the historic setting.

6.3 The statutory duty applied to planning authorities in the exercise of their planning functions in Conservation Areas is set out in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This is that "special attention shall be paid to the desirability of preserving or enhancing

the character or appearance of that area". This aim is reflected in Policy DC68 of the LDF Development Control Policies Development Plan Document.

- 6.3 There is no in principle objection to the demolition of the existing dwelling, as is evidenced through the granting of permission for a replacement dwelling historically, however the key consideration, as above, would be whether the new development would preserve or enhance the character and appearance of the Conservation Area. In addition the proposals would require consideration of the amenity of existing and future occupants with compliance with prescribed standards for internal spacing a requirement.
- 6.6 **Design/appearance and impact on Conservation Area setting**
The subject property is a single storey detached dwelling. Whilst it exhibits some of the characteristics of the Arts and Crafts style which are prevalent within the surrounding environment, it represents somewhat of an anomalous feature. The surrounding environment is populated by a variety of built form and features a consistency in terms of massing and placement within the street-scene.
- 6.8 Whilst the dwelling is relatively low level, it is situated forward of the building line of adjacent premises, at odds with the vision held for the Conservation Area as a garden suburb. Nevertheless, having regard to the unobtrusive nature of the dwelling as it exists presently the site would be sensitive to unsympathetic change.
- 6.9 Permission was obtained in 2013 for the replacement of the existing dwelling with a five bedroom detached property. From review of the approved drawings, the current proposals replicate the details of that approved submission in terms of design features and massing. The replacement dwelling would align with the front building line of adjacent properties, setting the property back into the site and would feature a characterful front gabled feature and steeply pitched roof, aspects which were viewed favourably previously. Having regard to the general design principles when viewed from the street, officers hold no in principle objection to replicating the earlier consented scheme.
- 6.10 The current proposals replicate the projection to the rear of the site at single storey level shown on the consented scheme which could have been regarded as excessive if not mindful of the footprint of the existing bungalow, whereupon there would be some distinct improvements offered. The provision of modern bi-folding units at ground floor does not present a barrier to the development receiving support. New dwellings/extensions to existing dwellings have been considered acceptable with such modern features owing to the limited public realm impact.
- 6.11 There are some departures from the approved scheme with detailing present on the current submission which was not otherwise a feature on the earlier consented scheme. Indication is made on submitted plans and within the supporting statement for a change from red to yellow brick. In contrast to representations made, officers do not have an in principle objection to the use

of this style of facing brickwork. It is present throughout the Conservation Area and embedded within the setting, however it is appreciated that samples will need to be provided for full consideration. Furthermore the Gidea Park Conservation Area Character Appraisal encourages the use of plain clay tiles.

- 6.12 The provision of window and eaves detailing including corbels and creasing tile detail, in addition to others shown on elevation drawings would serve to add interest as opposed to detracting from the appearance of the dwelling. Similar detailing has been permitted elsewhere within the Conservation Area on replacement of other non-exhibition houses. These are not features that are held to detract from the spirit of the Conservation Area setting or to diminish the quality of the current submission.
- 6.11 Subject to a condition requiring samples of all materials to be used in the external construction of the replacement dwelling, in order to ensure that the new dwelling would integrate satisfactorily, it is not considered that there are any grounds with which to withhold permission on the basis of the visual appearance and design of the dwelling. The view of officers is that the development would comply broadly with national and local guidance and would preserve and enhance the character of the Conservation Area.

6.12 Amenity of Future Occupants

Having applied the standards required by the London Plan Policy 3.5 (which is derived from the DCLG Technical Housing Standards) the gross internal floor area and bedroom size and mix would exceed the given minimum standards. Outlook and aspect would be consistent with a high quality living environment.

- 6.12 New dwellings must also demonstrate an acceptable arrangement of private amenity space. Given the existing use of the site and generously sized plot, officers hold the view that even in view of the altered building line, that the proposals would make provision for an adequate outdoor space. The benefits associated with providing the dwelling with a landscaped front garden would outweigh any matter of judgement over the depth of the plot and arrangement which officers would contend maintains commensurate with the surrounding environment.
- 6.13 The proposals would not diminish unacceptably the spacious qualities of the site and would in reality offer some improvements to the functionality of the space including a well landscaped frontage.
- 6.14 **Impact on amenity of surrounding residential properties**
In granting permission for the development previously, the amenity considerations were fully explored by the LPA. Given the relative similarities with the consented scheme it would be difficult to form an opposing view when considering the current submission.
- 6.15 Nevertheless, officers have undertaken a full assessment. The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces

these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing properties.

- 6.16 Aside from the street-scene implications associated with the proposed development, the massing of the scheme would see a significant increase in scale, bulk and mass over the existing in proximity to shared boundaries beyond which there are neighbouring dwellings. There is also the matter of visibility over greater distances from other sites, a matter which has been raised in appeal decisions within the Conservation Area. The overall ridge height and presence of the dwelling and its potential to loom over adjacent plots has been considered however in view of the level of separation the relationship with surrounding properties is not regarded as unusual or especially harmful in planning terms. It would be typical of the suburban context, separated by the length of rear gardens to those properties fronting Heath Drive.
- 6.17 The development would introduce new views at high levels, however they would be at oblique angles or at an acceptable distance and not without existing precedent in a suburban environment. The views achieved are not regarded as unneighbourly. A condition would be imposed requiring flank windows to be obscurely glazed as otherwise the development would be unacceptable.
- 6.18 The proposals would share a front building line with the unattached neighbour to the West, which benefits from two flank windows with outlook towards the application site. Council records indicated that they do not serve habitable rooms and as such are not attributed weight in the decision making process.
- 6.19 In this instance, the single storey rear projection of the replacement dwelling would have a depth of 5 metres adjacent to the boundary with the unattached neighbour to the West, whilst increasing to a maximum depth of 7.2 metres parallel to the eastern boundary of the site. Applying the principles of the Residential Extensions and Alterations SPD there would be failings present. However; having regard to the existing footprint of the dwelling it would be difficult to reason that there would be material harm arising as a result. In reality, the projection would feature a more subservient roof form than that of the existing dwelling.
- 6.20 Officers have not identified any potential loss of light, or level of overshadowing or loss of privacy capable of substantiating a decision to refuse permission.
- 6.21 **Implications for highways, pedestrian access and parking**
Policy DC33 seeks to ensure that all new developments make adequate provision for car parking. The development would make use of the existing vehicle crossover. In setting the dwelling back deeper into the site, provision is made for off-street parking which would otherwise have been positioned parallel to the dwelling. In all, the arrangement shown would be consistent with Council policy.

6.22 A condition is to be imposed restricting the use of the garage in the event of approval.

7 Conclusion

7.1 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.