

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON WEDNESDAY, 29 JULY 2009**

COUNCILLORS

PRESENT Alan Barker, Dogan Delman, Jayne Buckland, Lee Chamberlain, Andreas Constantinides, Peter Fallart, Jonas Hall (Part of meeting - left after item 106), Ahmet Hasan, Donald McGowan, Toby Simon, Dino Lemonides, Kieran McGregor and Anne-Marie Pearce

ABSENT Annette Dreblow and Chris Joannides

OFFICERS: Bob Ayton (Schools Organisation & Development), Linda Dalton (Legal), Andy Higham (Area Planning Manager), Steve Jaggard (Environment & Street Scene, Aled Richards (Head of Development Services), David Snell (Area Planning Manager), Stacey Gilmour (Secretary), Steve Addison (Secretary)

Also Attending: Councillor Henry Pipe.
Councillor Bambos Charalambous
Approximately 20 members of the public, applicants, agents and their representatives.
Dennis Stacey, Chairman of the Conservation Advisory Group.

96

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.

97

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Dreblow.

98

DECLARATION OF INTERESTS

NOTED

1. Councillor Barker declared a personal interest in application TP/09/0663 – 1, Hadley Way, London, N21, as he had a friend who lived close to the application site and who had sent letters of objection.

PLANNING COMMITTEE - 29.7.2009

TP/09/0667 – 34 New River Crescent, London N13 as he was a Governor at Hazelwood School.

2. Councillor Delman declared a prejudicial interest in application TP/09/0488 as he had made a similar planning application for this site on behalf of his employers.

**99
MINUTES**

AGREED that the minutes of the meeting held on 24 June 2009 be confirmed as a correct record.

**100
REPORT OF THE ASSISTANT DIRECTOR, PLANNING AND ENVIRONMENTAL PROTECTION**

RECEIVED the report of the Assistant Director, Planning and Environmental Protection (Report No. 57).

**101
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.

**102
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.

**103
TP/09/0488 - 1-6 CLOCK PARADE, LONDON ROAD, ENFIELD, EN2 6JG**

Noted

At this stage of the meeting Councillor Delman left the room.

AGREED that a decision on the application be deferred to seek advice as to the acceptability of the housing mix having regard to the Housing Needs Assessment and Housing Strategy.

**104
TP/09/0643 - 2, YORK GATE, LONDON, N14 6HS**

NOTED

PLANNING COMMITTEE - 29.7.2009

1. At this stage of the meeting Councillor Barker left the room and Councillor Delman was Chairman for this part of the meeting.
2. Although an application for development of this nature would normally be determined under delegated authority, the proposed extension is reported to the Planning Committee for their consideration in the light of concerns raised by the occupier of 3 York gate. A letter submitted by David Burrowes MP. was read out in full, in support of the concerns.
3. The deputation of Mr Reed, 1 York Gate, including the following points:
 - a. The proposed extension would involve removal of a concrete post, alteration to timber fencing and cutting down of shrubbery visible from the neighbours lounge window.
 - b. The side wall would be an awkward angle
4. Photographs in support of the application were circulated to Members during the deputation.
5. The deputation of Mrs Walters, 3 York Gate, including the following points:
 - a. Mrs Walters produced photos to support her objections.
 - b. Loss of outlook amplified by the existing rear extension at No. 4 which already results in a loss of outlook on that side.
 - c. Would result in sense of enclosure.
 - d. Would result in loss of light.
6. Members of the Planning Committee held substantive discussion on this application.
7. Officers responded that the objections of Mr Reed, No. 1 York Gate, did not constitute concerns material to the determination of this application, as matters pertaining to the actual construction of the extension were more appropriately dealt with under the separate Party Wall Act.

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

105

TP/09/0649 - 56, VERA AVENUE, LONDON, N21 1RL

NOTED

PLANNING COMMITTEE - 29.7.2009

1. The deputation of Mrs Heather 14, Maxim Road, including the following points:
 - a. A petition had been organised in the neighbourhood opposing the development with 82 signatures.
 - b. Design and impact on street scene
 - c. Impact on rear elevation of 58 Vera Avenue-loss of sunlight/daylight.
 - d. Loss of privacy resulting from front and rear balconies.
 - e. Loss of privacy to her own property, No. 14 Maxim Road.

2. The deputation of Mr Edwards, 18 Maxim Road, including the following points:
 - a. By virtue of design and choice of materials, the proposed development would result in a property inconsistent with traditional style buildings in Grange Park.
 - b. Approval would set a most unfortunate precedent for future developments in the local area.
 - c. Was there any Corporate Sponsorship behind this development and type of property proposed?

3. The deputation of the applicant Mrs Sanders, including the following points:
 - a. Mrs Sanders responded to the various objections raised. She commented that the entire subject matter of the petition was one of design and taste.
 - b. However, the subsequent appeal decision referred positively to the principle of a modern designed 'Huf Haus' within the street scene and the Inspector had also responded positively to the proposed choice of materials.
 - c. The applicant did not propose to remove any trees from the development area.
 - d. The proposed development would be an opportunity to replace an old house in need of extensive renovation, with a new property that would include a host of environmental features.
 - e. The proposed high quality design would enhance the local area and certainly not detract from it.

4. Discussions by members about the original application and why this had been rejected.

5. The Planning Officer reminded Members of the Planning Committee of the previous Planning Inspectorate decision.

6. Officers' advice in response to questions raised about the type of materials to be used, and whether any conditions would be attached.

7. Members had full discussions on the landscaping of the site and the relevant condition attached.

8. The Officers reported the revised wording of condition 11 – Obscured glazing to exclude reference to the staircase window.

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

106

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

NOTED

1. Members were reminded to note that there was already a scheme approved on site very similar to the new proposed development.
2. The current application proposes a mix of 17% 1 bed, 36% 3 bed and 11% 4 bed units, which almost mirrored that set out within the housing needs assessment. This offered a significant improvement over the approved appeal 'Scheme B'. Moreover, the current application seeks to provide an additional 2 units and a revised mix.
3. The deputation of Ann Wigans, local resident, including the following points:
 - a. Scheme B should be considered to be the absolute limit for development.
 - b. Increase in the number of residents from 134 to 161 (20%).
 - c. Overdevelopment in this back land site.
 - d. Density at 8 units per hectare exceeds PTAL 0-1 in the London Plan.
 - e. Significant reduction in amenity space, but increase in family accommodation outside of any guidelines.
 - f. Design and appearance/Impact on Neighbouring Properties/Outlook and Privacy.
 - g. Housing mix and affordable housing.
 - h. Parking and access/general noise and disturbance.
4. The statement of Councillor Henry Pipe, Palmers Green Ward Councillor, objecting to the application on the following basis:
 - a. He reminded Members that this was actually the fourth application for development of this site, with the previous three applications having been rejected at the initial stage.
 - b. Residents had been very well organised and had succeeded in introducing new reasons to dismiss previous applications at the point of appeal.
 - c. Thankfully in the past the Inspector had sided with the residents and not the Council.

PLANNING COMMITTEE - 29.7.2009

- d. Councillor Pipe considered that Scheme B was the limit of acceptability.
 - e. Amenity space was inadequate and that there were in fact material differences between Scheme C and D.
 - f. Councillor Pipe asked that before the Committee considered approving this application they should look very carefully at the reasons why this development was no longer considered PTAL 1, but had been moved to PTAL 2 and 3.
5. The statement of Councillor Bambos Charalambous, Palmers Green Ward Councillor, objecting to the application on the following basis:
- a. The planning application would represent an over-development of accommodation on the site. The 36 units were equal in number of (97) beds provided under TP/08/0115 which had 39 units and which was rejected by the planning committee in March 2008.
 - b. The current proposal is 0.6m higher than the proposal TP/08/0115 which was rejected on the grounds of being overly dominant and visually intrusive. This issue is made worse by this application.
 - c. Parking and access would be a problem. The current proposal indicates 45 car parking spaces for the 36 units. It is likely that there will be more than one car per household, which would have an impact on the traffic and parking on New River Crescent and on Hazelwood Lane, which is already busy.
 - d. This development would have an impact on local services. The only school in Palmers Green ward is Hazelwood School, which is already heavily oversubscribed and is landlocked therefore cannot accommodate any additional spaces.
 - e. The Committee needed to consider this development in light of the cumulative effect of other developments
6. The deputation of Mr Fisher, the Planning Consultant for the New River Crescent Development, including the following points:
- a. This current proposal increased the number of units by two. Previous appeals made no objection to density or in fact the number of proposed units.
 - b. The proposed development was within the density range of the London Plan.
 - c. Had the Inspector thought the density range to be an issue he would have raised it as a concern. This had not been the case.
 - d. This scheme had the same overall amenity space as the previous applications, and again, amenity space had not previously been raised as an issue.
 - e. There had been no suggestion by previous Inspectors of an over-development on this site.

PLANNING COMMITTEE - 29.7.2009

- f. This new proposal now offered a development much closer to Scheme B, which had been granted planning permission on appeal.
 - g. The proposed scheme was now entirely in line with the housing mix outlined in the Housing Mix Survey.
 - h. Mr. Fisher indicated that the Inspector did not in his decision raise an issue of amenity space in relation to Scheme C. The issue for Scheme C was visual intrusion and the current application (Scheme D) is less visually intrusive than Scheme C.
 - i. Mr Fisher felt that the criticisms of Inspectors as well as the concerns of local residents had now been adequately addressed. Scheme D had now addressed the issues that Scheme C had been rejected on.
7. Aled Richards (Head of Development Services) advised Members that it was prudent to note that they had rejected Scheme C in March 2008 based on the size and intrusiveness of the development, not on overdevelopment itself.
8. If there had been no change in guidance and legislation on density issues, it would be deemed unreasonable to reject this application based on these grounds, due to the fact that the Committee had not refused previous applications for the same reasons. The decision would probably be lost at appeal and, if the Inspector judged the initial decision to be unreasonable considerable costs could be awarded. Linda Dalton, Legal Representative, echoed this point.
9. Members expressed the opinion that this was a very complex application and felt they would benefit from further information and advice before making a final decision.

AGREED that following substantive discussions and receipt of advice from officers, a decision on the application be deferred to the next meeting to receive further information and advice.

107

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

NOTED

1. The property is a semi-detached single- family dwelling house located on the western side of Old Park Ridings, opposite Grange Park Methodist Church. The site is in Grange Park Conservation Area.
2. The applicant proposes to convert the loft into two bedrooms, involving a rear dormer measuring 2.0m in width, 1.6m in height and 1.9m in depth from the original roof of the dwelling, and three conservation roof lights (0.5m x 0.5m) to the front roof slope.

PLANNING COMMITTEE - 29.7.2009

3. Amendments to the report including the deletion of the word 'velux' from the description as well as a slight amendment to Condition 2 to read – 'not withstanding the current detail'
4. The deputation of Mr Paul Hutchinson, on behalf of the Grange Park Conservation Area Study Group, including the following points:
 - a. Grange Park was a new Conservation Area approved in October 2008.
 - b. Other roof lights in neighbouring properties had been installed prior to Grange Park becoming a Conservation Area.
 - c. Having visited the locality it was apparent that the various rooflights in neighbouring properties had been installed haphazardly and did not co-ordinate across the roof scope.
 - d. The proposed roof lights to the front of the property were in contravention of conservation area policy.
 - e. It was felt that a line should be drawn under previous unacceptable schemes and a precedent should not be set by approving this application.
5. Mr Dennis Stacey confirmed that Conservation Advisory Group also objected to this proposal and made the following points:
 - a. He felt that although this was a relatively small issue it was one of principal.
 - b. He didn't feel that this matter had been properly looked at in line with controlled documents.
 - c. Mr Stacey advised Members that he had visited the site and felt that many of the existing roof lights in neighbouring properties were an abomination.
 - d. He commented that it had taken fifteen years for Grange Park to become a Conservation Area, and urged the Committee not to disregard this by agreeing to this application.
 - e. This issue could be very easily resolved by further talks with the architect.
6. Officers advice in response to the deputations, including the following points:
 - a. A Conservation Area did not put a blanket ban on all future developments.
 - b. It was important to look at whether a development preserved and enhanced Conservation Areas.
 - c. Roof lights were not a contemporary feature, but had their origins in the Victorian period.
 - d. If the application were to be agreed a condition would be added to ensure that the roof lights were of Victorian origin.

PLANNING COMMITTEE - 29.7.2009

7. Substantive discussions took place amongst Members in regard to the proposed roof lights.

AGREED to defer consideration of the application to enable Officers to further discuss this part of the proposal with the applicant with a view to omitting the roof lights or submitting details of an acceptable roof light conservation design.

108

TP/09/0853 - LAND OF REAR 73-75 MANDEVILLE ROAD, EN3 6SJ

NOTED

1. The application sought permission to retain an established Designer Logo Matting business, which had reportedly been in use at the premises for three years. The applicant was independent and did not reside at the nearby residential properties.
2. Officers advised the Committee that following two site visits on different days of the week and at different times, it was apparent that the business created minimal noise, and no more than any typical residential dwelling would.
3. The deputation of Mr Watkins, 73 Mandeville Road, including the following points:
 - a. He had been a resident of Mandeville Road for 25 years.
 - b. He provided photographic evidence showing large vehicles loading and unloading.
 - c. The access road to the business premise was very small, and not large enough for lorries to load and unload goods.
 - d. Mr Watkins stated that there had been damage to his fencing caused by delivery vehicles driving in and out of the back alley.
 - e. Parking was already an issue in Mandeville Road, and delivery vehicles often parked across the residents' dropped kerbs.
 - f. Noise was an issue, with a constant 'click click' noise coming from the outbuilding in use.
4. The deputation of Mrs Greenaway-Hills, 77 Mandeville Road, including the following points:
 - a. Over development of area.
 - b. Principle of business use in residential area.
 - c. Car parking.
 - d. Traffic.
 - e. Noise.
 - f. Use of flammable materials.
 - g. Fire Hazard.

PLANNING COMMITTEE - 29.7.2009

5. The deputation of Mr Vince Burzio, the owner of the business, who responded with the following points:
 - a. It was a self-contained unit, not open to the public, and with no intention for any development/extension to the building.
 - b. There was a large fore court at the front of the property for off-street parking.
 - c. Deliveries to the premises were co-ordinated and regulated to ensure minimal disruption.
 - d. The scale and nature of the business was such that no power tools were used. All work was carried out using hand held tools; therefore the noise would have no impact on local residents.
 - e. All materials used complied with Health and Safety standards.
 - f. A fire check door had been installed, and the property was covered by building and contents insurance
 - g. The property was detached and stood approximately 17 metres from any other building.
6. Discussion by members about parking and loading and unloading of delivery vehicles.
7. Officers' advice in response to Members' suggestions to minimise traffic impact on the neighbouring properties.
8. Condition 4 be amended to restricted hours deliveries (between 10.30 and 15.30 hours on weekdays) and limit the size of vehicles to a 'transit' type van.

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

109

LBE/09/0012 - LAVENDER PRIMARY SCHOOL, LAVENDER ROAD, ENFIELD, EN2 0SX

NOTED

1. The receipt of a letter of objection from 38, Hawthorn Grove, raising the following points:
 - a. No parking facilities at the school and an excessive amount of traffic on local roads.
 - b. Narrow roads caused a problem for the Fire Service recently.

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.

110

LBE/09/0018 - CHESTERFIELD INFANT AND JUNIOR SCHOOL, 2B, CHESTERFIELD ROAD, ENFIELD, EN3 6BG

NOTED

1. **The occupier of No.42 Coldham Grove raised the following issues:**
 - a. Tenders for the works have been sought and the contract awarded prior to consideration of the application
 - b. The temporary classroom will be removed after 4 years and replaced with an extension. Why wait 4 years as this is a waste of tax payers money
 - c. The building of the permanent extension is a forgone conclusion and this appears to be flouting planning rules
 - d. Issues are raised regarding access to the school via Coldham Grove

2. A petition had been received, signed by 14 occupiers of Bartholomew House (Sheltered Housing), 2A Chesterfield Road raises the following issues:
 - a. The Bartholomew House, church and hall car park has become an unofficial car park for the school
 - b. Issues are regarding litter, traffic congestion noise and anti-social behaviour

3. Officer's advice that the issues raised were not material to their consideration of the current application.

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.

111

LBE/09/0019 - BUSH HILL PARK PRIMARY SCHOOL, MAIN AVENUE, ENFIELD, EN1 1DS

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.

112

LBE/09/0021 - LAND BETWEEN 57-81, CECIL ROAD, ENFIELD, EN2 6TJ

NOTED that the second line for the reason for condition 1 be deleted.

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 and the amendment above, for the reasons set out in the report.

113

TP/09/0363 - ST MICHAELS COMMUNITY CARE, GATER DRIVE, ENFIELD, EN2 0JB

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

114

TP/09/0663 - 1, HADLEY WAY, LONDON, N21 1AL

NOTED that this application had been withdrawn.

115

TP/09/0682 - LAND EAST OF PRINCE OF WALES SCHOOL, SALISBURY ROAD, ENFIELD, EN3 6HG

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

116

TP/09/0761 - ST JAMES C OF E PRIMARY SCHOOL, FREDERICK CRESCENT, ENFIELD, EN3 7HH

AGREED that following the expiry of the consultation period and the receipt of no new material representations, planning permission be granted, subject to the conditions set out in the report for the reasons set out in the report

117

TP/09/0792 - ST MICHAELS C OF E PRIMARY SCHOOL, BRIGADIER HILL, ENFIELD, MIDDLESEX, EN2 0NB

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

118

TOWN PLANNING APPEALS

NOTED the information on town planning application appeals received from 10/06/2009 to 14/07/2009.

119

MONTHLY PLANNING BRIEFINGS

RECEIVED the report of the Assistant Director of Planning & Environmental Protection (Report No. 58), summarising the proposed implementation of monthly pre-committee Member briefing presentations, which were intended to replace the current pre agenda meetings. The intention was following the presentation of the briefings to Members the reports would be published on the Authority's website as a valuable reference point to the community on planning related matters.

NOTED

1. Members felt it would be useful to have some time between the Planning briefing sessions and the actual Planning meetings in order to liaise with Officers regarding any issues.
2. To hold the Planning briefing sessions on a bi-monthly as opposed to monthly basis

AGREED the report subject to the above amendments.

120

SCHEME OF DELEGATION FOR PLANNING APPLICATIONS AND ENFORCEMENT

RECEIVED the report of the Assistant Director of Planning & Environmental Protection (Report No. 59). This report reviews the Planning application and enforcement scheme of delegation in order that it be updated following the restructure of Environment & Street Scene Department and the creation of a new Planning and Environmental Protection Division.

NOTED the following amendments:

1. Schedule of powers that may be delegated – 'K'- S.278 of the Highways Act 1980. **To be withdrawn.**
2. Appendix 1 – Scheme of Delegation Planning Applications & Enforcement. Point 6, line 3- **remove word 'and'**

AGREED the report subject to the above amendments.

121

APPEALS BRIEFING

NOTED the report of the Head of Development Services (Report No. 60) summarising the planning appeals determined by the planning inspectorate

PLANNING COMMITTEE - 29.7.2009

between April and June 2009. The report gave Members an overview on the number of appeals allowed by the Planning Inspector, the type of development and whether the refusals subject to the appeal were delegated or Member decisions.

AGREED the report.

122

ADDITIONAL MEETING OF PLANNING COMMITTEE - DATE

AGREED

1. That an additional meeting of the Planning Committee be held to consider the Southgate College Planning application.
2. That the meeting be held on Thursday 3 September 2009, at 7.30pm at Enfield Civic Centre.