



## Design and Access Statement

Land Adjacent to Flats at 37 - 48 Lambs Close, Cuffley Herts, EN6 4HQ

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Design & Access Statement

for

Demolition of the existing garages and the erection of two flats together with parking and the retention of the existing parking spaces for the flats in Lambs Close

at

Garages and land adjacent to flats 37- 48 Lambs Close, Cuffley, Potters Bar, Hertfordshire

## INTRODUCTION

1.1 This Design and Access Statement has been prepared in support of a full planning application for the demolition of the existing garages and the erection of two, two bed flats together with parking and the retention of the existing parking spaces for the flats in Lambs Close, on the garages and land adjacent to flats 37- 48 Lambs Close, Cuffley, Potters Bar, Herts. 24 spaces would be provided in total, three for the proposed flats and 21 for the existing flats in Lambs Close.

1.2 The application site comprises a block of 11 garages and 13 open parking spaces together with access and turning space in a gated plot of land set to the rear of a large block of flats at the southern end of Lambs Close. The plot is well screened on its southern, eastern and western boundaries by mature trees and vegetation. Two of the trees – oaks – are protected by a Tree Preservation Order. The existing garages on the site are too tight and narrow to be practically useable by modern cars.

1.3 Lambs Close is characterised by four large blocks of flats with parking and landscaping. It is an unremarkable enclosed street scene.

1.4 The site is not within a Conservation Area and the garage block is not listed

1.5 This planning application is being submitted further to a pre- application submission on the site for the demolition of the existing garages and the erection of three flats (in effect, three storeys in height) together with parking and the retention of the existing parking spaces for the flats in Lambs Close. In its response, the Council considered that the proposed development would result in the loss of three parking spaces with no additional provision for the proposed flats, resulting in a total shortfall of eight parking spaces. The development would also be too high and close to the southern boundary of the site and potentially result in a loss of privacy for the occupiers of the surrounding dwellings.

## HISTORY

2.1 The relevant history of the site goes back to 1998 when the first of several applications for the demolition of the garages and the erection of a varying number of dwellings or flats were submitted. Each application has been either refused or withdrawn. The applications were refused on a number of grounds – the lack of parking for the development and the loss of the garages on the site, and the impact of the development upon two oak trees the subject of a Tree Preservation Order and the bulk and design of the proposed development.

2.2 Of the refused applications, the two most recent were appealed but dismissed. The appeal following the most recent refusal (application S6/2012/1962/FP) was dismissed on the grounds of the impact of the proposed development upon the protected trees on the site.

2.3 However, the Inspector considered that the impact upon these trees and the reasonable ability of the Local Authority to resist any applications to trim those trees was not a reason to have refused the planning application. "The likelihood of harm from such action would not be great and the well-being of the protected trees would not be significantly at risk", he opined. The Inspector also considered that the development would not have an adverse impact upon the amenities of the occupiers of the neighbouring and surrounding dwellings or flats. The Inspector though considered that the permanent loss of the garages and parking spaces would have a significantly harmful effect on the amenity of the occupiers of Lambs Close. The appeal was dismissed.

2.4 An appeal decision on an enforcement notice served on the land regarding condition 5 of planning permission S6/1998/272/FP requires that the land be used for the parking of cars, in connection with the existing flats in Lambs Close.

2.5 A planning application addressing this is to be submitted to the Local Planning Authority in parallel with this application.

### **THE PLANNING APPLICATION**

3.1 The application is for the erection of two, two bed flats. It would be constructed on four supporting columns and would in effect be two storeys in height. 24 parking spaces would be provided for the existing and the proposed flats. The parking area would be fully open on the northern side and would thus incorporate the car parking fully into the wider development and creating greater visibility and security of the car parking spaces from the existing flats.

3.2 The proposed development would be flat roofed and would be accessed by stairs from the car parking area.

3.3 The flats would comprise a living/ dining/ kitchen area and two bedrooms (one en suite) along with a bathroom, served by a small entrance hall. Each flat would be served by an outdoor terrace accessed from the corresponding living room.

3.4 The applicant has way leaves over the access road to lay services. During the laying of these services, the access road from the adopted highway will be made level and tarmacked, to vastly improve the road surface to the existing parking area.

### **THE PLANNING CASE**

4.1 The application site is located within the built up area of Cuffley where, in accordance with local and national planning policy, there is no in principle objection to the erection of new dwellings or flats, subject to the detailed local and national policy considerations, and attention to the planning history of the site.



Site Plan

DESIGN PROPOSAL FOR NEW DWELLINGS

Site Address - Land Adjacent to Flats  
at 37- 48 Lambs Close  
Cuffley , Herts  
EN6 4HQ



## **IMPACT ON THE CHARACTER OF THE AREA**

4.2 The character of the area is mixed with the blocks of flats in Lambs Close and the semi- detached dwellings and bungalows along Theobalds Close. The well- treed nature of the site and the surrounding area is also a significant feature of the area.

4.3 The block of two flats the subject of this application has been designed in response to the Council's concerns to the initial proposal for the site and to reflect the character of the area. The reduction in the bulk and massing of the proposed development through the removal of the third flat (on the second floor) has rendered the size, bulk and massing of the proposal entirely acceptable in the context of the character of the area. The proposal would not appear cramped within the plot and nor would it appear incongruous within the immediate vicinity of the site considering the size and design of the surrounding built form and the presence of flats there (and their flat roofs). The development would be comfortably accommodated on the site and would not appear cramped in any way. The materials with which the flats would be built would similarly ensure that the proposed development would further blend in very nicely with the character of the area. The development would respect the character, appearance and overall feel of Lambs Close. The flats would blend in with the wider street scene and would be unobtrusive additions to the built form present.

4.4 Concern regarding the appearance of the proposed development was not raised by the Council at the time of the pre- application response. Notwithstanding this, the reduction in the bulk and massing of the proposed flats and the changes to its elevations are considered to have improved the overall appearance of the proposed development. Of a reasonably modern character and appearance, the development would add nicely to the immediate area.

## **AMENITY ISSUES**

5.1 In terms of the living conditions for the future occupiers of the development, the flats would provide a high quality living environment for their future occupiers. The living accommodation and the bedrooms would be light, airy and spacious. The flats would provide high quality accommodation for the future occupiers of the site. The rooms would not be of an awkward size or shape and would permit a flexible layout of furniture.

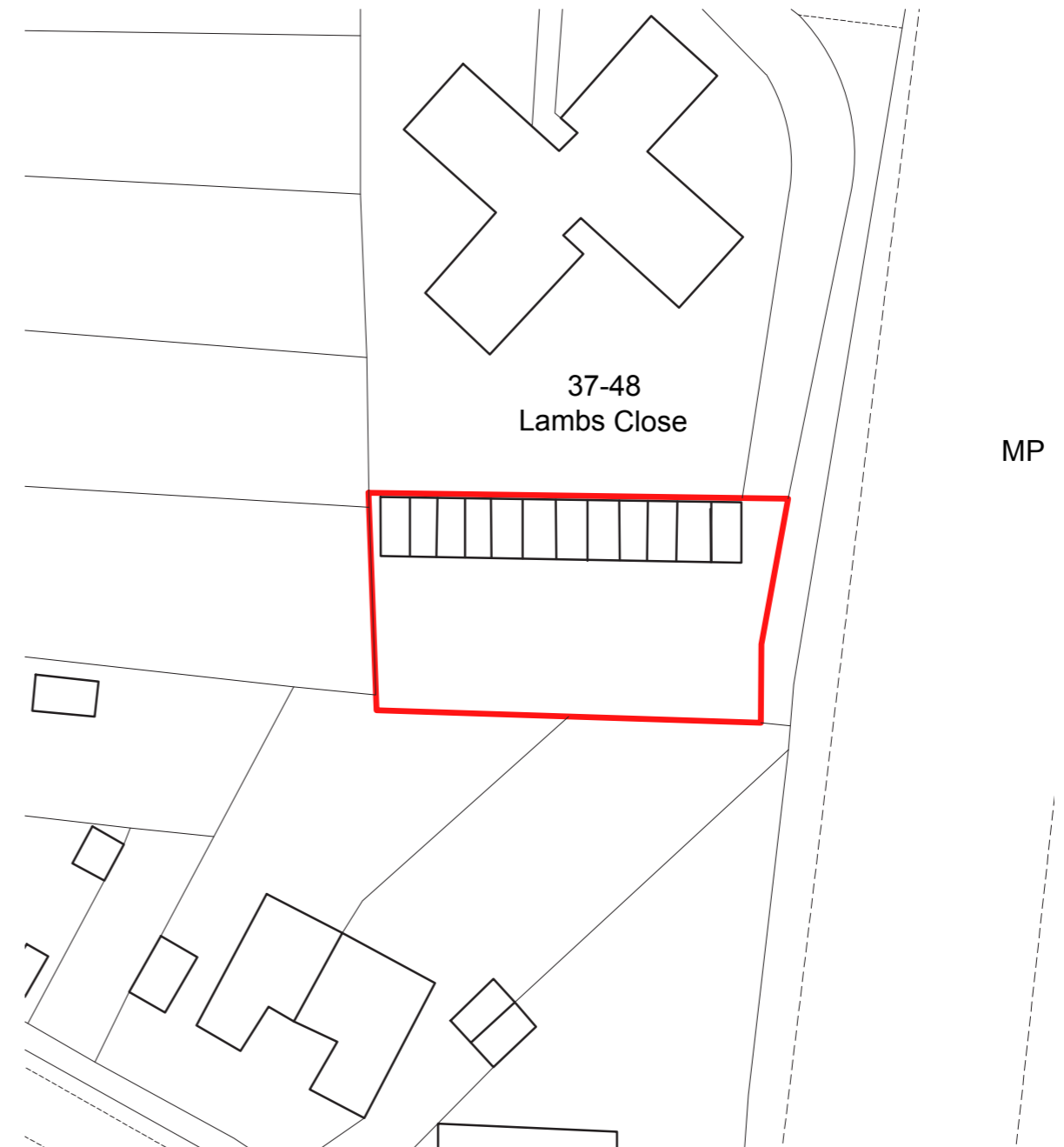
5.2 Together with the reduction in the bulk and massing of the proposed development through the removal of the third flat (at second floor level), the distance between the proposed block of flats and the surrounding flats and dwellings would be sufficient to ensure that the proposed development would not appear visually intrusive or overbearing when viewed from the surrounding properties or their communal amenity area/ rear gardens. The proposed development would not impact upon the amenities of the flats' residents in any adverse manner. In the pre- application response, the Council raised concerns that the height of the proposed development would be such that it would appear overbearing when viewed from, and would potentially result in a loss of light for, the occupiers of the flats in Block D of Lambs Close. However, the substantial reduction in the bulk of the proposed development as a result of the loss of the second floor is such that these issues would now not arise. The distance between the proposed development and the orientation of the buildings to each other (as well as the angled nature of the windows in the flats of Block D) is sufficient to render the potential impact of the development upon these flats acceptable. There would not be any overshadowing of those flats' elevations that are nearest to and facing the proposed development. Moreover, as a consequence of the lack of any habitable room windows in the northern elevation of the proposed flats, the development would not result in any over- looking of the existing flats.

5.3 Turning to the dwellings and bungalows along Theobalds Close that back onto the development site, in the pre- application response, the Council also raised concerns that the development would result in a potential loss of privacy for these occupiers. However, as a result of the removal of the third flat, and the lack of any habitable room windows in the southern elevation of the proposed flats, there would be no possibility of overlooking of the Theobalds Close properties.

5.4 The presence of many trees on the boundaries of the application site would eliminate the possibility of the development appearing intrusive from the properties along Theobalds Close. The bulk and massing of the proposed flats would not be dissimilar from those of the refused dwelling (ref. S6/2012/1962/FP) which the Inspector considered would not have an adverse impact upon the flats' amenities. The same remains true of this proposal. The impact would be acceptable.

5.5 As the Inspector also considered at the time of the previous refused application on the site, the distance of the flank wall of the development from the dwellings and bungalows in Theobalds Close and the lengths those properties' rear gardens, in addition to the screening provided by shrubs and trees on the boundary between the application site and those properties, would be sufficient to ensure that the bulk of the flats would not appear overbearing or visually intrusive when viewed from the Theobalds Close properties. The proposed development would similarly not appear overbearing when viewed from their rear gardens. The outlook and amenity of those properties would not be unreasonably impinged upon. The proposed development would not be unreasonably intrusive in the outlook from the rooms at the rear of the adjacent bungalows or dwellings.

5.6 The proposed development would have suitable levels of lighting in order to maximise security whilst not causing light pollution or nuisance to the surrounding dwellings.



Existing Block Plan

## ACCESS, HIGHWAY SAFETY, PARKING AND SERVICING

6.1 The proposed flats would utilise the existing access to the garage site which would be widened and constructed to a standard in accordance with the requirements of Hertfordshire County Council as the Highway Authority.

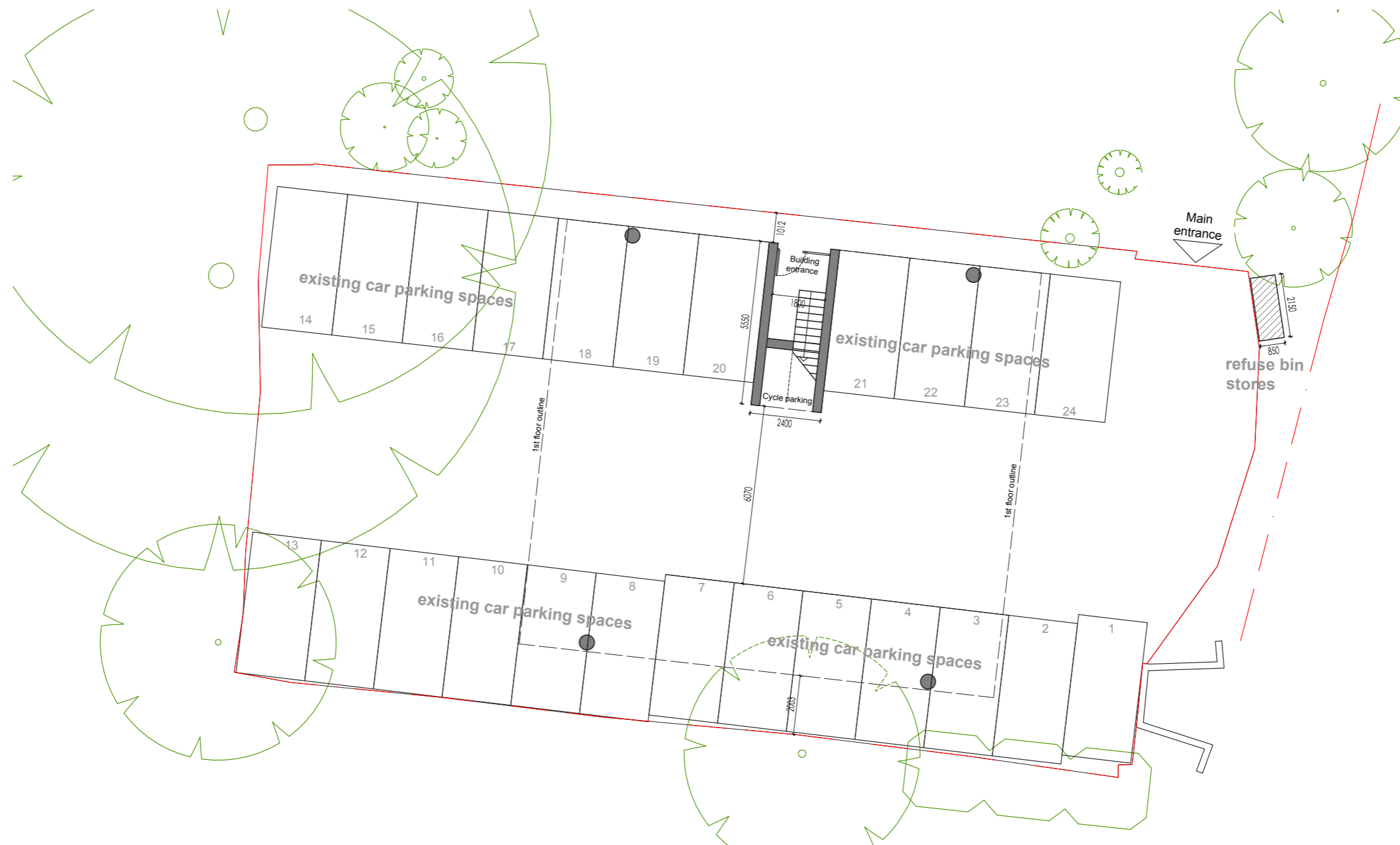
6.2 At the time of the previous application on the site, the Highway Authority did not raise any objection on highway safety grounds. The increase in the intensity of use of the access to the site would not have an adverse impact upon highway safety, particularly as it would be to a very similar level of use when the garages and parking spaces were in full use. The geometry and layout of Lambs Close is such that vehicles using it do so at low speed. Together with the suitable visibility splays from the application site, the increase in its use would not have an adverse impact upon vehicular or pedestrian safety. The incidence of cars meeting each other travelling in opposite directions along the access road to the site would be limited. In the event that it does occur, a simple reversing manoeuvre by either car would resolve the issue. Danger to the users and occupiers of the site would be kept to a minimum.

6.3 As explained in paragraph 2.3 above, the Planning Inspector's concerns following the refusal of the 2012 planning application on the site centred on the loss of the garages and parking on the site. This has been addressed in this application in their retention through the proposed development being sited above them on four supporting columns, creating a partial undercroft parking arrangement. They would therefore remain on the site and would be easily accessible for their potential users. The parking for the residents in Lambs Close would consequently not be reduced to a detrimental degree by the proposed development the subject of this application.

6.4 The Inspector at the Enforcement Appeal opined that all of the parking spaces that were on the site should be made good and retained for the purposes of parking. However, the appellant is of the opinion that given the Council's parking standards are guidelines, and the introduction of the National Planning Policy Framework has resulted in an overall policy shift away from maximum parking in the interests of encouraging the use of alternative means of transport, the reduction in the level of parking on the site of three spaces is entirely acceptable. It should also be noted that the parking spaces on the site that are intended for the existing flats in Lambs Close have not been available for such use for a number of years, as the site has been in a very poor state of repair over this period of time. While the Inspector's comments regarding the overall lack of parking spaces for the existing Lambs Close flats, following the development of the parking spaces on Site B within the loss of 40 spaces are noted, the use of on street parking in Lambs Close for 45 cars has more than countered for this. The original number of parking spaces in Lambs Close was 77 spaces. Following the re- introduction of the spaces on the application site, there would be 66 or 67 spaces for the existing flats (depending on whether two or three spaces are used for the proposed flats). A drop in the number of spaces serving the flats of ten or eleven is considered to be acceptable in the context of the fact that there are 71 flats in Lambs Close, the Council's standards are guidelines and the National Planning Policy Framework encourages a shift away from the private car and a reduction in the number of parking spaces being made available for developments.

6.5 It is also pertinent to note that the parking spaces on the application site may never be fully re- used if an acceptable development proposal for the site is not found, particularly as the existing garages are too small to be practically useable as parking spaces for modern cars. This development proposal may therefore be viewed as being of benefit to Lambs Close as a whole. While the car park has now been opened and the gates removed and the site cleared for use, due to the lack of light and security, and the isolation of the site from the main flatted development in Lambs Close, none of the residents have applied for parking permits and are not using the current parking facilities. The development of the site would make its re- use for parking purposes far





Proposed Site Plan

6.6 The site is in a sustainable location, a matter of a few minutes walk from the centre of Cuffley with all of the day- to- day facilities that such a village needs. Moreover, the site is very well connected with numerous bus services to the surrounding towns and villages, and the train station, all of which have connections further beyond. The site is therefore very well located in terms of access to means of transport other than the private car. Furthermore, though three of the parking spaces would provisionally be for the residents of the two flats the subject of this application, it is quite likely that given the flats are two bed, that they be occupied by young families. This being the case, it is therefore also likely that the flats give rise to demand for only one parking space each. There would then be 22 spaces retained on the site for the existing flats in Lambs Close, an overall shortfall of two spaces beyond the existing situation should the parking area be brought back into full use. This level of shortfall of parking would be immaterial in the overall context of the site.

6.7 Also relevant to the consideration of this application is that fact that the provision of the two flats would represent an increase in the number of residences within the borough as a whole. While this is not a significant figure, and the Council has sufficient a supply of land to meet its predicted five year housing supply target, this opportunity to provide two high quality modern standard flats in a sustainable location should not be allowed to pass, especially as it would assist in bringing back into use an additional 21 or 22 parking spaces for the existing flats in Lambs Close.

6.8 The re- introduction of the spaces on this land would represent an increase in the number of parking spaces available to the occupiers of the nearby flats, to the benefit of the safety of the surrounding highway network. Contrary to the Council's comments in the pre- application response, this would represent a significant positive effect of the proposed development.

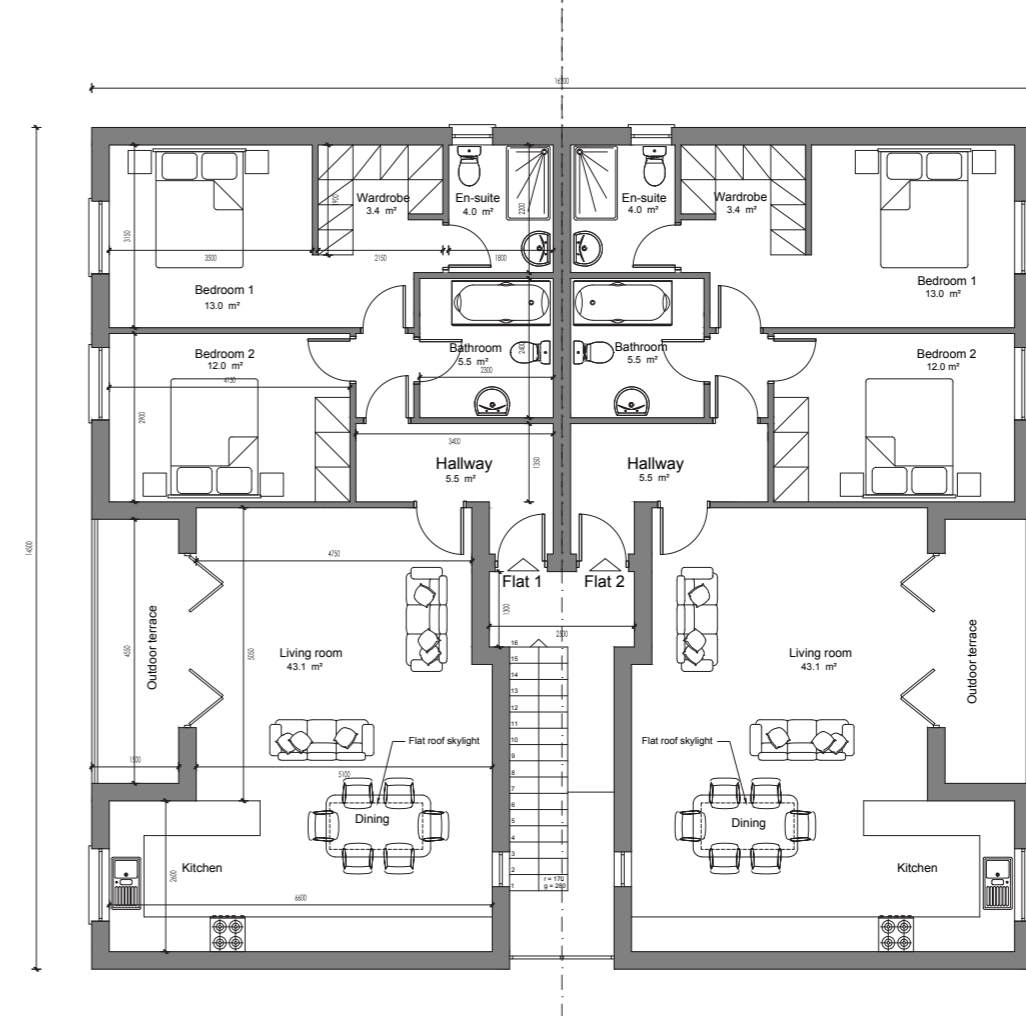
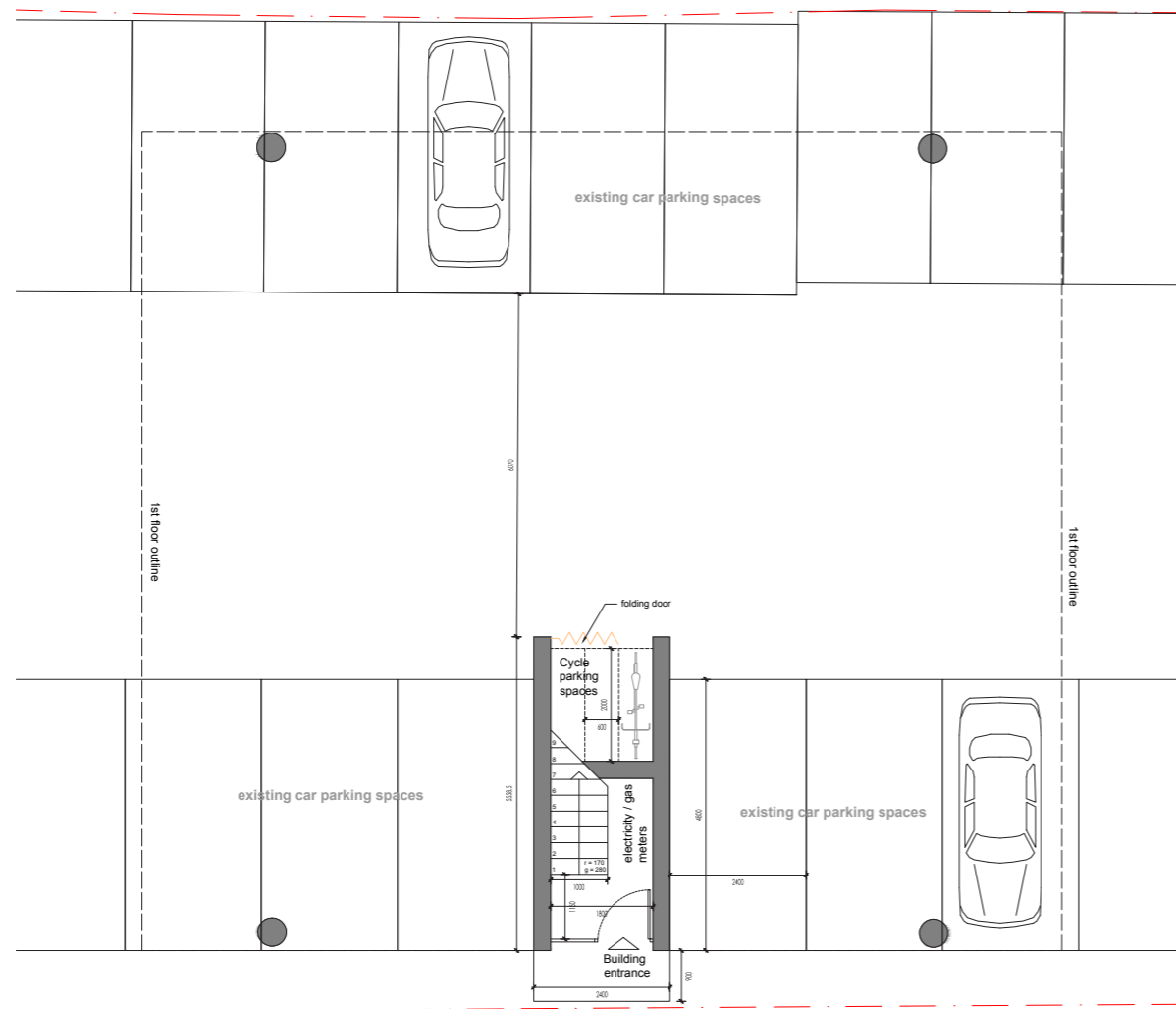
6.9 Secure cycle parking spaces for the flats would be provided within the building to meet the Council's cycle parking standards.

6.10 A refuse store would be provided adjacent to the entrance to the site which would be within the minimum refuse carrying distance for the future residents of the site and would be easily accessible by refuse operatives.

6.11 Servicing would be undertaken in the normal manner and would raise no adverse issues, as at the time of the previous applications on the site.

## **SUSTAINABILITY**

7.1 The proposed flats would be built with sustainability and sustainable technologies in mind. It would be built to the appropriate level of the Code for Sustainable Homes Level and would be an environmentally responsible form of development. A Sustainability Statement has been submitted with this planning application, explaining how the proposed development would meet Code for Sustainable Homes Level 4 through the use of a number of sustainable technologies and energy efficiency measures in its construction. The development would incorporate sustainably sourced construction materials, passive design including natural ventilation, double glazing with high air tightness, low energy lighting and solar photovoltaic panels and water efficient fittings.



Proposed Ground and First Floor Plan

## POLICY CONSIDERATIONS

8.1 Policy SD1 of the Local Plan – Sustainable Development – states that development proposals will be permitted where it can be demonstrated that the principles of sustainable development are satisfied and that they accord with the objectives and policies of the Local Plan. The statement accompanying this application demonstrates that the proposed development addresses the sustainability criteria contained in the Council's Supplementary Design Guidance.

8.2 Moreover, the proposal would represent a sustainable form of development in that it would involve the re- use of previously developed land. The National Planning Policy Framework strongly promotes this approach to the planning, recognising that land is a scarce resource.

8.3 Policy R1 – Maximising the Use of Previously Developed Land – states the Council will require development to take place on land which has been previously used or developed. This would be the case with this application. In addition, the development of the size and scale proposed is considered to be the maximum that may reasonably be permitted on the site without causing adverse issues for the amenities of the occupiers of the surrounding flats and dwellings, particularly given the Council's concerns regarding the size of the proposed development in the pre- application inquiry.

8.3 Policy R17 – Trees, Woodland and Hedgerows – states the Council will seek the protection and retention of existing trees where applicable. The previous application on the site was refused on the grounds of the proposed development being sited too close to two oak trees the subject of a Tree Preservation Order which would likely result in pressure for applications to trim the trees in order to improve the amenities of the potential occupiers of the dwelling. The Appeal Inspector disagreed however.

8.4 The proposed flats the subject of this application would be a little nearer to the TPO trees than the previous proposed development on the site. However, the trees would not overshadow amenity area and would not therefore result in any pressure to trim the trees. Similarly, the proximity of the proposed development to the trees would not result in pressure to trim the trees. As the Inspector commented in the appeal decision following the refusal of application ref. S6/2012/1962/FP, any applications for works to the TPO trees could reasonably be refused by the Council, thereby maintaining the contribution to the character of the area that they make.

8.5 Policy M1 – Integrating Transport and Land Use – states the Council will permit development in locations with accessibility to pedestrian and cycle routes and passenger transport services. This policy would be complied with in that the application site is in a sustainable location, within a ten minute walk of Cuffley High Street which includes a full range of day to day shopping requirements, Cuffley Train Station and bus stops with services to the surrounding towns and villages and public transport connections to areas further afield. This further follows the guidance contained within the National Planning Policy Framework of promoting development in sustainable locations.



Proposed Elevations

8.6 The Council's Interim Parking Standards require that 1.5 spaces be provided for each of the flats. 24 parking spaces would be provided on the site. Three of these would be for the two flats, leaving 21 for the existing flats in Lambs Close. For the arguments rehearsed in paragraph 6.4 above, this level of provision is considered to be entirely acceptable. The proposed development would not give rise to conditions prejudicial to highway safety.

8.7 Policy D1 – Quality of Design – states the Council will require the standard of design in all new development to be of a high quality. Policy D2 – Character and Context – requires all new development respect and relate to the character and context of the area in which it is proposed. Development proposals should as a minimum maintain, and where possible, enhance or improve the character of the existing area. This is the case with the proposed development the subject of this application. The development has been designed to reflect the character of the blocks of flats in Lambs Close with their flat roofs, and pay heed to the size of the adjacent dwellings and bungalows in Theobalds Close. The relatively modern appearance of the proposed flats would sit comfortably between the adjacent flats and dwellings. The flats would be of a size and bulk similar to that exhibited by the neighbouring dwellings and bungalows, and appreciably smaller than the neighbouring flats and would be entirely acceptable from the point of view of their impact upon the street scene and the character of the area.

8.7 The proposed flats would not appear cramped within the plot within the context of the street scene or result in a cramped form of overdevelopment of the site. The proposed development would not appear as an intrusive, cramped form of development but one which would be an enhancement to the street scene through the removal of the existing somewhat tired looking garage block and its replacement with an attractive, modern development which would complement the surrounding development and street scene in pleasing manner. The scale and bulk of the proposals are such that the development would not appear cramped within the site. The development would instead be comfortably accommodated on the site.

8.8 There is a reasonably wide palette of materials present within the vicinity of the site. The materials with which the proposed flats would be constructed would enhance the character of the area. The development would fully respect the character, appearance and overall feel of the area. It would blend in with the wider street scene and would be an unobtrusive addition to the built form present in the area.

8.9 Notwithstanding this, the development would have an active frontage with the living/ dining/ kitchen areas to all of the flats over looking the entrance to the site. The development would not give rise to opportunities for criminal activity or to a fear of crime.

8.10 The proposed development would be sited further from the oak trees covered by a Tree Preservation Order on the site.

8.11 With regard to the National Planning Policy Framework, the proposed flats would be in accordance with several of the core planning principles, as contained in paragraph 17 of the document. The development would secure a high quality design and would provide a good standard of amenity for the future occupants of the site and those existing in the surrounding buildings. The development would also represent a sustainable form of development, in the use of renewable forms of energy and the use of environmentally responsible building materials. The proposal would represent an effective use of previously developed existing urban land, in proposing the development of the site for what is considered to be the fullest and most efficient quantum of development reasonably possible on the site (following the Council's pre- application response), whilst retaining the existing use of the land (the parking for Lambs Close), in a sustainable location. Being in a sustainable location, with easy access to public transport, the proposed development would encourage the use of alternative means of transport other than the private car.



Proposed Elevations

DESIGN PROPOSAL FOR NEW DWELLINGS

Site Address - Land Adjacent to Flats  
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8.12 Paragraph 58 of the NPPF states that planning decisions should aim to ensure that developments optimise the potential of a site to accommodate development, respond to local character, create safe environments where crime and disorder, and the fear of crime, do not undermine the quality of life, and are visually attractive. The proposed development the subject of this planning application complies with these criteria. It would optimise the potential of the site and would relate well to local character. It would also be a safe environment for its future occupiers.

## **Conclusion**

9.1 The proposed flats would have an acceptable impact upon the character and appearance of the area and the street scene. The amenities of the occupiers of the neighbouring residential properties would not be adversely impinged upon. The existing car parking for the flats in the Lambs Close would be retained, at a level considered to be entirely acceptable given the change in emphasis from the provision of maximum parking to levels that would encourage the use of alternative of transport. Sufficient car parking would be provided for the proposed flats too. The development would have no adverse impacts upon highway safety.

9.2 Accordingly, the proposed development is in full compliance with the relevant Local Plan policies and the guidance contained within the NPPF. Planning permission should accordingly be granted for the demolition of the existing garages and the erection of a block of two flats together with parking and the retention of the existing parking spaces for the flats in Lambs Close, on the garages and land adjacent to flats 37- 48 Lambs Close, Cuffley, Potters Bar, Herts.



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