

Public Document Pack



PLANNING COMMITTEE

Tuesday, 23rd April, 2013 at 7.30 pm
Venue: Conference Room,
The Civic Centre, Silver Street,
Enfield, Middlesex, EN1 3XA

Contact: Jane Creer / Metin Halil
Committee Administrator
Direct : 020-8379- 4093 / 4091
Tel: 020-8379-1000
Ext: 4093 / 4091
Fax: 020-8379-4455
Textphone: 020 8379 4419
E-mail: jane.creer@enfield.gov.uk
metin.halil@enfield.gov.uk
Council website: www.enfield.gov.uk

MEMBERS

Councillors : Andreas Constantinides (Chairman), Ali Bakir, Lee Chamberlain, Ingrid Cranfield, Don Delman, Christiana During, Patricia Ekechi, Ahmet Hasan, Ertan Hurer, Nneka Keazor, Paul McCannah, Anne-Marie Pearce, Martin Prescott, George Savva MBE and Toby Simon

AGENDA – PART 1

TO FOLLOW PAPERS

- 5. MINUTES OF THE PLANNING COMMITTEE 26 MARCH 2013** (Pages 1 - 18)

To receive the minutes of the Planning Committee meeting held on Tuesday 26 March 2013.

- 26. SECTION 106 AGREEMENTS - MONITORING INFORMATION**

To receive the report of the Director of Regeneration, Leisure and Culture.
(Report No.215)

This page is intentionally left blank

PLANNING COMMITTEE - 26.3.2013

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON TUESDAY, 26 MARCH 2013**

COUNCILLORS

PRESENT Andreas Constantinides, Ali Bakir, Lee Chamberlain, Dogan Delman, Christiana During, Patricia Ekechi, Ahmet Hasan, Ertan Hurer, Nneka Keazor, Paul McCannah, Anne-Marie Pearce, Martin Prescott, George Savva MBE and Toby Simon

ABSENT Ingrid Cranfield

OFFICERS: Bob Ayton (Schools Organisation & Development), Bob Griffiths (Assistant Director, Planning & Environmental Protection), Andy Higham (Head of Development Management), Steve Jaggard (Traffic & Transportation), Izabella Grogan (Legal Services), Sharon Davidson (Planning Decisions Manager) and Sean Newton (Principal Planning Officer) Jane Creer (Secretary) and Metin Halil (Secretary)

Also Attending: Approximately 150 members of the public, applicants, agents and their representatives
Councillor Del Goddard, Cabinet Member for Business & Regeneration
Tony Dey. Vice Chairman, Conservation Advisory Group
Ward Councillors: Michael Rye

815**WELCOME AND LEGAL STATEMENT**

The Chairman welcomed everyone to the meeting, and the Legal Services representative read a statement regarding the order and conduct of the meeting.

816**APOLOGIES FOR ABSENCE**

NOTED that apologies for absence were received from Councillor Cranfield.

817**DECLARATION OF INTERESTS**

NOTED

1. Councillor Savva declared a non pecuniary interest in application ref P13-00017PLA – College Farm, 515, Hertford Road, Enfield, EN3 5XE, as he was Chairman of the Older People and Vulnerable Adults Scrutiny Panel.

PLANNING COMMITTEE - 26.3.2013

2. Councillor Bakir declared a non pecuniary interest in application ref P13-00157PLA – Edmonton Lower School, Little Bury Street, London, N9 9JZ, as his children were pupils at Edmonton County School.

818

MINUTES OF THE PLANNING COMMITTEE 26 FEBRUARY 2013

AGREED the minutes of the Planning Committee held on Tuesday 26 February 2013 as a correct record.

819

MINUTES OF PLANNING PANEL HELD ON 28 FEBRUARY 2013 - NORTH CIRCULAR ROAD APPLICATIONS

RECEIVED the minutes of the Planning Panel held on Thursday 28 February 2013 regarding application refs P12-03179PLA, P12-03177PLA, P12-02858PLA and P12-02859PLA.

820

REPORT OF THE ASSISTANT DIRECTOR, PLANNING AND ENVIRONMENTAL PROTECTION (REPORT NO. 199)

RECEIVED the report of the Assistant Director, Planning and Environmental Protection (Report No. 199).

821

ORDER OF AGENDA

AGREED that the order of the agenda be varied to accommodate members of the public in attendance at the meeting. The minutes follow the order of the meeting.

822

P13-00158PLA - PROFESSIONAL DEVELOPMENT CENTRE (GEORGE SPICER ANNEX). KIMBERLEY GARDENS, ENFIELD, EN1 3SN

NOTED

1. The introduction of the Head of Development Management, advising that this application would be discussed alongside application P13-00212PLA, but separate votes would be taken. He outlined the proposals and key issues.
2. Receipt of eight further letters of objection and summary of points made.
3. Receipt of a further objection from Friends of Enfield Playing Fields.
4. Receipt of a further objection from Town Ward councillors.

PLANNING COMMITTEE - 26.3.2013

5. Recognition that consultation with the Mayor of London was required as the development was on Metropolitan Open Land (MOL), and confirmation that the GLA had been notified, but no comments received to date. An amendment to the recommendation that if Members were minded to approve the application, delegated authority would be given to officers to grant planning permission if the Mayor raised no objections in principle. If there were objections in principle from the Mayor or other matters which could not be resolved, the issue would be reported back to Committee.

6. The deputation of Ms Ann Lea, on behalf of the Save Our Environment Committee, including the following points:
 - a. They were not opposed in principle to the expansion programme and acknowledged the Council's need to provide sufficient school places, but did object to erecting a school on this particular site, which was unsuitable.
 - b. The proposed new building was too large to be wedged into this small piece of land. It was not directly situated on any road, there was no appropriate dropping off zone and accessibility was not good, including for emergency vehicles.
 - c. The Council had acted stealthily when changing the use of the Teachers Centre in 2012.
 - d. The proposed new building was far larger than the footprint of the existing buildings. Its bulk and mass would be intrusive.
 - e. Our Committee alerted the Mayor of London to this new build on MOL.
 - f. Concerns about use of the site outside school hours, and whether there would be any restriction on its use, which remain unanswered.
 - g. The noise assessment survey was flawed in that one of the indicated measuring points could not have been used as it was private property.
 - h. The report acknowledged that noise was above World Health Organisation's recommended level for some local residents and it was not possible to provide screening to the upper floor windows. It stated that the duration of children's free playtime should be limited, which was unfair. Night workers and those working from home were already struggling to come to term with noise created by 60 children already on site.
 - i. Questioned why a car park would be provided for parents' use: the only school in the borough to do so, and thus setting a precedent.
 - j. Ladysmith Road was a narrow, heavily parked cul-de-sac with a dangerous dog-leg bend.
 - k. Southbury Road was a major bus route and very busy main thoroughfare that is already at a standstill several times a day, which could not be expected to cope with the extra traffic without long delays.
 - l. There was a high level of opposition. There were over 100 letters of objection. A petition was also now presented with over 520 signatures.

7. The deputation of Ms Ruth Hastings Iqball, a local resident and on behalf of Friends of Enfield Playing Fields, including the following points:
 - a. The Friends of Enfield Playing Fields had never been consulted on these applications.
 - b. The site, on Enfield Playing Fields, is designated MOL. CP 34 stated that *'The Council will protect and enhance existing open space...by protecting MOL'*.

PLANNING COMMITTEE - 26.3.2013

- c. Development on MOL should be limited to small-scale structures and minimise any adverse impact on its openness. These proposals did have an adverse impact.
 - d. The Primary Expansion Programme (PEP) aimed to keep travelling distances to a minimum, but this location would not minimise travel.
 - e. Almost all vehicle access would be via Southbury Road, already one of the most congested roads in Enfield.
 - f. By 2019, George Spicer School would have 840 pupils on roll. On current parent car usage this would be 816 car journeys a day, brought up to 968 car journeys a day including the staff.
 - g. Mitigation would involve building a road into the playing fields, replacing park gates, lighting an alleyway behind houses and installing hard standing for 30 vehicles, to be reached by negotiating the dangerous dogleg in Ladysmith Road. It was questioned whether parents would use it, or continue to stop wherever they could in Sketty Road.
 - h. The proposal would involve the loss of fertile land. There was no new allotment plan, and plot holders would not be able to get to the site when the entrance to Craddock Road was shut.
 - i. Habitat for birds would be destroyed.
 - j. There were bats on site which would be disturbed by development and lighting and lose habitat. The quality of surveys was questioned.
 - k. The level of opposition from residents was clear.
8. The statement of Councillor Michael Rye, Town ward councillor, including the following points:
- a. He was speaking on behalf of the three Town ward councillors.
 - b. MOL designation should provide the same level of protection as Green Belt status. A special case had not been satisfactorily made. Need for school places should not be overriding.
 - c. Car parking and the lit footpath were further urbanisation of the MOL.
 - d. There was a shocking traffic accident history in the vicinity, with 22 personal injuries. Traffic generation from this proposal would be huge. A problematic impact was foreseen, on Ladysmith Road in particular.
 - e. There would be a significant impact on local residents from noise and disturbance and potential overlooking.
 - f. This proposal was unsustainable and he urged its rejection.
9. The response of Bob Ayton, School Organisation & Development Officer, Holly Porter and Tim Waters on behalf of the applicant, including:
- a. Primary school expansion proposals are guided by the principle of identifying schools located in those areas of the borough where the deficits of places are projected to be highest that are willing to admit additional pupils and are considered capable of managing an expansion.
 - b. George Spicer School is judged to be a “good” school by Ofsted, and is popular and consistently oversubscribed.
 - c. There was now greater pressure for additional school places in the Enfield Town / Bush Hill Park Primary Planning Area. St Michael’s CE School had been expanded in 2010/11, but other schools in this Area were on restricted sites.

PLANNING COMMITTEE - 26.3.2013

- d. Kimberley Gardens offered an excellent opportunity to expand this School; the site had been in educational use for many years, and this proposal was thus understood to be an appropriate use of the site in planning terms.
 - e. Holly Porter, the architect responsible for the designs, confirmed that she had worked in collaboration with the School, who fully supported the expansion and designs. It would be single storey with timber finishing and a clear secure entrance. It would fit the context of this green site, and had a landscaping scheme in keeping with its surroundings.
 - f. Tim Waters, the planning consultant for the project, clarified the findings of the technical noise assessment, and that Environmental Health officers were satisfied with the proposals. The acute and compelling educational needs justified the development and the site had a status as a developed site in MOL. There had been extensive work by Highways officers and a package of mitigation measures had been drawn up including car parking and pedestrian improvements and an updated travel plan from the School. Discussions were continuing, and residents would be fully consulted on the mitigation measures.
10. The Head of Development Management responded to issues raised, including:
- a. Confirmation that previous use as a training centre was within the same land use category as education use so no formal planning permission was required.
 - b. Educational need was considered to be a very special circumstance.
 - c. This area had existing development and harm would be of a minor nature.
 - d. Environmental Health had checked the noise impact, and there would be an acoustic fence.
 - e. The department retained officers in respect of ecological matters and their comments were included in the report. The veteran oak which showed signs of bat roosting would be retained.
11. Members' debate and questions responded to by officers, including:
- a. The characteristics of Ladysmith Road were not unusual of many of the borough's roads.
 - b. There would be an increase of c. 500 sq.m. of built floor area above what was there now.
 - c. It was confirmed that the application was registered at the end of December 2012 and the Mayor of London should have been consulted during January, but was not alerted until just over two weeks' ago. The oversight was acknowledged and necessary steps put in place. If the Mayor objected, the matter would be brought back to Planning Committee.
 - d. The need to move forward had made it difficult for a Planning Panel to be timetabled, but the Committee could request such a meeting in respect of any application.
 - e. The proposal by Councillor Hurer that a decision on the application be deferred to enable a Planning Panel to be held was not supported by a majority of the Committee: 6 votes for and 7 votes against (including the Chairman's casting vote) with 2 abstentions.

PLANNING COMMITTEE - 26.3.2013

- f. Mitigation measures could potentially lead to some loss of on-street parking space.
- g. A detailed management plan would be developed and conditioned, including all on site management and gate opening hours.
- h. George Spicer School had a good record in encouraging walking to school, and had a robust travel plan.
- i. Councillor Hurer recorded his request for assurance whether a building contract had been signed for this scheme.
- j. Emergency access requirements were satisfied.
- k. No-one would be deposed of an allotment. There would be net loss of allotment space, but the Ladysmith Road side had less usage.
- l. The MOL was fully recognised in the report and identified in the London Plan and Enfield's Core Strategy. The very special circumstances in respect of this development were put forward for the Committee's consideration.
- m. The demand for school places and assessment of other sites were confirmed. The wider PEP had looked at projected demand for places across the borough as a whole. There had been no applications for free schools in this part of the borough and the authority had to plan accordingly. The school admissions service had advised that George Spicer School was oversubscribed and demand for school places in this area was projected to continue to grow. The nine primary schools in the Primary Planning Area had been assessed for suitability for expansion. This proposal was part of the PEP: if any part of that programme failed for any reason, contingency measures would have to be put in place as the authority was statutorily obliged to provide sufficient school places to meet demand. However, it was clearly in the best interests of children's education to provide high quality permanent school places, which was the objective of the PEP.
- n. Traffic surveys had been carried out by automatic counters for a full week in both October and December 2012.
- o. Members' concerns that unanswered questions remained, particularly in respect of traffic mitigation measures. It was confirmed that measures would be finalised following public consultation.

12. The support of the majority of the Committee for the officers' recommendation: 8 votes for and 6 against.

AGREED that subject to the Mayor of London raising no objection and that any matters raised can be addressed by the imposition of additional conditions, the Head of Development Management / Planning Decisions Manager following liaison with the Chairman, Vice Chairman and Opposition Lead, be authorised in accordance with Regulation 3 of the Town and Country (General) Regulations 1992, to grant deemed planning permission subject to the conditions set out in the report, for the reasons set out in the report.

If the Mayor of London raises an objection or if matters are raised that cannot be resolved through negotiation, the application shall be reported back to the Planning Committee.

823

P13-00212PLA - SKETTY ROAD ALLOTMENTS AND LAND ADJACENT TO GEORGE SPICER ANNEX, SKETTY ROAD, ENFIELD, EN1 3SN

NOTED

1. This application was discussed alongside the above application P13-00158PLA.
2. Amendment to the recommendation.
3. Receipt of eight additional letters of objection.
4. Receipt of a letter of objection from the Friends of Enfield Playing Fields.
5. Receipt of letter of objection from the Town Ward councillors.
6. The support of the majority of the Committee for the officers' recommendation: 8 votes for and 6 against.

AGREED that in accordance with Regulation 3 of the Town and Country (General) Regulations 1992, to grant deemed planning permission, subject to the conditions set out in the report, for the reasons set out in the report.

824

P12-01832PLA - KINGS OAK NURSERY, TINGEYS TOP LANE, ENFIELD, EN1 9JB

NOTED

1. The meeting was subject to a brief adjournment before consideration of this application.
2. Introduction by the Principal Planning Officer.
3. The deputation of Mr Peter Jeffrey, including the following points:
 - a. He was chairman of Crews Hill Residents' Association, of which there were a large number of members in attendance at this meeting.
 - b. This was another attempt to override Green Belt planning policy and should be resisted. The Council should promote its protection.
 - c. There were insufficient special circumstances to justify the development, but planning consent would add value.
4. The response of Mr Graham Fisher of GF Planning Ltd, the agent, including:
 - a. This was not inappropriate development, as set out in para 6.3 of the report.
 - b. The total footprint of development on site would be reduced and there would be a significant reduction in hard surfacing, and better landscaping.
 - c. The openness of the Green Belt would not be harmed.

PLANNING COMMITTEE - 26.3.2013

- d. The houses were of high quality design, and there was a need for large family homes of this type.
5. Members' debate and questions responded to by officers, including:
 - a. Confirmation that S106 provisions were set out in para 6.9.1 of the report.
 - b. The development would meet secure by design standards.
 - c. Members' concerns in respect of impact on the Green Belt, setting of a precedent, and building heights.
 - d. The width of the lane was sufficient for emergency vehicle access.
 - e. Clarification of appeal decision referred to in the report.
6. The support of the majority of the Committee for the officers' recommendation: 9 votes for, 4 against and 1 abstention.

AGREED that upon completion of a legal agreement to secure the obligations as identified in section 6.12 of the report, planning permission be granted, subject to the conditions set out in the report, for the reasons set out in the report.

825

P12-02537PLA - DURWEN NURSERY, TINGEYS TOP LANE, ENFIELD, EN2 9BJ

NOTED

1. The introduction by the Principal Planning Officer, highlighting the case for very special circumstances put forward in para 6.2 of the report and considered in para 6.3, and acknowledgement that the issues were finely balanced.
2. The deputation of Mr Jim Lavin, the applicant, including:
 - a. The site had been used as a railway depot, then for 20 years as a builders' yard then by a skip company, and was 85% hard standing.
 - b. There were four mobile homes currently, and he felt the site was the right spot for his family. It would be used only by his family members; his daughters and grandchildren.
3. The response of Mr Peter Jeffrey, Chairman of Crews Hill Residents' Association, including:
 - a. The Council should defend the Green Belt.
 - b. There were insufficient special circumstances to permit this application.
 - c. This was an unsuitable location. The only school within walking distance was of a religious denomination and may not be suitable, buses ran only four times a day between 11:05 and 14:05, and there were no local shops.
 - d. Council records showed no planning permission for any use of the site ever, and no enforcement notices had been successfully appealed against. It was agricultural land in the Green Belt and should be returned to that state.

PLANNING COMMITTEE - 26.3.2013

- e. The Council was currently assessing options for a travellers' site in the borough.
4. Members' debate, and questions responded to by officers, including:
 - a. A well structured site would have the advantage of improving the appearance of the area, and there were no nearby neighbours who would be affected, and the Council had a duty to provide facilities for travellers.
 - b. Concerns this was not a brownfield site, and it should be reverted back to Green Belt.
 - c. Concerns about the suitability of this location for families and children.
 - d. It was not considered there was any prospect of improvement to the bus service on the back of this application.
 - e. It was understood there was an intention to provide a travellers' site elsewhere in the borough.
5. The support of the majority of the Committee for the officers' recommendation: 11 votes for and 3 against.

AGREED that planning permission be refused for the reason set out in the report.

826

P13-00017PLA - COLLEGE FARM, 515, HERTFORD ROAD, ENFIELD, EN3 5XE

NOTED

1. **SUSPENSION OF COUNCIL CONSTITUTION – TIME OF MEETING**
AGREED that the rules of procedure within the Council's Constitution relating to the time meetings should end (10:00pm) be suspended for a period of 60 minutes to enable the business on the agenda to be completed.
2. Introduction by the Principal Planning Officer clarifying the application, confirming the building was not listed or locally listed.
3. Receipt of four additional letters of objection from The Friends of Albany Park, an Eastfield Road resident and two Hertford Road business owners, and summary of points raised.
4. Amendments to conditions:
 - a. Condition 14 (Rainwater Harvesting): Insert words "Prior to the construction of the building hereby approved details of ***the feasibility of providing*** a rainwater recycling system..."
 - b. Condition 16 (Energy Efficiency): Insert words "no less than 45% total CO2 emissions arising from the operation of a development ***unless otherwise agreed in writing***"
 - c. Condition 20 (Renewable Energy): micro CHP ***and / or*** photovoltaics
 - d. Condition 24 (Restricted Hours): Hours to be: Mon-Fri 8am-10pm, Sat 9am-10pm, Sun 9am-6pm

PLANNING COMMITTEE - 26.3.2013

e. Condition 26 (Restricted Use Class): Amended to read ***use of Adult Day Services and Community Centre***

f. Condition 29 to read: Prior to occupation of the development, details shall be provided to the Local Planning Authority for approval in writing of a suitable means of display to inform the public of the history of development on the site. The display shall be installed prior to occupation and permanently maintained.

Reason: To educate the users of the park of its heritage.

5. Amendment to the recommendation to include "in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992".
6. The deputation of Ms Gina Needs and Mr Sam Adoake on behalf of Friends of Albany Park and local business owners, including the following points:
 - a. Concerns in respect of safeguarding. Vulnerable people would be put at greater risk. It was feared that a serious incident would occur. The park was subject to a dispersal order and a high level of gang activity. Evidence of weapons and drugs was common.
 - b. There had not been proper consultation work with the local community.
 - c. Introduction of a cafe terrace would make the playground less safe.
 - d. The proposals would undermine a Heritage Lottery bid which had residents' support.
 - e. It was understood that the Enfield Society was asking for listing of the building.
 - f. The location was unsuitable in respect of parking and public transport accessibility.
7. The response of Mr Ray James, Director of Health, Housing and Adult Social Care at Enfield Council, including:
 - a. The need for such facilities was growing. There had been an extensive search of sites. This development would complement the other two facilities in Edmonton and Enfield Town.
 - b. The view of local Police was that this would help to address security concerns at the site.
 - c. Safety and risk assessment had been fully considered.
 - d. Expert advice had been sought on options for refurbishment or new build, and an assessment made on the best way forward.
 - e. The principal purpose of the cafe was for training for adults with learning disabilities. The intention was not a commercially viable entity, and its level could be further discussed and agreed.
 - f. There had been a number of steps to engage with the local community and continuing dialogue was pledged.
8. The statement of Mr Tony Dey on behalf of Conservation Advisory Group, drawing attention to Enfield Society's views and that the building intended to be demolished dated from 1854 and was important to Eastern Enfield and the borough's heritage.

PLANNING COMMITTEE - 26.3.2013

9. Members' debate and questions responded to by officers, including:
 - a. Clarification of opening hours and potential use by community groups.
 - b. Reluctance to lose a heritage building was outweighed by the good use and high quality design.
 - c. Confirmation that any use of the building would be D1 use.
 - d. Confirmation that the dispersal order would expire in April and Police did not intend for it to be reintroduced.
 - e. Confirmation of re-provision of trees and landscaping condition.
 - f. Clarification of special circumstances in respect of encroachment onto MOL.
 - g. The vast majority of users would be from this part of the borough.
10. The support of the majority of the Committee for the officers' recommendation: 7 votes for, 5 against and 2 abstentions.

AGREED that in accordance with Regulation 3 of the Town and Country (General) Regulations 1992, planning permission be granted, subject to the conditions set out in the report and amendments above, for the reasons set out in the report.

827

P13-00157PLA - EDMONTON LOWER SCHOOL, LITTLE BURY STREET, LONDON, N9 9JZ

NOTED

1. Introduction of the Head of Development Management summarising the proposals.
2. Amendment to the recommendation to refer to Regulation 3 of the Town and Country (General) Regulations 1992.
3. Receipt of two additional letters of objection highlighting concerns in relation to access, road dangers, and children's safety.
4. The deputation of Ms Diane Fleming, local resident, including the following points:
 - a. She was speaking on behalf of Blakesware Gardens and other residents.
 - b. There had not been compliance with the requirements of the NPPF in resolving issues before the application was submitted.
 - c. Concerns about siting primary and secondary schools together and safety of children.
 - d. There had been conflicting details and only some had been amended; the application had shortcomings.
 - e. Main access via Little Bury Street next to the bridge over Salmons Brook was unsatisfactory.
 - f. There was no safe crossing to the access point for children. Traffic would be heavy and there would be dangerous parking.
 - g. It was not resolved where all the staff would park.

PLANNING COMMITTEE - 26.3.2013

5. The response of Bob Ayton, Holly Porter and Tim Waters, including:
 - a. This scheme would not create a new school. It proposed to make the Bury Street Campus of Edmonton County School an all through school through the provision of a new primary element. Edmonton County was judged by Ofsted to be a “good” and “rapidly improving” secondary school that the authority had every confidence in.
 - b. The proposal would also help ease pressure of demand on schools on the periphery of this Planning Area.
 - c. Holly Porter, architect, advised that this scheme would enhance the existing school facilities, primary provision would be on the ground floor, and the proposed extension would have an understated appearance, modern aesthetic, and positive frontage. It would be in keeping, including landscaping, and had been designed with security in mind.
 - d. Tim Waters, planning consultant, advised that there had been a thorough technical assessment of the application, and mitigation measures had been put forward. No mature trees would be removed. There was not a risk of flooding.

6. Members' debate, and officers' responses to questions, including:
 - a. Concerns that traffic would be channelled down Little Bury Street.
 - b. Confirmation that robust conditions were in place to protect trees.
 - c. Concerns regarding levels of traffic in roads that were already congested, and the primary school crossing, and the Salmons Brook bridge.
 - d. A comprehensive package of measures to address concerns would be brought forward.
 - e. Concerns in respect of mixing primary and secondary pupils.

7. The support of the majority of the Committee for the officers' recommendation: 7 votes for (including the Chairman's casting vote), 6 votes against and 2 abstentions.

AGREED that in accordance with Regulation 3 of the Town and Country (General) Regulations 1992, planning permission be deemed to be granted, subject to the conditions set out in the report, for the reasons set out in the report.

828

P12-02173MMA - BURL HOUSE, CHARLES STREET, ENFIELD, EN1 1LD

NOTED

1. **SUSPENSION OF COUNCIL CONSTITUTION – TIME OF MEETING**
AGREED that the rules of procedure within the Council's Constitution relating to the time meetings should end be suspended for a further period of 15 minutes to enable the business on the agenda to be completed.

2. Introduction by the Planning Decisions Manager.

PLANNING COMMITTEE - 26.3.2013

3. Receipt of an additional objection from the occupier of 60, James Street, who had already raised objections to the development which were summarised in the report at para 4.3.1 raising points including that the contractor had not built to the original plans on various occasions and that they had already lost light, privacy and outlook and it was unfair to allow the windows to stay and lose more privacy.
4. The unanimous support of the Committee for the officers' recommendation with one abstention.

AGREED that planning permission be granted, subject to the conditions set out in the report, for the reason set out in the report.

829

P12-02651REM - PART OF NORTH MIDDLESEX HOSPITAL (BOILER HOUSE SITE), WATERMILL LANE, LONDON, N18 1SA

NOTED

1. Introduction by the Planning Decisions Manager.
2. Members advised to note the need for an amendment to the S106 Agreement to remove the requirement to widen the existing footpath to Watermill Lane as set out in para 6.10.1 of the report.
3. Description of proposals amended where reference to accommodation mix should read 19 x 1 bed and 29 x 2 bed flats.
4. Paras 2.3 and 6.7.11: Total parking provision would be 65 spaces and not 67. 8 spaces and not 7 are designated for disabled users.
5. Para 6.2.1 should read 299 habitable rooms.
6. Para 6.3.2 should read 19 x 1 bed (24%) and 29 x 2 bed (35%). The tenure split is 51 units for affordable and 30 for shared ownership.
7. Para 6.4.5: Location of air extraction equipment to be located internally and would draw air from within the courtyard and not from roof level as originally proposed. Environmental Health are satisfied with this approach.
8. The applicants had advised that the proposed positive venting of the units facing Bull Lane and the North Circular would now take place from the courtyard and not roof level. To assess the impact arising from this revised strategy, it was recommended that a condition was included to secure a detailed specification of all air extraction equipment and their location within the units before development commences.
9. The unanimous support of the Committee for the officers' recommendation.

PLANNING COMMITTEE - 26.3.2013

AGREED

- a. that the reserved matters be approved, subject to the conditions set out in the report and additional conditions to address revised strategy for positive venting;
- b. the planning permission be granted to vary Condition 28 (Wheelchair accessible units) of the outline planning permission from 8 to 6 wheelchair units;
- c. that details submitted pursuant to Conditions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 17, 20, 21, 22, 23, 24, 25, 26, 27, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41 of the outline planning permission TP/11/0905 be approved for the reasons set out in the report.

830

P12-02294PLA - THE OAK, 144, FIRS LANE, LONDON, N21 2PJ

NOTED

1. The introduction by the Planning Decisions Manager.
2. Amendment to the recommendation.
3. Additional condition requiring details of Arboricultural Method Statement, and Tree Protection Plan.
4. Additional condition - Informative 2 within the report should constitute a condition, not an informative.
5. Tightening up of some of the conditions contained in the report.
6. Members' concerns in respect of potential contamination on the site, and of development on MOL.
7. The support of the majority of the Committee for the officers' recommendation: 11 votes for, 1 against and 2 abstentions.

AGREED that, subject to referral to the Greater London Authority and the satisfactory completion of a S106 Agreement, planning permission be granted, subject to the conditions set out in the report and amendments above, for the reasons set out in the report.

831

P12-02750PLA - 62, VERA AVENUE, LONDON, N21 1RL

AGREED that a decision on the application be deferred to allow Members to make a site visit.

832

P13-00030PLA - 308, FIRS LANE, LONDON, N13 5QQ

NOTED

PLANNING COMMITTEE - 26.3.2013

1. Introduction by the Head of Development Management.
2. Amendment to the recommendation.
3. The unanimous support of the Committee for the officers' recommendation.

AGREED that in accordance with Regulation 3 of the Town and Country (General) Regulations 1992, planning permission be deemed to be granted, subject to the conditions set out in the report, for the reason set out in the report.

833

P13-00107PLA - 33, ORCHARD AVENUE, LONDON, N14 4NB

NOTED the unanimous support of the Committee for the officers' recommendation.

AGREED that planning permission be granted, subject to the conditions set out in the report, for the reason set out in the report.

834

TP/11/1557 - THE LIMES, WHITEWEBBS ROAD, ENFIELD, EN2 9JW

NOTED the unanimous support of the Committee for the officers' recommendation.

AGREED that planning permission be granted, subject to the conditions set out in the report, for the reasons set out in the report.

835

P12-03194PLA - SOUTHGATE SCHOOL, SUSSEX WAY, BARNET, EN4 0BL

NOTED the unanimous support of the Committee for the officers' recommendation.

AGREED that planning permission be granted, subject to the conditions set out in the report, for the reasons set out in the report.

836

P12-02507PLA - 1-72, BRIDPORT HOUSE, EDMONTON, LONDON, N18 2XJ

NOTED that Members considered the remaining applications as a group and confirmed no objections and granted officers delegated authority to determine items 19 – 29 (inclusive) in accordance with the recommendations contained in the reports under delegated authority.

PLANNING COMMITTEE - 26.3.2013

AGREED in accordance with Regulations 3 of the Town and Country Planning General Regulations 1992, planning permission be deemed to be granted, subject to the conditions set out in the report, for the reason set out in the report.

837

P12-03190PLA - TANNERS END LANE, COPPERFIELD MEWS, PICKWICK MEWS, DORRIT MEWS, DICKENS LANE BLOCKS, EDMONTON, LONDON, N18

AGREED that in accordance with Regulation 3 of the Town and Country (General) Regulations 1992, planning permission be deemed to be granted, subject to the conditions set out in the report, for the reason set out in the report.

838

P13-00003PLA - 58-81, JOHNBY CLOSE, ENFIELD, EN3 6BJ

AGREED that in accordance with Regulation 3 of the Town and Country Planning (General) Regulations 1992, planning permission be deemed to be granted, subject to the conditions set out in the report, for the reason set out in the report.

839

P13-00004PLA - 1-24, JOHNBY CLOSE, ENFIELD, EN3 6BJ

AGREED that in accordance with Regulation 3 of the Town and Country Planning (General) Regulation 1992, planning permission be deemed to be granted, subject to the conditions set out in the report, for the reason set out in the report.

840

P13-00022PLA - 1-11, 21-48 & 13-75, CHERRY ROAD, 17-39 & 66-116, BOUVIER ROAD, ENFIELD, EN3 5SE

NOTED the requirement for an additional condition requiring submission of details of materials.

AGREED in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, planning permission be deemed to be granted, subject to the conditions set out in the report and amendment above, for the reason set out in the report.

841

P13-00314PLA - 36-42A, SOUTH STREET, ENFIELD, EN3 4LB

AGREED in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, planning permission be deemed to be granted, subject to the conditions set out in the report, for the reason set out in the report.

842

P13-00315PLA - 1A-11D, SOUTH STREET, ENFIELD, EN3 4JY

AGREED that planning permission be granted, subject to the conditions set out in the report, for the reason set out in the report.

843

P13-00352PLA - 58-66, SOUTH STREET, ENFIELD, EN3 4LB

AGREED in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, planning permission be deemed to be granted, subject to the conditions set out in the report, for the reason set out in the report.

844

P13-00353PLA - 13-18, GROVE ROAD WEST, ENFIELD, EN3 5SY

AGREED in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, planning permission be deemed to be granted, subject to the conditions set out in the report, for the reason set out in the report.

845

P13-00354PLA - 1-12, GROVE ROAD WEST, ENFIELD, EN3 5SY

AGREED in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, planning permission be deemed to be granted, subject to the conditions set out in the report, for the reason set out in the report.

846

P13-00355PLA - 48-56A, SOUTH STREET, ENFIELD, EN3 4LB

AGREED in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, planning permission be deemed to be granted, subject to the conditions set out in the report, for the reason set out in the report.

This page is intentionally left blank

MUNICIPAL YEAR 2013/2014 REPORT NO. **215**

COMMITTEE:
 PLANNING COMMITTEE
 - 23/04/13

REPORT OF:

Assistant Director (Regeneration,
 Planning and Programme
 Management)

AGENDA – PART 1	ITEM 26
SUBJECT - S106 AGREEMENTS – MONITORING INFORMATION WARDS: ALL	

Contact Officers:

Joanne Woodward ext 3881 Joanne.Woodward@enfield.gov.uk

Sujata Majumdar ext 3871 Sujata.Majumdar@enfield.gov.uk

1. SUMMARY

1.1 This report provides an update on the monitoring of Section 106 Agreements (S106) and progress on Section 106 matters for the period October 2012 to April 2013. The report seeks to provide an overview on:

- The position regarding current S106 Agreements, categorised by constituency, including the type and amount of financial obligations, progress on spend and implementation of schemes;
- New S106 agreements agreed and signed since October 2012.

1.2 Six monthly reporting cycles for S106 Monitoring have to date been the subject of reports to Planning Committee in April and October. This report recommends that subsequent reports move to May and November to ensure the Spring monitor can reflect the Council's closure of accounts in full.

2. RECOMMENDATIONS

That Planning Committee:

- 2.1 Note the contents of this Report and its Annexes.
- 2.2 Agree that six monthly monitoring information regarding S106 agreements be reported to Planning Committee in May and November each year from now on.

3. S106 MONITORING OVERVIEW

3.1 The current position regarding the implementation of S106 agreements is set out in Annex 1 which has been circulated under separate cover and a copy placed in the Members Library. As noted at the previous meeting of Planning

Committee in October 2012, the format of the monitoring information has been improved and is now presented in a revised spreadsheet format to that previously considered by Members.

- 3.2 The revised spreadsheet includes details of the development and S106 agreement including the type of planning obligations secured, Council department responsible for expenditure and any stipulated spend deadlines. Receipts, expenditure to date and a current available balance are all provided. It also incorporates a detailed financial overview of S106 receipts and all S106 related expenditure both actual spends and committed spends according to SAP, the Council's financial accounting system. An overview of the financial information contained in the spreadsheet is set out in Table 1 below.

Table 1 Summary of S106 Agreements current position

Status	Total Amount
Total amount spent in 12/13 (SAP Actuals and SAP Commitments).	£1,783,134
Remaining balance of which: <ul style="list-style-type: none"> £1,745,249 is allocated to projects £1,706,080 is allocated to a department but not yet assigned to a specific project, of which almost 60% was received in 2012/13. 	£3,451,329
TOTAL current balance	£5,234,463
Total amount of potential S106 payments not received yet as development has not commenced (see Table 2).	£3,857,093

- 3.3 There are currently 127 individual S106 agreements in the programme. These include agreements and projects currently being delivered as well as funds which, whilst being agreed with the Council, will not be received until the relevant planning permission is implemented.

- 3.4 From April 2012 to April 2013, a total of 38 projects funded by S106 receipts were completed. Completed projects include:

- The provision of CCTV in the Argon and Eley Estates in Upper Edmonton;
- School expansions;
- Environmental improvements in the environs of Turkey Street Station;

- Improvements to the changing room facilities at Albany Park; and
- Pedestrian improvement works at Innova Park and Silver Street Station.

Further details of completed projects are set out in Annex 3.

Over the same period, implementation work on a further 22 projects were commenced and are still underway.

- 3.5 From April 2012 to April 2013, the Council received £1,358,634 in S106 financial contributions from schemes where planning permission has been implemented.
- 3.6 At the end of April 2013, the current S106 remaining balance is £3,451,329 after the 12/13 draw down of which £1,745,249 is allocated to projects and the remaining £1,706,080 is allocated to the relevant department but has yet to be allocated to a specific project. Almost 60% of this figure however includes S106 financial contributions received in 12/13.

4. RECENTLY COMPLETED AGREEMENTS

- 4.1 Over the last six months, since October 2012, 17 planning permissions were granted which required a S106 agreement and financial contributions to the value of £1,269,643 were negotiated and agreed. These receipts will only be received by the Council when the individual permission is implemented. Further details of these new agreements are attached in Annex 2.
- 4.2 Table 2 below summarises the payments that have been negotiated and included in signed S106 agreements. These are expected to be received by the Council once planning permission has been implemented and the trigger point for payment has been met. Trigger points tend to be on commencement of development.
- 4.3.1 It should be noted that not all financial contributions secured via signed planning agreements will ultimately be received by the Council. For example the landowner/developer may choose not to progress development or another application and agreement may supersede an earlier agreement.

Table 2 Breakdown of payments expected once planning permission has been implemented

Type of Obligation	Total Amount Negotiated/ Expected to be received once payment is triggered.
Education	£962,383
Affordable Housing	£1,188,758
Highways/Traffic and Transportation	£1,000,977
Health Care	£156,000
Parks	£180,000
Employment and Training	£44,500
Community Facilities	£100,000
Sustainability (carbon fund and air quality monitoring)	£89,475
Public Art	£60,000
Other	£75,000
Total	£3,857,093

5.0 Background Papers

None.

Annex 1

S106 Monitoring Spreadsheet to be circulated under separate cover as it in an A3 colour format. A hard copy has also been placed in the Members Library

Annex 2

New S106 Agreements signed since October 2012

1. Ref: 285 LBE/10/0037 Highmead Estate at Fore Street N18 2SL (new application) Redevelopment of site to provide a total of 118 residential units and 1037sqm of commercial floor space together with a medical centre and community hall. Planning obligations secured relate to the provision of community facilities, education, employment and training, open space and public art contributions (£281,375)
2. Ref: 265 TP/11/0496 20 Uplands Park Road EN2 7PT
Redevelopment of site to provide a 2-storey block of 8 flats A Deed of Variation has been signed varying the trigger point for payment of contributions to be upon first occupation rather than commencement of development. Planning obligations secured relate to affordable housing and education contributions (£205,191)
3. Ref: 291 P12-01390PLA 1-3 Pitfield Way EN3 5BY
Erection of a temporary building to form a temporary primary school (Class D1) to accommodate up to 25 children. Planning obligations secured relate to highway works contributions (7,000)
4. Ref: 292 TP/11/1739 16 Chase Hill EN2 8DQ
Subdivision of site and erection of a part 2 storey, 3-bed semi detached single family dwelling. Planning obligations secured relate to affordable housing, education contributions and the Mayoral Community Infrastructure Levy (£35,671.36)
5. Ref: 295 P12-01762PLA Enfield College Site, The Ride EN3 7DY
Redevelopment of land at rear of Enfield College involving demolition of The Ride College building and relocation of metal storage container to provide a detached 2-storey building for a 2-form entry Primary Academy (420 pupils) and Nursery school (30 pupils). Planning obligations secured relate to highways contribution and submission of details for travel plan monitoring, employment and training, landscaping and access arrangements (£53,500)
6. Ref: 296 P12-00362PLA 198 Gladbeck Way EN2 7HS
Redevelopment of site to provide 3 x 2-bed single family dwelling with off street parking at front. Planning obligations secured relate to affordable housing and education contributions (£90,032.15)
7. Ref: 297 TP/11/1711 66 Lansbury Road EN3 5NN
Subdivision of site and erection of a 2-storey end of terrace 3-bed single family dwelling and detached garage at rear. Planning obligations secured relate to affordable housing and education contributions (£30,315.65)
8. Ref: 308 P12-00618PLA 102 Green Street EN3 7HP
Demolition of part ground floor and first floor rear extension, increase in height of rear extension and subdivision of first floor flat into 2 self-contained bedsits involving new entrance at front. Planning obligations secured relate to affordable housing and education contributions (£1,717.16)
9. Ref: 309 P12-01709PLA Wenlock House 33 Eaton Road Enfield EN1 1NJ

Conversion of existing building into 36 residential units (comprising 9 x 1-bed, 24 x 2-bed and 3 x 3-bed). Planning obligations relate to education contributions and the provision of ten affordable housing units. (£74,056.48)

10. Ref: 299 P12-01895PLA 232 Great Cambridge Road EN1 1SQ
Demolition of existing unit and erection of two retail units with associated car parking and servicing area. Planning obligations secured relate to a carbon fund contribution (£30,948.75)
11. Ref: 313 P12-02856PLA 232 Great Cambridge Road EN1 1SQ
Demolition of existing retail unit and erection of new retail unit with associated servicing area, reconfiguration of existing 2 car parks into one and closure of an access route to Great Cambridge Road. Planning obligations secured relate to Green Ways cycle route and travel plan monitoring contributions (£8,741.25)
12. Ref: 293 P12-01974PLA 86 Lakeside Road N13 4PR
Subdivision of site and erection of an attached one storey single family dwelling house at side (RETROSPECTIVE). Planning obligations secured relate to carbon dioxide emissions and lifetime homes contributions (£3,591)
13. Ref: 294 P12-02361PLA 23 Church Street N9 9DY
Conversion of hostel into 4 self contained flats comprising 1 x 2 bed, 1 x 1 bed and 2 x studio flats involving rear dormer. Planning obligations secured relate to education contributions (£2,582.97)
14. Ref: 298 P12-01160PLA The Bourne London N14 6QX
Erection of 1 x 3-bed detached and 2 x 3-bed semi detached single family dwellings. Planning obligations secured relate to education and affordable housing contributions (£155,571.69)
15. Ref: 306 P12-01287PLA 399a Green Lanes N13 4TY
Conversion of first and second floors to form 2 x 1 bed self contained flats.
Planning obligations secured relate to education contributions (£634.19)
16. Ref: 310 P12-00693PLA 133 Bowes Road N13 4SB. Planning obligations relate to affordable housing and education contribution (£2,755.18)
Conversion of existing first floor maisonette into 2 x self contained flats
17. Ref: 315 P12-03189PLA Barrowell Green Car Park
Erection of a total of nine self-contained residential units within two 3-storey blocks. Planning obligations secured relate to affordable housing and education contributions (£256,012.30)

Annex 3

S106 GOOD NEWS STORIES

Annual report for S106 funded projects completed during April 2012-13.

Ward	Project	Value of S106 Contribution
Southbury	Provision of street trees in Southbury Road	£2,814
Cockfosters	Traffic island Cockfosters Road	£14,169
Winchmore Hill	Highways works in Green Lanes	£8,602
Upper Edmonton	Provision of CCTV at Argon Road	£47,500
Upper Edmonton	Access improvements in Silver Street	£62,820
Upper Edmonton	Provision of CCTV at the Eley Estate	£229,133
Enfield Highway	Improvements to the northern access of Jeffreys Road	£34,411
Enfield Highway	Environmental improvements outside Turkey Street Station	£50,523
Enfield Highway	Provision of CCTV in Enfield Island Village	£56,847
Enfield Highway	Playground and changing room improvements in Albany Park	£108,071
Enfield Lock	Pedestrian Improvements in Innova Park	£45,032
Grange	Junction protection, right turn lane markings and improvements in Clock Parade	£21,935
Enfield Town	Enfield Town CPZ works	£12,522

- The following projects were part funded by S106 education contributions received in 2012-13 towards the Permanent Primary Expansions Programme and other school building works.
- The total value of S106 funding that contributed towards the overall cost of works was **£771,501**

Ward	Project (Permanent School Expansions)
Southbury	George Spicer Primary School
Southgate	Eversley Primary School
Cockfosters	DeBohun Primary School
Palmers Green	<ul style="list-style-type: none"> • St John & St James Primary School • Hazelwood Primary School
Winchmore Hill	Highfield Primary School
Enfield Lock	Prince of Wales Primary School
Chase	Merryhills Primary School
Highlands	Lavender Primary School
Bowes	Bowes Primary School

This page is intentionally left blank