

# Public Document Pack

PLANNING COMMITTEE - 27.7.2010

## MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON TUESDAY, 27 JULY 2010

### COUNCILLORS

**PRESENT** Andreas Constantinides (Chairman), Toby Simon, Kate Anolue, Ali Bakir, Dogan Delman, Ahmet Hasan, Ertan Hurer, Nneka Keazor, Dino Lemonides, Paul McCannah, Terence Neville OBE JP, Anne-Marie Pearce, Eleftherios Savva and George Savva MBE

**ABSENT** Yusuf Cicek

**OFFICERS:** Bob Ayton (Schools Organisation & Development), Linda Dalton (F&CR), Bob Griffiths (Assistant Director, Planning & Environmental Protection), Steve Jaggard (Environment & Street Scene) and Aled Richards (Head of Development Services), David Warden (Principal Planning Officer) and Kasey Knight (Secretary)

**Also Attending:** Approximately 40 members of the public, applicants, agents and their representatives.  
Dennis Stacey, Chairman of Conservation Advisory Group.  
Councillors Denise Headley, Tahsin Ibrahim, Don McGowan and Martin Prescott.

**191**

### 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.

**192**

### APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cicek and E Savva.

**193**

### DECLARATION OF INTERESTS

NOTED

1. Councillor McCannah declared a prejudicial interest in application TP/10/0312 - Land Adjacent to 8, Alderwood Mews, Barnet, EN4 0ED, as he had written a letter supporting residents' objections.

2. Councillor Pearce declared a prejudicial interest in application TP/10/0715 - 65 & 67, Kingwell Road, Barnet, EN4 0HZ, as she had a close association with objectors.

**194**

**MINUTES OF PLANNING COMMITTEE 24 JUNE 2010**

**AGREED** the minutes of the meeting held on Thursday 24 June 2010 as a correct record.

**195**

**REPORT OF THE ASSISTANT DIRECTOR, PLANNING AND ENVIRONMENTAL PROTECTION (REPORT NO. 41)**

RECEIVED the report of the Assistant Director, Planning and Environmental Protection (Report No. 41).

**196**

**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.

**197**

**TP/10/0312 - LAND ADJACENT TO 8, ALDERWOOD MEWS, BARNET, EN4 0ED**

NOTED

Introduction by the Head of Development Management with particular advice in relation to the loss of trees.

1. The deputation of Mr Stanley Silver, local resident, including the following points:

- i. There were many objectors.
- ii. Removal of trees would be detrimental to the character of the Conservation Area.
- iii. The development would have an adverse impact on the amenities of neighbouring properties in regards to overlooking, loss of privacy and visually overbearing.
- iv. Overdevelopment of the site.  
Increased traffic.

2. The statement of Councillor Paul McCannah, Ward Councillor, including the following points:

- i. He was speaking of behalf of local residents.
- ii. The previous refused applications were smaller than the proposed development.
- iii. The proposal would be out of character and would set a precedent for further developments.

**PLANNING COMMITTEE - 27.7.2010**

- iv. Loss of garden space had an environmental impact and affected natural drainage.
- v. Overlooking to rear gardens.
- vi. Removal of trees would be detrimental to the character of the Conservation Area.

3. Mr Alan Cox the agent was not present to respond, although he had been notified of the objection.

4. Confirmation that the Conservation Advisory Group had not been included in the consultation.

5. Councillor Hurer's proposal, seconded by Councillor Savva, that the decision be deferred to a future Planning Committee meeting.

**AGREED** that a decision be deferred to a future Planning Committee meeting, to enable consultation with the Conservation Advisory Group and to enable Officers to investigate the possibility of using, Sustainable Urban Drainage Systems (SUDS).

**198**

**TP/10/0715 - 65 & 67, KINGWELL ROAD, BARNET, EN4 0HZ**

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. Councillor Pearce left the room and took no part in the vote.

3. The deputation of Mr Stanley Hester, neighbouring resident, including the following points:

- i. He had lived next door to the site for thirty-five years.
- ii. Privacy and quiet enjoyment of neighbouring properties would be lost.
- iii. He made reference to the objections highlighted in the report raised by iv.
- iv. local residents.
- v. Loss of garden space had an environmental impact and affected natural drainage.
- vi. Wasteful demolition of two good houses, unnecessary use of fuel and resources required for a demolition contribution to global warming.
- vii. Suggestion that the developer build affordable homes on vacant land in areas where housing was really needed.
- viii. The applicant was responsible for a number of other development projects in the area.

4. The response of Mr Webster, the applicant including the following points:

- i. The inspector favoured the development.
- ii. He had been negotiating with the Planning Department for several months.

**PLANNING COMMITTEE - 27.7.2010**

- iii. He was satisfied that the amended application overcame previous objections raised by residents.
- iv. Proposals complied with the relevant provision policies and the London Plan.
- v. The new properties would be more energy efficient.

5. The statement of Councillor McCannah, including the following points:

- i. He supported Mr Hester's anxieties concerning appropriate drainage, loss of ii. garden space, noise disturbance, increased traffic and loss of privacy.
- iii. The proposed development would be out of character and have an adverse impact on local amenities.
- iv. The recent changes to PPS3 removed garden land from the definition of brownfield sites. In light of these changes, the policy presumption in favour of making more effective and efficient use of such land does not now apply and previous comments of the inspector should therefore be disregarded.

Legal advice with regard to public perception of predetermination and declarations of interest.

6. Following an adjournment Councillor McCannah declared a prejudicial interest and withdrew from the meeting.

7. Discussion of Members' remaining concerns regarding garden grabbing and the inadequacy of amenity space.

8. The Head of Development Managements' advice on the validity of points raised.

9. Councillor McCannah took no part in the vote.

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

**199**

**TP/10/0614 - 112, WOODBERRY AVENUE, LONDON, N21 3LB**

NOTED

1. The Planning Officer's verbal introduction and background information to the application.

2. The deputation of Mrs Joseph, the applicant, including the following points:

- i. The property had been unoccupied and in poor condition for almost forty years. When the resident purchased the property a remedial notice had been served by Planning Enforcement to refurbish and occupy the property within one year.
- ii. The works were completed within five months of the notice being served and to a very high standard.

## PLANNING COMMITTEE - 27.7.2010

iii. The works were carried out under advice from their architect that it constituted permitted development. She later discovered that their application for a certificate of lawful development had not been received by the Council. In April 2009 a further application was submitted. This application was refused.

iii. A petition supporting the application had been signed by neighbours and local residents.

3. The statement of Councillor Martin Prescott, Winchmore Hill Ward Councillor including the following points:

i. He sympathised with the personal circumstances of the applicant, who occupies the property with her husband, 3 children and grandchild.

ii. The applicant had no intention of ignoring Planning Policy and agreed to reduce the rear extension.

iii. Neighbouring residents were pleased with the outcome of the development and did not find the conversion offensive or out of character.

iv. Substantial costs could be awarded against the Council, if permission was granted on appeal.

v. He urged the Committee to overturn the officer recommendation of refusal.

Officers' advice on the validity of the points raised and clarification that the crossing of the line of hipped tiles was breached by 1.5metres.

4. Discussion of Members' on merits of the application, weight given to support of neighbouring properties and the impact of the proposed dormer on the street scene and appropriateness and proportionality of the development. Noted the trees limited the impact of development in the summer and level of harm is a subjective judgement.

5. Councillor Hurer's proposal, seconded by Councillor Savva that the officers' recommendation not be accepted, supported by the majority of the Committee.

### **Recommendation not agreed.**

#### Reasons for granting

1. The proposed development due to its size, siting and design, would not unduly detract from the character and appearance of the existing property, the visual amenities of the surrounding area or unduly affect the amenities of adjoining or nearby residential properties having regard to Policies (I)GD1, (I)GD2, (II)H8 and (I)H12 of the Unitary Development Plan.

2. The proposed extension would not give rise to unacceptable on street parking or congestion, having regards to Policy (II)GD6 as well as Policy 3C.23 of the London Plan.

#### Conditions

**PLANNING COMMITTEE - 27.7.2010**

1. Within 3 months of the date of this decision, the rear extension shall be reduced in accordance with the approved plans.

Reason: To ensure the development is complete in a timely manner and in the interest of the amenities of the adjoining neighbour.

2. The external finishing material shall match those used in the construction of the existing building and/or areas of hard surfacing.

Reason: To ensure satisfactory appearance.

**200**

**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. A site visit had been made by Planning Committee members on 03 July 2010.

3. Only the Members who were in attendance at the meeting of Planning Committee on 24 June when the application was originally presented and a deputation and response received, were eligible to consider and vote on this application.

4. Confirmation that the applicant had agreed, if planning permission was granted, to provide a contribution towards traffic calming measures.

5. The deputation of Councillor Don McGowan, Turkey Street Ward Councillor, including the following points:

i. The principal of residential housing was not opposed, but the proposals would be over intensification of the site.

ii. There would be too high a density in the development and space would have to be shared by pedestrians and cars.

iii. There would not be enough amenity space and it was unlikely that children would leave the site to play elsewhere.

iv. Parking restrictions on Gilbert Street would take away available parking already used by residents.

v. Cars would end up being parked in local roads which could lead to more use of front gardens for car parking.

6. The response of Mr Mark Connell, the agent, including the following points:

i. The site had been vacant since 2001 and was a haven for crime and nuisance activities.

**PLANNING COMMITTEE - 27.7.2010**

- ii. He represented Origin Housing Association, who if planning permission was granted would have a long lasting stake in the area.
- iii. The scheme would deliver much needed affordable housing and was an opportunity to regenerate this site.
- iv. All relevant standards were met, density levels complied with the London Plan, sustainability ratings were high, and an S106 contribution had been v. agreed.
- v. He had met with local residents and had tried to fulfil requests, reducing the total number of units and increasing parking provision.

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

8. In response to Members' concerns with regard to the mix of accommodation, officers' advice that the mix of social rented, intermediate shared ownership and private accommodation was considered acceptable in the context of London Plan policy and emerging policy in the Core Strategy reflecting the need to provide a significant proportion of family sized accommodation.

9. Discussion of Members' remaining concerns regarding garden grabbing and the inadequacy of amenity space.

10. Advice of the Head of Development Management to clarify the recent Government amendment to PPS3.

11. Councillors Terry Neville and Toby Simon took no part in the vote.

**AGREED** that subject to the completion of a S106 Agreement requiring a contribution to education provision, the undertaking of an audit of pedestrian routes to the vicinity of the site and the funding of any necessary works identified, a contribution to off-site play space and the provision of affordable housing, planning permission be granted subject to conditions highlighted in the report, for the reasons set out in the report.

**201**

**TP/10/0396 - 152, WELLINGTON ROAD, ENFIELD, EN1 2RH**

NOTED

- 1. The Head of Development Management's clarification of the planning history and relevant planning decisions.
- 2. Receipt of a letter of objection from Bush Hill Park Residents Association, highlighting concerns, particularly in regard to noise and disturbance.
- 3. The statement of Denise Headley, Bush Hill Park Ward Councillor, including the following points:

**PLANNING COMMITTEE - 27.7.2010**

- i. Residents had raised a number of concerns with her as Ward Councillor.
- ii. There was an over-concentration of care homes in the vicinity, many not meeting full capacity.
- iii. There was insufficient parking provision, concerns about parking on the street affecting the bus route and emergency services access.
- iv. The development would be detrimental to the community.
- v. Current traffic problems would be exacerbated and there would be inconvenience and danger at dropping off and picking up times.
- vi. This use was inappropriate here in what should be a family home.
- Vii. Residents had moved here to be in a quiet, residential part of the borough, but were actually within a small business community.

4. The deputation of Mr Chris Elias, the applicant , including the following points:

- i. There was significant support for the scheme from 154 Wellington Road, Mr P T Prentice, Headmaster The Raglan School, Ofsted and CASEY. Their letters of support had been included in the application.
- ii. This was a relocation of the service currently provided by his wife at 84 Amberley Road, Bush Hill Park.
- iii. Arrival and collection of children would be staggered and parking space would be adequate.
- iv. There was continual demand for nursery accommodation.

5. Discussion of members' in regard to outdoor recreation.

**AGREED** that planning be granted subject to delegated powers afforded to officers to amend condition 2 in order to afford greater flexibility for children to utilise the rear garden.

**202**

**TP/09/1862 - YARD, GIBBS ROAD, LONDON, N18 3PU**

NOTED

1. Officers' verbal introduction with particular advice in relation to revised conditions, noise and S106 requirements.
2. Receipt of further comments from the Greater London Authority (GLA) confirming no objections, subject to the provision of an additional plan showing a possible heat infrastructure layout.
3. Discussion of Members' remaining concerns with regards to possible odours and noise pollution.
4. Officers' confirmation that the plant and machinery would operate in an enclosed environment. Further information had been requested with regards to the equipment required. The site would be monitored by the Environment Agency.



**PLANNING COMMITTEE - 27.7.2010**

**AGREED** that planning permission be granted subject to an agreement under section 106 and subject to conditions.

Revised Conditions

Within 6 month of the first 20,000 tpa module, a feasibility study on the sustainable use of by-products, in particular re-use of the bottom ash/char material potentially as a secondary aggregate, including implementation timescales, has been submitted to and approved in writing by the Local Planning Authority. The use of the by-products shall accord with the approved details and shall be implemented in accordance with the approved time scales.

Reason: In the interests of sustainable development and mitigating the impacts of climate change.

No goods, products or waste material (including timber intake or chipped timber feedstock material) shall be deposited or stored on any open part of the site. Chipped/palletised feedstock timber shall only be transported from the wood chip processing building to the gasifier building by overhead conveyor. Unless otherwise agreed in writing by the Local Authority.

Reason: In the interests of amenity and the appearance of the site, to ensure the development is operated in accordance with the approved details.

Additional Condition

The development shall not commence until a scheme for the export of waste timber during the commissioning phases of development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide that, once at full capacity, waste timber shall only be processed on site and shall not be exported in either raw or processed form. The scheme shall be implemented in accordance with the approved details prior to first use of the site and shall be thereafter be retained.

Reason: In the interests of amenity and the appearance of the site, to ensure the development is operated in accordance with the approved details.

**203**

**TP/10/0390 - FORTY HILL C OF E PRIMARY SCHOOL, FORTY HILL, ENFIELD, EN2 9EY**

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

**204**

**TP/10/0601 - MAIN BUILDING, ST MICHAEL'S C OF E PRIMARY SCHOOL, BRIGADIER HILL, ENFIELD, EN2 0NB**

NOTED

An objection from Sport England in relation to the loss of playing fields.

In response to Members' queries, officers' advice to clarify the calculation of total useable space and confirmation that total useable space had increased.

**AGREED** that planning permission be granted subject to the Authority referring the application to the Government Office for the West Midlands unless Sport England, withdraw their objection, which they should be asked to do.

**205**

**LBE/10/0016 - CAPEL MANOR PRIMARY SCHOOL, BULLSMOOR LANE, ENFIELD, EN1 4RL**

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

**206**

**LBE/10/0022 - HONILANDS PRIMARY SCHOOL, LOVELL ROAD, ENFIELD, EN1 4RE**

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

**207**

**LBE/10/0023 - RUSSETT HOUSE SCHOOL, 11, AUTUMN CLOSE, ENFIELD, EN1 4JA**

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

**208**

**LBE/10/0024 - ALBANY SCHOOL, BELL LANE, ENFIELD, EN3 5PA**

NOTED

In response to Members' queries, the Head of Development Management clarified the access arrangements.

An amendment to the recommendation to add an additional condition with relation to pedestrian access.

While Cllr Simon was concerned about the plan to relocate the primary provision he was not raising this as an objection to the application.

**PLANNING COMMITTEE - 27.7.2010**

**AGREED** that planning permission be granted subject to an additional condition.

Additional Condition: The proposed and all existing pedestrian entrances to the school site shall be open and available for use at all arrival and departure times.

Reason: To encourage pedestrian access in the interests of sustainable travel.

**209**

**LBE/10/0025 - GARFIELD PRIMARY SCHOOL, SPRINGFIELD ROAD, LONDON, N11 1RR**

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

**210**

**TP/10/0182 - OAKTREE SCHOOL, CHASE SIDE, LONDON, N14 4HN**

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

**211**

**TP/10/0752 - ST MATTHEW'S C OF E PRIMARY SCHOOL, SOUTH STREET, ENFIELD, EN3 4LA**

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

**212**

**APPEAL INFORMATION**

NOTED Members noted the information on town planning appeals received from 08/06/2010 to 12/07/2010.

**213**

**UPDATE ON NEW TOTTENHAM HOTSPUR FC GROUND**

Members voted to suspend standing orders to 10.30 to complete the agenda.

This page is intentionally left blank