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PLANNING COMMITTEE

Tuesday, 22nd November, 2022 at 7.00 pm
Conference Room, Civic Centre, Silver
Street, Enfield, EN1 3XA

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MEMBERS

Councillors : Sinan Boztas (Chair), Elif Erbil (Vice-Chair), Nawshad Ali,
Gunes Akbulut, Kate Anolue, Lee Chamberlain, Peter Fallart, Ahmet Hasan,
Mohammad Islam, Michael Rye OBE, Jim Steven and Doug Taylor

AGENDA – PART 1

3. MINUTES OF PREVIOUS MEETINGS (Pages 1 - 14)

To approve the minutes of the meetings held on Wednesday 28 September 2022 and Tuesday 18 October 2022 as a true and correct record.

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PLANNING COMMITTEE - 28.9.2022

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON WEDNESDAY, 28 SEPTEMBER 2022****COUNCILLORS**

PRESENT Elif Erbil (Chair), Kate Anolue (Vice Chair), Gunes Akbulut, Nawshad Ali, Mahym Bedekova, Lee Chamberlain, Peter Fallart, Thomas Fawns, Ahmet Hasan (Associate Cabinet Member (Enfield North)), Michael Rye OBE and Jim Steven

ABSENT Sinan Boztas, Mohammad Islam and Doug Taylor

OFFICERS: Vincent Lacovara (Head of Planning), Andy Higham (Head of Development Management), Gideon Whittingham (Planning Decisions Manager), Elizabeth Paraskeva (Principal Lawyer), Brett Leahy (Place Department), Sharon Davidson (Planning Decisions Manager), Karolina Grebowiec-Hall (Principal Planning Officer), David B Taylor (Head of Traffic and Transportation), Julie Thornton (Legal Services) and Mike Hoyland (Senior Transport Planner) and Robyn McLintock (Secretary)

Also Attending: Members of the public, deputies, applicant and agent representatives.

1**WELCOME AND APOLOGIES**

The Chair, Cllr Elif Erbil welcomed everyone to the meeting.

Cllr Kate Anolue was nominated to be the Vice-Chair for the meeting.

Apologies were received from the following:

Cllr Sinan Boztas, substituted by Cllr Mahym Bedekova
Cllr Doug Taylor, substituted by Cllr Thomas Fawns
Cllr Mohammad Islam – no substitute

2**DECLARATIONS OF INTEREST**

No declarations of interest were received.

Cllr Elif Erbil stated she is a ward councillor for Lower Edmonton.
Cllr Thomas Fawns stated he is a ward councillor for Upper Edmonton.

3**MINUTES OF PREVIOUS MEETING**

PLANNING COMMITTEE - 28.9.2022

AGREED that the minutes of the meeting held on 6 September 2022 as a correct record.

4

REPORT OF THE HEAD OF PLANNING

Received the report of the Head of Planning, which was **NOTED**.

5

22/00168/OUT - MONTAGU INDUSTRIAL ESTATE, ENFIELD, LONDON, N18 2NG

1. The introduction by Gideon Whittingham (Planning Decisions Manager), clarifying the proposals.
2. Officers, responding to questions from Members, advised that the relocation of the church is secured as part of the legal agreement and the Council as the landowner is working with businesses and tenants onsite to relocate them. The wedding venue will not be relocated. Due to the nature of the site, there is expected ground contamination, the assessment of which will be conditioned. The more detailed full application would see 15 trees planted to replace the current 10. The outline element currently proposed no tree removal and any proposed would be subject to approval through discharge of condition.
3. Officers clarified that the total number of disabled car spaces provided are policy compliant but the spilt can still be determined. The space for electric charging spaces is within London Plan standards and funded by the developer. The rest of the spaces are passive electric charging spaces and can be changed if there is a future demand. Existing access will be maintained to avoid directing traffic onto residential streets, pedestrian access is more accessible from adjacent roads.
4. Following questions from Members, Officers confirmed that at present the site has 611 full time employees.
5. The unanimous support of the Committee for the officers' recommendation.

AGREED:

1. That subject to the completion of a legal agreement to secure the matters covered in this report and to be appended to the decision notice, the Head of Development Management be authorised to **GRANT** planning permission subject to conditions.
2. That the Head of Development Management be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

6

21/04742/FUL - MERIDIAN WATER WILLOUGHBY LANE AND MERIDIAN WAY LONDON N18

PLANNING COMMITTEE - 28.9.2022

1. The introduction by Karolina Grebowiec-Hall (Principal Planner), clarifying the proposals. An update report was circulated with amendments to the report including the assessment of flood risk, ecology, viability and waste management as well as an update to the recommendation.
2. The deputation of Matt Burn who spoke against the officers' recommendation.
3. The response from Sara Parkinson (Vistry).
4. Members commented that the biggest challenge of this application is the flood risk. Concerns were also raised regarding the adequacy of play space, height, fire safety, the function of waste services, no family sized units and the lack of response from the Fire Brigade and the education department. There were also questions regarding the naturalisation of Pymmes Brook.
5. Officers explained the play space available is appropriate in relation to the number of children expected and the comments of Sport England had been addressed by the proposal. The wind conditions around the building can be dealt with by a planning condition to ensure there is appropriate mitigation. Sprinklers will be installed into the building. The arrangements for waste are set out in the update report. The collection of waste by the refuse collector will require a managed solution and the S106 Agreement will include a requirement for an Estate Management Plan that will need to cover this.
6. Following questions from members, Officers confirmed that the application would provide 143 jobs during the construction period, including 45 apprenticeships. The non-residential floor space will be returned to Enfield Council for future allocation use.
7. The new Section 106 will cover the provision of 2 bus stops in which crossing points will be considered. Condition 46 covers a waste management plan to ensure it works for the development and future residents.
8. The Director of Planning and Growth confirmed that the flood risk had been under significant assessment over the past 9 months, and that the Environment Agency supported the recommendation. The Council's LLFA officer and team also supported the recommendation of this application. In the very unlikely event there was an issue, the item would be referred back to the Planning Committee. The Legal Team consider this approach to be reasonable.
9. On the basis that the proposal had a number of issues remaining to be resolved, a motion was proposed by Cllr Rye, and seconded by Cllr Chamberlain to defer making a decision against the officer's recommendation to grant planning permission. This was on the basis that the application was deficient in resolving the flooding issue, management of waste and appropriate play space.
10. The majority voted against the motion, with 6 against and 5 for. The motion was not carried.

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11. The officer's recommendation put before members was considered and then agreed with 6 votes for, 2 against and 2 abstentions.

AGREED:

1. If **NO OBJECTION** is received from the Environment Agency, following referral of the application to the Greater London Authority and the completion of a S106 Agreement to secure the matters covered in this report, the Head of Development Management shall be authorised to **GRANT** planning permission subject to conditions.
2. If an **OBJECTION** is raised by the Environment Agency but they request additional information and/or changes in order for their objection to be withdrawn, and this is provided and/or agreed to be provided such that it leads to a withdrawal of the objection, the Chair, Vice Chair and Opposition Lead shall be consulted to determine if the changes required to address the objections raised by the Environment Agency require the scheme to be brought back to Planning Committee for further consideration.
3. If an **OBJECTION** is maintained by the Environment Agency which cannot be resolved or it is agreed with the Chair, Vice Chair and Opposition Lead following paragraph 2 above that the matter should be brought back to Planning Committee this item shall be referred back to this Committee for further consideration.
4. That the Head of Development Management be granted delegated authority to finalise the wording of the S106 Agreement and agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

7

22/00106/FUL - MERIDIAN WATER, KIMBERLEY WAY, LONDON, N18

1. The introduction by Sharon Davidson, Planning Decisions Manager, clarifying the proposals, explaining the relationship of this proposal to the wider development.
2. Discussion around design and specific comments from members concerning the loss of approved community space. Officers explained that building on the approved community space was offset by provision elsewhere and that there was still sufficient amenity space being provided.
3. The unanimous support of the Committee for the Officers recommendation.

AGREED:

1. That subject to the finalisation of a S106 Agreement linking this application to the S106 Agreement for the wider Phase 1 site, the Head of Development Management be authorised to **GRANT** planning permission subject to conditions.

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2. That the Head of Development Management be granted delegated authority to agree the final wording of the S106 Agreement and conditions to cover the matters in the Recommendation section of this report.

8

20-01815-FUL - 41-52 GILDA AVENUE, ENFIELD, EN3 7UJ

1. The introduction by Andy Higham, Head of Development Management clarifying the proposals.
2. Officers responded to queries from Members and confirmed they can work with the applicant to ensure window design can be conditioned. It was also confirmed that 6 trees are being removed with 14 semi mature trees being replaced.
3. The unanimous support of the Committee for the Officers recommendation

AGREED:

1. That subject to the finalisation of a S106 to secure the matters covered in this report and to be appended to the decision notice, the Head of Development Management be authorised to **GRANT** planning permission subject to conditions.
2. That the Head of Development Management be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

9

22-00047-FUL - ENFIELD DISTRICT HEAT NETWORK BETWEEN SOUTHBURY ROAD EN1 HERTFORD ROAD AND ST MARTINS ROAD N9

1. The introduction by Sharon Davidson, Planning Decisions Manager, clarifying the proposals. Noted the additional conditions set out in the update report.
2. Members requested that maps on reports or presentations show the road names in future.
3. Members were concerned that this would cause major traffic disruption and works should be scheduled during school holidays when traffic is lighter. The Head of Traffic and Transportation advised that they would do what they could to minimise the impact, but not all of the works could be carried out during the school holidays. There will be temporary lights and traffic management measures, and these would be processed in accordance with standard highway procedures.
4. Following questions and comments from members, officers confirmed they will be working with local businesses to minimise their disruption and business rate relief could be applicable. Although there is no precise time scale, the works are likely to last for several months. Officers will be working to control the hours that work takes place for environmental aspects.

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5. The unanimous support of the Committee for the Officers recommendation.

AGREED:

1. In accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, the Head of Development Management be authorised to **GRANT** full planning permission subject to planning conditions.
2. That the Head of Development Management be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

10

FUTURE MEETING DATES

NOTED the dates of the future meetings.

PLANNING COMMITTEE - 18.10.2022

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON TUESDAY, 18 OCTOBER 2022**

COUNCILLORS

PRESENT Sinan Boztas (Chair), Elif Erbil (Vice Chair), Nawshad Ali, Gunes Akbulut, Kate Anolue, Lee Chamberlain, Peter Fallart, Mohammad Islam, Bektas Ozer, Michael Rye OBE, Jim Steven and Doug Taylor

ABSENT Ahmet Hasan (Associate Cabinet Member (Enfield North))

OFFICERS: Ian Davis (Chief Executive), Brett Leahy (Director of Planning and Growth), Terry Osborne (Director of Law and Governance), Vincent Lacovara (Head of Planning), Andy Higham (Head of Development Management), Allison de Marco (Planning Decisions Manager), (David Gittens (Planning Decisions Manager), Gideon Whittingham (Planning Decisions Manager), Sharon Davidson (Planning Decisions Manager), Elizabeth Paraskeva (Principal Lawyer, Regeneration and Contracts Teams), Harriet Bell (Heritage Officer), Mike Hoyland (Senior Transport Planner - Environment), Lap-Pan Chong (Principal Planning Officer), Sarah Odu (Principal Planning Officer), Tom Rumble (Urban Design Lead and Deputy Team Manager), Marie Lowe (Secretary)

Also Attending: Members of the public, deputees, applicant and agent representatives.

**1
WELCOME AND APOLOGIES**

The Chair welcomed all attendees to the meeting.

Members were reminded of the need to declare all pecuniary or non-pecuniary interests of the items on the agenda and, if applicable, the nature of the interest. Additionally, Members were asked to disclose at this point if they had been lobbied on any of the agenda items (whether it be by the applicant, agent, someone connected to them, by objectors and or residents) and to confirm for the record the nature of any contact. Members were also reminded of the need to have an open mind to the items before Committee and to make their decision solely on the papers and arguments being presented.

Apologies for absence were received from Councillor Ahmet Hasan, who was substituted by Councillor Bektas Ozer.

The Chair agreed to amend the running order of the agenda to accommodate the deputees, who following their item were welcome to leave the meeting.

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Therefore, the agenda was taken in the following order – Item 7, 8, 9, 5 and 6. However, for clarity the minutes are shown in the order of the published agenda.

**2
DECLARATIONS OF INTEREST**

NOTED that Councillor Doug Taylor declared a non-pecuniary interest as a Council appointed Director of Energetik and would withdraw from the meeting during the discussion of Item 9 - 22/02098/RM - Meridian Water Former Gas Holder Site, Leaside Road, London, N18.

**3
MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON
TUESDAY 28 SEPTEMBER 2022**

In relation to Item 9 - 21/04742/FUL – Meridian Water Willoughby Lane and Meridian Way London N18, Councillor Chamberlain commented that the points raised by the depute, Mr Burn, regarding the major concerns, particularly the single staircase had not been referenced in the minutes.

AGREED that the minutes of the above meeting be withdrawn from the agenda due to inaccuracies contained therein and be brought back to a future Committee meeting.

**4
REPORT OF THE HEAD OF PLANNING**

RECEIVED and **NOTED** the report of the Head of Planning.

**5
22/01738/FUL - 385 COCKFOSTERS ROAD, BARNET, EN4 0JS**

David Gittens, Planning Decisions Manager, introduced the report and described the proposals.

Councillor Alessandro Georgiou, Ward Member for Cockfosters, spoke against the Officer's recommendations.

Mr Makasis, architect, spoke on behalf of the applicant in support of the Officer's recommendations.

During the discussion, Members raised concerns regarding reference in the report to the accommodation being not strictly compliant with Policy DMD 3. The parking provision was also argued to be inadequate as it did not allow for visitor parking or for delivery or maintenance vehicles. Members also debated possible conditions for extra parking and tree replacement (where they were seeking confirmation of the number of trees being replanted). Concerns were also raised regarding the visual impact of the outbuilding on the green belt which was not typical of the surrounding area.

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Councillor Michael Rye proposed that the application be deferred due to the inaccuracies of the report of Officers regarding Policy DMD3, the inadequacy of car parking provision, insufficient replacement trees proposed and the impact of the outbuilding, which was out of character in the area and would set a precedent for any future development in the vicinity. The proposal was seconded by Councillor Lee Chamberlain.

On being put to the vote, there were seven votes for the proposal to defer the application, four against and one abstention.

AGREED that planning permission be **DEFERRED** for the aforementioned reasons.

6

21/01140/FUL - PUBLIC HOUSE, GREEN STREET, ENFIELD, EN3 7SH

Gideon Whittingham, Planning Decisions Manager, introduced the report and described the proposals. Mr. Whittingham advised the committee that a further letter of objection had been received from Feryal Clark MP objecting to the development.

The deputies Mr Mitchell, local resident and Mr Daniele, agent for the applicant, spoke against the Officer's proposal to refuse the application.

During the discussion which ensued, concerns were raised regarding the lack of changes to the previously considered scheme, the non-compliant fire safety provision, the safety of the children's play area located on the twenty-first floor, the loss of community space and the need for more landscaping. Concerns were also raised about the close proximity of the first-floor amenity space and habitable room windows on Langley Court. Further discussion centred on viability / level of affordable housing contribution and the loss of the public house (although there was an acceptance that the public house had been closed for some time).

Andrew Marsden, the Council's Building Control Manager gave specific advice on the building regulations and concerns about fire safety, and this was echoed by Brett Leahy, Director of Planning & Growth who stated that of all the reasons for refusal, fire safety was the most concerning.

Members also expressed concern regarding the timeframe given by the Committee at its meeting on 19 July 2022 to the applicant to address the reasons for refusal contained in the previous application. Some Members considered this to be insufficient for such a large development. Members were reminded that the timings had been mandated by the Committee themselves and that officers had worked to those timescales.

Councillor Michael Rye proposed, seconded by Councillor Peter Fallart, that planning permission be refused as per the officer's recommendations.

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On being put to the vote, there were five votes for the proposal to refuse the application and seven against.

Members went on to discuss the application further. During the debate, Councillor Mohammad Islam appeared to suggest that he had been in communication with the Applicant who had advised that the communication from the Planning Department had not been adequate. This prompted Elizabeth Paraskeva, the Council's Principal Lawyer, Regeneration and Contracts Teams to seek clarification and to ask Councillor Mohammad Islam to repeat what he had just said. The Councillor explained he was referring to the communication between Enfield's planning officer and the developer's planning agent, rather than direct contact. Brett Leahy, Director of Planning & Growth, advised that he had seen the communication to and from the Applicant and that it was incorrect to say the communication had been inadequate.

Councillor Mohammad Islam proposed that the item be deferred to consider further fire safety and the children's play area but, following a request from Councillor Taylor, it was agreed that it would be sensible to include all 12 reasons for refusal contained in the report so there could be future discussions with the Applicant on all 12 reasons during the period of deferral.

Discussion took place amongst Members as to what would be an appropriate timeframe for the deferral and 6 months was agreed as a reasonable. Following further advice from Brett Leahy, Director of Planning & Growth, it was acknowledged that this period may not naturally fall on a scheduled Committee date and officers would therefore bring back a report on this item, to an appropriate meeting around this timescale.

Councillor Mohammad Islam proposed an amended motion, seconded by Councillor Gunes Akbulut, that the planning application be deferred for six months to allow the applicant sufficient time to address all the 12 reasons for refusal set out in the Officer's report.

On being put to the vote, there were eight votes for the proposal to defer the application, three against and one abstention.

Councillor Jim Steven commented that he was extremely concerned that the committee had agreed to defer this item rather than refusing planning permission given the very serious concerns raised by officers during the debate.

AGREED that the planning application be **DEFERRED** for six months to allow the applicant sufficient time to address all the 12 reasons for refusal set out in the Officer's report.

The Chair adjourned the meeting at 21.01 until 21.12.

7

**22/02098/RM - MERIDIAN WATER FORMER GAS HOLDER SITE,
LEESIDE ROAD, LONDON, N18**

PLANNING COMMITTEE - 18.10.2022

NOTED that Councillor Doug Taylor having declared a non-pecuniary interest as a Council appointed Director of Energetik withdrew from the meeting during the discussion of this item.

Sarah Odu, Principal Planning Officer, supported by Sharon Davidson, (Planning Decisions Manager – Corporate Projects) introduced the report and described the proposals.

Mr Burn, resident of a neighbouring property, spoke against the officer's recommendation.

Ms Parkinson, Vistry, on behalf of the applicant, spoke in favour of the officer's recommendation.

Members, during the discussion which ensued, raised concerns regarding the current fire safety legislation which allowed for single staircase escape route, which in the proposed development connected to a covered car park by way of the lobbies.

Andrew Marsden, the Council's Building Control Manager gave specific advice on the building regulations and the relationship to fire safety and confirmed that he was satisfied in this regard.

Concerns were also raised by Members in relation to accessibility to disabled parking through the lobbies together with access and location of the refuse stores, as well as the adequacy of car parking spaces

The sub-optimal levels of daylight / sunlight for occupiers of some of the rooms in the proposed units were also discussed.

On being put to the vote, there were seven votes for and four against.

AGREED:

1. That the Head of Development Management be authorised to **GRANT** approval for the reserved matters application Subject to Conditions.
2. That the Head of Development Management be granted delegated authority to finalise the wording of the conditions to cover the matters in the Recommendation section of this report.
3. That the Head of Development Management be authorised to discharge the details submitted pursuant to conditions 9,11,5,23,27,29, 31,32,35,36,37,39,40,43,47,48,49,50,52,53,54,57,58,60,61,63,76,77 and 80.

8

22/01566/VAR - 50 SLADES HILL, ENFIELD, EN2 7EE

PLANNING COMMITTEE - 18.10.2022

David Gittens, Planning Decisions Manager, introduced the report and described the proposals.

NOTED that Councillor Doug Taylor having withdrawn during the discussion on the previous item returned to the meeting.

A letter from Councillor Joanne Laban had been circulated ahead of the meeting, reflecting concerns raised by residents.

On being put to the vote there were eleven votes for and one abstention.

AGREED:

1. That the Head of Development Management be authorised to **GRANT** planning permission subject to conditions.
2. That the Head of Development Management be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

9

22/01625/RE4 - 263 BULLSMOOR LANE, ENFIELD, EN1 4SF

Lap-Pan Chong Principal Planning Officer, together with Allison De Marco, Planning Decisions Manager, introduced the report and described the proposals.

Members questioned the height of the development on the basis that the recently completed development on the adjoining site should not set a precedence. It was also confirmed by officers that although the north wall had been proposed in an earlier iteration, it had been removed but there remained a distinct boundary between the site and the wider conservation area beyond. Clarification was also provided as regards the play space area, amenity space, daylight, the relationship to the New River and Conservation Area beyond and the visuals in the report. Officers responded to Cllr Chamberlain's question regarding the location of the off-site improvements to play space.

The Urban Design and Heritage officer spoke in support of the proposal.

On being put to the vote, there were nine votes in favour, one against and two abstentions.

AGREED:

1. That in accordance with Regulation 3 of the Town & Country Planning General Regulations 1992, and subject to the finalisation of a shadow Section 106 Agreement to secure the matters covered in this report and to be appended to the decision notice, the Head of Development Management be authorised to **GRANT** Planning Permission subject to conditions.

PLANNING COMMITTEE - 18.10.2022

2. That the Head of Development Management be granted delegated authority to finalise the wording of the Shadow section 106 Agreement and agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

10

FUTURE MEETING DATES

NOTED the dates of future meetings of the Committee which would be held in the Conference Room at the Civic Centre, Enfield and commence at 7.00pm.

Tuesday 01 November 2022 Cancelled
Tuesday 22 November 2022
Tuesday 13 December 2022
Tuesday 10 January 2023 * Provisional
Tuesday 24 January 2023
Tuesday 7 February 2023 * Provisional
Tuesday 21 February 2023
Tuesday 7 March 2023 * Provisional
Tuesday 21 March 2023
Tuesday 18 April 2023

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