

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON THURSDAY, 24 JUNE 2010**

COUNCILLORS

PRESENT Andreas Constantinides, Kate Anolue, Ali Bakir, Yusuf Cicek, Dogan Delman, Ahmet Hasan, Ertan Hurer, Nneka Keazor, Dino Lemonides, Paul McCannah, Anne-Marie Pearce, Eleftherios Savva and George Savva MBE

ABSENT Toby Simon and Terence Neville OBE JP

OFFICERS: Bob Ayton (Schools Organisation & Development), Bob Griffiths (Assistant Director, Planning & Environmental Protection), John Hood (Legal Services), Mike Hoyland (Senior Transport Planner) and Aled Richards (Head of Development Management) Jane Creer (Secretary) and Elaine Huckell (Secretary)

Also Attending: Approximately 80 members of the public, applicants, agents and their representatives.
Tony Dey, Vice Chairman of Conservation Advisory Group.
Councillors Denise Headley and Don McGowan.

28

WELCOME AND LEGAL STATEMENT

The Chairman welcomed attendees to the Planning Committee, and introduced John Hood, Legal representative, who read a statement regarding the order and conduct of the meeting.

29

APOLOGIES FOR ABSENCE

NOTED

1. Apologies for absence were received from Councillors Neville and Simon. In the absence of Councillor Simon, Councillor Lemonides acted as Vice Chairman.
2. Apologies for lateness were received from Councillor Bakir.

30

DECLARATION OF INTERESTS

NOTED

1. Councillor Cicek declared a personal and prejudicial interest in application TP/09/1539 – Former Co-op Dairy site, 19, Gilbert Street,

PLANNING COMMITTEE - 24.6.2010

Enfield, EN3 6PD, as he had been involved in discussion with local residents.

2. Councillor McCannah declared a personal and prejudicial interest in application TP/10/0264 – 5, Walmar Close, Barnet, EN4 0LA, as he had written a letter supporting residents' objections.
3. Councillor E. Savva declared a personal and prejudicial interest in application TP/04/1980/REN1 – 41, Ridge Avenue, London, N21 2RJ, as he had made a visit to the premises during his time as Mayor.

31

MINUTES OF PLANNING COMMITTEE 27 MAY 2010

AGREED the minutes of the meeting held on Thursday 27 May 2010 as a correct record.

32

REPORT OF THE ASSISTANT DIRECTOR, PLANNING AND ENVIRONMENTAL PROTECTION (REPORT NO. 008)

RECEIVED the report of the Assistant Director, Planning and Environmental Protection (Report No. 008).

33

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.

34

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.

35

TP/04/1980/REN1 - 41, RIDGE AVENUE, LONDON, N21 2RJ

NOTED

1. Receipt of comments of support from Enfield, Barnet and Haringey Mental Health Trust.
2. Receipt of five letters from users of the facility, asking that Members approve the application.
3. Receipt of an additional two letters from supporters of the scheme.

PLANNING COMMITTEE - 24.6.2010

4. Receipt of a memo confirming the support of Health and Adult Social Care Services.
5. Receipt of a letter from Andy Love, MP re-iterating residents' concerns and asking that views of neighbouring residents be taken into account.
6. The deputation of Mr Erkal Ahmet, neighbouring resident, including the following points:
 - i. He lived next door with his wife and daughter and suffered the worst effects from this use.
 - ii. Concerns included banging and screaming, people loitering after 5pm, lack of control, and breach of conditions including use on Saturdays and excessive numbers of users in the garden.
 - iii. There was an over-concentration of this type of use in local properties and there was a facility half a mile away which could adequately serve the whole local community.
 - iv. The website indicated that the premises was used by seriously ill people with conditions including schizophrenia and bipolar disorder and it was felt they should be in a properly built premises.
 - v. The temporary use permission had expired.
 - vi. Similar use of 35-37, Solna Road was established before the institution at 41, Ridge Avenue existed.
 - vii. The Committee was requested to consider the community impact, which residents believed had been proved unacceptable during the temporary use period.
7. The response of Mr David Marsden, Chief Executive, Enfield Clubhouse, the Applicant, including the following points:
 - i. He apologised to neighbours who had not received personal letters from himself in relation to the application.
 - ii. All users did not attend every day; there were an average of ten at any one time. The facility was now busier, but still operated within the constraints of the original planning permission.
 - iii. Many of the users of the facility were residents of Enfield.
 - iv. Originally it had been intended to stay at this premises for a maximum of five years, but expected funding to expand had not been forthcoming and the premises was ideal for this undertaking.
 - v. He understood people's apprehension, but they had nothing to fear as members did not have illnesses which made them more dangerous, but they did benefit from the support they received.
 - vi. Users were asked to respect neighbours' privacy, no-one lived at the premises and he was not aware of people loitering unless waiting for the premises to open. A complaint regarding smoking had been addressed by moving the smoking area away from the border.
 - vii. Members had set up their own catering business, taking on around one job per week, so three or four people may start at around 7.00 am and he requested that this be permitted to continue.
 - viii. He would also request the condition limiting use of the garden to a maximum of five people at any one time to apply in winter only, so as to enable users to fully maintain the garden's beautiful appearance.

PLANNING COMMITTEE - 24.6.2010

8. The statement of Councillor Denise Headley, Bush Hill Park Ward Councillor, including the following points:
 - i. Residents had raised a number of concerns with her as ward councillor.
 - ii. There was an over-concentration of care homes in the area and few remaining single family dwellings in Solna Road. Carers and visitors outnumbered the residents in the vicinity and affected living conditions.
 - iii. Minibuses and extra cars caused parking problems for Solna Road residents.
 - iv. Temporary planning permission had been given and more appropriate properties should have been sought for this use.
 - v. She questioned why the entrance was in Solna Road rather than in Ridge Avenue.
 - vi. Immediate neighbours were affected by noise from staff and users.
 - vii. The fact there were three separate care facilities within a two/three minute walking distance should have been given more weight.
 - viii. This use was inappropriate here in what should be a family home. Residents had moved here to be in a quiet, residential part of the borough, but were actually within a small business community.
9. Responses by the Head of Development Management to points raised, including confirming that officers had recognised the impact on residents in the report, that Members made a decision to grant planning permission at Committee in February 2005, and that Members could grant a further period of temporary approval if not minded to approve permanent permission.
10. Members' discussion of points including similar use of other properties in the surrounding area, breaches of conditions, and effects on residential amenity.
11. Councillor Bakir arrived at the meeting, but having missed the beginning of the item took no part in the voting.
12. Councillor E. Savva left the room and took no part in the voting.
13. Councillor Delman's proposal, seconded by Councillor Pearce, that the officers' recommendation not be accepted, supported by a majority of the committee.
14. Advice of the Head of Development Management on reasons for refusal of planning permission, which were agreed by a majority of the committee.

AGREED that planning permission be refused, for the reason below.

Reason: The proposal would lead to the loss of a family dwelling house which there is a shortage of in the borough and the use of the former residential dwelling house due to its location, nature, scale of the non residential use,

would detract from the established residential character and amenities of the surrounding area. The would be contrary to Policies (I)GD1, (I)GD2 of the Unitary Development Plan as well as Policy 4B.8 of the London Plan.

36

TP/09/1539 - FORMER CO-OP DAIRY SITE, 19, GILBERT STREET, ENFIELD, EN3 6PD

NOTED

1. Confirmation that a Planning Panel was held in relation to the application in April 2010, the notes of which were included in the agenda pack, and the applicant had made revisions to the scheme further to comments received.
2. Receipt of a petition of 24 local residents and a further two letters of objection, highlighting concerns, particularly in regard to traffic generation.
3. The deputation of Ms Linda Mitchell, Gilbert Street resident, including the following points:
 - i. She was speaking on behalf of Gilbert Street residents.
 - ii. They would prefer vehicular access from Unity Road, one way inbound, as recommended in an earlier transport statement.
 - iii. Making the proposed Unity Road entrance pedestrian only would lead to more crime, especially drug dealing, as it would be a quiet, secluded and long area, off the main Hertford Road.
 - iv. There would be too high a density in the development and local schools, doctors and dentists would not be able to cope.
 - v. The Co-op should facilitate the link for traffic via a good access road from Hertford Road.
 - vi. With reference to the London Plan, the development would only add to congestion and traffic, and add to CO2 emissions.
 - vii. Residents could not afford to lose already stretched parking space through introduction of at any time waiting restrictions at the proposed Gilbert Street entrance.
 - viii. There was a dangerous blind bend next to 33/35 Gilbert Street and accidents would be increasingly likely to happen.
 - ix. The junction at Gilbert Street/Hertford Road narrowed to the extent that there was no pavement, limited visibility and a dangerous exit.
4. The deputation of Ms Joanna Freeman, Walsham Court resident, including the following points:
 - i. She was the only resident out of eight in Walsham Court to receive the new plans.
 - ii. The developer had been asked to provide eight more parking spaces, but six spaces had been unfairly situated right outside the bedrooms of five children under the age of 10. There were two parking spaces by her own young daughter's window and disturbance would be

PLANNING COMMITTEE - 24.6.2010

suffered from slamming car doors, radios, chatting and loitering youths, revving engines and alarms.

iii. No Council officer had visited to see how close the parking was to homes.

5. The statement of Councillor Don McGowan, Turkey Street Ward Councillor, including the following points:
 - i. Photos provided illustrated how narrow Gilbert Street was, and space would have to be shared by pedestrians and cars. Problems already existed with speeding cars there.
 - ii. The principle of residential development was not opposed, but the proposals would be overintensification of the site.
 - iii. Reference to the shopping centre in Enfield Wash did not reflect the fact that it was dominated by fast food outlets and not diverse stores.
 - iv. Parking restrictions on Gilbert Street would take away available parking that residents already used.
 - v. Orientation of some parking bays meant cars would have to back out onto Gilbert Street.
 - vi. There would not be enough amenity space and it was unlikely that children would leave the site to play elsewhere.
 - vii. One block would be four storeys high because of units in the loft space and the development's design and density would have an effect on the neighbourhood.

6. The response of Mr Mark Connell, King Sturge, the Agent, including the following points:
 - i. The site had been vacant since 2001 and was a haven for crime and nuisance activities.
 - ii. He represented Origin Housing Association who, if planning permission was granted, would have a long-lasting stake in the area.
 - iii. He had met and worked with residents and tried to fulfil requests, reducing the total number of units and affordable housing units and increasing parking provision etc.
 - iv. The applicant had tried to procure access from Unity Road, but this had proved not to be possible.
 - v. The scheme would deliver much needed housing and was an opportunity to regenerate this site.
 - vi. All relevant standards were met, density levels complied with the London Plan, sustainability ratings were high, and a S106 contribution had been agreed.

7. In response to Members' queries, the Head of Development Management clarified the access road arrangements and London Plan density guidelines and parking standards.

8. A proposal that a site visit be arranged for Members on a Saturday morning on a date to be advised, supported unanimously by the committee.

AGREED that a decision be deferred to a future Planning Committee meeting, to enable Members to make a site visit.

37

TP/10/0286 - 86-90, CREST DRIVE, ENFIELD, EN3 5QD

NOTED

1. Introduction by the Head of Development Management with particular advice in relation to the recent government statement that gardens would no longer be classified as brownfield sites.
2. The deputation of Ms Lorna Campbell, neighbouring resident, including the following points:
 - i. Residents understood the need for more housing, but this proposal was inappropriate in what was a pleasant leafy residential road.
 - ii. Parking provision would be inadequate and waiting restrictions would affect existing residents.
 - iii. Emergency vehicle access would be difficult.
 - iv. More demand would be placed on already oversubscribed schools.
 - v. Privacy and quiet enjoyment of neighbouring homes would be lost.
 - vi. Loss of garden space had an environmental impact and affected natural drainage.
 - vii. Concerns regarding potential for expansion in future and ongoing maintenance of play space provided with S106 funds.
3. The response of Mr Millican, Anthony Rickett Architects Ltd, the agent and architect for the scheme, including the following points:
 - i. He had first looked at the site a year ago, and had been negotiating with the Planning Department for six months.
 - ii. Some residential development could be accommodated without compromising the local environment, and the impact could be minimised.
 - iii. The layout, scale and design were appropriate and the development would be as sustainable as possible.
 - iv. The development would make a contribution to the borough's housing stock and the need for family sized accommodation.
 - v. Network Rail, Thames Water and the Highways Department had no objections.
4. In response to Members' queries, officers' advice to clarify the calculation of the S106 education contribution, and the recent government amendment to PPS3.
5. Discussion of Members' remaining concerns regarding garden grabbing and the inadequacy of amenity space.
6. Councillor Hurer's proposal, seconded by Councillor Pearce, that the officers' recommendation not be accepted, was not supported by a majority of the committee.

PLANNING COMMITTEE - 24.6.2010

7. The officers' recommendation that planning permission be granted was supported by a majority of the committee.

AGREED that subject to the completion of a S106 Agreement to secure off site waiting restriction and contributions to local education and open space / play space provision, the 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.

38

TP/09/1786 - 131, PALMERSTON ROAD, LONDON, N22 8RH

NOTED

1. The Head of Development Management's clarification of the planning history and relevant planning decisions.
2. Receipt of a letter of objection on behalf of the owner of 129 Palmerston Road, distributed to Members.
3. The advice of the Head of Development Management in response to points raised, highlighting the contents of the Planning Inspector's decision letter, and that the proposal would retain and restore the building, and would include provision of a 3-bed dwelling.
4. Confirmation that the only community group to have contacted the Council was the Bowes Park Community Association, and clarification that listing of buildings was outside the authority's control.

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

39

TP/10/0264 - 5, WALMAR CLOSE, BARNET, EN4 0LA

NOTED

1. The Head of Development Management's verbal introduction and background information to the application.
2. The deputation of Mr Kevin Leigh, Barrister, representing neighbours on either side of 5, Walmar Close, including the following points:
 - i. Written information had been sent direct to Members by email.
 - ii. Work including demolition of a house, building of a brand new dwelling, and raising the rear garden had not been carried out lawfully.
 - iii. Setting was important in this road where gaps between houses were large, but this development was already built to first floor level and filled the plot from side to side.

PLANNING COMMITTEE - 24.6.2010

- iv. Ground levels had been raised more than suggested by the officers' report.
 - v. The development was excessive, did not fit into the street scene, and impacted badly on neighbours.
 - vi. An application for an extension to no. 2 had been turned down.
 - vii. Members may wish to make a site visit.
3. The response of Mr David Clement, the applicant, including the following points:
- i. He thanked officers for their professionalism and the report which carefully answered the objections realistically.
 - ii. It had originally been intended that he and his neighbour at no. 6 would jointly carry out similar extensions at the same time, but they subsequently did not go ahead. However his application was granted and two subsequent minor changes agreed.
 - iii. Wholesale demolition was necessary for safety reasons after problems were found during preparation for construction.
 - iv. Officers were not happy with the raised garden level, asked him not to proceed, and he respected that.
 - v. Officers were satisfied that the amended proposals overcame objections raised by neighbours.
 - vi. The application for an extension to no. 2 was refused due to the mansard type roof proposed.
 - vii. A neighbour at no. 4 was granted planning permission for similar alterations to himself.
4. The Head of Development Management's advice on the validity of points raised and the Council's use of enforcement powers.
5. Councillor McCannah left the room and took no part in the vote.

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

40

LBE/10/0010 - SUFFOLKS PRIMARY SCHOOL, BRICK LANE, ENFIELD, EN1 3PU

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 reasons set out in the report.

41

LBE/10/0017 - CHASE SIDE PRIMARY SCHOOL, TRINITY STREET, ENFIELD, EN2 6NS

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.

42

LBE/10/0020 - WAVERLEY SCHOOL, 105-107, THE RIDE, ENFIELD, EN3 7DL

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 reasons set out in the report.

43

TP/09/1799 - FRANKLIN HOUSE, 326, SOUTHBURY ROAD, ENFIELD, EN1 1UB

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

44

TP/10/0356 - 73, HERTFORD ROAD, ENFIELD, EN3 5HA

NOTED a concern forwarded by the applicant regarding the obscured glass condition, which had been imposed to protect privacy.

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

45

TP/10/0416 - CARTERHATCH INFANT AND JUNIOR SCHOOL, CARTERHATCH LANE, ENFIELD, EN1 4JY

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

46

LBE/10/0012 - MERRYHILLS PRIMARY SCHOOL, BINCOTE ROAD, ENFIELD, EN2 7RE

NOTED

1. The reports listed on the agenda had been circulated in accordance with the requirements of the Council's Constitution and the Local Authorities (Executive Arrangements) (Access to Information) (England) Amendment Regulations 2002 with the exception of the report in respect of application LBE/10/0012. These requirements state that agendas and reports should be circulated at least 5 clear days in advance of meetings.

PLANNING COMMITTEE - 24.6.2010

2. The Chairman's agreement that the above report be considered as an urgent item due to the school's need to cater for their additional pupils in September.
3. An amendment to the recommendation.
4. Receipt of a representation from a neighbouring resident raising concerns regarding noise, light pollution and traffic congestion.
5. Receipt of comments from Traffic and Transportation, and Environmental Health, raising no objections to the scheme.

AGREED that the Planning Committee resolved to accept the officers' recommendation and upon expiry of the consultation period and subject to no new issues material to the assessment of the scheme being raised which are not covered in the report and referral of any new objections to the Chair, Vice Chair and Conservative Lead on Planning Committee and confirmation that Sport England raise no objection, that the Assistant Director of Planning and Environmental Protection be authorised to issue deemed consent, subject to the conditions set out in the report, for the reasons set out in the report.

47

APPEAL INFORMATION

NOTED Members noted the information on town planning appeals received from 11/05/2010 to 07/06/2010.

48

ANNUAL REVIEW OF THE CONSERVATION ADVISORY GROUP 2009/10 (REPORT NO. 009)

RECEIVED the report of the Director of Place Shaping and Enterprise summarising the contribution made by the Conservation Advisory Group (CAG) over the municipal year 2009/10 to managing change in the built environment.

NOTED

1. The comments of Mr Tony Dey, Vice Chairman of CAG, introducing the report and highlighting the most important developments including designation of two new conservation areas and establishment of two new study groups, and contribution to Heritage at Risk work.
2. The Chairman asked that the Planning Committee's thanks be passed to the CAG for the valuable work that they did.
3. The Committee Members noted the contents of the report.