

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON TUESDAY, 24 JULY 2012**

COUNCILLORS

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

ABSENT Lee Chamberlain and Paul McCannah

OFFICERS: Bob Ayton (Schools Organisation & Development), Linda Dalton (Legal Services), Bob Griffiths (Assistant Director, Planning & Environmental Protection), Andy Higham (Planning Decisions Manager) and Steve Jaggard (Transportation Planning), Metin Halil (Committee Secretary)

Also Attending: Dennis Stacey, (Chair), Conservation Advisory Committee
Approximately 30 members of the public, applicants, agents and their representatives and observers.

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WELCOME AND LEGAL STATEMENT

The Chairman welcomed everyone to the meeting, and the Legal Services representative read a statement regarding the order and conduct of the meeting.

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APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors McCannah and Chamberlain.

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DECLARATION OF INTERESTS

None.

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MINUTES OF PLANNING COMMITTEE 26 JUNE 2012

AGREED the minutes of the Planning Committee held on Tuesday 26th June 2012 as a correct record.

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REPORT OF THE ASSISTANT DIRECTOR, PLANNING AND ENVIRONMENTAL PROTECTION (REPORT NO.60)

RECEIVED the report of the Assistant Director, Planning and Environmental Protection (Report No.60).

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ORDER OF AGENDA

AGREED that the order of the agenda be varied to accommodate members of the public in attendance at the meeting. The minutes follow the order of the meeting.

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TP/11/1602 - 1, HANSART WAY, ENFIELD, EN2 8NB.

NOTED

1. Introduction by the Planning Decisions Manager, clarifying the site and fact that the application had been deferred at Planning Committee meeting held on the 26 June 2012 in order to allow members to make a site visit. This was undertaken on the 21 July 2012. The site visit had been arranged to allow members to view relationships between the proposed development and neighbouring properties, its impact on the wider area, the effect on trees within the curtilage and parking. A revised plan was tabled to clarify the planting proposals.
2. Planning Decisions Manager reported that the Applicant was agreeable to demolish the existing garages to provide an open parking area to increase parking provision if considered necessary. A condition could be imposed if members were minded to accept the proposed development.
(note: this additional condition was not requested when voting on the officers recommendation).
3. The Chairman confirmed that as deputations had been heard at the meeting on 26 June 2012, they would not be permitted again at this meeting on the application.
4. Members' raised concerns in respect of the loss of trees and the need for replacement tree planting to compensate. In response, it was noted that certain trees on the frontage were covered by a tree preservation order and that the proposed conditions already required additional tree planting and landscaping. Officers could also investigate separately if the trees to the rear could be given further protection through a preservation order.
5. The support of the majority of the Committee for the officers' recommendation: 6 votes for and 4 against, with 3 abstentions.

AGREED upon completion of the Section 106 agreement, the Head of Development Services/Planning Decisions Manager be authorised to grant planning permission subject to the conditions set out in the report.

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P12-00842PLA - 90, THE MALL, LONDON, N14 6LP

NOTED

1. The introduction by the Planning Decisions Manager, clarifying the site plan and application including an amendment to condition 2 relating to planting requirements.
2. The deputation of Mr Andy Barker (Chairman, Fox Lane and District Residents' Association) on behalf of local residents, including the following points:
 - a. The need to ensure that the correct plans were referred to within the application.
 - b. Concerns were identified in relation to:
 - the scale of the proposed development – that it is bigger than neighbouring properties and higher.
 - the visual impact of the development on neighbouring properties and its footprint.
 - Bulky appearance of the development.
 - The need to ensure adequate screening, with the hedge screen already dead.
 - Impact of noise nuisance, as the proposed development could accommodate a large number of people and create a large noise nuisance.
 - Concern that this is a back garden development.
 - The property being situated on the boundary of a conservation area and that its development could encourage similar buildings in the area.
 - c. If the committee was minded not to refuse the application the need was highlighted to ensure all conditions were fully implemented and enforcement monitored.
3. The applicant's agent (Charles Betts) was not present at the meeting to speak in favour of the application.
4. Members received advice from the Planning Officer in respect of permitted development rights for the property.
5. During the debate there was a discussion regarding the impact of the use on residential amenity and about the health of the existing hedge. It was agreed to further amend Condition 2 to require planting to be appropriate to screen a 3.25 metre high building . An additional condition was also to be imposed regarding noise insulation.
6. The unanimous support of the Committee for the officers' recommendation.

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AGREED that planning permission be granted subject to conditions set out in the report, with alterations and an additional condition, for reasons set out in the report.

Amendment to Condition 2 – add to end

1. Any planting on this boundary existing and proposed which dies within 5 years of the development being implemented, shall be replaced at the owners expense within the first available planting season.
2. To require planting to be appropriate to screen a 3.25 high building.

Additional Condition

1. An additional condition to be imposed regarding noise insulation. The development shall not commence until details of measures to ensure that amplified sound generated from the premises is not audible beyond the boundary of the premises have been submitted to and approved in writing by the Local Planning Authority. The measures shall be provided in accordance with the approved detail before the premises are occupied.

Reason: To ensure that the use of the premises does not prejudice the amenities of the public or the occupiers of nearby premises due to noise pollution.

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P12-01223PLA - 16, THE GRANGWAY, LONDON, N21 2HA

NOTED

1. The introduction by the Planning Decisions Manager, who highlighted that whilst there was no objection for the change of use, objections had been identified in relation to the impact of external ducting, which had not been possible to resolve with the applicant.
2. The deputation received from Mr Daniel Carpenter, speaking on behalf of local residents in support of the recommendation.
 - a. As a local resident living adjacent to the proposed development, concerns were raised in relation to:
 - overlooking of adjacent properties
 - insufficient parking provision given the proposed change of use.
 - the impact on existing light pollution problems and additional odour pollution, likely to be created as a result of the proposed use.
 - the insufficient bin and storage provision , given problems already experienced in the area including fox and vermin infestation.
 - Littering will be a problem.

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- the location of the property in a Conservation Area given the design siting and visual impact of the flue, it will be seen from quite a distance.
 - the potential rise in anti social behaviour, with no loitering signs already installed in the area.
 - the number of similar uses already located within the immediate area.
- b. The level of local opposition to the scheme was highlighted along with the fact a similar planning application for an adjacent property had been refused for similar reasons.
3. The meeting was then adjourned for two minutes so that Mr Carpenter could distribute photographs he had taken in support of his deputation, to the applicant and members.
4. The applicant's agent, Mr Halit Ertas then spoke in favour of the application, including the following points:
- a. In terms of the proposed change of use from A2 to A5, there were not many existing A5 uses in the immediate area and it was noted that A2 uses had not been successful.
 - b. It was recognised that the premises were located in a Conservation Area but it would not be possible to see the flue from street level at the front of the property. It would however be visible from the side and rear.
 - c. The aim was to protect and maintain a historical structure whilst also investing in a previously vacant building in which A2 use had not worked.
 - d. From street level, the flue would not be seen, but would only be seen from the side of the property.
 - e. The premises would be run as a traditional fish and chip bar and was not expected to generate a large increase in the volume of traffic or people congregating in front of the premises.
 - f. Any traffic generation would occur after 6pm after the retail elements had closed.
 - g. The premises would not be open late in the evening and would only operate between the hours of 08:00 – 21:30, Monday to Saturday, there would not be any increase in noise levels or disturbances in the area.
 - h. There was already an established A5 take away use at No.21 & No.23 Grangeway, with flues.
5. The statement of Dennis Stacey, Chairman of Conservation Advisory Group (CAG) included the following points:
- a. Whilst the application had not formally been referred to the Conservation Advisory Committee (CAG), he had visited the premises as it was located within a Conservation Area.
 - b. The need to ensure accurate plans were provided with clear details as to the location of the proposed flue and where it would exit the building. It was not felt this had been accurately reflected in the submitted plans and drawings.
 - c. The shop was in a prominent position and the flue could be seen from The Grangeway.

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- d. The rear elevation showed a very obvious structure that was bolted on. This was different to the other adjacent properties with a less cluttered appearance reflecting their location within it.

6. The Planning Decisions Manager responded to Members' queries regarding the granting of A5 permission to 21/23 The Grangeway, which were also in the Conservation Area, but had been approved a number of years ago when planning policy had been different.

7. Members' debate and discussion regarding the proposed extractor flue, its size, siting, external design & finish, the flue's detrimental effect on the host building, the flue's detracting from the character of the Conservation Area. The Planning Decisions Manager confirmed that negotiations had failed with the applicant, to change the appearance and siting of the flue. So it was not possible to recommend approval or seek to control subject to pre-commencement conditions. Subject to the decision of the Committee, further discussion could be undertaken with the applicant to look for an alternative acceptable solution.

Members also discussed the use of the property as A5 and viability with the proposed hours and the need to encourage businesses. In response the officer indicated that there was no standard for % of A3 uses in a parade and that the policy grounds for refusal were strong.

8. The support of the majority of the Committee for the officers' recommendation: 8 votes for and 4 against, with one abstention.

AGREED: That planning permission be refused, for the reason detailed within the report.

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P12-010070PLA - CHICKEN SHED THEATRE, 290 CHASE SIDE, LONDON N14 4PE

AGREED that consideration of application be deferred to the August Planning Committee meeting following receipt of information regarding an increase in student numbers not accounted for in the report and the need for this to be taken into account.

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P12-01078PLA - 46 BURFORD GARDENS, LONDON N13 4LP

NOTED

1. The proposal was presented to Planning Committee as it had been submitted by the Council's Plan Drawing Service.
2. The previous application for a single storey rear extension had been refused, but further adjustments had now been made to the visual impact.

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3. The unanimous support of the Committee for the officers' recommendation.

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

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P12-01230PLA - CHURCHFIELD PRIMARY SCHOOL, LATYMER ROAD, LONDON, N9.

NOTED

1. The unanimous support of the Committee for the officers' recommendation.

AGREED that planning permission be deemed to 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.

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P12-01298PLA - GRANGE PARK PRIMARY SCHOOL, WORLDS END LANE, LONDON, N21 1PP

NOTED

1. The unanimous support of the Committee for the officers recommendation.

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, with amended conditions below, for the reasons set out in the report.

Amendment to Condition 2 to replace with

Prior to the occupation of the proposed modular buildings, a detailed scheme detailing the proposed ecological and educational resource enhancements, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development protects and enhancing the natural, built and historic environment in accordance with the National Planning Policy Framework.

Amendment to Condition 7 to replace with

Condition specifying temporary period of 3 years expiring July 2015.

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P12-01307LDC - 4 KIMBERLEY ROAD, LONDON, N18 2DP

NOTED

1. The application for a Lawful Development Certificate was presented to Planning Committee as it had been submitted by the Council's Plan Drawing Service.
2. The unanimous support of the Committee for the officers' recommendation.

AGREED that a Lawful Development Certificate be issued as the proposal constitutes 'permitted development' by virtue of Article 3 and Schedule 2 part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008).

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P12-01371LDC - 205, FIRS LANE, LONDON N21 3HY

NOTED

3. The application for a Lawful Development Certificate was presented to Planning Committee as it had been submitted by the Council's Plan Drawing Service.
4. That a further report would be submitted to the Committee in due course relating to the process for dealing with Lawful Development Certificates.
5. The unanimous support of the Committee for the officers' recommendation.

AGREED that a Lawful Development Certificate be issued as the proposal constitutes 'permitted development' by virtue of Article 3 and Schedule 2 part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008).

176

P12-01395PLA - RAYNHAM PRIMARY SCHOOL, RAYNHAM AVENUE, LONDON N18 2JQ.

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, with an additional condition below, for the reasons set out in the report.

Additional Condition

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Prior to the occupation of the proposed modular buildings, a detailed scheme detailing the proposed ecological and educational resource enhancements, shall be submitted to and approved in writing by the Local Planning authority.

Reason To ensure that the development protects and enhances the natural, built and historic environment in accordance with the National Planning Policy Framework.

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APPEAL INFORMATION

NOTED the information on Town Planning applications appeals received from 13/06/2012 to 02/07/2012 summarised in tables.

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GO APE, TRENT PARK, COCKFOSTERS;ASSESSMENT OF GROUNDS FOR POSSIBLE ENFORCEMENT ACTION (REPORT NO.61)

NOTED

That the report on this item had been withdrawn and would be submitted to a future Planning Committee.