



PLANNING COMMITTEE

Tuesday, 21st June, 2022 at 7.00 pm
Council Chamber, Civic Centre, Silver Street,
Enfield, EN1 3XA

Contact: Robyn McIntock / Marie Lowe
Governance Officer
Direct : 020-8132-1915 / 1558
Tel: 020-8379-1000
Ext: 1915 / 1558

E-mail: Democracy@enfield.gov.uk

Council website: www.enfield.gov.uk

MEMBERS

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

N.B. Involved parties may request to make a deputation to the Committee by contacting Democracy@enfield.gov.uk before 10am on the meeting date

AGENDA – PART 1

1. WELCOME AND APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

To receive any declarations of interest.

3. MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON 26 APRIL 2022 (Pages 1 - 8)

To approve the minutes of the meeting held on 26 April 2022 as a true and correct record.

4. REPORT OF THE HEAD OF PLANNING (Pages 9 - 12)

To receive and note the covering report of the Head of Planning.

5. 21/03122/FUL - CAR PARK, CHAPEL STREET, ENFIELD, EN2 6QF (Pages 13 - 44)

RECOMMENDATION:

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

Ward: Town

6. 21/03724/RE4 - PUBLIC OPEN SPACE REAR OF WHITEHEAD CLOSE, STERLING WAY, LONDON, N18 1BU (Pages 45 - 64)

RECOMMENDATION:

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

Ward: Upper Edmonton

7. 21-04119-FUL - 24 FILLEBROOK AVENUE, ENFIELD, EN1 3BB (Pages 65 - 80)

RECOMMENDATION:

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

Ward: Town

8. 22-00733-FUL - PLAZA AND FOUNTAIN ISLAND THE TOWN LONDON EN1 (Pages 81 - 100)

RECOMMENDATION:

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

Ward: Town

9. 22-00836-ADV - PLAZA AND FOUNTAIN ISLAND THE TOWN LONDON EN1 (Pages 101 - 114)

RECOMMENDATION:

1. That the Head of Development Management be authorised to GRANT advertisement consent 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: Town

10. FUTURE MEETING DATES

Following consultation and agreement of the Chair, the future meetings of the Planning Committee, which will be held at 7pm in the Council Chamber, Civic Centre, Enfield, are as follows:

- | | |
|---------------------|---------------------------|
| • 5 July 2022 | Provisional now confirmed |
| • 19 July 2022 | As scheduled |
| • 2 August 2022 | Cancelled |
| • 30 August 2022 | Cancelled |
| • 6 September 2022 | Provisional now confirmed |
| • 20 September 2022 | As scheduled |

This page is intentionally left blank

PLANNING COMMITTEE - Tuesday, 26 April 2022**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON TUESDAY, 26TH APRIL, 2022**

MEMBERS: Councillors Maria Alexandrou, Daniel Anderson, Kate Anolue, Susan Erbil, Peter Fallart, Ahmet Hasan (Associate Cabinet Member (Enfield North)), Michael Rye OBE, Jim Steven, Doug Taylor and Hass Yusuf

Officers: Vincent Lacovara (Head of Planning), Amena Matin (Housing Development and Estate Regeneration Programme Manager), David B Taylor (Head of Traffic and Transportation), Andy Higham (Joint Head of Development Management), Gilian Macinnes (Joint Head of Development Management), David Gittens (Planning Decisions Manager), Gideon Whittingham (Planning Decisions Manager), Lap-Pan Chong (Principal Planning Officer), James Clark (Principal Planning Officer), Elizabeth Paraskeva (Principal Lawyer), Catriona McFarlane (Legal Representative), Tony Medall (Operations Manager - Homeless Hub Project), Tom Rumble (Urban Design Lead & Deputy Team Manager), Mike Hoyland (Senior Transport Planner), Marie Lowe (Governance and Scrutiny Officer) and Robyn McIntock (Governance Officer)

Also Attending: Councillor Gina Needs (Cabinet Member for Social Housing), Members of the public, deputies, applicant and agent representatives

1 WELCOME AND APOLOGIES FOR ABSENCE

Councillor Boztas (Chair) apologised for arriving late at the meeting. He had been unavoidably detained by a family emergency. He then welcomed all attendees to the meeting and confirmed the meeting procedures.

Apologies for absence were received from Councillor Bedekova.

2 DECLARATION OF INTEREST

Councillor Doug Taylor declared a non-pecuniary interest in Item 8 - 22/00004/RE4 - Carpark, 291 High Street, EN3 4DN, and stated that, following careful consideration of the advice he had received from the Interim Director of Law and Governance, he would not participate in this item at all.

3 MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON: 23 NOVEMBER 2021; 7 DECEMBER 2021; 4 JANUARY 2022; 18 JANUARY 2022; 3 FEBRUARY 2022; 22 FEBRUARY 2022; 8 MARCH 2022; 29 MARCH 2022

AGREED that:

1. Subject to the amendment of the minutes of 23 November 2021 to note that Councillor Peter Fallart was in attendance;
2. The dissatisfaction of the Members regarding the delay and the view that the shorter minutes did not fully reflect the discussion which had taken place at the meetings be noted;

PLANNING COMMITTEE - Tuesday, 26th April, 2022

3. A joint strategy between all services was being developed to provide fuller but not verbatim minutes, was welcomed and noted; and
4. On being put to individual votes, the minutes of the Planning Committee meetings held on: 23 November 2021; 7 December 2021; 4 January 2022; 18 January 2022; 3 February 2022; 22 February 2022; 8 March 2022; 29 March 2022 be confirmed as a true and accurate record.

4 REPORT OF THE HEAD OF PLANNING

NOTED the report of the Head of Planning.

5 20/03530/FUL - LAND END, 18 AND BUSH HILL COTTAGE, 20 BUSH HILL, LONDON, N21 2BX

The introduction by James Clarke, Principal Planning Officer, clarifying the proposals and updates following the publication of the agenda.

It was confirmed that additional conditions would be included to cover:

- Yellow lines/ TMO on Bush Hill (subject to legal agreement and s278)
- Cycle Storage (sitting/appearance)
- Ramp access to Block B
- Privacy screens to ground floor units

The statement of Councillor Andy Milne, Grange Ward Councillor, spoke against the officers' recommendation.

The response of Michael Calder, the agent on behalf of the applicant.

Members, during the debate, raised concerns in relation to the feasibility, ease and likelihood that future residents would be able to increase the properties from two to three bedrooms; the loss of trees; the design and character of the proposed development, which some considered to be out of keeping with the character of the surrounding area and neighbouring properties; the lack of provision of a children's playground facilities; the housing mix of the proposal compared to the housing needs of the Borough.

Officers responded as follows:

Principal Planning Officer:

1. It would be possible to convert the use of the study room to a third bedroom without a new planning application having to be made.
2. In total, there would be a net gain of four trees, 16 trees would be removed and replaced with 20 trees. This would be secured by condition.
3. The concerns regarding the design and character of the proposed development were recognised. Buildings of this design had been built in other parts of London. Although the previous, more traditional design had been viewed favourably, there were several reasons why it would not have worked, such as rooms adjacent to the top floor would only have roof lights, which were not the most practical for modern living.
4. With regards to the character and appearance of the building, whilst it was different, it was not considered to be harmful to the surrounding area. The

PLANNING COMMITTEE - Tuesday, 26th April, 2022

development site was sufficiently divorced from the neighbouring properties to provide an opportunity for a contemporary design, which Officers did not consider to be unattractive.

5. Provision had not been made in the proposal for children's' playgrounds within the site. Should a number of families move into the properties and a real need was identified by the management company a suitable area would be developed. There was no other mechanism to install such a facility on the site. Officers had not seen the need make such a provision at the application stage.
6. It was acknowledged that compromises have had to be made in the consideration of the proposal's height and massing of the development. This was not considered to be harmful in the wider sense and would bring benefits to the local community.
7. It was also acknowledged that Enfield's Core Strategy (2010) and Strategic Housing Market Assessment Update (2015) were out of date and attracted less weight when compared to the London Plan.
8. A view had been taken of the housing mix contained in the proposed development and the housing needs of the Borough. Officers were of the view that the benefits outweigh any harm. The Section 106 agreement would benefit many people across the Borough.
9. No other comments had been received in addition to those from the Urban Design Team, which was internal to the Council. There was no other body to consult.
10. The taller building was not considered to be harmful to the wider community or neighbouring area.
11. There were no concerns which would significantly and demonstrably outweigh the benefits having regard to the titled balance and the presumption in favour of approving sustainable residential development.
12. Each site was assessed on its own merits, with this particular proposal the more units which could be built would result in higher financial returns which would give a greater number of affordable housing.
13. Potentially, this would result in more family units for less money.

Urban Design Lead & Deputy Team Manager

1. The proposed application had to be considered in the context that the site had an established extant planning permission.
2. The development site was not in the conservation area.
3. The applicant had entered into early discussions with the Council and had originally proposed an unbroken development.
4. Pitched roofs, proposed in the earlier design, did not match the contemporary design.

Head of Development Management

1. Reiterated that, on balance, the benefits to be gained from the proposed development outweighed the scale and mass of the proposed development.
2. A planning assessment had been carried out and the proposed development was not considered to be harmful to the visual impact of the area.

On being put to the vote there were six votes for, four against and one abstention.

PLANNING COMMITTEE - Tuesday, 26th April, 2022

AGREED that:

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

6 21/03247/OUT - GARAGES MEYER GREEN ENFIELD EN1 4NG

The introduction by Lap Pan Chong, Principal Planning Officer, clarifying the proposals and updates following the publication of the agenda.

Written representations against the officer's recommendation received separately from residents, Nick Churcher and Sarah Rickard had been circulated ahead of the meeting.

The response of Simon Chouffot (Applicant) and Nour Sinno (HTA Design LLP, Agent).

Members' debate and questions responded to by officers:

General statements:

1. Although the proposal was acceptable in planning terms it was back land development.
2. There were issues regarding the proximity of the site to the existing neighbouring properties.

Trees:

1. The number of trees to be planted compared to those to be removed was insufficient.
2. Although the trees which were to be removed were not of great value, they enhanced the environment and provided greenery to a non-designated heritage asset (i.e. New River) located next to the proposed development.
3. A condition to increase the number of replacement trees should be required.

The Principal Planning Officer responded:

4. Twelve, category U and C trees would be removed, and nine replacement trees would be planted. The landscaping condition (condition 13) could be amended to secure additional replacement trees and specify the minimum number of replacement trees (12).
5. The Ash tree is protected by a Tree Protection Order.

Traffic:

1. The proposed parking layout, in a very heavily parked area, when alternative spaces were at least a five-minute walk away where inadequate.
2. The number of parking spaces would not work.

The Head of Traffic and Transportation reported that:

PLANNING COMMITTEE - Tuesday, 26th April, 2022

3. Vehicle tracking had confirmed that fire appliances were able to access the site in the event of an emergency.
4. Although the site was a back land development, access and parking had been assessed and found to be safe.
5. London Fire Brigade had confirmed that access for emergency vehicles was acceptable and had confirmed that the proposed layout with six parking spaces was satisfactory.

Construction Materials:

1. It was difficult to gain a clear image of the finished development in context with the existing surrounding properties from the presentation slides.
2. The slides showed examples of other developments and did not clearly show the exact materials which would be used at this site.
3. Physical samples of the building materials, particularly the colour of the exterior finishes, such as the bricks to be used would enable members to make an informed decision should be brought to the meetings of the Planning Committee at the appropriate time.

The Principal Planning Officer responded:

1. The proposed masonry blocks are mainly terracotta-coloured and had been selected considering a basket of factors. Officers have reviewed the samples of the proposed masonry blocks. Given the architectural styles in the area varies, the proposed masonry would not harm the character of the area. The details of the construction materials to be used and samples had been conditioned and would be selected carefully.

Communal Refuse Store:

1. The location of the communal refuse store, at approximately 30 metres, was a considerable distance from the properties and would not encourage residents to place their refuse in the bins on a day-to-day basis.
2. The location of the communal refuse store was impractical on a day-to-day basis and would encourage fly-tipping and not just by residents.
3. Fly-tipping across the Borough was an increasing problem, one which was resource intensive.
4. The position of the communal refuse store, on a corner, was considered to have been selected for the convenience of the refuse collection vehicles rather than the convenience of the residents. Access to the site was too narrow for the large vehicles.
5. Access to the store, if secured by a padlock, would discourage residents from using the store. Residents would be less likely to return to their property if they had forgotten their key.
6. The communal refuse store was considered to be located too near to the neighbour at 89 Worcesters Avenue.
7. Refuse stores should be located outside individual premises, which would encourage residents to separate their rubbish for recycling.
8. The standalone refuse store may be suitable but not in the proposed location. Possible solutions could be relocating the communal refuse store to nearer the properties or the provision of individual bins for each property. Closer proximity of the bins to the properties would encourage residents to increase their recycling.

PLANNING COMMITTEE - Tuesday, 26th April, 2022

The Principal Planning Officer responded:

1. The Waste Team had been consulted and conducted a site visit. Different refuse collection options had been explored. The position of the on-site communal refuse area, which would be lockable with a keypad, had been identified as the most suitable location, which gave access to the refuse vehicles. The future residents would only need to carry their bin bags to the communal refuse store instead of dragging wheelie bins to the refuse collection points on either Meyer Green or Worcesters Avenue. The communal refuse store would also be fully covered, enclosed and integrated with soft landscaping to deter fly tipping and reduce visual and amenity impacts on the existing residents. This arrangement was considered as a reasonable compromise

At the invitation of the Chair, Mr Chouffot (Applicant), reassured the Committee that the issues raised regarding the collection and disposal of refuse would be re-examined and a manageable solution would be found. He confirmed that the lady who resided near the proposed refuse store had been consulted and had not expressed any concerns regarding the proximity of the refuse store in relation to her property. Careful consideration had been given to the landscaping around the refuse store. However, the Company was committed to improving the proposal through negotiation with the Council. It was not their intention to make problems for the existing and future residents.

In conclusion:

The Head of Development Management confirmed that on balance there would be no overall harm caused by the proposed development. A number of options regarding the location of the communal refuse store and the operation of day-to-day refuse disposal by residents and collection by the refuse vehicles had been considered. A managed arrangement could be further explored with the applicant which could be included into an additional condition, subject to the agreement of the Chair.

On being put to the vote there was unanimous support for the officer's recommendation subject to two additional conditions: i) specifying at least 12 replacement trees to be planted and ii) requesting details of the managed arrangements for refuse collection to avoid the need for a standalone refuse store.

AGREED:

1. That the Head of Development Management be authorised to GRANT planning permission subject to conditions as set out in the report and the two additional conditions in relation to trees and refuse collection and disposal; and
2. That the Head of Development Management be granted delegated authority to agree the final wording of the conditions to cover the matters in the recommendation section of the report and the two additional conditions in relation to trees and refuse collection and disposal.

PLANNING COMMITTEE - Tuesday, 26th April, 2022

3. That the final approval of details of the managed solution, be agreed in consultation with the Chair.

7 21/04651/HOU - 33 WILLOW WALK, LONDON, N21 1NG

1. The introduction by Gideon Whittingham, Planning Decisions Manager, clarifying the proposals.
2. The unanimous support of the Committee for the Officers recommendation.

AGREED that planning permission be GRANTED subject to conditions as set out in the report of officers.

8 22/00004/RE4 - CARPARK, 291 HIGH STREET, EN3 4DN

1. The introduction by David Gittens, Planning Decisions Manager, clarifying the proposals.
2. Members questions responded by the Head of Traffic and Transportation:
 - a. The carpark would remain for the use of the library.
 - b. Temporary consent had been in place for some time and there were no concerns regarding continued community use or loss on car parking.
3. The unanimous support of the Committee for the Officers recommendation.

AGREED that planning permission be GRANTED subject to conditions as set out in the report of officers.

Councillor Doug Taylor, having declared a non-pecuniary interest remained in the room but did not participate in either the discussion or vote of this item.

9 22/00640/RE4 - 11 AND 11B NORTH WAY, LONDON, N9 0AD

1. The introduction by Gideon Whittingham, Planning Decisions Manager, clarifying the proposals.
2. Members' questions responded to by officers;
 - i. The facility would accommodate only Enfield residents, there would not be any guests from other London Boroughs.
 - ii. Residents, in the existing accommodation, now had enclosed pods with doors which had replaced the curtains shown in the photographs during the presentation. This ensured that residents would always have private space available for their own use.
 - iii. This layout would be used in the proposed development.
3. The unanimous support of the Committee for the Officers recommendation.

AGREED that planning permission be GRANTED subject to conditions.

10 FUTURE MEETING DATES

Noted that the future meetings of the Planning Committee would be agreed at on 25 May 2022 at Annual Council.

PLANNING COMMITTEE - Tuesday, 26th April, 2022

The Chair announced that the date of the next meeting of the Planning Committee would be in June 2022 and would be confirmed at Annual Council. He went on to thank all Members for their contribution to the meetings throughout the year and wished everyone well in the future.

Members unanimously thanked Councillor Sinan Boztas for his work as Chair of the Planning Committee during the last year.

The meeting ended at 9.40 pm

London Borough of Enfield**Committee: PLANNING COMMITTEE****Meeting Date: 21st June 2022**

Subject: Report of Head of Planning**Cabinet Member: Cllr Susan Erbil****Executive Director: Sarah Cary****Key Decision: N/A**

Purpose of Report

1. To advise members on process and update members on the number of decisions made by the Council as local planning authority.

Proposal(s)

2. To note that in accordance with delegated powers, 675 applications were determined between 09/04/2022 and 08/06/2022, of which 583 were granted and 92 refused.

Reason for Proposal(s)

3. To assist members in the assessment and determination of planning applications.

Relevance to the Council Plan

4. The determination of planning applications supports good growth and sustainable development. Depending on the nature of planning applications, the proposals can deliver new housing including affordable housing, new employment opportunities, improved public realm and can also help strengthen communities

Background

5. 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.

6. 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.
7. Other background papers are those contained within the file, the reference number of which is given in the heading to each application.

Main Considerations for the Council

8. Set out in respect of each application a summary of any representations received. Any later observations will be reported verbally at your meeting.
9. In accordance with delegated powers, 675 applications were determined between 09/04/2022 and 08/06/2022, of which 583 were granted and 92 refused.
10. A Schedule of Decisions is available in the Members' Library.

Safeguarding Implications

11. None

Public Health Implications

12. None

Equalities Impact of the Proposal

13. None

Environmental and Climate Change Considerations

14. None

Risks that may arise if the proposed decision and related work is not taken

15. Not applicable

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

16. Not applicable

Financial Implications

17. None

Legal Implications

18. None

Workforce Implications

19. None

Property Implications

20. None

Other Implications

21. None

Options Considered

22. None

Conclusions

23. The conclusions reached having taken all of the above into account.

Report Author: Andy Higham
Head of Development Management
Andy.higham@enfield.gov.uk
020 8132 0711

Date of report: 09.06.2022

Appendices

None

Background Papers

To be found on files indicated in the Schedule on the Council's website.

This page is intentionally left blank

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date: 21 June 2022

Report of

Head of Planning - Vincent
Lacovara

Contact Officer:

Andy Higham
David Gittens
Max Leonardo

Ward:

Town

Ref: 21/03122/FUL

Category: Full Application

LOCATION: Car Park, Chapel Street, Enfield, EN2 6QF

PROPOSAL: Erection of 5 x 2 storey single family dwellings with rooms in roof together with associated parking, landscaping and amenity.

Applicant Name & Address:

Mr Stewart
Build Finance Ltd
18 Church Lane
Northaw
Potters Bar
EN6 4NX

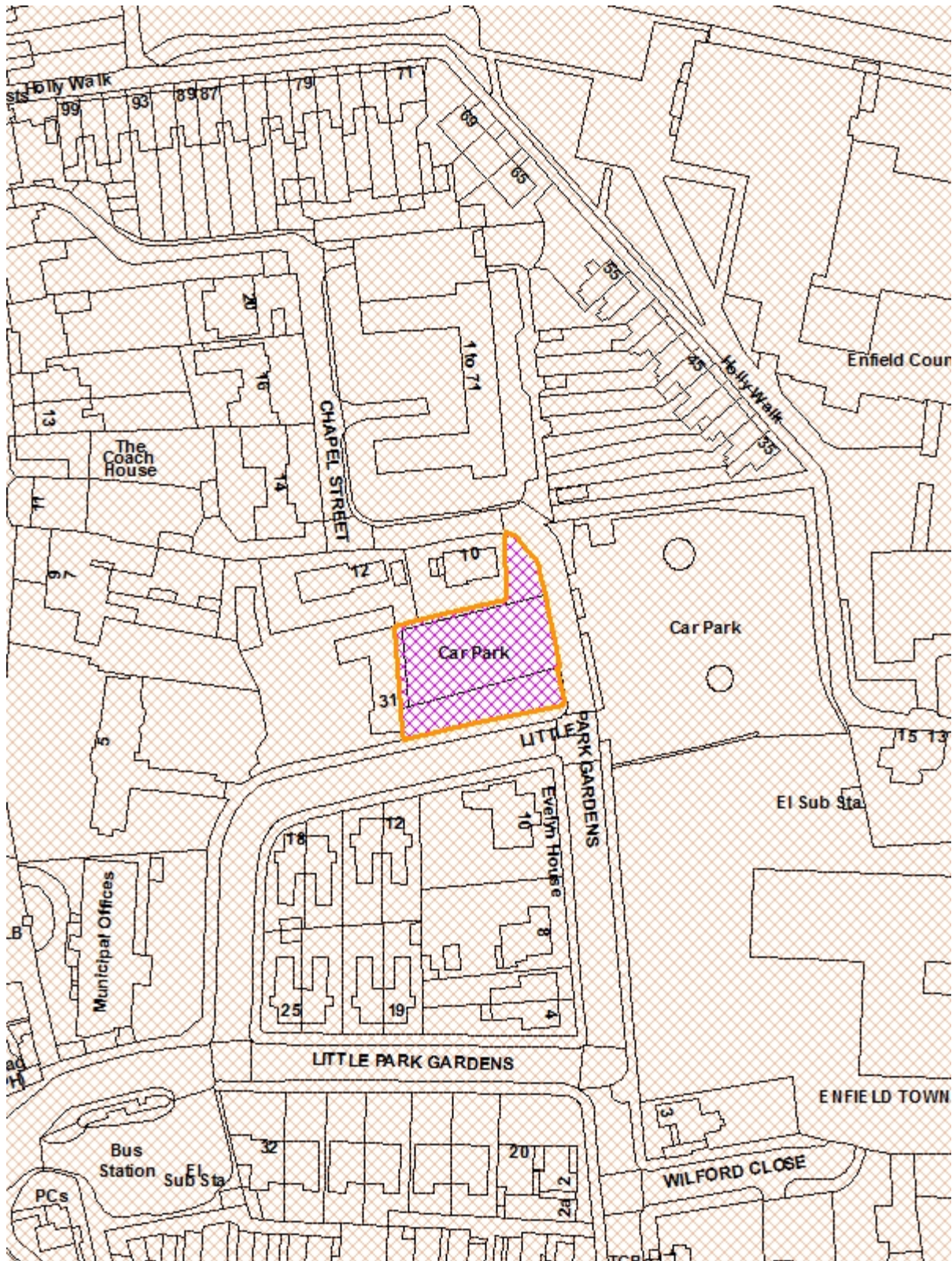
Agent Name & Address:

Mr Joe Reader
CROE Architects
Suite 10
18 Walsworth Road
Hitchin
SG4 9SP

RECOMMENDATION:

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

Ref: 21/03122/FUL LOCATION: Car Park, Chapel Street, Enfield, EN2 6QF



1. Note for Members

- 1.1 This planning application is categorised as a “minor” planning application and would not normally be reported to the Planning Committee for determination. This application is reported to the Planning Committee because part of the subject site is presently Council owned land with an agreed contract for its sale to the developer conditional on the granting of planning permission.

2. Executive Summary

- 2.1 The application proposes a high-quality residential development on existing underutilised, highly sustainable brownfield land which is identified for re-development in the adopted Enfield Town Masterplan (2018).
- 2.2 A very similar proposal on the site has previously been considered by Planning Committee in July 2018 when it was resolved to grant planning permission subject to a S106 agreement and conditions. A decision, however, was never issued due to the inability of the Applicant to agree the terms of the S106 agreement.
- 2.3 Due to the designation in the Enfield Town Framework Master Plan and the previous Committee resolution, it is considered the principle of development is acceptable. This principle is further supported by the presumption in favour and tilted balance that needs to be applied to the overall planning balance in light of the fact the development would deliver five family sized homes in a sustainable location close to the centre of Enfield Town.
- 2.4 Careful consideration has been given to the proposal due to its location in the Enfield Town Conservation Area. Having regard to its size, form and design, the Heritage officer has confirmed the proposal would cause no harm to the character and appearance of the conservation area.
- 2.5 The development would secure a new tree (a silver birch) on the site to mitigate for the sweet chestnut tree of amenity value that was felled by a previous landowner. Additional planting that will contribute to an overall greening of the site.
- 2.6 Subject to conditions and a S106 agreement securing that the future occupiers cannot park in the Enfield Town CPZ, it is considered, on balance, the development would accord with adopted local, regional and national policy.

3. Recommendation /

- 3.1 That subject to the completion of the S106 agreement, the Head of Development Management be authorised to GRANT planning permission subject to the following conditions:
1. Time limit
 2. Development in accordance with approved drawings and documents
 3. Archaeological investigations
 4. Contamination
 5. Construction Management Plan
 6. Non-Road Mobile Machinery
 7. Details of external finishing materials
 8. Planting and maintenance of silver birch tree
 9. Landscaping strategy
 10. Ecological Enhancements

11. Energy Statement
12. Flood Risk Assessment
13. Drainage Strategy
14. M4(2) Compliance
15. Water Efficient Fittings
16. Cycle Parking
17. Refuse and recycling storage
18. Removal of all householder PD rights
19. Wall or fence along boundary with No. 31 Little Park Gardens

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

4. Site and Surroundings

- 4.1 The application site comprises a former public car park on the junction of Chapel Street and Little Park Gardens and an adjoining area of greensward adjacent to No.10 Little Park Gardens. The site is located within the Enfield Town Conservation Area.
- 4.2 The car park was sold by the Council several years ago and has gradually deteriorated in appearance and condition. The area of greensward remains in Council ownership and, subject to the decision on this application, the Council has agreed to sell this land to the applicant before any works commence on site. The inclusion of the presently Council-owned greensward in the development is necessary to facilitate the provision of off-street parking and adequate garden space for some of the resulting dwellinghouses.
- 4.3 Formerly the site frontage to Little Park Gardens had a raised bed containing two trees: a sweet chestnut and a red oak. Unauthorised works to these trees by a previous owner of the site, resulted in their removal. In particular the removal of the sweet chestnut was considered to have a detrimental impact on the amenity of the Conservation Area. Replacement planting was part of the previous scheme but this was never issued.
- 4.4 The site has the benefit of an existing vehicular access from Chapel Street. It is bounded by single storey detached residential properties to the north and west. The property to the west has its rear wall directly along the boundary with the application site. The property to the north sits behind a brick boundary wall approximately 3 m in height. To the west, on the opposite side of Chapel Street is the Little Park Gardens public car park.

5.0 Proposal

- 5.1 This application proposes the erection of five 2-storey single family dwellings (comprising 4x 3 bed semi-detached houses and 1x 3 bed detached house) with rooms in the roof space, together with associated parking, landscaping and amenity. The houses would present their front (south) elevation to Little Park Gardens, with rear gardens running towards the boundary with the bungalow to the north. A car parking area for 4 vehicles would be located to the rear, accessed from Chapel Street. The houses would be of a contemporary design, with a brick finish and zinc pitched roofs. They would have small front gardens to the Little Park Gardens frontage with capacity

to accommodate refuse facilities. Secure cycle parking facilities would be located in the rear gardens.

6.0 Relevant Planning History

6.1 17/02767/FUL: Erection of 5 x 2 storey single family dwellings (comprising 4 x 3 bed semi-detached houses and 1 x 3 bed detached house) with rooms in roof together with associated parking landscaping and amenity.

- Planning Committee resolution to grant planning permission agreed at meeting on 11 July 2018 that, subject to completion of a S106 Legal Agreement. No decision issued due to S106 agreement remaining incomplete.

7.0. Consultation

7.1 In December 2020, the Council adopted a Statement of Community Involvement (SCI), which sets out policy for involving the community in the preparation, alteration and review of planning policy documents and in deciding planning applications.

7.2 The SCI recognises that the Council will aim to involve the community as a whole: to extend an open invitation to participate but at the same time ensure that consultation is representative of the population. To achieve this, a variety of community involvement methods will be used. Targeted consultation of stakeholders and interest groups, depending upon their expertise and interest and the nature and content of the Local Plan documents, or type of planning application, will be undertaken.

Public Consultation

7.4 Consultation on the application involved notification letters being sent to 59 nearby properties on 16.09.2021 giving people 24 days to respond. A press notice was published in the Enfield Independent on 29.09.2021 and a site notice was also erected in front of the site on 05.10.2021. Three (3) objections were received.

7.5 The points of objection raised were:

- Impact on No. 31 Little Park Gardens in terms of noise.
- Proposed height, design and materials would appear out of character with area.
- Impact on local highway in terms of parking pressures and vehicles entering and exiting the site.
- Failure to mitigate for loss of former Sweet Chestnut tree on the site.
- Loss of greensward for parking.

7.6 Since the consultation, minor revisions have been made to the proposal in order to overcome some of these points of objection. A fence along the boundary with No. 31 Little Park Gardens has been added and this, along with soft landscaping, is considered acceptable to mitigate against any noise nuisance that might reasonably be expected to be experienced by that property. In addition, the proposed parking layout has been rearranged to reduce the width of the vehicular access and to provide more greenery with a Silver Birch tree to mitigate for the amenity lost by the felling of the former Sweet Chestnut tree.

7.7 It has also been agreed that none of the future occupiers of the development will be permitted to apply for a permit or the Enfield Town Controlled Parking Zone and so the proposal would have no impacts on parking pressures in the area.

- 7.8 The proposed height, design and materials of the proposed dwellings are considered acceptable in accordance with the development plan for the reasons set out in the Heritage, Character and Design section of the Analysis, below.

Further Public Consultation

- 7.9 Following these changes, a further public consultation was carried out and letters were sent to all neighbouring properties again on 29.04.2022 with a reply-by date of 13.05.2022. This resulted in a further four (4) objections to the proposal. These four objections, some of which are repeated objections from the initial public consultation, are summarised as follows:

Objection 1 (by post)

Concerned that there are only four car parking spaces proposed for the five dwellings and that this will result in on street parking pressures. On-street parking pressures in Enfield Town are already so great that they cause inconvenience for local residents.

Objection 2

Concerned about potential noise impact on occupiers of No. 31 Little Park Gardens due to one of the proposed rear gardens going right up to the wall of this neighbouring property. Proposes condition securing mitigation for this through a condition on grant of planning permission. Subsidiary concern about ongoing maintenance of this boundary wall.

Objection 3

Concerned about potential noise impact on occupiers of No. 31 Little Park Gardens due to one of the proposed rear gardens going right up to the wall of this neighbouring property. Proposes condition securing mitigation for this through a condition on grant of planning permission.

Objection 4

Concerned about additional on-street parking pressures as a result of the proposed dwellinghouses. Suggests creating more on-street parking by reducing business parking bays and allowing residents' parking permit holders to park in public car park on Little Park Gardens.

- 7.10 A key theme across these objections is the perceived increased parking pressure resulting from the provision of four off-street parking spaces rather than the five originally submitted. In response, it must be stressed that, as set out in the Transport, Access and Parking section of the Analysis, the proposal will only receive planning permission once a legal agreement has been completed preventing future occupiers of the proposed dwellinghouses from obtaining permits to park in the Enfield Town CPZ. This will mean that the proposal will not increase on-street parking pressures in the vicinity.
- 7.11 The noise impact on No. 31 Little Park Gardens is considered by officers to be appropriately mitigated by the proposed landscaping, as now proposed. However, the occupier of No. 31 does not consider this sufficient and has requested that a condition be added to the grant of any planning permission securing that either a wall or soundproof fence is erected along the boundary of the site with No. 31 Little Park Gardens as a part of this development. There is no objection to this and a condition is recommended to address this point.

Statutory and non-statutory consultees

Thames Water

- 7.12 No comment.

Estate Renewal

- 7.13 No comment.

Transportation

- 7.14 Transportation raise no objection to the revised schemes. An objection was initially raised to the provision of 5 off-street car parking spaces, which exceeded London Plan standards, and that the proposed width of crossover on to Chapel Street was excessively wide. The concerns raised are addressed by the S106 required to prevent future residents from applying for permits for the Enfield Town CPZ and an agreed condition requiring secure cycle parking. The revised proposal also reduced the width of crossover onto Chapel Street to only 4.8 metres, in accordance with transport policy, and reduced the number of car parking spaces to 4. While this is still contrary to policy it is line with that agreed previously . The proposal is now considered to have overcome this objection.

Historic England G.L.A.S.S.

- 7.15 No objection is raised to revised proposal. The site lies in an Area of Archaeological Interest and GLAAS request a condition must be attached to planning permission securing archaeological investigations are carried out and reported appropriately.

Enfield Town Conservation Area Group

- 7.16 Concerns are raised regarding the impact of the development on the occupiers of No. 31 Little Park Gardens. In addition, there is concern that the loss of greensward for car parking is not appropriate in a conservation area. (These comments were received in respect of the proposal as submitted, not the revised proposal.)

Tree Officer

- 7.17 No objection to revised proposal subject to condition securing planting and maintenance of a silver birch tree to north of the site to mitigate for destroyed sweet chestnut tree.

SuDS

- 7.18 The Suds Team raise no objection. The revised drainage strategy is policy compliant. Details about finished floor level and a Flood Management and Evacuation Plan still need to be provided and it is considered that these extra details could be secured through a condition.

Environmental Health

- 7.19 No objection is raised subject to conditions securing contamination investigations and mitigation measures controlling dust and machine emissions.

Education

7.20 No comment.

8. Relevant Policy

8.1 Section 70(2) of the Town and Country Planning Act 1990 requires the Committee have regard to the provisions 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.

National Planning Policy Framework 2021

8.2 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.

8.3 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.”

8.4 In the three years to 2021 Enfield only met 67% of its housing requirement and this means we now fall into the “presumption in favour of sustainable development” category.

8.5 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. 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.

The London Plan 2021

- 8.6 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 |
| Policy D3 | Optimising Site Capacity through the Design-Led Approach |
| Policy D4 | Delivering Good Design |
| Policy D5 | Inclusive Design |
| Policy D6 | Housing Quality and Standards |
| Policy D7 | Accessible Housing |
| Policy D11 | Safety, Security and Resilience to Emergency |
| Policy D12 | Fire Safety |
| Policy H1 | Increasing Housing Supply |
| Policy H2 | Small Sites |
| Policy H10 | Housing Size Mix |
| Policy HC1 | Heritage Conservation and Growth |
| Policy G6 | Biodiversity and Access to Nature |
| Policy G7 | Trees and Woodlands |
| Policy SI 1 | Improving Air Quality |
| Policy SI 2 | Minimising Greenhouse Gas Emissions |
| Policy SI 4 | Managing Heat Risk |
| Policy SI 5 | Water Infrastructure |
| Policy SI 12 | Flood Risk Management |
| Policy SI 13 | Sustainable Drainage |
| Policy T1 | Strategic Approach to Transport |
| Policy T2 | Healthy Streets |
| Policy T4 | Assessing and Mitigating Transport Impacts |
| Policy T5 | Cycling |
| Policy T6 | Car Parking |
| Policy T6.1 | Residential Parking |
| Policy T7 | Deliveries, Servicing and Construction |

Local Plan - Overview

- 8.7 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.

Core Strategy

- 8.8 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.

| | |
|-------|---|
| CP 1 | Strategic Growth Areas |
| CP 2 | Housing Supply and Locations for New Homes |
| CP 4 | Housing Quality |
| CP 5 | Housing Types |
| CP 9 | Supporting Community Cohesion |
| CP 20 | Sustainable Energy Use and Energy Infrastructure |
| CP 21 | Delivering Sustainable Water Supply, Drainage and 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 30 | Maintaining and Improving the Quality of the Built and Open Environment |
| CP 31 | Built and Landscape Heritage |
| CP 32 | Pollution |
| CP 36 | Biodiversity |
| CP 42 | Enfield Town |

Development Management Document

- 8.9 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 |
| DMD 10 | Distancing |
| DMD 37 | Achieving High Quality Design-Led Development |
| DMD 38 | Design Process |
| DMD 44 | Preserving and Enhancing Heritage Assets |
| DMD 45 | Parking Standards |
| DMD 47 | New Roads, Access and Servicing |
| DMD 48 | Transport Assessments |
| DMD 49 | Sustainable Design and Construction Statements |
| DMD 50 | Environmental Assessment Methods |
| DMD 51 | Energy Efficiency Standards |
| DMD 53 | Low and Zero Carbon Technology |
| DMD 55 | Use of Roof Space / Vertical Surfaces |
| DMD 56 | Heating and Cooling |
| DMD 57 | Responsible Sourcing of Materials |
| 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 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 Town Framework Masterplan 2018

8.10 Site 15 – Chapel Street / Little Park Gardens

Key principles and land uses

- This small site falls within the Enfield Town Conservation Area and has most recently been used as a private car park.
- The Conservation Area Management Proposal advocated redevelopment of small car parks in order to recover the historic urban grain and sense of enclosure of these areas.
- The site is considered suitable for housing development.

Other Material Considerations

- 8.11 National Planning Practice Guidance
Mayor of London's London Plan Guidance and Supplementary Planning Guidance
Enfield Community Infrastructure Levy Charging Schedule 2016
Enfield Town Conservation Area Character Appraisal 2015
Enfield Town Conservation Area Management Proposals 2015

9. Analysis

- 9.1 The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 require that planning decisions are taken in accordance with the Development Plan unless material considerations indicate otherwise.

- 9.2 The main planning issues to consider are as follows:

- Principle of Development (including Housing Mix)
- Heritage, Character and Design (including Archaeology, Trees and Landscaping)
- Quality of Accommodation and Amenity Space
- Neighbouring Residential Amenity
- Transport, Access and Parking
- Biodiversity
- Minimising Greenhouse Gas Emissions
- Flood Risk and Drainage
- Water Efficiency
- Air Quality and Contamination
- Community Infrastructure Levy

Principle of Development

- 9.3 Para 120 (Chapter 11 - Making efficient use of land) of the of the NPPF (2021) expects councils to 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
- 9.4 It is considered the proposal is consistent with this objective and the redevelopment of the site for residential purposes accords with the broader NPPF and the Local Development Plan. London Plan Policies H1 and H2 encourage the delivery of new housing in areas within 800 metres of a town centre boundary, with PTAL's of greater than 3, on car parks and surplus public sector owned land as well as on small sites in general, all of which apply to the subject site. The site is also allocated for residential redevelopment in the Enfield Town Framework Masterplan 2018.
- 9.5 It is therefore considered this site is in principle, suitable for residential redevelopment given the residential character of the area and moreover, this principle is not contrary to its location within the Enfield Town Conservation Area, subject to compliance with detailed policy criteria. A further significant material consideration is the similarity to the scheme under ref: 17/02767/FUL which was held to be acceptable. This establishes the acceptability of a quantum and form of development but the development now proposed must also be judged on its own merits and assessed in relation to material considerations, notwithstanding these material factors.

Housing Need

- 9.6 The London Plan (2021) 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. 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.
- 9.7 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.
- 9.8 Policy H1 (Increasing housing supply) of the London Plan (2021) seeks to optimise the potential for housing delivery on all suitable and available brownfield sites especially on the sources of capacity including but not limited to small sites as identified in Policy H2 of the London Plan (2021).
- 9.9 The application site accords with Policy H1 identified need for housing and is appropriate for development for residential housing schemes.
- 9.10 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 would provide five family-sized (3 bedroom) dwellinghouses, addressing a need identified in the Local Housing Needs Assessment (2020).
- 9.11 Policy CP5 of the Core Strategy (2010) seeks to ensure that new developments offer a range of housing sizes to meet housing needs but does recognise that it may not be necessary to conform to the overall mix on each individual site, as the mix could be

achieved within the timescale of the adopted development plan across a range of sites. Policy DMD 3 of the Development Management Document (2014) seeks schemes to contribute to meeting the targets in the policy, by providing a mix of different sized 'homes', including 'family sized accommodation.

- 9.12 In this instance, the proposal would provide 5 family sized homes which would contribute towards the Boroughs housing targets. No affordable housing is required because the number of units proposed is under the relevant threshold of 10 dwellinghouses.

Design and Character

- 9.13 London plan policy 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. Policy D8 of the London plan outlines a similar aim and seeks for proposals in public places to be secure and easy to understand and maintain. Policy D4 of the London Plan sets out regional requirements in regard to architecture and states that development should incorporate the highest quality materials and design appropriate to its context.
- 9.14 In terms of design, Core Strategy Policy 30 requires all developments to be high quality and design led, having special regard to their context. 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.
- 9.15 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".
- 9.16 Policy DMD 8 (General Standards for New Residential Development) expects development to be appropriately located taking into account the nature of the surrounding area and land uses, access to local amenities, and any proposed mitigation measures and be an appropriate scale, bulk and massing while DMD 6 supports development where the scale and form of development is appropriate to the existing patter of development or character.
- 9.17 In general terms, although there is more detailed assessment in the following Heritage section of this Analysis, it is considered the two storey form of the development notwithstanding the presence of single storey properties in proximity to the development, to be in keeping with the prevailing two storey semi-detached form of propoerties on Little Park Gardens.

Heritage

- 9.18 The development is located within the Enfield Town Conservation Area and this is the principal heritage consideration. The site is also located in the Enfield Town Archaeological Priority Area. The nearest statutorily and locally listed buildings are,

given the scale of the proposal, too distant from the subject site to be impacted by the proposal in any way.

Relevant Policy and Legislation

- 9.19 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.
- 9.20 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.
- 9.21 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".
- 9.22 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".
- 9.23 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.

Heritage Context and Assessment

- 9.24 The site comprises a vacant car park at the junction between Little Park Gardens and Chapel Street, together with a small area of greensward. It is located within the Enfield Town Conservation Area, within the setting of several dwellings that are cited as making a positive contribution to the special character and appearance of the area. These are considered to represent non-designated heritage assets.
- 9.25 The Character Appraisal states *“This small residential area, which includes the Little Park Gardens car park with its imposing mature tree, the redundant car park opposite awaiting development [the subject site], the grammar school playground and the bus station, was built in the late 19th and early 20th century in the former grounds of Little Park, purchased by the Council in 1888. There are well-built semi-detached houses with arched porches, and some detached villas from the late 1880s, no. 3 (The Hollies) being a good example.”*
- 9.26 The existing, disused car park which is surrounded by hoardings, detracts from the character and appearance of the Conservation Area. The Conservation Area Management Proposal advocates redevelopment of small car parks in order to recover the historic urban grain and sense of enclosure of these areas. The proposed development would achieve this, by creating a strong frontage to Little Park Gardens. The proposal would present a flank elevation to Chapel Street; however this would not cause an overbearing blankness as perceived from Chapel Street due to the proposed brick detailing. A low wall would form the boundary treatment to the Chapel Street frontage, consistent with the enclosure of many of the properties in the immediate area, with a higher wall to enclose the rear amenity area of the easternmost new dwellinghouse. The parking area to the rear would slightly interrupt the overall enclosure of the site, but the car parking area is necessary to serve the family housing proposed.
- 9.27 The proposal's form, scale and rhythm would complement the form scale and rhythm of the surrounding development and it would deliver a wider enhancement to the Conservation Area through the creation of a strong frontage to Little Park Gardens and the redevelopment of the unsightly existing car park.
- 9.28 The Heritage Officer following revisions to the schemes, has concluded there is no harm to the character and appearance of the conservation area.
- 9.29 The revisions made to the design of the proposal that have been made in order to overcome the concerns initially raised by the Heritage officer are:
 - Rear parking area reduced to four spaces in line with previous proposal, including being enclosed with a low brick wall.
 - Revised bin storage design.
 - Reducing the size of the front gables.
 - Brick detailing being added to the easternmost elevation.
- 9.30 As a result of these revisions and the general conformity of the proposal with its context, the proposal is considered to cause no harm to the character and appearance

of the Enfield Town Conservation Area and is therefore acceptable in terms of its visual impact on all heritage assets.

- 9.31 In terms of comments from local residents, concerns have been raised regarding the use of raised seam zinc rather than clay or slate tiles, as can be seen in most other buildings in the immediate vicinity. However, while it is acknowledged its use provides a more contemporary appearance, it is also considered that raised seam zinc is a more appropriate material for the proposed roof shape, which may be difficult to tile or may appear more awkward and prominent in appearance if tiled. Consequently, it is concluded that since the proposed roof shape ensures the proposal's scale and form are in keeping with its immediate surroundings and no harm is identified resulting from the proposal as revised, the use of raised seam zinc for the roof is acceptable and supported by the Heritage officer.
- 9.32 Given the proposal is a thorough redevelopment and it is located in a conservation area, a condition requiring full details of all external finishing materials is required prior to the commencement of any above ground works on the site and this will be secured by a condition on any grant of planning permission.

Design

- 9.33 The nature of an assessment of the impacts of a development in a conservation area on that conservation area's character and appearance means that whether that development accords with the relevant design policies has mostly already been covered by the heritage assessment.
- 9.34 While design policies such as DMD 37 of the Enfield DMD and D3 and D4 of the London Plan require development respect local character, be of an appropriate scale, form and mass with appropriate materials, as have all already been concluded to be acceptable above, they also require the development to be legible and adaptable and result in ease of movement. The proposal is considered to be legible and to promote ease of movement by virtue of how it would follow the surrounding pattern of development and not disrupt any existing sightlines. The regular shape of the development would make it broadly adaptable too.
- 9.35 Hence the proposal is considered acceptable in terms of the wider design policies as well.

Archaeology

- 9.36 The site is located in the Enfield Town Archaeological Priority Area. A lack of modern development on the site as shown on historic mapping indicates that archaeological survival on the site could be good. Ground reduction for example for new foundations and services associated with the proposed development will have the potential to affect buried archaeological remains.
- 9.37 NPPF paragraph 194 says applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest. Paragraph 205 of the NPPF says that applicants should record the significance of any heritage assets that the development harms. Applicants should also improve knowledge of assets and make this public. NPPF paragraphs 190 and 197 and London Plan Policy HC1 emphasise the positive contributions heritage assets can make to sustainable communities and places. Where appropriate, applicants should therefore also expect to identify enhancement opportunities.
- 9.38 Historic England's Greater London Archaeological Advisory Service have identified the need here to secure archaeological investigations are carried out prior to the

commencement of the development. While the applicant has submitted a Stage 1 Written Scheme of Investigation (WSI), a fully staged pre-commencement condition is required to be attached to any grant of planning permission here in order for the development to be acceptable in terms of its archaeological impacts.

Trees

- 9.39 The unauthorised felling of the former sweet chestnut on the site, which was later determined to be of high enough amenity value to warrant a TPO being served and was at the time only protected by virtue of its location in a conservation area, remains a material consideration in the assessment of this scheme albeit, this action was not the responsibility of the current applicant. However, through this application, it is important to secure the appropriate mitigation.
- 9.40 Although the previous application sought to mitigate for the loss of the sweet chestnut tree through the developer providing a financial contribution for the Council to plant trees of similar amenity value on-street elsewhere in the conservation area , a reassessment of this strategy has been possible and an alternative mitigation for the destroyed tree has been proposed.
- 9.41 This comprises the planting of a mature silver birch in the area of soft landscaping proposed to the north of the car parking area. It is considered by the Tree Officer that this would become a tree of sufficient amenity value to compensate for the lost sweet chestnut. This can be secured by a detailed planning condition, also covering the new tree's maintenance, to be attached to any grant of planning permission .

Landscaping

- 9.42 Policy DMD 81 and Policies D3 and D4 of the London Plan require development to provide high quality landscaping. Landscaping, in the form of new planting, hard and soft external surfaces and means of enclosure (such as walls and fences), forms an integral part of the proposal's character and appearance in its context. The plans show the potential for the site being landscaped to a very high standard that would enhance the conservation area and complement the appearance of the proposed new buildings more generally, as well as add to the greening of the site. However, to ensure this is completed to the highest quality possible, further details of materials and details will need to be secured by condition. A detailed condition requiring a fully detailed landscaping strategy and that the development is carried out in accordance with it will be added to any grant of planning permission .

Quality of Accommodation and Amenity Space

- 9.43 London Policy D6 sets out the London Plan criteria to ensure the delivery of new housing of an adequate standard. The DMD contains several policies which also aim to ensure the delivery of new housing of an adequate quality, namely Policy DMD 8 (General Standards for New Residential Development) and DMD 9 (Amenity Space) and DMD10 (Distancing).
- 9.44 All five houses would have three bedrooms and a maximum occupancy of 5 people, as based on a measurement of their proposed bedroom sizes. As they would be spread across three storeys, they must provide a minimum Gross Internal Area (GIA) of 99 m² each in order to be policy compliant. As each of the new dwellinghouses would provide 125 m² of GIA, including a policy compliant amount of built-in storage, they would all meet this requirement. The internal spaces would all be flexible and functional with adequate daylight and sunlight. They would also not be unduly overlooked by any surrounding developments. Consequently, the internal spaces

offered by the proposal are considered to offer a high quality of accommodation that is wholly policy compliant.

- 9.45 The rear gardens, offering each house their own private amenity space, would vary in size from 28 m² to 85 m², with the smallest belonging to the easternmost two of the new houses and the largest to the westernmost. Their average area would be greater than 50 m². DMD 9 (Amenity Space) sets out the local standards for private amenity space for new houses in the borough. The smallest two gardens would be slightly smaller than the minimum 29 m² required by Policy DMD 9 for 3b5p dwellinghouses, however this is considered acceptable given the constraints of the site and the space required to provide off street car parking and also to allow space for the new silver birch tree. The proposed average garden size is well above the required 44 m². None of the proposed gardens would be unduly overlooked and they would all receive adequate light. Hence, on balance, and giving weight to the tilted balance and the presumption in favour of granting planning permission for sustainable development, the deficiency in amenity space is not considered to outweigh the broader benefits of delivering new homes associated with this development
- 9.46 Policy D7 (accessible housing) of the London Plan requires that all new dwellings meet optional requirement M4(2) 'accessible and adaptable dwellings' of the Building Regulations. There is no reason all five dwellings could not meet this requirement. Hence, that the development complies with this requirement will be secured by a condition on any grant of planning permission here.

Neighbouring Residential Amenity

- 9.47 The site adjoins the curtilage of two single storey dwellinghouses to its north and west (No. 10 Chapel Street and No. 31 Little Park Gardens respectfully). London Plan Policy D3 sets out that buildings should not cause unacceptable harm to residential amenity, having regard to privacy and outlook and should provide sufficient daylight and sunlight to the new as well as surrounding housing. Policies DMD 6 and DMD 8 seek to ensure that residential developments do not prejudice the amenities enjoyed by the occupiers of neighbouring residential properties in terms of privacy, outlook, noise and disturbance.
- 9.48 Policy DMD 10 also seeks to ensure that minimum separation distances are maintained between dwellings to safeguard residential amenity. The proposed development would achieve a minimum separation distance of approximately 16 m, which is below the recommended separation of 25 metres. The purpose of the policy to ensure new development does not result in undue overlooking and loss of privacy for existing neighbours. In this instance, despite the proximity of the development, it is considered the site circumstances support the flexibility in the application of this policy and it is considered, the development would not give rise to undue overlooking of No.10 or a loss of privacy for the occupiers.
- 9.49 No.10 Chapel Street has been extended to the rear bringing the property in very close proximity to the existing boundary wall that encloses the site. This wall is approximately 3 m in height. Given this, the line of sight from the upper floor windows would be to the roof of the extension rather than the rear facing windows. Again, the distance of the proposed development from No.10 Chapel Street, means that there would be no undue loss of light or outlook as perceived from that neighbouring property.
- 9.50 No. 31 Little Park Gardens is also a single storey dwelling and is located to the west of the application site. The rear wall of this property forms the boundary with the application site. There are no windows in the rear wall itself, but the property has four

rooflights in the rear roof pitch provide natural light and ventilation to the rooms within. The proposed development is positioned between 3.5 and 5m from the boundary with No.31. Given the orientation and height of the proposal with respect to No. 31, the proposal would not cause a material loss of sunlight or daylight to this property.

- 9.51 The proposed development does include the provision of one window in the flank elevation of the house nearest No.31 Little Park Gardens. This window would be at loft level and would serve a stairwell. As a result, this window would not be able to provide a vantage point from which to overlook No. 31 in any meaningful way. Nevertheless, a condition is recommended requiring this window be obscure glazed and fixed shut, in order to secure that the privacy of the occupiers of No. 31 is maintained.
- 9.52 Noise and disturbance incident upon the occupiers at No. 31 will also need to be secured through a condition requiring that a wall or soundproof fence is installed on the boundary of the subject site with No. 31 prior to the first occupation of the development, as otherwise the rear wall of No. 31 would form the boundary which might result in undue noise and disturbance resulting from the use of the rear garden of the westernmost of the proposed new houses.

Transport, Access and Parking

- 9.53 London Plan Policy T1 sets a strategic target of 80% of all trips in London to be by foot, cycle or public transport by 2041 (75% in Outer London) 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. Policy DMD 45 makes clear that the Council aims to minimise car parking and to promote sustainable transport options.

Car Parking

- 9.54 London Plan Policy T6.1 requires that all residential development in areas with a PTAL of 5 or greater be 'car free'. The subject site Has a PTAL of 5 and is located in the Enfield Town Controlled Parking Zone. Hence the proposal should be car-free. The proposal would provide four off-street parking spaces, contrary to this policy requirement. However, it is considered this non-compliance can be permitted in this instance on the basis that four parking spaces were resolved to be granted under the previous application (ref. 17/02767/FUL) and the provision of this number of family sized dwellinghouses may not be feasible without some parking provision given the number of houses in the immediate surroundings that benefit from some off-street parking.
- 9.55 None of the future occupiers of the dwellings will be able to apply for parking permits for the Enfield Town CPZ. This will be secured through a Legal Agreement before any planning permission is granted. This will have the effect of ensuring parking pressure is not exacerbated in the area as well as ensuring future occupiers are encouraged to use alternative and more sustainable modes of transport.
- 9.56 The proposed vehicular access to the off street parking spaces would be less than 4.8 metres wide and there is space for all vehicles to manoeuvre and exit the site in forward gear, ensuring no heightening of highway danger as a result of the new vehicular access. It would therefore comply with Policy DMD 46 (Vehicle Crossovers).
- 9.57 The pedestrian routes across and access to the site are considered to be legible and accessible in accordance with local policy DMD 47 (Access and Servicing) and Policies T1 and T2 of the London Plan.

Cycle Parking

- 9.58 Policy T5 of the London Plan sets out cycle parking requirements. In accordance with this policy each new house should provide two long stay cycle parking spaces. The proposal would provide a small shed in the rear garden which is capable of providing this amount of cycle parking. The details of how these structures will be used to provide secure cycle parking still needs to be provided but can be secured by a condition. With such a condition, the proposal would accord with Policy T5.

Refuse and Recycling

- 9.59 Refuse and recycling storage is shown to the front of the proposed dwellings, facing Little Park Gardens and would easily facilitate kerbside collection. That the refuse facilities are installed prior to occupation will be secured by a condition on any grant of planning permission.

Conclusion on Transport, Access and Parking

- 9.60 Overall the proposed approach to access, parking and servicing is acceptable. This is subject to the conditions outlined above and a S106 legal agreement securing that the future occupiers of the new houses cannot apply for a parking permit within the Enfield Town Controlled Parking Zone.

Biodiversity

- 9.61 Trees and landscaping can have positive impacts in terms of biodiversity. These matters are assessed above in the Heritage, Character and Design of this assessment as trees and landscaping are very much key to securing a high quality amenity and appearance for the development, although their biodiversity benefits are not forgotten in this assessment.
- 9.62 Policy G6 of the London Plan and DMD 79 of the Enfield DMD expects new development to provide a biodiversity net gain and provide onsite ecological enhancements. The proposed development given the lawful use of the site as car park, delivers on site ecological enhancements which will be secured through a condition on the grant of any planning permission. This condition will require that the type and location of these ecological enhancements will be chosen under the supervision of a suitable qualified ecologist. With such a condition attached, it is considered the development as a whole would result in a biodiversity net gain, especially given the development would also introduce soft landscaping to areas that are currently paved for car parking.

Minimising Greenhouse Gas Emissions

- 9.63 Policy DMD 51 requires that all development demonstrates how it will minimise energy related greenhouse gas emissions in accordance with the energy hierarchy. This policy also requires that minor residential development, such as the proposal, seeks to achieve a 35% improvement in greenhouse gas emissions on the baseline for the development set out in Part L of the Building Regulations.
- 9.64 In this instance, it is proposed that this information can be reserved by a condition securing the submission of an Energy Statement prior to the commencement of above ground works on the new dwellings. This is because the target for minor development is aspirational and not fixed. Furthermore, due to the visual sensitivities of the development being in a conservation area, the previous application on the site showed

that reductions in target emissions could be achieved through fabric efficiencies alone without an overreliance on renewable technologies in this development,

Flood Risk and Drainage

- 9.65 The site is subject to a high risk of surface water flooding, as identified in the borough's Strategic Flood Risk Assessment. A Site Specific Flood Risk Assessment has been submitted for this application. Policy SI 12 of the London Plan and DMD 62 of the Enfield DMD require that development minimises flood risk to future occupiers through design measures. The Lead Local Flood Authority (LLFA) advises that the proposed development still needs to clarify how it would be resilient to flooding in a number of ways. In particular that finished floor level (FFL) will be at least 100 mm above the 1 in 100 year surface water flood depth at the site including the FFL of the ground floor bedrooms together with a flood management and evacuation plan, all need to be confirmed. These details can all be secured by an updated Site Specific Flood Risk Assessment being submitted to the local planning authority prior to the commencement of above ground works.
- 9.66 Policy SI 13 of the London Plan and DMD 61 of the Enfield DMD require that all development maximises the use of sustainable drainage systems and seek to achieve greenfield run-off rates by managing surface water as close to its source as possible in accordance with the drainage hierarchy. A drainage strategy has been submitted alongside the proposal and this has met the approval of the LLFA. There have been slight rearrangements to the site layout subsequent to this most recent Drainage Strategy and so for completeness, a revised Drainage Strategy will be secured by a prior to above ground works condition on the grant of any planning permission here to ensure the implemented Drainage Strategy accords with the landscaping plan to be approved as well.

Water Efficiency

- 9.67. Policy SI 5 of the London Plan 2021 and DMD 58 of the Enfield DMD require that development should be designed so that mains water consumption would meet a target of 105 litres or less per head per day, excluding an allowance of 5 litres per head for external water use. This reflects the optional requirement set out in Part G of the Building Regulations. This will be secured through a prior to occupation condition on the planning permission.

Air Quality & Contamination

- 9.68 The whole of London is a low emission zone for non-road mobile machinery. Therefore, per Policy SI 1 of the London Plan and in order to reduce the impact on air quality during demolition and construction the non-road mobile machinery used in the works will be required by a condition to comply with the best practice set out in the Mayor of London's Supplementary Planning Guidance (The Control of Dust and Emissions During Construction and Demolition Supplementary Planning Guidance, Mayor of London, 2014) and register the non-road mobile machinery with the Mayor.
- 9.69 The site may have ground contamination that poses a risk to human health and for this reason an investigation of any potential contamination will need to be provided before the development commences. With conditions on the grant of planning permission securing these investigations are carried out and any remediation takes place, the development would be in accordance with policy DMD 66 (Land Contamination).

10. Section 106 Agreement and Planning Obligations:

- 10.1 In order to render the development acceptable, it is considered a legal agreement is required to secure the following mitigation and / or controls
- i) exclusion of future occupiers from obtaining permits to park in CPZ
 - ii) Considerate Constructors Scheme.
 - iii) LBE Management monitoring fee

11. Community Infrastructure Levy (CIL)

- 11.1 Both Enfield CIL and the Mayor of London CIL (MCIL) would be payable on this scheme to support the development of appropriate infrastructure. The expected CIL contribution will be reported at the meeting.
- 11.2 A formal determination of the CIL liability would be made when a Liability Notice is issued should this application be approved.

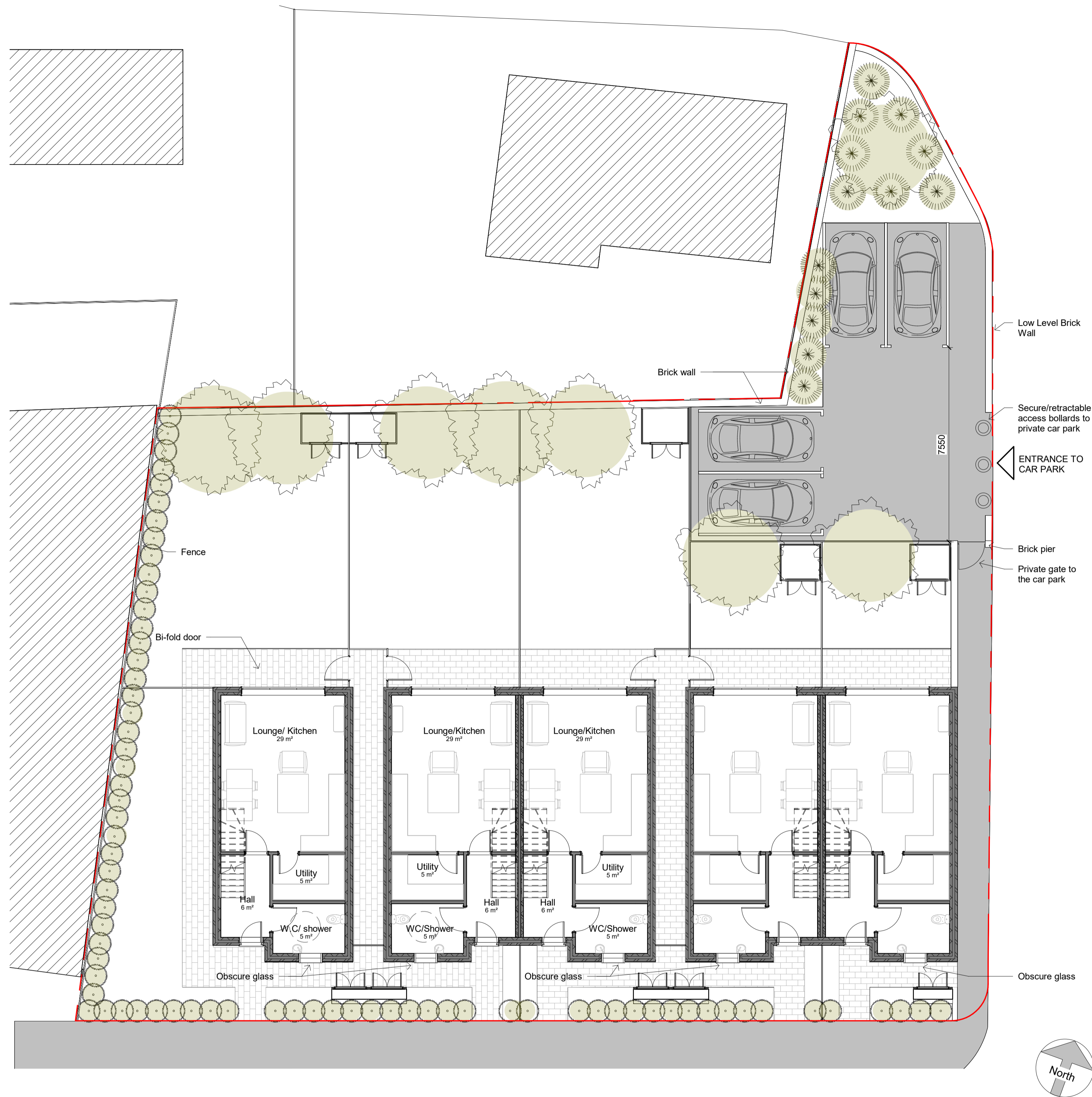
12. Public Sector Equality Duty

- 12.1 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.

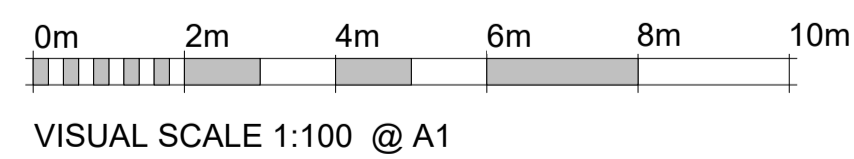
13. Conclusion

- 13.1 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".
- 13.2. Members will be aware of the need to deliver more housing in order to meet housing delivery targets. This proposed development would deliver 5 family sized homes, which would help meet the pressing need for family housing within the Borough, and Enfield has an extremely challenging 10-year housing delivery target. In this context, the provision of 5 new family homes weighs heavily in favour of the development.
- 13.3. It is considered the application proposes a high-quality residential development on existing underutilised, sustainable brownfield land consistent with the objectives of the adopted planning policy and the scheme proposed has followed a design-led approach to site optimisation, as per London Plan Policy D3.
- 13.4. With new development comes change and some disruption. This design led proposal has sought to minimise the impact on the surrounding properties. Whilst there will be change, it is considered that the proposal would not be detrimental to the amenity of neighbouring residents.
- 13.5. Overall and taking account of the presumption in favour and the weight to be given to development which provides new family homes, it is concluded that the development for reasons set-out within this report, is acceptable and broadly accords with the policies of the Development plan where they are material to the development

and other relevant material planning considerations including 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.



1 Proposed Ground Floor Plan
1 : 100



| | | | |
|---|--|------------|----|
| D | Proposed alterations to the landscaping | 15/02/2022 | AA |
| C | Proposed alterations to the landscaping | 05/01/2022 | AA |
| B | Proposed alteration to the car park, landscaping and materiality | 10/12/2021 | AA |
| A | Proposed alterations to landscaping, details and materiality | 03/11/2021 | AA |

Page 36

| Revision Number | Revision Description | Revision Date | Issued by |
|-----------------|----------------------|---------------|-----------|
| Revision | | | |

Planning

Status:

Dimensions, areas and levels where given are only approximate and subject to site survey.
All dimensions are to be checked on site. Figured dimensions only are to be taken from this drawing.
This drawing is to be read in conjunction with all relevant consultants and/or specialists drawings/documents and any discrepancies or variations are to be notified to the architect before the affected work commences. This drawing is copyright and remains the property of the Architects.

CROE ARCHITECTS
REGISTERED QUALIFIED ARCHITECTS / HERTFORDSHIRE

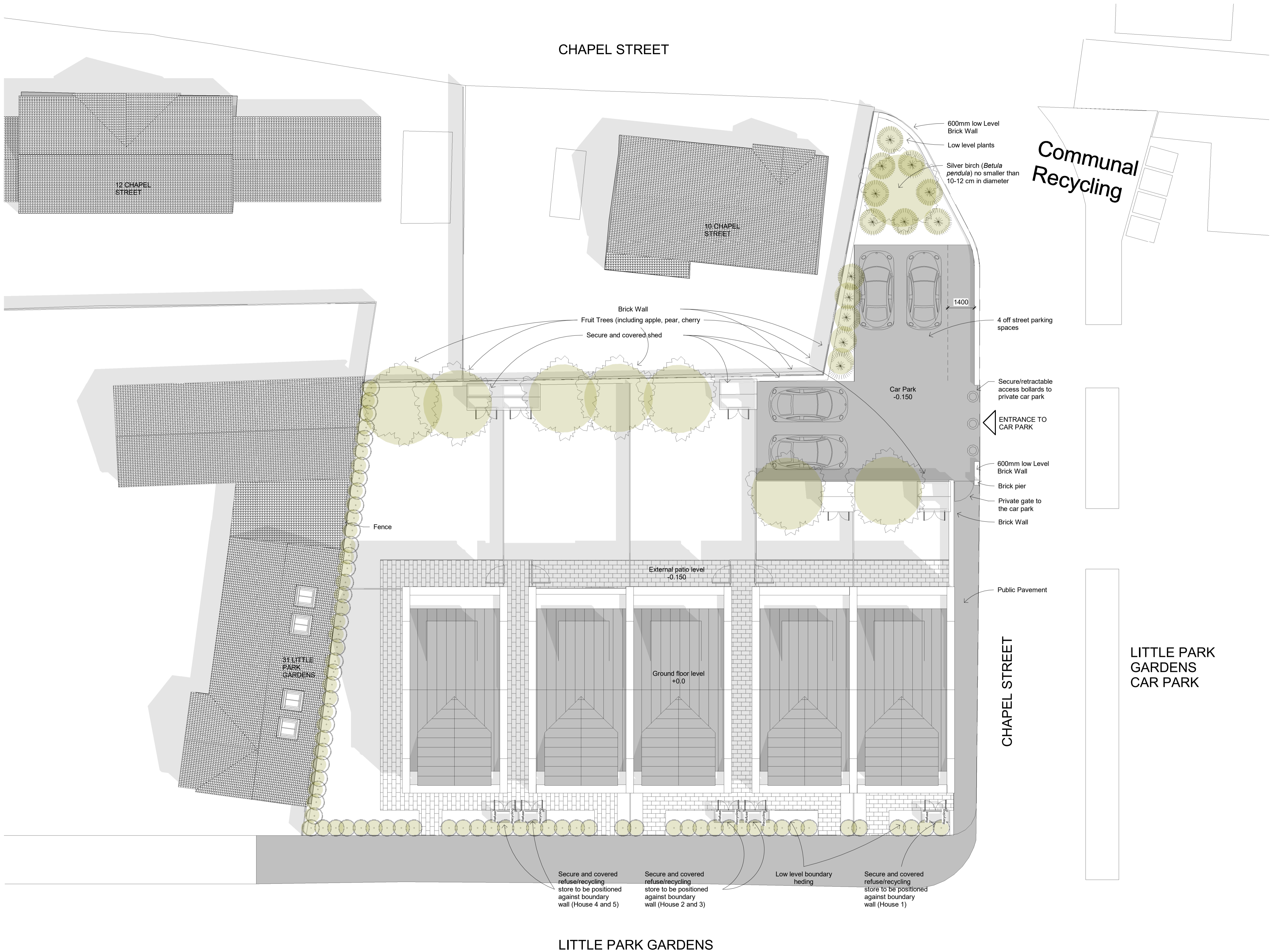
telephone: 01462 453931
email: info@croearchitects.co.uk
web: www.croearchitects.co.uk

Project:
Little park garden

Client:
ROJO

Drawing name:
Proposed ground floor

| | | |
|-------------------|----------------|----------|
| Scale: 1 : 100 | Drawing number | Revision |
| Date: February 22 | 2100- 001 | D |
| Drawn by: AA | | |



1 Proposed Site Plan
1 : 100
0m 2m 4m 6m 8m 10m
VISUAL SCALE 1:100 @ A1

| | | | |
|---|--|------------|----|
| D | Proposed alterations to the landscaping | 15/02/2022 | AA |
| C | Proposed alterations to the landscaping | 05/01/2022 | AA |
| B | Proposed alteration to the car park, landscaping and materiality | 10/12/2021 | AA |
| A | Proposed alterations to landscaping, details and materiality | 03/11/2021 | AA |

| Revision Number | Revision Description | Revision Date | Issued by |
|-----------------|----------------------|---------------|-----------|
| Revision | | | |

Planning

Status:

Dimensions, areas and levels where given are only approximate and subject to site survey.
All dimensions are to be checked on site. Figured dimensions only are to be taken from this drawing.
This drawing is to be read in conjunction with all relevant consultants and/or specialists drawings/documents and any discrepancies or variations are to be notified to the architect before the affected work commences. This drawing is copyright and remains the property of the Architects.

CROE
ARCHITECTS
REGISTERED QUALIFIED ARCHITECTS / HERTFORDSHIRE

telephone: 01462 453931
email: info@croearchitects.co.uk
web: www.croearchitects.co.uk

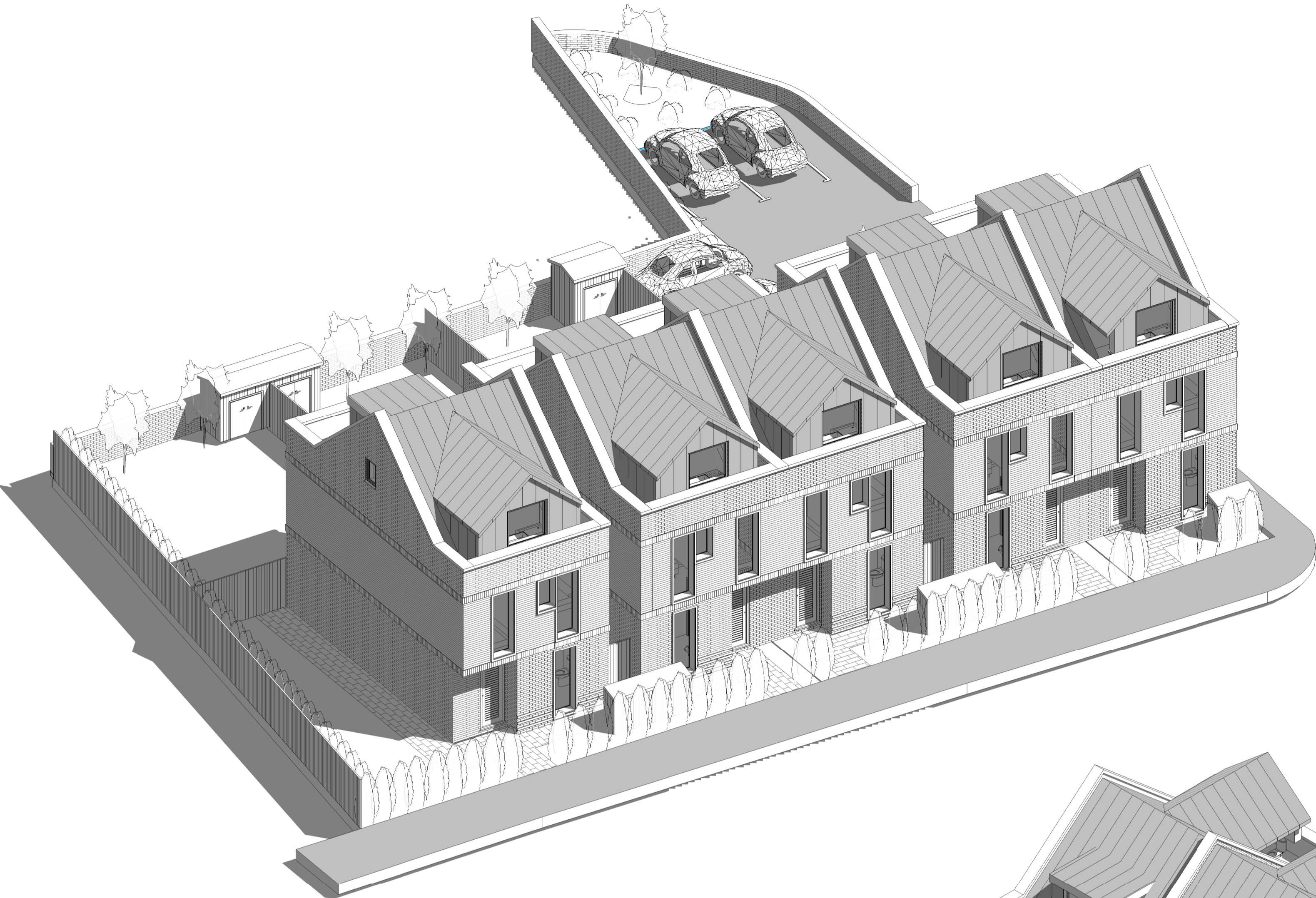
Project:
Little park garden

Client:
ROJO

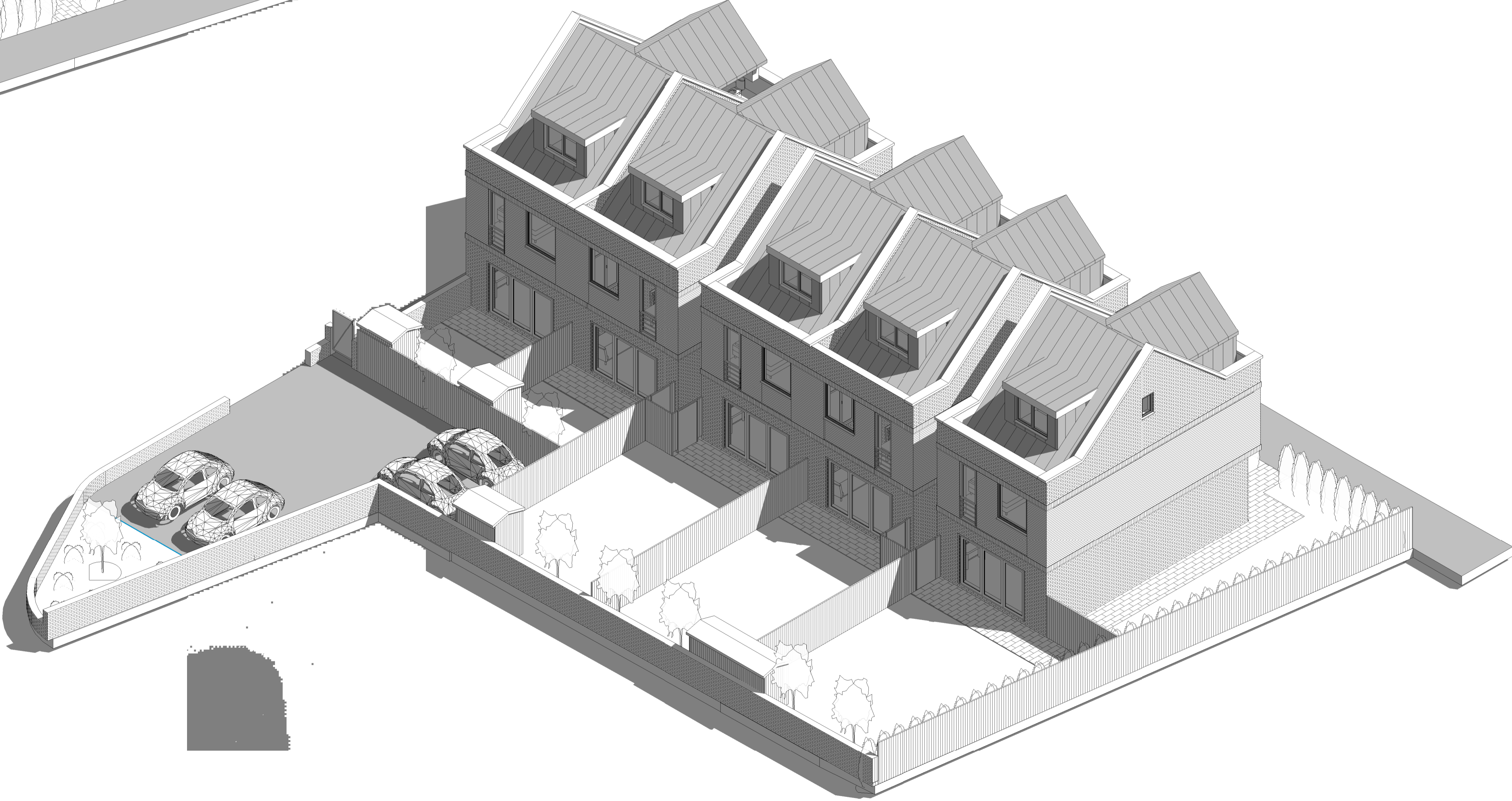
Drawing name:
Proposed Site Plan

| | | |
|-------------------|----------------|----------|
| Scale: 1 : 100 | Drawing number | Revision |
| Date: February 22 | 2100- 003 | D |
| Drawn by: AA | | |

1 3D Frontage view



2 3D Rear view



| | | | |
|---|--|------------|----|
| D | Proposed alterations to the landscaping | 15/02/2022 | AA |
| C | Proposed alterations to the landscaping | 05/01/2022 | AA |
| B | Proposed alteration to the car park, landscaping and materiality | 10/12/2021 | AA |
| A | Proposed alterations to landscaping, details and materiality | 03/11/2021 | AA |

Page 38

| Revision Number | Revision Description | Revision Date | Issued by |
|-----------------|----------------------|---------------|-----------|
| Revision | | | |

Planning

Status:

Dimensions, areas and levels where given are only approximate and subject to site survey.
All dimensions are to be checked on site. Figured dimensions only are to be taken from this drawing.
This drawing is to be read in conjunction with all relevant consultants and/or specialists drawings/documents and any discrepancies or variations are to be notified to the architect before the affected work commences. This drawing is copyright and remains the property of the Architects.



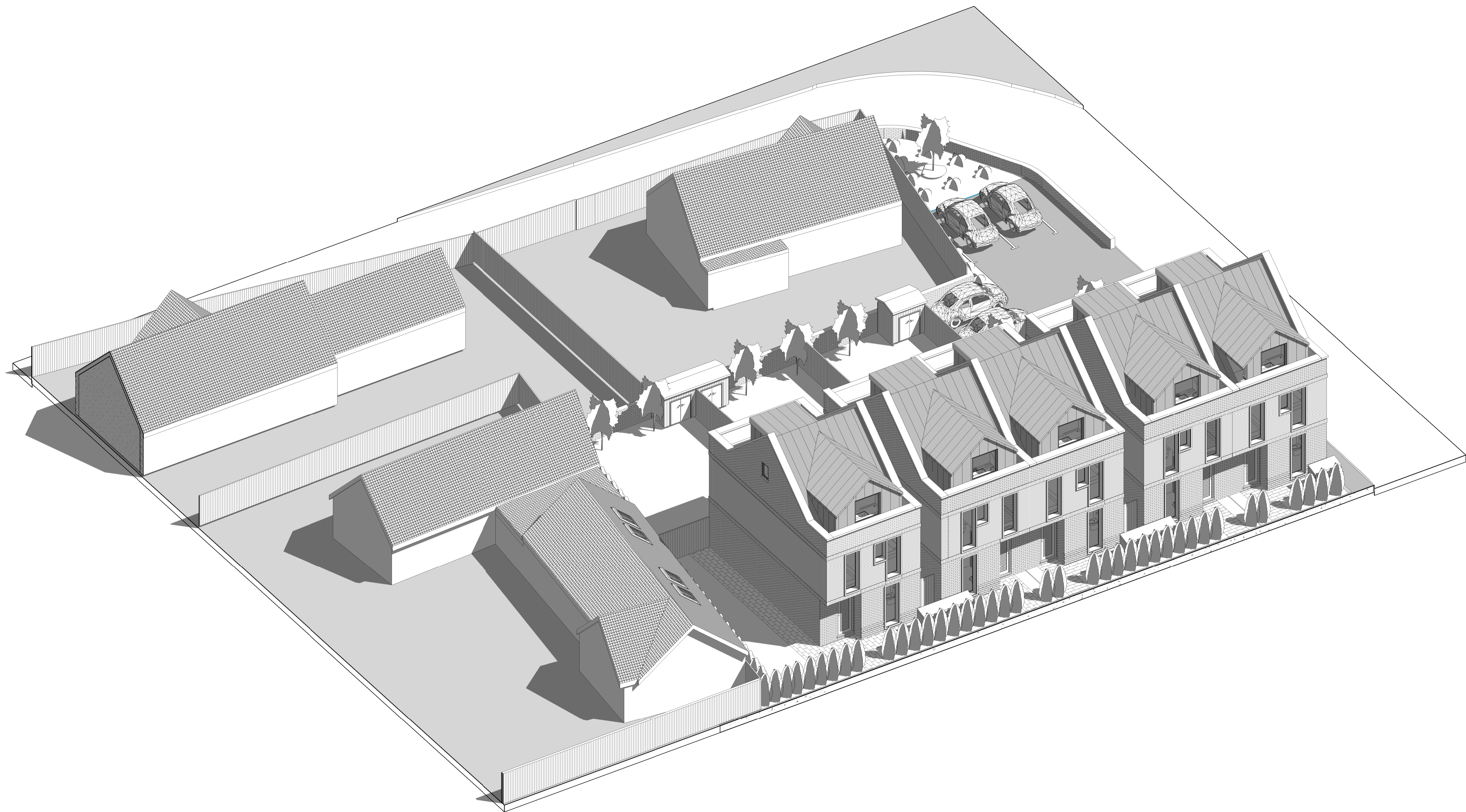
telephone:01462 453931
email:info@croearchitects.co.uk
web: www.croearchitects.co.uk

Project:
Little park garden

Client:
ROJO

Drawing name:
As proposed 3D

| | | |
|------------------|----------------|----------|
| Scale: | Drawing number | Revision |
| Date: February22 | 2100- 005 | D |
| Drawn by: AA | | |



1 HOUSING 3D IN THE CONTEXT

| | | | |
|---|--|------------|----|
| D | Proposed alterations to the landscaping | 15/02/2022 | AA |
| C | Proposed alterations to the landscaping | 05/01/2022 | AA |
| B | Proposed alteration to the car park, landscaping and materiality | 10/12/2021 | AA |
| A | Proposed alterations to landscaping, details and materiality | 03/11/2021 | AA |

| Revision Number | Revision Description | Revision Date | Issued by |
|-----------------|----------------------|---------------|-----------|
| Revision | | | |

Planning

Status:

Dimensions, areas and levels where given are only approximate and subject to site survey.
All dimensions are to be checked on site. Figured dimensions only are to be taken from this drawing.
This drawing is to be read in conjunction with all relevant consultants and/or specialists drawings/documents and any discrepancies or variations are to be notified to the architect before the affected work commences. This drawing is copyright and remains the property of the Architects.



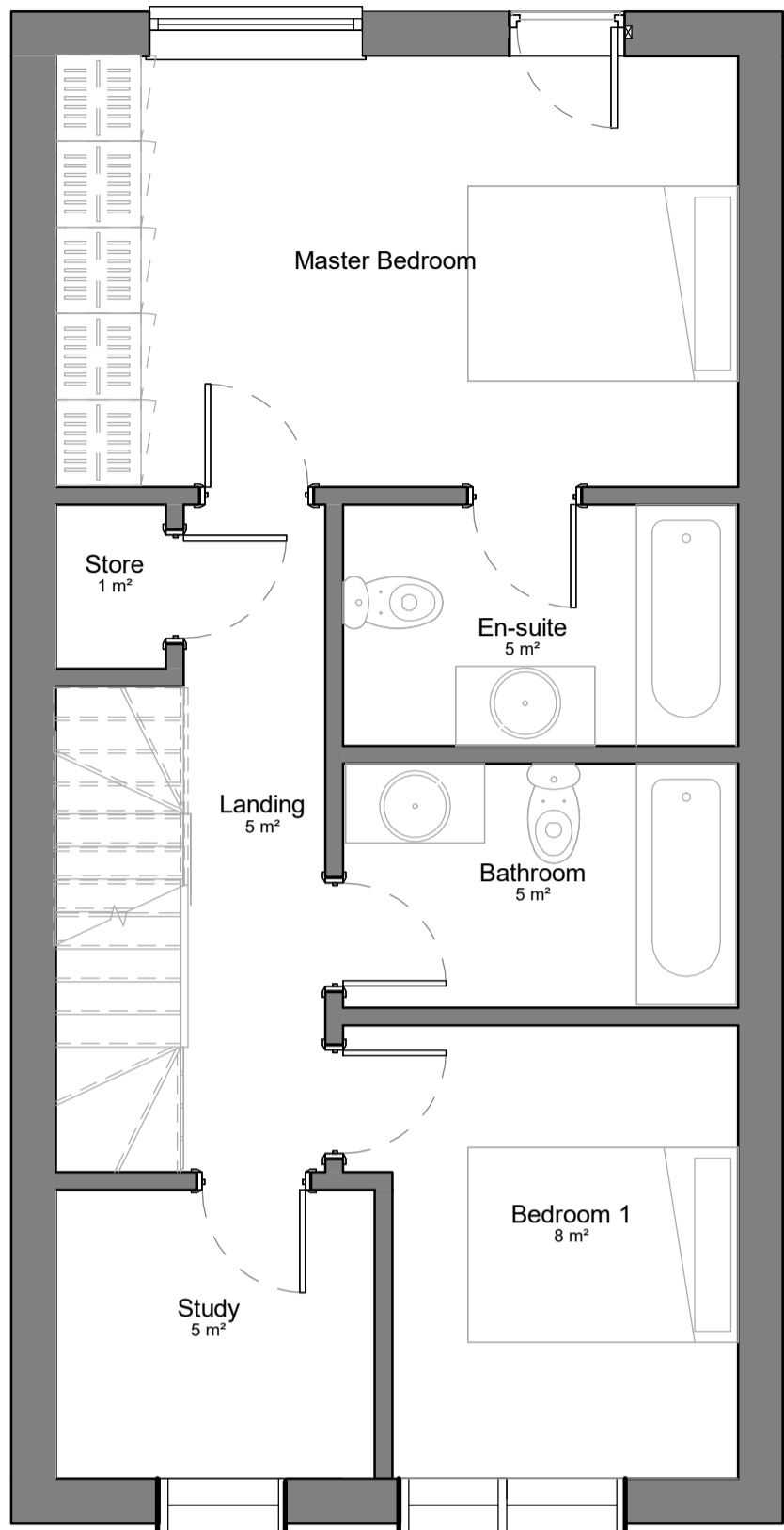
telephone:01462 453931
email:info@croearchitects.co.uk
web: www.croearchitects.co.uk

Project:
Little park garden

Client:
ROJO

Drawing name:
3D in context

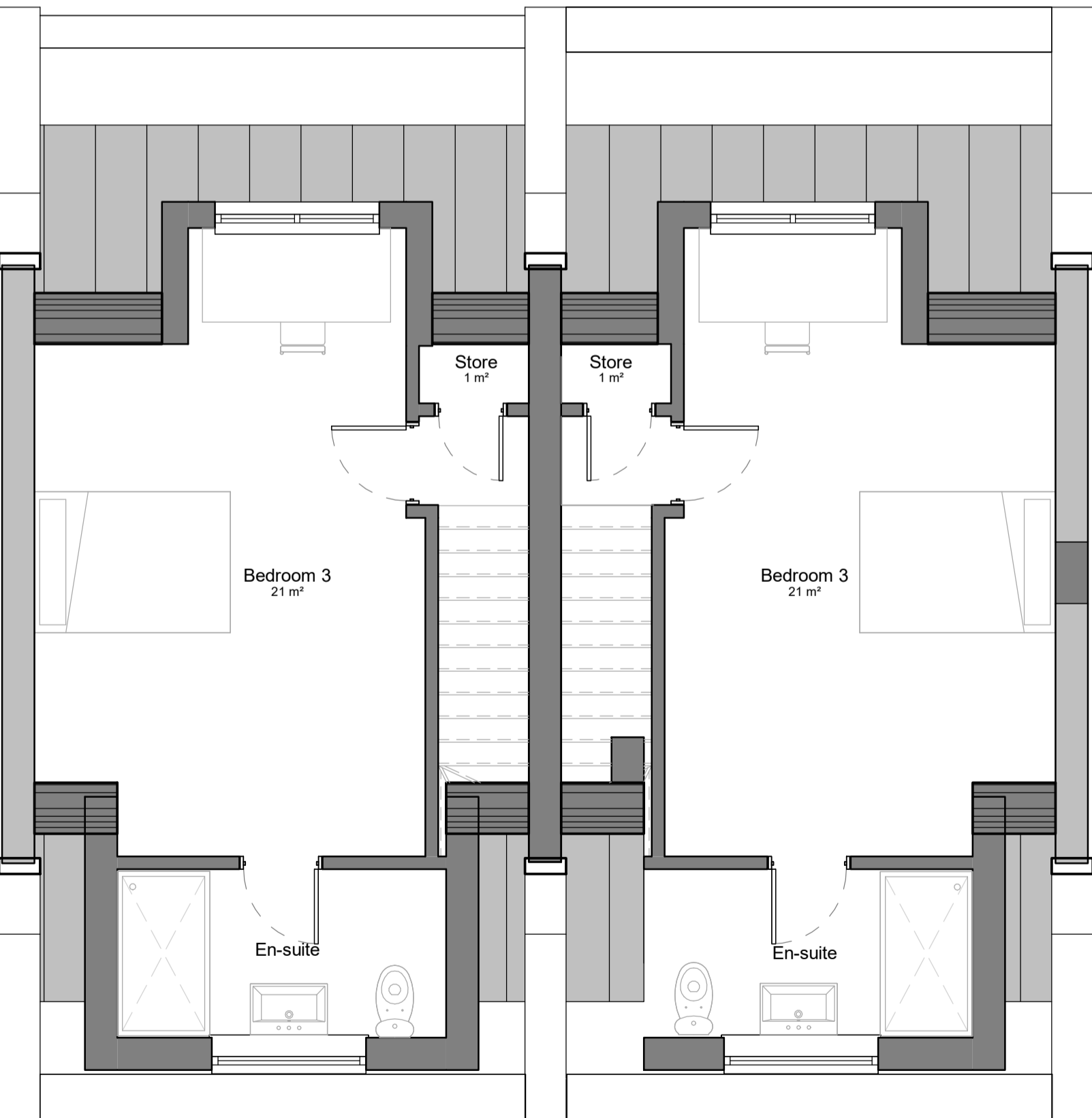
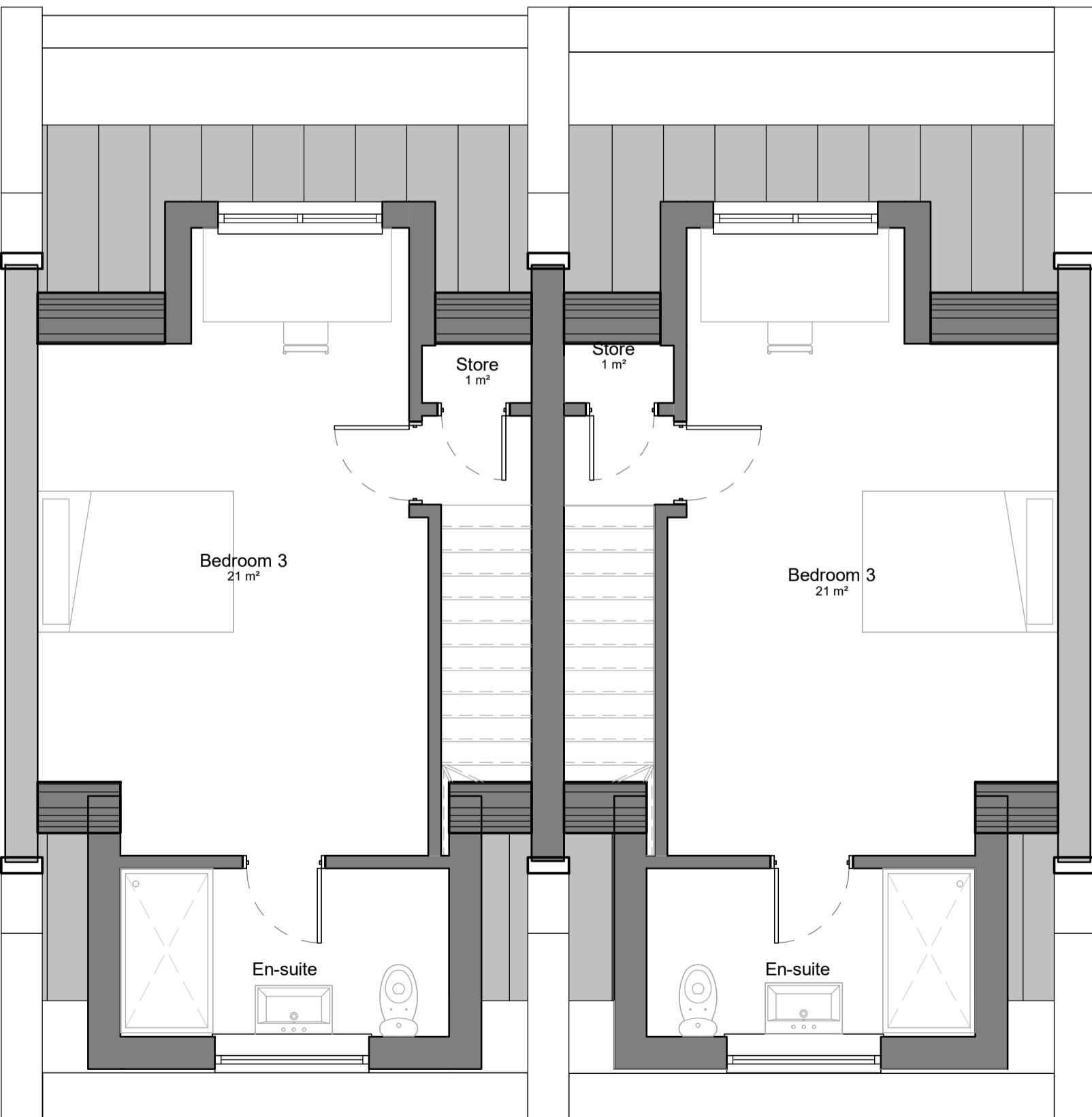
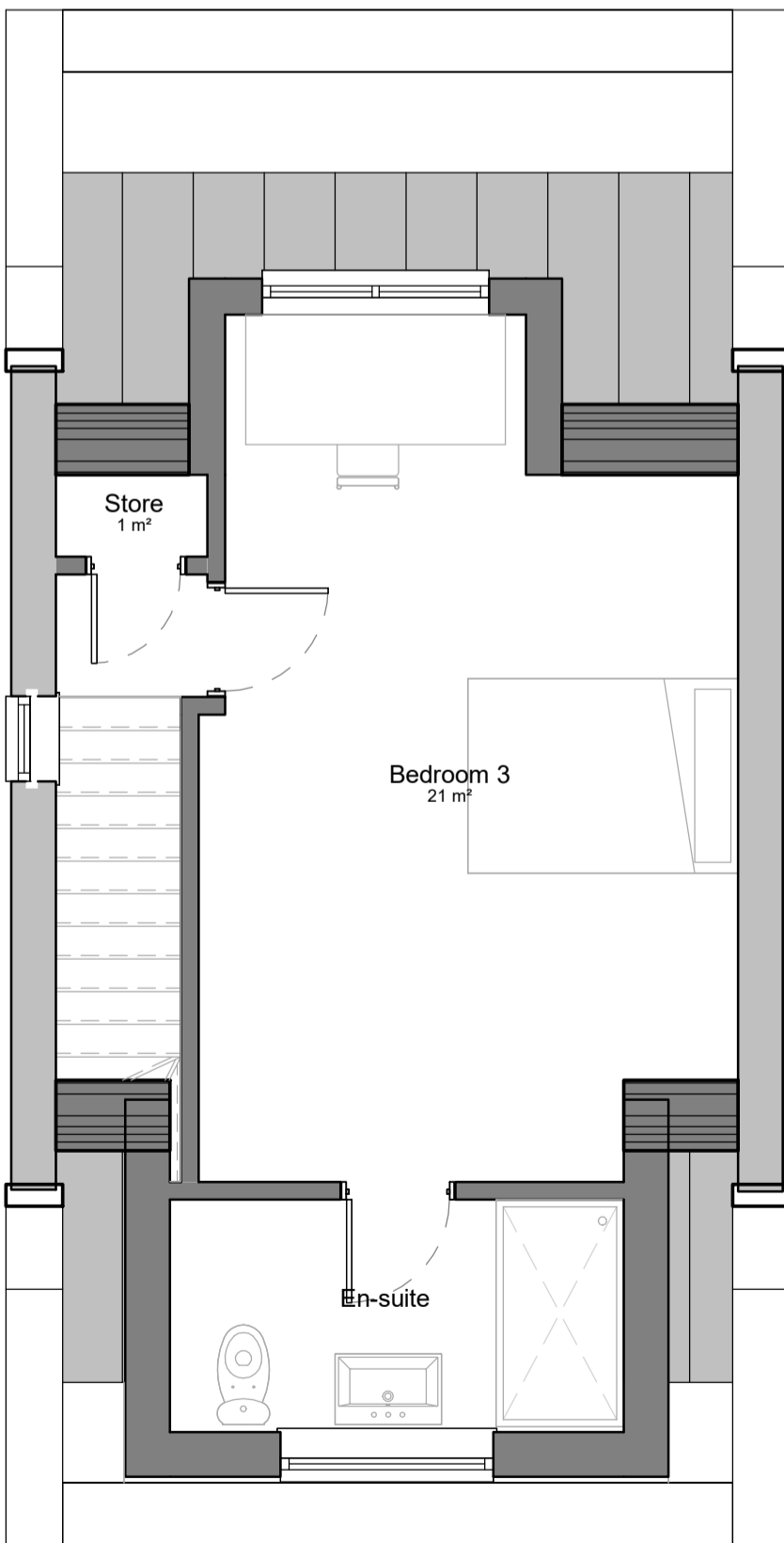
| | | |
|------------------|----------------|----------|
| Scale: | Drawing number | Revision |
| Date: February22 | 2100- 006 | D |
| Drawn by: AA | | |



Obscure glass

Obscure glass

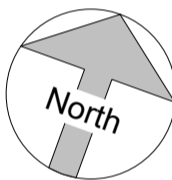
1 Proposed First Floor Plan
1 : 50



2 Proposed Second Floor Plan
1 : 50



VISUAL SCALE 1:50 @ A1



| | | | | |
|---|--|------------|----|---------|
| B | Proposed alteration to the car park, landscaping and materiality | 10/12/2021 | AA | Page 40 |
| A | Proposed alterations to landscaping, details and materiality | 03/11/2021 | AA | |

| Revision Number | Revision Description | Revision Date | Issued by |
|-----------------|----------------------|---------------|-----------|
| Revision | | | |

Planning

Status:
Dimensions, areas and levels where given are only approximate and subject to site survey.
All dimensions are to be checked on site. Figured dimensions only are to be taken from this drawing.
This drawing is to be read in conjunction with all relevant consultants and/or specialists drawings/documents and any discrepancies or variations are to be notified to the architect before the affected work commences. This drawing is copyright and remains the property of the Architects.

CROE
ARCHITECTS
REGISTERED QUALIFIED ARCHITECTS / HERTFORDSHIRE

telephone: 01462 453931
email: info@croearchitects.co.uk
web: www.croearchitects.co.uk

Project:
Little park garden

Client:
ROJO

Drawing name:
Proposed First Floor Plan

| | | |
|-------------------|----------------|----------|
| Scale: 1 : 50 | Drawing number | Revision |
| Date: November'21 | 2100- 002 | B |
| Drawn by: AA | | |



1 Proposed Front Elevation
1 : 100

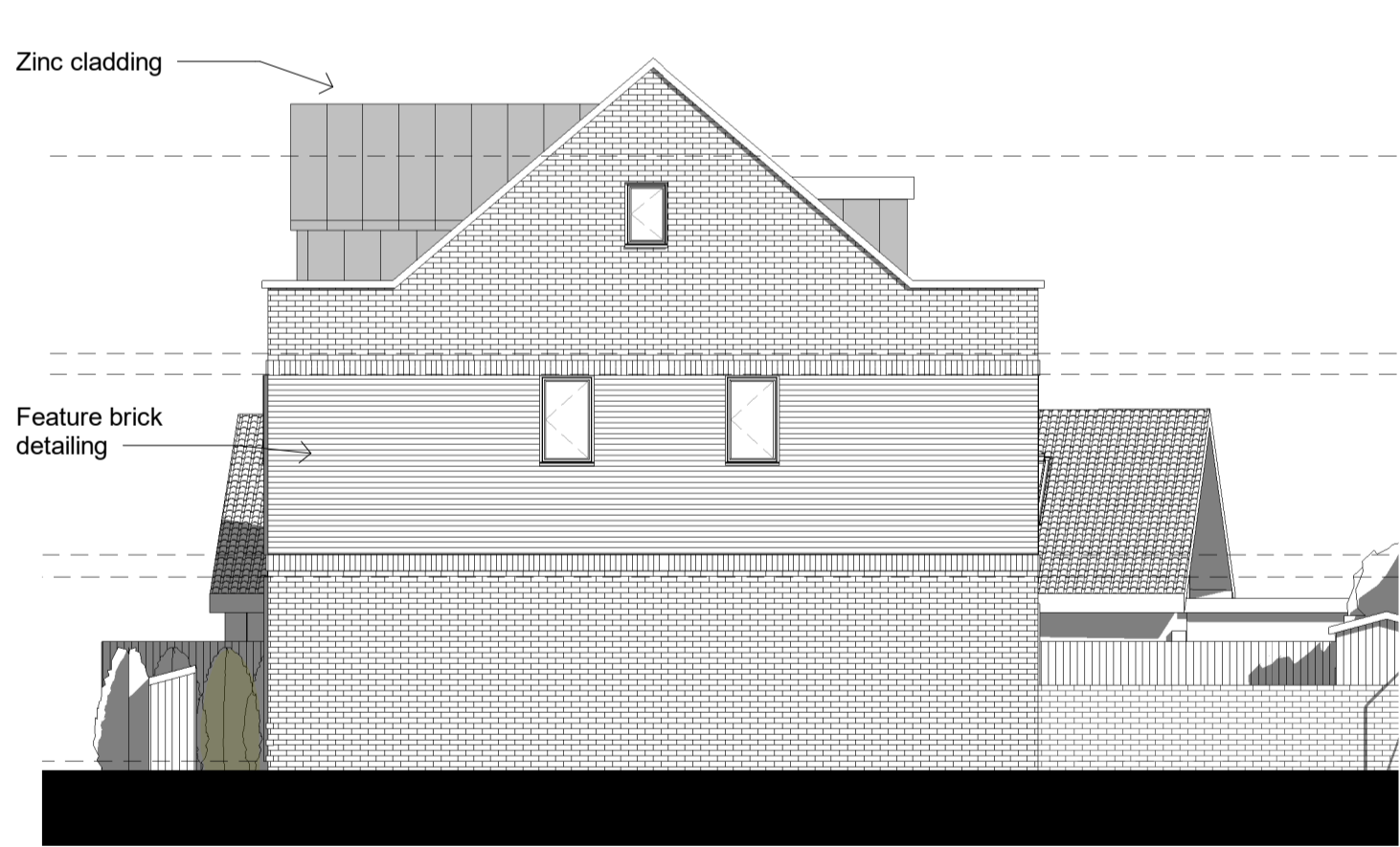


2 Proposed Rear Elevation
1 : 100

0m 2m 4m 6m 8m 10m
VISUAL SCALE 1:100 @ A1



3 Proposed Left Side Elevation
1 : 100



4 Proposed Right Side Elevation
1 : 100



Feature brick detailing

| | | | |
|---|--|------------|----|
| B | Proposed alteration to the car park, landscaping and materiality | 10/12/2021 | AA |
| A | Proposed alterations to landscaping, details and materiality | 03/11/2021 | AA |

| Revision Number | Revision Description | Revision Date | Issued by |
|-----------------|----------------------|---------------|-----------|
| Revision | | | |

Planning

Status:
Dimensions, areas and levels where given are only approximate and subject to site survey.
All dimensions are to be checked on site. Figured dimensions only are to be taken from this drawing.
This drawing is to be read in conjunction with all relevant consultants and/or specialists drawings/documents and any discrepancies or variations are to be notified to the architect before the affected work commences. This drawing is copyright and remains the property of the Architects.



telephone: 01462 453931
email: info@croearchitects.co.uk
web: www.croearchitects.co.uk

Project:
Little park garden

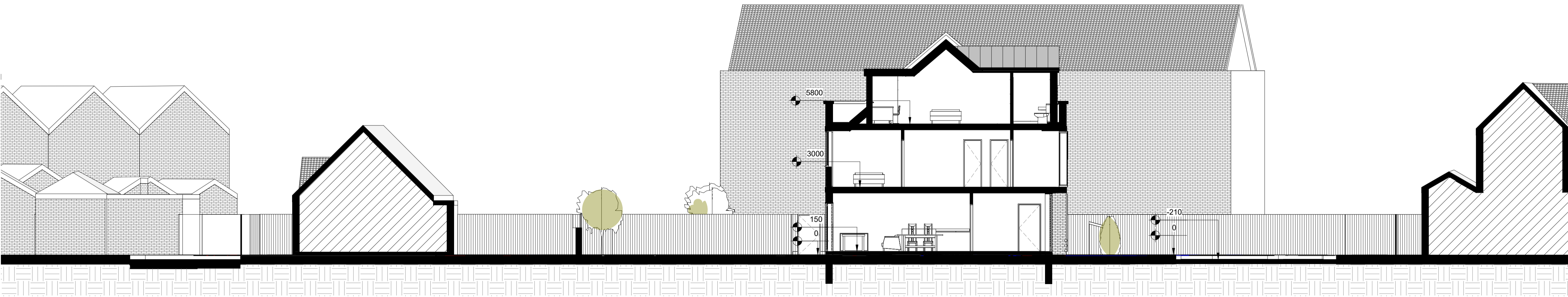
Client:
ROJO

Drawing name:
Proposed Elevations

| | | |
|-------------------|----------------|----------|
| Scale: 1 : 100 | Drawing number | Revision |
| Date: November'21 | 2100- 004 | B |
| Drawn by: AA | | |



1 Section 1
1 : 100



2 Section 2
1 : 100

| | | | |
|---|--|------------|----|
| B | Proposed alteration to the car park, landscaping and materiality | 10/12/2021 | AA |
| A | Proposed alterations to landscaping, details and materiality | 03/11/2021 | AA |

| Revision Number | Revision Description | Revision Date | Issued by |
|-----------------|----------------------|---------------|-----------|
| Revision | | | |

Planning

Status:
Dimensions, areas and levels where given are only approximate and subject to site survey.
All dimensions are to be checked on site. Figured dimensions only are to be taken from this drawing.
This drawing is to be read in conjunction with all relevant consultants and/or specialists drawings/documents and any discrepancies or variations are to be notified to the architect before the affected work commences. This drawing is copyright and remains the property of the Architects.



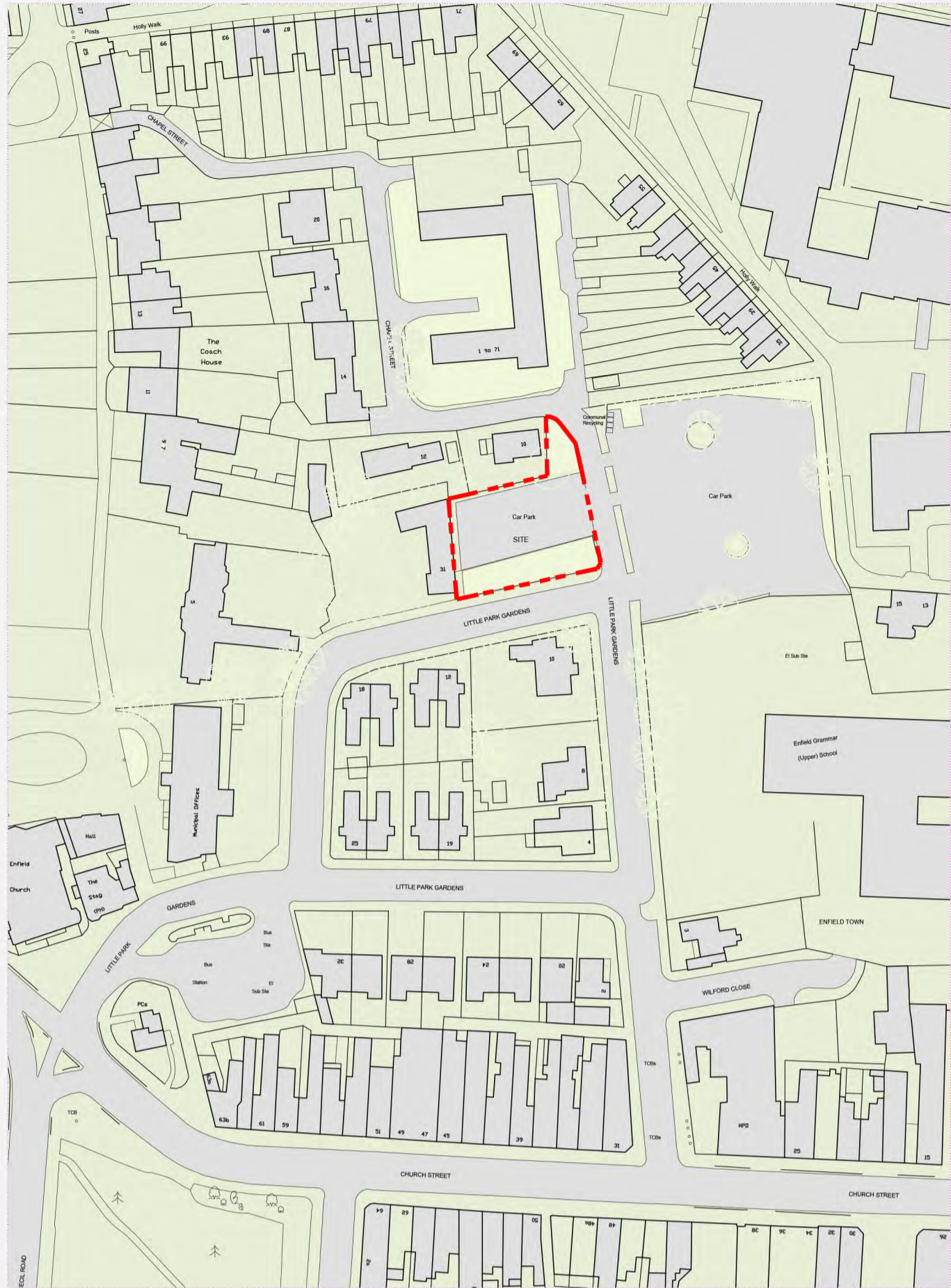
telephone: 01462 453931
email: info@croearchitects.co.uk
web: www.croearchitects.co.uk

Project:
Little park garden

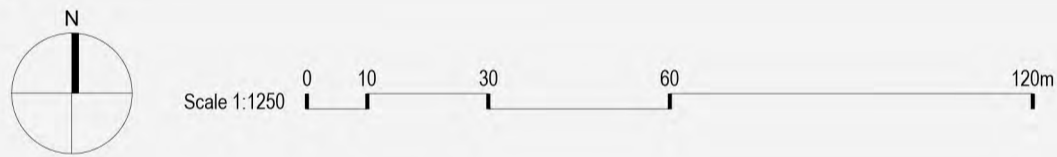
Client:
ROJO

Drawing name:
Section

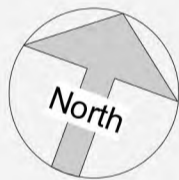
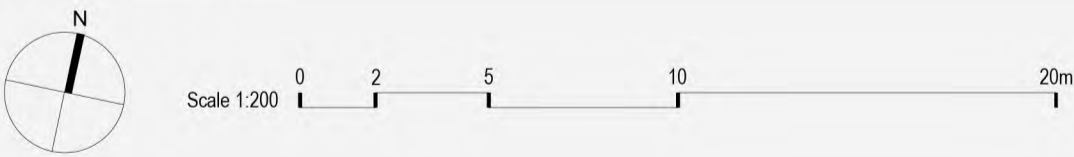
| | | |
|-------------------|----------------|----------|
| Scale: 1 : 100 | Drawing number | Revision |
| Date: November'21 | 2100- 007 | B |
| Drawn by: AA | | |



[01] OS MAP 1:1250



[02] EXISTING SITE PLAN 1:200



| Revision Number | Revision Description | Revision Date | Issued by |
|-----------------|----------------------|---------------|-----------|
|-----------------|----------------------|---------------|-----------|

Revision

Planning

Status:

Dimensions, areas and levels where given are only approximate and subject to site survey.
All dimensions are to be checked on site. Figured dimensions only are to be taken from this drawing.
This drawing is to be read in conjunction with all relevant consultants and/or specialists drawings/documents and any discrepancies or variations are to be notified to the architect before the affected work commences. This drawing is copyright and remains the property of the Architects.



telephone: 01462 453931
email: info@croearchitects.co.uk
web: www.croearchitects.co.uk

Project:
Little park garden

Client:
ROJO

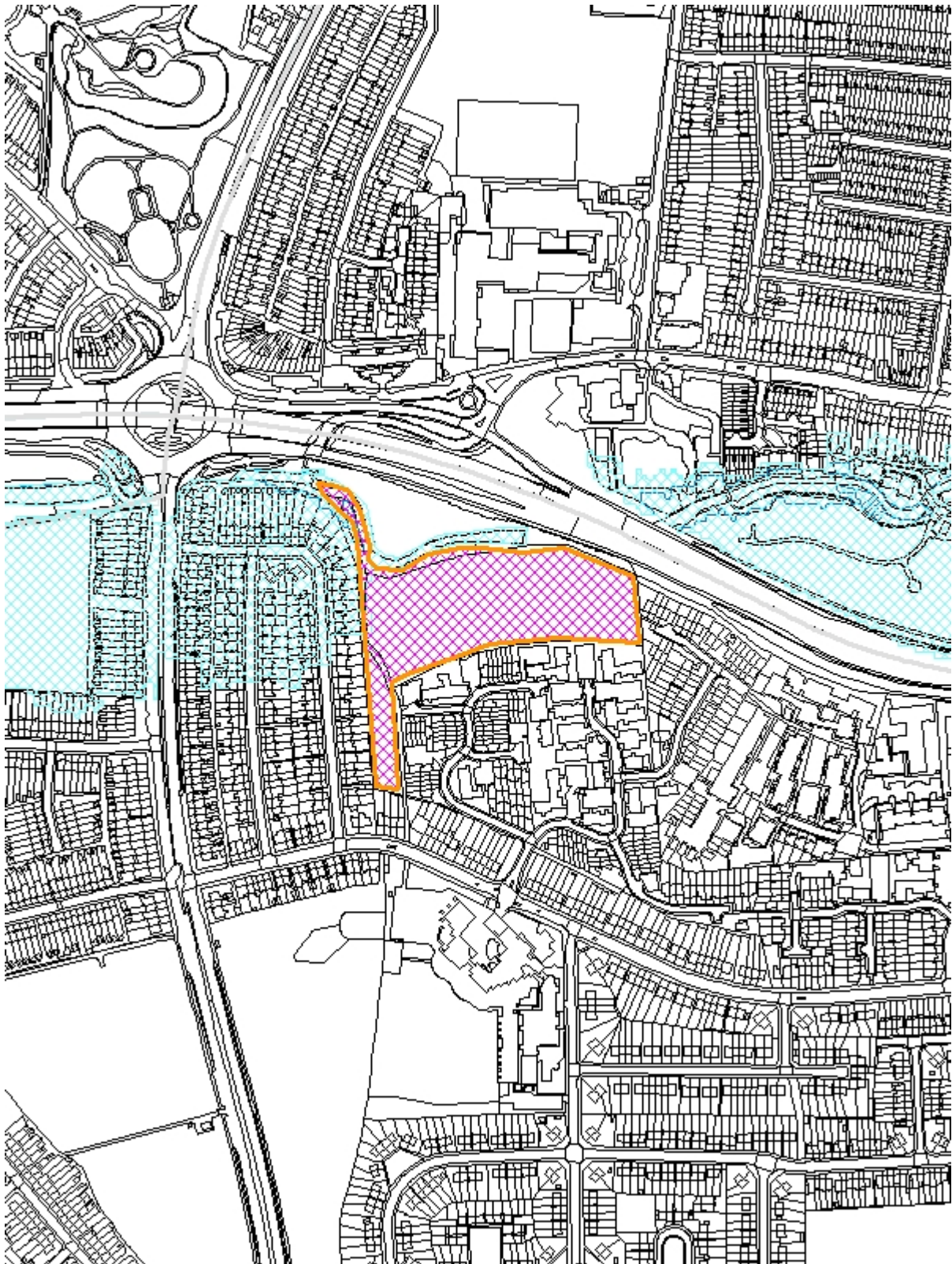
Drawing name:
As Existing

| | | |
|----------------|----------------|----------|
| Scale: 1 : 100 | Drawing number | Revision |
| Date: June'21 | 2100-098 | |
| Drawn by: AA | | |

This page is intentionally left blank

| | | |
|--|---|------------------------------------|
| LONDON BOROUGH OF ENFIELD | | |
| PLANNING COMMITTEE | | Date: 21 June 2022 |
| Report of Head of Planning – Vincent Lacovara | Contact Officer: Andy Higham Gideon Whittingham Eloise Kiernan Tel No: 020 8132 2130 | Ward: Upper Edmonton |
| Ref: 21/03724/RE4 | | Category: Major Application |
| LOCATION: Public Open Space Rear of Whitehead Close, Sterling Way, London, N18 1BU | | |
| PROPOSAL: Construction of a wetlands area, involving excavation works to create wetland basins, a flood defence bund and landscaping of surrounding areas (1.6ha). | | |
| Applicant Name & Address: Mr Michael Shorey Watercourses Team London Borough of Enfield | | Agent Name & Address: |
| RECOMMENDATION: 1. That in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, the Head of Development Management be authorised to GRANT planning permission subject to the following conditions. 2. That the Head of Development Management be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report. | | |

Ref: 21/03724/RE4 **LOCATION:** Public Open Space Rear Of Whitehead Close, Sterling Way, London, N18 1BU



1. Note for Members

- 1.1 The application is reported to the Planning Committee because the applicant for the development is the Council and in accordance with the scheme of delegation, is reported to the Planning Committee for determination.

2. Recommendation

- 2.1 That in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, the Head of Development Management be authorised to grant planning permission subject to the following planning conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the decision notice.

Reason: To comply with the provisions of S.51 of the Planning & Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans including plans(s) that may have been revised, as set out in the attached schedule which forms part of this notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.

Reason: To ensure that wildlife is not adversely impacted by the proposed development in accordance with national wildlife legislation and in line with CP36 of the Core Strategy. Nesting birds are protected under the Wildlife and Countryside Act, 1981 (as amended).

4. Within 3 months of commencement of works full details of bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. Following practical completion of work photographic verification and a brief statement from a Suitably Qualified Ecologist shall be submitted and approved in writing by the council.

Reason: To minimise the impact of the development on the ecological value of the area and to ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity in accordance with Policy CP36 of the Core Strategy, the Biodiversity Action Plan and Policy 7.19 of the London Plan.

5. That development shall not commence until a construction logistics plan has been submitted to and approved in writing by the Local Planning Authority. The construction methodology shall contain:

- a. a photographic condition survey of the roads, footways and verges leading to the site;
- b. details of construction access and associated traffic management to the site;
- c. arrangements for the loading, unloading and turning of delivery, construction and service vehicles clear of the highway;
- d. arrangements for the parking of contractors vehicles;
- e. arrangements for wheel cleaning;
- f. arrangements for the storage of materials;
- g. hours of work;
- h. A construction management plan written in accordance with the 'London Best Practice Guidance: The control of dust and emission from construction and demolition' or relevant replacement.

The development shall be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the implementation of the development does not lead to damage to the existing highway and to minimise disruption to neighbouring properties and the environment.

6. Deliveries and removal of construction and excavation materials to and from the site by road shall take place between 08:00 - 18:00 Monday to Friday & 08:00 - 13:00 on Saturday and at no other time except with the prior written approval of the Local Planning Authority.

Reason: To minimise disturbance

7. Environment Agency

The development shall be carried out in accordance with the submitted flood risk assessment, in particular document LBE109-WWW-105 B and the following mitigation measure it details:

- The footpath surrounding the wetland will be no lower than 17.5mAOD at any time. This level should be maintained throughout the lifetime of the wetland.

Reason: To ensure that flood water is contained in the designated flood storage area and does not increase flood risk to the local area. This approach is in line with Paragraph 167 of the National Planning Policy Framework and Policies 28, 29 and 36 of the Enfield Plan Core Strategy 2010-2025.

8. Environmental Health

All Non-Road Mobile Machinery (NRMM) of net power of 37KW, and up to an including 560KW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in Chapter 7 of the GLA's Supplementary Planning Guidance "Control of Dust and Emissions During Construction and Demolition", dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on

site, at any time, whether in use or not, without the prior approval in writing of the Local Planning Authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: In the interest of good air quality in accordance with adopted London Plan policies.

- 2.2 That the Head of Development Management be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

3. Executive Summary

- 3.1 The application seeks approval for the construction of a wetlands area, involving excavation works to create wetland basins, a flood defence bund and landscaping of surrounding areas (1.6ha) for flood alleviation.
- 3.2 The scheme is considered acceptable for the following reasons:
- i. It would mitigate in tackling flood risk to the area including the provision of flood storage mitigation.
 - ii. It would provide wider benefits in regard to enhancements to the environment through appropriate landscaping and enhancement of biodiversity
 - iii. It would continue to support the use of an existing area of open space for recreational/leisure and educational purposes; and
 - iv. It would not be detrimental to residential amenities, or highway safety.

4. Site and Surroundings

- 4.1 The development site is located at the northern side of Whitehead Close and has a total site area of 2.5 hectares. The site is bound by the residential properties along Whitehead Close and Plowman Close to the south and Pentyre Avenue to the west. The A406 (Sterling Way) and the Pymmes Brook are located immediately to the north and east of the application site. The main entrance is located at Whitehead Close.
- 4.2 The site is designated as Metropolitan Open Land, Local Open Space, Wildlife Corridor, Green Chain Corridor and a Site of Importance for Nature. Further designations include a Site of Archaeological Interest. There are Tree Preservation Orders (TPO's) located across the site.
- 4.3 The site is located within Flood Zones 2 and 3 and within an area of Surface Water Flood Risk.
- 4.4 There are facilities and features in the park these are listed below:
- Two unofficial football pitches which are just goals. One is 11 a side and one is 5a side.
 - Natural play area which due to ground conditions has been mostly removed
 - The park is lined with trees and shrubs.
 - The woodland and river are currently fenced off with a palisade fence.

5. Proposal

- 5.1 The application seeks approval for the construction of a wetlands area, involving excavation works to create wetland basins, a flood defence bund and landscaping of surrounding areas (1.6ha).
- 5.2 The proposed works include:
- Creation of wetlands and swales;
 - Opening the Pymmes Brook by naturalising some of the banks;
 - Creating flood storage by installing a raised footpath;
 - Improving existing entrances into the park;
 - Creating a new east west link through the park;
 - Removing fencing and replacing with a natural shrub boundary, and
 - Creation of various habitats with new wetland planting, wildflower sowing and tree planting.
- 5.3 The proposed works include excavation and the construction of a bund, however the new ground levels would be no higher than existing due to the proposed excavation works with the flood defence bund at a height of approximately 1.5m.

6. Relevant planning history

- 6.1 22/01640/SO –Environmental Impact Assessment
Request for Screening Opinion under Part 2, Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 in relation to the construction of a wetlands area, involving excavation works to create wetland basins, a flood defence bund and landscaping of surrounding areas (1.6ha). Application in progress.

7. Consultation

7.1 Statutory and non-statutory consultees

Internal

- 7.2 Traffic and Transportation – No objections subject to conditions
- 7.3 Environmental Health – No objections subject to conditions
- 7.4 Tree officer – No objections
- 7.5 SuDs officer – No objections

External

- 7.6 Environment Agency – No objections following the receipt of additional information
- 7.7 Thames Water – No objections

Public

- 7.8 The 21-day public consultation period concluded on the 14 November 2021. The application was also advertised in the local paper and by site notice. No representations were received.

8. Relevant Planning Policies

- 8.1 Section 70(2) of the Town and Country Planning Act 1990 requires the Committee have regard to the provisions 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.

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
D2 Infrastructure Requirements for Sustainable Densities
D4 Delivering Good Design
D5 Inclusive Design
D8 Public realm
D11 Safety, security and resilience to emergency
D14 Noise
G3 Metropolitan Open Land
G4 Open Space
G6 Biodiversity and access to nature
G7 Trees and Woodlands
SI1 Improving air quality
SI5 Water Infrastructure
SI12 Flood Risk Management
SI13 Sustainable Drainage

8.3 Core Strategy

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. The following is considered particularly relevant

CP11 Recreation, leisure, culture and arts
CP21 Delivering sustainable water supply, drainage and sewerage infrastructure
CP24 The road network
CP25 Pedestrian and cyclists

- CP28 Managing flood risk through development
- CP29 Flood management infrastructure
- CP30 Maintaining and enhancing the built environment
- CP31 Built and landscape heritage
- CP32 Pollution
- CP34 Park playing fields and other open space
- CP35 Lea Valley Regional Park and Waterways
- CP36 Biodiversity

8.4 Development Management Document

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:

- DMD37 Achieving High Quality and Design-Led Development
- DMD38 Design Process
- DMD44 Conserving and Enhancing Heritage Assets
- DMD59 Avoiding and Reducing Flood Risk
- DMD60 Assessing Flood Risk
- DMD61 Managing Surface Water
- DMD62 Flood Control and Mitigation Measures
- DMD63 Protection and Improvement of Watercourse and Flood Defences
- DMD64 Pollution Control and Assessment
- DMD66 Land Contamination and Instability
- DMD68 Noise
- DMD 71 Protection and enhancement of open space
- DMD 72 Open space provision
- DMD76 Wildlife Corridors
- DMD 78 Nature conservation
- DMD 79 Ecological enhancements
- DND80 Trees
- DMD 81 Landscaping

8.5 Other Relevant Policy

National Planning Policy Framework (2019)
 National Planning Practice Guidance (2019)
 Enfield's Local Flood Risk Management Strategy (2016).
 Enfield's Blue and Green Strategy (2021-2031)
 Heritage Strategy SPD

9. **Analysis**

9.1 The main issues for consideration regarding this application are as follows:

- Flooding / Surface Water Drainage;
- Character and Landscape
- Heritage Assets;

- Highways;
- Neighbouring Amenities; and
- Existing facilities

9.2 Flooding / Surface Water Drainage

- 9.2.1 The adopted NPPF (February 2021) provides strategic guidance on the provision and need of flood defences especially in light of climate change. Paragraphs 153 of the NPPF states:

Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.

- 9.2.2 Paragraphs 154 to 169 of the NPPF principally deal with new development and the implications to flood risk from site development. Development Plan Policies; Policy SI 5 (London Plan), CP28 (Core Strategy) and Policies DMD 59 and DMD 60 (Development Management Document) provide defined guidance relating to retro-fit changes to a landscape to protect existing built development from flooding.
- 9.2.3 At a local level, Policies CP34 of the Core Strategy and DMD71 of the Development Management Document refer to the protection of parks, playing fields and open spaces. Policies DMD78 and DMD79 of the Development Management Document and CP36 of the Core Strategy refer to nature conservation, ecology and biodiversity. Additionally, Policies CP12 of the Core Strategy and DMD31 of the Development Management Document refer to visitors and tourism. Finally, Policies DMD60 and DMD61 of the Development Management Document and Policy CP28 of the Core Strategy refer to flood risk and managing surface waters.
- 9.2.4 It is clear Enfield's waterways are a valuable asset for the borough: they provide water resources for London, opportunities for sport, recreation and leisure, access to nature, a historical reference, and an attractive setting. However, they also represent sources of fluvial flood risk in Enfield, posing a potential threat to life and property which needs to be pro-actively managed. The underlying pattern of geology and the effects of urbanisation mean that the borough is also susceptible to incidents of surface water and groundwater flooding.
- 9.2.5 Enfield's Strategic Flood Risk Assessment (SFRA) Level 1 (2008) and Surface Water Management Plan (SWMP) (2012) provide local evidence of all forms of flooding including fluvial, surface water, groundwater, sewers and reservoirs. Policy DMD60 states that site specific Flood Risk Assessments (FRA) must accompany all applications for:
- a. Development proposals of 1 hectare or greater in Flood Zone 1;
 - b. All proposals for new development located in Flood Zones 2 and 3; and

- c. All proposals in groundwater flood risk areas that involve the creation of useable space below ground;
- d. All proposals for new development identified as being at risk from surface water flooding in the SWMP; or,
- e. Any development that may be subject to other sources of flooding identified in subsequent reviews/updates of the evidence base on flooding.

9.2.6 Policies DMD59 through to DMD 63 of the Development Management Document expressly relate to issues of fluvial, surface water and ground water flood risk. In addressing the requirements of the NPPF and the NPPG that seek flood risk management opportunities, and to reduce the causes and impacts of flooding through the Local Plan, this suite of Policies seeks to ensure that development must avoid and reduce the risk of flooding, and not increase the risks elsewhere. Through the application of measures to assess flood risk, control and mitigate flood water and provide enhanced Sustainable Drainage Strategies to demonstrate how proposed measures manage surface water as close to its source as possible in accordance with the drainage hierarchy in the London Plan, the Policies seek to front load flooding considerations in all development proposals.

9.2.7 The Flood Water and Management Act 2010 (FWMA) established Unitary Authorities in England and Wales as Lead Local Flood Authorities (LLFAs) with the express mandate to improve flood risk management and ensure the security of water supplies. The FWMA imparted significant new roles and responsibilities on local authorities who now have responsibilities for managing local flood risk. The FWMA also imposed a requirement on LLFAs to develop, maintain, apply and monitor a strategy for local flood risk management in its area that:

- specifies the roles of the different authorities that have responsibilities for managing flood risk
- describes how the LLFA is working with partners to reduce flood risk
- provides an overall assessment of local flood risk
- sets out the objectives for managing local flood risk
- outlines what actions are to be taken to meet those objectives

9.2.8 The London Borough of Enfield is the LLFA for the area with responsibilities relating to local flood risk from surface water runoff, groundwater and small rivers, streams and ditches. Flooding from main rivers remains the responsibility of the Environment Agency.

9.2.9 The location has been identified for wetland development on account of the highly urbanised nature of the catchment area and the suitability of the site for wetland development. The site is already within an area with medium/high risk of surface water flooding and currently provides limited amenity value. The wetland would have multiple benefits of diverting surface water from the surface sewage system, preventing flash flooding within the location, providing enhanced biodiversity and creating a visually attractive setting for existing residents.

9.2.10 Furthermore, the wetlands would also provide an environment to deal naturally with pollutants from vehicles which build up on the roads and are washed into the surface water network. Wetlands filter runoff, breaking down

pollutants and help to improve the quality of surface water discharging into rivers.

9.2.11 The proposals seek to deliver the following benefits to the area:

- Improved surface water quality via replenishment through the creation of wetland treatment cells (the surface water drainage network for this area flows towards Pymmes Brook further downstream;
- Increased biodiversity by creating habitat for a variety of wildlife;
- New amenity feature in the park;
- Reduce flood risk through the storage of water following extreme rainfall.

9.2.12 The proposed wetland project would therefore help to reduce surface water flood risk in this area, providing a greater standard of protection against flooding for properties and critical infrastructure. Constructed wetlands form a crucial part of the Local Flood Risk Management Plan. Wetlands are a type of flood management which are capable of storing water during and after storm events, thus reducing flood risk. In Wilbury Way Open Space, the inclusion of wetland features would assist in draining nearby waterlogged areas of the park. The diversion of a surface water sewer to a wetland environment allows for improvements to the water quality through natural restorative treatment. Additionally, the Suds Team and Environment Agency has no objections to the proposed development.

9.2.13 It is therefore concluded that the proposal would provide flood storage mitigation for extreme weather events and thus has clearly defined benefits in terms of local flooding and pro-actively seeks to address the impact of flooding and climate change to the benefit of residents, environmental quality and the wider area, as well as providing a new amenity feature and increased biodiversity to the existing Wilbury Way public open space, having regard to policies DMD59, DMD60, DMD61, DMD62, DMD63, DMD71, DMD78 and DMD79 of the Development Management Document, CP29, CP34 and CP36 of the Core Strategy and SI5, SI12, SI13 and G7 of the London Plan as well as the guidance contained within the NPPF.

9.2.14 Furthermore, it is noted that the site is located on land designated as Metropolitan Open Land. Policy G3 (Metropolitan Open Land) is the overarching policy relating to the principle of works within site. Metropolitan Open Land (MOL) is afforded the same status and level of protection as Green Belt. MOL should therefore be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt.

9.2.15 Policy G3 specifically states that: "Proposals to enhance access to MOL and to improve poorer quality areas such that they provide a wider range of benefits for Londoners that are appropriate within MOL will be encouraged. Examples include improved public access for all, inclusive design, recreation facilities, habitat creation, landscaping improvement and flood storage." Furthermore, it is considered the proposed development would retain the open character and appearance of the land consistent with the designation as metropolitan open land.

- 9.2.16 In summary, the proposed wetland scheme would provide 2000m³ of water capture capacity to reduce flooding and provide notable other benefits to the site as recognised by Policy G3 of the London Plan 2021 and would not impact on the open character of the MOL whilst improving access to open space for recreational purposes.

9.3 Character, Landscape and Biodiversity

- 9.3.1 The proposed works would be situated in the north and eastern section of Wilbury Way Open Space. The park is designated as Metropolitan Open Land and Local Open Space and thus has a sense of openness in its character with various pedestrian routes across the site
- 9.3.2 The proposed works would involve the replanting of 40 semi-mature trees, together with hundreds of saplings (whips) with a wildflower area and amenity grass mix. The site would be excavated with modest land reformation changes necessary to create the wetlands and swales. The proposed wetlands would introduce aquatic vegetation around the proposed cells and new areas of wildflower and native scrub planting.
- 9.3.3 Policies G6 of the London Plan, CP36 of the Core Strategy and DMD79 of the Development Management Document refer to biodiversity and ecological enhancements. Additionally, policies DMD80 and DMD81 of the Development Management Document refer to protection and enhancement of trees and landscaping alongside policy G7 of the London Plan.
- 9.3.4 The applicant submitted an Arboricultural and Tree Conditions Survey, which included an Arboricultural Method Statement (AMS) alongside tree protection measures and landscaping. The landscaping would comprise a wildflower area, amenity grass mix and marginal planting. Additionally, it is proposed to replant a further 40 semi-mature trees alongside hundreds of saplings (whips).
- 9.3.5 The submitted report clarifies that a total removal of 12 trees (Cat B3 and C3) would be required to necessitate the works. Some minor works such as pruning would also be proposed to two/three additional trees. It is considered that the resultant landscaping benefits to the proposed development outweigh the proposed loss, and furthermore it was noted that the majority of trees to be removed are of low quality with a remaining life expectancy of around 10 years, or are young trees with a stem diameter below 150mm. Additionally, the removal of the 12 trees would afford improved light and space for increased growth of the retained higher quality specimens. Further replanting would therefore increase the ecological and landscaping benefits of the site in accordance with policies DMD80 and DMD81 of the DMD and G7 of the London Plan. Furthermore, it was noted that the Tree officer raised no objections to the proposed detail outlined within the submitted report and the overall nature of the proposed works.
- 9.3.6 The applicant also submitted an ecological assessment (comprising an extended Phase 1 Habitat Protected Species Survey). Following a comprehensive assessment, it has been concluded that the site of the proposed development comprises a heavily modified watercourse and associated woodland adjacent to a park. The proposals would re-naturalise the stream and create new wildlife friendly habitats within the park. This would result in a significant benefit for biodiversity.

- 9.3.7 The Assessment did, however, confirm that there is the potential for roosting bats within the trees and the banks of the watercourses could be used by Kingfisher and Sand Martin. Additionally, Giant hogweed, Himalayan Balsam and Japanese Knotweed were observed on site. It is therefore considered that appropriate conditions are attached to secure further surveys and to ensure that any tree works, and scrub clearance are not completed during bird nesting season (March-August), having regard to policies G6 of the London Plan, CP36 of the Core Strategy and DMD78 and DMD79 of the Development Management Document.
- 9.3.8 It is therefore concluded that the proposed landscaping works to facilitate the wetlands scheme would provide an attractive and visually interesting parkland area that would enhance and encourage a wider level of biodiversity on site. The accompanying plans and information confirm the proposed levels and excavation across the site.
- 9.4 Heritage Assets
- 9.4.1 The Heritage Strategy considers a study area of 250m from the site boundary to identify heritage assets which may experience change as a result of the proposed development. Change can be positive, neutral or negative to varying degrees.
- 9.4.2 The setting of a heritage asset is 'the surroundings in which a heritage asset is experienced'. Where that experience is capable of being affected by a proposed development (in any way) then the proposed development can be said to affect the setting of that asset. The starting point of the analysis is to identify those heritage assets likely to be affected by the development proposal.
- 9.4.3 Within the 250m study area there are four designated heritage assets and two non-designated heritage assets. These heritage assets have been scoped-out from further assessment.
- 9.4.4 These are:
- Millfield House – Grade II* Listed Building
 - Entrance Lodge To Millfield House – Grade II Listed Building
 - Wall Running West From Just West of Entrance Lodge To Millfield House – Grade II Listed Building
 - Church of St Aldhelm – Grade II Listed Building.
 - Hollywood Gardens – Locally Listed Landscape
 - Tatem Park – Locally Listed Landscape
- 9.4.5 These heritage assets have been scoped out due to a lack of visibility between the application site and the listed buildings and the low scale of the development which is limited to landscape alterations without any new built structures. The lack of visibility is as a result of the A406 dual carriage way and associated vegetative screening which are intended to prevent these views.

- 9.4.6 As a result and in consultation with the Heritage officers, it is considered none of the heritage assets will experience change as a result of the proposed development.

Archaeology

- 9.4.7 From the preliminary assessment, the archaeological potential of the Wilbury Way Open Space is not entirely clear, largely due to uncertainties about the provenance and implications of Roman finds and precise location (and date) of the mill marked by Rocque. However, the former clearly suggest that an archaeological response to/mitigation of the proposed development would be appropriate and the latter, as well as the possibility that Palaeolithic artefacts could be disclosed in the deeper cut areas, adds to the desirability of archaeological evaluation and monitoring of the site.
- 9.4.8 It is therefore recommended that a condition is attached requiring a watching brief with the provision for further archaeological excavation of any significant deposits or structures revealed by it during the initial stages of the development as an appropriate level of archaeological investigation and response.
- 9.4.9 It is therefore considered that the proposed landscaping works are appropriately designed and would not affect the setting of above / below ground heritage assets, having regard to Policies CP30 and CP31 of the Core Strategy, DMD37, DMD44, DMD71, DMD80 and DMD81 of the DMD and G3, G4, G7 and D8 of the London Plan.

9.5 Highways

- 9.5.1 The proposals would have no further impacts on the surrounding highway network, access, servicing or parking facilities at the site.
- 9.5.2 The existing open space at Wilbury Way provides a valuable community facility and route to residential areas. The proposed works would not result in the diversion or stopping up of any public rights of way and thus is considered acceptable in regard to pedestrian access.
- 9.5.3 The applicant has submitted a construction management plan (CMP) to confirm how the wetlands would be serviced during construction. Key elements outlined within the CMP are:
- Parking of Vehicles of Site Operatives and Visitors
 - Construction Access
 - Arrangements for Vehicle Servicing and Turning Areas
 - Loading and Unloading of Plant and Materials
 - Storage of Plant and Materials used in Construction of the Development
 - Wheel Washing Facilities
 - Measures to Control Emissions of Dust and Dirt During Construction
 - Scheme for Recycling/Disposing of Waste Resulting from the Works
 - Public Footpaths and Facilities
- 9.5.4 The site will be accessed from the existing point at Whitehead Close with all servicing/turning, unloading of deliveries, storage of plant and materials etc to

be carried out within the application boundary, or car park area. The proposed works would take between 10-12 weeks. Additionally, a Dust Assessment was conducted with regard to the London Plan SPG8 requirements and concluded that there is “negligible” risk of impact of dust emissions from the scheme, and therefore “no mitigation measures beyond those required by accepted best practice will be required”. During dry periods, earthworks would be wetted to ensure dust does not cause pollution of surrounding areas and welfare facilities would be battery powered to restrict noise and emissions.

- 9.5.5 It is therefore considered that an appropriate condition could be attached to secure a Construction Management Plan and restricted construction hours and therefore it is not considered that the proposed works would have any adverse impacts upon residential amenities or conditions prejudicial to the safety and free flow of traffic, having regard to Policies SI 1, CP32, DMD64, DMD65, DMD66 and DMD68 of the Development Plan the proposal does not conflict with the Council’s objectives for ensuring considerate construction practices which both protect residents and the natural environment.

9.6 Neighbouring Amenities

- 9.6.1 The proposed works are well embedded within the site and whilst part of the works seek to create a bund, the overall ground levels would not be increased above existing. It is not considered that such works would have any detrimental impacts on neighbouring amenities in regard to loss of sunlight/daylight or outlook or privacy, having regard to policies DMD6, DMD8 and DMD10 of the Development Management Document.
- 9.6.2 However, Environmental Health have requested that given the close proximity to residential properties an appropriate condition should be attached for a Construction Management Plan to mitigate dust emissions during the construction phase as well as a further condition for Non-Road Mobile Machinery, having regard to policies DMD68 of the Development Management Document, CP32 of the Core Strategy and D14 of the London Plan.

9.7 Existing Facilities

- 9.7.1 The proposal does involve the replacement of certain existing facilities including two informal football areas with goals. Both of these will be retained and improved through the reprofiling of the ground reusing the excavated spoil.
- 9.7.2 The existing playground will be retained and improved through better drainage

10. **CIL**

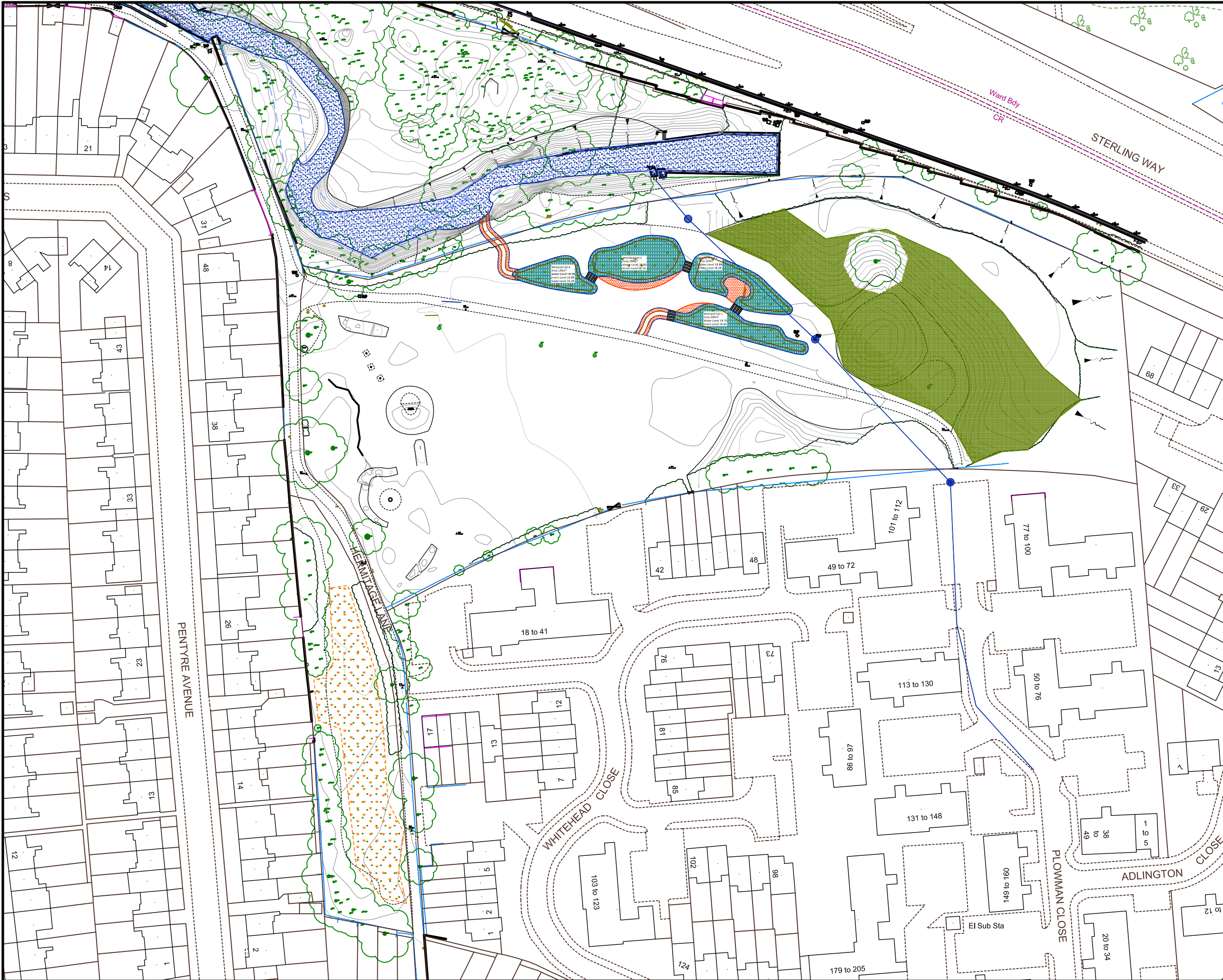
- 10.1 The development is not liable for Mayoral or Enfield CIL.

11. **Public Sector Equalities Duty**

- 11.1 Under the Public Sector Equalities Duty, an equalities impact assessment has been undertaken. Due to the nature of the proposal, 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.

12. Conclusion

- 12.1 The merits and special significance of the development to prevent future flooding of residential properties and subsequently provide a rich biodiversity environment open to the local community have been considered and the proposal is considered to be acceptable having regard to the development plan. The proposal is therefore considered acceptable subject to planning conditions.



- NOTES:**
- DO NOT SCALE FROM THIS DRAWING.
 - ANY ERRORS OR OMISSIONS TO BE BROUGHT TO THE ENGINEERS ATTENTION IMMEDIATELY FOUND.
 - ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE SHOWN.
 - ALL LEVELS ARE IN METRES AND RELATE TO ORDNANCE DATUM LEVEL UNLESS NOTED OTHERWISE.
 - THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER DRAWINGS IN THE SAME SERIES.

- LEGEND:**
- WETLANDS
 - MARGINAL PLANTING
 - AMENITY GRASS MIX
 - WILDFLOWER AREA

| Rev | Revision details | Date |
|-----|------------------|------|
| | | |
| | | |
| | | |
| | | |

© CROWN COPYRIGHT. ALL RIGHTS RESERVED. LONDON BOROUGH OF ENFIELD LA 086363. UNAUTHORISED REPRODUCTION OF ORDNANCE SURVEY MAPS INFRINGES CROWN COPYRIGHT AND MAY LEAD TO PROCEEDINGS.

STATUS
OUTLINE DESIGN

CLIENT
LONDON BOROUGH OF ENFIELD

JOB TITLE
WILBURY WAY WETLANDS

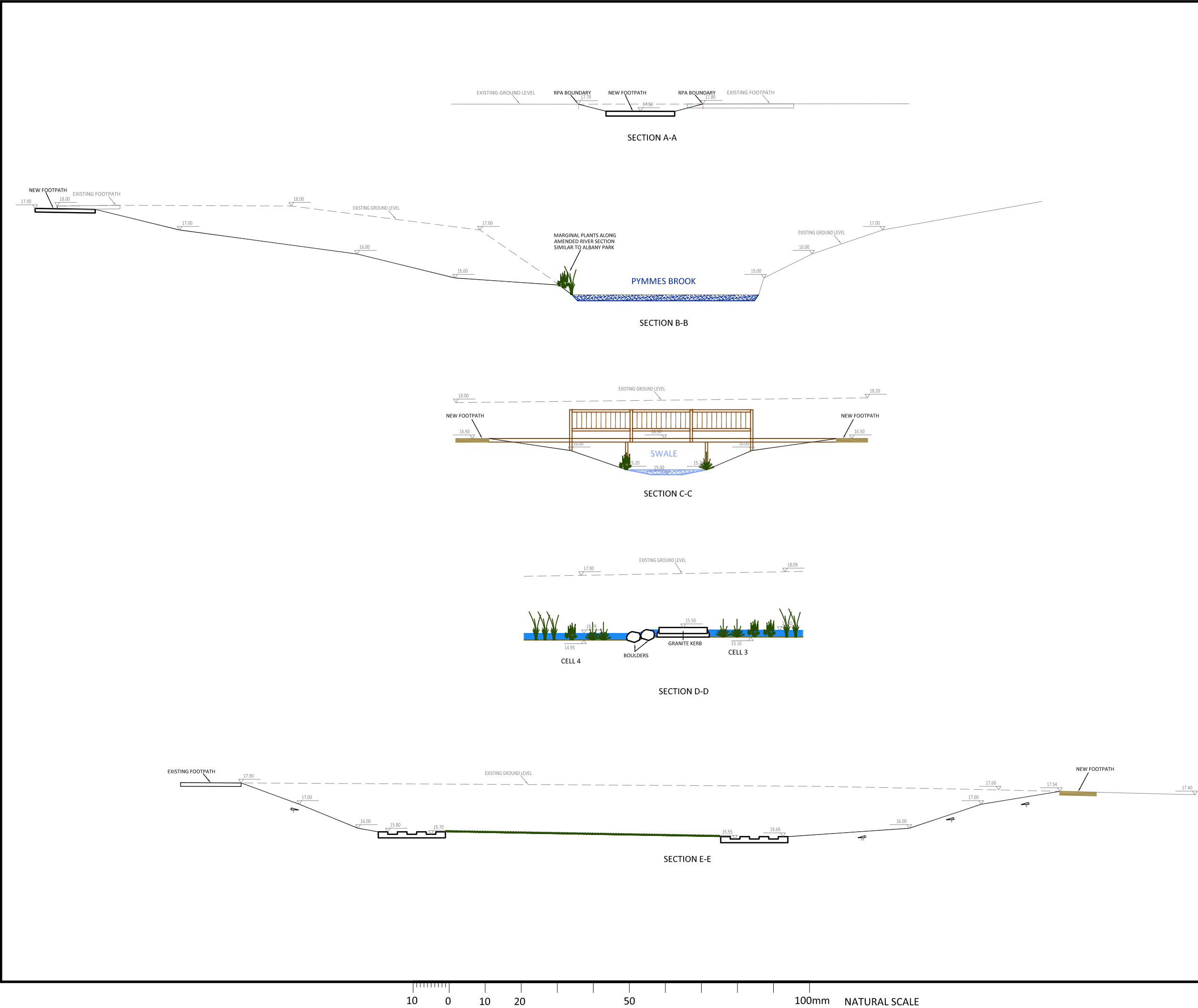
DRAWING TITLE
PLANTING PLAN

Enfield Council
52, Civic Centre
Silver Street, Enfield
EN1 3XY
Tel: 020 8379 1000
www.enfield.gov.uk



HIGHWAYS AND TRANSPORTATION
Redevelopment & Environmental Works

| | | |
|-------------------|---------------------|------------------|
| DESIGNED:- MDS | DRAWN:- MDS | DATE:- AUG 21 |
| SCALE:- 1:1000 | PLOT SCALE:- 1:1 | CHECKED:- IR |
| DRAWING NO. | LBE109-WWW-100 | A |



- NOTES:
- DO NOT SCALE FROM THIS DRAWING.
 - ANY ERRORS OR OMISSIONS TO BE BROUGHT TO THE ENGINEERS ATTENTION IMMEDIATELY FOUND.
 - ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE SHOWN.
 - ALL LEVELS ARE IN METRES AND RELATE TO ORDNANCE DATUM LEVEL UNLESS NOTED OTHERWISE.
 - THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER DRAWINGS IN THE SAME SERIES.
- LEGEND:

| | | |
|-----|------------------|------|
| Rev | Revision details | Date |
| | | |
| | | |
| | | |
| | | |
| | | |

©CROWN COPYRIGHT. ALL RIGHTS RESERVED. LONDON BOROUGH OF ENFIELD LA 086363. UNAUTHORISED REPRODUCTION OF ORDNANCE SURVEY MAPPING INFRINGES CROWN COPYRIGHT AND MAY LEAD TO PROCEEDINGS.

STATUS
OUTLINE DESIGN

CLIENT
LONDON BOROUGH OF ENFIELD

JOB TITLE
WILBURY WAY WETLANDS

DRAWING TITLE
SECTIONS

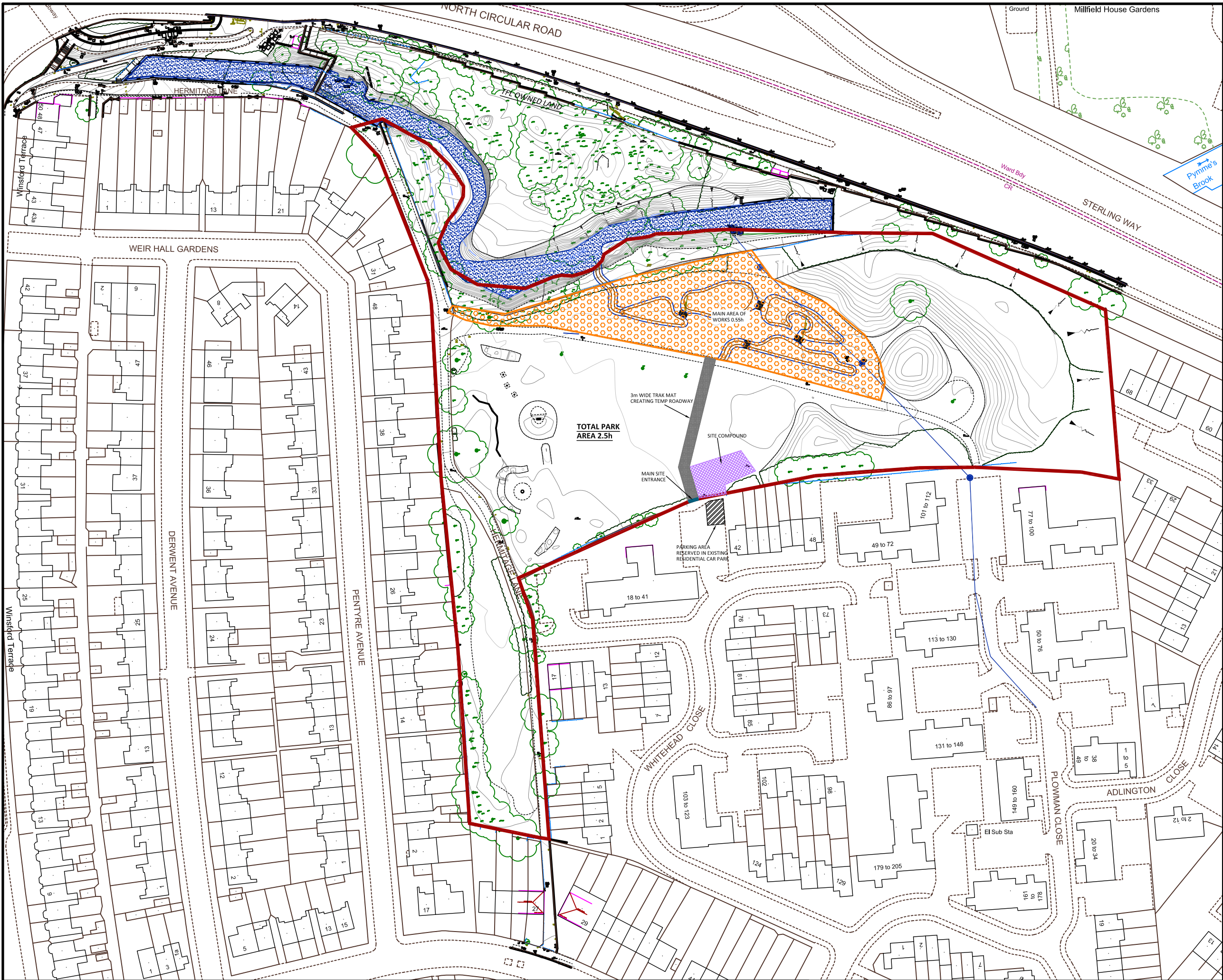
Enfield Council
52, Civic Centre
Silver Street, Enfield
EN1 3XY
Tel: 020 8379 1000
www.enfield.gov.uk



HIGHWAYS AND TRANSPORTATION
Redevelopment & Environmental Works

| | | |
|-------------------|---------------------|-------------------|
| DESIGNED:- MDS | DRAWN:- MDS | DATE:- SEPT 21 |
| SCALE:- NTS | PLOT SCALE:- 1:1 | CHECKED:- IR |

| | | |
|-------------|----------------|---|
| DRAWING NO. | LBE109-WWW-101 | A |
|-------------|----------------|---|



- NOTES:**
- DO NOT SCALE FROM THIS DRAWING.
 - ANY ERRORS OR OMISSIONS TO BE BROUGHT TO THE ENGINEERS ATTENTION IMMEDIATELY FOUND.
 - ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE SHOWN.
 - ALL LEVELS ARE IN METRES AND RELATE TO ORDNANCE DATUM LEVEL UNLESS NOTED OTHERWISE.
 - THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER DRAWINGS IN THE SAME SERIES.
- LEGEND:**

| Rev | Revision details | Date |
|-----|------------------|------|
| | | |
| | | |
| | | |

© CROWN COPYRIGHT. ALL RIGHTS RESERVED. LONDON BOROUGH OF ENFIELD LA 086363. UNAUTHORISED REPRODUCTION OF ORDNANCE SURVEY MAPS INFRINGES CROWN COPYRIGHT AND MAY LEAD TO PROCEEDINGS.

STATUS

OUTLINE DESIGN

CLIENT

LONDON BOROUGH OF ENFIELD

JOB TITLE

WILBURY WAY WETLANDS

DRAWING TITLE

LOCATION PLAN
1:1250 SCALE

Enfield Council
52, Civic Centre
Silver Street, Enfield
EN1 3XY
Tel: 020 8379 1000
www.enfield.gov.uk



HIGHWAYS AND TRANSPORTATION

Redevelopment & Environmental Works

| | | |
|-------------------|---------------------|-------------------|
| DESIGNED:- MDS | DRAWN:- MDS | DATE:- SEPT 21 |
| SCALE:- 1:1250 | PLOT SCALE:- 1:1 | CHECKED:- IR |
| DRAWING NO. | LBE109-WWW-001 | A |

This page is intentionally left blank

| | | |
|---|---|--|
| LONDON BOROUGH OF ENFIELD | | |
| PLANNING COMMITTEE | | Date: 21 st June 2022 |
| Report of Head of Planning – Vincent Lacovara | Contact Officer: Dino Ustic David Gittens Andy Higham | Ward: Town |
| Ref: 21/04119/FUL | | Category: Full Application - Minor |
| LOCATION: 24 Fillebrook Avenue, Enfield, EN1 3BB | | |
| PROPOSAL: Change of use of ground floor from barber shop (Class E) to take away (Sui Generis), involving installation of extraction flue at rear. | | |
| Applicant Name & Address: Neoclis Athanasiou 4 Vicars Close Enfield EN1 3DW | | Agent Name & Address: Joanna Athanasiou Maple Court, Central Park Reeds Crescent Watford, Herts WD24 4QQ |
| RECOMMENDATION: 1) That the Head of Development Management be authorized to GRANT planning permission subject to conditions. 2) That the Head of Development Management be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report. | | |
| | | |

Ref: 21/04119/FUL LOCATION: 24 Fillebrook Avenue, Enfield, EN1 3BB,



1. Note for Members:

- 1.1 Although a planning application of this nature can be determined under delegated authority, it has been brought to Planning Committee at the request of former Councillor Rawlings given the level of public interest in the proposals

2. Recommendation

- 2.1 That the Head of Development Management be authorised to GRANT planning permission subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the decision notice.

Reason: To comply with the provisions of S.51 of the Planning & Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans as set out in the attached schedule which forms part of this notice.

Drw No: FAE.24.SH Rev P02

Drw No: SS1-102 Rev P01

Drw No: SS1-101 Rev P01

Drw No: FAE.24.SH

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The use hereby approved development shall only operate between the hours of 11:00AM and 10:00PM on Mondays to Saturdays and not outside of these hours.

Reason: To protect the amenities of surrounding residential occupiers.

4. No development above existing ground level shall commence until details of the external finishing materials to be used shall be approved in writing by the Local Planning Authority. A schedule of materials and their use in the approved scheme is required and samples made available on site. A photograph and details of the make and model must be submitted. The development shall be constructed in accordance with the approved details

Reason: To ensure a satisfactory external appearance.

5. The parking areas indicated on Drawing No: FAE.24.SH Rev P02 shall be provided prior to first occupation of the dwelling approved by this permission.

Reason: To ensure that parking and turning facilities are provided in accordance with adopted standards.

6. The development shall not commence until details of refuse storage facilities including facilities for the recycling of waste to be provided within the development, in accordance with the Enfield Councils Waste and Recycling Planning Storage Guidance, available at <https://new.enfield.gov.uk/services/planning/waste-and-recycling-storage-planning-guidance-planning.pdf> have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details before the development is occupied or use commences.

Reason: In the interests of amenity and the recycling of waste materials in support of the Boroughs waste reduction targets.

7. Prior to the takeaway opening No above ground works shall commence until the details and design of secure and fully enclosed cycle parking has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before it is occupied, and the facility retained for the life of the building.

Reason: To ensure the provision of cycle parking in accordance with Policy T5 of the London Plan (2021) and the Council's adopted standards.

8. No development shall take place until an acoustic report and the associated technical specification of the extract ventilation has been submitted to and approved by the Local Planning Authority. The report must set out the sound level generated from the kitchen extraction system and state the noise control measures to be employed to ensure the noise from the system does not exceed a level of 5dBA below the typical measured background noise level measured as L(A)90 15 minutes during operational hours, at the façade of the nearest residential property.

Reason: To protect the local amenity from noise and disturbance.

- 2.2 That the Head of Development Management be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

3. Executive Summary

- 3.1 The proposal is for a change of use from an existing Barbers Shop to a Hot Food Takeaway together with installation of extract ducting to rear.
- 3.2 The premises forms part of a local shopping parade within a residential area.
- 3.3 Policy DMD 28 seeks to safeguard retail, community and leisure uses within local centres unless the proposed use is considered compatible and appropriate to the local centre.
- 3.4 This proposal has been assessed against the criteria contained in Policy DMD28 and

in principle, the parade is considered to be an acceptable location for a hot food take away. The proposal is also considered to be acceptable against the remaining criteria.

- 3.5 Subject to conditions, the extract ventilation duct is also considered acceptable and Environmental Health have raised no objection on grounds relating to noise and odour. As a result, there is no objection on grounds of residential amenity.
- 3.6 Parking and traffic generation is also considered to be acceptable.
- 3.7 Consequently, the proposal is also considered to be acceptable having regard to Policies D4, E9, T4, T5 & T6, Core Policy 13 & 30 of the Council's Core Strategy (2010) as well as Policies DMD28, DMD30, DMD 37, DMD 45 and DMD 68 of the Council's Development Management Document (2014).

4. Site and Surroundings

- 4.1 The subject site comprises a Barber Shop (Class E) and forms part of a small local parade of two-storey terraced properties: retail/commercial on the ground floor with residential above. The surrounding area is wholly residential
- 4.2 The subject site is not located within a Conservation Area and does not contain a Listed Building but is within a Local Centre.
- 4.3 The subject site has a PTAL score of 0 (low).

5. Proposal

- 5.1 Permission is sought for the change of use of ground floor from barber shop (Class E) to take away (Sui Generis), involving installation of extraction flue at rear.
- 5.2 Five parking spaces are proposed at the front/side of the site together with associated cycle storage and refuse.

6. Relevant Planning Decisions

- 6.1 The following planning history is considered relevant to the proposal:

| Reference | Proposal | Decision | Date |
|------------|---|-------------------------|------------|
| TP/08/0955 | Change of use of ground floor to retail (Class A1). | Granted with conditions | 30.06.2008 |

7. Consultations

7.1 Statutory and non-statutory consultees

Environmental Health

- 7.1.1 Environmental Health raise no objection to the application for planning permission as there is unlikely to be any negative environmental impact. In particular, no concerns are raised regarding air quality or contaminated land. It is recognised the kitchen extraction system could lead to a loss of amenity to existing residents and for this reason the following condition is required:

No development shall take place until an acoustic report has been submitted to and approved by the Local Planning Authority. The report must set out the sound level generated from the kitchen extraction system and state the noise control measures to be employed to ensure the noise from the system does not exceed a level of 5dBA below the typical measured background noise level measured as L(A)90 15 minutes during operational hours, at the façade of the nearest residential property.

Reason: To protect the local amenity from noise and disturbance

Transportation

- 7.1.2 Transportation raise no objection. Although initial plans did not show the location of the cycle parking and the refuse storage was outside of the red line plan, revised plans have been received. These show vehicle and cycle spaces and the location of refuse which are all now considered to be acceptable.

7.2 Public

- 7.2.1 Consultation letters were sent to eleven (11) adjoining and surrounding properties . At the time of writing the report, there have been objections received from 23 properties raising all or some of the following points:

- Increase antisocial behaviour as a result of youth gatherings – This is not planning consideration
- Character
- Refuse & increased litter leading to street spill – The litter street spill is not a material planning consideration. The refuse will be assessed.
- Increased traffic
- Noise
- Pollution
- Odour
- Parking pressure
- Fire safety
- Increase in vermin – This is not a planning consideration.
- Safety impact with added dangers as a result of a takeaway – This is not a planning consideration
- No site notice erected and not notified – This is not a planning consideration and no site notice was needed for this application given its location outside of a conservation area and nature. The nearest 11 immediate occupiers were notified about the proposal and the council can evidence this.

7.3 Petition

- 7.3.1 A petition containing 100 signatures against the development has also be received objecting to the application on the grounds summarised below:

- Out of keeping with the character of the area
- Increase in unwanted animal activity - vermin
- Anti-social behaviour
- Increase in litter
- Noise
- Opening hours
- Parking
- Loss of privacy
- Extraction flue out of keeping with street

- Fire safety
- Odour

8. Relevant Policies

- 8.1 Section 70(2) of the Town and Country Planning Act 1990 requires the Committee have regard to the provisions 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.

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:

Policy GG1: Building strong and inclusive communities
Policy D1: London's form, character and capacity for growth
Policy D3: Optimising site capacity through the design-led approach
Policy D4: Delivering good design
Policy D5: Inclusive design
Policy D12: Fire Strategy
Policy D14: Noise
Policy E9: Retail, markets and hot food takeaways
Policy SI 2: Minimising greenhouse gas emissions
Policy SI 5: Water Infrastructure
Policy SI 7: Reducing waste and supporting the circular economy
Policy SI 8: Waste capacity and net waste self-sufficiency
Policy SI2: Healthy Streets
Policy T4: Assessing and mitigating transport impacts
Policy T5: Cycling
Policy T6: Car parking

Enfield 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. The following is considered particularly relevant:

CP13 Promoting economic prosperity
CP 16: Economic success and Skills
CP20 Sustainable Energy Use and Energy Infrastructure
CP25 Pedestrians and Cyclists
CP30 Maintaining and Improving the Quality of the Built Environment and Open Environment
CP32 Pollution

Enfield Development Management Document (2014)

- 8.4 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 25: New Retail, Leisure and Office Development
 DMD 28: Large Local Centres, Small Local Centres and Local Parades
 DMD 37: Achieving High Quality and Design-Led Development
 DMD 40: Ground Floor Frontages
 DMD 44: Conserving and Enhancing Heritage Assets
 DMD 45: Parking Standards and Layout
 DMD 61: Managing Surface Water
 DMD 68: Noise

- 8.5 Other relevant policy

National Planning Policy Framework (NPPF)
 National Planning Practice Guidance (NPPG)
 Enfield Characterisation Study (2011)
 Waste and Recycling Storage Planning Guidance from Enfield Council (EN20/ V2)

9. **Assessment**

Principle of Change of use

- 9.1 Policy DMD 28 states that proposals involving a change of use from Class A uses within local centres will be refused unless the proposed use provides a service that is compatible with and appropriate to the local centre. The policy also states a change of use from retail to non-retail on the ground floor will only be permitted if certain criteria are met. It must be noted that use classes have changed since the adoption of the Development Management Document, but the term "retail" in the policy is used as guidance to inform this recommendation.
- a. *The role and function of the centre remains predominantly retail. The proportion of A1 shop units must be no less [than] 50% of the total number of commercial units within defined centres and there must be no less than 50% of A1 uses within any one parade;*
 - b. *The use would not result in an adverse impact on the amenities of nearby occupiers, including through littering or fumes;*
 - c. *The proposal would not have an adverse impact on safety and traffic flows or unacceptably add to traffic and parking problems in the area;*
 - d. *Where applicable, the change of use would not result in a significant break in the continuity of the retail frontage of the shopping parade; and*
 - e. *The frontage is retained/protected and the design of the frontage would be compatible with the use of the premises and the surrounding area and achieves an active frontage at ground floor level.*
- 9.2 Although the retail use of the property was previously categorised as Class A1, use as a Barbers is now categorised as Class E(a). The proposed take-away is defined as Sui Generis meaning planning permission is required for the change of use. Whilst it is noted that a retail use would be lost from this small local parade, 5 out of 7 uses would remain in Class E retail use and therefore over 50% of the local parade would

remain and available to serve the needs of local residents. In addition, a hot food take away is not inappropriate for local parade as such uses can provide a local service. Its position at the end of the terrace also means the change of use would not result in a significant break in the retail frontage.

- 9.3 It is therefore considered that the loss of the retail / service use in this instance, is acceptable.

Impact of Character and appearance

- 9.4 Policy CP30 of the Core Strategy requires new development to be of high-quality design and in keeping with the character of the surrounding area. Policy DMD 37 sets out criteria for achieving high quality and design led development, and seeks to resist development that is inappropriate to its context or fails to have appropriate regard to its surroundings. Policy DMD 28 requires that an active frontage is retained, and the design of the frontage is compatible with the use of the premises and the surrounding area.
- 9.5 In this case, external modifications are mostly limited to the extraction flue at the rear of the building. The extraction equipment would be 400mm x 4000mm in diameter and project 1 metre above eaves level. A similar extraction duct exists on the neighbouring property. Due to its size and siting, it is considered that the duct would not be unduly visible in the surrounding area nor represent development out of keeping with or detrimental to the character and appearance of the locality.
- 9.6 An active frontage / shop window would also be retained.
- 9.7 Taking into account the proposed changes, it is considered the proposal would not adversely harm the visual amenities or character of the immediate location or the appearance of the existing building.

Neighbouring amenity

- 9.8 Policy D3 of the London Plan (2021) states that developments should have appropriate regard to their surroundings, and that they improve the environment in terms of residential amenity. Policy CP30 of the Core Strategy and Policy DMD8 seeks to ensure that new developments should preserve amenity in terms of daylight, sunlight, outlook, privacy, overlooking, noise and disturbance.
- 9.9 Environmental Health do not object to the proposal and comment that there is unlikely to be a negative environmental impact or an impact on residential amenity. In particular there are no concerns regarding air quality or odour. It is recognised that the extraction system could lead noise and a loss of amenity from existing residents and for this reason an acoustic report and the technical specification for the extraction flue in the form of a condition will be required.
- 9.10 Overall, it is considered the proposal would not result in any additional harm to the amenities of neighbouring occupiers.

Transport and access

Vehicular access and car parking:

- 9.11 Under the London Plan (2021) Policy T6, the Mayor wishes to see an appropriate balance being struck between promoting new development and preventing excessive car parking provision that can undermine cycling, walking and public transport use.

Car parking proposals will be considered against the standards set out in the London Plan and:

- a. The scale and nature of the development*
 - b. The public transport accessibility (PTAL) of the site;*
 - c. Existing parking pressures in the locality;*
 - d. Accessibility to local amenities, and the needs of the future occupants of the developments.*
- 9.12 The site is located within a PTAL level 0 area and while it is noted that double yellow lines partially front the site, on street parking is available immediately adjacent to the small parade and on side roads. Submitted plans show off street car parking spaces for 3 vehicles.
- 9.13 Evidence has been received from the applicant in the form of land registry documentation demonstrating the car parking land belongs to the subject site. Further, it is considered that there is sufficient space for three cars which are able to reverse out of the parking area, turn the rear end of the car towards the existing garage or the alleyway and then drive forward back onto Herongate close. This will avoid any cars reversing onto Herongate Close and ensure greater road safety of the residents. Transportation have raised no objection in the quantum or arrangements of the parking.
- 9.14 It is also considered that the proposal would not generate additional vehicle movements over that associated with the lawful use of the premises

Cycle parking:

- 9.15 The development should provide secure, integrated, convenient and accessible cycle parking in line with the minimum standards set out in Policy T5 of the London Plan (2021). The submitted plans illustrate 2 proposed cycle stand to the side of the vehicle parking meeting the requirements in the London Plan (2021). Transportation have raised no objection to the proposed cycle parking and as a result, the proposal is considered acceptable. A condition is imposed to secure full details of the cycle parking.

Refuse and recycling:

- 9.16 The location for waste storage has been indicated on the plans at the end of the rear yard separated from the boundary with No1 Herongate by the service roads. The proposed bin store are considered adequate, safe and functional for refuse collection in accordance with the requirements in the London Plan.

Flood / Surface water Risk

- 9.17 In the absence of new building work the change of use does not raise issues of flood risk or surface water drainage

Other

- 9.18 It is noted that an objection relating to fire safety has been received. There is no requirement for a fire statement for this type of planning application and issues pertaining to fire safety are covered under the building regulations outside of the planning process.

10. Community Infrastructure Levy

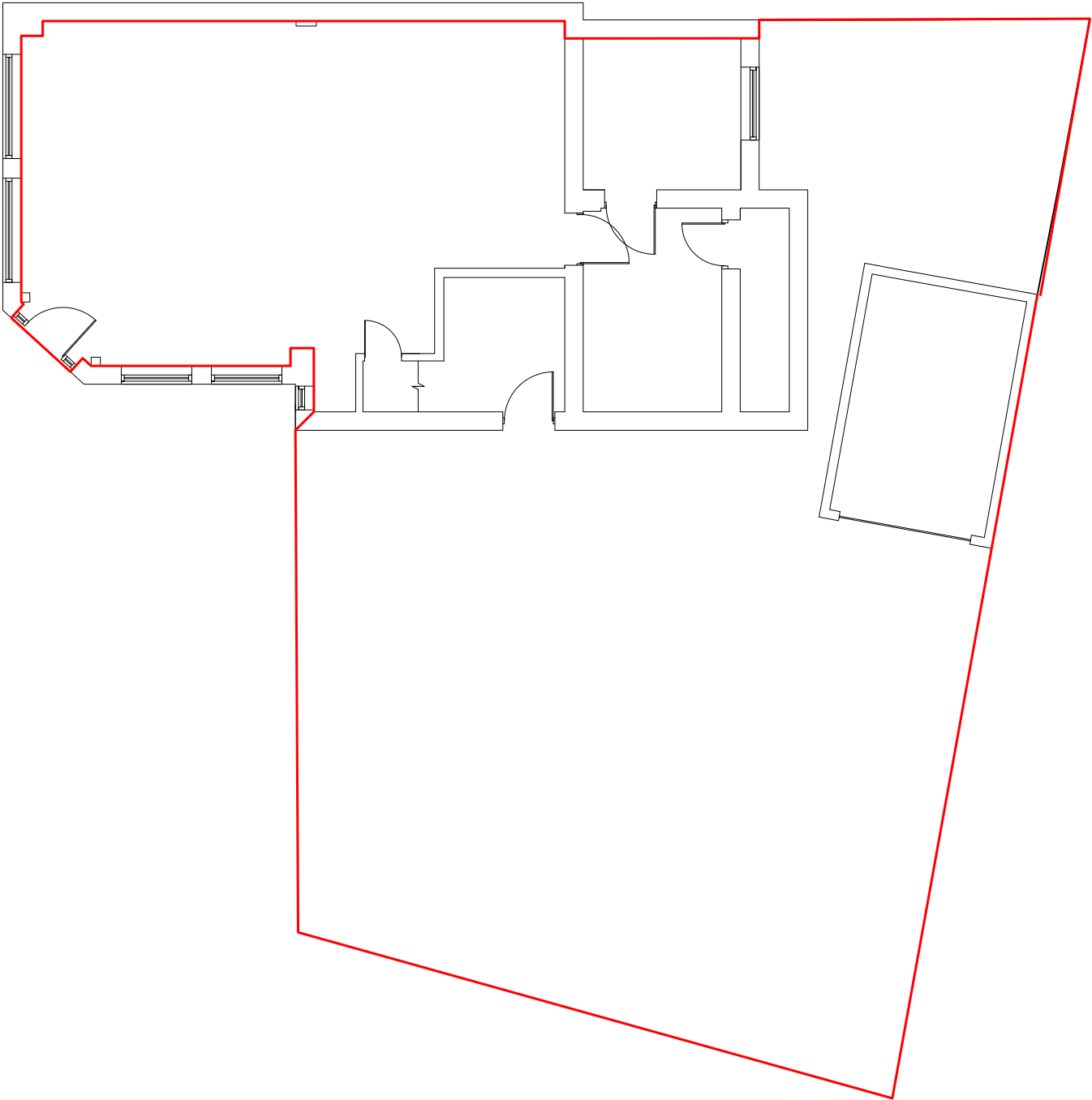
- 10.1 The site is located within the lower CIL charging zone of £40 per sqm as per the Councils adopted CIL charging schedule as of April 2016. Given the site would not result in any additional net floor area the development would not be CIL liable.

11. Public Sector Equalities Duty

- 11.1 Under the Public Sector Equalities Duty, an equalities impact assessment has been undertaken. Due to the nature of the proposal, 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.

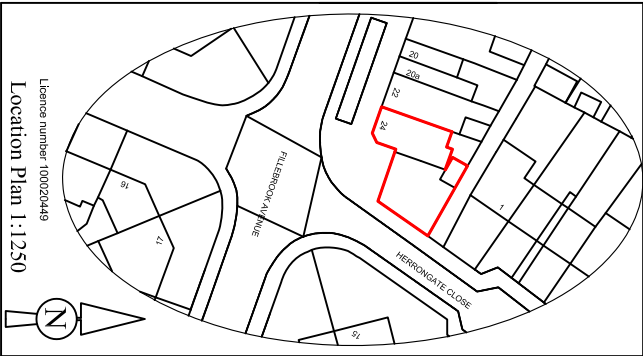
12. Conclusion

- 12.1 Having regard to the above assessment, and with particular reference to Policy DMD 28, it is considered the proposed change of use would not detract from the vitality, function or character of this local shopping parade.
- 12.2 In addition, it is considered the proposed use together with the ventilation extract ducting to the rear of the premises, would not cause any undue harm to the amenities of neighbouring residential properties.
- 12.3 It is also considered the proposed change of use would not harm the safety and free flow of traffic on the adjoining highways
- 12.4 The proposal therefore is considered acceptable in relation to London Plan (2021) Policies D4, E9, T4, T5 & T6, Policies 13 & 30 of the Council's Core Strategy (2010) as well as Policies DMD28, DMD30, DMD 37, DMD 45 and DMD 68 of the Council's Development Management Document (2014).



Ground Floor

N:\AJ LOGOS\NEW LOGOS\AJ Plans - DWG Log\ajp



Location number 100020449
Location Plan 1:1250

Main Plan



☐ LEASE

PROPERTY ADDRESS:

24 Filbert Road Avenue
Enfield EN1 3BB

TITLE:

Shop

SCALE:

1:100 (A4)

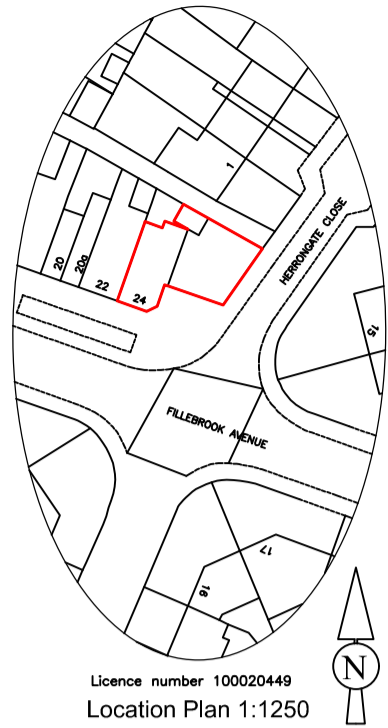
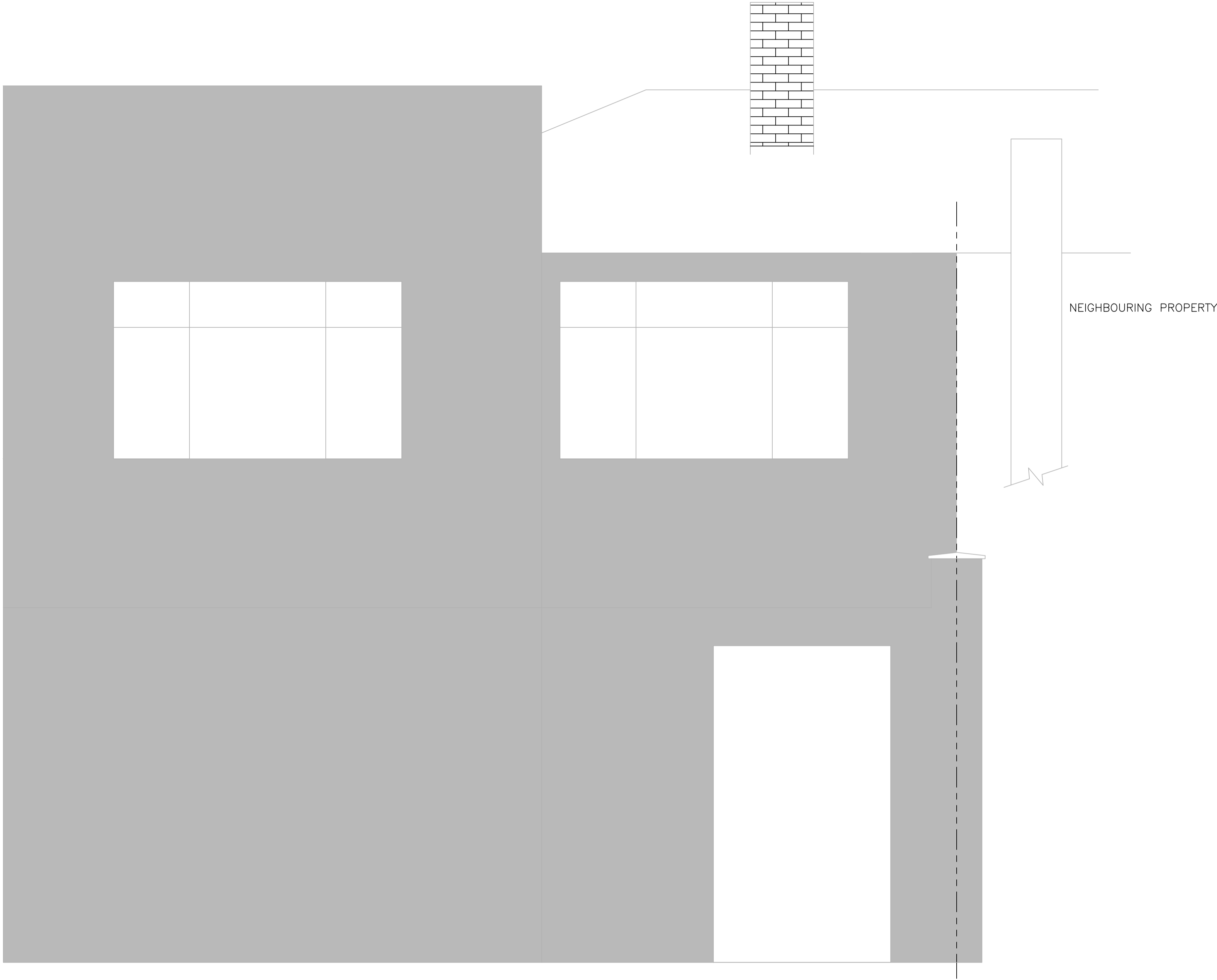
DRAWING No:
FAE.24.SH.

DATE:

29.05.19.


DRAWN BY:
B.W.

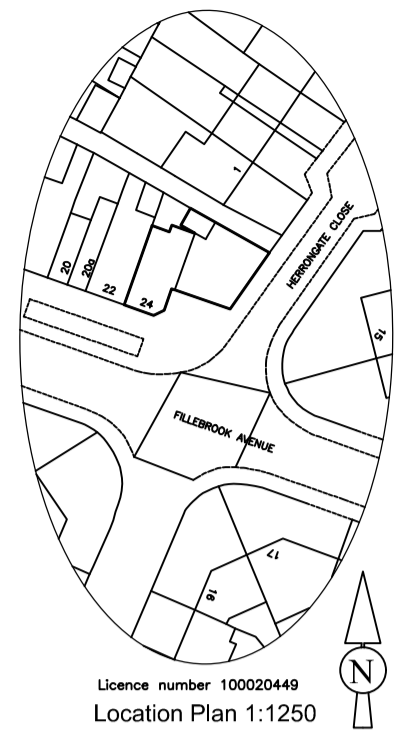
Lease Plan




IMAGES_OF_EXISTING_BUILDING

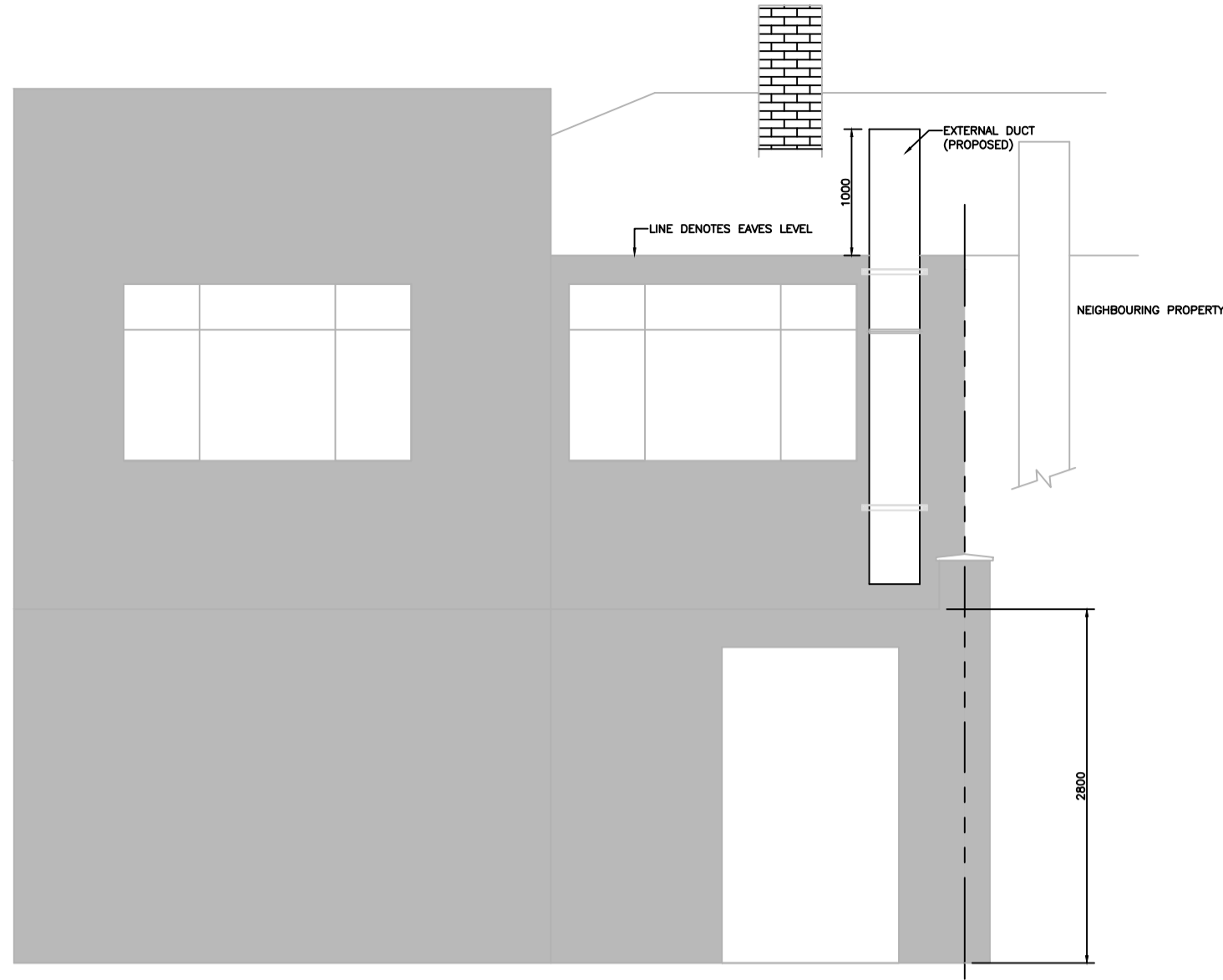
1 EXISTING_REAR_OF_PROPERTY_1-20

| | | | |
|-------------------------|-----------------|---|----------|
| P02 | ELEVATION ADDED | GG | 15-11-21 |
| P01 | INITIAL ISSUE | GG | 19-10-21 |
| REV | DESCRIPTION | BY | DATE |
| STATUS: FOR INFORMATION | | | |
| 24 Filebrook Avenue | |  <div>Frixos Metalworks Ltd Unit 32, Redburn Industrial Estate Woodall Road, Enfield, EN3 4LE T:0208 443 1050 F:0208 443 1233 EXECUTION Class EXC2</div> | |
| Enfield EN1 3BB | | | |
| DRAWING TITLE: | | EXISTING REAR OF BUILDING | |
| CONTRACT: | SS1 | MATERIAL ISSUE: N/A | |
| FMW DRAWING NO | SS1-102 | ISSUE DATE 19/10/21 | |
| CLIENT DRAWING No | SS1-102 | SCALE 1:50 @ A1 | |
| DRAWN BY: GG | | REVISION No. P01 | |

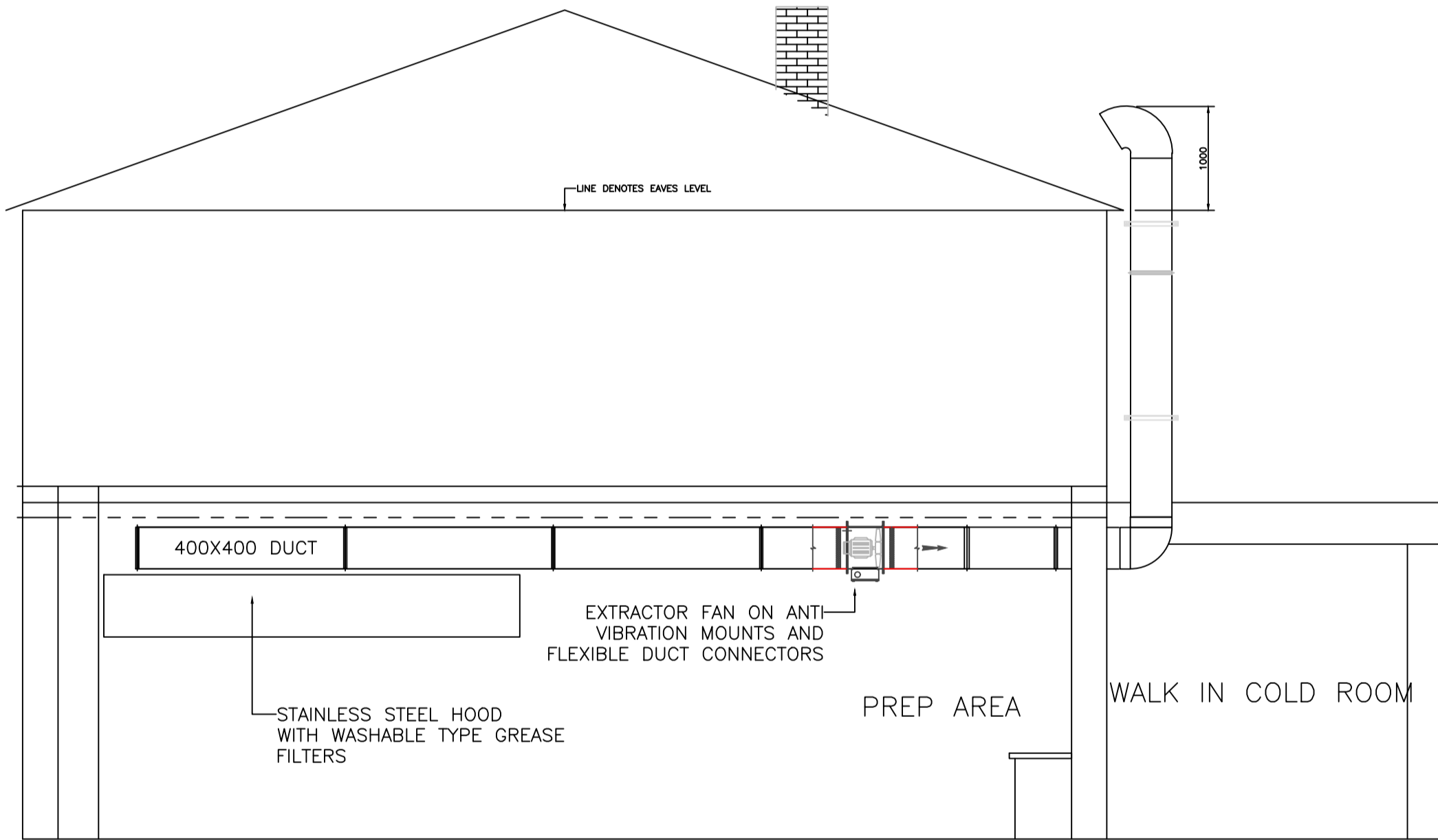


IMAGES_OF_EXISTING_BUILDING

| | | | |
|-------------------------|-------------|---|------|
| - | - | - | - |
| REV | DESCRIPTION | BY | DATE |
| STATUS: FOR INFORMATION | | | |
| 24 Filebrook Avenue | |  <div>Frixos Metalworks Ltd Unit 32, Redburn Industrial Estate Woodall Road, Enfield, EN3 4LE T:0208 443 1050 F:0208 443 1233 EXECUTION Class EXC2</div> | |
| Enfield EN1 3BB | | | |
| DRAWING TITLE: | | IMAGES OF EXISTING BUILDING | |
| CONTRACT: | SS1 | MATERIAL ISSUE: N/A | |
| FMW DRAWING NO | SS1-102 | ISSUE DATE 19/10/21 | |
| CLIENT DRAWING No | SS1-102 | SCALE 1:50 @ A1 | |
| DRAWN BY: GG | | REVISION No. P01 | |



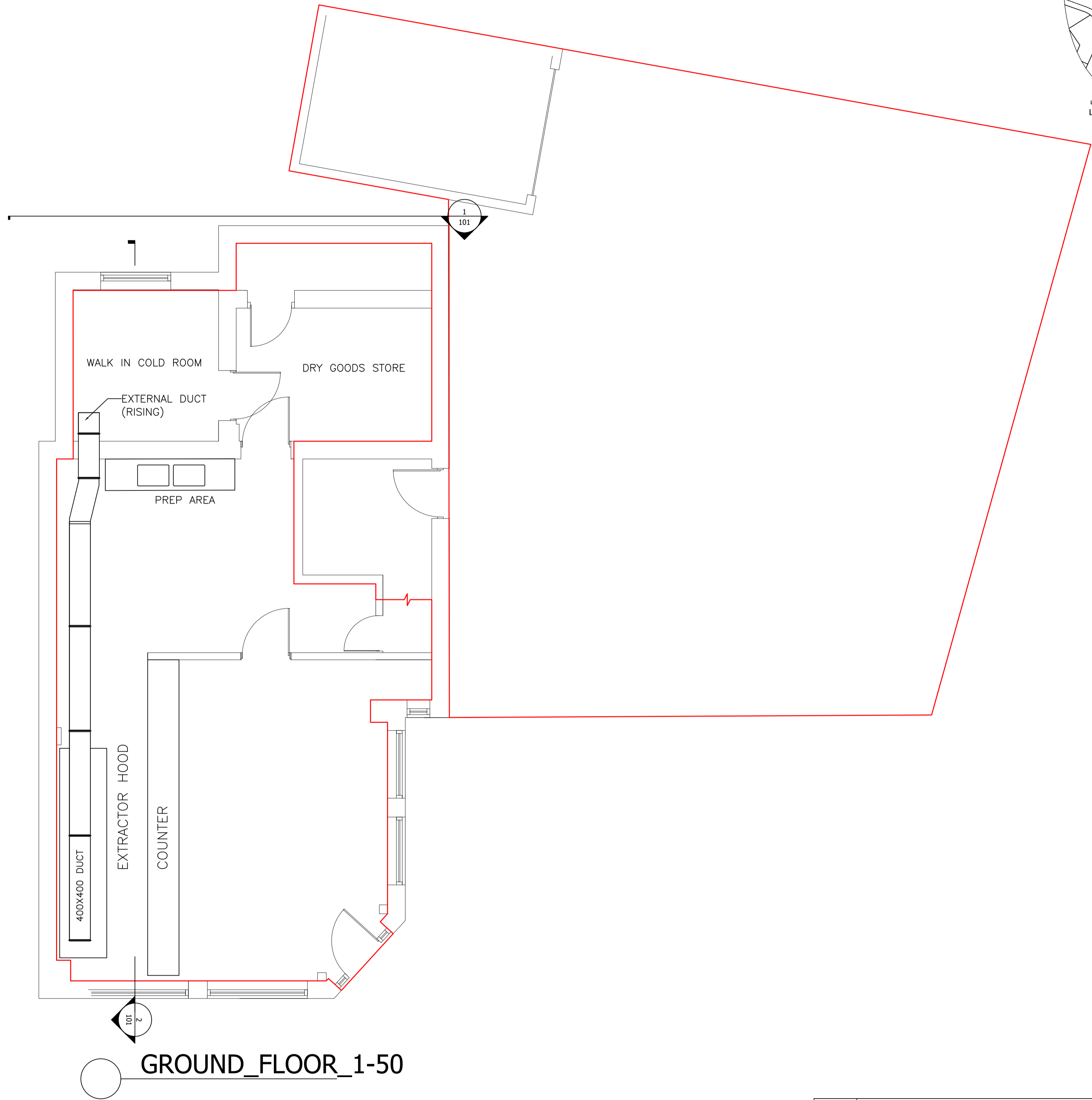
1 ELEVATION_REAR_OF_PROPERTY_1-50



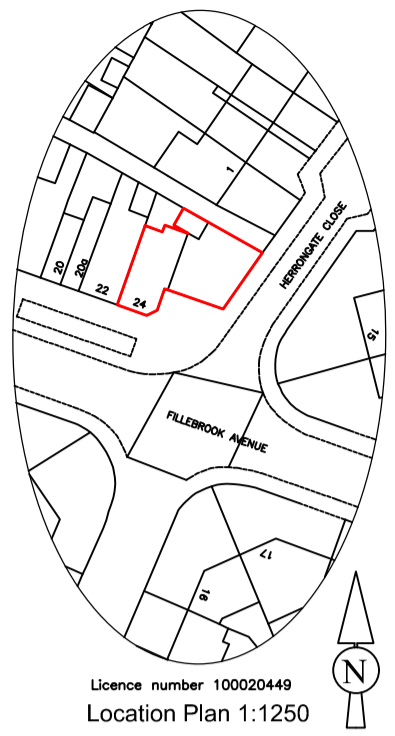
2 SECTION_THRU_1-50




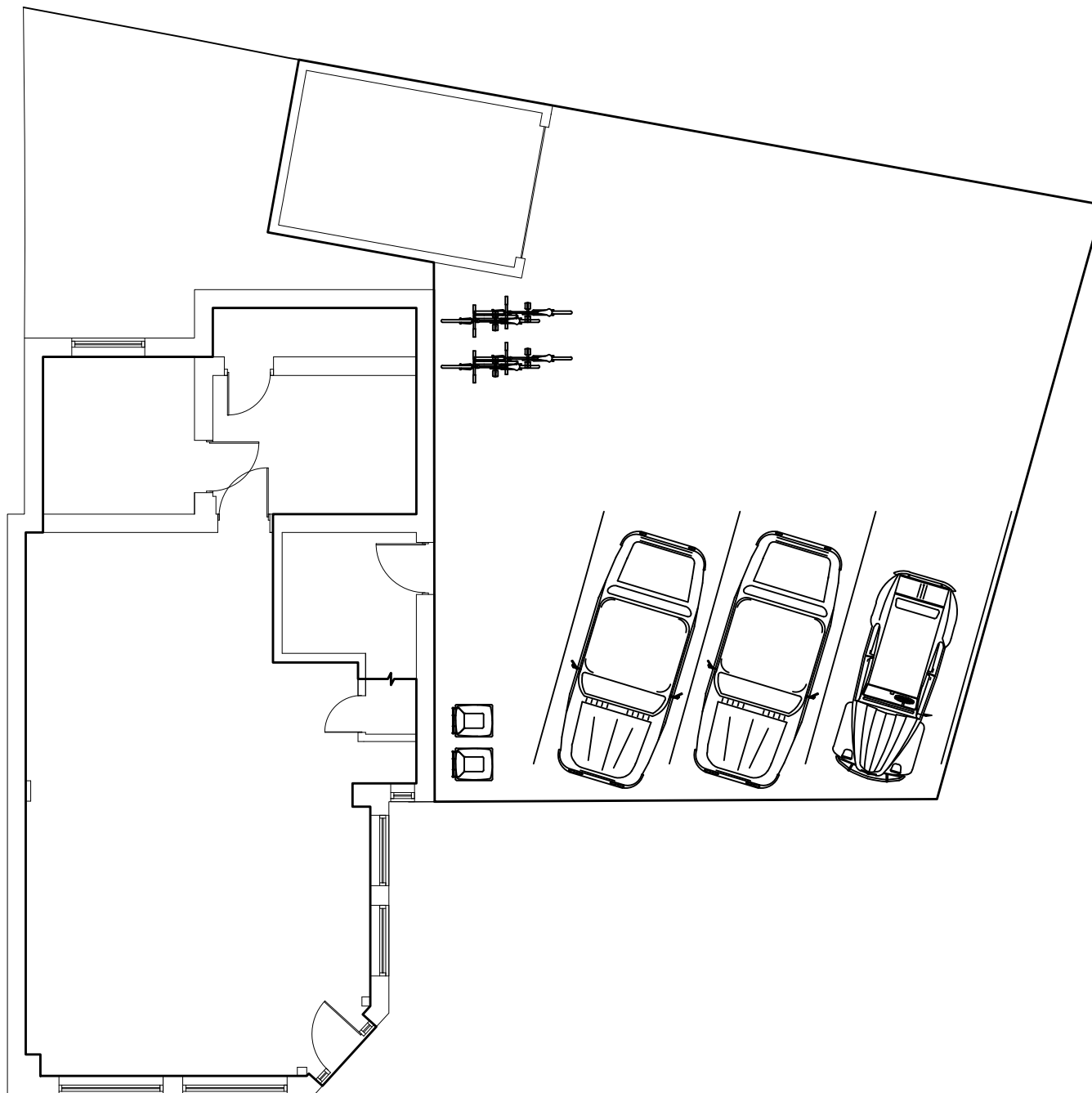
REAR_ELEVATION



GROUND_FLOOR_1-50



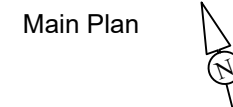
| | | | |
|--------------------------------|--------------------|--|------|
| - | - | - | - |
| REV | DESCRIPTION | BY | DATE |
| STATUS: FOR INFORMATION | | <div></div> <div>Frixos Metalworks Ltd Unit 32, Redburn Industrial Estate Woodall Road, Enfield, EN3 4LE T:0208 443 1050 F:0208 443 1233 EXECUTION Class EXC2</div> | |
| 24 Filebrook Avenue | | | |
| Enfield EN1 3BB | | | |
| DRAWING TITLE: | PROPOSED DUCT WORK | | |
| CONTRACT: | SS1 | MATERIAL ISSUE: N/A | |
| FMW DRAWING NO | SS1-101 | ISSUE DATE 19/10/21 | |
| CLIENT DRAWING No | SS1-101 | SCALE 1:50 @ A1 | |
| DRAWN BY: GG | | REVISION No. P01 | |




Ground Floor



Licence number 100020449
Location Plan 1:1250



LEASE

| | | | |
|--------------------------------|-------------|--|------|
| - | - | - | - |
| REV | DESCRIPTION | BY | DATE |
| STATUS: FOR INFORMATION | | | |
| 24 Filbrook Avenue | |  | |
| Enfield EN1 3BB | | Frixos Metalworks Ltd Unit 32, Redburn Industrial Estate Woodall Road, Enfield, EN3 4LE T:0208 443 1050 F:0208 443 1233 EXECUTION Class EXC2 | |
| DRAWING TITLE: | LEASE PLAN | | |
| CONTRACT: | SS1 | MATERIAL ISSUE: N/A | |
| FMW DRAWING NO | FAE.24.SH | ISSUE DATE 14/01/22 | |
| CLIENT DRAWING No | FAE.24.SH | SCALE 1:50 @ A1 | |
| DRAWN BY: GG | | REVISION No. P02 | |

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date: 21st June 2022

Report of

Head of Planning – Vincent
Lacovara

Contact Officer:

Andy Higham
David Gittens
Ishita Sheth

Ward:

Town

Ref: 22/00733/FUL

Category: Full Application

LOCATION: Plaza And Fountain Island The Town London EN1

PROPOSAL: Use of part of existing highway for outdoor dining and cultural activities for a temporary period of three years, including new street furniture and, new food-serving trailer for cafe use class E(b)."

Applicant Name & Address:

Miss Corina Tuna
Jan Kattein Architects
277 New North Road
London
N1 7AA
United Kingdom

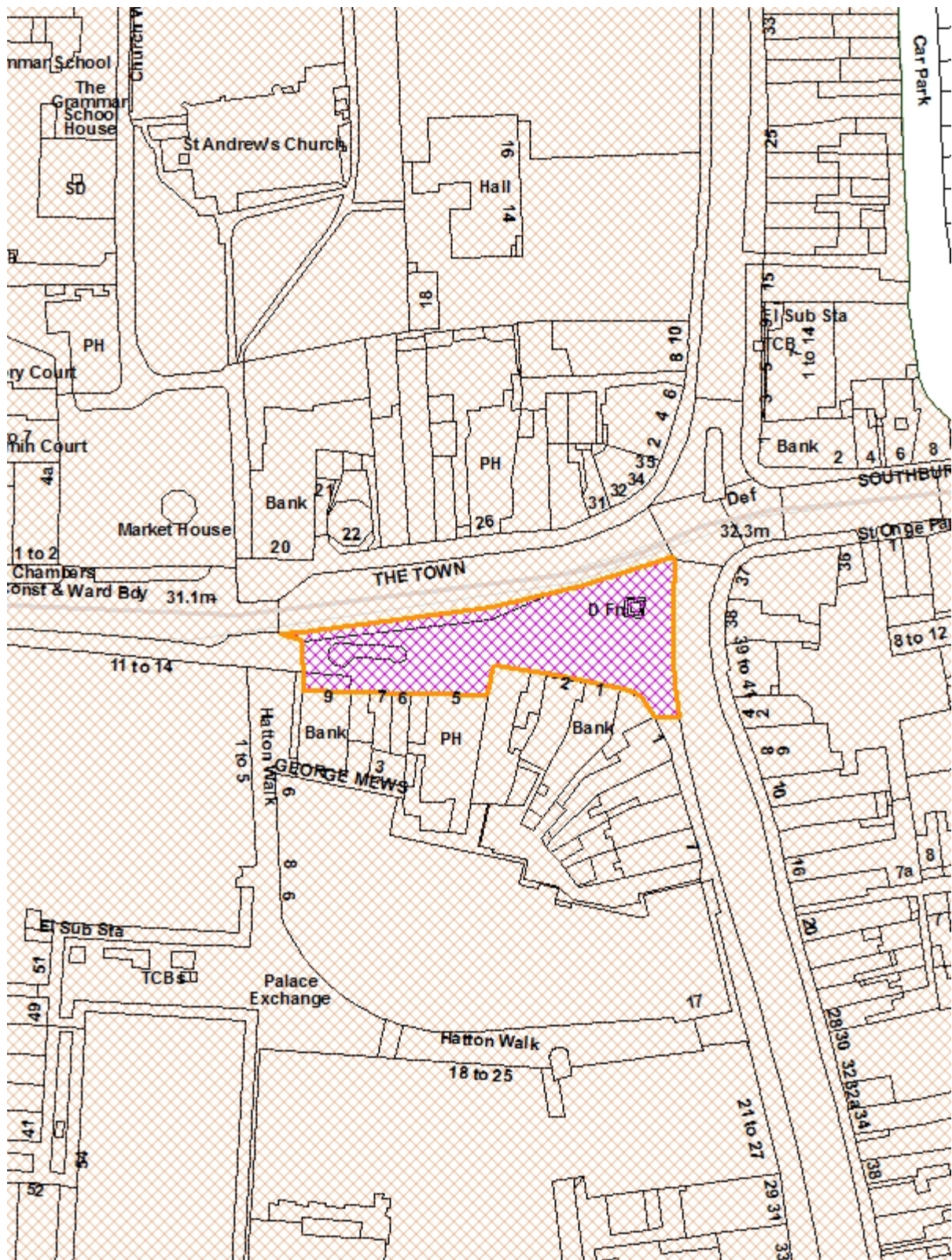
Agent Name & Address:

N/A

RECOMMENDATION:

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

Ref: 22/00733/FUL LOCATION: Plaza And Fountain Island, The Town, London , EN1



1. Note for Members

- 1.1 The application is reported to Planning Committee for determination in accordance with the scheme of delegation because the application site is Council owned.

2. Executive Summary

- 2.1 The application proposes the formation of a public space to be used for outdoor dining and cultural activities for a temporary period of three years, including new street furniture, new food-serving trailer for cafe use class E(b).
- 2.2 The proposal is located within Enfield Town Conservation Area and is in close proximity to other identified heritage assets, including Listed and Locally Listed buildings. The proposal is identified as causing 'less than substantial harm' to the setting of these assets. In accordance with the NPPF, where 'less than substantial harm' is identified the decision maker can weigh the identified harm against any public benefits of the proposal. In this instance, Officers consider that the public benefits of the proposal (primarily through the provision of a community/cultural facility and support for the viability and vitality of the wider town centre) outweighs the 'less than substantial harm' identified.
- 2.3 The primary public benefits of the scheme can be summarised as follows:
- a) Create an engaging public realm for people of all ages, with opportunities for social activities, formal and informal play and social interaction
 - b) Provide a service for the need of the local community, whilst also promoting social and cultural well-being;
 - c) Promote vitality of the town centre;
 - d) Support an active nightlife and a diverse retail- and entertainment economy;
 - e) Promote an inclusive development by providing a location and service to all members of the local and wider community to gather.

Furthermore, it has been recognised that:

- The development by virtue of its town centre location would not unacceptably harm the amenity of occupying and neighbouring residents.
- The proposals would not cause any unacceptable harm upon highway safety or the flow of traffic in the locality.

- 2.4 The development would be appropriate and broadly in accordance with relevant National and Regional Policy, Core Strategy and Development Management policies.

3.0 Recommendation

- 3.1 That the proposed development be granted temporary consent for a period of three years subject to the recommended conditions as set out in this report.
1. Time limit - Full
 2. Consent for temporary period of three years
 3. Development in accordance with approved drawings and documents
 4. Opening Hours Restriction for outdoor seating
 5. Opening Hours Restriction for community events

6. Use of the food trailer only for the purpose of the sale of food and drink
7. All the outdoor dining/seating furniture to be removed and stored indoors within business premises outside opening hours

- 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 is situated in in Enfield Town which is designated as a Major Town Centre. It is located at the junction between London Road, Silver Street, Southbury Road and The Town. Fountain Island is a strategically important public space situated to the front of HSBC / Nandos and extending westwards to Natwest Bank.
- 4.2 The area is paved and is used as a public pedestrian access route. The space accommodates the fountain, cycle hoops, benches, trees, bins and lamp posts. The plot of land is visible from both Church Street and London Road. The Fountain Island is a strategically important public space at the heart of the town centre the southern side of Church Street.
- 4.3 The site is located within the Enfield Town Conservation Area. There are a number of other identified heritage assets within the immediate vicinity of the site including Listed and Locally Listed buildings. The space is framed by terraces of fine historic buildings including two grade II listed board clad cottages at no. 3 and 4 the Town and the grade 2 listed Old Vestry Office at no. 22 The Town on the opposite side of the street.
- 4.4 The site is well connected in terms of public transport and has a Public Transport Accessibility Level (PTAL) rating of 6a ('excellent'). The site is within walking distance of both Enfield Chase and Enfield Town railway stations and there are numerous bus routes along Church Street.

5.0 Proposal

- 5.1 The proposal seeks to add vitality to this space by incorporating facilities for outdoor dining and cultural activities. This would entail the provision of street furniture, a food kiosk trailer and removable outdoor seating furniture.
- 5.2 The proposed street furniture comprises three elements, designed to engage visitors in cultural activities:
 - A flexible central platform with mobile seating units intended to host community workshops and performances (platform may be used as a stage). When not being used for events, the platform offers informal public seating, mobile units can be locked securely underneath when not in use.
 - A public art plinth with a changing display of sculpture, showcasing work by local artists.
 - A notice board and display cabinet, used to promote cultural events across Enfield and facilitate exchanges between visitors and cultural groups. The cabinet may be used as a small outdoor museum, little free library or swap-shop.
- 5.3 A food kiosk trailer is proposed to be located in the existing defined loading bay of Church Street and this is to be used by Bonito Cafe as a serving point from catering trailer.

5.4 In respect of the outdoor seating area, the local businesses (Nando's, Gooney Waffle and O'Neill's, Billy Hair will be using folding tables, chairs and parasols to create temporary outdoor seating areas. These areas are proposed to be supervised and maintained by the relevant businesses. All the outdoor dining/seating furniture is proposed to be removed from pavements and stored indoors within business premises outside opening hours.

5.5 This application seeks a temporary consent for a period of three years.

6.0 Relevant Planning Decisions

6.1 There are no relevant planning decisions relating to the use of the site. It is however known that Fountain Island was selected as the location for an initial pilot project during the summer of 2021. Local hospitality businesses benefited from pavement licenses and new outdoor seating and hospitality furniture including coffee carts and bistro sets, introducing new outdoor dining areas on the square. Over 30 planters were added to the island. The site and nearby areas hosted a programme of cultural events, including A Month of Sundays summer festival and the migrating Totem Latamat. This did not require planning permission as it fell within the remit of permitted development.

7.0. Consultation

Public

7.1 Initial consultation on the application involved notification letters being sent to 40 neighbouring properties on 24.03.2022. A press notice was published in the Enfield Independent on 30.3.2022 and two site notices were also erected at the site on 24.05.2022.

7.2 One response has been received making the following comments:

- Are supportive; the island site need life.
- Quality of the food-serving trailer is key. The area is a focal point and needs the highest quality of food servery and table layout (unlike the shanty town that occupies the Market Square).
- Quality and type of food is also important. Enfield does not need another smelly burger bar. The planning authority should seek the applicant's intended menu. Let's go up market for a change.
- A 20 mph speed limit along Church Street & The Town would be beneficial.
- Any approval must be strictly restricted to a three year period. Standards and quality can deteriorate at a rapid rate.

Any additional comments received will be reported at the Planning Committee meeting.

Statutory and non-statutory consultees

Environmental Health:

7.3 Environmental Health does not object to the application for planning permission as there is unlikely to be a negative environmental impact. In particular there are no concerns regarding air quality, noise or contaminated land.

SuDS:

- 7.4 There is no objection to the proposal however the team would encourage the provision of rain gardens to be incorporated where possible (potentially replacing the planters).

Traffic and Transportation:

- 7.5 No objection in principle but the following points are noted:
- The outdoor seating area will need to be covered by pavement licences as a grant of planning permission itself would not enable this structure to be placed on the highway.
 - S115B of the Highways Act may be the appropriate power, but this will need to be confirmed
 - There will be a need to amend the loading bay TMO to shorten it to accommodate the catering trailer (
 - The scheme has the potential to make it more difficult for blind and partially sighted pedestrians to navigate around the space, which all remains part of the highway. This needs to be fully considered to ensure that we are meeting our public sector equality duty Heritage Officer:
- 7.6 The scheme is considered acceptable and there is no objection to the proposals.
- 7.7 However, the placement and design of the noticeboard / display cabinet is a concern. It would be beneficial for the stand to be located adjacent to the existing telephone box to reduce streetscape clutter. It is also important that the structure – which by virtue of its height will be fairly prominent – is a high quality, visually interesting intervention which enhances the streetscape. Larger scale drawings of this intervention would be required via condition.
- 7.8 It is understood that the art plinth have been omitted from the scheme – though it is still shown on the submitted plans.

8. Relevant Policy

- 8.1 Section 70(2) of the Town and Country Planning Act 1990 requires the Committee have regard to the provisions 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.

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:

D8 Public realm
GG1 Building Strong and Inclusive Communities

GG5 Growing a good economy
SD6 Town centres and high streets
Policy D1 London's form, character and capacity for growth
Policy D3 Optimising site capacity through the design-led approach
Policy D4 Delivering good design
Policy D5 Inclusive design
Policy D14 Noise
Policy S1 Developing London's social infrastructure
Policy HC1 Heritage conservation and growth
Policy SI 1 Improving air quality
Policy SI 13 Sustainable drainage
Policy T1 Strategic approach to transport
Policy T5 Cycling
Policy T6 Car parking

Local Plan - Overview

- 8.3 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.

Core Strategy

- 8.4 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.

CP9 Supporting community cohesion
CP11 Recreation, Leisure, Culture and Arts
CP17 Town Centres
CP21 Delivering sustainable water supply, drainage and sewerage infrastructure
CP25 Pedestrians and Cyclists
CP26 Public Transport
CP28 Managing flood risk through development
CP30 Maintaining and improving the quality of the built and open environment
CP31 Built and Landscape Heritage
CP32 Pollution

Development Management Document

- 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.
- 8.6 The following local plan Development Management Document policies are considered particularly relevant:

DMD 26 Enfield Town
DMD 37 Achieving High Quality and Design-Led Development
DMD 44 Preserving and Enhancing Heritage Assets
DMD 45 Parking Standards and Layout
DMD 47 New Roads, Access and Servicing
DMD 68 Noise

Enfield Local Plan (Reg 18) 2021

- 8.7 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.
- 8.8 The Local Plan remains the statutory development plan for Enfield until such stage as the replacement plan is adopted and as such applications should Page 105 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.
- 8.9 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.

Other Relevant Policy

National Planning Policy Framework 2021

National Planning Practice Guidance

9. Analysis

- 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 The main planning issues to consider are as follows:
- Principle of Development
 - Impact on Character of the Surrounding Area including the Conservation Area
 - Impact on neighbouring properties
 - Highway Implications
 - Sustainability and Sustainable Urban Drainage Systems (SuDS)
 - Community Infrastructure Levy

Principle of Development

- 9.3 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.

- 9.4 The Development Plan includes local policies (Core Strategy / Development Management Plan) as well as the London Plan (2021). The London Plan policies will have greater weight where there is inconsistent with local policy given its more recent adoption in March 2021.
- 9.5 Running alongside this is the aim that planning should facilitate sustainable development and this is at the heart of the NPPF which advocates a presumption in favour of sustainable development. The planning system is required to perform a social role, which is one of the three dimensions of sustainable development. Under its social role, at Paragraph 8 (b) – planning system is required to support strong, vibrant and healthy communities, by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.
- 9.6 The NPPF at paragraph 93 states that planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to provide the social, recreational and cultural facilities and services the community needs and thereby enhance the sustainability of communities and residential environments.
- 9.7 Policy D8 of the London Plan 2021 states that development proposals should:
 - encourage and explore opportunities to create new public realm and ensure that the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Landscape treatment, planting, street furniture and surface materials should be of good quality, fit-for-purpose, durable and sustainable.
 - ensure there is a mutually supportive relationship between the space, surrounding buildings and their uses, so that the public realm enhances the amenity and function of buildings and the design of buildings contributes to a vibrant public realm ensure that street clutter, including street furniture that is poorly located, unsightly, in poor condition or without a clear function is removed, to ensure that pedestrian amenity is improved.
 - Give consideration to the use, design and location of street furniture so that it complements the use and function of the space. Applications which seek to introduce unnecessary street furniture should be refused
 - explore opportunities for innovative approaches to improving the public realm such as open street events and Play Streets
 - create an engaging public realm for people of all ages, with opportunities for social activities, formal and informal play and social interaction during the daytime, evening and at night. This should include identifying opportunities for the meanwhile use of sites in early phases of development to create temporary public realm.
- 9.7 These strategic planning ambitions are captured in Policies GG1 (Building Strong & Inclusive Communities) of the London Plan 2021, with the proposal needing to be viewed in this policy context.
- 9.8 Enfield Core Strategy Policy CP9 seeks to promote community cohesion by promoting accessibility whereby all members of the community have access to good quality health care, housing, education and training, employment, open space and other social facilities in locations that best serve the community.

- 9.9 Furthermore, the NPPF also seeks to ensure the vitality and viability of Town Centres. At paragraph 86 it states that planning should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
- 9.10 Policy SD6 (Town centres and high streets) states that the vitality and viability of London's varied town centres should be promoted and enhanced by encouraging strong, resilient, accessible and inclusive hubs with a diverse range of uses that meet the needs of Londoners, including main town centre uses, night-time economy, civic, community, social and residential uses.
- 9.11 Enfield Core Strategy Policy CP17 The Major Centre of Enfield Town will continue to be supported as the main centre for leisure, entertainment and cultural activities and will be the preferred location for new retail, leisure and cultural developments, particularly those with a borough-wide catchment area and Policy CP11 (Recreation, Leisure, Culture and Arts) seeks to support the implementation of Council's strategies which help to identify current and future needs for recreation, leisure, culture, heritage and arts facilities in the Borough.
- 9.12. It is considered that the proposed use of the site for cultural activities and outdoor seating in relation to its town centre location and the restaurants/eateries in the vicinity would:
- Create an engaging public realm for people of all ages, with opportunities for social activities, formal and informal play and social interaction
 - Provide a service for the need of the local community, whilst also promoting social and cultural well-being;
 - Promote vitality of the town centre;
 - Support an active nightlife and a diverse retail- and entertainment economy;
 - Promote an inclusive development by providing a location and service to all members of the local and wider community to gather.
- 9.13. Consequently, it is considered that the principle is deemed to be acceptable given the above assessment.
- 9.14 Furthermore, utilising the areas for community events promotes cultural well-being, inclusiveness, interacting and a creative community. This is again something that the NPPF promotes and thus the principle of this is deemed to be acceptable in this underutilised location.

Impact on Character of the Surrounding Area including the Conservation Area

- 9.15 Chapter 12 ("Achieving well-designed places") of the NPPF outlines the importance of good design to the built environment. Paragraph 127 outlines a number of criteria that planning policies and decisions should aim to ensure of developments. Of most relevance in this case are those sections which require developments to function well and add to the overall quality of the area and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.
- 9.16 Paragraph 134 confirms that "permission should be refused for development of poor design that fails to reflect local design policies and government guidance on design", whilst Paragraph 134 (b) states that "great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the

standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings”.

- 9.17 London Plan Policy D3 (“Optimising site capacity through the design-led approach”) advises that development proposals should be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well
- 9.18 London Plan Policy HC1 (“Heritage conservation and growth”) advises 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 cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 9.19 Enfield Core Strategy Policy CP30 (“Maintaining and improving the quality of the built and open environment”) seeks to ensure that new developments are high quality and design-led, having regard to their context while Policy CP31 (“Built and Landscape Heritage”) of the of the Core Strategy sets out a requirement that development should conserve and enhance designated and non-designated heritage assets.
- 9.20 Policy DMD37 (“Achieving High Quality Design-Led Development”) states that development that is not suitable for its intended function that is inappropriate to its context, or which fails to have appropriate regard to its surroundings, will be refused. However, it also recognised there is a degree of subjectivity in this assessment of acceptable design.
- 9.21 Policy DMD44 (“Conserving and Enhancing Heritage Assets”) states that development which fails to conserve and enhance the special interest, significance or setting of a heritage asset will be refused. The design, materials and detailing of development affecting heritage assets or their setting should conserve the asset in a manner appropriate to its significance.
- 9.22 The proposal seeks to create a public square to be used as a community space/public realm area that can be used for range of activities including performance/entertainment area and outdoor seating/dining areas. The design proposes a series of small-scale interventions which will facilitate in making Fountain Island a focal point and key civic space in Enfield Town. The proposed interventions comprise of a raised performance area, a display case and events notice board, public art plinth with a changing display of sculpture, food kiosk trailer and removable outdoor seating furniture.
- 9.23 The proposed plaza is considered to be well-designed, safe, accessible, and well-connected. Furthermore, the proposal will result in a mutually supportive relationship between the space, surrounding buildings and their uses; the proposed outdoor dining/seating areas are associated with the units located in the adjacent buildings. The other furniture/design elements are placed near the northern edge of Fountain Island, activating this edge of the square and helping to screen civic activities from the adjacent highway. This way the proposal seeks to enhance the functionality of the square as a public space.

- 9.24 Most of the design elements are of an appropriate design to complement the proposed use and the function of the site as a plaza. The design elements/furniture are of a modest scale; the proposed raised performance area would have a maximum height of 400mm, the proposed sculpture plinth along with the supporting base would have a maximum height of some 800mm and the proposed notice board/display element would have a maximum height of some 2038mm. Coupled with their proposed locations these elements would still maintain adequate views to and from the square. The proposed elements are temporary and to be made of timber and steel. As such, they are considered acceptable.
- 9.25 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.
- 9.26 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.
- 9.27 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".
- 9.28 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".
- 9.29 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.

- 9.30 The Heritage officer raises no objection to these temporary proposals and confirms there is no harm to the character and appearance of the Conservation Area. However, concerns are raised in the respect of the location of the 'events notice board/display case'; this results in a cluttered appearance and could be relocated adjacent to the telephone box. The agent has stated that the proposed platform to the east of the notice board location ensures that the notice board element is read in the context of its surroundings, and not as an independent element in its own right. This is further reinforced by its association with the platform; the unit can be used to advertise future events that will take place on the platform, the two elements also share a material palette. The association with the event platform will not be easily read by visitors if the notice board is positioned further away from it. The justification provided by the agent is duly noted and as such it is considered that the proposed location of the noticeboard/display unit in this instance is acceptable. The planning permission sought is for a limited 3 year term, and the elements are capable of being removed or relocated on expiry of the term.
- 9.31 The Heritage Officer's comments required detailed drawings of the notice board/display element. These have been subsequently provided. The Heritage Officer has confirmed that these details are considered acceptable.
- 9.32 The Heritage Officer has also commented that the art plinth had been omitted from the scheme though it is still shown on the submitted plans. However, the applicant has stated that they would like it to be considered as part of the proposed development. As stated above, this is of a modest size. This will help showcase work by local artists and will be of benefit to the community. As such this element of the proposal is also considered to be acceptable.
- 9.33 The proposed outdoor seating arrangement will be an extension to the already existing outside seating area and as such would not look out of place or be detrimental to the character of the conservation area.
- 9.34 The food kiosk trailer is situated in an existing car parking/loading bay on the carriageway. It is considered that the location of the food kiosk trailer is acceptable taking into consideration the relationship with the other elements of the proposal; it would blend in with the other proposed dining/eateries elements within the site.
- 9.35 Overall, it is not considered that the proposal would have any detrimental impact on the character of the area or the Enfield Town Conservation Area. As such the proposal would make a positive contribution to the town centre by providing a social, communal and cultural space in this important location.

Impact on neighbouring properties

- 9.36 Guidance relevant for the assessment of noise affecting new developments is

given in the National Planning Policy Framework (NPPF). Paragraph 185 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'.

- 9.37 London Plan policies D1 ("London's form, character and capacity for growth") and D3 ("Optimising site capacity through the design-led approach") set out the importance of ensuring buildings and spaces are well designed to ensure against prejudicing neighbouring amenity.
- 9.38 Enfield Core Strategy Policy CP9 ("Supporting community cohesion") promotes attractive, safe, accessible and inclusive neighbourhoods while Core Strategy Policy CP30 ("Maintaining and improving the quality of the built and open environment") seeks to ensure that all developments and interventions in the public realm must be high quality and design-led, having special regard to their context.
- 9.39 The site falls within Enfield Town Centre, which is designated as a Major Town Centre in Enfield. As such noises from commercial uses are expected in this location. It is noted that there are some residential flats located in buildings directly abutting the site above the units behind Fountain Island and on the opposite side of the road. The proposal will result in an increase in the outdoor seating areas; coupled with cultural/entertainment events, will result undoubtedly result in an increase in noise. However, this relationship is considered acceptable given the town centre context and the spatial relationship to neighbouring properties which are not in very close proximity.
- 9.40 The hours of operation for the events or the outdoor seating areas have not been stipulated within the application form. Whilst it is noted that Environmental Health does not raise any concerns in respect of noise from the proposed development, no restrictions of the hours of the events would not be acceptable, particularly if there are to be music events. Thus, a condition is required to be imposed regarding the hours of operation of community events, particularly music events. It is considered that Monday to Saturday the times should be 08:00 to 22:30 and on Sunday and Bank Holidays it should be 09:00 to 21:30. Similar hours could be stipulated for the outdoor seating areas. The imposition of these hours is deemed to be reasonable to safeguard residential amenity, particularly those residing above the units in the Major Town Centre. Therefore, no objection is raised in regard to impact upon neighbouring properties subject to the imposition of a condition.

Highway, Parking , Access

- 9.41 London Plan 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. Policy DMD 45 makes clear that the Council aims to minimise car parking and to promote sustainable transport options.

Traffic Generation

- 9.42 It would be difficult to control the number of visitors coming to the area and from studies previously undertaken, a significant proportion arrive using public transport. The purpose of the proposal is to increase footfall in the town centre and although it is envisaged that would be an increase in traffic, given that the proposal is inside the Major Town Centre, it is considered that this is appropriate and would not prejudice the safe and free flow of pedestrian and vehicle movements .

Parking

- 9.43 Visitors to the area can park in the pay and display parking bays around Enfield Town Centre.
- 9.44 The proposal results in the loss of one loading bay. However, no objection has been received from Traffic and Transportation Team. Furthermore, four loading bays will still be retained. By their very nature, loading bays are not occupied for longer periods of time and as such can adequately serve the need of the establishments in the vicinity.

Refuse

- 9.45 Any refuse from the external café seating will be managed by the operators in accordance with their commercial contracts. No permanent refuse storage is therefore proposed.

Sustainability and Sustainable Urban Drainage Systems (SuDS)

- 9.46 The proposed development only seeks to add elements (as discussed above) on the square; it does not require any excavation works or additional hard surfacing works on site. As such the SuDS expectation for rain gardens to be incorporated where (potentially replacing the planters) cannot be supported through the imposition of conditions but the comments will be conveyed to the Agent.

Other Matters

- 9.47 No concerns are raised in respect of air quality or contamination from the proposed development.
- 9.48 Comments have received in respect of the type of food served in the food trailer. This food trailer is proposed to be used by Bonito Café. In any instance, the type of food served within a food trailer cannot be restricted or controlled under Planning Legislation.
- 9.49 Comments have also been received in respect of reducing the speed limit on the adjacent highway. This is a consideration for traffic management within Enfield Town rather than specific to this proposal but in terms of safety, it has not been identified as a requirement by the Traffic and Transportation Team.

10. Community Infrastructure Levy (CIL)

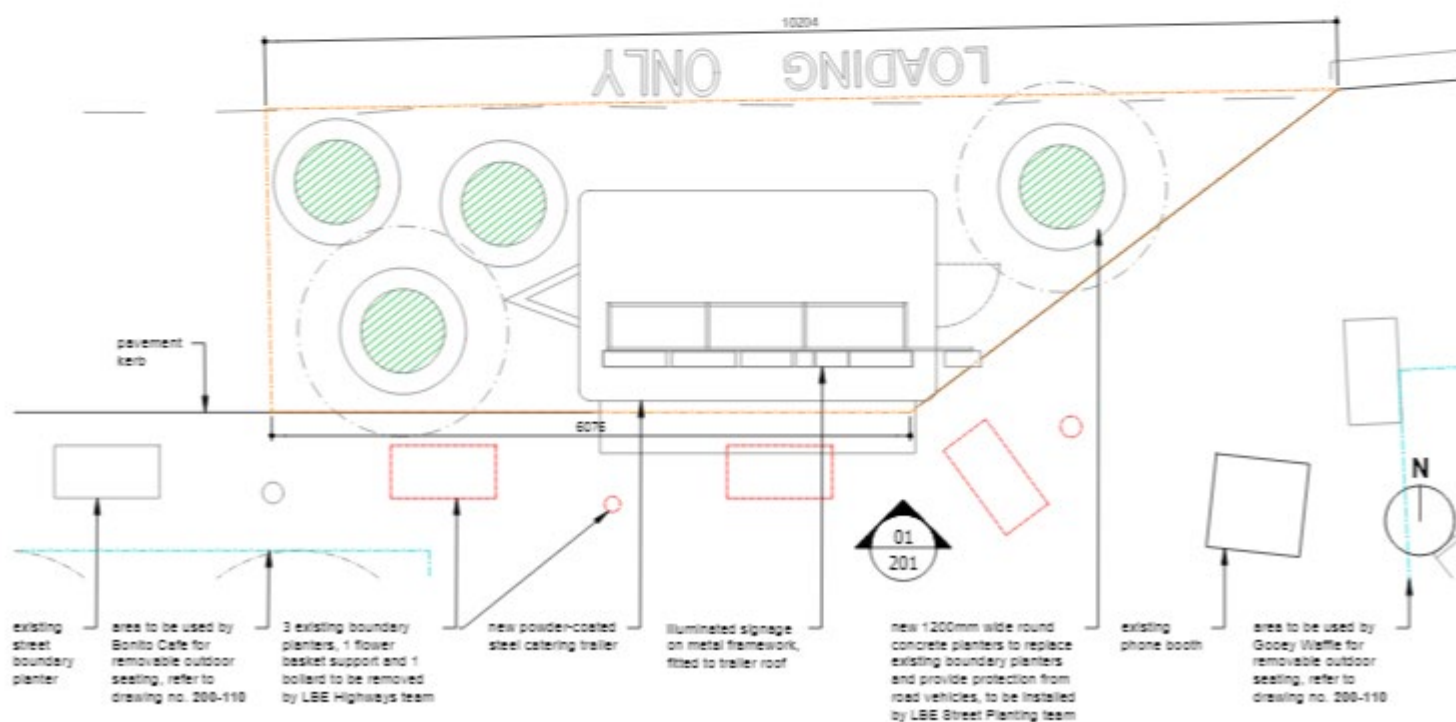
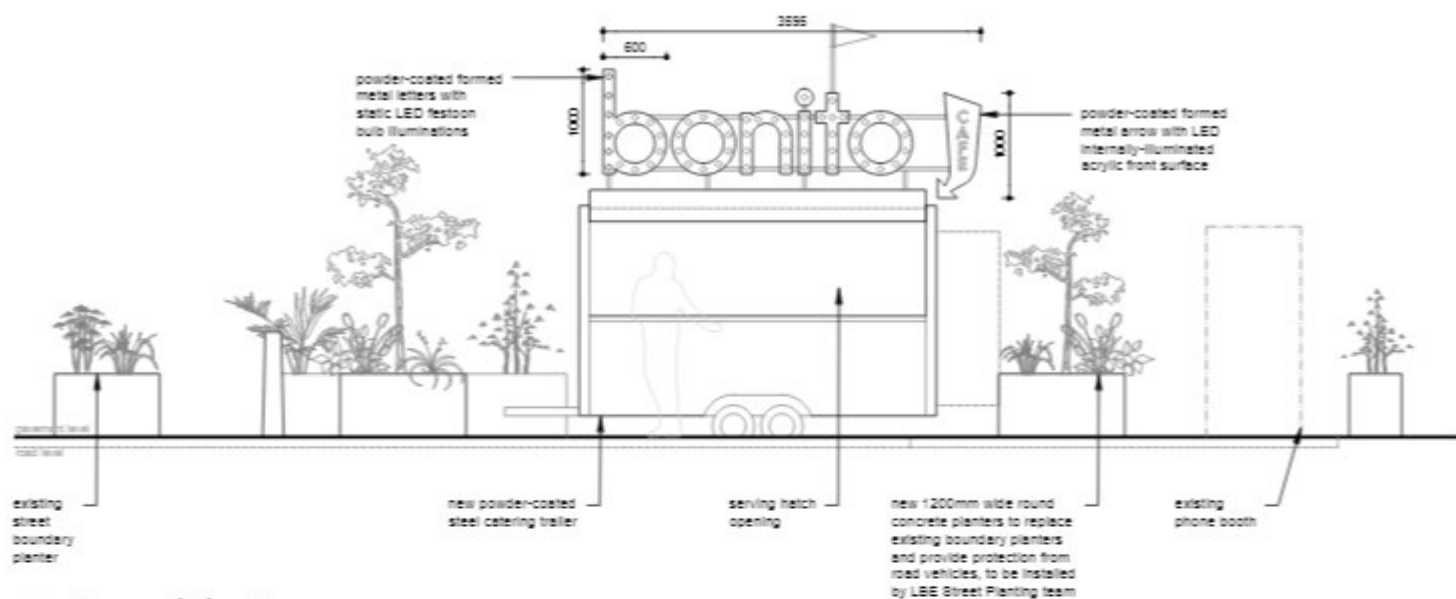
- 10.1 The development is not CIL liable.

11. Public Sector Equalities Duty

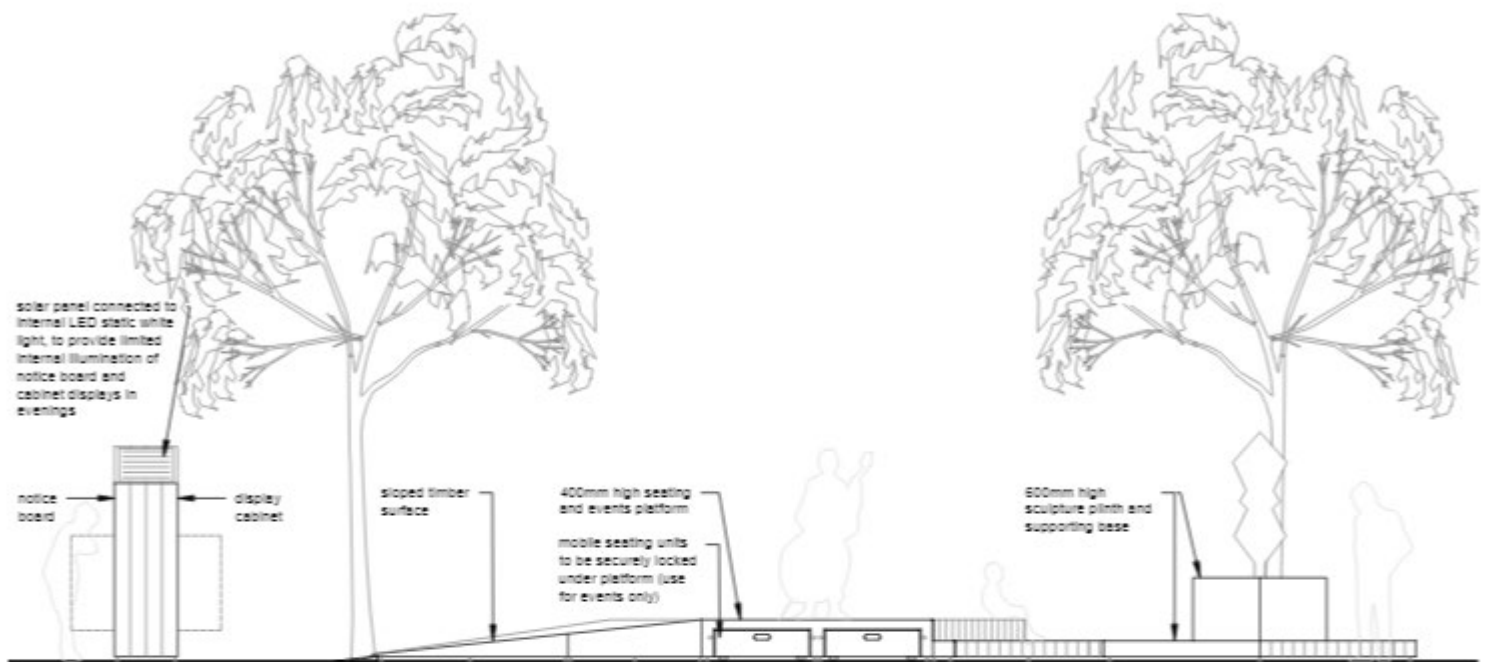
- 11.1 Under the Public Sector Equalities Duty, an equalities impact assessment has been undertaken and this identifies there is the potential for the design and specifically, the height of the proposed stage, to impact upon affect individuals who are blind or partially sighted.
- 11.2 At officers request, the Applicant design team has met with the Council's Disability Advisory Group to understand the particular concerns and review potential mitigation measures.
- 11.3 The Group agreed the proposals do not present a specific or imminent danger but that a pragmatic approach should be taken to resolve the issue – such as the placing of planters of an appropriate size in strategic positions to help guide and direct people with visual impairment.
- 11.4 In principle, this approach is considered acceptable but it is accepted that a more detailed review of mitigation measures is required to ensure that any measures are actually effective. As such it is proposed to condition this requirement
- 11.5 With this mitigation, 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.

12. Conclusion

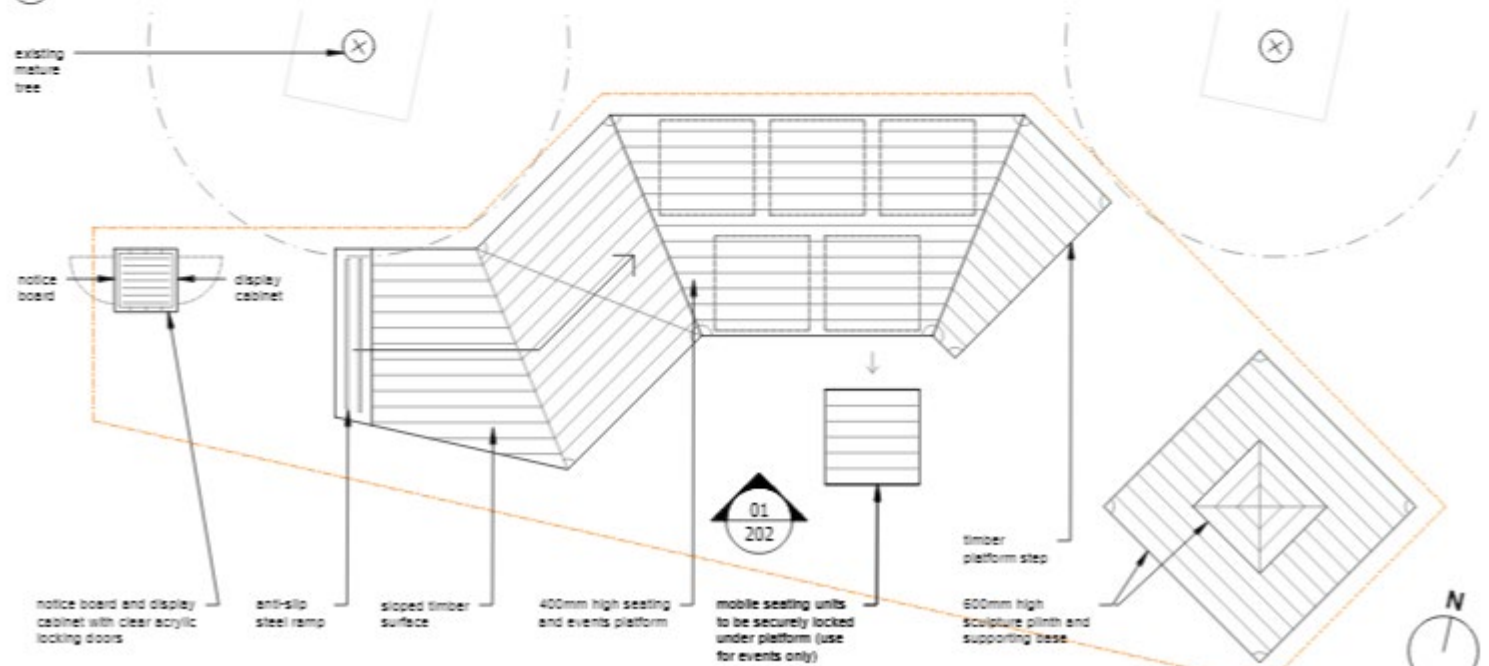
- 12.1 Having regard to the above assessment, it is considered the proposal is acceptable for the following reasons:
 - a. It is considered the proposal would provide a service for the need of the local community, whilst also promoting social and cultural well-being.
 - b. the proposal would promote vitality of the town centre.
 - c. The proposal would support an active nightlife and a diverse retail- and entertainment economy.
 - d. The proposal would promote an inclusive development by providing a location and service to all members of the local and wider community to gather.
 - e. The proposed development, by virtue of its siting and scale, is considered appropriate and would not result in detrimental harm to the character and appearance of the wider area and the Enfield Town Conservation Area.
 - f. The proposed development by virtue of its town centre location would not unacceptably harm the amenity of occupying and neighbouring residents.
 - g. The proposal would not cause any unacceptable harm upon highway safety or the flow of traffic in the locality.
- 12.2 The development would be appropriate and having regard also to the mitigation secured by the recommended conditions, it is considered the proposed development is acceptable when assessed against the suite of relevant planning policies and that planning permission should be granted subject to conditions.







01 Proposed Elevation



02 Proposed Plan

Street Furniture

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date: 21st June 2022

Report of

Head of Planning

Contact Officer:

Andy Higham
David Gittens
Ishita Sheth

Ward:

Town

Ref: 22/00836/ADV

Category: Advertisement

LOCATION: Plaza And Fountain Island The Town London EN1

PROPOSAL: Installation of 1 part externally and part internally illuminated café sign to café unit.

Applicant Name & Address:

Miss Corina Tuna
Jan Kattein Architects
277 New North Road
London
N1 7AA
United Kingdom

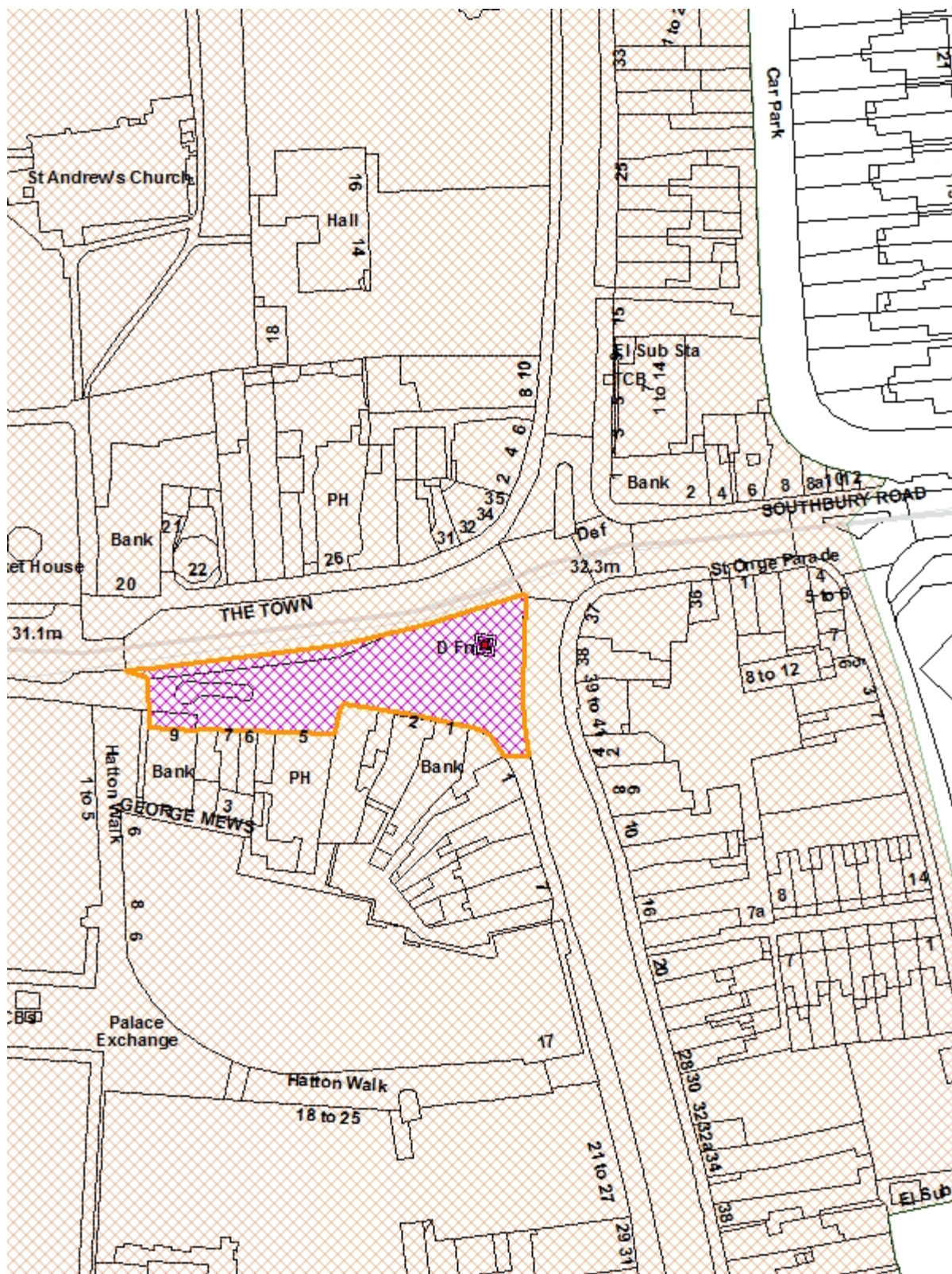
Agent Name & Address:

N/A

RECOMMENDATION:

1. That the Head of Development Management be authorised to GRANT advertisement consent 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: 22/00836/ADV LOCATION: Plaza And Fountain Island, The Town, London, EN1



1. Note for Members

- 1.1 The application is reported to Planning Committee for determination in accordance with the scheme of delegation because the application site is Council owned and the applicant is commissioned by the Council to submit the planning application.

2. Executive Summary

- 2.1 The application proposes the installation of 1 internally illuminated café sign to the proposed café unit/food-serving trailer. Whilst the advertisement will be placed on the proposed food-serving trailer within a loading bay on the Highway, this should be seen in the context of the wider application for the Fountain Island Plaza which is reported elsewhere on this agenda.
- 2.2 The proposed advertisement does not result in any harm to the character and appearance of the Enfield Town Centre or the Conservation Area. It is considered to be of an appropriate size in relation to the food trailer upon which it will be located. Furthermore, it has been recognised that it will not result in any detrimental impact upon neighbouring amenity or public safety.
- 2.3 The proposed signage is supported as it is considered appropriate and broadly in accordance with relevant National and Regional Policy, Core Strategy and Development Management policies. It would also support the objective of promoting the viability and vitality of Enfield town centre.

3.0 Recommendation

- 3.1 That advertisement consent be granted subject to the following conditions:
1. Development in accordance with approved drawings and documents
 2. The development is to adhere with Standards Conditions outlined in Schedule 2 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
 3. The maximum steady brightness of the illumination of the advertisements shall not exceed 200 candelas per square metre.
 4. The illumination of the sign(s) hereby approved shall not at any time be intermittent.
 5. No advertisement shall be displayed so as to obscure or hinder the interpretation of any road traffic sign, or otherwise to render hazardous the use of any highway.
- 3.2 That the Head of Development Management be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report

4. Site and Surroundings

- 4.1 4.1 The site is situated in in Enfield Town which is designated as a Major Town Centre. It is located at the junction between London Road, Silver Street, Southbury Road and The Town. Fountain Island is a strategically important public space situated to the front of HSBC / Nandos and extending westwards to Natwest Bank.
- 4.2 The area is paved and is used as a public pedestrian access route. The space accommodates the fountain, cycle hoops, benches, trees, bins and lamp posts. The plot of land is visible from both Church Street and London Road. The Fountain Island is a strategically important public space at the heart of the town centre the southern side of Church Street.

- 4.3 The site is located within the Enfield Town Conservation Area. There are a number of other identified heritage assets within the immediate vicinity of the site including Listed and Locally Listed buildings. The space is framed by terraces of fine historic buildings including two grade II listed board clad cottages at no. 3 and 4 the Town and the grade 2 listed Old Vestry Office at no. 22 The Town on the opposite side of the street.
- 4.4 The site is well connected in terms of public transport and has a Public Transport Accessibility Level (PTAL) rating of 6a ('excellent'). The site is within walking distance of both Enfield Chase and Enfield Town railway stations and there are numerous bus routes along Church Street.
- 4.5 This particular application relates to the loading bay on the northern side of the Fountain Island Plaza where a food trailer is proposed to be located.

5.0 Proposal

- 5.1 The application seeks advertisement consent for signage that is proposed to be sited on top of the proposed food kiosk trailer sited in the existing loading bay area. The trailer is to be used by Bonito Cafe as a serving point.
- 5.2 The proposed illuminated signage attached to the roof of the trailer would have a maximum height of 1m, a width of some 3.6m and located some 2.6m from the ground level. It would comprise individual metal formed letters ('BONITO') and arrow, with acrylic surface & letters to front of arrow. The colour of text is proposed to be 'Green' for the individual lettering and 'red' text on 'yellow' background for arrow. The metal formed letters are proposed with static LED festoon bulb illuminations and the powder-coated formed metal arrow is proposed with LED internally illuminated acrylic front surface. The proposed luminance level for the signage is 200cd/m².

6.0 Relevant Planning Decisions

- 6.1 None

7.0. Consultation

Public Consultation

- 7.1 Initial consultation on the application involved notification letters being sent to 40 neighbouring properties on 24.03.2022. A press notice was published in the Enfield Independent on 30.3.2022 and two site notices were also erected at the site on 24.05.2022.
- 7.2 No comments have been received in respect of the advertisement application. Any additional comments received will be reported at the Planning Committee meeting.

Statutory and non-statutory consultees

Traffic and Transportation:

- 7.3 No objection raised

8. Relevant Policy

- 8.1 Section 70(2) of the Town and Country Planning Act 1990 requires the Committee have regard to the provisions 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.

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:

Policy D8 Public realm

Policy HC1 Heritage conservation and growth

Local Plan - Overview

- 8.3 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.

Core Strategy

- 8.4 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.

CP 30 Maintaining and improving the quality of the built and open environment

CP 31 Built and landscape heritage

Development Management Document

- 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.
- 8.6 The following local plan Development Management Document policies are considered particularly relevant:

DMD 37 Achieving High Quality and Design-Led Development

DMD 41 Advertisements

DMD 44 Conserving and Enhancing Heritage Assets

Enfield Local Plan (Reg 18) 2021

- 8.7 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.
- 8.8 The Local Plan remains the statutory development plan for Enfield until such stage as the replacement plan is adopted and as such applications should Page 105 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.
- 8.9 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.
- 8.10 The Institute of Lighting Professionals, Professional Lighting Guide 05, The Brightness of Illuminated Advertisements

8.11 Other Material Considerations

National Planning Policy Framework 2021

National Planning Practice Guidance

9. **Analysis**

- 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 Applications for advertisement consent can only be considered on the basis of amenity and public safety.
- 9.3 The terms 'amenity' and 'public safety' are not defined in legislation. It is therefore open to each planning authority (and the Secretary of State on appeal) to interpret what is meant by these expressions as they apply in particular cases. In practice, 'amenity' is usually understood to mean the effect upon visual and aural amenity in the immediate neighbourhood of displaying the advertisement, or using an advertisement site, where passers-by, or people living there, will be aware of the advertisement. So in assessing amenity, it would be appropriate to consider the local characteristics of the neighbourhood. It also means aural amenity, so any noise the advertisement makes will be taken into account before express consent is given.
- 9.4 'Public safety' means the considerations which are relevant to the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians), over water or in the air. So, for this purpose, it would be appropriate to consider the likely effects of the advertisement in relation to such matters as the behaviour of drivers, possible confusion with any traffic sign or signal, or possible interference with a navigational light or aerial beacon. It has to be acknowledged in undertaking such an assessment that the purpose of the advertisement is to attract

people's attention. What matters therefore, is whether the advertisement, or the spot where it is to be sited, will be so distracting or so confusing that it creates a hazard for, or endangers, people who are taking reasonable care for their own and others' safety.

9.5 The main planning issues to consider therefore are as follows:

- Heritage, Character and Design Impact (Visual Amenity)
- Neighbouring Amenity
- Transportation (Public Safety)

Heritage, Character and Design Impact (Visual Amenity)

- 9.6 Policy DMD 41 requires advertisements to be of an appropriate size and type in relation to the premises and to the street scene. It also states that within the Area of Special Advert Control and within conservation areas, the size, siting and illumination of new advertisements must protect the special characteristics and overall visual amenity of the relevant designation. Adverts should not become visually dominant, nor result in unnecessary advertisement clutter and must be directly related to activities of the site on which they are displayed. In addition, Policy D8 of the London Plan (2021) seeks to ensure that lighting within the public realm is including for advertisements, should be carefully considered and well-designed in order to minimise intrusive lighting infrastructure and reduce light pollution.
- 9.7 Fountain Island Plaza is situated within the Enfield Town Conservation Area and is within the setting of a number of designated and non designated heritage assets. Consequently, the impact on visual amenity is more sensitive and will need careful consideration. Policy HC1 of the London Plan (2021) 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.
- 9.8 Policy DMD44 ("Conserving and Enhancing Heritage Assets") states that development which fails to conserve and enhance the special interest, significance or setting of a heritage asset will be refused. The design, materials and detailing of development affecting heritage assets or their setting should conserve the asset in a manner appropriate to its significance.
- 9.9 This is within the context of Core Strategy Policy CP30 ("Maintaining and improving the quality of the built and open environment") seeks to ensure that new developments are high quality and design-led, having regard to their context while Policy CP31 ("Built and Landscape Heritage") of the of the Core Strategy sets out a requirement that development should conserve and enhance designated and non-designated heritage assets. Furthermore, Policy DMD37 ("Achieving High Quality Design-Led Development") states that development that is not suitable for its intended function that is inappropriate to its context, or which fails to have appropriate regard to its surroundings, will be refused. However, it also recognised there is a degree of subjectivity in this assessment of acceptable design.
- 9.10 The proposed signage, which is to be illuminated by static led bulbs within the lettering would be attached to the roof of the trailer situated in the service layby. The "arrow" element is to be internally lit. Its purpose is to promote the business name. It is considered that the proposed size of the signage is proportionate in relation to the

trailer upon which it will be located. In addition, the individual letters present a minimal visual obstruction and preserve views onto the square from across the road.

- 9.11 In terms of the heritage statement, it comments that “the placement of the design elements has been carefully conceived to support the objective of animating the square whilst maintaining desire lines across the square. The food kiosk trailer is situated in an existing car parking bay on the carriageway. As such, it enhances the visual appeal of the townscape, compared to the previous use of the bay for car and van parking. The proposed use of the food kiosk trailer, associated signage and adjacent seating re-introduces an element of informal trading which will likely have characterised the use of the square historically.
- 9.12 The heritage statement concludes “The proposal makes a positive contribution to the townscape, using carefully placed and small scale interventions to re-establish the historic use of Fountain Island as a key civic square in Enfield Town.
- 9.13 Acknowledging also that the proposed use of the site is for an initial 3 year temporary period, it is considered that the proposed signage would not harm the character and appearance of the conservation area nor would it contribute to excessive visual clutter in the street scene. Therefore, the proposed signage would be acceptable in relation to Policy D8 and Policy HC1 of the London Plan 2021, CP 30 and CP 31 of the Enfield Core Strategy 2010, DMD 37, DMD 41 & DMD 44 of the Enfield Development Management Document 2014 and the National Planning Policy Framework 2021.

Neighbouring Amenity (Residential Amenity)

- 9.14 Policy DMD 41 resists development involving the installation of advertisements that are not: i) of an appropriate size and type in relation to the premises and to the street scene. The proposed digital displays will be static, and the letters will be externally illuminated, and the arrow aspect would be internally illuminated.
- 9.15 The proposed development is close to shops and other retail units within the town centre many of which exhibit a variety of advertisement and signage including illuminated signage. There is some residential accommodation at first and second floor levels in nearby premises but within the context of the town centre, the proposed signage will not give rise to conditions detrimental to residential amenity.
- 9.16 To safeguard standards of residential amenity and to ensure the signage continues to comply with regulation and guidance, conditions will be applied limiting the brightness and preventing the introduction of flashing lights

Transportation (Public Safety)

- 9.17 The Standing Advice from Traffic & Transportation is that advertisements and signage must not obstruct any sightlines or visibility or be in a position where they would be overly distracting to road users passing by; for example, advertisements which are located at decision making points for drivers and would be unduly distracting. The proposed signage would be located above the food trailer and would not interfere with vehicular, pedestrian or cycle traffic.
- 9.18 The proposed illumination of the signage is 200 candelas per metre squared (cd/m²), which is well below the maximum of 800 cd/m² for signs of their proposed size in an urban area as set out in by the Institute of Lighting Engineers in PLG05: The Brightness of Illuminated Advertisements. Furthermore, the illuminated side of the

signage would be located facing the Fountain Island. Hence the illumination of the advertisement would not dazzle or distract any vehicles on the public highway. A condition will be imposed to ensure illumination levels remain as proposed and remain fixed rather than flashing which could act as a distraction and cause harm to highway safety.

- 9.19 It is therefore concluded that the proposal would be acceptable in terms of transportation and public safety.

10. Community Infrastructure Levy (CIL)

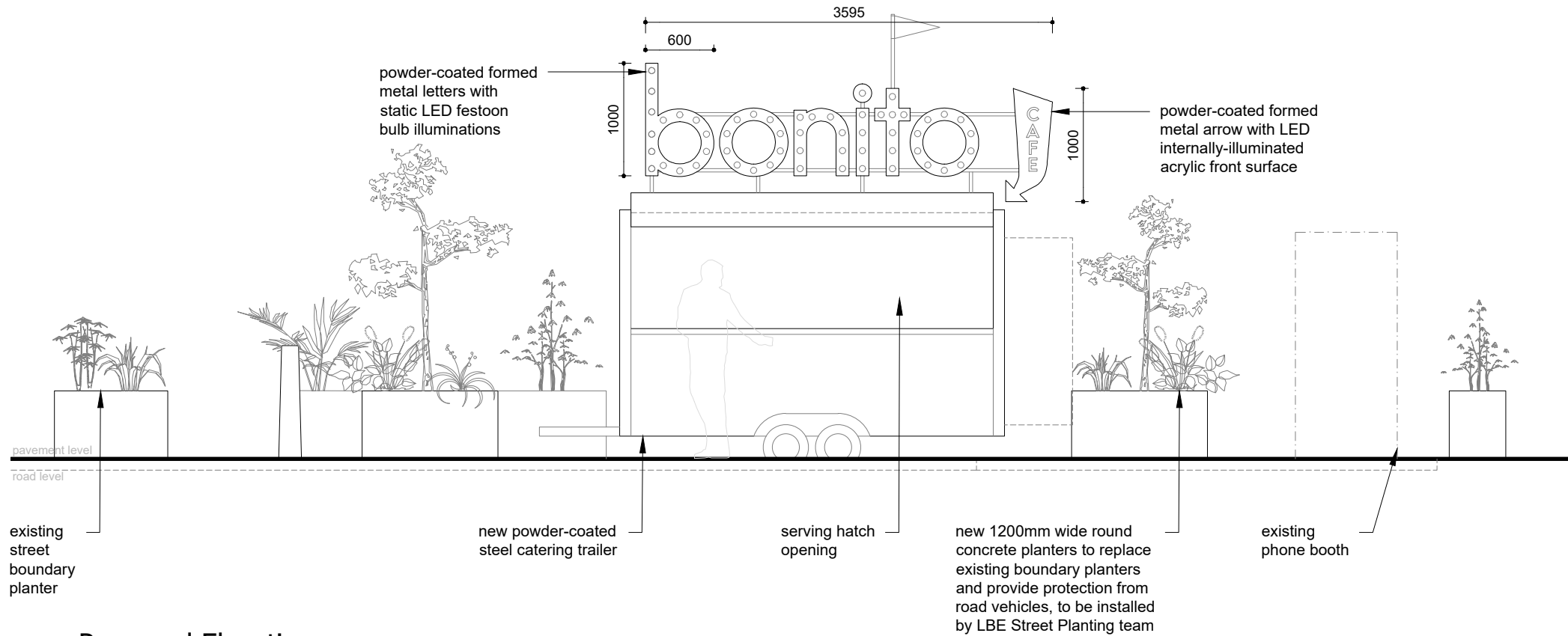
- 10.1 Applications for advertisement consent are not CIL liable.

11. Public Sector Equalities Duty

- 11.1 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.

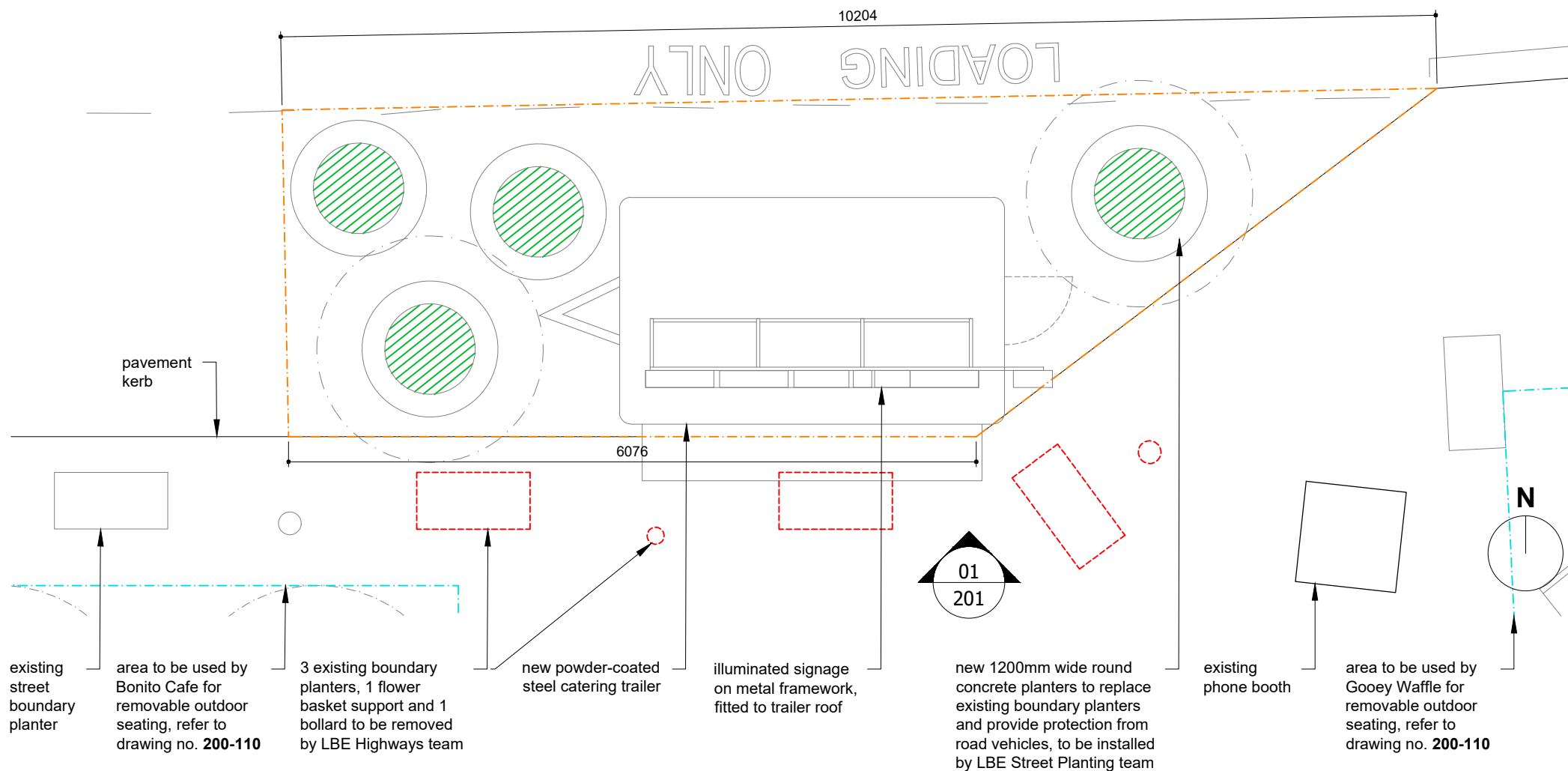
12. Conclusion

- 10.1 Having regard to the above assessment, it is considered the proposal is acceptable for the following reasons:
- a. The proposed advertisement does not result in any harm to the character of the Enfield Town Centre or the special character and appearance of the Conservation Area. It is of an appropriate size in relation to the food trailer upon which it will be located and not result in any visual clutter within the street scene.
 - b. The proposed signage will not result in any detrimental impact upon neighbouring amenity or public safety.
 - c. The proposal would not cause any unacceptable harm upon highway safety or the flow of traffic in the locality.
- 10.2 The proposed signage having regard also to the mitigation secured by the recommended conditions, is therefore considered to be acceptable in relation to development plan policies for the reasons noted above.



01 Proposed Elevation

Scale: 1:50



02 Proposed Plan

Scale: 1:50

Client
Enfield Council

Project name
Enfield Phase 2

Project number
200

Drawing name
Bonito Cafe Trailer - Pavement Elevation and Plan

Drawing number
201

Scale
1:50

Revision
-

Drawing status
Planning

Page size
A3

Date
18 02 2022

Drawn by
CT

Checked by
JK

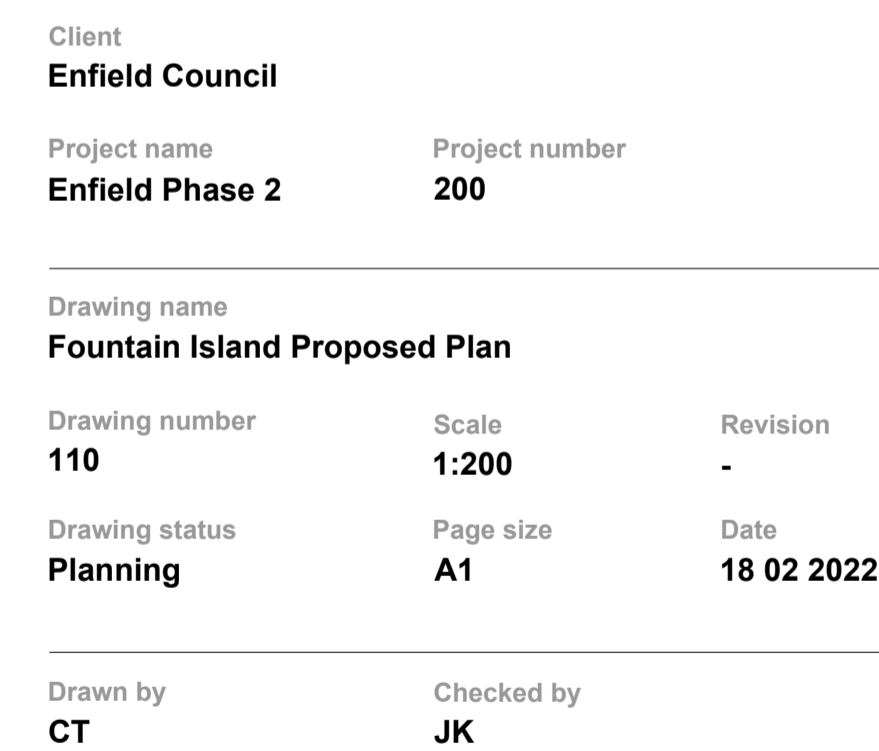
Do not scale from this drawing. Report any discrepancies. Copyright owned by Jan Kattein Architects.





Area boundary (24m²)

JAN KATTEIN ARCHITECTS

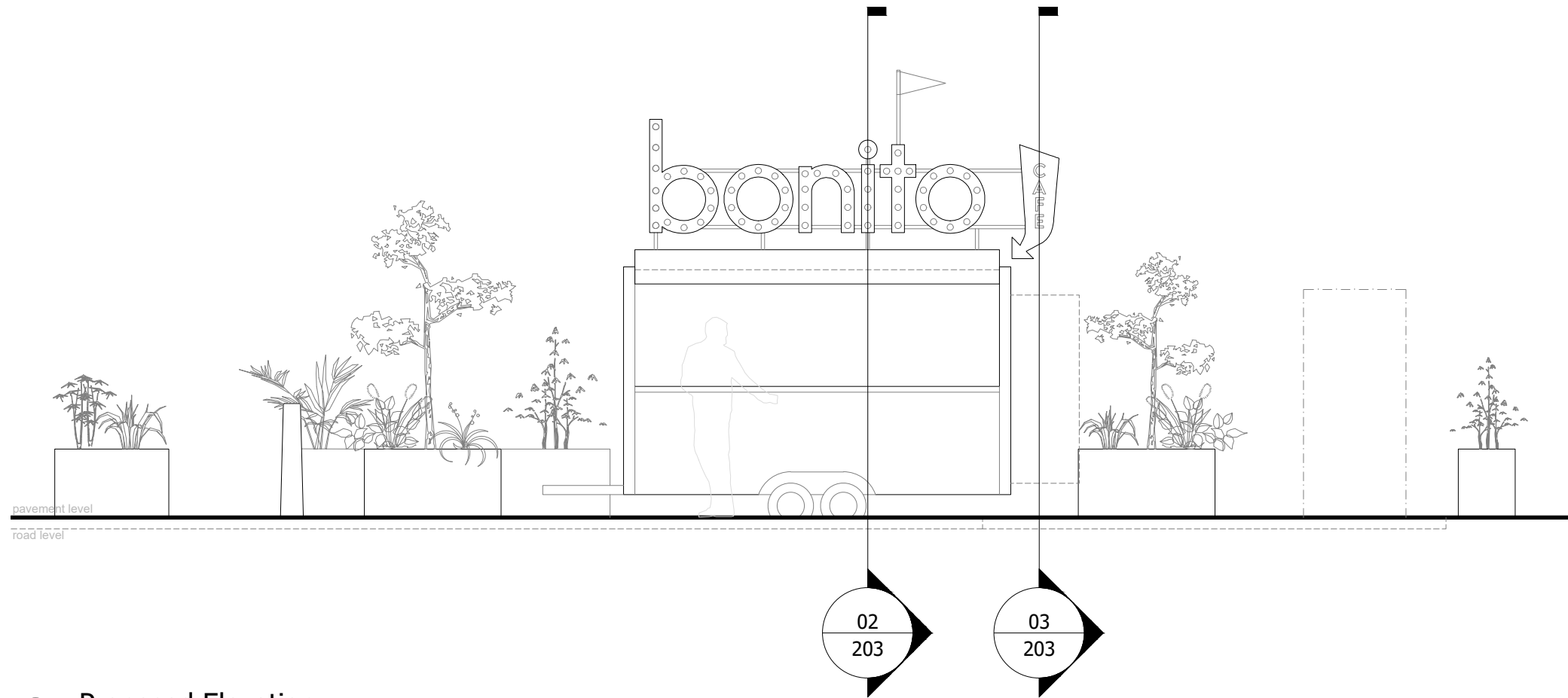
277 New North Road
London N1 7AA / UK
+44 [0]20 7704 0604

www.jankattein.com / mail@jankattein.com



-  Fountain Island boundary (1,465 m²)
-  Retained licensed business areas for outdoor removable street furniture
-  New or adjusted business areas for outdoor removable street furniture
-  Location of new stationary street furniture

277 New North Road
London N1 7AA / UK
+44 (0)20 7704 0604
www.jankattein.com / mail@jankattein.com



01 Proposed Elevation

Scale: 1:50

Client
Enfield Council

Project name
Enfield Phase 2

Project number
200

Drawing name
Bonito Cafe Trailer - Signage Details

Drawing number
203

Scale
1:50

Revision
-

Drawing status
Planning

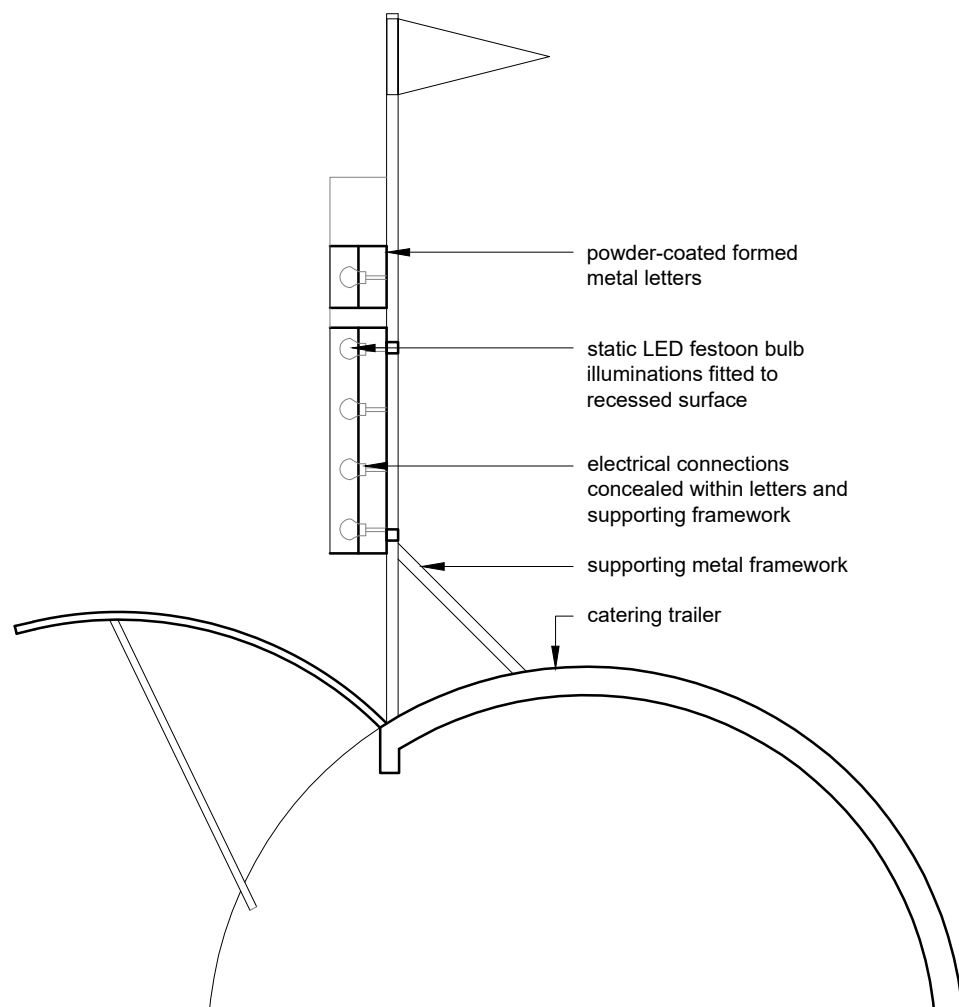
Page size
A3

Date
15 03 2022

Drawn by
CT

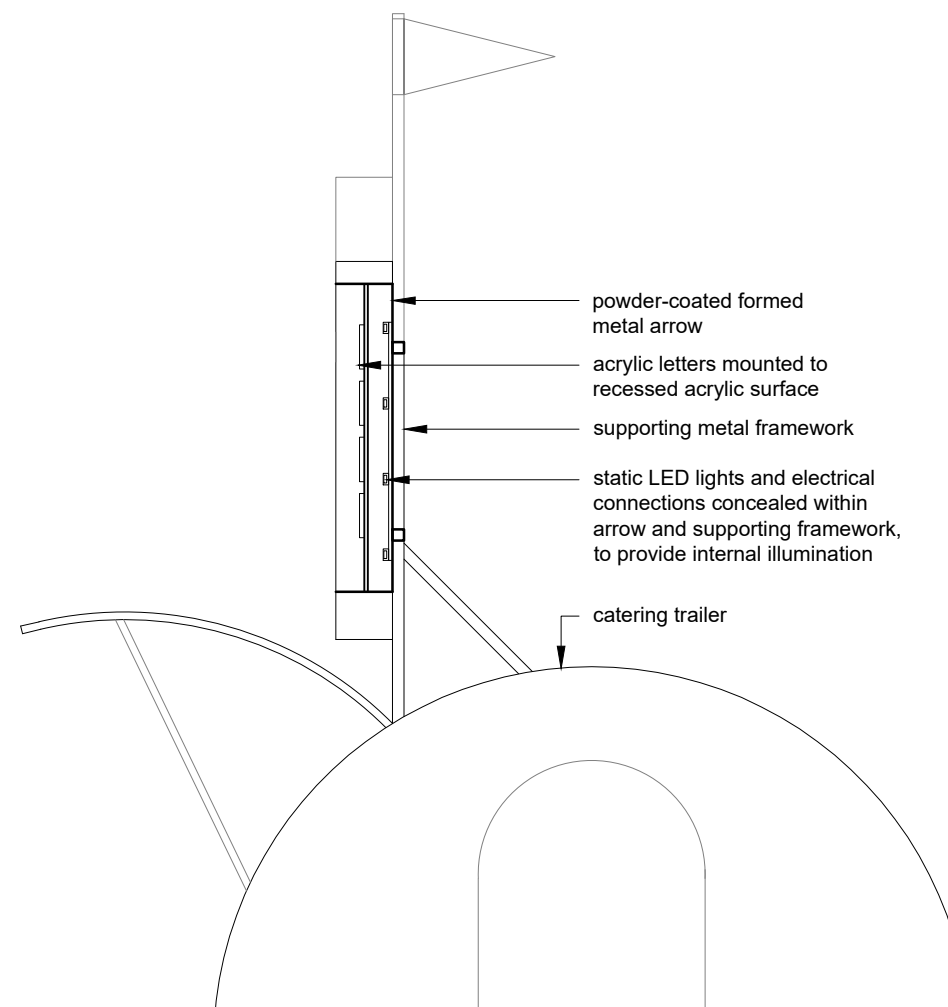
Checked by
JK

Do not scale from this drawing. Report any discrepancies. Copyright owned by Jan Kattein Architects.



02 Signage Section A

Scale: 1:20



03 Signage Section B

Scale: 1:20

JAN KATTEIN ARCHITECTS

277 New North Road
London N1 7AA / UK
+44 [0]20 7704 0604

www.jankattein.com / mail@jankattein.com



This page is intentionally left blank