

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date : 16th March 2010

Report of
Assistant Director, Planning &
Environmental Protection

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Ward: Town

Application Number : TP/09/1176

Category: Other Development

LOCATION: Car Park Site, Little Park Gardens, Enfield, EN2 6PQ

PROPOSAL: Redevelopment of site to provide a part 2-storey, part single storey detached building for D1 use (children's nursery or day centre for adults with learning difficulties).

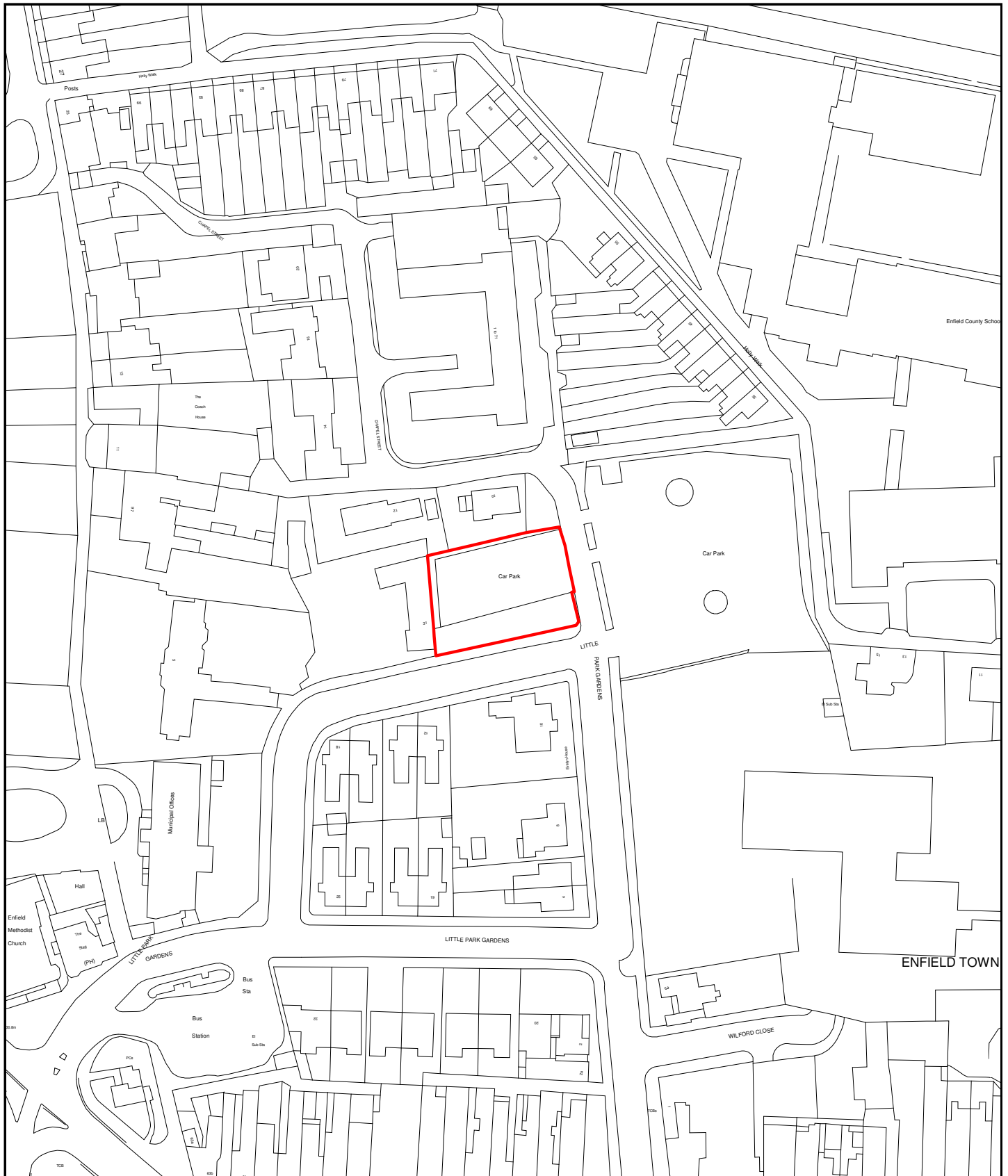
Applicant Name & Address:

Mr Marios Miltiadous,
Elizabeth Homes UK Ltd
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LONDON,
N13 4LY

Agent Name & Address:

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RECOMMENDATION: That, subject to the completion of a S106 Agreement securing the amendments to the on-street parking controls, the extension of the public footway to adoptable standards, the planting of a replacement tree and the submission of a travel plan, planning permission be **GRANTED** subject to conditions.



Development Control



Scale - 1:1250
Time of plot: 12:34

Date of plot: 24/02/2010

Note for Members

This application was deferred at the January Planning Committee in order for Members to receive advice from Environmental Health Officers in regard to the applicants's Noise Impact Assessment. The applicant was also asked to review the assessment undertaken and particularly the impact of the development on the occupiers of No.31 Little Park Gardens. In response the applicant's noise consultant has provided the following additional information:

"24 Acoustics' previous noise impact assessment (Reference R3080-1 Rev 0, dated 20th November 2009) calculated a noise level from the proposed nursery external area of 57 dB LAeq, 1 hour at the first floor roof window of 31 LPG. This compares with a prevailing ambient noise level of approximately 53 dB LAeq, 1 hour. It was assumed that these windows serve first floor bedrooms, however, it is now understood that the property is single storey and the roof windows provide light and ventilation to ground floor habitable rooms (living rooms). It is also understood that these rooms have, in addition, windows at ground floor level to their own private garden which provide the main source of ventilation. In our professional opinion it is not appropriate to measure the ambient noise level inside the property at 31 LPG as this will vary according to the activities that occur inside, but this will generally vary between 25 dB LAeq and 60 dB LAeq. The predicted external noise level from the nursery exterior at the roof windows of 57 dB LAeq would be equivalent to a level of between 43 and 47 dB LAeq, 1 hour inside the property when the roof windows are open. When the roof windows are closed the noise level inside 31 LPG would not exceed 27 dB LAeq.

"The mass provided by the existing masonry structure of 31 LPG will prevent noise from the nursery being transmitted into the interior of the property via the structure.

"The structure of 31 LPG will act as a noise barrier and will reduce the level of noise transmitted from the nursery exterior to the garden of 31 LPG. It is estimated that the noise level from the nursery in the garden of 31 LPG would not exceed 43 dB LAeq, 1 hour. The ambient noise level has not been quantified in the garden of 31 LPG but was measured in the rear garden of 10 Chapel Gardens and it is considered that this will be representative of the ambient noise level in 31 Little Park Gardens and hence ambient noise levels of approximately 53 dB LAeq, 1 hour would be typical. The predicted noise level from the nursery (of 43 dB LAeq, 1 hour) would therefore create a negligible increase in ambient noise level in the garden of 31 LPG and therefore create little or no impact in the garden of 31 LPG.

In summary, we conclude the following:

- The impact of noise from the nursery exterior in the garden of 31 LPG will be negligible;
- The impact of noise from the nursery, inside 31 LPG when the roof windows facing the proposed nursery site are closed will also be negligible;
- When the roof windows are open some noise from the nursery is likely to be audible inside the property, however, the extent of this will depend upon the nature of the activities inside the property. The impact of any noise should be countered against the fact that the noise from the nursery will not be continuous and will be restricted to two periods during the day each of 1 hour in duration.

Whilst there will be increase in the overall noise level at the first floor roof window of 31 LPG it is the resulting noise level inside 31 LPG and in its rear garden which is

considered to be of greater relevance. As described above, it is considered that the only circumstances when there will be a degree of impact is during occasions when the roof windows of 31 LPG are open. At all other times the noise impact will be negligible and it is considered that the proposed use of the building as a day nursery will not adversely affect the amenity of the occupants of 31 LPG or any other residential properties in the area.

The Environmental Health Officer advises that without knowing what the background level inside No. 31 is, the consultant has taken a precautionary approach, which is correct. Depending upon the glazing of the windows in the roof, an attenuation of 30 dB(A) may be a little generous, but not unrealistic. Generally, he agrees with the conclusions made in the report and advises that the impact from the nursery activities is likely to be minimal inside 31 Little Park Gardens.

In addition Members asked that consideration could be given to extending the outdoor play times but limiting the number of children outside at any one time. The condition has been amended to limit the number of children outdoors to a maximum of 20 at any one time, extending the play time to 1 hour 20 mins in both the morning and afternoon. The hours of opening of the premises have also been amended to 0800-1800 hours Mondays to Saturdays and at no time on Sundays.

1 Site and Surroundings

- 1.1 The site comprises a small part of the Little Park Gardens Pay & Display car park, formerly owned by the Council, located within the Enfield Town Conservation Area. The site is detached from the main car park, separated from it by Chapel Street. It is bounded by single storey detached residential properties to the north and west; that to the west has its rear wall directly along the boundary with the application site. The site frontage to Little Park Gardens has a raised bed containing two trees, a sweet chestnut and a red oak. The site has the benefit of an existing vehicular access from Chapel Street.

2 Proposal

- 2.1 This application proposes the redevelopment of the site by the erection of a part two storey, part single storey building to be used as either a children's nursery or as a day centre for adults with learning difficulties (D1).
- 2.2 As a children's nursery the premises would accommodate between 70 and 75 children with a staffing ratio of 1:5. As an adults day centre the occupancy level would be 40-45 users at any given time with a staffing ratio of 1:10.
- 2.3 The application makes no provision for off-street car parking. However, the applicant advises that he would look to secure the use of 3-4 parking bays within the existing Pay and Display car park opposite the site. Provision is shown for a drop-off/loading facility to the Little Park Gardens frontage.
- 2.4 The raised landscaping bed to the Little Park Gardens frontage would be reduced in size resulting in the loss of the red oak. It is proposed to retain the sweet chestnut tree.

3 Relevant Planning Decisions

- 3.1 LBE/04/0001 – Permission granted for the erection of new single storey shopmobility unit, reconfiguration of existing car park and provision of 10 disabled persons car parking spaces together with associated landscaping scheme.

4 Consultation

4.1 Statutory and non-statutory consultees

4.1.1 Highways Department

Not applicable

4.1.2 Environment Agency

Not applicable

4.1.3 Thames Water

Thames Water raises no objection to the application in terms of water and sewerage infrastructure.

4.1.4 Enfield Primary Care Trust

Enfield Primary Care Trust advises that the proposal will not cause undue hardship on the GP practises in the area and as such they raise no objections to the application.

4.1.5 English Heritage

English Heritage (Archaeology) advises that the site is located within an Area of Archaeological Significance due to the medieval settlement of Enfield Town. The development proposals are now of a significant size, whereby not only may archaeological remains be encountered, but also that they might retain contextual information. They consider that no further works needs to be undertaken prior to determination of the planning application but that a condition should be imposed requiring the no development shall take place until the applicant has secured the implementation of a programme of archaeological works.

4.1.6 Health and Adult Social Care

The Health and Adult Social Care Team advises that there is concern regarding the opening of a day service with the applicant's present proposal for supported living as there may not a specific need and sufficient demand within the Borough. However, there is a need to a day centre for older people (50+) who have a learning disability. There are a number of older service users who have indicated that they would prefer a more appropriate environment that acknowledges that they now want calmer and more relaxed activities in the day. The team object to the proposal until such time as they are in full agreement with applicants proposals for service delivery and confirmation that they will be working in partnership with Enfield and Enfield clients.

4.1.7 Traffic and Transportation

Traffic and Transportation advise that the development is unlikely to create more trips than the 26 space public car park it replaces and hence there would be no material impact on flows to this stretch of Little Park Gardens. The site has a PTAL rating of 5 with good public transport access. The lack of on-site car parking is off-set by the sites proximity to the public car park opposite the site. The applicant is able to apply for car park season tickets and/or permits for staff to use the nearby business bays. Lying within the Controlled Parking Zone (CPZ), users of the site will not have access to unrestricted on-street car parking. Day time restrictions currently apply past most of the site, plus some residents parking bays. It is suggested that "any time" restrictions be applied to the bend/junction around the site to aid highway safety and this will need to be funded by the applicant and secured through a S106 Agreement.

Further safety improvements would be achieved if the eastern flank of the site had a footway constructed, which is then adopted for public use. The applicant has agreed to this and these works would be secured through a S106 Agreement.

The proposed dropping-off/picking up facility is best accommodated by creating a 'loading bay' alongside the entrance to the Little Park Gardens .This will avoid blue badge holders from obstructing it and keep the carriageway clear. This can be addressed through minor changes to the CPZ ,but would have to be funded by the applicant and secured through a S106 Agreement.

4.1.8 Environmental Health and Regulation

Environmental Health and Regulation advise that the issue with a nursery will be the children using the outside play area, if this is limited to a couple of times a day it should not be too intrusive, although it does depend on numbers playing outside at any one time. In terms of the adult centre, whilst the needs of the proposed users or what behavioural traits they will exhibit are not known, it is considered that such users would be less noisy than small children, and again the use of the garden could be limited to a couple of times a day.

4.1.9 Aboricultural Officer

The Aboricultural Officer advises that the amendments to the entrance arrangements to the building allowing for the retention of a larger bed around the sweet chestnut, should safeguard the tree. The red oak, also sited with this raised landscape bed is shown for removal. He advises that this is a relatively poor specimen in terms of its condition and appearance. The red oak shows signs of stress in the form of die back in the crown and dead branches distributed within its crown indicating impaired root function. The tree's appearance and mechanical structure is also impaired as the tree lacks a central leader , the main stem forking about 2m off the ground. In addition, there is evidence of slime flux emanating from the stem, which suggests a bacterial infection. In his view the tree has low amenity value contributing little to the visual quality of its surroundings, and if retained will continue to decline in condition, a state which cannot be overcome by remedial works.

4.1.10 Conservation Advisory Group

The Group objected to the development on grounds of excessive footprint, not enough green areas, preservation of trees, size of windows and usage of the building.

4.1.10 Enfield Town Conservation Area Study Group

Enfield Town Conservation Area Group raised concerns in relation to the originally submitted plans about the 'factory like' appearance of the building and in particular the roof vents, and the green wall which they considered gimmicky. They expressed particular concern about access and servicing for the building, considering that if the building is to be used as a children's nursery, then there is little scope for drop off/pick up in either Chapel Street or Little Park Gardens; the parking of vehicles in Chapel Street would restrict the flow of vehicles into the car park, access to garages in Holly Walk and access/egress from Chapel Street. They considered this problem would be compounded with an adult day centre if mini buses to be used, with no space to turn such vehicles. They also considered that noise pollution from the use of the building needs to be addressed. Following the receipt of revised plans, the Group comment that they are pleased to see the removal of roof vents and the amendments to the size of the windows. However, they still are concerned about the proposed zinc roof and consider that the roof should be a genuine slate to match the other properties in Little Park Gardens. The Group are still concerned about the lack of green space on the south and east elevations and consider that the chestnut tree will struggle to survive, even with the amendments to the entrance arrangements proposed. The Group also question what measures are proposed to achieve the 20% energy saving referred to in the application and are concerned to ensure that this does not result in the fitting of equipment external to the building and not shown on the plans.

4.2 Public Response

4.2.1 Letters have been sent to the occupiers of 67 adjoining and nearby properties. In addition, the application has been advertised on site and in the local press. As a result 14 letters of objection have been received. The objections raised can be summarised as:

- Design, scale and mass of the building would detract from the Conservation Area
- the proposed uses are inappropriate within a residential area
- the proposed building is too large
- the trees and grass that exist on the site should be retained
- existing householders subject to strict rules about the changes they can make to their properties
- either use will generate significant levels of traffic and increase demand for car parking
- implications for access and traffic movements in Chapel Street and to public car park opposite, given narrowness of road. No room for vehicles to turn, especially mini-buses
- implications for pedestrian safety as many people walk through Chapel Street as a cut through

- proposed uses will generate significant noise detrimental to the amenities of adjoining occupiers
- concern about the nature of adults using the day centre in a residential area with minimal security
- position of proposed building with a flat roof increases security risk to No.31, which has rooflight in the roof facing the site
- trees should be retained

4.2.2 Further consultation has taken place following the receipt of revised plans and a further two letters of objection have been received, reiterating some of the points outlined above and raising the following additional issues:

- location of the garden area adjoining No.31 Little Park Gardens would make life intolerable for the occupants.
- The noise assessment submitted considers that the noise entering the property would be a serious nuisance.
- No assessment made of the transmission of noise through the roof or walls and no assessment made of noise arising from use of the site as an adults day centre.

4.2.3 In conjunction with the presentation of the report to Planning Committee on 19th January 2010 a further two letters of objection were received reiterating the above concerns and raising the following issues:

- Require proper assessment of the impact of noise on the occupiers of No.31. The noise impact assessment provided wrongly assumes the rooflights are to bedrooms when in fact they are to living/dining areas.
- No assessment has been made of noise generated by 40-45 adults with learning difficulties
- The report is wrong in stating that the rooflights are secondary windows, they are the main source of light and ventilation for living, dining rooms and study.
- Days of opening – the condition recommended allows Saturday opening also when understood to be Monday to Friday only.
- The application is too broad and should be for one use or the other.
- The site is within a conservation area and the development does not conform visually with the surrounding buildings
- Noise, dust and pollution during the building period
- Traffic that the building work will bring will increase disruption for local residents
- The development will impact parking for residents already disadvantaged by the Council's parking plan

4.2.4 Cllr Rye has written in support of the neighbouring occupier at NO. 31 Little Park Gardens objecting to the development on grounds of noise and disturbance (children's play area adjacent to living area).

5 Relevant Policy

5.1 London Plan

2A.8 Town Centres

3A.17 Addressing the needs of London's diverse population

- 3A.18 Protection and enhancement of social infrastructure and community facilities
- 3C.1 Integrating transport and development
- 3C.23 Parking strategy
- 3C.24 Parking in town centres
- 3D.1 Supporting town centres
- 4A.3 Sustainable design and construction
- 4B.1 Design principles for a compact city
- 4B.5 Creating an inclusive environment
- 4B.8 Respect local context and communities
- 4B.12 Heritage Conservation
- 4B.15 Archaeology

5.2 Unitary Development Plan

- (I)C1 Development in conservation areas to preserve or enhance
- (II)C28 Inappropriate use of areas of hard or soft landscaping within conservation areas
- (II)C30 New buildings in conservation areas to replicate, reflect or complement the traditional characteristics of the area.
- (II)C31 To secure the removal of features which serve to detract from the character or appearance of conservation areas.
- (II)C38 To resist, in general, developments which entail the loss of trees of acknowledged public amenity value.
- (I)GD1 New development to be appropriately located
- (I)GD2 New development to improve the environment
- (II)GD1 Uses to be appropriately located
- (II)GD3 Design
- (II)GD6 Traffic implications
- (II)GD8 Access and servicing
- (II)T14 To require contributions from developers for highways works necessitated by development proposals
- (II)T15 To improve, maintain and enhance footways
- (II)T16 Pedestrian access
- (II)T19 Provision for cyclists

5.3 Local Development Framework

- 5.3.1 The Enfield Plan – Proposed Submission Stage Core Strategy document was published for public consultation on 14th December 2009. Following this stage of consultation, the Council will submit the Core Strategy to the Secretary of State who will then appoint a Planning Inspector to consider whether the Strategy meets legal requirements and that it passes the tests of soundness. The following policies from this document are of relevance to the consideration of this application:

Core Policy 30 Maintaining and improving the quality of the built and open environment

Core Policy 31 Built and landscape heritage

Core Policy 42 Enfield Town

Core Policy 46 Infrastructure Contributions

5.4 Other relevant policy

PPS1	Delivering sustainable development
PPG13	Transport
PPG15	Planning and the historic environment

Enfield Town Conservation Area Character Appraisal

6 Analysis

6.1 Principle

6.1.1 The site is located within Enfield Town Centre and as a consequence is highly accessible. Whilst Little Park Gardens has a residential character, the area also contains a number of offices uses within former residential properties, a large town centre car park and the site is in proximity to Enfield Grammar and Enfield County Secondary Schools. Having regard to the location of the site within the Town Centre, the mix of uses in the immediate area and the sites accessibility, there is no objection in principle to the development of the site for D1 purposes, either as a children's nursery or as a day centre for adults with learning disabilities.

6.2 Impact on the character of the surrounding area

6.2.1 The Enfield Town Conservation Area Character Appraisal notes that the existing car park detracts from the core of the Little Park Gardens street setting. Accordingly, there is some benefit in achieving a redevelopment of the site and the removal of the car park.

6.2.2 The site has two frontages, one to Little Park Gardens and one to Chapel Street and therefore it has been considered important in discussing development options for the site to ensure any new building presents a frontage to both roads. This has resulted in a building designed as two solid blocks, connected by a predominantly glazed inter-section. The main buildings would be of brick construction and would be surmounted by a shallow pitched zinc roof. The glazed link is simple in design with a flat roof. A single storey element extends the building towards the western boundary, reducing the scale of the building in proximity to the bungalow adjoining. The single storey element is treated with a green wall system to continue the line of adjoining boundary wall.

6.2.3 The design of the building has been through extensive pre-application discussion, including consultation with the Conservation Advisory Group, to get to the current footprint and design; a variety of design options having been considered at pre-application stage and ruled out. The design of the building has been further amended during the processing of this application to seek to address some of the objections raised through public consultation, including the removal of the roof vents and amendment to the proportions of the windows. The roof material has not been amended. The approach has been to try and achieve a contemporary building, whilst respecting the scale and character of the local area, rather than a pastiche. Moreover, the use of slate to the roof was considered at pre-application stage. This increased the

pitch to the roof and hence the height and bulk of the roof element and was not considered acceptable and the reversion to zinc was recommended.

6.2.4 Overall, the proposal is now considered acceptable in design terms. The development results in the removal of this surface car park that detracts from the character and appearance of the area. The scale of the proposed building respects the scale of the residential buildings in the locality; it recreates a sense of enclosure and defines the corner. The elevation treatment and use of materials generally reflects those found in the area. The result is a contemporary building, designed to reflect its 'institutional/community' function that it is considered will complement the scale and pattern of development and will enhance the character and appearance of this part of the Conservation Area.

6.3 Impact on neighbouring properties

6.3.1 The two most immediately affected properties are No.10 Chapel Street and No. 31 Little Park Gardens

6.3.2 No.10 Chapel Street is a bungalow located to the north of the application site. There is a 3m high brick wall forming the boundary with the application site. Given this and the position of the proposed building in relation to this property, it is considered that the proposed development would not have any undue impact on the amenities of the occupiers of this property in terms of light or outlook. The 3 windows on the rear elevation of the proposed building at first floor level are to be fixed and obscured to 1.6m above floor level and therefore the development would not give rise to issues of overlooking or loss of privacy for the occupiers of this property.

6.3.3 No.31 Little Park Gardens is similarly a bungalow located to the west of this site. The rear wall of this property forms the common boundary with the application site. There are no windows in the rear wall. However, there are a series of rooflights in the roof of the property; 4 in the rear roof pitch which runs parallel with the site and two in the roof pitch that runs at right angles to the site. These provide a secondary source of light and ventilation to living/dining rooms within No.31. The proposed building is designed so that the single storey element is located in proximity to No.31, thus providing an appropriate height relationship with the bungalow and ensuring that there is no undue loss of light to the roof lights. There are no windows in the flank elevation facing No.31 and therefore the development does not give rise to issues of loss of privacy.

6.3.4 The occupiers of this property have raised concerns about an increase risk of burglary due to the position of the single storey element of the building to the roof lights in their property. This is noted. However, the single storey element is set away from the boundary with No.31 by approximately 1.5 - 1.7m with a gated access to the rear of the site. This relationship of buildings is not unusual in an urban situation and the perceived risk of increased opportunity for unauthorised access needs to be weighed against the current position where the property adjoins an open and unsupervised public car park. Given this, it is considered that the development would not have an undue impact of the security of the occupiers of No.31.

6.4.4 A key issue raised by the occupier of No.31 relates to noise and disturbance arising from the use of the building as either a children's nursery or adult day

care centre. The configuration of the proposed buildings creates an external play/recreation area to the rear, north west corner of the site, directly adjoining the rear wall of No.31 and the garden of No.10 Chapel Street. A noise impact assessment has been submitted by the applicant but this relates to the use of the premises as a children's nursery only, on the basis that this use is likely to generate the most noise of the two uses. The assessment finds that the use of the external play area will cause negligible increase in ambient noise levels at the garden with No.10. Noise levels within this property would fall within the 'good' acoustic environment range. In contrast, noise levels at the rooflights to No.31 may rise by approximately 5.5dBA and this is considered relatively high. The report assumes that these rooflights are to bedrooms and that these rooms would not be in use during the likely hours of use of the play area. This is not the case as the rooflights serve living and dining areas. However, the roof lights act as a secondary source of natural light and ventilation and this has been confirmed at a site visit. The primary windows/doors are located at ground level on the west facing elevation of the building and therefore it would be reasonable to assume that they are not always open.

- 6.4.5 To mitigate noise impact into the building, the applicant proposes the erection of a new acoustic wall to supplement the existing rear wall of No.31 and reduce any noise travelling through the walls. In addition, play times for the nursery would be restricted to 1 hour in the morning and a similar period in the afternoon. This approach has been accepted on a number of applications for children's nurseries in the Borough. However, in a recent appeal decision in relation to a proposal for a children's nursery for 18 children at 79 Southbury Road, the Inspector in granting planning permission commented:

"This part of Southbury Road is partly commercial and partly residential, and there is considerable noise from traffic on Southbury Road. There is a residential property at No 77 and there would be a flat above the nursery. However, the nursery would operate during the daytime from 08.00 to 19.00 with very young children, whom I would expect to be supervised in the outdoor play area. Consequently, I do not consider that the noise from up to 18 children playing outside would be intrusive to local residents and I see no reason to impose conditions restricting the numbers or hours of use of the play area".

- 6.4.6 This application proposes a children's nursery for up to 75 children, significantly more than at the Southbury Road site, although not all would be in the garden at the same time. Accordingly, it is considered appropriate to limit the times for use of the outdoor play area to safeguard the amenities of the occupiers of the adjoining property, particularly No.31 Little Park Gardens.
- 6.4.7 No assessment has been made from noise generated by use of the site as an adult day centre. However, it is reasonable to assume that noise from this use would not be as significant as a children's day nursery. It is not considered necessary to restrict the use of garden to one hour periods as with the children's nursery as this would preclude adults choosing to sit or read in the gardens outside these times.
- 6.4.8 With the exception of No.12 Chapel Street, which has a small section of rear garden adjoining the site, but where the impact of the development would be no greater than with either property referred to above, there are no other

properties directly adjoining the site. The impact of the development beyond those identified above will be largely associated with traffic and car parking.

6.4.9 In summary, and it is considered that with appropriate condition securing the mitigation measures offered by the applicant, the proposed development is acceptable and the amenities of the occupiers of adjoining properties will be safeguarded.

6.5 Highway safety

6.5.1 This is a town centre site with good access to public transport. There are existing on-street parking controls which would deter unauthorised parking on-street or in residents parking bays and there is a large public car park opposite the site. In such circumstances the lack of on-site parking provision is considered acceptable.

6.5.2 On-street parking controls should be further tightened to prevent short term parking on the bend and this is to be secured through a S106 Agreement.

6.5.3 The application makes provision for a drop-off/loading area for the benefit of clients of an adult day centre. This has been moved from the Chapel Street frontage to the Little Park Gardens frontage, reflecting the amendments the position of main entrance to the building. This loading area will require amendments to the existing on-street controls and this is similarly to be secured through a S106 Agreement.

6.5.4 Traffic and Transportation have requested the extension of the public footpath along the eastern boundary of the site to improve pedestrian safety. The applicant has agreed to this and this can be secured through the S106 Agreement.

6.6 Impact on trees

6.6.1 The proposal does result in the loss of the red oak. However, arboricultural advice is that this tree has low amenity value contributing little to the visual quality of its surroundings, and if retained will continue to decline in condition, a state which cannot be overcome by remedial works. Accordingly, no objection is raised to its removal. The applicant has offered to plant a replacement tree on land in Council ownership to the north of the site, adjoining No.10 Chapel Street. This can be secured through a S106 Agreement.

6.6.2 The proposal allows for the retention of the existing sweet chestnut. The application has been amended to re-site the entrance to the proposed building to safeguard more of the raised bed in which the tree sits. The arboricultural advice is that there is every chance that this tree would survive the development.

6.7 Sustainable Design and Construction

6.7.1 The development achieves a good score against the Council's sustainable design and construction assessment. Measures to be incorporated to reduce energy demand include:

- The proposed construction design to include high energy efficient features such as well insulated wall, floors and roof to minimize use of mechanical ventilation, heating and cooling systems.
- Natural daylight is provided in every activity area which reduces daytime energy needs considerably.
- Installation of energy efficient boilers and heating systems.
- Energy efficient light fittings to be installed inside and outside the building.
- The proposal incorporates rain water collection systems to be used for maintaining landscaped/garden areas.
- Water saving systems such as installation of low flush toilets, taps and showers with water saving devices etc- to reduce the use of water within the development.

6.8 S106 Agreement

- 6.8.1 A S106 Agreement is recommended to support this application to secure the necessary amendments to the existing on-street parking controls to allow for the provision of the loading area to the Little Park Gardens frontage, the tightening of controls on the bend, the provision of the public footpath along the eastern boundary and the planting of a replacement tree in the vicinity of the site to compensate for the loss of the red oak. In addition, it is considered necessary for the applicant to submit a travel plan to support either use to demonstrate what measures will be employed to minimise car borne traffic to the site.

7 **Conclusion**

- 7.1 In conclusion, the proposed uses are appropriate for this town centre site with the benefit of good public transport access. The design and scale of the building is considered appropriate given the proposed non-residential use and respects and complement the character and appearance of its immediate surroundings and the Enfield Town Conservation Area, in which it is located. With the conditions recommended it is considered that the amenities of the occupiers of adjoining properties will be safeguarded. Accordingly, it is recommended that planning permission be granted

- 8 **Recommendation:** That, subject to the completion of a S106 Agreement securing the amendments to the on-street parking controls, the extension of the public footway to adoptable standards, the planting of a replacement tree and the submission of a travel plan, planning permission be **GRANTED** subject to the following conditions:

1. That development shall not commence until details of all external finishing materials, including windows, doors and rainwater goods, have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to occupation.
Reason: To safeguard the character and appearance of this part of the Enfield Town Conservation Area.
2. That development shall not commence until detailed drawings to a scale of 1:20 or larger of the proposed glazed intersection between the two buildings have been submitted to and approved in writing by the Local

Planning Authority. The development shall be completed in accordance with the approved details prior to occupation
Reason: To safeguard the character and appearance of this part of the Enfield Town Conservation Area.

3. The panels framing all windows shall be constructed in accordance with the details shown on drawing number DT01-00 unless otherwise agreed in writing by the Local Planning Authority.
Reason: To safeguard the character and appearance of this part of the Enfield Town Conservation Area.
4. C09 Details of Hard Surfacing
5. C10 Details of Levels
6. That the development shall not be occupied until such time as the footpath has been constructed along the eastern boundary of the site , as shown on drawing number PO2-00C and is available for use by the public.
Reason: In the interests of highway safety.
7. That development shall not commence until detailed drawings of the proposed acoustic walls, including materials of construction, have been submitted to and approved in writing by the Local Planning Authority. The wall shall be constructed in accordance with the approved details prior to occupation of the development.
Reason: To safeguard the amenities of the occupiers of the adjoining properties.
8. C18 Details of Tree Protection
9. C23 Details of Archaeological Investigation
10. C25 No additional Fenestration
11. C26 Restriction of Use of Extension Roofs
12. C33 Contaminated Land
13. C48 Restricted Use
14. That if the premises are occupied as a children's nursery, no more than 75 children shall be cared for on the premises at any one time and that if the premises are used as an adult day centre, no more than 45 adults (excluding staff) shall be on the premises at any one time.
Reason: Having regard to the amenities of the occupiers of adjoining properties.
15. That if the premises are occupied as a children's nursery the outdoor garden area shall be used by no more than 20 children at any one time and for a maximum of one hour and 20 minutes in the morning and one hour and 20 minutes in the afternoon, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To safeguard the amenities of the occupiers of the adjoining

properties.

16. That the premises shall only be open for business between the hours of 0800 to 1800 hours Monday to Saturdays only and not at all on Sundays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining properties.

17. That development shall not commence until details of the siting and design of covered cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to occupation of the premises.

Reason: To comply with Unitary Development Plan policy.

18. C57 Sustainability

19. C51A Time Limited Permission

The application is recommended for approval for the following reasons:

1. The proposed uses are appropriate in this town centre location with good public transport access and the having regard to the availability of public parking nearby. In this respect the development complies with Policies (I)GD1 and (II)GD1 of the Unitary Development Plan and London Plan policies 2A.8, 3A.17, 3A.18, 3C.1 and 3D.1.
2. The proposal results in removal of the surface car park, a feature that detracts from the character and appearance of this part of the Enfield Town Conservation Area. In this respect the development complies with Policy (II)C31 of the Unitary Development Plan
3. The design and scale of the building has appropriate regard to its surroundings and will enhance the character and appearance of this part of the Enfield Town Conservation Area. In this respect the development complies with Policies (I)C1, (II)C30, (I)GD1, (IGD2 and (II)GD3 of the Unitary Development Plan and London Plan policies 4B.1, 4B.5, 4B.8 and 4B.12.
4. The development will not give rise to an increase in traffic in local roads given the existing use and having regard to the sites accessibility, the availability of public parking and existing on-street parking restrictions and the requirements of the proposed S106 Agreement, the development will not lead to an undue increase in on-street parking to the detriment of highway safety. In this respect the development complies with Policy (II)GD6 of the Unitary Development Plan and London Plan policies 3C.23 and 3C.24.



PROPOSED FRONT ELEVATION - E1 (SOUTH) 1:100 @ A1



PROPOSED REAR ELEVATION - E2 (NORTH) 1:100 @ A1



PROPOSED SIDE ELEVATION - E3 (EAST) 1:100 @ A1



PROPOSED SIDE ELEVATION - E4 (WEST) 1:100 @ A1