

# Public Document Pack



## PLANNING COMMITTEE

Tuesday, 18th January, 2022 at 7.30 pm  
Council Chamber, Civic Centre, Silver Street,  
Enfield, EN1 3XA

Contact: Jane Creer / Metin Halil  
Committee Administrator  
Direct : 020-8132-1211 / 1296  
Tel: 020-8379-1000  
Ext: 1211 / 1296

To view the livestream of the above meeting please click [HERE](#), or copy and paste the below link into your internet browser:

E-mail: [jane.creer@enfield.gov.uk](mailto:jane.creer@enfield.gov.uk)  
[metin.halil@enfield.gov.uk](mailto:metin.halil@enfield.gov.uk)  
Council website: [www.enfield.gov.uk](http://www.enfield.gov.uk)

<https://bit.ly/3Fh3eGW>

## Attendees - Covid Guidance from the Council's Public Health Team -

- Do not attend if symptoms consistent with COVID-19 infection (e.g. current cough, fever, loss of sense of smell), irrespective of vaccine status or test result.
- Take a lateral flow test on the day of the meeting, and if positive, self-isolate and organise a PCR test as per UK Government guidance, irrespective of vaccination status.
- Do not attend if household contact of COVID-19 case in the last 10 days, irrespective of vaccination status (note this is above current UK Government guidance).
- Masks should always be worn and cover your face and mouth when inside the Civic centre (excluding those exempt).
- Sanitise or wash your hands with soap on arrival and leaving the Civic centre.

## MEMBERS

Councillors : Maria Alexandrou, Daniel Anderson, Kate Anolue, Mahym Bedekova (Vice-Chair), Sinan Boztas (Chair), Peter Fallart, Susan Erbil, Ahmet Hasan, Michael Rye OBE, Jim Steven, Doug Taylor and Hass Yusuf

**N.B.** Involved parties may request to make a deputation to the Committee by contacting [Democracy@enfield.gov.uk](mailto:Democracy@enfield.gov.uk) before 10am on the meeting date latest

## **AGENDA – PART 1**

- 1. WELCOME AND APOLOGIES FOR ABSENCE**
- 2. DECLARATION OF INTEREST**
- 3. MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON TUESDAY 26 OCTOBER 2021 & TUESDAY 2 NOVEMBER 2021** (Pages 1 - 12)

To agree the minutes of the Planning Committee meeting held on Tuesday 26 October 2021 and Tuesday 2 November 2021.

- 4. REPORT OF THE HEAD OF PLANNING** (Pages 13 - 14)

To receive the covering report of the Head of Planning.

- 5. 19/01988/FUL - ST MONICAS HALL, 521 GREEN LANES, LONDON, N13 4DH** (Pages 15 - 66)

### **RECOMMENDATION:**

1. That subject to the finalisation of a Section106 to secure the matters covered in this report and to be appended to the decision notice, the Head of Development Management/ the Planning Decisions Manager be authorised to Grant planning permission subject to conditions.
2. That the Head of Development Management/Planning Decisions Manager be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

WARD: Winchmore Hill

- 6. 20/01742/FUL - 50-56 FORE STREET, LONDON, N18 2SS** (Pages 67 - 134)

### **RECOMMENDATION:**

1. That subject to the completion of a Section106 Agreement to secure the obligations set out in this report, the Head of Development Management/Planning Decisions Manager be authorised to Grant planning permission subject to conditions.
2. That the Head of Development Management/Planning Decisions Manager be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

WARD: Upper Edmonton

- 7. 21/01816/FUL - THE ROYAL CHASE HOTEL, THE RIDGEWAY, ENFIELD, EN2 8AR** (Pages 135 - 196)

### **RECOMMENDATION:**

1. That subject to the finalisation of a Section106 to secure the matters covered in this report the Head of Development Management/ the



Planning Decisions Manager be authorised to Grant planning permission subject to conditions.

2. That the Head of Development Management/Planning Decisions Manager be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

WARD: Chase

## **7.1 UPDATE REPORT (Pages 197 - 202)**

## **8. FUTURE MEETING DATES**

Future meetings of the Planning Committee will be:

- 3 February 2022 – Provisional
- 22 February 2022
- 8 March 2022 – Provisional
- 22 March 2022
- 5 April 2022 – Provisional
- 26 April 2022

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## PLANNING COMMITTEE - 26.10.2021

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE  
HELD ON TUESDAY, 26 OCTOBER 2021****COUNCILLORS**

**PRESENT** Maria Alexandrou, Daniel Anderson, Kate Anolue, Mahym Bedekova, Susan Erbil, Peter Fallart, Ahmet Hasan, Michael Rye OBE, Jim Steven, Doug Taylor, Hass Yusuf and Andy Milne

**ABSENT** Sinan Boztas

**OFFICERS:** Andy Higham (Head of Development Management), Sharon Davidson (Planning Decisions Manager), Dominic Millen (Group Leader Transportation), Vincent Lacovara (Head of Planning), Catriona McFarlane (Legal Representative) and Gideon Whittingham (Principal Planning Officer) and Metin Halil (Secretary)

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

**1****WELCOME AND APOLOGIES FOR ABSENCE**

NOTED

1. Councillor Bedekova (Vice - Chair) welcomed all attendees to the meeting.
2. Apologies for absence were received for Councillor Boztas (Chair).
3. Councillor Kate Anolue was nominated as Vice - Chair for the meeting which was unanimously agreed by the Committee.

**2****DECLARATION OF INTEREST**

NOTED

1. Councillors Fallart, Stevens, Rye and Alexandrou declared a non-pecuniary interest in Item 5 – 20/02858/FUL – 100 Church Street, EN2 6BQ as the premises were next door to the Conservative Club and they were not members of the club. They are only members of the Conservative Party.

**3****MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON  
TUESDAY 31 AUGUST 21 AND TUESDAY 21 SEPTEMBER 21**

NOTED

**PLANNING COMMITTEE - 26.10.2021**

The minutes of the Planning Committee meeting held on Tuesday 31 August 2021 and Tuesday 21 September 2021 were agreed.

**4**

**REPORT OF THE HEAD OF PLANNING**

RECEIVED the report of the Head of Planning.

**5**

**20/02858/FUL - 100 CHURCH STREET, ENFIELD, EN2 6BQ**

**NOTED**

1. The introduction by Andy Higham, Head of Development Management, clarifying the proposals.
2. The deputation of Councillor Andy Milne speaking as Grange Ward Councillor.
3. The response of Jay Ahluwalia (Dominvs) and Nick Grant (Iceni Projects).
4. Members debate and questions responded to by officers.
5. Councillor Rye had a number of concerns regarding the application including the low affordable housing figure which was way below the expectation of the Local Authority and the Mayor of London, there would be substantial damage to the Conservation area, close proximity to the New River is a challenge, the loss of 5 pine trees which currently softens the site and no clear planting scheme to soften the appearance and improve what is being proposed, unresolved issues of roof top plant equipment which is unsightly in a Conservation Area, the spacing in between the 2 proposed blocks was insufficient and the under provision of disabled parking spaces.

Being a car free development didn't mean that people living on the development won't have any cars and people would be parking just outside of the CPZ which is 5 minutes away. This would need to be resolved for this application to move forward. A further concern highlighted was inadequate play space. There were many reasons to refuse this application. Andy Higham clarified that whilst this was brownfield site and the proposed development is in a Conservation area. Looking at the harm regarding the development, the advice received is less than substantial and the impacts needs to be weighed up by members to see if any reasons for refusal against the benefits this proposal would bring in terms of housing delivery.

Through negotiation with the applicant, the quantum of development has had to be reduced which had put pressure on the scheme viability. Officers had worked with the developer and applicant to ensure that affordable housing units are focussed on the larger family units at London affordable rent levels.

The conclusions around heritage is that those public benefits do outweigh the areas of concern and were not so sufficient to justify a refusal on those grounds.

**PLANNING COMMITTEE - 26.10.2021**

The tree officer had been consulted and had confirmed that he had no objection and supported the removal of trees. There was also a condition for replacement planting.

The rooftop plant concern would be dealt with by condition with further condition to seek to ensure that satellite dishes are on the outside of premises.

The spacing between the blocks was looked at and is considered to be appropriate. The design & review panel supported the 2-block proposal rather than one. If the spacing was wider then there would be less units and therefore less affordable housing. There could have been more development on this site, with improved viability, but in terms of heritage, this was the best approach.

In terms of play space, the proximity to Town Park is a key asset in this instance and the provision is the right quality.

In terms of parking and car free development, not everyone owned a car. This is a very sustainable site close to a station, bus routes and a town centre with retail commercial opportunities. If someone did choose to own a car then they would have to leave it 300 metres away from the scheme. Personal choice dictates that people could live in this development and for them to be car free. There would be an exemption for the current CPZ and officers could look with the applicant to see if there is a mechanism to extend it should there be a significant overspill parking in the future. In terms of disabled parking, there had been a change to the London Plan Policy which states that it is now a 3% minimum requirement to be provided on site and an additional 7% provision elsewhere.

6. In response to Councillor Taylors enquiry about the boundary fence, Andy Higham clarified that as part of this scheme, there was no proposal to have any boundary treatment. The red line site is the edge of the boundary and no enclosure is proposed along this line with the New River. However, the Enfield Town Conservation Study Group had referred to potential encroachment, within the report, from the residents of those properties into the space between the red line and path (black line) which is a concern.
7. Councillor Taylor confirmed the use of Heritage Officers at this meeting and that they should have been present so as to discuss whether there is or isn't any substantial harm being caused to the heritage assets. Councillor Taylor also referred to the following points regarding the development:
  - Paragraph 2.5 of the report stated shortcomings to the proposal.
  - The scheme was not policy compliant, in terms of affordable units. Figures of 14.22% or 10% depending on whether calculations are made on units or habitable rooms.
  - Proximity to the New River that will cause harm
  - Space between the blocks is inadequate as detailed at 9.6 of the report.
  - At 9.7 of the report, Para 1.1.4 of the London Plan was quoted regarding working with Local Heritage.
  - There are no commercial use-ages on the site which contravened the 2018 Framework Master Plan.
  - DMD 22 states that the loss of floor space should be resisted and that there was a loss of floor space on this site.

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- Concerns about the height of the development in terms of the Conservation Area. There remained matters on design and cause concern and harm to the Special Character and setting of the Enfield Town Conservation Area.
- The use of percentages in terms of meeting minimum standards in terms of access to daylight i.e. 86% compliant.
- The distance between the windows is below standards in DMD 10
- Para 9.142 makes clear that the development doesn't meet the London Plan on play provision.

This would be a finely balance decision. The scheme had benefits to it but also known negatives which had been fairly indicated in the report. Planning Officers responded to Councillor Taylor's concerns clarifying heritage harm and how the 14% affordable housing figure had been calculated by habitable room.

8. Councillor Anderson's enquiry how the development met housing need in the Borough. The original proposal by the developer had 35% affordable housing and after discussions with officers this figure had been downgraded to 14%. This was a considerable difference. The requirements for housing in the borough are stated in the Core policy Strategy 2010-25 including the Local Housing Needs Assessment; type of accommodation and affordability. Given that, how was the affordable housing figure negotiated down? Officers clarified that this was due to striking a balance between an optimal solution for the site, design terms quantum and viability. The optimal solution was being delivered in terms of affordable housing and housing need. This was the process used. Scale and massing had been reduced to mitigate concerns. The result is the quantum number of units for viability. An alternative solution would be to increase massing and height again to deliver affordable units. This would create more pressure in terms of the heritage impact which has to be given significant weight and is a balance. This is the optimal solution for the site given all those differing considerations. Viability of a scheme is independently tested and if the developer can demonstrate that this is the maximum level of affordable housing that can be sustained by the quantum proposed there is no grounds to refuse that application.
9. Councillor Taylor proposed a deferment of the application so that more comfort is provided by officers on heritage issues and on viability. This was seconded by Councillor Rye, as the development was not meeting requirements. Councillor Taylor's reasons for deferral as follows:
  - Heritage issues – the Committee would benefit from a full explanation of the damage to the Heritage assets in the locality and Conservation area. How judgement was arrived at, as detailed within the report.
  - Viability issues – the Committee need to understand how the change in affordable housing figures had changed. How that reduction took place with a modest reduction in the total number of units. A reduction to the 17 affordable units by 10.
10. The majority of the Committee did not support deferral of the application with 5 votes for, 5 against and one abstention. Casting vote by the chair against deferral.

**PLANNING COMMITTEE - 26.10.2021**

11. The majority of the Committee did not support the Officers' recommendation with 5 votes for and 6 against.
12. The majority of the Committee supported deferral for reasons for refusal with 10 votes for and 1 abstention.

**AGREED** that Members minded to refuse planning permission but the decision be deferred for Officers to bring back reasons for Refusal.

**6**

**21/02685/FUL - FIRS FARM PLAYING FIELDS, FIRS LANE, LONDON, N21 2PJ**

NOTED

1. The introduction by Gideon Whittingham, Planning Decisions Manager (Interim), clarifying the proposals.
2. Members debate and questions responded to by officers.
3. The unanimous support of the Committee for the Officers' recommendation.

**AGREED:**

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

**7**

**20/01742/FUL - 50-56 FORE STREET, LONDON, N18 2SS**

NOTED

13. The introduction by Andy Higham, Head of Development Management, clarifying the proposals.
14. A change to the officers' recommendation was reported that the Section 106 agreement did now not require an education provision and also the need for 1 or 2 conditions for delegated authority should members support the proposal.
15. Members debate and questions responded to by officers.
16. Councillor Rye raised a number of issues regarding Locally Listed building and the impact on the Conservation area:
  - How the 18-storey development was justified in light of the Grenfell disaster.
  - impracticable play space for residents to use from upper floors of development.
  - Tower blocks with 100% social housing inevitably leads to poor education and health outcomes. Developers should build social housing that people want to live in.

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- With social housing, there may be many more people with disabilities that will require proper access to residential units. Were properties designated for the dis-abled mostly on the ground floor?
- There would be a strain on the health and welfare infrastructure. High quality social housing was required.

Andy Higham (Head of Development Management) clarified that this was a balanced judgement and that planning did recognise that there are compromises that have been made. The 100% affordable housing at London affordable rent is a positive offer and a good addition to the Boroughs' housing stock. Strategic housing colleagues were consulted and are supportive of this scheme. Officers felt that the design and introduction of materials when weighing up against the height of the development is acceptable and has improved the development following the recent design and review panel. There is an impact on Heritage but because the scheme can be seen from the Conservation area it didn't make it unacceptable. Whilst Heritage officers have identified that there is harm, it is less than substantial harm. Balancing that against public benefits, officers felt that it carries significant weight and weight in favour of support for this scheme.

17. In response to Councillor Anderson's enquiry regarding the requirements officers bestow upon developers for family sized units, Officers clarified that this was a combination of what the developer presents to officers the site context, local constraints and scheme viability to inform how that is negotiated with the developer. Officers then apply policies and a planning balance to optimise development. Each site is different with different constraints i.e. size of site and in this case, constraints are placed around what the site could take and the form of typology of the development. There are design challenges for family units on upper floors. In this scheme, the family units are fronting Claremont (and road to the rear) with 3 storey town houses.
18. In response to Councillor Alexandrou's enquiry regarding light and air pollution, officers clarified that the Environmental Health officer did look at air pollution and raised no concerns around a tall building. Light pollution was looked at and this was not considered as a reason for refusal.
19. In response to Councillor Yusuf's enquiry regarding consultation with the Housing team and sub-letting of 1 bed units, officers clarified that the Housing team were consulted and overall were supportive of the scheme. There had also been discussions that the units will be socially rented potentially for an alternative registered provider whether that is for a housing association or the Council.
20. Councillor Taylor stated that there is an impact on Heritage assets, indicated by the Heritage Officer and that it is not substantial. The committee would have felt more comfortable if the Heritage officer was in attendance.  
In his opinion, when applications come forward with a significant Heritage impact, Heritage officers should attend planning committees which would be a significant benefit to members of the Committee. Officers clarified that they would look at schemes on future planning committee agenda's, make sure that it is proportionate and decide about which specialist officers



**PLANNING COMMITTEE - 26.10.2021**

should be present and when. Members could also flag up any issues in reports and request that a specialist officer is present.

21. The majority of the Committee did not support the Officers recommendation with 3 votes for, 5 against and 3 abstention.
22. Councillor Taylor proposed a motion to defer the application, seconder by Councillor Rye.
23. The unanimous support of the committee for deferral for the reasons for refusal.

**AGREED** that Members minded to refuse planning permission but the decision be deferred for Officers to bring back reasons for Refusal.

**8**

**21/02991/FUL - MERIDIAN WATER SITE BOUND BY LEESIDE ROAD TO THE SOUTH AND A NEW ROAD SERVING MERIDIAN ONE TO THE WEST, LONDON N18**

NOTED

4. The introduction by Sharon Davidson, Planning Decisions Manager, clarifying the proposals.
5. Members debate and questions responded to by officers.
6. The unanimous support of the Committee for the Officers' recommendation.

**AGREED:**

1. That planning permission be GRANTED subject to conditions as set out in the report.
2. That the Head of Development Management/Planning Decisions Manager be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

**9**

**FUTURE MEETING DATES**

NOTED

1. The next meetings of the Planning Committee:
  - 2 November 2021 - Provisional
  - 23 November 2021
  - Tuesday 7 December 2021 - Provisional
  - 14 December 2021
  - 4 January 2022 – Provisional
  - 18 January 22
  - 3 February 2022 – Provisional
  - 22 February 2022
  - 8 March 2022 – Provisional
  - 22 March 2022

**PLANNING COMMITTEE - 26.10.2021**

- 5 April 2022 – Provisional
- 26 April 2022

**10**

**MEETING TIME EXTENSION**

NOTED

1. The committee would not reasonably be able to consider the remaining application on the agenda this evening due to the late hour, but was recommended to progress Agenda Item 8 (21/02991/FUL – Meridian Water Site Bound By Leaside Road, to the South and a New Road Serving Meridian One to the West, London N18.
2. The recommendation to extend the meeting and consider Items was supported unanimously by the committee.

**AGREED** that the rules of procedure within the Council's Constitution relating to the time meetings should end (10:30pm) be suspended for a period of 30 minutes to enable Item 8 to be considered.

**PLANNING COMMITTEE - 2.11.2021**

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE  
HELD ON TUESDAY, 2 NOVEMBER 2021**

**COUNCILLORS**

**PRESENT** Maria Alexandrou, Daniel Anderson, Kate Anolue, Mahym Bedekova, Sinan Boztas, Peter Fallart, Susan Erbil, Ahmet Hasan, Michael Rye OBE, Jim Steven, Doug Taylor and Hass Yusuf

**ABSENT**

**OFFICERS:** Andy Higham (Head of Development Management), Dominic Millen (Group Leader Transportation), Vincent Lacovara (Head of Planning), Julie Thornton (Legal Services) and Gideon Whittingham (Principal Planning Officer) and Metin Halil (Secretary)

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

**1  
WELCOME AND APOLOGIES FOR ABSENCE**

NOTED

1. Councillor Boztas (Chair) welcomed all attendees to the meeting. Committee members confirmed their presence.

**2  
DECLARATION OF INTEREST**

NOTED

1. There were no declarations of interest.

**3  
REPORT OF THE HEAD OF PLANNING**

RECEIVED the report of the Head of Planning.

**4  
21/02110/RE4 - OAKWOOD PARK, OAKWOOD PARK ROAD, LONDON,  
N14 6QB**

NOTED

**PLANNING COMMITTEE - 2.11.2021**

1. The introduction by Gideon Whittingham, Interim Planning Decisions Manager, clarifying the proposals.
2. Members debate and questions responded to by officers.
3. Officers' noted the committee's concerns and comments including construction traffic management plan condition, trees, costs of the development and the inclusion of the number of support comments as well as the number of objections, for all applications.
4. The unanimous support of the Committee for the Officers' recommendation.

**AGREED** that:

1. In accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, planning permission be deemed Granted subject to conditions.

**5**

**21/02848/RE4 - EDMONTON FAMILY CENTRE, 5 LACEY CLOSE, LONDON N9 7SA**

**NOTED**

5. The introduction by Gideon Whittingham, Interim Planning Decisions Manager, clarifying the proposals.
6. Members debate and questions responded to by officers.
7. The unanimous support of the Committee for the Officers' recommendation.

**AGREED** that:

1. In accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, planning permission be deemed Granted subject to conditions.

**6**

**FUTURE MEETING DATES**

Future meetings of the Planning Committee will be:

- 23 November 2021
- 14 December 2021
- Tuesday 7 December 2021 - Provisional
- 4 January 2022 – Provisional
- 18 January 22
- 3 February 2022 – Provisional
- 22 February 2022
- 8 March 2022 – Provisional
- 22 March 2022
- 5 April 2022 – Provisional
- 26 April 2022



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**MUNICIPAL YEAR 2021/2022**

**COMMITTEE:**  
**PLANNING COMMITTEE**  
 18.01.2022

**REPORT OF:**  
 Head of Planning

**Contact Officer:**  
 Planning Decisions Manager  
 David Gittens Tel: 020 8379 8074  
 Claire Williams Tel: 020 8379 4372  
 Gideon Whittingham (Interim)  
 Tel: 0208132 1623

|  |        |
|--|--------|
| AGENDA - PART 1                        | ITEM 4 |
| SUBJECT -<br><br>MISCELLANEOUS MATTERS |        |

#### **4.1 APPLICATIONS DEALT WITH UNDER DELEGATED POWERS** INF

4.1.1 In accordance with delegated powers, 135 applications were determined between 17/12/2021 and 07/01/2022, of which 102 were granted and 32 refused.

4.1.2 A Schedule of Decisions is available in the Members' Library.

##### Background Papers

To be found on files indicated in Schedule.

#### **4.2 PLANNING APPLICATIONS AND APPLICATIONS TO DISPLAY ADVERTISEMENTS** DEC

On the Schedules attached to this report I set out my recommendations in respect of planning applications and applications to display advertisements. I also set out in respect of each application a summary of any representations received and any later observations will be reported verbally at your meeting.

##### Background Papers

- (1) Section 70 of the Town and Country Planning Act 1990 states that the Local Planning Authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section 54A of that Act, as inserted by the Planning and Compensation Act 1991, states that where in making any determination under the Planning Acts, regard is to be had to the development, the determination shall be made in accordance with the plan unless the material considerations indicate otherwise. The development plan for the London Borough of Enfield is the London Plan (March 2015), the Core Strategy (2010) and the Development Management Document (2014) together with other supplementary documents identified in the individual reports.
- (2) Other background papers are those contained within the file, the reference number of which is given in the heading to each application.

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## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

**Date:** 18 January 2022

**Report of:**

Head of Planning  
Vincent Lacovara

**Contact Officers:**

Andy Higham  
Gideon Whittingham

**Ward:**

Winchmore Hill

**Application Number:** 19/01988/FUL

**Category:** Minor Dwellings

**LOCATION:** St Monicas Hall, 521 Green Lanes, London, N13 4DH

**PROPOSAL:** Redevelopment of site involving demolition of existing building and ancillary structures and erection of part 2, part 3 storey building with basement level to provide new church hall with parish community facilities and 6 x 2 bed self contained flats with associated landscaping.

**Applicant Name & Address:**

Fr. Mehall Lowry  
Diocese Palmers Green  
Presbytery  
1 Stonard Road  
Southgate  
N13 4DJ

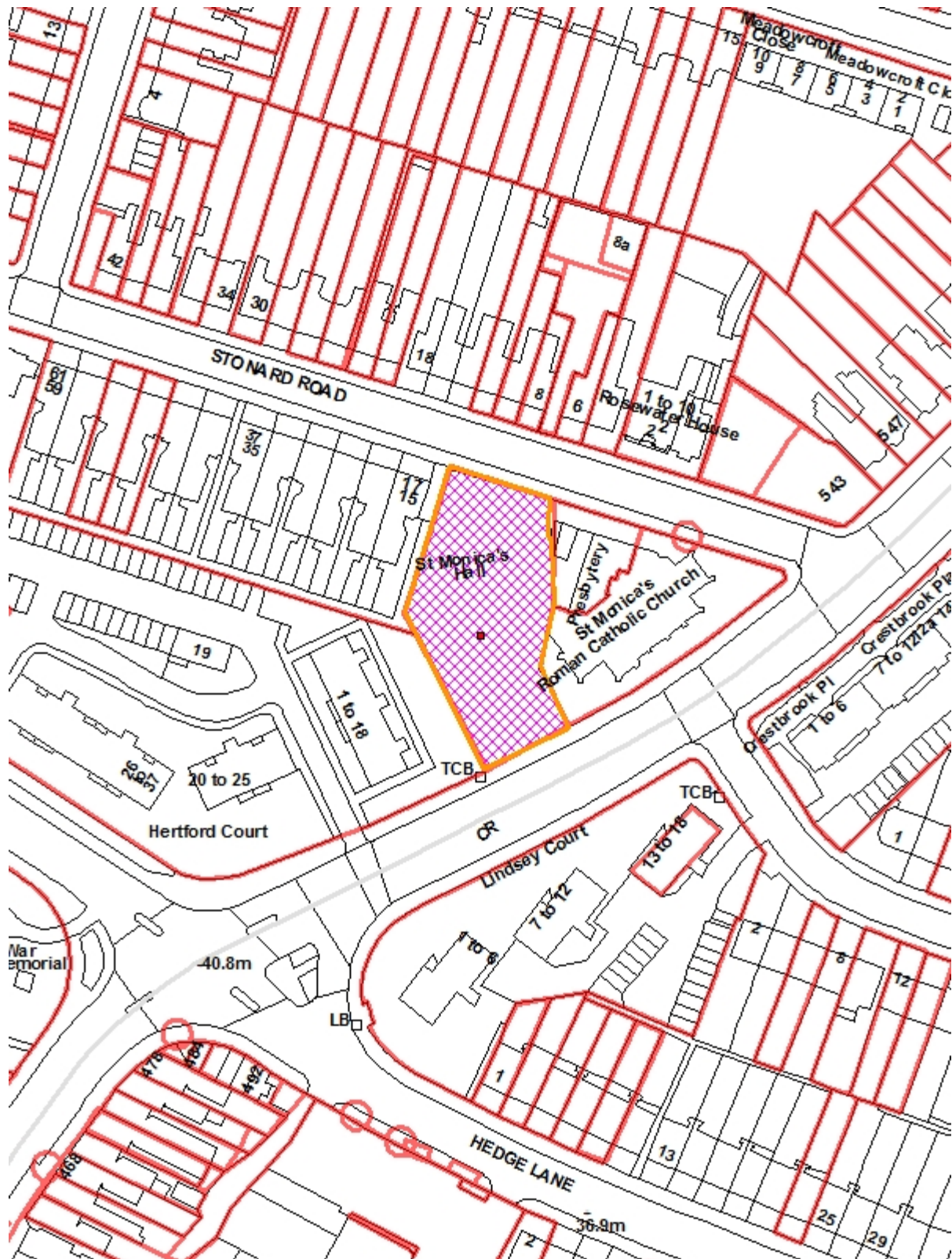
**Agent Name & Address:**

Mr Colin Smart  
Kyle Smart Associates  
The Barn  
Butchers Wick  
Sewell  
Nr. Dunstable  
LU6 1RP

**RECOMMENDATION:**

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

Ref: 19/01988/FUL LOCATION: St Monicas Hall, 521 Green Lanes, London, N13 4DH



## **1. Note for Members**

- 1.1 Although a planning application of this nature can be determined under delegated authority, due to the issues raised and the level of public interest, the application was reported to Planning Committee for determination on the 3rd November 2020. The Planning Committee comprised Councillors Maria Alexandrou, Kate Anolue, Mahym Bedekova, Sinan Boztas, Elif Erbil, Ahmet Hasan, Michael Rye OBE, Jim Steven, Hass Yusuf, Susan Erbil, Doug Taylor and Daniel Anderson.
- 1.2 At the Planning Committee meeting on 3 November 2020, members resolved that subject to the completion of a Section 106 legal agreement, planning permission be granted subject to the conditions set out in the report and requested by members at the meeting.
- 1.3 Following this meeting, the application was made subject to a holding direction while the Secretary of State reviewed the application to determine whether it should be called in for their determination. Enfield Council, the Local Planning Authority received confirmation from the Secretary of State in April 2021 that the application could be determined by the Council.
- 1.4 Concurrently, the Theatres Trust (who are a statutory consultee in respect of development proposals affecting Theatres) raised concerns about the decision making process regarding the proposal to redevelop St Monica's Hall / Intimate Theatre and specifically information provided to Planning Committee in respect of the status of the building as an Asset of Community Value both as a community centre and theatre, clarity on the comments of the GLA's Culture at Risk team and the fact they were objecting to the proposal and the absence of clear and compelling reasons to support the decision given the adopted policy position and objections received. As a result, the Theatres Trust indicated their intention to challenge any formal decision of the local planning authority to grant planning permission by judicial review. The opportunity has therefore been taken to review the assessment process to minimise such risk.
- 1.5 We have taken legal advice on this matter and it is considered necessary to refer this application back to Planning Committee for fresh determination, with officers reassessing the proposal in light of current policy and supporting evidence. This will also include clarification as regards the status of the building as an Asset of Community Value and the position of the GLA.
- 1.6 In addition, the report also reflects changes in the development plan that have occurred since the application was originally considered in November 2020, namely the National Planning Policy Framework (2021) and London Plan (2021).
- 1.7 In all other respects the proposed development will be the same as the scheme previously considered.
- 1.8 The reasons for recommending approval are:
  - The proposed development would be consistent with the objectives of national, regional and local planning policy in terms of supporting community uses, securing sustainable growth and delivery of new housing stock within the borough;

- The loss of the non designated heritage asset would be offset by the delivery of a modern facility for the local community.
- The development actively contributes towards both Borough specific and London-wide strategic housing targets.
- The proposed building would be of architectural merit and make a positive contribution to the character and appearance of the area
- The proposal would not result in conditions prejudicial to the free flow and safety of traffic on the adjoining highway.

## **2. Executive Summary**

- 2.1 The report seeks approval for the redevelopment of the site to provide a part 2, part 3 storey building (with basement level) to provide a church hall with parish community facilities (Use Class F1 (f) / F2 (b)) and 6 x 2 bed self-contained flats with associated parking, hard and soft landscaping, refuse and cycle storage, all associated with the adjacent to St. Monica's Roman Catholic Church.
- 2.2 The redevelopment of the site requires the demolition of the existing building and ancillary structures, currently used for parish community facilities and theatre use (Use Class F2 (b)).
- 2.3 The proposal would result in the loss of the existing building identified as an Asset of Community Value, a non designated heritage asset which is included on Enfield's Local Heritage Listed and a building included on the Theatre's Trust list of Theatres at Risk.
- 2.4 However, the harm from the loss of the existing building and associated uses is considered to be offset by the proposed development delivering a high standard of design that would respect local context and character, the meaningful contribution in meeting or exceeding requirements in respect of a modern facility for the local community and the contribution towards the Borough and wider London housing needs, helping Enfield to support its growing population.
- 2.5 The delivery of a flexible modern facility for the local community is also supported in strategic and placemaking terms. The existing facility requires significant investment for prospective theatre productions; indeed, this has been indicated as a major factor for the relocation of previous productions to more modern facilities. The purpose built, modernised facility for the local community, that would be capable of hosting theatre performances amongst other art and cultural uses, would provide future occupiers with sufficient flexibility to ensure the long term viability of the site, safeguarding an existing community use in the borough that meets more modern needs and should be afforded substantial weight in the determination of the application.
- 2.6 The delivery of housing is also supported at all planning policy levels, nationally, London-wide and within Enfield's adopted development plan policies and should be afforded substantial weight in the determination of the application.

### **3. Recommendation**

- 3.1 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 / the Planning Decisions Manager be authorised to GRANT planning permission subject to conditions to cover the following matters:
1. Time Limited Permission
  2. Development to be carried out in accordance with approved plans and documents.
  3. Details of External Materials
  4. Heritage - accounting, removal and protection of original building features
  5. Details/Specifications of Rooftop Equipment
  6. Details of Acoustic Assessment / sound insulation
  7. Details of Servicing and Waste Management
  8. Details of Cycle Parking
  9. Details of parking provision (vehicle and cycle), gate positioning, refuse and recycling
  10. Details of air quality assessment
  11. Details of Bat Survey
  12. Details of Biodiversity enhancements
  13. Details of SuDS Strategy
  14. SuDS Verification Report
  15. Details of Energy Statement
  16. Details of Potable Water
  17. Details of extract duct/rooftop plant
  18. Details of Contamination
  19. Prior to above ground works – Hard and soft landscaping details
  20. Commercial /Residential Use restriction
  21. Tree protection of retained and adjacent trees
  22. Service management plan
  23. Car parking management plan
  24. Construction management plan – including hours for delivery of materials
  25. Control of Dust and Emissions During Construction and Demolition (NRMM)
  26. No use of roof as a terrace / maintenance purpose only
  27. Upper floor residential flank windows obscured
  28. Compliance with Part M4 (2) Building Regulations
  29. Details of availability of the hall to the wider community
  30. Details of communal amenity space - including management details
  31. Demolition Statement
  32. Operational Management Plan - Hours of Opening for commercial element
- 3.2 That the Head of Development Management/Planning Decisions Manager be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

#### **4. Site and Surroundings**

- 4.1 The site comprises Saint Monica's Hall, located adjacent to Saint Monica's Church at the junction of Stonard Road and Green Lanes in Palmers Green. To the east of the site, the building shares an open border with Saint Monica's Church, whilst to the north west is the boundary of No. 15 Stonard Road, an end of terrace Edwardian dwellinghouse and the communal gardens of Hertford Court to the south west.
- 4.2 The main entrance is off Green Lanes via the shared carpark with the Saint Monica's Church, however informal off-street parking is also accessed via Stonard Road.
- 4.3 The site is irregular in shape and approximately 1,490 square metres in size.
- 4.4 The site is located in the Winchmore Hill Ward.
- 4.5 The following policy designations / characteristics apply to the site:
  - Saint Monica's Hall was designated as an Asset of Community Value in 2018, following nomination by the 'Save the Intimate Theatre Group'.
  - Saint Monica's Hall has been included on Enfield's Local Heritage List as a non-designated heritage asset since 2018.
  - Saint Monica's Hall has been included on the Theatres at Risk Register since 2019
  - Saint Monica's Hall has been added to the Mayor of London's "Culture at Risk" register
- 4.6 The building is not located in a Conservation Area, nor it a Listed building.

##### *Historical background of Saint Monica's Hall*

- 4.7 Built in 1930-31 and designed by the architect Charles E Hanscomb, Saint Monica's Church Hall replaced the original tin tabernacle church which had been erected in 1912. Opened, in 1931, the building was designed for a wide range of community uses ancillary to Saint Monica's Church, and featured a sprung dance floor, projection room, stage, billiard room, committee rooms and a smaller hall and a bar.
- 4.8 In 1935, the building was leased from the church authorities to the John Clements repertory theatre company and was renamed the Intimate Theatre. In 1936, a number of internal alterations were made which included installing fixed tip-up theatre seating in the gallery, stalls and possibly the installation of the proscenium arch. The repertory theatre flourished during the late 1930s and during the Second World War when it largely remained in operation. In 1941 the lease was taken over by Frederick Marlow's GM Productions and it continued in use as a professional repertory theatre.
- 4.9 In 1946, a production at the theatre of 'George and Margaret', a comedy by Gerald Savory, was the first complete play broadcast live on television by the BBC, and a world first.

- 4.10 Over the following two decades theatre hall attendances declined, largely due to competition from television, and by 1964 the Intimate Theatre was the only professional repertory theatre in London. Despite being taken on by a number of different production companies, and having local council support, in 1970 the operation of the building reverted back to a parish community hall. Local amateur drama groups maintained the limited use of the building as a theatre, with some professional productions such as the annual pantomime.
- 4.11 Following the grant of planning permission in 1988 (see relevant planning decisions), the building modified into a parish community hall, incorporating a smaller theatre whereby limited amateur productions have been performed and serve as facilities for arts and social centre activities.
- 4.12 A subsequent application was granted in 1991 (see relevant planning decisions), for the redevelopment of site by way of the demolition of the existing building and erection of single storey community centre. This permission has since expired unimplemented.
- 4.13 Based on the operation of the authorised use of the site in 1988, the site is understood as Use Class F2 (b).

## **5. Proposal**

- 5.1 This is an application for the redevelopment of the site requiring the demolition of the existing community building (Use Class F2 (b) - 750sqm) for the construction of a two storey (including basement) place of worship / parish community use building (Use Class F1 (f) / F2 (b) - 905sqm) fronting but recessed from Green Lanes, along with the construction of a three storey residential building (Use Class C3), comprising 6 x 2 bedroom 3 person flats fronting Stonard Road.
- 5.2 The community use building, to be primarily accessed off Green Lanes, would serve as a parish centre with flexible spaces and dedicated kitchen facilities across the two upper floors. The basement would serve as an area for storage and plant, the ground floor would serve as a hall (240sqm) with a capacity for 220 persons with associated meeting room for up to 17 persons, café / bar, kitchen and bathroom facilities, accessed via the foyer off Green Lanes. The first floor would serve 3no. meeting rooms with a total capacity for 59 persons and associated office / tearoom / bathroom facilities. The roof would feature PV panels and rooflights with access afforded for maintenance only. Between Saint Monica's Church and the proposed building would be an outdoor amenity space associated with the parish community offer.
- 5.3 The residential building, to be accessed off Stonard Road, would be three storeys and contain 6 x 2 bedroom 3 person flats, two on each level.
- 5.4 A total of 12 off-street parking spaces would be provided (2 on Stonard Road, the remainder off Green Lanes including 2 disabled bays). Cycle parking (16no.) would be located across the site for the parish community and residential users.
- 5.5 Associated refuse and recycling storage are located off Green Lanes for the parish community use and Stonard Road for the residential users.

- 5.6 The building would feature a brick façade with decorative brick profiles to emphasise the window openings and the circulation space.

## **6. Relevant Planning Decisions**

- 6.1 TP/91/1061: Redevelopment of site by demolition of existing building and erection of single storey community centre. (outline) Granted with Conditions 21.09.1992. The Officer Report states:

*Planning permission was granted in 1988 for the change of use of the premises from a theatre to a parish community centre, incorporating a smaller theatre and facilities for arts, crafts, discussion groups and social centre activities.*

*The current application proposes the demolition of the existing building which is in a poor structural condition and the erection of a new single storey building to be used as a community centre. The application is submitted in outline with siting of the building and means of access only to be considered at this stage. An indication as to the massing of the building has been submitted for information purposes.*

*The proposed building would incorporate a hall with a seating capacity of 200 persons; a bar; a kitchen and coffee lounge; four committee rooms and a stage with changing rooms. The facilities would be available for arts and crafts; discussion groups and general social centre activities as well as some theatrical performances. It is estimated that the usage would be approximately 2/3 social and centre and 1/3 theatrical.*

*The proposals have been amended to reduce the bulk and site coverage of the proposed building and to improve car parking and circulation. Vehicular access is now proposed off Stonard Road with the provision of 34 parking spaces compared with the Council's standards, the Borough Engineer objection does not recommend that the proposal be refused on these grounds.*

*The proposals provide a satisfactory form of development which would have no unreasonable effect on adjoining properties and cater for worthwhile community service provision on the site with hall and stage facilities which may be used for theatrical performances.*

*The proposals are accordingly recommended for approval.*

- 6.2 TP/87/2047: Change of use of premises from theatre to parish community centre incorporating smaller theatre and facilities for arts crafts discussion groups and social centre activities. Granted with Conditions 08.11.1988
- 6.3 TP/68/0215: Erection of a garage. Granted with Conditions 08.04.1968
- 6.4 SOUTHGATE\_1901: New safety curtains. Grant 14.05.1956

## **7. Consultation**

Public Consultation:



- 7.1 In accordance with the Enfield Statement of Community Involvement in Planning (2020), consultation on the application involved notification letters being sent to 101 neighbouring properties on 27.10.2020 (giving people 21-days to respond).

*Objections*

- 7.2 A total of 50 letters and a petition comprising 4,513 signatures objecting to the development were received.

*Support*

- 7.3 A total of 24 letters and a petition comprising 1,500 signatures supporting the development were received.

- 7.4 The matters of objection raised were as follows:

*Use / Designation*

- Importance of heritage value
- Loss of professional and local theatre performances
- Loss of income from shows including for charities
- Should not be demolished but rather improvements and renovations made to the building to serve both the parish, the community and still operate as a theatre.
- There will be no public access to the new building as the building is intended for the use of the church and congregation only

*Design*

- Out of keeping with character of the area
- Does not respect the character and appearance of the existing building
- Inappropriate design in terms of scale and use of materials

*Transport*

- Insufficient parking spaces. Strain on community facilities, increase in traffic

- 7.5 The matters of support raised were as follows:

*Use / Designation*

- The new hall will greatly increase the amount of usable floor area and sub dividable spaces to create a parish centre that is more efficient and accessible.
- The present building is not fit for purpose either as a church hall or a theatre.
- Provide a new modern, energy efficient and sustainable building for parishioners and the wider community.
- Improved facilities i.e. kitchen and toilets, meeting rooms, dedicated offices for parish members;
- Accessible - Step free access and lift;
- Flexible spaces within the building
- With the improved facilities at the Dugdale Centre and local Millfield Theatre, there are alternatives in place.

*Design*

- Good design

*Housing*

- Meeting community housing needs

*Sustainability*

- Building with a lower carbon footprint

*Safety*

- Potential areas of antisocial behaviour, such as alleyways and unilluminated spaces have been designed out

External Consultees\*:

- 7.6 **Culture at Risk Office, GLA** – The office sits within the Culture and Creative Industries Unit at the Greater London Authority, and provides focussed advice on culture and creative uses, cultural heritage and cultural infrastructure.

Objection raised. In summary, concerns raised related to the following:

*Safeguarding cultural infrastructure* – The building is a unique cultural asset that should be preserved, celebrated and made available for the continued use of local community groups. The London Plan Policy HC5 Supporting London's culture and creative industries calls for the protection of existing cultural venues, facilities and uses. It is their understanding that the proposals for a mixed-use flexible community space as a re-provision of this asset limits the potential for theatre production and does not match the same quality of dedicated theatre space that currently exists.

*Recovery Mission*

In response to the COVID-19 crisis, the Mayor is working with London councils and other key stakeholders to develop a series of Recovery Missions for London. The High Streets for All Recovery Mission is a commitment aimed at partnership working between public authorities, community groups and the private sector to safeguard and directly deliver a diverse, resilient and thriving mix of High street and town centre activity within easy reach of all Londoners. It is the view of the Culture at Risk Office that the retention of the historic Intimate Theatre presents a rare opportunity to respond to this timely mission by safeguarding a valuable and historic cultural asset for benefit of the local community.

- 7.7 **Theatres Trust** – The national advisory public body for theatres, a statutory consultee on theatres in the planning system, and operates as a charity.

Objection raised. In summary, concerns raised related to the following:

Proposal to result in the loss of theatre function without adequate demonstration or evidence it is no longer required and cannot be retained either within the existing building (preferred) or re-provided within the new development, and the loss of an undesignated (locally listed) heritage asset with great character, history and significance which has the potential to be retained.

- 7.8 **The Department for Levelling Up, Housing and Communities** (formerly the Ministry for Housing, Communities and Local Government).

9 December 2020 – the Secretary of State comments that 'In exercise of his powers under Article 31 of the Town and Country Planning (Development

Management Procedure) (England) Order 2015, the Secretary of State hereby directs your Council not to grant permission on this application without specific authorisation’.

01 April 2021, the Secretary of State comments that ‘In deciding whether to call in this application, the Secretary of State has considered his policy on calling in planning applications. This policy gives examples of the types of issues which may lead him to conclude, in his opinion that the application should be called in. The Secretary of State has decided not to call in this application. He is content that it should be determined by the local planning authority’.

- 7.9 \*It should be noted that several communications took place with each consultee and the above is a summary overall.

Internal Consultees:

- 7.10 Transportation: No objection (within body of report)
- 7.11 SuDS: No objection (within body of report)
- 7.12 Environmental Health: No objection (within body of report)
- 7.13 Heritage / Conservation: Comment (within body of report)

**8. Relevant Policies**

Section 70(2) of the Town and Country Planning Act 1990 requires the Committee have regard to the provisions of the development of the development plan so far as material to the application: and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

8.1 National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out national planning policy objectives. It introduces a presumption in favour of sustainable development, which is identified as having three dimensions - an economic role, a social role and an environmental role. Other key relevant policy objectives are referred to as appropriate in this report

The London Plan 2021

- 8.2 The London Plan is the overall strategic plan for London setting out an integrated economic, environmental, transport and social framework for the development of London for the next 20-25 years. The following policies of the London Plan are considered particularly relevant:

- GG1 Building Strong and Inclusive Communities
- GG2 Making the Best Use of Land
- GG3 Creating a Healthy City
- GG4 Delivering the Homes Londoners Need
- GG6 Increasing efficiency and resilience
- D1 London’s form, character and capacity for growth
- D2: Infrastructure Requirements for Sustainable Densities

|      |   |
|------|---|
| D3:  | Optimising Site Capacity Through the Design-led Approach: |
| D4:  | Delivering Good Design                                    |
| D5:  | Inclusive Design  |
| D6:  | Housing Quality and Standards:                            |
| D7:  | Accessible Housing  |
| D8:  | Public Realm  |
| D10: | Basement development                                      |
| D11  | Safety, Security and Resilience to Emergency              |
| D12  | Fire Safety   |
| D13  | Agent of Change   |
| D14  | Noise   |
| H1   | Increasing Housing Supply:                                |
| H4   | Delivering Affordable Housing                             |
| H10  | Housing Size Mix  |
| S1   | Developing London's social infrastructure                 |
| HC1  | Heritage Conservation and Growth                          |
| HC5  | Supporting London's culture and creative industries       |
| HC6  | Supporting the night-time economy                         |
| G1   | Green Infrastructure                                      |
| G5   | Urban Greening  |
| G6   | Biodiversity and Access to Nature                         |
| G7   | Trees and Woodlands                                       |
| SI1  | Improving Air Quality                                     |
| SI2  | Minimising Greenhouse Gas Emissions                       |
| SI3  | Energy Infrastructure                                     |
| SI4  | Managing heat risk  |
| SI5  | Water infrastructure                                      |
| SI7  | Reducing Waste and Supporting the Circular Economy        |
| SI 8 | Waste capacity and net waste self-sufficiency             |
| SI12 | Flood Risk Management                                     |
| SI13 | Sustainable Drainage                                      |
| T1   | Strategic Approach to Transport                           |
| T2   | Healthy Streets   |
| T3   | Transport Capacity, Connectivity and Safeguarding         |
| T4   | Assessing and Mitigating Transport Impacts                |
| T5   | Cycling   |
| T6   | Car Parking   |
| T7   | Deliveries, servicing and construction                    |
| T9   | Funding Transport Infrastructure Through Planning         |
| DF1  | Delivery of the Plan and Planning Obligations             |

#### Local Plan – Core Strategy (2010)

- 8.3 The Core Strategy was adopted in November 2010 and sets out a spatial planning framework for the development of the Borough through to 2025. The document provides the broad strategy for the scale and distribution of development and supporting infrastructure, with the intention of guiding patterns of development and ensuring development within the borough is sustainable.
- 8.4 The following local plan Core Strategy policies are considered particularly relevant:
- |       |  |
|-------|--|
| CP 2: | Housing Supply and Locations for New Homes |
| CP 3: | Affordable Housing                         |
| CP 4: | Housing Quality                            |
| CP 5: | Housing Types                              |
| CP 6: | Housing Need                               |

|        |   |
|--------|---|
| CP 9:  | Supporting Community Cohesion   |
| CP 11: | Recreation, Leisure, Culture and the Arts                               |
| CP 20: | Sustainable Energy Use and Energy Infrastructure                        |
| CP 21: | Delivering Sustainable Water Supply, Drainage Sewerage Infrastructure   |
| CP 22: | Delivering Sustainable Waste Management                                 |
| CP 24: | The Road Network  |
| CP 25: | Pedestrians and Cyclists  |
| CP 26: | Public Transport  |
| CP 28: | Managing Flood Risk Through Development                                 |
| CP 29: | Flood Management Infrastructure   |
| CP 30: | Maintaining and Improving the Quality of the Built and Open Environment |
| CP 31: | Built and Landscape Heritage  |
| CP 32: | Pollution   |
| CP 36: | Biodiversity  |

#### Local Plan - Development Management Document (2014)

- 8.5 The Council's Development Management Document (DMD) provides further detail and standard based policies by which planning applications should be determined. Policies in the DMD support the delivery of the Core Strategy. The following local plan Development Management Document policies are considered particularly relevant:

|         |   |
|---------|---|
| DMD 3:  | Providing a Mix of Different Sized Homes              |
| DMD 6:  | Residential Character                                 |
| DMD 8:  | General Standards for New Residential Development     |
| DMD 9:  | Amenity Space   |
| DMD10:  | Distancing  |
| DMD 37: | Achieving High Quality and Design-Led Development     |
| DMD 38: | Design Process  |
| DMD 44: | Conserving and Enhancing Heritage Assets              |
| DMD 45: | Parking Standards and Layout                          |
| DMD 47: | New Road, Access and Servicing                        |
| DMD 48: | Transport Assessments                                 |
| DMD 49: | Sustainable Design and Construction Statements        |
| DMD 50: | Environmental Assessments Method                      |
| DMD 51: | Energy Efficiency Standards                           |
| DMD 52: | Decentralized Energy Networks                         |
| DMD 53: | Low and Zero Carbon Technology                        |
| DMD 54: | Allowable Solutions                                   |
| DMD 56: | Heating and Cooling                                   |
| DMD 57: | Responsible Sourcing of Materials, Waste Minimisation |
| DMD 58: | Water Efficiency                                      |
| DMD 59: | Avoiding and Reducing Flood Risk                      |
| DMD 60: | Assessing Flood Risk                                  |
| DMD 61: | Managing surface water                                |
| DMD 62: | Flood Control and Mitigation Measures                 |
| DMD 64: | Pollution Control and Assessment                      |
| DMD 65: | Air Quality   |
| DMD 68: | Noise   |
| DMD 69: | Light Pollution                                       |
| DMD 70: | Water Quality   |
| DMD 79: | Ecological Enhancements                               |
| DMD 80: | Trees on Development Sites                            |
| DMD 81: | Landscaping   |

### Enfield Draft New Local Plan

- 8.6 Enfield Local Plan - Reg 18 Preferred Approach was approved for consultation on 9th June 2021. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for several sites. It is Enfield's Emerging Local Plan.
- 8.7 The Local Plan remains the statutory development plan for Enfield until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.
- 8.8 Key emerging policies from the plan are listed below:
- DM SE2: Sustainable design and construction
  - DM SE3: Whole-life carbon and circular economy
  - DM SE4: Reducing energy demand
  - DM SE5: Greenhouse gas emissions and low carbon energy supply
  - DM SE6: Renewable energy development
  - DM SE7: Climate change adaptation and managing heat risk
  - DM SE8: Managing flood risk
  - DM SE10: Sustainable drainage systems
  - SP SC1: Improving health and wellbeing of Enfield's diverse communities
  - SC2: Protecting and enhancing social and community infrastructure
  - BG3: Biodiversity net gain, rewilding and offsetting
  - DE1: Delivering a well-designed, high quality and resilient environment
  - DM DE2: Design process and Design Review Panel
  - DM DE3: Inclusive design
  - DE4: Putting heritage at the centre of place making
  - DM DE7: Creating liveable, inclusive and quality public realm
  - DM DE8: Design of premises
  - DM DE10: Conserving and enhancing heritage assets
  - DM DE11: Landscape design
  - DM DE13: Housing standards and design
  - DM DE14: External amenity standards
  - DM DE15: Residential extensions
  - DM H3: Housing mix and type
  - CL1: Promoting culture and creativity

### Other Material Considerations and guidance

- 8.9 The following guidance is also considered particularly relevant:
- Enfield Climate Action Plan (2020)
  - Enfield Housing and Growth Strategy (2020)
  - Enfield Intermediate Housing Policy (2020)
  - Enfield Biodiversity Action Plan
  - Enfield Local Heritage List (May 2018)
  - Enfield S106 SPD (2016)
  - Enfield Decentralised Energy Network Technical Specification SPD (2015)
  - Making Enfield: Enfield Heritage Strategy 2019-2024 SPD (2019)
  - London Councils: Air Quality and Planning Guidance (2007)
  - TfL London Cycle Design Standards (2014)
  - GLA: The Control of Dust and Emissions during Construction and

Demolition SPG (2014)  
GLA: Accessible London: Achieving an Inclusive Environment SPG (2014)  
GLA: Social Infrastructure SPG (2015)  
GLA: Housing SPG (2016)  
GLA: Cultural Infrastructure Plan: A Call to Action (2019)  
Healthy Streets for London (2017)  
Manual for Streets 1 & 2, Inclusive Mobility (2005)  
National Design Guide (2019)

## **9. Assessment**

- 9.1 The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 seek to establish that planning decisions are taken in accordance with the Development Plan unless material considerations indicate otherwise.
- 9.2 Running alongside this is the presumption in favour of sustainable development that is at the heart of the National Planning Policy Framework – NPPF (paragraph 11). The NPPF (paragraph 120) also advocates the promotion and support the development of under-utilised land and buildings, particularly where this would help to meet identified needs for housing; where land supply is constrained; and where it is considered sites could be used more effectively.
- 9.3 The main planning issues raised by the Proposed Development are:
- Principle of Development (Land Use / Heritage Considerations)
  - Housing Need and Delivery
  - Housing Mix
  - Residential Quality and Amenity
  - Design
  - Neighbouring Amenity
  - Transport
  - Trees and Landscaping
  - Water Resources, Flood Risk and Drainage
  - Environmental Considerations
  - Community Infrastructure Levy and S106

### **Principle of Development (Land Use / Heritage Considerations)**

#### *Demolition of Non-Designated Heritage Asset*

- 9.4 Paragraph 192 of the NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting its setting), taking account of the available evidence and any necessary expertise (i.e. statutory & non statutory consultees). That assessment should then be taken into account when considering the impact of the proposal on the heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- 9.5 Paragraphs 194 to 197 of the NPPF provide that in determining planning applications affecting heritage assets, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;
  - the desirability of new development making a positive contribution to local character and distinctiveness.
- 9.6 Paragraph 199 states that ‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’. It should also be noted that while it is considered to not be pertinent in this instance, Para 196 of the NPPF states “Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision. In this case the poor condition of the building is attributed to lack of available funding as opposed to neglect.
- 9.7 With regard to non-designated heritage assets, paragraph 203 of the NPPF advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Local planning authorities (Paragraph 204) should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred. Unlike paragraphs 195-197 and 201-202, paragraph 203 does not seek to prescribe how that balance should be undertaken, or what weight should be given to any particular matter. It requires a balanced judgement to be made by the decision maker, as set by Nathalie Lieven QC in the *Dorothy Bohm v SSCLG* ([2017] EWHC 3217 (Admin)) high court judgement.
- 9.8 London Plan Policy HC1 ‘Heritage conservation and growth’ states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings. The London Plan outlines that heritage assets are valued components of the historic environment. They include buildings, monuments, sites, places, areas or landscapes positively identified as having a degree of historic significance meriting consideration in planning decisions. They include both designated heritage assets and non-designated assets where these have been identified by the local authority (including local listing) during the process of decision-making or plan making.
- 9.9 Core Policy 31 (Built and Landscape Heritage) requires that special regard be had to the impacts of development on heritage assets and their settings, whilst Core Policy 30 supports high-quality and design-led public realm.
- 9.10 DMD 44 (Preserving and Enhancing Heritage Assets) requires that developments should conserve and enhance the special interest, significance or setting of a heritage asset.



- 9.11 DMD 37 (Achieving High Quality and Design-Led Development) requires that Development must be suitable for its intended function and improve an area through responding to the local character, clearly distinguishing public and private spaces, and a variety of choice.
- 9.12 Making Enfield: Enfield Heritage Strategy 2019-2024 SPD (2019) outlines the positive approach to managing heritage.
- 9.13 Saint Monica's Hall has been included on Enfield's Local Heritage List as a non-designated heritage asset since 2018. The significance is stated as Rarity, Historic Association, Landmark Status, Social Value, Creative Association, whilst the description is as follows:

*The Intimate Theatre is the home of John Clements Theatre company, and the site of the first play ever to have been broadcast live on television. By the end of the 60s it had become the last repertory theatre surviving in London. The theatre still plays host to a range of dramatic and operatic societies, and local events. Many famous people appeared on stage here, including Richard Attenborough (who made his stage debut), Irene Handl, Anna Wing, Nicholas Parsons, Roger Moore, Arthur Lowe, Bill Owen, John Inman, Dad's Army writer Jimmy Perry and his wife Gilda, Tony Blackburn, Stephen Berkoff, Davy Graham, David Bowie, The Wurzels, Joe Brown, George Melly, Tommy Trinder, Hinge and Bracket, and, in panto Bill Pertwee, Ruth Madoc, and John Noakes. Stevie Smith attended regularly. John Clements was knighted for his contribution to film and stage - Bristol University holds an archive in his memory. One of the last local theatres left in London. Two storey frontage red brick with stone quoins and window surrounds.*

- 9.14 The Council's specialist Conservation Officer advises that the existing building is a rare survivor of a repertory theatre building of the inter-war period, in addition to being one of the last remaining local theatres in London. The theatre is a well-known landmark on Green Lanes and makes an important contribution to the local street scene and can be clearly viewed on the approach from both directions. Internally, a virtually unaltered plan survives with many intact original features and fittings, including a formal stage with ornamental proscenium arch featuring sunburst and flanked by plaster. The safety curtain (circa 1935) bears the masks of Comedy and Tragedy and figures from classical drama. There are limited flying facilities, original gas lit exit signs, dressing rooms, and rehearsal spaces. In the auditorium, the fixed seating in the stalls and orchestra pit were removed in 1989 and replaced with movable seating.
- 9.15 To inform this planning assessment, the applicant has submitted a Heritage Statement which sets out the rational for the approach to the approved development. In particular, it contains an analysis of different options for refurbishment / redevelopment to support the approach advocated in this proposal and looks at the benefits of the proposed facility.
- 9.16 With reference to national planning advice and policies contained in the development plan, the Historic Assessment states that:

*St. Monica's Hall is not an overly elaborate or high-quality example of its type. The intrinsic design value of the building is limited as it is considered to be a modest and functional building that broadly reflects that of the neighbouring*

*presbytery but is less refined. The overall composition of the building is poor with a lack of detailing and awkward juxtaposition of flat roofed wings with the pitched roof and gable ends of the main hall. The north elevation of the building, with blank frontages to Stonard Road and garage and refuse storage, is considered to detract from the appearance of the existing streetscape.*

*The building includes some notable internal fixtures and fittings such as a proscenium arch, gallery seating and gas lights installed when the building was in use as a theatre. These have survived since the building reverted back to its main original use as a parish community centre and are rudimentary features of some architectural value that reflect the historic use of the building as a theatre.*

*The historic use of the building as the Intimate Theatre contributes to the 'collective memory' of the Site and the historic use of the building as a professional and amateur theatre has communal and symbolic significance for the people who relate to that use and draw part of their identity from it. Although the building was not originally used as a theatre, has not been used as a professional theatre since 1969, has not hosted a professional pantomime since 1988 and the use of St. Monica's Hall for local theatre productions has been a relatively small proportion of the overall recent use of the building, the memory of the use of the building as a theatre still resonates with those that know of it and contributes to the communal value of the building.*

*The historic use of the building as the Intimate Theatre is of local historical value and this is reflected in the building being included on the latest version (May 2018) of the Council's Local Heritage List.*

*St. Monica's Hall was constructed for, and has always been in the ownership of, the church and the use of the building as a parish community centre is a key and ongoing facet of its local interest and communal value.*

- 9.17 A further consideration in connection with its historic significance is a request to Historic England in 2019 to add the Intimate Theatre / Saint Monica's Hall to the statutory list of designated heritage assets. After review, Historic England did not accept this request and commented that:

*There is clearly some historical interest to the building. As the venue for the first live television broadcast of a complete play in 1946 it is certainly of note. However, this has to be seen in the context of the development of television and cannot be regarded as having the same special interest as the first BBC television broadcast from Alexandra Palace in 1936. Similarly, although the Intimate Theatre can boast an impressive list of actors who have appeared on its stage (including a number of notable debuts including Sir Richard Attenborough and a mime performance by David Bowie), such is true of the vast majority of theatres and the Selection Guide specifically recognises that this constitutes lesser interest. As one of the last commercial repertory theatres in London the Intimate Theatre has clear local interest but is of limited significance in the history of theatre since repertory companies still exist today, albeit of much less importance that they were in their heyday between the 1930s and 1950s.*

*Overall, this is an interesting building with a varied history and has a great deal of local affection. However, although it survives well, architecturally it lacks the degree of special interest that would be expected from a cultural or entertainment building of this relatively late date. Externally it is competent but lacks a cohesive character, and internally, despite the survival of a number of interesting features, it is not innovative in terms of theatre development and lacks a clearly defined sense of space resulting from its multi-purpose origins. Historically, the building has a number of claims to interest but these are either local in nature or not of such interest that they override the lack of architectural special interest.*

*After examining all the available records and other relevant information and having carefully considered the architectural and historic interest of this case, the criteria for listing are not fulfilled. St Monica's Church Hall is, however, of clear local interest as a long-standing theatrical venue with close ties to the local community and a proud theatrical history as well as for its community history as the hall for the local Catholic church.*

*They conclude that St Monica's Church, Hall, also previously known as the Intimate Theatre, 521 Green Lanes, Palmers Green, built as a church hall in 1930-31 to designs by Charles E Hanscomb, is not recommended for listing for the following principal reasons:*

*Degree of architectural interest:*

- *a competent but undistinguished inter-war building by a local architect. Externally it lacks architectural cohesion and quality of detailing. Internally, although surviving well and with some interesting features, it is not noteworthy as a performance space;*
- *it has no claims to innovation in terms of planning or theatrical development.*

*Degree of historical interest:*

- *although it has an interesting history, this is not considered to provide special interest in a national context or to compensate for the overall lack of architectural interest.*

- 9.18 The scheme proposes the redevelopment of the site, including the demolition of the existing Saint Monica's Hall. It is uncontested that, by demolishing the entire building, any effect on the building's heritage significance would be total.
- 9.19 However, whilst the objectives of Core Policy 31 and DMD Policy 44 are acknowledged, weight is given to the fact that no national significance was identified and thus, the effect of the loss at a local level must and has been considered as part of this report. The main heritage policy considerations for this Site are the effect of the proposals on the locally listed Saint Monica's Hall.
- 9.20 It must be emphasised however that Local listing provides no additional planning controls and the total site could be demolished under permitted

development rights including any internal features, but it is a material consideration when determining the outcome of a planning application.

- 9.21 In making this assessment, as previously mentioned, paragraph 203 of the NPPF calls for the consideration of the application as a whole. In this case it includes not merely the proposed demolition of the existing building but also the construction of the Proposed Development. It is reiterated that locally listed buildings (non-designated heritage assets) do not attract the same great weight attributed to designated heritage assets (e.g. listed buildings).
- 9.22 A further consideration is the fact that building is on the Theatres Trust "Theatres at risk register. The Theatres Trust is a statutory consultee and a national advisory public body for theatres and were established through the Theatres Trust Act 1976 'to promote the better protection of theatres' and provide statutory planning advice on theatre buildings and theatre use in England through The Town and Country Planning (Development Management Procedure) (England) Order 2015, requiring the Trust to be consulted by local authorities on planning applications which include 'development involving any land on which there is a theatre. Significant weight must be given to their comments as part of the overall assessment.
- 9.23 The Theatres Trust appreciates that although not directly a church use the site's theatre function is valued by local people as demonstrated by its designation as an Asset of Community Value and is a means of bringing the community, backed up by the 4,513 signature petition and 50 individual responses objecting to its loss, and additional revenue into the building. The Trust therefore advises that the current development proposals should represent an opportunity to make better use of the existing facility and in the absence of justification to support the scheme all options have been explored and they object to the development. Moreover, even if demolition is accepted, adequate re-provision should be secured.
- 9.24 In assessing the significance of a heritage asset, consideration must be based around an understanding of an asset's evidential, historical, aesthetic or communal value. A substantial majority of buildings have little or no heritage significance, however, and thus do not constitute heritage assets. Only a minority have enough heritage interest for their significance to be a material consideration in the planning process.
- 9.25 Buildings, features and structures which do warrant consideration as non-designated heritage assets are a material consideration in the planning process. Paragraph 203 of the NPPF states: "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".

### *Conclusion*

- 9.26 Saint Monica's Hall is not an overly elaborate or high-quality example of its type. The intrinsic design value of the building is limited as it is considered to be a modest and functional building that broadly reflects that of the neighbouring presbytery but is less refined. The overall composition of the building is poor with a lack of detailing and awkward juxtaposition of flat

roofed wings with the pitched roof and gable ends of the main hall. The north elevation of the building, with blank frontages to Stonard Road and garage and refuse storage, is considered to detract from the appearance of the existing streetscape.

- 9.27 The building includes some notable internal fixtures and fittings such as a proscenium arch, gallery seating and gas lights installed when the building was in use as a theatre. These have survived since the building reverted back to its main original use as a parish community centre and are rudimentary features of some architectural value that reflect the historic use of the building as a theatre.
- 9.28 Nonetheless the loss of the existing locally listed building would result in harm. That harm is considered to relate to the loss of notable internal features of the building that reflect the historic use of the building as a theatre, the communal value associated with the historic theatre use and the original and existing use of the building as a parish community centre.
- 9.29 Saint Monica's Hall was constructed for, and has always been in the ownership of, the church and the use of the building as a parish community centre is a key and ongoing facet of its local interest and communal value.
- 9.30 Draft Policy HE3 (Locally listed and undesignated heritage assets and cultural practices) highlights that where the significance of a local heritage asset is linked to its use or original purpose, development proposals should take this into consideration.
- 9.31 The proposed development would re-provide the original and existing use of Saint Monica's Hall in a modern new parish community centre with better accessibility for parishioners, sufficient space for religious instruction and flexible modern floorspace that can be used by other community groups and for cultural activities. In addition, the proposals would provide new homes in the borough and optimise the development potential of this accessible brownfield site.

#### *Loss of Theatre*

- 9.32 Paragraph 93(c) of the NPPF (2021) sets out that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.
- 9.33 Policy HC5 of the London Plan (2021) relates to supporting London's culture and creative industries. The policy states that development plans and proposals should protect existing cultural venues, facilities and uses where appropriate and support the development of new cultural venues in town centres and places with good public transport connectivity. To support this, boroughs are encouraged to develop an understanding of the existing cultural offer in their areas, evaluate what is unique or important to residents, workers and visitors and develop policies to protect those cultural assets and community spaces.
- 9.34 Policy S1 of the London Plan (2021) states where development proposals result in a loss of social infrastructure, there are realistic proposals for re-

provision that continue to serve the needs of the neighbourhood and wider community, or the loss is part of a wider public service transformation plan which requires investment in modern, fit for purpose infrastructure and facilities to meet future population needs or to sustain and improve services.

- 9.35 Paragraph 7.5.6 of the London Plan (2021) states that the loss of cultural venues, facilities or spaces can have a detrimental effect on an area, particularly when they serve a local community function. Where possible, boroughs should protect such cultural facilities and uses, and support alternative cultural uses, particularly those with an evening or night-time use, and consider nominations to designate them as Assets of Community Value. Where a development proposal leads to the loss of a venue or facility, boroughs should consider requiring the replacement of that facility or use
- 9.36 Policy HC6 of the London Plan (2021) states that boroughs should protect and support evening and night time cultural venues such as pubs, night clubs, theatres, cinemas, music and other arts venues.
- 9.37 In accordance with Policy CP11 of the Core Strategy, the Council will work with its partners to promote community cohesion. Policy CP11 of the Core Strategy, specially related to Recreation, Leisure, Culture and Arts, states the Council will seek to protect existing assets and provision, and promote and encourage the increased use of recreation, leisure, culture and arts facilities in the Borough by, amongst other objectives resisting the loss of existing recreation, leisure, heritage, culture and arts facilities, unless it can be demonstrated that they are no longer required or will be provided elsewhere;
- 9.38 Policy DMD 17 of the Development Management Document aims to protect existing community facilities in the borough. Proposals involving the loss of community facilities will not be permitted unless:
  - A suitable replacement facility is provided to cater for the local community that maintains the same level of public provision and accessibility; or
  - Evidence is submitted to demonstrate that there is no demand for the existing use or any alternative community use.
- 9.39 In assessment of the proposed parish community use building, the plan depicted indicates a flexible 240sqm open plan space with no fixed seating or stage, capable of accommodating a seated audience of 220 people. The redevelopment of the site would result in the loss of the purpose-built building comprising fixed seating and a stage capable of accommodating a seated audience of 413 people.
- 9.40 The applicant, in support of policy DMD 17, indicates there is no longer a demand for the continued operation of the theatre facility in this location, citing the poor condition, accessibility of the existing building, particularly when compared to competitive venues of a modern standard in Enfield, along with declining occupancy/performance data.
- 9.41 In respect of the existing facility, the applicant indicates several shortcomings including (summary):

*The lack of flexibility: -*

- There are no meeting rooms nor teaching rooms – only the main hall and the small hall at first floor level
- The main hall is too large for small group meetings / teaching
- The building is dominated by a stage redundant for most of the year and used less and less by amateur dramatics

*Condition of the building and quality of accommodation:*

- The solid walls and the roofs lose heat and insulation values are below standard and causing great loss of energy
- The emergency lights are gas fired and a fire and H&S risk requiring management attendance when occupied
- The “small hall” is accessed from a precarious uncovered external staircase, perilous in winter and potentially a health hazard
- The gallery alternative means of escape is via an external staircase
- The toilets are insufficient for the number of people who potentially use the facilities
- The kitchen does not serve the main hall

9.42 In respect of demand, the applicant indicates a decline in theatre productions.

| Usage<br>Year | Theatre Productions (%) | Private Hire (%) | Parish (%) |
|---------------|-------------------------|------------------|------------|
| 2014          | 32                      | 17               | 51         |
| 2015          | 24                      | 23               | 53         |
| 2016          | 26                      | 20               | 64         |
| 2017          | 18                      | 32               | 50         |
| 2018          | 22                      | 27               | 51         |

9.43 The applicant indicates the community hall is advertised through the St Monica’s Church website, however no substantive information of marketing taking place outside of this format has been presented.

9.44 Options for extension/refurbishment of the building put forward by the wider public and the Intimate Theatre Group have been accounted by the applicant and discounted in some detail within the Design and Access Statement, not only on the grounds of cost, but also because the refurbished building would still be deficient for the following reasons (Summary):

- Fail to serve parish/community needs;
- Extensions fail to account for planning policy
- Internal layout fails to account for Building Regulations
- Internal layout fails to provide sufficient toilet facilities
- Internal layout fails to account for general accessibility
- Internal layout fails to account for residential and commercial /operational space standards
- Fail to account for space hierarchy
- Kitchen poorly located and underprovided
- The retained but upgraded building fabric would fail to be as energy efficient as a new build
- The building would have significant additional costs for on-going maintenance.

- 9.45 The applicant indicates that the proposal to replace the existing building represents the optimum solution in terms of providing a flexible community building which is accessible, energy efficient, and cost effective.
- 9.46 The Theatres Trust advise that theatres have evolved over time, with different internal layouts according to the types of productions presented there. Whilst many types of stage arrangements are purposed for large scale performances such as Proscenium stages, Thrust stages, Theatres in-the-round, Arena theatres, there are flexible performance spaces which when stripped to their basics involve a single room, with the floor of the stage at the same level as the first audience row. Usually these spaces allow for the temporary setup of seating in several different configurations to enable a wide variety of productions to be presented. Platform stages for example, consist of a raised rectangular platform at one end of a room. They can either have a level or raked sloping floor. The audience sit in rows facing the stage. Platform stages are often used in multi-purpose halls where theatre is only one of the space's uses. Where the stage is open and without curtains, they are sometimes known as end stages or open stages.
- 9.47 Recognising the advice of the Theatres Trust, the proposed parish community use building could be capable of performances in its presented format, indeed many of the associated facilities, including a foyer, café / bar, kitchen, multiple bathroom facilities and upper floor rooms would be beneficial. It must be stated for clarity however, that no purpose-built stage nor seating is proposed as part of the community use building. Therefore, whilst the proposal would result in the loss of a community centre containing a purpose-built theatre, this must be weighed against several key considerations including:
- the existing internal stage and seating arrangement could be removed without the need for planning consent
  - the use as a performance space would be continued as part of the proposed application, albeit as an evolved mixed use / theatre space.
- 9.48 In this context, the proposal would offer a more flexible and accessible space for the community that would continue to afford a space for performances of significant benefit, a consideration that would outweigh the loss of the existing performance arrangement and resulting reduction in capacity.
- 9.49 Taking specific account of DMD Policy 17, within Enfield, spaces that are capable of performance include:
- Millfield Theatre (capacity 362/ PTAL 3) in Edmonton
  - Aylward Theatre (capacity 300/ PTAL 3) in Edmonton
  - The Dugdale (capacity 139/ PTAL 5) in Enfield Town
  - The Chickenshed Theatre (capacity 292 / PTAL 2) in Cockfosters
- 9.50 The Theatres Trust has provided a suitability assessment of replacement facilities not only within Enfield, but within the north London area (6.7-mile radius from the site). The Theatres Trust states there to be few venues of comparable size and capacity to the Intimate, and where they exist most have constraints which make them unsuitable or unavailable for the Intimate's users. This is especially so for shows requiring use of the venue for a prolonged period.



- 9.51 It is noted that all the listed venues within Enfield currently have capacity for hire, are equal or of higher PTAL rating (transport accessibility), all have a relative, if not smaller capacity and all are within the same catchment, albeit except The Chickenshed Theatre which specialises in children and young people, it does adult shows and hires at periods however.
- 9.52 The Theatres Trust has also provided information in respect of the operation / need of the existing building for 'theatre use'. Officers have accounted for the context of the theatre being used as part of a wider community hall for parish use, in addition to the wider implications COVID has had on this industry, albeit figures only up to 2018 are provided here. Nevertheless, the information provided demonstrates the following:

| <b>Usage in days for performances and other events/shows</b>         |
|--|
| 2014 – 65  |
| 2015 – 59  |
| 2016 – 52  |
| 2017 – 53  |
| 2018 – 50  |
|  |
| <b>Usage in days for rehearsals</b>                                  |
| 2014 – 0   |
| 2015 – 0   |
| 2016 – 0   |
| 2017 – 29  |
| 2018 – 23  |
|  |
| <b>Total usage in days for performances and rehearsals combined:</b> |
| 2014 – 65  |
| 2015 – 59  |
| 2016 – 52  |
| 2017 – 82  |
| 2018 – 73  |

- 9.53 The Theatres Trust furthers this data noting that this is comparable with several regional venues. Whilst it is recognised that the existing building continues to serve a regular 'theatre use' and that relative demand continues, this would not outweigh a proposal that would not result in the loss of the facility, but furthers the value of a redeveloped space capable of the hosting the existing / continued uses.
- 9.54 It should be noted that where supporting paragraph 3.1.9 (of DMD 17) states:
- The loss of facilities will be allowed only in exceptional circumstances. Evidence will be required of marketing and consultation with the community to demonstrate that there is no demand for existing or alternative community uses.*
- 9.55 This has been considered alongside the wording of policy DMD 17, whereby dispensation of part a) OR part b) rather than part a) AND part b) is required. Therefore, part a) applicable schemes need not also apply the requirements of part b), namely marketing and consultation with the community to demonstrate that there is no demand for existing or alternative community uses.

- 9.56 Since the application was taken to Planning Committee in 2020 the council has produced a Cultural Strategy for Enfield (2020 – 2025). It recognises that more can be done to develop and expand Enfield's cultural provision, especially within town centres. Culture can play a greater role in borough health and wellbeing, in economic development, to shape local pride and identity and to better reflect the diverse communities who live, work and play in Enfield. Engagement in culture across the borough is relatively low and there are gaps in provision such as for visual arts and crafts, music at all scales, creative workspace including artist and maker studios.
- 9.57 The strategy sets out that cultural centres and theatres within the borough include the Dugdale centre, Millfield theatre and Chickenshed theatre. The strategy states that Enfield has successfully secured Department for Digital, Culture, Media and Sport (DCMS) funds totalling £672,295 to sustain amongst others Millfield Theatre and The Dugdale and enable the continued delivery of creative programmes including outreach activity, through Covid19. In addition, £200k National Heritage Lottery Funds have been secured to initiate cultural heritage activity and increase heritage capacity.
- 9.58 The culture strategy recognises that Enfield's cultural venues including Millfield Theatre, The Dugdale and Forty Hall have active creative programmes and are much loved. The diversification of business income streams can be explored to improve long term sustainability, broaden audiences and bring more people together to enjoy what is on offer. As new development comes forward in Enfield, investment can be secured to expand and diversify the borough's cultural provision as part of social, cultural, community and employment infrastructure. This could include subsidised spaces for cultural occupiers, affordable creative workspace and artist studios, public art commissioning and cultural festival activity which enhances the life of Enfield. The proposed development could contribute to this approach to culture across the borough.
- 9.59 The Intimate Theatre has not been identified within the adopted Cultural Strategy as a cultural centre. It has been confirmed by the Property and Economy team that there are no plans to close either the Millfield or Dugdale theatres and the council intend to invest in them in different ways to develop their programmes. It should be noted that the Chickenshed theatre is an independent theatre company that pioneers inclusive theatre, and many dance schools, choirs and orchestras.
- 9.60 Within this policy and officer assessment context, it is recognised that several suitable replacement facilities are provided to cater for the local community that maintains the same level of public provision and accessibility as per the requirement of DMD Policy 17 (a), contrary to the positions offered by the Theatres Trust and Culture at Risk Office stating that the built form value and history is key to the significance of the existing building and the availability / suitability of alternatives facilities falls short. Whilst some programming impacts presented by The Theatres Trust are acknowledged, the loss of the purpose-built existing building (and associated internal arrangement that could be removed without the need for planning consent), replaced by a flexible open plan space (capable of performance use) would continue to meet local community needs, facilitate social interaction, and promote inclusive communities, thereby meeting the policy objectives of the Local Plan as a whole.

- 9.61 There is a clear need to improve the cultural offer across the borough, there is not however, a specific policy led-cultural need for theatre. The proposals will retain community use of the site by providing a new building including a range of flexible spaces and enhanced facilities and access. Furthermore, the proposed church hall would provide flexible new spaces in which to cater for identified cultural need and could accommodate a variety of uses such as dance studios, craft groups and exhibition space in line with the council's culture strategy.
- 9.62 The proposal would comply with Paragraph 93 of the NPPF as it would enhance the sustainability of the community, take into account the local strategy for cultural well-being and re-provide for facilities to meet the identified community needs. The proposal would also comply with the objectives of Policy DMD17 and Policies HC5 and HC6 of the London Plan as it would provide a suitable replacement facility to cater for the local community and would enhance public cultural provision and accessibility.
- 9.63 The proposal would comply with the aims of the Council's Cultural Strategy, which does not raise any concerns with the level of theatre provision within the borough. Theatre use within the new building would still be feasible, as would other cultural events.

*Asset of Community Value (ACV)*

- 9.64 Across the Borough there are buildings, land and amenities that communities may consider are an essential part of their community lifestyle. These facilities can be a shop, a pub a community centre or a library for instance and do not need to be in public ownership. The closure or sale of these places may be considered to create a potentially lasting detrimental effect to the local communities. Under the Localism Act 2011, eligible organisations, such as voluntary and community organisations with a local connection, can nominate an asset to be included on a list of 'assets of community value'.
- 9.65 A building or other land should be considered an asset of community value if:
- a) Its actual current use furthers the social wellbeing and interests of the local community, or a use in the recent past has done so; and
  - b) That use is not an ancillary one (that is it must be the primary use); and
  - c) For land in current community use it is realistic to think that there will continue to be a use which furthers social wellbeing and interests, or for land in community use in the recent past it is realistic to think that there will be community use within the next 5 years (in either case, whether or not that use is exactly the same as the present or past); and
  - d) It does not fall within one of the exemptions e.g. residential premises and land held with them.
- 9.66 The Department for Levelling Up, Housing and Communities (DLUHC) Guidance (Community Right to Bid: Non-statutory advice note for local authorities – Published by the Department for Communities and Local Government 2012), states such provisions do not restrict in any way who the owner of a listed asset can sell their property to, or at what price. They also do not confer a right of first refusal to community interest groups. The provisions do not place any restriction on what an owner can do with their property, once listed, so long as it remains in their ownership. This is because it is planning policy that determines permitted uses for particular sites.

However the fact that the site is listed may affect planning decisions - it is open to the Local Planning Authority to decide whether listing as an asset of community value is a material consideration if an application for change of use is submitted, considering all the circumstances of the case.

- 9.67 Saint Monica's Hall (Intimate Theatre) was designated as an Asset of Community Value in 2018 (Ref No ACV/SPS/0019), following nomination by the 'Save the Intimate Theatre Group' on the basis of its Borough wide renown (i.e. as a theatre), its integral role in the community and its role as a focal point for local engagement around arts and culture. It is also a locally listed heritage asset.

- 9.68 A supporting paragraph (7.5.6) to Policy HC5 of the London Plan (2021) states:

The loss of cultural venues, facilities or spaces can have a detrimental effect on an area, particularly when they serve a local community function. Where possible, boroughs should protect such cultural facilities and uses, and support alternative cultural uses, particularly those with an evening or night-time use, and consider nominations to designate them as Assets of Community Value. Where a development proposal leads to the loss of a venue or facility, boroughs should consider requiring the replacement of that facility or use.

- 9.69 On balance and considering the proposal as a whole in accordance with National, Regional and Local planning policy, it is considered the loss of the ACV would be offset by the public benefits associated with the provision of a modern community facility available to the local community. In addition, details demonstrating the availability of the hall to the wider community shall be secured by way of a condition.

### **Housing Need and Delivery**

- 9.70 The NPPF (Para. 125) is clear that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. In these circumstances...c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards). The current London Plan sets a target for the provision of 66,000 new homes across London each year. This target is set to increase in the London Plan with Policy H1 stating an overall target for the provision of 52,287 new homes each year. Whilst Enfield's 2019 Housing Action Plan recognises that the construction of more affordable high-quality homes is a clear priority, only 51% of approvals in the Borough have been delivered over the previous 3-years.

- 9.71 The London Plan identifies a need for a minimum of 1,246 dwellings per year to be delivered over the next 10-years in the Borough, based on the Strategic

Housing Market Assessment (SHMA): an increase over the current target of 798.

- 9.72 Enfield's Housing and Growth Strategy (2020) was considered by Cabinet in January 2020 and approved at February's Council meeting (2020) and sets out the Council's ambition to deliver adopted London Plan and Core Strategy plus ambitious draft London Plan targets.
- 9.73 The Strategy sets five ambitions, the third of which is 'Quality and variety in private housing'. The key aims of the Strategy seek to address the housing crisis within the Borough. During consideration of the Cabinet report Members discussed the current housing situation and highlighted the rise in private sector rents in proportion to the average salary and the significant rise in homelessness. Enfield had one of the highest numbers of homeless households in the country. Insecurity and unaffordability of private sector housing has evidence-based links with homelessness. One of the most common reason for homelessness in London is currently due to the ending of an assured tenancy (often by buy to let landlords). MHCLG (2018) data shows a significant increase in the number of households in Enfield using temporary accommodation – with a significant 67% increase between 2012 and 2018.
- 9.74 The fourth and fifth ambitions of the strategy are in respect of inclusive placemaking; and accessible housing pathways and homes for everyone. While the Housing and Growth Strategy is not a statutory document it sets the Council's strategic vision, alongside metrics, in respect of housing delivery. It was approved at a February 2020 Council meeting. Its evidence, data and metrics are considered relevant material considerations.
- 9.75 The 2018 London Housing SPG outlines a vision that delivers high quality homes and inclusive neighbourhoods by ensuring that appropriate development is prioritised. Policy H1 of the London Plan seeks housing delivery to be optimised on sites that have good public transport accessibility (with a PTAL 3-6 rating).
- 9.76 Enfield is a celebrated green borough, with close to 40% of our borough currently designated Green Belt or Metropolitan Open Land, and a further 400 hectares providing critical industrial land that serves the capital and wider south east growth corridors. The reality of these land designations means the call on optimisation of our brownfield land is greater and brings complex development issues and a major shift in how Enfield's character will need to transform.
- 9.77 Taking into account both the housing need of the borough together with the track record of delivery against target, it is clear that the council must seek to optimise development on brownfield sites, particularly those that are currently not being optimised.

### **Housing Mix**

- 9.78 Policies CP5 of the Core Strategy and DMD3 of the Development Management Document refer to housing mix however, the Council's Strategic Housing Market Assessment (SHMA) which post-dates these policies illustrates an annualised requirement, between 2016-2041, for new homes to be 55% 1-bedroom, 16% 2-bedroom and 14% 3-bedroom. Officers have also

considered the existing high proportion of existing 3+bed family houses in Winchmore Hill ward and GLA Strategic Housing Market Assessment (SHMA) predictions that between 2011-2035 around 70% of newly forming households will be 1 and 2-person households without children.

- 9.79 At a regional level, Policy H10 of the London Plan states that schemes should generally consist of a range of unit sizes, having regard to various factors including local demand, the need to deliver a range of unit types at different price points across London, the mix of uses and the range of tenures, the nature and location of the site and the aim to optimise housing potential at the site.
- 9.80 The proposed mix will comprise 6 x 2 bedroom/3 person units. It is recognised that a mix of family units within this development would not be offered, however given the floorplate of the residential portion of the building and the shortfall in private amenity space, requiring larger 3 and 4-bedroom units would represent a suitable offer in this instance.
- 9.81 In light of the above, the proposed housing mix is considered appropriate, having regard to policies CP5 of the Core Strategy, DMD3 of the Development Management Document and Policies H6 & H10 of the London Plan and the information contained within the Councils Strategic Housing Market Assessment.

#### **Residential Quality and Amenity**

- 9.82 Policy D6 of the London Plan (2021) outlines the importance of delivering high standards of internal accommodation that meet the needs of occupants and that these must be of the highest standard both internally and externally. The Core Strategy states within policy CP4 states that *'High quality design and sustainability will be required for all new homes. New housing developments should take account of the design and construction policies and sustainable design and construction guidance set out in the London Plan'*. The supporting London Plan Housing SPG provides detailed guidance on furniture arrangements, internal daylight/sunlight and circulation, amongst other considerations.
- 9.83 Each of the units would accord with the minimum floorspace standards for 2 bedroom/3 person units. Each unit would offer good functional, internal layout and can accommodate practical furniture layouts in accordance with the standards set out in the London Plan Housing SPG. All dwellings would enjoy dual aspect accommodation.
- 9.84 The level of amenity of the neighbouring properties is afforded greater weight in this instance, therefore, the scope or opportunity to provide external amenity space by way of an accessible roof for recreation or hanging balconies is significantly constrained. Therefore, the proposal would not provide the minimum of 5sqm of private outdoor space as per Policy DMD 9. Scope for communal space at ground floor level is again constrained, however given the above and the sites proximity to open spaces, the shortfall is acceptable.
- 9.85 The London Plan and Enfield Local Plan require all future development to meet the highest standards of accessibility and inclusion. A condition would

be attached to any permission to ensure the scheme complies with the optional national technical standard M4(2).

## **Design**

### *Replacement building*

- 9.86 London Plan Policy D1 has regard to local character and states in its overall strategic aim that 'development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings'.
- 9.87 Policy D8 of the London Plan outlines a similar aim and seeks for proposals in public places to be 'Secure...easy to understand and maintain, relate to local context, and incorporate the highest quality design'.
- 9.88 In terms of design, Core Strategy Policy 30 requires all developments to be high quality and design led, having special regard to their context.
- 9.89 Meanwhile Policy DMD 37 seeks to achieve high quality design and requires development to be suitable designed for its intended function that is appropriate to its context and surroundings. The policy also notes that development should capitalise on opportunities to improve an area and sets out urban design objectives relating to character, continuity and enclosure, quality of the public realm, ease of movement, legibility, adaptability and durability, and diversity.
- 9.90 The scheme proposes a Hall building facing Green Lanes and flatted development facing Stonard Road. The hall building follows the siting of the existing Saint Monica's Hall with a setback to all for car parking. The current stepped access is replaced by level access allowing free flow to the building by all members of the community.
- 9.91 The replacement building is of a contemporary nature, with a flat roof, curved walls and flat facades. Light brickwork in place of the traditional red brick building, stone mullioned windows, with stone corner details and horizontal banding under a part flat, part pitched roof is chosen to harmonise with the horizontal bands of church stone rather than duplicate the red brickwork of the presbytery.
- 9.92 Adjacent buildings in Stonard Road are two storeys, purpose built, Edwardian maisonettes in the form of a long terrace. The scale of the proposed building is considerably reduced when compared with the existing Hall, in keeping with the context of Stonard Road; the building sits on the same line as the adjacent terrace, whilst slightly deeper into the site than the Church allowing the eye to follow the straight line of the Stonard Road without any jarring elements.
- 9.93 Articulation is added to the flat fronted building through the introduction of a projecting two-storey entrance portal creating a double-height atrium. Opposing brick detail rises up to the lintel of the ground floor window, and across the entrance portal. Contrasting dark bricks form a feathered frame around the upper floor windows creating interest. The introduction of a dwarf wall with piers and railings sits on the boundary between the public highway

and the amenity space/soft landscaping provides separation and an element of privacy.

- 9.94 From the Stonard Road elevation, the building wraps around the contours of the site, retaining a physical separation from the Church to the east and the boundary wall of the maisonettes at Nos.15 and 17 Stonard Road to the west.
- 9.95 The majority of the proposed building footprint is taken up by the parish community hall with its main entrance located to the south of the car park. The two-storey, flat roofed building follows the same design principle as the flatted element, however at two storeys high, this part of the building is submissive, sitting below the eaves height of the existing building and below the ridge of the Church. The unimposing entrance incorporates floor to ceiling glazed doors and windows enclosed by a further projecting portal and incorporates the same horizontal brick detail rising from the ground floor as seen in the flatted development. A stained-glass panel adds interest and guides the visitor towards the entrance, whilst further landscaping enhancements to present a clear and visionary entry point shall be secured by way of condition.
- 9.96 Were the scheme to be presented with a more meaningful differentiation in terms of elevation, each building would sit as two separate entities, however the relative and modern approach taken in this instance results in a contemporary designed build, with a form and massing delivering a high-quality building in line with DMD37 for the scheme as a whole.
- 9.97 In summary, officers consider that the proposal has demonstrated a more modern approach accounting for a greater design led form, providing a much-improved site layout and thereby relationship with its context and affording greater separating distances with its most impacted neighbours. The principle of development is therefore supported in this instance.

### **Neighbouring Amenity**

- 9.98 London Plan Policy D6 states that development proposals should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space. Meanwhile, at a local level, Policy CP30 of the Core Strategy seeks to ensure that new developments have appropriate regard to their surroundings, and that they improve the environment in terms of visual and residential amenity. Secondly, policies DMD6 and DMD8 of the Development Management Document seek to ensure that residential developments do not prejudice the amenities enjoyed by the occupiers of neighbouring residential properties in terms of privacy, overlooking and general sense of encroachment

### **Noise and Disturbance**

- 9.99 Guidance relevant for the assessment of noise affecting new developments is given in the National Planning Policy Framework (NPPF). This sets out that that new development should be appropriate for its location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should seek to a) 'mitigate and reduce to a



minimum, potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life’.

- 9.100 Additionally, at a regional level, Policy D14 of the London Plan sets out that in order to reduce, manage and mitigate noise to improve health and quality of life, residential... development proposals should manage noise by, amongst other things: ‘3) mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses’, and ‘4) improving and enhancing the acoustic environment and promoting appropriate soundscapes...’. At a local level policy DMD68 of the Development Management Document and CP32 of the Core Strategy are also relevant.
- 9.101 The proposal would result in a purpose-built community centre with a capacity of up to 220 people, this would be a reduction in numbers given the capacity for theatre productions based on the existing arrangement is approximately 350-405. In this respect, noise would still be generated but of no greater detriment than the existing arrangement.
- 9.102 In respect of the residential accommodation on Stonard Road, whilst there would be additional noise and general movement, generated by virtue of its nature, normal day to day activities associated with an additional six households living at the premises or utilising the open space to the front of the residential block is unlikely to result in unacceptable additional levels of noise and disturbance.
- 9.103 It is recognised that that there is the potential for some level of light pollution arising from the development, however given its scale and nature, would be of no greater detriment than the existing arrangement.

*Privacy, Overlooking and Outlook*

- 9.104 Policy D6 of the London Plan states that development proposals should provide sufficient daylight and sunlight to new and surrounding housing.
- 9.105 The Mayor of London’s Housing SPG does not support adhering rigidly to visual separation measures as they can limit the variety of urban spaces and housing types in the city. Standard 28 of the Mayor of London’s Housing SPG states that design proposals should demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring property, the street and other public spaces.
- 9.106 To the north west of the site is the boundary of No. 15 Stonard Road, an end of terrace Edwardian house that features flank and rear bay windows to the rear on its 2 storey rear extensions. At ground floor level the boundary wall is up to 2m in height, with a mix between a solid boundary and soft planting / hedging. At this level, the introduction of single window and doorway would not result in any detrimental harm. At first and second floor levels of the flatted development, an obscure west facing window serving a kitchen is proposed, whilst the community development features a west facing clerestory window serving the main hall. The kitchen windows provide secondary light to the open plan kitchen/lounge however these shall be conditioned to be finished in obscure glass, allowing light into the space whilst

protecting neighbour's amenity. The clerestory window to the main hall by virtue of their nature and position from floor level would prevent overlooking.

- 9.107 To the south west are the communal gardens of Hertford Court, whereby doors would be placed at ground floor level and windows would be placed at ground and first floor level. Given the planting along this part of the boundary, the nature of sensitive areas these would afford and the distance to the main block of Hertford Court, it is considered no detrimental harm would result.
- 9.108 Access to the roof is for maintenance purposes and a condition shall prevent access from residents and visitors, consequently neighbour's amenity would be preserved.

#### *Air Quality*

- 9.109 The construction phase will have the potential to create dust, and it is expected that any impacts will be medium to low. However, subject to appropriate mitigation measures this can be reduced to low to negligible.

#### **Transport**

- 9.110 The London Plan Policy T1 and the Mayor's Transport Strategy sets out an ambition for 80% of journeys to be made by sustainable transport modes – that is by foot, cycle or public transport – by 2041. In keeping with this approach, it is accepted that proposed development should support this aim by making effective use of land, reflective of connectivity and accessibility by sustainable travel modes. Meanwhile, the Mayor's 'Healthy Streets' driver looks to reduce car dominance, ownership and use, whilst at the same time increasing walking, cycling and public transport use.
- 9.111 London Plan Policy T2 requires development to facilitate and promote short, regular trips by walking or cycling and reduce car dominance. Policy T6 sets out the requirement for car-free development to be the starting point for all sites well-connected by public transport. Policy T9 notes that where development is car free, provision must be made for disabled persons parking and adequate space for deliveries and servicing and, in instances where a car-free development could result in unacceptable impacts off-site, these should be mitigated through planning obligations.
- 9.112 Core Strategy (2010) policies aim to both address the existing deficiencies in transport in the Borough and to ensure that planned growth is supported by adequate transport infrastructure that promotes sustainable transport choices. Specifically, Core Policy 25 requires development to prioritise pedestrian and cycle public realm improvements that contribute to quality and safety; Core Policy 24 requires development to deliver improvements to the road network, and Core Policy 26 requires development to ensure a safe, accessible, welcoming and efficient public transport network. The underlying approach is to ensure that travel choice across the Borough is enhanced so as to provide everyone with the opportunity to decide how they choose to travel, be that by car, public transport or walking and cycling. Development Management Document (2014) Policy DMD 45 Parking Standards and Layout states that the Council aims to minimise car parking and to promote sustainable transport options.

#### *Car Parking*

- 9.113 The proposed development would provide 12 car parking spaces which equates to 1 space per flat and 1 space per 300sqm of church hall floor space. Given the site is located in PTAL 2, which represents a low PTAL and Green Lanes has parking restrictions, in addition to the existing informal parking arrangement, this is considered acceptable. A S106 legal agreement will be secured to exclude residents from obtaining parking permits from any future CPZ given the low PTAL. Furthermore, appropriate conditions will be secured to encourage the use of more sustainable transport measures in the form of cycling.

#### *Cycle Parking*

- 9.114 Cycle parking is shown on the plans to be sited across the site. However, a condition will be secured to ensure that cycle parking is provided in accordance with London Plan standards. Separate long stay, fully enclosed and secure cycle parking would be required for both the residential units and the staff at the parish hall. There must be a minimum of 2 spaces per 2-bed flat in a secure and fully enclosed cycle parking shed / locker close to the residential entrance, and for the staff parking, there should be a minimum of 1 space per 8 members of staff in another locker or shed, close to the entrance to the church hall. Short stay cycle parking for the parish hall can be provided as Sheffield stands, and this must be provided at a minimum ratio of 1 space per 100sqm gross floor area.

#### *Access and Servicing*

- 9.115 Policy DMD47 states that new development will only be permitted if the access and road junction which serves the development is appropriately sited and is of an appropriate scale and configuration and there is no adverse impact on highway safety and the free flow of traffic.
- 9.116 Parking spaces shall be located on Green Lanes and Stonard Road via existing accesses.
- 9.117 Although the plans currently show gated access to the Green Lanes car park, it is considered appropriate for revised details of this arrangement to come forward through a condition to ensure that there is no impact on the free flow of traffic or the safety of highway users.
- 9.118 Further details of the parking layout and pedestrian access to the site will also be required to ensure there is clear and safe access for both pedestrians, cyclists and vehicles including servicing.

#### **Trees and Landscaping**

- 9.119 Policy G7 of the London Plan requires existing trees of value to be retained, and any removal to be compensated by adequate replacement, based on the existing value of benefits. The Policy further sets out that planting of new trees, especially those with large canopies, should be included within development proposals. Additionally, Policies G1 and G5 refer to green infrastructure and urban greening, which can be incorporated within the development.

- 9.120 At a local level. Policy DMD80 of the Development Management Document stipulates that developments do not result in any loss or harm to trees of significant biodiversity or amenity value, or adequate replacement must be provided whilst the Enfield Issues and Options Plan outlines the benefits that trees offer to people and the environment by improving air quality, reducing noise pollution, contributing to climate change adaptation and reducing the urban heat island effect. Additionally, Policy DMD81 of the Development Management Document refers to landscaping.
- 9.121 The supporting Arboricultural Impact Assessment (AIA) and Tree Survey indicates the site contains 5 trees (T2 – Category U, T3 – Category C, T4 – Category B, T5 – Category C, T6 – Category C) and 2 groups (G1 – Category C and H1 – Category C).
- 9.122 The AIA concludes that the proposed development would require the removal of three individual trees, one group of trees (G1) and a hedgerow (H1).
- 9.123 One of the individual trees identified for removal (T2 - Hawthorn) was considered to be unsuitable for long-term retention during the Arboricultural Survey of the site. The removal of this tree would be required irrespective of the proposed development due to its poor condition.
- 9.124 A further individual tree (T4 - Turkey Oak) shown to be removed has been assessed as having a moderate retention value. This tree has more potential to make a longer-term contribution to the landscape character of the site. However, as it is of a relatively immature status, it is considered that any losses to visual amenity can be sufficiently compensated for in the short-term through replacement tree planting.
- 9.125 The remaining tree (T3 - Sycamore), group (G1 - Ash) and hedgerow (H1 - Mixed Species) being removed are all specimens considered to be of a low retention value in the Arboricultural Survey. It is not considered that the removal of these trees should be considered a constraint to the proposed development of the site as they are not in such a condition that they are likely to make a lasting contribution to the landscape character of the site. It is therefore considered that subject to appropriate conditions to demonstrate how the retained trees would be successfully protected throughout the site's development, a planting plan/schedule and a landscaping specification including a scheme of aftercare and maintenance, the details are considered acceptable in relation to trees and in line with relevant policies including Enfield Policies DMD80 and DMD81 of the Development Management Document and Policy G7 of the London Plan.

## **Water Resources, Flood Risk and Drainage**

### *Flooding and Drainage*

- 9.126 London Plan policies SI12 and SI13 require the consideration of the effects of development on flood risk and sustainable drainage respectively. Core Policy 28 confirms the Council's approach to flood risk, inclusive of the requirement for SuDS in all developments. Policy DMD59 confirms that new development must avoid and reduce the risk of flooding, and not increase the risks elsewhere and that planning permission will only be granted for proposals which have addressed all sources of flood risk and would not be subject to, or result in unacceptable levels of flood risk on site or increase the level of flood

risk to third parties. Policy DMD 61 requires the submission of a drainage strategy that incorporates an appropriate SuDS scheme and appropriate greenfield runoff rates.

- 9.127 The site is located within flood zone 1, as defined by the Environment Agency, and so is at a low risk of flooding. Furthermore, the risk of surface water flooding is deemed to be very low, and so the proposed use would be appropriate in this location, subject to the recommended conditions.

#### *Sustainable Drainage*

- 9.128 Policy DMD61 of the Enfield Development Management Document requires that all major developments must maximise the use of SuDS in accordance to the London Plan Drainage Hierarchy and the principles of a SuDS Management Train. The proposed development will incorporate a number of SuDS measures such as green roofs, attenuation tank, permeable paving and rain gardens. A more robust SuDS Strategy shall be secured by an appropriate condition to ensure that the proposed measures manage surface water as close to its source as possible and follows the drainage hierarchy in line with the London Plan and a further condition for a requirement of a verification report once SuDS measures have been implemented. The SuDS officer has no objections subject to appropriate conditions, having regard to policies CP28 of the Core Strategy, DMD60 and DMD61 of the Development Management Document and SI12 and SI13 of the London Plan as well as the guidance contained within the NPPF.

### **Environmental Considerations**

#### *Energy and Sustainability*

- 9.129 The NPPF (Para 157) requires new developments to comply with local requirements for decentralised energy supply and minimise energy consumption by taking account of landform, layout, building orientation, massing and landscaping.
- 9.130 Policy SI2 of the London Plan sets a target for all development to achieve net zero carbon, by reducing CO2 emissions by a minimum of 35% on-site, of which at least 10% should be achieved through energy efficiency measures for residential development (or 15% for commercial development). Meanwhile Policy DMD55 and paragraph 9.2.3 of the London Plan advocates that all available roof space should be used for solar photovoltaics.
- 9.131 An energy statement in accordance with Policies DMD49 and 51 is required to demonstrate how the development has engaged with the energy hierarchy to maximise energy efficiency. This could be secured by appropriate conditions and is thus deemed acceptable.
- 9.132 The energy technologies to be implemented within the development include photovoltaic panels, which would reduce CO2 emissions and shall be secured by condition.

#### *Biodiversity*

- 9.133 The NPPF (Para.174) requires planning decisions to protect and enhance sites of biodiversity value, providing net gains for biodiversity and establishing

resilient ecological networks. At a regional level, policy GG2 of the London Plan requires development to 'protect and enhance... designated nature conservation sites and local spaces and promote the creation of new infrastructure and urban greening, including aiming to secure net biodiversity gains where possible'. This guidance is also evident in London Plan policy G6 which requires developments to manage impacts on biodiversity and secure a net biodiversity gain. At a local level, policy CP36 of the Core Strategy requires development to protect, enhance, restore or add to existing biodiversity including green spaces and corridors. This is reaffirmed in the DMD policies 78 to 81.

- 9.134 A Preliminary Ecological Impact Assessment and Bat Survey Report has been submitted and concludes that the site is of low ecological value and that the proposed development would not result in the disturbance of any existing habitats.
- 9.135 It is therefore concluded that appropriate conditions could be attached to secure biodiversity enhancements at the site, having regard to the requirements outlined in the NPPF (Para 174), policies GG2 and G6 of the London Plan and policy CP36 of the Core Strategy.

### **Equalities Impact**

- 9.136 In line with the Public Sector Equality Duty the council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. Section 149 of the Act requires public authorities to have due regard to several equality considerations when exercising their functions including decision making on planning applications. These considerations include: Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; Advance equality of opportunity between persons who share a relevant protected characteristic (explained in detail below) and persons who do not share it; Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.137 The main objective of the duty has been to ensure public policies and programmes are implemented fairly, in particular with regard to their impact on the protected characteristics identified above. In making this recommendation, due regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, marriage / civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).
- 9.138 When determining the planning application (and thereby accounting for the representations resulting from public consultation), the Council has considered the potential effects of the proposed development on those with protected characteristics as defined under the Equality Act 2010. In doing this, the Council has had due regard to equality considerations and attribute appropriate weight to such considerations. In providing the recommendation to Members that planning consent should be granted, officers have considered equalities impacts in the balance, alongside the benefits arising from the proposed development. The Council has also considered appropriate mitigation to minimise the potential effects of the proposed development on those with protected characteristics.

- 9.139 There are no statutory or regulatory requirements for the form or content of an equalities assessment. The scale and significance of such impacts cannot always be quantified, and it is common to address this through descriptive analysis of impacts and identifying whether such impacts are adverse or beneficial. The key elements of the Proposed Development which have an impact that could result in an equalities effect include the design and physical characteristics of the proposals subject to the planning application. Officers do not consider there would be a disproportionate equalities effect.
- 9.140 In line with the Human Rights Act 1998, it is unlawful for a public authority to act in a way which is incompatible with a Convention right, as per the European Convention on Human Rights. The human rights impact has been considered, with particular reference to Article 1 of the First Protocol (Protection of property), Article 8 (Right to respect for private and family life) and Article 14 (Prohibition of discrimination) of the Convention.
- 9.141 The Human Rights Act 1998 does not impair the right of the state to make decisions and enforce laws as deemed necessary in the public interest. The recommendation is considered appropriate in upholding the council's adopted and emerging policies and is not outweighed by any engaged rights.

### **Section 106 / Legal Agreement**

- 9.142 Having regard to the content above, it is recommended that should planning permission be granted, the following obligations / contributions should be sought and secured through a legal agreement.

#### **Transport and Highways**

- Future CPZ parking permits restricted
- 5% monitoring fee

#### **Community Infrastructure Levy**

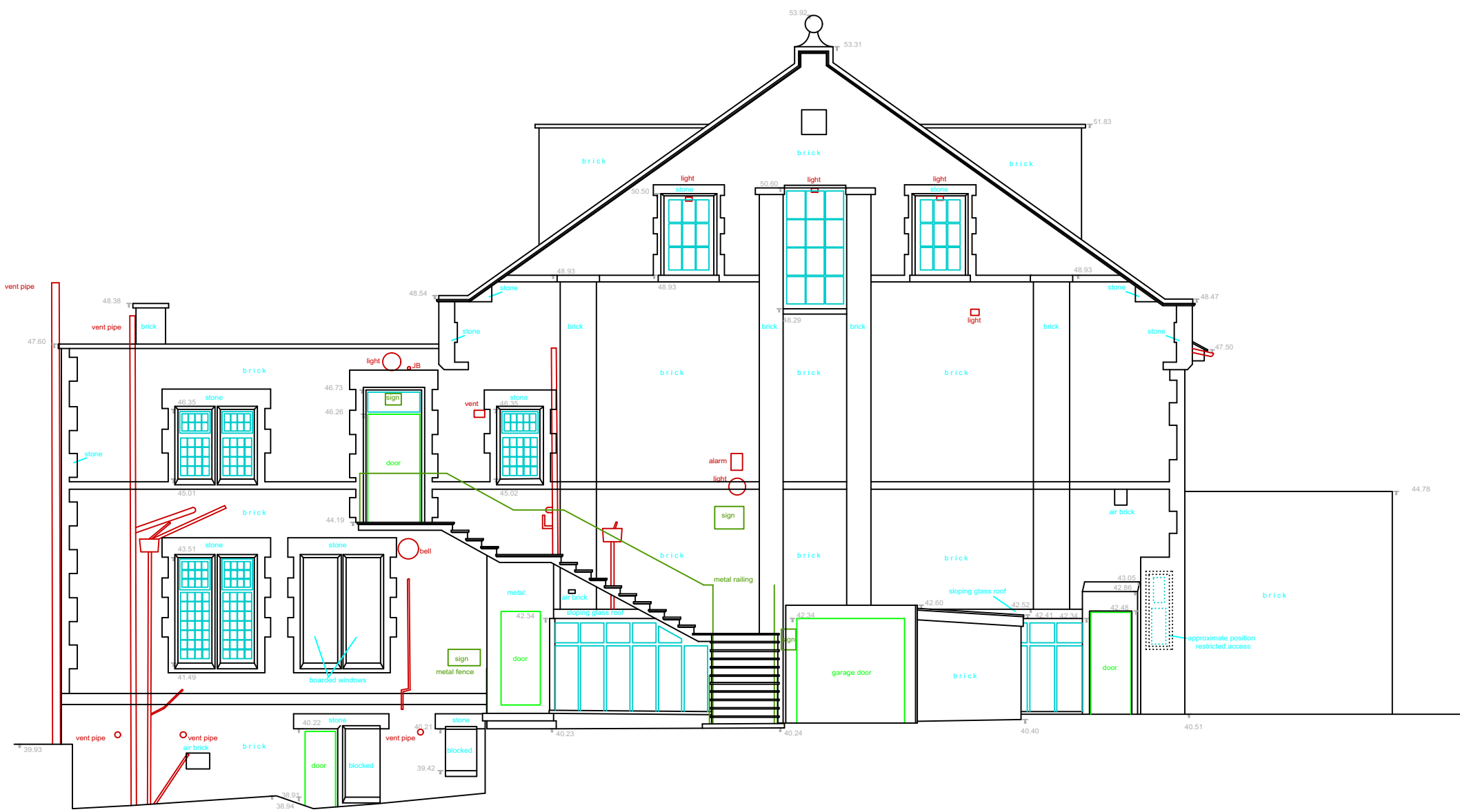
- 9.143 There will be a net increase in floor space and therefore schemes would typically be liable to the Enfield and Mayoral CIL. The applicant's supporting CIL liable planning application form however indicates a mandatory exemption for using this chargeable development wholly or mainly for charitable purposes.
- 9.144 The collecting authority shall however calculate the amount of CIL payable ("chargeable amount") in respect of a chargeable development in accordance with this regulation prior to commencement of the development.

### **10. Conclusion**

- 10.1 It is acknowledged that and as is recognised throughout this report, that consideration of this proposal has involved finely balanced judgements. Concessions have been made in the consideration of the proposal and designations of the site, in order to optimise the community led development potential of this site, in addition to contributing to the Borough's challenging housing targets.
- 10.2 The proposed development would be consistent with the objectives of the development plan policy in terms of supporting community uses, securing sustainable growth and delivery of new housing stock within the borough;

- 10.3 It is considered that where conflicts with Development Plan policies have been identified, these would not on their own or cumulatively significantly and demonstrably outweigh the benefits of the proposed development. In particular, the loss of the non designated heritage asset would be offset by the delivery of a modern facility for the local community. Opportunities to record the existing building and demarcate its historic use as the Intimate Theatre is also beneficial.
- 10.4 The proposed building would be of architectural merit and make a positive contribution to the character and appearance of the area.
- 10.5 The proposal would not result in conditions prejudicial to the free flow and safety of traffic on the adjoining highway.
- 10.6 Officers acknowledge that due to site constraints, there are shortcomings to the proposal. However, it is also recognised that the purpose development would result in a well-designed modern community centre that would provide high quality modern flexible floorspace for parishioners and community groups, in addition, the delivery of new housing stock within the borough given the pressing need and extremely challenging 10-year housing delivery target weighs heavily in favour of the development.
- 10.7 Overall, it is concluded that the development for reasons set-out within this report, to broadly accord with the adopted policy framework as well as relevant emerging policy. Subject to the appropriate mitigations as set out within the recommended condition schedule, and within the Section 106 Agreement, the application is recommended for approval.





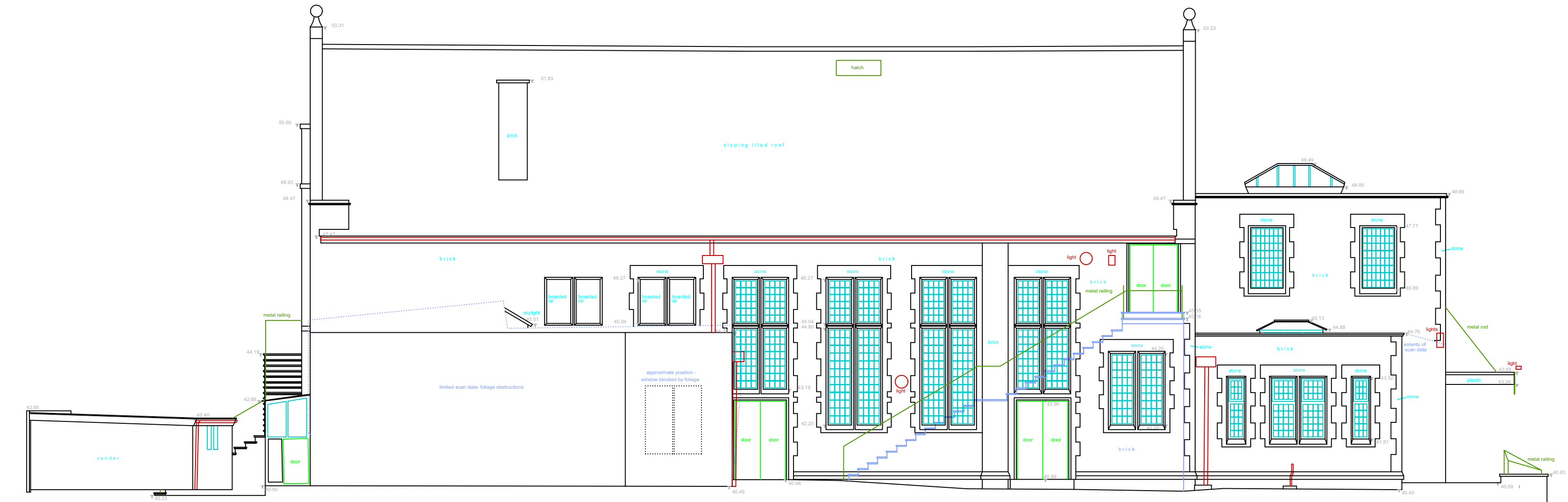
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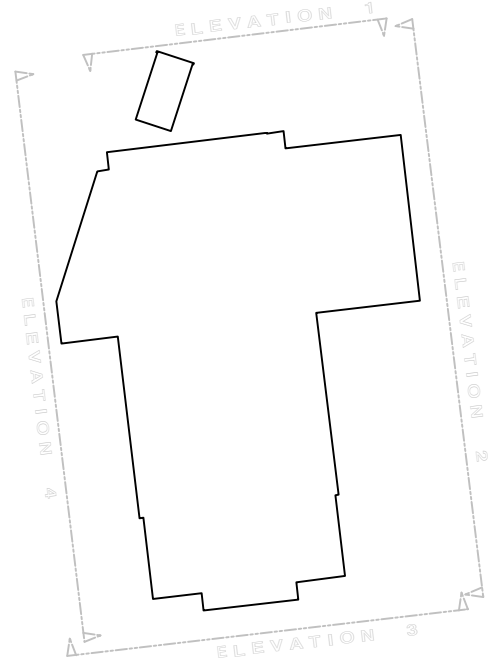
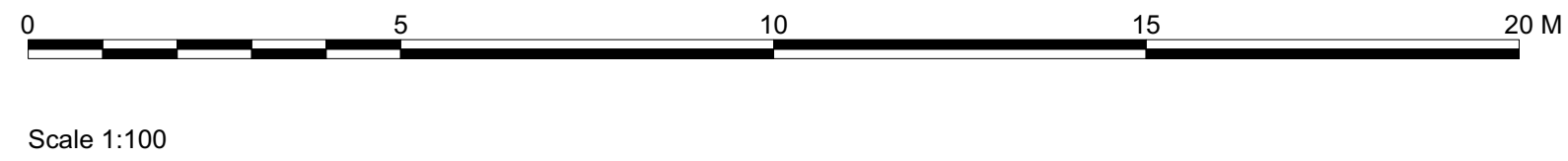
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Elevation 3

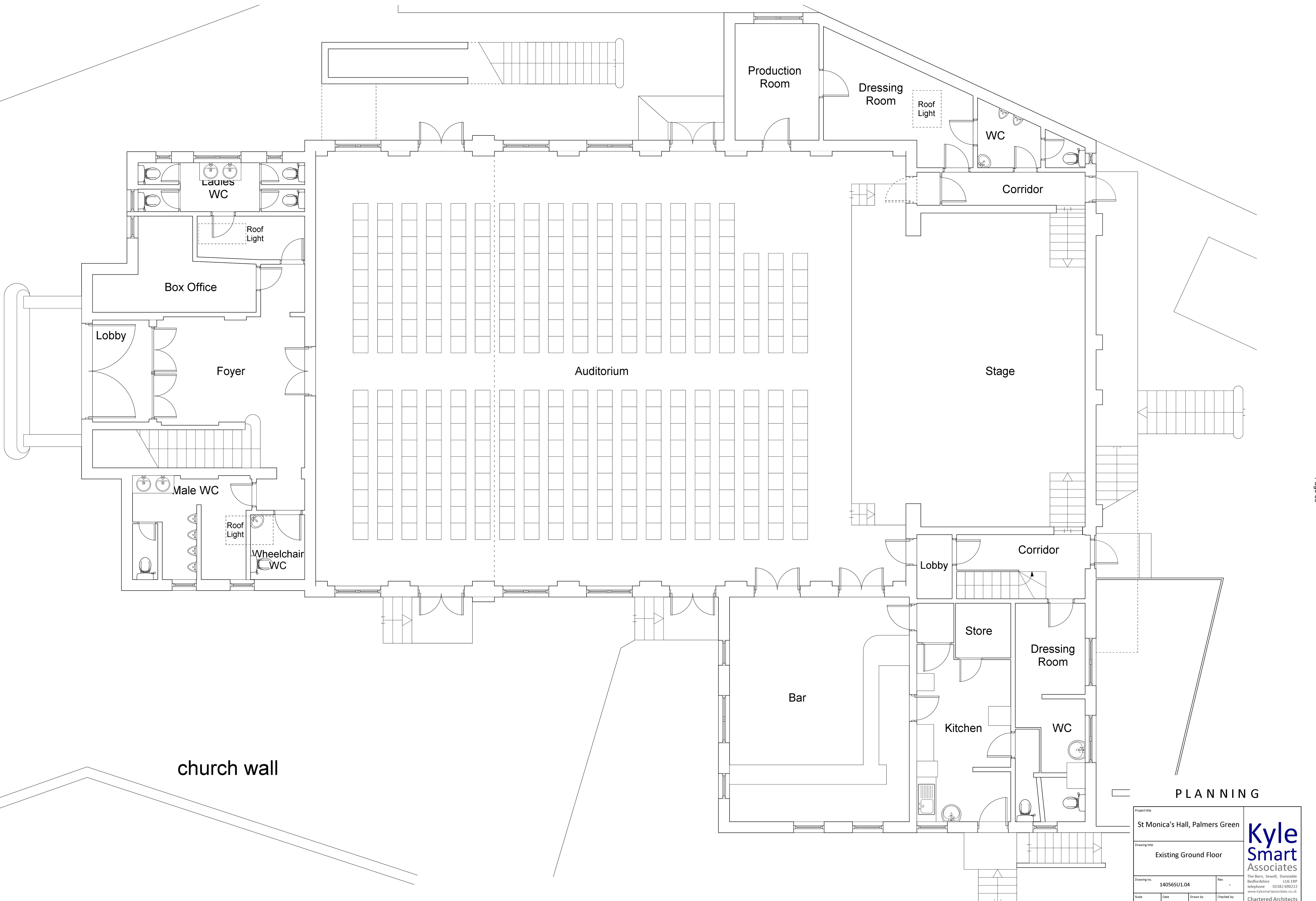


Elevation 4



PLANNING

|                     |        |  |            |     |
|---------------------|--------|--|------------|-----|
| Project title       |        | <div><div>Kyle Smart Associates</div><div>The Barn, Sewell, Dunstable<br/>Bedfordshire LU6 3HP<br/>telephone 01582 690222<br/>www.kylesmartassociates.co.uk<br/>Chartered Architects</div></div> |            |     |
| Drawing title       |        |  |            |     |
| Existing Elevations |        |  |            |     |
| Drawing no.         |        | 14056SU1.03  |            | Rev |
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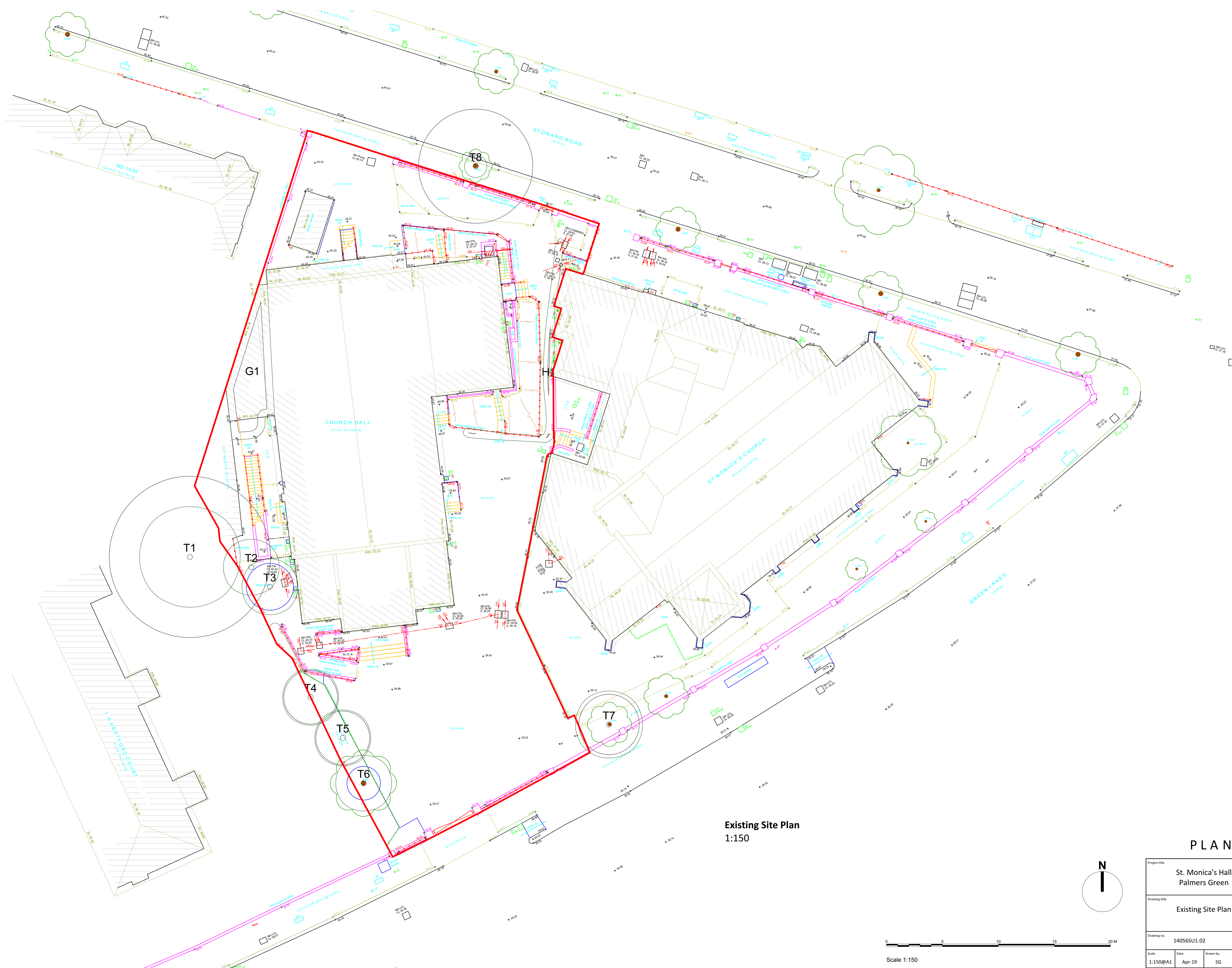


|                                 |        |          |            |  |
|---------------------------------|--------|----------|------------|--|
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| St Monica's Hall, Palmers Green |        |          |            |  |
| Drawing title                   |        |          |            |  |
| Existing Ground Floor           |        |          |            |  |
| Drawing no.                     |        |          | Rev        |  |
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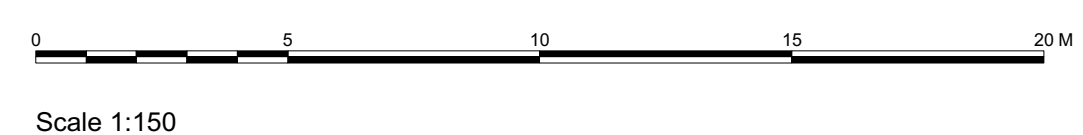
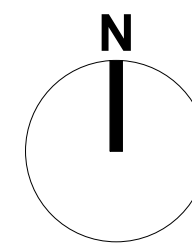
**Kyle Smart Associates**

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Chartered Architects





Existing Site Plan  
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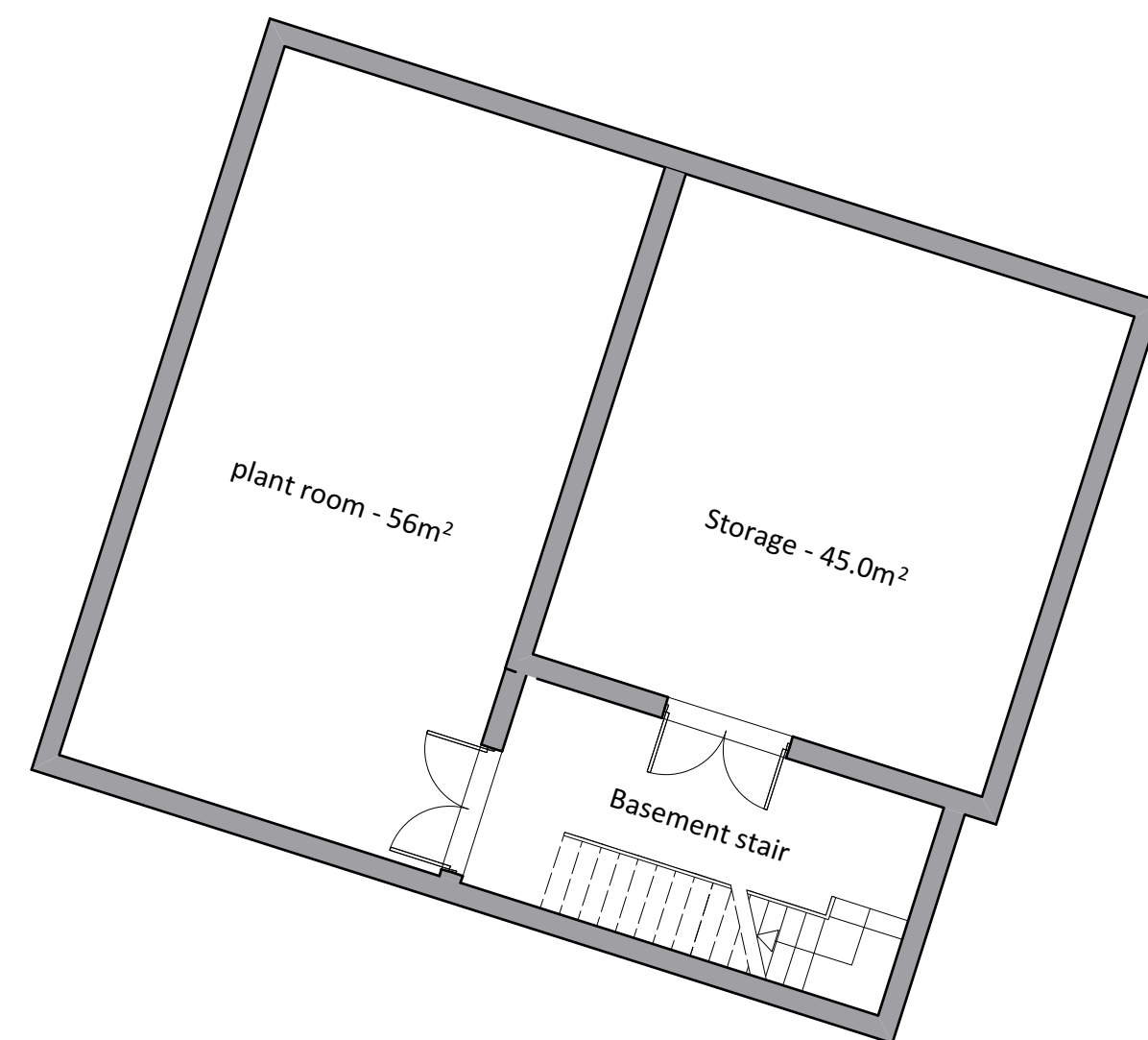
PLANNING

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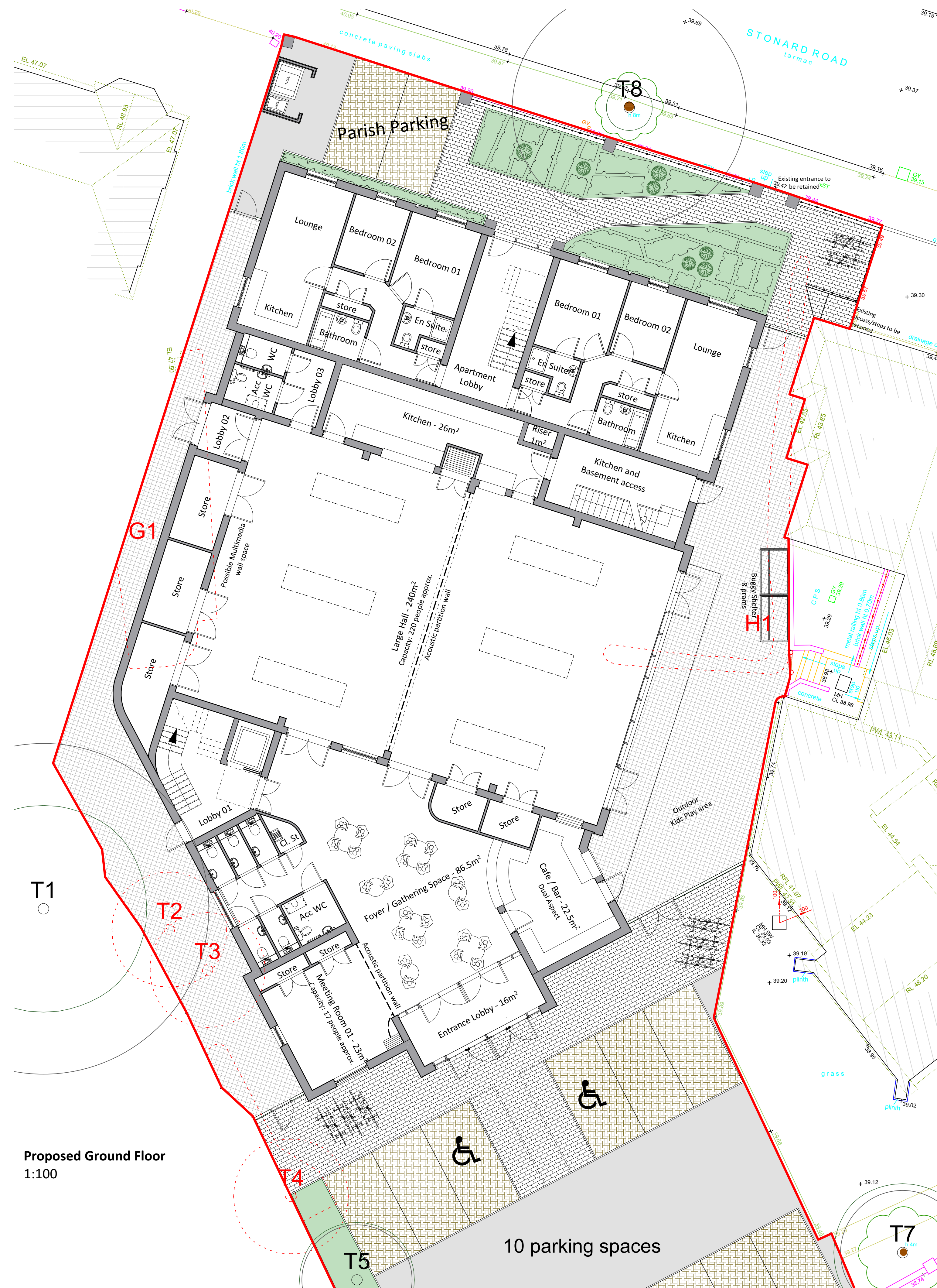
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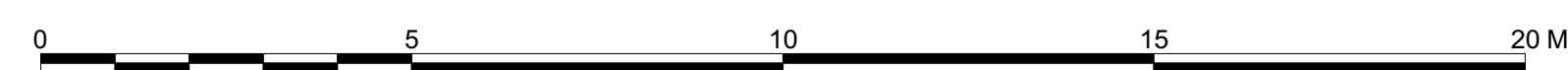




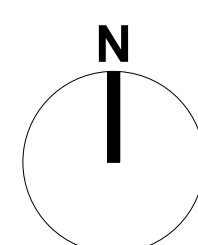
**Proposed Basement Level**  
1:100



**Proposed Ground Floor**  
1:100




Scale 1:100



|   |   |
|---|---|
| B | 06/06/2019 Ground Floor correctly labelled      |
| A | 15/05/2019 Landscape amended and basement shown |

## PLANNING

|  |             |  |            |
|--|-------------|--|------------|
| Project title  |             |  <p>The Barn, Sewell, Dunstable<br/>Bedfordshire LUG 1RP<br/>Telephone 01582 690222<br/>www.kylesmartassociates.co.uk</p> <p>Chartered Architects</p> |            |
| Drawing title  |             |  |            |
| <p>St. Monica's Hall<br/>Palmers Green</p> <p>Proposed Plans 1<br/>Basement and Ground Floor</p> |             |  |            |
| Drawing no.  | 14056wd2.11 | Rev  | B          |
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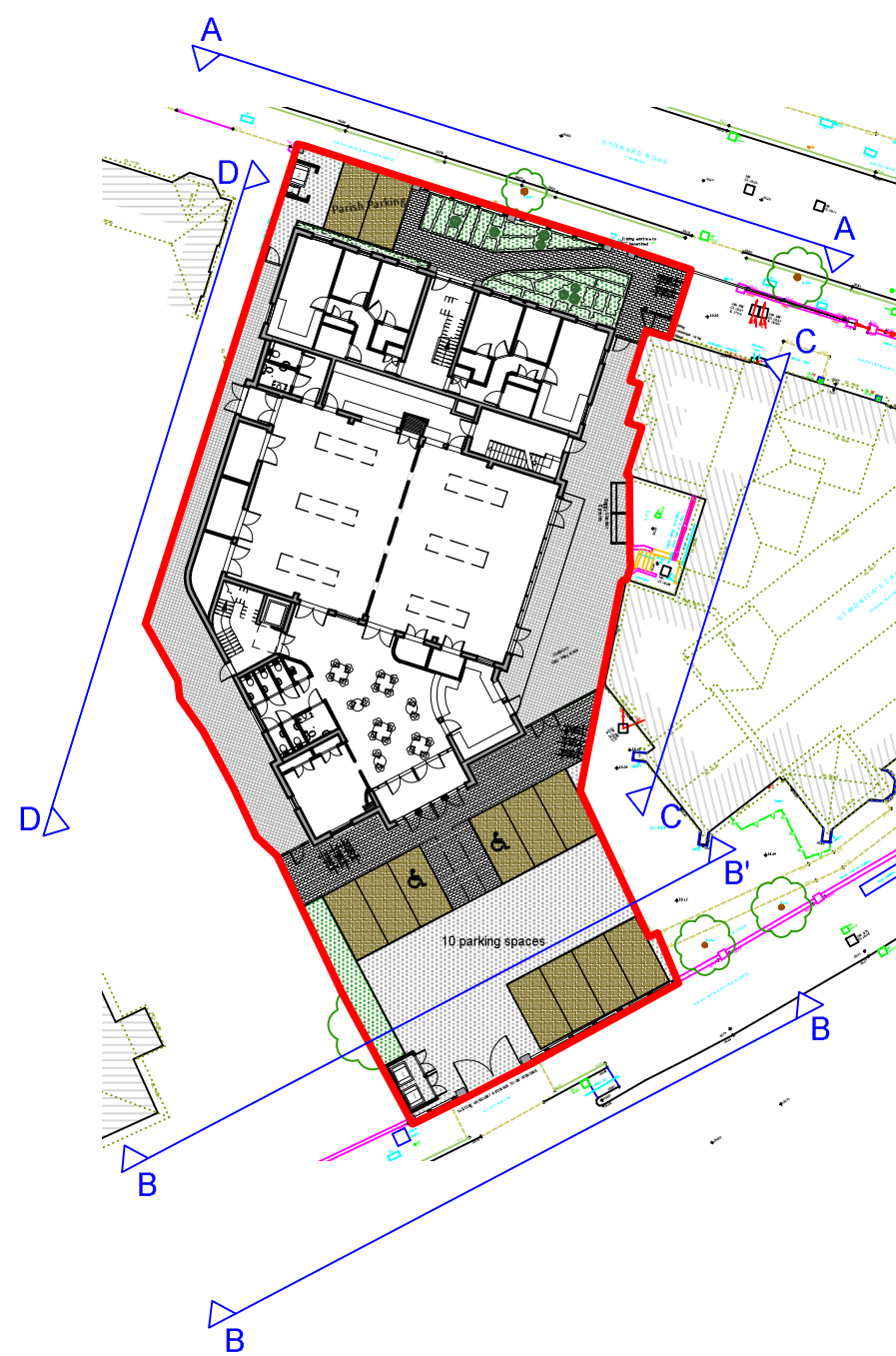




**Proposed Elevation AA - Stonard Street View**  
1:100



**Proposed Elevation AA - Enlarged**  
1:50



**Elevation Legend**  
1:500

A 15/05/2019 railings and minor additions of detail

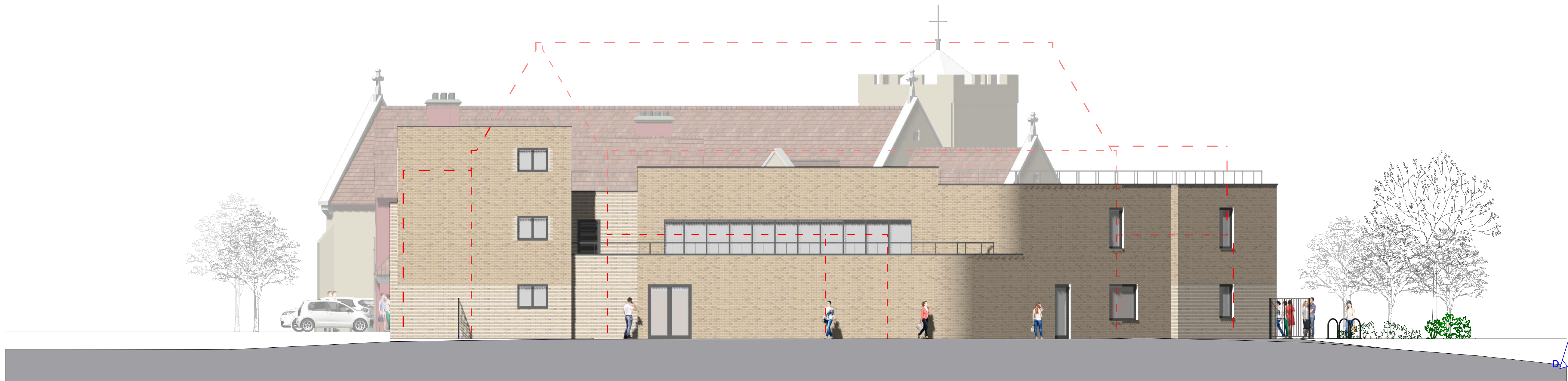
## PLANNING

|                                    |        |  |            |
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| Project title                      |        | <div><div>Kyle Smart Associates</div><div>The Barn, Sewell, Dunstable<br/>Bedfordshire LU6 3AP<br/>telephone 01582 690222<br/>www.kylesmartassociates.co.uk<br/>Chartered Architects</div></div> |            |
| Drawing title                      |        |  |            |
| Drawing no.                        |        |  |            |
| Rev                                |        |  |            |
| St. Monica's Hall<br>Palmers Green |        | Proposed Elevation AA<br>Stonard Road  |            |
| 14056wd2.101                       |        | A  |            |
| Scale                              | Date   | Drawn by   | Checked by |
| As Shown                           | Apr 19 | SG   | CS         |

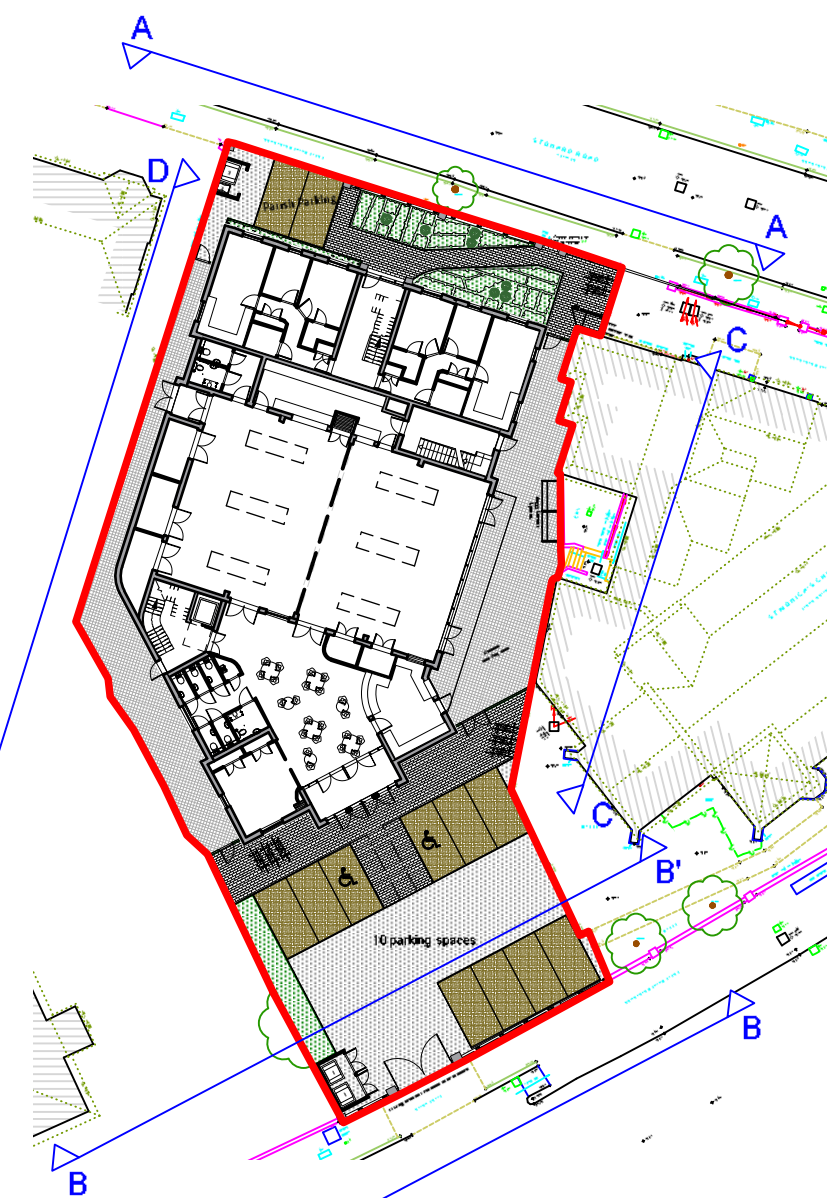
0 5 10 15 20 M

Scale 1:100





Proposed Elevation DD  
1:100



Elevation Legend  
1:500

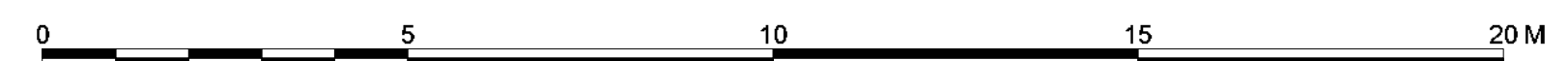


Proposed Elevation DD  
1:50

A 15/05/2019 minor detail additions

## PLANNING

|               |        |                                    |            |   |
|---------------|--------|------------------------------------|------------|---|
| Project title |        | St. Monica's Hall<br>Palmers Green |            | <b>Kyle<br/>Smart<br/>Associates</b><br><br>The Barn, Sewell, Dunstable<br>Bedfordshire LU6 2JP<br>telephone 01582 690222<br><a href="http://www.kylesmartassociates.co.uk/">www.kylesmartassociates.co.uk/</a><br><br>Chartered Architects |
| Drawing title |        | Proposed Elevations DD             |            |   |
| Drawing no.   |        | 14056wd2.104                       | Rev<br>A   |   |
| Scale         | Date   | Drawn by                           | Checked by |   |
| As Shown      | Apr-19 | SG                                 | CS         |   |



Scale 1:100

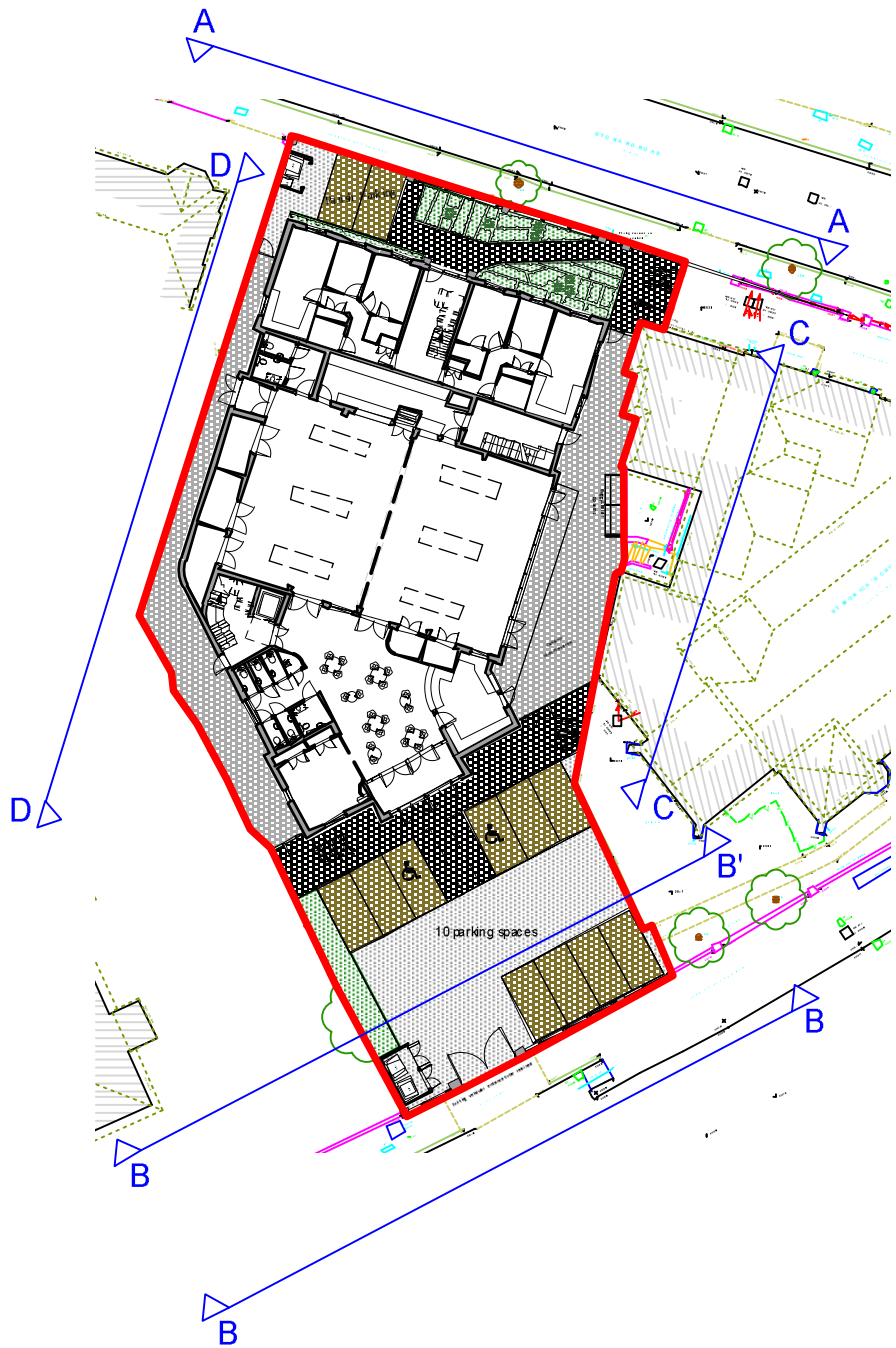




Proposed Elevation BB - Green Lanes View  
1:100



Proposed Elevation BB' - Green Lanes View  
1:50

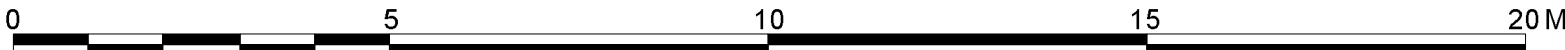


Elevation Legend  
1:500

A 15/05/2019 railings added and minor changes

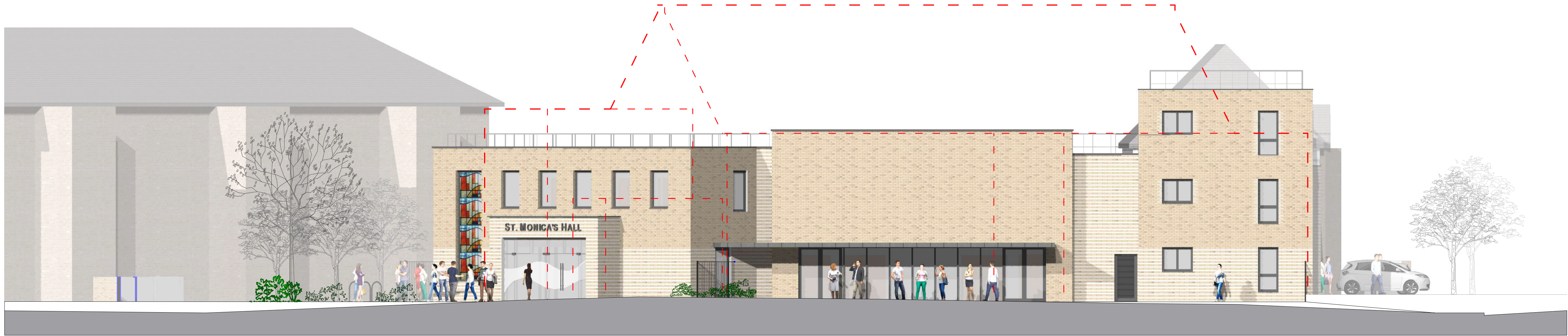
PLANNING

|                                      |        |              |            |  |  |
|--------------------------------------|--------|--------------|------------|--|--|
| Project title                        |        |              |            | <div><div>Kyle Smart Associates</div><div>The Barn, Sewell, Dunstable<br/>Bedfordshire LU5 3RP<br/>Telephone 01582 690222<br/>www.kylesmartassociates.co.uk<br/>Chartered Architects</div></div> |  |
| St. Monica's Hall<br>Palmers Green   |        |              |            |  |  |
| Drawing title                        |        |              |            |  |  |
| Proposed Elevation BB<br>Green Lanes |        |              |            |  |  |
| Drawing no.                          |        | 14056wd2.102 |            | Rev A  |  |
| Scale                                | Date   | Drawn by     | Checked by |  |  |
| As Shown                             | Apr-19 | SG           | CS         |  |  |

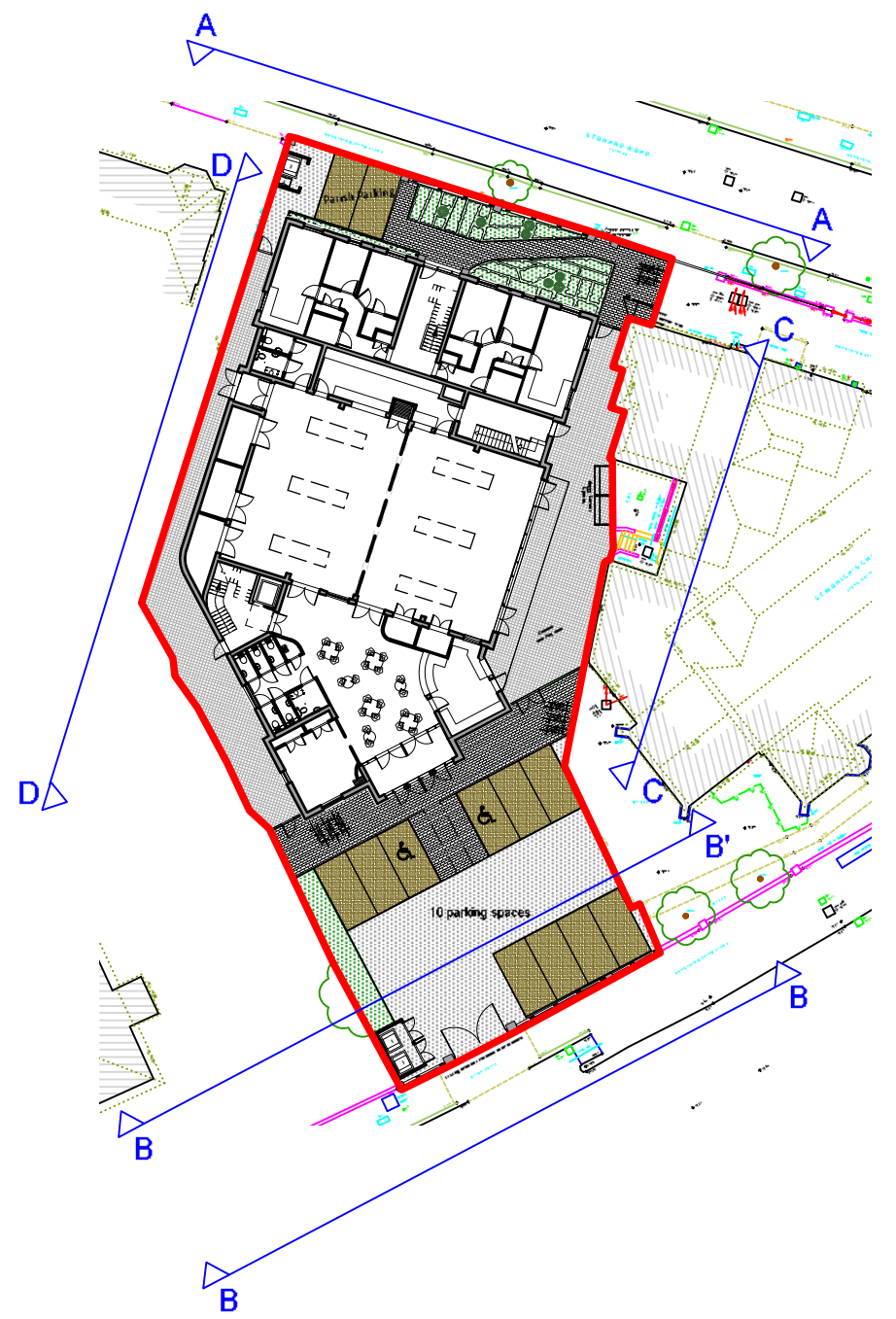


Scale 1:100





**Proposed Elevation CC**  
1:100

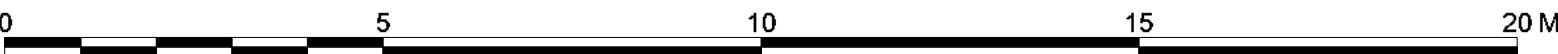


**Elevation Legend**  
1:500



**Proposed Elevation CC**  
1:50

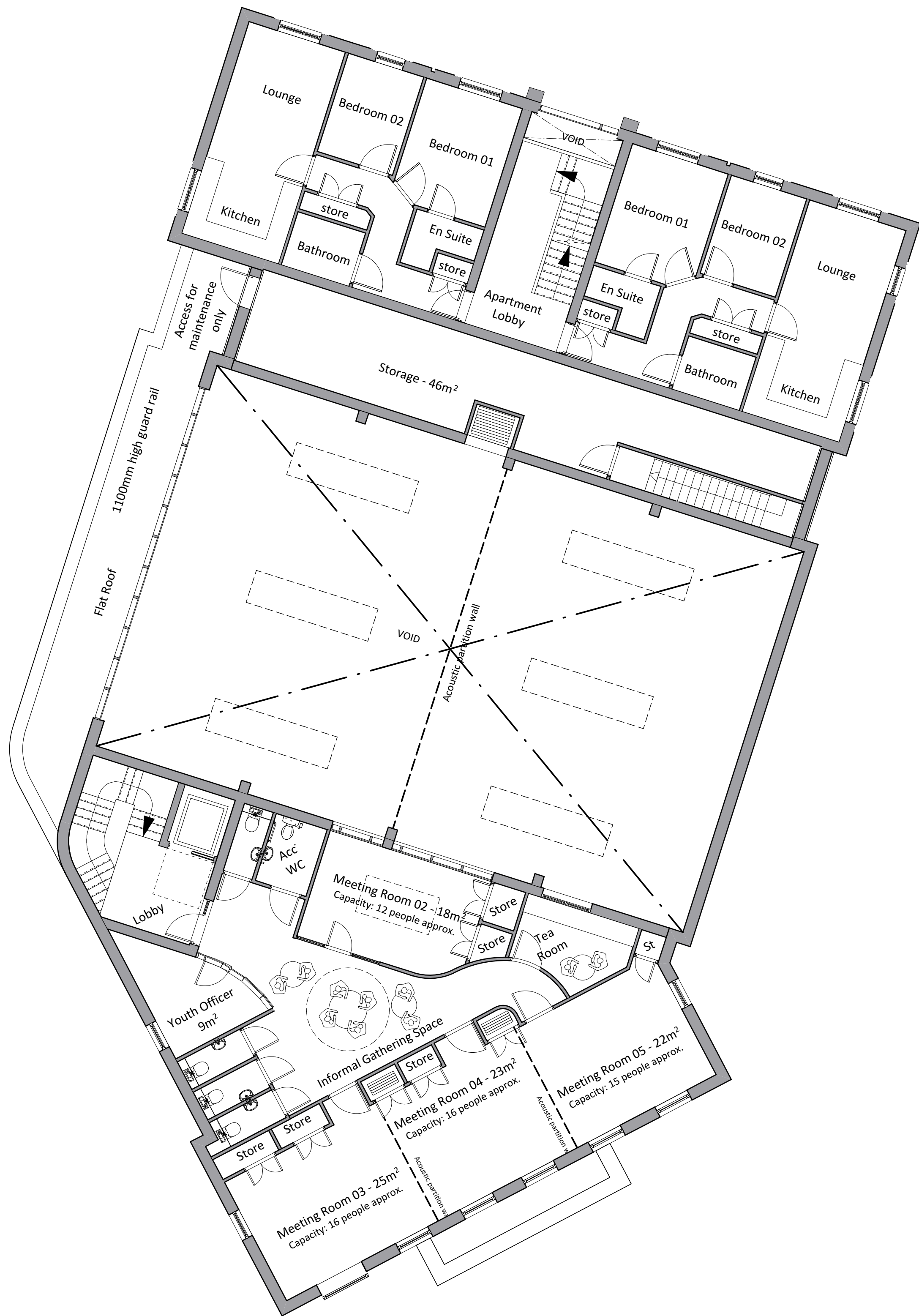
**PLANNING**



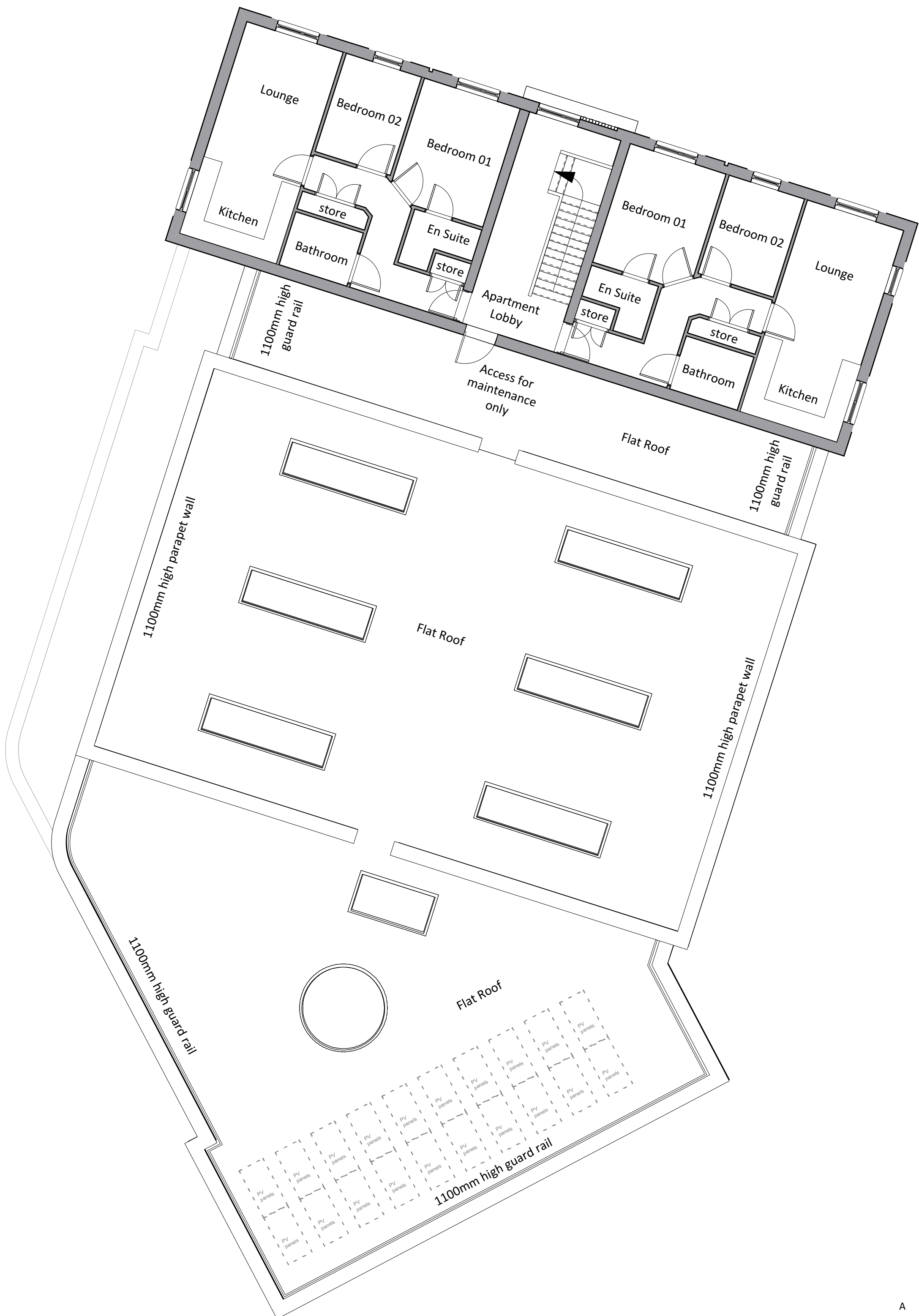
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|-------------------|----------------|------------------------------------|------------------|---|
| Project title     |                | St. Monica's Hall<br>Palmers Green |                  | <div><b>Kyle<br/>Smart<br/>Associates</b></div> <div>The Barn, Sewell, Dunstable<br/>Bedfordshire LU6 1JP<br/>telephone 01582 690222<br/>www.kylesmartassociates.co.uk<br/>Chartered Architects</div> |
| Drawing title     |                | Proposed Elevations CC             |                  |   |
| Drawing no.       |                | 14056wd2.103                       | Rev A            |   |
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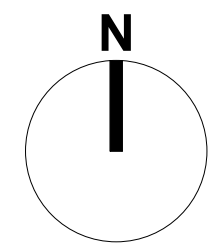
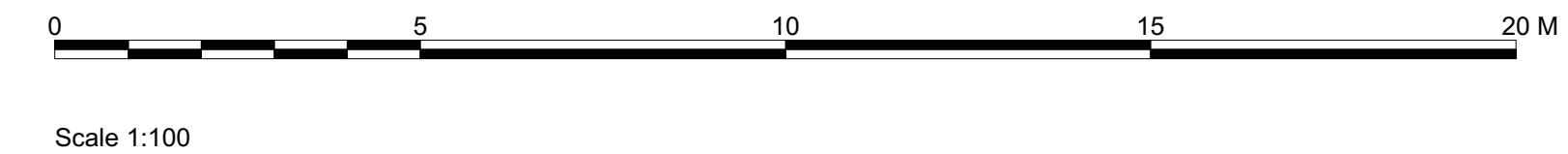




**Proposed First Floor**  
1:100



**Proposed Second Floor**  
1:100



A 15/05/2019 minor internal amendments

## PLANNING

|               |        |  |            |
|---------------|--------|--|------------|
| Project title |        | St. Monica's Hall<br>Palmers Green         |            |
| Drawing title |        | Proposed Plans 2<br>First and Second Floor |            |
| Drawing no.   |        | 14056wd2.12                                | Rev A      |
| Scale         | Date   | Drawn by                                   | Checked by |
| 1:100@A1      | Apr-19 | SG   | CS         |

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A 15/05/2019Landscaping amended

PLANNING

|               |                                    |  |
|---------------|------------------------------------|--|
| Project title | St. Monica's Hall<br>Palmers Green | <b>Kyle Smart Associates</b><br>The Barn, Sewell, Dunstable<br>Bedfordshire LU6 1HP<br>telephone 01582 690222<br>www.kylesmartassociates.co.uk<br>Chartered Architects |
| Drawing title | Proposed Site Plan                 |  |
| Drawing no.   | 14056wd2.10                        |  |
| Scale         | 1:150@A1                           |  |
| Date          | Apr-19                             | Rev  |
| Drawn by      | SG                                 | A  |
| Checked by    | CS                                 |  |





# Site Location Plan

1:1250

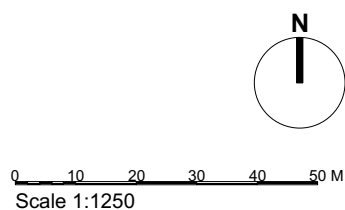


Outline of Proposed Development Site



Land Owned by the Applicant close to or adjoining application site.

## PLANNING



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|------------------------------------|--------|----------|------------|
| Project title                      |        |          |            |
| St. Monica's Hall<br>Palmers Green |        |          |            |
| Drawing title                      |        |          |            |
| Site Location Plan                 |        |          |            |
| Drawing no.                        |        |          | Rev        |
| 14056SU1.01                        |        |          |            |
| Scale                              | Date   | Drawn by | Checked by |
| 1:1250@A4                          | Apr-19 | SG       | CS         |

**Kyle Smart Associates**

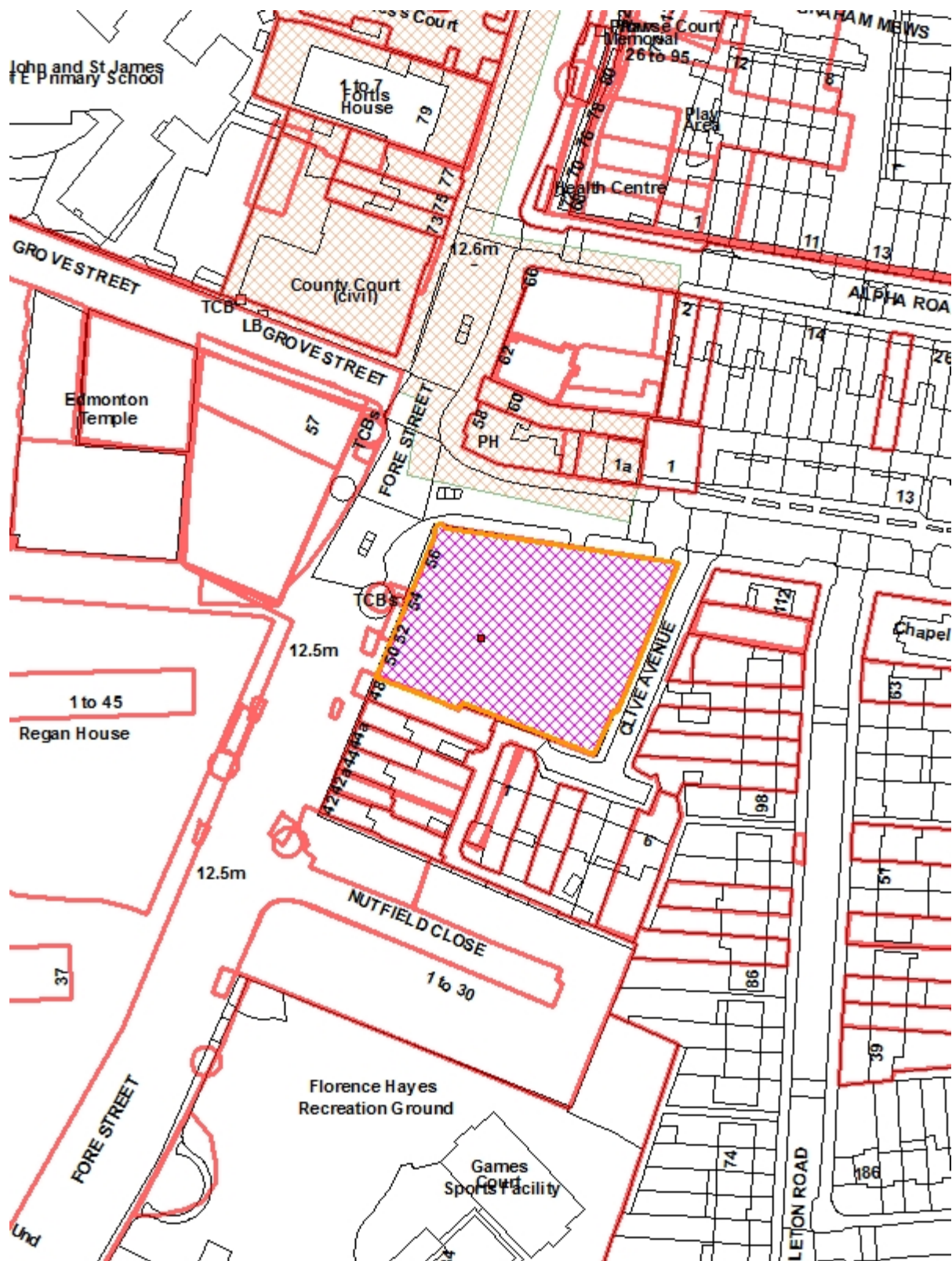
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|--|--|---|
| <b>LONDON BOROUGH OF ENFIELD</b>   |  |   |
| <b>PLANNING COMMITTEE</b>  |  | <b>Date:</b> 18 <sup>th</sup> January 2022                                      |
| <b>Report of</b><br>Head of Planning<br>- Vincent Lacovara   | <b>Contact Officer:</b><br>Andy Higham<br>Eloise Kiernan | <b>Ward:</b><br>Upper Edmonton  |
| <b>Ref:</b> 20/01742/FUL   |  | <b>Category:</b> Major Dwellings  |
| <b>LOCATION:</b> 50-56 Fore Street, London, N18 2SS  |  |   |
| <p><b>PROPOSAL:</b> Redevelopment of the site involving demolition of the existing building and the erection of a new development comprising a residential use (Class C3) with flexible community/commercial space at ground floor (Class A1/A3/A4/D1), creation of landscaping and associated works.</p>  |  |   |
| <b>Applicant Name &amp; Address:</b><br><br>Social Capital Partners Fore Street Ltd<br>C/o agent   |  | <b>Agent Name &amp; Address:</b><br><br>DP9<br>100 Pall Mall<br>London SW1Y 5NQ |
| <p><b>RECOMMENDATION:</b></p> <p>1. That subject to the completion of a S106 Agreement to secure the obligations set out in this report, the Head of Development Management/Planning Decisions Manager be authorised to GRANT planning permission subject to conditions.</p> <p>2. That the Head of Development Management/Planning Decisions Manager be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.</p> |  |   |
|  |  |   |

Ref: 20/01742/FUL LOCATION: 50-56 Fore Street, London, N18 2SS,



## **1.0 Note for Members**

- 1.1 At the meeting of Planning Committee on 26<sup>th</sup> October, Members were minded to refuse planning permission but resolved to defer making a final decision to enable officers to prepare detailed reasons for refusal based on the concerns identified at the meeting. The reasons to be brought back to a future Planning Committee for consideration.
- 1.2 During the discussion, Members identified three grounds of concern:
- i) the bulk, mass and height of the development relative to setting and appearance of the Fore Street Conservation Area which did not outweigh the public benefits of the scheme.
  - ii) the residential mix and the number of 1- and 2-bedroom residential units as opposed to family units for which there is the greatest local need.
  - iii) the height, bulk and design of the proposed development relative to the impact on the character and appearance of the area
- 1.3 Following the resolution of Planning Committee, the Applicant responded to the concerns identified by Members with the following offer to revise the current planning application:
- An increase in the number of family units to 20% at London Affordable Rent (from 14 x 3b units to 22 x 3 bed units)
  - A decrease in the number of units 113 to 110.
- 1.4 This new information was presented to Planning Committee on 23<sup>rd</sup> November alongside draft reasons for refusal contained in a Part 2 report. After consideration Members confirmed there was merit in the proposed amendment warranting further assessment in an additional report to Planning Committee. As a result, the application was again deferred to enable the additional information to be assessed.
- 1.5 This report on the proposed development has been updated to reflect the assessment of the additional information and Members are requested to consider the same in light of the offer to increase the percentage of family units to 20% and whether having regard to the presumption in favour of approving sustainable development and the tilted balance, this outweighs the concerns previously identified.
- 1.6 For clarification, this planning application is categorised as a “major” planning application and in accordance with the scheme of delegation, is required to be reported to Planning Committee for determination.

## **2.0 Executive Summary**

- 2.1 The report seeks approval for the redevelopment of the site involving demolition of the existing building and the erection of a new development comprising a residential use (Class C3) with flexible community/commercial space at ground floor (Class A1/A3/A4/D1), creation of landscaping and associated works.
- 2.2 The starting point for the determination of any planning application is the development plan and the need to determine planning application in accordance with the development plan. It is clear this is a development in a sensitive location wherein the relationship to a number of heritage assets and

the wider townscape needs to be carefully assessed in accordance with relevant legislation, guidance and policy.

- 2.3 This application also has to be considered in the light of the Housing Delivery Test and the need for housing to meet the Council's strategic housing targets, triggering the tilted balance in any assessment and the presumption that planning permission should be granted unless:

“(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (7); or

(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

- 2.4 As identified, designated heritage assets are listed as areas or assets of particular importance and thus need careful consideration. In this connection and the assessment in this report, it is concluded the development would cause ‘less than substantial harm’ to identified heritage assets. Where there is ‘less than substantial harm’ to the significance of a designated heritage asset, this should be weighed against the public benefits of the proposal. In this case, the public benefits of the development include:

- i) 110 new residential homes
- ii) 100% of the residential units being genuinely affordable and provided at London Affordable Rent
- iii) an increase in the % of family homes to 20%
- iii) replacement of multi-use commercial space
- iv) enhancement of Clive Avenue to address anti-social activity
- v) employment opportunities during construction
- vi) investment into Fore Street

- 2.5 It is acknowledged that consideration of this proposal has involved finely balanced judgements. Compromises have been made in the consideration of the proposal in order to optimise the development potential of this highly sustainable brownfield site and thus contribute to the Boroughs challenging housing targets. It is recognised that sites such as this need to be optimised in order to contribute to much needed delivery of new homes and to minimise encroachment into the Borough's Green Belt and other protected designations.

- 2.6 It is also considered that the social benefits of the proposal carry significant weight in favour of the proposed development. Further economic and social benefits include employment during construction, as well as the continued and improved use of local services and facilities.

- 2.7 Overall it is considered the application proposes a high-quality residential development on existing underutilised, highly sustainable brownfield land. It is acknowledged that due to the quantum of homes proposed and the resultant extent of site coverage there are shortcomings to the proposal as identified in the analysis section of this report. However, it is also recognised that there is a pressing need for housing, including affordable housing within the Borough, and Enfield has an extremely challenging 10-year housing delivery target. In this context the provision of 110 homes all of which would be delivered at



London Affordable Rent represents a significant contribution and weighs heavily in favour of the development despite the acknowledged deficiencies with the proposal.

- 2.8 In conclusion, and giving weight to the need for development which provide new homes, it is concluded that the development for reasons set-out within this report, to broadly accords with the adopted policy framework as well as relevant emerging policy. Subject to the appropriate mitigations as set out within the recommended condition schedule, and within the Section 106 Agreement, the application is recommended for approval.

### **3. Recommendation**

- 3.1 That conditional planning permission is GRANTED subject to the completion of a S106 planning agreement.

#### **Conditions**

1. Standard 3 year time limit
2. In accordance with approved plans.
3. Construction Management Plan.
4. Non road mobile machinery
5. Details of Levels
6. Contaminated land survey and remediation scheme
7. Updated Flood Risk Assessment including flood evacuation plan
8. Details of a sustainable urban drainage strategy.
9. SuDS verification report.
10. Details of surfacing materials.
11. Detailed of external materials – samples on site.
12. Site waste management plan.
13. Details of boundary treatments.
14. Details of a soft landscaping plan.
15. Details of ecological enhancements.
16. Details of the green roof.
17. Details of external lighting.
18. Details of the construction of access junctions and highway alterations.

19. Energy statement – 40% carbon dioxide emission improvements
20. Submission of energy performance certificate
21. Submission of BREEAM accreditation (Excellent) – design and post occupancy stage
22. Cycle storage
23. Details of refuse storage facilities including facilities for the recycling of waste to be provided within the development.
24. Delivery and servicing plan.
25. The A4 unit or commercial unit hereby approved shall not be occupied until details of the proposed extractor flues serving the unit in question (if required) and passing up through the building have been submitted to and approved in writing by the local planning authority.
26. No pipes or vents (including gas mains and boiler flues) shall be constructed on the external elevations unless they have first been submitted to the Local Planning Authority and approved in writing.
27. The pub unit hereby approved shall not be occupied until details of the acoustic performance of any plant and extracts and an appropriate scheme of noise mitigation has been submitted to and agreed in writing by the Local Planning. These details should include a specification of flue extractors proposed including details of the odour emissions and sound emissions from the extractor.
28. Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) and the remainder shall meet easily accessible/adaptable standards (Building Regulations M4(2)).
29. Notwithstanding the information provided in the Groundwater Technical Note 1945-A2S-XX-XX-TN-Y-0001-02 15/09/2021, the development shall not commence until a final Groundwater FRA has been submitted to and approved in writing by the Local Planning Authority. The details shall include:
  - a) On site geological investigations demonstrating the depth of the water table with respect to the finished basement level. The groundwater monitoring should be conducted in winter to determine the higher groundwater levels
  - b) Determination of the groundwater flow directions as a result of the geological investigations
  - c) Specific mitigation measures to ensure the basement will be safe from flooding and will not increase flood risk elsewhere

REASON: To minimise flood risk in accordance with Policy CP28 of the Core Strategy and Policies 5.12 of the London Plan, DMD Policy 62 and the NPPF

30. Notwithstanding the information provided in the SuDS Addendum 17/09/2021, the development shall not commence until a Sustainable Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The details shall be based on the disposal of surface water by means of a sustainable drainage system in accordance with the principles as set out in the Technical Guidance to the National Planning Policy Framework and should be in line with our DMD Policy SuDS Requirements:
- i) Shall be designed to a 1 in 1 and 1 in 100 year storm event with the allowance for climate change, or Qbar
  - ii) Provide source control for the majority of the site in the form of green roofs, rain gardens and permeable paving
  - iii) Follow the London Plan Drainage Hierarchy and maximise the amount of infiltration and above ground storage before below ground storage is utilised
  - iv) Should maximise opportunities for sustainable development, improve water quality, biodiversity, local amenity and recreation value
  - v) The system must be designed to allow for flows that exceed the design capacity to be stored on site or conveyed off-site with minimum impact
  - v) Clear ownership, management and maintenance arrangements must be established

The details submitted shall include levels, sizing, cross sections and specifications for all drainage features

Reason: To ensure the sustainable management of water, minimise flood risk, minimise discharge of surface water outside of the curtilage of the property and ensure that the drainage system will remain functional throughout the lifetime of the development in accordance with Policy CP28 of the Core Strategy, DMD Policy 61, and Policies 5.12 & 5.13 of the London Plan and the NPPF and to maximise opportunities for sustainable development, improve water quality, biodiversity, local amenity and recreation value

31. Prior to occupation of the development, a Verification Report demonstrating that the approved drainage / SuDS measures have been fully implemented shall be submitted to the Local Planning Authority for approval in writing. This report must include:
- Photographs of the completed sustainable drainage systems
  - Any relevant certificates from manufacturers/ suppliers of any drainage features
  - A confirmation statement of the above signed by the site manager or similar

Reason: To ensure the sustainable management of water, minimise flood risk, minimise discharge of surface water outside of the curtilage of the property and ensure that the drainage system will remain functional throughout the lifetime of the development in accordance with Policy CP28 of the Core Strategy, DMD 61, and Policies 5.12 & 5.13 of the London Plan and the NPPF

32. Archaeology - Stage 1 written scheme of investigation

33. Opening hours of flexible commercial units

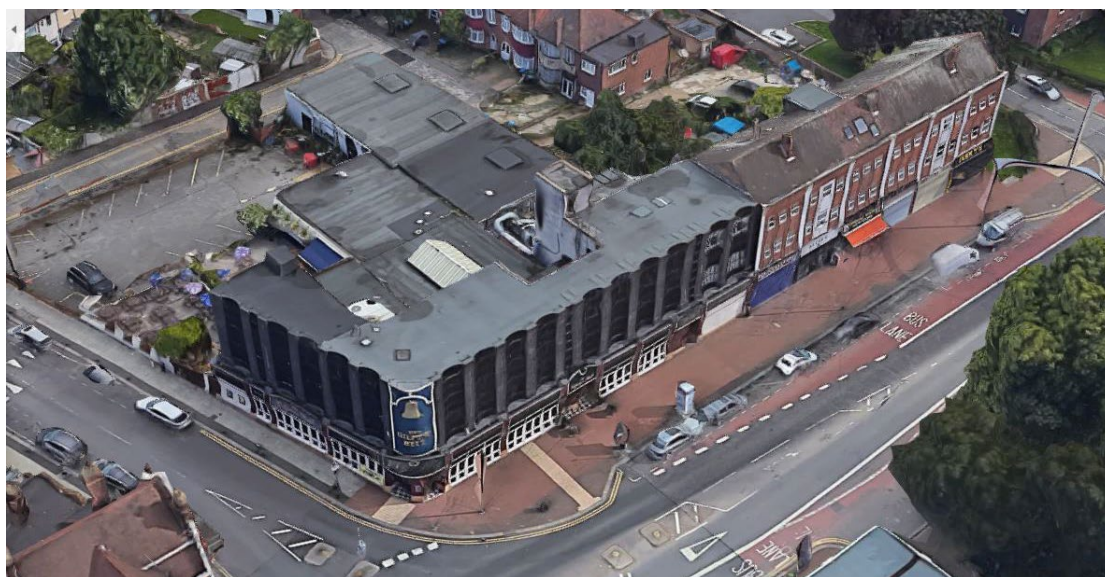
34. No roller shutters to be fixed to the external face of the building

35. Permitted development restrictions on use of flexible spaces.

- 3.2 That delegated authority be granted to the Head of Development Management/Planning Decisions Manager to finalise the wording of the s106 obligations and the conditions.

#### **4.0 Site and Surroundings**

- 4.1 The application site is situated on the south eastern corner of the junction of Fore Street with Claremont Street and Grove Street. The site which is currently occupied by the former Gilpin Bell Public House, is bounded by Fore Street, Claremont Street and Clive Road.



- 4.2 The site is situated within the Angel/ Edmonton district centre and is located at the southernmost end of Fore Street, a short distance from the Borough boundary with LB Haringey. It is also situated within the Upper Lea Valley Opportunity Area
- 4.3 The public house comprises a 3 storey / part single storey building containing a public house on the ground floor with ancillary accommodation at the upper floor. The site is reasonably level with a rear yard serving as a parking area.
- 4.4 The surrounding area is mixed in character. Fore Street by its nature is predominantly commercial, although there are residential uses over the upper floors and there are various high rise residential developments dispersed around the area, the most prominent of which is the new Silverpoint (9-storeys) development which lies a short distance north of the site.
- 4.4 The site has a PTAL rating of 5, and has an area of approximately 2760sqm or 0.276ha.
- 4.5 The application site is not in a conservation area but is adjacent to the Fore Street Conservation Area. To the north on the opposite side of Claremont Street lies the LT Bar while diagonally opposite the site across Fore Street (on the corner of Grove Road), lies the former County Court building. Both of these are locally listed. The public house is identified as having a negative

impact on the setting of the Conservation Area in the adopted Fore Street Conservation Area Character Appraisal.

- 4.6 The site lies in Flood Zone 1.
- 4.7 The Site also sits opposite a petrol filling station. Proposals have previously been granted for the redevelopment of the site involving a 9 storey tower. Whilst the planning permission has expired, this indicates an acceptance of changes to the townscape in this locality.

## **5. Proposal**

- 5.1. The planning application seeks planning permission for the demolition of the existing Public House and redevelopment to include the erection of a part 18, part 4 storey development to provide 110 residential units (Class C3) with 267 sq.m of flexible community/commercial space at ground floor (Class A1/A3/A4/D1) together with creation of amenity space, landscaping and associated works.
- 5.2 The development would provide 100% affordable housing all of which would be delivered at 100% London Affordable Rent. As a result, the proposal qualifies as a “fast track” application in accordance with the requirements of Policy H5 of the adopted London Plan. No viability assessment is therefore required. The residential mix now comprises 30 x 1-bed, 58 x 2-bed, and 22 x 3+ bed units. Of these larger family sized units, 7 are 4 bed, 6 person houses and 5 are 3 bed 4 person houses. The previous mix was 35 x 1-bed, 65 x 2-bed, and 14 x 3+ bed.
- 5.3 The development would comprise of a tripartite facade to include part four and part 18 storeys with a defined plinth / base element to third floor to demarcate the entrances to serve both residential and commercial elements. This would give the impression of three sections, base, middle and crown. The building would incorporate art deco inspired detailing. It would be predominantly constructed of brickwork with the use of other materials such as zinc and aluminium to provide detailing and architectural relief. The flat roof design would incorporate 120 sq. m of intensive green roof and 224 sq. m of extensive green roof.
- 5.4 Residential access to the tower element would be from Clairemont Street while the family houses would have direct access from both Claremont Street and Clive Road.
- 5.5 The development would also incorporate landscaped areas, private amenity space and child play space within the site. All units within the tower would have their own private amenity space served by balconies alongside access to the 542 sq.m of communal (courtyard) space, including 124 sq.m of child play space (0-4 years) at ground floor level and mezzanine level to the north at the junction with Fore Street and Claremont Street. The main courtyard area would comprise 340 sq.m of permeable paving, 150 sq.m of planted trees in natural soil and 28 sq.m of flower rich perennial planting.
- 5.6 The development would be car free and on-street servicing would be provided along Fore Street and Claremont Street. These areas would also be used for deliveries and refuse collection. There are four parking spaces to serve disabled users provided on Clive Avenue. Cycle storage facilities would be

provided both within the shared private amenity space, and within the first floor of the tower. Each terrace house would have its own private cycle storage to provide a total of 206 spaces. Furthermore, three additional on street cycle stands would be provided for visitors on Fore Street within close proximity to both main entrances.

- 5.6 The basement level would serve the emergency escape, plant room, generator, cold water storage and wet riser tank.
- 5.7 The originally submitted scheme was for 112 build to rent units with a 35% affordable housing at Discounted Market Rent.

## **6. Relevant Planning History**

- 6.1. 18/00760/FUL - Redevelopment of site involving demolition of existing buildings to provide a part 2-part 9 storey block of 68 residential units comprising (30 x 1 bed, 26 x 2 bed and 12 x 3 bed) with balconies and terraces together with 2 commercial units ( A1/A2 unit and A4 Public House unit) on the ground floor with car parking, landscaping and associated works – pending. This was granted at Planning Committee on 11 July 2018 subject to discussion with applicant regarding contributions to CCTV and Air Quality Monitoring, the Head of Development Management / Planning Decisions Manager be authorised to grant planning permission subject to the conditions set out in the report and clearance of Section 106 Agreement by Chair, Vice-Chair and Opposition Lead
- 6.2 17/00815/FUL - Redevelopment of site involving demolition of existing buildings to provide a part 4-part 7 storey block of 58 residential units comprising (17 x 1 bed, 24 x 2 bed and 17 x 3 beds with balconies and terraces together with 2 commercial units ( 1X A1 or A2 unit and 1x A4 Public House unit) on the ground floor with car parking, landscaping and associated works. (Amended Description) – refused for the following reasons, and allowed on appeal:
  - 1. Notwithstanding the viability information provided, it is considered that the proposal fails to provide the maximum reasonable amount of affordable housing for a development of this scale, contrary to policies 3.11 and 3.12 of the London Plan (2015), Policies CP3 and CP39 of the Core Strategy and DMD 1 and DMD 3 of the Development Management Document.
  - 2. The proposed development particularly due to high density, together with its architectural approach, bulk, scale, mass and design, would result in the introduction of an overly intensive form of development. This would be detrimental to the character and appearance of the area, to the adjacent listed buildings and the Fore Street Conservation area. The development fails to integrate satisfactorily with its surroundings and would result in the introduction of a visually prominent form of development out of keeping with the surrounding area. It is thus considered that the proposal fails to take the opportunities available for improving the character and quality of the area, contrary to Policies CP5 and CP30 of the Core Strategy, Policies DMD6, DMD8, DMD10, DMD37 and DMD38 of the Development Management Document, London Plan Policies 3.4, 7.4 & 7.6 and the NPPF.

3. The proposed development would result in the generation of additional traffic and parking pressures on the local and strategic road network, adding to existing traffic and parking capacity issues. In this respect the development would be contrary to Policy 6.13 of the London Plan, CP 24 and CP30 of the Core Strategy and Policy DMD 45 and DMD 47 of the Development Management Document.
4. The proposed development due to lack of communal amenity space and children's on-site play space, taken together with the inclusion of winter gardens rather than balconies, due to the design constraints, would fail to provide sufficient and meaningful external amenity space, resulting in a poor quality living environment for future residents. The proposal would be contrary to CP30 of the Core Strategy (2010), 3.5, 3.6 of the London Plan (2015), the London Housing SPG and DMD 8 and DMD 9 of the Development Management Document (2014).

6.3 Within the Appeal Decision, the Inspector concluded the following:

- Whilst the proposed building would be prominent and large, it would not be overly large compared to the existing tall buildings within the vicinity, including the 8 storey Silverpoint development between Alpha Road and Cowper Road. The architectural design would also make a positive contribution to the character and appearance of the area
- The development would be significantly taller than nearby historic buildings, including the two locally listed buildings and would add to the enclosure of the southernmost part of the conservation area. The heritage assets would be more hemmed in by tall modern development which would add to the sense of an isolated remnant of historic development along Fore Street. However, this harm would be tempered by the separation provided by width of Claremont Street and the variation in heights and materials provided by the development. Views into the conservation area along Fore Street to the south would not be greatly impeded and the prominence of the County Court and no. 58 would remain. Furthermore, the extent and scale of existing modern development in the vicinity of the most southernmost part of the conservation area and the two local listed buildings means that the introduction of an additional tall building would not be particularly out of keeping. Therefore, the harm to significance would be less than substantial and no greater than moderate.
- From the evidence submitted, the provision of 12 affordable units would be the maximum reasonable amount in this instance. The proposed split of tenure between social rent and shared ownership falls within the percentages within the Core Strategy, DMD and London Plan and thus is deemed acceptable.
- Based on the site-specific circumstances and the proposed mitigation measures, it was concluded that the proposed development would have an acceptable impact on transport and parking.
- The proposed development does not include any communal external space; however, each duplex house and a number of flats would meet or exceed the private amenity space requirements as set out in policy DMD9 for dwellings without access to communal space. The urban district centre location makes it difficult to accommodate any meaningful provision of communal space on site. Furthermore, the

applicant has offered a contribution of £25,000 towards amenity space provision within the vicinity of the site. This could be targeted towards an appropriate site such as Florence Hayes Adventure Playground. The contribution would be necessary, directly related and fair and reasonable in scale and kind. Notwithstanding the lack of on-site communal space, the balconies and terraces proposed for each unit would provide a meaningful amount of private external space and a generous amount for some flats on the 4<sup>th</sup> to 6<sup>th</sup> floors. The use of winter gardens would be necessary for flats on the inside corner of the development at the rear to ensure privacy between adjoining flats. Para 2.4.15 allows of the DMD allows for such types of external space. It was concluded that they would provide a reasonable amount of private space for this development and would be in addition to the provision of balconies for those specific flats. It is therefore concluded that the proposed development would have an acceptable impact on the living conditions of future occupiers in terms of the provision of private and communal external space.

## **7. Consultations**

### **Pre Application Engagement**

- 7.1 As part of the pre application process, the Applicant was encouraged to engage with the local community about their proposals. This was undertaken through on line engagement promoted through the distribution of flyers and social media to communicate the proposed development to the residents and the wider community was organised. The consultation organised by the Applicant saw 1,006 people visit the website and 53 people filled in the online survey.
- 7.2 The key findings were:
- 70% either agreed or were neutral that the development would improve the quality of rental accommodation in the area;
  - 62% agreed, are neutral or undecided with the plans being car-free;
  - 72% said that landscaping and efforts to minimise the environmental impact of new housing was important to them;
  - Those who were surveyed were split 50/50 when asked if they thought the proposed height was appropriate for the area. 49% of respondents saying the height was not appropriate and 51% of respondents agreed that height was appropriate or remained neutral or undecided.

### **Statutory and non-statutory consultees**

#### *Internal*

### **7.3 Traffic and Transportation**

No objection in principle to the development in terms of it being car free and the potential impact on the surrounding highway network subject to appropriate conditions, s106 legal agreement and a S278 agreement for highway works.



Highway Services have advised that:

- As stated in CLP, “The temporary construction crossover extension and parking bay suspensions will require a traffic management order.” Developer is required to get in contact with [HDCrossovers@enfield.gov.uk](mailto:HDCrossovers@enfield.gov.uk) to apply for the Heavy Duty Crossover extension. We can also guide the developer with parking bay suspensions as required.
- There are major road works planned to commence in early September on Fore Street junction with Claremont Street. Works are permitted for 3-4 Weeks, during these works developer to avoid use of Fore Street route for their deliveries as much as possible.
- Construction Traffic restricted hours to be between 09:30hrs to 15:30hrs.
- Regarding covered walkway and gantry level, this would have to be looked in a greater detail by highway officer and NRSWA team.
- Please advise developer to provide photographic condition survey of the public roads and footway leading to the site including Clive Avenue.

#### 7.4 SuDS Officer

Having received additional information on Groundwater Flood Risk Assessment and the Drainage Strategy, no objection is raised subject to conditions.

#### 7.5 Environmental Health

No objections, subject to conditions relating to as there is unlikely to be a negative environmental impact. However, conditions are recommended with respect to construction dust, contamination, sound insulation, acoustic report, and non-road mobile machinery.

*External*

#### 7.6 Metropolitan Police -Designing out Crime Officer

Conditions are requested requiring the developer to submit additional details demonstrating further detail on how the building will be designed to achieve Secured by Design accreditation.

#### 7.7 Transport for London

No objections and comments are summarised as follows:

- A revised trip generation assessment should be provided and agreed with TfL. The applicant should update the assessment using relevant TRICS data from the past five years, with 4 or 5 examples for each use type (affordable housing, market housing, and commercial). The trip generation should be split out by mode, line, station and direction of travel.
- The applicant should work with Enfield Council to expand the Controlled Parking Zone.

- Cycle parking should be redesigned to ensure easy access for all people and for a variety of cycles. Cargo cycle parking should be provided in the public realm to enable active freight. Additional spaces should be provided to meet the minimum standards set out in the Intend to Publish London Plan.
- The Delivery and Servicing Plan should be amended to show how active freight will be encouraged and enabled.
- A full Construction Logistics Plan should be secured by condition

## 7.8 Greater London Authority

In principle, there is support for the scheme which delivers 110 residential units at 100% LAR. However, a number of points are highlighted

### *Principle of development*

The redevelopment of the site within an opportunity area and district town centre to provide a residential-led mixed use development is strongly supported. The applicant is required to demonstrate that the proposal would suitably secure re-provision of the public house

### *Housing*

The scheme has been amended to include 100% affordable housing with funding provided by the GLA.

### *Urban design and heritage*

The proposed layout and massing strategy is legible; however, the proposed bulk and materials could be further refined. (This has been picked up in more recent revisions). There would be less than substantial harm to heritage asset, which could be outweighed by the public benefits of the scheme, namely the provision of affordable housing units and public realm improvements that collectively could be a catalyst for the regeneration of the district centre. An amended fire statement should be submitted.

### *Transport*

The applicant should submit a revised trip generation assessment. The applicant should work with Enfield Council to expand the Controlled Parking Zone. Additional cycle parking is required to meet the minimum standards. Cycle parking should be redesigned to meet LCDS standards and provide space for cargo bikes. A revised Delivery and Servicing Plan is required to demonstrate inclusion of active freight. A Construction Logistics Plan and Delivery and Servicing Plan should be secured by condition or Section 106 agreement, as appropriate.

### *Sustainable development*

Further information is required in respect of energy, water, and urban greening matters.

## 7.9 Haringey Council

An objection is raised due to the effect of the development in terms of its height, on the setting of the nearby Conservation Area within the Borough of Haringey

7.10 Thames Water

No objections in regard to wastewater network and sewerage treatment works subject to conditions for piling method statement and source protection strategy, alongside informatives.

7.11 Historic England (Archaeology)

No objections subject to conditions for Stage 1 written scheme of Investigation (WSI),

7.12 CAMRA

No comments received.

7.13 London Fire & Emergency Planning Authority

The London Fire Brigade commented that the fire safety approach for the scheme is satisfactory and the dry risers proposed on each floor of the building will be discussed further during the consultation on the building regulation submission.

7.14 Enfield Disablement Association

No comments received

7.15 NHS London – Health Urban Development Unit

No comments received

7.16 Historic England

No comments received

7.17 Design Review Panel

7.17.1 The conclusions from the March 2019 DRP are as follows:

- The principle of developing a distinctive corner at the junction of Fore Street and Claremont Street is supported. This is an opportunity to reference elements of the area's historic character in the detailed design.
- The developer's business model, based on working with local authorities to provide homes that are suitable for local area needs, is novel and potentially ground-breaking. It could play a valuable role in enabling the regeneration of Snell's and Joyce estates by providing decanting opportunities.
- As Fore Street and Angel Edmonton start to undergo extensive change through development the proposed development on this key site will play an important role in setting the standard of development for the wider area and must be of a high quality.

- A comprehensive study of Fore Street and the wider area led by the Council is required to help understand the capacity for growth and how it can be accommodated into the townscape.
- There is a need to further justify the approach to height through contextual analysis and improved design quality. Consideration needs to be given to the requirements of Policy 7.7 of the London Plan on the location and design of tall and large buildings.
- there is a need for great articulation for example, making better use of recessed balconies
- the significant proportion of dual aspect dwellings on the north and east blocks is welcomed, as is the wide, generous deck access overlooking a landscaped, communal amenity space.
- The principle of providing commercial frontages onto the high street is supported. This could include a retained updated licensed establishment and/or community facilities. It will be important to create outlets that fulfil a number of purposes in order that they will be active each day and not just on occasions when Tottenham Hotspur are playing at home.
- The ground floor uses should be prominently marked using appropriately dimensioned floor to ceiling heights, potentially to mezzanine level.
- The development should contribute to the improvement of the surrounding public realm. Clive Avenue could be converted into a home zone or play street and the access to businesses improved through improvements to street surfaces and use of street furniture and public art.
- The determination of height needs to be framed by a contextual analysis of the townscape and heritage impact and the new context emerging from proposed developments in the vicinity. Design development should incorporate these factors to provide the justification for a tall building when assessed against lower height alternatives.
- A significant and distinctive building may be appropriate to provide a 'marker' at the end of the high street; however, the main townscape objective should be to help knit the street and surrounding areas together.
- There is concern at the single aspect apartments serviced off these internal corridors, particularly those facing north west on to the traffic of Fore Street and which feel somewhat disconnected from the rest of the community. The design team is encouraged to investigate introducing deck access on this block as an option to both increase the amenity of the circulation space and the potential for more dual aspect apartments.
- The high proportion of dual aspect dwellings in the north and east blocks is welcomed. Relocating the balconies within the taller element of the building, which are currently north-facing, to the corners of the apartments would enable a dual aspect balcony to be achieved.
- Overall the approach could be articulated further to become more successful - more inset balconies and less of a monolithic appearance would help soften the overall appearance of the building.

7.17.2 In response to these and Urban Design / Heritage comments, the emerging scheme was developed whilst seeking to maintain viability and optimise the delivery of new homes in the is sustainable town centre location.

7.17.3 In October 2021, the scheme was considered again by the DRP. They comment that:

- The design of the tower has improved since the previous review, having a more elegant form but is still bulky and would benefit from further improvement;
- The panel agrees the building is too tall, out of scale for the context and damages the heritage of the area;
- Overall the proposal is overdevelopment. This results in an incongruous height and massing which is not appropriate for the context. Fundamentally the design does not represent a bespoke response or relate to the character of the conservation area; both in terms of the materiality and also the vertical, on the street design of the tower, which is more appropriate for a city centre location than an outer London Borough town centre on a linear route.
- The proposal will set a precedent for height along the east side of Fore Street that undermines the height strategy being promoted at Joyce and Snell's (across the street) and in the Council's emerging local plan.
- The inclusion of the townhouse typology is welcome. These relate well to the low-rise context and are high quality.
- The colonnade is not supported as there are potential practical issues around secure by design as well as the design not integrating with the character of the street.
- The proposals are balanced between a need for affordable housing in the Borough and the need for high quality design that works with the local context and heritage. The panel's comments are focused on the design aspects of the scheme and are intended to add to the information that the LPA is considering in the determination process.
- Reference was made to the scale and massing of surrounding buildings (particularly Silverpoint, 8 storeys and the two towers in Haringey, 22 and 20 storeys) as an argument for a building of substantial height in this area. The panel disagrees and argues that Silverpoint in particular is detrimental to the area and is already overbearing on the high street. The nearby towers in Haringey do not provide any useful urban design context and should not be used as a justification.
- Whilst the site sits within the formally designated town centre it is on the very edge of the designated area. Experientially the site sits at the edge of the town centre. A tall 'marker' building is not appropriate in this location as it is too distant from the core of the centre and transport hubs.
- Locating the tower right on the corner of the site with a strong vertical emphasis detracts from the horizontal and linear kinetic experience of travelling along Fore Street.
- The heritage assets nearby already function as a gateway to the town centre and, due to its scale, the new tower would undermine this function.
- In order to address these issues, the design team is encouraged to explore an option in which the tower is set back from the street and the 3-4 storey plinth is continued to the street corner. Edmonton County Court and Lt's Bar, two landmark buildings mentioned in the conservation area appraisal, will be detrimentally affected by the proposed development because of its height, scale and proximity.

- The colonnade is not working to tie the building into the conservation area and is more appropriate for a city centre location.
- The use of materials does not suggest a bespoke response to either the heritage assets nearby, the setting of the conservation area or the local palette of materials.
- Overall the quality of architectural detailing and material has seen improvement since the previous review.

## **Public**

### *Neighbours*

- 7.17 In respect of the consultation on the scheme as originally submitted (Build to Rent), letters were sent to 1219 neighbouring and nearby properties. In addition, site notices were displayed directly outside and in the vicinity of the site while notice was also published in the local newspaper.
- 7.18 In response, 7 letters of objection were received which raised all or some of the following points:
- Close to adjoining properties;
  - Increase in traffic;
  - Increase of pollution;
  - Loss of parking;
  - Conflict with Local Plan;
  - Loss of privacy to many neighbouring properties;
  - Loss of light to many neighbouring properties;
  - Noise nuisance;
  - Out of keeping with character of area;
  - Over development;
  - Strain on existing community facilities-already lacking in adequate open spaces;
  - Affects local ecology;
  - Development too high;
  - More open space needed on development;
  - Limited greenery and open spaces within the local area
- 7.19 In addition, we have received several more detailed contributions from local residents which are set out here:
- Several buildings within the local area are referenced within the supporting documents, two of which, (the tallest) are in neighbouring Haringey, as evidence of a wide variety of heights in the area - this is supposed to be support for the height of their 18-storey plan. The majority of the structures cited have been the subject of regeneration talk for many years - those specific buildings are not deemed as having a positive visual impact; their form is not something to be replicated. Amongst the lowest of the buildings cited is Prowse Court at 8 stories which was a re-development of the Highmead Estate in Angel Edmonton, whereas the current application is for the demolition of a structure that is in keeping with the scale of its surrounding buildings. The proposed development is out of scale and overbearing;

- The position of the site means that the proposed development will loom over the public street and road, dwarfing everything around it, including trees and pedestrians, and casting a long shadow. In some of their mocked-up photos, the natural shadow of the existing building can be seen and gives an indication of the shadow that would be thrown by this development. The imposing height has no sympathy for the value of human scale and the relationship of a community to its surrounding buildings;
- This building will be a landmark feature. Positioned as it is on a key corner at the entry to Angel, Edmonton, it will set the tone for the neighbourhood and any hopes for future well designed builds. If the intention is to reflect the tone of a neighbourhood already struggling, then its materials, ugliness and height fit the bill;
- A car-free development is not going to mean a reduction in traffic. People will still have cars and will use them. This is already a very high-volume traffic area and even the slightest increase in traffic will be detrimental to the community and the environment and put added pressure on the roads. The increase in traffic as a result of this development will not be slight;
- Car-free developments might be desirable for an area in theory (although only three disabled car parks - what happens when a long-term resident becomes disabled and all spaces are claimed?) but people will still have cars. This is a large development. It will be a nuisance for residential roads and disruptive for existing residents as they compete for car park space and endure an influx of cars circling for spaces, adding even more noise and pollution to an area already struggling with that. The inadequacy of appropriate car park facilities will have a significant impact on the area.
- Good design enhances communities; the visual environment has a psychological effect. The development will do nothing to enhance this particular urban environment which desperately needs an attentive design eye and a sympathy for humanly scaled buildings. The materials of the building are not in keeping with the surrounding buildings and the height of the building only serves to emphasise that. It cannot be claimed that its dominating, visual impact on the view of pedestrians, passing motorists and residents will be a positive one. The development does nothing to draw upon the positives of the surrounding buildings but expressly seeks out the negative; The lack of parking will not only impact on Claremont Street, Ingleton Road and the surrounding roads where parking is often difficult; It will also negatively impact local residents and the activities of the church, but also the businesses in Fore Street where customers park and also use the Edmonton County Court.
- Easy access to public parkland will be very important for the health and wellbeing of future residents of the development, especially as the development is high density housing in a built-up area with limited access to suitably sized outdoor space. However, the application says the residents will be able to access Pymmes Park, which is a 14-minute walk away and is located on the other side of the north circular, so is unlikely to be frequently used. The application also mentions Florence Hayes Recreation Ground as a space for residents - my understanding is that Florence Hayes Recreation Ground was closed approx. 4 years ago due to the grounds not being safe and the large play equipment had to be removed. The grounds were also used by

gangs as a meeting point and drug paraphernalia was found on the grounds. The space is not opened to the public so cannot be included as open space for future residents.

- About 11% of the units would be 3 bed + vs. a policy requirement of 60% and the SHMA 2015 assessed need of 50%, therefore, the proposal does not sufficiently address local needs (e.g. help to reduce overcrowding);
- Some units appear to be under the Gross Internal Floor Area standards - it appears the applicant may be adding the balcony areas to the measurements in some cases, which shouldn't be included in internal floor space calculations;
- Rebuilding on The Gilpin will be a great loss to the areas history and heritage assets. It will damage the historical corridors of Edmonton. This is also the boundaries of Tottenham & Edmonton. Where Edmonton ends with its historical corridor and Tottenham begins with its historical corridor;
- There are already huge problems with prostitution, begging and drug dealing within this area
- The development will further drain the existing local resources such as schools, health care, policing etc, which are already saturated.

## **8. Relevant Planning Policies**

### **8.1 National Planning Policy Framework**

The National Planning Policy Framework (NPPF) sets out national planning policy objectives. It introduces a presumption in favour of sustainable development, which is identified as having three dimensions - an economic role, a social role and an environmental role. Other key relevant policy objectives are referred to as appropriate in this report

### **8.2 London Plan 2021**

The London Plan is the overall strategic plan for London setting out an integrated economic, environmental, transport and social framework for the development of London for the next 20-25 years. The following policies of the London Plan are considered particularly relevant:

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience
- D1 London's form, character and capacity for growth
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public realm
- D11 Safety, security and resilience to emergency
- D12 Fire safety



|       |   |
|-------|---|
| D14   | Noise   |
| HC6   | Supporting the night-time economy                 |
| HC7   | Protecting public houses                          |
| G5    | Urban greening                                    |
| G6    | Biodiversity and access to nature                 |
| G7    | Trees and woodlands                               |
| SI 1  | Improving air quality                             |
| SI 2  | Minimising greenhouse gas emissions               |
| SI 3  | Energy infrastructure                             |
| SI 4  | Managing heat risk                                |
| SI 5  | Water infrastructure                              |
| SI 8  | Waste capacity and net waste self-sufficiency     |
| SI 12 | Flood risk management                             |
| SI 13 | Sustainable drainage                              |
| T1    | Strategic approach to transport                   |
| T2    | Healthy Streets                                   |
| T3    | Transport capacity, connectivity and safeguarding |
| T4    | Assessing and mitigating transport impacts        |
| T5    | Cycling   |
| T6    | Car parking                                       |
| T6.1  | Residential parking                               |
| T6.5  | Non-residential disabled persons parking          |
| T7    | Deliveries, servicing and construction            |
| T9    | Funding transport infrastructure through planning |
| DF1   | Delivery of the Plan and Planning Obligations     |
| M1    | Monitoring  |

### 8.3 Local Plan - Overview

Enfield's Local Plan comprises the Core Strategy, Development Management Document, Policies Map and various Area Action Plans as well as other supporting policy documents. Together with the London Plan, it forms the statutory development policies for the Borough and sets out planning policies to steer development according to the level it aligns with the NPPF. Whilst many of the policies do align with the NPPF and the London Plan, it is noted that these documents do in places supersede the Local Plan in terms of some detail and as such the proposal is reviewed against the most relevant and up-to-date policies within the Development Plan.

### 8.4 Core Strategy (2010)

The Core Strategy was adopted in November 2010 and sets out a spatial planning framework for the development of the Borough through to 2025. The document provides the broad strategy for the scale and distribution of development and supporting infrastructure, with the intention of guiding patterns of development and ensuring development within the Borough is sustainable.

|      |  |
|------|--|
| CP2  | Housing Supply and Locations for New Homes       |
| CP3  | Affordable Housing                               |
| CP4  | Housing Quality                                  |
| CP5  | Housing Types                                    |
| CP9  | Supporting community cohesion                    |
| CP11 | Recreation, leisure, culture and arts            |
| CP20 | Sustainable energy use and energy infrastructure |

|      |   |
|------|---|
| CP21 | Delivering sustainable water supply, drainage and sewerage infrastructure |
| CP24 | The road network  |
| CP26 | Public transport  |
| CP25 | Pedestrians and cyclists  |
| CP28 | Managing flood risk   |
| CP30 | Maintaining and improving the quality of the built and open environment   |
| CP31 | Built and Landscape Heritage  |
| CP32 | Pollution   |
| CP46 | Infrastructure Contribution   |

#### 8.5 Development Management Document (2014)

The Council's Development Management Document (DMD) provides further detail and standard based policies by which planning applications should be determined. Policies in the DMD support the delivery of the Core Strategy. The following local plan Development Management Document policies are considered particularly relevant:

|       |   |
|-------|---|
| DMD1  | Affordable Housing on Sites Capable of Providing 10 units or more |
| DMD3  | Providing a Mix of Different Sized Homes                          |
| DMD6  | Residential Character   |
| DMD8  | General Standards for New Residential Development                 |
| DMD9  | Amenity Space   |
| DMD10 | Distancing  |
| DMD16 | Provision of New Community Facilities                             |
| DMD17 | Protection of Community Facilities                                |
| DMD27 | Palmers Green District Centre                                     |
| DMD30 | Floorspace above Commercial Premises                              |
| DMD32 | Managing the Impact of Food & Drink Establishments                |
| DMD34 | Evening Economy   |
| DMD37 | Achieving High Quality and Design-Led Development                 |
| DMD44 | Conserving and Enhancing Heritage Assets                          |
| DMD45 | Parking Standards and Layout                                      |
| DMD47 | New Roads, Access and Servicing                                   |
| DMD48 | Transport Assessments   |
| DMD49 | Sustainable Design and Construction Statements                    |
| DMD50 | Environmental Assessment Methods                                  |
| DMD51 | Energy Efficiency Standards                                       |
| DMD53 | Low and Zero Carbon Technology                                    |
| DMD55 | Use of Roof Space   |
| DMD56 | Heating and Cooling   |
| DMD58 | Water Efficiency  |
| DMD59 | Avoiding and Reducing Flood Risk                                  |
| DMD60 | Assessing Flood Risk  |
| DMD61 | Managing Surface Water  |
| DMD62 | Flood Control and Mitigation Measures                             |
| DMD64 | Pollution Control and Assessment                                  |
| DMD65 | Air Quality   |
| DMD66 | Land Contamination  |
| DMD68 | Noise   |
| DMD69 | Light Pollution   |
| DMD70 | Water Quality   |

|       |                            |
|-------|----------------------------|
| DMD73 | Children's Play Space      |
| DMD79 | Ecological Enhancements    |
| DMD80 | Trees on Development Sites |
| DMD81 | Landscaping                |

## 8.6 Enfield Draft Local Plan

- 8.6.1 Work on a New Enfield Local Plan has commenced so the Council can proactively plan for appropriate sustainable growth, in line with the Mayor of London's "good growth" agenda, up to 2041. The Enfield New Local Plan will establish the planning framework that can take the Council beyond projected levels of growth alongside key infrastructure investment.
- 8.6.2 The Council consulted on Enfield Towards a New Local Plan 2036 "Issues and Options" (Regulation 18) (December 2018) in 2018/19. This document represented a direction of travel and the draft policies within it will be shaped through feedback from key stakeholders. Nevertheless, it is worth noting the growth strategy identifies New Southgate and Upper Lea Valley Opportunity Area as a potential option for a key location for growth. The draft Local Plan states that the Council will work with the Mayor to bring forward the OAPF.
- 8.6.3 The Council consulted on a draft Local Plan (Regulation 18) during the summer of 2021. The draft Local Plan includes site allocations and a number of place based policies, with a particular focus on growth areas such as Meridian Water. It is anticipated that following this consultation a final draft plan (Regulation 19) will be published in 2022, with submission to the Secretary of State for examination in public anticipated during 2023 and adoption in 2023/24.
- 8.6.4 As the emerging Local Plan progresses through the plan-making process the draft policies within it will gain increasing weight but at this stage it has relatively little weight in the decision-making process.
- 8.6.5 Key emerging policies from the plan are listed below:

Policy DM SE2 – Sustainable design and construction  
 Policy DM SE4 – Reducing energy demand  
 Policy DM SE5 – Greenhouse gas emissions and low carbon energy supply  
 Policy DM SE7 – Climate change adaptation and managing heat risk  
 Policy DM SE8 – Managing flood risk  
 Policy DM SE10 – Sustainable drainage systems  
 Strategic Policy SPBG3 – Biodiversity net gain, rewilding and offsetting  
 Policy DM BG8 – Urban greening and biophilic principles  
 Policy DM DE1 – Delivering a well-designed, high-quality and resilient environment  
 Policy DM DE2 – Design process and design review panel  
 Policy DM DE7 – Creating liveable, inclusive and quality public realm  
 Policy DM DE10: Conserving and enhancing heritage assets  
 Policy DM DE11 – Landscape design  
 Policy DM DE13 – Housing standards and design  
 Policy DM H2 – Affordable housing  
 Policy DM H3 – Housing mix and type  
 Policy DM T2 – Making active travel the natural choice  
 Strategic Policy SP D1 – Securing contributions to mitigate the impact of development

## 8.7 Other relevant policy and guidance

National Planning Practice Guidance (NPPG) 2019  
 Enfield Climate Action Plan (2020)  
 Enfield Intermediate Housing Policy (2020)  
 Enfield Decentralised Energy Network Technical Specification SPD (2015)  
 TfL London Cycle Design Standards (2014)  
 GLA: Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)  
 GLA: Shaping Neighbourhoods: Character and Context SPG (2014)  
 GLA: London Sustainable Design and Construction SPG (2014)  
 GLA: Accessible London: Achieving an Inclusive Environment SPG (2014)  
 GLA: Housing SPG (2016)  
 GLA: Affordable Housing & Viability SPG (2017)  
 Healthy Streets for London (2017)  
 Manual for Streets 1 & 2, Inclusive Mobility (2005)  
 National Design Guide (2019)  
 Fore Street Angel Conservation Area Character Appraisal (2015)

## 8.8 Housing Delivery Test and Presumption in Favour of Sustainable Development

### 8.8.1 The National Planning Policy Framework sets out at Para 11 a presumption in favour of sustainable development. For decision taking this means:

“( c) approving development proposals that accord with an up-to date development plan without delay; or  
 (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (7), granting permission unless:  
 (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (6); or  
 (ii) any adverse impacts of so doing would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

### 8.8.2 Footnote (7) referenced here advises “This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites ( with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous 3 years.”

### 8.8.3 The Council’s recent housing delivery has been below our increasing housing targets. This has translated into the Council being required to prepare a Housing Action Plan in 2019 and more recently being placed in the “presumption in favour of sustainable development category” by the Government through its Housing Delivery Test.

### 8.8.4 The Housing Delivery Test (HDT) is an annual measurement of housing delivery introduced by the government through the National Planning Policy Framework (NPPF). It measures the performance of local authorities by comparing the completion of net additional homes in the previous three years to the housing targets adopted by local authorities for that period.

- 8.8.5 Local authorities that fail to meet 95% of their housing targets need to prepare a Housing Action Plan to assess the causes of under delivery and identify actions to increase delivery in future years. Local authorities failing to meet 85% of their housing targets are required to add 20% to their five-year supply of deliverable housing sites targets by moving forward that 20% from later stages of the Local Plan period. Local authorities failing to meet 75% of their housing targets in the preceding 3 years are placed in a category of “presumption in favour of sustainable development.
- 8.8.6 In 2018, Enfield met 85% of its housing targets delivering 2,003 homes against a target of 2,355 homes over the preceding three years (2015/16, 2016/17, 2017/18). In 2019 we met 77% of the 2,394 homes target for the three-year period delivering 1,839 homes. In 2020 Enfield delivered 56% of the 2,328 homes target and we now fall into the “presumption in favour of sustainable development” category.
- 8.8.7 This is referred to as the “tilted balance” and the National Planning Policy Framework (NPPF) states that for decision-taking this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole – which also includes the Development Plan. However, where a development having regard to the policies in this Framework that protect areas or assets of particular importance, causes harm, this can provide a clear reason for refusing the development proposed
- 8.8.8 Under the NPPF paragraph 11(d) the most important development plan policies for the application are deemed to be ‘out of date’. However, the fact that a policy is considered out of date does not mean it can be disregarded, but it means that less weight can be applied to it, and applications for new homes should be considered with more weight (tilted) by planning committee. The level of weight given is a matter of planning judgement and the statutory test continues to apply, that the decision should be, as section 38(6) of the Planning and Compulsory Purchase Act 2004 requires, in accordance with the development plan unless material considerations indicate otherwise.

## **9. Analysis**

- 9.1. This report sets out an analysis of the issues that arise from the proposals in the light of adopted strategic and local planning policies. The main issues are considered as follows:
- Principle of Development
  - Housing (including affordable and tenure mix)
  - Impact on Character of Area (Tall Building & design)
  - Impact on Setting and Appearance of Conservation Area
  - Internal Layout / Residential Quality
  - Impact on Neighbouring amenity
  - Transportation (Parking, Access and Servicing)
  - Sustainable Construction
  - Landscaping, biodiversity and trees
  - Environmental considerations

Principle of Development (Land Use)

- 9.2. The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 seek to establish that planning decisions are taken in accordance with the Development Plan unless material considerations indicate otherwise. Furthermore, the National Planning Policy Framework (NPPF) states development proposals that accord with the development plan should be approved without delay.
- 9.3 The Development Plan includes local policies (Core Strategy / Development Management Plan) as well as the London Plan (2021) and national guidance. The London Plan policies will have greater weight where they are inconsistent with local policy given its more recent adoption in March 2021.
- 9.4 Running alongside the presumption that proposal in accord with the development should be approved, is the aim that planning should facilitate sustainable development. This is at the heart of the NPPF which advocates a presumption in favour of sustainable development. In particular, at paragraph 118 the NPPF advocates the promotion and support for the development of under-utilised land and buildings, especially where this would help to meet identified needs for housing; where land supply is constrained; and where it is considered sites could be used more effectively.
- 9.5 Such an approach to maximise the efficient use of land, is consistent with the adopted London Plan which states at Para 1.2.2 of the London Plan  
  
*“The key to achieving this will be taking a rounded approach to the way neighbourhoods operate, making them work not only more space-efficiently but also better for the people who use them. This will mean creating places of higher density in appropriate locations to get more out of limited land, encouraging a mix of land uses, and co-locating different uses to provide communities with a wider range of services and amenities.”*
- 9.6 Para 1.1.4 of the London Plan also states:  
  
*“Delivering good quality, affordable homes, better public transport connectivity, accessible and welcoming public space, a range of workspaces in accessible locations, built forms that work with local heritage and identity, and social, physical and environmental infrastructure that meets London’s diverse needs is essential if London is to maintain and develop strong and inclusive communities”.*
- 9.7 These strategic planning ambitions are captured in Policies GG1 (Building Strong & Inclusive Communities), GG2 (Making the best use of Land) , GG3 (Creating a Healthy City) and GG4 (Delivering the Homes Londoners Need) with the proposal needing to be viewed in this policy context. These London Plan policies are also consistent with Strategic Objective 5 set out in the Core Strategy
- 9.8 Making more efficient use of land is presently significant due to the identified need for housing and the consequences of failing to meet the Housing Delivery Test which has triggered the “tilted balance” and the presumption in favour (NPPF) which for decision-taking, means granting permission unless any adverse impacts of doing so would significantly and demonstrably

outweigh the benefits, when assessed against the policies in the Framework taken as a whole – which also includes the Development Plan.

- 9.9 The location within a district town centre with good PTAL makes this a suitable site for more intensive development consistent with the good growth policies of the London Plan and should be site where development is optimised to realise necessary housing delivery. Although little weight can be attributed to the fact given the status of the draft plan, it can be noted that the site is also identified in the Council's Regulation 18 Local Plan as a site allocated for redevelopment (SA16: 50-56 Fore Street).
- 9.10 It is acknowledged the property in its current form is of limited architectural merit and makes a negative contribution to the setting and appearance of the Conservation Area. It is considered the site incorporates opportunity to obtain a more intensive form of development to assist in strategic policy objectives around growth
- 9.11 In light of the above, the principle of demolition including the loss and provision for replacement of the existing public house is therefore considered acceptable. This approach has also been established by previous planning decisions ( ref: 18/00760/FUL and 17/00815/FUL) which included acceptance on appeal. It is also considered the proposed mix of residential together with ground floor commercial (A1/A3/A4 and D1 floorspace) is acceptable in principle and would be consistent with the character and designation of the locality

#### *Loss of Public House*

- 9.12 The primary use of the existing building is as a public house (Use Class A4). These can often be valued assets of benefit to the local community although it must be noted, this public house is not designated as an Asset of Community Value.
- 9.13 Policy HC7 of the London Plan (Protecting public houses) states that public houses should be protected where they have a heritage, economic, social or cultural value to local communities, or where they contribute to wider policy objectives for town centres, night-time economy areas, Cultural Quarters and Creative Enterprise Zones. Applications that propose the loss of public houses with heritage, cultural, economic or social value should be refused unless there is marketing evidence that demonstrates that there is no realistic prospect of the building being used as a pub in the foreseeable future. This approach would also be consistent with Policy DMD 17 which seeks to protect community facilities within the Borough.
- 9.14 The current premises (the Gilpen Bell PH) is closed and has been for some time. Although the initial plans proposed involved the complete loss of the pub use, following negotiations with the applicant, the proposal has been amended and floorspace is now identified within the development with frontage onto Fore Street that could be used to provide a new public house should this be economic. The floorspace is otherwise flexible so that it could be used for alternative uses within the A1/A3 and D1 use class to facilitate the most suitable use for the local area, which is welcomed.
- 9.15 The approach is considered acceptable against Policy HC7 of the London Plan and is also considered reasonable given the proximity of an alternative

public house on the opposite side of the Claremont Street / Fore Street junction.

### *Residential*

- 9.16 With specific regard to the residential element of the proposal, it is noted that the NPPF sets out the government's objective to boost the supply of homes. The NPPF also states an intention to ensure that supply meets the needs of different groups in the community, including an affordable housing need. Policy GG4 of the London Plan supports this intention, stating that planning and development must 'ensure that more homes are delivered'.
- 9.17 Policy H1 of the London Plan notes the importance of encouraging residential development on appropriate windfall sites, especially where they have a high PTAL rating (ratings 3 to 6) or are located within 800m of a tube station. The Council's Core Strategy (4.1 Spatial Strategy), identifies that sustainable locations for development would be concentrated in town centres, on previously developed land and that new homes will be planned through the intensification of land uses. The Mayor's Affordable Housing and Viability SPG also sets out the intention to bring forward more public land for affordable homes.
- 9.18 NPPF (Paragraphs 102 and 103) sets out objectives for considering transport issues in the planning process, including ensuring opportunities to promote walking, cycling and public transport, and requires development be focused on locations which are sustainable and can offer a range of transport modalities to help reduce congestion and emissions and improve air quality and public health. In this regard, the development site is considered to be in an accessible and sustainable location with good connections to local social infrastructure, bus routes and reasonable walking distance to Silver Street over ground station.
- 9.19 The proposal is for 110 residential units on a site where the emerging Local Plan(Reg 18) has identified potential to introduce new housing. The Boroughs housing delivery targets have been set by the GLA and the Draft London Plan states that Enfield is required to provide a minimum of 12,460 homes over the next 10 years (1,246 per annum), in comparison to the previous target of 7,976 for the period 2015-2025.
- 9.20 According to the Enfield Housing Trajectory Report (2019), during the previous 7-years the Borough has delivered a total of 3,710 homes which equates to around 530 homes per annum. Furthermore, given the new target of 1,246 per annum the Borough needs to optimise all options in terms of housing delivery, particularly on existing brownfield sites and transport hubs, as is the case here.
- 9.21 The Council is currently updating its Local Plan and through publishing the Issues & Options (Regulation 18) in 2019 and the draft Local Plan (Regulation 18) in 2021 has been transparent about the sheer scale of the growth challenge for Enfield. The two most recently published Regulation 18 documents in 2019and 2021 were clear about the need to plan differently to attain a significant step change in delivery and secure investment in our Borough. The Council needs to encourage a variety of housing development including market, affordable and Build to Rent products, in order to meet varied local demand.



- 9.22 In relation to sustainable development the proposal is considered to respond to the objectives of the NPPF by redeveloping a brownfield site; by providing homes that are accessible to social and transport infrastructure and easily accessible to local amenities; by providing a range of housing to support a mixed and balanced community; and by having due regard to the local natural, built and historic environment. It is also considered that the proposed number of residential units on the site would contribute to providing housing to assist in meeting the Borough's housing target and help bridge the shortfall that has been the case in previous years.
- 9.23 Significant weight must also be attributed to the presumption in favour of approving sustainable residential development and the planning merits of providing new homes (including 100% offer of affordable homes) and additional A1/A3/A4/D1 floorspace.

#### *Summary of Principle*

- 9.24 Given the above considerations, the principle of development is considered to be acceptable and in line with relevant policies, most notably London Plan Policy G2 & G4, Core Strategy Policy 4.1, DMD Policy 28, the Mayor's Affordable Housing & Viability SPG and Paragraphs 59, 102 and 105 of the NPPF. As such the Development is supported in principle terms subject to other detailed considerations as discussed below.

#### Housing Need and Delivery

- 9.25 The current London Plan sets a target for the provision of 52,287 new homes across London each year with Enfield identified as contributing a minimum of 1,246 dwellings per year to be delivered over the next 10-years in the Borough, based on the Strategic Housing Market Assessment (SHMA): an increase over the previous target of 798. Notwithstanding, only 51% of approvals in the Borough have been delivered over the previous 3-years meaning that unit approvals must exceed this figure considerably if the targets are to be met.
- 9.26 Enfield's Housing and Growth Strategy (2020) was considered by Cabinet in January 2020 and approved at February's Council meeting (2020) and sets out the Council's ambition to deliver adopted London Plan and Core Strategy plus ambitious draft now adopted London Plan (2021) targets.
- 9.27 The Strategy sets five ambitions, the third of which is 'Quality and variety in private housing'. The key aims of the Strategy seek to address the housing crisis within the Borough. During consideration of the Cabinet report Members discussed the current housing situation and highlighted the rise in private sector rents in proportion to the average salary and the significant rise in homelessness. Enfield had one of the highest numbers of homeless households in the country. Insecurity and unaffordability of private sector housing has evidence-based links with homelessness. One of the most common reason for homelessness in London is currently due to the ending of an assured tenancy (often by buy to let landlords). MHCLG (2018) data shows a significant increase in the number of households in Enfield using temporary accommodation – with a significant 67% increase between 2012 and 2018.

- 9.28 The fourth and fifth ambitions of the strategy are in respect of Inclusive placemaking; and accessible housing pathways and homes for everyone. While the Housing and Growth Strategy is not a statutory document it sets the Council's strategic vision, alongside metrics, in respect of housing delivery. It was approved at a February 2020 Council meeting. Its evidence, data and metrics are considered relevant material considerations.
- 9.29 The 2018 London Housing SPG outlines a vision that delivers high quality homes and inclusive neighbourhoods by ensuring that appropriate development is prioritised. Policy H1 of the London Plan seeks housing delivery to be optimised on sites that have good public transport accessibility (with a PTAL 3-6 rating).
- 9.30 As mentioned elsewhere in this report, Enfield is a celebrated green Borough, with close to 40% of our Borough currently designated Green Belt or Metropolitan Open Land, and a further 400 hectares providing critical industrial land that serves the capital and wider south east growth corridors. The reality of these land designations means the call on optimisation of our brownfield land is greater and brings complex development issues and a major shift in how Enfield's character will need to transform.
- 9.31 In 2016/17, 30% of housing completions were affordable, whilst in 2017/18 this decreased to 7% of housing completions being affordable, amounting to 37 units in total being delivered. These figures show that the target 40% affordable housing delivery is not currently being met in the Borough. The Housing and Growth Strategy (2020) sets out an ambition to increase the target of 50% of new homes to be affordable housing in the next Local Plan. Enfield's Housing and Growth Strategy (2020) states the Borough's ambition to develop more homes that are genuinely affordable to local people, so more people can live in a home where they spend a more reasonable proportion of their household income on housing costs.
- 9.32 Taking into account both the housing need of the Borough together with the track record of delivery against target, it is clear that the Council must seek to optimise development on brownfield sites such as this particularly those that are currently underused and not delivering any benefit to the wider area.

#### Affordable Housing

- 9.33 The NPPF must be taken into account in the preparation of local plans and is a material consideration in planning decisions. The NPPF defines Affordable Housing as "housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers)". London Plan Policy H4 sets out a strategic target for 50% of all new homes delivered across London to be genuinely affordable.
- 9.34 Enfield sets a Borough-wide affordable housing target of 40% in Core Policy 3 but acknowledges the appropriate figure will need to take into account site-specific land values, grant availability and viability assessments, market conditions, as well as the relative importance of other planning priorities and obligations on the site.
- 9.35 DMD 1 supporting text notes that affordable housing comprises three tenures: social rent, affordable rent, and intermediate housing. Enfield's Development

Management Document Policy DMD 1 (Affordable Housing) states that development should provide the maximum amount of affordable housing with an appropriate mix of tenures to meet local housing need.

- 9.36 Following discussions, the proposed development as revised, would now deliver 100% affordable housing with all the units available at London Affordable Rent in excess of policy requirements. This is achieved through the allocation of grant funding from the GLA.
- 9.37 Previously the development was presented on the basis of Build to Rent scheme delivering 112 residential units of which 35% would be affordable homes by habitable room. The viability review identified that this exceeded what the development reasonable sustain without grant. As a result, the scheme has been amended so that 100% of the 110 proposed residential units are affordable housing at London Affordable Rent, with funding provided by the GLA.
- 9.38 Due to the 100% affordable offer, Policy H5 (Threshold approach to applications) identifies this as a fast track application. Fast tracked applications are not required to provide a viability assessment at application stage.
- 9.39 To ensure an applicant fully intends to build out the permission, the requirement for an Early Stage Viability Review will be triggered if an agreed level of progress on implementation is not made within two years of the permission being granted (or a period agreed by the Borough).
- 9.40 A qualifying criterion does require the local planning authority to be satisfied regarding the tenure mix with Policy H5 stating: Developments which provide 75 per cent or more affordable housing may follow the Fast Track Route where the tenure mix is acceptable to the Borough or the Mayor where relevant.
- 9.41 Policy H6 of the London Plan (Affordable Housing Tenure) advises that the following split of affordable products should be applied to residential development:
  - 1) a minimum of 30 per cent low-cost rented homes, as either London Affordable Rent or Social Rent, allocated according to need and for Londoners on low incomes
  - 2) a minimum of 30 per cent intermediate products which meet the definition of genuinely affordable housing, including London Living Rent and London Shared ownership
  - 3) the remaining 40 per cent to be determined by the Borough as low-cost rented homes or intermediate products (defined in Part A1 and Part A2) based on identified need.
- 9.42 The 2017 SHMA shows London's significant need for low-cost rental housing which is reflected in priorities for our own Borough; There is therefore presumption that the 40 per cent to be decided by the Borough will focus on Social Rent and London Affordable Rent given the level of need for this type of tenure across London.
- 9.43 In this instance the tenure mix of 100% London Affordable Rent is acceptable. The London Plan is committed to delivering genuinely affordable housing and

within the broad definition of affordable housing, the Mayor's preferred affordable housing tenures includes London Affordable Rent.

- 9.44 London Affordable Rent is for households on low incomes where the rent levels are based on the formulas in the Social Housing Regulator's Rent Standard Guidance. The rent levels for Social Rent homes use a capped formula and London Affordable Rent homes are capped at benchmark levels published by the GLA. Rents are significantly less than 80 per cent of market rents, which is the maximum for Affordable Rent permitted in the NPPF.

*Summary of Housing Tenure & Mix*

- 9.45 The proposed Affordable Housing offer of 100% is based on residential units. Tenure mix is set out below.

| Tenure                 | 1b2p | 2b4p | 3b4p/5p | 4b6p |     |
|------------------------|------|------|---------|------|-----|
| London Affordable Rent | 30   | 58   | 15      | 7    | 110 |
| Private Rent           | 0    | 0    | 0       | 0    | 0   |
|                        |      |      |         |      |     |
| Subtotals              | 30   | 58   | 15      | 7    | 110 |
|                        |      |      |         |      |     |

- 9.46 A further breakdown of the residential mix is set out below:

| Type of Unit                | Number of Units |
|-----------------------------|-----------------|
| 1 Bed, 1 Person Units       | 0               |
| 1 Bed, 2 Person Units       | 29              |
| 1 Bed, 2 Person Units (DDA) | 1               |
| 2 Bed, 3 Person Units       | 28              |
| 2 Bed, 3 Person Units (DDA) | 3               |
| 2 Bed, 4 Person Units       | 26              |
| 3 Bed, 4 Person Units       | 5               |
| 3 Bed, 4 Person Units (DDA) | 5               |
| 4 Bed, 6 Person Units       | 7               |
| <b>Total</b>                | <b>110</b>      |

### Residential Mix

9.47 Officers have assessed the scheme in accordance with London Plan (2021) policies as well as having regard to the Council's development plan policies and the Council's current and emerging evidence around housing need. It is acknowledged the proposed mix is significantly weighted towards the 1 & 2 bedroom units which is not immediately consistent with local need and as a result there would be a preference for more larger family accommodation. The proposal has been revised increasing the number of family sized units to 22 which represents 20% of the total facilitated by a decrease in the number of smaller 1 and 2 bedroom units. This change is welcomed and it is considered this improve the acceptability of the proposed residential offer. Nevertheless, the proposed mix has to be acknowledged. This, however, does have to be viewed in the context of the housing delivery test and the presumption in favour of approving sustainable development. Moreover, the current offer of 100% affordable housing at London Affordable Rent is significant and can be attributed considerable weight in the assessment

9.48 Furthermore, it is noted that the Council as the Strategic Housing Authority supports this application as it secures the delivery of 100% affordable housing. The SHA comments:

*"that the social housing will be subject to 100% nominations to the Council which will help to meet the needs of people on the housing register. The concentration of 1 bed and 2 bed accommodation is high as, overall, there is a need for more family housing in the Borough. Although the scheme proposes 11%, these are houses. The highest demand is currently for 3 beds and 6 persons and therefore the provision of houses is welcomed in a town centre location. Therefore, on balance, the Council as Strategic Housing Authority, supports this application given the site context and affordable housing offer".*

9.49 Taking this into account, and the tilted balance in favour of approving schemes for residential development, it is considered the low percentage of family housing can be accepted but only in the context of the location and the 100% LAR affordable housing offer which would be secured through a legal agreement.

### Design

9.50 The main element of the current iteration of the scheme following recent design enhancements, is the 18 storey tower.

9.51 It comprises 3 elements -base , mid elevation and crown.

#### Base:

- Three-storey order with well defined entrances and generous glazing.
- Removal of the colonnade to be in keeping with the surrounding context and increase flexible space at ground floor plan.
- Articulation of flexible space corner entrance to enhance way finding

#### Mid Elevation

- Material change to a softer red brick with a red tone within the zinc roof cladding

- Slender overall appearance expressed through the 4 central bays and dematerialising the corners.
- Large windows and wide piers generate a strong overall architectural appearance.
- Curved balconies to soften the overall massing and reference the art deco heritage and the Gilpin Bell.

Crown:

- Stepped height to create more verticality and create a slender form
- Expressing the white detailing down the facade creates a slender form and more defined tower



Elevation View of Proposal From Fore Street

9.52 In addition to the tower element, the proposal involves terraced dwellings fronting Claremont Street and Clive Avenue.

Claremont Street

- Expressed vertical element through framing each house with brick piers
- High level of family houses with terrace level private amenity space and shared amenity space in the centre of the site.



- Material changes to a softer red brickwork

#### Clive Avenue

- 7 Terrace houses with defensible space and improved streetscape to Clive Avenue.
- Provided roof terrace private amenity space and shared amenity space in the centre of the site.
- Setback mansard roof reduces appearance of scale to mediate surrounding residential context.



9.53 Following the recent Design Review Panel in October 2021, the scheme has been amended to:

- remove the three storey colonnade enabling the tower to be better grounded in the street scene
- further elements of horizontal detailing have been introduced to improve its setting and tie in with adjacent buildings
- introduction of predominately red brickwork (revised from grey tones)
- Vertical emphasis to architectural detailing of tower to accentuate slenderness
- introduction of articulation between base and mid elevation

- vi) introduction of curved corner balconies to further reduce mass and accentuate slenderness of tower
- vii) Art deco inspired detailing – high quality

9.54 The proposals also involves significant public realm enhancement of Clive Avenue



and will address the current public experience of this space.

#### *Design development*

- 9.55 The proposed scheme has undergone a number of iterations throughout a long pre-application process, which has included extensive pre-application discussions with officers, GLA officers, local people and the Enfield Design Review Panel (DRP).
- 9.56 There has been significant debate as officers seek to navigate an appropriative development response on this sustainable town centre location, balancing the sensitivities of the heritage and urban design considerations against the objective to deliver new homes and the need to maintain a viable quantum of development.
- 9.57 In this regard, it is acknowledged that the previous 9 storey development has not progressed to implementation because it is not viable. It is also of interest to note that when assessing the appeal against the Council's refusal, the Planning inspector commented that *" whilst the proposed (9 storey) building would be prominent and large, it would not be overly large compared to the existing tall buildings within the vicinity, including the 8 storey Silverpoint development between Alpha Road and Cowper Road. The architectural design would also make a positive contribution to the character and appearance of the area"*.
- 9.58 The Planning Inspector also commented that *while the development would be significantly taller than nearby historic buildings, including the two locally*



*listed buildings and would add to the enclosure of the southernmost part of the conservation area. The heritage assets would be more hemmed in by tall modern development which would add to the sense of an isolated remnant of historic development along Fore Street. However, this harm would be tempered by the separation provided by width of Claremont Street and the variation in heights and materials provided by the development. Views into the conservation area along Fore Street to the south would not be greatly impeded and the prominence of the County Court and no. 58 would remain. Furthermore, the extent and scale of existing modern development in the vicinity of the most southernmost part of the conservation area and the two local listed buildings means that the introduction of an additional tall building would not be particularly out of keeping. Therefore, the harm to significance would be less than substantial and no greater than moderate.*

- 9.59 Nevertheless, this is a taller building and there remain concerns about the height and design articulated by the Design Review Panel which reiterate urban design and heritage comments. Throughout, the Design Review Panel has acknowledged positive elements of the scheme including the terraced form / design of Claremont Street / Clive Avenue properties and the materiality and articulation of elements. However, the conclusion of the recent DRP was that although there are positives about the development, in respect of the tower, it was felt to be too tall and out of scale for the context and damages the heritage of the area. There is also concern that the proposal will set a precedent for height along the east side of Fore Street that undermines the height strategy being promoted at Joyce and Snell's estate (across the street) and in the councils emerging local plan. Notwithstanding, the DRP recognised that *the proposals are balanced between a need for affordable housing in the Borough and the need for high quality design that works with the local context and heritage. The panel's comments are focused on the design aspects of the scheme and are intended to add to the information that the LPA is considering in the determination process*
- 9.60 Since this DRP in October, the scheme has further evolved and although the height remains unaltered, the developer has introduced revisions which seek to address many of the comments that were made at the DRP. These are discussed in the following sections of the report.

#### Impact on Character of Area (Tall Building)

- 9.61 The NPPF at Para 119 states Planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions ....., in a way that makes as much use as possible of previously-developed or 'brownfield' land. Para 124 of the NPPF also states that planning decisions should support development that makes efficient use of land, taking into account:
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
  - b) local market conditions and viability;
  - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
  - e) the importance of securing well-designed, attractive and healthy places.
- 9.62 The proposed development represents a tall building 18 storeys in height (= 73.99metres). The remaining development is 3 storey in height fronting Claremont Street and Clive Avenue. However, the tower would be a significant addition to the townscape.
- 9.63 The London Plan advises that while high density does not need to imply high rise, tall buildings can form part of a plan-led approach to facilitating regeneration opportunities and managing necessary future growth, contributing to new homes and economic growth, particularly in order to make optimal use of the capacity of sites which are well-connected by public transport and have good access to services and amenities. Tall buildings can help people navigate through the city by providing reference points and emphasising the hierarchy of a place such as its main centres of activity, and important street junctions and transport interchanges. It is also considered that tall buildings that are of exemplary architectural quality and in the right place, can make a positive contribution to London's cityscape. Many tall buildings have become a valued part of London's identity. However, they can also have detrimental visual, functional and environmental impacts if in inappropriate locations and/or of poor quality design.
- 9.64 In fact, the Report on Location of Tall Buildings and Important Local Views in Enfield (2012) prepared in support of the current Core Strategy states within the general considerations: 'As a general rule buildings significantly taller than their surroundings are unlikely to be appropriate within or in close proximity to conservation areas, historic parks and gardens, listed buildings and ancient monuments
- 9.65 London Plan Policy D9 states that Boroughs should determine through their local plan if there are locations where tall buildings may be appropriate and proposals should take account of, and avoid harm to, the significance of London's heritage assets and their settings. Tall buildings should only be developed in locations that are identified as suitable in Development Plans. The current development plan for the Borough does not identify suitable locations for tall buildings pursuant to the requirements of London Plan Policy D9. It can be noted that the Council's draft Reg18 local plan does make proposals and identifies land on the western side of Fore Street focused on the Joyce and Snell's residential estate, as an appropriate location for tall buildings. In so doing it suggests a height of up to 15 metres as being appropriate.
- 9.66 While the application site is located outside of this area, the boundary for the "appropriate location" extends to the opposite side of Fore Street. It should also be noted that there are tall buildings at 22 and 20 storeys to the south across the Borough boundary with Haringey in addition to the 9 storey Silverpoint building to the north. The urban contexts requires consideration when assessing the appropriateness of height and the impact of the proposed tall building needs to be balanced against to the need for housing the presumption in favour of approving sustainable (tilted balance).

- 9.67 DMD Policy 43 (Tall Buildings) is a criteria-based policy for considering tall buildings, which justifying text (para. 6.4.1) defines as those “that are substantially taller than their surroundings, cause a significant change to the skyline or are larger than the threshold sizes set for the referral of planning applications to the Mayor.” It states that tall buildings will not be acceptable in areas classified as inappropriate which includes sites in the immediate vicinity of conservation area unless it can be demonstrated how the proposal avoids the negative impacts associated with the sensitive classification
- 9.68 Both the London Plan and DMD tall building policies are relevant to the proposed development. The policies can be distilled into two questions:  
 i) is the proposal in the right location,  
 ii) is it of high quality?
- 9.69 Acceptability of a taller building in a particular location will be dependent on the detailed local context including the design of the building, the relationship to neighbouring properties, the relationship with any heritage assets and the impact on any views including those to and from historic buildings over a wide area. This requires careful consideration should be given to the potential negative impact that the introduction of a taller building might have. As always, it is necessary to assess and evaluate the merits of individual proposals and exceptionally it may be possible for an applicant to demonstrate that an exemplary designed taller building is acceptable within or close to nationally or locally designated heritage assets.
- 9.70 While the site is located in a town centre and has good public transport accessibility, the location of a tall building has generated a range of views and from an urban design perspective, there are strong concerns about whether this location for a tall building is appropriate questioning the justification on the basis of townscape legibility and its role as a focal point for development at the gateway to the Borough. In this regard, the concerns relate to the height of the tower as proposed would have a negative impact on the legibility of the Borough, particularly in medium and longer views when experienced as part of the Borough’s existing townscape. This is because the proposed scheme would be visually prominent and indicate a level of importance in the Borough which is not appropriate to the particular site
- 9.71 In addition, the height analysis demonstrated in the D&S indicates that in the locality of the site, the average height of the taller buildings is 9 storeys. There are 10 tall buildings identified with 3 of the 10 buildings exceeding the height of 9 storeys, two of which are in the Borough of Haringey (20 + storeys).
- 9.72 Bridport House (College Gardens, Upper Edmonton N18 2TB) is one of the 9 storeys identified. It is located on the Joyce and Snells Estate further along Fore Street and is identified in The Report on Location of Tall Buildings and Important Local Views in Enfield (2012) as a ‘Yellow’ rating, meaning it is an appropriate location for a tall building but is an inappropriate existing tall building. The location of this building is closer to the boundary of Enfield and Haringey and can be considered as a ‘gateway’ location into the Borough rather than this site.
- 9.73 In support of the scheme, the applicant has provided a townscape analysis which considers the impact of the proposed development on the townscape and heritage assets. The townscape assessment analyses the character of the surrounding townscape, assessing the effect of the proposed

development on views from locations around the site. This draws on the design quality and references the proposed height in the context of other tall buildings in the vicinity to conclude the development would be appropriate and would not harm the existing townscape. In particular, it has assessed the proposed development in a number of key views including that identified as Local View 10: a view from the pedestrian bridge over Meridian Way (A1055) and the railway line at Ponders End. Tall buildings within the Borough and beyond towards the City of London are visible and although the new tower is apparent, it is not considered to be a significant feature detracting from established views.

9.74 In considering the issue of height, the recent Design Review Panel (October 2021) considered that:

- the building is still too tall and out of scale for the context and damages the heritage of the area.
- the proposal is overdevelopment. This results in an incongruous height and massing which is not appropriate for the context.
- the design does not represent a bespoke response or relate to the character of the conservation area; both in terms of the materiality and also the vertical, on the street design of the tower, which is more appropriate for a city centre location than an outer London Borough town centre on a linear route.
- The design of the tower has improved since the previous review, having a more elegant form but is still bulky and would benefit from further improvement. This could involve exploring a set back from the street, so the tower does not sit directly on the edge of the site but rather presents a 3-4 storey frontage to the street.
- The colonnade was not supported
- The proposal will set a precedent for height along the east side of Fore Street that undermines the height strategy being promoted at Joyce and Snells (across the street) and in the councils emerging local plan.

The Panel did acknowledge however that the proposals are balanced between a need for affordable housing in the Borough and the need for high quality design that works with the local context and heritage.

9.75 Overall, there remained concerns that the design of the tower did not support the proposed height in this location. In response, the scheme has been further revised.

- i) the colonnade has been removed so that the tower interacts better with the street scene;
- ii) new materials have been introduced using warmer brick tones
- iii) improved articulation of the crown element of the tower
- iv) introduction of a strong coping line to articulate the distinction between the base and tower elements
- v) introduction of curved balconies to create a softer form and improved appearance

It is considered these alterations substantially improve the design and appearance of the development and now make the scheme acceptable.



9.76 With reference to DMD 43 and taking the view this is an appropriate location, the policy acknowledges that the actual suitability of a proposal will always depend on the context of the site and details of the proposed building but must:

- a. Have good access to public transport, and/or;
- b. Contain existing and appropriate clusters of tall buildings, and/or;
- c. Are within designated town centres, activity hubs or regeneration areas.

The policy states that in the majority of cases more than one or all of the above criteria and in this case, criterion a and c are met

9.77 The assessment has also had regard to the criteria set out in London Plan Policy D9 including :

- i) development should have regard to the long range, mid-range and immediate views when assessing visual impact
- ii) development should reinforce spatial hierarchy
- iii) architectural quality and materials should be exemplary
- iv) development should have regard to and avoid harm to the significance of heritage assets
- v) development should incorporate a high standard of functional design
- vi) the location must have the transport capacity and network to support the development
- vii) development should be designed to minimise environmental impact including noise, wind, daylight, sunlight penetration and temperature conditions
- viii) the cumulative visual, functional and environmental impacts of proposed, consented and planned tall buildings in an area must be considered when assessing tall building proposals a

Against these criteria, the proposal is on balance considered acceptable in terms of the introduction of height in this location.

### Tall Buildings Conclusion

- 9.78 It is acknowledged there are concerns about the suitability of this site to accommodate a tall building. These needs to be weighed against the benefits in terms housing delivery and 100% London Affordable rent
- 9.79 There is a pressing need for housing, and a London Plan requirement to optimise use of land. The site is in the town centre where policy seeks to optimise development especially where sites have excellent PTAL. Although there is a less than substantial heritage impact (discussed in the next section), no significant local views would be adversely affected by a tall building. It is also considered important that there are other existing tall buildings in the area, and the wider area is undergoing significant change, given proposed estate regeneration schemes nearby. There are also existing consents for a large building on the site; a part 4 part – 7 storey scheme has consent, and there is a resolution to grant for a part 2 – part 9 storey scheme.
- 9.80 Nevertheless, Officers do have concerns that the height of the tall building as proposed would have a negative impact on the legibility of the Borough, when experienced as part of the Borough's existing townscape. In addition, the DRP has expressed concerns about proposed building heights. However as acknowledged by the Design Review Panel this is a finely balanced assessment to be weighed against the delivery of new housing and 110 residential units at London Affordable Rent which must be given significant weight in light of the Housing Delivery Test and the tilted balance. Taking this into account and referencing the recent design improvements to the development, the harm arising from the development is outweighed by the benefits and it is considered the proposed height is acceptable in terms of the townscape character of the area.

### Impact on Setting and Appearance of Conservation Area

- 9.81 The application site is not situated in a Conservation Area nor is it locally listed. However, it constitutes a non designated heritage asset which lies adjacent to the southern boundary of the Fore Street Conservation Area. There are designated and non designated heritage assets in close proximity as identified in this report and the effect of the proposed development on the significance of these designated and non designated heritage assets needs careful consideration to assess the harm.

### Relevant Policy and Legislation

- 9.82 In respect of conservation area, the Planning (Listed Buildings and Conservation Areas) Act (The Act) 1990 require that all planning decisions 'should have special regard to the desirability of preserving or enhancing the character or appearance of that area. If harm is identified, it should be given considerable importance and weight in any planning balance in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Chapter 16 of the NPPF (Para 194) states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It also encourages LPAs to take account of a non-designated heritage asset in determining the application. In weighing applications that affect directly or

indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm.

- 9.83 The NPPF also states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset's physical presence or its setting.

- 9.84 Para 197 of the NPPF also states:

*"In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness".*

- 9.85 Furthermore, Para 199 states:

*"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".*

- 9.86 Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. This does not mean there is no harm but acknowledges there may be public benefits that outweigh this identified level of harm

- 9.87 London Plan Policy HC1 'Heritage conservation and growth' states that development should conserve heritage assets and avoid harm, which also applies to non-designated heritage assets. Furthermore, Enfield Core Policy 31 (Built and Landscape Heritage) requires that special regard be had to the impacts of development on heritage assets and their settings, Enfield Core Policy 30 supports high quality and design-led public realm. DMD 44 (Preserving and Enhancing Heritage Assets) requires that developments should conserve and enhance the special interest, significance or setting of and heritage asset while DMD 37 (Achieving High Quality and Design-Led Development) requires that Development must be suitable for its intended function and improve an area through responding to the local character, clearly distinguishing public and private spaces, and a variety of choice. Making Enfield: Enfield Heritage Strategy 2019-2024 SPD (2019) is also relevant.

- 9.88 Historic Environment Good Practice Advice in Planning Note 3 provides information on good practice in relation to assessing impacts on the setting of heritage assets. Of note in the GPA is the inclusion of the consideration of views and whether there would be any impact to the significance of the views

on the heritage asset as a result of the development. However, it is of note that a distinction is made between views that contribute to heritage significance and those valued for other reasons. Furthermore, Historic England guidance entitled *The Setting of Heritage Assets, 2015* states: *“Where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, to accord with NPPF policies, consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset. Negative change could include severing the last link between an asset and its original setting; positive change could include the restoration of a building’s original designed landscape or the removal of structures impairing views of a building.” [p.4]*

#### *Heritage Context & Assessment*

- 9.89 The application site is not situated in a Conservation Area nor is locally listed. However, it constitutes a non designated heritage asset which lies adjacent to the southern boundary of the Fore Street Conservation Area. It also lies within the Upper Edmonton Archaeological Priority Area. The character, appearance and special interest of the Conservation Area is analysed in the associated Character Appraisal (2016). By virtue of its height and consequential widespread visibility, the proposed redevelopment has the potential to impact upon designated and non-designated heritage assets within a wider area. This includes a number of non-designated heritage assets in close proximity to the site: The Phoenix Pub (former); Edmonton County Court; 60 Fore Street; 79 Fore Street; St James’s Church (former); and the Parsonage (former).
- 9.90 The Church Street (Edmonton) and Fore Street Conservation Area Character Appraisal identifies the following to be of special interest:
- The sense of time depth, which comes primarily from the survival of both the medieval church of All Saints and a significant number of 18th and 19th century buildings
  - The inherent architectural quality of the landmark commercial and public buildings of around 1900, when Fore Street became the ‘high street’ for extensive suburban development in its hinterland
  - The diversity of historic styles and materials represented, although with a strong emphasis on yellow stock and red brick, with slated or tiled roofs, as the dominant materials
  - The open green spaces around All Saints Church, as a foil to the heavily trafficked streets
  - By contrast, the vitality of Upper Fore Street as a diverse and multi-cultural shopping centre.
- 9.91 In addition, the special interest of the Fore Street CA relates to the retail vibrancy of Fore Street, the surviving pockets of 19th century buildings, and corners marked by landmark buildings. Views up and down Fore Street also contribute to its special interest with the existing tall buildings visible along Fore Street being an established part of that setting.
- 9.92 Of note is that the CAA identifies as a focal point the concentration of historic buildings either side of Fore Street – the LT’s Bar (the former Phoenix Public



House, late 19th century) and the Magistrates' Court (early 20th century). It marks the gateway to the section of Fore Street that has buildings (mostly, but not exclusively, both historic and retail) to pavement edge both sides of Fore Street. Views of the focal point are of more significance than views from it. A number of buildings along Claremont Street are also identified as making a positive contribution.

9.93 A further consideration in the assessment of harm is that the Fore Street Conservation Area has been identified as being in 'very bad' condition in Historic England's annual Heritage at Risk Register. The purpose of the register is to identify heritage assets at risk of being lost through neglect, decay or deterioration. With regards to Conservation Areas, loss would be defined as neglect, decay or deterioration to the extent that its special interest, character and appearance were to be compromised so that it no longer justifies designation. As such, the character, appearance and special interest of the Fore Street Conservation Area can be considered extremely fragile.

9.94 In accordance with its statutory obligations, a Management Plan (2016) has been published which identifies key issues and management proposals for the preservation and enhancement of the Conservation Area. A number of the issues identified relate to new development:

- *The poor quality of many new buildings and their lack of positive relationship to context,*
- *The need to achieve a higher standard of new-build contextual design in infilling gap sites and in redevelopment,*
- *The need to ensure that investment in commercial enterprises results in good standards of building design.*

To address this, Enfield Council has proposed:

- *The poor quality of new building design has been a major factor in the erosion of the character of the areas. New buildings within and forming the setting of the conservation areas should only be allowed if they are carefully designed to reflect the historic character, use, scale, grain and appearance of the conservation areas.*

9.95 When assessing which may affect the setting of a heritage asset, the cumulative impacts of development may also need to be considered.

9.96 The quality of the design is therefore important to the assessment of harm to the setting and appearance of the heritage assets. The scheme has produced differing opinions concerning the appropriate response to the development of this site having regard to the statutory tests outlined above regarding the harm to the heritage assets which have had to be balanced to be balanced against policy and the objective of delivering sustainable development and new homes.

9.97 The DRP considered that:

- i) that the proposals will inevitably cause harm by virtue of the sheer and massing of the proposals and their proximity to existing heritage

assets and conservation areas. The level of harm is assessed as most likely to be 'less than substantial'

- ii) a tower is not deemed an appropriate design response to this site because of the detrimental impact on the area's heritage assets. If this site were to be developed according to parameters defined by the local heritage, a much lower building would be proposed.
- iii) Night as well as daytime views should be considered. At night the proposed building will have a large, illuminated presence, which will cause greater impact on the setting of the conservation area than may be apparent from the daytime views.
- iv) Edmonton County Court and Lt's Bar, two landmark buildings mentioned in the conservation area appraisal, will be detrimentally affect by the proposed development because of its height, scale and proximity.
- v) The colonnade is not working to tie the building into the conservation area and is more appropriate for a city centre location.
- vi) The use of materials does not suggest a bespoke response to either the heritage assets nearby, the setting of the conservation area or the local palette of materials.

9.98 Notwithstanding the above points, it must be noted that the DRP are of the opinion that the level of harm is assessed as most likely to be 'less than substantial' harm opening up an ability to weigh the harm against the public benefit of the scheme

9.99 The Heritage officer's assessment of this development has also identified concerns. While the level of harm to the Fore Street Conservation Area as a designated heritage asset is concluded to be 'less than substantial', the harm is considered to be at the higher end of less than substantial and would result in harm to the setting and character of the Conservation Area. Nevertheless, it is possible this harm to be weighed against any public benefits of the proposal including, where appropriate, securing its optimum viable use (Para.202). In so doing, it is important to reiterate that whilst the scale of harm may be 'less than substantial', it is considered at the higher end of this scale. In accordance with national planning advice, great weight must be given to the heritage asset's conservation as part of the weighed balancing exercise (Para.199) and clear and convincing justification provided for any level of harm (Para.200). Consideration must be given to past harm caused by previous poor quality interventions which has resulted in the Conservation Area being 'at risk' and the cumulative impact of this proposal alongside others such as Silvermere. Mindful of this, the Heritage Officer considers this development would be contrary to the Conservation Area Management Plan p.10 which are not consistent with local design guidance:

*The poor quality of new building design has been a major factor in the erosion of the character of the areas. New buildings within and forming the setting of the conservation areas should only be allowed if they are be carefully designed to reflect the historic character, use, scale, grain and appearance of the conservation areas.*

9.100 From a heritage perspective, it is considered the scheme fails to make a positive contribution to local character and distinctiveness (Para.197c). Instead the proposal would significantly erode local character and cause a high degree of harm albeit within the less substantial level. The design is also felt to be inconsistent with aims of the Framework (Para.130) regarding decisions on new development. In particular, a number of elements are of concern:

- Colonnades are not typical of the Fore Street CA whereas a strong back of pavement building line is a positive characteristic. The colonnade, being a double height space, is also out of scale with the prevailing pedestrian experience and which does not reinforce the strong linear retail character at ground floor in the CA. This should be removed
- Improved quality of shopfronts should be introduced so that they relate to the proportions and quality of positive examples in the area. This would include breaking up the double height glazing; increasing the bay widths; defining a signage zone; and, using alternative materials.
- Refining the proportions of the façade above the shopfronts to avoid a monolithic character and establish a finer grain;
- Removing 'grey spandrel panels' which are an unsympathetic material. Contrasting details in the conservation area are generally stone or brick/terracotta;
- Refine massing of Fore Street mansard roof to avoid bulky appearance and change materiality to terne-coated steel;
- Removing the 'grey brick'. Whilst it is acknowledged that brick has been chosen to reflect the tonal qualities of stone in the conservation area, this material prevents the building visually assimilating into the streetscape. Stock brick and stone are used sparingly in the Conservation Area as a complimentary material or for high status buildings. The introduction of such a large expense of this material will undermine this balance;
- Stepping the tower back further behind the Fore Street building line;
- Removing corner balconies which are highly prominent;

9.101 In response to these comments and the conclusions of the DRP, the development has been further revised. These changes include the removal of the colonnade, alterations to the ground level elevations and articulation with the tower element, alterations to the balconies and a change to the materials removing the render / grey colours and introducing orange/red brickwork and materials. It is considered these changes represent a significant enhancement of the proposal.



- 9.102 It is also considered, having regard to the objection from Haringey, that the relationship to the North Tottenham High Road Conservation Area would cause less than substantial harm to its significance.
- 9.103 The Applicant has submitted a Heritage Assessment as part of the Townscape, Built Heritage and Visual Impact Assessment in accordance with NPPF and adopted policy requirements DMD 44, which sets out a clear understanding of the historic environment and background to the heritage-led design development.

#### *Heritage Conclusions*

- 9.104 Overall, this proposal replaces a tired building which, according to the Conservation Character Appraisal, has a negative impact on the Conservation Area with a high quality new building, providing much needed homes. The conclusion of the heritage assessment is that there is less than substantial harm to the heritage assets and although there are reservation about elements of the proposed development, these are outweighed by the public benefits of delivering 110 residential units at London Affordable Rent. This balance is reinforced by the presumption in favour of approving sustainable residential development.

#### *Design – Claremont Street / Clive Road frontages*

- 9.105 The development comprises new 3 storey elements which front both Claremont Street and Clive Road frontages. At three storeys, the design of these element which provide family homes, is considered acceptable. The activation of the Clive Road frontage and associated public realm improvements are a particular public benefit given the current anti-social activities associated with this location.
- 9.106 It is recognised that from a design perspective, the residential frontages are not set back from the pavement by the recommended 1.5 metres. However, the set back is considered sufficient and not a ground to object to the benefit.
- 9.107 Overall the 3 storey terraces approach in and Claremont Street and Clive Road is supported and welcomed with the DRP also commenting that the

inclusion of the townhouse typology is welcome and that these relate well to the low-rise context and are high quality

### *Conclusion of Design*

- 9.108 On balance, and this is finely balanced given the issues raised, it is considered the proposed design to be acceptable. The conclusion that the proposed development would cause less than substantial harm to the significance of the heritage assets albeit at the upper end of that assessment, allows the consideration of the public benefits to be taken into account. The need for housing and favourable offer of all units being delivered at London Affordable Rent is extremely beneficial and supported by the Housing team of the Council.
- 9.109 The Housing Delivery test has introduced the presumption in favour of approving sustainable residential development and this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. It does not outweigh the protection of heritage assets where there is a clear reason for refusing planning permission but in this case, it is considered the negatives of this development and harm to the heritage assets do not outweigh the significant public benefits.
- 9.110 The relationship to the setting and appearance of the conservation area is therefore accepted.

### *The Commercial/Community Space*

- 9.111 It is proposed to provide 267 sqm of flexible commercial/community space within the ground floor and mezzanine level that fronts on to Fore Street. Although the initial plans proposed involved the complete loss of the pub use, following negotiations with the applicant, the proposal has been amended and floorspace is now identified within the development with frontage onto Fore Street that could be used to provide a new public house should this be economic. The floorspace is otherwise flexible so that it could be used for alternative uses within the A1/A3 and D1 use class to facilitate the most suitable use for the local area, which is welcomed.
- 9.112 The approach is considered acceptable against Policy HC7 of the London Plan and is also considered reasonable given the proximity of an alternative public house on the opposite side of the Claremont Street / Fore Street junction.

### **Residential Quality and Amenity**

- 9.113 The NPPF (Para.12) identifies good design as a key aspect of sustainable development, stating that 'the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve'. The guidance states that developments should seek to:
- Function well and add to the overall quality of the area for the lifetime of the development;
  - Be visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - Be sympathetic to local character and history;

- Establish a strong sense of place and welcoming and distinctive places; and
- Optimise the potential of the site to provide an appropriate mix and amount of development, green and public space, local facilities and transport networks;
- Create safe, inclusive and accessible spaces with a high standard of amenity and where crime or fear of crime does not undermine community cohesion or quality of life.

9.114 Meanwhile Policy D6 of the London Plan sets out housing quality and design standards that housing developments must take into account to ensure they provide adequate and functional spaces; sufficient daylight and sunlight; avoid overheating; and maximise the provision of outside space. The Policy notes that design must not be detrimental to the amenity of surrounding housing. Table 3.1 sets out the internal minimum space standards for new developments and Table 3.2 of the London Plan provides qualitative design aspects that should be addressed in housing developments.

9.115 Policies D5 and D7 of the London Plan also set out that new developments are required to support mixed and inclusive communities, which includes provision for wheelchair accessible and wheelchair adaptable units, as well as an environment that is welcoming and accessible by all.

#### *Accessible Housing*

9.116 Policy D7 of the London Plan sets out that in order to provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, residential development must ensure that: i) at least 10% of dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings', and ii) all other dwellings meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. The Proposed Development meets relevant criteria in relation to accessible housing and is considered acceptable in this respect.

#### *Housing quality*

9.117 All of the units either meet or exceed internal floorspace standards required by the London Plan and comply with the qualitative design aspects to be addressed in housing developments as required. All units would meet residential space standards and would include sufficient private outdoor amenity space. The community spaces also include a range of external amenity opportunity. All ground floor units have defensible space at the front – where they front onto more public areas.

9.118 The Proposed Development would comprise 74% of dual aspect units, with no north facing single aspect units. Within the constraints of the site this is considered to represent a high-quality response. Significantly, all proposed family housing (offered as affordable homes) will be dual aspect, as will all 2-bed homes.

#### *Fire safety*

9.119 London Plan Policy D12 requires development proposals to achieve the highest standards of fire safety, embedding these at the earliest possible stage: "In the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire

safety...” Policy D5 requires proposals to ensure safe and dignified emergency evacuation for all building users. The London Fire Brigade were consulted on the application who confirmed that the fire safety approach for the scheme is satisfactory and the dry risers proposed on each floor of the building will be discussed further during the building consultation. Access for the any fire brigade would be where the proposed loading bay would be sited which is a distance of less than 45m and the positioning of a water hydrant would be near to the loading bay.

#### *Secure by Design*

- 9.120 Local Plan DMD Policy 37 require all developments to demonstrate and apply the principles and practices of the Secured by Design Scheme. The Metropolitan Police's Designing Out Crime Officer (DOCO) has reviewed the scheme and provided that a suite of further detail is required to ensure the safety of residents, visitors and other users of the space. It is recommended that a planning condition be attached to ensure Secured by Design certification for the development or alternatively for the scheme to achieve Crime Prevention Standards.

#### *Residential Amenity Space*

- 9.121 Policy DMD9 is of most relevance to amenity space, stating that all new development must provide good quality private amenity space that is not significantly overlooked by surrounding development, and that meets or exceeds the standards listed in the policy. In addition to the internal space proposed there is also a sufficient level of on site amenity space.
- 9.122 Overall, it is considered the private amenity proposed is acceptable. Each of the proposed flats would be served by its own self-contained amenity areas either via a terrace/balcony which complies with DMD9 and regional standards set out in the London Plan and London Housing SPG. Furthermore, the residential units onsite would have access to communal amenity space to the rear of the site.

#### *Accessibility*

- 9.123 London Plan Policy D7 Requires at least 10% of dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings', and ii) all other dwellings meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings.' Local Plan DMD Policy 8 has similar policy objectives.
- 9.124 The London Plan and Enfield Local Plan require all future development to meet the highest standards of accessibility and inclusion. A condition would be attached to any permission to ensure the scheme complies with the Building Regulation requirements.

#### Relationship to Neighbouring Residential Properties

- 9.125 New development should not adversely impact on the residential amenity of neighbouring residential properties. Policies D1 and D3 of the London Plan set out the importance of ensuring buildings are well designed to ensure against prejudicing neighbouring amenity. Policy CP30 of the Core Strategy seeks to ensure that new developments have appropriate regard to their

surroundings, and that they improve the environment in terms of residential amenity.

- 9.126 The Mayor's Housing SPG (2016) Standard 28 reinforces the need for privacy, providing that planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18-21m between facing homes (between habitable room and habitable room as opposed to between balconies or terraces or between habitable rooms and balconies/terraces). These can still be useful yardsticks for visual privacy but cautions against adhering rigidly to minimum distance requirements.
- 9.127 To maintain a sense of privacy, avoid overshadowing and ensure adequate amounts of sunlight are available for new and existing developments, Policy DMD10 requires new development to maintain certain distances between buildings, unless it can be demonstrated that the proposed development would not result in housing with inadequate daylight/ sunlight or privacy for the proposed or surrounding development.
- 9.128 The nearest residential properties are situated on the opposite side of Clive Avenue to the east and south. There would be a distance of approximately 19 - 31 metres between the side and rear elevations of the new houses on the application site and the front elevations of the houses along Clive Avenue to the east. To the south, there would be approximately 11 metres between the side elevation of the dwellings of the new houses positioned to the rear of the site and the front elevation of the houses to the south of the site located along Clive Avenue. There would be a minimum distance of approximately 26 metres between the rear elevation of the main building sited along Fore Street and the rear boundary of the site, and there would be a 9 – 12 metre distance between the 18 storey element and the southern boundary line of the site. With regard to the properties along Claremont Street there would be a distance between the proposed 18 storey building and existing building (public house on the corner of the site that would exceed 17 metres. With regard to the distance between the row of terraced houses along Claremont Street and the proposed development this would exceed 20 metres.
- 9.129 Whilst it is acknowledged the proposed development would be of a large scale, given the spatial relationship of the development to its surroundings and the distance from neighbouring properties, it is considered the proposed development would not significantly harm residential amenity. A daylight and sunlight report in accordance with BRE guidelines accompanies the application which demonstrates no significant harmful impacts on residential amenity.
- 9.130 In summary, it is considered that the proposed development would not adversely affect the amenity of nearby residential occupiers, through reduced daylight and sunlight conditions, overlooking and loss of privacy, having regard to relevant London Plan policies, Enfield policies, BRE guidelines and the NPPF and the presumption in favour of approving sustainable development.

#### Traffic and Transportation

- 9.131 The site has a PTAL of 5, which indicates good access to public transport services and supports flexibility in parking requirements in accordance with



London Plan policy. There are bus stops within walking distance from the site. The subject site is on a classified road and the existing pub car park has capacity for vehicles onsite.

#### *Car Parking*

- 9.132 The London Plan 2021, Core Strategy and DMD encourage and advocate sustainable modes of travel and require that each development should be assessed on its respective merits and requirements, in terms of the level of parking spaces to be provided for example. Policy DMD45 requires parking to be incorporated into schemes having regard to the parking standards of the London Plan; the scale and nature of the development; the public transport accessibility (PTAL) of the site; existing parking pressures in the locality; and accessibility to local amenities and the needs of the future occupants of the developments.
- 9.132 The parking standards within the new London Plan states that for areas with a PTAL 5-6, development should be car free. It should also be noted that most recent data shows that 56.5% of households own or have access to a vehicle. This is based on census data from 2011 and is before the Matchday CPZ was introduced.
- 9.133 Traffic and Transportation have reviewed the proposal along with information provided within the Transport Assessment which included information to support the proposed level of car provision proposed in light of London Plan maximum standards, Overall it is considered that a car free development in this location is acceptable, subject to residents being excluded from owning a parking permit for the CPZ, and the developer making a contribution to mitigating the impact of residents not owning vehicles i.e. an increase in cycling, walking, and public transport trips.
- 9.134 Although the proposal is car free, there will be provision of 4 on street disabled parking bays along Clive Ave. No parking spaces are proposed for the commercial unit

#### *Cycle Parking*

- 9.135 Cycle parking is shown on the plans to be sited within the building and to the front of the site. AA total of 224 spaces are proposed which complies with London Plan standards. However, a condition will be secured to ensure that cycle parking is provided in accordance with London Plan standards.

#### *Access and Servicing*

- 9.136 Policy DMD47 states that new development will only be permitted if the access and road junction which serves the development is appropriately sited and is of an appropriate scale and configuration and there is no adverse impact on highway safety and the free flow of traffic.
- 9.137 There is no vehicular access to the development but the proposal has been designed to ensure there is clear and safe access for both pedestrians and cyclists. All deliveries and servicing will take place from Fore Street, Claremont Street and Clive Avenue

- 9.138 Servicing and deliveries to the commercial space expected to take place from the existing loading bays on Fore Street and Claremont Street. Further details concerning the loading bay will need be discussed with Highways, and as this involves works to the highway will also require a section 278 agreement.
- 9.139 The nature and location of the proposal means the development does require the provision of a Construction Traffic Management Plan to minimise its impacts on the local road network. This will be secured by condition. Refuse storage is shown within the building however full details of the storage will be secured through a condition.

#### Clive Avenue

- 9.140 Clive Avenue is an adopted highway, and is outside of the applicants ownership. Therefore, the works proposed to improve this highway would need to be undertaken via a Section 278 Agreement. The redesign allows what is existing footway to be repurposed as 4x disabled bays, achieved by bringing the site boundary in slightly and enabling a wider footway. This would require the land offered up to be dedicated as public highway and then adopted. The proposed alterations are welcomed and are an improvement over the existing situation. As well the parking layout the carriageway will be raised, and the surfacing will be upgraded.
- 9.141 The highway works will need be secured via a Section 278. This obligation could be included in the Section 106 (detail to be discussed). Traffic Orders will also be required in order to change the existing waiting restrictions. It is noted that the design is a suggested design at this stage is subject to alterations and agreement with LBE Highways.

#### S106

- 9.142 In order to mitigate the impacts of the development, in addition to the aforementioned s278 highway works, Traffic and Transportation have sought s106 contributions comprising of, Cycle Enfield and sustainable transport (up to £85k and CPZ permit exclusion).
- 9.143 In summary, the development is considered likely to have a negligible impact on vehicular traffic flows in the local area, subject to conditions and planning obligations. The transport impacts of the proposal are acceptable and in this respect the scheme complies with the relevant London Plan and Enfield policies and the guidance within the NPPF.

#### Energy and Sustainability

- 9.144 The NPPF (Para. 153) requires new developments to comply with local requirements for decentralised energy supply and minimise energy consumption by taking account of landform, layout, building orientation, massing and landscaping.
- 9.145 Policy SI2 of the London Plan adds Be Seen to the Mayor's energy hierarchy. It sets a target for all development to achieve net zero carbon, by reducing CO2 emissions by a minimum of 35% on-site, of which at least 10% should be achieved through energy efficiency measures for residential development (or 15% for commercial development) and calls on Boroughs to establish an offset fund (with justifying text referring to a £95/tonne cost of carbon). Policy

SI3 calls for major development in Heat Network Priority Areas to have a communal low-temperature heating system, with the heat source selected from a hierarchy of options (with connecting to a local existing or planned heat network at the top).

- 9.146 Local Plan Policy DMD Policy 51 calls for energy efficient buildings as the first step in applying the energy hierarchy, DPD Policy 52 requires connection to a decentralised energy network where possible, DMD Policy 53 requires the use of zero carbon green technologies and DMD Policy 54 requires financial contributions to off-set carbon where specific targets are
- 9.147 All new development must achieve the highest sustainable design and construction standards having regard to technical feasibility and economic viability. All development will be required to include measures capable of mitigating and adapting to climate change to meet future needs having while regard to technical feasibility and economic viability.
- 9.148 London Plan states that development proposals should make the fullest contribution to minimising carbon dioxide (CO<sub>2</sub>) emissions in accordance with the following energy hierarchy:
  - Be Lean: use less energy;
  - Be Clean: supply energy efficiency; and
  - Be Green: use renewable energy.
  - And also: Be Seen.
- 9.149 A detailed Energy Statement supports the application, this seeks to demonstrate how the proposed scheme complies with the above aspects of both the London Plan and the Development Plan. The proposed energy strategy seeks to reduce energy demand, and CO<sub>2</sub> emissions.
- 9.150 It is noted that PV panels are shown on part of the flat roof of the new building and the energy statement refers to the use of a ground source heat pump to serve a communal heating system for the dwellings.
- 9.151 The building achieves a 10.9% reduction in CO<sub>2</sub> emissions without any renewable technologies implemented. This is due to passive measures such as the high thermal-efficiency of the building fabric, along with 100% low energy lighting specified throughout. The energy statement sets out that with the addition of a ground-source heat pump system to serve a communal heating system for the dwellings, along with a 0.5 kWp PV array to serve each residential unit (27.5kWp total) and an 8kWp array to serve the commercial areas (35.5kWp site total), the CO<sub>2</sub> emissions would be reduced by a further 29.1%. This results in total site CO<sub>2</sub> emissions of 78.2 tonnes CO<sub>2</sub>/annum for the site, and a total 40.0% reduction in CO<sub>2</sub> emissions compared to Building Regulations Part L.
- 9.152 The energy strategy is targeting carbon dioxide emissions through energy efficiency measures and improvements to the building fabric. Further detail should however be provided and this shall be secured through condition to demonstrate the location and specification of the Low and Zero Carbon Technologies selected as feasible for this site, and how this will provide for no less than a 40% improvement in total CO<sub>2</sub> emissions arising from the

operation of a development and its services over Part L of Building Regulations 2013.

- 9.153 The site is within an area that could connect to a Decentralised Energy Network in the future and this connection would need to be secured through a s106 legal agreement. The carbon neutral shortfall will be addressed via Carbon Offset Contributions Payments, secured by legal agreement.
- 9.154 Several conditions relating to climate change and sustainable design and construction have been suggested to address relevant policies within section 8 – Tackling Climate Change of the DMD.

#### Waste Management

- 9.155 The NPPF refers to the importance of waste management and resource efficiency as an environmental objective. London Plan Policy SI7 encourages waste minimisation and waste prevention through the reuse of materials and using fewer resources. The policy also requires referable schemes to promote circular economy outcomes and aim to achieve net zero-waste.
- 9.156 Local Plan Core Policy 22 encourages the inclusion of re-used and recycled materials and encourage on-site re-use and recycling of construction, demolition and excavation waste while Local Plan Policy DMD 57 sets out detailed criteria and standards. The Council has also prepared Waste and Recycling Storage Planning Guidance. Appropriate conditions will be attached to any permission.

#### Biodiversity, Trees and Landscaping

- 9.157 The application is supported by an Ecology Report, Tree Constraints Appraisal and landscape plans.
- 9.158 London Plan Policy GG2, G6 and G14 require development to protect and enhance designated nature conservation sites and local spaces, secure net biodiversity gains where possible and incorporate urban greening. Developments resulting in the creation of 100m<sup>2</sup> of floorspace or one net dwelling or more should provide on-site ecological enhancements having regard to feasibility and viability. Policy DMD79 seeks the provision of on-site ecological enhancements.
- 9.159 The submitted Ecology Report indicated that the existing site is of limited value ecologically given that the majority of it is currently covered by either buildings or hardstanding. The existing buildings were also assessed for the presence of bats and it was concluded that there is limited potential to support roosting bats and no evidence of such roosting taking place. The report included a number of recommendations for further work such as scheduling vegetation and building clearance works between the months of September and February inclusive to avoid impacts on breeding birds.
- 9.160 If approved, conditions/informatives must be attached to ensure details of ecological enhancements such as bat/bird boxes and appropriate landscaping are planted and the recommendations set out in the ecology report are followed.

- 9.161 London Plan Policy G5 supports urban greening and introduces the concept of an Urban Greening Factor and Policy G7 requires existing trees of value to be retained, and any removal to be compensated by adequate replacement. DMD81 sets out that developments must provide high quality landscaping that enhances the local environment and should add to the local character, benefit biodiversity, help mitigate the impacts of climate change and reduce water run-off.
- 9.162 A tree survey was submitted with the application and provides details of the four existing trees on the site which include a Flowering Cherry, two Ash and a small Elder tree. None of the trees are subject to or worthy of protection by tree preservation order nor are they subject to protection through location in a designated conservation area.
- 9.163 The survey sets out that the cherry tree which provides some spring colours through its flowering, is weakened by extensive trunk decay which will only progress. The remaining trees are of poor to low quality and do not make a significant contribution to amenity. The proposed development would include the removal of all four of these trees. However, there is space to the west and south for new tree planting and landscaping. The report sets out that suitable tree species, such as London Plane (which can be pruned), Maple and Alder could be planted at a size to provide immediate visual impact. Trees planted less than 20cm girth for example will appear insignificant in the landscape.
- 9.164 In addition, proposed improvements to the public realm involve new tree planting: details of which are yet to be finalised. However, a condition to this effect is considered appropriate to address siting and specification.
- 9.166 As a result, although all the trees at the site will be removed as part of the development, subject to replacement tree planting of a size to contribute to amenity from the planting stage, the impact of the scheme upon the treed landscape will be low.
- 9.167 In summary, the ecological and landscaping elements of the proposal are acceptable subject to conditions. The new landscaping proposals represent a betterment as the existing site is lacking in any landscaping. In this respect the scheme complies with the relevant London Plan and Enfield policies and the guidance within the NPPF.

#### Contaminated Land

- 9.168 Environmental Health officers have advised that a pre-commencement condition for further investigation and remediation measures is required to safeguard the amenity of future users.

#### Air Quality

- 9.169 The proposal would introduce additional residential units to an area already acceptable for residential accommodation. In this respect the proposal is considered acceptable. Local policies CP32 and DMD64 seek to resist developments that would adversely impact on air quality, unless suitable mitigation measures can be achieved.

- 9.170 Environmental Health does not raise any concerns that the proposal would have a negative impact on existing air quality subject to a condition being attached requiring, construction dust and non-road mobile machinery.

Sustainable Drainage / Flooding

- 9.171 London Plan Policy SI16 requires the consideration of the effects of development on sustainable drainage. Policy DMD59 states that new development must avoid and reduce the risk of flooding, and not increase the risk elsewhere. DMD policy 61 states that all developments must maximise the use of and, where possible, retrofit Sustainable Drainage Systems (SuDS). Any proposed SuDS measures should be appropriate for the site conditions, seek to achieve greenfield run off rates as well as maximise the use of SuDS.
- 9.172 The site is located in flood zone 2. A Flood Risk Assessment (FRA) was submitted with the application. The EA were consulted and raised no objections.
- 9.173 Following discussion and the receipt of additional information on flood risk assessment and surface water drainage drainage, it is now considered appropriate to secure further details through the imposition of conditions .

**Health Impact Assessment**

- 9.174 This HIA has reviewed the Proposed Development at 50-56 Fore Street, Enfield to identify potential health impacts, demonstrate how health considerations have been incorporated into the proposals, and to identify opportunities for securing measures that could bring health and wellbeing enhancements in the future delivery of development. The method and scope of the HIA has been tailored to be proportionate to the scale and nature of the Proposed Development. The assessment makes use of the matrix of the HIA HUDU Tool to identify health impacts. The completed matrix also cross references other documents submitted with the planning application that are relevant to the HIA, and that contain greater detail on technical assessment and/or proposed mitigation.
- 9.174 The HIA found that development will predominantly result in beneficial health effects including in relation to housing quality and design, accessibility and active travel, crime reduction and safety, access to healthy foods, work and training, social cohesion and lifetime neighbourhoods and minimising the use of resources. Potential negative effects were identified in relation to health care service and social infrastructure, due to increased number of residents using local services and infrastructure, however these effects will be mitigated through the provision of CIL contributions.
- 9.175 Potential negative effects were also identified in relation to the comfort of resident when balancing overheating and noise levels when opening windows during warmer periods. To help future residents manage impacts of overheating, the general guidance on managing the risk of overheating (as outlined in the Energy and Sustainability Statements) should be made available to residents (e.g. as part of welcome pack).

## **10 Public Sector Equalities Duty**

- 10.1 Under the Public Sector Equalities Duty, an equalities impact assessment has been undertaken. It is considered the proposal would not disadvantage people who share one of the different nine protected characteristics as defined by the Equality Act 2010 compared to those who do not have those characteristics.

## **11. S106 Contributions**

- 11.1 Regulation 122(2)(a) of the 2010 CIL Regulations requires that any planning obligations must be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. Having regard to this, and the content above Having regard to the content above, it is recommended that should planning permission be granted, the following obligations / contributions should be secured through a s106 legal agreement:

- Affordable Housing – 100% (110 units) London Affordable Rent;
- An early stage viability review;
- Improvements to Conservation Area public realm including £10k to War Memorial
- Local Employment and Skills Strategy - strategy to be submitted for approval prior to commencement of development;
- Highways contributions – £32,364 toward sustainable transport measures and Cycle Enfield;
- Public footway access amendments applicant to maintain and provide public access – S73 works
- Implementation of the loading bay would be at a cost of approximately £15,000 and would be completed through a S73. Contribution to Future CPZ
- Car Club
- Connection to a DEN
- Education Contribution
- Carbon neutral offset
- Architects Retention Clause
- Monitoring fee for the financial contributions.

## **12. Community Infrastructure Levy (CIL)**

- 12.1 As of the April 2010, new legislation in the form of CIL Regulations 2010 (as amended) came into force which would allow 'charging authorities' in England and Wales to apportion a levy on net additional floorspace for certain types of qualifying development to enable the funding of a wide range of infrastructure that is needed as a result of development.
- 12.2 The new GIA proposed as part of the development would be liable to a Community Infrastructure Levy contribution for both Mayoral CIL (£60 per sqm) and Enfield CIL (£140 per sqm for residential and £60 per sqm for A1-A5 uses).

### 13.0 Conclusion

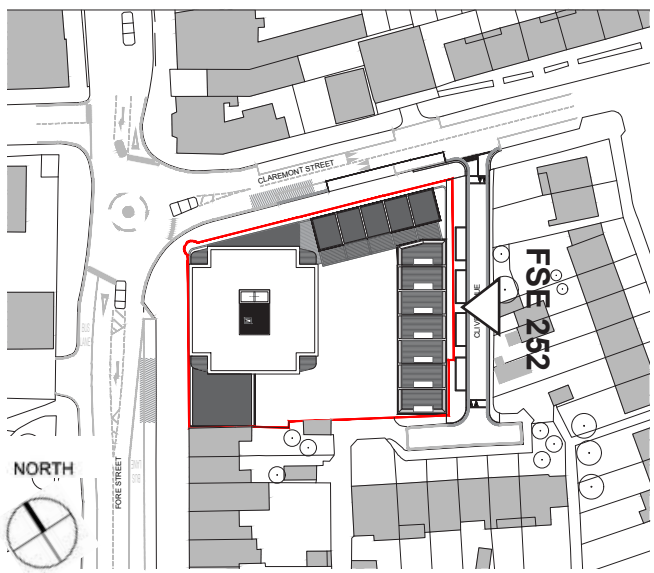
- 13.1 The starting point for the determination of any planning application is the development plan and the need to determine planning application in accordance with the development plan. It is clear this is a development in a sensitive location wherein the relationship to a number of heritage assets and the wider townscape needs to be carefully assessed in accordance with relevant legislation, guidance and policy.
- 13.2 Members have previously expressed concerns regarding the harm arising from the development on designated and non designated heritage assets, effect arising from the height of the development and the residential mix not providing enough family homes. This prompted the applicant to improve the number of family homes to 20% (an increase from 14 to 22 units) but there have been no changes to the height or design of the development.
- 13.3 The matter to be considered therefore is whether the improved family housing officer as a public benefit, is sufficient to outweigh the harm to the Conservation Area.
- 13.4 Designated heritage assets are listed as areas or assets of particular importance. In making this assessment of planning balance therefore, Members need to consider the advice on the weight to be given to harm to heritage assets in Paragraphs 9.81- 9.104 of this report. However, the application also has to be considered in the light of the Housing Delivery Test and the need for housing to meet the Council's strategic housing targets, triggering the tilted balance in any assessment and the presumption that planning permission should be granted unless "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole" (Paragraph 11(d) of the NPPF). Furthermore, Paragraph 11(d) of the NPPF, acknowledges that planning permission should be granted unless "the application of policies in this Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed".
- 13.5 Having regard to the assessment in this report and the improved residential mix, it is concluded the development would cause 'less than substantial harm' to identified heritage assets.
- 13.6 Where there is 'less than substantial harm' to the significance of a designated heritage asset, this should be weighed against the public benefits of the proposal. In this case, the public benefits of the development include:
- i) 110 new residential homes
  - ii) 100% of the residential units being genuinely affordable and provided at London Affordable Rent
  - iii) replacement multi use commercial space
  - iv) enhancement of Clive Avenue to address anti-social activity
  - v) employment opportunities during construction
  - vi) investment into Fore Street

It is considered that these public benefits especially the fact that the all the residential units would be provided at London Affordable Rent, outweigh the 'less than substantial harm' identified.



- 13.7 Consequently, it is considered the application of policies in the Framework which protect areas or assets of particular importance do not provide a clear reason for refusal. As mentioned above, Limb ii. of paragraph 11(d) of the NPPF is therefore engaged, whereby planning permission should be granted unless *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”*.
- 13.8 It is acknowledged and as is recognised throughout this report, that consideration of this proposal has involved finely balanced judgements. Compromises have been made in the consideration of the proposal in order to optimise the development potential of this highly sustainable brownfield site and thus contribute to the Boroughs challenging housing targets. It is recognised that sites such as this need to be optimised in order to contribute to housing delivery and minimise encroachment into the Borough’s Green Belt and other protected designations.
- 13.9 It is also considered that the social benefits of the proposal carry significant weight in favour of the proposed development. Further economic and social benefits include employment during construction, as well as the continued and improved use of local services and facilities.
- 13.10 It is considered that the conflicts identified with other Development Plan policies, as identified in the analysis section of this report, would not on their own or cumulatively significantly and demonstrably outweigh the benefits of the proposed development.
- 13.11 Overall therefore, it is considered the application proposes a high-quality residential development on existing underutilised, highly sustainable brownfield land. It is acknowledged that due to the quantum of homes proposed and the resultant extent of site coverage there are shortcomings to the proposal as identified in the analysis section of this report. However, it is also recognised that there is a pressing need for housing, including affordable housing within the Borough, and Enfield has an extremely challenging 10-year housing delivery target. In this context the provision of 110 homes all of which would be delivered at London Affordable Rent represents a significant contribution and weighs heavily in favour of the development despite the acknowledged deficiencies with the proposal.
- 13.12 In conclusion, and giving weight to the need for development which provide new homes, it is concluded that the development for reasons set-out within this report, to broadly accord with the adopted policy framework as well as relevant emerging policy. Subject to the appropriate mitigations as set out within the recommended condition schedule, and within the Section 106 Agreement, the application is recommended for approval.



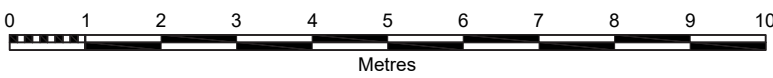


- Legend
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  - Glazed brick, stacked bond to setback wall and colonnade soffit, dark bronze colour (spec TBC)
  - Window frames & curtain wall, dark bronze (RAL colour TBC)
  - Brickwork - Brown brick, light coloured mortar, running bond (spec TBC)
  - Reconstituted stone string course, off-white colour (spec TBC)
  - Railings, copings and reveals, PPC Aluminium (RAL colour TBC)
  - Standing seam mansard roof, dark bronze colour (spec TBC)

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Legend



Elevation to Clive Avenue

drawing title

Social Housing Plus Fore Street Limited  
Fore Street, Enfield

client / project

FSE 252

drawing number

Scale  
1:100 @ A1 1:200 @ A3

SHP-FSE  
project number

P02

revision

ZHL  
originated by

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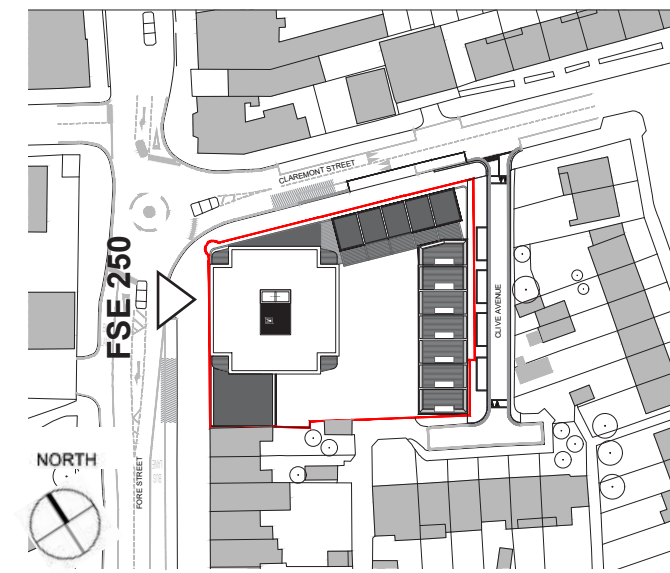
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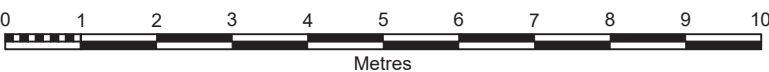




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Elevation to Fore Street

drawing title  
Social Housing Plus Fore Street Limited  
Fore Street, Enfield  
client / project

FSE 250

drawing number  
Scale  
1:100 @ A1 1:200 @ A3

P02

revision  
ZHL  
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status

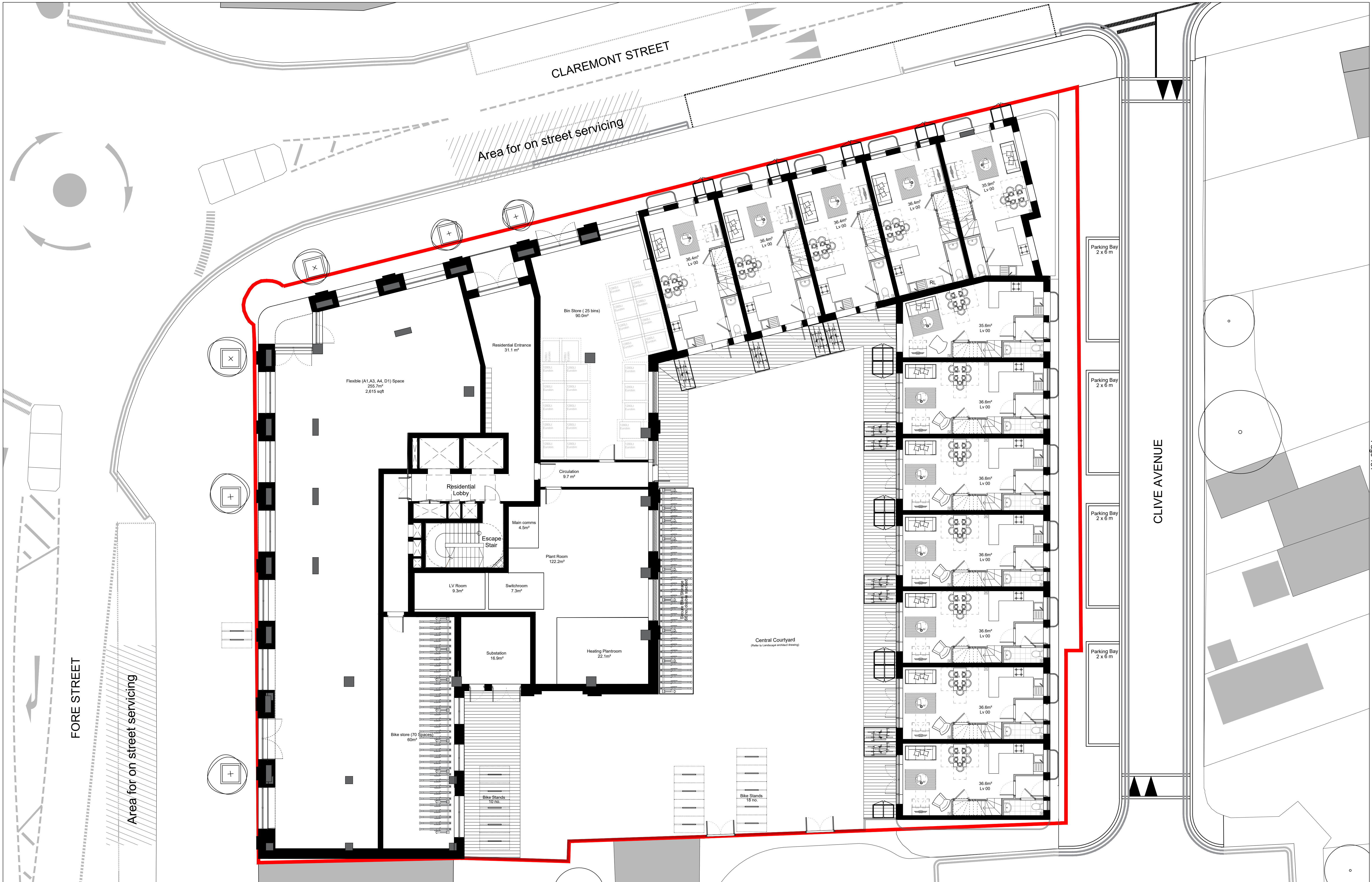
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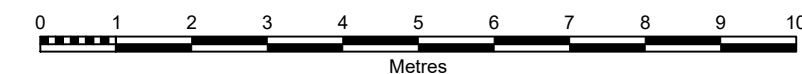


| Rev | Date     | Drawn | Description                           |
|-----|----------|-------|---------------------------------------|
| P01 | 29.06.20 | AMR   | Planning Application                  |
| P02 | 02.06.21 | RSH   | Commercial Option                     |
| P03 | 29.09.21 | JWF   | Commercial Store & Access Stair Added |
| P04 | 13.10.21 | JWF   | DRP Changes                           |

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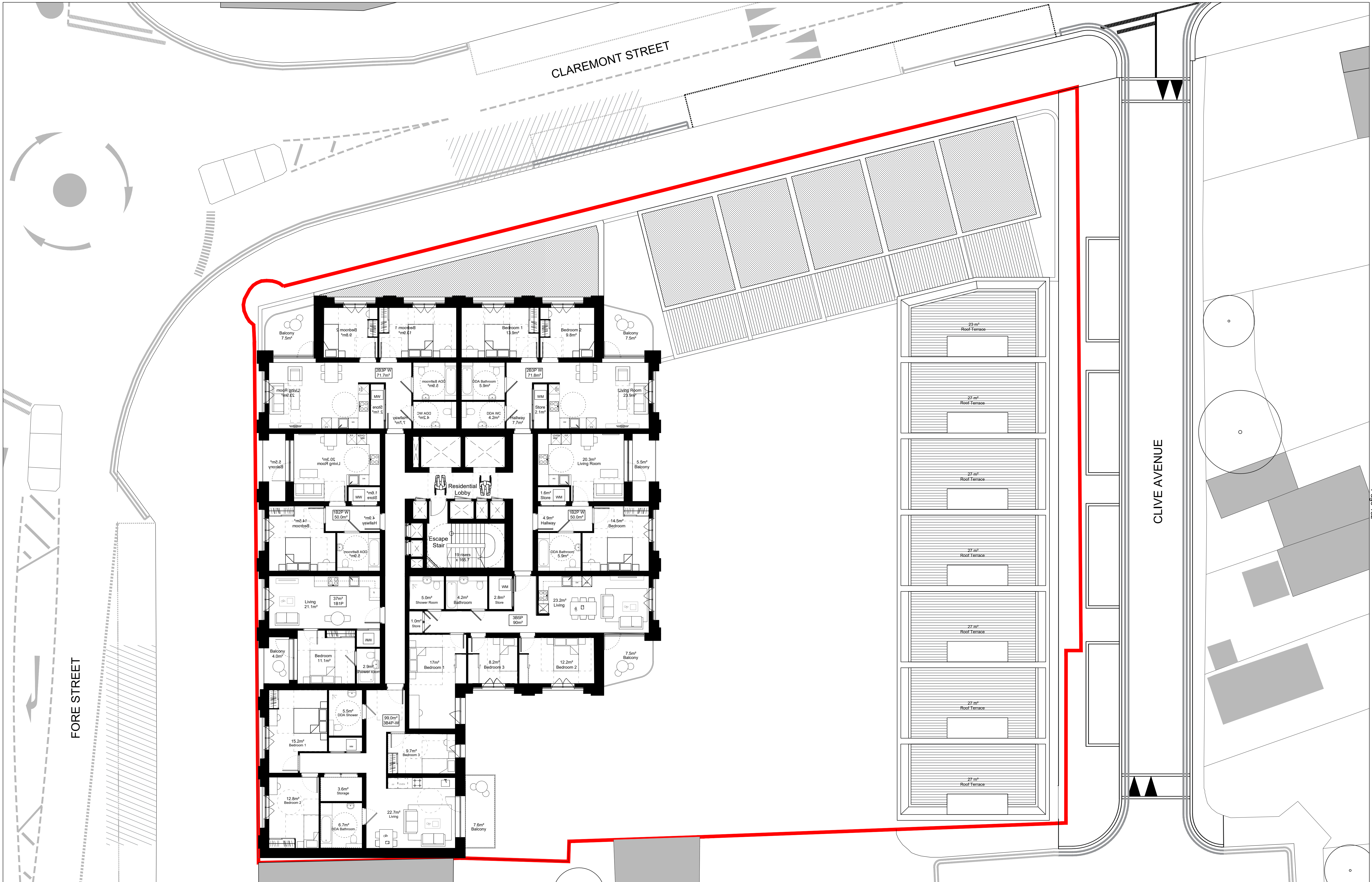
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Legend  
— Site boundary

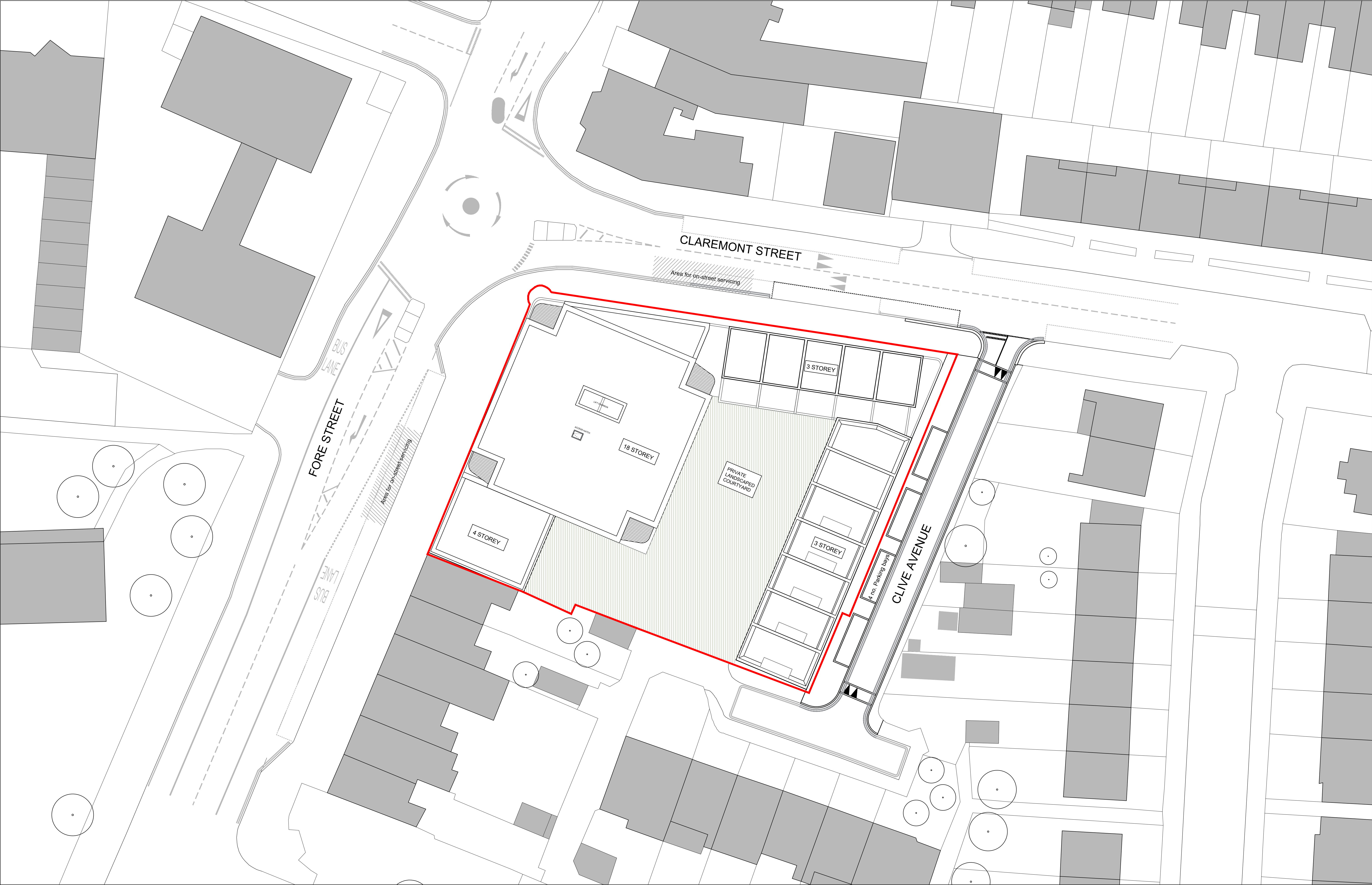


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|---|----------------|---------------|
| Proposed Ground Floor Plan                | FSE- AP00      | P04           |
| drawing title                             | drawing number | revision      |
| Social Housing Plus Fore Street Limited   | 1:100          | 1:200         |
| Fore Street, Enfield                      | scale @ A1     | @ A3          |
| client / project                          | SHP-FSE        | RSH           |
|   | project number | originated by |
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# LONDON BOROUGH OF ENFIELD

## PLANNING COMMITTEE

**Date:** 18th January 2022

**Report of**  
Head of Planning

**Contact Officer:**  
Andy Higham  
Allison De Marco  
James Clark

**Ward:**  
Chase

**Ref:** 21/01816/FUL

**Category:** Full Planning Application

**LOCATION:** The Royal Chase Hotel, The Ridgeway, Enfield, EN2 8AR

**PROPOSAL:** Demolish the existing part two, part three storey hotel and erect a three-storey care-home (C2 use) with 92 rooms and 64 residential dwellings

**Applicant Name & Address:**

Signature/Bellway  
Signature Senior Lifestyle and Bellway

**Agent Name & Address:**

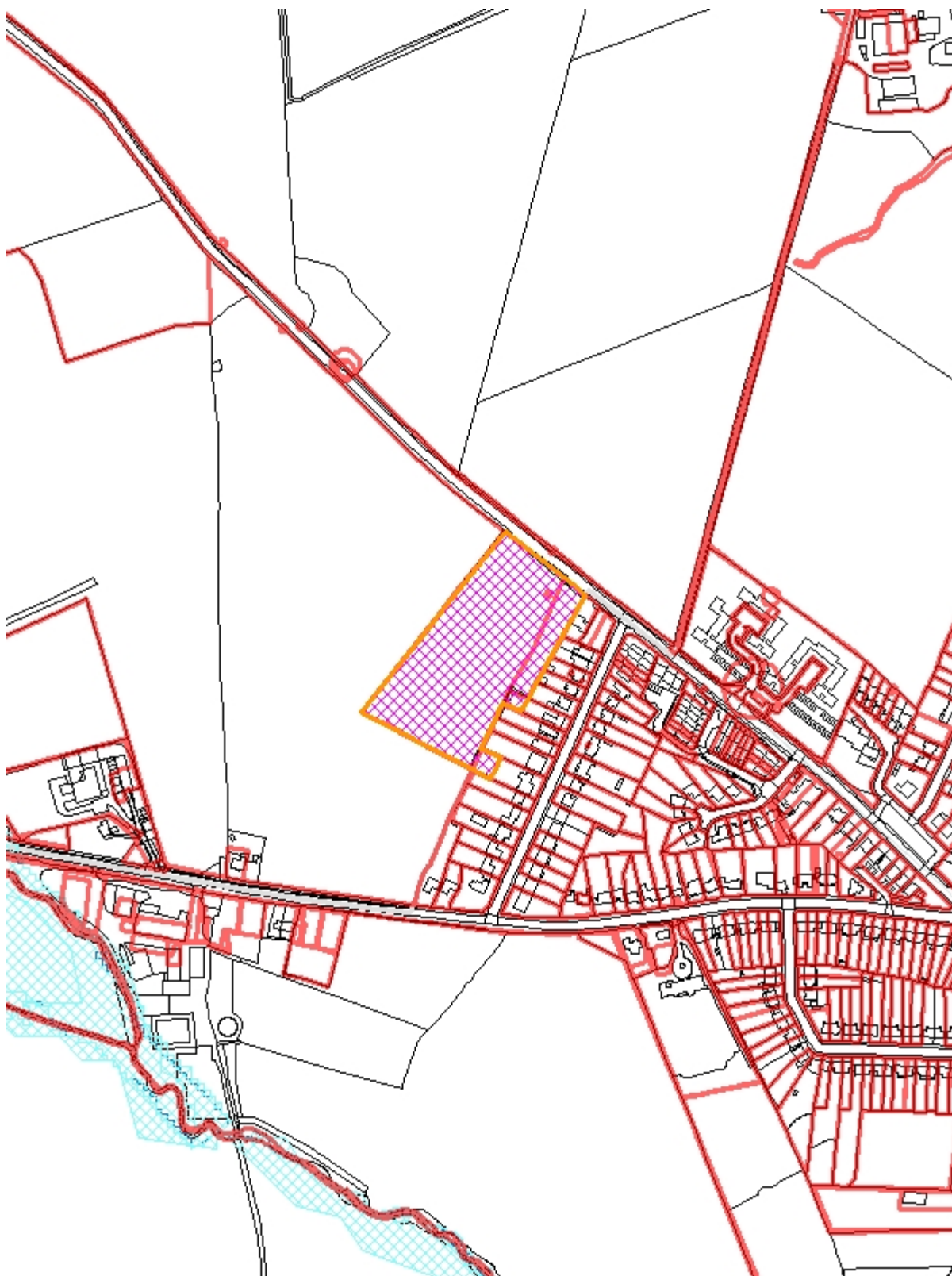
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20-22, Wenlock Road  
London  
England  
N1 7GU  
james@mcconnellplanning.co.uk

**RECOMMENDATION:**

1. That subject to the finalisation of a S106 to secure the matters covered in this report the Head of Development Management/ the Planning Decisions Manager be authorised to GRANT planning permission subject to conditions.
2. That the Head of Development Management/Planning Decisions Manager be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

Ref: 21/01816/FUL LOCATION: The Royal Chace Hotel, The Ridgeway, Enfield, EN2 8AR



## **1.0 RECOMMENDATION:**

- 1.1 That subject to the completion of a S106 to secure the matters covered in this report, the Head of Development Management/ the Planning Decisions Manager be authorised to GRANT planning permission subject to conditions.
- 1.2 That the Head of Development Management/Planning Decisions Manager be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

### **Standard conditions**

1. Time limit
2. Accordance with plans
3. External Appearance (sample materials)

### **Design**

4. BREEAM
5. Sound insulation Boundary fencing
6. Playspace Design and management
7. Terraces – design
8. Finished floor levels

### **Landscape, Ecology & Trees**

9. Landscaping – details and management plan
10. Bat Licence
11. Lighting Plan
12. Biodiversity Enhancements
13. Construction environmental management plan (CEMP)
14. Arboricultural Method Statement with Tree Protection Plan
15. Nesting season

### **Sustainability**

16. Whole Life-Cycle Carbon
17. Circular economy
18. Post built circular economy
19. Low carbon technology
20. Land Contaminated (1)
21. Land Contaminated (2)
22. Minimum 35% Carbon improvement
23. Energy certificate
24. Green procurement Plan

- 25. Care home carbon zero

**Transport**

- 26. Access and sight splays
- 27. Details of Car Parking Management Plan
- 28. Detail of development – Refuse storage
- 29. Construction Site Waste Management
- 30. Cycling storage
- 31. Delivery and Servicing Management Plan (operational)
- 32. Electric charging points
- 33. Construction Management Plan
- 34. Construction Noise

**Drainage**

- 35. Thames water (1) – Foul sewage
- 36. Thames Water (2) Water infrastructure
- 37. Drainage strategy
- 38. Verification SUDs report

**Specific site condition**

- 39. Use of Care home (C2)
- 40. Visiting hours for Care home
- 41. C2 Noise and ventilation
- 42. Dementia room threshold

**Material condition**

- 43. Details of any rooftop plant, extract ducts and fans
- 44. Acoustic Report
- 45. Part M units
- 46. Fibre connectivity infrastructure
- 47. Secure by Design
- 48. Restricted PD
- 49. No plant equipment to be fixed to external face of building
- 50. Water efficiency
- 51. Pilling
- 52. Ground Reprofilng
- 53. Fire evacuation lift (details / management)
- 54. Demolition

## 2.0 Executive Summary:

- 2.1 The committee report seeks to outline the material matters for the recommendation of planning permission for Redevelopment of site involving demolition of existing hotel and erection of a three-storey care-home (C2 use) with 92 rooms and 64 residential dwellings. The site is designated as brownfield and currently occupied by a hotel and grounds of modest quality. The site borders the designated Metropolitan Green Belt to the west and south and adjoins the rear gardens of properties on Oak Avenue. To the north the site is bordered by the Ridgeway which provides the sole vehicular access point to the site.
- 2.2 The development optimises the use of the site and would deliver specialist residential (Care Home - C2) and traditional residential (C3) both of high demand in Enfield and the wider London region. The site is sustainable providing an existing access and infrastructure on site currently serving the operations of the Sui generis hotel. This is a high-quality development with on-site communal and private amenity space alongside 114 on-site parking spaces.
- 2.3 The Care Home and residential elements create a legible design relationship while operating independently with a shared access entrance and road linking the two portions of the site. The residential portion of the site provides a mix of unit types and sizes with close to parity in terms of flats versus houses, 29 and 35 respectively.
- 2.5 The reasons for recommending approval are as follows,
  - i) The development meets strategic requirements for both new specialist (C2) and traditional (C3) residential development and family size houses in a sustainable location as per policies in the recently adopted London Plan (2021), Enfield Strategic objective 4 of the Enfield Core Strategy (Housing supply) and housing policies in the Enfield Development Management Document (Adopted 2014).
  - ii) 35.9% of the residential (C3) units would be affordable (23 of the 64 units), rising to 36.9% and 37.8% when assessed against affordable housing habitable rooms and total floorspace respectively. The affordable dwelling mix is formed of four (4) 1b2p, six (6) 2b3p flats and thirteen (13) 3b5p units. The tenure split of the affordable housing is 60.4% affordable rent and 39.6% intermediate housing (London Living Rent or shared ownership). The onsite affordable housing provision is London Plan

(2021) policy compliant and marginally below locally Enfield adopted policy.

- iii) The proposed residential properties are designed in layout, scale and massing to create a tree lined street and efficient parking and permitting active streets with high passive surveillance and good quality accommodation. On site private and communal amenity space is provided and retains a transition to the Green Belt to the south and west. The development meets design and standard of accommodation policies in the London Plan Housing SPG and Enfield Development Management Document.
- iv) The care home provides high quality specialist accommodation for primarily adults of 85 years and above with 25% of the 92 rooms designated for persons suffering with dementia. The 92 rooms are split over three floors with the majority located on the first and second floor. The rooms are formed of twenty-three (23) specialist dementia rooms, thirty-five (35) studio rooms (designed for single occupation) and thirty-four (34) suites (designed for couples). The Care home meets "HAPPI" (Housing our ageing population) guidance for occupation, while not an adopted document the content is instructive for accommodation standards. The current and future demand for living accommodation persons needing varying degrees of live in care will be a growing area of the residential accommodation in the UK.
- v) The development provides enhanced ecological and biodiversity gains to the site via creating habitats and planting of trees on site. The development provides financial contributions to education, off-site sports/park funds, carbon off-set and funding to local NHS facilities in accordance with planning policies and the S106 Supplementary Planning Document.
- vi) The development scheme is considered to be acceptable, as it complies with the policies of the development plan when taken as a whole, subject to planning conditions and a signed legal agreement.

### **3.0 Site and Surroundings:**

- 3.1 The subject development site is designated as a brownfield site and currently occupied by a hotel and respective grounds of modest quality. The site borders the designated Metropolitan Green Belt to the west and south, borders

the rear garden boundaries of Oak Avenue properties. To the north the site is bordered by the Ridgeway which provides the sole vehicular access point to the site.

- 3.2 The hotel was built in 1970 and contains 92 bedrooms plus function rooms and conference facilities. The hotel closed in March 2020. The site also includes a number of outbuildings, over 100 parking spaces and a helipad. The existing building is two storey and sited broadly in the centre of the north and clearly visible from southward view from the Ridgeway.
- 3.3 The wider location of the site marks the transition from urban residential to open farmland and countryside. The land to the west and south falls away creating an undulating landscape resulting in the hotel appearing prominent in the landscape.
- 3.4 The adjacent properties on Oak Avenue are in the main detached houses built on an east by west axis with garden depths of between 20 to 30 metres. The character and form of the dwellings is mixed albeit all properties are two storey with off-street parking with a Controlled Parking Zone.

#### **4.0 Proposal:**

- 4.1 Redevelopment of site involving demolition of existing hotel and erection of a three-storey care-home (C2 use) with ninety-two (92) rooms and sixty-four (64) residential dwellings. The proposed dwellings would be formed of thirty-five houses (35) laid out as 6 x 2b4p, 8 x 3b4p and 21 x 3b5p. Twenty-nine (29) flats layout as 11 x 1b2p and 18 x 2b3/4p
- 4.2 The ninety-two (92) bed Care home (C2 use) would provide flexible on-site care to occupants with twenty-three (23) of the rooms, representing 25% of the total, provided as specialist dementia rooms located solely at second floor level. (35) studio rooms (designed for single occupation) and thirty-four (34) suites (designed for couples). The care home is designed for persons over 85 years of age however there is no policy preventing younger persons from residing at the Care home.

#### **5.0 Relevant Planning History:**

- 5.1 The site history covers modest extensions and alterations to the existing hotel.

On site - Pre-applications

- 5.2 The LPA have undertaken extensive pre-application discussions with Signature and Senior Lifestyle and later Bellway Homes. The pre-application discussions with the LPA started in 2018 and the application scope was partly settled during the pre-application discussions. However, not all aspects of development were formally agreed prior to planning submission.
- a. 18/01776/PREAPP - Proposed redevelopment of site and erection of 100 bed care home and 70 residential units.
  - b. 19/02859/PREAPP - Proposed redevelopment of site and erection of 102 bed care home and 52 residential units (Follow-up meeting to ref: 18/01776/PREAPP)
  - c. 20/02912/PREAPP - Proposed redevelopment of site and erection of 102 bed care home and 65 residential units (Part follow up to ref: 19/02859/PREAPP).
  - d. 21/00428/PREAPP - Proposed redevelopment of site and erection of 102 bed care home and 64 residential houses/flats (part follow up to 20/02912/PREAPP).

## **6.0 Consultation:**

### Public Response

- 6.1 Two rounds of neighbouring consultation letters have been sent out during the period of the planning application. In each of the two rounds of consultations on the 15/7/2021 and 02/12/2021, 305 neighbouring properties received letters and a site notice(s) was erected on The Ridgeway and Hadley Road on the 10<sup>th</sup> of August 2021.
- 6.2 The development was advertised in the Enfield Independent on the 21/07/2021 and the 08/12/2021.
- 6.3 At the time of writing the report, the LPA had received 9 objections (received in round 1) and 3 objections in round 2 were received and the concerns have been summarised below,
- Inadequate public transport provisions
  - Increase in traffic



- More open space needed on development
- Strain on existing community facilities
- Close to adjoining properties
- Development too high
- Inadequate access
- Increase danger of flooding
- Increase of pollution
- Not enough info given on application
- Over development
- Affect local ecology
- Conflict with local plan
- Inadequate parking provision
- Loss of parking
- Loss of privacy
- Noise nuisance
- Out of keeping with character of area

6.4 Other neighbouring comment received are provided below,

- a. There isn't any provision for the Common Pipistrel Bat, which has been nesting on site for many years. Which is illegal to destroy their habitat!
- b. There isn't any provision for a zebra crossing from the site! The Ridgeway is a very busy fast moving road and fear for the elderly and other residents trying to cross the road to use the bus stop.
- c. Proximity to Chase side development
- d. The compensation offered for Biodiversity is seriously inadequate, flawed and not thought through sufficiently. Loss of trees

#### Officer response to comments

6.5 The material planning concerns within the objection letters have been considered by officers during the assessment of the planning application. Officers visited the site several times to make assessment of the highlighted concerns. Transport concerns have been raised via many objectors during the consultation period. The transport section of the report provides the position in regard to on-site parking and wider transport implications against adopted policy.

- 6.6 The development shall be subject to a range of pre-commencement planning conditions pertaining to ecology, sustainable drainage and other core material aspects raised during the consultation period. For example, a section 278 Agreement [for the carrying out of highway works] will be required to be entered into and a condition requiring a licence from Natural England prior to demolition of the existing hotel building will be applied to the site.

Statutory and Non-Statutory Consultees:

6.7 Internal Consultations:

- 6.7.1 Transportation & Transport – comments are incorporated in the main body of the report (Paras. 8.72 to 8.91)
- 6.7.2 Sustainable Drainage – A pre-commencement planning condition is applied to the development and further comments are incorporated in the main body of the report (Paras. 8.68 to 8.71)
- 6.7.3 Tree officer – No objection is raised to the scheme on the provision and further comments are incorporated in the main body of the report (Paras. 8.95 to 8.99)
- 6.7.4 Education department – The vicinity of the development requires special school provision. Therefore, a contribution is sought via a S106 agreement
- 6.7.5 Environmental Health – No objection subject to planning conditions
- 6.7.6 Sustainability officer – comments are incorporated in the main body of the report (Paras. 8.106 to 8.110)
- 6.7.7 Urban Design – comments are incorporated in the main body of the report (Paras. 8.29 to 8.41)
- 6.7.8 Ecology (Council appointed consultant) – supportive subject to conditions, comments are incorporated in the main body of the report (Paras. 8.100 to 8.105)

6.8 External Consultees

- 6.8.1 Thames Water – No objection to the sewage capacity locally for the development. Pre-commencement and occupation conditions to be applied to the

scheme to secure the proposed surface water infrastructure would be required (see conditions)

- 6.8.2 Metropolitan Police (Secure by Design) – if minded to approve, a Secured by Design condition should be applied, we request the completion of the relevant Secured by Design application forms at the earliest opportunity
- 6.8.3 NHS – A financial contribution is sought to provide and support existing and additional services locally. The provisional contribution is included in the s106 part of the report.

## **7.0 Relevant Policies:**

### National Planning Policy Framework (Adopted July 2021)

- 7.1 The National Planning Policy Framework sets out at Para 11 a presumption in favour of sustainable development. For decision taking this means:
  - “(c) approving development proposals that accord with an up-to date development plan without delay; or
  - (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (8), granting permission unless:
    - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (7); or
    - (ii) any adverse impacts of so doing would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 7.2 Footnote (8) referenced here advises “This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous 3 years.”
- 7.3 The Council’s recent housing delivery has been below our increasing housing targets. This has translated into the Council being required to prepare a Housing

Action Plan in 2019 and more recently being placed in the “presumption in favour of sustainable development category” by the Government through its Housing Delivery Test.

- 7.4 The Housing Delivery Test (HDT) is an annual measurement of housing delivery introduced by the government through the National Planning Policy Framework. It measures the performance of local authorities by comparing the completion of net additional homes in the previous three years to the housing targets adopted by local authorities for that period.
- 7.5 Local authorities that fail to meet 95% of their housing targets need to prepare a Housing Action Plan to assess the causes of under delivery and identify actions to increase delivery in future years. Local authorities failing to meet 85% of their housing targets are required to add 20% to their five-year supply of deliverable housing sites targets by moving forward that 20% from later stages of the Local Plan period. Local authorities failing to meet 75% of their housing targets in the preceding 3 years are placed in a category of “presumption in favour of sustainable development.
- 7.6 In 2018, Enfield met 85% of its housing targets delivering 2,003 homes against a target of 2,355 homes over the preceding three years (2015/16, 2016/17, 2017/18). In 2019 Enfield met 77% of the 2,394 homes target for the three-year period delivering 1,839 homes. In 2020 Enfield delivered 56% of the 2,328 homes target and we now fall into the “presumption in favour of sustainable development” category.
- 7.7 This is referred to as the “tilted balance” and the National Planning Policy Framework (NPPF) states that for decision-taking this means granting permission unless: the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole – which also includes the Development Plan. Under the NPPF paragraph 11(d) the most important development plan policies for the application are deemed to be ‘out of date’. However, the fact that a policy is considered out of date does not mean it can be disregarded, but it means that less weight can be applied to it, and applications for new homes should be considered in accordance with the presumption in favour / tilted balance. The level of weight given is a matter of planning judgement and the statutory test continues to apply, that the decision should be, as section 38(6) of the Planning

and Compulsory Purchase Act 2004 requires, in accordance with the development plan unless material considerations indicate otherwise.

- 7.8 Key relevant policy objectives in the NPPF (2021) to the site are referred to below,

Section 5 – Delivering a sufficient supply of homes Para 60 - 77.

Section 8 – Promoting Healthy and safe communities, Para 92 & 97

Section 9 – Promoting sustainable transport, Para 104-113

Section 11 – Making effective use of land Para 119 -125

Section 12 – Achieving well-designed places, Para 126-136

#### London Plan (2021)

- 7.9 The London Plan (2021) was adopted on the 2<sup>nd</sup> of March 2021. The London Plan 2021 replaces the 2016 London Plan and as such is given significant weight in determining of planning applications. Pertinent Policies in the London Plan 2021 are outlined below,

GG1: Building Strong and Inclusive Communities

GG2: Making the best use of land

GG4: Delivering the Homes Londoners Need

D3: Optimising site capacity through the design-led approach (\*):

*Optimising site capacity through the design-led approach – sets out that all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations;*

D4: Delivering good design

D5: Inclusive design

D6: Housing Quality and Standards: *Introduces a stronger policy on housing standards including minimum space standards.*

D7: Accessible Housing

D11: Safety, Security and Resilience to Emergency

D12: Fire Safety

D14: Noise

H1: Increasing Housing Supply:

H4: Delivering Affordable Housing

H5: Threshold Approach to Applications

H6: Affordable Housing Tenure

H10: Housing Size Mix

H12: Supported and specialised accommodation

H13: Specialist older persons housing

S2: Health and social care facilities  
S4: Play and Informal Recreation  
G5: Urban Greening  
G6: Biodiversity and Access to Nature  
G7: Trees and Woodland  
SI 3: Energy infrastructure  
SI 4: Managing heat risk  
SI 5: Water Infrastructure  
SI 7: Reducing Waste and Supporting the Circular Economy  
SI 13: Sustainable drainage  
T1: Strategic approach to transport  
T2: Healthy Streets  
T3: Transport capacity, connectivity and safeguarding  
T4: Assessing and mitigating transport impacts  
T5: Cycling  
T6: Car Parking  
T6.1: Residential Parking  
T7: Deliveries, Servicing and Construction  
T9: Funding transport infrastructure through planning

#### Local Plan – Overview

- 7.10 Enfield's Local Plan comprises the Core Strategy, Development Management Document, Policies Map and various Area Action Plans as well as other supporting policy documents. Together with the London Plan, it forms the statutory development policies for the Borough and sets out planning policies to steer development according to the level it aligns with the NPPF. Whilst many of the policies do align with the NPPF and the London Plan, it is noted that these documents do in places supersede the Local Plan in terms of some detail and as such the proposal is reviewed against the most relevant and up-to-date policies within the Development Plan.

7.11 Core Strategy (2010)

CP2: Housing supply and locations for new homes  
CP3: Affordable housing  
CP4: Housing quality  
CP5: Housing types  
CP6: Meeting Particular housing needs  
CP20: Sustainable energy use and energy infrastructure  
CP21: Delivering sustainable water supply, drainage and sewerage

infrastructure

CP22: Delivering sustainable waste management

CP25: Pedestrians and cyclists

CP30: Maintaining and improving the quality of the built and open environment

CP32: Pollution

CP36: Biodiversity

CP46: Infrastructure contributions

#### 7.12 Development Management Document (2014)

DMD1: Affordable Housing on sites capable of providing 10 units or more

DMD3: Providing a Mix of Different Sized Homes

DMD6: Residential Character

DMD8: General Standards for New Residential Development

DMD9: Amenity Space

DMD10: Distancing

DMD15: Specialist Housing Needs

DMD37: Achieving High Quality Design-Led Development

DMD38: Design Process

DMD45: Parking Standards

DMD47: New Roads, Access and Servicing

DMD48: Transport Assessments

DMD49: Sustainable Design and Construction Statements

DMD50: Environmental Assessment Methods

DMD51: Energy Efficiency Standards

DMD53: Low and Zero Carbon Technology

DMD54: Allowable Solutions

DMD55: Use of Roof Space / Vertical Surfaces

DMD56: Heating and Cooling

DMD57: Responsible Sourcing of Materials

DMD58: Water Efficiency

DMD61: Managing Surface Water

DMD65: Air Quality

DMD66: Land contamination and instability

DMD68: Noise

DMD69: Light Pollution

DMD72: Open Space Provision

DMD73: Children's Play Space

DMD78: Nature Conservation

DMD79: Ecological Enhancements

DMD80: Trees on Development sites

DMD81: Landscaping  
DMD83: Development Adjacent to the Green Belt  
DMD Appendix 9 - Road classifications

7.13 Other material Policy documents

National Planning Practice Guidance  
Mayor of London Housing SPG (Adopted March 2016)  
Enfield Strategic Housing Market Assessment Update (2015)  
Community Infrastructure Levy Regulations 2010 (as amended)  
LBE S106 SPD (Adopted 2016)

Enfield Local Plan (Reg 18) 2021

- 7.14 Enfield Local Plan - Reg 18 Preferred Approach was approved for consultation on 9th June 2021. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for several sites. It is Enfield's Emerging Local Plan.
- 7.15 The Local Plan remains the statutory development plan for Enfield until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the Local Plan. Little weight shall be afforded to the Draft Enfield Local plan (Reg 18), while noting that account needs to be taken of emerging policies and draft site proposals in accordance with paragraph 48 of the NPPF.

**8.0 Analysis:**

- 8.1 The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 seek to establish that planning decisions are taken in accordance with the Development Plan unless material considerations indicate otherwise. Furthermore, paragraph 11 (c) of the National Planning Policy Framework (NPPF) goes on to state that development proposals that accord with the development plan should be approved without delay.
- 8.2 This report sets out the analysis of the issues that arise from the proposed development assessed against the Development Plan, National policies, and emerging local plan policies.
- 8.3 The main considerations of the development are the following,



- Principle of development
- Housing need and Tenure mix
- Development design and character
- Residential and Care Home (C2) standard of accommodation
- Impact on neighbouring amenity
- Sustainable drainage and water infrastructure
- Highway and transport implications
- Landscaping & Biodiversity impacts
- Sustainability and Climate Change
- S106 contributions
- Community infrastructure Levy
- Other Matters

### **Principle of Development:**

#### Loss of a hotel

- 8.4 The existing Class C1 92 bed room hotel has been unoccupied since March 2020 and would be demolished as part of the development. Policies CP11, CP12 of the Core Strategy (2010) and Policy DMD31 of the Enfield Development Management Document are principally focused on the location and development of new hotel and leisure facilities as opposed to the retention of existing. Hotels are commercial and therefore are open to market forces.
- 8.5 Considering the pertinent policies mentioned above as a guide, the site is not located in the town centres of Enfield Town, Edmonton Green, Palmers Green, Southgate and Angel Edmonton, thereby does not lend itself to significant market pull. The site is not in close proximity to tourist attractions in the north of the borough and is subject to localised competition. If a proposal for a hotel were considered against current policy, the merits against Policy DMD 31 of the Development Management Document would potential fail to address all the desired criteria.
- 8.6 Overall the loss of the hotel when viewed against the benefits of the proposed uses and development on site, are considered acceptable and in accordance with meeting the borough priority land uses.

#### Residential Development

- 8.7 The principle of new residential development on the site is acceptable, meeting the strategic housing needs of Greater London and increasing the housing stock of the Borough in accordance with the National Planning Policy Framework (NPPF) and the Policy CP5 of the Enfield Core Strategy (2010). However, the development must also be judged on its own merits and assessed in relation to material considerations including the impact on the character of the area and the attainment of appropriate scale, design, amenity space, parking provision, residential amenity, to achieve a development that integrates appropriately into their surroundings.
- 8.8 Para 120 of Chapter 11 of NPPF (2021) Making efficient use of land expects Councils to
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
  - d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.
- 8.9 London Plan (2021) Policy GG2 (Making the best use of land) builds on the para 120 of the NPPF (2021) and seeks to create successful sustainable mixed-use places that make the best use of land. Development must:
- a) enable the development of brownfield land, particularly in Opportunity Areas, on surplus public sector land, and sites within and on the edge of town centres, as well as utilising small sites
  - c) proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling
  - d) applying a design-led approach to determine the optimum development capacity of sites
- 8.10 The southern half of the site is currently vacant and has not been intensively optimised. The site offers a policy compliant location for residential land use and the proposed sixty-four (64) units would add much needed affordable and private

housing stock to the borough on a designated brownfield site, in accordance with overarching policies.

Care home (C2) Development

- 8.11 London Plan (2021) Policy H13 (Specialist older persons housing) expects Boroughs to work positively and collaboratively with providers to identify sites which may be suitable for specialist older persons housing taking account of 1) local housing needs information including data on the local type and tenure of demand, and the indicative benchmarks set out in Table 4.3 (provided below)

**Table 4.3 - Annual borough benchmarks for specialist older persons housing 2017-2029**

| London Borough       | Annual Benchmarks (units per annum) |
|----------------------|-------------------------------------|
| Barking & Dagenham   | 70                                  |
| Barnet               | 275                                 |
| Bexley               | 145                                 |
| Brent                | 230                                 |
| Bromley              | 210                                 |
| Camden               | 105                                 |
| City of London       | 10                                  |
| Croydon              | 225                                 |
| Ealing               | 200                                 |
| Enfield              | 195                                 |
| Greenwich            | 105                                 |
| Hackney              | 40                                  |
| Hammersmith & Fulham | 70                                  |

2) the need for sites to be well-connected in terms of contributing to an inclusive neighbourhood, having access to relevant facilities, social infrastructure and health care, and being well served by public transport

3) the increasing need for accommodation suitable for people with dementia.

- 8.12 Para 4.13.13 of Policy H13 outlines the need and future demand for specialist older persons housing including that for Dementia sufferers, confirming the total number of older people with dementia in London is forecast to rise from 73,825 in 2017 to 96,939 in 2029, an increase of 31 per cent.

- 8.13 Policy DMD15 (Specialists housing needs) of the Enfield Development Management Document expects “development is adaptable, well designed, of a high quality, accessible (internally and externally), meets the needs of the specific client groups it serves and their carers but is flexible in case these change”. In addition, “development would meet an identified borough need for that form of specialist housing having regard to evidence of need in the Council’s Market Statement”.
- 8.14 The on-site provision of a care home (C2) with 25% of rooms assigned for persons with dementia is a current and future need for the ageing population. The provision of care home rooms provides an important contribution to the range of housing available and can act to free up housing for families and younger generations. The principle position of the Care home is supported by a planning need assessment submitted by the Applicant (dated April 2021) which states In terms of ‘specialist dementia’ care bed need, our analysis concludes there is a net need for 738 market standard beds in the market catchment. The specialist nursing care provision for older people with dementia is consistent with the Council’s most recent Market Position Statement (2019-2022) and thereby a designated need in the borough.

Summary - Principle of development

- 8.15 The site is a designated brownfield site with a substantive vacant building, as such, the site is prime land for re-development as C3 Residential and specialist C2 older person occupation, subject to other pertinent and material planning considerations. The principle of development is therefore compliant with the policies of the development plan and acceptable.

**Housing Need and Tenure mix:**

Housing targets

- 8.16 The current London Plan sets a target for the provision of 52,287 new homes each year. In addition, the London Plan identifies a need for a minimum of 1,246 dwellings per year to be delivered over the next 10-years in the Borough, based on the Strategic Housing Market Assessment (SHMA): an increase over the previous target of 798. Whilst Enfield’s 2019 Housing Action Plan recognises that the construction of more affordable high-quality homes is a clear priority, only 51% of approvals in the Borough have been delivered over the previous 3-years.

- 8.17 Enfield's Housing and Growth Strategy (2020) was considered by Cabinet in January 2020 and approved at February's Council meeting (2020) and sets out the Council's ambition to deliver the previous London Plan and Core Strategy plus the now adopted London Plan targets.

Affordable housing provision

- 8.18 Policy H4 (delivering affordable housing) and H5 (Threshold approach to applications) of the London Plan (2021) expects provision of on-site affordable housing on all Major development. "All major development of 10 or more units triggers an affordable housing requirement.
- 8.19 Policy H5 (Threshold approach to applications) permits a fast track approach subject to major development proposals meeting a minimum threshold level of affordable housing on gross residential development of 35 per cent. To meet the fast track development must meet the following criteria in addition to providing 35%: namely;
- 1) meet or exceed the relevant threshold level of affordable housing on site without public subsidy
  - 2) be consistent with the relevant tenure split (see Policy H6 Affordable housing tenure)
  - 3) meet other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor where relevant
- 8.20 The development scheme would provide 23 affordable units representing 35.9% of the total and thereby meeting the London Plan (2021) threshold for fast track. When the quantum of affordable housing is assessed against the number of habitable rooms and cumulative floorspace assigned for affordable provision, the percentage of affordable housing equates to 36.9% and 37.8% respectively, beyond the gross residential unit analysis.
- 8.21 Para 4.5.3 of Policy H5 of the London Plan (2021), states, "the percentage of affordable housing on a scheme should be measured in habitable rooms to ensure that a range of sizes of affordable homes can be delivered, including family-sized homes". In instances where habitable rooms in affordable and market elements of the scheme are not comparable in size when averaged across the whole development, it may be more appropriate to measure the provision of affordable housing using habitable floorspace". In this instance, the cumulative affordable housing habitable floorspace is greater than both the gross unit and habitable room split.

- 8.22 The dwelling mix between private and affordable housing is positive and assigns thirteen (13) of the 3 bed houses as affordable out of a total of twenty-nine (29). The table below illustrates the breakdown and meets the goal of mixed communities in the borough. The development of the affordable housing is not grant funded.

| House Type | Private | London Affordable rent | Intermediate Affordable housing | Total units |
|------------|---------|------------------------|---------------------------------|-------------|
| 1b Flat    | 7       | 4                      | -                               | 11          |
| 2b Flat    | 12      | 6                      | -                               | 18          |
| 2b House   | 6       | -                      | -                               | 6           |
| 3b House   | 16      | 5                      | 8                               | 29          |
| Total      | 41      | 15                     | 8                               | 64          |

- 8.23 Policy H6 (Affordable housing tenure) sets out the expected residential tenure split of the affordable housing products on-site.

1) a minimum of 30 per cent low-cost rented homes, as either London Affordable Rent or Social Rent, allocated according to need and for Londoners on low incomes

2) a minimum of 30 per cent intermediate products which meet the definition of genuinely affordable housing, including London Living Rent and London Shared ownership

3) the remaining 40 per cent to be determined by the borough as low-cost rented homes or intermediate products (defined in Part A1 and Part A2) based on identified need.

- 8.24 The proposed tenure split of the affordable housing on site (23 units) is 60.4% affordable rent and 39.6% intermediate housing (Shared Ownership). The onsite affordable housing provision is London Plan (2021) policy compliant and marginally below Enfield adopted policies. However, given the more recently adopted London Plan policy, it is on balance, considered acceptable.
- 8.25 Officers acknowledge policies CP3 and DMD 1 (Affordable Housing on sites capable of providing 10 units or more) seeks a borough wide affordable housing

target of 40% with a mix of 70% and 30% social rent and affordable rent. Nevertheless, considering the provision of 35.9% by habitable room and 37.8% of total floorspace as affordable housing, representing only 2.2% below Policy DMD 1 target and a true spread of affordable unit types, significant weight is given to the London Plan 2021 criteria of 35%.

- 8.26 Further to the consideration of Policy DMD 1 and CP3 above, due weight is given to paragraph 11 (c) of the National Planning Policy Framework (NPPF) and the under provision of the both gross residential units and particularly affordable units. While limited weight is given to the Draft Reg 18 Local plan consultation, Draft policy (8.2 Strategic Policy SP) H2: Affordable Housing seeks future development under part 3 (d), to provide 35% affordable housing on all major housing development. As such, the level, mix and tenure mix of the affordable housing on site is acceptable subject to and secured via a s106 legal agreement.

#### Dwelling Mix

- 8.27 Policy H10 (Housing size mix) of the London Plan (2021) and Policy CP5 of the Core Strategy (2010) seeks to ensure that new developments offer a range of housing sizes to meet housing needs. The development provides 45% family size accommodation reflecting targets in the SHMA and providing a true dwelling mix, and therefore acceptable.

| <b>Dwelling size</b> | <b>Number of units</b> | <b>Percentage</b> |
|----------------------|------------------------|-------------------|
| 1b2p                 | 11                     | 17                |
| 2b3p                 | 2                      | 3                 |
| 2b4p                 | 22                     | 35                |
| 3b4p                 | 8                      | 12                |
| 3b5p                 | 21                     | 33                |
|                      | <b>64</b>              | <b>100%</b>       |

#### Summary of Housing need

- 8.28 The on-site housing provision and affordable housing, formed of a true mix of unit dwellings and locations on-site, meets the aspirations of mixed communities within the borough. The development scheme makes the most efficient use of Brownfield land and meets a significant local demand for housing. Determining the application favourably would correspond with the results of the Housing Delivery Test which has triggered the “tilted balance” and the presumption in

favour of development. (NPPF). For decision-taking this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole – which also includes the Development Plan. Included in the Section 106 Agreement would also be the requirement for an early stage review as required pursuant to the fast track policy of the London plan.

#### **Development design and character:**

- 8.29 Policy D3 of the London Plan (2021) expects “all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site’s context and capacity for growth, and existing and planned supporting infrastructure capacity”.

#### Design of Care Home

- 8.30 The design of the care home has undergone a series of changes through the pre-application process with the LPA seeking a high-quality building that introduces a traditional style with contemporary features. The building is clearly visible from open views north and west of the site and as such is a transitional zone from the Green Belt to the urban area of north Enfield (Chase). The footprint of the building is in the form of an “H” on west by east axis with the ground floor covering approximately 2100m<sup>2</sup> and three storeys in height.
- 8.31 The deep reveals, pitched roofs and warm external brickwork all assist to provide a welcoming and attractive building presenting a gateway building to the borough from the north via the Ridgeway. The external materials are listed (below) and a full analysis is provided in the submitted design and access documents to accompany the scheme.

- A. Facing Brickwork, Belle Epoque or similar with light mortar joint or similar.
- B. Reconstituted Slate Tile Roof. Colour: Grey or similar.
- C. Rain Water Goods- Powder Coated Aluminium with North Brink Grey Finish or similar.
- D. Ventilation screen to window.
- E. Windows and External Doors- Powder Coated Aluminium with North Brink



Grey Finish or similar.

F. Metal Work - Powder Coated Aluminium with North Brink Grey Finish or similar.

G. Soldier Brick detail. Belle Epoque or similar.

H. Recessed Brick, Belle Epoque Soldier or similar.

I. Reconstituted Stone Window Surround

- 8.32 Officers consider the Care home to be appropriately sited to the Ridgeway following the prevailing line of development established by the residential properties on the Ridgeway. The introduction of a three storey building would be a moderate departure from the prevailing two storey residential in the immediate context, care homes, community and administration buildings are expected to be visible and provide legibility to a location. The proposed care home provides a high quality development with on-site private gardens and appropriate locations for parking and drop-off access. The building succeeds in providing a visually attractive gateway to the established urban area in accordance with adopted design policies.

#### Design of Residential

- 8.33 The proposed sixty-four (64) residential units are laid out in two main segments formed of the two flatted blocks (Arrowsmith and Bradshaw) and thirty-five (35) houses fronting a tree lined street. The external appearance of both the flatted and housing residential units reflects design elements of the care homes and provides a clear relationship between the two parts of the development. The residential units would be accessed via the road from the care home and circle around the houses and flatted units before rejoining the dividing access road between the care home and the residential housing area. The on-site parking provision shall be elaborated further in the transport section of the report but the design of the parking provision utilises parallel on-street parking rather than less efficient banks of parking areas. While a bank of parking spaces is provided to the east of the site, introducing an expanse of hardstanding, the proximity of the properties on Oak Avenue make such an arrangement rational in this instance.
- 8.34 The two flatted blocks are an “L” shape layout located adjacent the proposed location of the care home with an internal courtyard to the south of the blocks providing part private, part communal amenity space. The two flatted blocks are both three storey with accommodation in the loft voids. The elevations of the flatted blocks breakup the elevation with projecting balconies and window frames adding depth and visual interest to the building. Red brick and dark grey roof tiles shall be utilised for the building to create a character reflective of the site context.

The design of the flats optimises the portion of the site and the final make and model of the external appearance materials shall be conditioned to secure a high-quality finish.

- 8.35 The proposed thirty-five (35) dwellinghouses are set out either side of the principal main road forming an orthodox street pattern with clearly defined functional areas. Six dwelling types are proposed on site known as, Cobbler, Coiner, Parkman, Walker, Harper and Napier. Each dwelling type follows a core appearance features with the main differences being the Parkman houses are three storey, the Walker and Napier houses are two storey with front dormers permitting roof level accommodation. The other three house types, Harper, Cobbler and Coiner are two storey.

| Name of dwelling | Height (storeys)            | Number of units |
|------------------|-----------------------------|-----------------|
| Harper           | Two                         | 8               |
| Cobbler          | Two                         | 1               |
| Coiner           | Two                         | 6               |
| Parkman          | Three                       | 8               |
| Walker           | Two with loft accommodation | 8               |
| Napier           | Two with loft accommodation | 4               |

- 8.36 The style of appearance of the houses are uncomplicated but do include window coping and recessed doors and windows. The flank elevations of houses 30 and 45 have been enhanced via the introduction of windows boundaries. The concentration of the taller Parkman and Harper house types to the centre of the street minimises views of the three storey height when viewed from outside the site looking in.

#### Metropolitan Green Belt

- 8.37 Policy DMD 83 of the Enfield Development Management Document seeks to assess development proposals against their impact on the Green Belt. For the avoidance of doubt the site is not within the Green belt designation but does border the Green Belt on all sides except for the eastern boundary. The NPPF

(2021) and London Plan (2021) do not contain policies that directly affect development sites adjacent to the Green Belt.

- 8.38 The proposed Care Home (C2) and residential development would have a greater impact than the current hotel on the views and vistas when viewed from the Green Belt into the site. Officers note the existing site is clearly evident from viewing points on the Ridgeway, including the residential development beyond the site on Oak Avenue. The massing and siting of the proposed development are set in from the boundaries to the west and south, thereby providing a clear separation distance from the delineated Green Belt boundary.
- 8.39 Planning officers have given due weight to the greater massing on the boundary of the Green Belt resulting from the proposed development. Nonetheless, overarching policy supports the development of such sites and the presence of a part two part three storey commercial building is clearly read as a developed site opposed to a open or undeveloped plot.
- 8.40 The site is brownfield land and has been assessed in the principle of development section of the committee report, concluding the site to represent appropriate and suitable for intensification of uses C2 and C3. Considering paragraph 11 (d) of the NPPF and the tilted balance in favour of presumption of sustainable development, alongside the significant weight given to the public benefits of the scheme and no encroachment on the Green Belt, the impact on the Green Belt is acceptable in the circumstances  
Design conclusion
- 8.41 The proposed development is of high quality design and optimises the site providing an attractive setting for future occupiers of both the care home (C2) and sixty-four (64) residential units. The establishment of a legible and linked development while retaining some visual separation assists in visually demarking the two uses on site. Officers are comfortable and supportive of the schemes design and view the development to represent a sustainable development.

#### **Residential (C3) and Care Home (C2) standard of accommodation**

- 8.42 London Policy D6 sets out the London Plan criteria to ensure the delivery of new housing of an adequate standard. Despite the adoption of the London Plan 2021, the Mayor of London's Housing Supplementary Planning Guidance Document (2016) remains an adopted document and a material consideration in decision making. The DMD contains several policies which also aim to ensure the delivery of new housing of an adequate quality, namely Policy DMD8 (General Standards

for New Residential Development), DMD9 (Amenity Space), DMD10 (Distancing) and DMD15 (Specialist Housing Needs).

### Care Home (C2)

- 8.43 The proposed care home is considered as use class C2 (Residential institution), providing residential nursing care (including dementia care). The important definition to make is such “residential use” is nursing and care focused providing on site facilities and is importantly non-self-contained accommodation for people who by reason of age or illness have physical, sensory or mental impairment, including high levels of dementia. The London Plan Housing SPG provides clarification and guidance on the definition in Para 3.7.4 with core terms embolden below.

“Residential / nursing care (including end of life/ hospice care and dementia care); Nursing or residential care home providing non-self-contained residential accommodation for people who by reason of age or illness have physical, sensory or mental impairment, including high levels of dementia.

Accommodation is not self-contained; meals and personal services are routinely provided to all residents. Communal facilities are likely to include a dining room and residents lounge. There will be a scheme manager and in-house care team who provide a consistent presence. Personal or nursing care is a critical part of the accommodation package. Nursing homes include 24-hour medical care from a qualified nurse”.

- 8.44 There are no set standards for C2 care home room and facilities in general, and no locally adopted policies to provide minimum standards. Notwithstanding the lack of dedicated standards, the nationally described floorspace standards, alongside the HAPPI guidance (Housing our ageing population) and minor elements of the national design code provide some overarching guidance.
- 8.45 Notwithstanding the lack of detailed guidance for C2 accommodation, officers consider the level of accommodation to be high quality and provides approximately 29% of all total space as non-habitable (communal areas including a hair salon) floorspace with excellent external amenity space within both shelter and non-sheltered areas. The table below provides an overview of the numbers of each unit type and average internal space. The internal areas for the studio/suite/dementia rooms are comparable to normal residential units albeit with no kitchen areas. In addition, there are both terraces off communal rooms and private terraces on the southern elevation of the building for those units.



| <b>Unit type</b> | <b>Number of units</b> | <b>Average floorspace</b> |
|------------------|------------------------|---------------------------|
| Suite            | 34                     | 40m <sup>2</sup>          |
| Studio           | 35                     | 24m <sup>2</sup>          |
| Dementia room    | 23                     | 25m <sup>2</sup>          |

- 8.46 The quality of C2 accommodation is considered policy compliant meeting unadopted guidance for accommodation features and adopted Policies D6 (Housing quality and standards) and H13 (Specialist older person housing) of the London Plan (2021) and Policy DMD15 (Specialist Housing needs) of the Enfield DMD (2014).

#### Residential accommodation standards

- 8.47 Policy D6 of the London Plan 2021 and policy DMD 8 of the Enfield Development Management Document (2014) set minimum internal space standards for residential development. The Nationally Described Internal Space Standard applies to all residential developments within the Borough and the London Plan Housing SPG adopted in 2016 has been updated to reflect the Nationally Described Space Standards.
- 8.48 The table below illustrates the residential (Houses and flats) compliance with national floorspace in respective of the unit sizes.

#### Dwellinghouses

| <b>Unit Type</b> | <b>Floorspace provision</b> | <b>Unit size &amp; Habitable floors</b> | <b>Minimum expected</b> | <b>Accordance with criteria</b> |
|------------------|-----------------------------|---|-------------------------|---------------------------------|
| CN (The Coiner)  | 79m <sup>2</sup>            | 2bed 4p<br>2 floors                     | 79m <sup>2</sup>        | Y                               |
| CR (The Cobbler) | 101m <sup>2</sup>           | 3bed 5p<br>3 floors                     | 99m <sup>2</sup>        | Y                               |
| HA (The Harper)  | 93m <sup>2</sup>            | 3bed 5p<br>2 floors                     | 93m <sup>2</sup>        | Y                               |
| NA (The Napier)  | 101m <sup>2</sup>           | 3bed 5p<br>3 floors                     | 99m <sup>2</sup>        | Y                               |
| PA (The          | 105m <sup>2</sup>           | 3bed 5p                                 | 99m <sup>2</sup>        | Y                               |

|                 |                    |                     |                  |   |
|-----------------|--------------------|---------------------|------------------|---|
| Parkman)        |                    | 3 floors            |                  |   |
| WL (The Walker) | 99.2m <sup>2</sup> | 3bed 5p<br>3 floors | 99m <sup>2</sup> | Y |

#### Flatted Units

| Unit Type      | Floorspace provision range              | Unit size | Minimum floorspace expected | Accordance with criteria |
|----------------|---|-----------|-----------------------------|--------------------------|
| 1 Bed 2 person | 50m <sup>2</sup> – 58m <sup>2</sup>     | 1b2p      | 50m <sup>2</sup>            | Y                        |
| 2 Bed 3 person | 63.9m <sup>2</sup> – 70.1m <sup>2</sup> | 2b3p      | 61m <sup>2</sup>            | Y                        |
| 2 Bed 4 person | 70.77m <sup>2</sup>                     | 2b4p      | 70m <sup>2</sup>            | Y                        |

- 8.49 The thirty-five (35) houses proposed would be constructed on a north-south axis allowing south facing elevations for all the units, with the exception of plots 62, 63 and 64 are built on an east by west axis. All the houses would have high levels of ambient and direct sunlight with good levels of outlook from habitable windows throughout. Modest defendable space would be provided at the front of the properties however based on the nature of the development the footfall would be modest and community driven.
- 8.50 The twenty-nine (29) units of the flatted development are set out in two blocks know as Arrowsmith and Bradshaw both with four floors of habitable space. The “L” shape of the two blocks are focused on providing southern elevations to the residential units. To support the standard of flatted accommodation the applicant has submitted a Daylight and Sunlight Report (dated April 2021) was prepared by Right of Light Consulting to clarify the provision of light to the units. The report does highlight “around 87% of all rooms achieve or surpass their Average Daylight Factor (ADF) Targets”. This figure increase to 95% (5 rooms out of the 76) when considered against an ADF of 1.5% which is policy complaint opposed to the slightly higher 2% ADF (clarified in para 3.3.6 of the light report).
- 8.51 The flatted residential development provides a good level of daylight and sunlight to future occupiers, all units will have access to natural light and are dual aspect with the exception of two units at loft level which are served by a roof light and south facing window, which on balance is sufficient for good light levels throughout the year. In addition, those units at ground floor of the flatted blocks

would have large external gardens of 30m<sup>2</sup> which is usual in flatted developments and clearly of significant benefit to the future occupiers.

- 8.52 All the proposed flatted units would have a 2.3m internal floor-to-ceiling heights, and 20% glazing to all habitable rooms in accordance with the Mayor's Supplementary Housing Guidance. The outlook from the units is of reasonable quality with those flats on the western elevation benefiting from views across the Green Belt. The units provide well-designed, flexible and functional layouts with adequately sized rooms and have direct access to private amenity space, as well as functional and safe communal space.

#### Quality of external amenity space

- 8.53 Policy DMD9 provides the standards for the level of private amenity space provision for each unit and is primarily based upon the number of rooms and occupancy level. The standards represent the absolute minimum, although regard must also be given to the character of the area.
- 8.54 The flatted units would all be provided with external space via projecting terrace of a minimum depth of 1.5m on upper floors and generous gardens at ground floor between 25m<sup>2</sup> and 34m<sup>2</sup>. 99m<sup>2</sup> of communal amenity space would be provided within the courtyard receiving consistent levels of daylight and sunlight receiving far in excess of at least two hours of sunlight on 21 March.
- 8.55 Policy DMD 8 expects dwellings without access to communal amenity space to provide 44m<sup>2</sup> of private amenity space. All the proposed houses provide at least 40m<sup>2</sup> and above, examples provided below, in addition the development has access to communal playspace.

Plot 32 - 42m<sup>2</sup> (type CN)

Plot 36 - 40m<sup>2</sup> (type PA)

Plot 46 - 45m<sup>2</sup> (type HA)

#### Overlooking

- 8.56 Policy DMD 10 (Distancing) of the Development Management Document provides guidance on the separation distances between building when considering new development. The proximity between the projecting terraces serving the flats will result in some mutual overlooking between terraces and therefore appropriately sited privacy screens shall be erected subject to final

appearance details to be conditioned. For clarify the separation distance table sough in Ppolicy DMD10 is provided below

#### DMD 10

##### Distancing

1. New development should maintain the following distances between buildings, unless it can be demonstrated that the proposed development would not result in housing with inadequate daylight/sunlight or privacy for the proposed or surrounding development:

Table 2.2

|  | Number of storeys in facing buildings |     |     |     |     |     |
|--|---------------------------------------|-----|-----|-----|-----|-----|
|  | 1-1                                   | 1-2 | 1-3 | 2-2 | 2-3 | 3-3 |
| Minimum distance between rear facing windows (in metres) | 22                                    | 22  | 25  | 22  | 25  | 30  |
| Minimum distance between windows and side boundaries     | 11m                                   |     |     |     |     |     |

- 8.57 The relationship between the dwelling plots on the north side of the new road and the flats would result in a modest element of mutual overlooking however the separation distances are in accordance with Policy DMD 10 and would not degenerate any existing circumstances on site. The separation distance between the eastern flank of the Arrowsmith flatted building and west flank of Bradshaw flatted building would be 34m, in excess of the 30m stipulated in DMD 10.
- 8.58 There is a distance of 14m from the elevations of Plots 33, 34, 42, 43 and 45 (dwellinghouses) to the south flank elevations of the flatted development. Small obscured side facing windows are proposed on the flank elevation and as such o privacy issues would be evident, nor light concerns on account the flatted blocks are north of the dwellings. A separation distance of approximately 25m between the south facing flatted elevations and plots 35-41 is evident and therefore compliant. A distance of approximately 14-15m is evident between the principal elevations on the street following urban design principles for residential streets, advocated in designing high grain development and optimisation of the site. The separation distances exceed acceptable tolerance levels for privacy and overlooking.

#### On-site Playspace



- 8.59 Policy S4 (Play and inform recreation) of the London Plan 2021 expects on-site playspace to be provided for all major planning applications and additional guidance is provided in the adopted Shaping Neighbourhoods: Play and Informal Recreation SPG (2012). Policy S4 sets out core expectations of play space:

Residential developments should incorporate good-quality, accessible play provision for all ages. At least 10 square metres of playspace should be provided per child that:

- provides a stimulating environment
- can be accessed safely from the street by children and young people independently
- forms an integral part of the surrounding neighbourhood
- incorporates trees and/or other forms of greenery
- is overlooked to enable passive surveillance
- is not segregated by tenure

- 8.60 Using the GLA population yield calculator a forecast total of 40 children are envisaged to be residing within the development between the ages of 1-17. As such, 400m<sup>2</sup> of playspace is required on site meeting the criteria set out above. The proposal identifies approximately 135m<sup>2</sup> of playspace, a significant shortfall in the required on-site provision. In instances where a shortfall has been identified an off-site contribution can be sought and provided by the developer to create or enhance existing off-site facilities (options include Botany Bay cricket club and/or the Enfield Lawn tennis club). In this case, a contribution of £50,000 (Parking and playfield) and open space contribution of £30,000 has been agreed (subject to a completed s106) to improve the Botany Bay crickets club and/or the Enfield Lawn Tennis club facilities. The provision 135m<sup>2</sup> of playspace shall be conditioned to provide high quality equipment for children between 1-9 years of age. Older children shall not be excluded but the playspace would be better suited to younger children.

#### Accessible units

- 8.61 London Plan Policy D7 requires at least 10% of new dwellings to constitute Building Regulations M4(3) wheelchair user dwellings. Of the thirty-five (35) proposed dwelling houses and Twenty-nine (29) flats, over 10% of units are designed to meet this standard equating to over the 10% threshold for new units.

#### Design Summary

- 8.62 The overall quality of accommodation within the development both C2 care home and the C3 residential parts, are considered acceptable and comply with relevant Policies in the adopted London Plan (2021), policies in the DMD and other adopted Supplementary guidance.

**Impact on neighbouring amenity:**

- 8.63 London Plan Policy D6 sets out that buildings should not cause unacceptable harm to residential amenity, including in terms of privacy and overshadowing. Development proposals should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space. Meanwhile Policy CP30 of the Core Strategy seeks to ensure that new developments have appropriate regard to their surroundings, and that they improve the environment in terms of visual and residential amenity. Lastly Enfield Policies DMD 6 and 8 seek to ensure that residential developments do not prejudice the amenities enjoyed by the occupiers of neighbouring residential properties in terms of privacy, overlooking and general sense of encroachment.
- 8.64 The location of the site results in limited impact to neighbouring properties, primarily due to the open nature to the Green Belt on the southern, western and northern boundaries. Dwellings to the east of the site on Oak Avenue are approximately 27.5m at their closest (No 1B Oak Avenue) extending to 38-40m (No 1c & 3 Oak Avenue) the further south along the shared boundary with the development site. The three (3) east by west axis Plots 62, 63, 64 have a separation distance of 30m from their respective rear elevation to the rear elevation of direct property on Oak Avenue. The eastern elevation of the care home has no habitable windows serving rooms looking towards Oak Avenue thereby securing privacy standards.
- 8.65 The development site is located to the west of the dwellings on Oak Avenue and the topography on site matches that of Oak Avenue and therefore there are no disparities between the siting of the buildings in relation to light and overlooking.
- 8.66 A neighbouring objection highlighted a concern at the potential noise arising from the car parking court adjacent rear boundaries of properties on Oak Avenue. An appropriately worded condition shall be provided to secure noise insulated fencing. Care homes generally have relatively strict visiting hours and this will be conditioned as part of the planning approval. The comings and goings are therefore likely to be limited post 8.30pm, furthermore, the variation in usage and visits would not be dissimilar to the existing hotel were it not vacant currently.

- 8.67 The optimisation of the site would not result in any material difference to the existing level of outlook and privacy received by the occupiers of the property. The impact on neighbouring amenity levels as a result of the development is not considered to have any unreasonable impacts to direct amenity conditions of existing occupiers of dwellings on Oak Avenue. As such, the impact on neighbouring amenity levels as a result of the development are considered to be acceptable.

**Impact on Sustainable Drainage:**

- 8.68 Policy SI 12 of the London Plan (2021) states that development proposals should ensure that flood risk is minimised with mitigation to ensure that any residual risk is addressed. Policy SI 13 outlines that development proposals should aim to achieve greenfield runoff rates and ensure that surface water run-off is managed as close to its source as possible. It also states there should also be a preference for green over grey features, in line with an outlined drainage hierarchy set out in Core Strategy Policies CP21, CP28 and CP29 and Development Management Document Policies DMD59 – DMD63.
- 8.69 The applicant has submitted a Drainage Strategy Report (October 2021 (Prepared by Clark Smith Partnership) and a Flood Risk Assessment (April 2021) to justify the development against drainage policies. The proposed drainage strategy relies heavily on the subterranean infrastructure and a pump to move water around the south of the site to the Ridgeway at the north of the site. The sustainable drainage officer has reviewed the details and while acknowledging the infrastructure meets the green field runoff rate, consistent with policy, the method of the drainage could nonetheless be improved in regard to its natural sustainable potential.
- 8.70 Notwithstanding the technical reports submitted by the applicant a pre-commencement condition shall be imposed to provide further drainage details pertaining to sustainable methods of attenuation and drainage of surface water to follow the topography of the land.
- 8.71 Thames Water have been consulted and confirmed no objections subject to pre-occupation connections to the foul water sewerage network are provided to Thames Water and are compliant with legislation.

**Highway and transport implications:**

- 8.72 London Plan (2021) Policy T1 sets a strategic target of 80% of all trips in London to be by foot, cycle or public transport by 2041 and requires all development to make the most effective use of land. Policy T5 encourages cycling and sets out cycle parking standards. Policies T6 and T6.1 to T6.5 set out car parking standards.
- 8.73 The site is served and benefits from a two way access point to the Ridgeway facilitating the use of the hotel (now vacant). The access shall remain in situ and support the internal access routes within the site providing the access source for the development. Paragraphs 4.2 1 and 4.2.2 of the submitted Transport Statement (March 2021) confirms the existing site access would be improved with a formalised 6m wide bellmouth, simple priority junction arrangement provided and 10m junction radii tied into the edge of the carriageway. The existing layby would be removed and new kerbs provided along the edge of the carriageway. Give-way road markings would be provided at the edge of the access. Visibility splays of 2.4m x 90m would be provided to each side of the access along The Ridgeway.
- 8.74 Policy DMD 47 seeks new access, new roads and serving to be suitable for pedestrians, cyclists and appropriately sited vehicular access and serving configuration whereby there is no adverse impact on highway safety and the free flow of traffic. Policy DMD 47 states,
- “New development will only be permitted if the access and road junction which serves the development is appropriately sited and is of an appropriate scale and configuration and there is no adverse impact on highway safety and the free flow of traffic”.
- 8.75 The internal access roads within the development are well-designed and laid out in a circular form to benefit free vehicular movement and reduce potential safety issues. The pedestrian paths would be 2m wide and the road 6m allowing two-way access. The retention of the existing access for the new care home (C2) and residential parts of the development compiles with adopted policy.
- 8.76 Appendix 8 of the submitted Transport Statement provides an illustration of the modified access from the Ridgeway including a 10m junction radii removal of layby and reinstatement of kerbs. The following highway and transport documents Transport Statement (March 2021), Travel Plan (March 2021) and Travel Plan statement (residential March 2021) are submitted to support the planning application, including but not limited to provision of a full analysis of the development including TRICs data.



- 8.77 Para 4.8 of the Transport Statement clarifies the care home staff provide a 24 hour operation with typically three shifts for care and nursing staff comprising mornings, afternoons and a night shift. The morning shift typically commences between 06:00 and 07:30, the afternoon shift at 14:00-15:30 and the night shift between 20:00 and 22:00. The shift pattern arrangement is suited to minimizing trips during peak hours on the Ridgeway, thereby reducing prospective congestion.
- 8.78 The proposed development makes appropriate provision for access and parking having regard to adopted planning policies and subject to the applied pre-commencement and pre-occupation planning conditions, sufficient security is pertinent for the transport integrity of the development. The transport officer has assessed the submitted information and has no objections to the schemes impact on the highway integrity or potential harm congestion.

#### Vehicle Parking & Cycle provision

- 8.79 Policy T6 of the London Plan (2021) states “car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking (‘car-lite’). Car-free development has no general parking but should still provide disabled persons parking in line with Part E of this policy. The policy goes on to state “an absence of local on-street parking controls should not be a barrier to new development, and boroughs should look to implement these controls wherever necessary to allow existing residents to maintain safe and efficient use of their streets”.
- 8.80 The site is located within a 1b PTAL level in an outer London designation and therefore car free would not be appropriate. The parking guidelines in Policy T6.1 table 10.3 of the London plan supersede the Enfield car parking standards and are maximum standards. As such, a balance is assessed based on the focus for less car derived transport and more sustainable methods, versus the transport needs of future occupiers of the residential and care home elements on site.

#### Care Home (C2) parking provision

- 8.81 The proposed care home scheme would have a total of some 50 car parking spaces provided including three disabled bays in three car parks. The Transport

Statement states. “based on experience of other Signature care homes in the UK residents are typically frail, in their eighties and are therefore unlikely to own a car on site. The parking provision would therefore generally serve staff and visitors only”. Considering 25% of the care home rooms would be assigned to dementia patients and the probability the broad age of occupants would be advanced, the LPA agrees the parking demand from the Care home occupants would be modest.

- 8.82 Some twenty-six (26) visitor spaces would be provided in the main car park in the northern corner of the care home site. Separate entry and exit barriers would be provided at the car park access with an intercom and code system provided to gain entry. The second car park in the south east corner of the care home site would have some 19 car spaces for staff use. A barrier would be provided across the car park entrance with entry controlled by ANPR, an electronic fob or other similar device. The three disabled bays and a standard car bay would be provided off the drop-off area.

#### Residential parking provision

- 8.83 Sixty-four (64) car spaces are proposed for the 64 residential units in a mix of some 40 parallel bays, 15 perpendicular bays and nine bays in parking courts. The standard perpendicular car parking bays would be 2.4m wide and 4.8m long with the disabled bays provided with additional 1.2m wide safety margins. The parallel residential bays would be 6m long and 2m wide.
- 8.84 The transport officer has assessed the scheme and considers the parking provision to be satisfactory and acceptable. The submitted transport statement as referred to the 2011 census data in para 2.9.2 which clarified a split of no car, 22.9%, one car 46.7% and two cars 23.1%. Considering the tenure and mix of units on site the provision of one space per dwelling is considered policy compliant and matches the census data. Further, the site is 1.5km from Gordon Hill railway station on Lavender Hill with services into Moorgate with trains typically every 30 minutes and regular bus services. The mix of transport options warrants significant merit in providing one space per unit. The development would be subject to parking management conditions.
- 8.85 Some neighbouring concerns have been raised regarding congestion and parking however, Oak Avenue is subject to a CPZ and other roads in the vicinity have private management of their parking and private roads. As such, the potential for excess parking in the locality is not present. Nevertheless, it is considered appropriate for contributions via a s106 to be made pertaining to

Sustainable transport measures, Travel Management (surveys) Plan and CPZ feasibility

- 8.86 Electric vehicle charging points shall be conditioned and provided on a minimum of 20% of spaces and passive adaptability (infrastructure for future connection) on the remaining 80% of residential units.

Residential Cycle storage

- 8.87 Secure cycle parking is provided to the rear gardens of the thirty-five (35) houses, assessable via the access alleys. Standalone and accessible cycle storage is provided to the south of Arrowsmith flatted block serving the twenty-nine (29) flats. The cycle storage requirement for the care home staff and occupants is forty (40) spaces. Adequate on-site space is provided to the south-east corner of the care home site. The quantity of on-site cycle storage would be policy compliant. All the cycle spaces would be secure and covered but subject to a pre-occupation condition finalising the final appearance of the secure units.
- 8.88 The transport impacts of the development would not result in safety concerns or increase parking demand in the location in accordance with adopted planning policies in the London Plan (2021) and the Enfield Development Management Document (2014).

Refuse Management on site

- 8.89 Secure, appropriately sized refuse and recycling stores are provided within each Dwelling and located in the rear garden. Each garden is served by a shared alley between the houses, allowing presentation of the refuse bins on collection day without transportation through the respective house.
- 8.90 The flatted blocks would benefit from a designated refuse storage location point at the south-east of the Block known as Bradshaw. Refuse will be collected within the site with a refuse vehicle able to get within acceptable collection distances of all entrances. Vehicle tracking has been provided in the applicants submitted transport report and ensures that a refuse vehicle can manoeuvre acceptably within the site
- 8.91 The applicant has submitted a site waste management plan (Ref AP6946 dated April 2021) alongside a layout plan (Ref Parking and refuse layout plan (Ref 062001-BEL-NL-02-Rev D) confirming the method of collection and separate

plan confirming the access of the dwellinghouses. The management of the waste collection is considered to be satisfactory and meets policy expectations.

### **Impact on Landscaping, Trees & Biodiversity:**

#### Landscape quality

8.92 Policy G5 of the London Plan outlines that major development proposals should contribute to the greening of London by including urban greening by incorporating measures such as high-quality landscaping, green roofs, green walls and nature based sustainable drainage. Policy G5 outlines that the Mayor recommends a target score of 0.4 for developments that are predominantly residential.

8.93 The applicant has submitted the following documents pertaining to landscape and broader greening of the site.

Urban Greening Factor Calculations (Ref B21004-V1)

Urban Greening Factor Calculations - Bellway Homes ONLY (Ref B21014-V2)

Care Home Landscape Proposal (Ref B21004-101 Rev K)

Residential Landscape Proposals (Ref B21014 - 101 Rev G)

Site Wide Landscape Masterplan (Ref B21004-102 Rev B)

8.94 The submitted Urban Greening Factor assessment has calculated the UGF score as 0.32, below the expectation of 0.4 in the London Plan (2021). The LPA note the UGF is not optimum but note the condition of the existing site is poor and in an unmanaged state. In addition a robust condition would be applied to the site to provide the highest possible level of green infrastructure while bringing forward a brownfield site. Full details on all the landscape features will be required by condition including proposed species of plants and the treatment of the boundary between the development and the Green Belt, requiring particularly sensitively to ensure a natural appearing transition. The indicative soft landscaping scheme provided is generally acceptable but will be strengthen via the landscape condition to provide strategically planted broad canopied trees across the site.

#### Trees

8.95 London Plan Policy G7 states that where development proposals result in the removal of trees, adequate replacement trees should be planted based on the existing value of the trees to be removed.



- 8.96 Chapter 12 para 131 of the NPPF adds weight to the need for trees to be provided in visually enhancing locations such as streets. Para 131 states,

“Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should **ensure that new streets are tree-lined**, that opportunities are taken to incorporate trees elsewhere in developments...”

During the design stage trees were sought and have been provided on the principle residential street, fifteen (15) in total and additional trees to the western boundaries. Eight (8) trees have been provided adjacent the playspace on the western side of the residential portion of the development.

- 8.97 The development will require the loss of 39 trees including  
4 B category  
23 C category  
12 U category trees.

U category trees are generally of neither mature, nor specialist species and have limited visual or biodiversity weight. In addition, 16 hedgerows / groups of low value vegetation will be removed.

- 8.98 While there is a loss of trees, 94 new trees (inclusive of the street trees) will be provided as well as extensive specimen shrub planting, ornamental shrub planting, evergreen hedgerows, beech hedgerows and wildflower grassland. As such the replacement offered is just over 2:1 replacement to loss. The London Plan makes it clear that existing trees of good quality refers to “Category A and B trees as defined by BS 5837:2012”. The landscape plan to be secured by a condition shall expect and require strict attention to the quality of tree replacement on site and strategically planted broad canopied trees cross the site.

- 8.99 The LPAs tree officer has assessed the submitted Arboricultural Impact Assessment (Ref 191101-PD-11 Dated April 2021) and has no object to the scheme on the provision that a comprehensive Arboricultural Method Statement and Tree Protection Plan are provided, in accordance with BS 5837:2012. The method statement will include an auditable monitoring schedule where supervision may be required for works within the Root Protection Areas of retained trees.

#### Ecology impacts

- 8.100 Policy G6 of the London plan (2021) states “development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process”. The applicant has submitted a revised Ecological Appraisal during the planning application dated October 21 which has subsequently been assessed internally against policy.
- 8.101 The site is not subject to any statutory or non-statutory ecological designations. The nearest statutory designation is Oak Hill Wood Local Nature Reserve (designated for its mature trees) located 3.6km south-west of the site. The proposals will not affect this site. The site comprises buildings and hardstanding surrounded by areas of amenity grassland, ornamental planting, and hedgerows. There are also small areas of rough grassland and small areas of dense and scattered scrub. Overall the preliminary ecology survey provides an adequate overview of ecology on site and the on-site habitats are not a constraint to development against ecological value.
- 8.102 The ecology report confirms, the Noctule, Common Pipistrelle *Pipistrellus pipistrellus*, Soprano Pipistrelle, and Pipistrelle bat species *Pipistrelle* sp. within 2km of the site. The closest record is for a Common Pipistrelle, recorded in 2016, located within 1.2km of the site boundary. Para 5.3.10 of the ecology report states “the existing buildings will be demolished under the current proposals, which will result in the loss of the bat roost present in B1e”. As such, a Natural England mitigation licence will be required prior to demolition, with appropriate mitigation measures implemented to safeguard bats.
- 8.103 The loss of any bat habitats is not optimum however significant weight is given to three principle rationales, namely,
- A licence from Natural England will be required prior to any demolition works and as such would be significant protection to the presence of Bats which is identified as low in the report (for derogation from the provisions of the Habitat Regulations).
  - The economic nature of the development will contribute to a social and economic need of the local community that is balanced favourably against the low bat accommodation.
  - Mitigation for the loss of existing habitats provided by the landscape scheme.
- 8.104 The landscaping plan (Landscape Proposals, Job no: B21004 – received 7/10/2021) shows the location of bird, bat and hedgehog boxes. A robust report and plan will be required by way of a planning condition.

- 8.105 The existing site offers little ecology environments of quality and following the details and strategies submitted in the ecology report and through the imposition of further conditions, pertaining to the Natural England licence and robust landscaping scheme, the development would provide a net gain and good quality of ecology and biodiversity enhancements in accordance planning policy.

**Energy & Carbon emissions:**

- 8.106 Policy SI 2 (Minimising greenhouse gas emissions) of the London Plan (2021) expects major development to be net zero-carbon. This means reducing greenhouse gas emissions and minimising both annual and peak energy demand in accordance with the following energy hierarchy:
- 1) be lean: use less energy and manage demand during operation
  - 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
  - 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
  - 4) be seen: monitor, verify and report on energy performance.
- 8.107 Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:
- 1) through a cash in lieu contribution to the borough's carbon offset fund, or
  - 2) off-site provided that an alternative proposal is identified and delivery is certain
- 8.108 The applicant has submitted the following reports to satisfy policy requirements.
- Thermal Comfort report (Care Home -Signature Senior Lifestyle Enfield) (Dated April 2021)
  - Energy assessment - Care Home (Signature Senior Lifestyle Enfield) (Dated April 2021)
  - Energy Strategy Bellway Homes (Dated Oct 21)
  - Sustainability Statement (Dated April 2021 Rev P05)
  - Overheating Assessment (Dated March 2021 Rev B)
  - Maximisation of PVs within development (Ref 062001-BEL-NL-PV01)

- 8.109 At the time of submission, the applicant does not intend to connect to the Energetik Decentralised Energy Network (DEN) as the current proposals for DEN do not run in close proximity to the site. The sustainability officer confirms the development meets the minimum thresholds of energy hierarchy and adopted SAP 10 carbon factors. PV minimum output should avoid lower-quality panels being installed 78.5kWp.
- 8.110 The applicant only just meets 35% above Building regs 2013 part L, nevertheless the policy criteria is met and would be subject to a cash in lieu contribution of £148,399, reflective of the 15,562 tonnes of CO2 below Carbon zero at a rate of £95 per CO2 tonnage. The contribution shall be paid upon commencement of the development and secured via the s106 legal agreement. Planning conditions shall be applied to the development to secure pertinent aspects of the carbon off-set.

**Other materials matters:**

Socio-Economics

- 8.111 London Plan Policy CG5 seeks to ensure that the benefits of economic success are shared more equally across London and Policy E11 makes clear that development should support employment, skills development, apprenticeships and other education and training opportunities in both the construction and end use phases.
- 8.112 The proposed care home shall provide approximately 120 new jobs in a range of roles, with staggered and flexible shifts on both a full-time and part-time basis.
- 8.113 Core Strategy Policy 13 seeks to protect Enfield's employment offer and Core Policy 16 requires mitigation to help local people improve skills and access jobs. The Council's Planning Obligations SPD (2016) sets out guidance on implementing these policies. To help ensure that Enfield residents are able to take advantage of this beneficial effect of the scheme, it is recommended that s106 planning obligations secure the following:
- Local Labour (during demolition and construction phases):
  - Employment & Skills Strategy submitted and approved prior to commencement
  - Reasonable endeavours to secure 25% of workforce
  - Apprenticeships or trainees

- Local goods and materials

Employment & training:

- Employment and Skills Strategy to establish requirements for local resident engagement in employment opportunities, recruitment of apprentices, quarterly reporting and targets.
- Training opportunities
- Partnership working with local providers/programmes

Health Impact Assessment

- 8.114 London Plan Policy GC3 outlines that to improve Londoners' health and reduce health inequalities, those involved in planning and development must adhere to an outlined criterion.
- 8.115 This application is accompanied by a Health Impact Assessment. The assessment outlines health profile baselines which have informed impacts of the proposed development. Overall, the assessment concludes that the proposed development will generally have a positive impact on the health of the future residents and local residents.

Contamination

- 8.116 The applicant has submitted a Geotechnical and Geo-environmental Interpretative report and remediation Strategy (Reference CG/38113, Dated April 2021). The report has highlighted the presence of elements of contamination, however the Environmental Health officer considers an appropriated worded condition requiring a scheme to deal with the identified contaminants to be sufficient. Furthermore, subject to conditions on the development during construction, the Environmental Health officer has no objection regarding neighbouring amenity, noise and air quality. Planning conditions shall be applied to safeguard the site during construction and for neighbouring amenity.

Archaeology

- 8.117 An Archaeological assessment (Ref JAC27042) was submitted to support the planning application. The report concluded "Overall, given the site's limited archaeological potential and historic location within an area of dense woodland, it is considered unlikely that the proposed redevelopment of the site would have



either a significant or widespread archaeological impact. No further archaeological works are recommended in this particular instance". The LPA has no evidence to contradict this conclusion and no further investigation is required on site.

#### Water efficiency

- 8.118 Policy DMD 58 (Water Efficiency) expects new residential development, including new build and conversions, will be required to achieve as a minimum water use of under 105 litres per person per day. The applicant has provided no reports or documents to confirm how the proposed development will implement water efficiency measures to achieve usage of less than or equal to 105 litres/person/day for residential developments and incorporate water saving measures and equipment. A condition shall be applied to secure the water usage on the development site.

#### Security

- 8.119 Final details of the appearance and form of the gate detail and access arrangement to the site and shall form pre-commencement conditions. The Metropolitan Police have reviewed the development and in raising no objection, have requested planning conditions. Officers consider the layout of residential development to provide high levels of passive surveillance and overall, it is concluded the proposed development is acceptable in this respect. .

### **9.0 Section 106 Agreements & Planning Obligations**

- 9.1 The planning application is subject to financial contributions and other obligations which will be secured via a Section 106 legal agreement with the following heads of terms.

#### Affordable Housing Contribution

- 9.2 A total of twenty-three (23) units are to be provided on site as affordable housing with a ratio of 40% and 60% shared ownership and London affordable rent (LAR) respectively. The twenty-three units are formed of the following Mix four (4) 1b2p, six (6) 2b3p flats and thirteen (13) 3b5p units

- a. 35.9% of the residential (C3) units would be affordable (23 of the 64 units)

- b. 36.9% of total habitable rooms
- c. 37.8% of total floorspace
- d. Tenure split of the affordable housing is 60.4% affordable rent (LAR) and 39.6% intermediate housing (shared ownership)
- e. Early Stage Review mechanism

#### Transport – Sustainable Transport

- 9.3 A contribution of £52,000 towards the sustainable transport infrastructure in the vicinity of the Development Site would be secured. The contribution would fund (but not limited to) the following,
- a. Cycle infrastructure including proposed segregated lanes
  - b. Cycle parking (including at stations, shops)
  - c. Pedestrian Environment Review System study
  - d. Pedestrian dropped kerbs
  - e. Crossing points
  - f. Monitoring of CPZ in the location
  - g. Pre-credited Oyster cards

#### Transport – car club

- 9.3 A contribution of £15,000 secured via a s106 towards the feasibility provision of a car club spot within the site or no more than a 10min walk of the site shall be identified.
- a. This payment provides 2 years free membership
  - b. identification of site

#### Transport – Travel Plan and Travel Plan Monitoring

- 9.4 A contribution of £7,000 secured via a s106 towards a parking management report to monitor how the allocation of spaces will be managed, monitor efficiently of C2 and residential units, seeking to reduce car derived journeys. Appointment of Travel Plan Coordinator and monitoring of Travel Plan initiatives including TRICS compliant surveys

#### Transport – CPZ

- 9.5 A contribution of £10,000 for consultation, design and implementation (if applicable) of parking controls (including Traffic Management Order costs) to mitigate overspill parking and manage existing demand particularly on Oak Avenue (with any residual amount used on active travel initiatives). Occupiers of

the development will not be permitted to obtain resident parking permits for any existing or future controlled parking.

Climate Change, Flooding and the Environment

- 9.6 A Contribution (Carbon Offset Payment) towards the Carbon Offset Fund (utilised by LB Enfield towards the provision of measures for securing CO2 reduction in the vicinity of the Site) of £148,399 shall be secured.

Play space contribution

- 9.6 A contribution of £50,000 secured via a s106 towards off-set appropriate provision for older children. The LPA in partnership with the parks team shall identify a park and club in the vicinity to provide enhanced facilities for children between 9-17 years of age.

Parks and Fields

- 9.7 A Contribution of £30,000 shall be secured to provide open space expansion and improvements to public access, mitigating Green factor rating.

Education

- 9.8 A Payment of £160k for the purposes of mitigating the impact of the Development on educational services and for the provision of additional educational facilities and school places in the Borough, especially targeting specialist school places.

Health Care

- 9.10 A payment of £100,00 for the purposes of increasing the capacity of primary care services and/or supporting the delivery of health facilities. The fee is predicated on the basis hospital services for future occupiers could be offset by the benefit of care home accommodation. A lower net population yield on account of the catchment area affects the net population.

Employment and Training

- 9.11 a. Local Labour (during construction phase)  
b. Employment & Skills Strategy submitted and approved prior to commencement of development (definition of development in this instance not including demolition) using reasonable endeavours to secure: (i). 25% of local

workforce, (ii). 1 x apprentice or trainee for every £1m contract value (figure to be agreed during drafting of s106 subject to formula) (financial contribution to be provided if exceptional circumstance exist), (iii). Quarterly apprenticeship reporting & targets, (iv). Local goods and materials, and (v). partnership working with local providers/ programmes

- 9.12 Parking permit restriction for new occupiers of the residential dwellings for surrounding roads, inclusive of Oak Avenue. The aim of the permit restriction (s106 legal agreement) is to retain parking capacity in the roads in walking distance to prevent under provision of parking to local residents

#### Other

- 9.13 a. Considerate Constructors Scheme.  
b. LBE Management monitoring fee (maximum 5% of value of financial contributions).  
c. Section 278 to be entered by the applicant for the reinstatement and improvement works to the existing access crossover and provision of extended new crossover,  
d. all contributions to be index linked

### **10.0 Community Infrastructure Levy (CIL)**

#### *Mayoral CIL*

- 10.1 The Mayoral CIL is collected by the Council on behalf of the Mayor of London. The amount that is sought is for the scheme is calculated on the net increase of gross internal floor area multiplied by an Outer London weighting (increased to £60per sqm as of 1<sup>st</sup> April 2019).

#### *Enfield CIL*

- 10.2 The Council introduced its own CIL on 1 April 2016 to support infrastructure in the Borough. Enfield has identified three residential charging zones and the site falls within charging rate zone (£120/sqm).
- 10.3 The existing sui generis Hotel building has a total floorspace of 6,529m<sup>2</sup>. The proposed C2 Care Home would have a total floorspace of 7,309m<sup>2</sup>, alongside the 6,606m<sup>2</sup> of new C3 residential floorspace, resulting in a net increase in floorspace of 6,840m<sup>2</sup> across the site.

- 10.4 The Enfield Community infrastructure Levy Charging schedule (adopted April 2016) seeks contributions of £0 per m<sup>2</sup> on C2 uses. The MCIL2 Charging schedule does not make exception and the total C2 floorspace would be subject to London Mayoral CIL.

**Residential**

6,606m<sup>2</sup> of floorspace would be subject to Local CIL £120 = £792,720

6,606m<sup>2</sup> of floorspace would be subject to Mayoral CIL £60 = £396,360

**C2 Care Home**

The net new C2 floorspace (7,309m<sup>2</sup> - 6,529m<sup>2</sup>) of 780m<sup>2</sup> would be subject to London Mayoral rate of £60, therefore £60 x 780 = £46,900

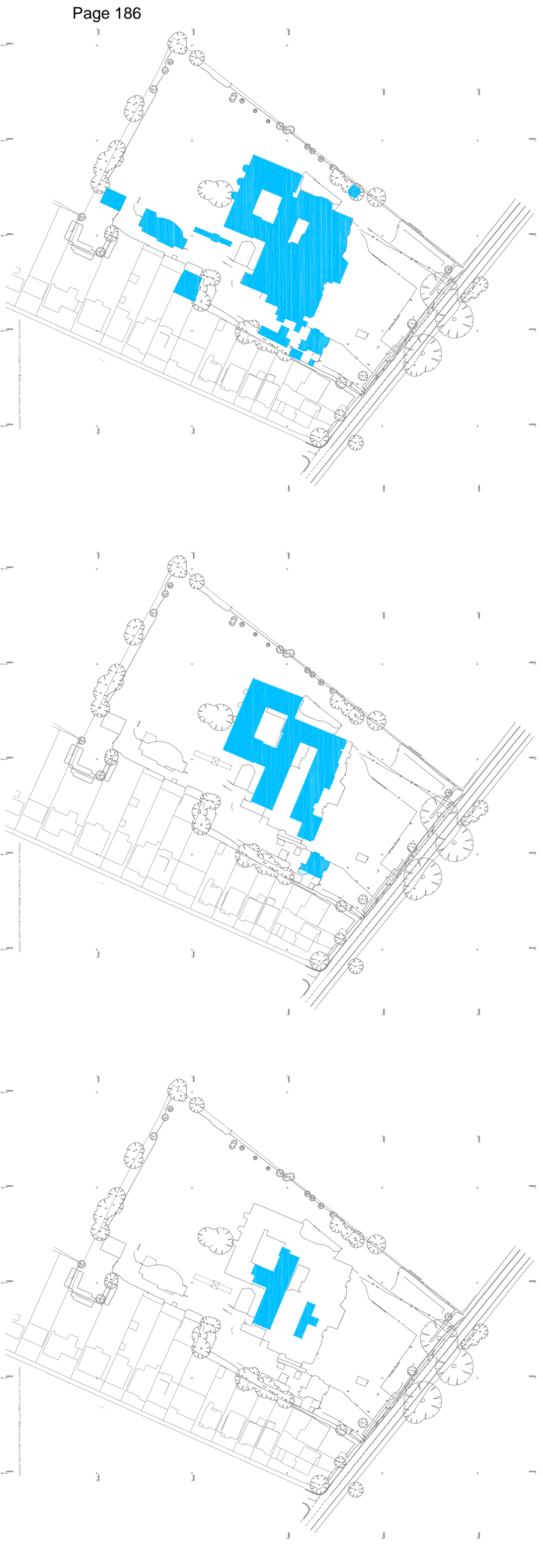
All figures above are subject to the BCIS figure for CIL liable developments at time of CIL processing.

**11.0 Conclusion**

- 11.1 The starting point for the determination of any planning application is the development plan. Paragraph 11(d) of the NPPF, states that planning permission should be granted unless *“the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed”*.
- 11.2 Members will be aware of the need to deliver more housing including affordable housing in order to meet housing delivery targets. This proposed development would deliver a total of 64 homes including 23 affordable homes. In light of the presumption in favour of sustainable development and the tilted balance, this needs to be given significant weight. In addition, the development would provide a care facility which would contribute to meeting local needs.
- 11.3 In addition, it must be acknowledged that the development is a brownfield site with a vacant hotel building with existing access and is appropriate for intensification of development in accordance with strategic expectations
- 11.4 The design, sitting, massing, standard of accommodation and impact on neighbouring amenity are all considered acceptable. The relationship of the development to the Green belt is also considered to be acceptable. It is also considered the access and parking arrangements would ensure there is no adverse effect on the free flow and safety of traffic or highway safety



- 11.5 In addition, as well as being energy efficient and sustainable, care has been given to ensure that the proposal would not harm the trees, which define this site. The site would be enhanced with suitable replacement trees, not only bringing visual benefits, but also helping us to improve our natural environment.
- 11.6 Overall and given weight to the need for development which provide new homes, it is concluded that the application proposes a high-quality residential development on existing underutilised, brownfield land consistent with the objectives of adopted planning policy in the NPPF (2021) adopted London plan (2021),) and Local Enfield planning policy within the Core Strategy (2010) and Development Management Document (2014).
- 11.7 As a result, subject to the appropriate mitigations as set out within the recommended condition schedule, and within the Section 106 Agreement, the application is considered acceptable and is recommended for approval.

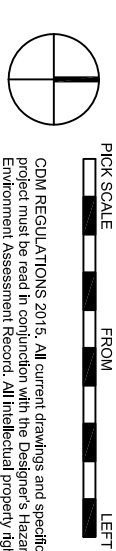


GROUND FLOOR GIA  
3,852m²

FIRST FLOOR GIA  
2,133m²

SECOND FLOOR GIA  
544m²

TOTAL GIA 6,529m²

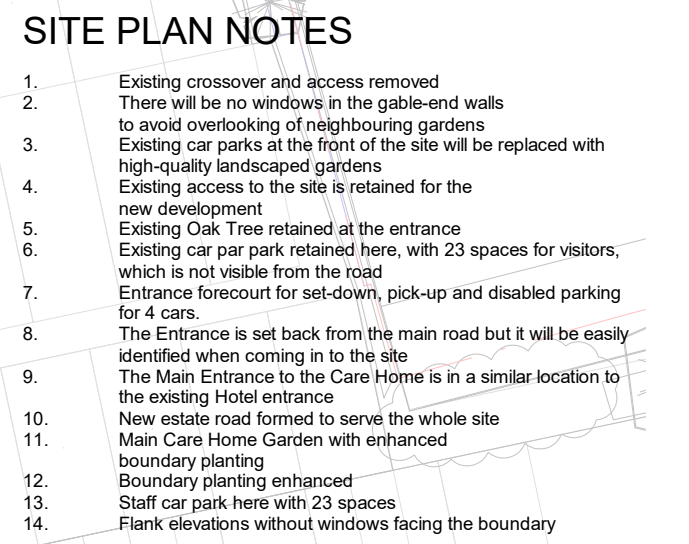


CDM REGULATIONS 2015. All current drawings and specifications for the project must be read in conjunction with the Designer's Hazard and Environment Assessment Record. All Intellectual Property rights reserved.

Designed with reference to the surveys, information and reports listed:  
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| A   | XXXXXX | Multi Line Note Line Two | XX  | XX  | Checked    | SH      |
|     |        |                          |     |     | Date       | May '21 |
|     |        |                          |     |     | Scale @ A3 | 1:2000  |







| Rev | Date | Description |
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# THE RIDGEWAY



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CDM REGULATIONS 2015. All current drawings and specifications for the project must be read in conjunction with the Designer's Hazard and Environment Assessment Record. All intellectual property rights reserved.

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Signature



Designed with reference to the surveys, information and reports listed:  
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AA6946-2006





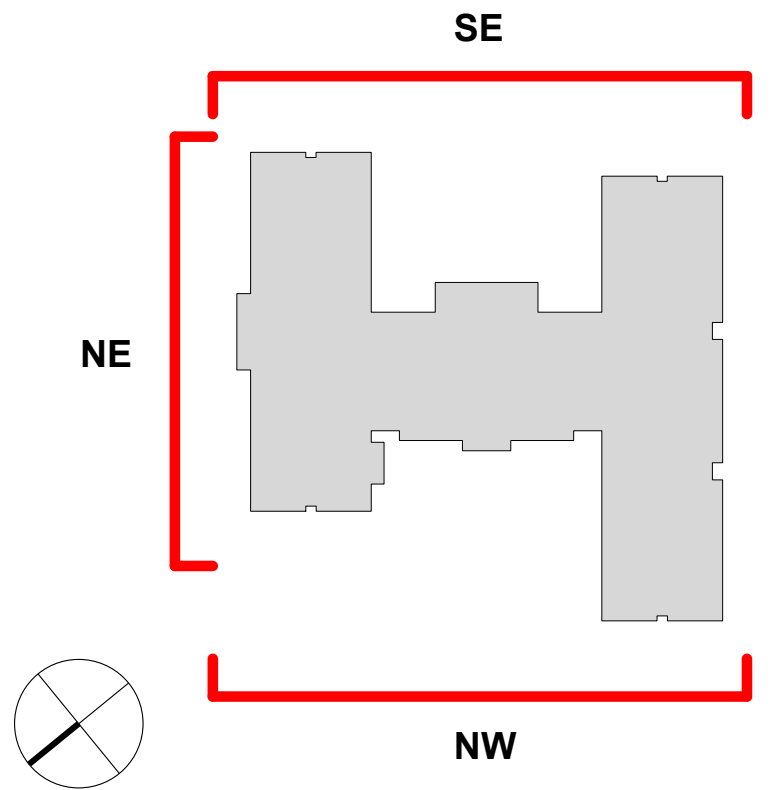
Proposed North West Elevation  
1 : 200



Proposed North East Elevation  
1 : 200



Proposed South East Elevation  
1 : 200



- MATERIALS KEY**
- A Facing Brickwork, Belle Epoque or similar with light mortar joint or similar.
  - B Contrasting facing Brickwork or similar.
  - C Reconstituted Slate Tile Roof, colour: Grey or similar.
  - D Rain Water Goods- Powder Coated Aluminium with North Brink Grey Finish or similar.
  - E Part Glazed & Part Screened Balcony.
  - F Windows and External Doors- Powder Coated Aluminium with North Brink Grey Finish or similar.
  - G Metal Work - Powder Coated Aluminium with North Brink Grey Finish or similar.
  - H Soldier Brick detail, Belle Epoque or similar.
  - I Recessed Brick, Belle Epoque Soldier or similar.
  - J Reconstituted Stone Window Surround.
  - K Angled Brick detail, Belle Epoque or similar with light mortar joint or similar.
  - L Skylight.
  - M Sun Louvers, Powder Coated Aluminium with North Brink Grey Finish or similar.

0m 5m 10m 15m

Rev Date Description

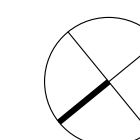
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Date Mar' 21  
Scale @ A1 As indicated

**Royal Chace Hotel, Enfield**  
**Proposed Elevations 1 of 2 -**  
**Care Home**

**AA6946-2010**

**PRP**

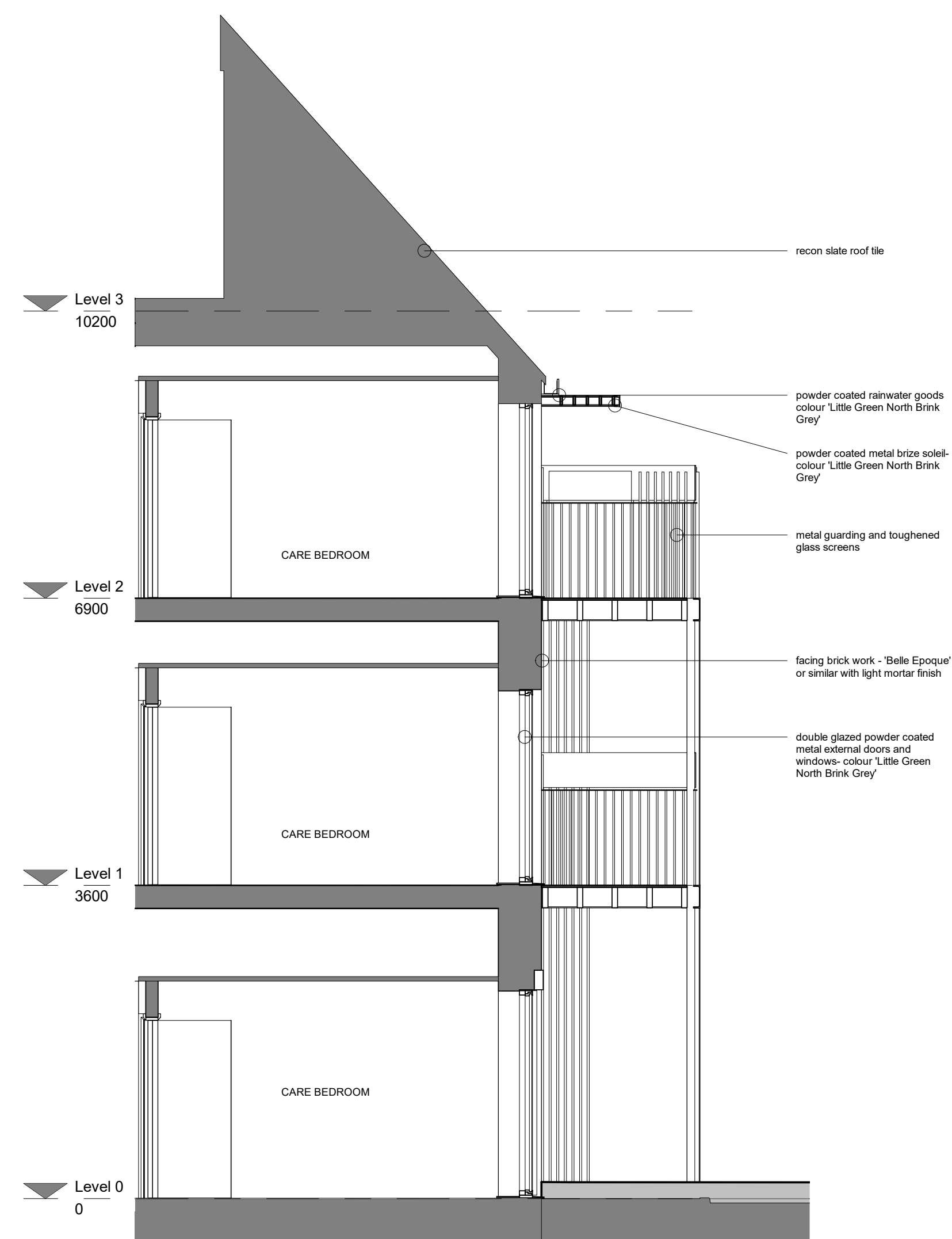












Bay Study 1 South Elevation  
1 : 50



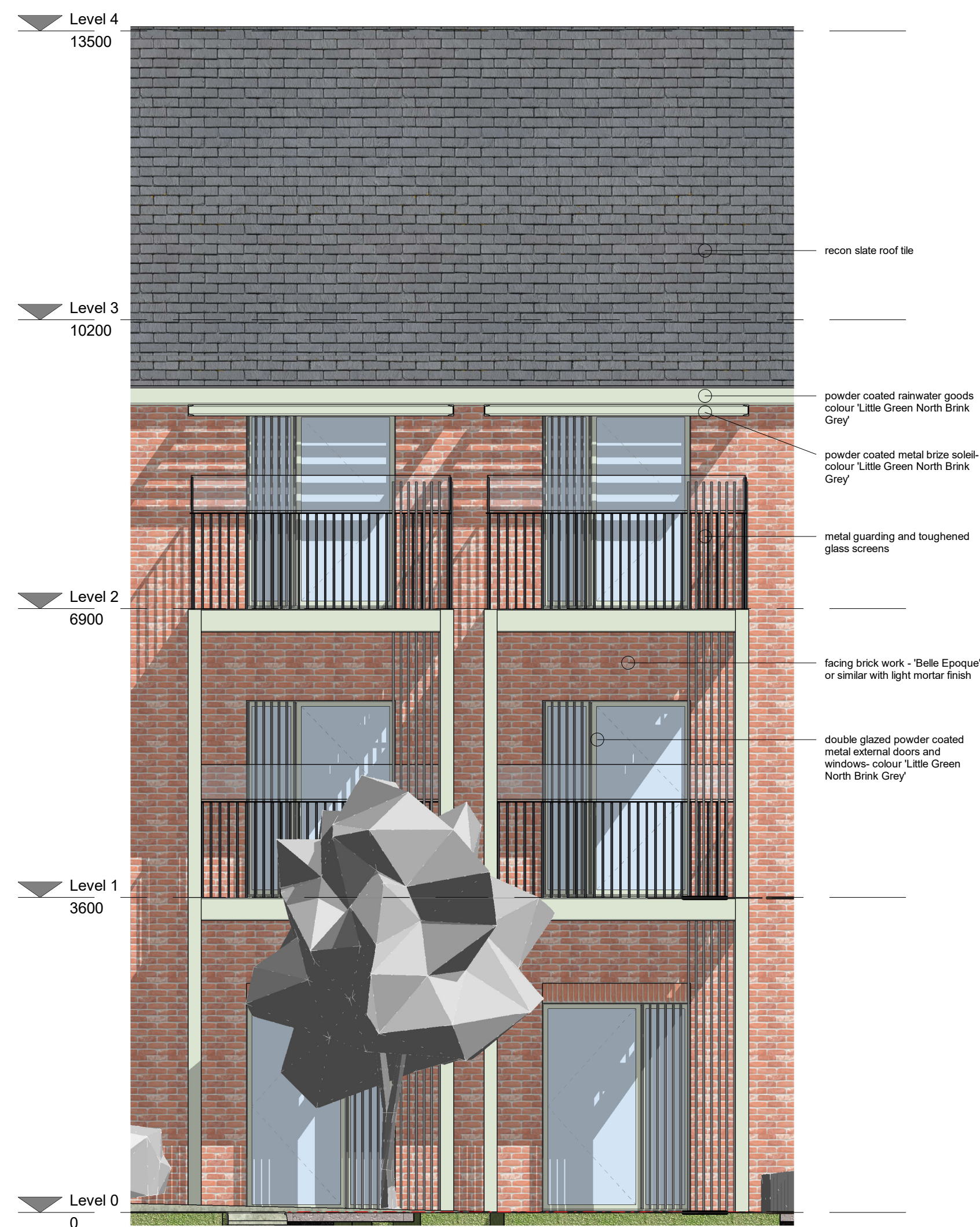
Recon Slate Roof Finish



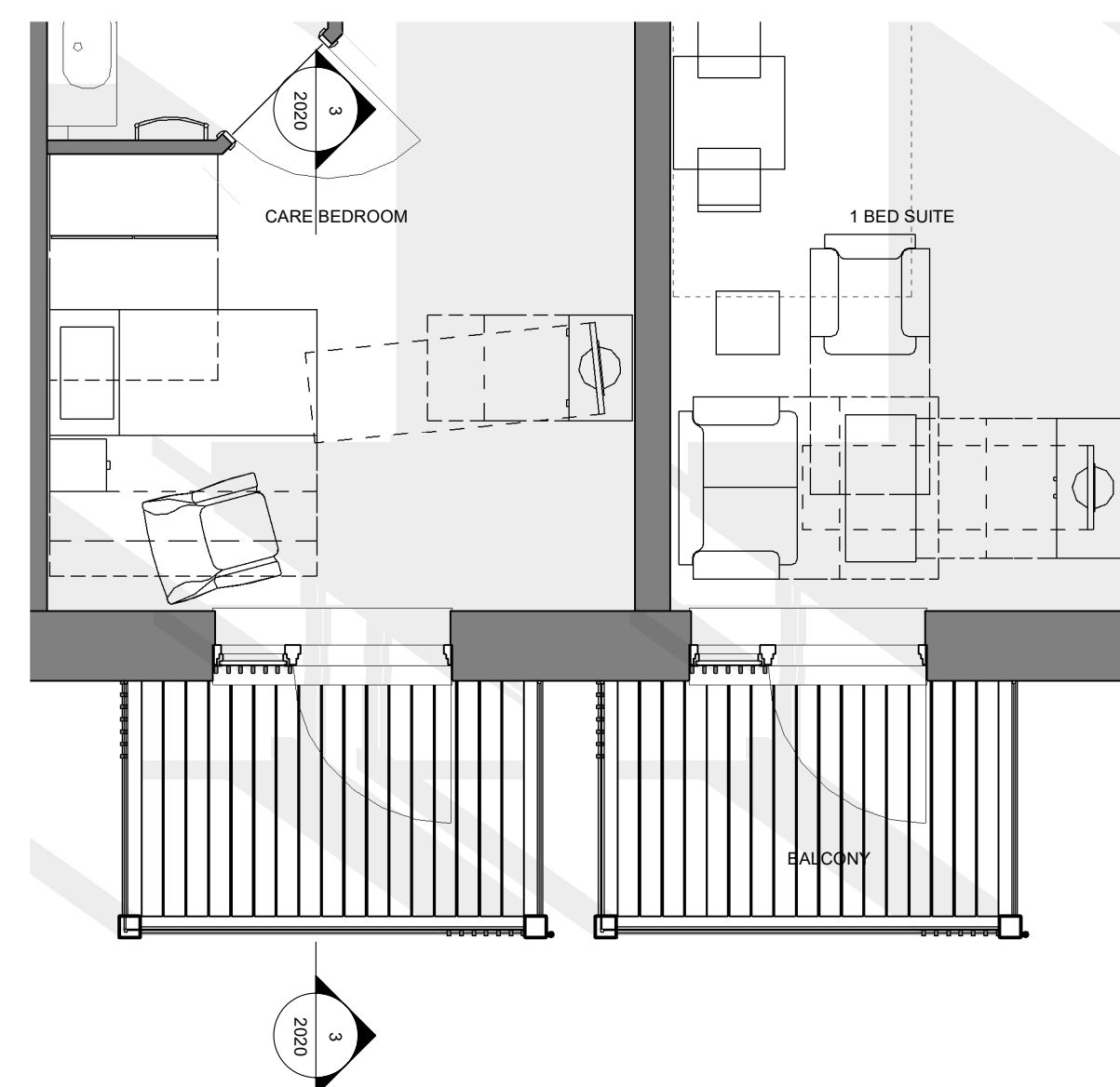
Little Greene North Brink Grey



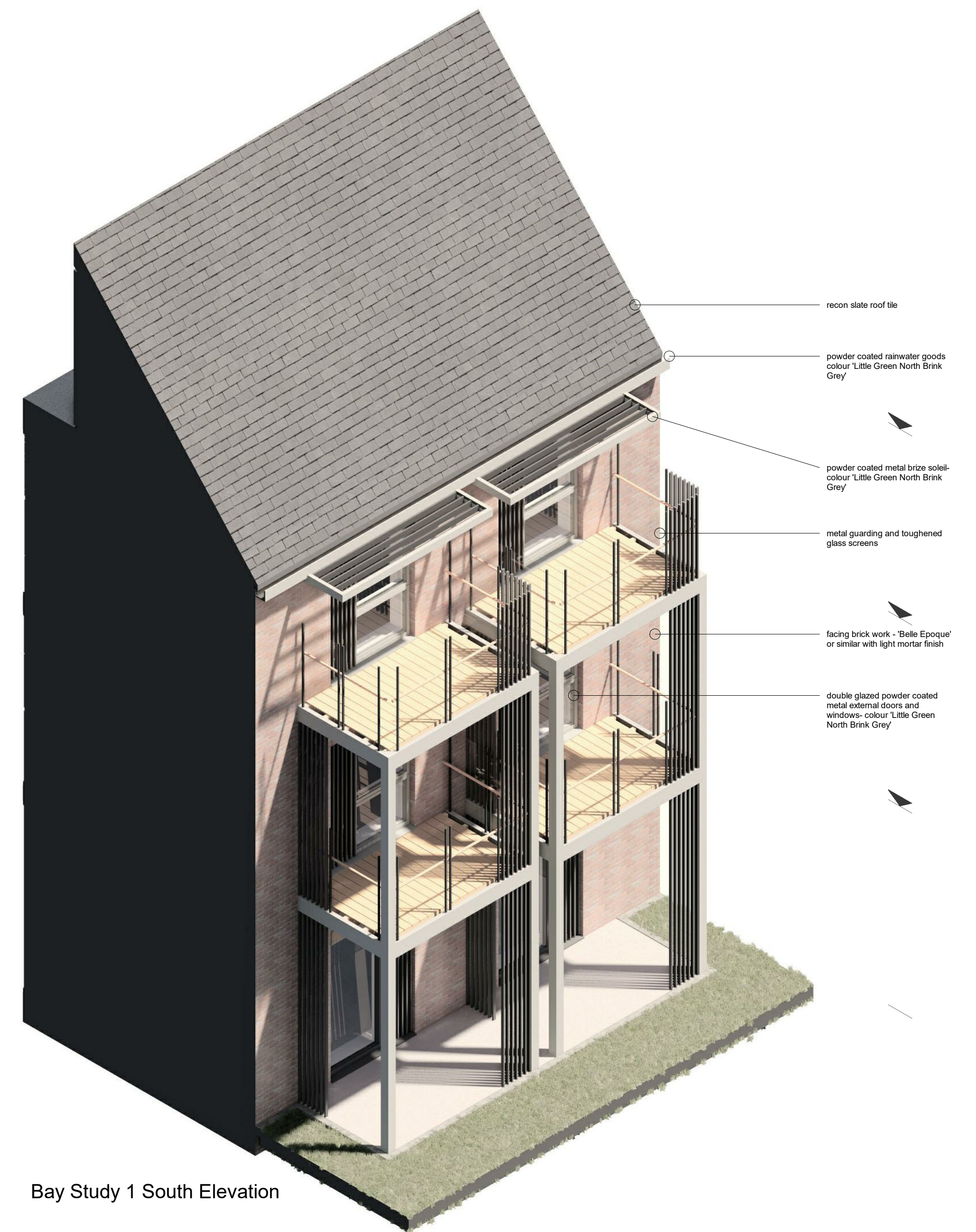
Belle Epoque



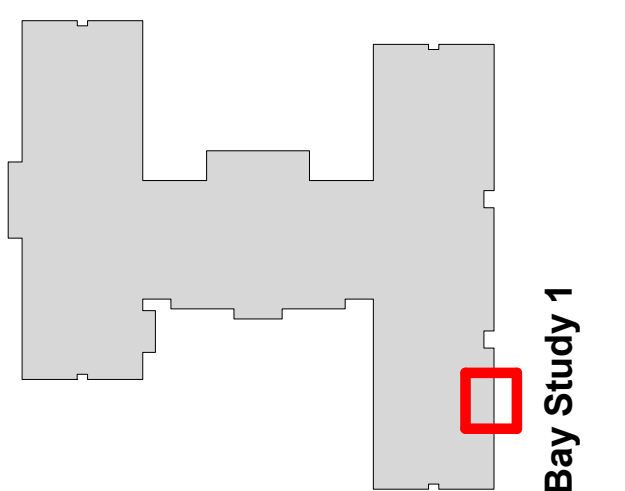
Bay Study 1 South Elevation  
1 : 50



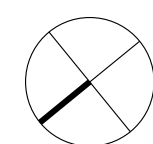
### Bay Study 1 Plan at First Floor Level



Bay Study 1 South Elevation

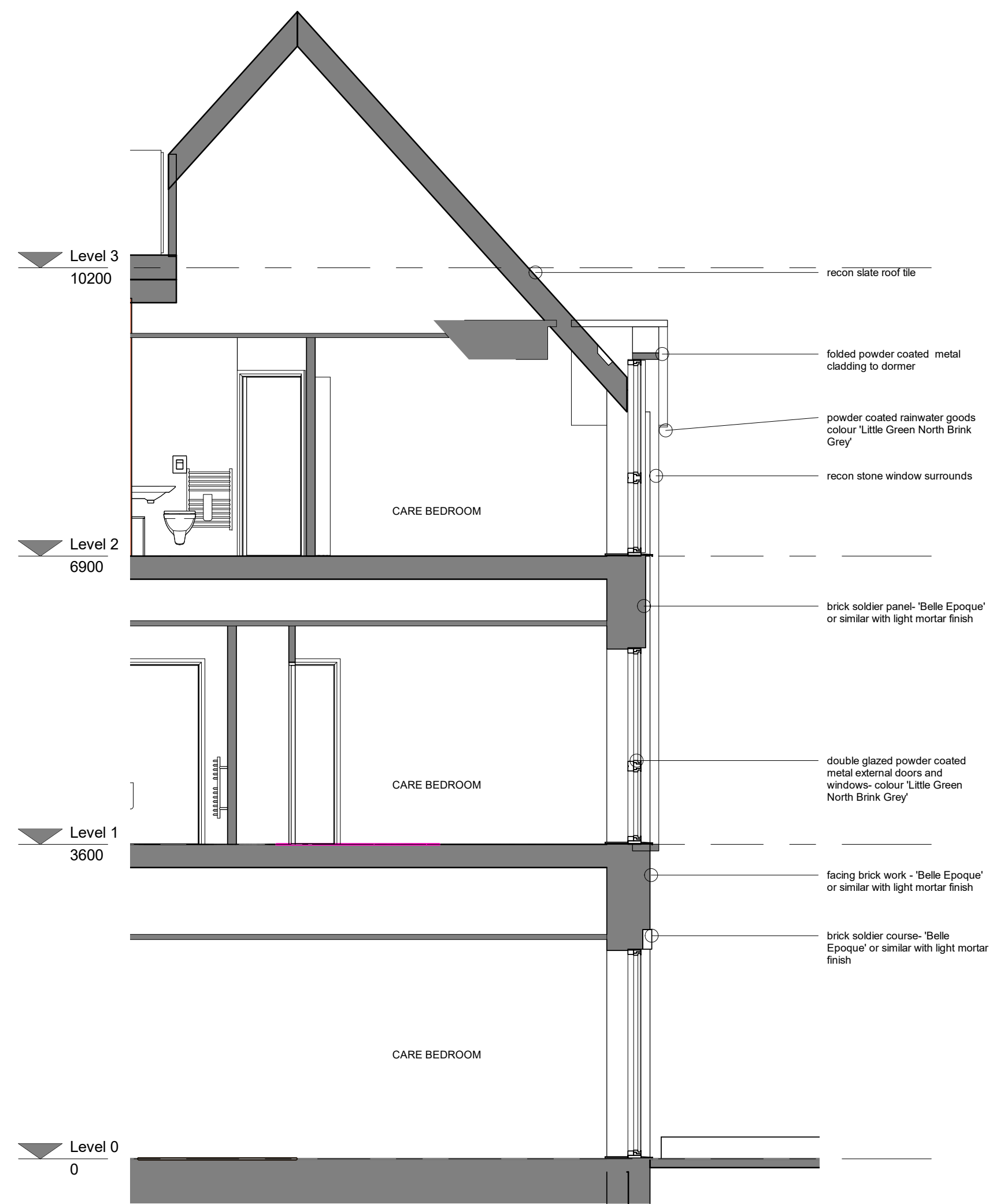


"



Key Plan  
1 : 1000





Bay Study 2 North Elevation  
1 : 50



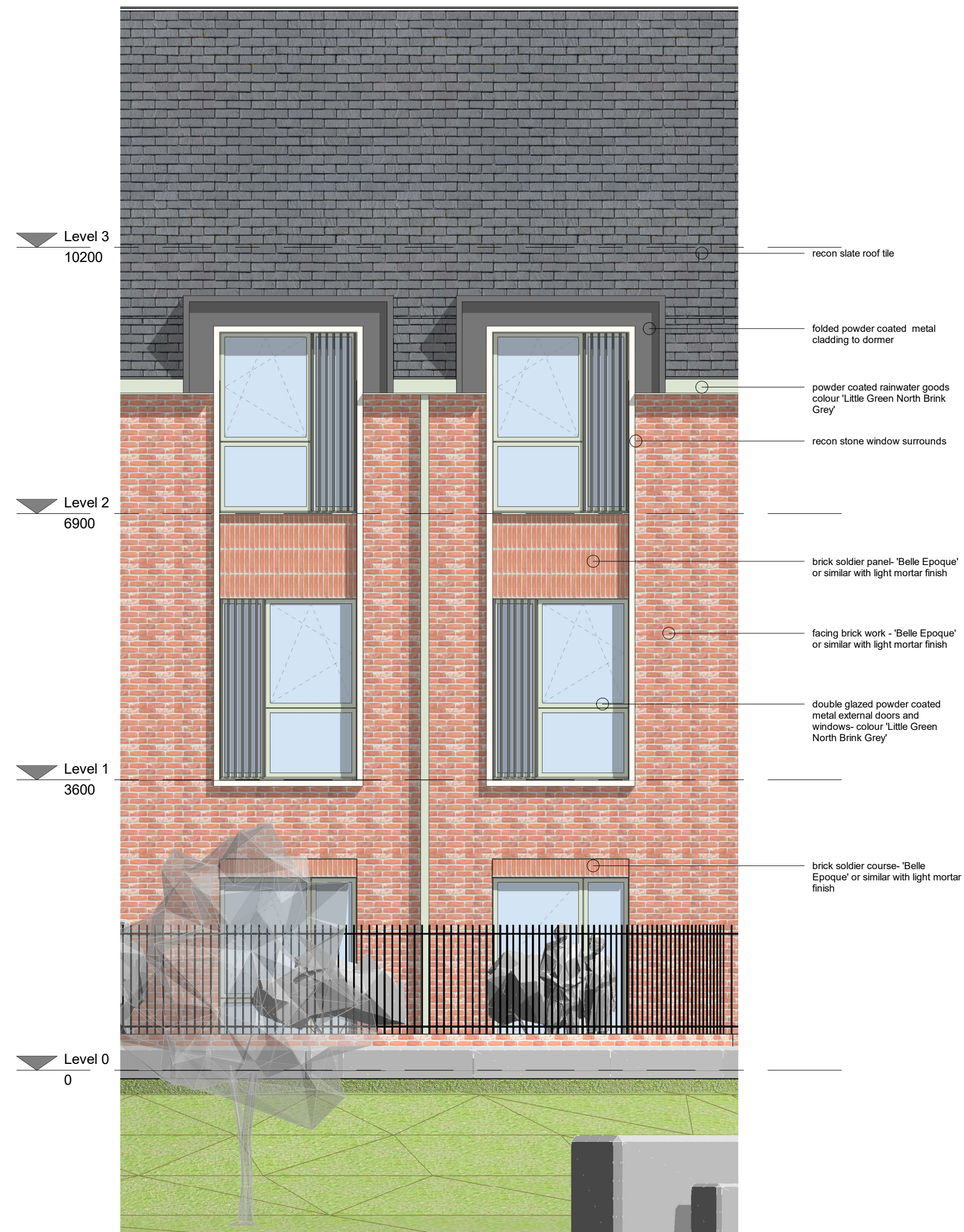
Recon Slate Roof Finish



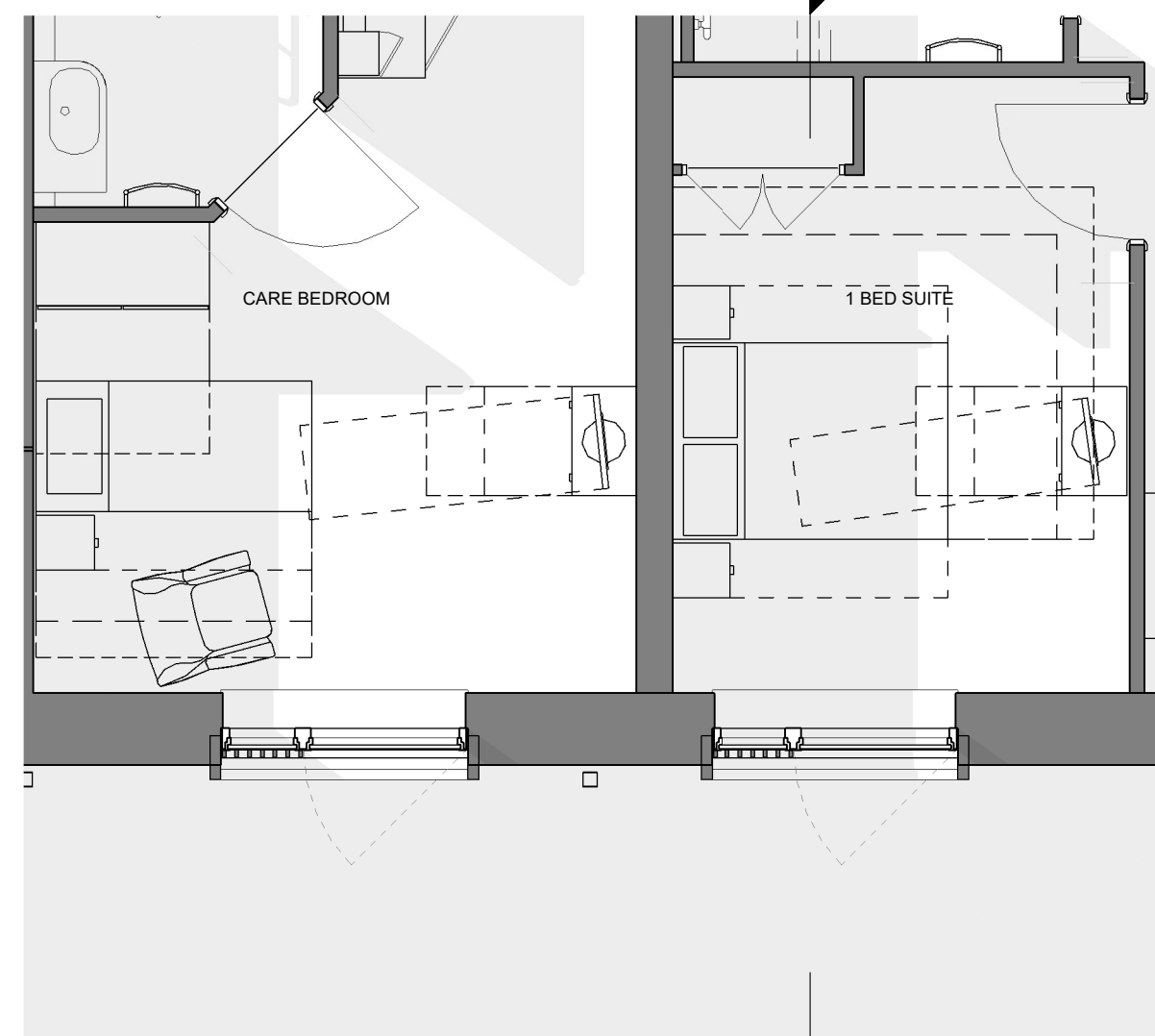
Little Greene North Brink Grey



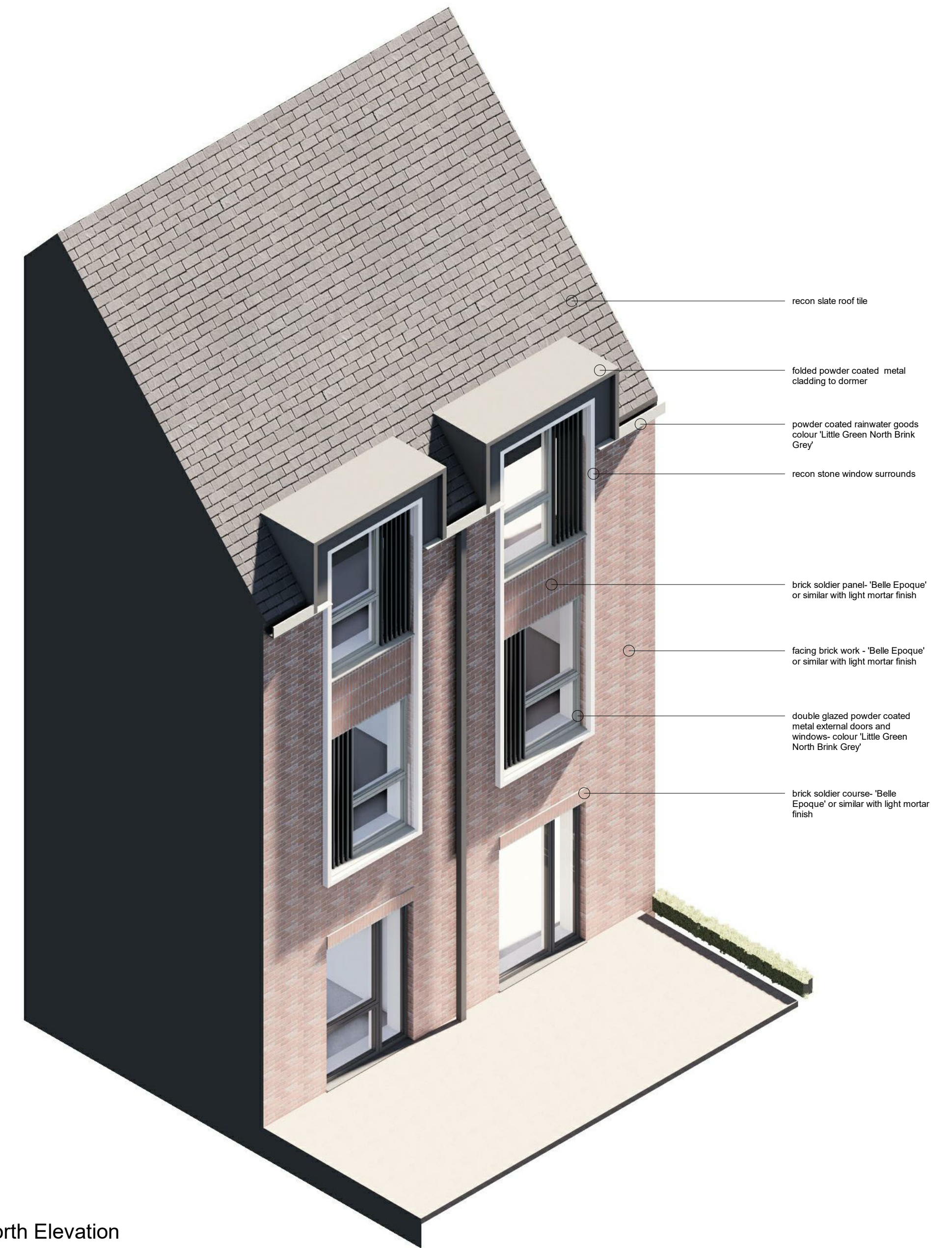
Belle Epoque



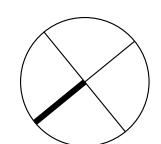
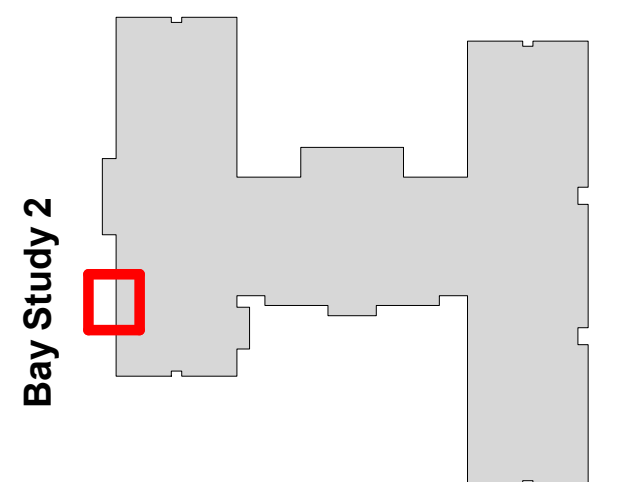
Bay Study 2 North Elevation  
1 : 50



Bay Study 1 Plan at First Floor Level



Bay Study 2 North Elevation



Key Plan  
1 : 1000

Rev Date Description

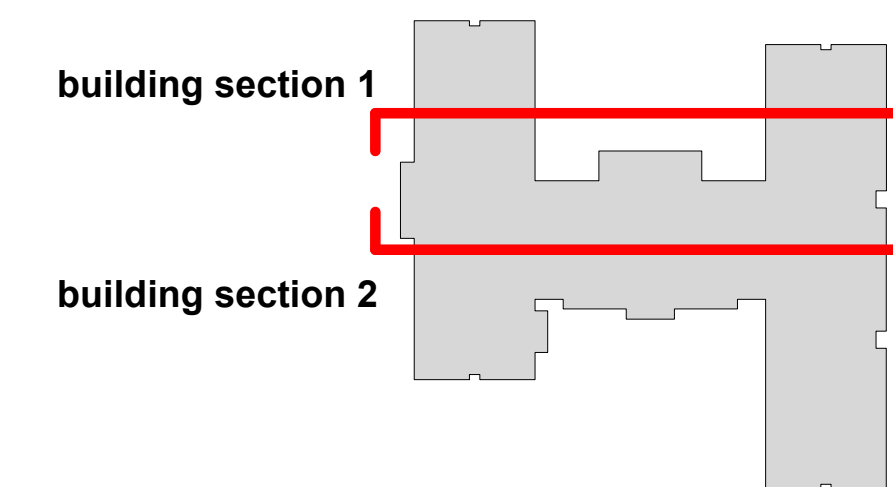
Dwn Ckd Drawn SA  
Checked SH  
Date Mar' 21  
Scale @ A1 As indicated

Royal Chace Hotel, Enfield  
Bay Study 2 - North Elevation  
Care Home

AA6946-2021

PRP





Key Plan  
1 : 1000

A map showing the site boundary. A horizontal line with arrows at both ends represents the site boundary. The text "Signature Care Home" is located on the left side of the line, and "The Ridgeway" is located on the right side of the line. The text "Site boundary" is located above the right end of the line.

Site boundary

## The Ridgeway

[←](#) [Signature Care Home](#)

**PLANNING COMMITTEE**

18 January 2022

**REPORT OF:**

Head of Planning - Vincent Lacovara

**Subject:****Planning Committee 18<sup>th</sup> January 2022****Update for Members**

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**Update to Planning Committee**

Ahead of Tuesday's Planning Committee meeting, please note the following updates to the Committee report will be of assistance to Members in your assessment of the proposals.

**Agenda Item: 5****19/01988/FUL - St Monicas Hall, 521 Green Lanes, London, N13 4DH****1. Updates to body of report**

| Paragraph | Stated in report   | Amendment (in bold)   |
|-----------|--|---|
| 4.6       | The building is not located in a Conservation Area, nor it a Listed building.  | The building is not located in a Conservation Area, nor it a Listed building. <b>The adjacent Saint Monica's Church was built to the designs of Edward Goldie in 1914 and is a non-designated heritage asset of architectural, communal and historic value, albeit it has not been included in the published Enfield's Local Heritage List.</b>   |
| 9.3       | <ul style="list-style-type: none"> <li>Design</li> </ul>   | <ul style="list-style-type: none"> <li>Design <b>(impact upon adjacent NDHA)</b></li> </ul>   |
| 9.4       | Paragraph 192 of the NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting its setting), taking account of the available evidence and any necessary expertise (i.e. statutory & non statutory consultees). That | Paragraph <b>195</b> of the NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting its setting), taking account of the available evidence and any necessary expertise (i.e. statutory & non statutory consultees). <b>Paragraph 189 of the NPPF states that Heritage assets</b> |



|      |   |  |
|------|---|--|
|      | assessment should then be taken into account when considering the impact of the proposal on the heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.   | <b>are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.</b> That assessment should then be taken into account when considering the impact of the proposal on the heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.  |
| 9.5  | Paragraphs 194 to 197 of the NPPF provide...  | <b>Paragraph 197</b> of the NPPF provides...   |
| 9.7  | Unlike paragraphs 195-197 and 201-202, paragraph 203 does not seek to prescribe how that balance should be undertaken, or what weight should be given to any particular matter. It requires a balanced judgement to be made by the decision maker, as set by Nathalie Lieven QC in the Dorothy Bohm v SSCLG ([2017] EWHC 3217 (Admin)) high court judgement.  | Unlike paragraphs <b>200-202</b> , paragraph 203 does not seek to prescribe how that balance should be undertaken, or what weight should be given to any particular matter. It requires a balanced judgement to be made by the decision maker, as set by Nathalie Lieven QC in the Dorothy Bohm v SSCLG ([2017] EWHC 3217 (Admin)) high court judgement.   |
| 9.21 | In making this assessment, as previously mentioned, paragraph 203 of the NPPF calls for the consideration of the application as a whole. In this case it includes not merely the proposed demolition of the existing building but also the construction of the Proposed Development. It is reiterated that locally listed buildings (non-designated heritage assets) do not attract the same great weight attributed to designated heritage assets (e.g. listed buildings). | In making this assessment, as previously mentioned, paragraph 203 of the NPPF calls for the consideration of the application as a whole ( <b>with regard to the scale of any harm or loss and the significance of the heritage asset</b> ). In this case it includes not merely the proposed demolition of the existing building but also the construction of the Proposed Development. It is reiterated that locally listed buildings (non-designated heritage assets) do not attract the same great weight attributed to designated heritage assets (e.g. listed buildings). |
| 9.28 | Nonetheless the loss of the existing locally listed building would result in harm. That harm is considered to relate to the loss of notable internal features of the building that reflect the historic use of the building as a theatre, the communal value associated with the historic theatre use and the original and existing use of the building as a parish community centre.   | Nonetheless the <b>total and irrevocable</b> loss of the existing locally listed building would result in harm, <b>as per paragraph 9.18 of this report</b> . That harm is considered to <b>particularly</b> relate to the loss of notable internal features of the building that reflect the historic use of the building as a theatre, the communal value associated with the historic theatre use and the original and existing use of the building as a parish community centre  |

|      |   |  |
|------|---|--|
| 9.92 | Adjacent buildings in Stonard Road are two storeys, purpose built, Edwardian maisonettes in the form of a long terrace. The scale of the proposed building is considerably reduced when compared with the existing Hall, in keeping with the context of Stonard Road; the building sits on the same line as the adjacent terrace, whilst slightly deeper into the site than the Church allowing the eye to follow the straight line of the Stonard Road without any jarring elements. | Adjacent buildings in Stonard Road are two storeys, purpose built, Edwardian maisonettes in the form of a long terrace. The scale of the proposed building is considerably reduced when compared with the existing Hall, in keeping with the context of Stonard Road; the building sits on the same line as the adjacent terrace, whilst slightly deeper into the site than the Church allowing the eye to follow the straight line of the Stonard Road without any jarring elements. <b>The proposed building would continue to sit below and behind the Church from the majority of views. As result of its form and detailed design, no significantly greater massing nor height would be introduced to the development site that would harm the degree of heritage significance meriting consideration of the adjacent Church.</b> |
|------|---|--|

#### Item: 6

#### 20/01742/FUL - 50-56 FORE STREET, LONDON, N18 2SS (Pages 67 - 134)

There are a number of updates to body of report which will be referred to in the introductory presentation and these are outlined here to assist Members understanding.

#### Para 2.4

As identified, designated heritage assets are listed as areas or assets of particular importance ~~and thus need~~ **which require in the assessment of any proposal, great weight to be given to the effect on the asset supported by clear and convincing justification. Careful consideration is therefore required.** In this connection and the assessment in this report, it is concluded the development would cause 'less than substantial harm' to identified heritage assets. Where there is 'less than substantial harm' to the significance of a designated heritage easset, this should be weighed against the public benefits of the proposal. In this case, the public benefits of the development include:

#### Para 4.5

The application site is not in a conservation area but is adjacent to **and within the immediate setting of** the Fore Street Conservation Area. To the north on the opposite side of Claremont Street lies the LT Bar while diagonally opposite the site across Fore Street (on the corner of Grove Road), lies the former County Court building. Both of these are locally listed. The public house is identified as having a negative impact on the setting of the Conservation Area in the adopted Fore Street Conservation Area Character Appraisal.

## Para 9.82

In respect of conservation area, the Planning (Listed Buildings and Conservation Areas) Act (The Act) 1990 require that all planning decisions 'should have special regard to the desirability of preserving or enhancing the character or appearance of that area. If harm is identified, it should be given considerable importance and weight **as against other considerations** in any planning balance in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Chapter 16 of the NPPF (Para 194) states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

## Para 9.89

The application site is not situated in a Conservation Area nor is locally listed. However, it constitutes a non designated heritage asset **with a negative contribution to the Conservation Area** which lies adjacent to the southern boundary of the Fore Street Conservation Area.

## Para 9.95

When assessing which may affect the setting of a heritage asset, the cumulative impacts of development may also need to be considered **in accordance with Policy HC1**.

## Para 9.98

Notwithstanding the above points, it must be noted that the DRP are of the opinion that **although the Panel did not identify a degree of harm**, the level of harm is assessed as most likely to be 'less than substantial' harm opening up an ability to weigh the harm against the public benefit of the scheme

## Para 9.99

The Heritage officer's assessment of this development has also identified concerns. ~~While the level of harm to the Fore Street Conservation Area as a designated heritage asset is concluded to be 'less than substantial', the harm is considered to be at the higher end of less than substantial and would result in harm to the setting and character of the Conservation Area~~ **"less than substantial harm to the Fore Street Conservation Area and considers it to be of a Moderate degree. Nevertheless, this should be weighed against any public benefits identified. As identified in the NPPF** it is possible for this harm to be weighed against any public benefits of the proposal including, where appropriate, securing its optimum viable use (Para.202). In so doing, it is important to reiterate that whilst the scale of harm may be 'less than substantial', the harm is considered to be moderate. **However**, in accordance with national planning advice, great weight must be given to the heritage asset's conservation as part of the weighed balancing exercise (Para.199) and clear and convincing justification provided for any level of harm (Para.200). Consideration must be given to past harm caused by previous poor quality interventions which has resulted in the Conservation Area being 'at risk' and the cumulative impact of this proposal alongside others such as Silvermere. Mindful of this, the Heritage Officer considers this development would be contrary to the Conservation Area Management Plan which are not consistent with local design guidance:

## Para 9:100

From a heritage perspective, it is considered the scheme fails to make a positive contribution to local character and distinctiveness (Para.197c). Instead the proposal would significantly erode local character and cause a **moderate** degree of harm albeit within the less substantial level. The design is also felt to be inconsistent with aims of the Framework (Para.130) regarding decisions on new development. In particular, a number of elements are of concern

Para 9:104

Table to help understand the level of harm to designated and non designated assets referred to in this paragraph

| Asset                                 | Assessment of Harm                               |
|---------------------------------------|--|
| <b>Designated Heritage Assets</b>     |  |
| Fore Street Conservation Area         | More than Substantial – Moderate                 |
| Tottenham High Road Conservation Area | More than Substantial (as assessed by Haringey). |
| <b>Non Designated Heritage Assets</b> |  |
| Phoenix Pub (former, now LTs)         |  |
| Winton County Court                   |  |

Para 13.3

The matter to be considered therefore is whether the improved family housing officer as a public benefit, is sufficient to outweigh the harm to **the previously identified designated and non designated heritage assets including the Fore Street Conservation Area.**



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