

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date : 27th May 2010

Report of
Assistant Director, Planning &
Environmental Protection

Contact Officer:
Aled Richards Tel: 020 8379 3857
Andy Higham Tel: 020 8379 3848
Mr R.W. Laws Tel: 020 8379 3605

Ward: Southgate

Application Number : TP/10/0096

Category: Change of Use

LOCATION: 93, BURLEIGH GARDENS, LONDON, N14 5AN

PROPOSAL: Change of use from B1 offices to D1 school.

Applicant Name & Address:

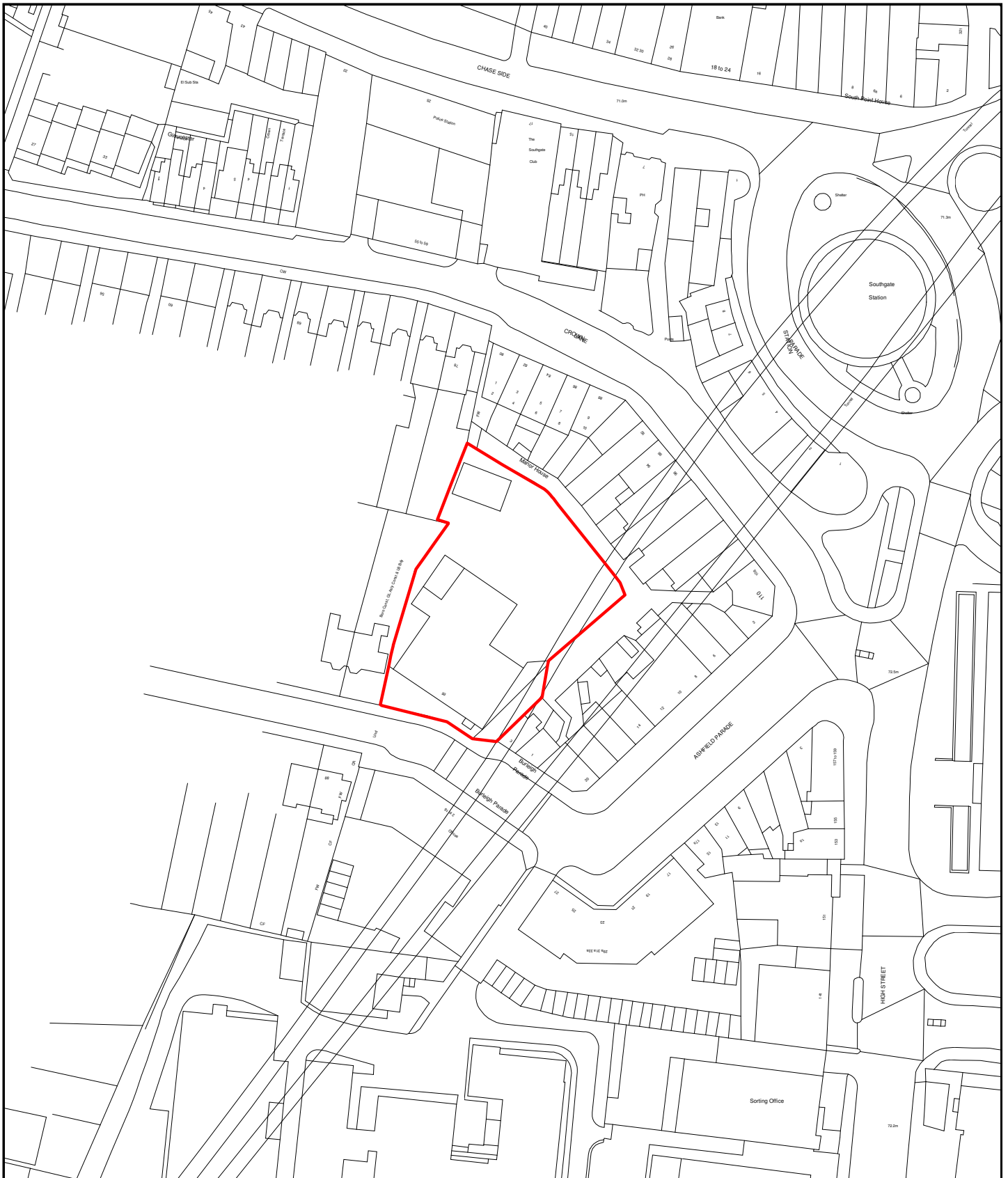
Ramazan Guveli,
Wisdom School
336, Phillip Lane,
London,
N15 4AB

Agent Name & Address:

Ian Woodward-Court,
Plainview Planning Ltd
The Courtyard
30, Worthing Road
Horsham
RH12 1SL

RECOMMENDATION:

That planning permission be **REFUSED**.



Development Control



Scale - 1:1250
Time of plot: 16:09

Date of plot: 11/05/2010

1. Site and Surroundings

- 1.1 The premises is an “L” shaped 4 storey office building situated on the frontage with Burleigh Gardens. To the rear is a flat roofed 3 storey rear/single storey element. The property has an internal floor space of 1,628m².
- 1.2 There is an existing car parking area for the office to the rear of the building for approximately 40 cars. Access to the office car park is between 93 Burleigh Gardens and 3 Burleigh Parade, which also provides access to a poorly surfaced service road used by shops in Ashfield Parade/ Burleigh Parade as well as Manor House. The office car park area to the rear which is bounded by a hedge is at a higher level than the service road.
- 1.3 The surrounding area is mixed in character with semi detached houses to the west, 91 Burleigh Gardens a residential property directly adjoins the site. To the east there is a mixture of commercial, retail and residential uses in Burleigh Gardens and Ashfield Parade. The Tara Kindergarten nursery is located opposite the site on Burleigh Gardens. The site also adjoins Southgate Circus Conservation Area, as well as being adjacent to the boundary with the London Borough of Barnet. Ashmole School (located in the Borough of Barnet) is approximately 350m walking distance away to the south west of the site located on Cecil Road.
- 1.4 The office building was formerly occupied by Energizer Investments but has been vacant for over two years. The site is situated within very close proximity to Southgate tube and Bus Station and has a PTAL rating of 4.

2. Proposal

- 2.1 Permission is sought for the change of use of the vacant office building (Class B1) to a School (Class D1) use. The applicant's (Wisdom School) are currently located in Haringey and intend to relocate to allow for a more flexible space and greater facilities for children. The school is a multi faith co educational school that accepts pupils from all backgrounds.
- 2.2 The School would accommodate 80 students at secondary education level and would employ 10 fulltime and 10 part time staff. The school would operate between the hours of 8am and 4pm .The proposals include a maximum of 11 class rooms, staff rooms, offices, three laboratories, an ICT suite, library, a dining hall, a conference hall, an indoor games room and an outdoor playground.
- 2.3 Parking would be provided for 18 cars and 20 cycles to the rear for use by staff and visitors. No external changes are proposed other than low level planting to provide a suitable pedestrian barrier.
- 2.4 The School would also offer free supplementary classes for the benefit of the local pupils to improve their attainment level. The premises would also be available for community uses in the evening if appropriate.

3. Relevant Planning Decisions

- 3.1 TP/09/1001- An earlier application for change of use from B1 offices to D1 school was withdrawn

4. Consultations

4.1 Statutory and Non Statutory Consultees

- 4.1.1 Enfield Primary Care Trust and the London Borough of Barnet raise no objections
- 4.1.2 Environmental Health raise no objection although they comment that the use of the external play area may wish to be limited due to potential of disturbance to neighbouring properties Conditions are suggested regarding any extract ventilation system, hours of opening limited to between 0700-2200 and hours of delivery from 0700 to 1900.
- 4.1.3 Economic Development comment that although they would normally object on economic grounds to the loss of a relatively modern office block in a town centre location with excellent access to public transport due to the employment generation it can provide. However, it is noted that the building has been vacant for a substantial period of time, despite extensive marketing. There is a question regarding whether consideration has been given to the sub division of the floor space into smaller office units, or conversion to managed workspace or for hot desking which could enable the number of jobs to be maximised. Nevertheless, the building would appear to be suitable for the proposed use, though generating fewer jobs.

4.2 Public Responses

Consultation letters have sent to 89 properties. In addition two site notices were displayed and one press notice published. In response, 66 Letters of support have been received from both within and outside the Borough

- Children will travel by bus or tube and not cause traffic problems in area
- Existing school successful and will bring opportunity, alternative form of education and prosperity
- Great need for good schools in area
- Ashmole school oversubscribed
- Wisdom school graded good to outstanding by Ofstead inspection in 2009
- School provides community cohesion and aims for academic excellence
- Surrounding area benefit from school rather than offices
- Education is vital for the community

- 4.2.1 A petition signed by 10 households living in Southgate who have children of school age. Support proposal believe school will provide alternative form of education and prosperity for children

4.2.2 In addition, 7 letters of objection have also been received raising the following points:

- Traders cannot accommodate increased traffic
- Aggravate parking situation
- Concerned how this fits in with place shaping strategy “ Shaping Enfield’s Future and in supporting local business
- Current educational establishment in the area are Ashmole School catering for 1425 pupils aged 11 to 18. In addition Southgate College nearby which has 12,000 full and part time students
- Suffer on going nuisance and problems from Southgate college
- Due to proximity to Ashmole School traffic and parking adversely affected during term times at the busiest part of the day, damaging ability to trade efficiently
- See no reason to allow yet another school cause further disruption and damage to local environment
- Increase in volume of traffic
- Burleigh gardens already a busy rat run used day and night as alternative to Chase way to which it runs parallel. This is exacerbated by the other road Crown Lanes being a one way street
- Increase in volume of traffic it will cause on Burleigh Gardens and neighbouring roads
- Increase risk to safety of local residents and pupils using this busy area
- Opposite 93 Burleigh Gardens is a nursery concerned that increased volume of traffic at this end of street compromise their safety
- Busiest times of day on Burleigh Gardens are at morning drop off and afternoon collection time
- Parents of children at Ashmole school use the road to both park and drive down
- Faith school create tension within community
- Close to Ashmole school only serve to add to horrendous congestion that all residents in Burleigh Gardens have to put up with
- Traffic on Burleigh gardens between 8.30- 9.00 and 15.50 to 16.00 is vey heavy
- Several accidents over the years
- If school granted add to horrendous traffic problems at school peak times
- Parents will double park outside residents driveways
- School will bring nothing but misery to residents caused by extra traffic
- Contrary to UDP Policies (I)E2, (I) E3 and core strategy
- Loss of office accommodation contrary to Core Strategy
- Evidence provided doesn’t establish there is not a need for office space in Southgate

4.2.3 Southgate District Civic Trust – The Group advise that they are not against the concept of a school. They recognise that this very large building has been vacant for a considerable period of time and does not appear to be attracting other office usage, which would have been ideal. It is within close proximity to the newly designated Conservation Area boundary in Burleigh Parade and to the rear of shops of Ashfield Parade and Crown Lane, separated by a narrow passageway used for servicing and refuse collection buy the shops, flats and offices. Alterations to the building appear to be internal, so it will not detract from the Conservation area and thus, the Group cannot see any objections from this point of view. If the premises become a school, it is hoped that something is done to clear up the condition of the refuse / service area.

They are not in a position to comment on the need for a school in the area. They think that if school buses are to be used and it is so close to buses and a station, the car parking available is adequate. The exit from Southgate College is not directly opposite.

5. Relevant Policies

5.1 London Plan

- 2A.1 Sustainability Criteria
- 3A.24 Education Facilities
- 3B.2 Office demand and supply
- 3C.2 Matching Development to transport capacity
- 3C.3 Sustainable transport in London
- 3C.21 Improving conditions for walking
- 3C.22 Improving conditions for cycling
- 3C.23 Parking Strategy
- 4B.5 Creating an inclusive environment
- 4B.8 Respect local context and communities
- 4A.20 Reducing noise and enhancing sound scapes

5.2 Unitary Development Plan

- (I)GD1 Appropriate regard to surroundings
- (I)GD2 Improve environment and quality of life
- (II)GD1 Changes of Use appropriately located
- (II)GD6 Traffic generation
- (II)GD8 Access/ Servicing
- (II)T16- Adequate access for pedestrians and people with disabilities
- (II) T17 Priority to needs of pedestrians
- (II) T19 Priority to needs and safety of Cyclists
- (II) GD11 Suitable access for people with disabilities to building
- (II) C30 Adjacent Conservation Areas
- (I) E3 Regard to the need to retain and provide accommodation for small scale business development
- (I) EN1 Protect and enhance quality of Borough
- (I) EN30 Noise, water air pollution
- (II)CS1 Seeks to facilitate the work of community services

5.3 Local Development Framework

The Core Strategy has now been submitted to the Secretary of State and an Inspector appointed. The Examination in Public is to consider whether the Strategy meets the legal requirements and that it passes the tests of soundness (it is justified, effective and consistent with national policy) is scheduled for this summer and thus, some weight can be given to the policies contained therein. The following are considered of relevance to the consideration of this application.

- SO 5 Education, health and wellbeing
- SO 8 Transportation and accessibility
- CO 8 Education
- CO9 Supporting Community Cohesion

CO19 Offices

5.4 Other Relevant Policy

PPS1	Delivering Sustainable Development
PPG 13	Transport
PPG 24	Noise

6. Analysis

6.1 Principle

6.1.1 It is acknowledge that the site is well located in terms of accessibility to public transport and is within an existing town centre. With the mix of uses contained in the town centre, in land use terms, the use of the premises for educational purposes would not in principle be inappropriate having regard to Policies (II) GD1 and (II)CS1 of the Unitary development Plan

6.1.2 However, acceptability will depend on a number of key factors including traffic/ parking and highway safety, impact on the amenities of surrounding residents, as well as the loss of office accommodation itself which are considered below:

6.2 Loss of Office Accommodation

6.2.1 Associated with the principle, is the key issue relating to the loss of office accommodation. As has already been identified, the premises are located within Southgate town centre which is accessible to a range of public transport. As such, it would represent a good location for office use and this is borne out by Policy (I) E3 of the UDP and Core Policy 19 of the emerging Core Strategy of the Local Development Framework which identify Southgate as an appropriate location for office accommodation. In particular, Core Policy 19 seeks to protect office use in Southgate Town Centre encouraging renewal and modernisation of existing premises where there is evidence of demand and aim to pay particular regard to need to retain and provide accommodation for small scale business.

6.2.2 However, the applicant has supplied information as part of the application to demonstrate that no demand exists with it being confirmed that the property has been vacant for up to two years as well as having been marketed for office use with no up take which has been as a result of the decline of the commercial office market in line with the economy since 2008. There is also evidence to suggest that demand with Enfield for office accommodation of this size is low even during periods of more robust economic conditions.

6.2.3 Whilst the comments expressed by Economic Regeneration are noted, it is considered on balance that weight can be given to the current situation. Mindful also of a demand for school places in the Borough, no objection is raised in this instance to the loss of this office accommodation.

6.3 Parking, Access and Highway Safety

6.3.1 The site is well served by public transport links being within very close proximity to Southgate Tube and Bus Station reflecting its relatively high

PTAL rating of 4. It can be argued that in terms of its transport links the site provides a sustainable location however other factors also need to be considered.

- 6.3.2 The main issues of consideration are considered to be the unsuitability of the site access and the lack of any on street parking availability on the surrounding roads. The vehicular access to the site is between Nos 3 and 93 Burleigh Gardens and measures approximately 4m wide: this is not wide enough for two way vehicle access. Although the transport assessment states that the access has been used safely for office use, this would mainly be when vehicle movements are either entering or exiting at the same time, in line with the peak hour flows.
- 6.3.3 The current proposal provides for 18 parking spaces to the rear for staff and visitor use in addition 20 cycle spaces. Whilst it is acknowledged that this access and car park is not designed to be used by parents for dropping off and collecting children, and it may be self enforcing due to the difficulty vehicles would have in gaining access, managing the parking around schools is difficult with many examples of informal and illegal parking causing a regular problem. This can be accentuated where the catchments area is over a wide area as in this case with the relocation of the School.
- 6.3.4 Even if the access is not used directly for accessing the school car park, there is a high possibility that it would be used by parents to either turn around in, or to temporarily park in the spaces belonging to the retail units along Ashfield parade (especially during the pm peak) especially given the parking control that exist in the area. The control of parking at any school is difficult to enforce due to its short term nature. Notwithstanding this, it is considered these circumstances will give rise to conditions which add to congestion and harm the free flow of traffic. Moreover, given the lack of available parking this is a possible scenario and one that would prejudice the operation of the retail units.
- 6.3.5 If parents don't use the site parking then they would need to park elsewhere, with the most likely location being on Burleigh Gardens. Site visit undertaken indicate that there were only 3 spaces available during the hours of 15.30-17.00. Whilst the AM period had more parking available, the concern is with the PM period where parents would be expected too park and wait. Given the lack of spaces, informal and illegal parking is likely to occur; this would either be double parking on the corner of Burleigh Gardens or on the left side of Burleigh Gardens where parking restrictions are in place between the hours of 0800- 0000. The other side has a limited number of spaces due to vehicular crossovers. The consequence of this would be detrimental to highway safety due to the reduction in visibility on the corner, illegally parked cars, the restriction on two way working along Burleigh Gardens, and an increase in congestion along Burleigh Gardens towards High Street. This is already considered a problem due to the number of vehicles from Ashmole School and Southgate College with build ups going all the way back to past the school during the afternoon peak. Any illegally parked vehicles would exacerbate the situation further.
- 6.3.6 Whilst it is noted from the Transport Assessment (TA) submitted by the applicant that the predicted number of children arriving and being collected from the school by car will be 3, there is concern regarding this figure, especially as at the moment 23 (27% arrive by car). The TA also states that

the minibus will also be used but there is limited information provided in terms of how these buses will operate, where they will park / wait although the main concern is the high level of car use of the existing site.

6.3.7 Based on the site visits and the existing level of traffic on Burleigh Gardens, the lack of available parking spaces and the safety concerns with vehicles obstructing site lines and making hazardous manoeuvres in an area experiencing a high pedestrian activity it is considered that the proposed change of use to a school makes inadequate provision for off street car parking access and would lead to vehicles calling at the site and waiting on the adjoining highways contrary to Policies (II) GD6 and (II) GD8 of the UDP and Policy 3C.23 of the London Plan, which seeks to ensure that such changes of use comply with the Council's car parking standards and do not give rise to on street parking which could be hazardous, cause congestion or have an adverse impact on safety and free flow of traffic on the surrounding highways.

6.4 Impact on the amenities of surrounding occupiers and character of surrounding Area

6.4.1 With regard to the impact on the residential amenities of surrounding properties in terms of potential noise and disturbance, the proposal involves the provision of an outdoor playground area situated to the rear within the car park area. The size of the outdoor play area is approximately 24m in width by 13m in depth. The closest residents to the outdoor play area would be the rear gardens of 91 Burleigh Gardens and 78 Crown Lane. The applicants advise that that the playground would only be used during break and lunch times.

6.4.2 It is considered that an appropriate condition could be imposed to limit the use of the play area to break time and lunchtimes only so as to reasonably protect the residential amenities of surrounding properties from adverse noise having regard to Policy (I) GD2 of the UDP.

6.4.3. It is not considered that the proposed change use of the building to a school would adversely impact or detract from the character and appearance of the adjacent Conservation Area of Southgate circus.

7.0 **Conclusion**

7.1 Notwithstanding the support for the proposal set out in the public consultation section of the report, it is considered that the proposed change of use makes inadequate provision for off street parking and access and would lead to vehicles calling at the site and waiting on the adjoining highways, leading to inappropriate short term parking which is prejudicial to highway safety and the amenities of those residing in the area contrary to Policies (II) GD6 and (II) GD8 of the Unitary Development Plan and Policy 3C.23 of the London Plan.

ALL LINES ARE RELATED TO AN EXISTING SURVEY OR
 MAP OF THE AREA. THE SURVEYOR HAS
 VISITED THE SITE AND HAS FOUND THAT THE
 INFORMATION SHOWN ON THIS PLAN IS
 ACCURATE TO THE BEST OF HIS KNOWLEDGE
 AND BELIEF. THE SURVEYOR HAS NOT
 BEEN ADVISED OF ANY CHANGES TO THE
 INFORMATION SHOWN ON THIS PLAN SINCE
 THE DATE OF HIS SURVEY. THE SURVEYOR
 HAS NOT BEEN ADVISED OF ANY CHANGES
 TO THE INFORMATION SHOWN ON THIS PLAN
 SINCE THE DATE OF HIS SURVEY. THE
 SURVEYOR HAS NOT BEEN ADVISED OF ANY
 CHANGES TO THE INFORMATION SHOWN ON
 THIS PLAN SINCE THE DATE OF HIS SURVEY.

THE SURVEYOR HAS NOT BEEN ADVISED OF ANY
 CHANGES TO THE INFORMATION SHOWN ON
 THIS PLAN SINCE THE DATE OF HIS SURVEY.

NO.	DESCRIPTION	DATE
1	AS SHOWN	10/20/06

NO.	DESCRIPTION	DATE
1	AS SHOWN	10/20/06

THE SURVEYOR HAS NOT BEEN ADVISED OF ANY
 CHANGES TO THE INFORMATION SHOWN ON
 THIS PLAN SINCE THE DATE OF HIS SURVEY.

REVISIONS	DATE
1	OCT 2006

GERARD CANNON
 PROPERTIES

Dep. Title LAND SURVEY
 Project Title 93 BURLING GARDENS,
 SOUTHGATE.

114 St. Charles Ave. West
 Columbus, MS 39206
 662-922-1111
 www.apr-services.com

