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PLANNING COMMITTEE

Tuesday, 22nd September, 2009 at 7.30 pm
Venue: Conference Room
The Civic Centre, Silver Street,
Enfield, Middlesex, EN1 3XA

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MEMBERS

Councillors : Alan Barker (Chairman), Don Delman (Vice-Chairman),
Jayne Buckland, Lee Chamberlain, Andreas Constantinides, Annette Dreblow,
Peter Fallart, Jonas Hall, Ahmet Hasan, Chris Joannides, Donald McGowan,
Toby Simon, Dino Lemonides, Kieran McGregor and Anne-Marie Pearce

N.B. Members of the public are advised that the order of business on the agenda may be altered at the discretion of the Committee.

Any member of the public interested in attending the meeting should ensure that they arrive promptly at 7.15pm.

AGENDA – PART 1

1. **WELCOME AND LEGAL STATEMENT**
2. **APOLOGIES FOR ABSENCE**
3. **DECLARATION OF INTERESTS** (Pages 1 - 2)

Members of the Planning Committee are invited to identify any personal or prejudicial interests relevant to items on the agenda. Please refer to the guidance note attached to the agenda.

4. **MINUTES OF PLANNING COMMITTEE 26 AUGUST 2009** (Pages 3 - 10)

To receive the minutes of the Planning Committee meeting held on Wednesday 26 August 2009.

5. REPORT OF THE ASSISTANT DIRECTOR, PLANNING AND ENVIRONMENTAL PROTECTION (REPORT NO. 80) (Pages 11 - 74)

5.1 Applications dealt with under delegated powers.
(A copy is available in the Members' Library)

5.2 Planning applications and applications to display advertisements.

5.3 Appeal information
Section 1 : New Town Planning Application Appeals
Section 2 : Decisions on Town Planning Application Appeals

6. SECTION 106 AGREEMENTS - MONITORING INFORMATION (REPORT NO. 81) (Pages 75 - 90)

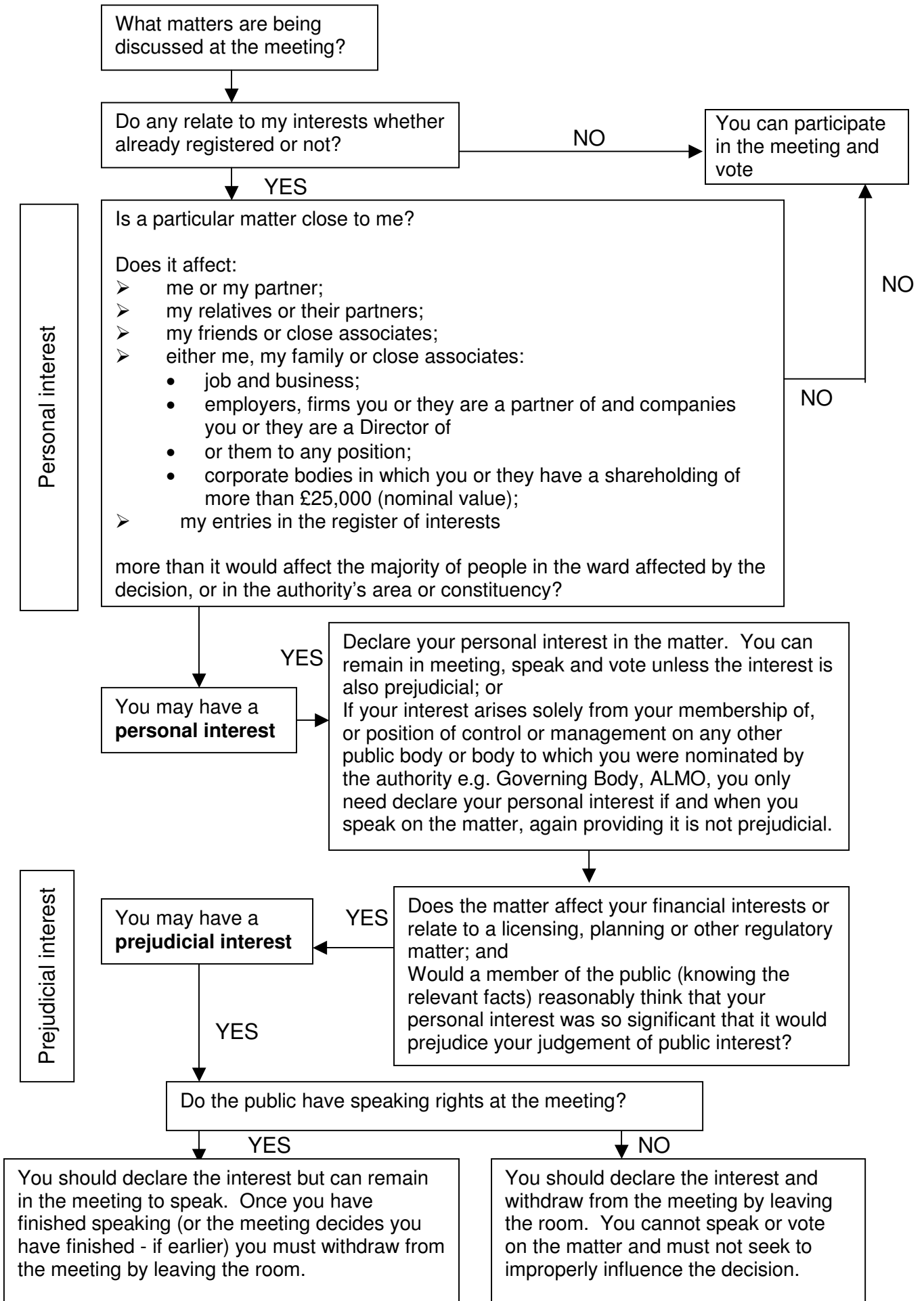
To receive the report of the Assistant Director, Place Shaping, to update Section 106 monitoring.

INF

7. EXCLUSION OF THE PRESS AND PUBLIC

If necessary, to consider passing a resolution under Section 100A(4) of the Local Government Act 1972 excluding the press and public from the meeting for any items of business moved to part 2 of the agenda on the grounds that they involve the likely disclosure of exempt information as defined in those paragraphs of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).
(There is no part 2 agenda)

DECLARING INTERESTS FLOWCHART - QUESTIONS TO ASK YOURSELF



Note: If in any doubt about a potential interest, members are asked to seek advice from Democratic Services in advance of the meeting.

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PLANNING COMMITTEE - 26.8.2009

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON WEDNESDAY, 26 AUGUST 2009**

COUNCILLORS

- PRESENT** Alan Barker, Dogan Delman, Jayne Buckland, Lee Chamberlain, Andreas Constantinides, Annette Dreblow, Peter Fallart, Ahmet Hasan, Toby Simon, Dino Lemonides and Kieran McGregor
- ABSENT** Jonas Hall, Chris Joannides, Donald McGowan and Anne-Marie Pearce
- OFFICERS:** Bob Ayton (Schools Organisation & Development), Linda Dalton (Legal), Andy Higham (Area Planning Manager), Aled Richards (Head of Development Services), Ann Redondo and Kahleen Swallow (Democratic Services)
- Also Attending:** Councillor Henry Lamprecht.
Approximately 25 members of the public.
Dennis Stacey, Chairman of the Conservation Advisory Group.

259**WELCOME AND LEGAL STATEMENT**

The Chairman welcomed attendees to the Planning Committee and introduced Linda Dalton, Legal representative, who read a statement regarding the order and conduct of the meeting.

260**APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Joannides, McGowan, and Pearce.

261**DECLARATION OF INTERESTS**

Councillor Barker declared a prejudicial interest in application TP/09/0667 – 34 New River Crescent, London N13 as he was a Governor at Hazelwood School.

262**MINUTES OF PLANNING COMMITTEE 29 JULY 2009**

AGREED the minutes of the meeting held on 29 July 2009 as a correct record with the following amendments:

PLANNING COMMITTEE - 26.8.2009

1. Minute 104 (1.) – TP/09/0643 –2, York Gate, London, N14 6HS - remove : ‘At this stage of the meeting Councillor Barker left the room and Councillor Delman was Chairman for this part of the meeting’.
2. Minute 106 (1) – TP/09/0667 – 34 New River Crescent and land of Rear Of, 2-32 New River Crescent, London, N13 5RF – add ‘At this stage of the meeting Councillor Barker left the room and Councillor Delman was Chairman for this part of the meeting’.
3. Minute 106 (3) - TP/09/0667 – 34 New River Crescent and land of Rear Of, 2-32 New River Crescent, London, N13 5RF - ‘Ann Wigans’ replace with ‘Ann Wiggins’.
4. Minute 106 (5.b) TP/09/0667 – 34 New River Crescent and land of Rear Of, 2-32 New River Crescent, London, N13 5RF ‘thins application’ replace with ‘this application’.
5. Minue 106 (6.h) TP/09/0667 – 34 New River Crescent and land of Rear Of, 2-32 New River Crescent, London, N13 ‘indicatted’ replace with ‘indicated’.

263

MINUTES OF PLANNING PANEL 23 JULY 2009

AGREED the minutes of the Planning Panel held on 23 July 2009, with the following amendment:

Minute 214 (2) : Remove ‘to the Council’.

264

REPORT OF THE ASSISTANT DIRECTOR, PLANNING AND ENVIRONMENTAL PROTECTION

RECEIVED the report of the Assistant Director, Planning and Environmental Protection (Report No. 66)).

265

APPLICATIONS DEALT WITH UNDER DELEGATED AUTHORITY

NOTED that a copy of those applications dealt with under delegated powers was available in the Members’ Library and via the Council’s website.

266

ORDER OF AGENDA

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

PLANNING COMMITTEE - 26.8.2009

267

TP/09/0671 - 44-48 AMBERLEY ROAD, LONDON, N13 4BJ

NOTED

1. The deputation of Mr. Barker, on behalf of residents of Amberley Road and the Fox Lane & District Residents Association, including the following points:
 - a. The previous application was for nine extra bed spaces not bedrooms.
 - b. There were too many conversions in Amberley Road and this application would add to the existing problems with traffic and parking.
 - c. Residents would look to convert their front gardens for car park spaces which would be detrimental to the streetscene.
 - d. Residents were concerned over issues of privacy, overlooking and security.
 - e. There would be loss of well established trees if the conversion application was granted.
 - f. Amberley Road was very busy and the extra traffic will impact on the existing dangers in the vicinity.

2. The statement of Councillor Lamprecht, Southgate Green Ward Councillor, objecting to the application on the following basis:
 - a. Councillor Lamprecht fully endorsed the concerns of the residents in the area, and felt that the overdevelopment in Amberley Road had a detrimental effect in many aspects for residents.
 - b. The traffic and congestion in the area caused problems for residents, including parking issues.
 - c. Parents of children attending Walker School will not risk walking them to school as the congestion on the roads was already too dangerous.
 - d. The character of Amberley Road had already suffered due to other conversions and this application would have further negative effects.

3. A letter, in response to the objections submitted by Mr. Forrester, the Agent, was read out in full.

4. The Planning Officer clarified that although nine extra bedrooms were included in the application, this did not increase the number of residents, which would remain at 25. He added that it did not amplify to the footprint, as the developer was just re-organising the internal space.

PLANNING COMMITTEE - 26.8.2009

5. Councillor Dreblow raised concerns over the removal of trees as a result of the development.
6. General discussions took place, including the loss of conifer trees along Bourne Hill, that Councillor Dreblow had referred to.
7. Condition 5 to be amended to include reference to replacement planting along the boundary.

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

268

TP/09/0667 - 34 NEW RIVER CRESCENT, AND LAND AT REAR OF, 2-32 NEW RIVER CRESCENT, LONDON, N13 5RF

NOTED

1. At this stage of the meeting Councillor Barker left the room and Councillor Delman was Chairman for this part of the meeting.
2. The statement read out by the Legal Officer:
'Planning committee members are reminded that this matter was deferred from the July committee for technical input from the Planning officers. That meeting is reconvened now for the purpose of making the final decision on the application. As such it is not appropriate to take further deputations or representations. Planning committee members may have received additional correspondence or representations regarding this application. I would advise all members to disregard these representations and consider only those matters raised by the deputees at the last meeting and the matters that are contained in the officers report'.
3. The planning officer reported that in response to previous concerns over amenity space provision, the applicant was willing to consider an alternate mix, reducing the number of family units, but this would increase the total to 39 units. The Chairman considered that this was effectively a new deputation and requested that the members disregard it for the purpose of the discussion.
4. Councillor Simon acknowledged that the amenity space was less than usually required but acknowledged that as a reason, it was unlikely to be a sufficient reason to refuse the application Councillor Simon felt that the original 3 / 4 bedroom proposal was preferable to meeting housing needs of families, but, to address the issues over the amenity space provision, a management plan could be included within the conditions attached to the proposal to ensure that the amenity space was a useful place.
5. The Planning Officer confirmed that a condition could be incorporated for a management plan for amenity space provision.
6. Councillor Chamberlain's concerns over density and amenity space, notwithstanding previous decisions, but, following officer's advice,

PLANNING COMMITTEE - 26.8.2009

- agreed not to pursue this concern which focused on physical amplification.
7. Discussions took place between members and officers on the application, with the main concerns being voiced over density, amenity and the increase in height. Aled Richards (Head of Development Services) reminded members that previous applications had not been refused in respect of density and amenity space provision.
 8. Linda Dalton, (Legal representative), advised that if it was deemed that the Council refused the application for 'unreasonable reasons', costs could be awarded against the Council on an appeal decision.
 9. Councillor Constantinides added his concerns over the increase in the height of the balconies and proposed, seconded by Councillor Buckland, not to support the Planning officers' recommendation for approval. The majority of the Planning Committee agreed with this proposal. (Councillor Simon voted against this proposal).
 10. Members had full discussions over the reasons for refusal and considered the full impact of the proposed development, including the height of the development which would be overly dominant.

AGREED that planning permission be refused for the following reasons:

The proposed development due to its size and massing would result in the introduction of an overly dominant and visually intrusive form of development detrimental to the character and appearance of the surrounding area and the visual amenities enjoyed by neighbouring properties, as well as providing the perception of overdevelopment of the site, contrary to Policies (I)GD1, (I)GD2, (II)GD3, (II)H9, (I)EN3, (II)EN9, (II)EN11, and (II)O10 of the Unitary Development Plan and Policy 4B.8 of the London Plan as well as the objectives of PPS1 and PPS3.

269

LBE/09/0020 - 139 AND 130 WATERFALL ROAD, LONDON, N14 7JN

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 condition set out in the report for the reasons set out in the report.

270

LBE/09/0022 - TURIN GROVE SCHOOL, 34 TURIN ROAD, LONDON, N9 8DQ

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 condition set out in the report, for the reasons set out in the report.

271

PLANNING COMMITTEE - 26.8.2009

LBE/09/0023 - 68, 128 AND 137, WATERFALL ROAD, LONDON, N14 7LB

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

272

LBE/09/0024 - BARROWELL GREEN RECYCLING CENTRE, BARROWELL GREEN, LONDON N21

NOTED

1. The planning officer reported an additional objection which included:
 - Too many cars already queuing to access the site which obstructs access to Cosgrove Close
 - Already excessive amount of noise from the use of the site especially associated with movement of skips around the site
 - Will increase incidence of fly tipping around the site after the facility is closed.
2. The extension of opening hours will be reviewed after a period of 14 months.

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

Amendment to Condition 2

The premises shall only be open for working between the hours of 07:45 - 16:15 on Monday, Wednesday and Thursday, 08:00 - 16:15 on Saturday and Sunday and 07:45 - 19:45 Tuesday and Friday.

Reason: To safeguard the amenities of the occupiers of nearby residential properties.

273

TP/08/1404 - THE OAK, 144, FIRS LANE, LONDON N21 2PJ

AGREED that a decision on the application be deferred due to a review by Adult and Social Care.

274

TP/09/0758 - 25 OLD PARK RIDINGS, LONDON N21 2EX

PLANNING COMMITTEE - 26.8.2009

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

275

TP/09/0946 - ALMA PRIMARY SCHOOL, ALMA ROAD, ENFIELD, MIDDLESEX, EN3 4UQ

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

276

TP/09/0978 - ST. JOHN AND ST. JAMES C OF E PRIMARY SCHOOL, GROVE STREET, LONDON N18 2TL

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

277

TOWN PLANNING APPEALS

NOTED the information on town planning application appeals received from 15/07/2009 to 07/08/09.

278

PROPOSED LOCAL DEVELOPMENT ORDER AND STREET TRADING

RECEIVED the report of the Assistant Director of Planning & Environmental Protection (Report No. 67), summarising the consent regimes that permit the use of public highway as external seating areas outside existing cafes and restaurants.

NOTED

1. the contents of the report.
2. The Planning officer advised that following consultation with residents and ward councillors, a report on the consultation responses would be presented to the Planning Committee for consideration.

279

ADDITIONAL MEETING OF THE PLANNING COMMITTEE

AGREED that an additional meeting of the Planning Committee be held to consider the Southgate Planning application on 12 November 2009, at 7.30 pm at Enfield Civic Centre.

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MUNICIPAL YEAR 2009/2010 - REPORT NO 80

COMMITTEE:
 PLANNING COMMITTEE
 22.09.2009

AGENDA - PART 1	ITEM 5
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SUBJECT -

MISCELLANEOUS MATTERS

REPORT OF:
 Assistant Director, Planning
 and Environmental Protection

Contact Officer:
 David Snell Tel: 020 8379 3838
 Andy Higham Tel: 020 8379 3848

5.1 APPLICATIONS DEALT WITH UNDER DELEGATED POWERS INF

5.1.1 In accordance with delegated powers, 195 applications were determined between 14/08/2009 and 08/09/2009, of which 145 were granted and 50 refused.

5.1.2 A Schedule of Decisions is available in the Members' Library.

Background Papers

To be found on files indicated in Schedule.

5.2 PLANNING APPLICATIONS AND APPLICATIONS TO DISPLAY ADVERTISEMENTS DEC

On the Schedules attached to this report I set out my recommendations in respect of planning applications and applications to display advertisements. I also set out in respect of each application a summary of any representations received and any later observations will be reported verbally at your meeting.

Background Papers

- (1) Section 70 of the Town and Country Planning Act 1990 states that the Local Planning Authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section 54A of that Act, as inserted by the Planning and Compensation Act 1991, states that where in making any determination under the Planning Acts, regard is to be had to the development, the determination shall be made in accordance with the plan unless the material considerations indicate otherwise. The development plan for the London Borough of Enfield is the Unitary Development Plan (UDP).
- (2) Other background papers are those contained within the file, the reference number of which is given in the heading to each application.

5.3 APPEAL INFORMATION

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The Schedule attached to the report lists information on town planning application appeals received between 08/08/2009 and 04/09/2009 and also contains information on decisions taken during this period.

LIST OF APPLICATIONS
TO BE DETERMINED
BY THE PLANNING COMMITTEE
ON: 22ND SEPTEMBER 2009

APPLICATION: LBC/09/0018 RECOMMENDATION: Secretary of State
WARD: Southgate Green
Location: BROOMFIELD PARK, BROOMFIELD LANE, LONDON, N13 4HE
PAGE No: 16

APPLICATION: TP/07/1029 RECOMMENDATION: Refusal
WARD: Edmonton Green
Location: 4, PRINCES ROAD, LONDON, N18 3PR
PAGE No: 22

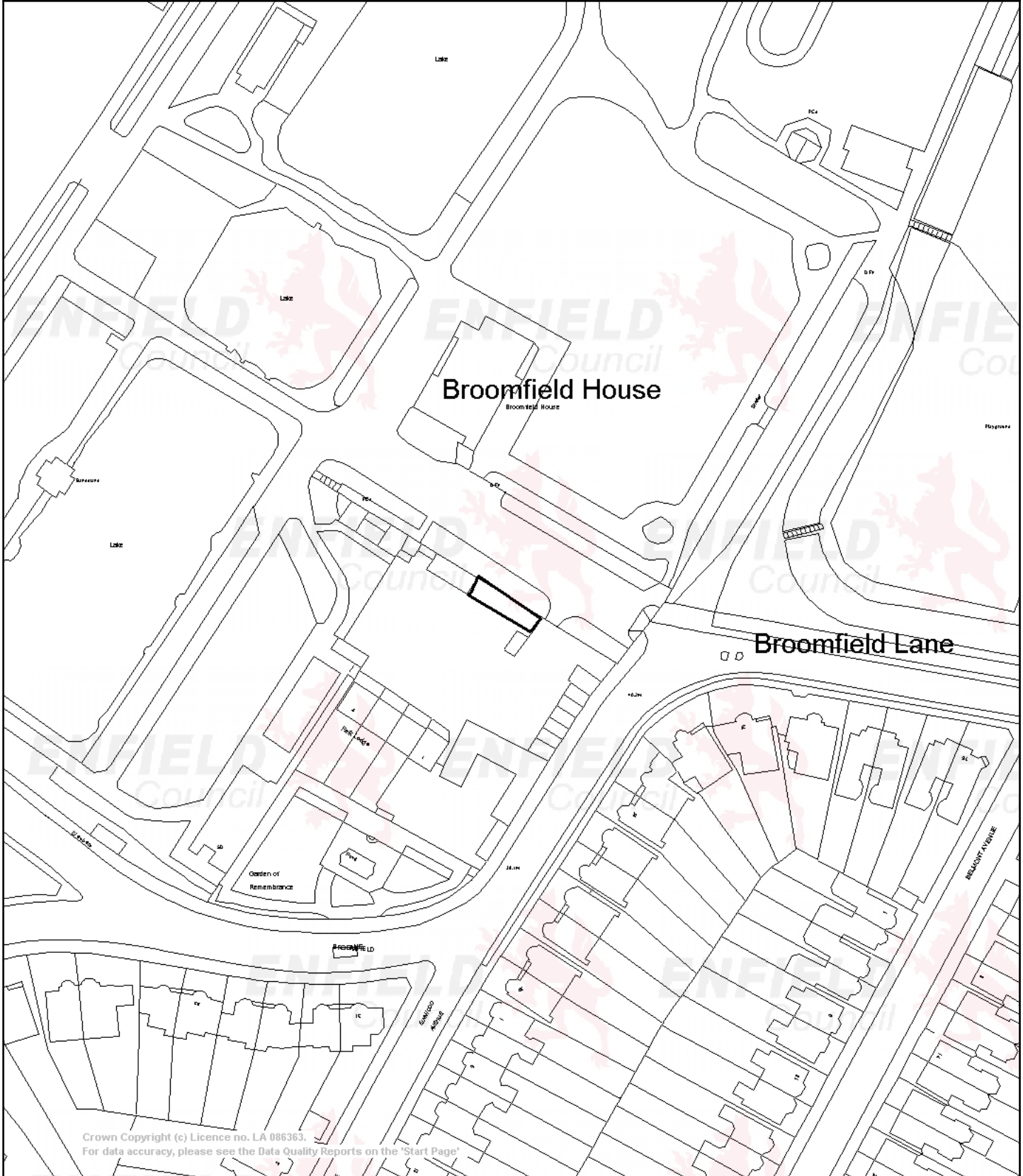
APPLICATION: TP/09/0510 RECOMMENDATION: Granted subject to S106
completion
WARD: Southgate
Location: PUBLIC HOUSE, 80-84, CHASE SIDE, LONDON, N14 5PH
PAGE No: 36

APPLICATION: TP/09/0669 RECOMMENDATION: Granted Subject to
Conditions
WARD: Winchmore Hill
Location: 4, RADCLIFFE ROAD, LONDON, N21 2SE
PAGE No: 48

APPLICATION: TP/09/0969 RECOMMENDATION: Granted Subject to
Conditions
WARD: Southgate
Location: 311B, CHASE ROAD, PICKARD CLOSE, LONDON, N14 6JS
PAGE No: 57

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LBC/09/0018



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Scale 1/1250 Date 8/9/2009

Centre = 530462 E 192605 N

Application Number: LBC/09/0018
Date of Registration: 21st July 2009

Ward: Southgate Green

Contact: Richard Laws 3605

Location: BROOMFIELD PARK, BROOMFIELD LANE, LONDON, N13 4HE

Proposal: Demolition of greenhouse and heating pipes, and repair of exposed wall.

Applicant Name & Address:

Mr Tony Corrigan, London Borough of Enfield
Civic Centre
Silver Street
Enfield
EN1 3ES

Agent Name & Address:

Mr Ian Robinson, LBE- Architectural Services
THOMAS HARDY HOUSE
39, LONDON ROAD
ENFIELD
EN1 6DS

Recommendation: That in accordance with Regulation 13 of the Planning (Listed Buildings and Conservation Areas) Regulation 1990 the Director of Environment, Street Scene and Parks be invited to make an application to the **Secretary of State** for Communities and Local Government who should be invited to attach the following conditions to any approval:-

1. Any works of repair of the wall to which the green house is attached shall match exactly the existing adjacent work with regard to methods used and to material colour, texture, profile and workmanship.

Reason: To ensure a satisfactory appearance and to preserve the character and appearance of the retained wall.

2. Prior to the demolition of the building, a detail drawn survey shall be undertaken of the existing greenhouse and submitted to the local planning authority as a record of the evolution of the historic curtilage.

Reason: in the interests of recording the special architectural and historic interest of the Boroughs heritage.

3. Prior to any works of repair to the listed wall, a methodology detailing the nature and extent of those works together with the material to be applied, shall be submitted to and approved by the local planning authority. the repairs to the listed wall shall be carried out in accordance with this approved methodology;

Reason: in order to safeguard the special architectural and historic interest of the listed structure

4. C53A Time Limit - Listed Building Consent

Site and Surroundings

Broomfield Park is bounded by Powys Lane to the west, Powys Lane and Broomfield Lane to the South, Broomfield Avenue to the east and Alderman's Hill to the north. It contains Broomfield House; a Grade II listed building which is also on English Heritage's Building at Risk register while the wider park area is designated Metropolitan Open Land and included on the National register of Historic Parks and Gardens

To the south of the House across the main drive, is the stable block courtyard within which the green house is situated against its northern wall. The courtyard also contains 4 terraced houses, which originally provided accommodation for park staff as well as a stable block, used for equipment and vehicular storage facility.

The northern and eastern sides of the green house incorporate the listed brick walls of the stable yard as part of the structure. The western end of the greenhouse abuts a timber frame building that was formally used as a tool and equipment house.

Proposal

Permission is sought for the demolition of the greenhouse and internal heating pipes together with repairs to the listed wall, to which the green house is partly attached.

Relevant Planning History

None

Consultations

Public

Consultation letters were sent to 6 neighbours. Notice was also published in the local press and displayed at the site. No objections have been received.

External

English Heritage comment that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Any replies from the The Victorian Society, The Georgian Group, The 20th Century Society and Ancient Monuments Society will be reported at the meeting

Internal: None

Conservation Advisory Group

The Group raise no objection but request the imposition of a condition requiring a drawn record of the structure be carried out prior to demolition.

Relevant Policies

London Plan

- 4B.11 London's Built Heritage
- 4B.12 Heritage Conservation

Unitary Development Plan

- (I) C1 Preserve and enhance character and setting of historic interest
- (II) C15 Demolition of Listed Buildings
- (II) C18 Development within Curtilages of Listed Buildings

Local Development Framework- Core Strategy Preferred Options

The Planning and Compulsory Act 2004 requires the Council to replace the UDP with a Local Development Framework (LDF). The LDF Core strategy will set out the spatial vision and strategic objectives of the Borough. The core strategy is at an early stage in its adoption process. As this continues the weight given to it will grow and the relevant objectives are reported to demonstrate the degree to which the proposals are consistent with the emerging policy direction.

SO16 Preserve the local distinctiveness

Other Material Considerations

PPG 15 Planning and the Historic Environment

Analysis

The greenhouse is listed by virtue of the fact that it is attached to a listed wall and falls within the curtilage of Broomfield House: a Grade II listed building.

Paragraph 3.19 of PPG15 makes reference to the procedures which should be adopted for assessing whether it would be acceptable to demolish a Listed Building, and the considerations that should be followed:

- (i) The condition of the building, the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use.
- (ii) The adequacy of efforts made to retain the buildings use
- (iii) The merits of alternative proposals for the site

In addition, Policy (II) C15 advocates refusal of listed building consent for total demolition of listed buildings unless it can be shown that every effort has been made to continue the present use of or find a suitable alternative use for the building whilst Policy (II) C18 seeks to ensure that curtilages of buildings of architectural or historic interest retain their historic form.

The glasshouse itself is considered not to be of any significant architectural or historic interest. This is evidenced by the 2009 report by the Paul Drury Partnership on the significance of "Broomfield House and Park" which makes reference to the fact the later addition of the glasshouses are of no architectural or historical significance. In principle therefore, they could be removed without harm to the special architectural or historic interest of the listed building.

With regard to the present circumstances of the greenhouse, due to a combination of factors including cost, changing methods of horticulture, the procurement from abroad of plants used for much of the decorative planting in the Boroughs parks and centralising the Nursery Service to Bury Lodge, the use of the green house has fallen largely in to disuse and there is no likelihood of an ongoing horticultural use. As a result, the greenhouse has been used infrequently and has gradually deteriorated. Dangerous structure notices were posted and its use has ceased. The fragility of the structure has combined to make external redecorating or re glazing prohibitively expensive. Taking this into account and the opinion that the contribution the building makes to the overall park environment is extremely limited; it is considered that there is little value derived from its retention and continued use.

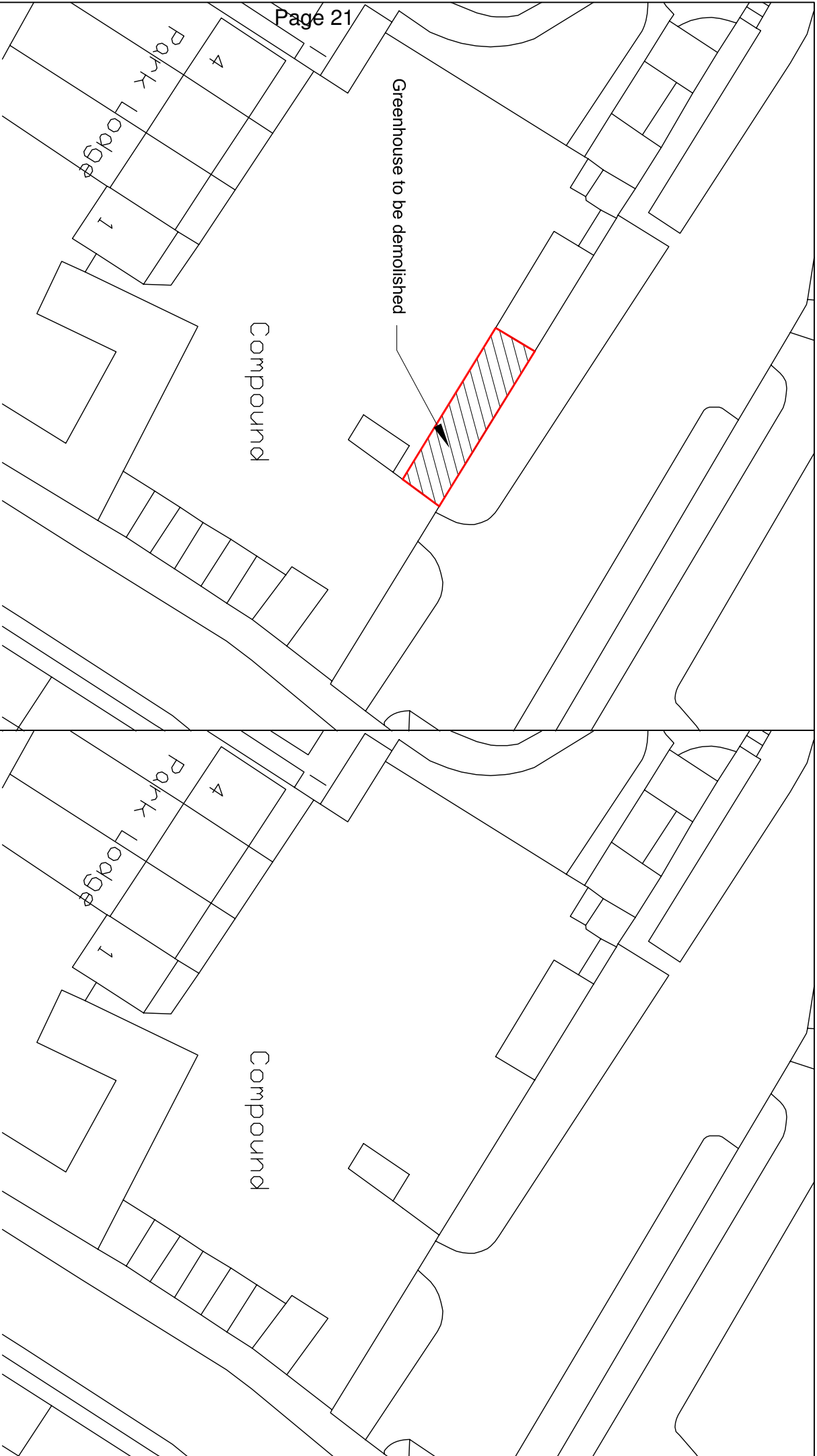
In terms of the merits of alternative proposals, there is little alternative use to which the greenhouse could be put. It is considered that the removal of the greenhouse would be justified in terms of the criteria set out in PPG15. The greenhouse has no significant historical or architectural merit and its removal would not harm the special character of Broomfield House and surround park land.

The pairs to the exposed wall are required and acceptable in principle. A condition requiring a methodology to control the nature of the works is recommended.

Conclusion

The proposed demolition of the glasshouse, is not considered to be of any significant architectural or historic merit and thus, it is recommended that listed building consent be granted for the following reason:

The proposed demolition would not harm the special architectural or historic character of the listed structure or its curtilage having regard to Unitary Development Plan Policies (I) C1, (II) C15, (II) C18 and Planning Policy Guidance Note 15.



Existing Plan

Proposed Plan

Rev Date Notes

ENFIELD
Council



Architectural Services
Civic Centre, 8 Block South, Silver Street, EN1 3XA
Tel: 020 8379 6705



Project
BROOMFIELD PARK
Wall Repairs

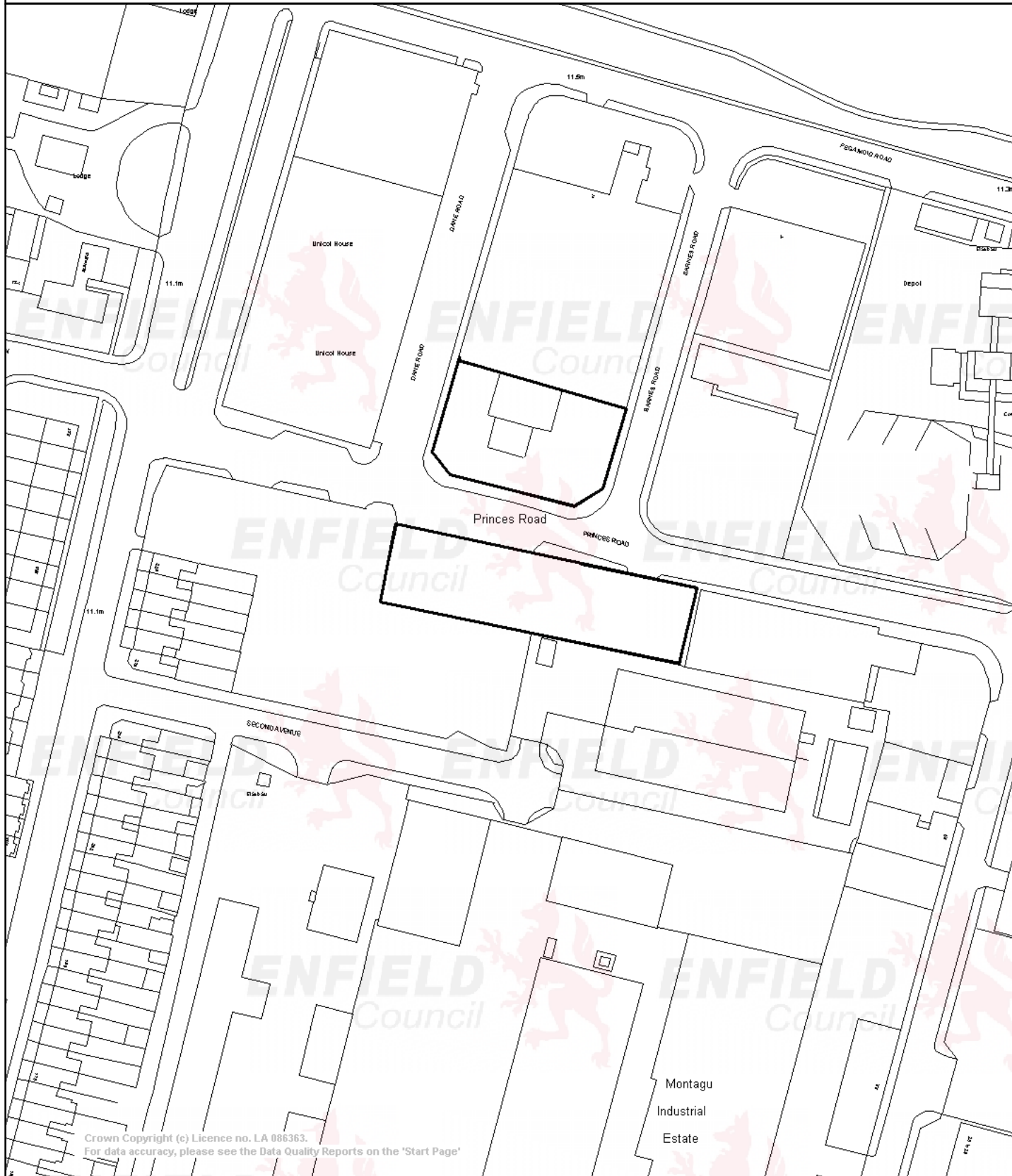
Scale 1:500
Date July 2009
CAD File No. IDR
Architect I.S.O.
Planning Approval

Drawing Title
Location Plan

Drawing No.
ML510/001831/SL(0)018

Revision

TP/07/1029



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Scale 1/1250 Date 8/9/2009

Centre = 535163 E 192933 N

Application Number: TP/07/1029 **Ward:** Edmonton Green

Date of Registration: 25th June 2007

Contact: David Warden 3931

Location: 4, PRINCES ROAD, LONDON, N18 3PR

Proposal: Change of use of first floor from warehouse to function hall with ancillary ground floor unloading area and office; including retention of existing ground floor warehouse unit; new central stairway providing access to first floor function room; alterations to front elevation; and associated car parking on site across road at 3 Princes Road.

Applicant Name & Address:

Dr. Hamdullah Erpolat
C/O Agent

Agent Name & Address:

Carolyn Apcar, Apcar Smith Planning
Kenetic House
Theobald Street
Borehamwood
Herts
WD6 4PJ

Note for Members

At the 24th June meeting of the Planning Committee, it was agreed to defer consideration of this proposal pending further review by officers regarding the possibility of approving this change of use.

In summary, the key points against the proposal are as follows:

- a) In strict policy terms, the proposal remains contrary to adopted planning policy for this area which seeks to prevent the introduction of uses which do not fall within B1c, B2 and B8 use classes
- b) The proposal would also be contrary to the objectives of emerging planning policy for the area. The review of industrial land policy and the emerging Central Leaside Area Action Plan as part of the Council's Place Shaping Agenda both identify this as important industrial land with the latter placing emphasis on the opportunity to create a focus for developing green and recycling technology. Development at Gibbs Yard on this estate along this line is already underway and many such activities operate on a 24 / 7 basis
- c) Other "banqueting venues" in the vicinity do not have planning permission and are subject to enforcement investigations. That at Toaken House, Pegamoid Road was approved as a church and training centre for the local community. Any other use would represent a breach of planning control;
- d) The adequacy of the 25 spaces plus the additional 20 spaces on a neighbouring site identified by the Applicant to serve the potential number of people attending the premises in an area of low public transport accessibility especially evenings and weekend when frequency would be even less.
- e) The practicability of two valets proposed coping with the vehicles attending the premises without affecting on street parking and the free flow of traffic.

Notwithstanding the above point, it is recognised that there is a need for such a use to serve the wider community. Furthermore, the availability of an additional site for car parking will increase parking provisions to 45 to serve the venue with a capacity of 250 guests. Therefore, if members are minded to set aside the above points in respect to this need, it is recommended that a S106 agreement is entered into to secure the use and availability of the two parking areas. In addition, the following conditions could be imposed to mitigate the effects of the proposal and secure the additional parking

1 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, or any amending Order, the first floor premises shall only be occupied as a banqueting suite or as a venue for conferences for purpose within Classes D2 and shall not be used for any other purpose including other uses falling within the D2 Use Class. The ground floor shall only be occupied for purposes falling within Class B1c, B2 and B8* of the aforementioned Order

Reason: Due to the industrial / employment designation of the site, the use is considered to be acceptable solely on the basis of the mixed use composition of the use hereby approved and an alternative composition, could give rise to a function at variance with and detrimental to the designation of the site for industrial / employment purposes.

2 There shall be no further subdivision of the ground or first floor premises for occupation by separate businesses unrelated to the use hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development complies with the access and servicing standards and to prevent the introduction or intensification of uses prejudicial to the designation and function of the industrial estate.

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any amending Order, no external windows or doors other than those indicated on the approved drawings shall be installed in the development nor shall any internal mezzanine floor be introduced without the approval in writing of the Local Planning Authority.

Reason: To ensure that the development complies with the access and servicing standards and to prevent the introduction or intensification of uses prejudicial to the designation and function of the industrial estate.

4 The parking areas forming part of the development hereby approved shall only be used for the parking of private motor vehicles and shall not be used for any other purpose including storage. The parking area shall be retained for use by the premises at all times and available for the duration of the approved hours of use.

Reason: To ensure that the development complies with Unitary Development Plan Policies and to prevent the introduction of activity which would be detrimental to amenity.

5 The development shall not commence until details of parking areas including a layout showing the provision of 25 and 20 spaces respectively, security and external illuminations have been submitted to and approved in writing by the local planning authority to and approved in writing by the Local Planning Authority. The facilities shall be constructed in accordance with the approved details before the development is occupied and shall be maintained for this purpose thereafter.

Reason: To ensure that the development complies with Unitary Development Plan Policies and does not prejudice conditions of safety or traffic flow on adjoining highways.

6 The use of the first floor premises shall not commence until details of the operation of the valet parking have been submitted to and approved in writing by the local planning authority. The agreed working practice shall be adhered to at all times in accordance with the agreed operational plan.

Reason: To ensure that the development complies with Unitary Development Plan Policies and does not prejudice conditions of safety or traffic flow on adjoining highways.

7 The development shall not commence until details of any external lighting proposed have been submitted to and approved in writing by the Local Planning Authority. The approved external lighting shall be provided before the development is occupied.

Reason: To ensure that the development does not prejudice the amenities of adjoining occupiers and / or the visual amenities of the surrounding area.

8 The first floor premises shall only be open for business and working between the hours of 18:00 – 23:00 hours Monday to Friday, and 12:00 to 23:00 Saturday and Sunday and at no other times whatsoever.

Reason: To safeguard the amenities of the occupiers of nearby residential properties and to ensure the use of the premises does not prejudice conditions of safety or traffic flow on adjoining highways.

Recommendation: That planning permission be **REFUSED** for the following reasons

1. The proposed use of the first floor of the premises as a function hall (Sui Generis) it would result in the introduction of an inappropriate activity within a designated Primary Industrial Area in the Unitary Development Plan and Strategic Industrial Location in the London Plan (2008), detrimental to the function, character, economic activity and availability of viable employment land in the area. The proposed use would also be likely to result in the curtailment of adjacent industrial uses. This would be contrary to Policies (I) GD1, (I) GD2, (II) GD2 and (II) E2 of the Unitary Development Plan, Policies 3B.1, 3B.4 and 3B.11 of the London Plan and the objectives of PPG4: Industrial, Commercial and Small Firms.
2. The proposal does not make appropriate provision for access and car parking having regard to Policies (II) GD6 and (II) GD8 of the Unitary Development Plan, policy 3C.23 of the London Plan (2008) and government advice contained in PPG 13.
3. The car parking facility by reason of its proximity from the main building would lead to indiscriminate crossing of pedestrians and disabled persons across the busy freight route to Montagu Road Industrial Estate prejudicial to pedestrian safety, highway safety and free flow traffic. This is contrary to Policies (II) GD11, (II) T16, and (II) T17 of the Unitary Development Plan.

Site and Surroundings

The application site comprises an area of land on the northern side of Princes Road that is currently in use as a temporary car wash and a two-storey building, located on the southern side of Princess Road. This road forms the sole route into and out of the Montagu Industrial Estate and the sites are located approximately 60 metres from the junction with Montague Road.

The existing building has two accesses onto Princess Road and the area of land to the north is accessed from the adjoining Barnes Road.

The surrounding area is characterised by a mixture of B1, B2, B8 and waste uses, including two cement works and a waste transfer station. The area is designated a Primary Industrial Area (PIA) within the Unitary Development Plan and Strategic Industrial Land (SIL) in the London Plan (2008). The site falls within the 1 in 100 year flood zone.

Proposal

Permission is sought for the change of use of first floor from industrial usage (B2/B8) to a function room (Sui Generis).

The ground floor would be retained as an industrial unit and it is currently in use as a cash and carry warehouse for building products. The first floor of approximately 1200 square metres, would be for use as a function hall encompassing a central stage, sitting, dining and dancing area, children's playroom, kitchens, brides suite, toilets, offices and staff room. A letter accompanying the application suggests there will be only 120 covers, although more recently, it has been confirmed that the maximum capacity would be in the region of 250 guests. However, the indicative table layout shows 30 tables, which would presumably seat 8 – 12 guests, providing for a maximum capacity of some 360 guests.

No commencement times have been specified but the use would operate until 23:00, 7 days a week. It is assumed the application would need to open in the afternoon to cater for its intended market.

A total of 23 members of staff will be employed on site, in addition to the approximately 10 people employed in connection with the ground floor use.

A site on the opposite side of Princes Road would be used to provide 30 car parking spaces. The Council owns this site and the applicant states a 10-year lease has been obtained. However, the site is currently being used as a temporary car wash, employing 3 people.

Relevant Planning Decisions

4 Princess Road

TP/05/1843 Change of use of first floor from Industrial to Function room (Sui Generis), refused in January 2006 for the following reasons:

1. The proposed use of the first floor of the premises as a function hall would result in the introduction of an inappropriate activity within a designated Primary Industrial Area / Primary Employment Area, detrimental to the function, character and economic activity of the area. This would be contrary to Policies (II) GD1 and (II) E2 of the Unitary Development Plan and Policy (II)E2(D) of the Council's Interim Unitary Development Plan Amendments.
2. The proposal does not make provision for car and pedal cycle parking in accordance with the standards adopted by the Council and could therefore give rise to kerbside parking in the adjacent streets to the detriment of safety and the free flow of traffic including pedestrians and public transport traffic on the public highway. The proposal is therefore contrary to policies (II)GD6, (II)GD7, (II)T16 and (II) T19 of the Unitary Development Plan.

TP/05/0754 Change of use of first floor to wedding function hall incorporating alterations to fenestration at front; refused in June 2005 for the following reason:

1. The proposed use of the premises as a function hall would result in the introduction of an inappropriate activity within a designated Primary Industrial Area / Primary Employment Area, detrimental to the function, character and economic activity of the area. This would be contrary to Policies (II) GD1 and (II) E2 of the Unitary Development Plan and Policy (II)E2(D) of the Council's Interim Unitary Development Plan Amendments.

TP/05/0098 Change of use to wedding function hall incorporating internal parking at ground floor level; refused in April 2005 for the following reasons:

1. The proposed use of the premises as a function hall would result in the introduction of an inappropriate activity within a designated Primary Industrial Area / Primary Employment Area, detrimental to the function, character and economic activity of the area. This would be contrary to Policies (II) GD1 and (II) E2 of the Unitary Development Plan and Policy (II)E2(D) of the Council's Interim Unitary Development Plan Amendments.

2. The proposal does not make provision for car and pedal cycle parking in accordance with the standards adopted by the Council and could therefore give rise to kerbside parking in the adjacent streets to the detriment of safety and the free flow of traffic including pedestrians and public transport traffic on the public highway. The proposal is therefore contrary to policies (II)GD6, (II)GD7, (II)T16 and (II) T19 of the Unitary Development Plan.

TP/00/1889 Redevelopment of site by erection of a replacement two-storey industrial warehouse with ancillary offices, and mezzanine floor and associate car parking; granted subject to conditions in March 2001.

Relevant planning decisions for similar uses proposed in primary industrial areas

Unit C42 & C38, HARBET ROAD

TP/09/0135 Change of use of Unit C38 from warehouse (B8) to banquet hall (sui generis) together with retention of existing cafe to Unit C42, refused in March 2009 for reasons relating to the loss of industrial accommodation, the impact on the surrounding industrial uses and lack of parking.

Units 1 & 2 Alexander Business Centre, Alma Road

TP/06/0973 Change of use from existing warehouse, distribution centre and workshop to a function room/banqueting centre (Use Class D2) including alterations to roof, side and front elevation, refused in August 2006 for reasons relating to loss of industrial accommodation, parking, volume of traffic and impact on nearby residential properties.

Toaken House, Pegamoid Road

TP/04/2221 Change of use from office/warehouse use (B1) to a mixed use of counselling, printing and training rooms for training and community use (B1 & D1), granted in May 2005 subject to conditions including a personal condition for the sole benefit of The Kings House Trust, a limited time condition until 31st May 2010 and conditions restricting the precise mixture of uses on the site.

Watkins House, Pegamoid Road

TP/03/1737 Change of use to meeting hall and warehouse and retention of existing offices refused in December 2003 due to loss of industrial accommodation, a subsequent appeal was withdrawn.

Kelan House, 78, Pretoria Road North

TP/02/1448 Change of use of part of building to Function Hall, refused in October 2002 for reasons relating to impact on the industrial estate, lack of parking and inadequate servicing and access.

Consultation

Public

Consultation letters have been issued to 17 neighbouring properties. No objections have been received. However, letters have been received in support of the proposal and these are set out below:

a) DAY-MER Turkish and Kurdish Community Centre, Howard Road N16

- states that there is a need for the Conference and Wedding Hall, due to the growing community and the shortage of such facilities. They consider 4 Princes Road is an ideal place for Weddings and the support of the business seeking to serve the community requested.

b) Alevi Cultural Centre and Cemevi, Stoke Newington Road, N16 (a religious and cultural organisation looking after the rights of the Alevi Turkish and Kurdish Community)

- state that in their culture prayers with music and folk singers is very important to them and because they and other organisations are in need of available halls, they support the application. They consider this will be a good opportunity to provide for larger conferences and bring their cultural singers to sing special prayers.

c) Kurdish Community Centre, Ridley Road, E8 (a community organisation and registered charity serving refugees living in London, particularly those from the Kurdish region).

- They state their main aims are to empower and encourage quality of life by advancing education, welfare and providing facilities for recreation and leisure time. The response concludes that one of the major problems in London is the absence of a Wedding and Conference facility in Enfield and they strongly support the provision of such a facility.

d) Anadolu Halk Kültür Merkezi – Anatolia People Culture Centre Stoke Newington Road, N16 (a community organisation serving the Turkish-speaking community since 1989)

- state that they support people adopting to life in the UK as well as maintaining their own culture. They run various activities such as folk dancing, interpreting/translation services, drama classes, family support, projects against drug issues, yearly picnics, musical concerts and celebrating other international and national holidays and their main problem is finding venues for these activities, as, whilst there are lots of venues in London, prices for hire are too high. They request that consideration be given to the community needs when making any decision.

External

The Environment Agency initially objected as the submitted Flood Risk Assessment (FRA) did not demonstrate effective arrangements for safe egress, particularly for vulnerable persons, in the event of a flood and the lack of flood resilience measures for the warehouse units. After the submission of additional details, the Environment Agency maintained their objection as the safe egress led to a 'dry island', the exit from which would have been through other flood waters. However, after further negotiations, the Environment Agency withdrew their objection subject to a condition relating to a flood warning and evacuation plan and flood proofing measures set out by

the applicant, as a dry escape can be provided from the development to a dry island. They also commented that the Council is the competent authority on emergency planning and evacuation, the applicant should contact the Council's emergency planning team and the emergency services to establish whether they are happy for people to be evacuated to this dry island and comment on the practicability of rescue and evacuation from this location.

Internal

The Head of Economic Development objects to the application on economic development grounds stating that the Montague Industrial Estate has been the subject of substantial grant investment to upgrade infrastructure and enhance operational conditions for the range of industrial firms on the estate. Within this context, the proposal is not acceptable as the operation of the function hall 7 days a week, would be likely to create conditions in conflict with other businesses on the estate especially as the proposed car park would be inadequate to cope with the full capacity of the venue leading to high levels of on-street parking which would create traffic congestion. This issue would be exacerbated by the lack of off-street parking or loading for the 4 ground floor industrial units. In addition, direct loading facilities are not provided for these industrial units with the unloading area shown only serving the function hall. The entrance doors to all the warehouse units are also inadequate to serve normal warehouse operations. The response concludes by acknowledging that the shape and size of the unit may render it difficult to attract a single occupier, but suggests that the unit be split to form 2 separate two-story warehouse units.

Environmental Health do not object to the application subject to conditions relating to extract ventilation, hours of use and for deliveries and refuse.

Relevant Policies

London Plan (2008)

3A.17	Addressing the needs of London's diverse population
3B.1	Developing London's Economy
3B.4	Strategic Industrial Locations
3B.11	Improving Employment Opportunities for Londoners
3C.1	Integrating transport and development
3C.21	Improving Conditions for Walking
3C.22	Improving Conditions for Cycling
3C.23	Parking Strategy
4A.3	Sustainable Design and Construction
4A.12	Flooding
4A.13	Flood risk management
4A.19	Improving air quality
4A.20	Reducing noise and enhancing soundscapes
4B.8	Respect the context of local communities
Annex 4	Parking standards

Unitary Development Plan

(I)GD1	Regard to Surroundings / Integrated into Local Community
(I)GD2	Quality of Life and Visual Amenity
(II)GD1	New development to be appropriately located.
(II)GD3	Character / Design
(II)GD6	Traffic Generation
(II)GD8	Site Access and Servicing

- (II)GD12 Development in Areas at Risk from Flooding
- (II)GD13 Increased Risk of Flooding downstream
- (II)T13 Creation or improvement of accesses
- (II)T16 Adequate access for pedestrians and disabled persons
- (I)E4 Use of land in employment generating areas
- (II)E2 Concentrate B1-B8 uses within Primary Industrial Area.
- (II)CS1 Support through the planning process the work of various community services.

Local Development Framework - Core Strategy Preferred Options

The Planning and Compulsory Purchase Act 2004 requires the Council to replace the UDP with a Local Development Framework (LDF). The LDF Core Strategy will set out the spatial vision and strategic objectives for the Borough. The Core Strategy is at an early stage in its adoption process. As this continues the weight given to it will grow and the relevant objectives are reported to demonstrate the degree to which the proposals are consistent with the emerging policy direction.

- SO1 Sustainability and Climate Change
- SO3 Protect and enhance Enfield's environmental quality;
- SO11 Safer and stronger communities
- SO17 Safeguard established communities and the quality of the local environment
- SO21 Sustainable Transport

Other Material Considerations

- PPS1 Delivering Sustainable Communities
- PPG4 Industrial, Commercial and Small Firms
- PPG13 Transport
- PPS25 Flood Risk

Analysis

Background

There have been three previous applications for a function hall at this site all of which have been refused planning permission.

A letter accompanying this application suggests the current proposals overcome the reasons imposed on the first two applications (TP/05/0098 & TP05/0754), due to the retention of more industrial floor space. Whilst there is a marginal increase in the industrial floor space, no mention is made of the third submission (TP/05/1843), which is similar to the current proposal and was also refused. The main differences between this most recent refusal (TP/05/1843) and the current application is that the correct identification of the site to the north ensuring it correctly forms part of the application site, the provision of a central entrance to the first floor function hall and some minor internal alterations.

In assessing this application therefore, it must be considered whether the previous reasons for refusal have been addressed or whether there has been a material change in policy or circumstances in the interim to warrant an alternative decision being made with reference to the following key issues: the principle of a non industrial use in a primary industrial area, the impact of the proposed use on the character and function of the surrounding industrial area, the adequacy of parking, access and servicing arrangements as well as the issue of flood risk.

Principle and Character and Function of the Industrial Estate

Within Primary Industrial Areas and Strategic Industrial Locations both the Unitary Development Plan and the London Plan seek to retain, preserve and enhance the industrial function of the area and resist the introduction of uses that do not fall within Classes B1/B2/B8. Notwithstanding that the ground floor would remain in use as a B8 warehouse, the proposed change of use to a function hall would represent the introduction of a non conforming use and result in the loss of industrial floor space.

In mitigation, the applicant has submitted letters detailing the marketing of the premises which states that after 9 months and 28 viewings, there were no interested parties. However, the premises is of modern construction, the ground floor of the premises is currently let and there is no evidence that consideration has been given to the subdivision of the premises into two units as suggested by the Head of Economic Development. Consequently, it is considered that the unit remains viable warehousing and distribution unit.

It has also been suggested that the proposal would result in a greater retention of industrial floor space than was approved in March 2001 under reference TP/00/1889. However, this proposal involved the rebuilding of the units to provide improved parking and servicing for the industrial units themselves and would not have resulted in the potentially negative impacts on the surrounding businesses referred to above.

Notwithstanding the above, whilst it is acknowledged that the majority of the ground floor would be retained in industrial use, it is considered that the first floor function room would be likely to make the ground floor more difficult to let for an industrial purpose and therefore, would undermine the industrial use of the unit and its contribution to the Borough's employment opportunities. It is also considered the proposed external alterations would only serve to identify that the building was no longer in industrial use. The proposed use also has the potential to be noise sensitive as well as providing for large numbers of pedestrian movements within the estate, which could curtail the existing surrounding industrial activities.

To this end, it is considered that the loss of part of a viable warehousing and distribution unit together with the imposition of potential restrictions on the remaining floor space from the banqueting use and the character of the wider industrial estate, would represent an inappropriate and incompatible addition to this primary industrial area and a significant departure from strategic directions relating to industrial land within the Borough.

It should also be noted that the use of the land as a car park further erodes the supply of industrial land. This land opposite appears to have historically been used as a separate unit (no. 4). Planning permission was granted in 1976, ref TP/76/0696 for the erection of a single storey shed and fencing for use as a sawmill. The site currently has temporary permission for use as a car wash and no information has been put forward to suggest that it is unsuitable for development for industrial purposes. In light of the Primary Industrial Area designation it is considered that the use of the land as a car park is not acceptable, particularly for the benefit of a non-industrial use.

Four supporting letters have been received from community groups that identify the need for such a facility within the area, particularly for the Turkish-speaking community. To this end, the applicant cites a shortage of such facilities within the area: a view supported by the applications for function halls within industrial estates referred to earlier in this report. In particular, the applicant refers to the planning permission at Toaken House, Pegamoid Road where it is claimed a mixed use has set the precedent. However, this permission at Toaken House is on a temporary basis and is tied to The Kings House Trust and more recently, to an associated training company. The trust is a Registered Charity and whilst that proposal results in the temporary loss of part of an industrial unit it was considered, on balance, that the benefits to the community from the

proposed training, the use was acceptable for a temporary period whilst a more permanent location could be found

Nevertheless, the cultural benefits to the community can be given weight in the overall assessment. However, this must be balanced against the other planning matters detailed within this report but particularly, the retention of the industrial purpose of the premises and the wider estate. Moreover, it would be difficult to justify an approval at this particular site when where planning permission has been refused elsewhere. No such justification has been provided in this case.

Overall, notwithstanding the identified need and the cultural benefits of the proposal discussed above, it is considered that on balance, that the proposal would be contrary to the objectives of this industrial land designation and therefore, Policies (I)GD1, (I)GD2 and (II)E2 of the Unitary Development Plan, Policy 3B.1 and Policy 3B.4 of the London Plan and PPG4.

Parking, Access and Servicing

The site is located on Princes Road, which, whilst not a classified road, is the primary route serving the Montagu Industrial Estate. The site is located over two plots separated by Princes Road with the northern plot containing the car parking facility. The parking facility is located on a corner section with three street frontages and provides for 30 parking spaces.

The applicant has confirmed that approximately 250 guests, in addition to the 23 staff, would use the premises; although the indicative layout of 30 tables may suggest up to 360 guests. The applicant suggests that in line with PPG13 the parking requirement would be a maximum of 24 spaces for 120 guests. Notwithstanding that guest numbers have now been confirmed to be at least 250, PPG13 is only applicable in areas of high accessibility. The site in question only has a PTAL rating of 1b which is considered low. Consequently the parking provision is not considered suitable even for the lowest of the estimates for the number of guests and even at this level, it could lead to indiscriminate parking of vehicles on surrounding roads that prejudice the functioning of the industrial area. Moreover, these issues would be significantly compounded as guest numbers increased to 360

The proposed use will generate a high level of pedestrian activity, both from pedestrians crossing Princes Road from the car park and also any users arriving via public transport. However, there are no pedestrian crossing facilities in the area or a network of properly defined pedestrian footways. The separation of the parking facility from the main building would thus require pedestrians including disabled persons, to cross Princes Road and compete with turning traffic at the Dane Road and Barnes Roads junctions. This would be prejudicial to pedestrian safety and be contrary to the provisions of Policy (II)T17. Having regard to the above and the industrial context of the area, it is considered that a pedestrian crossing at this location would not be acceptable given the impact on traffic movements.

To address this concern, the applicant has suggested that the hours of operation could be controlled to prevent conflict with other estate traffic and that two car valet staff could be present at all times the premises were open. They have also confirmed that they would be willing to enter into a S106 agreement to confirm this. However, whilst both may provide some assistance, the estate operates on a 24/7 basis and to impose a condition limiting the use of the function hall to evening hours (after 6 pm) would be an unreasonable restriction on the use for which permission is sought. In addition, it is considered that using car valet staff would not overcome the fact that vehicles would still be arriving at and parking in the vicinity of the premises. On balance therefore, it is not considered that the applicant's suggestions would overcome the above concerns, nor could they be resolved by any other planning conditions or clauses in a legal agreement.

Loading for the function hall would be towards the southern end of the building and for the ground floor industrial unit, towards the northern end. This reflects existing openings in the building and it is considered it would not create a materially worse impact on the function of Princes Road. However, as noted by the Head of Economic Development, the loading doors have been reduced in height to such an extent that it brings into question the practicability of their use. It is considered this is another matter that has the potential to limit the industrial function of the unit.

Overall, it is considered that the inaccessibility of the site via public transport, the potential for unacceptable on street parking and the potential conflict between vehicles and pedestrians would not only serve to further undermine the primary industrial function of the entrance into the estate but would be hazardous to the safety and free flow of traffic and contrary to Policies (II)GD6, (II)GD8, (II)GD11, (II)T16 and (II)T17 of the Unitary Development Plan.

Flood Risk

The site is located within the 1 in 100 year flood zone and the proposals will increase the number of people, including vulnerable individuals, in the location in the event of a flood. After detailed modelling it has been determined that the dry egress would be possible in the event of an extreme flood. However, this would be onto the higher ground of Stacey Avenue, which would be enclosed by flood waters to the west and the railway to the east creating a 'dry island'. The Environment Agency advises that, in accordance with PPS25, the Council is the competent authority for emergency planning and must consider, in consultation with the emergency services, whether appropriate measures are in place for the potential rescue of those taking refuge on the 'dry island'.

The Emergency Planning Team has confirmed the Council would only assist evacuees once they had been brought to a place of safety. Whereas the London Fire and Emergency Planning Authority have confirmed that whilst they do not have any statutory duty in respect of flooding rescue, they would assist where possible.

However, the applicant has demonstrated that the site is on the edge of the peak of the 1 in 1,000 flood event. This peak would build up over a number of hours and as such there would, provided an adequate flood warning and evacuation plan were in place, the premises could be safely evacuated long before the flood waters created the 'dry island' referred to above. In any event, even if evacuation could not take place before the peak of the flood event, there is potential for dry escape to the east via the railway. Alternatively, the modelling data suggests that the peak would last for only a few hours. As such, there would be potential to take refuge in the building itself while peak flood waters reduced.

The Environment Agency has sought conditions to secure the implementation of a flood warning and evacuation plan and flood proofing measures set out by the applicant and subject to these conditions, on balance, no objection is raised on grounds of flood risk.

Other Matters

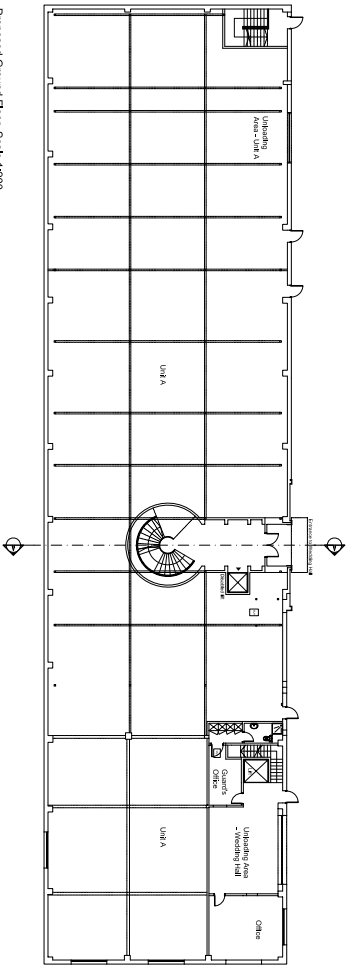
It is considered that there is sufficient separation from the nearest residential dwelling such that the proposal would not adversely affect their amenities.

Conclusion

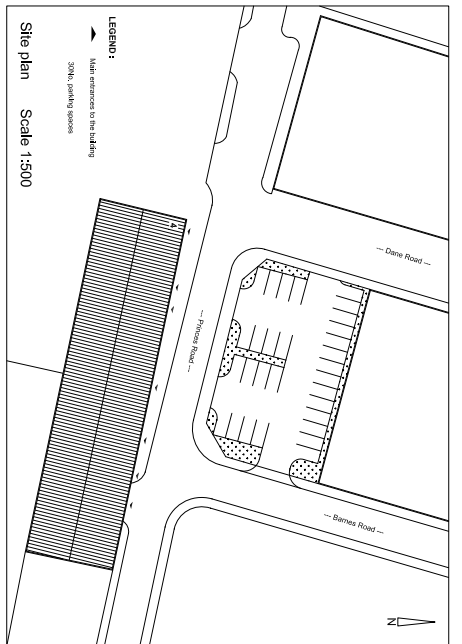
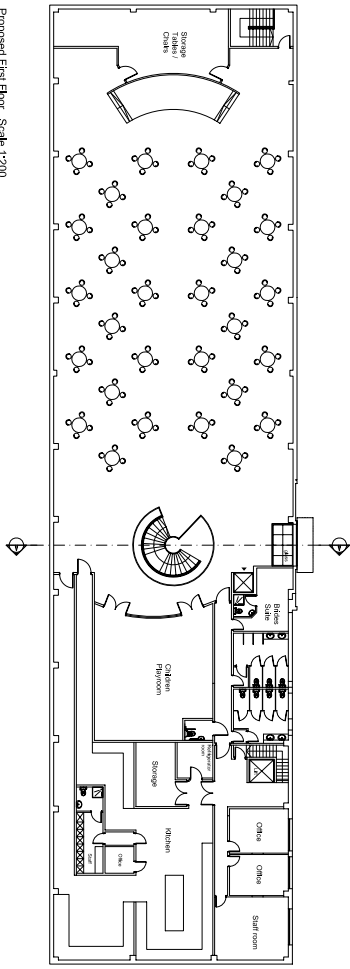
In the light of the above assessment, it is considered that even when considering the weight to be attached to the need for such a facility and the potential benefits to the community the balance of these matters is that they do not outweigh the significant harm that has been identified in respect of the impact on the loss of industrial space, the impact on the wider industrial function of the

estate, the lack of parking and the potential pedestrian hazards. As a result, it is considered that planning permission should be refused.

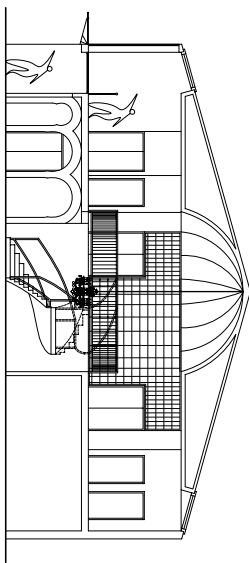
Proposed Ground Floor Scale 1:200



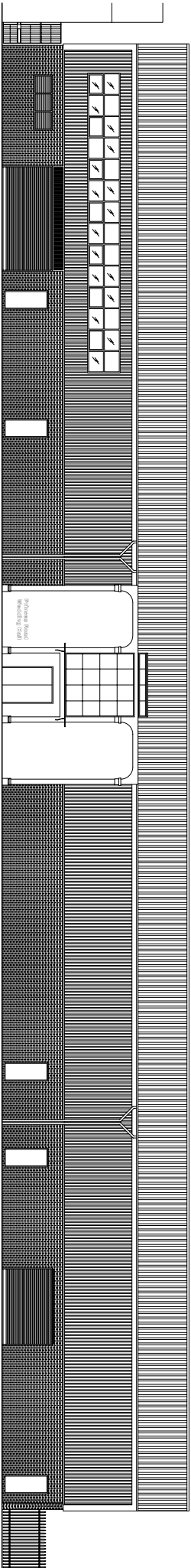
Proposed First Floor Scale 1:200



Proposed Section A-A Scale 1:100



Proposed Front Elevation Scale 1:100



NOTE: NO ALTERATIONS ARE MADE TO THE REAR AND SIDE ELEVATIONS.

CONTENTS		NOTES	
1.000 000 000 05/04/09		1.000 000 000 05/04/09	
PROJECT 4 Phoenix Road London N18		CLIENT Mr. H. Eppel	
ZONE A		STATUS DRAFT	
LEVEL P1-C2		REVISION	
JOB NO. 07/98		DRAWN K.L.	
DRAWING TITLE Section A-A and Site Plan		CHECKED Y.S.	
TAL. ARC LTD. Architectural Services Yossi Shinar I.A. & A. London, W1P 1, 209 BAKER STREET, DOOR 208, LONDON W1P 0JS		PRODUCED BY Phoenix Road Wedding Hall	

Application Number: TP/09/0510 **Ward:** Southgate

Date of Registration: 22nd April 2009

Contact: Robert Lancaster 4019

Location: PUBLIC HOUSE, 80-84, CHASE SIDE, LONDON, N14 5PH

Proposal: Conversion of upper floors to provide 9 self contained flats (3 x 3-bed, 3 x 2-bed, 1 x 1-bed and 2 x studios) involving construction of 3rd floor to front and roof terrace to rear.

Applicant Name & Address:

Chet Investments Ltd, c/o Pebworth Property
Lixmere House
211, Kenton Road
Kenton
Middx
HA3 0HD

Agent Name & Address:

Studio V Architects
224, West Hendon Broadway
London
NE9 7ED

Recommendation: That subject to the completion of a S106 agreement to secure the provision of off site parking, a financial contribution to off site improvements to the rear service road and play areas, the Head of Development Services be authorised to **GRANT** planning permission subject to the following conditions:

1. C07 Details of Materials
2. C25 No additional Fenestration
3. C16 Private Vehicles Only - Parking Areas
4. C19 Details of Refuse Storage & Recycling Facilities
5. C24 Obscured Glazing
6. Before the development is occupied an opaque screen shall be installed to a height of 1.8m above floor level on the second floor directly above and along the full length of the window serving the living/dining room of the first floor Flat 5. The screen shall be permanently maintained thereafter unless otherwise agreed in writing with the Local Planning Authority.

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

7. C57 Sustainability
8. The cycle spaces shown on the submitted plans shall be installed and thereafter permanently retained for cycle parking.

Reason: To ensure the provision of cycle parking spaces in line with the Council's adopted standards.

9. C51A Time Limited Permission

Site

The premises is a part three-storey / two storey building, the ground floor of which falls within the core retail frontage of Southgate Town Centre. The building extends right back to the rear service road with an average depth of approx. 38m, although this varies due to the curved nature of the building to the rear. The ground floor is currently occupied by a Wetherspoons Public House. The upper floors of the premises are currently vacant, although were previously used for storage purposes. Pedestrian access to the building is from Chase Side.

Chase Side is the main shopping street serving Southgate and is characterised by three and four storey development, which in the main comprises of ground floor retail units with a combination of ancillary retail, office or residential space on the upper floors

Vehicular access to the rear of the site is via a service road accessed off Chase Side situated between Nos 66 and 68 Chase Side. To the rear of the site is the new residential development of Pickard Close (formerly the Southern Syringe Factory Site).

The site is located within Southgate Town Centre and is accessible to a range of public transport options including Southgate tube station; the site consequently has a PTAL rating of 4.

Proposal

Permission is sought for the conversion and extension of the upper floors to create 9 flats comprising 2 studio flats, 1 x one bed flat, 3 x two bed flats and 3 x three bed flats, with a roof terrace on first floor.

Also proposed is a glass canopy over the frontage of the ground floor premises. Together with portholes and a glass dormer terrace at roof level also fronting Chase Side.

The proposal provides 3 parking spaces for the residential units but involves the loss of 4 parking spaces currently serving the Wetherspoons as a result. Nine secure bicycle parking spaces at the rear ground floor entrance to the residential accommodation and on the first floor roof terrace.

Relevant Planning Decisions

TP/95/0044 - Change of use of ground floor of premises from Retail (A1) to Public House (A3) was granted planning permission granted in 1995.

Consultation

Public

Consultation letters have been sent to 88 neighbouring residential and commercial properties. No replies were received apart from comments from the Southgate Resident's Association. They raise an objection on the following grounds:

- The porthole type windows and glass brickwork' at roof level fronting Chase Side in terms of their impact on the appearance and character of the property.
- The glass canopy fronting Chase Side will encourage more smokers from the Public House.
- Impact on the rear service road in terms of parking and access for deliveries and refuse trucks.

External

Thames Water raises no objection to the proposal.

Internal

Transportation and Cleansing raise no objection

Relevant Policy

London Plan

- 3A.1 Increasing London's Supply of housing
- 3A.2 Boroughs Housing Target
- 3A.3 Maximising potential of sites
- 3A.5 Housing Choice
- 3A.9 Definition of affordable homes
- 3A.10 Negotiating affordable housing in individual private residential and mixed mixed use schemes
- 3A.11 Affordable housing thresholds
- 4B.1 Design principles for a compact city
- 4B.8 Respect local context and communities
- 3C.23 Parking strategy
- 3C.24 Parking in town centres
- 3A.23 Health Impacts
- 2A.1 Sustainability criteria
- 4A.1 Tackling climate change
- 4A.3 Sustainable design and construction
- 4A.4 Energy Assessment
- 4A.6 Heating, cooling and Power

Annex 4 Car Parking standards

Unitary Development Plan

The statutory plan for the Borough is the Unitary Development Plan (UDP) adopted March 1994. Under section 38 of the Planning and Compulsory Purchase Act, the Council's existing UDP policies were automatically saved for a three-year period. This ended on 27th September 2007. However, as from that date, the Local Planning Authority has received a Direction from the Secretary of State confirming the policies that have not expired and those referred to below, remain material to the assessment of any development of the proposal.

- (I) GD1 New development to have appropriate regard to its surroundings
- (II) GD1 New developments and changes of use appropriately located
- (I) GD2 New development improve character of area
- (II) GD3 Design & Character
- (II) H8 Privacy /Overlooking

- (II) H9 Amenity space provision
- (II) GD6 Traffic Implications
- (II) GD8 Access and Servicing
- (II) S20 Encourage full use of accommodation on upper floors
- (II) T19 Provision for cyclists

Local Development Frame Work- Core Strategy Preferred Options

The Planning and Compulsory Purchase Act 2004 requires the Council to replace the UDP with a Local Development Framework (LDF). The LDF Core Strategy will set out the spatial vision and strategic objectives for the Borough. The Core Strategy is at an early stage in its adoption process. As this continues the weight given to it will grow and the relevant objectives are reported to demonstrate the degree to which the proposals are consistent with the emerging policy direction.

- SO1 Sustainability and Climate Change
- SO2 Biodiversity
- SO3 Protect and enhance Enfield's environmental quality;
- SO6 High quality, sustainably constructed, new homes to meet the aspirations of local people
- SO8 Affordable Housing, Family Homes and Social Mix
- SO11 Safer and stronger communities
- SO16 Preserve the local distinctiveness
- SO17 Safeguard established communities and the quality of the local environment
- SO21 Sustainable Transport

Other Material Considerations

- PPS1 Delivering Sustainable Communities
- PPS3 Housing
- PPG13 Transport

Supplementary Guidance on Shop Fronts
Supplementary Guidance on Flat Conversions

Analysis

Principle

The creation of additional residential accommodation within the context of this town centre location whilst retaining the ground floor use as a public house would be consistent with the broad policy objectives of maximising development in sustainable town centre locations which also supports their viability and vitality. It would also be consistent with PPS3 (Housing) and PPS6 (Planning for Town Centres). The proposal would also contribute to increasing the Borough's Housing Stock having regard to London Plan Policies 3A.1 and 3A.2, Policy 3A.3 (maximising the potential of sites) as well as supporting the town centre adopted by policy 3D.1.

Notwithstanding this, the acceptability of the proposed development must have regard to the acceptable integration of the scheme into the character and appearance of the locality and wider area. Mindful of this, careful consideration needs to be given to its overall scale, its design and appearance, the number and mix of units, compliance with residential standards, the quality of the proposed accommodation, the impact on the amenities of surrounding properties, and the adequacy of parking/ access and servicing etc.

Integration with the Character and Appearance of the Surrounding Area

In accordance with Policy 3A.3 of the London Plan development proposals should achieve the maximum intensity of use compatible with local context, whilst having regard to public transport capacity and accessibility and the density matrix of the London Plan.

With this in mind, it is considered the site represents an urban location as the prevailing character and urban form would most closely resemble the definition for such areas: having predominantly dense development such as terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of between two and four storeys, located within 800m walking distance of a District centre or, along main arterial routes. Furthermore, taking into account the town centre location and the PTAL rating of 4, the density range for flats could be in the range of 200- 700 habitable rooms per hectare (hrph). In this instance, due to the character of the locality, it is considered that an appropriate density would be at the lower end of this range around 400 hrph. This proposal has a density of 423 hrph, which reflects the density figure considered appropriate. However, with reference to the objectives of advice contained in PPS1 and PPS3 as well as the London Plan a solely numeric assessment of a development's integration with its locality must not be the only test and regard must be given to the scale, appearance and relationship to neighbouring properties before a final judgement can be made.

Scale and Massing

The street scene of Chase Side is characterised by linear built forms ranging from 2 to 4 storeys in height. Although this proposal would add a further floor height to the existing building, the additional floor is recessed from the front elevation by 1 metre. As a result, it is considered that this mitigates its presence especially when viewed against other buildings in the street which have similar heights. In particular, reference is made to the recent development at 42-54 Chase Side which contains a similar form of development.

The main addition to existing building however is to the rear where there would be significant additions to the height over the existing rear projections accentuated by the fall in ground level at the rear. Notwithstanding this, the extensions would be viewed against neighbouring rear additions and developments which although of varying sizes, ameliorate the obtrusiveness of its presence. Again reference is made to a similar form of development constructed at 42-54 Chase Side. In the light of this context, it is considered the resultant scale and massing of the building would not detract from the appearance of the property in the surrounding area.

Impact on amenities of surrounding residents

In terms of impact on the amenities of adjoining residents particular regard needs to be given to the residential amenities of the adjoining upper floor flat at 86 Chase Side which has recessed rear windows. The proposed first floor rear extension is set to one side away from 86 Chase side (approx 8m). Consequently, the proposed 2nd and 3rd floor extensions do not breach a 30 degree line from the centre of the nearest window. As a result, it is considered that the proposal does not cause any undue loss of light, outlook and or sense of enclosure to the occupier's of No.86 Chase Side.

In terms of the impact on the outlook of the occupiers at 78 Chase Side, whilst the proposal would diminish the outlook to the east, as the occupiers would retain a reasonable level of outlook to the west and noting the office use of the property it is considered that the impact on their amenities would not be such too would warrant refusal of the scheme

In terms of safeguarding the privacy of adjoining residents, particularly those in Pickard Close, a condition has been attached requiring obscure glazing of the window serving the living/ dining

room at Flat 5 on the first floor to a height above floor level of 1.8m along with a condition requiring an opaque screen to a height 1.8m above floor level on second floor directly above the window serving Flat 5's living/dining room.

Design

The conversion and extension of the building, with a contemporary re-design approach in this location is considered to be appropriate and does not harm the character and appearance of the property or surrounding area.

The porthole-type windows near roof level are not replicated on the facade of other buildings on Chase Side. However given their height above ground level it is not considered that they would have a significant effect on the character of the building or street scene. The glass dormer window terrace would be virtually obscured from street view behind the existing parapet wall, and as such is not considered to have a significant impact on the street scene or character of the building.

It should also be noted that a glass projecting canopy is proposed above the shop front to the ground floor public house. This canopy would have a maximum projection over the footway of 1.9 metres. Whilst it is acknowledged that it would not affect the safe passage of pedestrians and would have the benefit of minimising smoke fumes rising up to the windows of the residential units above, the acceptability of this feature remains under review. A view on its acceptability will be reported at the meeting.

Conclusion

Taking the above factors into account, it is considered that the proposed development would appropriately integrate into the existing urban fabric and appearance of this section of Chase Side without detracting from the character and appearance of the street scene or the wider area.

Amenity Space

In terms of amenity space provision Policy (II) H9 of the UDP sets out the standard in respect of amenity space provision for flats. Such amenity space is normally used communally rather than being subdivided between individual occupiers within the development. Amenity space for flats should be equal to 75 % of the Gross Internal Area (GIA) of the building and typically roof terraces and balconies should contribute no more than 15% of the total amenity space provision. However given the town centre location of the scheme, the location over a ground floor retail units and the constraints of this particular site, it is considered a flexible approach can be applied.

In this scheme, it is noted that the amenity space for the scheme is limited to a communal terraced garden at first floor level, and some roof terraces at 2nd and 3rd floor level. The principle of a terraced roof garden, terraces and balconies subject to appropriate screening to protect privacy of surrounding residents including those in Pickard Close, is acceptable. The gross internal area of the converted element of the building is approximately 582.2 square metres, the proposed amenity space is approximately 298 square metres. Therefore the proposed amenity space is approximately 52% of the gross internal area. It is acknowledged that this does not comply with the relevant guidance, and the proposal would, therefore, require a contribution for off-site provision, guided by the London Mayor's Supplementary Planning Guidance on "providing for Children and Young Peoples Play and Informal recreation" (March 2008). Given the town centre constraints of this site, the approach is considered appropriate in this instance and is discussed in more detail under "section 106 Agreement" part of this report.

Transport / Access/ Parking

The site is located within Southgate Town Centre and is well served by public transport being within close proximity to Southgate Tube and bus station. As a result, the site has a Public Transport Accessibility (PTAL) rating of 4. Nevertheless, the proposal involves the loss of four car parking spaces currently serving the Wetherspoons staff and no other capacity exits within the curtilage.

Notwithstanding its location within the Town Centre and a PTAL rating of 4, the provision of a completely car free development with no parking provision is considered to be unacceptable in this location. Whilst flexibility can be applied to car parking standards, it is considered that if some dedicated car parking isn't provided for the development this would inevitably result in further additional indiscriminate parking in the rear service access road which at present is already extremely heavily parked resulting in further congestion and problems.

The London Plan table A 4.2 (maximum residential car parking standards) for 1 - 2 bed units in areas of good public transport accessibility/ town centre locations indicates that developments should aim for less than 1 space per unit. Whilst this may be acceptable in principle at present given the provision of 9 units in total the provision of just 3 car parking spaces is considered unacceptable.

However the Council owns two strips of land to either side of the proposed car parking places and it would be appropriate, through a s106 Agreement, to license the use of the two strips of land for use as private parking spaces in connection with the residential development. There would be no replacement parking for staff and but there would be provision of three car parking spaces serving the flats and with 9 cycle parking spaces proposed within the application site. Acknowledging that parking on the surrounding highways is restricted by the Southgate CPZ, this level of provision is felt to be on balance, acceptable

Refuse storage

With regards refuse storage, this would be sited to the rear accessed via the existing service road. Cleansing has confirmed these arrangements are acceptable and no objections are therefore raised.

Sustainable Design and Construction

Given its location nearby good public transport links, the re-use/ conversion of the existing premises and design, the scheme is considered to have due regard to, and addresses the following policies of the London Plan (Feb 2008), 4A.1 (Tackling climate Change) 4A.3 (Sustainable Design and Construction), 4A.4 (Energy Assessment), and 4A.7 (Renewable energy).

Section 106 Agreement

A Section 106 Agreement is required to address deficiencies in elements of the scheme that would otherwise render the scheme unacceptable. The " Heads of Terms " that accompanies this recommended approval are:

- The provision of a financial contribution to upgrading the rear service access road and, providing external lighting.
- The licensing of two strips of LB of Enfield land to use for car parking provision for the flats.

- £15,000 contribution to off site improvements to existing play provision at Ivy Road playground.

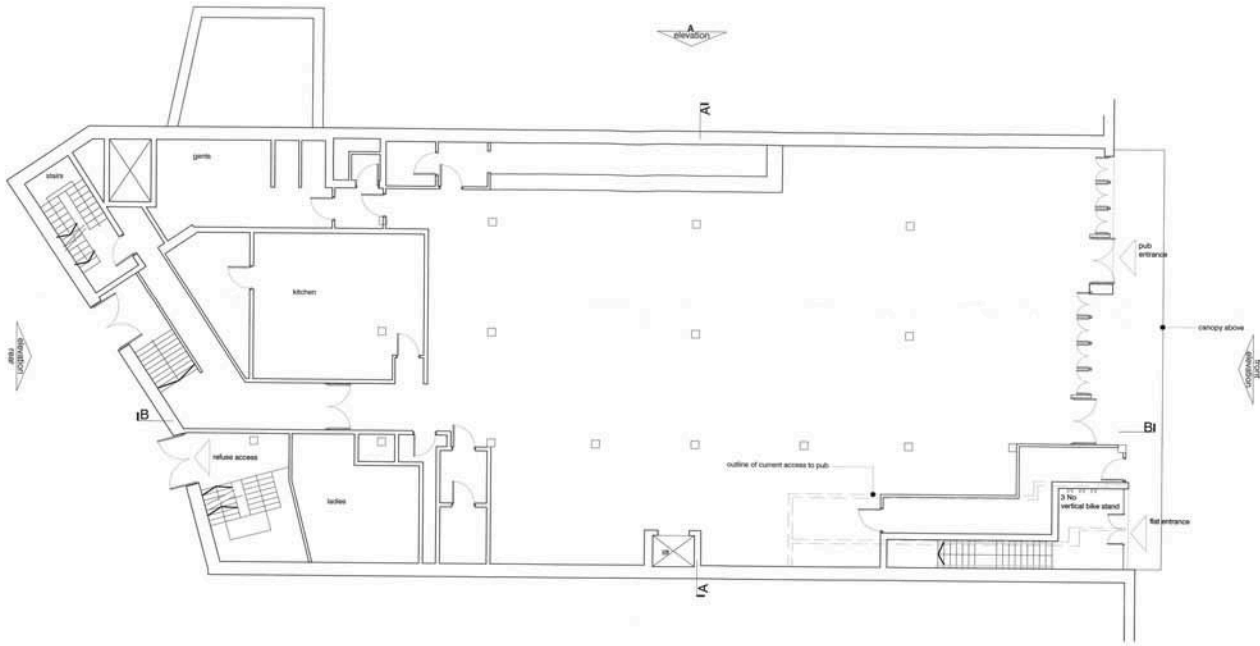
In the case of financial obligations, the sums will be index linked from the date of the agreement and will incur a penalty charge if unpaid.

Conclusion

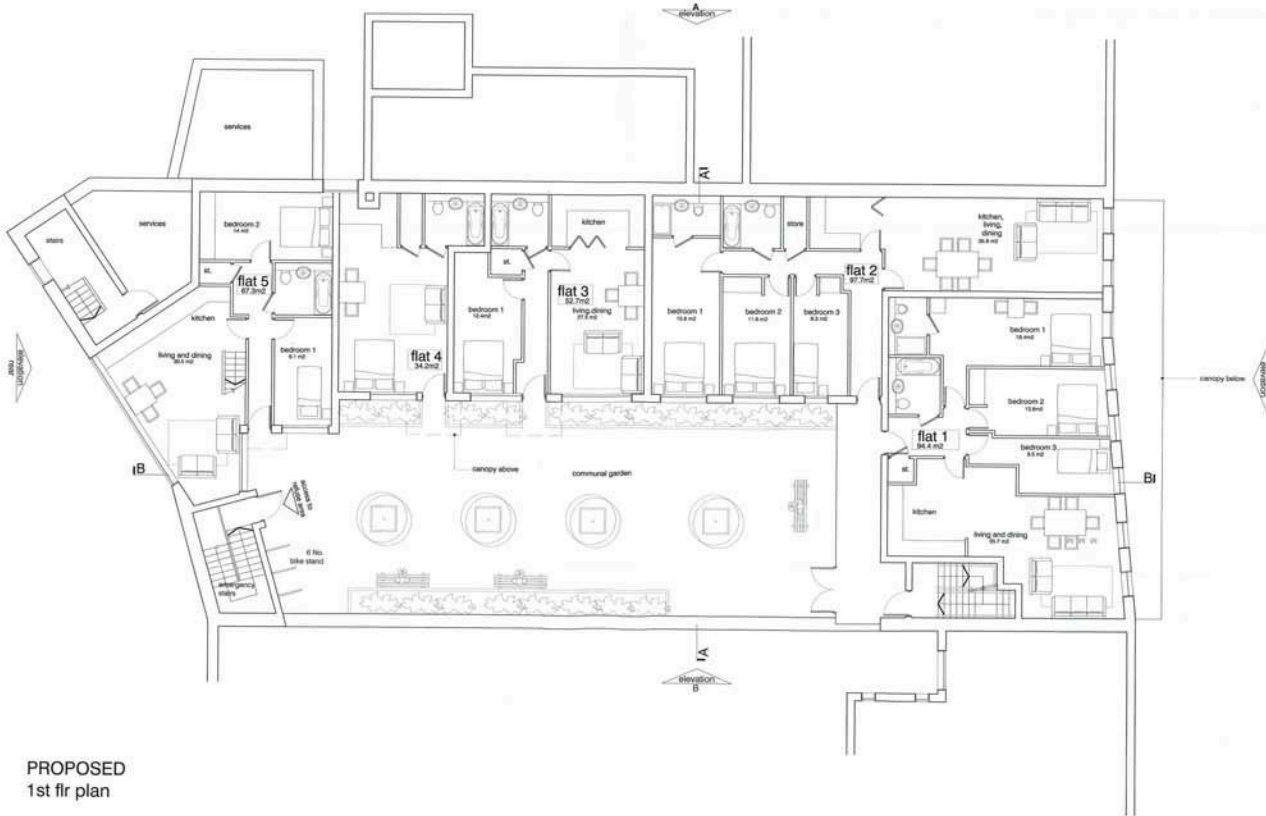
Taking into account the above and subject to the aforementioned legal agreement, it is considered conditional approval is granted for the following reasons:

1. The conversion and extension of the upper floors of the site for residential purposes would be in keeping with the composition and character of the surrounding area and contribute to the supply of housing within the Borough, in accordance with Policies (I)GD1, (I)GD2, (II)GD3 and (I)H1 of the Unitary Development Plan, and Policies 3A.1 and 3A.2 of the London Plan (Consolidated with Alterations since 2004).
2. The proposal is not considered to harm the character and appearance of the area or the visual amenities of neighbouring occupiers, having regard to policies (I)GD1, (I)GD2 and (II)GD3 of the Unitary Development Plan, as well as policies 4B.11, 4B.12 and 4B.13 and guidance contained within PPS1, PPS3 and PPG15.
3. The proposal is not considered to unduly prejudice the amenities of neighbouring occupiers, especially in respect to potential overlooking and loss of privacy to residents on Pickard Close and potential loss of outlook to No.86 Chase Side, in accordance with Policies (I)GD1, (I)GD2 and (II)H8 of the Unitary Development Plan, as well as the objectives of PPS1 and PPS3.
4. The proposal provides adequate provision for access, servicing and car parking for the residential units, having regard to policies (II)GD6 and (II)GD8 of the Unitary Development Plan and Government Advice contained within PPG13 and The London Plan policy 3C.23.
5. The sustainability measures identified in the sustainability assessment form submitted on 15/06/2009 are considered to be sufficient to meet the requirements of Interim Policy SDC1 of the UDP, therefore achieving a suitable level of sustainable design and construction.

TP/09/0510



PROPOSED ground floor plan



PROPOSED 1st floor plan

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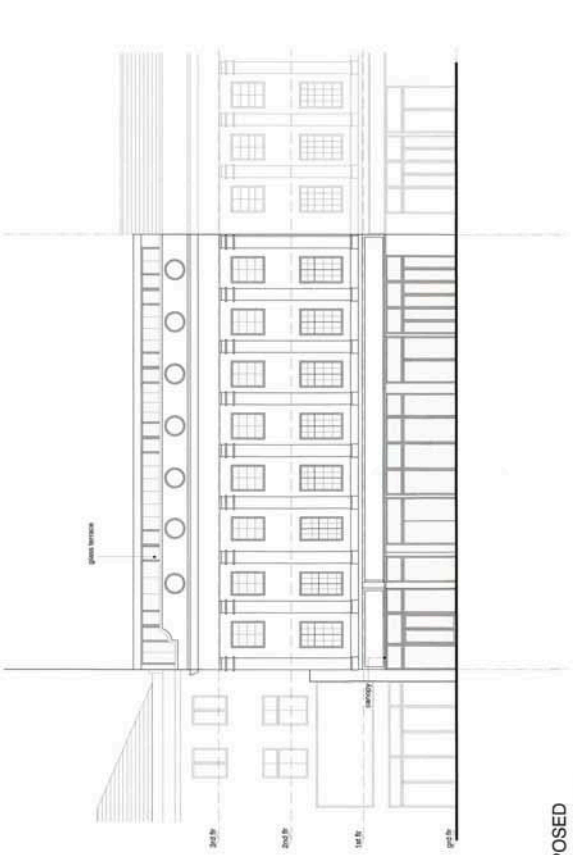
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80-84 CHARESIDE BOOTHGATE W 4	RB	KV	1:100	JUNE20
PROPOSED PLAN 1	0801	PL05		

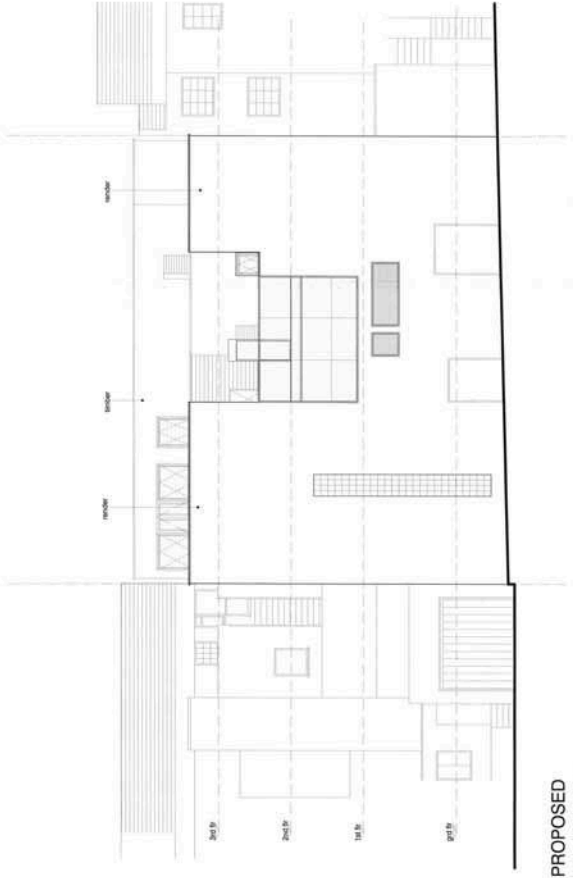
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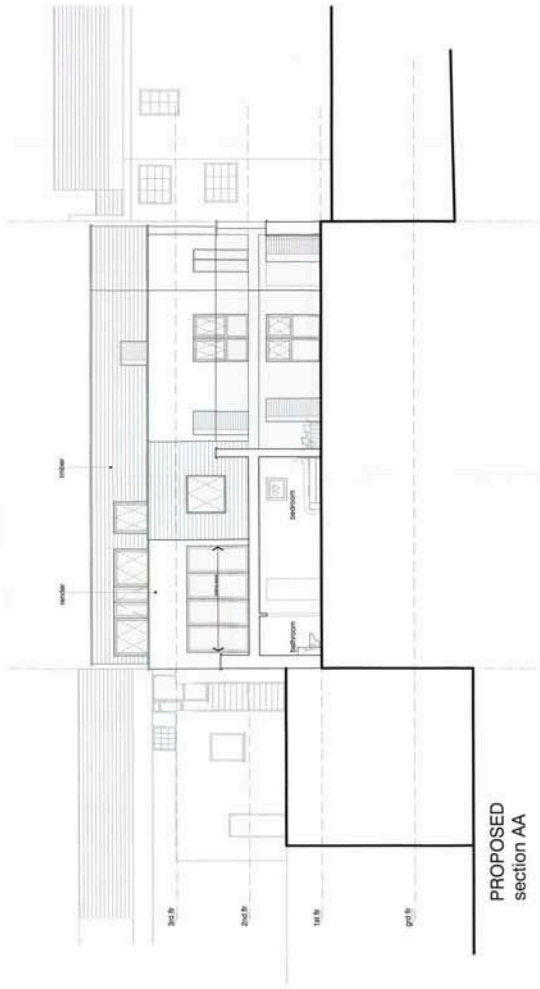
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PROPOSED front elevation



PROPOSED rear elevation



PROPOSED section AA

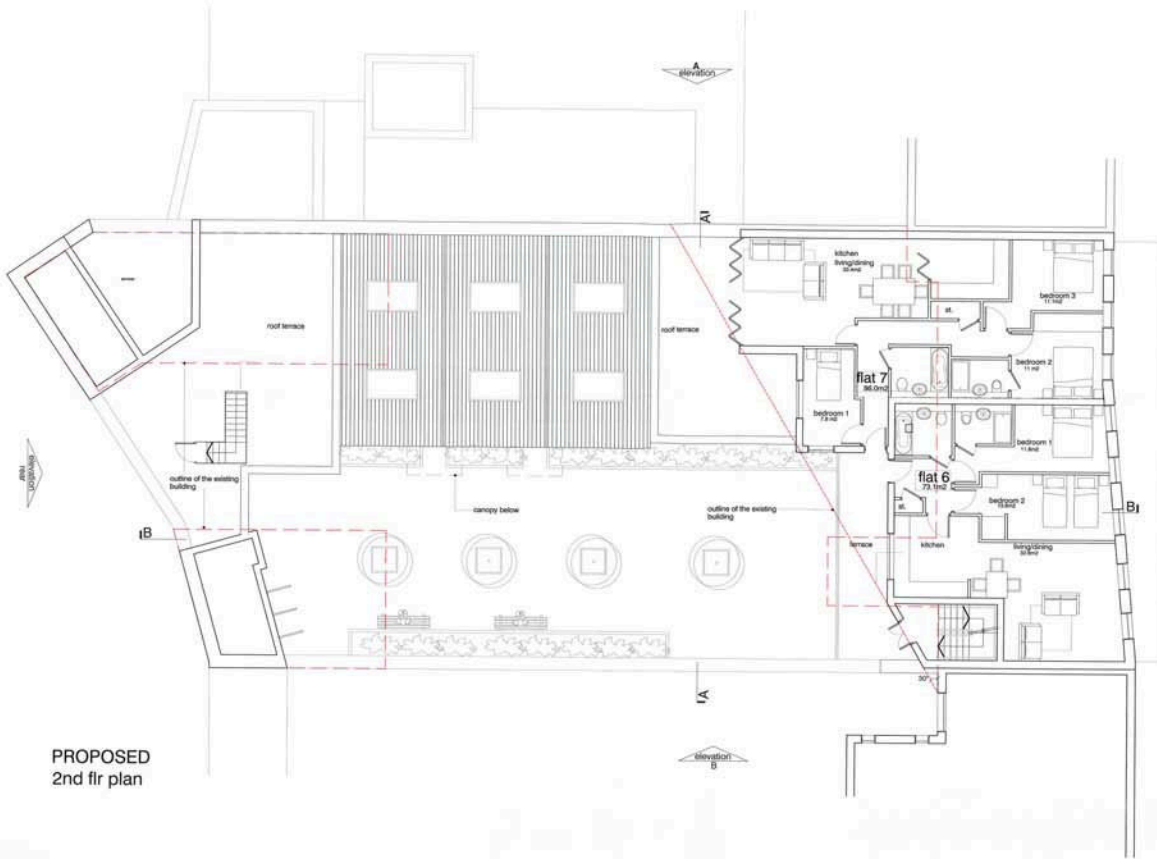
NOTES
 1. All dimensions are in millimeters unless otherwise stated.
 2. Line weights are as indicated.

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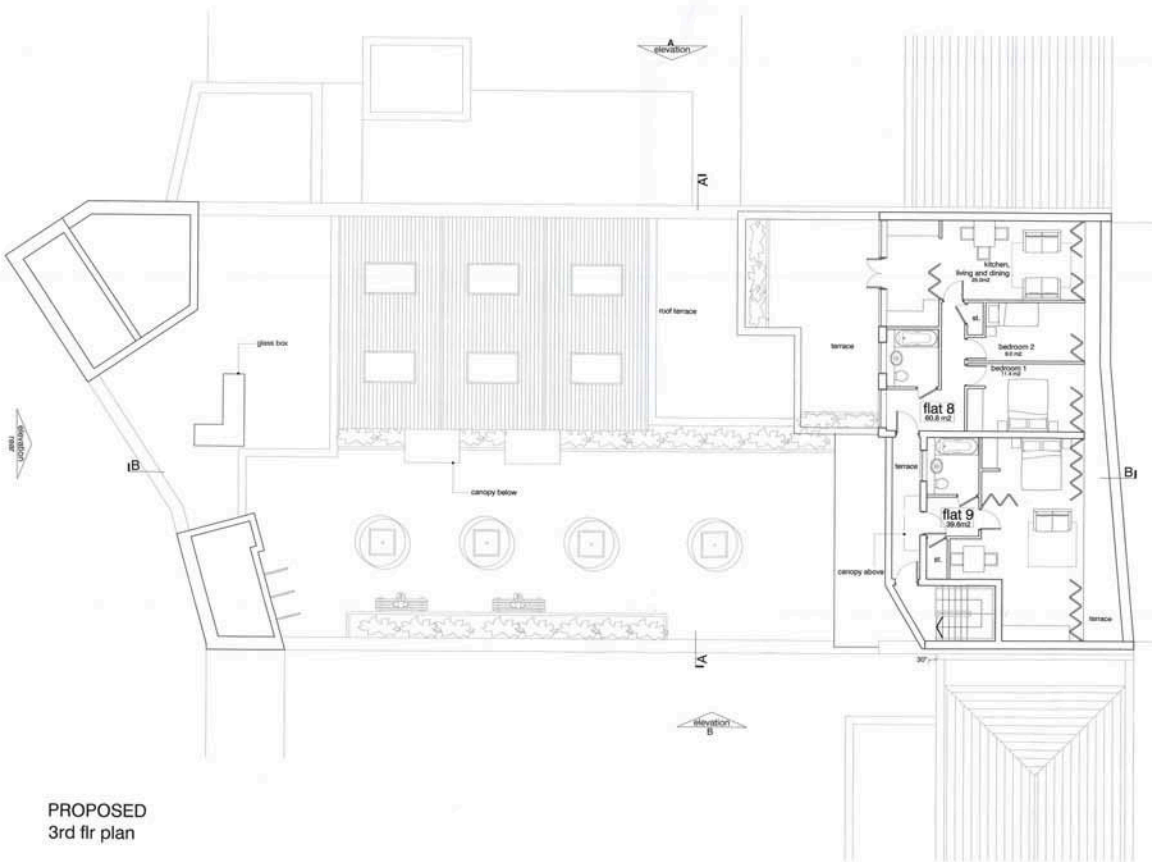
DATE	13 APR 2009
PROJECT	BLM CHAIRSIDE BOULEVARD RM
SCALE	1:100
NO.	0801
DESIGNER	PL08

EDWARDS PRODUCTION OF JAMES WATTS
 13 APR 2009

TP/09/0510



PROPOSED
2nd flr plan



PROPOSED
3rd flr plan

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14 APR 2008
DEVELOPMENT SERVICES

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PROPOSED PLAN 2	0901		PL06	

TP/09/0669



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Scale 1/1250 Date 8/9/2009

Centre = 531779 E 194416 N

Application Number: TP/09/0669 **Ward:** Winchmore Hill

Date of Registration: 28th May 2009

Contact: Emma Allenden 3845

Location: 4, RADCLIFFE ROAD, LONDON, N21 2SE

Proposal: Two storey side extension with integral garage, rear conservatory and basement parking.

Applicant Name & Address:

Mr S. Sotoriou
4, RADCLIFFE ROAD
LONDON
N21 2SE

Agent Name & Address:

Mr Michael Wallis, PMSS
5, HOUNSDEN ROAD
LONDON
N21 1LU

Note for Members

Although an application of this nature would normally be determined under delegated authority, this application has been referred to the Planning Committee for determination at the request of Cllr Martin Prescott.

Recommendation: That planning permission be **GRANTED** subject to the following conditions:

1. C08 Materials to Match
2. C09 Details of Hard Surfacing
3. C10 Details of Levels
4. C11 Details of Enclosure
5. C16 Private Vehicles Only - Parking Areas
6. C25 No additional Fenestration
7. C26 Restriction of Use of Extension Roofs
8. Car Lift
9. C51A Time Limited Permission

Site and Surroundings

The property is a semi detached single dwelling house on the eastern side of Radcliffe Road. The area is predominantly residential and is characterised by terraced, semi-detached and detached properties.

Proposal

Permission is sought for the construction of a two storey side extension to the property, 3.2 metres in width and abutting the boundary with the rear gardens of nos. 8 and 10 Radcliffe Road. This extension would provide a garage at ground floor level and additional bedroom space at first floor level. The proposal would also provide basement parking underneath the garage, accessed by an internal car lift.

A rear conservatory is proposed behind the garage projecting 2.1m beyond the existing rear wall of the property.

Relevant History

None.

Consultations

Public

Consultation letters have been sent to 11 neighbouring properties. Objections have been received from the occupiers of nos. 2, 5a, 6, 8, 10 and 16 Radcliffe Road raising all or some of the following points:

- The amended application has not overcome the concerns raised when the initial plans were submitted
- Noise and vibrations from the car lift – lack of justification that this lift will not have an adverse impact on neighbours, the examples submitted of other lifts are different locations and should not be used but a proper assessment of potential noise impact should be carried out
- Examples have been submitted of other applications in other locations where car lifts have been refused or withdrawn showing that there are potential impacts on adjoining and neighbouring uses from the noise and vibration likely to be emitted by a proposed internal activity in a development
- The car lift is a feature out of keeping with the locality and is not needed as adequate parking is available on the site without the need for the car lift
- These types of car lift system are not generally suited to frequent or short-term use, their primary purpose being to increase storage capacity in space-constrained sites
- The system incorporates low noise units. Nevertheless the manufacturer recommends that where parking systems are installed in a garage, the garage should be built separately from the dwelling
- A minimum of 62dB of sound insulation should be incorporated in the design in order to protect dwellings from unacceptable levels of noise – the above 3 points show that the scheme is not appropriate for a semi-detached property in a quiet residential street
- The height of the conservatory has been reduced but the roof height over the side extension has increased
- The proposal does not comply with Council policies (I)GD1, (I)GD2, (II)GD3, (II)H12, (I)EN6, (II)EN30
- It does not improve the quality of life and visual amenity and will result in a deterioration
- The scale and mass would be highly visually intrusive

- Detrimentially affect the outlook and amenity of adjoining residential properties, enjoyment of garden
- Two storey development is inappropriate having regard to the proximity of the backs of adjacent Radcliffe Road properties – this was acknowledged in the single storey bungalow development in Hazelgreen Close built in the mid-1980's – the existing flank wall of the application property is already closer to no. 8 Radcliffe Road than was allowed at the bungalow development – a letter submitted by the applicants for this development stated that the development requires careful consideration and if it is single storey will not be detrimental to the residents of Radcliffe Road and Station Road
- The development would not integrate into or improve the local community, and will prejudice the amenities of adjoining properties
- Encroachment over adjoining properties
- Inadequate distance has been left to allow for the maintenance of the dwelling from within the curtilage of the property
- Impact on trees and habitat
- The applicants dog keeps the occupier of no 5a Radcliffe Road awake at night already
- Loss of privacy
- Loss of light and impact on enjoyment of surrounding gardens from the extension
- Could set a precedent for the area
- Noisy building works from no. 11 Radcliffe Road are going on, this property is also owned by the applicant – do these works have planning permission?
- No site plan showing the adjoining site property boundaries has been submitted
- Two Land Registry titles should be submitted showing the application property and the alleyway running along the backs of 6 – 16 Radcliffe Road
- Could some of the work be constructed as permitted development?
- The forms submitted with the application are not accurate – questions 5 and 7 should be 'yes' as a vehicular access to the property would be needed and there would be an impact on trees
- Conditions have been suggested if the application is approved
- An example was submitted from no. 2 Radcliffe Road in relation to a planning application at Southwark Council that was refused for the following reason: *In the absence of an acoustic report, it is considered that the proposed mechanical car docking system would generate excessive noise causing harm to the amenity of future and neighbouring occupiers. The proposal is therefore contrary to Policy 3.2 'Protection of Amenity' of the Southwark Plan UDP (2007).* However, a revised application included an acoustic report which demonstrated that the Cardok system would not have a significant impact on noise, and in fact the noise produced by the system is far less than that of a car door slamming. This objection was therefore removed from the scheme and planning permission was granted for the car docking system.

The Winchmore Hill Residents Association have concerns that the side extension will unbalance the whole of the building; the car lift inhibits level access from front to rear garden; the lower car lift bay is only 1500 high making it difficult for personal access; elevational details of existing houses must be carried over on to any new extension; the garage door is a 'foreign' opening in respect of its size and shape but it must follow the existing elevational details; the rear windows of the occupants of no. 6 Radcliffe Road will face onto the extension which will cause substantial over-shadowing to their garden; access for maintenance would have to be agreed with the adjoining owner; the hipped roof does not match the existing; which doors are to be used on the conservatory is not clear.

In addition, representations have been received from Cllr Prescott who objects to the application due to it being massively obtrusive to neighbouring properties; that parts of it extend over at least one other property; that the subterranean car park is wholly out of keeping with the locality; that

the works will create enormous disruption and nuisance and may damage trees in the immediate vicinity; and that after the works have been completed the machinery and extractor fans will be a permanent reminder of the folly of this development.

Furthermore, a letter of objection has also been received from David Burrowes MP who expresses concerns that the proposed development would seem to be inappropriate for a semi-detached property in a quiet residential street; that the equipment is most often found in commercial properties or detached properties where the garage is separate to the house, and by granting this we will create a precedent for semi-detached properties; neighbours concerns should be taken into consideration, particularly in relation to the potential noise pollution and the suitability of the proposed equipment in residential properties.

Internal:

Environmental Health state that the having looked at the updated information on the website if the car lift can be designed to meet the noise levels stated then there should not be a problem with noise in the neighbour's property. The system should have an acoustic performance to the noise measurements submitted and the machinery should be suitably isolated from the structure using rubber-mounts or other such suitable material to minimise the transference of sound through the structure to neighbouring properties.

External:

None

Relevant Policies

London Plan (2008)

- 3C.23 Parking Strategy
- 4B.1 Design Principles
- 4B.3 Maximising the Potential of Sites
- 4B.7 Respect Local Context and Communities
- 4B.8 Respect Local Character and Context
- Annex 4 Parking standards.

Unitary Development Plan

- (I)GD1 Regard to Surroundings / Integrated into Local Community
- (I)GD2 Quality of Life and Visual Amenity
- (II)GD3 Character / Design
- (II)GD6 Traffic generation
- (II)GD8 Site access and servicing
- (II)H12 Residential extensions
- (I)EN6 Environmental Impact of developments
- (II)EN30 Land, Air, Noise and Water pollution

Local Development Framework - Core Strategy Preferred Options

The Planning and Compulsory Purchase Act 2004 requires the Council to replace the UDP with a Local Development Framework (LDF). The LDF Core Strategy will set out the spatial vision and strategic objectives for the Borough. The Core Strategy is at an early stage in its adoption process. As this continues the weight given to it will grow and the relevant objectives are reported

to demonstrate the degree to which the proposals are consistent with the emerging policy direction.

- SO1 Sustainability and Climate Change
- SO3 Protect and enhance Enfield's environmental quality;
- SO7 Distinctive, balanced, and healthier communities
- SO11 Safer and stronger communities
- SO16 Preserve the local distinctiveness
- SO17 Safeguard established communities and the quality of the local environment

Other Material Considerations

- PPS1 Delivering Sustainable Communities
- PPG13 Transport

Analysis

Two Storey Side Extension

The proposed two storey side extension at 3.6 metres wide would infill the space to the side of the property up to the side boundary which is common with the rear boundary of Nos 6, 8 and 10 Radcliffe Road. Visually, the extension is considered to be acceptable in terms of its size and appearance within the context of the street scene and is typical of many such extensions. Moreover, negotiations have secured improvements to its appearance through an increase in the height of the roof over the side extension. In addition, due to the juxtaposition of the application property to those neighbouring it, there is no requirement for an inset at first floor level to address terracing.

In terms of the impact on neighbouring properties, although the flank wall would be sited on the boundary, the extension would be sited in the region of 18m from the rear of the properties at Nos. 6, 8 and 10 Radcliffe Road. Consequently, it is considered the relationship would not give rise to conditions prejudicial to the outlook and amenities of these properties.

Concerns have been raised regarding the impact of the extension and in particular, the excavation in connection with the basement, on trees located in the neighbouring rear gardens. Whilst the loss of significant trees having a wider public amenity would not be supported, the conifers do not have this wider public quality and are not worthy of protection by way of a TPO. Moreover, it is considered that only those closest to the boundary may be affected and although they do have local amenity value, on balance, it is considered that the potential effects are not sufficient to warrant refusal of the application.

It should also be noted that there is no requirement for the extension to be sited in from the side boundary to enable future maintenance.

Basement Garage and Car Lift

Located beneath the proposed two storey side extension, this basement garage would provide additional off street parking accessed via a mechanical lift. This element would have no external presence and is therefore acceptable. In addition, Transportation have confirmed that they have no objection to the lift as the basement parking is extra capacity not required to meet any off street parking need given the existing driveway which would still be available should the lift fail.

A significant level of objection though has been received about this element of the proposal from the occupiers of neighbouring properties. In particular, reference is made to noise and vibrations emanating from the operation of the car lift and information obtained from other Local Planning Authorities which have had applications for car lifts. In response additional information has been submitted by the Applicant regarding the noise levels to address these concerns.

Having reviewed this information, Environmental Health have confirmed that if the car lift operates at its designed parameters, the noise levels due to its operation should not be a problem. Furthermore, it is noted that the machinery should be suitably isolated from the structure using rubber-mounts or other such suitable material to minimise the transference of sound through the structure to neighbouring properties.

Accordingly, notwithstanding the concern of residents, it is considered that with the imposition of conditions covering the points raised above, the proposed basement garage and car lift would not give rise to levels of noise which would harm the amenities of neighbouring and nearby residential properties.

Single Story Rear Extension (Conservatory)

Sited to the rear of the two storey rear extension, this would project 4.5 metres beyond the rear elevation. Amendments have secured reductions to the height of the glazed roof and taking this into account, the relationship to the neighbouring properties at Nos 6, 8 and 10 Radcliffe Road, this element is considered acceptable.

Conclusion

It is considered that the proposed development is acceptable having regard to the applicable policy and thus, it is recommended that this application be granted for the following reasons:

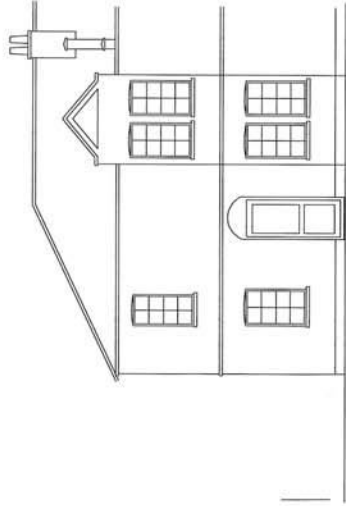
1. The development makes appropriate provision for access and car parking and would not give rise to unacceptable on street parking conditions prejudicial to the free flow and safety of traffic on the adjoining highways, having regard to Policies (II)GD6 and (II)GD8 as well as Policy 3C.23 of the London Plan and PPG13.
2. The proposed extensions to the property, due to their size and siting do not affect the amenities of the surrounding residential properties through a loss of light or outlook or the character and appearance of the surrounding area having regard to Policies (I)GD1, (I)GD2, (II)GD3 and (II)H12 of the Unitary Development Plan and Policy 4B.8 of the London Plan.
3. The proposed car lift due to the noise specification measures that are included in the installation, would not unduly affect the amenities of the adjacent residential properties through an increase in noise and vibrations having regard to Policies (I)GD1, (I)GD2, (II)GD3, (I)EN6 and (II)EN30 of the Unitary Development Plan.

R/09/0669

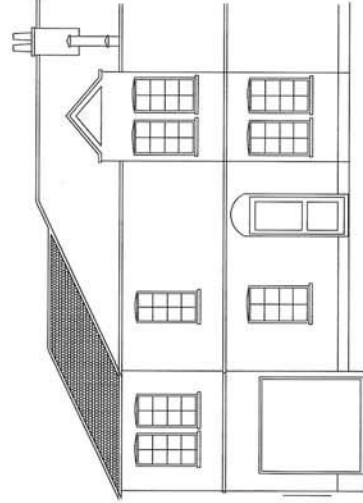
TP 09/0669
Revised/Additional Drawing
Received. 3.18.09
Under cover of Agents letter
..... Dated. 30.7.09



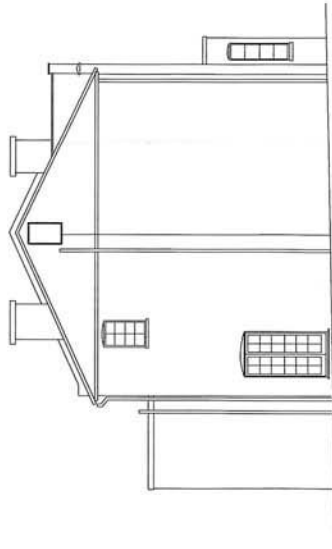
A 300 (Architects) Limited Architects	
4 Beckhill Road London N21 2NU	
Existing & Proposed Elevations	
CPASS Ltd	
Planning & Survey Services Ltd	
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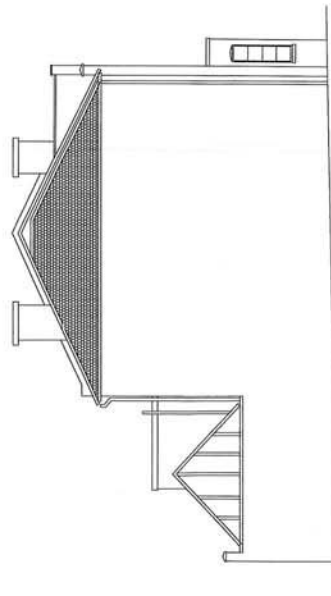
EXISTING FRONT ELEVATION



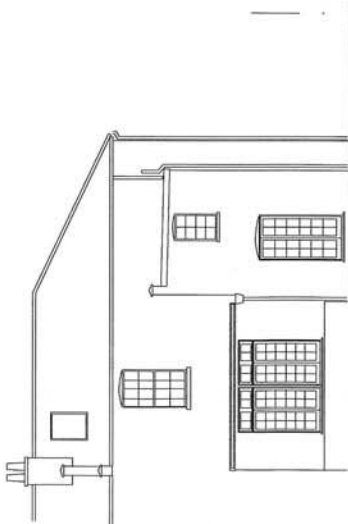
PROPOSED FRONT ELEVATION



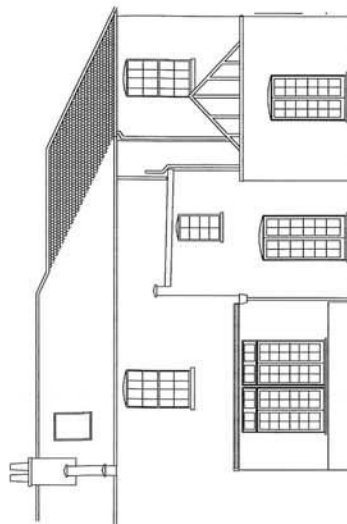
EXISTING SIDE ELEVATION



PROPOSED SIDE ELEVATION



EXISTING REAR ELEVATION



PROPOSED REAR ELEVATION

LONDON BOROUGH OF ENFIELD
03 AUG 2009
DEVELOPMENT SERVICES

TP/09/0969



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Scale 1/1250 Date 8/9/2009

Centre = 529618 E 194376 N

Application Number: TP/09/0969 **Ward:** Southgate

Date of Registration: 14th July 2009

Contact: Robert Lancaster 4019

Location: 311B, CHASE ROAD, PICKARD CLOSE, LONDON, N14 6JS

Proposal: Redevelopment of site by the erection of a 2-storey detached nursery building (class D1) with outdoor play area and associated parking.

Applicant Name & Address:

Active learning
c/o Agent

Agent Name & Address:

Indigo Planning Ltd
Swan Court
Worple Road
London
SW19 4JS

Recommendation: That planning permission be **Granted** subject to the following conditions.

1. The development hereby approved shall not be occupied until such time as a dropped kerb has been instated from the southern footway of Pickard Close, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that the proposed pedestrian access can be safely accessed by disabled users and those with buggies.

2. The development shall be implemented and thereafter retained for at least five years in accordance with the submitted travel plan accompanying the application.

Reason: In the interests of sustainability and to ensure that traffic generated from the site is minimised

3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, the premises shall be used solely for as a children's day nursery and crche up to a maximum of 88 children and shall not be used for any other purpose within Class D1 of the Order or for any other purpose whatsoever.

Reason: To prevent the establishment of an alternative D1 use detrimental to amenities of nearby residential occupiers and/or the free flow or safety of traffic on the adjoining highways.

4. That the outdoor play areas in connection with the use of the premises as a children's nursery be in accordance with the submitted Play Area Management Plan sent via email on 20/08/2009 and the outdoor play areas be used solely between the hours of:
 - 08.00 to 10.00 hours for a maximum of 20 children
 - 10.00 to 12.00 hours for a maximum of 30 children
 - 12.00 to 12.30 hours for a maximum of 20 children
 - 13.30 to 14.00 hours for a maximum of 20 children

- 14.00 to 16.00 hours for a maximum of 30 children
- 16.00 to 17.30 hours for a maximum of 20 children

and at no other time unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not unduly prejudice the amenities of nearby commercial and residential occupiers.

5. Prior to the commencement of any development a Construction Environmental Management Plan (CEMP) written in accordance with London's Best Practice guidance shall be formally submitted to and approved in writing by the Local Planning Authority. The (CEMP) will address the following issues:
 - (i) Noise
 - (ii) Control of site drainage and run off
 - (iii) Storage and removal of excavation/ demolition material
 - (iv) The siting of work compounds together with loading and unloading
 - (v) Contractors parking
 - (vi) Wheel washing facilities and methodology
 - (vii) Construction traffic routing
 - (viii) Control of dust and air quality during demolition and construction
 - (viii) Hours of work

The CEMP shall nominate a Construction Manager to oversee the management of these issues and the CEMP shall detail mechanisms for addressing complaints, monitoring, public liaison, prior notification works. The CEMP shall be adhered to at all times and regular monitoring and auditing performance shall be carried out in accordance with a schedule to be agreed with the Local Planning Authority.

Reason : To avoid nuisance or other environmental effects during demolition or construction and operational phases of the development.

6. C07 Details of Materials
7. C09 Details of Hard Surfacing
8. C10 Details of Levels
9. The site shall be enclosed by acoustic fencing in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The means of enclosure shall be erected in accordance with the approved detail before the development is occupied.

Reason: To ensure satisfactory appearance and safeguard the privacy, amenity and safety of adjoining occupiers and the public and in the interests of highway safety.

10. C16 Private Vehicles Only - Parking Areas
11. C19 Details of Refuse Storage & Recycling Facilities
12. C20 Details of Fume Extraction
13. C25 No additional Fenestration
14. C26 Restriction of Use of Extension Roofs
15. C37 Restricted Hours - Deliveries

- 16. C38 Restricted Hours - Opening
- 17. C59 Cycle parking spaces
- 18. C51A Time Limited Permission

Site and Surroundings

The application site is within a Business Park accessed from Pickard Close, off Chase Road. The site is in the south-west corner of the Business Park and currently contains a 2-storey building occupied as a Gym and Tanning Centre.

The Business Park abuts the northern boundary of the Southgate Circus Conservation Area.

Proposal

Permission is sought for the demolition of the existing building and erection of a 2-storey detached building for use as a Children's Nursery with outdoor play area and associated parking.

A maximum of 88 children, between 3 months and 5 years, on the roll is proposed, with 24 full-time members of staff. A total of 3 parking spaces are shown for this proposed use.

History

TP/06/1608: Construction of first and second floor to existing building was approved subject to conditions in September 2006.

TP/06/1608/VAR1: Construction of first and second floor to existing building (revised scheme) to also now incorporate a change in fenestration pattern and entrance doors on the side and front elevation was approved subject to conditions in August 2007.

TP/09/0410: Redevelopment of site to provide a 2-storey detached nursery building with outdoor play area and associated parking was refused planning permission in May 2009.

Relevant Policies

London Plan

- 3C.23 Parking in Town Centres
- 3A.24 Meeting Floor Targets

Unitary Development Plan

- (I)GD1 Regard to Surroundings / Integrated into Local Community
- (I)GD2 Quality of Life and Visual Amenity
- (II)GD1 Appropriate location
- (II)GD3 Character / Design
- (II)GD6 Traffic Generation
- (II)GD8 Site Access and Servicing
- (II)H8 Privacy and Overlooking
- (II)H9 Amenity Space
- (I)C1 Preserve and Enhance matters of Archaeological, Architectural or Historic Interest
- (II)C30 Development in/or adjacent to a Conservation Area
- (I)E01 Suitable planning for disabled people

(II)T1	Accessibility
(II)T13	Access onto Public Highway
(I)CS1	Community Services
(II)CS4	Day Nurseries

Other Material Consideration

PPS1	Delivering Sustainable Communities
PPG4	Industrial and Commercial Development and Small Firms
PPG13	Transport

Consultation

Public

Consultation letters were sent to 82 neighbouring properties. In addition, notice was displayed at the site. Replies were received from 6 neighbouring residents which raised all or some of the following points:

- Increased traffic resulting in congestion
- Impeded access for other businesses in the Estate
- Increased parking pressure
- Playground adjacent to traffic and parking area would be detrimental to children's health
- Loss of light to upper floors of 311A Chase Side
- Proposed flat roof will be access route for burglars
- Installation of CCTV and more police patrols should be encouraged
- Good use of vacant building
- Overlooking to residential properties to the west
- Possible sound pollution
- Incompatible with existing use of the area
- Parking survey carried out during summer holiday, did not take account of vehicle movements associated with nearby school.
- Pedestrian safety

Internal

Transportation raises no objections to the proposal.

Environmental Health raises no objection subject to conditions.

Analysis

Principle of Use

A day nursery (Class D1) would in principle be supported as it meets a community need in an area that is not immediately adjacent to residential properties but is located near public transport links (e.g. Southgate Tube Station) with onward connections to Central London. However due consideration must be given to the intensity of use and the associated effect on the character and appearance of the area, the amenities of nearby residential and business uses, the impact on access to, and parking within, the Business Estate and a suitable quality of provision for users of the nursery.

Character and Appearance

The design of buildings within the Business Estate is an eclectic mix, with some two-storey buildings with dormers in the roof slope and a modern-style 3-storey building with a significant amount of glazing. The proposed building is 2-storey with a mono pitch roof, similar in appearance to the existing structure. Given the existing character of the Estate, the proposal is considered to have an acceptable presence and would not detract from the character and appearance of the locality

Relationship to Neighbouring Properties

The proposed building would occupy a similar footprint to the existing structure but would be 1.5m higher. As a result, the building would be 24m away from rear walls of Nos. 2-6 Pickard Close, approximately 24m away at first floor level from the rear walls of Nos. 18-22 Pickard Close and 22m away from the rear walls of Nos.26-40 Chase Side. Given these relationships the proposal is considered not to give rise to any additional loss of light, or outlook associated with the presence of the existing building sufficient to warrant refusal of the application.

In addition, due to the distances between the proposed building and nearby residential properties, the absence of windows in the first floor flank wall facing Nos. 2-6 Pickard Close, as well as the nature of use of the first floor accommodation with windows facing No 18-22 Pickard Close and the hours of use of nursery (Monday to Friday 7.30am to 6.30pm) means that there would not be any unacceptable level of overlooking and associated loss of privacy to nearby residential occupiers. A condition requiring obscure glazing could also be imposed to address any overlooking issues.

The issue of noise and its impact on the amenities of neighbouring residents formed a reason for refusal on the previous application. It stated that:

The proposed intensity of use is such that the vehicular and pedestrian comings and goings as well as the use of building, in particular the outdoor play areas, would result in undue levels of noise and disturbance detrimental to the amenities of neighbouring occupiers. This is contrary to Policies (I)GD1, (I)GD2 and (II)GD1, (II)CS4 and (II)GD6 of the Enfield Unitary Development Plan.

In support of this proposal, a Noise Assessment has been submitted. This concludes that the noise and disturbance arising from the proposal (e.g. the vehicular and pedestrian coming and goings as well from the use of the building, in particular the outdoor play areas) would not be detrimental to the amenities of nearby residents through undue levels of noise and disturbance, in particular those at Nos.2-22 Pickard Close. Environmental Health raise no objections having reviewed this assessment and in the light of this together with the conclusion of the noise assessment subject to the imposition of conditions limiting the numbers of hours of the play area as well as details of an acoustic fence enclosing the play area, the proposed relationship to neighbouring properties is considered acceptable thereby addressing the previous reason for refusal.

Traffic, Parking and Access

Staff Parking

The application notes that staff parking be provided at a rate of 15% in accordance with established methodology within the transport assessment. However, only 3 staff spaces have been provided. At a rate of 15%, 24 staff would require 4 spaces (3.6). Although this level of provision represents a deficiency, the site is centrally located with very good access to a range of public transport and is close to local services in Southgate Town Centre. This would encourage staff to use alternative modes of transport. This approach would be reinforced by the location of

the premises within the Southgate CPZ which would prevent parking on the surrounding streets. Consequently, it is considered that a shortage of 1 space is not considered sufficient grounds for refusal. It should be noted that 1 disabled parking space is provided adjacent to the entrance.

Traffic Generation

A reason for refusal on the previous application stated:

The proposed change of use does not make appropriate provision for the expected additional car parking demand, and the hours of use in which the increase in vehicle movements associated with the dropping off and collection of children can be expected to prejudice the ability of the existing car park to serve the office units by reducing space available for service and delivery vehicles as well as limiting manoeuvring space for vehicles currently using the car park, contrary to Policies (II)GD6, (II)GD8, (II)CS4 of the Unitary Development Plan, Government advice contained in PPG 13 and The London Plan policy 3C.23.

This amended scheme now provides additional on-site parking and drop-off areas and a sufficient turning area for refuse vehicles.

The additional car parking demand and activity is mainly associated with the drop-off and pick up of children. The transport assessment notes that typically 10% of the children arrive between 7.30 and 8.00 am and the vast majority arrive on staggered basis between 8.00 and 9.30am. According to travel estimates this is further defined as 6 arrivals in the AM peak. Should parents remain on site for 15 minutes, 4 drop-off bays are more than adequate. Furthermore, it is suggested that a significant proportion of parents and children travel to the site on foot rather than by car, supported by the sites proximity to public transport and local services available from the adjoining town centre which would encourage linked trips. A condition is also recommended to secure the development and implementation a travel plan

It should also be noted that the transport assessment shows that traffic flows over a 24-hour period are approximately half that of the existing use although of course, it is acknowledged the proposed use will have different peaks of activity. With regard to the existing users of the Business Park therefore, there is over 6 metres between the nursery parking bays and those servicing the office development meaning that there is sufficient turning and manoeuvring space. Taking the overall projected patterns of activity, it is considered therefore that the proposed nursery should not unduly prejudice the existing business.

Pedestrian Movement

A reason for refusal on the previous application stated:

The proposed change of use does not make appropriate provision for safe pedestrian access to the site and the increase in vehicle movements associated with the change of use would compromise the safety of pedestrians who as a result of there being no segregated pedestrian access would need to use the car park as a means of access to the nursery. This is contrary to Policies (II)GD8 and (II)T13 of the Unitary Development Plan and The London Plan Policy 3A.24 of The London Plan

The new application has overcome this reason for refusal by provision of a dedicated and marked out pedestrian access route, bounded by bollards. This will ensure a segregated pedestrian walkway is available to the rear of parking spaces abating concerns raised in the previous application regarding pedestrian safety and conflicts with vehicular movements in the car park. This is considered sufficient to address this reason for refusal.

Dropped kerbs will be required from the footpath on Pickard Close to the site for buggies and the disabled to ensure the retention of pedestrian desire lines. A condition to this effect is recommended

Cycle Parking

There is no accepted cycle parking standards for nurseries. With reference to *TfL's Cycle Parking Standards* for educational establishments, cycle parking should be provided at a rate of 1/10 staff or students. However, as the majority of children attending the school are too young to cycle this standard has been relaxed and the 5 spaces are considered appropriate. Furthermore, the 5no cycle spaces are suitably located and a condition will ensure that facilities are both secure and undercover.

Refuse

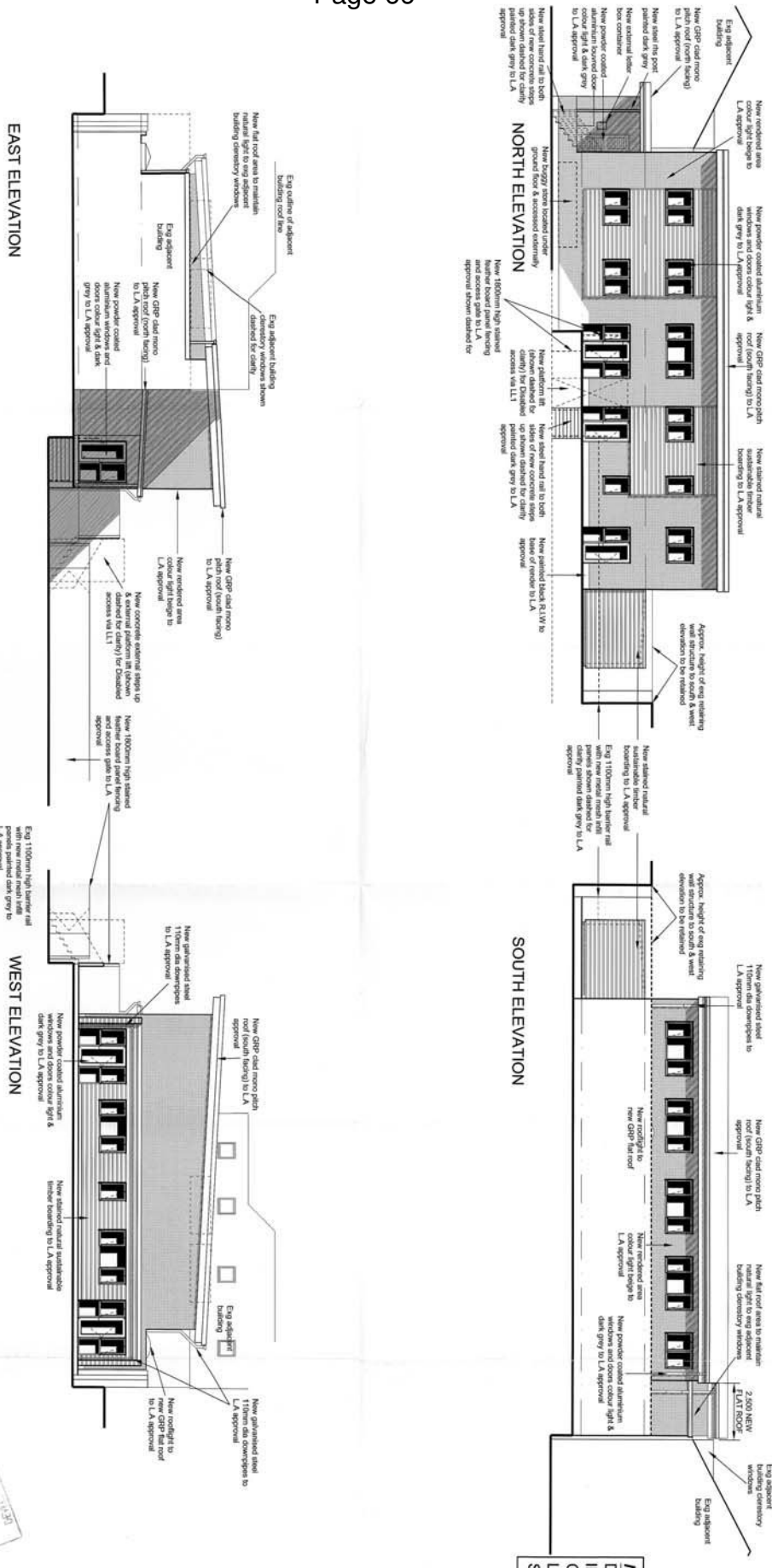
Refuse is suitably located close to the site entrance and the layout is adequate to facilitate the movement of refuse vehicles

Conclusion

Given the above appraisal the proposal is recommended for approval for the following reasons:

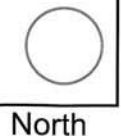
1. The proposal due to its size and siting does not significantly affect the amenities of adjoining or nearby residential properties having regard to Policy (I)GD1, (I)GD2 and (II)GD3 of the Unitary Development Plan.
2. The proposed building due to its design, does not detract from the character and appearance of the surrounding area having regard to Policies (I)GD1, (I)GD2 and (II)GD3 of the Unitary Development Plan.
3. The proposal provides adequate parking and servicing, as well as pedestrian paths, thus would not give rise to conditions prejudicial to the free flow and safety of traffic and pedestrians on the adjoining highways having regard to Policies (II)T13, (II)GD6 and (II)GD8 of the Unitary Development Plan and London Plan Policy 3C.23.
4. The sustainability measures identified in accompanying Design and Access Statement are considered to be sufficient to meet the requirements of Interim Policy SDC1 of the UDP, therefore achieving a suitable level of sustainable design and construction.

NURSERY - BRUNSWICK CENTRE, SOUTHGATE



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Drawing Title: **Active Learning (Childcare) Ltd**

Project: **Nursery**
 Brunswick Centre
 311d Chesse Road
 Southgate
 London, N14 6LS

Proposal K
 Elevations

Date: **JUN 2009**
 By: **TDP**
 Scale: **1:100 @ A1**

Drawing Number: **T3184 - 910**

Briefing Note



Active Learning Nursery, Southgate – Play Area Management Plan

APPLICANT'S COPY

Background

Active Learning is a responsible childcare provider, with a number of nurseries located throughout London in similar residential locations to that proposed in Southgate.

The use of the play area is timetabled with a rota system in operation in order to minimise the number of children using the play area at one time. The use of the play area is also weather dependant and season dependant (unusable during dark winter mornings and afternoons); therefore annually the use predominantly takes place during the summer months of April – September.

The nature of use of the Active Learning play areas is not like the typical school play areas. A majority of the playtime is organised and heavily supervised i.e. children have listen, learn and respond to instruction given by supervising adults. Therefore a majority of the playtime is much quieter to that of any unplanned time.

Proposal

With the above in mind and considering the concerns raised by the Council, Active Learning proposes the following in order to reassure both residents and the Council that no there will be no undue disturbance to residents during the use of the proposed play area:

- An acoustic fence will be placed around the perimeter of the play area;
- As the use of the play area is timetabled and in a rota system, the use can recorded in a log-book on a daily basis (detailing activities, numbers of children and type of activity etc) and made readily available for inspection by the Council;
- The use of the play area will follow the following timetable:

Time	Use
7.30am – 8.00am	No use of play area.
8.00am – 10.00am	Organised & supervised use of the play area only. No more than 2 groups of 10 children each using the play area at any one time.
10.00am – 12.00pm	Organised and supervised use of play area (as per previous EHO comments). Number of children not to exceed 30.
12.00pm-12.30pm	Organised & supervised use of the play area only. No more than 2 groups of 10 children each using the play area at any one time
12.30-1.30pm	No use of play area
1.30pm – 2.00pm	Organised & supervised use of the play area only. No more than 2 groups of 10 children each using the play area at any one time.

Indigo Planning Limited

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SW19 4JS

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info@indigoplanning.com
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09/09/09
document
my email from cogit, Mr
Dowds, dated 20/8/09

2.00pm – 4.00pm	Organised and supervised use of play area (as per previous EHO comments). Number of children not to exceed 30
4.00pm – 5.30pm	Organised & supervised use of the play area only. No more than 2 groups of 10 children each using the play area at any one time.
5.30pm – 6.30pm	No use of play area. Nursery closes at 6.30pm.

- Staff will have to adhere to strict guidelines on the appropriate and considerate use of the play area i.e. if a child is hurt or upset they will be moved indoors immediately; and
- Active Learning will be happy to accept a condition on any permission which restricts the use of the proposed play area according to the terms set out in this note.

TOWN PLANNING APPEALS

Appeal Information for Period: 08/08/2009 to 04/09/2009

Section 1: New Town Planning Application Appeals

Section 2: Decisions on Town Planning Application Appeals

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Page 71
SECTION 1
NEW TOWN PLANNING APPLICATION APPEALS

Application No.: LDC/09/0234 Ward:Chase
Appeal Type: Written Evidence
Appeal Received date: 04-Sep-2009
Location: WINDRUSH, THE RIDGEWAY, ENFIELD, EN2 8AN
Proposal: Erection of a detached log cabin/summer house at side/rear.

Application No.: TP/08/2195 Ward:Cockfosters
Appeal Type: Written Evidence
Appeal Received date: 27-Aug-2009
Location: 60, KINGWELL ROAD, BARNET, EN4 0HY
Proposal: Two front dormer windows.

Application No.: TP/08/2267 Ward:Jubilee
Appeal Type: Written Evidence
Appeal Received date: 13-Aug-2009
Location: 187, NIGHTINGALE ROAD, LONDON, N9 8QJ
Proposal: Vehicular access.

Application No.: TP/09/0418 Ward:Highlands
Appeal Type: Written Evidence
Appeal Received date: 11-Aug-2009
Location: 14, GLEBE AVENUE, ENFIELD, EN2 8NY
Proposal: Conversion of single family dwelling house into 3 self-contained flats (1 x studio, 2 x 2-bed) involving a part single, part 2-storey side extension with gable end, 2 front dormers and one additional rear dormer and extension to existing dormer at rear.

Application No.: TP/09/0494

Ward:Haselbury

Appeal Type: Written Evidence

Appeal Received date: 04-Sep-2009

Location: 262, CHURCH STREET, LONDON, N9 9HQ

Proposal: External staircase and formation of new access to first floor.

Application No.: TP/09/0615

Ward:Chase

Appeal Type: Written Evidence

Appeal Received date: 17-Aug-2009

Location: PUBLIC HOUSE, 200, LANCASTER ROAD, ENFIELD, EN2 0JH

Proposal: Erection of 2 gazebos / smoking shelters to front and a satellite dish to rear (RETROSPECTIVE).

SECTION 2
DECISIONS ON TOWN PLANNING APPLICATION APPEALS

Application No.: TP/08/1644

Ward:Winchmore Hill

(Delegated - 16-Oct-2008 - REFUSED)

Appeal Type: Written Evidence

Appeal Decision: Appeal Dismissed

Decision Date: 20-Aug-2009

Location: 9, SEAFORTH GARDENS, LONDON, N21 3BT

Proposal: Part single storey, part 2-storey side and rear extensions, involving extension to roof over with dormers to front sides and rear, dormer to rear with balustrade, front porch and solar panels to roof.

Application No.: TP/08/1820

Ward:Enfield Highway

(Delegated - 26-Nov-2008 - REFUSED)

Appeal Type: Written Evidence

Appeal Decision: Appeal Dismissed

Decision Date: 27-Aug-2009

Location: 1B, RILEY ROAD, ENFIELD, EN3 5QB

Proposal: Redevelopment of site to provide a terrace of 3 x 2-bed single family dwellinghouses with off street parking at front.

Application No.: TP/08/1857

Ward:Bowes

(Delegated - 28-Nov-2008 - REFUSED)

Appeal Type: Written Evidence

Appeal Decision: Appeal allowed subject to condition(s)

Decision Date: 25-Aug-2009

Location: 77, Bowes Road, London, N13 4RU

Proposal: Conversion of existing dwelling into 2 self contained flats (1 x 1-bed and 1 x 2-bed) together with a single storey rear extension (RETROSPECTIVE).

Application No.: TP/08/1883

Ward:Enfield Lock

(Delegated - 05-Dec-2008 - REFUSED)

Appeal Type: Written Evidence

Appeal Decision: Appeal allowed subject to condition(s)

Decision Date: 13-Aug-2009

Location: 56, MALVERN ROAD, ENFIELD, EN3 6DB

Proposal: Conversion of single family dwelling into 3 flats (comprising 2x1-bed & 1x2-bed).

Application No.: TP/08/2114

Ward:Enfield Lock

(Delegated - 15-Jan-2009 - REFUSED)

Appeal Type: Written Evidence

Appeal Decision: Appeal allowed subject to condition(s)

Decision Date: 11-Aug-2009

Location: 256, ORDNANCE ROAD, ENFIELD, EN3 6HE

Proposal: Subdivision of site and erection of a 2-bed single family dwelling house by the erection of 2-storey side extension and first floor rear extension to existing house with new access to Ordnance Road and demolition of garage.

Application No.: TP/08/2218

Ward:Town

(Delegated - 06-Feb-2009 - REFUSED)

Appeal Type: Written Evidence

Appeal Decision: Appeal Dismissed

Decision Date: 17-Aug-2009

Location: 71, RIVERSFIELD ROAD, ENFIELD, EN1 3DH

Proposal: Subdivision of site and erection of a detached 2-storey 2-bed house at side with associated car parking to front.

MUNICIPAL YEAR 2009/2010 REPORT NO. **81**

COMMITTEE:
PLANNING
 - 22/09/09

REPORT OF:

Assistant Director (Place
 Shaping)
 Contact Officer: Mike Brown
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AGENDA – PART 1	ITEM 6
SUBJECT - S106 AGREEMENTS – MONITORING INFORMATION WARDS: ALL	

1. SUMMARY

The report updates the last section 106 agreement monitoring table submitted to your February 2009 meeting. Please note the attached appendix has a new format.

2. RECOMMENDATION

2.1 That the report including Appendix be noted.

3. BACKGROUND

3.1 At its meeting on 20 December 2000 the Planning Committee received a report regarding the monitoring of section 106 agreements. This report updated Members on the position relating to all outstanding section 106 agreements and obligations. At the August 2003 meeting it was agreed that reports would be provided on a 6 monthly basis with updated entries being provided in italics. This report (although in a new format) is the latest in this series.

4. CURRENT POSITION

The new style Appendix is made up of 2 sections:

4.1 The schedule **Active S106 Agreements** has been updated and shows the current funding level of all active agreements. It also shows agreements with new receipts and these are shown in bold type.

4.2 I would draw Members attention to **S106 Agreements signed but obligations not yet received**, the table has 3 new entries referenced 166 to 168.

4.3 Members should note that we are no longer going to show a table detailing completed Agreements in accordance with the decision taken at the February 2009 Planning committee.

Background Papers

None except Agreements.

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Planning Committee 22 September 2009
Appendix to Report of Assistant Director (Place Shaping)

CURRENT S.106 PLANNING AGREEMENTS
WITH FINANCIAL OBLIGATIONS

- *Active S106 Agreements added to the February 2009 table shown in bold*
 - *Signed Agreements awaiting receipt of obligations*

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Active S106 Agreement as at August 2009

Developer	Site Address and Ward	Details of Obligations/Works authorised and allocation of funds	Date of Planning C'ttee Decision	Financial Obligation as per S106 Agreement	Unspent funds remaining as of August 2009 (including any interest earned)	Comments	Date agreement signed	TP Number	Schedule reference (& file reference)
Sainsbury's	Land at 540 -580 Great Cambridge Road SOUTHBURY	i- Env imps/enhancement to Enfield Town Centre and its immediate surroundings (x112/06)C/T0006 job 13456 Town Park playground equipment 13658 + 13924 - footway widening imps; 13659 - rear access imps nos 42-56;		£150,000	£70,000	Planning Permission issued 30.7.92.	07.06.93	91/0110	1(2)
Enfield Energy Centre Ltd	Brancroft Way, Brimsdown ENFIELD HIGHWAY	Environmental Improvements Community capital total Air Monitoring ADDITIONAL MONIES arising from 10 years @ £20,000 per annum for local community use. (to be received in due course) (see committee spend decisions 4.1.1.98) Final Payment due July/August 2009		£150,000 £165,000 £150,000 £200,000 (£180,000 received to date)	£40,000 £7,301 £45,000 £134,000	Release of funding agreed 01/06 for community project by Lea Rivers Trust but not taken up.* Also for funding of Multi-Use Games area (MUGA) for Enfield Lock/Enfield Island village - site still to be confirmed.	25.04.94	EL/93/0001	2(10)
ADT Auctions Ltd	620/640, Great Cambridge Road Enfield SOUTHBURY	General environmental improvements		£3,000	£3,284	Planning Permission issued 27.6.95 Identified scheme awaiting implementation by TfL	13.06.95	94/0484	10 (37)

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TWUJ/Kennet	Innova Park, Enfield Lock ENFIELD LOCK	Public transport		£90,000	£44,446	Planning permission issued 10.1.97	10.01.97	94/0281	12 (41)	
		First Public transport contribution		£110,000	£4,788.75	Improvements to Enfield Lock pedestrian underpass awaiting agreement from Network Rail to proceed.	23.12.99	94/0281/13		
		Off-site open play space contribution		£10,000	£10,466	Link between Innova bridge and Mollison Ave. deferred pending progress with revised scheme re: Academy school.				
		NGAR contribution (in escrow - plus interest)		£10,000	£10,466					
				£200,000	£221,442					
Muslim Community Education Centre	Sports Ground, Oakthorpe Road, N13 PALMERS GREEN	Traffic Management measures in the vicinity of the site		£5,000	£3,910	Planning permission issued 23.02.01	23.02.01	98/0885	22 (68)	
		-and the disposal of part of playing field to LBE -land transferred to LBE 02/01 Scheme agreed - works currently being carried out								
Morrison Developments Ltd	Southbury Road Enfield SOUTHUBURY	Highways works - £240,000 spent on area traffic calming, use of balance for new one way system under consideration. Applied for additional funding from London Buses.		£300,000	£43,334	Planning permission issued 19.5.98 Planning permission issued 26.8.98	11.05.98 26.08.98	98/0060 98/0720	24 (71)	
		CPZ scheme currently under review								

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Comer Homes	Tower Point, Sydney Road, Enfield GRANGE	Social Housing (off site) Initial payment on implementation - £50,000, subsequent payments for 147 units at £1,170 per unit. 130 units sold and received total £152,109.10 Traffic/environmental improvements in Enfield Town		£222,000 Total received to date = £152,109.10 £53,000	£3,949 £69,746	Planning Permission issued 08.03.00	29.02.00	99/0615	26 (73)
Rainbow Estates Ltd	Former railway sidings, Station Yard N11 SOUTHGATE GREEN	Off-site highway works	16.12.04	£5,000	£7,472	Planning permission issued 05.05.99 Use of obligation deferred whilst new scheme discussed. Further permission granted 16.12.04 for variation of the period within which reserved matters can be submitted to 09/06 Scheme dependent upon A406 works proceeding.	05.05.99	98/0406 98/0406/1 98/0406/2	28 (78)
Laing Homes	Strayfield Works Clay Hill, Enfield CHASE	Land & Maintenance monies		£35,000	£48,339	Planning permission issued by S of S - letter dated 09.02.00 Land transferred - legal issue - pursuing with solicitors	12.02.99	97/0421 00/0345	36 (86)
Gazeley Properties & Delta plc	Delta works site, Millmarsh Lane, Enfield ENFIELD HIGHWAY	Maintenance of Riverside Walk Lighting Improvements in Mill Marsh Lane		£100,000 £25,000	£135,878 £7,780	Planning permission issued 02.06.00 subject to deed of variation Works authorised and in hand.	01.06.00	99/0560 02/0520	37(93)

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St. Modwen Developments (Edmonton)Ltd	Land at and adj. Edmonton Green Shopping Centre. EDMONTON GREEN	Open space contribution		£20,000	£14,241	Now agreed for allocation in the vicinity -	18.09.00	00/0500	55 (108)
		Landscaping contribution		£20,000	£15,000				
		Employment & training contribution		£20,000	£23,905	1st CPZ installment received	11.07.03	02/0400	
		Implementation of Controlled Parking Zone		£200,000 (£150,000 received to date)	£162,000	CPZ temporarily on hold awaiting outcome of parking enforcement review			
		Community benefits contribution, revision to scheme secures additional monies through Deed of Variation		£500,000 £9,204	£509,204	First S106 agreement dated 18.09.00 amended by Deeds of Variation dated 11/01/2007		02/0400/1	
		Other benefits include car park management strategy, shopmobility accommodation, provision of replacement leisure facility, highway works and green travel plan				Feasibility Study for the new Craig Park Community Centre and Adventure Play Area			
Green Horizons	Barbot Estate Redevelopment	Open Space/Community (not within a S106 Agreement)	21.12.99	£232,000	£238,866	Planning permission issued 21.12.99	No signed agreement	TP/99/1320	55a (109)
		Cycle Pedestrian Works		£40,000	£49,788	Use at Montagu Open Space - under consideration Feasibility and design study for Montague Park, in progress			

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Ikea Ltd	Land at Glover Drive N18 UPPER EDMONTON	- Industrial land contribution-rec'd 03/05 - Highways improvements - rec'd 06/04 -employment scheme contribution -rec'd 03/04 - public art - rec'd 05/04 - Town centre management		£500,000 £245,000 £60,000 £20,000 £45,000	£621,000 £279,912 £27,426 £24,894 £2,995	Planning application called in by Secretary of State - 19.12.01 Planning permission granted by Secretary of State 26.11.03	25.09.02 10.07.03	TP/99/0866	58 (111)
John Laing Property Limited	Enfield Town Centre	Offsite shopmobility provision Comprehensive e.g. Shopmobility, highways off site works - includes street furniture/hard or soft landscaping/cycle facilities within a 500 metre radius of the dev. To be used within 5 years of receiving contribution. Used as joint funding for Town Centre Management Plan with funding from scheme file reference 002 (JS Sainsburys - Crown Road)		£90,000 £52,000 + £147,634 from scheme ref. 002	£48,087 £84,326	Planning permission issued 03.05.01 Dev agreement signed 29.04.01 CPO required outcome of PI pending S106 agreement completed. S278 to be signed. Application subject to variation of S106 agreement to reflect this permission and shopmobility cont.- now operating from temp. site pending new facility being built.(02/05)	25.08.04	27.04.04	59 (112)
CDS Limited	59, Lockfield Avenue, EN3	Green travel initiatives		£20,000	£11,109	Planning permission issued 04.09.01	04.09.01		60 (120)

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North Middx University Hospital	North Middx University Hospital, Sterling way N18 UPPER EDMONTON	Education contribution CPZ Funding for pedestrian improvements (To progress zebra crossings and Bull Lane and Wilbury Way) Highway contribution	30.10.02	£61,000 £45,000 £15,000 £45,000	£23,581 £18,151 £23,000	Planning Permission issued 23.07.03 outline application - detailed proposals now being submitted CPZ scheme temporarily on hold awaiting outcome of parking enforcement review	22.04.03	TP/02/0785	92 (147)
Tesco Stores Ltd	Glover Drive N18 UPPER EDMONTON	Highway improvements Public transport contribution	20.01.04	£120,000 £125,000	£79,439 £156,152	Planning Permission issued 20.01.04 Street lighting feasibility investigation underway - being looked at in conjunction with IKEA works. Highway works - Options report under consideration	24.05.04	TP/02/0790	103 (158)
GB Consortium 1 Ltd	St Joseph Rd N9 LOWER EDMONTON	Mitigating impact on street parking -rec'd 12/04	23.03.04	£25,000	£30,441	Planning permission issued 25.05.04 Wait until development is complete and identify any problems and resolve. Possibly parking.	25.05.04	TP/03/2327	108(164)

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Kennet Properties Ltd	Part of Deephams Sewage wrks Picketts Lock Lane N18 LOWER EDMONTON	Contribution towards regeneration issues at Innova Park Scheme now in place. Sustainable Communities will be responsible for spend in accordance with S106 Agreement 07/2008 - all funds allocated to Innovators Award Scheme started 1st year 2008/2009		£200,000 + £228,430 interest	£170,520	Planning permission issued 12.09.00 Unilateral undertaking to extend approved uses Deed of release	02.06.00 06.10.03	TP/93/0244	113 (169)
Kier Property Developments Ltd.	Land at Crown Rd / Baird Rd Enfield SOUTHBURY	highways works	delegated	£5,000	£6,155	Planning permission issued 07.07.04 Scheme to create bus stand being reconsidered	Unilateral undertaking 08.07.04	TP/03/1176	115 (171)
Gazeley properties Ltd	ESAB Site, Mollison Avenue, Enfield ENFIELD LOCK	Contribution to traffic study Off-site highway works Restriction on units constructed Green Travel plan MOVA contribution OUTLINE APPLICATION Variation of conditions 8 & 14 grated with conditions 13/12/06	19.10.04	£10,000 £100,000	£10,000 £117,000	Planning permission issued 15.04.05 Development commenced 11/09/2008.	11.04.05	TP/04/0448	116 (172)
Laing Homes	Richard House , Ernstone Road ENFIELD HIGHWAY	Regeneration initiatives -rec'd 06/05 Balance of Regeneration Initiatives contribution as of August 2008 - reserve for the Industrial Estates Improvements Programme	19.10.04	£250,000	£62,000	Planning permission issued 06.05.05	29.04.05	TP/04/0678	117 (173)

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Laing Homes	Land at Enstone Road Enfield ENFIELD HIGHWAY	Regeneration initiatives This is capital expenditure for Harbet Road Joint scheme with Scheme Ref. 173 Deed of variation use with Ref. No. 117 above	18.11.04	£32,000 + £69,909 from scheme ref. 173	£90,658	Planning permission issued 24.03.05 Regeneration monies to be released with above regeneration monies 117.		TP/04/1689 TP/04/2649	119(176)
Magnacrest Ltd	5 & 5A Old Park Road, Enfield HIGHLANDS	Off-site works Zebra crossing at roundabout Old Park Road/Windmill Hill. Junction protect parking restrictions at 7 junctions in vicinity of roundabout Old Park Road/Windmill Hill	18.11.04	£25,000	£14,879	Planning permission issued 25.02.05 Deed of variation completed. Works in progress	17.02.05 11.01.06	TP/04/1689 TP/5/1730	120 (177)
Bank of Cyprus Chase Side Southgate	95, 95A, 97 Chase side & part of 87-93 Chase Side N14	Environmental improvements in Southgate Town Centre awaiting implementation CT0181 - cheque received 15.07.05		£20,000	£8,896	Planning permission issued 01.08.05 List of works agreed and in process of implementation	26.07.05	TP/04/2366	121(181)
Fairview New Homes Ltd	Civic Amenity Site, Melling Drive CHASE	Education Provision £33,000 payable in 2 payments of £16,500 first of which was received on 29/02/2008	24.03.05	£16,500	£5,549	Planning permission Issued 01.11.04 Subject to new legal agreement or variation of agreement in respect of TP/04/0413	07.10.04	TP/05/0045	127 (184)

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Leslie Properties Ltd	Cedar House, 698, Green Lanes N21 WINCHMORE HILL	Highways works to Highfield Road	19.04.05	£15,000	£16,664	Planning permission TP/06/1275 Revised scheme Granted with conditions 31.01.07 Highway scheme under consideration	31.01.07	TP/04/2117	128 (185)
ZOG 2, Hazeviv	The Goat, 27 Forty Hill Enfield TOWN	Environmental improvements in the vicinity of the site Environmental Improvements - Forty Hill - £24,000 Highway Services (includes 2.5k for design fees) £6,000 Parks - WORKS IN PROGRESS	19.07.05	£30,000	£1,690	Planning permission issued 03.01.06 Works commissioned and partially complete	21.12.05	TP/05/0142	130(187)
Terence Lazenbury	Florence Avenue car park, Florence Avenue, Enfield HIGHLANDS	Consultation on and possible extension of Enfield Town CPZ = £50,000 Contribution to Parking survey/ CPZ in Enfield Town received 14/06/2007 2nd contribution for implementation of agreed measures	31.08.05	£18,000	£19,500	Planning permission issued 27.04.06 Contribution on implementation of development Scheme temporarily on hold awaiting outcome of parking enforcement review	26.04.06	TP/05/0443	132 (189)
Linden Homes	97-101 Southbury Road, Enfield SOUTHBURY	Contribution towards Enfield Town CPZ	13.12.05	£40,000	£35,000	Planning permission issued 22.12.05 CPZ scheme temporarily on hold awaiting outcome of parking enforcement review	22.12.05	TP/05/1679	135 (193)

Developer	Site Address and Ward	Details of Obligations/Works authorised and allocation of funds	Date of Planning C'ttee Decision	Financial Obligation as per S106 Agreement	Unspent funds remaining as of August 2009 (including any interest earned)	Comments	Date agreement signed	TP Number	Schedule reference (& file reference)
LB&E, Frontier Key (Enfield) Limited, Chubb Common Investment Fund	Former G.E. Lighting Site, Great Cambridge Road	Trainee fund (if developer cannot fill trainee places - 1 trainee per £1million pound construction expenditure) Enfield Jobs Net Employment Strategy Enfield Jobs Net		£10,000 per trainee £7,500 £46,000		Agreement signed. Funding paid on signing - awaiting transfer to profit centre from legal - 26/05/2009	18/05/09	TP/08/1077	169(229)

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