

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE  
HELD ON MONDAY, 12 NOVEMBER 2012**

**COUNCILLORS**

**PRESENT** Andreas Constantinides, Ali Bakir, Ingrid Cranfield, Dogan Delman, Christiana During, Patricia Ekechi, Ahmet Hasan, Nneka Keazor, Anne-Marie Pearce, Martin Prescott and George Savva MBE

**ABSENT** Lee Chamberlain, Ertan Hurer, Paul McCannah and Toby Simon

**OFFICERS:** Linda Dalton (Legal Services), Bob Griffiths (Assistant Director, Planning & Environmental Protection), Steve Jaggard (Traffic & Transportation), Aled Richards (Head of Development Management), Sean Newton (Principal Planning Officer) and Lydia Dye (Planning Case Officer) Jane Creer (Secretary) and Metin Halil (Secretary)

**Also Attending:** Approximately 90 members of the public, applicants, agents and their representatives  
Councillor Del Goddard, Cabinet Member for Business & Regeneration  
Mr Andy Love, MP for Edmonton  
Ward Councillors: Councillor Jayne Buckland, Jon Kaye, Terry Neville, Ahmet Oykenner, Andrew Stafford, and Glynis Vince.

**414**

**WELCOME AND LEGAL STATEMENT**

**NOTED**

1. The Chairman welcomed all attendees to the meeting and confirmed the timetable of the meeting as set out on the agenda front page.
2. The Legal Services representative read a statement regarding conduct and order of the meeting, and confirmed that neither the Planning Committee nor the Planning Department had been involved in statements reported in the press in advance of the consideration of this matter by this committee.

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**APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Chamberlain, Hurer, McCannah and Simon. Apologies for absence were also received from David Burrowes MP and Nick De Bois MP due to parliamentary business.

**416**

## DECLARATION OF INTEREST

There were no declarations of interest.

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**P12-01082PLA - SALMONS BROOK - ENFIELD, N21, N9 AND N18.**

NOTED

1. An introduction and update from Aled Richards, Head of Development Management, including the following:
  - a. Confirmation of the three locations involved in the flood alleviation scheme, the planning history and background, and the differences between the current scheme and the previous application granted in 2005.
  - b. Proposals and key planning issues at the three locations (Enfield Golf Course, N21; Montagu Road, Edmonton; and Bury Street West) were described.
  - c. Details of the duration of the proposed works and vehicle movements and access routes.
  - d. Receipt of a 205 signature petition in support of the scheme.
  - e. Receipt of a 95 signature petition from Grange Park residents and Cheyne Walk Open Space users group in objection to the scheme.
  - f. Receipt of 86 letters of objection from residents, and since the publication of the report receipt of a further 29 letters of objection. The 21 letters received between 2 November and 9 November had been emailed to all Members of the Planning Committee including hard copies made available to all Members; the further 8 letters received today had been emailed to the committee members and tabled in hard copy to be read in advance of the meeting.
  - g. Receipt of a further 2 letters of support from residents since the publication of the report also emailed and copied to the committee members.
  - h. The key issues raised were summarised.
  - i. The local planning authority had taken all representations and statutory consultees' responses into consideration and found no sustainable reason why the application should be refused. The officers' recommendation was therefore that planning permission be granted subject to conditions.
  - j. Receipt of a letter from David Burrowes MP, which had been copied to all committee members, and was read out in full.
  - k. Amendment of Condition 20, with the agreement of the applicant, in respect of hours of delivery of construction and demolition materials, for the reason of safeguarding of residential amenity and minimising conflict with drop off and pick up from local schools.
2. The deputation of Mr David Haywood, on behalf of Enfield Golf Club, in objection to the officers' recommendation, including:

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- a. Enfield Golf Club was mindful of flooding in Edmonton and prevention of its recurrence, but was anxious about the long term future of the club if the course became prone to more flooding when the bund was in place and felt that the Environment Agency (EA) had not yet adequately addressed their concerns.
  - b. Serving the whole borough fairly should mean taking all communities into account and not providing improvements for one group at the expense of another.
  - c. The club did not accept all contentions were fully reported in the officers' report.
  - d. The proposal was very complicated and technical, and it had been a problem getting advice.
  - e. The club was open to the whole local community, and had a thriving junior section.
  - f. A lot of research had gone into the original EA proposal, which it believed would solve the problem, but was now considered flawed. This did not give confidence that the present scheme would work.
  - g. Enfield Golf Club had asked to know the specific benefits to them of the current scheme, but the information had not been forthcoming. However, comparison of the new set of flood prediction maps with previous ones showed the flood risk to the course was now higher and flooding could be expected every year, which would be horrendous for the club. They considered the course would be flooded for no useful purpose when there was no risk to Edmonton. There had been no flooding at Montagu Road this year, even though there had been flooding at the golf course.
  - h. The club would be happy to compromise and put up with a 1 in 5 year risk of flooding, which would have a less disproportionate effect on the club.
  - i. An internal report regarding reasons for removing the Hog Hill element of the application had been viewed by accident, which the EA could not supply officially.
  - j. The club would like to see a variable flume installed rather than the fixed size flume, and considered that the current proposal was chosen for cost reasons.
  - k. The club had tried to be proactive and engaged with the EA but also needed time to get advice and to consult with their members.
  - l. The course would be less attractive with a hole shortened due to building works and the club feared a terminal decline.
  - m. There was evidence that culverts were blocked in 2000, which contributed to the flooding in Edmonton.
  - n. The scheme should be modified and done in phases so the non-controversial work in Edmonton was done first and could be evaluated and their suggestions could be revisited.
3. The deputation of Mr Paul Kennedy in objection to the officers' recommendation, including:

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- a. He was speaking on behalf of residents of Grange Park, including allotment holders and residents living along the proposed lorry routes. Members of the group included engineers and surveyors.
  - b. He would like to see a decision on the application deferred so that flaws in the consultation process could be addressed and all alternatives could be fully considered. Data showed the risk of flooding in Edmonton was low, so more time should be given to considering whether this was the right project.
  - c. This scheme lacked joined-up thinking from the EA and was a waste of taxpayers' money. A more holistic approach would be better, which also included the Meridian Water development which would cause major disruption anyway and involve waterways.
  - d. Flood risk could be lowered without causing damage to local nature conservation sites or to properties from lorry movements along roads not designed for such traffic.
  - e. There were serious concerns about the consultation and the traffic management plan. They would prefer a circular route for lorry traffic. Property damage and personal injury risk was a real concern for local residents. The EA had given different assurances about cosmetic damage, and pre and post project structural surveys, which had caused confusion and anger. The EA had not listened to residents' concerns.
  - f. Links on the Council website had not worked, there had been conflicting information on consultation and report publication dates, and queries had gone unanswered.
  - g. Consultation had not been transparent.
  - h. This application should not be granted, or a decision should at least be deferred.
4. The deputation of Ms Marion Etheridge in support of the officers' recommendation, including:
- a. She was speaking on behalf of residents of Montagu Road and friends and family in the area.
  - b. She had lived in Montagu Road over half her life.
  - c. She remembered 13 October 2000, the night after the flood, and the fear of further rainfall and flooding and anxiety about keeping her children safe and her possessions away from harm.
  - d. A friend in Jeremy's Green on the night of the flood had the experience of having to wake her daughter in the night and face water which was the same height as the child.
  - e. Another friend had the experience of seeing filthy water entering from every corner of the room and trying to move everything upstairs, but having the flood overtake their efforts and having to get out fast, then being in temporary accommodation and having their lives very disrupted for months.
  - f. Another friend's cellar had flooded, leading to loss of business and raised insurance premiums.
  - g. Many residents had not been able to afford insurance for their home contents. It was also very difficult for residents to obtain buildings or contents insurance as many companies would not cover them.

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- h. Flood warnings had been issued to the locality since 2000. It was a flood risk area.
- i. The flooding had caused health problems for many affected, disruption to family lives and businesses, and damage to property and possessions. People in Edmonton would not wish anyone to have these experiences.
- j. She wanted the Planning Committee to use their power to protect them from flooding in future.
- k. She invited Mr Sheridan (Captain of Leaside Golf Club) to report his experiences. He had seen the devastation in October 2000 and the effects on homes and businesses and though he had sympathy with Enfield Golf Club and Grange Park residents and allotment holders he wanted this application to be granted as Edmonton needed to be prevented from flooding again. People in Edmonton were struggling to get insurance. Climate change and unpredictability of the weather could make flood events more common.
- l. She reported that the operator of the Cart Overthrown pub, which had been recently refurbished and was one of the largest businesses in the area, was unable to attend the meeting but was strongly in favour of this scheme.

5. The statement of Councillor Glynis Vince, Grange Ward Councillor, including:

- a. Though she was in favour of flood alleviation schemes, she had concerns about this one and would ask that the decision be deferred.
- b. Grange Park residents had also had problems obtaining insurance cover.
- c. The traffic management plan was totally flawed. Residents had asked for a one-way system, but that had been refused.
- d. The consultation period had been affected by misleading comments about deadline dates, and there had been other mistakes in the documentation.

6. The statement of Councillor Terry Neville, Grange Ward Councillor, including:

- a. He acknowledged the flooding concerns in Edmonton and that Enfield had a number of flood plains on which development had been permitted.
- b. He would support deferral of a decision for two reasons. The EA had recognised the flooding risk to the area was low and had been helped by work the Council did in 2002/03 when culverts were modified, and proved by the lack of flooding during the high rainfall in the summer. The upcoming Meridian Water development gave a better opportunity to deal with the problem in a more extensive way. It was in everyone's interest to have a comprehensive scheme and one which did not expose other areas to flooding.
- c. The consultation process had not been as good as it might have been. People had reported not being consulted or being misled by

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deadlines for submission of representations. There may be grounds for judicial review.

- d. There had been an objection from Sport England in respect of loss of sports field.
- e. The scheduled monument had been dealt with in a dismissive way.

7. The statement of Councillor Jon Kaye, Highlands Ward Councillor, including:

- a. He expressed sympathy with the deputees from Edmonton.
- b. This year, on 9 – 11 June, areas of Highlands Ward were flooded. Flooding in gardens had come almost up to back doors and residents did not know if the water would get higher.
- c. Flooding could happen two, three or four times per year in the affected roads around Slades Rise/Links Side, EN2. Millions of pounds would be spent which would not alleviate flooding in these roads. At best the scheme would make no difference, or it could make the situation worse. River banks needed to be shored up in those areas.
- d. There should be holistic work to benefit the whole borough, and a scheme should deal with potential increased flooding in the future.
- e. The decision should be deferred and the proposals re-looked at to include areas being flooded year after year.

8. The statement of Mr Andy Love MP, Edmonton constituency, including:

- a. He felt very strongly about this scheme and supported it on behalf of the deputees and constituents.
- b. 192 properties had been directly affected by the flooding in 2000, which had a devastating impact on that community and its low income owner-occupiers and private rental tenants. Some people had to sell up or had lost their rented properties. Most people affected did not have any contents insurance, and since that date people had not been able to get any form of insurance in that area.
- c. The flood was 12 years ago and it had taken 5 years to bring the first scheme forward and another 7 years for this scheme, with consultation at all stages. Consultation had been extensive.
- d. The 31 separate conditions demonstrated that the proposals had been considered very deeply.
- e. Even if more consultation was done, the reality was that all relevant planning considerations had been taken into account, which were the important matters to guide the committee decision.
- f. The scheme would be of major benefit to the borough. £15.3M would be invested and this opportunity should be welcomed. Over 800 properties would be safeguarded and protected to a great extent which would hopefully help them get insurance cover.
- g. Wider benefits were also set out in the report and demonstrated in the environmental assessment, including enhancement of environments.

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9. The statement of Councillor Andrew Stafford, Edmonton Green Ward Councillor, including:

- a. He had total confidence in the professional recommendation.
- b. It had cost over £2M to put right the homes directly affected by the 2000 flood.
- c. These measures would reduce the flooding risk to a 1 in 75 year risk.
- d. Para 5.16.4 of the report advised there was no evidence that properties upstream of Enfield Golf Course would be at increased risk of flooding. The scheme would not adversely affect properties in the Slades Rise/Links Side area, and their concern was related to flooding of gardens and allotments. In Edmonton, residents' concern related to waist-deep dirty water inside houses.
- e. He supported the scheme and commended the officers' work.

10. The statement of Councillor Jayne Buckland, Edmonton Green Ward Councillor, including:

- a. Edmonton Green Ward and vicinity was the 16<sup>th</sup> most deprived area in England. People there would not afford contents insurance.
- b. This scheme offered a solution to a very difficult and ongoing problem in Edmonton.
- c. Consideration should be focussed on the planning issues and she did not support deferment.
- d. The opportunity should be taken to get on with the works, which would reduce the incidence of flooding to a 1 in 75 year risk.

11. The statement of Councillor Ahmet Oykenner, Lower Edmonton Ward Councillor, including:

- a. His constituents lived with a real fear of flooding, and had not got over what happened in 2000.
- b. Residents panicked when it rained heavily, and he supported these proposals to alleviate flood risk.

12. The response of the applicant/agent representatives on behalf of the Environment Agency (EA), Halcrow and Volker Stevin, including:

- a. Julia Simpson, EA Area Manager, advised that the EA had the role to protect people and places at risk of flooding, and it had been reported how Edmonton had suffered serious flooding in 2000 and was subject to risk of successive floods.
- b. This year there had been 9 major floods in other parts of the country. If rain had fallen at similar levels in this area, Edmonton would have experienced devastating flooding.
- c. The EA had spent a long time in the preparation of this proposal and had listened to residents' concerns and looked again at their plans. Homes at risk had been prioritised to make the best investment of public money.

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- d. This scheme would protect all 200 properties in Montagu Road that were affected in 2000, and reduce the risk of flooding to 1400 homes. It would not increase the flood risk to any homes.
  - e. Mike Gara, EA Project Manager, described the proposals and the scheme's value for money and environmental and amenity enhancements. He confirmed that a multi site solution with upstream water storage was required, and that Enfield Golf Course could store 134,000m<sup>3</sup> of water in comparison to Hog Hill's 20,000m<sup>3</sup> capacity.
  - f. Maintenance alone would not prevent flooding. Existing culverts and drainage systems did not have sufficient physical capacity. Maintenance had been costed into the 100 year design life of this scheme.
  - g. Meridian Water would be unaffected by this project, and this scheme would be unaffected by the development at Meridian Water.
  - h. No rainfall events had been large enough to cause flooding since 2000.
  - i. The scheme elements and geography were described, illustrated by artists' impressions.
  - j. Enfield Golf Course would remain open through construction with all holes playable and there was ongoing work with the club regarding improvements to address surface water flooding.
  - k. The embankment would blend into the existing environment and was designed to avoid as many mature trees as possible.
  - l. There would be a secondary benefit of reduced flooding of the Cheyne Walk allotments and open space.
  - m. There would be environmental improvements at Montagu Road Recreation Ground and at Salmons Walk.
  - n. The contractors had an excellent track record, had won numerous national awards and were respected and recognised.
  - o. The scheme was expected to be completed within 2 years and all works would run concurrently, and, excluding Salmons Walk, all sites would remain as accessible as possible.
  - p. The proposals to manage temporary construction impacts were set out. The lorry route had been changed to avoid schools, deliveries timed to avoid local busy times, parking restrictions minimised, and traffic marshal and community liaison officer to be used.
  - q. Evidence demonstrated that no structural damage would be caused from traffic vibration. Condition surveys pre/post construction would be undertaken which would be binding with repairs made to any damage attributable to them.
  - r. This scheme was considered the optimum solution, had been verified by independent specialists, and would protect homes from flooding for many years to come.
13. Committee Members' debate and questions (including a 10 minute comfort break adjournment), including:
- a. In response to Members' technical queries, EA representatives advised:



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- Potential structural damage to homes on the lorry route had been focussed on due to concerns of residents, but that opportunities during road works had been taken to investigate road structure also.
- Culvert blockages had caused some additional backing up of water in 2000, but had not been a key cause of flooding, and the effect of culverts being clear would be marginal in such a high rainfall event.
- Technical computerised assessments had been carried out to show that lorries would be able to access the Cheyne Walk site for deliveries.

b. In response to Members' queries, the Head of Development Management advised:

- The EA had offered to improve surface water drainage on the golf course, but he understood this had not been agreed with the club to date and that it would be inappropriate to add a condition in this case.
- Confirmation of the Section 106 Agreement requirement to enable any approval and any conditions attached could be monitored closely for compliance.
- Members could not refuse one part of the application and approve other parts and if Members found any part of the proposal unacceptable they should reject the entire application.
- There were highway safety reasons for the proposed lorry route to the Enfield Golf Club site. The Traffic and Transportation officer advised that the scheme proposed the shortest route from classified roads from Green Dragon Lane and avoided the need for more waiting restrictions in residential roads.
- Confirmation that Sport England objected to any loss of play areas and in this case the loss of playing facilities in an extreme flood event. The likelihood of such an event was low, but when Sport England forwards an objection to any scheme, the application must be referred to the Secretary of State to determine.
- A technical report in respect of downstream flood risk had assessed risks around Deephams Sewage works were not significant.
- Planning permission would be subject to a landscaping condition, and two trees would be planted for every one lost.
- Condition 20 as amended would restrict delivery vehicle movements at school pick up time, but it was difficult to precisely condition vehicle movements so as not to impinge on summer exams. It was the Planning Department's opinion that lorry movements would not be so detrimental as to warrant refusal of planning permission.

c. At Members' request in the light of numerous concerns raised regarding the consultation process, deferral of a decision, and potential legal action, the advice of the Legal Services representative including that external legal advice had been sought, the issues had been considered in detail, and that the Council had complied with its statutory duty and a statement of community involvement had been compiled, and the risk of a successful legal challenge was small.

## **d. SUSPENSION OF COUNCIL CONSTITUTION – TIME OF MEETING**

**AGREED** that the rules of procedure within the Council's Constitution relating to the time meetings should end (10pm) be suspended for a period of 30 minutes to enable the business on the agenda to be completed.

e. Concerns raised by Councillor Delman in respect of removal of Hog Hill from the current proposal, the flooding risks in Highlands and Grange Wards, and the lack of data in the report to justify claims that there would not be any increase in flood risk upstream of the structure. He opposed the application and would propose refusal of planning permission on grounds that it was contrary to the Council Core Strategy policies 11 and 34 which related to leisure and open space assets and green chains, as he believed the scheme would increase the risk of regular flooding to Enfield Golf Course and Cheyne Walk Open Space. The scheme would also be in breach of the strategy on Metropolitan Open Land.

f. The advice of the Head of Development Management that loss of use of the golf course and Montagu Road recreation area would be for temporary intermittent periods and that Planning officers considered that loss acceptable as it would mitigate flooding.

g. Councillor Prescott's ongoing concerns that a solution which took into account the imminent Meridian Water development had not been fully discussed, and that he had not received a satisfactory response in relation to blocked culverts.

h. The statement of Councillor Del Goddard, Cabinet Member for Business and Regeneration advising that the Council's Core Strategy fell under his responsibility and that policies 11 and 34 were designed to stop other built environment taking over and changing use of that land. Also, the forthcoming Meridian Water development neither contributed to nor was affected by this proposal.

i. Further advice of the Head of Development Management that the committee must consider this application as presented, and that rejection because another scheme might happen in the future would be unreasonable.

j. At the Chairman's invitation, EA representatives commented that upstream water storage would in any case be needed close to the source of the problem and confirmed that a range of scenarios had been modelled which showed that if culverts were unblocked there would be a similar flood risk as flood water from catchments would exceed capacity of channels at all points.

k. The support of the majority of the committee for the officers' recommendation: 8 votes for and 3 against.

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**AGREED** that having taken into account the environmental information contained in the Environmental Impact Assessment accompanying this application, that following referral to the Secretary of State and no objections being raised, and the securing of a Legal Agreement to secure the obligations as set out in Section 8 of the report, the Head of Development Management or the Planning Decisions Manager be authorised to grant planning permission, subject to the conditions set out in the report and amended condition below, for the reasons set out in the report.

Revised Condition 20

No deliveries of construction and demolition materials by HGVs shall be taken at or despatched from the site outside the following times 09:30 – 15:00 Monday to Friday and at no other time except with the prior written approval of the Local Planning Authority.

Reason: In the interest of safeguarding residential amenity and not to conflict with the drop off and pick up of local schools.