

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON TUESDAY, 25 SEPTEMBER 2012**

COUNCILLORS

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

ABSENT Christiana During

OFFICERS: Bob Ayton (Schools Organisation & Development), Linda Dalton (Legal Services Representative), Bob Griffiths (Assistant Director, Planning & Environmental Protection), Andy Higham (Planning Decisions Manager), Steve Jaggard (Traffic & Transportation) and Aled Richards (Head of Development Management) Jane Creer (Secretary)

Also Attending: Approximately 20 members of the public, applicants, agents and their representatives
Dennis Stacey, Chairman, Conservation Advisory Group
Ward Councillors: Councillor Achilleas Georgiou, Robert Hayward.

302

WELCOME AND LEGAL STATEMENT

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

303

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor During and apologies for lateness were received from Councillor Hasan.

304

DECLARATION OF INTERESTS

None.

305

MINUTES OF PLANNING COMMITTEE 24 JULY 2012

AGREED the minutes of the Planning Committee held on Tuesday 24th July 2012 as a correct record.

306

MINUTES OF PLANNING COMMITTEE 14 AUGUST 2012

AGREED the minutes of the Planning Committee held on Tuesday 14th August 2012 as a correct record.

307

REPORT OF THE ASSISTANT DIRECTOR, PLANNING AND ENVIRONMENTAL PROTECTION (REPORT NO. 81)

RECEIVED the report of the Assistant Director, Planning and Environmental Protection (Report No.81).

308

ORDER OF AGENDA

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

309

P12-01160PLA - THE BOURNE CAR PARK, THE BOURNE, LONDON, N14 6QX

NOTED

1. The introduction by the Planning Decisions Manager.
2. Councillor Hasan arrived at the meeting, but having missed the beginning of the item, would not be permitted to vote on this application.
3. Receipt of revised plans detailing minor alterations to the proposal.
4. Receipt of two additional letters of objection, summarised verbally by the Planning Decisions Manager.
5. The deputation of Mr Andy Barker on behalf of the Fox Lane and District Residents' Association, including the following points:
 - a. The residents' association had objected to the sale of the car park and although it was now accepted that some form of development would go ahead, due consideration should be given to this location within a Conservation Area.
 - b. The proposal would amount to overdevelopment and was an inappropriate application which tried to squeeze too much into a cramped site and would be out of keeping with other residences in the area.
 - c. The homes would be built over three floors, unlike any other houses in the vicinity and would have a different roof line which would exaggerate the apparent height. The front elevations would be close to the pavement and there would be overlooking from the roof terraces.
 - d. Conservation Advisory Group continued to object to the proposal.

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- e. Amenity space was below levels required by the UDP.
 - f. There were potential traffic dangers. This was a busy main road and the access points could be problematical being opposite the zebra crossing and Grovelands Park entrance and there may be a need to reverse out.
 - g. Most nearby on-street parking was time restricted.
 - h. It was questioned where refuse lorries would stop.
 - i. There were concerns about potential interference with the water table.
6. The statement of Councillor Robert Hayward, Southgate Ward Councillor, including the following points:
- a. In pre-application discussions it had been advised by the Council that three houses would be appropriate.
 - b. The Council's Conservation Officer had raised numerous concerns, detailed in the officer's report, including the point that too much development was being squeezed onto this site, and that removing the detached house from the scheme would improve it considerably.
 - c. The proposals were against UDP policies relating to conservation areas, and he asked that the application be refused.
7. The response of Mr David Castle, the architect, including the following points:
- a. This design was based on the design guide produced for the sale of the site.
 - b. He had worked closely with the Planning Department. There had been a successful pre-application series of meetings, and amendments had been made to the proposals to meet requirements as suggested.
 - c. The site was on the boundary and not in the centre of the Conservation Area, and the site related much more closely to the busy The Bourne and the entrance to the park. Viewed from The Bourne, the frequency of houses was similar to the spacing in the rest of the Conservation Area.
 - d. Ground water flow would not be interrupted. A trial hole on site had found that the water table was well below the surface, and the three houses were designed on piles not on deep foundations.
 - e. If there was flooding from the allotments to the park, space between the houses would let such water escape and he was confident there would not be a flood problem.
 - f. The scheme was designed to use the palette of the existing Conservation Area. The houses had been kept quite simple, the design was discreet and fitting to the area.
8. The Traffic and Transportation Officer responded to Members' queries, including that the previous car park use would have generated more trips than this development, confirmation that cars should be able to turn and exit without needing to reverse, and advice that parking restrictions could be reviewed if it was felt they were not meeting the area's needs.
9. In reference to the UDP policies raised by Councillor Hayward, the Planning Decisions Manager confirmed they were saved policies and had

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been picked up in the report, but apologised that they were omitted from the list of relevant policies in the report.

10. Dennis Stacey, Chairman of Conservation Advisory Group, confirmed comments made by the Group during consultation on the application and that the proposals were considered over-development on a cramped site.
11. Officers responded to Members' concerns and questions including in relation to flood risk, amenity space provision, plot size, sustainability and road safety, and that on balance it was considered that planning approval could be recommended.
12. The support of the majority of the Committee for the officers' recommendation: 7 votes for and 6 against.

AGREED that upon completion of the Section 106 Agreement, the Head of Development Services / Planning Decisions Manager be authorised to grant planning permission subject to the conditions set out in the report, for the reasons set out in the report.

310

TP/11/1614 - 112, UPSDELL AVENUE, LONDON, N13 6JL

NOTED

1. The introduction by the Planning Decisions Manager, clarifying that a decision on the application was previously deferred to enable officers to provide further guidance on the legal position relative to the use of outbuildings as ancillary accommodation. Comments had been included in the report.
2. The statement of Councillor Georgiou, Bowes Ward Councillor, including the following points:
 - a. If the Committee were minded to grant planning permission, he would like it specified that the outbuilding should have no bathroom or cooking facilities.
 - b. He questioned whether the outbuilding was incidental to the main property. It was a self-contained unit with a separate address and an independent Council Tax evaluation and was seemingly being used as a separate unit of residential accommodation. Approval should not be given until these issues were resolved.
3. Further to receipt of advice from the Legal Services representative regarding Committee procedures, the applicant advised that he had not asked for separate evaluation for Council Tax, had not wanted to pay for a building required only for incidental use and had requested a refund.
4. The Planning Decisions Manager's advice in relation to the breach of planning control and that, if granted, this permission would enable the use of Council powers to ensure its terms were met.

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5. Members' discussion, during which it was requested that Condition 2 be amended to include reference to remove bathroom facilities.
6. The support of the majority of the Committee for the officers' recommendation: 9 votes for, 3 votes against and 2 abstentions.

AGREED that planning permission be granted, subject to the conditions set out in the report and amended Condition 2 below, for the reason set out in the report.

Condition 2 to read:

The existing outbuilding shall be used solely for purposes incidental to the enjoyment of the dwelling house and shall not be occupied as a separate or self contained unit of residential accommodation or include cooking / bathroom facilities (with the exception of wc and hand basin) at any time. Occupation may include use as overnight sleeping accommodation for guests for no more than 4 weeks at any one time and a 3 week period of vacancy must be adhered to during March and October of each year unless otherwise agreed in writing by the local planning authority.

Reason: To protect the amenities of adjoining and future occupiers, as well as the character of the area.

311

TP/11/1683 - 192, WHITTINGTON ROAD, LONDON, N22 8YL

NOTED

1. The introduction by the Planning Decisions Manager, clarifying that a decision on the application was deferred from the previous meeting to enable information to be obtained on the "marketing" that occurred prior to the application being submitted. The statement received from the applicant was included in the Note for Members in the report, with officers' additional comments in respect of the parade.
2. An additional condition was proposed regarding provision of refuse storage area in front of the premises.
3. Receipt of two additional letters of objection, summarised verbally by the Planning Decisions Manager.
4. The statement of Councillor Georgiou, Bowes Ward Councillor, including the following points:
 - a. Rubbish and fly-tipping was a major problem in this area, and a greater number of flats would lead to more refuse.
 - b. The area was already over-developed, and this proposal would add to it.

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- c. The draft North Circular Road Area Action Plan had been discussed at the previous meeting and officers were asked to advise on how the proposal complied with this Plan and he was concerned that the issue was not covered in the report. A decision should be taken based on this Plan.
 - d. More sustainable communities were desired, but this proposal would mean taking away shopping facilities and cramming in more people, which would be unfair on the existing residents.
 - e. Approval of the application would please the landlord but not local residents, and different solutions should be sought, such as lowering the rent.
- 5. The Planning Decisions Manager advised that a number of complimentary draft documents were relevant and had been given due regard in making the recommendation, and the aim was to maintain a sustainable shopping parade for the long term.
 - 6. Members' debate of issues including retail unit viability, current retail activity and vacancy rates, historical use of the properties, and the amenity space provision for the flat.
 - 7. The support of the majority of the Committee for the officers' recommendation: 8 votes for, 4 against and 2 abstentions.

AGREED that subject to the completion of the necessary S106 agreement, the Head of Development Management / Planning Decisions Manager be authorised to grant planning permission, subject to the conditions set out in the report and additional condition below, for the reasons set out in the report.

Additional Condition

Details of the enclosure of the private forecourt in front of the premises for refuse storage purposes shall be submitted to and approved by the local planning authority. The approved details shall be constructed and available to store refuse bins prior to the occupation of the residential accommodation hereby approved and thereafter, the area shall be retained for such purpose unless otherwise agreed in writing by the local planning authority.

312

P12-00468PLA - PEGAMOID SITE, NOBEL ROAD, LONDON, N18 3BH

NOTED

- 1. Introduction by the Planning Decisions Manager, including confirmation of past issues around dust and noise and that the proposals would be welcomed by nearby residents.
- 2. Alteration to the applicant's details to read J O Doherty (Haulage) Ltd, Waste Transfer, Pegamoid Site.
- 3. The Planning Decisions Manager's advice in relation to conditions covering contamination matters.

4. The unanimous support of the Committee for the officers' recommendation.

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

313

**P12-01997PLA - HAZELBURY INFANT AND JUNIOR SCHOOL,
HAZELBURY ROAD, LONDON, N9 9TT**

NOTED

1. The introduction by the Planning Decisions Manager.
2. Additional conditions to cover the protection of existing trees, and Members' remarks regarding the value of the trees and their wish that as many as possible be retained.
3. The unanimous support of the Committee for the officers' recommendation.

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

Additional Conditions

Retained Trees

No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS 3998. If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason: To screen, preserve and enhance the development and ensure adequate landscape treatment in the interest of amenity and to ensure that the retained trees, shrubs and hedgerows on the site are not adversely affected by any aspect of the development.

Tree Protection

No works or development shall take place until a scheme for the protection of the retained trees (BS 5837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. This scheme shall include:

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- a. a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area of every retained tree on site and on neighbouring or nearby property to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.
- b. the details of each retained tree as required at paragraph in a separate schedule.
- c. a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS 3998.
- d. written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works.
- e. the details and positions of the Ground Protection Zones
- f. the details and positions of the Tree Protection Barriers identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
- g. the details and positions of the Construction Exclusion Zones
- h. the details and positions of the underground service runs
- i. the details of any changes in levels or the position of any proposed excavations within 5 metres of any Root Protection Area of any retained tree, including those on neighbouring or nearby ground.
- j. the details of any special engineering required to accommodate the protection of retained trees (e.g. in connection with foundations, bridging, water features, surfacing)
- k. the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the Root Protection Areas of retained trees.
- l. the details of the working methods to be employed for the installation of drives and paths within the Root Protection Area's of retained trees in accordance with the principles of "No-Dig" construction.
- m. the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site.
- n. the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.
- o. the details of the method to be employed for the stationing, use and removal of site cabins within any Root Protection Areas
- p. the details of tree protection measures for the hard landscaping phase
- q. the timing of the various phases of the works or development in the context of the tree protection measures.

Notice of Tree Works and Major Operations

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The applicant shall give written notice to the Local Planning Authority of **10 days** prior to carrying out the approved tree works and any operations that present a particular risk to trees (e.g. demolition within or close to Root Protection Areas, excavations within or close to a Root Protection Areas, piling, carnage)

Reason: To screen, preserve and enhance the development and ensure adequate landscape treatment in the interest of amenity and to ensure that the retained trees, shrubs and hedgerows on the site are not adversely affected by any aspect of the development.

Prohibited Activities

The following activities must not be carried out under any circumstances:

- a. No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
- b. No works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.
- c. No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.
- d. No mixing of cement or use of other materials or substances shall take place within Root Protection Areas, or close enough to a Root Protection Area that seepage or displacement of those materials or substances could cause them to enter a Root Protection Area
- e. No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To screen, preserve and enhance the development and ensure adequate landscape treatment in the interest of amenity and to ensure that the retained trees, shrubs and hedgerows on the site are not adversely affected by any aspect of the development.

Provision for tree planting

No works or development shall take place until a specification of all proposed tree planting (including planting along the common residential boundary of the site) has been approved in writing by the Local Planning Authority. This specification will include details of the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. In addition all shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape should be similarly specified. All tree, shrub and hedge planting included within that specification shall be carried out in accordance with that specification and in accordance with BS 3936 (parts 1 & 4); BS 4043 and BS 4428.

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If within a period of 5 years from the date of planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations. The Council considers 5 Years enough time for the trees to become properly established.

Reason: To screen, preserve and enhance the development and ensure adequate landscape treatment in the interest of amenity and to ensure successful establishment of new planting.

314

P12-00883PLA - LAND CORNER OF MILTON GROVE AND CHAUCER CLOSE, LONDON, N11 1AU

NOTED

1. The introduction by the Planning Decisions Manager, clarifying the application.
2. The unanimous support of the Committee for the officers' recommendation.

AGREED that subject to the completion of a S106 Agreement, the Planning Decisions Manager / Head of Development Management be authorised to grant planning permission, subject to the conditions set out in the report, for the reasons set out in the report.

315

P12-01220PLA - SLOPERS POND FARMHOUSE, CHASE AND SLOPERS POND FARM, STAGG HILL, BARNET, EN4 0PX

NOTED

1. The introduction by the Planning Decisions Manager, advising that the application was reported to Committee as the applicants were councillors.
2. The unanimous support of the Committee for the officers' recommendation.

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

316

P12-01581PLA - 151, LINWOOD CRESCENT, ENFIELD, EN1 4US

NOTED

1. The introduction by the Planning Decisions Manager.

2. The unanimous support of the Committee for the officers' recommendation.

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

317

P12-01715PLA - EDMONTON GREEN, BRIDGE PARADE, BRIDGE ROAD, LONDON, N9 0NN

NOTED

1. The introduction by the Planning Decisions Manager.
2. Receipt of revised plans making minor alterations to detailing of the clock tower.
3. The unanimous support of the Committee for the officers' recommendation.

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

318

P12-01255PLA - NIGHTINGALE ACADEMY, 34, TURIN ROAD, LONDON, N9 8DQ

NOTED a request to defer consideration of the application in the light of ongoing discussions regarding the provision of compensatory open space and further alteration to the student entrance lobby.

AGREED that a decision on the application be deferred.

319

P12-01665PLA - CARTERHATCH INFANT AND JUNIOR SCHOOL, CARTERHATCH LANE, ENFIELD, EN1 4JY

NOTED

1. The introduction by the Planning Decisions Manager, including clarification that the applicant was the school.
2. The unanimous support of the Committee for the officers' recommendation.

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 conditions set out in the report, for the reason set out in the report.

320

P12-01773PLA - ELDON JUNIOR SCHOOL, ELDON ROAD, LONDON, N9 8LG

NOTED

1. The introduction by the Planning Decisions Manager.
2. The unanimous support of the Committee for the officers' recommendation.

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

321

P12-01836PLA - 1-7, 9-23, 25-29A SNELLS PARK, LONDON, N18 2TD

NOTED

1. The final five applications in the agenda pack were discussed together, being from the same applicant for similar essential works to the condition and appearance of residential blocks.
2. The introduction by the Planning Decisions Manager.
3. The unanimous support of the Committee for the officers' recommendation.

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

322

P12-01839PLA - 255-265, LANGHEDGE LANE, LONDON, N18 2TG

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

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

323

P12-01843PLA - 172-198, 202-228, 230-256, 258-284 LANGHEDGE LANE, LONDON, N18 2TG

NOTED

1. The introduction by the Planning Decisions Manager clarifying an amendment to the recommendation.
2. The unanimous support of the Committee for the officers' recommendation, as amended.

AGREED that subject to the undertaking of additional consultation with residents and no new objections being received, Members resolved that in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, the Head of Development Management / Planning Decisions Manager be authorised to grant deemed consent, subject to the conditions set out in the report, for the reason set out in the report.

324

P12-01845PLA - 201-215 LANGHEDGE LANE, LONDON, N18 2TG

NOTED

1. The introduction by the Planning Decisions Manager clarifying an amendment to the recommendation.
2. The unanimous support of the Committee for the officers' recommendation, as amended.

AGREED that subject to the undertaking of additional consultation with residents and no new objections being received, Members resolved that in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, the Head of Development Management / Planning Decisions Manager be authorised to grant deemed consent, subject to the conditions set out in the report, for the reason set out in the report.

325

P12-01844PLA - 1-8 CORDWAIN HOUSE, 97, FORE STREET, LONDON, N18 2XH

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

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

326

APPEAL INFORMATION

NOTED the information on Town Planning applications appeals received from 31/07/2012 to 07/09/2012 summarised in tables.

327

PLANNING PANEL : REDEVELOPMENT OF LADDERSWOOD ESTATE

AGREED that a date for a Planning Panel meeting in mid-November and membership of the Panel be agreed in consultation with the Chairman and Conservative Lead Member.

Post Meeting Note: The Planning Panel meeting will take place on Tuesday 20 November, 7.30pm at Garfield Primary School, Springfield Road, London N11 1RR. Membership of the Panel to be Councillors Chamberlain, Constantinides, Keazor, Prescott and Savva.

328

PLANNING PANEL : PROPOSED JOINT SERVICE CENTRE ON ORDNANCE ROAD

AGREED to move the date of the Planning Panel meeting from 17 October to 18 October to enable use of a larger venue and Councillor Constantinides would replace Councillor Simon on the Panel.

Post Meeting Note: The Planning Panel meeting will take place on Thursday 18 October, 7.30pm at St George's Parish Hall, 710 Hertford Road, Enfield EN3 6NR. Membership of the Panel to be Councillors Bakir, Keazor, Constantinides, Chamberlain and Hurer (Chairman).

329

SPECIAL PLANNING COMMITTEE : SALMONS BROOK FLOOD ALLEVIATION SCHEME

AGREED that the Special Planning Committee meeting will take place on Monday 12 November, 7.30pm at Nightingale Academy, Turin Road, Edmonton, London N9 8DQ.

330

SITE VISITS

AGREED that site visits be arranged to Middlesex University and Kingfisher School sites on Saturday 20 October at 9.30am.

331

EXCLUSION OF THE PRESS AND PUBLIC

AGREED to pass a resolution under Section 100A(4) of the Local Government Act 1972 excluding the press and public from the meeting for an

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additional item of business on the grounds that it would involve the likely disclosure of exempt information as defined Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).

332

ADDITIONAL PLANNING PANEL

NOTED a verbal update from the Head of Development Management on the potential need to hold an additional Planning Panel meeting in late November, with the date, venue and membership of the Panel to be agreed at the next meeting of the Planning Committee.