

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON TUESDAY, 23 FEBRUARY 2010**

COUNCILLORS

PRESENT Alan Barker, Dogan Delman, Lee Chamberlain, Andreas Constantinides, Jonas Hall, Ahmet Hasan, Chris Joannides, Henry Lamprecht, Anne-Marie Pearce and Toby Simon

ABSENT Jayne Buckland, Peter Fallart, Dino Lemonides, Donald McGowan and Kieran McGregor

OFFICERS: Bob Ayton (Schools Organisation & Development), Bob Griffiths (Assistant Director, Planning & Environmental Protection), Andy Higham (Area Planning Manager), John Hood (Legal Services), Steve Jaggard (Environment & Street Scene), Sean Newton (Planning Officer), Aled Richards (Head of Development Services), David Snell (Area Planning Manager) and Mike Brown (Team Leader - Conservation) Jane Creer (Secretary) and Stacey Gilmour (Secretary)

Also Attending: Councillors Achilleas Georgiou, Paul McCannah and Martin Prescott.
Approximately 30 members of the public, applicants, agents and their representatives.
Councillor Tony Dey, Vice Chairman of the Conservation Advisory Group.

807

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.

808

APOLOGIES FOR ABSENCE

NOTED

1. Apologies for absence were received from Councillors Buckland, Fallart, Lemonides, McGowan and McGregor.
2. Councillor Hall apologised that he had to leave the meeting early and was present for agenda items 1, 2, 3, 4, 5, 16, and 18 only.

809

DECLARATION OF INTERESTS

NOTED

1. Councillor Barker declared a personal and prejudicial interest in application TP/09/1669 – 1, Hadley Way, London, N21 1AL, as a friend of his lived close by. He left the room during consideration of this item and took no part in the debate or vote.
2. Councillor Lamprecht declared a personal and prejudicial interest in application TP/09/1422 – Watermill Lane, London, N18 1SU, as his partner was on the Origin Housing Group Board. He left the room during consideration of this item and took no part in the debate or vote.
3. Councillor Delman declared a personal interest in application TP/09/1683 – 389, Cockfosters Road, Barnet, EN4 0JS during consideration of the item, as he recognised the planning consultant as having worked with a company he was associated with.

810

MINUTES OF PLANNING COMMITTEE 19 JANUARY 2010

AGREED the minutes of the meeting held on Tuesday 19 January 2010 as a correct record.

811

REPORT OF THE ASSISTANT DIRECTOR, PLANNING AND ENVIRONMENTAL PROTECTION (REPORT NO. 201)

RECEIVED the report of the Assistant Director, Planning and Environmental Protection (Report No. 201).

812

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.

813

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.

814

TP/09/1488 - 10-12, LONDON ROAD, ENFIELD, EN2 6EB

NOTED

PLANNING COMMITTEE - 23.2.2010

1. Councillor Dey reported the Conservation Advisory Group's concerns regarding the rear dormers and the loss of the original roof profile and that the proposals did not improve or enhance the Conservation Area.
2. A deputation request had been accepted on behalf of the tenant of 10B, London Road, but the depute was not present at the meeting.
3. The response of Mr Panos Savva, the applicant, including the following points:
 - (i) He had altered the original plans considerably in the light of comments made.
 - (ii) He had kept within the original footprint of the building and used traditional materials.
4. Councillor Simon welcomed retention of the basic character of the front of this handsome building in a principal street, and felt it was important that flats above shops were brought into use.

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

815

TP/09/1669 - 1, HADLEY WAY, LONDON, N21 1AL

NOTED

1. Councillor Barker left the room and took no part in the discussion or vote; Councillor Delman acted as Chairman for the item.
2. The officers' introduction highlighting previous planning decisions, relevant UDP policies and government guidance, and that the recommendation was finely balanced.
3. The deputation of Ms Kerry Wilkins, a neighbour speaking on behalf of local residents, including the following points:
 - (i) They had been through five applications now and local people felt strongly that this has been a process of attempted development 'by the back door'.
 - (ii) Concerns about inaccuracies in the report, particularly in relation to the parking areas.
 - (iii) Two additional car parking spaces on a garden within 100ft of a 4-way roundabout just outside two controlled parking areas with potentially 14 cars from seven bedrooms would put pressure on the area.
 - (iv) Experiences of neighbours throughout the development since November 2008 to date were poor, with the developer not showing consideration for the local area or their neighbours.
 - (v) Planning officers should uphold and implement the Council's adopted planning policy.

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- (vi) The officer referred to gross and net floor area being the same at 91sqm which could not be the case, and use of approximations was completely unacceptable.
 - (vii) The UDP clearly stated that in the case of any extensions which have been undertaken to the property, these will not be counted as part of the minimum floor area, and the application for three flats should therefore be refused.
 - (viii) The report only presented cases that had been overturned at appeal and not cases where the policy had been upheld.
 - (ix) Having potentially 14 people in seven bedrooms in three different flats in a semi-detached house with one entrance would adversely affect neighbours' quality of life.
4. The response of Mr Andrew Spitaliotis, the applicant, including the following points:
- (i) He confirmed that Planning officers had been to the site and taken measurements.
 - (ii) The site had been left as he had been told not to undertake any more works.
 - (iii) This was a negotiated scheme following previous refusals. Everything had been done to create three flats which met floor space requirements and standards.
 - (iv) The dwellings provided would increase the housing stock.
 - (v) The Planning Inspector had accepted that previous extensions should be incorporated.
 - (vi) The scheme had the approval of Traffic and Transportation officers.
 - (vii) Existing parking was shared with neighbours' parking and he was prepared to add planting to make the area look nice.
 - (viii) The external elevations would remain unaltered.
 - (ix) Issues such as party walls were not planning matters, but all building regulations would be complied with.
 - (x) The development would not be out of context in the area, there were other flats locally that were not detrimental to the area.
 - (xi) Opportunities to provide a better choice and mix of housing and tenancies should be encouraged.
5. The statement of Councillor Martin Prescott, Winchmore Hill Ward Councillor, including the following points:
- (i) He supported the detailed comments made by Ms Wilkins.
 - (ii) It appeared the developer wanted to fit as many people as possible into the space. Potentially 14 people in seven bedrooms in three flats with one entrance would amount to over-development in this residential street.
 - (iii) There were no other obvious conversions in the street so this development would change the character of the area.
 - (iv) The development would have a detrimental impact on people living adjoining and adjacent.

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- (v) He urged Committee Members again to refuse the application and send a strong message to this developer that the Council did not want to see this type of work.
6. Planning officers' responses to Members' queries, including the following points:
- (i) The measurements quoted in the report were based on the plans and three or four visits by the case officer.
 - (ii) Confirmation that the proposed flats would be in accordance with the minimum requirements of the UDP.
 - (iii) Condition 6 provided assurances regarding sound-proofing.
 - (iv) The level of detail in the report was necessary to reflect the numerous arguments which had been put forward in the past and give respect to objectors' concerns, and make the case as transparent as possible. There was also a greater evidence base this year in relation to the loss of a 4-5 bed family unit.
 - (v) Fire safety / escape routes were covered by building regulations.
7. A majority of the Committee voted not to accept the officers' recommendation.
8. The advice of the Head of Development Services in respect of potential reasons for refusal.
9. A proposal that planning permission be refused on the basis that the proposed conversion would result in the loss of family accommodation more appropriately occupied as a single family dwelling house, supported by a majority of the Committee. On request, the names were recorded as follows:
- Votes for refusal: Councillors Chamberlain, Hall, Joannides, Lamprecht and Pearce.
- Votes against refusal: Councillors Simon, Constantinides and Hasan.

AGREED that planning permission be refused for the reason set out below.

Reason: The proposed conversion would result in the loss of family accommodation more appropriately occupied as a single family dwelling house having regard to Policies (I)H2 and (II)H6 of the Unitary Development Plan and the Enfield Council Housing Study.

816

TP/09/1683 - 389, COCKFOSTERS ROAD, BARNET, EN4 0JS

NOTED

1. Councillor Hall left the meeting and took no part in consideration of this application or any further items.
2. The deputation of Mr Matt Bailey, Associate Partner, Metropolis Planning and Design, including the following points:

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- (i) He represented the occupier and owner of no. 391, Cockfosters Road.
 - (ii) Details of the key objections were set out on a sheet distributed to all Members of the Planning Committee.
 - (iii) This proposal would be an over-development with very large wings to the rear extending beyond the building line of other properties in Cockfosters Road.
 - (iv) The scale and massing would be alien to the character of the area and have a detrimental impact on the appearance of the Conservation Area.
 - (v) Details of the design of the rear elevation were out of character with surrounding development and included excessive fenestration.
 - (vi) The development would seriously compromise the residential amenities of the occupiers of 391 and 387, Cockfosters Road.
3. The statement of Councillor Paul McCannah, Ward Councillor, including the following points:
- (i) The key concern was that the proposal amounted to overdevelopment, particularly to the rear.
 - (ii) The proposal would be intrusive and overbearing to the occupiers of no. 391, Cockfosters Road who would suffer from overlooking and loss of privacy.
 - (iii) The architecture would look bulky and out of character.
 - (iv) There had been flatted developments in the area, but he considered these were detrimental to the area's character.
4. The response of Mr Antoine Christoforou of Village Homes, the applicant, including the following points:
- (i) He welcomed and appreciated the report and advice from officers to improve the scheme in response to comments received.
 - (ii) The application had been significantly revised in terms of design and other changes including reductions in floor area, ridge height and building width, and closing of a vehicle access point to Cockfosters Road.
 - (iii) The development would be fully in keeping with other Cockfosters Road individual buildings set on large plots and would look like a single dwelling.
 - (iv) There would be screened balconies and obscure glazed windows so there would be no loss of residential amenity to neighbours.
 - (v) This development would be a quality addition to Cockfosters Road.
5. Councillor Delman declared a personal interest in the application, having recognised that the planning consultant worked for a company he was associated with.
6. Officers' responses to Members' queries regarding the scale of the development and the impact at the rear on adjoining properties.

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7. Councillor Simon expressed disappointment that the development did not accord with housing needs for three and four-bedroom homes, but that on balance the proposal was suitable and could be supported.

AGREED that, subject to the completion of a Section 106 Agreement to secure a contribution of £10,000 towards the construction of a centre island in Cockfosters Road, in the vicinity of the site, planning permission be granted, subject to the conditions set out in the report, for the reasons set out in the report.

817

TP/09/1696 - 28, UPSDELL AVENUE, LONDON, N13 6JN

NOTED

1. The statement of Councillor Achilleas Georgiou, Ward Councillor, including the following points:
 - (i) The report detailed only one reply to the public consultation, but this reflected fatigue on the part of local residents; the previous applications attracted numerous objections and petitions. Residents felt let down by the officers' recommendation that planning permission be granted for this application.
 - (ii) It was understood that this position had been reached after negotiation with the developer, but residents wanted the Council to take decisions that were right for the area.
 - (iii) The application was retrospective, and there was overlooking and detrimental impact to neighbouring residents.
 - (iv) Comparisons could be made with application TP/09/1669 considered earlier in the meeting, in that there may be potentially ten people living in the five bedrooms of what should remain a single family dwelling.
 - (v) Concerns in relation to the size of the two-bed flat, and that the larger flat did not meet required standards.
 - (vi) There was a balcony and railings which caused issues as people looked out over neighbours' gardens and infringed their privacy.
2. The Planning officer's advice in response to points raised, including that the flat conversion was considered acceptable as it was not the first, and conversions were well dispersed along the road. In relation to floor area, there had to be regard to standards, but authorities were encouraged to interpret these more flexibly. A balcony was not shown on plans.
3. Members' concerns regarding the effect on the residential amenities of neighbouring properties especially due to the use of the flat roof as a balcony to the first floor flat, and agreement to officers' suggested condition to prevent such use.

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4. Members' concerns that limits should be adhered to and the inadequacy of the accommodation given the floor area of the three-bedroom flat being below 80sq.m.
5. The majority of the Committee did not support the officers' recommendation.
6. The advice of the Head of Development Services in relation to wording of the reason for refusal.

AGREED that planning permission be refused for the reason set out below.

Reason: The conversion of the property into two flats results in the creation of a sub standard ground floor unit and a poor standard of residential accommodation leading to an over-intensive use of the residential property and poor living conditions for future occupiers of the property, contrary to Policy (II)H16 of the Unitary Development Plan and the Council's adopted Supplementary Planning Guidance on Flat Conversions as well as Policy 3A.6 of the London Plan.

818

LBC/09/0026 - QUEEN ELIZABETH STADIUM, DONKEY LANE, ENFIELD, EN1 3PL

NOTED

1. The two applications relating to Queen Elizabeth Stadium were discussed together, but voted on separately.
2. Printed copies of the list of suggested conditions had been produced and distributed to Members.
3. Verbal introduction and highlighting of key points by Sean Newton, Planning case officer.
4. Councillor Dey's confirmation that the Conservation Advisory Group (CAG) set up a sub-committee to study the proposals and issued a report to the case officer. There were significant details to be resolved, but CAG embraced the proposals and endorsed the report.
5. In response to Councillor Simon's queries in relation to cycling provision, the Traffic and Transportation officer's confirmation that a cycle route proposal would not conflict with the scheme and that there would be cycle parking.

AGREED that in accordance with Regulation 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 the Director of Education, Children's Services and Leisure be invited to make an application to the Secretary of State for Communities and Local Government who should be invited to attach the conditions set out in the report to any approval.

819

LBE/09/0033 - QUEEN ELIZABETH STADIUM, DONKEY LANE, ENFIELD, EN1 3PL

AGREED that in accordance with Regulation 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 the Director of Education, Children's Services and Leisure be invited to make an application to the Secretary of State for Communities and Local Government who should be invited to attach the conditions set out in the report to any approval.

820

LBC/09/0028 - MILLFIELD HOUSE ARTS CENTRE, STRAND PLACE, LONDON, N18 1NB

NOTED

1. The two applications relating to Millfield House Arts Centre were discussed together, but voted on separately.
2. The amended recommendations as reported by the Planning officer.
3. Confirmation that the Conservation Advisory Group (CAG) had no objections, and believed that the proposals would improve the functionality of the building. They were concerned that authentic materials should be used, and the lead made as secure as possible from thefts.

AGREED that following the expiration of the consultation period and no objection being raised by the Planning Committee to the proposed works subject to the specified conditions, the application shall be referred to the Secretary of State for Communities and Local Government for determination, for the reason set out in the report.

821

LBE/09/0035 - MILLFIELD HOUSE ARTS CENTRE, STRAND PLACE, LONDON, N18 1NB

AGREED that following the expiration of the consultation period, the Head of Development Management be authorised to grant deemed consent in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992, subject to the conditions set out in the report, for the reason set out in the report.

822

LBE/09/0040 - PUBLIC OPEN SPACE, ALMA ROAD, ENFIELD, EN3 4QD

AGREED that planning permission be deemed granted in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992,

subject to the condition set out in the report, for the reason set out in the report.

823

LBE/09/0041 - 188, RADIOMARATHON CENTRE, TURKEY STREET, ENFIELD, EN1 4NW

NOTED

1. An amendment to the report, to identify that the play area is to be sited in the North West corner of the site, not the North East of the site.
2. Receipt of letters of objection from the occupiers of 'Winterton' and 'Gatehouse', Turkey Street, raising concerns that the proposal would cause maximum interference to residents and that additional screening should be provided.
3. Planning officers' advice that there was already substantial screening, with mature trees between the site and the highway.

AGREED that planning permission be deemed 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 reason set out in the report.

824

LBE/09/0043 - PYMMES PARK, VICTORIA ROAD, LONDON, N18 2UG

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

825

LBE/10/0001 - ARNOS PARK, ARNOS ROAD, LONDON, N11 1AP

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

826

LBE/10/0002 - BRIMSDOWN PRIMARY SCHOOL, GREEN STREET, ENFIELD, EN3 7NA

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.

827

TP/09/1422 - WATERMILL LANE, LONDON, N18 1SU

NOTED

1. Councillor Lamprecht left the room and took no part in the discussion or vote on this application.
2. Receipt of an additional letter of objection from Weir Hall Ratepayers Association maintaining their objection on density and lack of infrastructure.
3. Confirmation of Transport for London's agreement to the Travel Plan proposals.
4. Members' debate regarding the adequacy of parking provision, and officers' agreement to investigate the possibility of excluding future residents from a future controlled parking zone (CPZ) proposed around North Middlesex Hospital.
5. Members' desire that the potential to establish a car club be explored and that the applicant be requested to reserve space for possible car club use.
6. Officers' response to Members' queries regarding the adequacy of amenity space and confirmation that a £30,000 contribution had been identified to offset amenity space deficiency.

AGREED that subject to the completion of a Section 106 agreement, and referral of the application to the Greater London Authority (GLA), the Assistant Director, Planning and Environmental Protection be authorised to grant planning permission, subject to the conditions set out in the report, for the reasons set out in the report.

828

TP/09/1598 - 20, JUTE LANE, ENFIELD, EN3 7PJ

NOTED the receipt of a letter of concern from Shelmar Engineering Ltd, Jute Lane, in relation to an increase in vehicles, especially articulated vehicles, as they would use the turning facility, which was often blocked despite all best efforts to prevent this.

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

829

APPEAL INFORMATION

NOTED

PLANNING COMMITTEE - 23.2.2010

1. In response to Councillor Simon's highlighting of the appeal against refusal of application TP/09/1523 – 34, New River Crescent and land rear of, 2-32, New River Crescent, the Head of Development Services advised that this was not the application at this site refused at the 19 January meeting of the Planning Committee, but that there was now an appeal ongoing from that decision.
2. Members noted the information on town planning application appeals received from 01/01/2010 to 09/02/2010.

830

CONSERVATION AREA REVIEW PHASE IV - THE LAKES ESTATE (REPORT NO. 202)

RECEIVED the report of the Director of Place Shaping and Enterprise (Report No. 202).

NOTED

1. Confirmation that Cabinet on 10 February 2010 approved the designation of the new conservation area at The Lakes Estate.
2. Members of the Committee were invited to bring forward any comments.
3. Councillor Lamprecht welcomed the proposals and expressed thanks on behalf of local residents.
4. Members of the Planning Committee received the approved Character Appraisals and Management Proposals for the new conservation area and would forward any comments to the Director of Place Shaping and Enterprise, via Mike Brown, Team Leader – Conservation and Design.

831

PLANNING BRIEFS FOR BUILDING SCHOOLS FOR THE FUTURE (BSF) PROGRAMME AT EDMONTON COUNTY LOWER SCHOOL, EDMONTON COUNTY HIGHER SCHOOL AND BROOMFIELD HIGH SCHOOL (REPT NO. 203)

RECEIVED the report of the Assistant Director, Planning and Environmental Protection.

NOTED

1. A Planning Committee resolution was sought that the Planning Briefs were acceptable, so that the Building Schools for the Future (BSF) Programme could proceed.

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2. The Schools Organisation and Development Officer set out the next stages to progress the BSF programme, and confirmed that equivalent Briefs would be developed for other schools.

AGREED that Members of the Planning Committee noted the contents of the report and approved the Briefs as a material consideration in any future planning application.