

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE  
HELD ON TUESDAY, 19 JANUARY 2010**

**COUNCILLORS**

**PRESENT** Alan Barker, Dogan Delman, Lee Chamberlain, Andreas Constantinides, Ahmet Hasan, Chris Joannides, Henry Lamprecht, Donald McGowan, Kieran McGregor, Anne-Marie Pearce and Toby Simon

**ABSENT** Jayne Buckland, Peter Fallart, Jonas Hall and Dino Lemonides

**OFFICERS:** Linda Dalton (Legal Services), Bob Griffiths (Assistant Director, Planning & Environmental Protection), Andy Higham (Area Planning Manager), Steve Jaggard (Environment & Street Scene), Aled Richards (Head of Development Services) and David Snell (Area Planning Manager) Jane Creer (Secretary) and Ann Redondo (Secretary)

**Also Attending:** Councillors Bambos Charalambous, Christopher Cole, Henry Pipe and Martin Prescott.  
Approximately 30 members of the public, applicants, agents and their representatives.  
Councillor Tony Dey, Vice Chairman of the Conservation Advisory Group.

**705**

**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.

**706**

**APOLOGIES FOR ABSENCE**

NOTED that apologies for absence were received from Councillors Buckland, Fallart, Hall, and Lemonides.

**707**

**DECLARATION OF INTERESTS**

NOTED

1. Councillor Barker declared a personal and prejudicial interest in application TP/09/1523 – 34, New River Crescent, and land rear of 2-32, New River Crescent, London, N13, as he was a Governor at

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Hazelwood School. He left the room during consideration of this item and took no part in the debate or vote.

2. Councillor Constantinides declared a personal interest in application TP/09/1658 – Land south side of Whitewebbs Lane, incorporating Rolensmill Sports Ground, and Land rear of Myddelton House, Bulls Cross, Enfield, as he was a Tottenham Hotspur FC season ticket holder.
3. Councillor McGregor declared a personal interest in application TP/09/1658 – Land south side of Whitewebbs Lane, incorporating Rolensmill Sports Ground, and Land rear of Myddelton House, Bulls Cross, Enfield, as he was a Tottenham Hotspur FC season ticket holder.

### **708**

#### **MINUTES OF PLANNING COMMITTEE 30 NOVEMBER 2009 AND 17 DECEMBER 2009**

NOTED the amendments to Minute no. 619 in the minutes of the meeting held on 17 December 2009 requested by Councillor Toby Simon, to better reflect points he made in relation to application TP/09/1198 – 1, Jute Lane, Enfield, EN3 7PJ.

**AGREED** the minutes of the meetings held on 30 November 2009 and 17 December 2009 as a correct record, subject to the amendments requested by Councillor Simon.

### **709**

#### **REPORT OF THE ASSISTANT DIRECTOR, PLANNING AND ENVIRONMENTAL PROTECTION (REPORT NO. 188)**

RECEIVED the report of the Assistant Director, Planning and Environmental Protection (Report No. 188).

### **710**

#### **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.

### **711**

#### **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.

### **712**

#### **TP/09/0969 - 311B, CHASE ROAD, PICKARD CLOSE, LONDON, N14 6JS**

NOTED

1. The Planning officer's confirmation that consideration of the application had previously been deferred and the additional Note for Members had been prepared at their request.
2. Receipt of an additional letter of objection in relation to the traffic survey and traffic movements.
3. Receipt of an additional letter from the agent raising concerns in relation to process and the report.
4. An amendment to the recommendation that granting of planning permission would be subject to a Section 106 agreement in relation to provision of a pedestrian route to the nursery, highway improvements and revisions to waiting restrictions on Pickard Close.
5. The deputation of Mr Dan Skipworth-Michell, of Extraordinary Design, including the following points:
  - (i) He was speaking on behalf of the business community of Chase Road, which included Extraordinary Design and the Valuation Office. The site was in a business park and those who worked there had objections because of the impact this proposal would have.
  - (ii) He was a parking professional with 10 years' experience in traffic management.
  - (iii) Traffic and Transportation officers had a copy of his report, which focused on traffic and congestion and road safety, and the incompatibility of the business park and proposed nursery.
  - (iv) It was inconceivable that this development would not lead to a significant increase in traffic, and there was already obstruction and conflict in this car park every day, with an already unsafe situation for children being dropped off to nearby St Andrew's School.
  - (v) The West Hampstead and N14 examples were inappropriate comparisons, and this site required a thorough and proper transport impact assessment.
  - (vi) There would be insufficient space for staff parking, and for parents to drop off/pick up children.
  - (vii) This was a business park regularly serviced by delivery and waste vehicles where sightlines were poor and there was a risk of accidents/injury to young children in that environment.
6. The statement of Councillor Martin Prescott, including the following points:
  - (i) He had a personal interest as his office overlooked this car park, so he was able to support Mr Skipworth-Michell's comments, and confirm that parking conflicts were a daily occurrence.
  - (ii) The local restaurants were serviced by large commercial vehicles day and night and this was not an appropriate space to put a nursery.

(iii) The road was already congested every morning and evening at the peak times when nursery children would be dropped off and collected, and there would typically be more car transport for children of that age.  
(iv) There was a high potential for pedestrian and vehicle conflict and for traffic gridlock and road rage and he urged the committee to refuse this application.

7. The response of Mr Steve Parsons and Mr Greg Dowden, Indigo Planning Limited, the agent, including the following points:
- (i) There was significant support for the scheme from local residents, with four having written in plus the management company representing adjacent residential units.
  - (ii) The development would be high quality and of contemporary design and would improve the appearance of the estate, and would be smaller than the approved scheme on the site.
  - (iii) The proposal was for a community use and would create over 25 full-time jobs and lead to an increase in trade in the town centre.
  - (iv) The site was highly accessible by public transport and on foot, and would generate a similar amount of traffic to the previous gym. There would be sufficient parking space to meet demand. Also, the nursery would have a travel plan, which would reduce car trips. Photos taken at the morning peak hours showed excess parking capacity.
  - (v) They had made a commitment to improve access arrangements, including for pedestrians.
  - (vi) The applicant had no objection to any parking enforcement measures, and would provide support.
  - (vii) The site surveyed in N14 was not comparable as it had its own car park.
  - (viii) The proposal complied with UDP policies and the officers' recommendations should be accepted.
8. In response to Members' queries, the Traffic & Transportation officer confirmed the reconfigured car park layout, and the protected segregated route for pedestrians to be provided.

- AGREED** that subject to the completion of a legal agreement to secure -
- a. the provision and retention of a pedestrian route within the site linking the nursery to adopted highway/adjoining footway, and
  - b. a financial obligation to cover -
    - any works on the adopted highway associated with a. above;
    - the introduction of improvements to the junction of Pickard Close with Chase Road; and
    - markings/signage and revisions to waiting restrictions on Pickard Close,

the Head of Development Services be authorised to grant planning permission subject to the conditions set out in the report, for the reasons set out in the report.

**TP/09/1176 - CAR PARK SITE, LITTLE PARK GARDENS, ENFIELD, EN2 6PQ**

NOTED

1. Councillor Rye had written in support of the objections of the occupier of 31 Little Park Gardens.
2. Receipt of two further letters of objection from residents, summarised verbally by the Planning officer.
3. The Education Department had raised concern regarding floor space and child capacity but this issue had been resolved.
4. Councillor Dey confirmed that Conservation Advisory Group (CAG) had, over the past year, commented on the design development of this proposal on a number of occasions. CAG felt that the current proposal respected both the conservation area and the adjoining properties in terms of design, massing, disposition and height. The report noted the issues that could not be resolved and, as a consequence, CAG objected. Since that meeting the architectural issue had been resolved by officers; namely window size. The remaining issues that caused CAG to object were largely resident driven
5. The deputation of Mr David Holmes, neighbouring resident, including the following points:
  - (i) He lived at no. 31, Little Park Gardens, which adjoined the site.
  - (ii) He had a number of concerns, but particularly highlighted the noise that would be generated by the scheme.
  - (iii) He asked that a decision be deferred to allow a noise assessment to be carried out, including investigation of the noise impact of a centre for young adults.
  - (iv) The proposed children's playground would be right behind his home, immediately under his living room window, and the noise would be intolerable.
  - (v) The noise issues were significant and may not be resolved by the installation of an acoustic wall.
  - (vi) The report referred to opening hours which included Saturdays.
6. The deputation of Mr Alan Weitzel, local resident, including the following points:
  - (i) He lived in Holly Walk and was a retired architect and considered this proposal would be a gross overdevelopment.
  - (ii) The buildings and activities' footprint covered 100% of the site, to the exclusion of car parking provision. Therefore spaces would be taken up in the car park opposite, which was already full most days of the week, and there would be parking in adjacent roads.
  - (iii) There would be dropping off and picking up of children/disabled people by vehicles in Chapel Street which would obstruct access for

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Holly Walk residents and access for emergency vehicles to flats in Chapel Street which housed elderly people.

7. The response of Mr Mareos Miltiadous, the applicant, including the following points:
  - (i) He had been working with the Planning Department on this application for over two years and working with Mr Holmes and his personal planner. During the process he had agreed to keep the car park closed for their benefit.
  - (ii) He had been involved with many businesses in Enfield relating to social care and no other neighbouring residents of any of the other properties had made any complaints regarding their day to day use.
  - (iii) He would be happy to restrict the number of users of the playground at any one time.
  - (iv) The scheme would be employing local people, who would come by public transport.
  - (v) The windows were for light and ventilation and would not be a source of noise.
  - (vi) An acoustic wall had been introduced and he would also offer triple glazing to Mr Holmes' windows at the developer's expense.
  - (vii) No more traffic or congestion would be introduced into the area by this proposal.
8. The advice of officers regarding the application and that the two uses proposed were within the same Use Class.
9. The advice of officers in respect of Environmental Health's comments regarding noise.
10. Cllr Simon's continued concern regarding noise impact on no. 31, Little Park Gardens and suggestion that it may be a better solution to extend the hours of outdoor play but limit the number of children outside at any one time. He also suggested that the hours of opening should be reduced to 08.00 to 18.00 hours.
11. Members' requests for more information on noise levels and greater clarification of the noise impact.
12. Councillor Delman's concerns regarding the impact of the scheme on parking availability in the pay and display car park.
13. The advice of officers regarding the design and materials of the roof.
14. The advice of officers regarding the function of the roof lights at 31 Little Park Gardens.
15. Councillors McGowan and Pearce considered that the applicant should apply for one type of use.

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16. Members' requests for more information about the proposed internal layout, and how the development would fit on the site.
17. Councillor Constantinides stated that the application should be considered as submitted.

**AGREED** that consideration of the application be deferred in order to receive advice from Environmental Health in regard to the applicant's Noise Impact Assessment.

**714**

**TP/09/1523 - 34, NEW RIVER CRESCENT, AND LAND AT REAR OF, 2-32, NEW RIVER CRESCENT, LONDON, N13 5RF**

NOTED

1. Councillor Barker left the room and took no part in the consideration of the item, and Councillor Delman acted as Chairman for the item.
2. The Planning officer's introduction to the report.
3. Receipt of an objection to the proposal from David Burrowes MP, who raised concerns regarding overdevelopment and high density and considered the development would be detrimental to the area and the flats too small.
4. The statement of Councillor Henry Pipe, ward councillor, speaking in favour of the recommendation but requesting consideration of additional concerns, including the following points:
  - (i) He referred to a table of density ratios taken from the London Plan.
  - (ii) He would argue that the PTAL rating at the site was 1, and that the area was predominantly suburban rather than urban.
  - (iii) The reason why density should be included as a reason for refusal of this application was that there had been a material change in policy. This density matrix was re-issued in the London Plan published after the application was registered and since Scheme C was submitted.
  - (iv) The change in the number and mix of units, and more affordable housing, meant this application involved a more densely populated form of development.
  - (v) The minutes of the Planning Committee meeting when Scheme C was considered did not fully reflect the Committee's views.
5. The statement of Councillor Bambos Charalambous, ward councillor, including the following points:
  - (i) He was also speaking in support of refusal of planning permission.
  - (ii) The principal reason was the substandard size of the units, but he also agreed with Councillor Pipe that density was a grounds for refusal, and that the PTAL rating should be 1 rather than 2-3.
  - (iii) A number of developments had been approved in the area, which would all put additional pressure on local services, including

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Hazelwood School and local doctors and dentists, and he was disappointed to see no reference to this in the report.

(iv) The traffic impact of the proposal and highway safety implications had not been properly considered, and should also be included as a reason for refusal.

6. Members' agreement that the centre of gravity of the site was not close to public transport
7. Advice of the Legal representative in relation to reasons for refusal.
8. Advice of Planning officers in relation to previous decisions and relevant policies.
9. Members' debate in relation to the reasons for refusal.
10. The recommendation of the Head of Development Services of an additional reason for refusal, supported unanimously by the Committee.

**AGREED** that planning permission be refused for the reason set out in the report and the additional reason set out below:

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

**715**

**TP/09/1658 - LAND SOUTH SIDE OF WHITEWEBBS LANE, INCORPORATING ROLENMILL SPORTS GROUND, AND LAND REAR OF MYDDELTON HOUSE, BULLS CROSS, ENFIELD, EN2 9HA**

NOTED

1. Amendment to the recommendation to refer to requirement for referral to the Mayor for London and Government Office for London (GOL).
2. Receipt of seven additional letters of objection from residents and an objection from Forty Hill and Bulls Cross Study Group, including the following additional objections:
  - Remains totally opposed to the development approved two years ago.
  - Disappointed about the previous decision.
  - Inappropriate location.



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- Concern that a Minor Amendments application and an application to enlarge the site by the change of use of land have not been reported to Committee.
  - Excessive scale of development.
  - Inadequate parking.
  - Noise and disturbance.
  - The building is now within the conservation area and is detrimental to the area's special character.
  - The development is inappropriate in the green belt.
  - Adverse impact on wildlife.
3. Officers' response to points raised, highlighting information included under the 'Analysis' section in the report.
  4. The advice of officers regarding a Minor Amendments application and an application for change of use of land to include it within the Training Centre site that had been approved under delegated authority.
  5. The statement of Councillor Kate Wilkinson, ward councillor, including the following points:
    - (i) There had been a significant amount of confusion and concern regarding consideration of revisions submitted since the original approval, particularly the dismissal of issues as minor amendments.
    - (ii) Many of the changes were substantial, including the groundsman's store, additional fencing and hard surfacing, and would have a detrimental impact on visual appearance and would not enhance the conservation area. Forty Hill Conservation Area had been expanded and almost the entire application site now fell within it.
    - (iii) New legislation had been brought in, and clarity was needed on how such applications were going to be dealt with in future, and the importance of presenting amendments for discussion.
  6. The Planning officer's response to issues raised and confirmation that two other applications associated with the proposal submitted late last year were non material alterations under new legislation introduced in 2009 and no statutory consultation was required. Amendments within this application, although relatively minor, were material.
  7. The Planning officer's confirmation that in the new arrangement the plant room for the pool would be moved to basement level therefore reducing the footprint.

**AGREED** that planning permission be granted, subject to referral to the Mayor for London and the Government Office for London, and subject to the condition set out in the report, for the reasons set out in the report.

**716**

**LBE/09/0034 - TRENT PARK, COCKFOSTERS ROAD, BARNET, EN4 0PS**

NOTED

1. Clarification of the material to be used on the playground floor.
2. Although not noted in the officer's report, CAG received a presentation from the applicant and the group were unanimous in their support.

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

**717**

**LBE/09/0037 - CHURCH STREET RECREATION GROUND, GREAT CAMBRIDGE ROAD, LONDON, N9 9HP**

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

**718**

**TP/09/1200 - 27, THE CHINE, LONDON, N21 2EA**

NOTED

1. Receipt of a letter from the Environment Agency raising no objection subject to conditions.
2. The Planning officer drew Members' attention to the street scene perspective provided by Agents in the PowerPoint presentation.
3. Confirmation that CAG was supportive of the officer's recommendation for refusal, and that the officer's report fully detailed CAG's position.

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

**719**

**TP/09/1238 - LAND REAR OF, 483/499 GREEN LANES, LONDON, N13**

NOTED

1. Introduction by the Planning officer, highlighting the Note to Members and provision of the additional highway information as requested.
2. The Head of Development Services' confirmation that Members had previously resolved not to accept the officers' recommendation and had requested identification of potential reasons for refusal.

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3. The Chairman's clarification of the Members eligible to consider and vote on this application, having been present to hear the deputation and response at the meeting of 20 October 2009.
4. Brief general discussion regarding merits of the scheme and previous reasons for refusal, and officers' advice regarding grounds for refusal that Members may wish to pursue that were robust.
5. The Chairman's proposal that planning permission be refused for the reasons listed, supported by a majority of the committee.

**AGREED** that planning permission be refused for the following reasons:

### 1. Character and Appearance

The proposed development by reason of its siting, size, scale, design, massing and proximity to site boundaries would result in the introduction of an overly dominant and visually intrusive form of development that would be detrimental to the character and appearance of the surrounding area and the visual amenities enjoyed by neighbouring properties, as well as representing an overdevelopment of the site contrary to policies (I)GD1, (I)GD2 and (II)GD3 of the Unitary Development Plan and Policy 4B.8 of the London Plan (2008), as well as the objectives of PPS1 and PPS3.

### 2. Amenity Space

The proposed amenity space is of insufficient size and inadequate quality to provide for the needs of future occupiers, in particular for the proposed family sized accommodation. This would result in an unsatisfactory and unsustainable form of residential development, contrary to Policies (I)GD1 and (II)H9 of the Unitary Development Plan, as well as the objectives of PPS1 and PPS3.

### 3. Overlooking

The proposed first floor balconies, second floor windows and balconies to elevation AA, facing Glebe Court, would unduly prejudice through overlooking and loss of privacy the amenities enjoyed by neighbouring properties, particularly Glebe Court itself and the amenity space of Glebe Court and no.'s 501 to 505 Green Lanes, contrary to Policies (I)GD1, (I)GD2 and (II)H8 of the Unitary Development Plan, as well as the objectives of PPS1 and PPS3.

### 4. Future Amenities of Residents

The proposed development would result in an unacceptable outlook and levels of light for the future residents of units CG.2, BG.1 and BG.2 and their respective amenity space, in respect of the proximity to the requisite public footpath retaining wall, and units BG.2, BG.3, BG.4, AG.1, AG.3, AG.4 and AG.6 and their respective amenity space, in respect of the proximity to the railway embankment significantly compounded by the presence of a row of

large established trees and overhanging balconies. This would result in an unsatisfactory and unsustainable form of residential development, contrary to Policies (I)GD1 and (I)GD2 of the Unitary Development Plan and Policy 3A.6 of the London Plan (2008), as well as the objectives of PPS1 and PPS3.

**5. Loss of Protected Trees**

The loss of T2 (Oak), T3 (Ash), T4 (Ash) and T5 (Weeping Ash), without adequate replacements, would be detrimental to the character and appearance of the area and the street scene, in particular views from the adjacent public footpath, resulting in a loss of amenity to the surrounding residential properties contrary to policies (II)C38 and (II)C39 of the Unitary Development Plan.

**6. Access and Traffic Generation**

The traffic generated and additional turning movements arising from the proposed development would give rise to additional congestion and conflicting vehicle movements prejudicial to the free flow and safety of traffic on Green Lanes contrary to Policy (II)GD6 and (II)GD8 of the Unitary Development Plan.

**720**

**TP/09/1631 - MERRYHILLS PRIMARY SCHOOL, BINCOTE ROAD, ENFIELD, EN2 7RE**

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

**721**

**TOWN PLANNING APPEALS**

NOTED the information on town planning application appeals received from 03/12/2009 to 31/12/2009.