

# Public Document Pack



## PLANNING COMMITTEE

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

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## MEMBERS

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

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

## AGENDA – PART 1

### 1. WELCOME AND APOLOGIES

### 2. DECLARATIONS OF INTEREST

To receive any declarations of interest.

### 3. MINUTES OF PREVIOUS MEETINGS (To Follow)

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

### 4. REPORT OF THE HEAD OF PLANNING (Pages 1 - 4)

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

### 5. **22/01738/FUL - 385 COCKFOSTERS ROAD, BARNET, EN4 0JS** (Pages 5 - 36)

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: Cockfosters

**6. 22/01739/FUL - 272 ST MARYS ROAD, LONDON, N9 8NP (Pages 37 - 54)**

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: Lower Edmonton

**7. 22/02415/FUL - CHURCH HALL, GROVE ROAD, LONDON, N11 1LX (Pages 55 - 94)**

RECOMMENDATION:

1. That subject to the finalisation of a Section 106 Agreement to secure the matters covered in this report and to be appended to the decision notice, the Head of Development Management be authorised to GRANT planning permission subject to conditions.
2. That the Head of Development Management be granted delegated authority to agree the final wording of both the Section 106 Agreement and conditions to cover the matters in the Recommendation section of this report.

WARD: New Southgate

**8. 22/00716/FUL - CELBIC HALL, LANCASTER RD, ENFIELD, EN2 0DW (Pages 95 - 194)**

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: Whitewebbs

## **9. FUTURE MEETING DATES**

To note that the dates of future meetings are as follows:

Tuesday 13 December 2022  
Tuesday 10 January 2023 \* Provisional  
Tuesday 24 January 2023  
Tuesday 7 February 2023 \* Provisional  
Tuesday 21 February 2023  
Tuesday 7 March 2023 \* Provisional  
Tuesday 21 March 2023  
Tuesday 18 April 2023

These meetings will commence at 7:00pm and will be held in the Conference Room at the Civic Centre.

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**London Borough of Enfield****Committee: PLANNING COMMITTEE****Meeting Date: 22<sup>nd</sup> November 2022**

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

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**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 the reported information.

**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. On the Schedules attached to this report, recommendations in respect of planning applications and applications to display advertisements are set out.
9. Also set out in respect of each application is a summary of any representations received. Any later observations will be reported verbally at your meeting.
10. In accordance with delegated powers, 369 applications were determined between 05/10/2022 and 08/11/2022, of which 237 were granted and 42 refused.
11. A Schedule of Decisions is available in the Members' Library.

### **Safeguarding Implications**

12. None

### **Public Health Implications**

12. None

### **Equalities Impact of the Proposal**

14. None

### **Environmental and Climate Change Considerations**

15. None

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

16. Not applicable

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

17. Not applicable

### **Financial Implications**

18. None

### **Legal Implications**

19. None

**Workforce Implications**

20. None

**Property Implications**

21. None

**Other Implications**

22. None

**Options Considered**

23. None

**Conclusions**

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

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

**Date of report: 10.11.2022**

**Appendices**

None.

Background Papers

To be found on files indicated in Schedule.

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**LONDON BOROUGH OF ENFIELD****PLANNING COMMITTEE****Date:** 22 November 2022**Report of**

Head of Planning

**Contact Officers:**Andy Higham  
David Gittens  
Kate Perry**Category**

Minor Application

**Ward**

Cockfosters

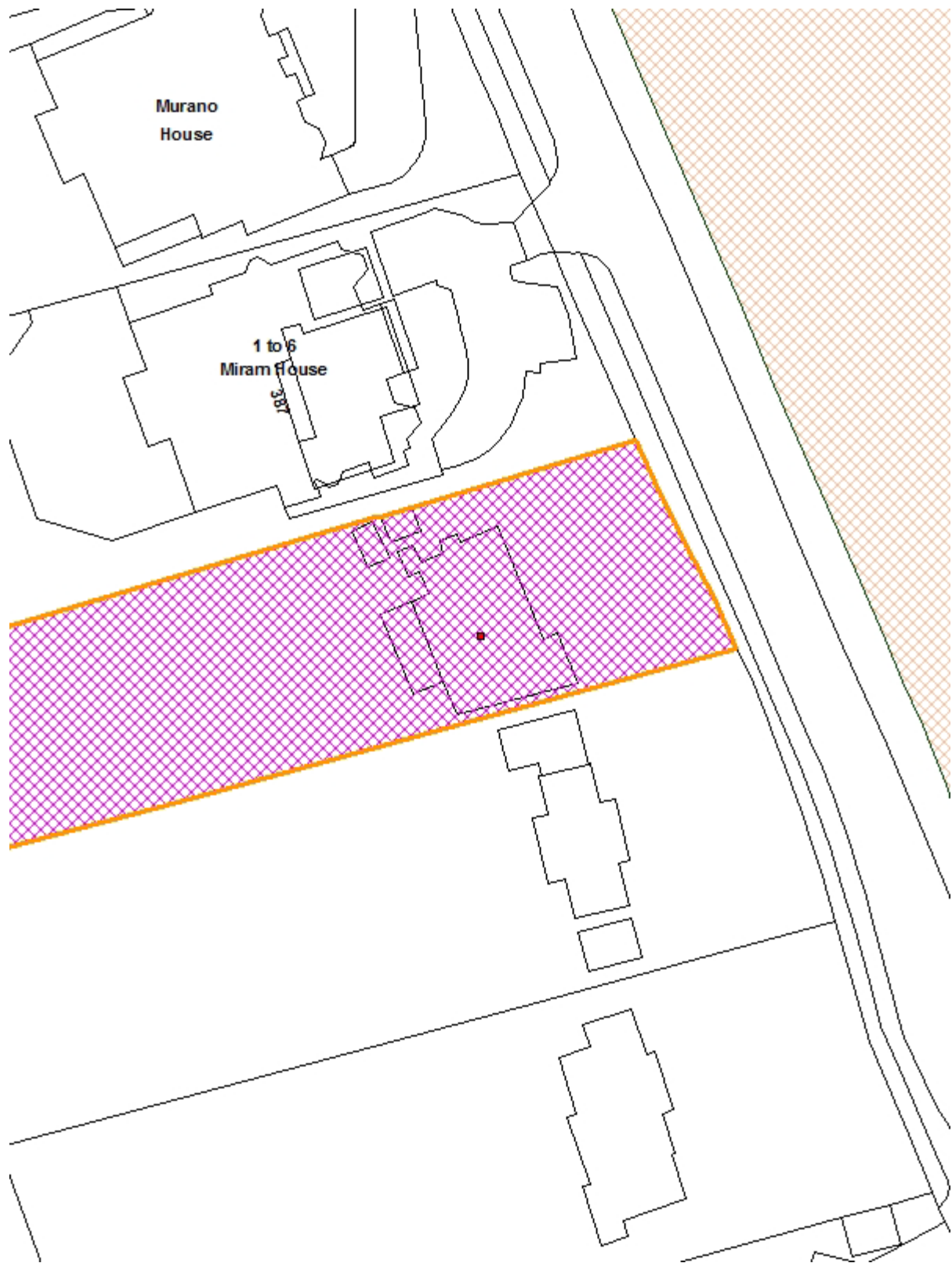
**Councillor Request**

Councillor Alessandro Georgiou

**LOCATION:** 385 Cockfosters Road Barnet EN4 0JS**APPLICATION NUMBER:** 22/01738/FUL**PROPOSAL:** Redevelopment of the site involving demolition of existing dwelling house and erection of a 3-storey block comprising of 9 self-contained flats, car parking spaces and new landscaping (REVISED DESCRIPTION)**Applicant Name & Address:**Mr Ellinas  
385 Cockfosters Road  
Barnet  
EN4 0JS**Agent Name & Address:**Nick Makasis  
GML Architects  
Unit 3, 1-4 Christina Street  
London  
EC2A 4PA**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: 22/01738/FUL    **LOCATION: 385 Cockfosters Road, Barnet, EN4 0JS,**



## **1 Note for Members**

- 1.1 This case was reported to the Planning Committee of 18 October 2022 but was deferred for:
- inaccuracies of the report of Officers regarding Policy DMD3 (as a consequence paragraph 9.2.7 has been adjusted;
  - the inadequacy of car parking provision,
  - insufficient replacement trees proposed; and,
  - the impact of the outbuilding, which was out of character in the area and would be likely to set a precedent for any future development in the vicinity.
- 1.2 This report is an adjustment of the original report to the Committee that seeks to address all of the above reasons.
- 1.3 Although a planning application of this nature would normally be determined under delegated authority, the application is been reported to the Planning Committee for determination at the request of Cllr Georgiou due to the level of local interest.

## **2 Recommendation**

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

1. Time Limit
2. Approved Plans
3. Approved Housing Mix
4. Finishing Materials
5. Surfacing Materials
6. Means of Enclosure
7. SuDS Implementation
8. Landscaping
9. Demolition and Construction Plan – Transport
10. Demolition and Construction Plan – Environmental Health
11. Control of Non-Road Mobile Machinery (NRMM)
12. No Impact Piling
13. Insulation and Ventilation
14. Tree Protection
15. Tree Planting (9 replacement trees for 6 removed)
16. Ecology
17. Bat and Bird Boxes
18. Nesting Birds

- 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 applicant originally sought permission for the redevelopment of the site involving demolition of existing dwelling house and erection of a 3-storey block comprising of 9 self- contained flats, together with single storey garden pavilion at rear, 9 car parking spaces and new landscaping.
- 3.2 However, following the deferral of the application at the meeting of the Planning Committee of 18 October 2022, the applicant has revised the application and removed the single storey garden outbuilding from the proposal and has included an additional parking space (now 10 parking spaces).

3.3 The scheme is considered acceptable for the following reasons:

1. It would provide 56% family-sized units (3 bedroom) (see section 9.2 of this report).
2. All units meet DCLG and London Plan Space Standards including gross internal areas, private outdoor amenity space, habitable room outlook and, floor to ceiling heights (see section 9.3 of this report). It is sympathetically designed and in keeping with the emerging pattern of development (see section 9.4 of this report).
3. It does not have an unacceptable impact on neighbouring amenity (see section 9.5 of this report).
4. It meets London Plan parking standards including electric vehicle capabilities, cycle parking and disabled parking (see section 9.6 of this report).
5. It meets Energy and Water consumption requirements of 35% over part L 2013 standard (the development achieves 63.31% and uses PV panels and individual heat pumps) and 105litres per person per day (see section 9.11 of this report).

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

- 4.1 The application site is located on the west side of Cockfosters Road, which slopes south to north. The parallelogram-shaped site has an area of approximately 0.25ha in size or 2,500m<sup>2</sup>, a depth of 91m and 24m wide. There is a significant fall in the site from the front to the back of approximately 7 metres over the 100 metre depth of the site. It sits between Miriam House (387) and Sambrook Court (383), both granted permission for redevelopment in 2014 and 2017 respectively.
- 4.2 The site contains a detached two-storey dwellinghouse with accommodation in the roof. The site has two vehicular access which lead to a paved area at the front for parking. The site has a large rear amenity space that stretches down towards Hadley Wood Golf Course which runs across the bottom of the site and is designated Green Belt. The site also faces further Green Belt which begins on the opposite side of Cockfosters Road. The site comprises a number of mature trees.
- 4.3 The surrounding area is predominantly residential in nature and is characterised by large family houses on large expansive plots set away from the highway. Dwellings generally have large front driveway/ gardens areas and large, deep rear gardens that back down onto Hadley Wood Golf Course to the rear of the site. More recently there have been a number of approved developments in the area for apartment blocks (please see relevant planning history), a number of which have been constructed.
- 4.4 The site has a PTAL 1a designation, representing very poor access to public transportation services. The closest northbound bus stop is approximately 50m away and the closest southbound bus stop is 118m away. Cockfosters Underground Station is approximately 1.3km to the south and Hadley Wood Train Station approximately 1.9km to the north-west.
- 4.5 The site is within Flood Zone 1. Areas classified as Flood Zone 1 are those that have less than a 0.1% chance of flooding.
- 4.6 The site is not located in a Conservation Area and does not contain a Listed Building.

#### **5 Proposal**

- 5.1 The applicant seeks permission for the redevelopment of the site involving demolition of existing dwelling house and erection of a 3-storey block comprising of 9 self-



contained flats, car parking spaces and new landscaping.

5.2 The development would create 5 x 3bed, 3 x 2bed and 1 x 1bed self-contained units.

5.3 Cycle storage and refuse storage would be located at the front of the site.

5.4 The site will retain one of two existing vehicular accesses.

## 6 Consultations

### Internal

Consultee	Objection	Comment
LLFA	No	No objection following provision of additional information. Condition required regarding implementation of approved drainage/SuDS
Environmental Health	No	Conditions required regarding emissions and non-road mobile machinery, no impact piling without approval from LPA, limits on sound during construction and the requirement of a construction management plan.
Trees	No	No objection subject to the Arboricultural report being adhered to.
Transportation	N	Condition required regarding construction management plan

### External

6.1 Historic England: No objection

### Public

Number notified	35
Consultation start date	09.06.2022
Consultation end date	03.07.2022
Representations made	3
Objections	2
Other/support comments	1

6.2 Three representations were made during the consultation period, two objections and one comment in support of the proposal. The representations may be summarised as follows:

- Overdevelopment
- Too close to adjoining properties
- General dislike of proposal
- Inadequate private amenity space
- Strain on local infrastructure
- Strain on community facilities
- Increase in traffic
- Inadequate public transport provisions
- Increase of pollution
- Noise nuisance
- Inadequate parking

## 7 Relevant Planning History

### ***Application Site***

- 7.1 21/02557/PREAPP | Proposed demolition of single family dwelling and creation of 9 self-contained units  
Closed 29.07.2021
- 7.2 TP/04/0093 | New pitched roof to replace existing flat roof together with loft conversion incorporating a rear dormer window.  
Granted with conditions 23.02.2004
- 7.3 TP/95/0638 | Construction of hipped roof at side of existing house, construction of boiler housing at side, and erection of a front entrance porch, and raised patio to rear.  
Granted with conditions 18.09.1995
- 7.4 TP/73/0953 | 2 STOREY  
Granted with conditions 03.09.1973

### ***Sites along Cockfosters Road***

- 7.5 **357 Cockfosters Road**  
20/01831/FUL | Redevelopment of site involving demolition of buildings and erection of 2 storey building with rooms in roof to provide 24 residential units within 3 blocks with basement level associated parking and landscaping.  
Refused (20.10.2020) for the following reasons:
1. Overdevelopment
  2. Substandard private and communal outdoor amenity space
  3. Overlooking
  4. Overprovision of parking
  5. Inadequate cycle storage
  6. Inadequate refuse and recycling storage
  7. Impact on and loss of trees and absence of AIA
  8. Inadequate affordable housing provision
  9. Failure to meet SuDS requirements
  10. Lack of FRA submitted in relation to basement
- 7.6 **397 Cockfosters Road**  
20/00353/FUL | Redevelopment of site and erection of part 2, part 3 storey building with lower ground level (basement) to provide 11 self-contained flats with solar panels, terraces and balconies and associated landscaping and parking.  
Granted with conditions 24.02.2021 (granted at Planning Committee 24.11.2020)
- 7.7 **381 Cockfosters Road**  
17/02323/FUL | Redevelopment of site and erection of 2 storey block of 9 self-contained flats comprising 8 x 2 bed and 1 x 3 bed with basement level, terraces and balconies, installation of lift and associated parking and landscaping.  
Granted with conditions 17.05.2018
- 7.8 P14-02203PLA | Redevelopment of site and erection of a new block of 9 flats (comprising of 1 x 3 bed, 6 x 2 bed and 2 x 1 bed).  
Granted with conditions 20.03.2015

7.9 **383 Cockfosters Road**  
P14-02130PLA | Redevelopment of the site to create 9 flats (6x2-beds,3x3-beds) and associated parking.  
Granted with conditions 27.04.2017

7.10 **387 Cockfosters Road**  
P13-03013PLA | Demolition of existing dwellinghouse and erection of a 2-storey block of 6 x 2 bed self-contained flats, incorporating accommodation in basement and roof space, rear balconies and terraces, basement car parking, provision of associated surface car parking together with detached refuse building to front of site.  
Granted with conditions 09.06.2014

## 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.

### National Planning Policy Framework 2021 (NPPF)

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:

D3: Optimising site capacity through the design-led approach

D4: Delivering good design

D5: Inclusive design

D6: Housing quality and standards

D7: Accessible housing

D14: Noise

G3: Metropolitan open land

GG4: Delivering the homes Londoners need

GG6: Increasing efficiency and resilience

H1: Increasing housing supply

H2: Small sites

H10: Housing size mix

SI 2: Minimising greenhouse gas emissions

SI 5: Water infrastructure

SI 7: Reducing waste and supporting the circular economy

SI 12: Flood risk management

SI 13: Sustainable drainage

T1: Strategic approach to transport

T2: Healthy Streets

T5: Cycling

T6: Car parking

T6.1: Residential parking

### 8.2 Core Strategy (2010)

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

CP 2: Housing Supply and Locations for New Homes

CP 4: Housing Quality

CP 5: Housing Types

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 28: Managing Flood Risk Through Development  
CP 30: Maintaining and Improving the Quality of the Built and Open Environment

### 8.3 Development Management Document (2014)

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

DMD 3: Providing a Mix of Different Sized Homes  
DMD 4: Loss of Existing Residential Units  
DMD 6: Residential Character  
DMD 7: Development of Garden Land  
DMD 8: General Standards for New Residential Development  
DMD 9: Amenity Space  
DMD 10: Distancing  
DMD 11: Rear Extensions  
DMD 37: Achieving High Quality and Design-Led Development  
DMD 38: Design Process  
DMD 45: Parking Standards and Layout  
DMD 46: Vehicle Crossovers and Dropped Kerbs  
DMD 47: Access, New Roads and Servicing  
DMD 48: Transport Assessments  
DMD 49: Sustainable Design and Construction Statements  
DMD 51: Energy Efficiency Standards  
DMD 53: Low and Zero Carbon Technology  
DMD 56: Heating and Cooling  
DMD 58: Water Efficiency  
DMD 59: Avoiding and Reducing Flood Risk  
DMD 61: Managing Surface Water  
DMD 68: Noise  
DMD 79: Ecological Enhancements  
DMD 80: Trees on Development Site  
DMD 81: Landscaping  
DMD 83: Development adjacent to the Green Belt

### 8.4 Other relevant Policy/Guidance

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
DCLG Technical Housing Standards – Nationally Described Space Standard (2015)  
London Housing SPG (2016)  
London Cycle Parking Standards – Chapter 8  
London Borough of Enfield Strategic Housing Market Assessment (2015)  
Enfield Local House Needs Assessment (2020)  
Enfield Waste and Recycling Storage Planning Guidance EN20/V2 (2020)  
Enfield Strategic Flood Risk Assessment (2008)

## 9 Analysis

### 9.1 Principle of the Development

- 9.1.1 The NPPF and London Plan advise that local authorities should seek to deliver a wide choice of high-quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Furthermore, Para 120 of 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.
- 9.1.2 In principle therefore, the use of this site for residential purposes and more intensive residential development (where this is compatible with the character and amenities of the locality) is supported. Moreover, given the existing context of housing need within the Borough, the proposed 9 new dwellings (net increase of 8 which addresses the loss of the existing family dwelling house) would make a positive contribution towards meeting the strategic housing needs of Greater London and increasing the housing stock of the Borough in accordance with the National Planning Policy Framework (NPPF) and the Policy CP5 of the Enfield Core Strategy (2010). In this context, it is acknowledged the redevelopment of the site could help delivery and contribute to the Council's strategic housing delivery targets which is welcome.
- 9.1.3 It is also considered the proposal would be compatible with Policy GG2 (Making the best use of land) of the London Plan (2021). The policy seeks development to meet the following:
- c) proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling
  - d) applying a design-led approach to determine the optimum development capacity of sites
- 9.1.4 Notwithstanding the presumption in favour of sustainable development and the tilted balance to be applied in assessing and weighing up the benefits of the scheme, it is important to consider the proposed development on its own merits and that it is assessed in relation to other material considerations. This will enable an informed opinion to be reached as to whether on balance the impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

### 9.2 Housing Need and Tenure Mix

- 9.2.1 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.
- 9.2.2 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.

- 9.2.3 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).
- 9.2.4 The application site accords with Policy H1's identified need for housing and is appropriate for development for residential housing schemes.

#### *Affordable Housing Provision*

- 9.2.5 With reference to Policies CP3 and DMD 1 (Affordable Housing on sites capable of providing 10 units or more), no affordable housing is required to be provided in connection with this proposal as the development involves less than 10 units

#### *Housing Mix*

Policy DMD3 encourages a mix of housing types to be provided in residential development proposals. Whilst policy CP5 of the Core Strategy states that where less than 10 units are created, developers are encouraged to provide different sized homes. For market housing this includes 20% 1 and 2 bed units (1-3 persons), 15% 2 bed units (4 persons), 45% 3 bed units (5-6 persons), and 20% 4+ bed units (6+persons) persons.

- 9.2.6 The proposed development would provide 56% of family sized homes, with 2 of them located at ground floor level and 2 at first floor level, all with adequate private amenity space and access to a large outdoor communal space and with use of a lift. The proposed units are considered acceptable and no objection is raised on this basis.

3 bedroom units	56% (5 units)
2 bedroom units	33% (3 units)
1 bedroom units	11% (1 unit)

Table 1: Proposed housing Mix

### 9.3 Standard of Accommodation

- 9.3.1 Policy DMD8 of the Development Management Document and Policy D6 of the London Plan set minimum internal space standards for residential development. The Department for Communities and Local Government's Technical Housing Standards - Nationally Described Space Standard (2015) applies to all residential developments within the Borough. The London Plan Housing SPG adopted in 2016 has been updated to reflect the Nationally Described Space Standards.
- 9.3.2 All units would meet or exceed the minimum Gross Internal Area (GIA) and built in storage requirements in line with space standards and Policy D6 of the London Plan. In addition, all bedrooms exceed minimum space standards outlined in policy D6 of the London Plan, including the two single bedrooms which both exceed the required 2.15m in width. All habitable rooms would have a floor to ceiling height of 2.5m. No objection is raised.

Unit	Type	Proposed GIA m <sup>2</sup>	Minimum required m <sup>2</sup>	Floor level	Proposed Storage m <sup>2</sup>	Minimum m <sup>2</sup>	Complies
1	3B6P	135	95	GF	3	2.5	Y
2	2B4P	98	70	GF	3	2	Y
3	3B6P	105	95	GF	3	2.5	Y
4	3B6P	130	95	FF	3	2.5	Y
5	2B4P	71	70	FF	3	2	Y
6	3B6P	97	95	FF	2.5	2.5	Y
7	3B5P	90	86	SF	2.5	2.5	Y
8	1B2P	55	50	SF	2	1.5	Y
9	2B3P	68	61	SF	2.5	2	Y

Table 2: Proposed GIA and built in storage by unit measured against London Plan policy D6 and table 3.1.

- 9.3.3 All bedrooms across all units (22 in total) have either front or rear facing (or both) windows. It is noted that three bedrooms (unit 1, B3, unit 4, B3 and unit 7, B3) rely on windows created by a box projecting from the flank of the proposed building in order to avoid side facing windows. A similar design was introduced on the scheme for the redevelopment of the neighbouring site at 387 Cockfosters Road and is considered acceptable.

#### *Private Amenity Space*

- 9.3.4 Policy DMD9 and Policy D6 of the London Plan require new development to provide good quality amenity space that is not significantly overlooked by surrounding uses. Policy D6 specifically seeks a minimum of 5m<sup>2</sup> of private outdoor space should be provided for 1-2 person dwellings and an extra 1m<sup>2</sup> should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.
- 9.3.5 All units exceed the minimum standards outlined in Policy D6 of the London Plan (see table 3).

Unit	Type	Proposed amenity (m <sup>2</sup> )	Minimum required (m <sup>2</sup> )	Achieves min depth and width of 1.5m
1	3B6P	21	9	Y
2	2B4P	35	7	Y
3	3B6P	44	9	Y
4	3B6P	9.5	9	Y
5	2B4P	27	7	Y
6	3B6P	14.5	9	Y
7	3B5P	10	8	Y
8	1B2P	13.8	5	Y
9	2B3P	8.5	6	Y

Table 3: Private outdoor amenity space measured against London Plan policy D6

- 9.3.6 In addition to private amenity space all units have access to the large communal garden to the rear. It is considered the amenity space arrangements are therefore acceptable.



9.4 Impact on the Character of the Surrounding Area

- 9.4.1 Chapter 2 'Spatial Development patterns' of the London Plan (Para 2.0.3) highlights that if London is to meet the challenges of the future, all parts of London will need to embrace and manage change. Not all change will be transformative – in many places, change will occur incrementally. This is especially the case in outer London, where the suburban pattern of development has significant potential for appropriate intensification over time, particularly for additional housing
- 9.4.2 Paragraph 3.1.7 of Policy D1 states as change is a fundamental characteristic of London, respecting character and accommodating change should not be seen as mutually exclusive. Understanding of the character of a place should not seek to preserve things in a static way but should ensure an appropriate balance is struck between existing fabric and any proposed change. Opportunities for change and transformation, through new building forms and typologies, should be informed by an understanding of a place's distinctive character, recognising that not all elements of a place are special and valued.
- 9.4.3 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".
- 9.4.4 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 Policy DMD 6 provides standards for new development with regards to scale and form of development, housing quality and density. Moreover, Policy DMD 37 encourages development to achieve a high quality and be design led. This is re-iterated by Policy CP30 of the Core Strategy as well as the fundamental aims of the NPPF. Policy CP30 seeks to maintain and improve the quality of the built and open environment. The fundamental aim of the NPPF is to secure sustainable development and to achieve sustainable development. A development is required to have a good design.
- 9.4.5 In terms of density of the site, the London Plan (2021) does not include a numerical standard for density, however, it is considered that by virtue of all space standards being met, and in addition adequate setback from the front and a large rear amenity space being retained, that the density of development would be acceptable.
- 9.4.6 With reference to the aforementioned policy context, Cockfosters Road has a varied appearance with recent development having a neo-Georgian form dwellings through development of similar blocks of flats. These retain a deep frontage and large area of amenity space but tend to include three floors of accommodation by utilising the roof.
- 9.4.7 The proposed design has been revised following discussions involving the applicant and the Council's urban design team. As a result, the roof profile reflects that of neighbouring development (aside from No 383 which is of a more modern design), the proposed building has been positioned further away from the road and at least 1.5m of defensible space has been included for front facing windows in Units 1 and 3 (ground floor).

- 9.4.8 When reviewing the front elevation, the height of the proposed building and its roof formation would respect that of its neighbours and would only be approximately 0.6m taller at its ridge than the existing dwelling at its highest point. This would not have any significance on the overall appearance in the street scene. The roof would be hipped with a flat crown and the space utilised for a green roof, photovoltaic panels and an extractor unit for the heat pumps, alongside flat rooflights and one long lantern rooflight positioned toward the front, providing light to the communal hallway.
- 9.4.9 The proposed is slimmer than its immediate neighbours, owing to the site being less wide by comparison. The proposed bears more resemblance to the adjacent No 387 Cockfosters Road with a central gable, modest front dormers and a colonnade entrance, however the proposed design is simpler in form.
- 9.4.10 In terms of materials, the development would use London Stock Yellow brick (similar to Nos 383 and 389) but with diamond pattern detailing to the front and flank elevations. Further detailing would be provided with white cast stone string courses inserted to demarcate the floor levels and for the door and window surrounds and keystones. The roof would comprise grey slate tiles and the dormers zinc cladding, similar to Nos 379, 383, 387 and 389. The overall proposed design of the building is considered to be acceptable within the street scene.
- 9.4.11 In terms of massing and proximity to boundaries, drawing 4374/PA/031 indicates the proposed building would be sited 1.6m from the north boundary with No 387 and 2m from the south boundary with No 383. This is comparable to the recently developed No 383. No 387 does retain more distance to the boundary, however owing to the proposed being slimmer, the impact would not result in an overdominance nor lead to the creation of a continuous facade.
- 9.4.12 The rear of the proposed resembles that of the front in terms of material palette and design. Whilst adjacent neighbours have either dug down or included basement levels, the subject property has not and would incorporate wide steps down to the rear amenity space from private amenity terraces for the ground floor units. The steps would not be considered to be over-dominant in their context. Each balcony is enclosed with visually permeable metal railings, similar to those at No 383. The design at the rear is considered to be acceptable.

## 9.5 Impact on the Neighbouring Amenity

- 9.5.1 The National Planning Policy Framework identifies as a core planning principle that planning should always seek a high quality of design and a good standard of amenity for all existing and future occupants of land and buildings. Policy D3 of the London

Plan states that developments should have appropriate regard to their surroundings and enhance the local context. Policy CP 30 of the Core Strategy seeks to ensure that new developments are high quality and design-led, having regards to their context. Policy DMD 8 states that new developments should preserve amenity in terms of daylight, sunlight, outlook, privacy, overlooking, noise, and disturbance.

9.5.2 Policy DMD 11 requires that a single-storey rear extension does not exceed a 45-degree line taken from the nearest neighbouring ground floor window or secure a common alignment of rear extensions. It also requires that first floor or higher rear extensions must not exceed a 30-degree line taken from the nearest corresponding neighbouring windows. Although not a rear extension, the above criteria are helpful in assessing impact to neighbours.

9.5.3 The properties most impacted by the proposed development are the immediate neighbours, Nos 383 and 387 Cockfosters Road.

#### ***383 Cockfosters Road and 387 Cockfosters Road***

9.5.4 The main building breaches neither 45-degree nor 30-degree guidance. There are no flank windows proposed which would face No 383 or No 387.

#### ***Both neighbours***

9.5.5 It is recognised that due to the number of prospective occupiers and the balconies proposed, a greater sense of overlooking may be perceived for the immediately neighbouring occupiers. However, this is likely to be a similar position for a number of residents in the immediate length of Cockfosters Road and given the emerging pattern of development, notwithstanding the tilted balance that must be given weight in the overall planning balance of acceptability, is not considered to be unacceptable or lead to harm justifying a reason for refusal.

9.5.6 With regard to concerns raised about additional noise, pollution and disturbance, it is acknowledged that the proposed development will intensify the use of the site. However, given the spacing and separation to neighbouring properties and the overall size of the subject site, the quantum of development proposed is not considered unacceptable in this context. Furthermore, it will contribute to much need housing (including family accommodation) which will contribute to the strategic housing needs

of the Borough. On the advice of the Environmental Health Consultee conditions regarding construction vehicle emissions and non-road mobile machinery, restrictions on impact piling, as well as limits on sound levels during construction and the requirement of a construction management plan will be added to the decision, should permission be granted.

## 9.6 Highways, Access Car and Cycle Parking, Servicing and Construction Traffic

9.6.1 Policy DMD8 requires new residential development to provide adequate parking while DMD45 seeks to minimise car parking and to promote sustainable transport options. The Council recognises that a flexible and balanced approach needs to be adopted to prevent excessive car parking provision while at the same time recognising that low on-site provision sometimes increases pressure on existing streets.

9.6.2 Policy T6.1 of the London Plan (2021) sets out maximum parking standards for different land uses, as well as EV charging and disabled parking provision. The site has a Public Transport Accessibility Level (PTAL) of 1a which indicates that access to frequent public transport is very poor. Table 4 below provides a summary of the proposed parking which meets London Plan standards.

<b>London Plan Guidance</b>	<b>Maximum for development according to guidance</b>	<b>Proposed</b>
<b>Up to</b> 1.5 spaces per dwelling for 1-2 and 3+ bedroom dwellings in an outer London area with a PTAL rating of 1a	13.5 spaces (1.5 per unit)	9 spaces (1 per unit)
EV capabilities	20%	33%
Passive EV provision	Remaining spaces	All remaining spaces
Disabled parking	No numerical requirement for under 10 units	2 spaces

Table 4: Vehicular parking provision

9.6.3 At the meeting of the Planning Committee the provision of parking spaces within the scheme was discussed, whereupon it was suggested that the provision of an additional 10<sup>th</sup> car parking space, for visitors, could be reasonably accommodated within the scheme in order to reduce concerns of local residents with regard to pressures of on-street parking demand.

9.6.4 Accordingly, following the meeting, the applicant has now provided a revised parking layout that demonstrates parking for 10 cars on the site.

9.6.5 The Transport Statement which indicates the development is of a size that does not require a residents Travel Pack, all residents will be provided with a Travel Pack to encourage sustainable non-car travel. This is welcomed as mitigation and taking the likelihood of any on street parking and that the standard is a maximum, the revision is acceptable.

9.6.6 The Transport Statement also indicates that prior to commencement a Construction Logistics Plan will be provided. The LPA agree and this report already indicates that should permission be granted a Construction Management Plan would be required as a condition prior to commencement.

9.6.7 It is noted by the Transportation Consultee that the most northward of the two site accesses will be closed and the more southward access will be widened to 4.9m and will allow two cars to pass. The access will be set back 5m from the highway so vehicles

may wait off of Cockfosters Road. Following further information being provided by the applicant in the form of visibility splays which confirmed are proposed at 0.6m for 2m either side of the access, the Transportation Consultee raised no objection to the access for the site. The applicant should note that any works in relation to crossovers or the highway will be undertaken by the Local Authority and at the applicants expense. It is also noted that the maximum width for a crossover is limited to 4.8m and on application for the crossover, the proposed may need to be reduced. An informative regarding this will be included in the decision notice should permission be granted.

9.6.8 A total of 18 long stay cycle parking spaces and two short-stay cycle parking spaces are required for the proposed development in accordance with the London Plan. Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycle Design Standards (e.g. covered, secured, lit, etc.). Following additional information being provided regarding design and that the cycle storage is enclosed with solid walls rather than having open mesh sides, the Transportation Consultee raised no objection. It is noted there are two secure cycle units in front of flats 1 and 3 on the ground floor, these will be for the respective flat's use only to prevent unacceptable impact on amenity.

9.6.9 Policies DMD45 and DMD46 of the Council's Development Management Document seek to protect against an adverse impact on pedestrians and other road users. This would include during the demolition (where relevant) and construction process. Particularly as the access to the site is on a bend in the road, Transport have requested that both a Demolition Management Plan and a Construction Management Plan are produced for approval by the Council as a pre-commencement condition.

#### 9.7 Refuse Storage

9.7.1 Policy DMD 47 specifies that new development will only be permitted where adequate, safe, and functional provision is made for refuse collection. Policy DMD 57 requires all new development to make appropriate provision for waste storage, sorting and recycling, and adequate access for waste collection. The Waste and Recycling Storage Planning Guidance from Enfield Council (EN20/V2) provides further specifications.

9.7.2 A bin store has been provided with access onto Cockfosters Road. It is considered there will unlikely be issues with refuse collection and further refuse vehicles will not be expected to enter the site. In this regard, it is noted the store has a door that does not open out over the highway and this is welcomed. No objection is therefore raised to this element

#### 9.8 Sustainable Drainage Systems (SuDS) and Flood Risk

9.8.1 Policy DMD 61 states that a drainage strategy will be required for all development to demonstrate how proposed measures manage surface water as close to its source as possible and follow the drainage hierarchy in the London Plan. The policy seeks to ensure a development such as the one proposed includes at least one 'at source' SuDS measure resulting in a net improvement in water quality. Policy DMD 59 requires new development to avoid and reduce risk of flooding and not increase risks elsewhere.

9.8.2 The applicant has provided an FRA & SuDS Strategy Report as supporting evidence for the proposal. The SuDS Consultee assessed the document and required further information regarding source control measures, greenfield runoff rate, cross sections of the detention basin showing the inflow and outflow levels, as well as overland flow routes for exceedance events. This information was provided, and no further objection was raised. The SuDS Consultee requested a condition confirming that SuDS measures have been fully implemented in accordance with the agreed details prior to the occupation of the development.

## 9.9 Trees

9.9.1 Policy DMD 80 requires that all development and demolition must comply with established good practice, guidelines and legislation for the retention and protection of trees. Proposals must:

- a. Retain and protect trees of amenity and biodiversity value on the site and in adjacent sites that may be affected by the proposals;
- b. Ensure that the future long term health and amenity value of the trees is not harmed;
- c. Provide adequate separation between the built form and the trees including having regard to shading caused by trees and buildings.

9.9.2 An Arboricultural statement has been submitted for the 18 trees that are on the site. None of these are Category A trees. All Category B trees would be retained while 8 Category C trees would be removed. The Tree Officer has raised no objection to the loss of trees on site, given those being lost were Category C. Now that the outbuilding is removed from the scheme the number of trees that would be felled as a consequence of the proposal has been reduced from 8 trees to 6 trees, with replacement planting for 9 replacement trees having been agreed. In order to ensure that the method outlined within the Arboricultural Impact Assessment is adhered to, a condition will be applied requiring sign off of tree works.

## 9.10 Biodiversity

9.10.1 Policy DMD79 requires developments resulting the creation of 100m<sup>2</sup> of floorspace or one net dwelling or more should provide on-site ecological enhancements having regard to feasibility and viability.

9.10.2 The applicant submitted an Ecology Report in support of the proposal. The findings of the report are as follows:

- *No protected species or evidence of protected species were found on site at the time of the survey.*
- *The site provides negligible potential for badger, Great Crested Newt (GCN) and reptiles due to the lack of suitable habitat and limited connectivity to more suitable habitats.*
- *The building provides moderate potential for roosting bats due to the hung tile to the rear dormer and gaps and access points throughout the building's roof.*
- *The introduced shrub and scattered trees habitats provide moderate potential for breeding birds.*

9.10.3 The Ecology Report also indicated that should any badgers, great crested newts or other reptiles are found during demolition/construction, works must stop and advice should be sought.

9.10.4 In terms of bats the report found that a bat emergence survey was required. This was undertaken and a report sent to the officer on 26.08.2022 which found no evidence of roosting bats at the subject property.

9.10.5 In terms of breeding birds, the report recommended no further surveys, however, did recommend the development should take place outside of nesting season and if this is not possible a qualified ecologist should be on site to ensure the building/vegetation is not occupied by breeding birds prior to demolition or site clearance. In the event

breeding birds are found, a buffer zone would be required until the nest is no longer in use.

9.10.6 The report also suggests mitigation measures and enhancements for the site (see table 14 of the Ecology Report). In order to ensure the advice within the report is followed a condition would be applied to the decision to require the applicant to submit to the LPA a written verification report from a qualified ecologist prior to occupation.

#### 9.11 Energy and Water Efficiency

9.11.1 Policy DMD 49 states all new development must achieve the highest sustainable design and construction standards and include measures capable of mitigating and adapting to climate change to meet futures needs having regard to technical feasibility and economic viability. Policy DMD 51 states further energy efficiency standards and that all developments will be required to demonstrate how the proposal minimises energy related CO<sub>2</sub> emissions which must adhere to the principles of the energy hierarchy in the policy. This follows policy CP 20 of the Core Strategy which states that the Council will require all new developments, and where possible via retrofitting process in existing development to address the causes and impacts of climate change by: minimising energy use; supplying energy efficiently; and using energy generated from renewable sources in line with the London Plan and national policy. The adopted policies require that new developments achieve the highest sustainable design and construction standards having regard to technical feasibility and economic viability.

9.11.2 The applicant has submitted an Energy Statement which states that a 'Lean, Clean, Green' has been adopted and that the development achieves an overall improvement (DER/TER) in regulated emissions at over 63.31% above Part L 2013 standard. This is achieved through the adoption of passive design standards, insulation with heating and hot water to be provided via heat pump technology and roof mounted PV installations. The PV panels, as well as the external condensers for the heat pumps are shown on the roof plan and are not considered to be unacceptable in terms of design.

9.11.3 The Energy Statement also indicates water usage will be limited to 105litres per person per day in accordance with policy SI 5 of the London Plan.

#### 9.12 Community Infrastructure Levy (CIL)

9.12.1 The London Borough of Enfield falls within Mayoral Community Infrastructure Levy therefore development will be liable to Mayoral CIL. The development site is also liable for higher rate CIL payment of £120/sqm as per the adopted Community Infrastructure Levy Charging Schedule (2016).

9.12.2 If the proposal was deemed acceptable, the development would be subject to both CIL rates above.

### **10 Public Sector Equalities Duty**

10.1 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.

## 11. Conclusion










- 11.1 The starting point for the determination of any planning application is the development plan. Paragraph 11(d) of the NPPF, and the application of the tilted balance means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, which also includes the Development Plan. Moreover, planning permission should be approved unless “the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed”.
- 11.2 Having regard to the assessment in this report, the development would provide 9 units of residential accommodation including 5 family sized units, which it is considered, would be consistent with the thrust of national planning policy and the adopted “development plan” to optimise development on small sites. It would also and importantly, increase the delivery of new homes in response to the Housing delivery Test and the need to deliver new homes.
- 11.3 It is acknowledged that consideration of this proposal has involved some balanced judgements. It is considered however that the form, design and appearance of development, would not be dissimilar to other recent development and thus, is appropriate for the location and would sympathetically relate with the character and visual amenities of the surrounding area. In all other respects including parking, access, relationship to existing / retained trees etc, the proposed scheme is considered acceptable as outlined in the aforementioned report.
- 11.4 The above assessment against the development plan policies has produced the following conclusion:
- The proposal would provide 9 dwellings with a good standard of living accommodation that would contribute to the housing stock in the borough.
  - The proposed development is considered appropriate in form and design and would not result in detrimental harm to the character and appearance of the locality .
  - The proposal would not cause any unacceptable harm upon highway safety or the flow of traffic in the locality.
  - The proposal, by virtue of size, location and proximity would not harm the amenity of occupying and neighbouring residents.
  - The design and construction of the proposal would have appropriate regard to environmental sustainability issues including energy and water conservation, renewable energy generation, and efficient resource use, as ensured by the included conditions.
  - The proposal would retain and protect trees of amenity and biodiversity value.
  - The development would be appropriate and in accordance with relevant National and Regional Policy, Core Strategy and Development policies for the reasons noted above.
- 11.1 Having regard also to the mitigation secured by the recommended conditions and the presumption in favour of sustainable development it is considered that the benefits of the development would outweigh any identified impacts. When assessed against the suite of relevant planning policies it is considered that



planning permission should be granted subject to conditions.



**KEY**

-  TREE TO BE REMOVED
-  PROPOSED TREE
-  EXISTING TREE
-  SCREENING PLANTER
-  BORDER
-  METAL FENCE
-  SHRUB
-  ACTIVE CHARGING POINT
-  PASSIVE CHARGING POINT

outline of omitted pavillion dotted in pink

new fence 1.8MT

Hadley Wood Golf Club  
new fence 1.8MT

new fence 1.8MT

387

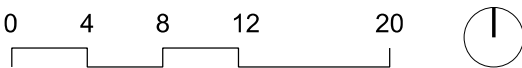
383

Cockfosters Road

EXISTING SEWER

385 COCKFOSTERS ROAD

**Proposed Site Plan**



22/08/2022 **rev A** Pavilion reduced by 25% and general amendments  
 21/10/2022 **rev B** Pavilion omitted, parking increased to 10 spaces  
 site entrance and bin store repositioned, tree works amended

**G M L Architects**

UNIT 3,1-4 Christina Street, London, EC2A 4PA  
 Tel: 020 7729 9595 Fax: 020 7729 1801 info@gmlarchitects.co.uk  
 SCALE: 1:200@A1 1:400@A3  
 ISSUED FOR: PLANNING  
 FIRST ISSUED: 18/08/2022  
 DRAWN BY:FO CHECK BY: NM

**4374/PA/020B**



22/08/2022 rev A Pavillion reduced by 25% and general amendments  
 21/10/2022 rev B Pavillion omitted, parking increased to 10 spaces

385 COCKFOSTERS ROAD

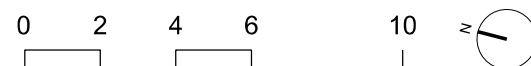
**Proposed Ground Floor Plan**

**G M L Architects**

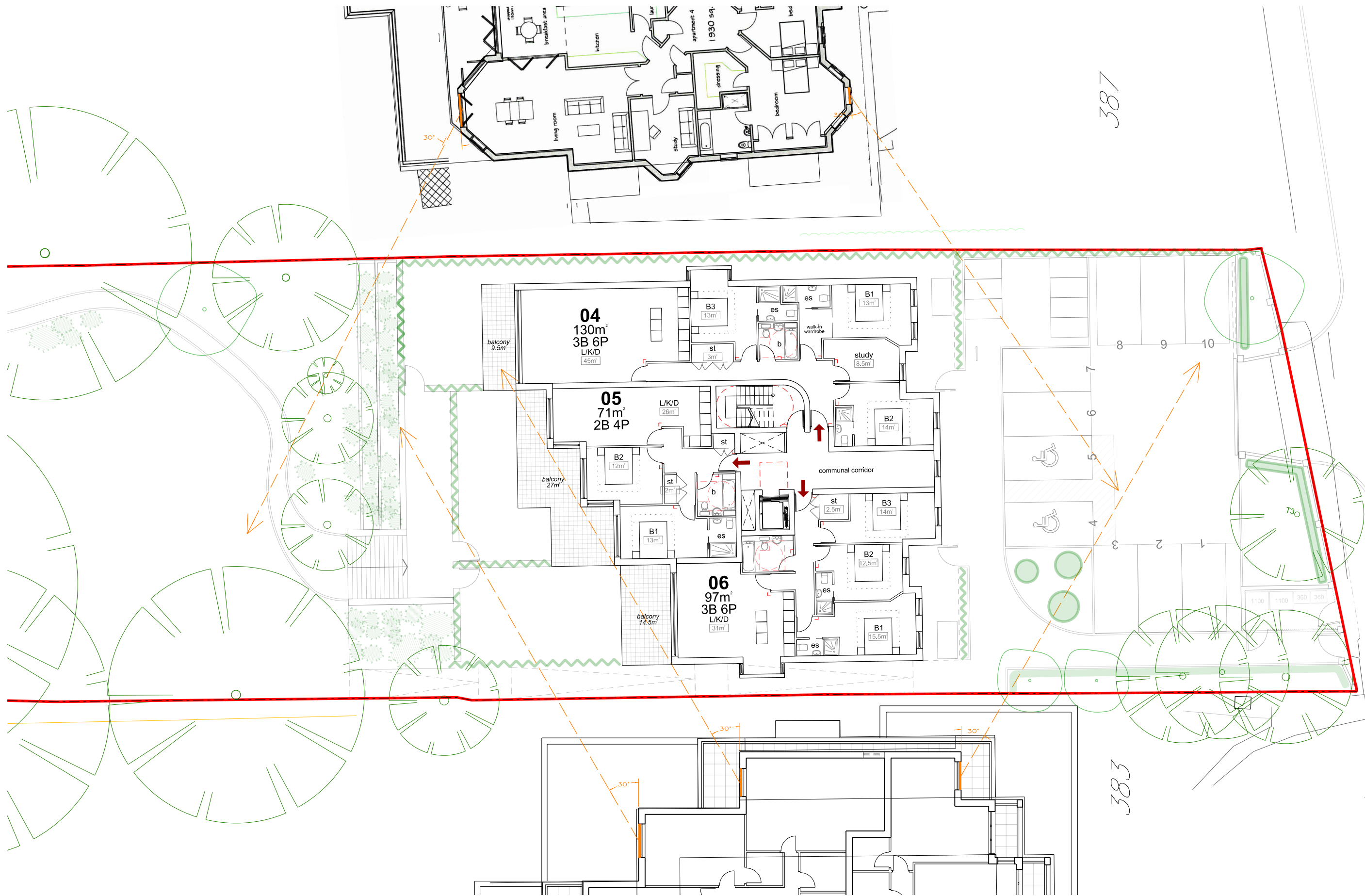
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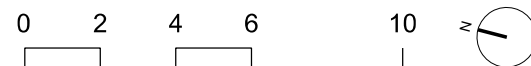


387

Cockfosters Road

383

385 COCKFOSTERS ROAD  
**Proposed First Floor Plan**

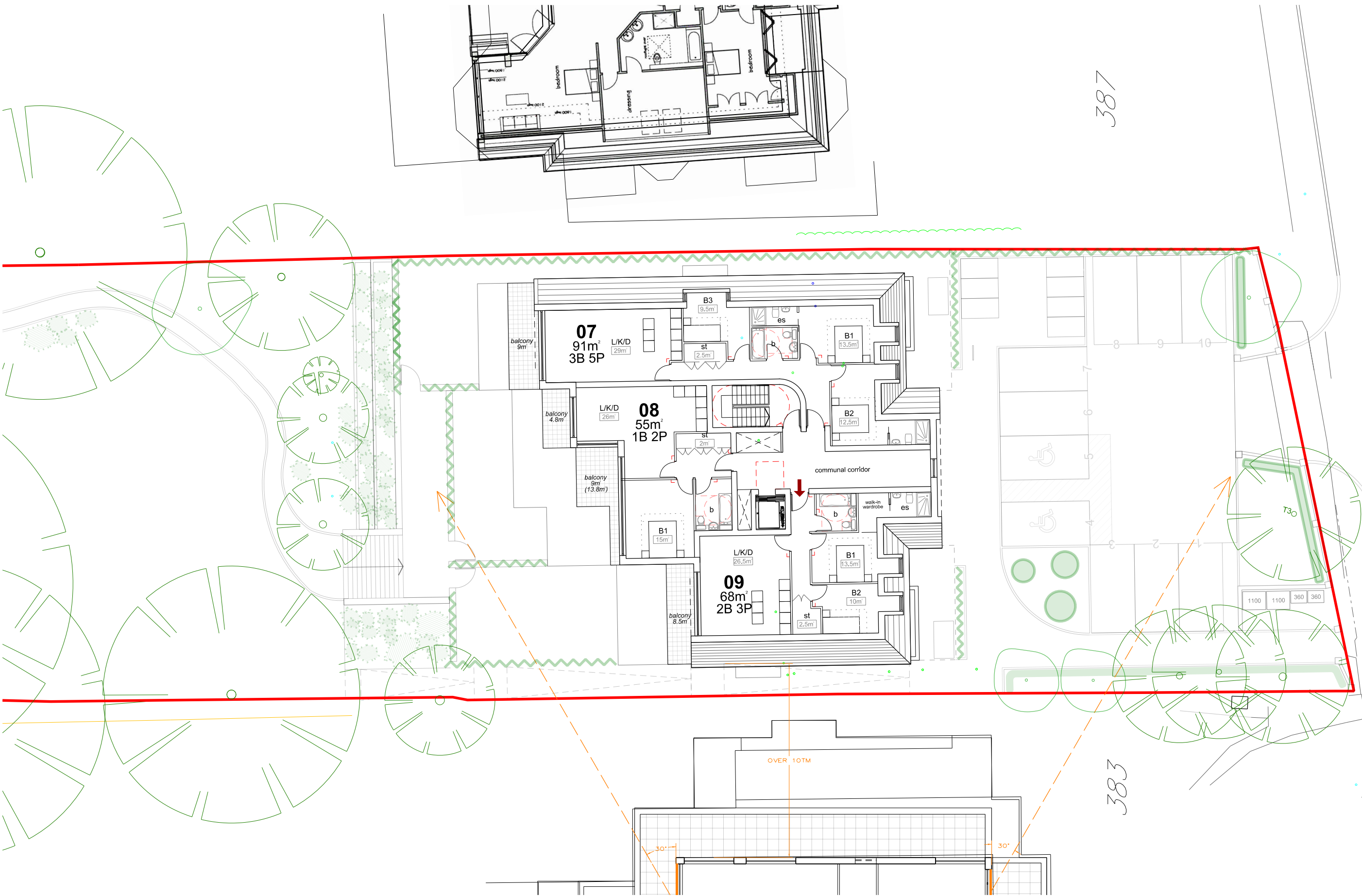


22/08/2022 **rev A** Pavillion reduced by 25% and general amendments  
 21/10/2022 **rev B** Pavillion omitted, parking increased to 10 spaces

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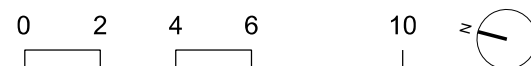


— outline of previous pavilion  
 ..... dotted in pink

22/08/2022 rev A Pavilion reduced by 25% and general amendments  
 21/10/2022 rev B Pavilion omitted, parking increased to 10 spaces

385 COCKFOSTERS ROAD

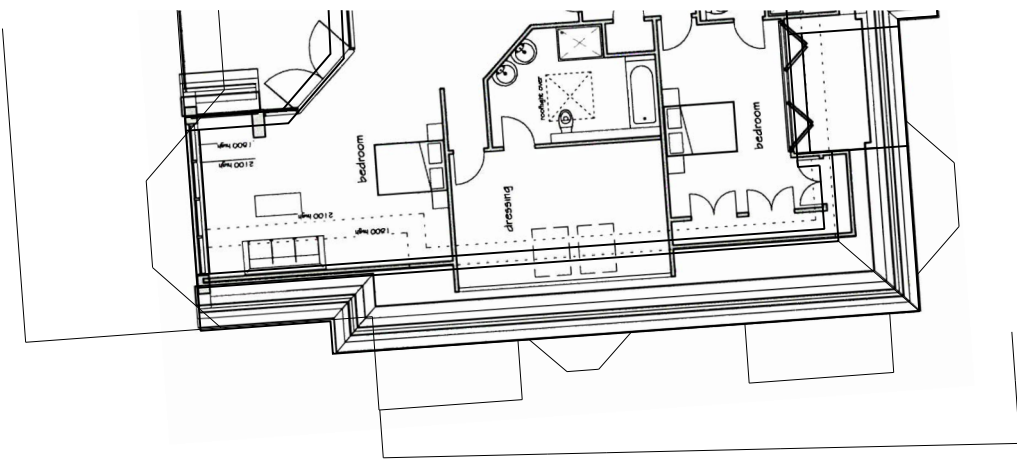
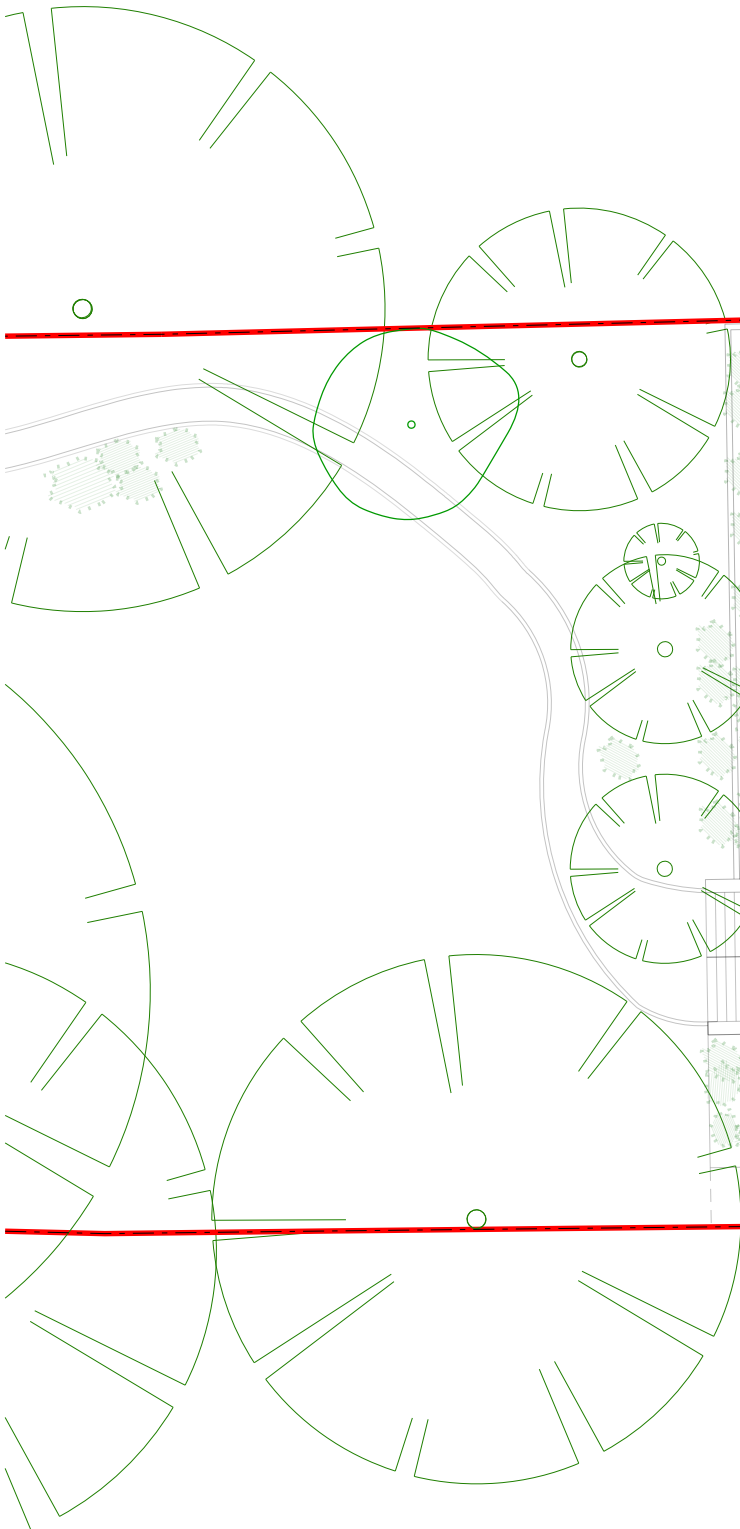
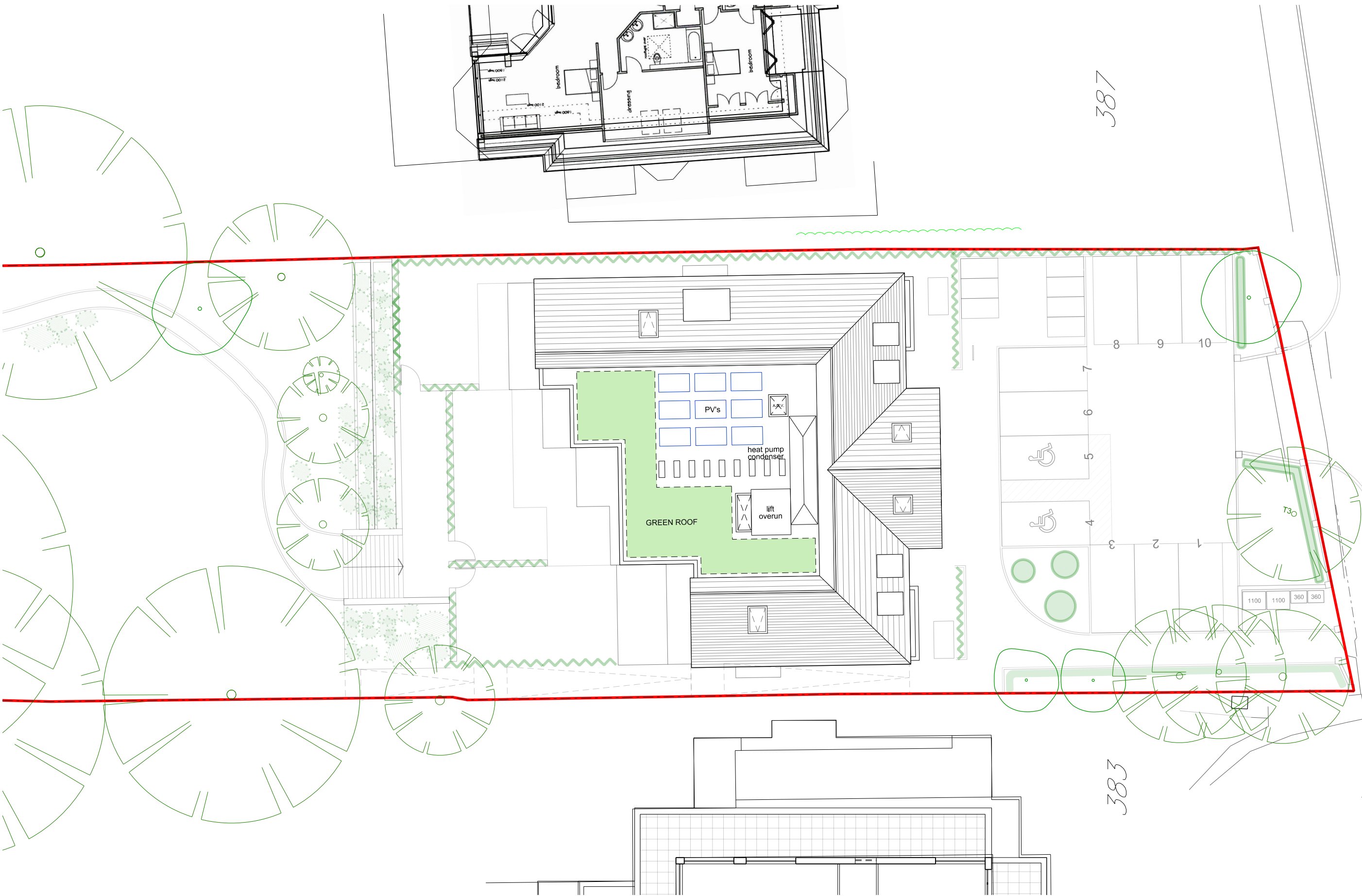
**Proposed Second Floor Plan**



**G M L Architects**

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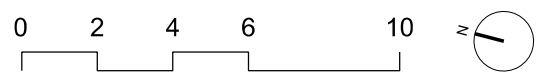
387

383

Cockfosters Road

385 COCKFOSTERS ROAD

**Proposed Roof Plan**



22/08/2022 **rev A** Pavilion reduced by 25% and general amendments  
 21/10/2022 **rev B** Pavilion omitted, parking increased to 10 spaces

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**4374/PA/025B**





22/08/2022 **rev A** Pavillion reduced by 25% and general amendments  
 21/10/2022 **rev B** Amended following LPA requested changes to parking

385 COCKFOSTERS ROAD

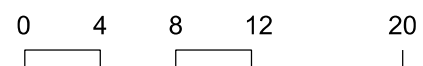
**Proposed Street Elevation**

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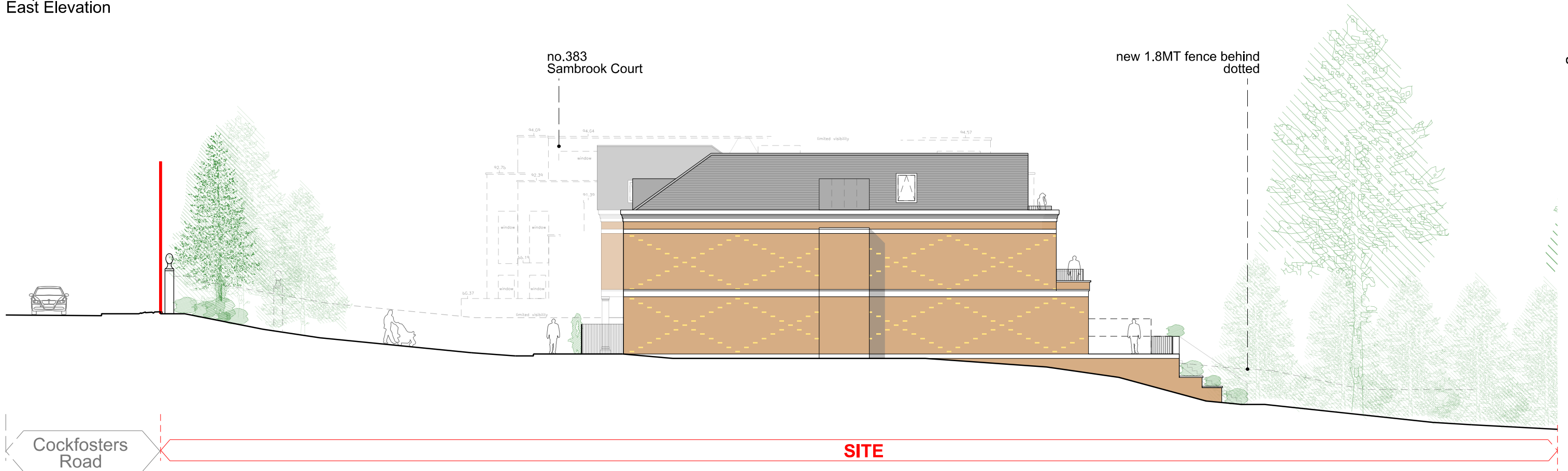
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4374/PA/030B





Proposed Front Elevation  
East Elevation



Proposed Side Elevation  
North Elevation

Proposed Side Elevation  
North Elevation

22/08/2022 rev A Pavilion reduced by 25% and general amendments  
21/10/2022 rev B Pavilion omitted

385 COCKFOSTERS ROAD

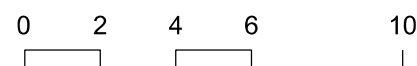
**Proposed Elevations**

**G M L Architects**

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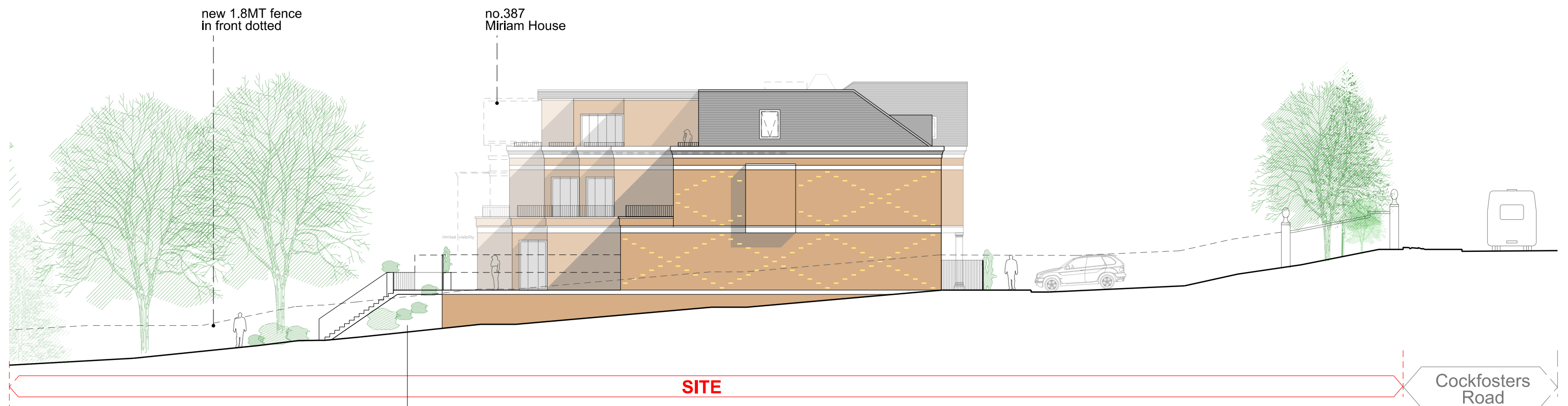
Proposed Rear Elevation  
West Elevation

New landscaped banking

Miram House no.387

**SITE**

Sambrook Court no.383



Proposed Side Elevation  
South Elevation

New landscaped banking

Cockfosters  
Road

22/08/2022 rev A Pavilion reduced by 25% and general amendments  
21/10/2022 rev B Pavilion omitted

385 COCKFOSTERS ROAD

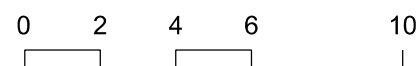
**Proposed Elevations**

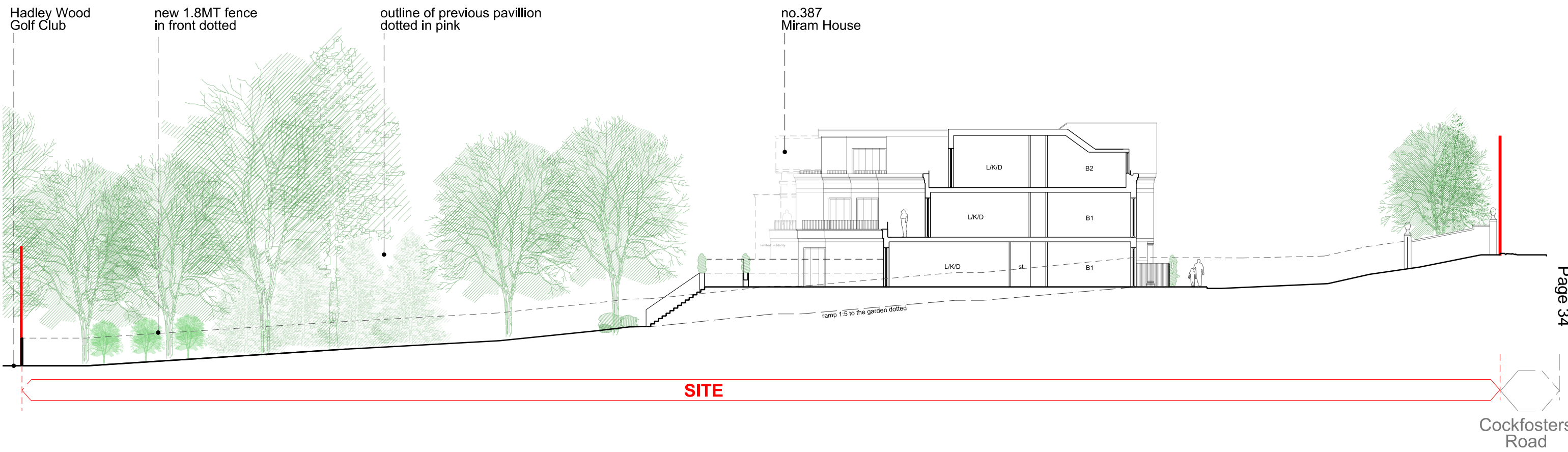
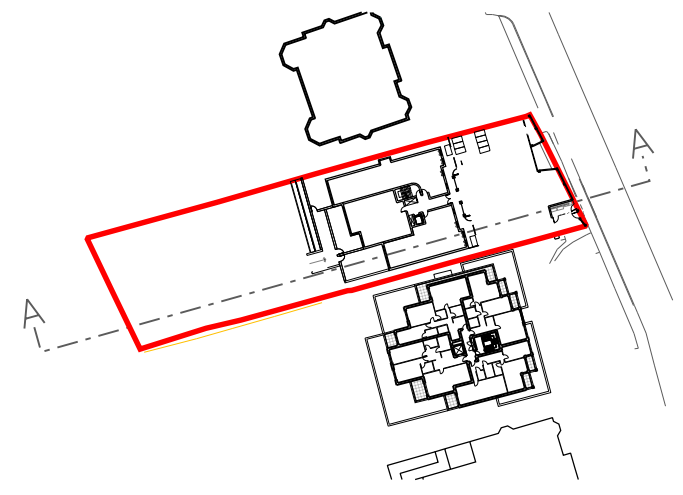
**G M L Architects**

UNIT 3,1-4 Christina Street, London, EC2A 4PA  
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ISSUED FOR: PLANNING  
FIRST ISSUED: 18/08/2022  
DRAWN BY:FO CHECK BY: NM

4374/PA/032B



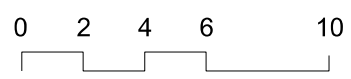


Cockfosters Road

22/08/2022 rev A Pavilion reduced by 25% and general amendments  
 21/10/2022 rev B Pavilion omitted

385 COCKFOSTERS ROAD

**Proposed Section AA**



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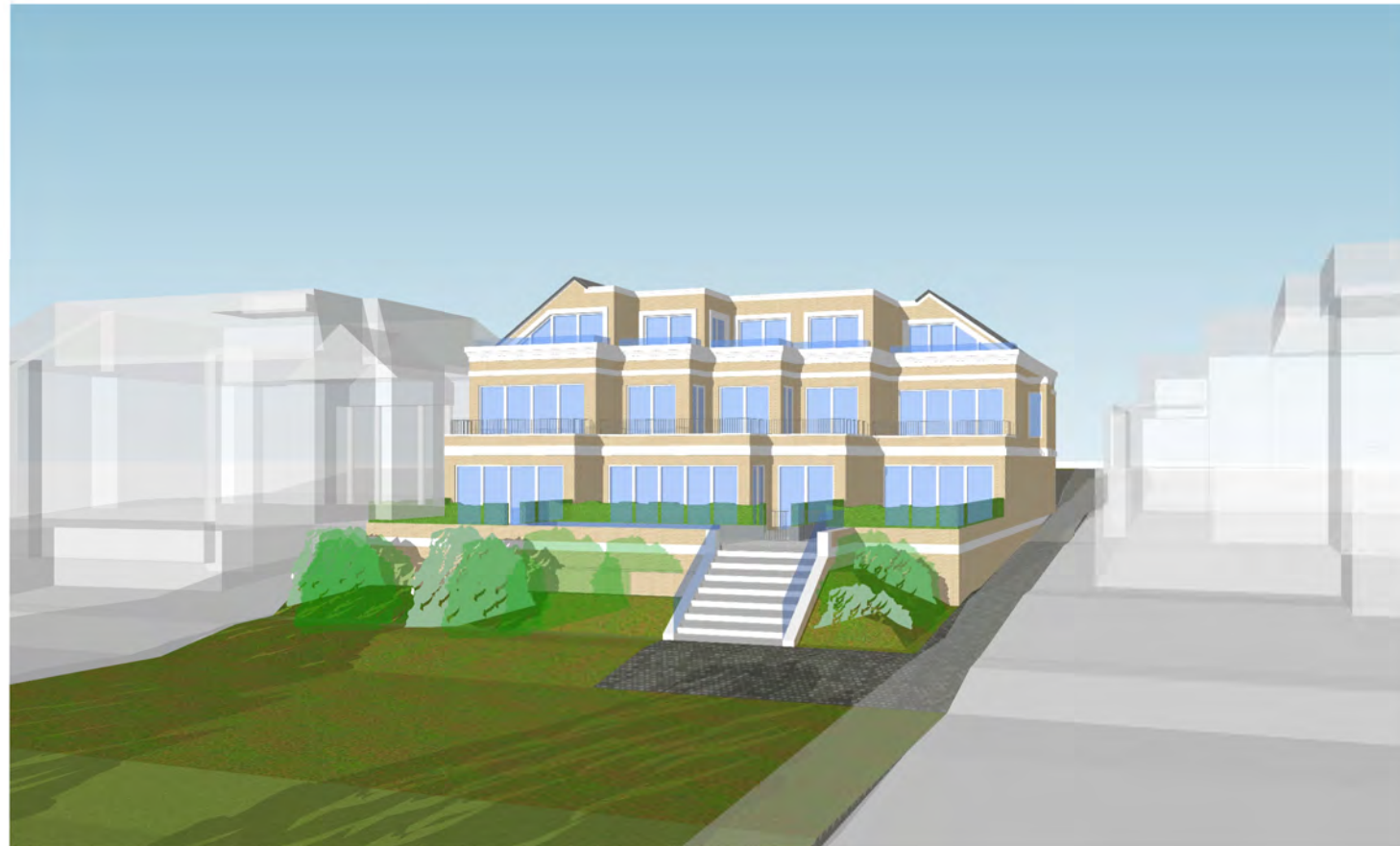
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 ISSUED FOR: PLANNING  
 FIRST ISSUED: 18/08/2022  
 DRAWN BY: CHECK BY:

**4374/PA/035B**





**Illustrative Front Elevation**



**Illustrative Rear Elevation**

385 COCKFOSTERS ROAD

**Illustrative 3D View**

22/08/2022 rev A Pavilion reduced by 25% and general amendments

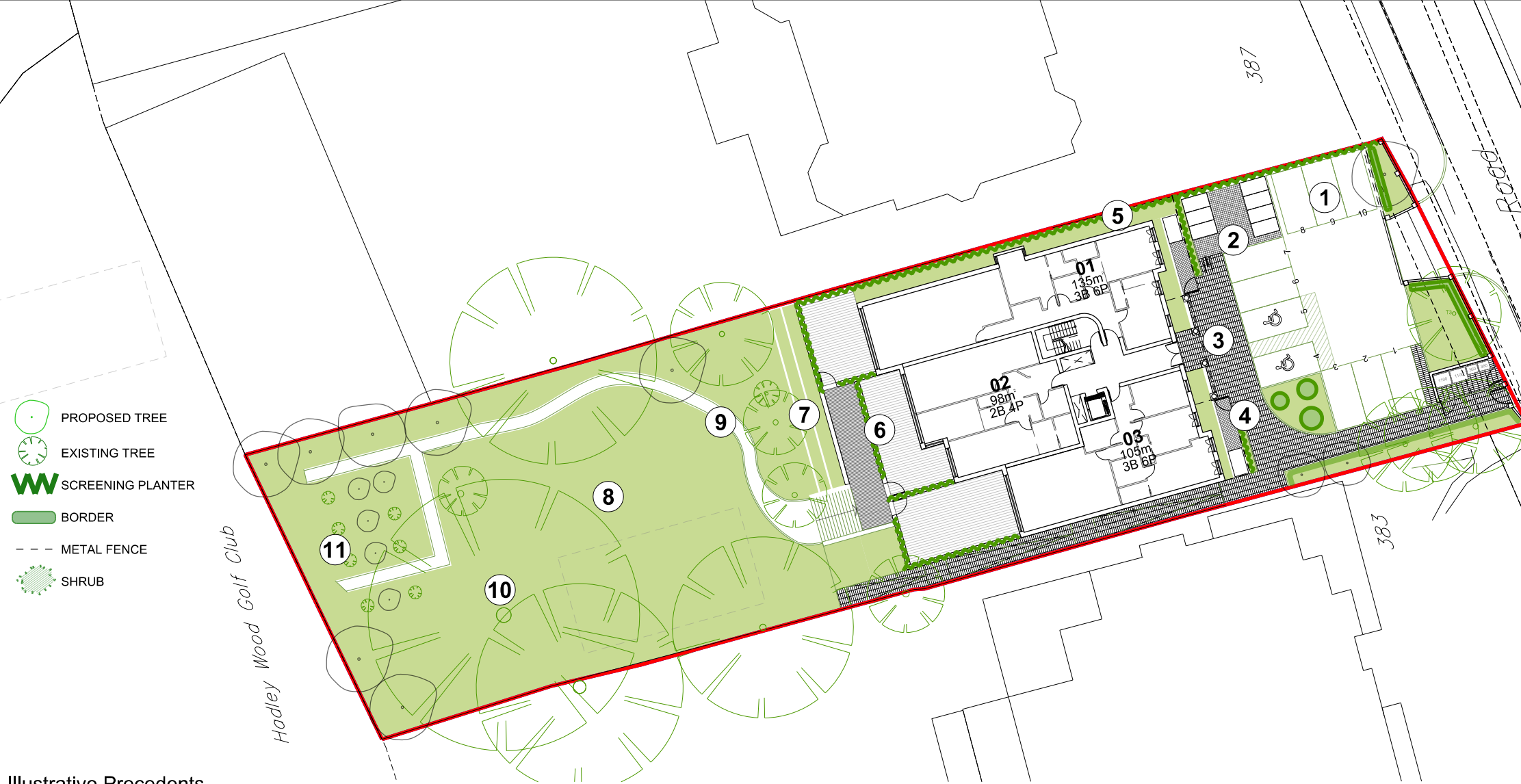
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 FIRST ISSUED: 18/08/2022  
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**4374/PA/050A**





- PROPOSED TREE
- EXISTING TREE
- SCREENING PLANTER
- BORDER
- METAL FENCE
- SHRUB

- 1 Parking Area  
*permeable interlocking concrete pavement system*
- 2 Bikes Area  
*granite setts*
- 3 Entrance Area  
*sandstone garden paving*
- 4 Front Garden  
*privacy zone with metal fence and shrubs*
- 5 Perimetral Evergreen Hedges
- 6 Private Terraces  
*wood effect outdoor porcellain tiles and high-rise pots with green screen for privacy*
- 7 Retaining walls  
*planting terraces and raised beds*
- 8 Species rich lawn
- 9 Pathway  
*block paving, paving stones, coloured asphalt (buff)*
- 10 Pavillion Rear Terrace  
*deck terrace with seating around tree*
- 11 Backyard orchard trees

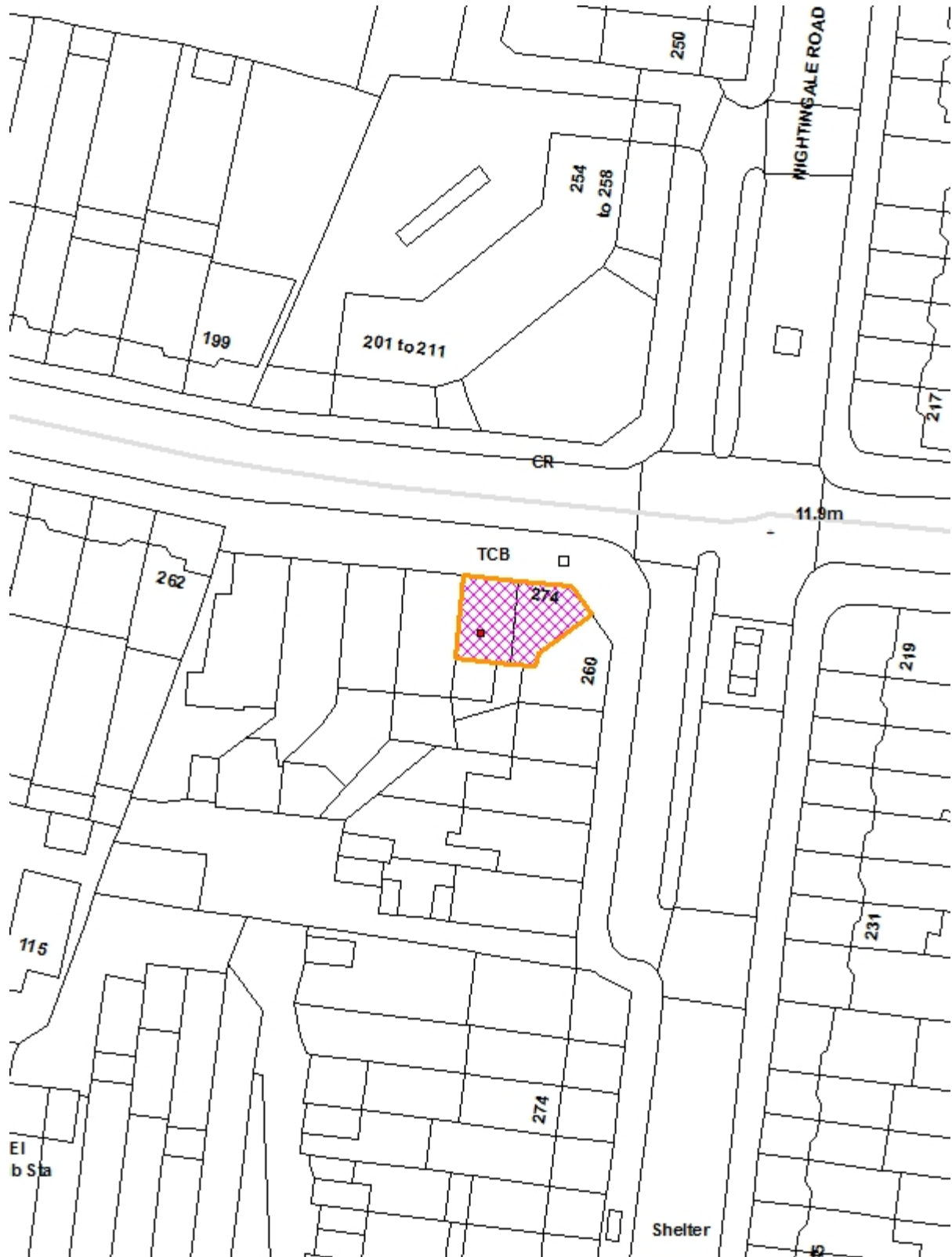
Illustrative Precedents





<b>LONDON BOROUGH OF ENFIELD</b>		
<b>PLANNING COMMITTEE</b>	<b>Date:</b> 22 November 2022	
<b>Report of</b>  Head of Planning	<b>Contact Officers:</b>  Andy Higham Gideon Whittingham David Maguire	<b>Category</b>  Minor Application
<b>Ward</b>  Lower Edmonton	<b>Councillor Request</b>  Councillor Guney Dogan	
<b>LOCATION:</b> 272 St Marys Road, London, N9 8NP		
<b>APPLICATION NUMBER:</b> 22/01739/FUL		
<b>PROPOSAL:</b> Conversion of roof space to create self-contained unit involving 1 rear dormer.		
<b>Applicant Name &amp; Address:</b>  Dr Mittal Mittal Properties Limited 45 Boundaries Road London SW12 8EU	<b>Agent Name &amp; Address:</b>  Mrs Nicola Wallace C/O Peter Pendleton & Associates Ltd 10 Consort House Queensway London W2 3RX	
<b>RECOMMENDATION:</b> 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: 22/01739/FUL LOCATION: 272 St Marys Road, London, N9 8NP,



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Scale 1:1250

North



**1.0 Note for Members:**

- 1.1 Although an application of this scale and nature would normally be determined under delegated authority, the application has been reported to committee for determination at the request of Councillor Guney Dogan due to the level of local interest.

**2.0 Recommendation**

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

1. Time limit
2. Approved plans
3. Finishing materials
4. No additional fenestration
5. Refuse
6. Water consumption
7. Energy statement
8. Energy Performance Certificate (EPC)
9. Cycle parking
10. Flood management and evacuation plan

- 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.

**3.0 Executive Summary**

- 3.1 The applicant seeks permission for the conversion of roof space to create a self-contained unit involving 1 rear dormer.

- 3.2 The scheme is considered acceptable for the following reasons:

- 1) The proposal would add a new unit of accommodation to the Borough's housing stock.
- 2) The quality of accommodation that would be provided is of an acceptable standard.
- 3) There is no identified adverse impact on neighbouring residential amenity.
- 4) There are no identified adverse effects on highway safety or traffic generation.
- 5) The reasons for the refusal of the previous application (see relevant history) on this site have been acceptably overcome in this revised submission.

#### 4.0 Site and Surroundings

- 4.1 The application site comprises a mid-terrace property with a newsagent / grocery shop on the ground floor and a residential unit above. The ground floor shop is part of an established parade of local shops. This application is for the conversion of the roof space above the existing first-floor residential unit, to form an additional residential unit.

*Image 1: Front elevation of 272 St Marys Road, as outlined in red*



- 4.2 The access to the existing first floor flat is off Nightingale Road, via an alleyway beside the Nightingale Café at 268 Nightingale Road. This alleyway leads to an external metal staircase which leads up to the entrances to flats including numbers 262A Nightingale Road and 272 St Marys Road.

*Image 2: Pedestrian access route to existing flats and proposed new flat illustrated by green arrow and dotted markers.*





4.3 The site is situated in Flood Zone 2.

4.4 It is not a listed building and it does not lie within a Conservation Area.

4.5 The applicant has signed ownership 'Certificate A' asserting that they are the sole owner of all of the land to which this application relates.

## 5.0 Proposal

5.1 The applicant seeks permission for the conversion of the roof space to create a self-contained residential unit involving 1 rear dormer.

5.2 The applicant has stated that the roof space subject to this proposal has an existing floorspace of 52 square metres and that it would provide a 1-bedroom unit as a result.

## 6.0 Relevant Planning History

6.1 21/03769/FUL - Roof conversion together with the erection of 2 dormers to create an additional dwelling – Refused, 03/03/22.

Reasons for refusal:

- 1) *The proposed loft unit by virtue of its inadequate floorspace, limited outlook and lack of private amenity space would represent a substandard and inappropriate form of accommodation which would not be capable of meeting the reasonable needs of occupiers and would be detrimental to the residential amenities of future occupants. The proposal is thereby contrary to Policy D6 of the London Plan, Policy CP4 of the Enfield Plan Core Strategy, Policies DMD5, DMD8 and DMD9 of the Development Management Document, the Mayor of London Housing Supplementary Planning Guidance and the guidance contained within the National Planning Policy Framework (2021).*
- 2) *Insufficient information has been submitted to fully demonstrate the provision of cycle parking to serve both flats, including adequate access. The proposal is therefore contrary to policies T5 of the London Plan (2021) and DMD45 of the Development Management Document (2014).*

3) *The rear dormers to serve the proposed residential unit would give rise to an unacceptable loss of privacy and overlooking to habitable windows serving no. 262a Nightingale Road, contrary to policies DMD8 and DMD10 of the DMD and CP30 of the Core Strategy.*

6.2 There is also an enforcement history on this site. There are two historic enforcement cases which were closed in 2016, and one open enforcement enquiry which alleges that a conversion has been undertaken, for which this application seeks to regularise and thereby potentially close the enforcement investigation. It should be noted that enforcement action is intended to be remedial rather than punitive and should always be commensurate with the breach of planning control to which it relates. Therefore, an open investigation or enforcement history on a site would not form a material planning consideration.

## 7.0 Consultation

### 7.1 Public

Number notified	27
Consultation start date	16.06.22
Consultation end date	10.07.22
Representations made	1
Objections	1
Other / support comments	0

In summary, the objection raises concerns that the conversion of the roof space has already been completed and occupied and that a large number of people have been entering and exiting the property and using the shared walkways and access routes. Concern is raised by the objector in relation to poor quality accommodation at the property and to the approach taken to letting the property by the landlord.

### 7.2 Internal and third-party consultees

<u>Consultee</u>	<u>Objection</u>	<u>Comment</u>
Environmental Health	No	There is unlikely to be a negative environmental impact. There are no concerns regarding air quality, noise or contaminated land.
SuDS	No	The developers must submit a site-specific FRA to ensure that development is safe from flooding and will not increase flood risk elsewhere.  A Flood Management / Evacuation Plan must be provided.
Traffic and Transportation	No	The proposed development is unlikely to have a significant impact on street parking provision and makes appropriate provision for access and servicing having regard to policies DMD 8 and 45 and London Plan policy T6
Thames Water	No	No comments
Cadent Gas	No	No comments
Housing Enforcement	No	Officers have confirmed that there is not a licence for an HMO at this address.

## 8.0 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.
- 8.2 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Enfield Core Strategy (2010); the Enfield Development Management Document (2014); and The London Plan (2021).

### National Planning Policy Framework (2021)

- 8.3 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; 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.
- 8.4 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.”
- 8.5 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.
- 8.6 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 a 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)

- 8.7 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  
GG5 Growing a good economy  
GG6 Increasing efficiency and resilience  
D1 London's form, character and capacity for growth  
D3 Optimising site capacity through the design-led approach  
D4 Delivering good design  
D6 Housing quality and standards  
D11 Safety, security and resilience to emergency  
D12 Fire safety  
D14 Noise  
H1 Increasing housing supply  
SI12 Flood risk management  
T5 Cycling  
T6.1 Residential parking

#### Core Strategy (2010)

- 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. The following is considered particularly relevant:

CP2 Housing supply and locations for new homes  
CP4 Housing quality  
CP5 Housing types  
CP25 Pedestrians and cyclists  
CP28 Managing flood risk through development  
CP30 Maintaining and improving the quality of the built and open environment  
CP32 Pollution  
CP46 Infrastructure contributions

#### Development Management Document (2014)

- 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:

DMD3 Providing a mix of different sized homes  
DMD5 Residential conversions  
DMD6 Residential character  
DMD8 General standards for new residential development  
DMD9 Amenity space  
DMD13 Roof extensions  
DMD37 Achieving high quality and design-led development  
DMD38 Design process  
DMD45 Parking standards and layout  
DMD47 Access, new roads and servicing  
DMD51 Energy efficiency standards  
DMD56 Heating and cooling  
DMD58 Water efficiency  
DMD59 Avoiding and reducing flood risk  
DMD60 Assessing flood risk  
DMD 61 Managing surface water  
DMD 68 Noise  
DMD Appendix 7 London Plan parking and cycle standards

#### 8.10 Other Material Considerations

National Planning Practice Guidance (NPPG, 2018)  
Nationally Described Space Standard (NDSS, 2015)  
London Plan Housing, Supplementary Planning Guidance (2016)  
Enfield 'Waste and Recycling Storage' Planning Guidance (2019)

### 9.0 **Assessment**

The main issues arising from this proposal to consider are:

1. Principle of development
2. Quality of accommodation
3. Character and appearance
4. Impact upon the amenity of neighbours
5. Transportation and Parking
6. Flood risk

#### Principle of development

- 9.1 The NPPF and London Plan advise that local authorities should seek to deliver a wide choice of high-quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Policy CP 5 of the Core Strategy seeks to ensure that new developments offer a range of housing sizes to meet housing needs whilst ensuring that the quality and character of existing neighbourhoods is also respected. There is greatest need in the Borough for family sized housing with 3+ bedrooms, however the Borough requires housing of all sizes and an additional dwellinghouse would add to the Borough's housing stock and would contribute to the strategic objectives of the Borough. The addition of a further residential unit to the Borough's housing stock is deemed acceptable in principle, subject to further planning considerations as outlined below.

#### Quality of accommodation

- 9.2 The gross internal area of the proposed flat is stated to be 52 square metres. This exceeds the minimum London Plan floorspace standard of 37 square metres for a

studio / one single person one bedroom flat with a shower room. It should also be noted that any area with a headroom of less than 1.5 metres is not counted within the Gross Internal Area unless used solely for storage. A section drawing has been provided on the submitted plans which shows the internal height of the loft. The submission shows that there would be reasonable space to stand in the central areas of the flat. (1.8 metres, or 5' 11", at the point shown with the figure looking out of the Velux Cabrio rooflight). At its highest point, internally, the floor-to-ceiling height would reach circa 3 metres. The proposal contains a single bedroom with a floor area of 8 square metres, providing one bedspace. According to the housing quality standards outlined in London Plan policy D6, a single bedroom must have a floor area of at least 7.5 square metres and be at least 2.15 metres wide. The single bedroom proposed here meets this requirement. The proposed flat and bedroom therefore meet the required space standards.

- 9.3 The proposed single bedroom flat would also receive sufficient daylight / sunlight to the bedroom and have outlook via the boxed dormer window. The living / kitchen / dining space would receive sufficient daylight / sunlight due to the installation of the proposed Velux Cabrio rooflight. This would also provide outlook, albeit at an oblique angle.
- 9.4 Due to the site's constraints, there would be a lack of private amenity space for this flat. This occurrence is however the case for all flats on this parade at upper floor level. It is also not apparent how private amenity space could practically be delivered on this site. Officers take the view that given that the flat is of a suitable gross internal area and affords a good quality of accommodation, that, on its own, the failure to provide sufficient private amenity space as a result of the site's constraints should not be used as a reason to refuse the application. The proposed Velux Cabrio balcony is considered to provide increased outlook, however officers are of the view that it would not constitute nor substitute the provision of private amenity space. Officers also consider that the provision of another form of balcony on this roof would likely be inappropriate in terms of its impact upon the character and appearance of the existing building and in terms of the impact upon the amenity of neighbours. Where appropriate and suitable, officers would expect to see residential units delivered with sufficient private amenity space, however, in this case it is not clear how this could be secured reasonably and there is also a balance to be struck in that the conversion would provide an additional residential unit for the borough's housing stock, which would be welcomed.
- 9.5 It is worth noting that the existing flat at upper floor level that would see its loft space turned into a self-contained flat would retain a good quality of accommodation. The proposed plans demonstrate that this existing first floor flat would retain two appropriately wide double bedrooms. The gross internal area of this flat would slightly exceed the minimum London Plan standard of 70 square metres for a property of this nature. The flat would benefit from adequate daylight/sunlight, outlook and natural ventilation for which there would be no external changes to the appearance of this flat.

#### Character and appearance

- 9.6 The number of proposed dormer windows has been reduced from two to one following officer advice and the scale of the dormer window that has now been proposed is also reduced. The insets achieved acceptably comply with policy DMD 13. There are dormer windows on the nearby property at 262A Nightingale Road. These are larger than the dormer window that is proposed with this application and these were consented in 2008, prior to the adoption of the current development plan,

however this is not considered to harm the character of the property. The proposed dormer window would be situated on the back of the building and overall, no objection is raised to the character and appearance of this aspect of the proposal. It is not overly dominant and is acceptably in keeping with the character and appearance of the building.

- 9.7 Velux Cabrio rooflights are a hybrid product somewhere between rooflight and a small balcony and are somewhat greater in size than a typical rooflight. The Velux Cabrio would not, however, have a fixed external platform but it would provide much needed ventilation, daylight and outlook to the kitchen / living / dining space in the flat. It is considered that the impact on the street scene would be limited, especially when it is in the closed position. Officers consider that in this location the Velux Cabrio would provide a useful practical function and that it would not be harmful to the character and appearance of the street scene in this location. As a result, no objection is raised to this aspect of the proposal.

#### Impact upon the amenity of neighbours

- 9.8 The proposed dormer window would have a 'boxed window' that would restrict lateral views. This window is relatively small, yet it would provide a degree of outlook from the bedroom. The boxed nature of the proposed dormer window means that the occupant would not be able to stand right up against the external facing pane of glass. The submitted plans are illustrated to show the restrict angle of outlook that the proposed dormer window would provide. Therefore, officers are satisfied that this window would not result in the direct overlooking of the windows of neighbouring property at 262A Nightingale Road to any extent that would result in a harmful loss of privacy for these or any other neighbours. The Velux Cabrio window would look out towards St Marys Road and would not harmfully impact upon the amenity of neighbours. Environmental Health officers were consulted on this proposal and they have raised no objection.
- 9.9 It is noted that one neighbour objection has been received which raises concerns in relation to previous overcrowding at this address and to the past approach of the landlord. The applicant is applying for planning permission to convert the loft space at 272 St Marys Road into a single bedroom flat. This application must therefore be assessed on its merits presented before officers, as opposed to a punitive system based on the perceived past approach of any one particular landlord. Such a matter would also not form a material planning consideration.

#### Transportation and parking

- 9.10 Traffic and Transportation officers have stated that given the scale of the proposed development it is unlikely to have a significant impact on street parking provision. They also state that it makes appropriate provision for access and servicing having regard to policies DMD 8 and 45 and London Plan policy T6. Policy compliant cycle storage provision will be required by condition.

#### Flood Risk

- 9.11 The site lies within Flood Zone 2. As the proposal relates to works at first and second floor level, the development is less susceptible to flooding and a Flood Risk Assessment has not been required of the applicants in this instance.

#### Previous Planning Decisions



- 9.12 This application (ref:22/01739/FUL) for the 'Conversion of roof space to create self-contained unit involving 1 rear dormer' has been designed to address the reasons of the previously refused application (21/03769/FUL) for the 'Roof conversion together with the erection of 2 dormers to create an additional dwelling', as cited in the 'Relevant Planning History' section above.
- 9.13 This proposal provides an appropriate form of accommodation in compliance with the required space standards, secures adequate cycle parking provision and would retain existing levels of neighbouring amenity, contrary to the previous application, and it is considered for the reasons outlined above that this proposal has overcome the previous reasons for refusal.

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

- 10.1 The proposed development would create a new residential unit and would therefore be liable to pay CIL at borough and mayoral levels, the applicable borough CIL Zone is the Lower Rate Eastern Zone (£40 per sqm) and Zone 2 for Mayoral (MCIL2, £60 per sqm).

#### **11.0 Public Sector Equalities Duty**

- 11.1 In line with the Public Sector Equality Duty the council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. Section 149 of the Act requires public authorities to have due regard to several equality considerations when exercising their functions including decision making on planning applications. These considerations include: Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; Advance equality of opportunity between persons who share a relevant protected characteristic (explained in detail below) and persons who do not share it; Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 11.2 The main objective of the duty has been to ensure public policies and programmes are implemented fairly, in particular with regard to their impact on the protected characteristics identified above. In making this recommendation, due regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, marriage / civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).
- 11.3 When determining the planning application (and thereby accounting for the representations resulting from public consultation), the Council has considered the potential effects of the proposed development on those with protected characteristics as defined under the Equality Act 2010. In doing this, the Council has had due regard to equality considerations and attribute appropriate weight to such considerations. In providing the recommendation to Members that planning consent should be granted, officers have considered equalities impacts in the balance, alongside the benefits arising from the proposed development. The Council has also considered appropriate mitigation to minimise the potential effects of the proposed development on those with protected characteristics.
- 11.4 There are no statutory or regulatory requirements for the form or content of an equalities assessment. The scale and significance of such impacts cannot always be quantified, and it is common to address this through descriptive analysis of impacts and identifying whether such impacts are adverse or beneficial. The key elements of

the Proposed Development which have an impact that could result in an equalities effect include the design and physical characteristics of the proposals subject to the planning application. Officers do not consider there would be a disproportionate equalities effect.

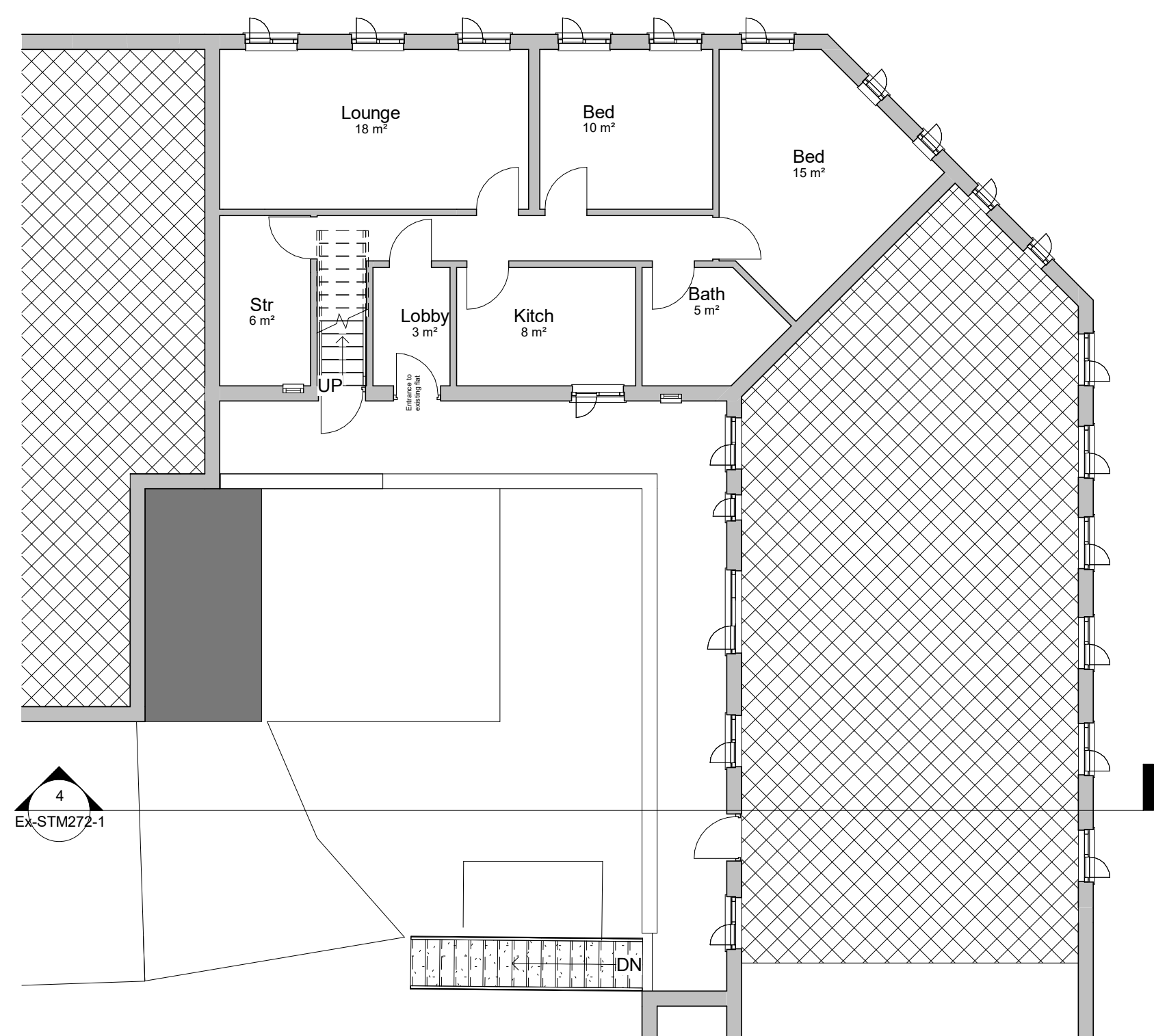
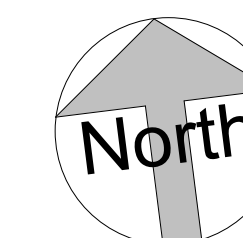
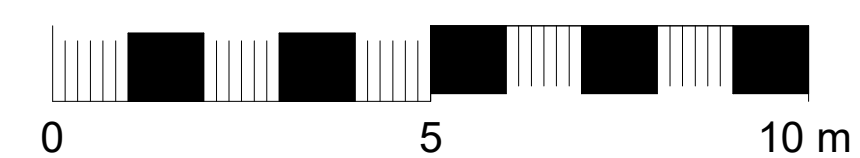
## **12.0 Conclusion and Recommendation**

- 12.1 The starting point for the determination of any planning application is the development plan. Paragraph 11(d) of the NPPF, and the application of the tilted balance means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, which also includes the Development Plan. Moreover, planning permission should be approved 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”.
- 12.2 Having regard to the assessment in this report, the development would provide an additional unit of accommodation. This would contribute towards the Borough’s strategic objectives in terms of delivering new homes. The quality of accommodation that this single bedroom flat would provide is acceptable, based on the up-to-date housing quality standards outlined in The London Plan (2021). The development would not result in the harmful overlooking of neighbours nor would it result in harm to the amenity and living conditions of neighbours.
- 12.3 It is acknowledged that the consideration of this report has involved some balanced judgements, for example in relation to amenity space provision and the use of a Velux Cabrio window. Yet, it is considered that the form, design and appearance of development would not be significantly dissimilar to development nearby, for example at 262A Nightingale Road, and thus it would acceptably relate with the character of the surrounding area.
- 12.4 The above assessment against the development plan policies has produced the following conclusion:
- The proposal would provide one new dwelling with an acceptable standard of accommodation that would contribute to the housing stock in the borough.
  - The proposed development is considered appropriate in form and design and would not result in detrimental harm to the character and appearance of the locality.
  - The proposal, by virtue of its form and small scale, would not harm the amenity of occupying and neighbouring residents.
  - There are no identified adverse effects on highway safety or traffic generation.
  - The reasons for the refusal of a previous planning application on this site have been acceptably overcome by this current application.
- 12.5 Having regard also to the mitigation secured by the recommended conditions and the presumption in favour of sustainable development it is considered that the benefits of the development would outweigh any identified impacts. When assessed against the

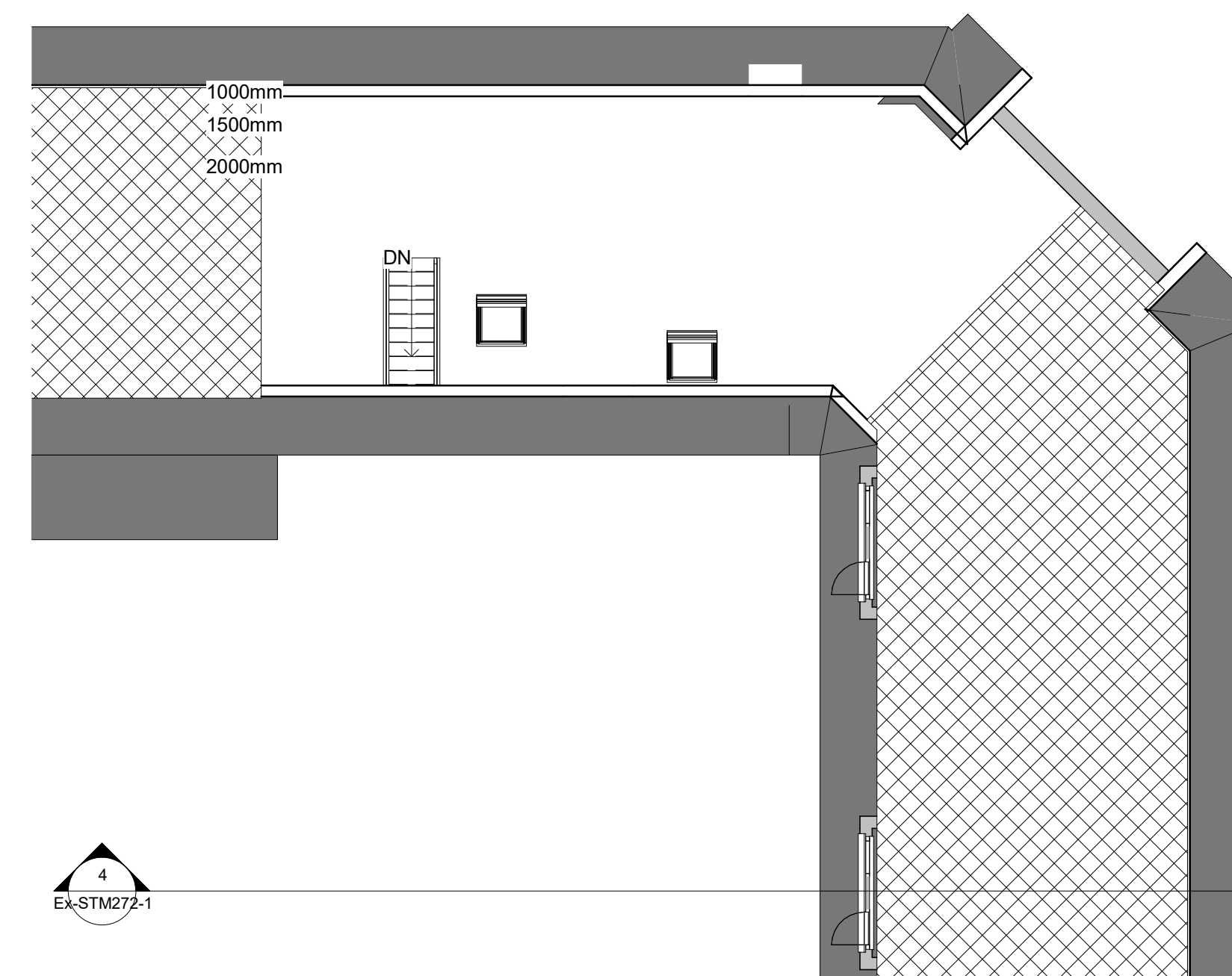
suite of relevant planning policies it is considered that planning permission should be granted subject to conditions.



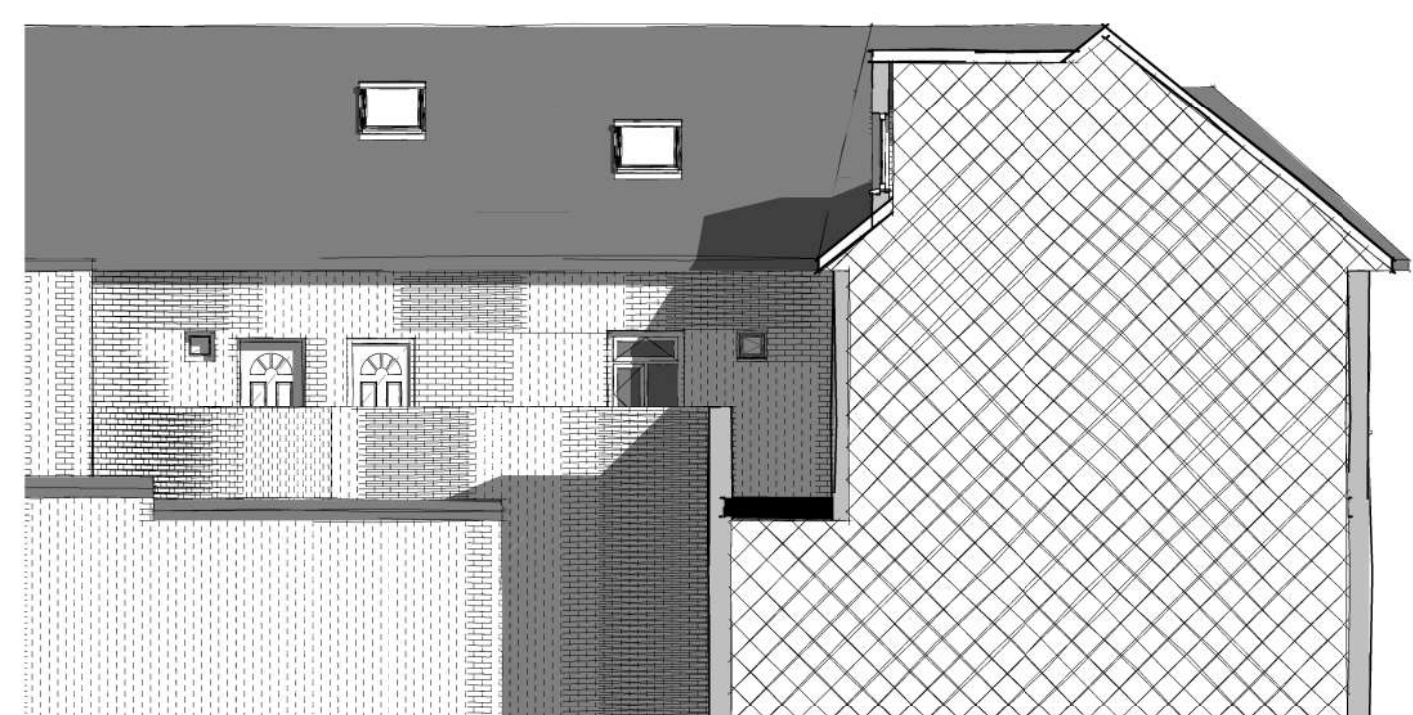
These drawings are for use in the planning process only. All measurements should be checked on site. These plans should not be used for structural calculations or any other engineering purpose.



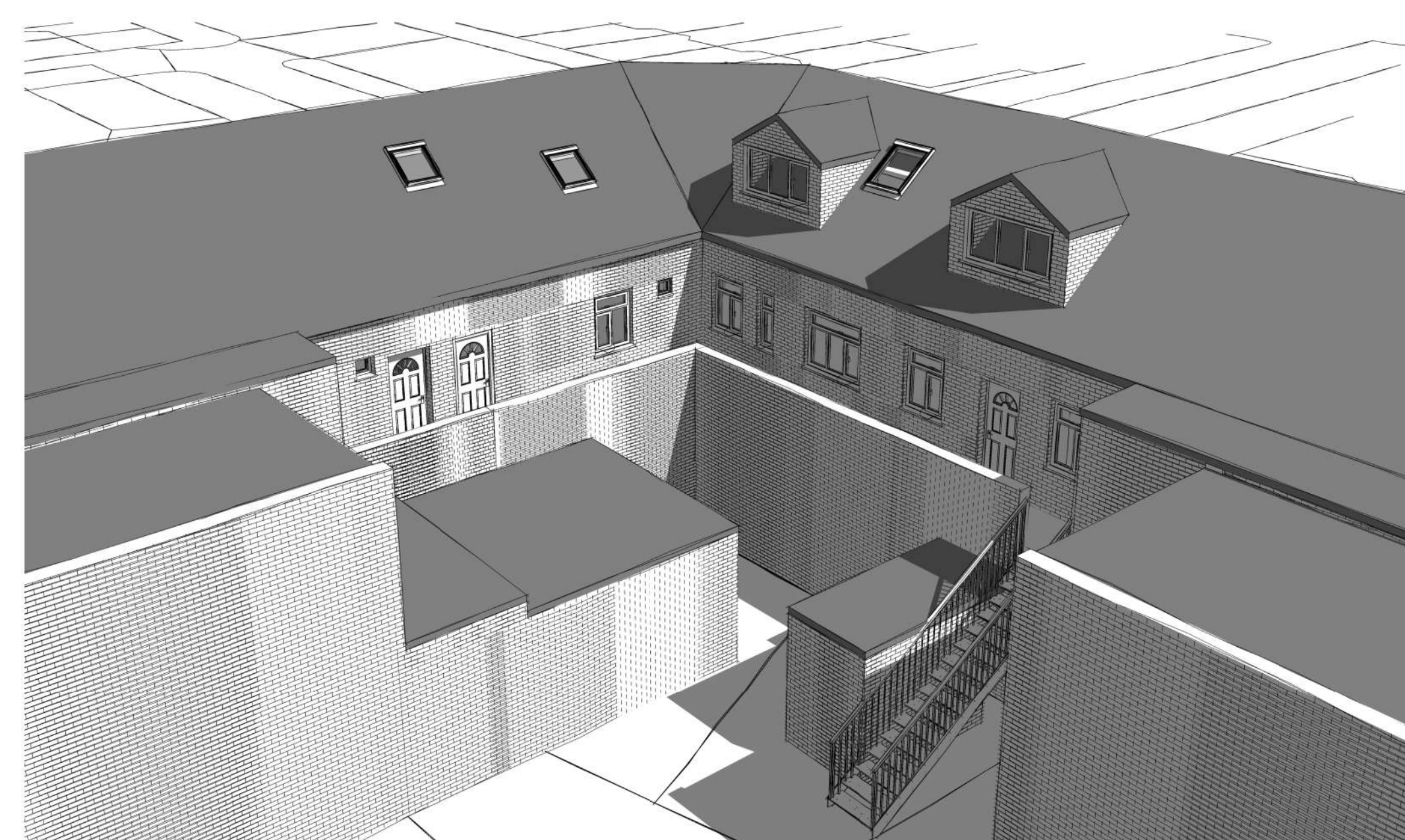
**2 E-01 1st floor**  
1 : 100



**1 E-02 Eaves**  
1 : 100



**4 E-Section 2**  
1 : 100



**3 E-3D View**

272 St Mary's Rd, London  
N9 8NP

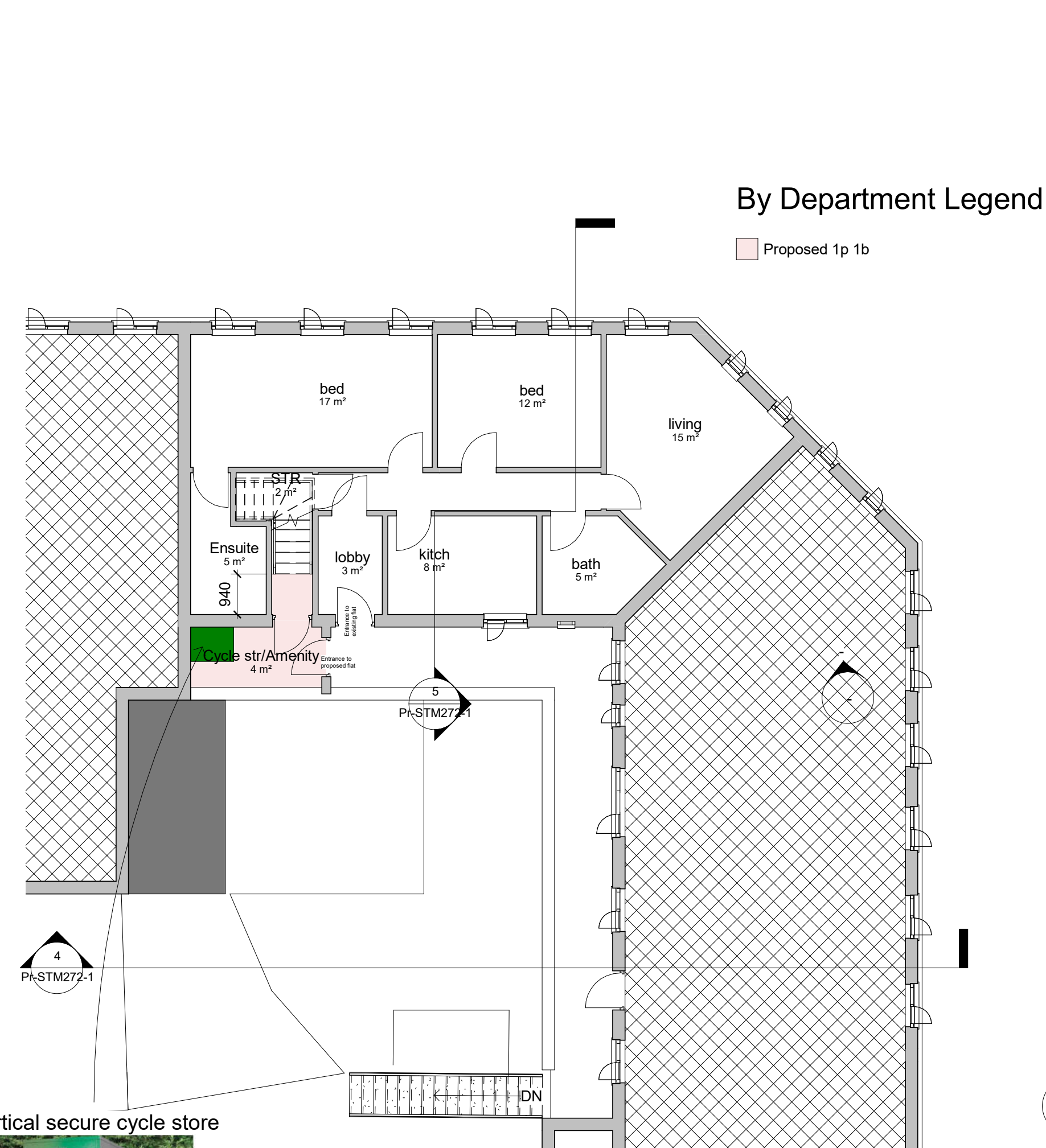
Existing plans

Project number	STM272
Date	17/05/2022
Drawn by	JH
Checked by	NKW

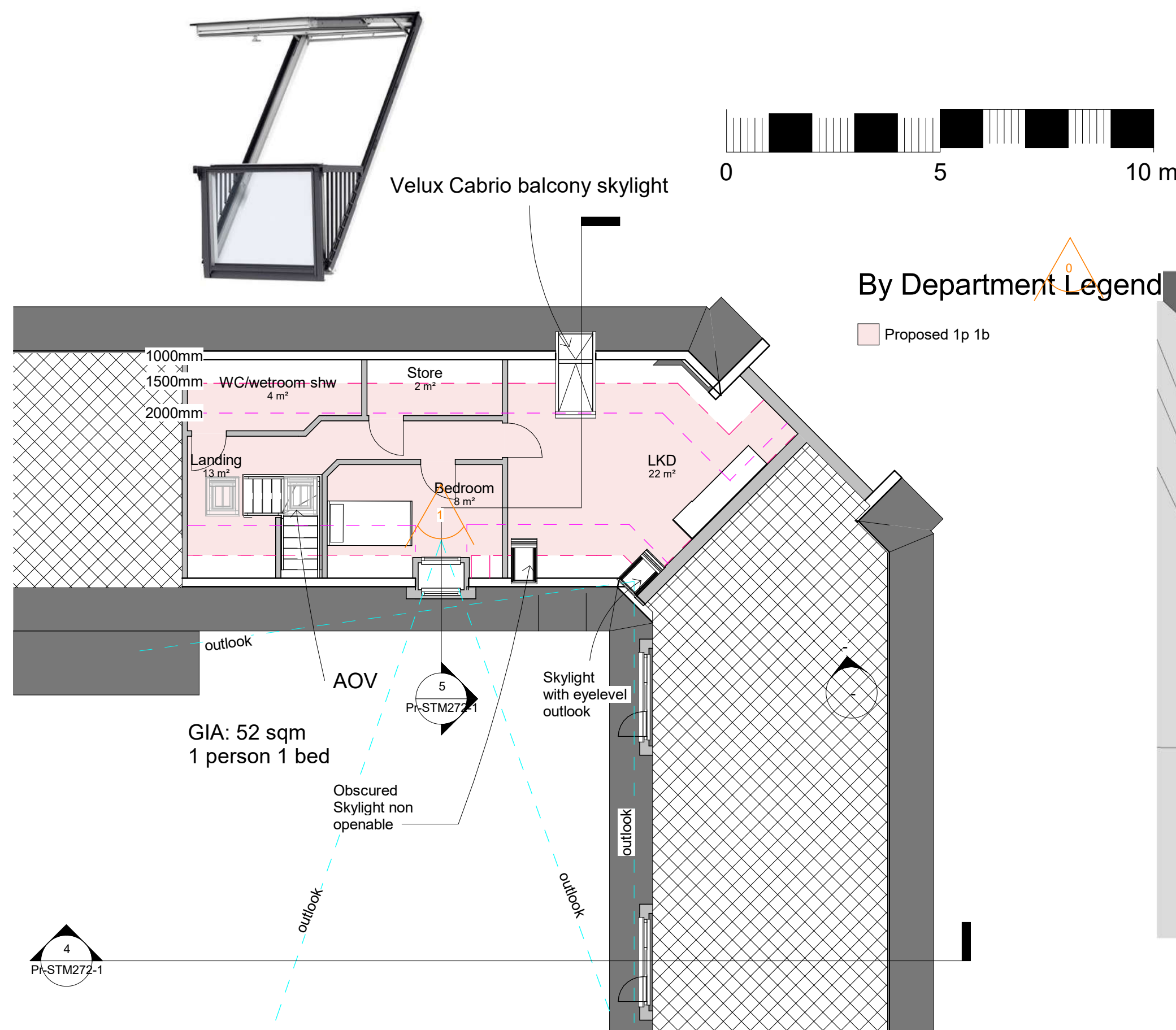
**Ex-STM272-1**

Scale @ A1 1 : 100

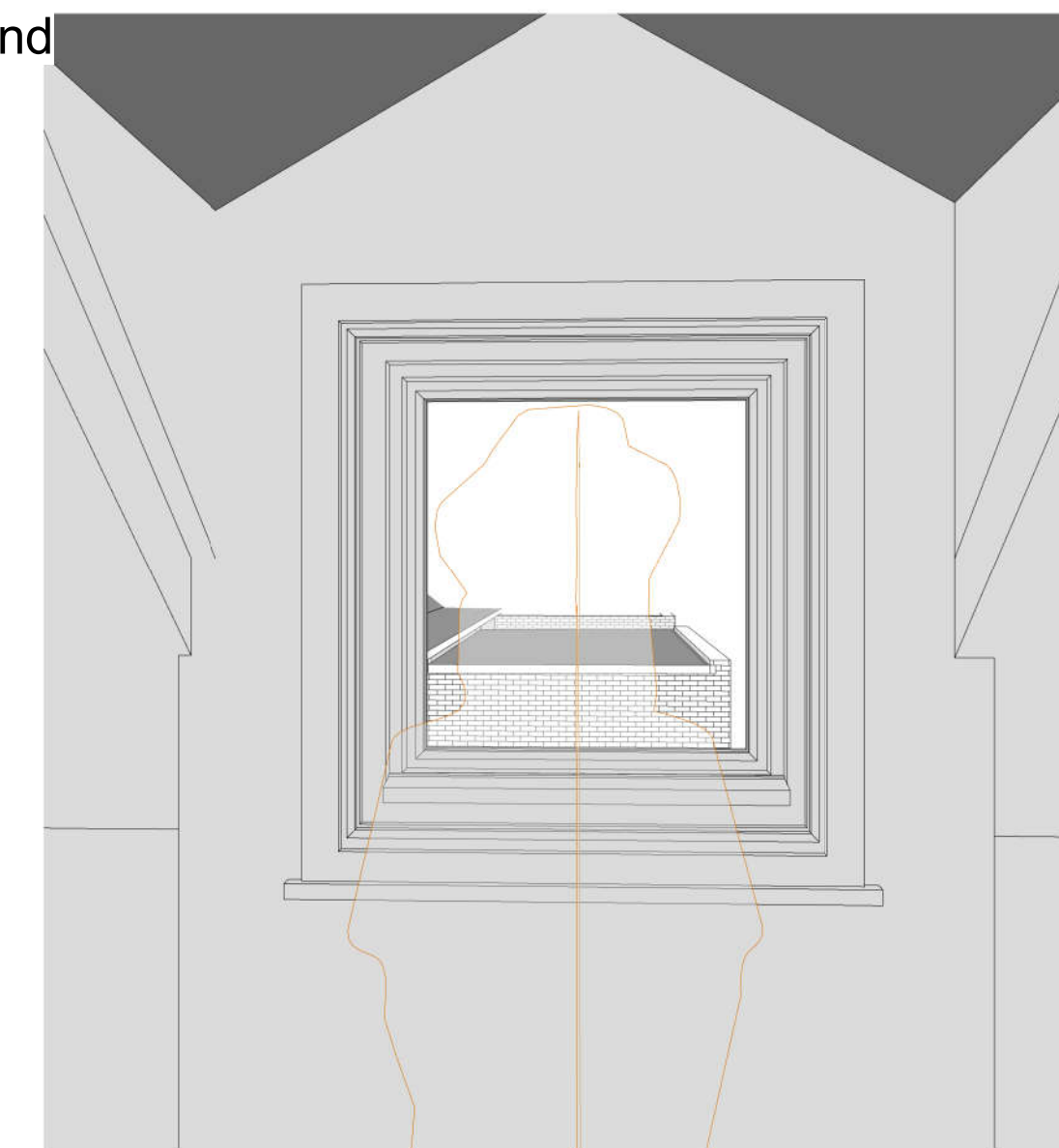




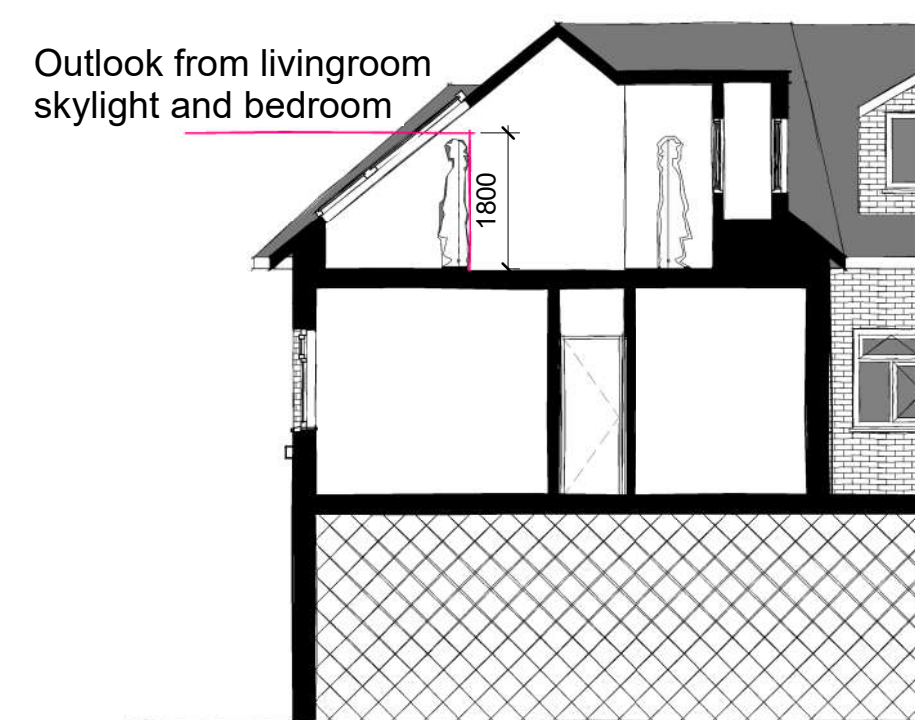
**2 P-01 1st floor**  
1 : 100



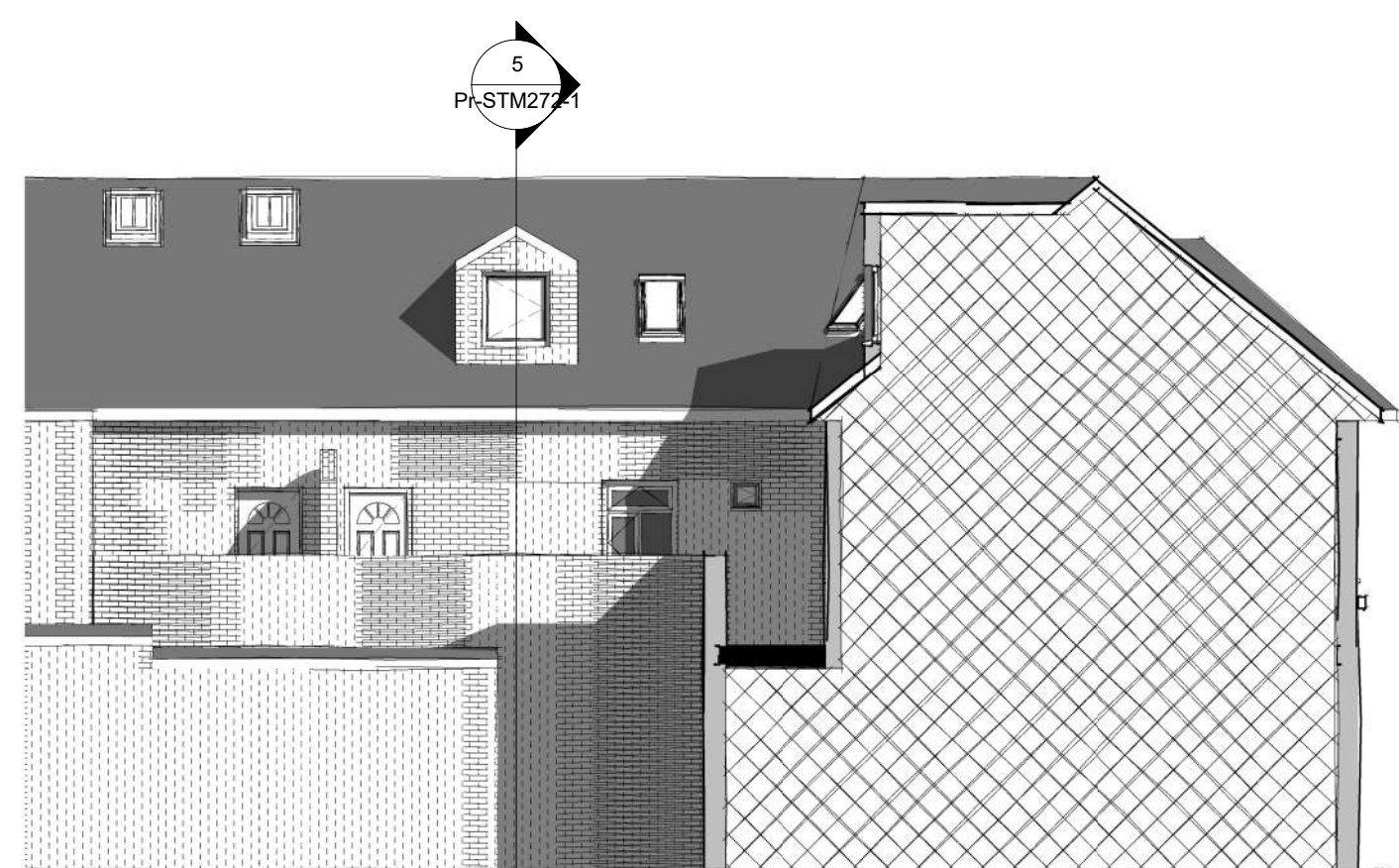
**1 P-02 Eaves**  
1 : 100



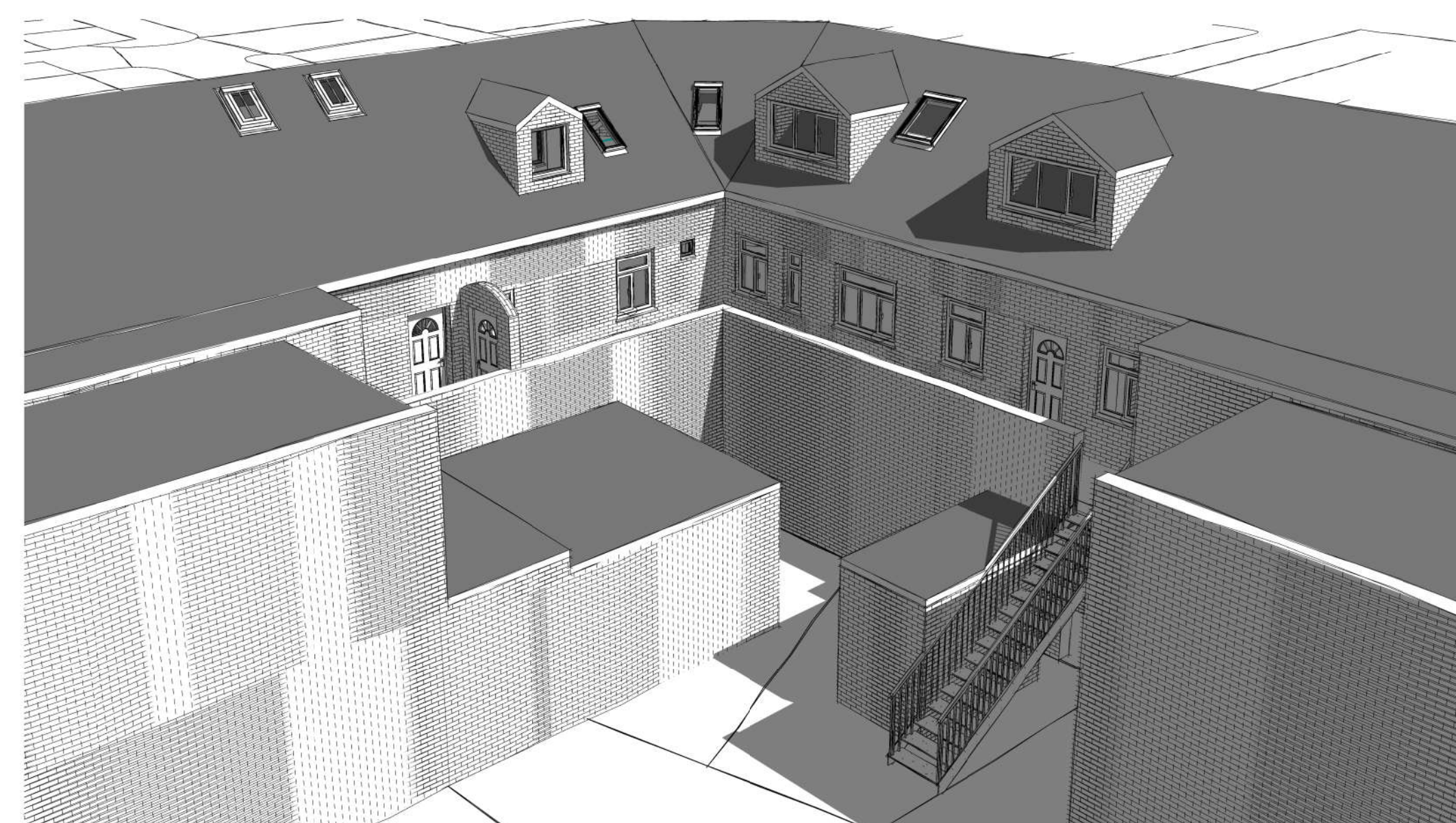
**6 3D View 1**



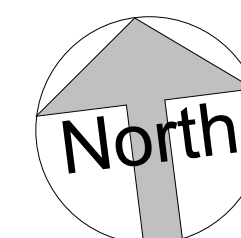
**5 Section 3**  
1 : 100



**4 P-Section 2**  
1 : 100



**3 P-3D View 1**



272 St Mary's Rd, London  
N9 8NP

Proposed plans draft

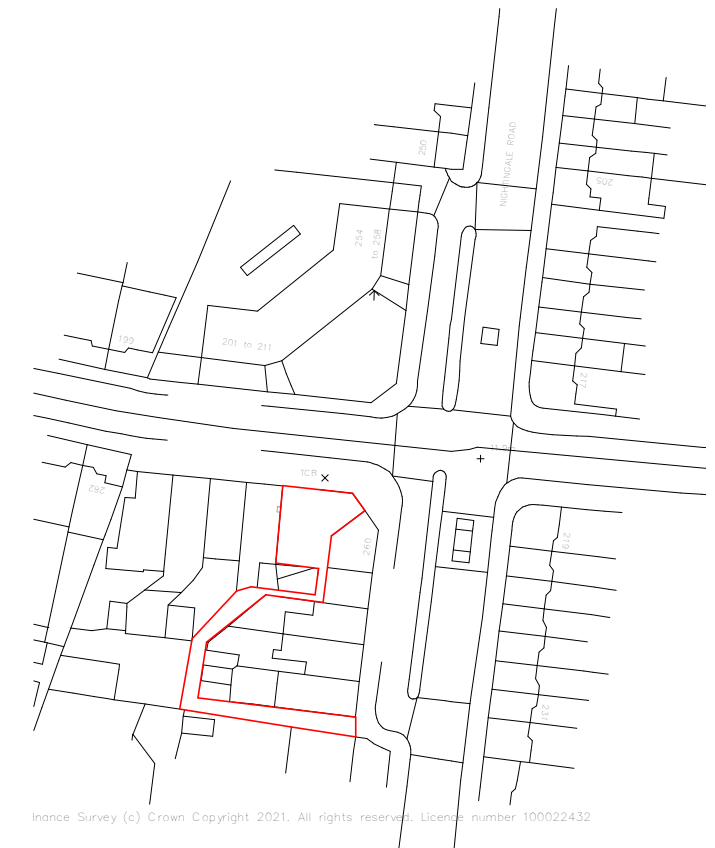
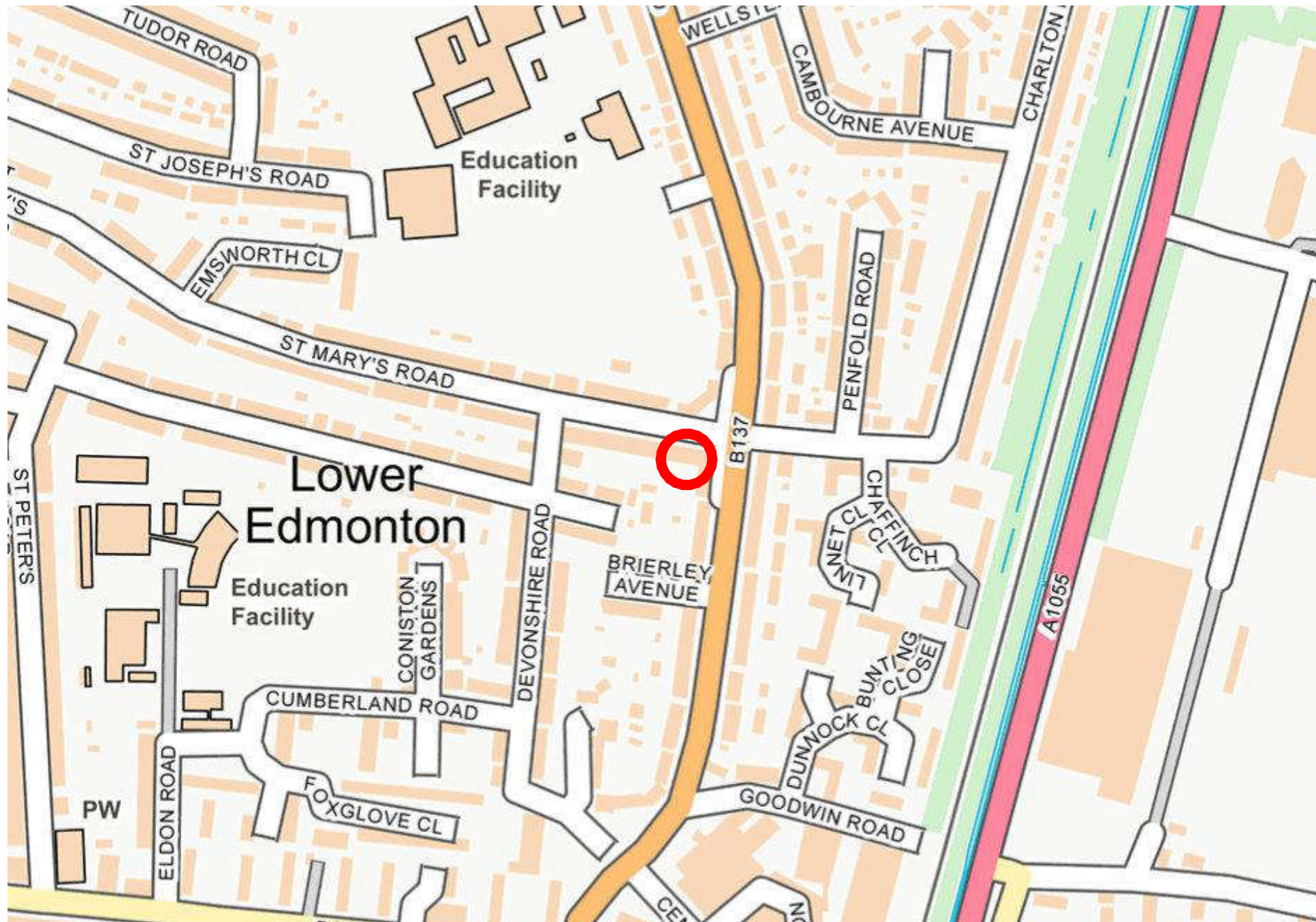
Project number	STM272
Date	17/05/2022
Drawn by	JH
Checked by	JP

**Pr-STM272-1**

Scale @ A1 1 : 100



These drawings are for use in the planning process only. All measurements should be checked on site. These plans should not be used for structural calculations or any other engineering purpose.



293sqm  
**1** Site  
 1 : 1250



Peter Pendleton & Associates  
 97 Lower Marsh  
 London SE1 7AB

www.pendleton-assoc.com

REVISION:

272 St Mary's Rd, London N9 8NP

Site location plan

Project number	STM272
Date	17/05/2022
Drawn by	JH
Checked by	JP Scale@A3

EX-STM272-2

1 : 1250

**LONDON BOROUGH OF ENFIELD****PLANNING COMMITTEE****Date:** 22 November 2022**Report of**

Head of Planning

**Contact Officers:**Andy Higham  
Gideon Whittingham  
Maria Demtri**Category**Full Planning  
Application**Ward**

New Southgate

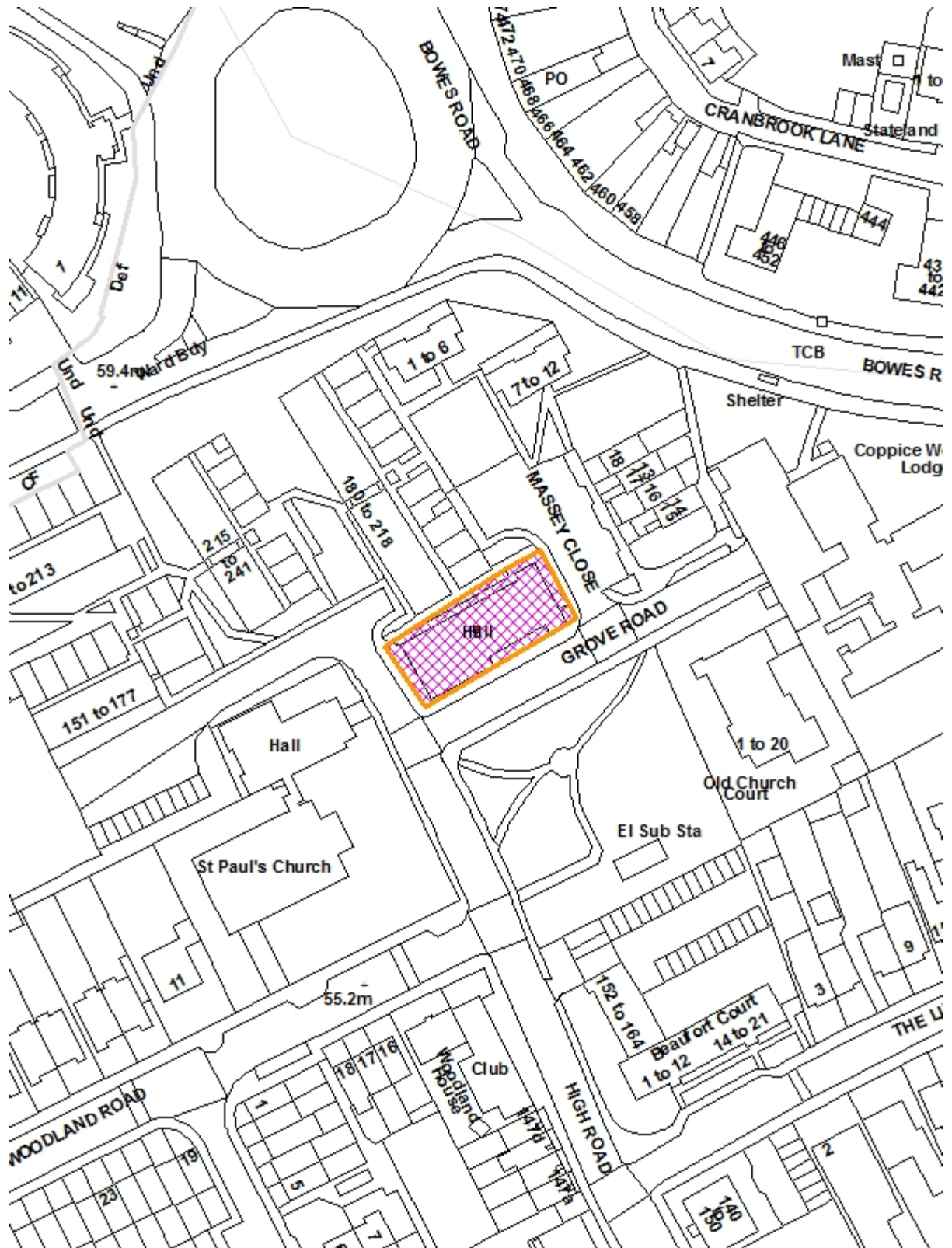
**Councillor Request**

No Cllr Request

**LOCATION:** Church Hall, Grove Road, London, N11 1LX**APPLICATION NUMBER:** 22/02415/FUL**PROPOSAL:** Redevelopment of site involving demolition of vacant church hall and construction of a part 5 and part 6 storey residential building to provide 4 maisonettes and 20 apartments with associated external works.**Applicant Name & Address:**Beverley Homes Ltd  
Bayley Hall  
Queens Road  
Hertford  
SG14 1EN**Agent Name & Address:**CPL Architects  
Unit 18B  
Pacific House  
Sovereign Harbour Innovation Park  
1 Easter Island Place  
Eastbourne  
BN23 6FA**RECOMMENDATION:**

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

Ref: 22/02415/FUL LOCATION: Church Hall, Grove Road, London, N11 1LX



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Scale 1:1250

North





## **1 Note for Members**

- 1.1 This planning application is brought to Planning Committee on account of the development categorised as a “major” development, meeting the exception criteria (1), “detailed applications for the erection of 10 or more residential units”. In accordance with the scheme of delegation, is reported to Planning Committee for determination.

## **2 Recommendation**

- 2.1 That subject to the completion of a S106 Agreement to secure the matters covered in this report and to be appended to the decision notice, the Head of Development Management be authorised to GRANT planning permission subject to conditions:

1. Time limit
2. Accordance with plans
3. External Appearance (sample materials including glazing specification)
4. External Appearance (hard standing)
5. Biodiversity Enhancements including bat box
6. Detail of development – Refuse storage
7. Details of development – cycle storage
8. Construction Management Plan
9. Highway details
10. Water
11. Secure by Design
12. No piling
13. Energy Technical Note
14. Energy Strategy and verification
15. Energy Performance Monitoring and Reporting
16. SuDS
17. SuDS verification
18. Communal garden
19. Electric Vehicle Charging Point design
20. Part M units
21. Enclosure on ground floor
22. Deck access bedroom windows to be one-way privacy glass, including GF DDA
23. Balcony safety railings to be frosted safety glass
24. Tree report
25. Details of roof space (including plant and lift overrun)
26. Details of enclosures above ground level

### Informative

1. Thames Water
  2. Designing out crime
  3. Highways
- 2.2 That the Head of Development Management be granted delegated authority to agree the final wording of the conditions and the s106 Agreement to cover the matters in the Recommendation section of this report.

### **3. Executive Summary**

- 3.1 The applicant seeks the redevelopment of the site involving the construction of 24 x new homes, replacing a vacant church hall. The proposals would provide 10 Affordable Housing dwellings which totals 42% on site, with a tenure mix of 7 being social/affordable rent (5 x 1b2p and 2 x 2b4p) and 3 being intermediate (2 x 2b4p and 1 x 3b5p).
- 3.2 The proposals have been subject to extensive discussion with Council Officers. The scheme has been subject to amendments during pre and post-submission negotiations.
- 3.3 The redevelopment of the site will help delivery and contribute to the Council's substantial housing delivery targets and therefore the principle of development in this sustainable location on previously developed land is supported. The Council has failed the most recent Housing Delivery Test and is therefore in the presumption in favour of sustainable development category. The tilted balance would therefore be applied in assessing and weighing up the benefits of the scheme keeping in mind the loss of the community unit and no replacement unit.
- 3.4 The proposed dwelling mix has been based on an assessment of affordable housing considerations, including detailed consideration of the Council's Local Housing Needs Assessment (2020), planning policy, policy weight, case law, Applicant justification and advice from the Council's Housing Officers.
- 3.5 The application is supported by appropriate and satisfactory technical reports covering the effect of the proposed development on parking, biodiversity and impacts to neighbouring amenity. The loss of the vacant community use was found to be acceptable in the previously refused application (reference 21/03150/FUL) and in the current application. The impacts of the development are considered within acceptable thresholds to meet policy compliance expectations.
- 3.6 The planning application satisfies overarching planning policy aims to increase the housing stock of the borough and considered to be acceptable subject to pre-commencement and pre-occupation planning conditions and a signed S106 legal Agreement.
- 3.7 The Government prescribes a "tilted balance" in favour of housing delivery to the Council's planning decision-making as a result of Enfield's current inability to demonstrate a 5-year housing land supply as well as the Council's shortfall in meeting housing delivery targets. This means that applications for new homes should be given greater weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that the adverse impacts of the scheme, are not sufficient to significantly and demonstrably outweigh the benefits of the proposed housing, including provision of 42% Affordable Housing.
- 3.8 It is recognised that sites such as this need to be optimised in order to minimise encroachment into the Borough's Green Belt and protected Strategic Industrial Locations. It is considered that the social benefits, both in respect of the provision of high-quality new housing stock and other spatial and environmental enhancements carry significant weight in favour of the proposed development.

3.9 It is acknowledged and recognised throughout this report, that consideration of this proposal has involved balanced judgements. A balanced consideration of compromises is detailed in the report. The proposal represents a clear scale shift within Grove Road and High Road, with negligible impacts on heritage and neighbouring amenity. These matters have been considered in detail below, and weighed against the primary public benefits of the scheme which include: optimising the site (making effective use of a sustainable, accessible, brownfield site); providing genuinely affordable homes (contributing to the Borough's affordable housing delivery); social and economic benefits (providing jobs during construction); and substantially improved landscape areas (including meaningful biodiversity enhancements and on site play spaces).

#### **4. Site and surroundings**

4.1 The site is located on Grove Road near Arnos Grove underground station and New Southgate station. The site is located in a predominantly residential area and is surrounded by a number of large post war era brick built flat blocks, including one such building to the immediate north of the site. The site is located within a place shaping priority area as covered by Core Policy 45 New Southgate. It is also adjacent to an area of open space that is designated as 'local open space.'

4.2 The building itself is single storey in parts and two storey in other parts with a box dormer as well as a large pitched roof. The building itself has little merit in design terms.

4.3 The site is not within a Conservation Area nor is it in the setting of a Listed Building or Locally Listed Building.

#### **5. Proposal**

5.1 The proposal seeks the redevelopment of the site involving the demolition of the existing church hall and construction of a part 5 and part 6 storey building, with 3 disabled parking spaces, to provide 24\* self contained units with the following mix of residential units:

- 1 bedroom x 2 person = 8 units
- 2 bedroom x 4 person = 12 units
- 3 bedroom x 5 person = 4 units
- Total = 24 units

\*Three of the four 3 bedroom x 5 person units are maisonettes and one of the twelve 2 bedroom x 4 person units is also a maisonette.

5.2 The proposal offers 10 units to be Affordable Housing, which equates to 42% onsite with a tenure split of 70% social / affordable rent and 30% intermediate. The following units have been offered:

- 1 unit x 3 bedroom x 5 person maisonette = intermediate tenure
- 2 units x 2 bedroom x 4 person = intermediate tenure
- 5 units x 1 bedroom x 2 person = social rent tenure
- 2 units x 2 bedroom x 4 person = social rent tenure
- Total = 10 affordable housing (7 social units and 3 intermediate units)

## 6. Relevant Planning History

### 6.1 21/03150/FUL

Redevelopment of site involving demolition of church hall and construction of a part 5 and part 6 storey apartment building to provide 28 self contained units with associated external works.

Refused on 15<sup>th</sup> December 2021 for the following reasons:

#### 1. Affordable housing

The proposal fails to provide any affordable housing for a development of this scale, which would fail to maximise the contribution of the site to the supply of affordable housing in the London Borough of Enfield. The proposal would be contrary to Policies H4 and H5 of the London Plan (2021), Core Policies 3 and 46 of the Core Strategy (2010), DMD1 of the Development Management Document (2014), Enfield's S106 SPD (2016), the Mayors Affordable Housing and Viability SPG and the NPPF (2021).

#### 2. Mix of homes

The proposed development by virtue of the proposed mix of dwelling sizes and type fails to sufficiently meet the housing needs identified in Enfield's Housing Market Assessment and maximise the contribution of the site to the supply of larger homes (3+ bedrooms) in the London Borough of Enfield. The proposal would therefore be contrary to Strategic Objective 4 and Core Policy 5 of the Core Strategy (2010), DMD 3 of the Development Management Document (2014) and the NPPF.

#### 3. Section 106

The development fails to secure a mechanism to secure a contribution to carbon reduction up to zero carbon for regulated emissions and therefore fails to make an adequate contribution to tackling climate change in facilitating environmentally sustainable development. Further, the application fails to provide sufficient evidence to demonstrate the absence of education infrastructure, highway improvements, employment and skills and child care provision and associated monitoring fees. The proposal is contrary to Core Policies 8, 13, 16, 20, 24 and 46 of the Enfield Core Strategy (2010), Policy DMD 1, DMD 45, DMD 47, DMD 48, DMD 50, DMD 51 and DMD 53 of the Development Management Document (2014), the associated S106 Supplementary Planning Document and the NPPF (2021).

#### 4. Residential amenity

The proposal, by reason of its siting to the shared boundaries and position of habitable room windows, would result in a heightened sense of enclosure, impact to outlook, impact to privacy and impact to the receipt of light. Cumulative the impact of the proposal would be harmful to existing residential units. The proposal would be contrary to the NPPF (2019), policy D4 of the London Plan (2021), Core Policy 30 of the Council's Core Strategy (2010) and Policy DMD11 of the Council's Development Management Document (2014).

## 5. Substandard quality accommodation

The proposal, by virtue of its generally contrived internal layout, impact of the siting of the proposed numerous habitable room windows resulting in poor outlook, or no outlook at all, a number of single aspect flats and 3 flats having poor quality and minimal privacy amenity space, would result in poor living conditions to occupiers of the development with a contrived, cramped and dysfunctional internal configuration precluding practical use to meet with the reasonable demands of current and future occupiers. The proposal would be contrary to Policy CP4 of the Core Strategy (2010), DMD 6, DMD8 and DMD37 of the Development Management Document (2014) and the NPPF (2021).

## 6. SuDS

In the absence of an acceptable Sustainable Drainage Strategy, the proposed scheme fails to appropriately consider and mitigate the risks of flooding from all possible sources and allow for adequate measures to make the proposed development safe over its lifetime. Therefore, the proposal is not compliant with the National Planning Policy Framework (NPPF, 2021), DMD 59, DMD 60, DMD 61, DMD 62 and DMD 63 of the Development Management Document (2014) and CP21, CP28 and CP29 of the Core Strategy (2010).

### 6.2 22/00297/PREAPP

Proposed development of site and erection of x 26 residential units.

Officer summary: Suitable for development but some concerns have been expressed. Pre-application closed on the 2<sup>nd</sup> March 2022.

## 7. Consultation

### 7.1 Public

Number notified	216
Consultation start date	21.07.22
Consultation end date	14.08.22
Representations made	3
Objections	3
Other / support comments	0

In summary, the 3 objections raised the following points:

- Affect local ecology
- Close to adjoining properties
- Development too high
- General dislike of proposal
- Inadequate access
- Inadequate parking provision
- Increase in traffic
- Increase of pollution
- Loss of light

- Loss of free parking which is already under strain due to planting of flood plants and the development on Station Road
- Loss of privacy
- More open space needed on development
- Noise nuisance
- Out of keeping with character of area
- Over development
- Potentially contaminated land
- A place of worship should not be demolished for business reasons
- The public space (the park) should not be occupied by the open space
- Waste provision issues

## 7.2 Internal and third-party consultees

<u>Consultee</u>	<u>Objection</u>	<u>Comment</u>
Urban Design	No	The proposals have been subject to extensive discussion with Council Officers. The scheme has been subject to amendments during pre and post-submission negotiations including that of the Design Review Panel during the pre-application stage held on the 7 <sup>th</sup> March 2022. The revised plans which are now presented to Members are to the satisfaction of the Urban Design Officer.
SuDS	No	The proposals have been subject to extensive discussion with Council Officers. The scheme has been subject to amendments during post-submission negotiations to the satisfaction of Officers, subject to conditions.
Transportation	No	The proposals have been subject to discussion with Council Officers. The scheme has been subject to amendments during post-submission negotiations to the satisfaction of Officers, subject to conditions and securing of Section 106 monies (Contribution to CPZ / introduction of parking controls - £12,900 and Sustainable Transport Contribution - £17,920). In addition, the dwellings shall be exempted from any existing or future Controlled Parking Zones. Residents of this development would not be eligible to apply for residents parking permits, unless they are a holder of a Blue Badge or any future equivalent, which will also be secured by way of a Section 106 mechanism.
Climate Action and Sustainability Lead Officer	No	The proposals have been subject to discussion with Council Officers. The scheme has been subject to amendments during post-submission negotiations to the satisfaction of Officers, subject to conditions and securing of Section 106 monies for the Carbon Offset fund.
Planning Policy	No	Broadly support the scheme but require further evidence regarding the mitigation of the community space without re-provision on site.

Local Employment Team	No	The proposals have been subject to discussion with Council Officers. The applicant has agreed to provide one apprentice, Section 106 monies and an Employment Skills Strategy.
Environmental Health	No	No objection raised subject to conditions relating to construction management and pilling.
Energetik	No	The developer is planning to connect to the DEN as part of their Sustainability Strategy. This needs to be enforced via the Section 106 mechanism.
Heritage	No	As originally submitted Heritage Officers advise that they are unable to support the granting of permission given the impact to the non designated heritage asset, which are namely the two churches within the vicinity of the site. Since the revised plans have been received Heritage Officers advise that they have nothing further to add from a heritage perspective but defer to Urban Design regarding materials and design and trees.
Thames Water	No	No objections raised subject to standard informatives
Designing out crime	No	A condition and informative has been requested to be imposed. A comprehensive list of the concerns of the Officer has been provided and passed on to the Agent ranging from door/window specifications to internal CCTV.

#### Officer response to comments

- 7.3 The material planning concerns within the objection letters have been considered by Officers during the assessment of the planning application. Officers visited the site to make assessment of the highlighted concerns. The concerns raised during consultation are addressed and assessed in the body of the report under the relevant material sections. It is prudent to note that this scheme is on the opposite side of the road to the area of open space and is in no way being built on the open space area.

#### **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.
- 8.2 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Enfield Core Strategy (2010); the Enfield Development Management Document (2014); and The London Plan (2021).

National Planning Policy Framework (2021)

- 8.3 The National Planning Policy Framework sets out at Para 11 a presumption in favour of sustainable development. For decision taking this means:
- a. “(c) approving development proposals that accord with an up-to date development plan without delay; or
  - b. (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; 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.
- 8.4 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.”
- 8.5 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.
- 8.6 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.

London Plan (2021)

- 8.7 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  
SD10 Strategic and local regeneration



D1 London's form, character and capacity for growth  
D3 Optimising site capacity through the design-led approach  
D4 Delivering good design  
D5 Inclusive design  
D6 Housing quality and standards  
D7 Accessible housing  
D8 Public realm  
D11 Safety, security and resilience to emergency  
D12 Fire safety  
D14 Noise  
H1 Increasing housing supply  
H2 Small sites  
H3 Meanwhile use as housing  
H4 Delivering affordable housing  
H5 Threshold approach to applications  
H6 Affordable housing tenure  
H7 Monitoring of affordable housing  
H9 Ensuring the best use of stock  
H10 Housing size mix  
S1 Developing London's social infrastructure  
S2 Health and social care facilities  
S3 Education and childcare facilities  
S4 Play and informal recreation  
G1 Green infrastructure  
G3 Metropolitan Open Land  
G4 Open space  
G5 Urban greening  
G6 Biodiversity and access to nature  
G7 Trees and woodlands  
G9 Geodiversity  
SI 1 Improving air quality  
SI 2 Minimising greenhouse gas emissions  
SI 3 Energy infrastructure  
SI 4 Managing heat risk  
SI 5 Water infrastructure  
SI 7 Reducing waste and supporting the circular economy  
SI 8 Waste capacity and net waste self-sufficiency  
SI 12 Flood risk management  
SI 13 Sustainable drainage  
T1 Strategic approach to transport  
T2 Healthy Streets  
T3 Transport capacity, connectivity and safeguarding  
T4 Assessing and mitigating transport impacts  
T5 Cycling  
T6 Car parking  
T6.1 Residential parking  
T7 Deliveries, servicing and construction  
T9 Funding transport infrastructure through planning  
DF1 Delivery of the Plan and Planning Obligations  
M1 Monitoring

Local Plan – Overview

8.8 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

Enfield Core Strategy: 2010 (ECS)

- 8.9 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

CP2 Housing supply and locations for new homes  
CP3 Affordable housing  
CP4 Housing quality  
CP5 Housing types  
CP6 Meeting particular housing needs  
CP20 Sustainable energy use and energy infrastructure  
CP21 Delivering sustainable water supply, drainage and sewerage infrastructure  
CP22 Delivering sustainable waste management  
CP24 The road network  
CP25 Pedestrians and cyclists  
CP30 Maintaining and improving the quality of the built and open environment  
CP32 Pollution  
CP36 Biodiversity  
CP46 Infrastructure Contribution

Development Management Document (2014)

- 8.10 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 Development Management Document policies are considered particularly relevant:

DMD 1: Affordable Housing on Sites Capable of Providing 10 units or more  
DMD3: Providing a Mix of Different Sized Homes  
DMD6: Residential Character  
DMD8: General Standards for New Residential Development  
DMD9: Amenity Space  
DMD10: Distancing  
DMD13: Roof Extensions  
DMD 17: Protection of Community Facilities  
DMD37: Achieving High Quality and Design-Led Development  
DMD38: Design Process  
DMD45: Parking Standards and Layout  
DMD46: Vehicle Crossover and Dropped Kerbs  
DMD47: New Road, Access and Servicing  
DMD48: Transport Assessments  
DMD49: Sustainable Design and Construction Statements  
DMD50: Environmental Assessments Method  
DMD51: Energy Efficiency Standards

DMD52: Decentralised Energy Networks  
DMD53: Low and Zero Carbon Technology  
DMD54: Allowable Solutions  
DMD55: Use of Roofspace/ Vertical Surfaces  
DMD56: Heating and Cooling  
DMD57: Responsible Sourcing of Materials, Waste Minimisation and Green Procurement  
DMD58: Water Efficiency  
DMD59: Avoiding and Reducing Flood Risk  
DMD61: Managing Surface Water  
DMD68: Noise  
DMD69: Light Pollution  
DMD79: Ecological Enhancements  
DMD80: Trees on development sites  
DMD81: Landscaping

### **Other Relevant material considerations**

#### 8.11 Other Material Considerations

Making Enfield: Enfield Heritage Strategy 2019-2024 SPD (2019)  
The Setting of Heritage Assets – Historic Environment Good Practice Advice in Planning: 3, Historic England (2017)  
Enfield Climate Action Plan (2020)  
Enfield Housing and Growth Strategy (2020)  
Enfield Biodiversity Action Plan  
Enfield Characterisation Study (2011)  
National Planning Practice Guidance  
Community Infrastructure Levy Regulations 2010  
LBE S106 SPD  
London Councils: Air Quality and Planning Guidance (2007)  
TfL London Cycle Design Standards (2014)  
GLA: The Control of Dust and Emissions during Construction and Demolition SPG (2014)  
GLA: London Sustainable Design and Construction SPG (2014)  
GLA: Accessible London: Achieving an Inclusive Environment SPG (2014)  
GLA: Social Infrastructure SPG (2015)  
GLA: Housing SPG (2016)  
GLA: Homes for Londoners: Affordable Housing and Viability SPG (2017)  
Mayor's Transport Strategy (2018)  
GLA Threshold Approach to Affordable Housing on Public Land (2018)  
Healthy Streets for London (2017)  
Manual for Streets 1 & 2, Inclusive Mobility (2005)  
National Planning Practice Guidance  
National Design Guide (2019)  
Technical housing – nationally described space standards  
The Environment Act 2021  
The Planning (Listed Buildings and Conservation Areas) Act 1990

#### ***Relevant planning appeals and case law***

#### ***2021 Enfield Council Appeal Allowed***

8.12 **Ref: APP/Q5300/W/20/3263151: 79 Windmill Hill, Enfield EN2 7AF:** This appeal was allowed on 02 November 2021 for 49 x self-contained flats within 3 Blocks. The position

in respect of affordable housing and housing mix are relevant to the consideration of this application.

- Paragraphs 19 and 20 of the appeal decision sets out that the Council's Core Strategy mix targets should not be applied mechanistically to every scheme on every site – but rather applied over the lifetime of the CS across the entire borough. Enfield's Core Strategy and Development Management Document mix policies have less weight than Policy H10 of the London Plan (2021) – which stresses the importance of locational factors when considering mix and the benefits of 1 and 2 bed dwellings in taking pressure off conversions of larger family homes to smaller dwellings.
- Paragraphs 15 to 17 consider the Council's 40% Affordable Housing requirement set out at policy Enfield's Development Management Document Policy DMD1 in the context of London Plan Policy, including H4 and conclude that the amount of affordable housing should correctly be tested by viability where there is evidence of viability issues affecting a development.

### **2021 Enfield Council Appeal Allowed**

8.13 **Appeal Ref: APP/Q5300/W/21/3270885: Southgate Office Village, 286 Chase Road, Southgate N14 6HT:** This appeal was allowed on 14 December 2021 for the erection of a mixed-use (C3) scheme ranging from 2 to 17 storeys with a dual use café (B1/A3), with associated access, basement car and cycle parking, landscaping, and ancillary works

- Paragraph 54 notes *“The evidence shows that at present, they {the Council} can demonstrate a supply {Housing} of just over two years...that would make LP Policy D9 (amongst others) out-of-date”*
- Paragraph 55 provides the following commentary on paragraph 11d)ii of the NPPF commenting *“This sets out that in the situation under consideration, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The only harmful aspect of the scheme is that its timing relative to the emerging Local Plan means that the Council, residents, and others with an interest, would lose the opportunity to consider the suitability of the site for a tall building, or buildings, through the examination process, whenever it might take place. To my mind, bearing in mind the parlous state of the Council's housing land supply, the harm that flows from that pales against the enormous benefits of the open-market and affordable housing the scheme would bring forward in a well-designed, contextually appropriate scheme.*
- Paragraph 56 goes on to state *“It seems to me therefore that whichever way one approaches the matter, the answer is the same; planning permission should be granted for the proposal”.*

### **2022 Enfield Council Appeal Allowed**

8.14 **Appeal ref: APP/Q5300/W/21/3276466: Car Park Adjacent to Arnos Grove Station, Bowes Road:** This appeal was allowed on 30 March 2022 for the construction of four buildings, comprising 162 x residential units (64 x affordable homes) and flexible use ground floor unit.

- Paragraph 81 considers the Council's failure to deliver against its Housing Target concluding that: *‘the appeal scheme would make a*

*significant contribution to the delivery of housing in general and affordable housing in particular. Viewed in the context of recent levels of housing delivery in Enfield, significant benefit should be attached to the benefit of the scheme's housing delivery'.*

## **9 ANALYSIS**

9.1 This report sets out the analysis of the issues that arise from the proposed development assessed against National policy and the development plan policies. The main planning issues raised by the Proposed Development are:

- Principle of Development
- Housing Need, affordable housing and tenure mix
- Design and character
- Standard of accommodation including amenity
- Impact on neighbouring amenity
- Sustainable drainage
- Highways, access and parking
- Biodiversity impact
- Trees
- Sustainability and climate change
- Heritage
- Section 106 agreement and planning obligations
- Community infrastructure Levy (CIL)
- Equalities impact

### **Principle of Development**

#### *Residential development*

9.2 The Council has failed the most recent Housing Delivery Test and is therefore in the presumption in favour of sustainable development category. The tilted balance would therefore be applied in assessing and weighing up the benefits of the scheme keeping in mind the loss of the community unit and no replacement unit. It is prudent to note that the previously refused application on the site also resulted in the loss of a community use and did not re-provide one on site. The justification put forward in the previously refused scheme would still stand in the current scheme which is under consideration by Members. This is discussed in depth within this report. Ultimately, the redevelopment of the site will help delivery and contribute to the Council's substantial housing delivery targets and therefore the principle of development in this sustainable location on previously developed land is supported.

#### *Loss of community use*

9.3 DMD 17 "Protection of Community Facilities" which states that the council will protect existing social and community facilities in the Borough. Proposals involving the loss of community facilities will not be permitted unless:

- a. A suitable replacement facility is provided to cater for the local community that maintains the same level of public provision and accessibility; or
- b. Evidence is submitted to demonstrate that there is no demand for the existing use or an alternative community use.

- 9.4 The detailed text of the policy states that the demand for a social and community facility may change over time as the nature and needs of a local community change. Community facilities should be safeguarded against the unnecessary loss of facilities and services. Evidence will be required of marketing and consultation with the community to demonstrate that there is no demand for existing or alternative community uses.
- 9.5 The development will result in the loss of an existing community hall. While it is acknowledged that the premises has been vacant for some time, in accordance with DMD17 the loss of community facilities must be robustly justified. The following details have been submitted to justify the loss. Grove Road Christian Centre has historically been owned by Christ Church New Southgate and Friern Barnet but has been closed since March 2020. Prior to its closure, the hall was used by a small number of church-run groups, but it has been an underused facility for many years. These groups now operate in alternative accommodation and the building has been vacant ever since. On the date of the officer site visit it was noted that the centre was in a poor state of repair and the actual space was dark and frankly not an attractive space for use. The unit had been marketed since March 2020 and there was interest in community groups. However, the interest did not come forward with an offer that was significantly below the advertised sale price. In addition, those who came forward expressed concern with regards to the capital to either retrofit the building or the operation and repair cost. The site has been sold to Beverley Homes and the church has its own separate facilities for community matters. Thus, Beverley Homes would not be providing community facilities as this falls within the remit of the church who have provided this elsewhere. Returning back to policy, with regards to criteria a, no replacement facility has been provided. With regard to criteria b, on the basis of the information supplied and the development history available to the Council, it is considered that the site has undertaken a sufficiently robust marketing period so as to meet these requirements and has therefore been fulfilled. On this basis, the principle of development, namely the loss of the community facility is not objected to by the Council.

### **Housing Need and Tenure Mix**

#### *Housing need*

- 9.6 Chapter 11 (Making efficient use of land) of the of the NPPF (2021) indicates that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site (NPPF para. 125). In these circumstances: local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF (Para. 125 (c)).
- 9.7 The London Plan sets a target for the provision of 66,000 new homes across London each year. Enfield's 2020 Housing Delivery Action Plan recognises that the construction of more affordable high-quality homes is a clear priority. However, only 60% of approvals in the Borough are being delivered. The London Plan 2021 identifies a need for a minimum of 1,246 dwellings per year to be delivered over the next 10 years in the Borough, an increase over the previous target of 798.
- 9.8 Enfield's Housing and Growth Strategy 2020-2030 sets five ambitions, the first of which is 'More genuinely affordable homes for local people'. The ambition sets a priority to maximise housing delivery and use council assets to achieve this. The key aims of the Strategy seek to address the housing crisis within the Borough. During consideration of the Cabinet report, Members discussed the current housing situation and highlighted

the rise in private sector rents in proportion to the average salary and the significant rise in homelessness. Enfield had one of the highest numbers of homeless households in the country. Insecurity and unaffordability of private sector housing has evidence-based links with homelessness. One of the most common reason for homelessness in London is currently due to the ending of an assured tenancy (often by buy to let landlords). MHCLG (2018) data shows a significant increase in the number of households in Enfield using temporary accommodation – with a significant 67% increase between 2012 and 2018.

- 9.9 Taking into account the housing needs of Enfield’s population, nationally- and regionally-set housing delivery targets and shortfalls in meeting targets and demonstrating sufficient housing land supply, it is evident that this proposal to make more effective use of the Application Site to provide a greater number of homes, at a high-quality and with a range of housing types is supported by adopted Development Plan housing policies, when consider as a whole.

#### *Affordable Housing*

- 9.10 The NPPF must be taken into account in the preparation of local plans and is a material consideration in planning decisions. Annex 2 of the Revised NPPF (2021) defines Affordable Housing as “housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers)”.
- 9.11 LPH5 (Threshold Approach to applications) provides the affordable housing trigger points for major development, set at a minimum of 35% in this case. Notwithstanding the expectation for 35% on site affordable housing, policy permits that the LPA to require submission of viability evidence where it considers that proposals would not meet or exceed the relevant threshold level of affordable housing on site without public subsidy; would not be consistent with the relevant tenure split; would not meet other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor where relevant; do not demonstrate that they have taken account of the strategic 50 per cent target and have sought grant to increase the level of affordable housing (LPH(5)(C)).
- 9.12 Core Policy 3 of the Core Strategy sets a borough-wide affordable housing target of 40% in new developments, applicable on sites capable of accommodating ten or more dwellings. Enfield DMD Policy DMD1 supports the borough-wide target of 40% affordable housing in new developments, applicable on sites capable of accommodating ten or more dwellings. Affordable housing should be delivered on-site unless in exceptional circumstances. As noted, Enfield’s adopted Development Plan polices, including Policies CP3 and DMD 1 are out-of-date relative to the more recently adopted London Plan (2021) housing polices and critically by virtue of Paragraph 11 of the NPPF.
- 9.13 Policy H2 of the New Enfield Local Plan, whilst holding limited weight, mirrors the New London Plan in outlining that the Council will seek the maximum deliverable amount of affordable housing on development sites and that the Council will set a strategic target of 35% affordable housing on all other major housing development.
- 9.14 According to the Enfield Local Housing Needs Assessment 2020, only households with acute housing need are on the Council’s housing register, that is, eligible to be given Council housing. The vast majority of those on the register, or waiting list, live in temporary accommodation. Households who are not homeless or living in temporary accommodation rely on housing through the private sector and are typically supported

by housing benefit. As of 2020, there were 12,300 households supported by housing benefit in the private rented sector within Enfield. The Assessment concluded that there is an annual net shortfall of 711 affordable rented homes. As the Assessment notes, this shortfall underrepresents the numbers of residents who are not in acute housing need but would still qualify for housing benefit to afford accommodation.

#### Affordable Housing Provision

- 9.15 The proposed development comprises a total of 24 x new homes, with 10 x new homes or 27 x habitable rooms offered as Affordable Housing. This represents 42% affordable housing by unit, which is above the threshold of 35% set out in LPH5(B)(1). The provision is considered to be meet policy requirements which is most welcomed. The break down is as follows:

1 unit x 3 bedroom x 5 person maisonette = intermediate  
2 units x 2 bedroom x 4 person = intermediate  
5 units x 1 bedroom x 2 person = social rent  
2 units x 2 bedroom x 4 person = social rent  
Total = 10 affordable housing (7 social units and 3 intermediate units)

- 9.16 While the dwelling mix has a higher proportion of smaller homes than Enfield's adopted, and emerging Development Plan policies seek, Officers have considered these policies in the context of NPPF Paragraph 11 (tilted balance) and are furthermore satisfied that when considered in the context of recent Appeal decisions which highlight that mix targets should not be applied mechanistically to every scheme on every site (Section 8). Site specific considerations also indicate that the proposed mix is appropriate for this application site and scheme.
- 9.17 Officers, having independently assessed the viability assessment, are satisfied that the proposed affordable housing offer represents the maximum level of affordability that the scheme could support. Officers recommend an Early Stage Viability Review – to ensure the applicant builds out the permission to an agreed level of progress within two years of permission being granted in accordance with London Plan Policy H5(E). This is all to be secured by way of the Section 106 mechanism. In addition, the affordable housing units will have access to the communal spaces, which again will be secured by the Section 106 mechanism.
- 9.18 Enfield strategy and policy refers to a borough-wide aim to secure 70% of affordable housing as social rent units. In this case 70% low-cost rent is proposed (by unit). Officers are satisfied that the significant need for affordable housing across all dwelling sizes in Enfield supports the proposed mix, and that the proposal would accord with ECS3 and Enfield DMD 1.
- 9.19 The proposed development would make a significant contribution to the delivery of housing in general and affordable housing in particular. Viewed in the context of recent levels of delivery within Enfield, significant weight should be attached to the housing delivery that would result from the proposals.

#### Dwelling Mix

- 9.20 London Plan Policy H10 states that schemes should generally consist of a range of unit sizes and that this should have regard to a number of criteria including robust local evidence, the mix of uses in the scheme, the range of tenures in the scheme, the nature and location of the site, amongst other considerations.



- 9.21 Enfield Policy CP5 of the Core Strategy (2010) seeks to provide the following borough-wide mix of housing: Market housing – 20% 1 and 2 bed flats (1-3 persons), 15% 2 bed houses (4 persons), 45% 3 bed houses, (5-6 persons), 20% 4+ bed houses (6+ persons). Social rented housing - 20% 1 bed and 2 bed units (1-3 persons), 20% 2 bed units (4 persons) 30% 3 bed units (5-6 persons), 30% 4+ bed units (6+ persons). The mix of intermediate housing sizes will be determined on a site by site basis and the appropriate mix must take into account a range of factors, including development viability and the affordability of potential users.
- 9.22 The evidence base to support the unit mix set out in Core Policy 5 dates from 2008. More recently, the Local Housing Needs Assessment 2020 was prepared to support the emerging Local Plan and is the most up-to-date source of evidence - reflecting the requirements of London Plan Policy H10. Draft Local Plan Policy H3 (while it is not adopted policy), outlines priority types for different sized units across different tenures. The Council's Local Housing Needs Assessment 2020 outlines a range of need across 2 and 3-bed affordable rent homes (high-priority) and high-priority need across 1 and 2-bed intermediate homes, as the majority of households who live in intermediate (shared ownership) housing are households without children. This is based on housing register evidence and is set out below.

	<b>Studio/bedsit</b>	<b>One-bedroom</b>	<b>Two-bedrooms</b>	<b>Three-bedrooms</b>	<b>Four-bedrooms or more</b>
Social/affordable rented	Low priority	Medium priority	High priority	High priority	Low priority
Intermediate	Low priority	High priority	High priority	Medium priority	Low priority
Market	Low priority	Low priority	Medium priority	High priority	High priority

- 9.23 The proposal provides for a range of affordable home sizes, including three (3) bed family size accommodation as set out below:

<b>Home Type</b>	<b>Number/ % of units</b>
1b2p	5 (20%)
2b4p	4 (16%)
3b5p	1(4%)
<b>Total</b>	<b>10</b>

- 9.24 Officers have assessed that the proposal would be in accordance with London Plan Policy H10 but would not be strictly in accordance with ECS5 or Enfield Policy DMD 3. Whilst Officers recognise that prescribed Enfield housing targets regarding mix are intended to be delivered across the borough, this is over the plan period and should not be applied so strictly. This policy interpretation was supported by the Planning Inspector considering appeal ref: APP/Q5300/W/20/3263151. Officers consider the proposed mix can be supported, both due to the reasonable justification provided by the Applicant for the proposed mix, and when considering the relative policy weight of Enfield's housing policies relative to the more recently adopted London Plan housing mix policy – in addition to the implications of Paragraph 11 of the NPPF. As set out at Section 8 the Council's housing policies are considered to be out-of-date.

- 9.25 While the proposal does not accord with ECS5 or Enfield Policy DMD3, those Enfield Policies have been established to be in conflict with the more recently adopted housing mix policy of the 2021 London Plan (Policy H10). When considering recent appeal decisions for schemes in Enfield, Planning Inspectors (appeal refs: APP/Q5300/W/20/3263151 and APP/Q5300/W/21/3276466) are clear that any housing mix conflict should be resolved in favour of the more recently adopted policy (London Plan Housing Mix Policy H10). Policy H10 of the London Plan (2021) stresses the importance of and benefits of 1 and 2 bed dwellings in taking pressure off conversions of larger family homes to smaller dwellings.
- 9.26 Furthermore, colleagues in the planning policy department have confirmed that while the proposal does not conform to the requirements of the Council's Core Policy 5, it is noted in the more recently published Local Housing Need Assessment (2020) that New Southgate has a gap for 1 and 2-bedroom flats. The site is within a highly accessible location; and the positive role one and two bedroom homes play in providing housing for down sizers and overcrowded concealed households, as recognised in the London Plan paragraphs 4.10.3 and 4.10.4. In this regard, the proposal would be plugging a local need identified and supported by evidence.

#### *Housing conclusions*

- 9.27 The Government prescribes a "tilted balance" in favour of housing delivery to the Council's planning decision-making as a result of Enfield's current inability to demonstrate a 5-year housing land supply as well as the Council's shortfall in meeting housing delivery targets. This means that the delivery of new homes should be given great weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that the adverse impacts of the scheme, are not sufficient to significantly and demonstrably outweigh the benefits of the proposed housing, including provision of 42% Affordable Housing. Whilst the proposal does not conform to the requirements of the Council's Core Policy 5, in the more recently published Local Housing Need Assessment (2020) it is noted that New Southgate has a gap for 1 and 2-bedroom flats. Given the site is within a highly accessible location and the positive role one and two bedroom homes play in providing housing for down sizers and overcrowded concealed households, as recognised in the London Plan paragraphs 4.10.3 and 4.10.4, the proposal would be plugging a local need identified and supported by up to date evidence.

#### **Design and Character**

##### *High-quality design and layout*

- 9.28 Chapter 12 (Achieving well-design places) of the of the NPPF (2021) emphasises the central value of good design to sustainable development (NPPF para 126). The Framework expects the planning process to facilitate "high quality, beautiful and sustainable buildings and places". The assessment of a scheme should take into account the endurance of the design, visual appeal, sensitivity to local context, sense of place, optimisation of the site and contribution to health and wellbeing (NPPF para 130).
- 9.29 Good design is central to all objectives of the London Plan and the Council's Local Plan policies. Chapter 3 of the London Plan sets out key urban design principles to guide development in London. Design policies in this chapter seek to ensure that development optimises site capacity; is of an appropriate form and scale; responds to local character; achieves the highest standards of architecture, sustainability and

inclusive design; enhances the public realm; provides for green infrastructure; and respects the historic environment. LPD1 and LPD2 seek to ensure that new developments are well-designed and fit into the local character of an area. Policy D3 requires developments to optimise capacity through a design-led approach, by responding to a site's context, capacity for growth and supporting infrastructure capacity. LPD3 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".

- 9.30 Enfield Policy DMD 37 sets out objectives for achieving good urban design: character; continuity and enclosure; quality of public realm; ease of movement; legibility; adaptability and durability; and diversity. 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.

#### *Assessment*

- 9.31 The proposals have been subject to extensive discussion with Council Officers. The proposed scheme has been subject to amendments during pre and post-submission negotiations. The pre-application was presented at the March 2022 Design Review Panel for comments. The comments from the Design Review Panel and Council Officers were well received by the Agent who has actively worked with Officers to deliver the scheme presented to Members.
- 9.32 The site position is highly exposed on all sides due to the lack of an acceptable established block pattern in the immediate area and public footpaths completely surround the site's curtilage. Therefore, the design of the building has had to be carefully considered and needs to be high quality due to its exposed nature. Importantly, the design has now allowed natural surveillance over areas, including the adjacent park, to deliver active frontages in an area which was currently not overlooked. This is a key positive to the scheme and is welcomed by Officers.
- 9.33 The proposal totals 6 storeys in height. The taller 6 storey element is located to the west which is the most prominent part of the site. The shorter 5 storey element to the east reduces the impact on the existing residential properties (and their gardens) to the north of the site. The 6<sup>th</sup> storey is set in on all sides. The existing church is the tallest building within the vicinity of the site. During the post submission, the 5<sup>th</sup> and 6<sup>th</sup> floor have been reworked to respect the prevailing height of the church through set backs. In addition, the junction between the brickwork and cladding will have a coated aluminium sill/drip flashing for weathering purposes, for the top of the brickwork which will ensure that the quality of this element remains. The set back between the face of metal cladding and the flashed top of the brickwork is 200mm. This will pronounce the visible setback. Further a larger set back on the South West corner was created. The design alteration has now allowed the church to remain the focal point, with the proposed building now less dominant and overbearing to the church.
- 9.34 The building elevations employ a modern interpretation of the approach to materials and façade articulation employed on the nearby historic church buildings within the vicinity of the site. Predominantly red brick facades are articulated with contrasting stone window surrounds and features. As Old Church Court features a stone spire, so

the upper floor of the proposed building features a stone-coloured metal cladding, creating a feature and reducing the mass of red brickwork. It is also prudent to note that the lighter cladding to the sixth floor allows this element of the scheme to appear similar to that at the former Capitol House in Winchmore Hill. This affords the additional floor to not truly be read in the street scene against the sky. The combination of this light colour and the set backs is most welcomed and cleverly designed to allow the lower floors to be read more prominently.

- 9.35 Whilst the proposed building is taller than the existing building on site, the location and prominence of the development site 'commands' a taller building and the surrounding post war maisonette blocks are generally 4 storeys in height, and do not complement the setting the building finds itself in. The greater prominence of the proposed buildings reduces the impact on the poor quality existing residential buildings (on the street scene) and enhances the streetscape by providing a new building that better relates to the church buildings than the existing post war housing stock.
- 9.36 The entrances are clear and legible into the maisonettes and to the flats. The arrangement provides a good level of active street frontage with entrances accessible from the street. A transitional buffer of adequate depth is provided between private and public realm and with the addition of one way privacy glass, this allows further security to future occupants. This has been an important element to the scheme in terms of ensuring high quality active frontage to the ground floor but also ensuring safety and privacy are not compromised for occupants.
- 9.37 The existing building takes up the majority of the plot and the current building proposes a similar siting. However, to the sites benefit, the landscaping, the private terraces and the significant increase in landscape around the plot is far more welcoming and successful in delivering an optimisation of the site compared to the starkness of the building currently on the plot.
- 9.38 It is Officers opinion that the revised and negotiated scheme represents a high-quality design and optimises the site providing an attractive setting for future occupiers. Officers are comfortable and supportive of the proposed design and conclude that the proposal represent a sustainable development.

#### **Standard of accommodation**

- 9.39 Policy D6 of the London Plan 2021 and Policy DMD 8 of the Enfield Development Management Document (2014) set minimum internal space standards for residential development. The Nationally Described Internal Space Standard applies to all residential developments within the Borough and the London Mayor's Housing SPG adopted in 2016 has been updated to reflect the Nationally Described Space Standards.
- 9.40 The proposed residential flats all either meet or exceed the minimum required floorspace requirements as per the National internal floorspace standards. Each habitable room has outlook from a window. All rooms have sufficient access to sunlight and daylight. In addition, each flat and maisonette have their own private balconies or gardens in excess of the requirements of the London Plan.
- 9.41 The block has a single core. The circulation of the flats has been cleverly sited to face the blank wall of the existing maisonettes to the north of the site which allows for a high quality internal space that benefits from natural light and excellent quality of outlook for the future occupants. This design feature is most welcomed by Officers.

- 9.42 It is acknowledged and accepted that there are a number of single aspect flats however this does not cause concern given that they are all south facing and thus will receive the maximum amount of sunlight and daylight.
- 9.43 The bedrooms serving the flats to the north have MVHR Heat Recovery Systems, as described in the Energy Strategy, which allow for the deck access bedrooms to be ventilated without the need to open windows if needed. Whilst having the bedroom windows opening onto the deck access may not be preferable, it is common for deck access properties. The potential footfall across these windows is however limited, given there would typically be two flats per floor. In a single instance flat 11, 16 and 21 are on a single floor, however it is again unlikely to be frequent traffic and, along with one-way glass, would result in harm to those occupiers within.
- 9.44 All major residential development must be accompanied by proposals to provide on-site playspace open space as per Policy S4 (Play and Informal Recreation) of the London Plan (2021) and guidance within the adopted document "Shaping Neighbourhoods: Play and Informal Recreation SPG (2012). Policy S4 sets out core expectations of play space. Residential developments should incorporate good-quality, accessible play provision for all ages. At least 10 square metres of playspace should be provided per child that:
- provides a stimulating environment
  - can be accessed safely from the street by children and young people independently
  - forms an integral part of the surrounding neighbourhood
  - incorporates trees and/or other forms of greenery
  - is overlooked to enable passive surveillance
  - is not segregated by tenure
- 9.45 A play space is provided within the communal roof garden. The play space is to be creative and lean more towards sensory play. The communal garden has been designed like this, including with flower rich perennial planting because it was imperative in achieving SuDS and removing the original SuDs objection. In addition, all the flats and maisonettes have access to a communal garden on the top floor. Importantly, the communal garden is accessed by the lift which means that the communal garden is fully inclusive, securely bounded and accessible
- 9.46 Officers recognise the need to utilise sites to their optimum and judged against the complaint standard of accommodation, the development would accord with London plan (2021) policies, Housing standards SPD (Adopted March 2016), Enfield Core Strategy 4 (Housing quality) and Enfield Development Management Document policies DMD 8, DMD 9, DMD 37 and DMD 72.

### **Impact on Neighbouring Amenity**

- 9.47 Policy D6 of the London Plan 2021) sets out buildings should not cause unacceptable harm to residential amenity, including in terms of privacy and overshadowing. Development proposals should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst minimising overshadowing and maximising the usability of outside amenity space.
- 9.48 Policy CP30 of the Core Strategy seeks to ensure that new developments have appropriate regard to their surroundings, and that they improve the environment in terms of visual and residential amenity. Policies DMD 6 and 8 of the Development Management Document (2014) seek to ensure that residential developments do not

prejudice the amenities enjoyed by the occupiers of neighbouring residential properties in terms of privacy, overlooking and general sense of encroachment.

- 9.49 The existing quality of outlook from surroundings properties to the site would be maintained given the siting of the building. The proposed development has been assessed against policies protecting neighbouring amenity and no unreasonable effect is identified.
- 9.50 A revised Sunlight and Daylight Assessment was submitted, which includes amenity spaces. The conclusion of the report found the vast majority of neighbouring windows, rooms and amenity spaces comfortably fulfil all the planning guidance. This would be regarded as a high level of compliance in a dense urban environment such as this. In one instance only, an existing amenity space at Massey Close would be marginally impacted by the proposal meaning its amenity space would receive less than 2 hours of direct sunlight based on the shadow modelling undertaken. This would not warrant a sound reason for refusal however given that the impact would be marginal and the garden would still receive direct sunlight on the spring equinox (March 21<sup>st</sup>). The modelling also found 3 existing amenity spaces at High Road would be marginally impacted by the proposal, however, the existing trees adjacent to this site already reduce the direct sun on the spring equinox (March 21<sup>st</sup>) and the harm by the development would be no worse. Overall, no objection is therefore raised to this element of the scheme.
- 9.51 Environmental Health does not object to the application for planning permission as there is unlikely to be a negative environmental impact. There are no concerns regarding air quality, noise or contaminated land. Conditions have been recommended in response to EHO Officer recommendations. Overall, no objection is raised to residential amenity impact by the proposed development.

### **Sustainable Drainage**

- 9.52 Policy SI 12 of the London Plan (2021) outlines development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 outlines that development proposals should aim to achieve greenfield runoff rates and ensure that surface water run-off is managed as close to its source as possible. It also states there should also be a preference for green over grey features, in line with an outlined drainage hierarchy. Core Strategy Policies CP21, CP28 and CP29 and Development Management Document Policies DMD59 – DMD63.
- 9.53 The submitted details were originally found to be unacceptable. Discussions and negotiations occurred post submission. The conclusion of the revisions received was that the submission was found to be acceptable, subject to the imposition of conditions. These conditions have been imposed to ensure that surface water run off is managed appropriately and mitigated.

### **Highway, Access and Parking**

- 9.54 London Plan (2021) Policy T1 sets a strategic target of 80% (75% in Enfield) 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.
- 9.55 Policy DMD 45 seeks to minimise car parking and to promote sustainable transport options. The Council recognises that a flexible and balanced approach needs to be

adopted to prevent excessive car parking provision while at the same time recognising that low on-site provision sometimes increases pressure on existing streets.

#### *Pedestrian access*

- 9.56 Consideration has been given to residents and visitors accessing the site's cycle parking, waste store, and nearby streets meeting the requirements of the London Plan and Enfield DMD 47 which states that: "All developments should make provision for attractive, safe, clearly defined and convenient routes and accesses for pedestrians, including those with disabilities." Consideration has been given to wheelchair and pedestrian movements around the site, the proposals provide three wheelchair adaptable user dwellings, designed to comply with Part M of the Building Regulations. Every non-ground floor dwelling is accessible by a lift. This is most welcomed.

#### *Car parking*

- 9.57 The site is in PTAL 5 (very good) and is providing three disabled car parking spaces, and each space is to provide electric charging infrastructure for electric vehicles. In total, two of the spaces will be accessed off of High Road and one will be accessed off of Masey Close. Dropped kerbs to these spaces will be required. The three disabled car parking spaces are welcomed under Part G of Policy T6.1 Residential parking and no objection is raised to the proposed accesses off of the adopted unclassified roads.
- 9.58 The remainder of the development is to be car free. Parking surveys were undertaken on two consecutive days on streets located within 200m walking distance of the site. These surveys noted that out of a possible 149 on-street unrestricted parking spaces 29-30 spaces were available. The surveys demonstrate there is high demand for on street parking spaces, however, the 85% parking stress threshold (recommended LB Lambeth methodology threshold) typically used as the level at which parking capacity is close to being reached, had not been met. That said there are other developments in the immediate area coming forward at the same time as this proposal and all this new development is likely to impact on the availability of on-street parking spaces.
- 9.59 Even though the site is located in an area which is highly accessible by public transport, there is no mechanism (CPZ) in place which controls and manages parking in the area. The site is outside the Arnos Grove CPZ and hence there is a high demand for on-street parking. The council is to carry out a review and consult on extending the Arnos Grove CPZ.
- 9.60 Given the local characteristics of the area and the proximity to local amenities, it is thought that car-free development is acceptable as long as the development is exempt from acquiring parking permits for existing or future CPZ's in the area. This is to be secured by a legal agreement. In this regard, no objection is raised to the provision of a largely car free development in this sustainable location.

#### *Cycle spaces*

- 9.61 A total of 44 long stay cycling spaces and 2 short stay cycling spaces is deemed to be an acceptable provision of cycle spaces. The gangway between the racks is 2.6m wide, which exceeds the 2.5m requirement and a provision of 1.2m access/circulation route is also provided. The maisonette garden bike stores through the process of the post submission have increased in size to comfortably accommodate a cycle space. In this regard, no objection is raised to the proposed cycle provision or their accessibility.

*Refuse and recycling*

- 9.62 The proposed refuse and recycling of the site complies with the Council's adopted standards. In total there will be 5 x 1100L for waste, 1 x 1,280L recycling and an additional 1 x 360L for recycling for the 4 maisonettes. As the provision has been met, no objection is raised to this element of the scheme. The refuse areas are accessible to all future occupants and are conveniently located for access by waste operators.

*Transport conclusion, including contributions*

- 9.63 As part of the development a total highway and transport contribution of £30,820 is sought and has been agreed by the Applicant. It is considered that the development will have a limited impact on the highway network. Having regard to the above the proposal would comply with Policies T6.1 of the London Plan (2021), Policies CP22 and CP25 of the Enfield Core Strategy (2010) and Policies DMD45 and DMD47 of the Enfield Development Management Document (2014).

**Biodiversity Impacts**

- 9.64 Policy G6 of the London plan (2021) states "development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process". The application is submitted with an Urban Greening Factor (2021) calculator which advises that the Urban Greening factor for the site would equate to 0.48. This exceeds the requirements of the London Plan which requires a score of 0.4 for predominantly residential developments. The applicant is committed to providing an extensive green roof with substrate of minimum depth of 80mm, flower rich perennial planting, hedges and ground cover planting and permeable paving. The Biodiversity Report advises that there is no evidence of roosting bats and there is scope on the site to provide enhancements such as native planting, to be secured as part of a landscaping condition but also the installation of bat boxes. It is considered that this is all deemed to be acceptable.

**Impact on Trees**

- 9.65 Part (c) and (d) of Para 180 of Section 15 of the NPPF (2021) states

*c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*

*d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.*

- 9.66 London Plan Policy G7 states that where development proposals result in the removal of trees, adequate replacement trees should be planted based on the existing value of the trees to be removed. Legislation under BS 5837: 2012, alongside Policy CP36 (Biodiversity) of the Enfield Core Strategy (2010) and Policy DMD 80 of the Enfield Development Management Document (2014) all expect existing mature trees on development sites to be protected.
- 9.67 There are a number of trees and associated vegetation on the site that provide limited enhancement, given their size, form, species and how unsustainable their siting is



alongside the building and pavements. In total 5 small unattended trees and 3 medium sized shrubs sit within this site. The loss of these trees is acceptable given that they do not enhance the setting of the building or the wider area in general. Indeed, their replacement with soft native landscaping would aid in delivering privacy to the ground floor units as well as assimilating the ground floor element of the scheme with a greening setting that is most welcomed. Whist tree replacements would typically be sought in all schemes that result in losses, given the site constraints and the ground coverage proposed, this would neither be appropriate nor sustainable to provide replacements in this instance. There are two semi-mature trees outside of the site. Whilst the proposal would infringe upon a portion of their crown, limited pruning that would typically take place in any case would be sufficient to see them retained in the long term without harm. In this regard, no objection is raised with regards to the impact upon these trees subject to the imposition of a condition relating to these two trees.

### **Sustainability and Climate Change**

- 9.68 Policy SI 2 (Minimising greenhouse gas emissions) of the London Plan (2021) expects major development to be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:
- 1) be lean: use less energy and manage demand during operation
  - 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
  - 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
  - 4) be seen: monitor, verify and report on energy performance.
- 9.69 Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:
- 1) through a cash in lieu contribution to the borough's carbon offset fund, or
  - 2) off-site provided that an alternative proposal is identified and delivery is certain
- 9.70 The applicant has submitted an Energy report which has been reviewed by the Councils Climate Action and Sustainability Lead Officer. The Officer has discussed the short falls of the document and come to the conclusion that a revised Technical Note and impositions of conditions would make the submission acceptable. The development does not meet Carbon Zero but provides and exceeds a baseline of 35% above Building regulations. Based on the domestic development emissions charge, a price of £95/Tonne is applied and therefore a carbon off-set contribution of £16,201 is applicable and secured with in the s106 legal agreement.

### **Heritage**

- 9.71 Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 impose a statutory duty on planning authorities to safeguard the special interest of listed buildings and their settings. Section 72 of the Act imposes a statutory duty on planning authorities to preserve or enhance the character and appearance of

conservation areas. The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should “*have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*”. *In relation to conservation areas, special attention must be paid to “the desirability of preserving or enhancing the character or appearance of that area”.*

- 9.72 The NPPF 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 (para 199). Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting (para 200). 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 (Annex 2). There should be ‘clear and convincing’ justification for any harm to, or loss of, a designated heritage asset (para 200). Where a development will lead to ‘less than substantial harm’, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (para 202).
- 9.73 LPHC1 requires development proposals which affect the setting of heritage assets (designated and non-designated) to be sympathetic to their significance and appreciate their surroundings. Harm should be avoided, and enhancement opportunities taken where they arise. ECP31 of the Local Plan requires that special regard be had to the impacts of development on heritage assets and their settings, Policy DMD 44 advises applications for development which fail to conserve and enhance the special interest, significance or setting of a heritage asset will be refused whilst Policy DMD 37 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.
- 9.74 The first step is for the decision-maker to consider each of the designated heritage assets (referred to hereafter simply as “heritage assets”) which would be affected by the proposed development (the applicant should describe the significance of the heritage assets affected) in turn and assess whether the proposed development would result in any harm to the heritage asset.
- 9.75 The decision of the Court of Appeal in *Barnwell Manor* confirms that the assessment of the degree of harm to the heritage asset is a matter for the planning judgement of the decision-maker. However, where the decision-maker concludes that there would be some harm to the heritage asset, in deciding whether that harm would be outweighed by the advantages of the proposed development (in the course of undertaking the analysis required by s.70 (2) of the Town and Country Planning Act 1990 and s.38 (6) of the Planning and Compulsory Purchase Act 2004, the decisionmaker is not free to give the harm such weight as the decision-maker thinks appropriate. Rather, *Barnwell Manor* establishes that a finding of harm to a heritage asset is a consideration to which the decision-maker must give considerable importance and weight in carrying out the balancing exercise.
- 9.76 There is therefore a “strong presumption” against granting planning permission for development which would harm a heritage asset. In the *Forge Field* case the High Court explained that the presumption is a statutory one. It is not irrefutable. It can be outweighed by material considerations powerful enough to do so. But a local planning

authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering.

- 9.77 The case-law also establishes that even where the harm identified is ‘less than substantial’ (NPPF para 199), that harm must still be given considerable importance and weight. Where more than one heritage asset would be harmed by the proposed development, the decision-maker also needs to ensure that when the balancing exercise is undertaken, the cumulative effect of those several harms to individual assets is properly considered. Considerable importance and weight must be attached to each of the harms identified and to their cumulative effect. It is important to note that the identification of ‘less than substantial harm’ does not equate to a ‘less than substantial’ objection<sup>1</sup>. The decision-maker must apply a weighted or tilted balancing exercise, giving the assessed degree of harm (or enhancement) to the heritage asset ‘considerable importance and weight’ as against other considerations<sup>2</sup>. What follows is an Officer assessment of the extent of harm which would result from the proposed development.
- 9.78 Where harm is caused to a designated heritage asset, the NPPF requires decision makers to determine whether the harm is substantial, or less than substantial. In the case of any harm being identified paragraph 200 requires there to be a ‘clear and convincing’ justification. If the harm is deemed to be less than substantial, paragraph 202 of the NPPF requires the harm to be weighed against the public benefits of the proposal, including, ‘where appropriate’, securing the optimum viable use of the heritage asset. Where the harm is caused to a non-designated heritage asset, paragraph 203 states ‘a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’.
- 9.79 The NPPF is further amplified in a series of five steps in Historic England GPA 3: *The Setting of Historic Assets (2017)* setting out the stages of assessment and how opportunities for enhancement should be identified.

#### *Analysis*

- 9.80 Heritage Officers have advised that there are two non-designated heritage assets within the vicinity of the site. These are namely St Paul’s Anglican Church, which was built in 1873, and Christ Church Baptist Chapel, on Grove Road.
- 9.81 The steps for assessing proposals affecting heritage assets are as set out in the NPPF Section 16: Conserving and Enhancing the Historic Environment and amplified by Historic England GPA 3: *The Setting of Historic Assets*. Having regard to these the conclusion of the heritage assessment is that there is limited less than substantial harm (at the lower end) to the setting of the two non designated heritage asset.
- 9.82 The duty to pay ‘special regard’ or ‘special attention’, in sections 16(2), 66(1) and 72(1) of the Act (1990) means that there is a ‘strong presumption’ against the grant of planning permission where it would cause harm to a heritage asset<sup>3</sup>. Harm should be minimised and the desirability of enhancing the asset considered. For non-designated heritage assets there should be a ‘balanced judgement’ between harm and the significance of the asset.

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<sup>1</sup> Barnwell vs. East Northamptonshire DC 2014 (para.29)

<sup>2</sup> Kinsey vs. London Borough of Lewisham 2021 (para.84)

<sup>3</sup> Kinsey vs. London Borough of Lewisham 2021 (para.82)

- 9.83 Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use. This does not mean there is no harm but acknowledges there may be public benefits that outweigh this identified level of harm. The level of harm is assessed as most likely to be at the lower end of 'less than substantial' harm – opening up an ability to weigh the harm against the public benefit of the scheme. In this case, the public benefits of the development include: optimising the site (making effective use of a sustainable, accessible, brownfield site); providing genuinely affordable homes (contributing to the Borough's affordable housing delivery); social and economic benefits (providing jobs during construction); and substantially improved landscape areas (including meaningful biodiversity enhancements and play spaces).
- 9.84 Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. This does not mean there is no harm but acknowledges there may be public benefits that outweigh this identified level of harm. The level of harm is assessed as most likely to be at the lower end of 'less than substantial' harm – opening up an ability to weigh the harm against the public benefit of the scheme. In this case, the public benefits of the development include: optimising the site (making effective use of a sustainable, accessible, brownfield site); providing genuinely affordable homes (contributing to the Borough's affordable housing delivery) and social and economic benefits (providing jobs during construction). Officers consider that the impact on the non-designated heritage asset is no greater than less than substantial. In addition, it should also be noted that the scheme was previously not refused on heritage grounds and would be unreasonable to consider this particularly given the assessment justifying the scale of harm identified and the significance of the non designated heritage asset. In addition, the design of the scheme has been worked upon to take cues from the non designated heritage asset, including materials, but also in terms of ensuring its height is demure against the existing height of the church. In this regard, no objection is raised.

**Section 106 agreement and planning obligations:**

- 9.85 The planning application is subject to financial contributions secured via s106 legal Agreement with the following heads of terms:

Affordable Housing

- 9.86 Affordable Housing (10 units with a split of 7 social units and 3 intermediate units) to be provided on site. This will be subject to The Development shall be subject to an Early stage Review mechanism and Nominations agreement

Transportation

- 9.87 Contribution to CPZ / introduction of parking controls = £12,900
- 9.88 Sustainable Transport = £17,920
- 9.89 The dwellings shall also be exempted from any existing or future Controlled Parking Zones. Residents of this development would not be eligible to apply for residents parking permits, unless they are a holder of a Blue Badge or any future equivalent, which will also be secured by way of a Section 106 mechanism.

Sustainability

- 9.90 Energetik = connection to the Network
- 9.91 Carbon Offset fund = £16,201. If the As-Built Energy Statement does not reflect the carbon reductions approved in the As-Designed stage, the shortfall will be calculated and payable as Additional NDCCF.

Education, Employment and Training

- 9.92 Education = £59,073.73
- 9.93 Employment and Skills Strategy and 1 apprentice or trainee

Other

- 9.94 LBE Management monitoring fee (maximum 5% of value of financial contributions) other than a fixed charge to manage non-monetary obligations of £350 per head of term.

**Community Infrastructure Levy (CIL):**

*Mayoral CIL*

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

*Enfield CIL*

- 9.96 The Council introduced its own CIL on 1 April 2016. The money collected from the levy (Regulation 123 Infrastructure List) will fund rail and causeway infrastructure for Meridian Water and other projects in the borough. Enfield has identified three residential charging zones. The site falls within Enfield's Intermediate Zone (£60/sqm).
- 9.97 All figures above are subject to the BCIS figure for CIL liable developments at time of CIL processing.

**Equalities Impact**

- 9.98 In line with the Public Sector Equality Duty the council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. Section 149 of the Act requires public authorities to have due regard to several equality considerations when exercising their functions including decision making on planning applications. These considerations include: Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; Advance equality of opportunity between persons who share a relevant protected characteristic (explained in detail below) and persons who do not share it; Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.99 The main objective of the duty has been to ensure public policies and programmes are implemented fairly, in particular with regard to their impact on the protected characteristics identified above. In making this recommendation, due regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age,

disability, gender reassignment, marriage / civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

- 9.100 When determining the planning application (and thereby accounting for the representations resulting from public consultation), the Council has considered the potential effects of the proposed development on those with protected characteristics as defined under the Equality Act 2010. In doing this, the Council has had due regard to equality considerations and attribute appropriate weight to such considerations. In providing the recommendation to Members that planning consent should be granted, Officers have considered equalities impacts in the balance, alongside the benefits arising from the proposed development. The Council has also considered appropriate mitigation to minimise the potential effects of the proposed development on those with protected characteristics.
- 9.101 There are no statutory or regulatory requirements for the form or content of an equalities assessment. The scale and significance of such impacts cannot always be quantified, and it is common to address this through descriptive analysis of impacts and identifying whether such impacts are adverse or beneficial. The key elements of the Proposed Development which have an impact that could result in an equalities effect include the design and physical characteristics of the proposals subject to the planning application. Officers do not consider there would be a disproportionate equalities effect.
- 9.102 In line with the Human Rights Act 1998, it is unlawful for a public authority to act in a way which is incompatible with a Convention right, as per the European Convention on Human Rights. The human rights impact has been considered, with particular reference to Article 1 of the First Protocol (Protection of property), Article 8 (Right to respect for private and family life) and Article 14 (Prohibition of discrimination) of the Convention.
- 9.103 The Human Rights Act 1998 does not impair the right of the state to make decisions and enforce laws as deemed necessary in the public interest. The recommendation is considered appropriate in upholding the council's adopted and emerging policies and is not outweighed by any engaged rights.

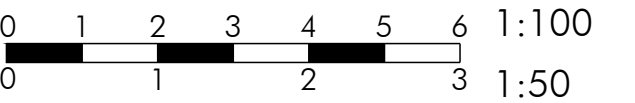
## **10 Conclusion**

- 10.1 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”*.
- 10.2 The Government prescribes a “tilted balance” in favour of housing delivery to the Council’s planning decision-making as a result of Enfield’s current inability to demonstrate a 5-year housing land supply as well as the Council’s shortfall in meeting housing delivery targets. This means that applications for new homes should be given greater weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that the adverse impacts of the scheme, are not sufficient to significantly and demonstrably outweigh the benefits of the proposed housing, including provision of 42% on site Affordable Housing.
- 10.3 It is recognised that sites such as this need to be optimised in order to minimise encroachment into the Borough’s Green Belt and protected Strategic Industrial

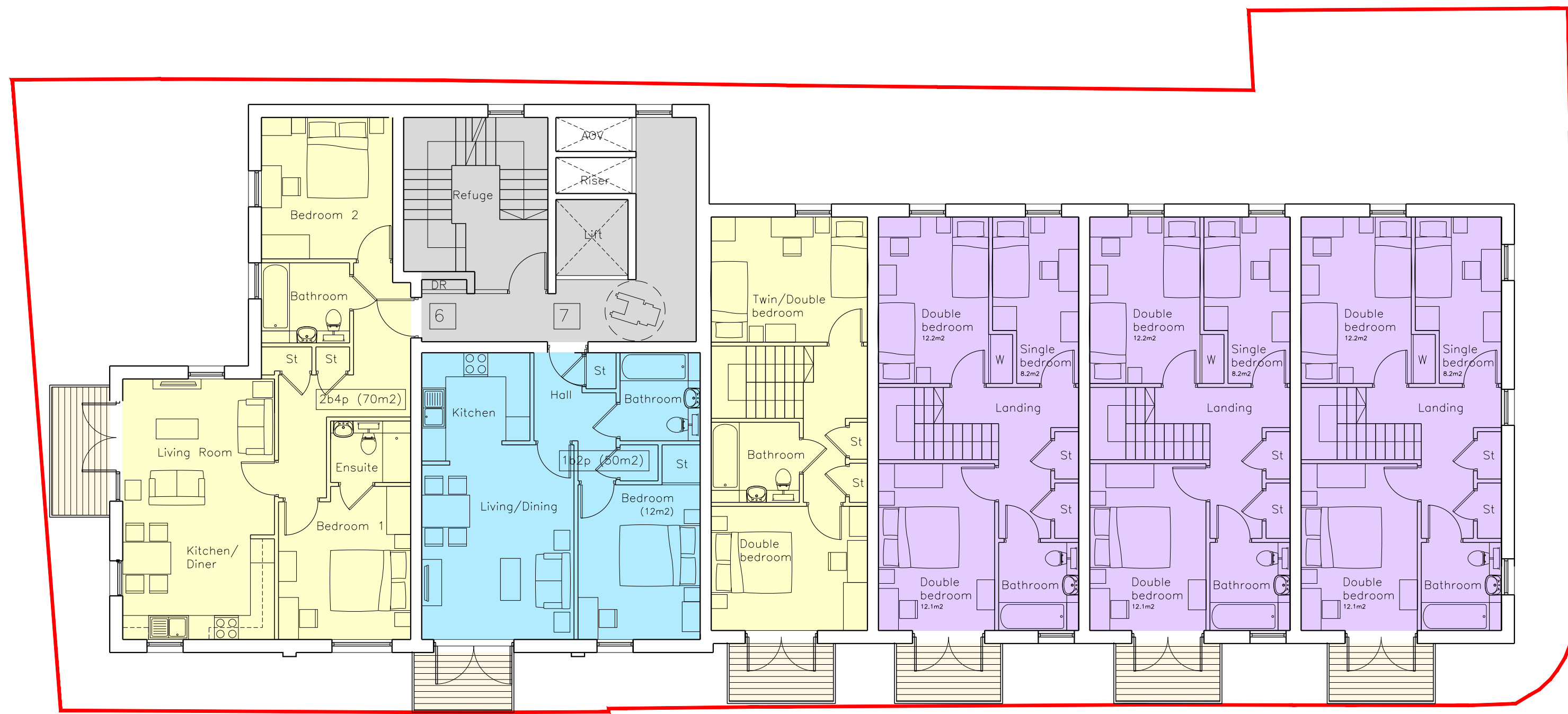
Locations. It is considered that the social benefits, both in respect of the provision of high-quality new housing stock and other spatial and environmental enhancements carry significant weight in favour of the proposed development.

- 10.4 Having regard to the assessment in this report, the development would provide 24 new homes which would be consistent with the thrust of national planning policy and the development plan to optimise development on smaller sites and increase the delivery of new homes. Whilst the loss of the vacant community use is regrettable, the loss was found to be acceptable in the previously refused application and within this current application. Adverse impacts are not considered to significantly and demonstrably outweigh the scheme's proposed benefits, when assessed against the policies in the NPPF, when taken as a whole.
- 10.5 It is acknowledged and recognised throughout this report, that consideration of this proposal has involved finely balanced judgements. Compromises have been made in the consideration of the proposal in order to optimise the development potential of this sustainable brownfield site and thus contribute to the Borough's challenging housing targets. It is recognised that sites such as this need to be optimised in order to minimise encroachment into the Borough's Green Belt and protected SIL. It is considered that the social benefits, in both high-quality new housing stock and significant financial benefits carry significant weight in favour of the proposed development. Further economic and social benefits include employment during construction, as well as the continued and improved use of local services and facilities.
- 10.6 Overall, and giving weight to the need for development which provide new homes, it is concluded that the development for reasons set-out within this report, accords with the development plan as a whole. 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.

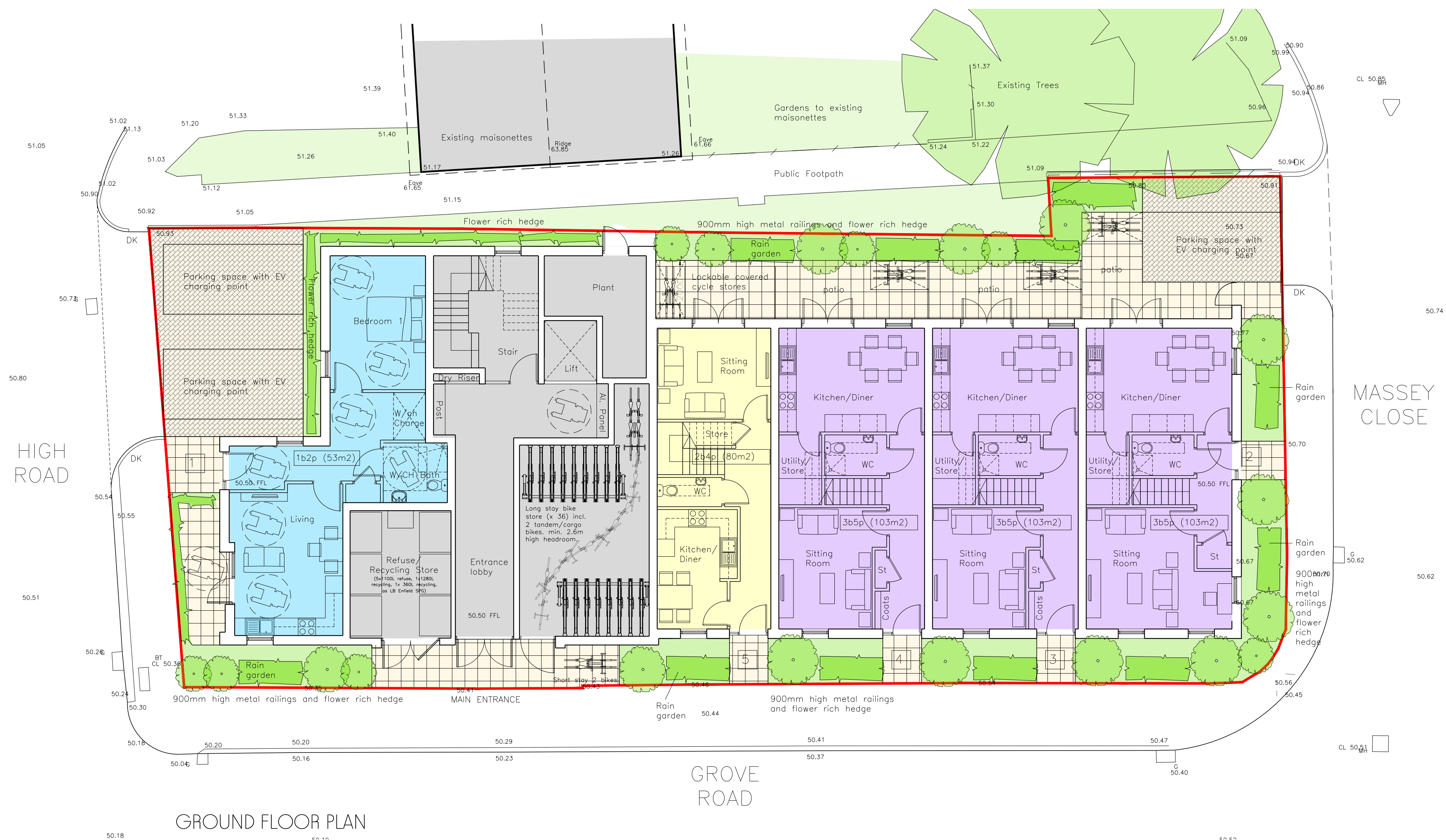




Rev	Date	Description	Init
A	1/6/21	General Updates	DA
B	10/6/21	Client comments incorporated	DA
C	5/7/21	General Updates	DA
D	19/7/21	Bike storage updates	DA
E	29/7/21	Entrance sidles update	DA
F	8/10/21	Flat 1 and 2 entrance updates	DA
G	17/10/21	Scheme revisions following LPA comments	DA
H	20/10/21	Precedents added	DA
J	19/05/22	Revised scheme for new application	DA
K	27/05/22	Updates to suit elevations	DA
L	16/06/22	Updates to suit consultant input	DA
M	4/07/22	Landscape Notes added	DA
N	6/10/22	Amendments following LPA comments	DA
P	13/10/22	Rain gardens added	DA



FIRST FLOOR PLAN



GROUND FLOOR PLAN

- 1BED UNITS
- 2 BED UNITS
- 3 BED UNITS
- COMMUNAL AREAS
- PATIO/GARDENS
- BALCONIES/EXTERNAL AREAS



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project name  
**RESIDENTIAL DEVELOPMENT  
GROVE ROAD HALL  
ENFIELD**

drawing title  
**PROPOSED GROUND AND  
FIRST FLOOR PLANS**

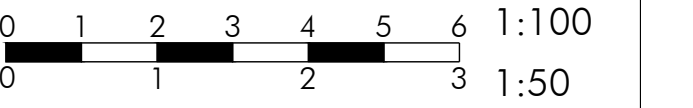
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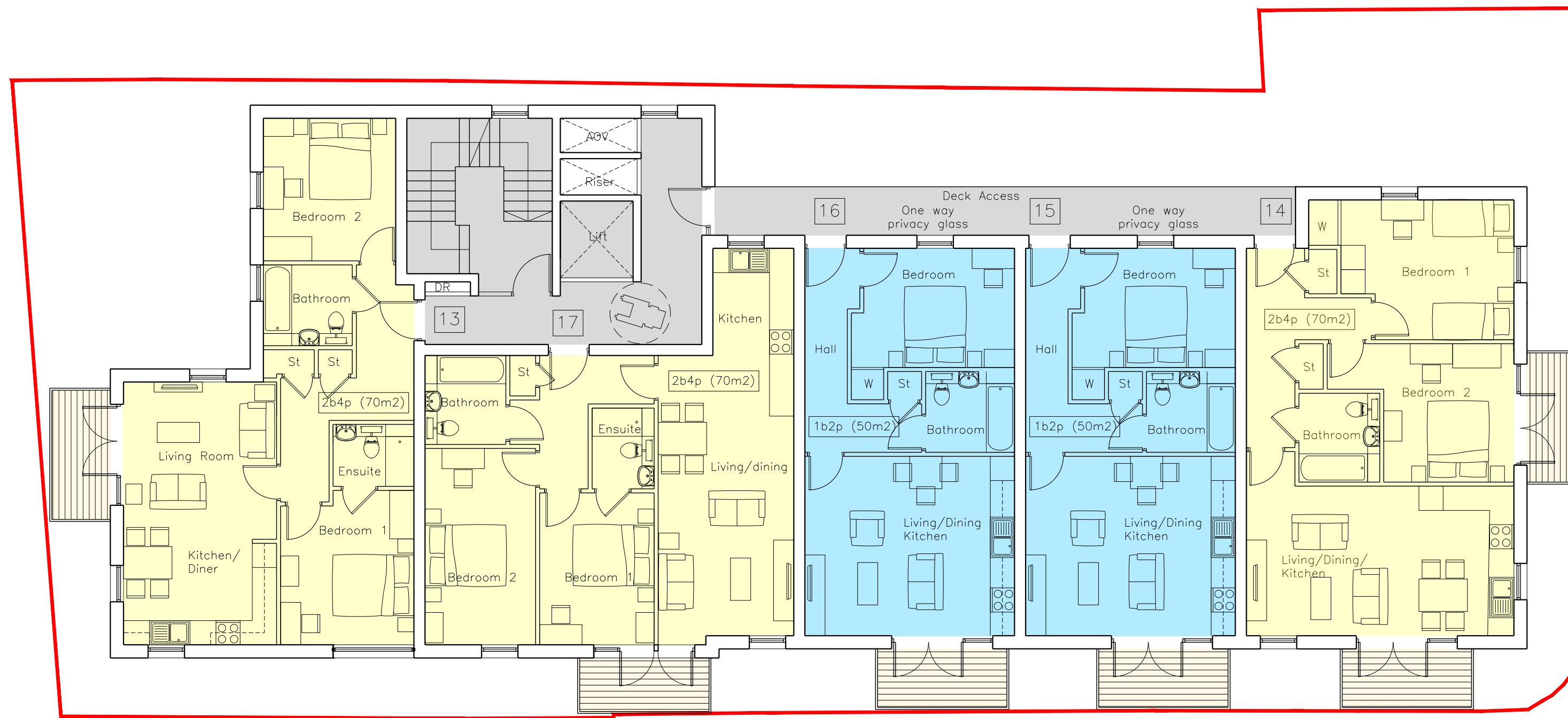
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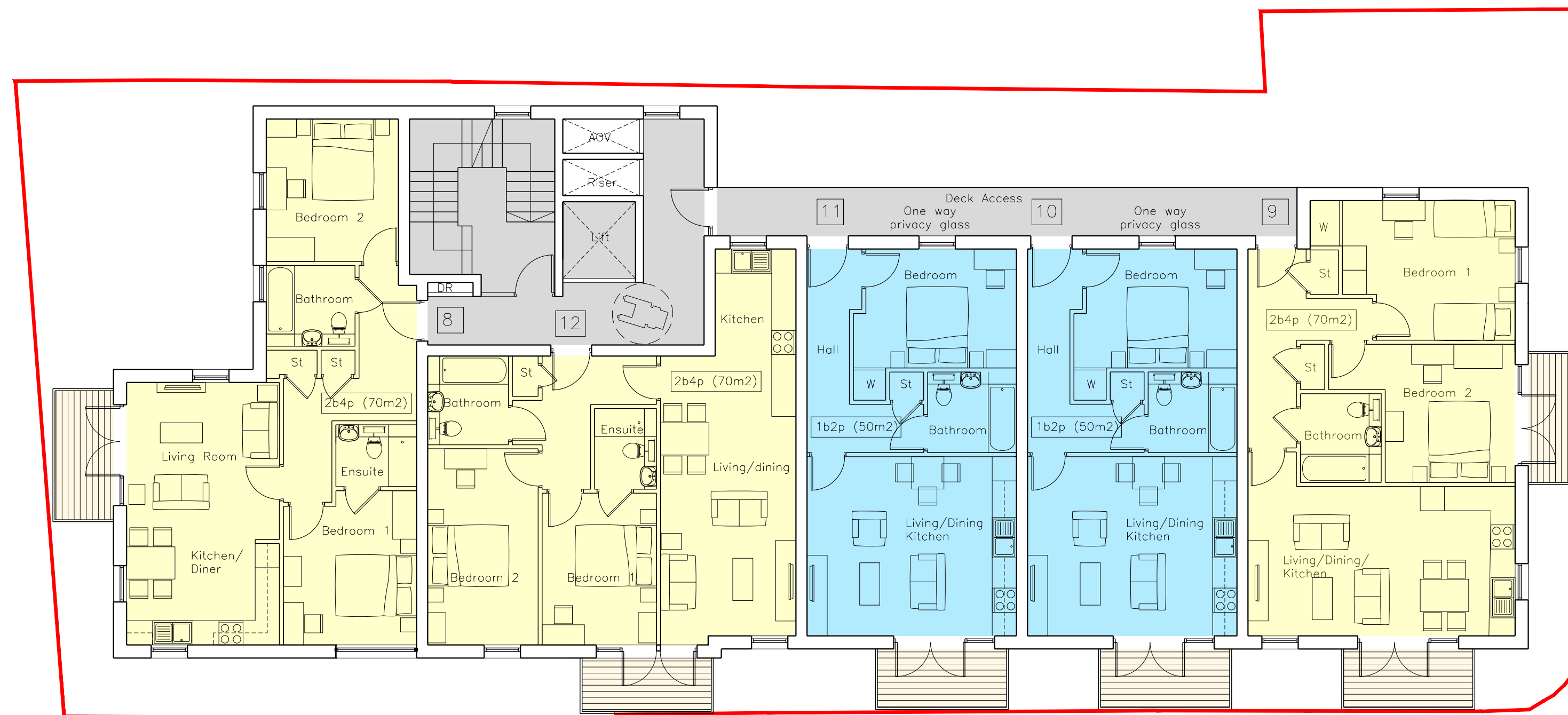
Rev	Date	Description	Init
A	1/6/21	General Updates	DA
B	10/6/21	Client comments incorporated	DA
C	5/7/21	General Updates	DA
D	19/7/21	Window Updates	DA
E	17/12/21	Scheme revisions following LPA comments	DA
F	19/05/22	Revised scheme for new application	DA
G	27/05/22	Revised to suit elevations	DL
H	16/06/22	Revised to suit consultant input	DA
J	04/07/22	1B flat layout	DA
K	6/10/22	Amendments following LPA comments	DL

KEY

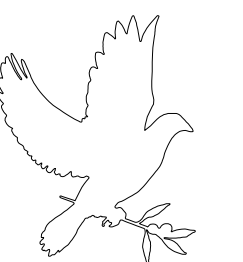
- 1 BED UNITS
- 2 BED UNITS
- 3 BED UNITS
- COMMUNAL AREAS
- PATIO/GARDENS
- BALCONIES/EXTERNAL AREAS



THIRD FLOOR PLAN



SECOND FLOOR PLAN



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 ENFIELD**

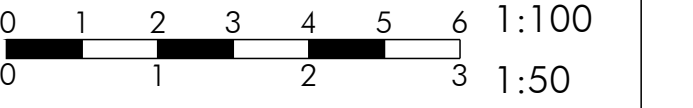
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 PROPOSED SECOND AND  
 THIRD FLOOR PLANS**

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drawn	checked
DA	-

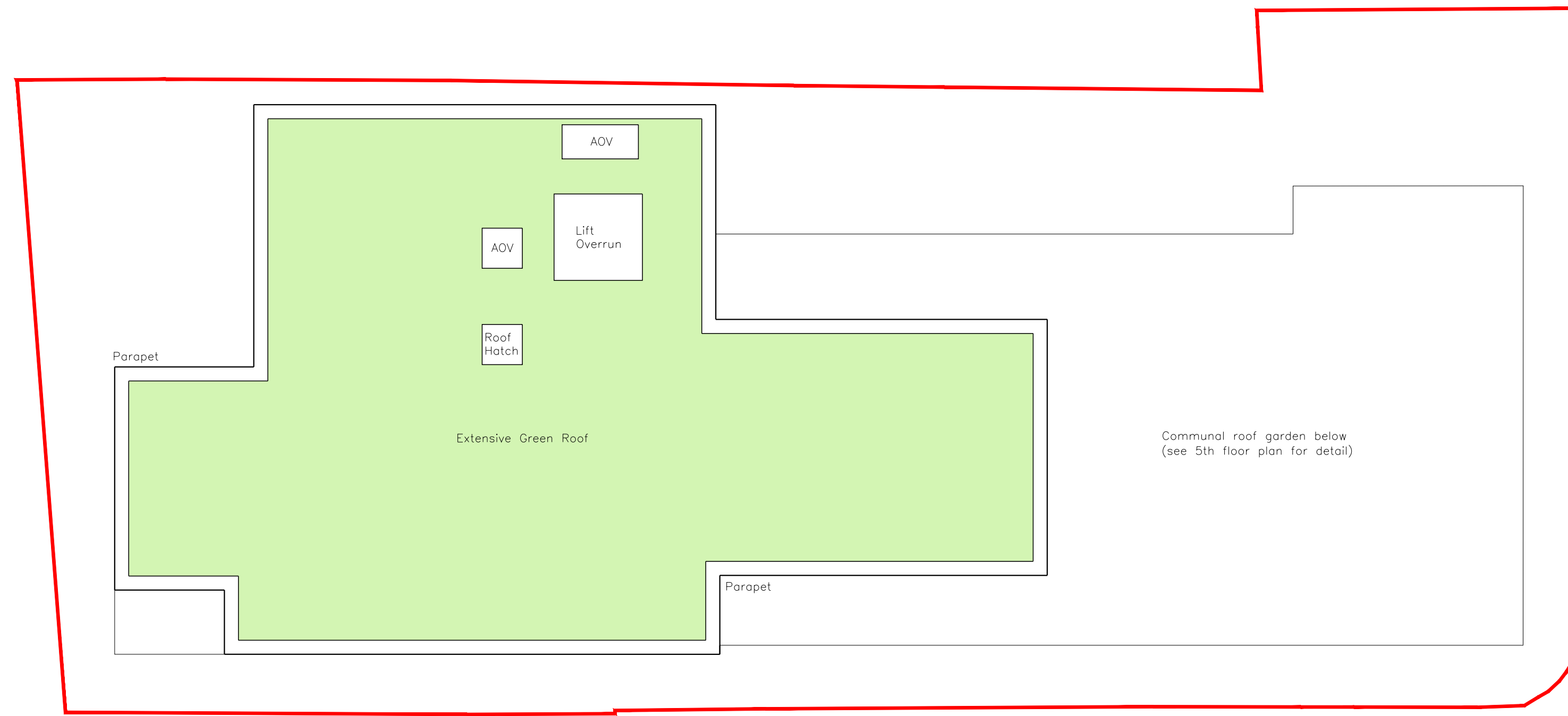
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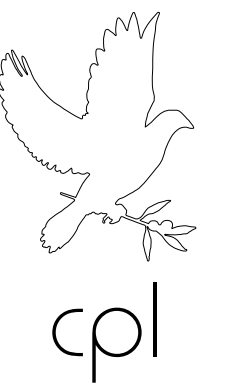
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Rev	Date	Description	Init
A	16/6/22	Updated to revised scheme design	DA
B	6/10/22	Updated following LPA comments	DA



ROOF PLAN



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project name  
**RESIDENTIAL DEVELOPMENT  
 GROVE ROAD HALL  
 ENFIELD**

drawing title  
**PROPOSED  
 ROOF PLAN**

date	scale
AUG '21	1:100@A1
drawn	checked
DA	-

project number	drawing number	revision
GRE.21	123	B

Rev	Date	Description	Int
1	17/20	General Updates	DL
2	19/20	Validation requirements	DL
3	10/21	Flat 1 and 2 entrances	DA
4	24/22	Flotation detail updated	DL
5	26/22	Upper floor height increased	DL
6	28/22	Materials updated	DL
7	4/23	Planning submission	DA
8	7/23	Updates following EPA comments	DA
9	13/23	Updates following EPA comments	DA

- MATERIAL KEY**
- 01 CREAM/BUFF BRICK RECESSED PANEL
  - 02 RED BRICK (TO MATCH ST PAUL'S HALL) WITH YELLOW BRICK 'FLECKS'
  - 03 PPC ALUMINIUM DOUBLE/TRIPLE GLAZED WINDOWS AND DOORS
  - 04 CAST STONE PROJECTING WINDOW SURROUND
  - 05 OBTUSCURED PRIVACY GLASS BALCONY BALUSTRADE (RAILS OMITTED FOR CLARITY)
  - 06 900mm HIGH METAL RAIL AND FLOWER RICH HIGH BIODIVERSITY PLANTING (RAILS OMITTED FOR CLARITY)
  - 07 ENTRANCE SIGNAGE (WORDING AND DESIGN IS INDICATIVE)
  - 08 VERTICAL SEAM COATED ALUMINIUM CLADDING
  - 09 ONE WAY GLASS TO BEDROOMS FACING ACCESS DECK (refer to plans for locations)



SOUTH ELEVATION



NORTH ELEVATION



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PROJECT NAME  
**GROVE ROAD  
ENFIELD  
RESIDENTIAL**

DRAWING TITLE  
**PROPOSED NORTH  
AND SOUTH ELEVATIONS**

DATE	SCALE
06/21	1:100@A1
DRAWN	DISCUSS
DA	-

PROJECT NUMBER	DRAWING NUMBER	REVISION
GRE.21	130	J



Rev	Date	Description	Int
A	19/7/21	General Updates	DL
B	24/5/22	General Updates	DL
C	26/6/22	Upper floor level increased	DL
D	28/6/22	Material selected	DL
E	6/7/22	Planning submission	DL
F	13/10/22	Mass/material updates	DL
G	13/10/22	Mass/material updates	DL

MATERIAL KEY

- 01 CREAM/BUFF BRICK RECESSED PANEL
- 02 RED BRICK (TO MATCH ST PAUL'S HALL) WITH YELLOW BRICK 'FLECKS'
- 03 PPC ALUMINIUM DOUBLE/TRIPLE GLAZED WINDOWS AND DOORS
- 04 CAST STONE PROJECTING WINDOW SURROUND
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WEST ELEVATION



EAST ELEVATION



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PROJECT NAME  
**GROVE ROAD  
ENFIELD  
RESIDENTIAL**

DRAWING TITLE  
**PROPOSED WEST  
AND EAST ELEVATIONS**

DATE	SCALE
06/21	1:100@A1
drawn	checked
DA	-

PROJECT NUMBER	DRAWING NUMBER	REVISION
GRE.21	131	G



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**LONDON BOROUGH OF ENFIELD****PLANNING COMMITTEE****Date:** 22 November 2022**Report of**

Head of Planning

**Contact Officers:**Tendai Mutasa  
David Gittens  
Andy Higham**Category**Full Planning  
Application**Ward**

Whitewebbs

**Councillor Request**

No Cllr Request

**LOCATION:** Celbic Hall, 71 - 77 Lancaster Road, Enfield, EN2 0DW**APPLICATION NUMBER:** 22/00716/FUL**PROPOSAL:** Redevelopment of site and erection of a 3-storey block comprising of 6 self-contained flats, with a community hall F2(b) on the ground floor, including ancillary refuse and cycle storage.**Applicant Name & Address:**John Belcher  
Cebic Halls Association  
71-77 Celbic Hall Lancaster Road  
Enfield  
EN2 0DW**Agent Name & Address:**Clark & Clark Architects  
71-75 Shelton Street  
London  
WC2H 9JQ  
UK**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: 22/00716/FUL LOCATION: Celbic Hall, 71 - 77 Lancaster Road, Enfield, EN2 0DW



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Scale 1:1250

North





## **1 Note for Members**

- 1.1 This planning application is brought to Planning Committee on account of the historic and ongoing links of the Celbic Hall with the local Labour Party.

## **2 Recommendation**

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

1. Time limit
2. Accordance with plans
3. External Appearance (sample materials including glazing specification)
4. External Appearance (hard standing)
5. Biodiversity Enhancements
6. Detail of development – Refuse storage
7. Details of development – cycle storage
8. Construction Management Plan
9. Water
10. Secure by Design
11. Piling hours
12. Energy Strategy and verification
13. Energy Performance Monitoring and Reporting
14. SuDS
15. SuDS verification
16. Communal garden
17. Site enclosure
18. Deck access bedroom windows to be one-way privacy glass
19. Balcony safety railings to be frosted safety glass
20. Details of roof space (including plant and lift overrun)
21. Details of enclosures above ground level

### Informative

1. Thames Water
  2. Designing out crime
- 2.2 That the Head of Development Management be granted delegated authority to agree the final wording of the to cover the matters in the Recommendation section of this report.

## **3. Executive Summary**

- 3.1 The Celbic Halls building was constructed in the inter war years by members of the local Labour Party and has served as a base for the constituency Labour party for a number of years as well as providing a community space for local residents and user groups.
- 3.2 By way of the increasing cost and frequency of repairs that impede the proper function of the premises, Celbic Hall has been exhibiting signs of coming to the end of its life. The applicant seeks the redevelopment of the site to provide a replacement new accessible contemporary community space that would both enhance the street scape as well as provide 6 new high quality homes and a communal garden for its residents.
- 3.3 The proposals have been subject to extensive discussion with Council Officers. The scheme has been subject to amendments during pre submission negotiations.

- 3.4 The redevelopment of the site will provide a new flexible contemporary meeting space, whilst contributing to the Council's substantial housing delivery targets and therefore the principle of development in this sustainable brownfield location is supported.
- 3.5 The application is supported by appropriate and satisfactory technical reports covering the effect of the proposed development on parking, biodiversity and impacts to neighbouring amenity. The impacts of the development are considered within acceptable thresholds to meet policy compliance expectations.
- 3.6 The planning application satisfies overarching planning policy aims to increase the housing stock of the borough and is considered to be acceptable subject to appropriate planning conditions.
- 3.7 The Government prescribes a "tilted balance" in favour of housing delivery to the Council's planning decision-making as a result of Enfield's current inability to demonstrate a 5-year housing land supply as well as the Council's shortfall in meeting housing delivery targets. This means that applications for new homes should be given greater weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that there are no adverse impacts of the scheme that would outweigh the benefits of the proposed housing.
- 3.8 It is recognised that small sites such as this need to be optimised in order to minimise encroachment into the Borough's Green Belt and protected Strategic Industrial Locations. It is considered that the social benefits, both in respect of the provision of quality new housing stock carry significant weight in favour of the proposed development.

#### **4. Site and surroundings**

- 4.1 The application site comprises single storey community hall (Celbic Hall) approximately 370 sqm in floor area. The application property has a single storey front element with a setback gable rising above. The site is location on Lancaster Road, a linear centre which is predominately formed of two storey Victorian buildings.
- 4.2 The site is located on the north side of Lancaster Road and is bounded to the east by a single storey retail shop and to the west by a short 2 storey Victorian terrace comprising of commercial units at ground floor with residential above. There are terraced houses located to the rear on Birkbeck Road and Acacia Road running perpendicular to the north of the site.
- 4.3 The Site is located within the Lancaster Road Local Centre which is formed of a mix of commercial uses. The site is not within a Conservation Area nor is it Listed or in the setting of a Listed Building or Locally Listed Building.

#### **5. Proposal**

- 5.1 The proposal seeks the redevelopment of the site involving the demolition of the existing halls and construction of a part 2, part 3 storey building, to provide a flexible meeting space at ground floor, with 6 flats at first and second floor levels.
- 5.2 The proposed flexible meeting space would occupy the ground floor and be arranged principally as three interconnecting halls plus a "welcome space" together with associated facilities such as toilets, office, bar, meeting room, storage etc.

5.3 The 6 flats would be provided at first and second floor level as follows:

- 2 bedroom (72 square metres) x 4 person = 3 units - First floor
- 2 bedroom (66 square metres) x 3 person = 3 units – Second floor

5.4 All of the residential units would be private. No affordable housing is required because the number of units is below the threshold specified for such contributions in the National Planning Policy Framework

## **6. Relevant Planning History**

### **6.1 19/03265/FUL**

Redevelopment of site and erection of a 4-storey block comprising 7 self- contained flats (6 x 2-bed and 1 x 4-bed), with a community hall (D1) on the ground floor.

Withdrawn on 16.06.2021

### **6.2 18/03258/FUL**

Redevelopment of site and erection of a 3-storey block comprising 8 self-contained flats (3 x 1-bed and 5 x 2-bed), with a community hall (D1) on the ground floor and basement level.

Refused on 25.10.2018 for the following reasons:

#### **1. Design**

The proposed demolition of the existing building and the replacement-built form by virtue of its design, massing, bulk and scale is considered to result in an unacceptable form of development and consequently would cause unacceptable harm to the character and appearance to the streetscene and surrounding area. Accordingly, it would be contrary to Policies 7.4 and 7.6 of The London Plan (2016), policies CP5 and 30 of The Enfield Core Strategy, Policies DMD6, 8 and 37 of the Development Management Document (2014) (DMD) and Policies 3.4 and the NPPF.

#### **2. Residential Quality**

A number of the proposed residential units, by virtue of being single aspect and facing north, are considered to result in poor-quality living accommodation for prospective future occupiers. The proposal would be therefore contrary to the objectives of the NPPF 2018, Policy 3.5 of the London Plan 2016, and the London Housing SPG 2016, Policy CP4 of the Enfield Core Strategy 2010 and Policies DMD8, DMD9 and DMD37 of the Enfield Development Management Document 2014..

#### **3. Residential amenity**

The proposed development, is considered to have an adverse impact on the rear facing windows of the properties to Birkbeck Road, Acacia Road and Lancaster Road, in terms of creating an overbearing form of development, loss of outlook and an unneighbourly sense of enclosure, loss of sunlight and daylight and overlooking and loss of privacy. The proposal is therefore contrary to guidance provided by the NPPF 2018, Policy 7.6 of the London Plan 2016 and policies, DMD6, DMD8 and DMD10 of the Enfield Development Management Policies 2014.

#### 4. Transport

The proposal fails to demonstrate adequate off street parking and servicing arrangements commensurate with the more intensive use proposed, leading to conditions prejudicial to the free flow and safety of traffic and pedestrians, contrary to Policy 6.3 (Assessing effects of development on Transport capacity), Policy 6.9 (Cycling), Policy 6.13 (Parking) of the London Plan 2016, Policy 25 (Pedestrian and cyclists) of the Enfield Core Strategy 2010, and Policy 45 (Parking layout and standards), Policy 46 (vehicle crossover and dropped kerbs) Policy 47 (Access, New Roads and Servicing) of the Enfield Development Management Document 2014.

#### 6.3 17/00252/PREAPP

Proposed redevelopment of site and erection of 3 storey building comprising community hall on ground floor and 8 residential units on the upper floors.

Officer summary: Suitable for development but some concerns have been expressed. Pre-application issued on 10.03.2017

#### 7. Consultation

##### 7.1 Public

Number notified	41
Consultation start date	28.06.2022
Consultation end date	19.07.2022
Representations made	4
Objections	3
Other / support comments	1

##### 7.2 In summary, the 3 objectors raised the following points:

- Affect local ecology
- Close to adjoining properties
- Development too high
- General dislike of proposal
- Inadequate access
- Inadequate parking provision
- Increase in traffic
- Increase of pollution
- Loss of light
- Loss of parking
- Loss of privacy
- More open space needed on development
- Noise nuisance
- Noise and pollution disturbance during construction
- Out of keeping with character of area
- Over development
- Strain on existing community facilities

##### 7.3 The response in support of the proposal stated the following:

- This is a genuinely wonderful proposal that will make a significant contribution to the local area.
- As a regular user of Celbic Hall it is badly in need of upgrading. The future proofing of the hall and the delivery of housing on top is a fantastic outcome for the area.
- I think the external design proposals and the cleverness of the internal design is really something to be highlighted

#### 7.4 Internal and third-party consultees

<u>Consultee</u>	<u>Objection</u>	<u>Comment</u>
Urban Design	No	<p>The proposals have been subject to extensive discussion with Council Officers.</p> <p>At ground level the proposal addresses the street providing active street frontage and circulation for entering and exiting the flats and the community facilities.</p> <p>The scale and density are generally acceptable to the prevailing context.</p> <p>The proposal is generally in-line with Enfield's aspirations for mix, it is acknowledged that increasing the height of the building to include larger family units in this location would be inappropriate.</p> <p>The 'greening' of communal areas is supported however activity seems to be centred around sitting and tending to the garden /growing, there does not seem to be any useful activity space for informal play and individual or small group exercise, it may be more useful to refine these in order to provide a better offering of useable space. There also appears to be no lighting strategy, this would need careful thought. Management and ongoing maintenance of the green areas could possibly be a concern.</p> <p>It would be useful to get some planting information. The garden area is North Facing and may have an impact on the success of a planting element to the scheme.</p> <p>The introduction of balconies on the south elevation for use as private amenity is supported however on the North side, there is no transitional space /or defensible space between bedrooms and the public access to entrances for flats. Please provide drawings with internal dimensions and room areas for all unit types with the submission. Please also provide sectional drawings which show internal floor to ceiling heights to include overall building height to all ridges and parapets. D4, D6, DMD37, L2, H1</p>
Transportation	No	No Objection – Subject to Conditions relating to Cycle Parking and the provision of a Construction Traffic Management Plan. The latter must be provided prior to commencement of any form of construction/demolition on the site:
Environmental Health	No	No objection raised subject to conditions relating to construction management and pilling.

Designing Out Crime Office	No	A condition and informative has been requested to be imposed

Officer response to comments

7.3 The material planning concerns within the objection letters have been considered by Officers during the assessment of the planning application. Officers visited the site to make assessment of the highlighted concerns. The concerns raised during consultation are addressed and assessed in the body of the report under the relevant material sections.

**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.

8.2 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Enfield Core Strategy (2010); the Enfield Development Management Document (2014); and The London Plan (2021).

National Planning Policy Framework (2021)

8.3 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, 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; 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.”

8.4 The related footnote(8) advises that “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 ..... 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.

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

- 8.6 Local authorities that fail to meet 95% of their housing targets need to prepare a Housing Action Plan to assess the causes of under delivery and identify actions to increase delivery in future years. Local authorities failing to meet 85% of their housing targets are required to add 20% to their five-year supply of deliverable housing sites targets by moving forward that 20% from later stages of the Local Plan period. Local authorities failing to meet 75% of their housing targets in the preceding 3 years are placed in a category of “presumption in favour of sustainable development”.
- 8.7 The Council’s recent housing delivery has been below its increasing housing targets. This translated into the Council being required to prepare a Housing Action Plan in 2019 and more recently being placed in the “presumption in favour of sustainable development” category by the Government through its Housing Delivery Test.
- 8.8 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’.
- 8.9 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 200 requires, in accordance with the development plan unless material considerations indicate otherwise.
- 8.10 Key relevant policy objectives in NPPF (2021) that relate to this scheme include:
- Section 5 – Delivering a sufficient supply of homes Para 60 - 77.
  - Section 11 – Making effective use of land Para 119 -125
  - Section 12 – Achieving well-designed places, Para 126-136

#### London Plan (2021)

- 8.11 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
  - SD10 Strategic and local regeneration
  - D1 London’s form, character and capacity for growth
  - D3 Optimising site capacity through the design-led approach
  - D4 Delivering good design
  - D5 Inclusive design
  - D6 Housing quality and standards
  - D7 Accessible housing
  - D8 Public realm
  - D11 Safety, security and resilience to emergency
  - H1 Increasing housing supply

- H2 Small sites
- H5 Threshold approach to applications
- H9 Ensuring the best use of stock
- H10 Housing size mix
- S1 Developing London's social infrastructure
- S4 Play and informal recreation
- G1 Green infrastructure
- G5 Urban greening
- G6 Biodiversity and access to nature
- SI 1 Improving air quality
- SI 2 Minimising greenhouse gas emissions
- SI 3 Energy infrastructure
- SI 4 Managing heat risk
- SI 5 Water infrastructure
- SI 7 Reducing waste and supporting the circular economy
- SI 8 Waste capacity and net waste self-sufficiency
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- T2 Healthy Streets
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction

#### Local Plan – Overview

- 8.12 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 the Local Plan is superseded in places by these documents and as such the proposal is reviewed against the most relevant policies from the Local Plan.

#### Enfield Core Strategy: 2010

- 8.13 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

- CP2 Housing supply and locations for new homes
- CP4 Housing quality
- CP5 Housing types
- CP20 Sustainable energy use and energy infrastructure
- CP21 Delivering sustainable water supply, drainage and sewerage infrastructure
- CP22 Delivering sustainable waste management
- CP24 The road network
- CP25 Pedestrians and cyclists
- CP30 Maintaining and improving the quality of the built and open environment
- CP32 Pollution



CP36 Biodiversity

Development Management Document (2014)

- 8.14 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 Development Management Document policies are considered particularly relevant:

DMD3: Providing a Mix of Different Sized Homes  
DMD6: Residential Character  
DMD8: General Standards for New Residential Development  
DMD9: Amenity Space  
DMD10: Distancing  
DMD 17: Protection of Community Facilities  
DMD37: Achieving High Quality and Design-Led Development  
DMD38: Design Process  
DMD45: Parking Standards and Layout  
DMD46: Vehicle Crossover and Dropped Kerbs  
DMD48: Transport Assessments  
DMD49: Sustainable Design and Construction Statements  
DMD51: Energy Efficiency Standards  
DMD53: Low and Zero Carbon Technology  
DMD55: Use of Roofspace/ Vertical Surfaces  
DMD56: Heating and Cooling  
DMD57: Resp. Sourcing of Materials, Waste Minimisation and Green Procurement  
DMD58: Water Efficiency  
DMD59: Avoiding and Reducing Flood Risk  
DMD61: Managing Surface Water  
DMD68: Noise  
DMD79: Ecological Enhancements  
DMD81: Landscaping

**Other Relevant material considerations**

- 8.15 Other Material Considerations

Enfield Climate Action Plan (2020)  
Enfield Housing and Growth Strategy (2020)  
Enfield Biodiversity Action Plan  
National Planning Practice Guidance  
Community Infrastructure Levy Regulations 2010  
LBE S106 SPD  
London Councils: Air Quality and Planning Guidance (2007)  
TfL London Cycle Design Standards (2014)  
GLA: The Control of Dust and Emissions during Construction and Demolition (2014)  
GLA: London Sustainable Design and Construction SPG (2014)  
GLA: Accessible London: Achieving an Inclusive Environment SPG (2014)  
GLA: Social Infrastructure SPG (2015)  
GLA: Housing SPG (2016)  
GLA: Homes for Londoners: Affordable Housing and Viability SPG (2017)  
Mayor's Transport Strategy (2018)  
Healthy Streets for London (2017)  
Manual for Streets 1 & 2, Inclusive Mobility (2005)  
National Planning Practice Guidance

National Design Guide (2019)  
Technical housing – nationally described space standards  
The Environment Act 2021  
The Planning (Listed Buildings and Conservation Areas) Act 1990

## **9 ANALYSIS**

9.1 This report sets out the analysis of the issues that arise from the proposed development assessed against national policy and the development plan policies. The main planning issues raised by the Proposed Development are:

- Principle of Development
- Housing Need
- Design and character
- Standard of accommodation
- Impact on neighbouring amenity
- Highways, access and parking
- Biodiversity impact
- Sustainable drainage
- Sustainability and climate change
- Community infrastructure Levy (CIL)
- Equalities impact

### **Principle of Development**

#### *Community use*

9.2 Policy DMD17 “Protection of Community Facilities” states that the council will protect existing social and community facilities in the Borough. Proposals involving the loss of community facilities will not be permitted unless:

- a. A suitable replacement facility is provided to cater for the local community that maintains the same level of public provision and accessibility.....

9.3 The detailed text of the policy states that the demand for a social and community facility may change over time as the nature and needs of a local community change. Community facilities should be safeguarded against the unnecessary loss of facilities and services.

9.4 As stated earlier, evidenced by the increasing cost and frequency of repairs that impede the proper function of the premises, Celbic Hall has been exhibiting signs of coming to the end of its life. In this case, the proposal seeks to redevelop the site and in the process re-provide a new, modern, flexible, community centre.

#### *Residential development*

9.5 The Council has not met the most recent Housing Delivery Test and is therefore in the presumption in favour of sustainable development category. The tilted balance would therefore be applied in assessing and weighing up the benefits of the scheme, which in this case seeks to re-provide community facilities. In addition the redevelopment of the site will contribute to the Council’s substantial housing delivery targets and therefore the principle of the housing element in this sustainable location on previously developed land is supported.

## Housing Need and Tenure Mix

### *Housing need*

- 9.6 Chapter 11 of the of the NPPF (2021) (Making efficient use of land) indicates that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site (NPPF para. 125). In these circumstances local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF (Para. 125 (c)).
- 9.7 The London Plan sets a target for the provision of 66,000 new homes across London each year. Enfield's 2020 Housing Delivery Action Plan recognises that the construction of more affordable high-quality homes is a clear priority. However, only 60% of approvals in the Borough are being delivered. The London Plan 2021 identifies a need for a minimum of 1,246 dwellings per year to be delivered over the next 10 years in the Borough, an increase over the previous target of 798.
- 9.8 Enfield's Housing and Growth Strategy 2020-2030 sets out how the Council will deliver more and better homes across the Borough to create a more balanced housing market and help local people access a good home. It recognises that this will include delivery in partnership with developers and the private sector and states as its third of 5 priorities as "Quality and variety in private housing".
- 9.10 The proposal would create 6 new good quality dwellings on a sustainable brownfield site location. Taking into account the housing needs of Enfield's population, nationally- and regionally-set housing delivery targets and shortfalls in meeting targets and demonstrating sufficient housing land supply, it is evident that this proposal to optimise the use of the site for a mixed used development of community facilities and good quality private homes is supported by adopted Development Plan housing policies, when consider as a whole.

### Dwelling Mix

- 9.20 London Plan Policy H10 states that schemes should generally consist of a range of unit sizes and that this should have regard to a number of criteria including robust local evidence, the mix of uses in the scheme, the range of tenures in the scheme, the nature and location of the site, amongst other considerations.
- 9.21 Enfield Policy CP5 of the Core Strategy (2010) seeks to provide the following borough-wide mix for market housing:
- 20% 1 and 2 bed units (1-3 persons);
  - 15% 2 bed units (4 persons);
  - 45% 3 bed units, (5-6 persons); and,
  - 20% 4+ bed units (6+ persons).
- 9.22 Policy DMD3 of the Enfield Development Management Document (2014) states that whilst sites capable of accommodating 10 or more dwellings should meet the dwelling mix targets within Core Strategy Policy CP5, developments of less than 10 units should contribute towards meetings these targets by providing a mix of different sized homes.
- 9.23 In this case, the proposal seeks to provide 6 no of flats of two different types:

- 2 bedroom (72 square metres) x 4 person = 3 units - First floor
- 2 bedroom (66 square metres) x 3 person = 3 units – Second floor

9.24 Accordingly it is considered that the proposals would be in accordance with London Plan Policy H10 and Enfield Policy DMD 3.

9.25 Furthermore, the more recently Enfield Local Housing Need Assessment (2020) confirms that whilst the likely demographic needs in the private sector is for 3 bedroom properties there is also a substantial demographic need for 2 bedroom properties

#### *Housing conclusions*

9.26 The Government prescribes a “tilted balance” in favour of housing delivery to the Council’s planning decision-making as a result of Enfield’s current inability to demonstrate a 5-year housing land supply as well as the Council’s shortfall in meeting housing delivery targets. This means that the delivery of new homes should be given great weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that the limited adverse impacts of the scheme, are not sufficient to significantly and demonstrably outweigh the benefits of the proposed housing. The proposal meets the requirements of London Plan Policy H10 and DMD3 and would contribute to the demographic need for 2 bedroom units.

#### **Design and Character**

##### *High-quality design and layout*

9.27 Chapter 12 (Achieving well-design places) of the of the NPPF (2021) emphasises the central value of good design to sustainable development (NPPF para 126). The Framework expects the planning process to facilitate “high quality, beautiful and sustainable buildings and places”. The assessment of a scheme should take into account the endurance of the design, visual appeal, sensitivity to local context, sense of place, optimisation of the site and contribution to health and wellbeing (NPPF para 130).

9.28 Good design is central to all objectives of the London Plan and the Council’s Local Plan policies. Chapter 3 of the London Plan sets out key urban design principles to guide development in London. Design policies in this chapter seek to ensure that development optimises site capacity; is of an appropriate form and scale; responds to local character; achieves the highest standards of architecture, sustainability and inclusive design; enhances the public realm; provides for green infrastructure; and respects the historic environment. LPD1 and LPD2 seek to ensure that new developments are well-designed and fit into the local character of an area. Policy D3 requires developments to optimise capacity through a design-led approach, by responding to a site’s context, capacity for growth and supporting infrastructure capacity. London Plan Policy D3 states that “all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. 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”.

- 9.29 Enfield Policy DMD 37 sets out objectives for achieving good urban design: character; continuity and enclosure; quality of public realm; ease of movement; legibility; adaptability and durability; and diversity. 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.

*Design Assessment*

- 9.30 The proposals have been subject to extensive discussion with Council Officers. The proposed scheme has been subject to amendments following pre and post application discussions.
- 9.31 The site is positioned in a prominent location on the north side of Lancaster Road between its junctions with Acacia Road and Birkbeck Road. Located to the immediate east of the site is a shop premises, and to the rear of the site, accessed from behind the shop, on Acacia Road, is a motorcycle service garage.
- 9.32 To the west of the site lies the flank and rear yard of the first of a two storey terrace of Victorian properties that have commercial uses at ground floor with residential above. To the rear of the site, both to the north and the west lies the rear gardens of neighbouring houses. In view of these close and potentially sensitive relationships to the rear of the site the design of the building has had to be carefully considered due to the exposed nature of the access decks on the north side of the development.
- 9.33 The proposal totals 3 storeys in height with the taller elements stacked toward the centre of the site gently stepping downwards. The ground floor would have almost 100% site coverage, save for a courtyard to access the rear of the site which would provide space for the three meeting rooms to open onto. The main accesses to the building, for both the community space and for the flats would be from Lancaster Road with the flats entrance to the western side of the facade, and the hall entrance located more centrally. A joint residential/commercial bin store would be located adjacent to the residential entrance.
- 9.34 At first and second floor level, the proposed main facade is broken down into series of blocks set at “echelon” to the line of the road, enhancing privacy between the prospective occupants, and providing south facing balconies. This echelon formation to the main road to the south also allows the building to draw itself away from the rear gardens to the immediate north and west.
- 9.35 On the residential access deck at first floor level, a communal garden is proposed for the six flats, bounded by a raised planter that would both enhance the garden environment, and form a landscaped screen between the proposed flats and the neighbouring houses and limit the potential for overlooking. The second floor access deck would be significantly narrower, stepped further away from the neighbouring gardens. Should members be minded to grant planning permission for the proposal it is recommended that details of the landscaping proposals for these access decks be secured by condition.
- 9.36 Presently, the proposal seeks to construct the street level façade in a green material with red bricks for the upper stories. Whilst red bricks are not predominant in this part of the street scene, they are present on the existing building and would not be considered unacceptable in this location.

- 9.37 Whilst the proposed building is taller than the existing building on site, and those immediately surrounding it, the disposition of the mass across the site ensures that whilst the building would be prominent in its setting, it would not be considered over dominant.
- 9.38 The entrances would be clear and legible into the community facility and the proposed flats and provides a good level of active street frontage. The redevelopment of the site as proposed would present a significantly enhanced and attractive public façade and successfully deliver an optimisation of the site compared to the presently underused plot.
- 9.38 It is Officers opinion that the scheme represents a high-quality design and optimises the site providing an attractive setting for future occupiers. Officers are comfortable and supportive of the proposed design and conclude that the proposal represent a sustainable development.

### **Standard of accommodation**

- 9.39 Policy D6 of the London Plan 2021 and Policy DMD 8 of the Enfield Development Management Document (2014) set minimum internal space standards for residential development. The Nationally Described Internal Space Standard applies to all residential developments within the Borough and the London Mayor's Housing SPG adopted in 2016 has been updated to reflect the Nationally Described Space Standards.
- 9.40 The proposed flats all either meet or exceed the minimum required floorspace requirements as per the National internal floorspace standards. Each habitable room has outlook from a window. All rooms have sufficient access to sunlight and daylight. In addition, each flat and maisonette have their own private balconies in excess of the requirements of the London Plan. In addition, all of the proposed flats are dual aspect with both north and south facing facades.
- 9.41 Whilst the north facing bedrooms would be adjacent to the access deck, the proposed landscaping arrangements, which will need to be provided by condition, can be instrumental in ensuring adequate levels of separation are created between the access decks and the windows. However, with just three flats per floor, and 6 flats in total, the potential footfall past these windows would be significantly limited and together with the use of devices such as one-way glass, the amenity of the occupiers within would be safeguarded.
- 9.42 Officers recognise the need to utilise sites to their optimum and judged against the compliant standard of accommodation and the tilted balance, the development would accord with London plan (2021) policies, Housing standards SPD (Adopted March 2016), Enfield Core Strategy 4 (Housing quality) and Enfield Development Management Document policies DMD 8, DMD 9, DMD 37 and DMD 72.

### **Impact on Neighbouring Amenity**

- 9.43 Policy D6 of the London Plan 2021) sets out buildings should not cause unacceptable harm to residential amenity, including in terms of privacy and overshadowing. Development proposals should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst minimising overshadowing and maximising the usability of outside amenity space.

- 9.44 Policy CP30 of the Core Strategy seeks to ensure that new developments have appropriate regard to their surroundings, and that they improve the environment in terms of visual and residential amenity. Policies DMD 6 and 8 of the Development Management Document (2014) seek to ensure that residential developments do not prejudice the amenities enjoyed by the occupiers of neighbouring residential properties in terms of privacy, overlooking and general sense of encroachment.
- 9.45 The way that the upper floors of the building would be set back from the neighbouring residential buildings will ensure that the building would not give rise to any significant overshadowing there being a separation of 14 metres to the nearest residential boundary from the top floor access deck of the development. The amenity/access deck at first and second floor level would be significantly screened, however a privacy screen condition shall be appended should the proposed landscaping scheme not be considered sufficient to protect local residents from being overlooked. On this basis, the relationship is considered acceptable and on balance, having regard to the presumption in favour and the benefits of this proposal, any minimal is not considered sufficient to warrant refusal of the application.
- 9.46 Environmental Health does not object to the application for planning permission as there is unlikely to be a negative environmental impact. There are no concerns regarding air quality, noise or contaminated land. Conditions have been recommended in response to EHO Officer recommendations, including one to protect residents from noise. Overall, no objection is raised to residential amenity impact by the proposed development.

#### **Sustainable Drainage**

- 9.47 Policy SI 12 of the London Plan (2021) outlines development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 outlines that development proposals should aim to achieve greenfield runoff rates and ensure that surface water run-off is managed as close to its source as possible. It also states there should also be a preference for green over grey features, in line with an outlined drainage hierarchy. Core Strategy Policies CP21, CP28 and CP29 and Development Management Document Policies DMD59 – DMD63 are also relevant
- 9.48 The conditions shall be imposed to ensure that an appropriate SUDS strategy and FRA are in place to the satisfaction of the SUDS team

#### **Highway, Access and Parking**

- 9.49 London Plan (2021) Policy T1 sets a strategic target of 80% (75% in Enfield) 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.
- 9.50 Policy DMD 45 seeks to minimise car parking and to promote sustainable transport options. The Council recognises that a flexible and balanced approach needs to be adopted to prevent excessive car parking provision while at the same time recognising that low on-site provision sometimes increases pressure on existing streets.

#### *Pedestrian access*

- 9.51 Consideration has been given to residents and visitors accessing the site's cycle parking, waste store, and nearby streets meeting the requirements of the London Plan and Enfield DMD 47 which states that: "All developments should make provision for

attractive, safe, clearly defined and convenient routes and accesses for pedestrians, including those with disabilities.” Consideration has been given to wheelchair and pedestrian movements around the site. The proposals provide adaptable user dwellings, designed to comply with Part M of the Building Regulations. Every non-ground floor dwelling is accessible by a lift. This is most welcomed. Step free pedestrian access is afforded for both the residential units and the replacement community centre that would be directly off the Lancaster Road frontage. There would be a single communal entrance for the residential units along this frontage towards the site’s western boundary, whilst the community centre would have a separate larger focal street entrance located centrally along this frontage.

### *Car parking*

- 9.52 The site fronts onto Lancaster Road which is an adopted classified road. There are parking restrictions in place along the site frontage. Single yellow lines are present and parking is restricted between the hours of 8am – 6:30pm, Mon – Sat. A Bus Stop is present opposite the site with a bus cage road marking and sign plate, no stopping or parking is allowed at any time.
- 9.53 Public Transport Accessibility Level (PTAL) is a widely adopted methodology in Greater London for quantifying a site’s accessibility to public transport and is considered to be a usable measure of relative accessibility to public transport at any location within a London borough and provides a general comparison of a site’s accessibility relative to another. The site has a PTAL of 2 but is on the edge of an area of PTAL 3 which indicates that access to frequent public transport services is moderate.
- 9.54 Table 10.3 of the London Plan provides details on ‘maximum residential parking standards’ it states:

<b>Location</b>	<b>Number of beds</b>	<b>Maximum parking provision</b>
Outer London PTAL 2 – 3	1-2	Up to 0.75 spaces per dwelling

- 9.55 Based on this, the residential element of the development could provide a maximum of 4 car parking spaces. The existing community centre which is to be replaced does not currently provide any off-street car parking and the proposal is to continue this approach providing no off-street car parking for the new improved civic & community space.
- 9.56 The development is proposing to be completely car-free. Overnight parking surveys were undertaken on 21<sup>st</sup> and 26<sup>th</sup> January, 2021. These surveys were undertaken during a period of restrictions on movement as people were advised to stay at home during the Covid pandemic. The surveys show parking stress in the area is high and that 82% of available on-street spaces were taken, however, there was still around 60 spare spaces within a 200m walk of the proposal site. Area-wide, a further 23 vehicles could be accommodated on-street without stress exceeding 90%. The level typically considered as equating to saturated conditions at and above which parking demands may be deemed unmanageable without mitigation.
- 9.57 Officers examined the 2011 Census data for the immediate area (lower layer E01001411) looking at car or van availability for flats, maisonettes and apartments.



Although historic, such census information can be used to estimate the likely number of car or vans associated with the six flats. The data suggests 51.4% of the flats would have no car or vans, 38.7% would have 1 car or van and 9.9% would have 2 or more car or vans. Therefore, it is estimated that the residential aspect of this development would likely have approximately 4 car or vans associated with it.

- 9.58 The Community Centre is an existing extant use on the site. Officers acknowledge the facility is being improved and capacity may be increased slightly. Taking into consideration the parking surveys and 2011 Census data, Officers consider it is unlikely the residential aspect of this development will have a significant impact on parking demand or increased vehicle trip generation on the local highway network.
- 9.59 Given the local characteristics of the area and the proximity to local amenities, it is thought that car-free development is acceptable as long as the development is exempt from acquiring parking permits for existing or future CPZ's in the area. This is to be secured by a legal agreement. In this regard, no objection is raised to the provision of a car free development in this location.

#### *Cycle spaces*

- 9.60 As suggested by the Council's Traffic and Transportation Team, a condition shall be imposed to ensure that the necessary quantum and quality of cycle parking is provided.

#### *Refuse and recycling*

- 9.61 Whilst there appears to be sufficient space within the floorplan for the waste, a condition shall be imposed to ensure that the necessary quantum and refuse and recycling facilities are provided.

#### *Servicing*

- 9.62 The proposed community centre use within the scheme would be a replacement of the existing community centre at the site, where servicing currently takes place from on-street. Servicing trips associated with the new residential element of the development have been considered as part of the transport assessment and it was concluded that: *"Such additional activity would be manageable and could not be considered material in impact, with the scope to be accommodated on-street either for a short-term duration along the stretch of Lancaster Road immediately in front of the site or for a longer-term duration along the initial stretch of either Acacia Road or Kynaston Road close to the site."*

#### *Construction*

- 9.63 In order to ensure that construction traffic associated with the development can be accommodated without any adverse impacts on the surrounding local highway network; a Construction Logistics Plan will be required for the proposed development and secured by condition.

#### **Biodiversity Impacts**

- 9.64 Policy G6 of the London plan (2021) states "development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process". The site is currently occupied by an existing building and is therefore of limited ecological value. The applicant is committed to providing an

extensive green roof, landscaping and the provision of a potager garden to be secured as part of a landscaping condition. Whilst the addition of trees within all developments is typically sought, the nature of this development would not however lend itself to the suitable and sustainable siting of trees. It is therefore considered that this is all deemed to be acceptable.

### **Sustainability and Climate Change**

9.65 Policy SI 2 (Minimising greenhouse gas emissions) of the London Plan (2021) expects major development to be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:

- 1) be lean: use less energy and manage demand during operation
- 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
- 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
- 4) be seen: monitor, verify and report on energy performance.

9.66 Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:

- 1) through a cash in lieu contribution to the borough's carbon offset fund, or
- 2) off-site provided that an alternative proposal is identified and delivery is certain

9.67 The applicant has submitted an Energy report resulting in in a 49.66% saving for the residential units and 56% saving for the community hall. Although the development does not meet Carbon Zero it does however exceed the baseline of 35% above Building regulations. Measures will be incorporated to minimise pollution, reduce water use, design out waste, utilise highly efficient materials and result in a building that has been designed with resilience for future climate change conditions.

### Affordable Housing

9.68 As a minor mixed residential development (less than 10 units) there is no legislative requirement for this scheme to provide any affordable housing.

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

#### *Mayoral CIL*

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

*Enfield CIL*

- 9.70 The Council introduced its own CIL on 1 April 2016. The money collected from the levy (Regulation 123 Infrastructure List) will fund rail and causeway infrastructure for Meridian Water and other projects in the borough. Enfield has identified three residential charging zones. The site falls within Enfield's Intermediate Zone (£60/sqm) and would demonstrate an uplift of 685 square metres. This would result in a sum of £41,000.
- 9.71 All figures above are subject to the BCIS figure for CIL liable developments at time of CIL processing.

**Equalities Implications**

- 9.72 Section 149 of the Equality Act 2010 places obligations on local authorities with regard to equalities in decision making. It is considered that the proposal would not disadvantage people who share one of the different nine protected characteristics as defined by the Equality Act compared to those who do not have those characteristics.

**10 Conclusion**

- 10.1 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"*.
- 10.2 The Government prescribes a "tilted balance" in favour of housing delivery to the Council's planning decision-making as a result of Enfield's current inability to demonstrate a 5-year housing land supply as well as the Council's shortfall in meeting housing delivery targets. This means that applications for new homes should be given greater weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that the adverse impacts of the scheme, are not sufficient to significantly and demonstrably outweigh the benefits of the proposed housing.
- 10.3 It is recognised that sites such as this need to be optimised in order to minimise encroachment into the Borough's Green Belt and protected Strategic Industrial Locations. It is considered that the social benefits, both in respect of the provision of high-quality new housing stock and other spatial and environmental enhancements carry significant weight in favour of the proposed development.
- 10.4 Having regard to the assessment in this report, the development would provide a replacement, modernised community facility, plus 6 new homes which would be consistent with the thrust of national planning policy and the development plan to optimise development on smaller sites and increase the delivery of new homes. Adverse impacts are not considered to significantly and demonstrably outweigh the scheme's proposed benefits, which is given weight commensurate with the number of new residential units being delivered, when assessed against the policies in the NPPF, when taken as a whole.

- 3.4 The redevelopment of the site will provide a new flexible contemporary meeting space, whilst contributing to the Council's substantial housing delivery targets and therefore the principle of development in this sustainable brownfield location is supported.
- 3.5 The application is supported by appropriate and satisfactory technical reports covering the effect of the proposed development on parking, biodiversity and impacts to neighbouring amenity. The impacts of the development are considered within acceptable thresholds to meet policy compliance expectations.
- 3.6 The planning application satisfies overarching planning policy aims to increase the housing stock of the borough and is considered to be acceptable subject to appropriate planning conditions.
- 3.7 The Government prescribes a "tilted balance" in favour of housing delivery to the Council's planning decision-making as a result of Enfield's current inability to demonstrate a 5-year housing land supply as well as the Council's shortfall in meeting housing delivery targets. This means that applications for new homes should be given greater weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that there are no adverse impacts of the scheme that would outweigh the benefits of the proposed housing.
- 3.8 It is recognised that small sites such as this need to be optimised in order to minimise encroachment into the Borough's Green Belt and protected Strategic Industrial Locations. It is considered that the social benefits, both in respect of the provision of quality new housing stock carry significant weight in favour of the proposed development.

#### **4. Site and surroundings**

- 4.1 The application site comprises single storey community hall (Celbic Hall) approximately 370 sqm in floor area. The application property has a single storey front element with a setback gable rising above. The site is location on Lancaster Road, a linear centre which is predominately formed of two storey Victorian buildings.
- 4.2 The site is located on the north side of Lancaster Road and is bounded to the east by a single storey retail shop and to the west by a short 2 storey Victorian terrace comprising of commercial units at ground floor with residential above. There are terraced houses located to the rear on Birkbeck Road and Acacia Road running perpendicular to the north of the site.
- 4.3 The Site is located within the Lancaster Road Local Centre which is formed of a mix of commercial uses. The site is not within a Conservation Area nor is it Listed or in the setting of a Listed Building or Locally Listed Building.

#### **5. Proposal**

- 5.1 The proposal seeks the redevelopment of the site involving the demolition of the existing halls and construction of a part 2, part 3 storey building, to provide a flexible meeting space at ground floor, with 6 flats at first and second floor levels.
- 5.2 The proposed flexible meeting space would occupy the ground floor and be arranged principally as three interconnecting halls plus a "welcome space" together with associated facilities such as toilets, office, bar, meeting room, storage etc.

5.3 The 6 flats would be provided at first and second floor level as follows:

- 2 bedroom (72 square metres) x 4 person = 3 units - First floor
- 2 bedroom (66 square metres) x 3 person = 3 units – Second floor

5.4 All of the residential units would be private. No affordable housing is required because the number of units is below the threshold specified for such contributions in the National Planning Policy Framework

## 6. Relevant Planning History

### 6.1 19/03265/FUL

Redevelopment of site and erection of a 4-storey block comprising 7 self- contained flats (6 x 2-bed and 1 x 4-bed), with a community hall (D1) on the ground floor.

Withdrawn on 16.06.2021

### 6.2 18/03258/FUL

Redevelopment of site and erection of a 3-storey block comprising 8 self-contained flats (3 x 1-bed and 5 x 2-bed), with a community hall (D1) on the ground floor and basement level.

Refused on 25.10.2018 for the following reasons:

#### 1. Design

The proposed demolition of the existing building and the replacement-built form by virtue of its design, massing, bulk and scale is considered to result in an unacceptable form of development and consequently would cause unacceptable harm to the character and appearance to the streetscene and surrounding area. Accordingly, it would be contrary to Policies 7.4 and 7.6 of The London Plan (2016), policies CP5 and 30 of The Enfield Core Strategy, Policies DMD6, 8 and 37 of the Development Management Document (2014) (DMD) and Policies 3.4 and the NPPF.

#### 2. Residential Quality

A number of the proposed residential units, by virtue of being single aspect and facing north, are considered to result in poor-quality living accommodation for prospective future occupiers. The proposal would be therefore contrary to the objectives of the NPPF 2018, Policy 3.5 of the London Plan 2016, and the London Housing SPG 2016, Policy CP4 of the Enfield Core Strategy 2010 and Policies DMD8, DMD9 and DMD37 of the Enfield Development Management Document 2014..

#### 3. Residential amenity

The proposed development, is considered to have an adverse impact on the rear facing windows of the properties to Birkbeck Road, Acacia Road and Lancaster Road, in terms of creating an overbearing form of development, loss of outlook and an unneighbourly sense of enclosure, loss of sunlight and daylight and overlooking and loss of privacy. The proposal is therefore contrary to guidance provided by the NPPF 2018, Policy 7.6 of the London Plan 2016 and policies, DMD6, DMD8 and DMD10 of the Enfield Development Management Policies 2014.

#### 4. Transport

The proposal fails to demonstrate adequate off street parking and servicing arrangements commensurate with the more intensive use proposed, leading to conditions prejudicial to the free flow and safety of traffic and pedestrians, contrary to Policy 6.3 (Assessing effects of development on Transport capacity), Policy 6.9 (Cycling), Policy 6.13 (Parking) of the London Plan 2016, Policy 25 (Pedestrian and cyclists) of the Enfield Core Strategy 2010, and Policy 45 (Parking layout and standards), Policy 46 (vehicle crossover and dropped kerbs) Policy 47 (Access, New Roads and Servicing) of the Enfield Development Management Document 2014.

#### 6.3 17/00252/PREAPP

Proposed redevelopment of site and erection of 3 storey building comprising community hall on ground floor and 8 residential units on the upper floors.

Officer summary: Suitable for development but some concerns have been expressed. Pre-application issued on 10.03.2017

#### 7. Consultation

##### 7.1 Public

Number notified	41
Consultation start date	28.06.2022
Consultation end date	19.07.2022
Representations made	4
Objections	3
Other / support comments	1

##### 7.2 In summary, the 3 objectors raised the following points:

- Affect local ecology
- Close to adjoining properties
- Development too high
- General dislike of proposal
- Inadequate access
- Inadequate parking provision
- Increase in traffic
- Increase of pollution
- Loss of light
- Loss of parking
- Loss of privacy
- More open space needed on development
- Noise nuisance
- Noise and pollution disturbance during construction
- Out of keeping with character of area
- Over development
- Strain on existing community facilities

##### 7.3 The response in support of the proposal stated the following:



- This is a genuinely wonderful proposal that will make a significant contribution to the local area.
- As a regular user of Celbic Hall it is badly in need of upgrading. The future proofing of the hall and the delivery of housing on top is a fantastic outcome for the area.
- I think the external design proposals and the cleverness of the internal design is really something to be highlighted

#### 7.4 Internal and third-party consultees

<u>Consultee</u>	<u>Objection</u>	<u>Comment</u>
Urban Design	No	<p>The proposals have been subject to extensive discussion with Council Officers.</p> <p>At ground level the proposal addresses the street providing active street frontage and circulation for entering and exiting the flats and the community facilities.</p> <p>The scale and density are generally acceptable to the prevailing context.</p> <p>The proposal is generally in-line with Enfield's aspirations for mix, it is acknowledged that increasing the height of the building to include larger family units in this location would be inappropriate.</p> <p>The 'greening' of communal areas is supported however activity seems to be centred around sitting and tending to the garden /growing, there does not seem to be any useful activity space for informal play and individual or small group exercise, it may be more useful to refine these in order to provide a better offering of useable space. There also appears to be no lighting strategy, this would need careful thought. Management and ongoing maintenance of the green areas could possibly be a concern.</p> <p>It would be useful to get some planting information. The garden area is North Facing and may have an impact on the success of a planting element to the scheme.</p> <p>The introduction of balconies on the south elevation for use as private amenity is supported however on the North side, there is no transitional space /or defensible space between bedrooms and the public access to entrances for flats. Please provide drawings with internal dimensions and room areas for all unit types with the submission. Please also provide sectional drawings which show internal floor to ceiling heights to include overall building height to all ridges and parapets. D4, D6, DMD37, L2, H1</p>
Transportation	No	No Objection – Subject to Conditions relating to Cycle Parking and the provision of a Construction Traffic Management Plan. The latter must be provided prior to commencement of any form of construction/demolition on the site:
Environmental Health	No	No objection raised subject to conditions relating to construction management and pilling.

Designing Out Crime Office	No	A condition and informative has been requested to be imposed
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Officer response to comments

7.3 The material planning concerns within the objection letters have been considered by Officers during the assessment of the planning application. Officers visited the site to make assessment of the highlighted concerns. The concerns raised during consultation are addressed and assessed in the body of the report under the relevant material sections.

**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.

8.2 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Enfield Core Strategy (2010); the Enfield Development Management Document (2014); and The London Plan (2021).

National Planning Policy Framework (2021)

8.3 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, 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; 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.”

8.4 The related footnote(8) advises that “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 ..... 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.

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

- 8.6 Local authorities that fail to meet 95% of their housing targets need to prepare a Housing Action Plan to assess the causes of under delivery and identify actions to increase delivery in future years. Local authorities failing to meet 85% of their housing targets are required to add 20% to their five-year supply of deliverable housing sites targets by moving forward that 20% from later stages of the Local Plan period. Local authorities failing to meet 75% of their housing targets in the preceding 3 years are placed in a category of “presumption in favour of sustainable development”.
- 8.7 The Council’s recent housing delivery has been below its increasing housing targets. This translated into the Council being required to prepare a Housing Action Plan in 2019 and more recently being placed in the “presumption in favour of sustainable development” category by the Government through its Housing Delivery Test.
- 8.8 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’.
- 8.9 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 200 requires, in accordance with the development plan unless material considerations indicate otherwise.
- 8.10 Key relevant policy objectives in NPPF (2021) that relate to this scheme include:
- Section 5 – Delivering a sufficient supply of homes Para 60 - 77.
  - Section 11 – Making effective use of land Para 119 -125
  - Section 12 – Achieving well-designed places, Para 126-136

London Plan (2021)

- 8.11 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
  - SD10 Strategic and local regeneration
  - D1 London’s form, character and capacity for growth
  - D3 Optimising site capacity through the design-led approach
  - D4 Delivering good design
  - D5 Inclusive design
  - D6 Housing quality and standards
  - D7 Accessible housing
  - D8 Public realm
  - D11 Safety, security and resilience to emergency
  - H1 Increasing housing supply

- H2 Small sites
- H5 Threshold approach to applications
- H9 Ensuring the best use of stock
- H10 Housing size mix
- S1 Developing London's social infrastructure
- S4 Play and informal recreation
- G1 Green infrastructure
- G5 Urban greening
- G6 Biodiversity and access to nature
- SI 1 Improving air quality
- SI 2 Minimising greenhouse gas emissions
- SI 3 Energy infrastructure
- SI 4 Managing heat risk
- SI 5 Water infrastructure
- SI 7 Reducing waste and supporting the circular economy
- SI 8 Waste capacity and net waste self-sufficiency
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- T2 Healthy Streets
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction

#### Local Plan – Overview

- 8.12 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 the Local Plan is superseded in places by these documents and as such the proposal is reviewed against the most relevant policies from the Local Plan.

#### Enfield Core Strategy: 2010

- 8.13 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

- CP2 Housing supply and locations for new homes
- CP4 Housing quality
- CP5 Housing types
- CP20 Sustainable energy use and energy infrastructure
- CP21 Delivering sustainable water supply, drainage and sewerage infrastructure
- CP22 Delivering sustainable waste management
- CP24 The road network
- CP25 Pedestrians and cyclists
- CP30 Maintaining and improving the quality of the built and open environment
- CP32 Pollution

CP36 Biodiversity

Development Management Document (2014)

- 8.14 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 Development Management Document policies are considered particularly relevant:

DMD3: Providing a Mix of Different Sized Homes  
DMD6: Residential Character  
DMD8: General Standards for New Residential Development  
DMD9: Amenity Space  
DMD10: Distancing  
DMD 17: Protection of Community Facilities  
DMD37: Achieving High Quality and Design-Led Development  
DMD38: Design Process  
DMD45: Parking Standards and Layout  
DMD46: Vehicle Crossover and Dropped Kerbs  
DMD48: Transport Assessments  
DMD49: Sustainable Design and Construction Statements  
DMD51: Energy Efficiency Standards  
DMD53: Low and Zero Carbon Technology  
DMD55: Use of Roofspace/ Vertical Surfaces  
DMD56: Heating and Cooling  
DMD57: Resp. Sourcing of Materials, Waste Minimisation and Green Procurement  
DMD58: Water Efficiency  
DMD59: Avoiding and Reducing Flood Risk  
DMD61: Managing Surface Water  
DMD68: Noise  
DMD79: Ecological Enhancements  
DMD81: Landscaping

**Other Relevant material considerations**

- 8.15 Other Material Considerations

Enfield Climate Action Plan (2020)  
Enfield Housing and Growth Strategy (2020)  
Enfield Biodiversity Action Plan  
National Planning Practice Guidance  
Community Infrastructure Levy Regulations 2010  
LBE S106 SPD  
London Councils: Air Quality and Planning Guidance (2007)  
TfL London Cycle Design Standards (2014)  
GLA: The Control of Dust and Emissions during Construction and Demolition (2014)  
GLA: London Sustainable Design and Construction SPG (2014)  
GLA: Accessible London: Achieving an Inclusive Environment SPG (2014)  
GLA: Social Infrastructure SPG (2015)  
GLA: Housing SPG (2016)  
GLA: Homes for Londoners: Affordable Housing and Viability SPG (2017)  
Mayor's Transport Strategy (2018)  
Healthy Streets for London (2017)  
Manual for Streets 1 & 2, Inclusive Mobility (2005)  
National Planning Practice Guidance

National Design Guide (2019)  
Technical housing – nationally described space standards  
The Environment Act 2021  
The Planning (Listed Buildings and Conservation Areas) Act 1990

## **9 ANALYSIS**

9.1 This report sets out the analysis of the issues that arise from the proposed development assessed against national policy and the development plan policies. The main planning issues raised by the Proposed Development are:

- Principle of Development
- Housing Need
- Design and character
- Standard of accommodation
- Impact on neighbouring amenity
- Highways, access and parking
- Biodiversity impact
- Sustainable drainage
- Sustainability and climate change
- Community infrastructure Levy (CIL)
- Equalities impact

### **Principle of Development**

#### *Community use*

9.2 Policy DMD17 “Protection of Community Facilities” states that the council will protect existing social and community facilities in the Borough. Proposals involving the loss of community facilities will not be permitted unless:

- a. A suitable replacement facility is provided to cater for the local community that maintains the same level of public provision and accessibility.....

9.3 The detailed text of the policy states that the demand for a social and community facility may change over time as the nature and needs of a local community change. Community facilities should be safeguarded against the unnecessary loss of facilities and services.

9.4 As stated earlier, evidenced by the increasing cost and frequency of repairs that impede the proper function of the premises, Celbic Hall has been exhibiting signs of coming to the end of its life. In this case, the proposal seeks to redevelop the site and in the process re-provide a new, modern, flexible, community centre.

#### *Residential development*

9.5 The Council has not met the most recent Housing Delivery Test and is therefore in the presumption in favour of sustainable development category. The tilted balance would therefore be applied in assessing and weighing up the benefits of the scheme, which in this case seeks to re-provide community facilities. In addition the redevelopment of the site will contribute to the Council’s substantial housing delivery targets and therefore the principle of the housing element in this sustainable location on previously developed land is supported.

## Housing Need and Tenure Mix

### *Housing need*

- 9.6 Chapter 11 of the of the NPPF (2021) (Making efficient use of land) indicates that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site (NPPF para. 125). In these circumstances local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF (Para. 125 (c)).
- 9.7 The London Plan sets a target for the provision of 66,000 new homes across London each year. Enfield's 2020 Housing Delivery Action Plan recognises that the construction of more affordable high-quality homes is a clear priority. However, only 60% of approvals in the Borough are being delivered. The London Plan 2021 identifies a need for a minimum of 1,246 dwellings per year to be delivered over the next 10 years in the Borough, an increase over the previous target of 798.
- 9.8 Enfield's Housing and Growth Strategy 2020-2030 sets out how the Council will deliver more and better homes across the Borough to create a more balanced housing market and help local people access a good home. It recognises that this will include delivery in partnership with developers and the private sector and states as its third of 5 priorities as "Quality and variety in private housing".
- 9.10 The proposal would create 6 new good quality dwellings on a sustainable brownfield site location. Taking into account the housing needs of Enfield's population, nationally- and regionally-set housing delivery targets and shortfalls in meeting targets and demonstrating sufficient housing land supply, it is evident that this proposal to optimise the use of the site for a mixed used development of community facilities and good quality private homes is supported by adopted Development Plan housing policies, when consider as a whole.

### Dwelling Mix

- 9.20 London Plan Policy H10 states that schemes should generally consist of a range of unit sizes and that this should have regard to a number of criteria including robust local evidence, the mix of uses in the scheme, the range of tenures in the scheme, the nature and location of the site, amongst other considerations.
- 9.21 Enfield Policy CP5 of the Core Strategy (2010) seeks to provide the following borough-wide mix for market housing:
- 20% 1 and 2 bed units (1-3 persons);
  - 15% 2 bed units (4 persons);
  - 45% 3 bed units, (5-6 persons); and,
  - 20% 4+ bed units (6+ persons).
- 9.22 Policy DMD3 of the Enfield Development Management Document (2014) states that whilst sites capable of accommodating 10 or more dwellings should meet the dwelling mix targets within Core Strategy Policy CP5, developments of less than 10 units should contribute towards meetings these targets by providing a mix of different sized homes.
- 9.23 In this case, the proposal seeks to provide 6 no of flats of two different types:



- 2 bedroom (72 square metres) x 4 person = 3 units - First floor
- 2 bedroom (66 square metres) x 3 person = 3 units – Second floor

9.24 Accordingly it is considered that the proposals would be in accordance with London Plan Policy H10 and Enfield Policy DMD 3.

9.25 Furthermore, the more recently Enfield Local Housing Need Assessment (2020) confirms that whilst the likely demographic needs in the private sector is for 3 bedroom properties there is also a substantial demographic need for 2 bedroom properties

#### *Housing conclusions*

9.26 The Government prescribes a “tilted balance” in favour of housing delivery to the Council’s planning decision-making as a result of Enfield’s current inability to demonstrate a 5-year housing land supply as well as the Council’s shortfall in meeting housing delivery targets. This means that the delivery of new homes should be given great weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that the limited adverse impacts of the scheme, are not sufficient to significantly and demonstrably outweigh the benefits of the proposed housing. The proposal meets the requirements of London Plan Policy H10 and DMD3 and would contribute to the demographic need for 2 bedroom units.

#### **Design and Character**

##### *High-quality design and layout*

9.27 Chapter 12 (Achieving well-design places) of the of the NPPF (2021) emphasises the central value of good design to sustainable development (NPPF para 126). The Framework expects the planning process to facilitate “high quality, beautiful and sustainable buildings and places”. The assessment of a scheme should take into account the endurance of the design, visual appeal, sensitivity to local context, sense of place, optimisation of the site and contribution to health and wellbeing (NPPF para 130).

9.28 Good design is central to all objectives of the London Plan and the Council’s Local Plan policies. Chapter 3 of the London Plan sets out key urban design principles to guide development in London. Design policies in this chapter seek to ensure that development optimises site capacity; is of an appropriate form and scale; responds to local character; achieves the highest standards of architecture, sustainability and inclusive design; enhances the public realm; provides for green infrastructure; and respects the historic environment. LPD1 and LPD2 seek to ensure that new developments are well-designed and fit into the local character of an area. Policy D3 requires developments to optimise capacity through a design-led approach, by responding to a site’s context, capacity for growth and supporting infrastructure capacity. London Plan Policy D3 states that “all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. 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”.

- 9.29 Enfield Policy DMD 37 sets out objectives for achieving good urban design: character; continuity and enclosure; quality of public realm; ease of movement; legibility; adaptability and durability; and diversity. 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.

*Design Assessment*

- 9.30 The proposals have been subject to extensive discussion with Council Officers. The proposed scheme has been subject to amendments following pre and post application discussions.
- 9.31 The site is positioned in a prominent location on the north side of Lancaster Road between its junctions with Acacia Road and Birkbeck Road. Located to the immediate east of the site is a shop premises, and to the rear of the site, accessed from behind the shop, on Acacia Road, is a motorcycle service garage.
- 9.32 To the west of the site lies the flank and rear yard of the first of a two storey terrace of Victorian properties that have commercial uses at ground floor with residential above. To the rear of the site, both to the north and the west lies the rear gardens of neighbouring houses. In view of these close and potentially sensitive relationships to the rear of the site the design of the building has had to be carefully considered due to the exposed nature of the access decks on the north side of the development.
- 9.33 The proposal totals 3 storeys in height with the taller elements stacked toward the centre of the site gently stepping downwards. The ground floor would have almost 100% site coverage, save for a courtyard to access the rear of the site which would provide space for the three meeting rooms to open onto. The main accesses to the building, for both the community space and for the flats would be from Lancaster Road with the flats entrance to the western side of the facade, and the hall entrance located more centrally. A joint residential/commercial bin store would be located adjacent to the residential entrance.
- 9.34 At first and second floor level, the proposed main facade is broken down into series of blocks set at "echelon" to the line of the road, enhancing privacy between the prospective occupants, and providing south facing balconies. This echelon formation to the main road to the south also allows the building to draw itself away from the rear gardens to the immediate north and west.
- 9.35 On the residential access deck at first floor level, a communal garden is proposed for the six flats, bounded by a raised planter that would both enhance the garden environment, and form a landscaped screen between the proposed flats and the neighbouring houses and limit the potential for overlooking. The second floor access deck would be significantly narrower, stepped further away from the neighbouring gardens. Should members be minded to grant planning permission for the proposal it is recommended that details of the landscaping proposals for these access decks be secured by condition.
- 9.36 Presently, the proposal seeks to construct the street level facade in a green material with red bricks for the upper stories. Whilst red bricks are not predominant in this part of the street scene, they are present on the existing building and would not be considered unacceptable in this location.

- 9.37 Whilst the proposed building is taller than the existing building on site, and those immediately surrounding it, the disposition of the mass across the site ensures that whilst the building would be prominent in its setting, it would not be considered over dominant.
- 9.38 The entrances would be clear and legible into the community facility and the proposed flats and provides a good level of active street frontage. The redevelopment of the site as proposed would present a significantly enhanced and attractive public façade and successfully deliver an optimisation of the site compared to the presently underused plot.
- 9.38 It is Officers opinion that the scheme represents a high-quality design and optimises the site providing an attractive setting for future occupiers. Officers are comfortable and supportive of the proposed design and conclude that the proposal represent a sustainable development.

### **Standard of accommodation**

- 9.39 Policy D6 of the London Plan 2021 and Policy DMD 8 of the Enfield Development Management Document (2014) set minimum internal space standards for residential development. The Nationally Described Internal Space Standard applies to all residential developments within the Borough and the London Mayor's Housing SPG adopted in 2016 has been updated to reflect the Nationally Described Space Standards.
- 9.40 The proposed flats all either meet or exceed the minimum required floorspace requirements as per the National internal floorspace standards. Each habitable room has outlook from a window. All rooms have sufficient access to sunlight and daylight. In addition, each flat and maisonette have their own private balconies in excess of the requirements of the London Plan. In addition, all of the proposed flats are dual aspect with both north and south facing facades.
- 9.41 Whilst the north facing bedrooms would be adjacent to the access deck, the proposed landscaping arrangements, which will need to be provided by condition, can be instrumental in ensuring adequate levels of separation are created between the access decks and the windows. However, with just three flats per floor, and 6 flats in total, the potential footfall past these windows would be significantly limited and together with the use of devices such as one-way glass, the amenity of the occupiers within would be safeguarded.
- 9.42 Officers recognise the need to utilise sites to their optimum and judged against the compliant standard of accommodation and the tilted balance, the development would accord with London plan (2021) policies, Housing standards SPD (Adopted March 2016), Enfield Core Strategy 4 (Housing quality) and Enfield Development Management Document policies DMD 8, DMD 9, DMD 37 and DMD 72.

### **Impact on Neighbouring Amenity**

- 9.43 Policy D6 of the London Plan 2021) sets out buildings should not cause unacceptable harm to residential amenity, including in terms of privacy and overshadowing. Development proposals should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst minimising overshadowing and maximising the usability of outside amenity space.

- 9.44 Policy CP30 of the Core Strategy seeks to ensure that new developments have appropriate regard to their surroundings, and that they improve the environment in terms of visual and residential amenity. Policies DMD 6 and 8 of the Development Management Document (2014) seek to ensure that residential developments do not prejudice the amenities enjoyed by the occupiers of neighbouring residential properties in terms of privacy, overlooking and general sense of encroachment.
- 9.45 The way that the upper floors of the building would be set back from the neighbouring residential buildings will ensure that the building would not give rise to any significant overshadowing there being a separation of 14 metres to the nearest residential boundary from the top floor access deck of the development. The amenity/access deck at first and second floor level would be significantly screened, however a privacy screen condition shall be appended should the proposed landscaping scheme not be considered sufficient to protect local residents from being overlooked. On this basis, the relationship is considered acceptable and on balance, having regard to the presumption in favour and the benefits of this proposal, any minimal is not considered sufficient to warrant refusal of the application.
- 9.46 Environmental Health does not object to the application for planning permission as there is unlikely to be a negative environmental impact. There are no concerns regarding air quality, noise or contaminated land. Conditions have been recommended in response to EHO Officer recommendations, including one to protect residents from noise. Overall, no objection is raised to residential amenity impact by the proposed development.

#### **Sustainable Drainage**

- 9.47 Policy SI 12 of the London Plan (2021) outlines development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 outlines that development proposals should aim to achieve greenfield runoff rates and ensure that surface water run-off is managed as close to its source as possible. It also states there should also be a preference for green over grey features, in line with an outlined drainage hierarchy. Core Strategy Policies CP21, CP28 and CP29 and Development Management Document Policies DMD59 – DMD63 are also relevant
- 9.48 The conditions shall be imposed to ensure that an appropriate SUDS strategy and FRA are in place to the satisfaction of the SUDS team

#### **Highway, Access and Parking**

- 9.49 London Plan (2021) Policy T1 sets a strategic target of 80% (75% in Enfield) 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.
- 9.50 Policy DMD 45 seeks to minimise car parking and to promote sustainable transport options. The Council recognises that a flexible and balanced approach needs to be adopted to prevent excessive car parking provision while at the same time recognising that low on-site provision sometimes increases pressure on existing streets.

#### *Pedestrian access*

- 9.51 Consideration has been given to residents and visitors accessing the site's cycle parking, waste store, and nearby streets meeting the requirements of the London Plan and Enfield DMD 47 which states that: "All developments should make provision for

attractive, safe, clearly defined and convenient routes and accesses for pedestrians, including those with disabilities.” Consideration has been given to wheelchair and pedestrian movements around the site. The proposals provide adaptable user dwellings, designed to comply with Part M of the Building Regulations. Every non-ground floor dwelling is accessible by a lift. This is most welcomed. Step free pedestrian access is afforded for both the residential units and the replacement community centre that would be directly off the Lancaster Road frontage. There would be a single communal entrance for the residential units along this frontage towards the site’s western boundary, whilst the community centre would have a separate larger focal street entrance located centrally along this frontage.

#### *Car parking*

- 9.52 The site fronts onto Lancaster Road which is an adopted classified road. There are parking restrictions in place along the site frontage. Single yellow lines are present and parking is restricted between the hours of 8am – 6:30pm, Mon – Sat. A Bus Stop is present opposite the site with a bus cage road marking and sign plate, no stopping or parking is allowed at any time.
- 9.53 Public Transport Accessibility Level (PTAL) is a widely adopted methodology in Greater London for quantifying a site’s accessibility to public transport and is considered to be a usable measure of relative accessibility to public transport at any location within a London borough and provides a general comparison of a site’s accessibility relative to another. The site has a PTAL of 2 but is on the edge of an area of PTAL 3 which indicates that access to frequent public transport services is moderate.
- 9.54 Table 10.3 of the London Plan provides details on ‘maximum residential parking standards’ it states:

<b>Location</b>	<b>Number of beds</b>	<b>Maximum parking provision</b>
Outer London PTAL 2 – 3	1-2	Up to 0.75 spaces per dwelling

- 9.55 Based on this, the residential element of the development could provide a maximum of 4 car parking spaces. The existing community centre which is to be replaced does not currently provide any off-street car parking and the proposal is to continue this approach providing no off-street car parking for the new improved civic & community space.
- 9.56 The development is proposing to be completely car-free. Overnight parking surveys were undertaken on 21<sup>st</sup> and 26<sup>th</sup> January, 2021. These surveys were undertaken during a period of restrictions on movement as people were advised to stay at home during the Covid pandemic. The surveys show parking stress in the area is high and that 82% of available on-street spaces were taken, however, there was still around 60 spare spaces within a 200m walk of the proposal site. Area-wide, a further 23 vehicles could be accommodated on-street without stress exceeding 90%. The level typically considered as equating to saturated conditions at and above which parking demands may be deemed unmanageable without mitigation.
- 9.57 Officers examined the 2011 Census data for the immediate area (lower layer E01001411) looking at car or van availability for flats, maisonettes and apartments.

Although historic, such census information can be used to estimate the likely number of car or vans associated with the six flats. The data suggests 51.4% of the flats would have no car or vans, 38.7% would have 1 car or van and 9.9% would have 2 or more car or vans. Therefore, it is estimated that the residential aspect of this development would likely have approximately 4 car or vans associated with it.

- 9.58 The Community Centre is an existing extant use on the site. Officers acknowledge the facility is being improved and capacity may be increased slightly. Taking into consideration the parking surveys and 2011 Census data, Officers consider it is unlikely the residential aspect of this development will have a significant impact on parking demand or increased vehicle trip generation on the local highway network.
- 9.59 Given the local characteristics of the area and the proximity to local amenities, it is thought that car-free development is acceptable as long as the development is exempt from acquiring parking permits for existing or future CPZ's in the area. This is to be secured by a legal agreement. In this regard, no objection is raised to the provision of a car free development in this location.

#### *Cycle spaces*

- 9.60 As suggested by the Council's Traffic and Transportation Team, a condition shall be imposed to ensure that the necessary quantum and quality of cycle parking is provided.

#### *Refuse and recycling*

- 9.61 Whilst there appears to be sufficient space within the floorplan for the waste, a condition shall be imposed to ensure that the necessary quantum and refuse and recycling facilities are provided.

#### *Servicing*

- 9.62 The proposed community centre use within the scheme would be a replacement of the existing community centre at the site, where servicing currently takes place from on-street. Servicing trips associated with the new residential element of the development have been considered as part of the transport assessment and it was concluded that: *"Such additional activity would be manageable and could not be considered material in impact, with the scope to be accommodated on-street either for a short-term duration along the stretch of Lancaster Road immediately in front of the site or for a longer-term duration along the initial stretch of either Acacia Road or Kynaston Road close to the site."*

#### *Construction*

- 9.63 In order to ensure that construction traffic associated with the development can be accommodated without any adverse impacts on the surrounding local highway network; a Construction Logistics Plan will be required for the proposed development and secured by condition.

#### **Biodiversity Impacts**

- 9.64 Policy G6 of the London plan (2021) states "development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process". The site is currently occupied by an existing building and is therefore of limited ecological value. The applicant is committed to providing an

extensive green roof, landscaping and the provision of a potager garden to be secured as part of a landscaping condition. Whilst the addition of trees within all developments is typically sought, the nature of this development would not however lend itself to the suitable and sustainable siting of trees. It is therefore considered that this is all deemed to be acceptable.

### **Sustainability and Climate Change**

9.65 Policy SI 2 (Minimising greenhouse gas emissions) of the London Plan (2021) expects major development to be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:

- 1) be lean: use less energy and manage demand during operation
- 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
- 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
- 4) be seen: monitor, verify and report on energy performance.

9.66 Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:

- 1) through a cash in lieu contribution to the borough's carbon offset fund, or
- 2) off-site provided that an alternative proposal is identified and delivery is certain

9.67 The applicant has submitted an Energy report resulting in in a 49.66% saving for the residential units and 56% saving for the community hall. Although the development does not meet Carbon Zero it does however exceed the baseline of 35% above Building regulations. Measures will be incorporated to minimise pollution, reduce water use, design out waste, utilise highly efficient materials and result in a building that has been designed with resilience for future climate change conditions.

### Affordable Housing

9.68 As a minor mixed residential development (less than 10 units) there is no legislative requirement for this scheme to provide any affordable housing.

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

#### *Mayoral CIL*

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



*Enfield CIL*

- 9.70 The Council introduced its own CIL on 1 April 2016. The money collected from the levy (Regulation 123 Infrastructure List) will fund rail and causeway infrastructure for Meridian Water and other projects in the borough. Enfield has identified three residential charging zones. The site falls within Enfield's Intermediate Zone (£60/sqm) and would demonstrate an uplift of 685 square metres. This would result in a sum of £41,000.
- 9.71 All figures above are subject to the BCIS figure for CIL liable developments at time of CIL processing.

**Equalities Implications**

- 9.72 Section 149 of the Equality Act 2010 places obligations on local authorities with regard to equalities in decision making. It is considered that the proposal would not disadvantage people who share one of the different nine protected characteristics as defined by the Equality Act compared to those who do not have those characteristics.

**10 Conclusion**

- 10.1 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"*.
- 10.2 The Government prescribes a "tilted balance" in favour of housing delivery to the Council's planning decision-making as a result of Enfield's current inability to demonstrate a 5-year housing land supply as well as the Council's shortfall in meeting housing delivery targets. This means that applications for new homes should be given greater weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that the adverse impacts of the scheme, are not sufficient to significantly and demonstrably outweigh the benefits of the proposed housing.
- 10.3 It is recognised that sites such as this need to be optimised in order to minimise encroachment into the Borough's Green Belt and protected Strategic Industrial Locations. It is considered that the social benefits, both in respect of the provision of high-quality new housing stock and other spatial and environmental enhancements carry significant weight in favour of the proposed development.
- 10.4 Having regard to the assessment in this report, the development would provide a replacement, modernised community facility, plus 6 new homes which would be consistent with the thrust of national planning policy and the development plan to optimise development on smaller sites and increase the delivery of new homes. Adverse impacts are not considered to significantly and demonstrably outweigh the scheme's proposed benefits, which is given weight commensurate with the number of new residential units being delivered, when assessed against the policies in the NPPF, when taken as a whole.

## **1 Note for Members**

- 1.1 This planning application is brought to Planning Committee on account of the historic and ongoing links of the Celbic Hall with the local Labour Party.

## **2 Recommendation**

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

1. Time limit
2. Accordance with plans
3. External Appearance (sample materials including glazing specification)
4. External Appearance (hard standing)
5. Biodiversity Enhancements
6. Detail of development – Refuse storage
7. Details of development – cycle storage
8. Construction Management Plan
9. Water
10. Secure by Design
11. Piling hours
12. Energy Strategy and verification
13. Energy Performance Monitoring and Reporting
14. SuDS
15. SuDS verification
16. Communal garden
17. Site enclosure
18. Deck access bedroom windows to be one-way privacy glass
19. Balcony safety railings to be frosted safety glass
20. Details of roof space (including plant and lift overrun)
21. Details of enclosures above ground level

### Informative

1. Thames Water
  2. Designing out crime
- 2.2 That the Head of Development Management be granted delegated authority to agree the final wording of the to cover the matters in the Recommendation section of this report.

## **3. Executive Summary**

- 3.1 The Celbic Halls building was constructed in the inter war years by members of the local Labour Party and has served as a base for the constituency Labour party for a number of years as well as providing a community space for local residents and user groups.
- 3.2 By way of the increasing cost and frequency of repairs that impede the proper function of the premises, Celbic Hall has been exhibiting signs of coming to the end of its life. The applicant seeks the redevelopment of the site to provide a replacement new accessible contemporary community space that would both enhance the street scape as well as provide 6 new high quality homes and a communal garden for its residents.
- 3.3 The proposals have been subject to extensive discussion with Council Officers. The scheme has been subject to amendments during pre submission negotiations.

- 3.4 The redevelopment of the site will provide a new flexible contemporary meeting space, whilst contributing to the Council's substantial housing delivery targets and therefore the principle of development in this sustainable brownfield location is supported.
- 3.5 The application is supported by appropriate and satisfactory technical reports covering the effect of the proposed development on parking, biodiversity and impacts to neighbouring amenity. The impacts of the development are considered within acceptable thresholds to meet policy compliance expectations.
- 3.6 The planning application satisfies overarching planning policy aims to increase the housing stock of the borough and is considered to be acceptable subject to appropriate planning conditions.
- 3.7 The Government prescribes a "tilted balance" in favour of housing delivery to the Council's planning decision-making as a result of Enfield's current inability to demonstrate a 5-year housing land supply as well as the Council's shortfall in meeting housing delivery targets. This means that applications for new homes should be given greater weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that there are no adverse impacts of the scheme that would outweigh the benefits of the proposed housing.
- 3.8 It is recognised that small sites such as this need to be optimised in order to minimise encroachment into the Borough's Green Belt and protected Strategic Industrial Locations. It is considered that the social benefits, both in respect of the provision of quality new housing stock carry significant weight in favour of the proposed development.

#### **4. Site and surroundings**

- 4.1 The application site comprises single storey community hall (Celbic Hall) approximately 370 sqm in floor area. The application property has a single storey front element with a setback gable rising above. The site is location on Lancaster Road, a linear centre which is predominately formed of two storey Victorian buildings.
- 4.2 The site is located on the north side of Lancaster Road and is bounded to the east by a single storey retail shop and to the west by a short 2 storey Victorian terrace comprising of commercial units at ground floor with residential above. There are terraced houses located to the rear on Birkbeck Road and Acacia Road running perpendicular to the north of the site.
- 4.3 The Site is located within the Lancaster Road Local Centre which is formed of a mix of commercial uses. The site is not within a Conservation Area nor is it Listed or in the setting of a Listed Building or Locally Listed Building.

#### **5. Proposal**

- 5.1 The proposal seeks the redevelopment of the site involving the demolition of the existing halls and construction of a part 2, part 3 storey building, to provide a flexible meeting space at ground floor, with 6 flats at first and second floor levels.
- 5.2 The proposed flexible meeting space would occupy the ground floor and be arranged principally as three interconnecting halls plus a "welcome space" together with associated facilities such as toilets, office, bar, meeting room, storage etc.

5.3 The 6 flats would be provided at first and second floor level as follows:

- 2 bedroom (72 square metres) x 4 person = 3 units - First floor
- 2 bedroom (66 square metres) x 3 person = 3 units – Second floor

5.4 All of the residential units would be private. No affordable housing is required because the number of units is below the threshold specified for such contributions in the National Planning Policy Framework

## 6. Relevant Planning History

### 6.1 19/03265/FUL

Redevelopment of site and erection of a 4-storey block comprising 7 self- contained flats (6 x 2-bed and 1 x 4-bed), with a community hall (D1) on the ground floor.

Withdrawn on 16.06.2021

### 6.2 18/03258/FUL

Redevelopment of site and erection of a 3-storey block comprising 8 self-contained flats (3 x 1-bed and 5 x 2-bed), with a community hall (D1) on the ground floor and basement level.

Refused on 25.10.2018 for the following reasons:

#### 1. Design

The proposed demolition of the existing building and the replacement-built form by virtue of its design, massing, bulk and scale is considered to result in an unacceptable form of development and consequently would cause unacceptable harm to the character and appearance to the streetscene and surrounding area. Accordingly, it would be contrary to Policies 7.4 and 7.6 of The London Plan (2016), policies CP5 and 30 of The Enfield Core Strategy, Policies DMD6, 8 and 37 of the Development Management Document (2014) (DMD) and Policies 3.4 and the NPPF.

#### 2. Residential Quality

A number of the proposed residential units, by virtue of being single aspect and facing north, are considered to result in poor-quality living accommodation for prospective future occupiers. The proposal would be therefore contrary to the objectives of the NPPF 2018, Policy 3.5 of the London Plan 2016, and the London Housing SPG 2016, Policy CP4 of the Enfield Core Strategy 2010 and Policies DMD8, DMD9 and DMD37 of the Enfield Development Management Document 2014..

#### 3. Residential amenity

The proposed development, is considered to have an adverse impact on the rear facing windows of the properties to Birkbeck Road, Acacia Road and Lancaster Road, in terms of creating an overbearing form of development, loss of outlook and an unneighbourly sense of enclosure, loss of sunlight and daylight and overlooking and loss of privacy. The proposal is therefore contrary to guidance provided by the NPPF 2018, Policy 7.6 of the London Plan 2016 and policies, DMD6, DMD8 and DMD10 of the Enfield Development Management Policies 2014.

#### 4. Transport

The proposal fails to demonstrate adequate off street parking and servicing arrangements commensurate with the more intensive use proposed, leading to conditions prejudicial to the free flow and safety of traffic and pedestrians, contrary to Policy 6.3 (Assessing effects of development on Transport capacity), Policy 6.9 (Cycling), Policy 6.13 (Parking) of the London Plan 2016, Policy 25 (Pedestrian and cyclists) of the Enfield Core Strategy 2010, and Policy 45 (Parking layout and standards), Policy 46 (vehicle crossover and dropped kerbs) Policy 47 (Access, New Roads and Servicing) of the Enfield Development Management Document 2014.

#### 6.3 17/00252/PREAPP

Proposed redevelopment of site and erection of 3 storey building comprising community hall on ground floor and 8 residential units on the upper floors.

Officer summary: Suitable for development but some concerns have been expressed. Pre-application issued on 10.03.2017

#### 7. Consultation

##### 7.1 Public

Number notified	41
Consultation start date	28.06.2022
Consultation end date	19.07.2022
Representations made	4
Objections	3
Other / support comments	1

##### 7.2 In summary, the 3 objectors raised the following points:

- Affect local ecology
- Close to adjoining properties
- Development too high
- General dislike of proposal
- Inadequate access
- Inadequate parking provision
- Increase in traffic
- Increase of pollution
- Loss of light
- Loss of parking
- Loss of privacy
- More open space needed on development
- Noise nuisance
- Noise and pollution disturbance during construction
- Out of keeping with character of area
- Over development
- Strain on existing community facilities

##### 7.3 The response in support of the proposal stated the following:

- This is a genuinely wonderful proposal that will make a significant contribution to the local area.
- As a regular user of Celbic Hall it is badly in need of upgrading. The future proofing of the hall and the delivery of housing on top is a fantastic outcome for the area.
- I think the external design proposals and the cleverness of the internal design is really something to be highlighted

#### 7.4 Internal and third-party consultees

<u>Consultee</u>	<u>Objection</u>	<u>Comment</u>
Urban Design	No	<p>The proposals have been subject to extensive discussion with Council Officers.</p> <p>At ground level the proposal addresses the street providing active street frontage and circulation for entering and exiting the flats and the community facilities.</p> <p>The scale and density are generally acceptable to the prevailing context.</p> <p>The proposal is generally in-line with Enfield's aspirations for mix, it is acknowledged that increasing the height of the building to include larger family units in this location would be inappropriate.</p> <p>The 'greening' of communal areas is supported however activity seems to be centred around sitting and tending to the garden /growing, there does not seem to be any useful activity space for informal play and individual or small group exercise, it may be more useful to refine these in order to provide a better offering of useable space. There also appears to be no lighting strategy, this would need careful thought. Management and ongoing maintenance of the green areas could possibly be a concern.</p> <p>It would be useful to get some planting information. The garden area is North Facing and may have an impact on the success of a planting element to the scheme.</p> <p>The introduction of balconies on the south elevation for use as private amenity is supported however on the North side, there is no transitional space /or defensible space between bedrooms and the public access to entrances for flats. Please provide drawings with internal dimensions and room areas for all unit types with the submission. Please also provide sectional drawings which show internal floor to ceiling heights to include overall building height to all ridges and parapets. D4, D6, DMD37, L2, H1</p>
Transportation	No	No Objection – Subject to Conditions relating to Cycle Parking and the provision of a Construction Traffic Management Plan. The latter must be provided prior to commencement of any form of construction/demolition on the site:
Environmental Health	No	No objection raised subject to conditions relating to construction management and pilling.

Designing Out Crime Office	No	A condition and informative has been requested to be imposed

Officer response to comments

7.3 The material planning concerns within the objection letters have been considered by Officers during the assessment of the planning application. Officers visited the site to make assessment of the highlighted concerns. The concerns raised during consultation are addressed and assessed in the body of the report under the relevant material sections.

**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.

8.2 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Enfield Core Strategy (2010); the Enfield Development Management Document (2014); and The London Plan (2021).

National Planning Policy Framework (2021)

8.3 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, 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; 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.”

8.4 The related footnote(8) advises that “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 ..... 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.

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



- 8.6 Local authorities that fail to meet 95% of their housing targets need to prepare a Housing Action Plan to assess the causes of under delivery and identify actions to increase delivery in future years. Local authorities failing to meet 85% of their housing targets are required to add 20% to their five-year supply of deliverable housing sites targets by moving forward that 20% from later stages of the Local Plan period. Local authorities failing to meet 75% of their housing targets in the preceding 3 years are placed in a category of “presumption in favour of sustainable development”.
- 8.7 The Council’s recent housing delivery has been below its increasing housing targets. This translated into the Council being required to prepare a Housing Action Plan in 2019 and more recently being placed in the “presumption in favour of sustainable development” category by the Government through its Housing Delivery Test.
- 8.8 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’.
- 8.9 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 200 requires, in accordance with the development plan unless material considerations indicate otherwise.
- 8.10 Key relevant policy objectives in NPPF (2021) that relate to this scheme include:
- Section 5 – Delivering a sufficient supply of homes Para 60 - 77.
  - Section 11 – Making effective use of land Para 119 -125
  - Section 12 – Achieving well-designed places, Para 126-136

London Plan (2021)

- 8.11 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
  - SD10 Strategic and local regeneration
  - D1 London’s form, character and capacity for growth
  - D3 Optimising site capacity through the design-led approach
  - D4 Delivering good design
  - D5 Inclusive design
  - D6 Housing quality and standards
  - D7 Accessible housing
  - D8 Public realm
  - D11 Safety, security and resilience to emergency
  - H1 Increasing housing supply

H2	Small sites
H5	Threshold approach to applications
H9	Ensuring the best use of stock
H10	Housing size mix
S1	Developing London's social infrastructure
S4	Play and informal recreation
G1	Green infrastructure
G5	Urban greening
G6	Biodiversity and access to nature
SI 1	Improving air quality
SI 2	Minimising greenhouse gas emissions
SI 3	Energy infrastructure
SI 4	Managing heat risk
SI 5	Water infrastructure
SI 7	Reducing waste and supporting the circular economy
SI 8	Waste capacity and net waste self-sufficiency
SI 12	Flood risk management
SI 13	Sustainable drainage
T2	Healthy Streets
T4	Assessing and mitigating transport impacts
T5	Cycling
T6	Car parking
T6.1	Residential parking
T7	Deliveries, servicing and construction

#### Local Plan – Overview

- 8.12 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 the Local Plan is superseded in places by these documents and as such the proposal is reviewed against the most relevant policies from the Local Plan.

#### Enfield Core Strategy: 2010

- 8.13 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

CP2	Housing supply and locations for new homes
CP4	Housing quality
CP5	Housing types
CP20	Sustainable energy use and energy infrastructure
CP21	Delivering sustainable water supply, drainage and sewerage infrastructure
CP22	Delivering sustainable waste management
CP24	The road network
CP25	Pedestrians and cyclists
CP30	Maintaining and improving the quality of the built and open environment
CP32	Pollution

CP36 Biodiversity

Development Management Document (2014)

- 8.14 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 Development Management Document policies are considered particularly relevant:

DMD3: Providing a Mix of Different Sized Homes  
DMD6: Residential Character  
DMD8: General Standards for New Residential Development  
DMD9: Amenity Space  
DMD10: Distancing  
DMD 17: Protection of Community Facilities  
DMD37: Achieving High Quality and Design-Led Development  
DMD38: Design Process  
DMD45: Parking Standards and Layout  
DMD46: Vehicle Crossover and Dropped Kerbs  
DMD48: Transport Assessments  
DMD49: Sustainable Design and Construction Statements  
DMD51: Energy Efficiency Standards  
DMD53: Low and Zero Carbon Technology  
DMD55: Use of Roofspace/ Vertical Surfaces  
DMD56: Heating and Cooling  
DMD57: Resp. Sourcing of Materials, Waste Minimisation and Green Procurement  
DMD58: Water Efficiency  
DMD59: Avoiding and Reducing Flood Risk  
DMD61: Managing Surface Water  
DMD68: Noise  
DMD79: Ecological Enhancements  
DMD81: Landscaping

**Other Relevant material considerations**

- 8.15 Other Material Considerations

Enfield Climate Action Plan (2020)  
Enfield Housing and Growth Strategy (2020)  
Enfield Biodiversity Action Plan  
National Planning Practice Guidance  
Community Infrastructure Levy Regulations 2010  
LBE S106 SPD  
London Councils: Air Quality and Planning Guidance (2007)  
TfL London Cycle Design Standards (2014)  
GLA: The Control of Dust and Emissions during Construction and Demolition (2014)  
GLA: London Sustainable Design and Construction SPG (2014)  
GLA: Accessible London: Achieving an Inclusive Environment SPG (2014)  
GLA: Social Infrastructure SPG (2015)  
GLA: Housing SPG (2016)  
GLA: Homes for Londoners: Affordable Housing and Viability SPG (2017)  
Mayor's Transport Strategy (2018)  
Healthy Streets for London (2017)  
Manual for Streets 1 & 2, Inclusive Mobility (2005)  
National Planning Practice Guidance

National Design Guide (2019)  
Technical housing – nationally described space standards  
The Environment Act 2021  
The Planning (Listed Buildings and Conservation Areas) Act 1990

## **9 ANALYSIS**

9.1 This report sets out the analysis of the issues that arise from the proposed development assessed against national policy and the development plan policies. The main planning issues raised by the Proposed Development are:

- Principle of Development
- Housing Need
- Design and character
- Standard of accommodation
- Impact on neighbouring amenity
- Highways, access and parking
- Biodiversity impact
- Sustainable drainage
- Sustainability and climate change
- Community infrastructure Levy (CIL)
- Equalities impact

### **Principle of Development**

#### *Community use*

9.2 Policy DMD17 “Protection of Community Facilities” states that the council will protect existing social and community facilities in the Borough. Proposals involving the loss of community facilities will not be permitted unless:

- a. A suitable replacement facility is provided to cater for the local community that maintains the same level of public provision and accessibility.....

9.3 The detailed text of the policy states that the demand for a social and community facility may change over time as the nature and needs of a local community change. Community facilities should be safeguarded against the unnecessary loss of facilities and services.

9.4 As stated earlier, evidenced by the increasing cost and frequency of repairs that impede the proper function of the premises, Celbic Hall has been exhibiting signs of coming to the end of its life. In this case, the proposal seeks to redevelop the site and in the process re-provide a new, modern, flexible, community centre.

#### *Residential development*

9.5 The Council has not met the most recent Housing Delivery Test and is therefore in the presumption in favour of sustainable development category. The tilted balance would therefore be applied in assessing and weighing up the benefits of the scheme, which in this case seeks to re-provide community facilities. In addition the redevelopment of the site will contribute to the Council’s substantial housing delivery targets and therefore the principle of the housing element in this sustainable location on previously developed land is supported.

## Housing Need and Tenure Mix

### *Housing need*

- 9.6 Chapter 11 of the of the NPPF (2021) (Making efficient use of land) indicates that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site (NPPF para. 125). In these circumstances local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF (Para. 125 (c)).
- 9.7 The London Plan sets a target for the provision of 66,000 new homes across London each year. Enfield's 2020 Housing Delivery Action Plan recognises that the construction of more affordable high-quality homes is a clear priority. However, only 60% of approvals in the Borough are being delivered. The London Plan 2021 identifies a need for a minimum of 1,246 dwellings per year to be delivered over the next 10 years in the Borough, an increase over the previous target of 798.
- 9.8 Enfield's Housing and Growth Strategy 2020-2030 sets out how the Council will deliver more and better homes across the Borough to create a more balanced housing market and help local people access a good home. It recognises that this will include delivery in partnership with developers and the private sector and states as its third of 5 priorities as "Quality and variety in private housing".
- 9.10 The proposal would create 6 new good quality dwellings on a sustainable brownfield site location. Taking into account the housing needs of Enfield's population, nationally- and regionally-set housing delivery targets and shortfalls in meeting targets and demonstrating sufficient housing land supply, it is evident that this proposal to optimise the use of the site for a mixed used development of community facilities and good quality private homes is supported by adopted Development Plan housing policies, when consider as a whole.

### Dwelling Mix

- 9.20 London Plan Policy H10 states that schemes should generally consist of a range of unit sizes and that this should have regard to a number of criteria including robust local evidence, the mix of uses in the scheme, the range of tenures in the scheme, the nature and location of the site, amongst other considerations.
- 9.21 Enfield Policy CP5 of the Core Strategy (2010) seeks to provide the following borough-wide mix for market housing:
- 20% 1 and 2 bed units (1-3 persons);
  - 15% 2 bed units (4 persons);
  - 45% 3 bed units, (5-6 persons); and,
  - 20% 4+ bed units (6+ persons).
- 9.22 Policy DMD3 of the Enfield Development Management Document (2014) states that whilst sites capable of accommodating 10 or more dwellings should meet the dwelling mix targets within Core Strategy Policy CP5, developments of less than 10 units should contribute towards meetings these targets by providing a mix of different sized homes.
- 9.23 In this case, the proposal seeks to provide 6 no of flats of two different types:

- 2 bedroom (72 square metres) x 4 person = 3 units - First floor
- 2 bedroom (66 square metres) x 3 person = 3 units – Second floor

9.24 Accordingly it is considered that the proposals would be in accordance with London Plan Policy H10 and Enfield Policy DMD 3.

9.25 Furthermore, the more recently Enfield Local Housing Need Assessment (2020) confirms that whilst the likely demographic needs in the private sector is for 3 bedroom properties there is also a substantial demographic need for 2 bedroom properties

#### *Housing conclusions*

9.26 The Government prescribes a “tilted balance” in favour of housing delivery to the Council’s planning decision-making as a result of Enfield’s current inability to demonstrate a 5-year housing land supply as well as the Council’s shortfall in meeting housing delivery targets. This means that the delivery of new homes should be given great weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that the limited adverse impacts of the scheme, are not sufficient to significantly and demonstrably outweigh the benefits of the proposed housing. The proposal meets the requirements of London Plan Policy H10 and DMD3 and would contribute to the demographic need for 2 bedroom units.

#### **Design and Character**

##### *High-quality design and layout*

9.27 Chapter 12 (Achieving well-design places) of the of the NPPF (2021) emphasises the central value of good design to sustainable development (NPPF para 126). The Framework expects the planning process to facilitate “high quality, beautiful and sustainable buildings and places”. The assessment of a scheme should take into account the endurance of the design, visual appeal, sensitivity to local context, sense of place, optimisation of the site and contribution to health and wellbeing (NPPF para 130).

9.28 Good design is central to all objectives of the London Plan and the Council’s Local Plan policies. Chapter 3 of the London Plan sets out key urban design principles to guide development in London. Design policies in this chapter seek to ensure that development optimises site capacity; is of an appropriate form and scale; responds to local character; achieves the highest standards of architecture, sustainability and inclusive design; enhances the public realm; provides for green infrastructure; and respects the historic environment. LPD1 and LPD2 seek to ensure that new developments are well-designed and fit into the local character of an area. Policy D3 requires developments to optimise capacity through a design-led approach, by responding to a site’s context, capacity for growth and supporting infrastructure capacity. London Plan Policy D3 states that “all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. 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”.

- 9.29 Enfield Policy DMD 37 sets out objectives for achieving good urban design: character; continuity and enclosure; quality of public realm; ease of movement; legibility; adaptability and durability; and diversity. 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.

*Design Assessment*

- 9.30 The proposals have been subject to extensive discussion with Council Officers. The proposed scheme has been subject to amendments following pre and post application discussions.
- 9.31 The site is positioned in a prominent location on the north side of Lancaster Road between its junctions with Acacia Road and Birkbeck Road. Located to the immediate east of the site is a shop premises, and to the rear of the site, accessed from behind the shop, on Acacia Road, is a motorcycle service garage.
- 9.32 To the west of the site lies the flank and rear yard of the first of a two storey terrace of Victorian properties that have commercial uses at ground floor with residential above. To the rear of the site, both to the north and the west lies the rear gardens of neighbouring houses. In view of these close and potentially sensitive relationships to the rear of the site the design of the building has had to be carefully considered due to the exposed nature of the access decks on the north side of the development.
- 9.33 The proposal totals 3 storeys in height with the taller elements stacked toward the centre of the site gently stepping downwards. The ground floor would have almost 100% site coverage, save for a courtyard to access the rear of the site which would provide space for the three meeting rooms to open onto. The main accesses to the building, for both the community space and for the flats would be from Lancaster Road with the flats entrance to the wester side of the faced, and the hall entrance located more centrally. A joint residential/commercial bin store would be located adjacent to the residential entrance.
- 9.34 At first and second floor level, the proposed main faced is broken down into series of blocks set at “echelon” to the line of the road, enhancing privacy between the prospective occupants, and providing south facing balconies. This echelon formation to the main road to the south also allows the building to draw itself away from the rear gardens to the immediate north and west.
- 9.35 On the residential access deck at first floor level, a communal garden is proposed for the six flats, bounded by a raised planter that would both enhance the garden environment, and form a landscaped screen between the proposed flats and the neighbouring houses and limit the potential for overlooking. The second floor access deck would be significantly narrower, stepped further away from the neighbouring gardens. Should members be minded to grant planning permission for the proposal it is recommended that details of the landscaping proposals for these access decks be secured by condition.
- 9.36 Presently, the proposal seeks to construct the street level façade in a green material with red bricks for the upper stories. Whilst red bricks are not predominant in this part of the street scene, they are present on the existing building and would not be considered unacceptable in this location.



- 9.37 Whilst the proposed building is taller than the existing building on site, and those immediately surrounding it, the disposition of the mass across the site ensures that whilst the building would be prominent in its setting, it would not be considered over dominant.
- 9.38 The entrances would be clear and legible into the community facility and the proposed flats and provides a good level of active street frontage. The redevelopment of the site as proposed would present a significantly enhanced and attractive public façade and successfully deliver an optimisation of the site compared to the presently underused plot.
- 9.38 It is Officers opinion that the scheme represents a high-quality design and optimises the site providing an attractive setting for future occupiers. Officers are comfortable and supportive of the proposed design and conclude that the proposal represent a sustainable development.

### **Standard of accommodation**

- 9.39 Policy D6 of the London Plan 2021 and Policy DMD 8 of the Enfield Development Management Document (2014) set minimum internal space standards for residential development. The Nationally Described Internal Space Standard applies to all residential developments within the Borough and the London Mayor's Housing SPG adopted in 2016 has been updated to reflect the Nationally Described Space Standards.
- 9.40 The proposed flats all either meet or exceed the minimum required floorspace requirements as per the National internal floorspace standards. Each habitable room has outlook from a window. All rooms have sufficient access to sunlight and daylight. In addition, each flat and maisonette have their own private balconies in excess of the requirements of the London Plan. In addition, all of the proposed flats are dual aspect with both north and south facing facades.
- 9.41 Whilst the north facing bedrooms would be adjacent to the access deck, the proposed landscaping arrangements, which will need to be provided by condition, can be instrumental in ensuring adequate levels of separation are created between the access decks and the windows. However, with just three flats per floor, and 6 flats in total, the potential footfall past these windows would be significantly limited and together with the use of devices such as one-way glass, the amenity of the occupiers within would be safeguarded.
- 9.42 Officers recognise the need to utilise sites to their optimum and judged against the compliant standard of accommodation and the tilted balance, the development would accord with London plan (2021) policies, Housing standards SPD (Adopted March 2016), Enfield Core Strategy 4 (Housing quality) and Enfield Development Management Document policies DMD 8, DMD 9, DMD 37 and DMD 72.

### **Impact on Neighbouring Amenity**

- 9.43 Policy D6 of the London Plan 2021) sets out buildings should not cause unacceptable harm to residential amenity, including in terms of privacy and overshadowing. Development proposals should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst minimising overshadowing and maximising the usability of outside amenity space.

- 9.44 Policy CP30 of the Core Strategy seeks to ensure that new developments have appropriate regard to their surroundings, and that they improve the environment in terms of visual and residential amenity. Policies DMD 6 and 8 of the Development Management Document (2014) seek to ensure that residential developments do not prejudice the amenities enjoyed by the occupiers of neighbouring residential properties in terms of privacy, overlooking and general sense of encroachment.
- 9.45 The way that the upper floors of the building would be set back from the neighbouring residential buildings will ensure that the building would not give rise to any significant overshadowing there being a separation of 14 metres to the nearest residential boundary from the top floor access deck of the development. The amenity/access deck at first and second floor level would be significantly screened, however a privacy screen condition shall be appended should the proposed landscaping scheme not be considered sufficient to protect local residents from being overlooked. On this basis, the relationship is considered acceptable and on balance, having regard to the presumption in favour and the benefits of this proposal, any minimal is not considered sufficient to warrant refusal of the application.
- 9.46 Environmental Health does not object to the application for planning permission as there is unlikely to be a negative environmental impact. There are no concerns regarding air quality, noise or contaminated land. Conditions have been recommended in response to EHO Officer recommendations, including one to protect residents from noise. Overall, no objection is raised to residential amenity impact by the proposed development.

#### **Sustainable Drainage**

- 9.47 Policy SI 12 of the London Plan (2021) outlines development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 outlines that development proposals should aim to achieve greenfield runoff rates and ensure that surface water run-off is managed as close to its source as possible. It also states there should also be a preference for green over grey features, in line with an outlined drainage hierarchy. Core Strategy Policies CP21, CP28 and CP29 and Development Management Document Policies DMD59 – DMD63 are also relevant
- 9.48 The conditions shall be imposed to ensure that an appropriate SUDS strategy and FRA are in place to the satisfaction of the SUDS team

#### **Highway, Access and Parking**

- 9.49 London Plan (2021) Policy T1 sets a strategic target of 80% (75% in Enfield) 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.
- 9.50 Policy DMD 45 seeks to minimise car parking and to promote sustainable transport options. The Council recognises that a flexible and balanced approach needs to be adopted to prevent excessive car parking provision while at the same time recognising that low on-site provision sometimes increases pressure on existing streets.

#### *Pedestrian access*

- 9.51 Consideration has been given to residents and visitors accessing the site's cycle parking, waste store, and nearby streets meeting the requirements of the London Plan and Enfield DMD 47 which states that: "All developments should make provision for

attractive, safe, clearly defined and convenient routes and accesses for pedestrians, including those with disabilities.” Consideration has been given to wheelchair and pedestrian movements around the site. The proposals provide adaptable user dwellings, designed to comply with Part M of the Building Regulations. Every non-ground floor dwelling is accessible by a lift. This is most welcomed. Step free pedestrian access is afforded for both the residential units and the replacement community centre that would be directly off the Lancaster Road frontage. There would be a single communal entrance for the residential units along this frontage towards the site’s western boundary, whilst the community centre would have a separate larger focal street entrance located centrally along this frontage.

#### *Car parking*

- 9.52 The site fronts onto Lancaster Road which is an adopted classified road. There are parking restrictions in place along the site frontage. Single yellow lines are present and parking is restricted between the hours of 8am – 6:30pm, Mon – Sat. A Bus Stop is present opposite the site with a bus cage road marking and sign plate, no stopping or parking is allowed at any time.
- 9.53 Public Transport Accessibility Level (PTAL) is a widely adopted methodology in Greater London for quantifying a site’s accessibility to public transport and is considered to be a usable measure of relative accessibility to public transport at any location within a London borough and provides a general comparison of a site’s accessibility relative to another. The site has a PTAL of 2 but is on the edge of an area of PTAL 3 which indicates that access to frequent public transport services is moderate.
- 9.54 Table 10.3 of the London Plan provides details on ‘maximum residential parking standards’ it states:

<b>Location</b>	<b>Number of beds</b>	<b>Maximum parking provision</b>
Outer London PTAL 2 – 3	1-2	Up to 0.75 spaces per dwelling

- 9.55 Based on this, the residential element of the development could provide a maximum of 4 car parking spaces. The existing community centre which is to be replaced does not currently provide any off-street car parking and the proposal is to continue this approach providing no off-street car parking for the new improved civic & community space.
- 9.56 The development is proposing to be completely car-free. Overnight parking surveys were undertaken on 21<sup>st</sup> and 26<sup>th</sup> January, 2021. These surveys were undertaken during a period of restrictions on movement as people were advised to stay at home during the Covid pandemic. The surveys show parking stress in the area is high and that 82% of available on-street spaces were taken, however, there was still around 60 spare spaces within a 200m walk of the proposal site. Area-wide, a further 23 vehicles could be accommodated on-street without stress exceeding 90%. The level typically considered as equating to saturated conditions at and above which parking demands may be deemed unmanageable without mitigation.
- 9.57 Officers examined the 2011 Census data for the immediate area (lower layer E01001411) looking at car or van availability for flats, maisonettes and apartments.

Although historic, such census information can be used to estimate the likely number of car or vans associated with the six flats. The data suggests 51.4% of the flats would have no car or vans, 38.7% would have 1 car or van and 9.9% would have 2 or more car or vans. Therefore, it is estimated that the residential aspect of this development would likely have approximately 4 car or vans associated with it.

- 9.58 The Community Centre is an existing extant use on the site. Officers acknowledge the facility is being improved and capacity may be increased slightly. Taking into consideration the parking surveys and 2011 Census data, Officers consider it is unlikely the residential aspect of this development will have a significant impact on parking demand or increased vehicle trip generation on the local highway network.
- 9.59 Given the local characteristics of the area and the proximity to local amenities, it is thought that car-free development is acceptable as long as the development is exempt from acquiring parking permits for existing or future CPZ's in the area. This is to be secured by a legal agreement. In this regard, no objection is raised to the provision of a car free development in this location.

#### *Cycle spaces*

- 9.60 As suggested by the Council's Traffic and Transportation Team, a condition shall be imposed to ensure that the necessary quantum and quality of cycle parking is provided.

#### *Refuse and recycling*

- 9.61 Whilst there appears to be sufficient space within the floorplan for the waste, a condition shall be imposed to ensure that the necessary quantum and refuse and recycling facilities are provided.

#### *Servicing*

- 9.62 The proposed community centre use within the scheme would be a replacement of the existing community centre at the site, where servicing currently takes place from on-street. Servicing trips associated with the new residential element of the development have been considered as part of the transport assessment and it was concluded that: *"Such additional activity would be manageable and could not be considered material in impact, with the scope to be accommodated on-street either for a short-term duration along the stretch of Lancaster Road immediately in front of the site or for a longer-term duration along the initial stretch of either Acacia Road or Kynaston Road close to the site."*

#### *Construction*

- 9.63 In order to ensure that construction traffic associated with the development can be accommodated without any adverse impacts on the surrounding local highway network; a Construction Logistics Plan will be required for the proposed development and secured by condition.

#### **Biodiversity Impacts**

- 9.64 Policy G6 of the London plan (2021) states "development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process". The site is currently occupied by an existing building and is therefore of limited ecological value. The applicant is committed to providing an

extensive green roof, landscaping and the provision of a potager garden to be secured as part of a landscaping condition. Whilst the addition of trees within all developments is typically sought, the nature of this development would not however lend itself to the suitable and sustainable siting of trees. It is therefore considered that this is all deemed to be acceptable.

### **Sustainability and Climate Change**

9.65 Policy SI 2 (Minimising greenhouse gas emissions) of the London Plan (2021) expects major development to be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:

- 1) be lean: use less energy and manage demand during operation
- 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
- 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
- 4) be seen: monitor, verify and report on energy performance.

9.66 Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:

- 1) through a cash in lieu contribution to the borough's carbon offset fund, or
- 2) off-site provided that an alternative proposal is identified and delivery is certain

9.67 The applicant has submitted an Energy report resulting in in a 49.66% saving for the residential units and 56% saving for the community hall. Although the development does not meet Carbon Zero it does however exceed the baseline of 35% above Building regulations. Measures will be incorporated to minimise pollution, reduce water use, design out waste, utilise highly efficient materials and result in a building that has been designed with resilience for future climate change conditions.

### Affordable Housing

9.68 As a minor mixed residential development (less than 10 units) there is no legislative requirement for this scheme to provide any affordable housing.

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

#### *Mayoral CIL*

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

### *Enfield CIL*

- 9.70 The Council introduced its own CIL on 1 April 2016. The money collected from the levy (Regulation 123 Infrastructure List) will fund rail and causeway infrastructure for Meridian Water and other projects in the borough. Enfield has identified three residential charging zones. The site falls within Enfield's Intermediate Zone (£60/sqm) and would demonstrate an uplift of 685 square metres. This would result in a sum of £41,000.
- 9.71 All figures above are subject to the BCIS figure for CIL liable developments at time of CIL processing.

### **Equalities Implications**

- 9.72 Section 149 of the Equality Act 2010 places obligations on local authorities with regard to equalities in decision making. It is considered that the proposal would not disadvantage people who share one of the different nine protected characteristics as defined by the Equality Act compared to those who do not have those characteristics.

## **10 Conclusion**

- 10.1 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"*.
- 10.2 The Government prescribes a "tilted balance" in favour of housing delivery to the Council's planning decision-making as a result of Enfield's current inability to demonstrate a 5-year housing land supply as well as the Council's shortfall in meeting housing delivery targets. This means that applications for new homes should be given greater weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that the adverse impacts of the scheme, are not sufficient to significantly and demonstrably outweigh the benefits of the proposed housing.
- 10.3 It is recognised that sites such as this need to be optimised in order to minimise encroachment into the Borough's Green Belt and protected Strategic Industrial Locations. It is considered that the social benefits, both in respect of the provision of high-quality new housing stock and other spatial and environmental enhancements carry significant weight in favour of the proposed development.
- 10.4 Having regard to the assessment in this report, the development would provide a replacement, modernised community facility, plus 6 new homes which would be consistent with the thrust of national planning policy and the development plan to optimise development on smaller sites and increase the delivery of new homes. Adverse impacts are not considered to significantly and demonstrably outweigh the scheme's proposed benefits, which is given weight commensurate with the number of new residential units being delivered, when assessed against the policies in the NPPF, when taken as a whole.

- 3.4 The redevelopment of the site will provide a new flexible contemporary meeting space, whilst contributing to the Council's substantial housing delivery targets and therefore the principle of development in this sustainable brownfield location is supported.
- 3.5 The application is supported by appropriate and satisfactory technical reports covering the effect of the proposed development on parking, biodiversity and impacts to neighbouring amenity. The impacts of the development are considered within acceptable thresholds to meet policy compliance expectations.
- 3.6 The planning application satisfies overarching planning policy aims to increase the housing stock of the borough and is considered to be acceptable subject to appropriate planning conditions.
- 3.7 The Government prescribes a "tilted balance" in favour of housing delivery to the Council's planning decision-making as a result of Enfield's current inability to demonstrate a 5-year housing land supply as well as the Council's shortfall in meeting housing delivery targets. This means that applications for new homes should be given greater weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that there are no adverse impacts of the scheme that would outweigh the benefits of the proposed housing.
- 3.8 It is recognised that small sites such as this need to be optimised in order to minimise encroachment into the Borough's Green Belt and protected Strategic Industrial Locations. It is considered that the social benefits, both in respect of the provision of quality new housing stock carry significant weight in favour of the proposed development.

#### **4. Site and surroundings**

- 4.1 The application site comprises single storey community hall (Celbic Hall) approximately 370 sqm in floor area. The application property has a single storey front element with a setback gable rising above. The site is location on Lancaster Road, a linear centre which is predominately formed of two storey Victorian buildings.
- 4.2 The site is located on the north side of Lancaster Road and is bounded to the east by a single storey retail shop and to the west by a short 2 storey Victorian terrace comprising of commercial units at ground floor with residential above. There are terraced houses located to the rear on Birkbeck Road and Acacia Road running perpendicular to the north of the site.
- 4.3 The Site is located within the Lancaster Road Local Centre which is formed of a mix of commercial uses. The site is not within a Conservation Area nor is it Listed or in the setting of a Listed Building or Locally Listed Building.

#### **5. Proposal**

- 5.1 The proposal seeks the redevelopment of the site involving the demolition of the existing halls and construction of a part 2, part 3 storey building, to provide a flexible meeting space at ground floor, with 6 flats at first and second floor levels.
- 5.2 The proposed flexible meeting space would occupy the ground floor and be arranged principally as three interconnecting halls plus a "welcome space" together with associated facilities such as toilets, office, bar, meeting room, storage etc.



5.3 The 6 flats would be provided at first and second floor level as follows:

- 2 bedroom (72 square metres) x 4 person = 3 units - First floor
- 2 bedroom (66 square metres) x 3 person = 3 units – Second floor

5.4 All of the residential units would be private. No affordable housing is required because the number of units is below the threshold specified for such contributions in the National Planning Policy Framework

## 6. Relevant Planning History

### 6.1 19/03265/FUL

Redevelopment of site and erection of a 4-storey block comprising 7 self- contained flats (6 x 2-bed and 1 x 4-bed), with a community hall (D1) on the ground floor.

Withdrawn on 16.06.2021

### 6.2 18/03258/FUL

Redevelopment of site and erection of a 3-storey block comprising 8 self-contained flats (3 x 1-bed and 5 x 2-bed), with a community hall (D1) on the ground floor and basement level.

Refused on 25.10.2018 for the following reasons:

#### 1. Design

The proposed demolition of the existing building and the replacement-built form by virtue of its design, massing, bulk and scale is considered to result in an unacceptable form of development and consequently would cause unacceptable harm to the character and appearance to the streetscene and surrounding area. Accordingly, it would be contrary to Policies 7.4 and 7.6 of The London Plan (2016), policies CP5 and 30 of The Enfield Core Strategy, Policies DMD6, 8 and 37 of the Development Management Document (2014) (DMD) and Policies 3.4 and the NPPF.

#### 2. Residential Quality

A number of the proposed residential units, by virtue of being single aspect and facing north, are considered to result in poor-quality living accommodation for prospective future occupiers. The proposal would be therefore contrary to the objectives of the NPPF 2018, Policy 3.5 of the London Plan 2016, and the London Housing SPG 2016, Policy CP4 of the Enfield Core Strategy 2010 and Policies DMD8, DMD9 and DMD37 of the Enfield Development Management Document 2014..

#### 3. Residential amenity

The proposed development, is considered to have an adverse impact on the rear facing windows of the properties to Birkbeck Road, Acacia Road and Lancaster Road, in terms of creating an overbearing form of development, loss of outlook and an unneighbourly sense of enclosure, loss of sunlight and daylight and overlooking and loss of privacy. The proposal is therefore contrary to guidance provided by the NPPF 2018, Policy 7.6 of the London Plan 2016 and policies, DMD6, DMD8 and DMD10 of the Enfield Development Management Policies 2014.

#### 4. Transport

The proposal fails to demonstrate adequate off street parking and servicing arrangements commensurate with the more intensive use proposed, leading to conditions prejudicial to the free flow and safety of traffic and pedestrians, contrary to Policy 6.3 (Assessing effects of development on Transport capacity), Policy 6.9 (Cycling), Policy 6.13 (Parking) of the London Plan 2016, Policy 25 (Pedestrian and cyclists) of the Enfield Core Strategy 2010, and Policy 45 (Parking layout and standards), Policy 46 (vehicle crossover and dropped kerbs) Policy 47 (Access, New Roads and Servicing) of the Enfield Development Management Document 2014.

#### 6.3 17/00252/PREAPP

Proposed redevelopment of site and erection of 3 storey building comprising community hall on ground floor and 8 residential units on the upper floors.

Officer summary: Suitable for development but some concerns have been expressed. Pre-application issued on 10.03.2017

#### 7. Consultation

##### 7.1 Public

Number notified	41
Consultation start date	28.06.2022
Consultation end date	19.07.2022
Representations made	4
Objections	3
Other / support comments	1

##### 7.2 In summary, the 3 objectors raised the following points:

- Affect local ecology
- Close to adjoining properties
- Development too high
- General dislike of proposal
- Inadequate access
- Inadequate parking provision
- Increase in traffic
- Increase of pollution
- Loss of light
- Loss of parking
- Loss of privacy
- More open space needed on development
- Noise nuisance
- Noise and pollution disturbance during construction
- Out of keeping with character of area
- Over development
- Strain on existing community facilities

##### 7.3 The response in support of the proposal stated the following:

- This is a genuinely wonderful proposal that will make a significant contribution to the local area.
- As a regular user of Celbic Hall it is badly in need of upgrading. The future proofing of the hall and the delivery of housing on top is a fantastic outcome for the area.
- I think the external design proposals and the cleverness of the internal design is really something to be highlighted

#### 7.4 Internal and third-party consultees

<u>Consultee</u>	<u>Objection</u>	<u>Comment</u>
Urban Design	No	<p>The proposals have been subject to extensive discussion with Council Officers.</p> <p>At ground level the proposal addresses the street providing active street frontage and circulation for entering and exiting the flats and the community facilities.</p> <p>The scale and density are generally acceptable to the prevailing context.</p> <p>The proposal is generally in-line with Enfield's aspirations for mix, it is acknowledged that increasing the height of the building to include larger family units in this location would be inappropriate.</p> <p>The 'greening' of communal areas is supported however activity seems to be centred around sitting and tending to the garden /growing, there does not seem to be any useful activity space for informal play and individual or small group exercise, it may be more useful to refine these in order to provide a better offering of useable space. There also appears to be no lighting strategy, this would need careful thought. Management and ongoing maintenance of the green areas could possibly be a concern.</p> <p>It would be useful to get some planting information. The garden area is North Facing and may have an impact on the success of a planting element to the scheme.</p> <p>The introduction of balconies on the south elevation for use as private amenity is supported however on the North side, there is no transitional space /or defensible space between bedrooms and the public access to entrances for flats. Please provide drawings with internal dimensions and room areas for all unit types with the submission. Please also provide sectional drawings which show internal floor to ceiling heights to include overall building height to all ridges and parapets. D4, D6, DMD37, L2, H1</p>
Transportation	No	<p>No Objection – Subject to Conditions relating to Cycle Parking and the provision of a Construction Traffic Management Plan. The latter must be provided prior to commencement of any form of construction/demolition on the site:</p>
Environmental Health	No	<p>No objection raised subject to conditions relating to construction management and pilling.</p>

Designing Out Crime Office	No	A condition and informative has been requested to be imposed

Officer response to comments

7.3 The material planning concerns within the objection letters have been considered by Officers during the assessment of the planning application. Officers visited the site to make assessment of the highlighted concerns. The concerns raised during consultation are addressed and assessed in the body of the report under the relevant material sections.

**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.

8.2 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Enfield Core Strategy (2010); the Enfield Development Management Document (2014); and The London Plan (2021).

National Planning Policy Framework (2021)

8.3 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, 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; 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.”

8.4 The related footnote(8) advises that “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 ..... 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.

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

- 8.6 Local authorities that fail to meet 95% of their housing targets need to prepare a Housing Action Plan to assess the causes of under delivery and identify actions to increase delivery in future years. Local authorities failing to meet 85% of their housing targets are required to add 20% to their five-year supply of deliverable housing sites targets by moving forward that 20% from later stages of the Local Plan period. Local authorities failing to meet 75% of their housing targets in the preceding 3 years are placed in a category of “presumption in favour of sustainable development”.
- 8.7 The Council’s recent housing delivery has been below its increasing housing targets. This translated into the Council being required to prepare a Housing Action Plan in 2019 and more recently being placed in the “presumption in favour of sustainable development” category by the Government through its Housing Delivery Test.
- 8.8 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’.
- 8.9 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 200 requires, in accordance with the development plan unless material considerations indicate otherwise.
- 8.10 Key relevant policy objectives in NPPF (2021) that relate to this scheme include:
- Section 5 – Delivering a sufficient supply of homes Para 60 - 77.
  - Section 11 – Making effective use of land Para 119 -125
  - Section 12 – Achieving well-designed places, Para 126-136

London Plan (2021)

- 8.11 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
  - SD10 Strategic and local regeneration
  - D1 London’s form, character and capacity for growth
  - D3 Optimising site capacity through the design-led approach
  - D4 Delivering good design
  - D5 Inclusive design
  - D6 Housing quality and standards
  - D7 Accessible housing
  - D8 Public realm
  - D11 Safety, security and resilience to emergency
  - H1 Increasing housing supply

H2	Small sites
H5	Threshold approach to applications
H9	Ensuring the best use of stock
H10	Housing size mix
S1	Developing London's social infrastructure
S4	Play and informal recreation
G1	Green infrastructure
G5	Urban greening
G6	Biodiversity and access to nature
SI 1	Improving air quality
SI 2	Minimising greenhouse gas emissions
SI 3	Energy infrastructure
SI 4	Managing heat risk
SI 5	Water infrastructure
SI 7	Reducing waste and supporting the circular economy
SI 8	Waste capacity and net waste self-sufficiency
SI 12	Flood risk management
SI 13	Sustainable drainage
T2	Healthy Streets
T4	Assessing and mitigating transport impacts
T5	Cycling
T6	Car parking
T6.1	Residential parking
T7	Deliveries, servicing and construction

#### Local Plan – Overview

- 8.12 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 the Local Plan is superseded in places by these documents and as such the proposal is reviewed against the most relevant policies from the Local Plan.

#### Enfield Core Strategy: 2010

- 8.13 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

CP2	Housing supply and locations for new homes
CP4	Housing quality
CP5	Housing types
CP20	Sustainable energy use and energy infrastructure
CP21	Delivering sustainable water supply, drainage and sewerage infrastructure
CP22	Delivering sustainable waste management
CP24	The road network
CP25	Pedestrians and cyclists
CP30	Maintaining and improving the quality of the built and open environment
CP32	Pollution

CP36 Biodiversity

Development Management Document (2014)

- 8.14 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 Development Management Document policies are considered particularly relevant:

DMD3: Providing a Mix of Different Sized Homes  
DMD6: Residential Character  
DMD8: General Standards for New Residential Development  
DMD9: Amenity Space  
DMD10: Distancing  
DMD 17: Protection of Community Facilities  
DMD37: Achieving High Quality and Design-Led Development  
DMD38: Design Process  
DMD45: Parking Standards and Layout  
DMD46: Vehicle Crossover and Dropped Kerbs  
DMD48: Transport Assessments  
DMD49: Sustainable Design and Construction Statements  
DMD51: Energy Efficiency Standards  
DMD53: Low and Zero Carbon Technology  
DMD55: Use of Roofspace/ Vertical Surfaces  
DMD56: Heating and Cooling  
DMD57: Resp. Sourcing of Materials, Waste Minimisation and Green Procurement  
DMD58: Water Efficiency  
DMD59: Avoiding and Reducing Flood Risk  
DMD61: Managing Surface Water  
DMD68: Noise  
DMD79: Ecological Enhancements  
DMD81: Landscaping

**Other Relevant material considerations**

- 8.15 Other Material Considerations

Enfield Climate Action Plan (2020)  
Enfield Housing and Growth Strategy (2020)  
Enfield Biodiversity Action Plan  
National Planning Practice Guidance  
Community Infrastructure Levy Regulations 2010  
LBE S106 SPD  
London Councils: Air Quality and Planning Guidance (2007)  
TfL London Cycle Design Standards (2014)  
GLA: The Control of Dust and Emissions during Construction and Demolition (2014)  
GLA: London Sustainable Design and Construction SPG (2014)  
GLA: Accessible London: Achieving an Inclusive Environment SPG (2014)  
GLA: Social Infrastructure SPG (2015)  
GLA: Housing SPG (2016)  
GLA: Homes for Londoners: Affordable Housing and Viability SPG (2017)  
Mayor's Transport Strategy (2018)  
Healthy Streets for London (2017)  
Manual for Streets 1 & 2, Inclusive Mobility (2005)  
National Planning Practice Guidance

National Design Guide (2019)  
Technical housing – nationally described space standards  
The Environment Act 2021  
The Planning (Listed Buildings and Conservation Areas) Act 1990

## **9 ANALYSIS**

9.1 This report sets out the analysis of the issues that arise from the proposed development assessed against national policy and the development plan policies. The main planning issues raised by the Proposed Development are:

- Principle of Development
- Housing Need
- Design and character
- Standard of accommodation
- Impact on neighbouring amenity
- Highways, access and parking
- Biodiversity impact
- Sustainable drainage
- Sustainability and climate change
- Community infrastructure Levy (CIL)
- Equalities impact

### **Principle of Development**

#### *Community use*

9.2 Policy DMD17 “Protection of Community Facilities” states that the council will protect existing social and community facilities in the Borough. Proposals involving the loss of community facilities will not be permitted unless:

- a. A suitable replacement facility is provided to cater for the local community that maintains the same level of public provision and accessibility.....

9.3 The detailed text of the policy states that the demand for a social and community facility may change over time as the nature and needs of a local community change. Community facilities should be safeguarded against the unnecessary loss of facilities and services.

9.4 As stated earlier, evidenced by the increasing cost and frequency of repairs that impede the proper function of the premises, Celbic Hall has been exhibiting signs of coming to the end of its life. In this case, the proposal seeks to redevelop the site and in the process re-provide a new, modern, flexible, community centre.

#### *Residential development*

9.5 The Council has not met the most recent Housing Delivery Test and is therefore in the presumption in favour of sustainable development category. The tilted balance would therefore be applied in assessing and weighing up the benefits of the scheme, which in this case seeks to re-provide community facilities. In addition the redevelopment of the site will contribute to the Council’s substantial housing delivery targets and therefore the principle of the housing element in this sustainable location on previously developed land is supported.



## Housing Need and Tenure Mix

### *Housing need*

- 9.6 Chapter 11 of the of the NPPF (2021) (Making efficient use of land) indicates that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site (NPPF para. 125). In these circumstances local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF (Para. 125 (c)).
- 9.7 The London Plan sets a target for the provision of 66,000 new homes across London each year. Enfield's 2020 Housing Delivery Action Plan recognises that the construction of more affordable high-quality homes is a clear priority. However, only 60% of approvals in the Borough are being delivered. The London Plan 2021 identifies a need for a minimum of 1,246 dwellings per year to be delivered over the next 10 years in the Borough, an increase over the previous target of 798.
- 9.8 Enfield's Housing and Growth Strategy 2020-2030 sets out how the Council will deliver more and better homes across the Borough to create a more balanced housing market and help local people access a good home. It recognises that this will include delivery in partnership with developers and the private sector and states as its third of 5 priorities as "Quality and variety in private housing".
- 9.10 The proposal would create 6 new good quality dwellings on a sustainable brownfield site location. Taking into account the housing needs of Enfield's population, nationally- and regionally-set housing delivery targets and shortfalls in meeting targets and demonstrating sufficient housing land supply, it is evident that this proposal to optimise the use of the site for a mixed used development of community facilities and good quality private homes is supported by adopted Development Plan housing policies, when consider as a whole.

### Dwelling Mix

- 9.20 London Plan Policy H10 states that schemes should generally consist of a range of unit sizes and that this should have regard to a number of criteria including robust local evidence, the mix of uses in the scheme, the range of tenures in the scheme, the nature and location of the site, amongst other considerations.
- 9.21 Enfield Policy CP5 of the Core Strategy (2010) seeks to provide the following borough-wide mix for market housing:
- 20% 1 and 2 bed units (1-3 persons);
  - 15% 2 bed units (4 persons);
  - 45% 3 bed units, (5-6 persons); and,
  - 20% 4+ bed units (6+ persons).
- 9.22 Policy DMD3 of the Enfield Development Management Document (2014) states that whilst sites capable of accommodating 10 or more dwellings should meet the dwelling mix targets within Core Strategy Policy CP5, developments of less than 10 units should contribute towards meetings these targets by providing a mix of different sized homes.
- 9.23 In this case, the proposal seeks to provide 6 no of flats of two different types:

- 2 bedroom (72 square metres) x 4 person = 3 units - First floor
- 2 bedroom (66 square metres) x 3 person = 3 units – Second floor

9.24 Accordingly it is considered that the proposals would be in accordance with London Plan Policy H10 and Enfield Policy DMD 3.

9.25 Furthermore, the more recently Enfield Local Housing Need Assessment (2020) confirms that whilst the likely demographic needs in the private sector is for 3 bedroom properties there is also a substantial demographic need for 2 bedroom properties

#### *Housing conclusions*

9.26 The Government prescribes a “tilted balance” in favour of housing delivery to the Council’s planning decision-making as a result of Enfield’s current inability to demonstrate a 5-year housing land supply as well as the Council’s shortfall in meeting housing delivery targets. This means that the delivery of new homes should be given great weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that the limited adverse impacts of the scheme, are not sufficient to significantly and demonstrably outweigh the benefits of the proposed housing. The proposal meets the requirements of London Plan Policy H10 and DMD3 and would contribute to the demographic need for 2 bedroom units.

#### **Design and Character**

##### *High-quality design and layout*

9.27 Chapter 12 (Achieving well-design places) of the of the NPPF (2021) emphasises the central value of good design to sustainable development (NPPF para 126). The Framework expects the planning process to facilitate “high quality, beautiful and sustainable buildings and places”. The assessment of a scheme should take into account the endurance of the design, visual appeal, sensitivity to local context, sense of place, optimisation of the site and contribution to health and wellbeing (NPPF para 130).

9.28 Good design is central to all objectives of the London Plan and the Council’s Local Plan policies. Chapter 3 of the London Plan sets out key urban design principles to guide development in London. Design policies in this chapter seek to ensure that development optimises site capacity; is of an appropriate form and scale; responds to local character; achieves the highest standards of architecture, sustainability and inclusive design; enhances the public realm; provides for green infrastructure; and respects the historic environment. LPD1 and LPD2 seek to ensure that new developments are well-designed and fit into the local character of an area. Policy D3 requires developments to optimise capacity through a design-led approach, by responding to a site’s context, capacity for growth and supporting infrastructure capacity. London Plan Policy D3 states that “all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. 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”.

- 9.29 Enfield Policy DMD 37 sets out objectives for achieving good urban design: character; continuity and enclosure; quality of public realm; ease of movement; legibility; adaptability and durability; and diversity. 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.

*Design Assessment*

- 9.30 The proposals have been subject to extensive discussion with Council Officers. The proposed scheme has been subject to amendments following pre and post application discussions.
- 9.31 The site is positioned in a prominent location on the north side of Lancaster Road between its junctions with Acacia Road and Birkbeck Road. Located to the immediate east of the site is a shop premises, and to the rear of the site, accessed from behind the shop, on Acacia Road, is a motorcycle service garage.
- 9.32 To the west of the site lies the flank and rear yard of the first of a two storey terrace of Victorian properties that have commercial uses at ground floor with residential above. To the rear of the site, both to the north and the west lies the rear gardens of neighbouring houses. In view of these close and potentially sensitive relationships to the rear of the site the design of the building has had to be carefully considered due to the exposed nature of the access decks on the north side of the development.
- 9.33 The proposal totals 3 storeys in height with the taller elements stacked toward the centre of the site gently stepping downwards. The ground floor would have almost 100% site coverage, save for a courtyard to access the rear of the site which would provide space for the three meeting rooms to open onto. The main accesses to the building, for both the community space and for the flats would be from Lancaster Road with the flats entrance to the western side of the facade, and the hall entrance located more centrally. A joint residential/commercial bin store would be located adjacent to the residential entrance.
- 9.34 At first and second floor level, the proposed main facade is broken down into series of blocks set at "echelon" to the line of the road, enhancing privacy between the prospective occupants, and providing south facing balconies. This echelon formation to the main road to the south also allows the building to draw itself away from the rear gardens to the immediate north and west.
- 9.35 On the residential access deck at first floor level, a communal garden is proposed for the six flats, bounded by a raised planter that would both enhance the garden environment, and form a landscaped screen between the proposed flats and the neighbouring houses and limit the potential for overlooking. The second floor access deck would be significantly narrower, stepped further away from the neighbouring gardens. Should members be minded to grant planning permission for the proposal it is recommended that details of the landscaping proposals for these access decks be secured by condition.
- 9.36 Presently, the proposal seeks to construct the street level facade in a green material with red bricks for the upper stories. Whilst red bricks are not predominant in this part of the street scene, they are present on the existing building and would not be considered unacceptable in this location.

- 9.37 Whilst the proposed building is taller than the existing building on site, and those immediately surrounding it, the disposition of the mass across the site ensures that whilst the building would be prominent in its setting, it would not be considered over dominant.
- 9.38 The entrances would be clear and legible into the community facility and the proposed flats and provides a good level of active street frontage. The redevelopment of the site as proposed would present a significantly enhanced and attractive public façade and successfully deliver an optimisation of the site compared to the presently underused plot.
- 9.38 It is Officers opinion that the scheme represents a high-quality design and optimises the site providing an attractive setting for future occupiers. Officers are comfortable and supportive of the proposed design and conclude that the proposal represent a sustainable development.

### **Standard of accommodation**

- 9.39 Policy D6 of the London Plan 2021 and Policy DMD 8 of the Enfield Development Management Document (2014) set minimum internal space standards for residential development. The Nationally Described Internal Space Standard applies to all residential developments within the Borough and the London Mayor's Housing SPG adopted in 2016 has been updated to reflect the Nationally Described Space Standards.
- 9.40 The proposed flats all either meet or exceed the minimum required floorspace requirements as per the National internal floorspace standards. Each habitable room has outlook from a window. All rooms have sufficient access to sunlight and daylight. In addition, each flat and maisonette have their own private balconies in excess of the requirements of the London Plan. In addition, all of the proposed flats are dual aspect with both north and south facing facades.
- 9.41 Whilst the north facing bedrooms would be adjacent to the access deck, the proposed landscaping arrangements, which will need to be provided by condition, can be instrumental in ensuring adequate levels of separation are created between the access decks and the windows. However, with just three flats per floor, and 6 flats in total, the potential footfall past these windows would be significantly limited and together with the use of devices such as one-way glass, the amenity of the occupiers within would be safeguarded.
- 9.42 Officers recognise the need to utilise sites to their optimum and judged against the compliant standard of accommodation and the tilted balance, the development would accord with London plan (2021) policies, Housing standards SPD (Adopted March 2016), Enfield Core Strategy 4 (Housing quality) and Enfield Development Management Document policies DMD 8, DMD 9, DMD 37 and DMD 72.

### **Impact on Neighbouring Amenity**

- 9.43 Policy D6 of the London Plan 2021) sets out buildings should not cause unacceptable harm to residential amenity, including in terms of privacy and overshadowing. Development proposals should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst minimising overshadowing and maximising the usability of outside amenity space.

- 9.44 Policy CP30 of the Core Strategy seeks to ensure that new developments have appropriate regard to their surroundings, and that they improve the environment in terms of visual and residential amenity. Policies DMD 6 and 8 of the Development Management Document (2014) seek to ensure that residential developments do not prejudice the amenities enjoyed by the occupiers of neighbouring residential properties in terms of privacy, overlooking and general sense of encroachment.
- 9.45 The way that the upper floors of the building would be set back from the neighbouring residential buildings will ensure that the building would not give rise to any significant overshadowing there being a separation of 14 metres to the nearest residential boundary from the top floor access deck of the development. The amenity/access deck at first and second floor level would be significantly screened, however a privacy screen condition shall be appended should the proposed landscaping scheme not be considered sufficient to protect local residents from being overlooked. On this basis, the relationship is considered acceptable and on balance, having regard to the presumption in favour and the benefits of this proposal, any minimal is not considered sufficient to warrant refusal of the application.
- 9.46 Environmental Health does not object to the application for planning permission as there is unlikely to be a negative environmental impact. There are no concerns regarding air quality, noise or contaminated land. Conditions have been recommended in response to EHO Officer recommendations, including one to protect residents from noise. Overall, no objection is raised to residential amenity impact by the proposed development.

#### **Sustainable Drainage**

- 9.47 Policy SI 12 of the London Plan (2021) outlines development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 outlines that development proposals should aim to achieve greenfield runoff rates and ensure that surface water run-off is managed as close to its source as possible. It also states there should also be a preference for green over grey features, in line with an outlined drainage hierarchy. Core Strategy Policies CP21, CP28 and CP29 and Development Management Document Policies DMD59 – DMD63 are also relevant
- 9.48 The conditions shall be imposed to ensure that an appropriate SUDS strategy and FRA are in place to the satisfaction of the SUDS team

#### **Highway, Access and Parking**

- 9.49 London Plan (2021) Policy T1 sets a strategic target of 80% (75% in Enfield) 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.
- 9.50 Policy DMD 45 seeks to minimise car parking and to promote sustainable transport options. The Council recognises that a flexible and balanced approach needs to be adopted to prevent excessive car parking provision while at the same time recognising that low on-site provision sometimes increases pressure on existing streets.

#### *Pedestrian access*

- 9.51 Consideration has been given to residents and visitors accessing the site's cycle parking, waste store, and nearby streets meeting the requirements of the London Plan and Enfield DMD 47 which states that: "All developments should make provision for

attractive, safe, clearly defined and convenient routes and accesses for pedestrians, including those with disabilities.” Consideration has been given to wheelchair and pedestrian movements around the site. The proposals provide adaptable user dwellings, designed to comply with Part M of the Building Regulations. Every non-ground floor dwelling is accessible by a lift. This is most welcomed. Step free pedestrian access is afforded for both the residential units and the replacement community centre that would be directly off the Lancaster Road frontage. There would be a single communal entrance for the residential units along this frontage towards the site’s western boundary, whilst the community centre would have a separate larger focal street entrance located centrally along this frontage.

#### *Car parking*

- 9.52 The site fronts onto Lancaster Road which is an adopted classified road. There are parking restrictions in place along the site frontage. Single yellow lines are present and parking is restricted between the hours of 8am – 6:30pm, Mon – Sat. A Bus Stop is present opposite the site with a bus cage road marking and sign plate, no stopping or parking is allowed at any time.
- 9.53 Public Transport Accessibility Level (PTAL) is a widely adopted methodology in Greater London for quantifying a site’s accessibility to public transport and is considered to be a usable measure of relative accessibility to public transport at any location within a London borough and provides a general comparison of a site’s accessibility relative to another. The site has a PTAL of 2 but is on the edge of an area of PTAL 3 which indicates that access to frequent public transport services is moderate.
- 9.54 Table 10.3 of the London Plan provides details on ‘maximum residential parking standards’ it states:

<b>Location</b>	<b>Number of beds</b>	<b>Maximum parking provision</b>
Outer London PTAL 2 – 3	1-2	Up to 0.75 spaces per dwelling

- 9.55 Based on this, the residential element of the development could provide a maximum of 4 car parking spaces. The existing community centre which is to be replaced does not currently provide any off-street car parking and the proposal is to continue this approach providing no off-street car parking for the new improved civic & community space.
- 9.56 The development is proposing to be completely car-free. Overnight parking surveys were undertaken on 21<sup>st</sup> and 26<sup>th</sup> January, 2021. These surveys were undertaken during a period of restrictions on movement as people were advised to stay at home during the Covid pandemic. The surveys show parking stress in the area is high and that 82% of available on-street spaces were taken, however, there was still around 60 spare spaces within a 200m walk of the proposal site. Area-wide, a further 23 vehicles could be accommodated on-street without stress exceeding 90%. The level typically considered as equating to saturated conditions at and above which parking demands may be deemed unmanageable without mitigation.
- 9.57 Officers examined the 2011 Census data for the immediate area (lower layer E01001411) looking at car or van availability for flats, maisonettes and apartments.

Although historic, such census information can be used to estimate the likely number of car or vans associated with the six flats. The data suggests 51.4% of the flats would have no car or vans, 38.7% would have 1 car or van and 9.9% would have 2 or more car or vans. Therefore, it is estimated that the residential aspect of this development would likely have approximately 4 car or vans associated with it.

- 9.58 The Community Centre is an existing extant use on the site. Officers acknowledge the facility is being improved and capacity may be increased slightly. Taking into consideration the parking surveys and 2011 Census data, Officers consider it is unlikely the residential aspect of this development will have a significant impact on parking demand or increased vehicle trip generation on the local highway network.
- 9.59 Given the local characteristics of the area and the proximity to local amenities, it is thought that car-free development is acceptable as long as the development is exempt from acquiring parking permits for existing or future CPZ's in the area. This is to be secured by a legal agreement. In this regard, no objection is raised to the provision of a car free development in this location.

#### *Cycle spaces*

- 9.60 As suggested by the Council's Traffic and Transportation Team, a condition shall be imposed to ensure that the necessary quantum and quality of cycle parking is provided.

#### *Refuse and recycling*

- 9.61 Whilst there appears to be sufficient space within the floorplan for the waste, a condition shall be imposed to ensure that the necessary quantum and refuse and recycling facilities are provided.

#### *Servicing*

- 9.62 The proposed community centre use within the scheme would be a replacement of the existing community centre at the site, where servicing currently takes place from on-street. Servicing trips associated with the new residential element of the development have been considered as part of the transport assessment and it was concluded that: *"Such additional activity would be manageable and could not be considered material in impact, with the scope to be accommodated on-street either for a short-term duration along the stretch of Lancaster Road immediately in front of the site or for a longer-term duration along the initial stretch of either Acacia Road or Kynaston Road close to the site."*

#### *Construction*

- 9.63 In order to ensure that construction traffic associated with the development can be accommodated without any adverse impacts on the surrounding local highway network; a Construction Logistics Plan will be required for the proposed development and secured by condition.

#### **Biodiversity Impacts**

- 9.64 Policy G6 of the London plan (2021) states "development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process". The site is currently occupied by an existing building and is therefore of limited ecological value. The applicant is committed to providing an

extensive green roof, landscaping and the provision of a potager garden to be secured as part of a landscaping condition. Whilst the addition of trees within all developments is typically sought, the nature of this development would not however lend itself to the suitable and sustainable siting of trees. It is therefore considered that this is all deemed to be acceptable.

### **Sustainability and Climate Change**

9.65 Policy SI 2 (Minimising greenhouse gas emissions) of the London Plan (2021) expects major development to be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:

- 1) be lean: use less energy and manage demand during operation
- 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
- 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
- 4) be seen: monitor, verify and report on energy performance.

9.66 Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:

- 1) through a cash in lieu contribution to the borough's carbon offset fund, or
- 2) off-site provided that an alternative proposal is identified and delivery is certain

9.67 The applicant has submitted an Energy report resulting in in a 49.66% saving for the residential units and 56% saving for the community hall. Although the development does not meet Carbon Zero it does however exceed the baseline of 35% above Building regulations. Measures will be incorporated to minimise pollution, reduce water use, design out waste, utilise highly efficient materials and result in a building that has been designed with resilience for future climate change conditions.

### Affordable Housing

9.68 As a minor mixed residential development (less than 10 units) there is no legislative requirement for this scheme to provide any affordable housing.

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

#### *Mayoral CIL*

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



### *Enfield CIL*

- 9.70 The Council introduced its own CIL on 1 April 2016. The money collected from the levy (Regulation 123 Infrastructure List) will fund rail and causeway infrastructure for Meridian Water and other projects in the borough. Enfield has identified three residential charging zones. The site falls within Enfield's Intermediate Zone (£60/sqm) and would demonstrate an uplift of 685 square metres. This would result in a sum of £41,000.
- 9.71 All figures above are subject to the BCIS figure for CIL liable developments at time of CIL processing.

### **Equalities Implications**

- 9.72 Section 149 of the Equality Act 2010 places obligations on local authorities with regard to equalities in decision making. It is considered that the proposal would not disadvantage people who share one of the different nine protected characteristics as defined by the Equality Act compared to those who do not have those characteristics.

## **10 Conclusion**

- 10.1 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"*.
- 10.2 The Government prescribes a "tilted balance" in favour of housing delivery to the Council's planning decision-making as a result of Enfield's current inability to demonstrate a 5-year housing land supply as well as the Council's shortfall in meeting housing delivery targets. This means that applications for new homes should be given greater weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that the adverse impacts of the scheme, are not sufficient to significantly and demonstrably outweigh the benefits of the proposed housing.
- 10.3 It is recognised that sites such as this need to be optimised in order to minimise encroachment into the Borough's Green Belt and protected Strategic Industrial Locations. It is considered that the social benefits, both in respect of the provision of high-quality new housing stock and other spatial and environmental enhancements carry significant weight in favour of the proposed development.
- 10.4 Having regard to the assessment in this report, the development would provide a replacement, modernised community facility, plus 6 new homes which would be consistent with the thrust of national planning policy and the development plan to optimise development on smaller sites and increase the delivery of new homes. Adverse impacts are not considered to significantly and demonstrably outweigh the scheme's proposed benefits, which is given weight commensurate with the number of new residential units being delivered, when assessed against the policies in the NPPF, when taken as a whole.

## **1 Note for Members**

- 1.1 This planning application is brought to Planning Committee on account of the historic and ongoing links of the Celbic Hall with the local Labour Party.

## **2 Recommendation**

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

1. Time limit
2. Accordance with plans
3. External Appearance (sample materials including glazing specification)
4. External Appearance (hard standing)
5. Biodiversity Enhancements
6. Detail of development – Refuse storage
7. Details of development – cycle storage
8. Construction Management Plan
9. Water
10. Secure by Design
11. Piling hours
12. Energy Strategy and verification
13. Energy Performance Monitoring and Reporting
14. SuDS
15. SuDS verification
16. Communal garden
17. Site enclosure
18. Deck access bedroom windows to be one-way privacy glass
19. Balcony safety railings to be frosted safety glass
20. Details of roof space (including plant and lift overrun)
21. Details of enclosures above ground level

### Informative

1. Thames Water
  2. Designing out crime
- 2.2 That the Head of Development Management be granted delegated authority to agree the final wording of the to cover the matters in the Recommendation section of this report.

## **3. Executive Summary**

- 3.1 The Celbic Halls building was constructed in the inter war years by members of the local Labour Party and has served as a base for the constituency Labour party for a number of years as well as providing a community space for local residents and user groups.
- 3.2 By way of the increasing cost and frequency of repairs that impede the proper function of the premises, Celbic Hall has been exhibiting signs of coming to the end of its life. The applicant seeks the redevelopment of the site to provide a replacement new accessible contemporary community space that would both enhance the street scape as well as provide 6 new high quality homes and a communal garden for its residents.
- 3.3 The proposals have been subject to extensive discussion with Council Officers. The scheme has been subject to amendments during pre submission negotiations.

- 3.4 The redevelopment of the site will provide a new flexible contemporary meeting space, whilst contributing to the Council's substantial housing delivery targets and therefore the principle of development in this sustainable brownfield location is supported.
- 3.5 The application is supported by appropriate and satisfactory technical reports covering the effect of the proposed development on parking, biodiversity and impacts to neighbouring amenity. The impacts of the development are considered within acceptable thresholds to meet policy compliance expectations.
- 3.6 The planning application satisfies overarching planning policy aims to increase the housing stock of the borough and is considered to be acceptable subject to appropriate planning conditions.
- 3.7 The Government prescribes a "tilted balance" in favour of housing delivery to the Council's planning decision-making as a result of Enfield's current inability to demonstrate a 5-year housing land supply as well as the Council's shortfall in meeting housing delivery targets. This means that applications for new homes should be given greater weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that there are no adverse impacts of the scheme that would outweigh the benefits of the proposed housing.
- 3.8 It is recognised that small sites such as this need to be optimised in order to minimise encroachment into the Borough's Green Belt and protected Strategic Industrial Locations. It is considered that the social benefits, both in respect of the provision of quality new housing stock carry significant weight in favour of the proposed development.

#### **4. Site and surroundings**

- 4.1 The application site comprises single storey community hall (Celbic Hall) approximately 370 sqm in floor area. The application property has a single storey front element with a setback gable rising above. The site is location on Lancaster Road, a linear centre which is predominately formed of two storey Victorian buildings.
- 4.2 The site is located on the north side of Lancaster Road and is bounded to the east by a single storey retail shop and to the west by a short 2 storey Victorian terrace comprising of commercial units at ground floor with residential above. There are terraced houses located to the rear on Birkbeck Road and Acacia Road running perpendicular to the north of the site.
- 4.3 The Site is located within the Lancaster Road Local Centre which is formed of a mix of commercial uses. The site is not within a Conservation Area nor is it Listed or in the setting of a Listed Building or Locally Listed Building.

#### **5. Proposal**

- 5.1 The proposal seeks the redevelopment of the site involving the demolition of the existing halls and construction of a part 2, part 3 storey building, to provide a flexible meeting space at ground floor, with 6 flats at first and second floor levels.
- 5.2 The proposed flexible meeting space would occupy the ground floor and be arranged principally as three interconnecting halls plus a "welcome space" together with associated facilities such as toilets, office, bar, meeting room, storage etc.

5.3 The 6 flats would be provided at first and second floor level as follows:

- 2 bedroom (72 square metres) x 4 person = 3 units - First floor
- 2 bedroom (66 square metres) x 3 person = 3 units – Second floor

5.4 All of the residential units would be private. No affordable housing is required because the number of units is below the threshold specified for such contributions in the National Planning Policy Framework

## 6. Relevant Planning History

### 6.1 19/03265/FUL

Redevelopment of site and erection of a 4-storey block comprising 7 self- contained flats (6 x 2-bed and 1 x 4-bed), with a community hall (D1) on the ground floor.

Withdrawn on 16.06.2021

### 6.2 18/03258/FUL

Redevelopment of site and erection of a 3-storey block comprising 8 self-contained flats (3 x 1-bed and 5 x 2-bed), with a community hall (D1) on the ground floor and basement level.

Refused on 25.10.2018 for the following reasons:

#### 1. Design

The proposed demolition of the existing building and the replacement-built form by virtue of its design, massing, bulk and scale is considered to result in an unacceptable form of development and consequently would cause unacceptable harm to the character and appearance to the streetscene and surrounding area. Accordingly, it would be contrary to Policies 7.4 and 7.6 of The London Plan (2016), policies CP5 and 30 of The Enfield Core Strategy, Policies DMD6, 8 and 37 of the Development Management Document (2014) (DMD) and Policies 3.4 and the NPPF.

#### 2. Residential Quality

A number of the proposed residential units, by virtue of being single aspect and facing north, are considered to result in poor-quality living accommodation for prospective future occupiers. The proposal would be therefore contrary to the objectives of the NPPF 2018, Policy 3.5 of the London Plan 2016, and the London Housing SPG 2016, Policy CP4 of the Enfield Core Strategy 2010 and Policies DMD8, DMD9 and DMD37 of the Enfield Development Management Document 2014..

#### 3. Residential amenity

The proposed development, is considered to have an adverse impact on the rear facing windows of the properties to Birkbeck Road, Acacia Road and Lancaster Road, in terms of creating an overbearing form of development, loss of outlook and an unneighbourly sense of enclosure, loss of sunlight and daylight and overlooking and loss of privacy. The proposal is therefore contrary to guidance provided by the NPPF 2018, Policy 7.6 of the London Plan 2016 and policies, DMD6, DMD8 and DMD10 of the Enfield Development Management Policies 2014.

#### 4. Transport

The proposal fails to demonstrate adequate off street parking and servicing arrangements commensurate with the more intensive use proposed, leading to conditions prejudicial to the free flow and safety of traffic and pedestrians, contrary to Policy 6.3 (Assessing effects of development on Transport capacity), Policy 6.9 (Cycling), Policy 6.13 (Parking) of the London Plan 2016, Policy 25 (Pedestrian and cyclists) of the Enfield Core Strategy 2010, and Policy 45 (Parking layout and standards), Policy 46 (vehicle crossover and dropped kerbs) Policy 47 (Access, New Roads and Servicing) of the Enfield Development Management Document 2014.

#### 6.3 17/00252/PREAPP

Proposed redevelopment of site and erection of 3 storey building comprising community hall on ground floor and 8 residential units on the upper floors.

Officer summary: Suitable for development but some concerns have been expressed. Pre-application issued on 10.03.2017

#### 7. Consultation

##### 7.1 Public

Number notified	41
Consultation start date	28.06.2022
Consultation end date	19.07.2022
Representations made	4
Objections	3
Other / support comments	1

##### 7.2 In summary, the 3 objectors raised the following points:

- Affect local ecology
- Close to adjoining properties
- Development too high
- General dislike of proposal
- Inadequate access
- Inadequate parking provision
- Increase in traffic
- Increase of pollution
- Loss of light
- Loss of parking
- Loss of privacy
- More open space needed on development
- Noise nuisance
- Noise and pollution disturbance during construction
- Out of keeping with character of area
- Over development
- Strain on existing community facilities

##### 7.3 The response in support of the proposal stated the following:

- This is a genuinely wonderful proposal that will make a significant contribution to the local area.
- As a regular user of Celbic Hall it is badly in need of upgrading. The future proofing of the hall and the delivery of housing on top is a fantastic outcome for the area.
- I think the external design proposals and the cleverness of the internal design is really something to be highlighted

#### 7.4 Internal and third-party consultees

<u>Consultee</u>	<u>Objection</u>	<u>Comment</u>
Urban Design	No	<p>The proposals have been subject to extensive discussion with Council Officers.</p> <p>At ground level the proposal addresses the street providing active street frontage and circulation for entering and exiting the flats and the community facilities.</p> <p>The scale and density are generally acceptable to the prevailing context.</p> <p>The proposal is generally in-line with Enfield's aspirations for mix, it is acknowledged that increasing the height of the building to include larger family units in this location would be inappropriate.</p> <p>The 'greening' of communal areas is supported however activity seems to be centred around sitting and tending to the garden /growing, there does not seem to be any useful activity space for informal play and individual or small group exercise, it may be more useful to refine these in order to provide a better offering of useable space. There also appears to be no lighting strategy, this would need careful thought. Management and ongoing maintenance of the green areas could possibly be a concern.</p> <p>It would be useful to get some planting information. The garden area is North Facing and may have an impact on the success of a planting element to the scheme.</p> <p>The introduction of balconies on the south elevation for use as private amenity is supported however on the North side, there is no transitional space /or defensible space between bedrooms and the public access to entrances for flats. Please provide drawings with internal dimensions and room areas for all unit types with the submission. Please also provide sectional drawings which show internal floor to ceiling heights to include overall building height to all ridges and parapets. D4, D6, DMD37, L2, H1</p>
Transportation	No	No Objection – Subject to Conditions relating to Cycle Parking and the provision of a Construction Traffic Management Plan. The latter must be provided prior to commencement of any form of construction/demolition on the site:
Environmental Health	No	No objection raised subject to conditions relating to construction management and pilling.

Designing Out Crime Office	No	A condition and informative has been requested to be imposed
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Officer response to comments

7.3 The material planning concerns within the objection letters have been considered by Officers during the assessment of the planning application. Officers visited the site to make assessment of the highlighted concerns. The concerns raised during consultation are addressed and assessed in the body of the report under the relevant material sections.

**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.

8.2 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Enfield Core Strategy (2010); the Enfield Development Management Document (2014); and The London Plan (2021).

National Planning Policy Framework (2021)

8.3 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, 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; 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.”

8.4 The related footnote(8) advises that “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 ..... 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.

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

- 8.6 Local authorities that fail to meet 95% of their housing targets need to prepare a Housing Action Plan to assess the causes of under delivery and identify actions to increase delivery in future years. Local authorities failing to meet 85% of their housing targets are required to add 20% to their five-year supply of deliverable housing sites targets by moving forward that 20% from later stages of the Local Plan period. Local authorities failing to meet 75% of their housing targets in the preceding 3 years are placed in a category of “presumption in favour of sustainable development”.
- 8.7 The Council’s recent housing delivery has been below its increasing housing targets. This translated into the Council being required to prepare a Housing Action Plan in 2019 and more recently being placed in the “presumption in favour of sustainable development” category by the Government through its Housing Delivery Test.
- 8.8 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’.
- 8.9 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 200 requires, in accordance with the development plan unless material considerations indicate otherwise.
- 8.10 Key relevant policy objectives in NPPF (2021) that relate to this scheme include:
- Section 5 – Delivering a sufficient supply of homes Para 60 - 77.
  - Section 11 – Making effective use of land Para 119 -125
  - Section 12 – Achieving well-designed places, Para 126-136

#### London Plan (2021)

- 8.11 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
  - SD10 Strategic and local regeneration
  - D1 London’s form, character and capacity for growth
  - D3 Optimising site capacity through the design-led approach
  - D4 Delivering good design
  - D5 Inclusive design
  - D6 Housing quality and standards
  - D7 Accessible housing
  - D8 Public realm
  - D11 Safety, security and resilience to emergency
  - H1 Increasing housing supply



- H2 Small sites
- H5 Threshold approach to applications
- H9 Ensuring the best use of stock
- H10 Housing size mix
- S1 Developing London's social infrastructure
- S4 Play and informal recreation
- G1 Green infrastructure
- G5 Urban greening
- G6 Biodiversity and access to nature
- SI 1 Improving air quality
- SI 2 Minimising greenhouse gas emissions
- SI 3 Energy infrastructure
- SI 4 Managing heat risk
- SI 5 Water infrastructure
- SI 7 Reducing waste and supporting the circular economy
- SI 8 Waste capacity and net waste self-sufficiency
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- T2 Healthy Streets
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction

#### Local Plan – Overview

- 8.12 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 the Local Plan is superseded in places by these documents and as such the proposal is reviewed against the most relevant policies from the Local Plan.

#### Enfield Core Strategy: 2010

- 8.13 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

- CP2 Housing supply and locations for new homes
- CP4 Housing quality
- CP5 Housing types
- CP20 Sustainable energy use and energy infrastructure
- CP21 Delivering sustainable water supply, drainage and sewerage infrastructure
- CP22 Delivering sustainable waste management
- CP24 The road network
- CP25 Pedestrians and cyclists
- CP30 Maintaining and improving the quality of the built and open environment
- CP32 Pollution

CP36 Biodiversity

Development Management Document (2014)

- 8.14 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 Development Management Document policies are considered particularly relevant:

DMD3: Providing a Mix of Different Sized Homes  
DMD6: Residential Character  
DMD8: General Standards for New Residential Development  
DMD9: Amenity Space  
DMD10: Distancing  
DMD 17: Protection of Community Facilities  
DMD37: Achieving High Quality and Design-Led Development  
DMD38: Design Process  
DMD45: Parking Standards and Layout  
DMD46: Vehicle Crossover and Dropped Kerbs  
DMD48: Transport Assessments  
DMD49: Sustainable Design and Construction Statements  
DMD51: Energy Efficiency Standards  
DMD53: Low and Zero Carbon Technology  
DMD55: Use of Roofspace/ Vertical Surfaces  
DMD56: Heating and Cooling  
DMD57: Resp. Sourcing of Materials, Waste Minimisation and Green Procurement  
DMD58: Water Efficiency  
DMD59: Avoiding and Reducing Flood Risk  
DMD61: Managing Surface Water  
DMD68: Noise  
DMD79: Ecological Enhancements  
DMD81: Landscaping

**Other Relevant material considerations**

- 8.15 Other Material Considerations

Enfield Climate Action Plan (2020)  
Enfield Housing and Growth Strategy (2020)  
Enfield Biodiversity Action Plan  
National Planning Practice Guidance  
Community Infrastructure Levy Regulations 2010  
LBE S106 SPD  
London Councils: Air Quality and Planning Guidance (2007)  
TfL London Cycle Design Standards (2014)  
GLA: The Control of Dust and Emissions during Construction and Demolition (2014)  
GLA: London Sustainable Design and Construction SPG (2014)  
GLA: Accessible London: Achieving an Inclusive Environment SPG (2014)  
GLA: Social Infrastructure SPG (2015)  
GLA: Housing SPG (2016)  
GLA: Homes for Londoners: Affordable Housing and Viability SPG (2017)  
Mayor's Transport Strategy (2018)  
Healthy Streets for London (2017)  
Manual for Streets 1 & 2, Inclusive Mobility (2005)  
National Planning Practice Guidance

National Design Guide (2019)  
Technical housing – nationally described space standards  
The Environment Act 2021  
The Planning (Listed Buildings and Conservation Areas) Act 1990

## **9 ANALYSIS**

9.1 This report sets out the analysis of the issues that arise from the proposed development assessed against national policy and the development plan policies. The main planning issues raised by the Proposed Development are:

- Principle of Development
- Housing Need
- Design and character
- Standard of accommodation
- Impact on neighbouring amenity
- Highways, access and parking
- Biodiversity impact
- Sustainable drainage
- Sustainability and climate change
- Community infrastructure Levy (CIL)
- Equalities impact

### **Principle of Development**

#### *Community use*

9.2 Policy DMD17 “Protection of Community Facilities” states that the council will protect existing social and community facilities in the Borough. Proposals involving the loss of community facilities will not be permitted unless:

- a. A suitable replacement facility is provided to cater for the local community that maintains the same level of public provision and accessibility.....

9.3 The detailed text of the policy states that the demand for a social and community facility may change over time as the nature and needs of a local community change. Community facilities should be safeguarded against the unnecessary loss of facilities and services.

9.4 As stated earlier, evidenced by the increasing cost and frequency of repairs that impede the proper function of the premises, Celbic Hall has been exhibiting signs of coming to the end of its life. In this case, the proposal seeks to redevelop the site and in the process re-provide a new, modern, flexible, community centre.

#### *Residential development*

9.5 The Council has not met the most recent Housing Delivery Test and is therefore in the presumption in favour of sustainable development category. The tilted balance would therefore be applied in assessing and weighing up the benefits of the scheme, which in this case seeks to re-provide community facilities. In addition the redevelopment of the site will contribute to the Council’s substantial housing delivery targets and therefore the principle of the housing element in this sustainable location on previously developed land is supported.

## Housing Need and Tenure Mix

### *Housing need*

- 9.6 Chapter 11 of the of the NPPF (2021) (Making efficient use of land) indicates that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site (NPPF para. 125). In these circumstances local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF (Para. 125 (c)).
- 9.7 The London Plan sets a target for the provision of 66,000 new homes across London each year. Enfield's 2020 Housing Delivery Action Plan recognises that the construction of more affordable high-quality homes is a clear priority. However, only 60% of approvals in the Borough are being delivered. The London Plan 2021 identifies a need for a minimum of 1,246 dwellings per year to be delivered over the next 10 years in the Borough, an increase over the previous target of 798.
- 9.8 Enfield's Housing and Growth Strategy 2020-2030 sets out how the Council will deliver more and better homes across the Borough to create a more balanced housing market and help local people access a good home. It recognises that this will include delivery in partnership with developers and the private sector and states as its third of 5 priorities as "Quality and variety in private housing".
- 9.10 The proposal would create 6 new good quality dwellings on a sustainable brownfield site location. Taking into account the housing needs of Enfield's population, nationally- and regionally-set housing delivery targets and shortfalls in meeting targets and demonstrating sufficient housing land supply, it is evident that this proposal to optimise the use of the site for a mixed used development of community facilities and good quality private homes is supported by adopted Development Plan housing policies, when consider as a whole.

### Dwelling Mix

- 9.20 London Plan Policy H10 states that schemes should generally consist of a range of unit sizes and that this should have regard to a number of criteria including robust local evidence, the mix of uses in the scheme, the range of tenures in the scheme, the nature and location of the site, amongst other considerations.
- 9.21 Enfield Policy CP5 of the Core Strategy (2010) seeks to provide the following borough-wide mix for market housing:
- 20% 1 and 2 bed units (1-3 persons);
  - 15% 2 bed units (4 persons);
  - 45% 3 bed units, (5-6 persons); and,
  - 20% 4+ bed units (6+ persons).
- 9.22 Policy DMD3 of the Enfield Development Management Document (2014) states that whilst sites capable of accommodating 10 or more dwellings should meet the dwelling mix targets within Core Strategy Policy CP5, developments of less than 10 units should contribute towards meetings these targets by providing a mix of different sized homes.
- 9.23 In this case, the proposal seeks to provide 6 no of flats of two different types:

- 2 bedroom (72 square metres) x 4 person = 3 units - First floor
- 2 bedroom (66 square metres) x 3 person = 3 units – Second floor

9.24 Accordingly it is considered that the proposals would be in accordance with London Plan Policy H10 and Enfield Policy DMD 3.

9.25 Furthermore, the more recently Enfield Local Housing Need Assessment (2020) confirms that whilst the likely demographic needs in the private sector is for 3 bedroom properties there is also a substantial demographic need for 2 bedroom properties

#### *Housing conclusions*

9.26 The Government prescribes a “tilted balance” in favour of housing delivery to the Council’s planning decision-making as a result of Enfield’s current inability to demonstrate a 5-year housing land supply as well as the Council’s shortfall in meeting housing delivery targets. This means that the delivery of new homes should be given great weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that the limited adverse impacts of the scheme, are not sufficient to significantly and demonstrably outweigh the benefits of the proposed housing. The proposal meets the requirements of London Plan Policy H10 and DMD3 and would contribute to the demographic need for 2 bedroom units.

#### **Design and Character**

##### *High-quality design and layout*

9.27 Chapter 12 (Achieving well-design places) of the of the NPPF (2021) emphasises the central value of good design to sustainable development (NPPF para 126). The Framework expects the planning process to facilitate “high quality, beautiful and sustainable buildings and places”. The assessment of a scheme should take into account the endurance of the design, visual appeal, sensitivity to local context, sense of place, optimisation of the site and contribution to health and wellbeing (NPPF para 130).

9.28 Good design is central to all objectives of the London Plan and the Council’s Local Plan policies. Chapter 3 of the London Plan sets out key urban design principles to guide development in London. Design policies in this chapter seek to ensure that development optimises site capacity; is of an appropriate form and scale; responds to local character; achieves the highest standards of architecture, sustainability and inclusive design; enhances the public realm; provides for green infrastructure; and respects the historic environment. LPD1 and LPD2 seek to ensure that new developments are well-designed and fit into the local character of an area. Policy D3 requires developments to optimise capacity through a design-led approach, by responding to a site’s context, capacity for growth and supporting infrastructure capacity. London Plan Policy D3 states that “all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. 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”.

- 9.29 Enfield Policy DMD 37 sets out objectives for achieving good urban design: character; continuity and enclosure; quality of public realm; ease of movement; legibility; adaptability and durability; and diversity. 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.

*Design Assessment*

- 9.30 The proposals have been subject to extensive discussion with Council Officers. The proposed scheme has been subject to amendments following pre and post application discussions.
- 9.31 The site is positioned in a prominent location on the north side of Lancaster Road between its junctions with Acacia Road and Birkbeck Road. Located to the immediate east of the site is a shop premises, and to the rear of the site, accessed from behind the shop, on Acacia Road, is a motorcycle service garage.
- 9.32 To the west of the site lies the flank and rear yard of the first of a two storey terrace of Victorian properties that have commercial uses at ground floor with residential above. To the rear of the site, both to the north and the west lies the rear gardens of neighbouring houses. In view of these close and potentially sensitive relationships to the rear of the site the design of the building has had to be carefully considered due to the exposed nature of the access decks on the north side of the development.
- 9.33 The proposal totals 3 storeys in height with the taller elements stacked toward the centre of the site gently stepping downwards. The ground floor would have almost 100% site coverage, save for a courtyard to access the rear of the site which would provide space for the three meeting rooms to open onto. The main accesses to the building, for both the community space and for the flats would be from Lancaster Road with the flats entrance to the western side of the facade, and the hall entrance located more centrally. A joint residential/commercial bin store would be located adjacent to the residential entrance.
- 9.34 At first and second floor level, the proposed main facade is broken down into series of blocks set at “echelon” to the line of the road, enhancing privacy between the prospective occupants, and providing south facing balconies. This echelon formation to the main road to the south also allows the building to draw itself away from the rear gardens to the immediate north and west.
- 9.35 On the residential access deck at first floor level, a communal garden is proposed for the six flats, bounded by a raised planter that would both enhance the garden environment, and form a landscaped screen between the proposed flats and the neighbouring houses and limit the potential for overlooking. The second floor access deck would be significantly narrower, stepped further away from the neighbouring gardens. Should members be minded to grant planning permission for the proposal it is recommended that details of the landscaping proposals for these access decks be secured by condition.
- 9.36 Presently, the proposal seeks to construct the street level façade in a green material with red bricks for the upper stories. Whilst red bricks are not predominant in this part of the street scene, they are present on the existing building and would not be considered unacceptable in this location.

- 9.37 Whilst the proposed building is taller than the existing building on site, and those immediately surrounding it, the disposition of the mass across the site ensures that whilst the building would be prominent in its setting, it would not be considered over dominant.
- 9.38 The entrances would be clear and legible into the community facility and the proposed flats and provides a good level of active street frontage. The redevelopment of the site as proposed would present a significantly enhanced and attractive public façade and successfully deliver an optimisation of the site compared to the presently underused plot.
- 9.38 It is Officers opinion that the scheme represents a high-quality design and optimises the site providing an attractive setting for future occupiers. Officers are comfortable and supportive of the proposed design and conclude that the proposal represent a sustainable development.

### **Standard of accommodation**

- 9.39 Policy D6 of the London Plan 2021 and Policy DMD 8 of the Enfield Development Management Document (2014) set minimum internal space standards for residential development. The Nationally Described Internal Space Standard applies to all residential developments within the Borough and the London Mayor's Housing SPG adopted in 2016 has been updated to reflect the Nationally Described Space Standards.
- 9.40 The proposed flats all either meet or exceed the minimum required floorspace requirements as per the National internal floorspace standards. Each habitable room has outlook from a window. All rooms have sufficient access to sunlight and daylight. In addition, each flat and maisonette have their own private balconies in excess of the requirements of the London Plan. In addition, all of the proposed flats are dual aspect with both north and south facing facades.
- 9.41 Whilst the north facing bedrooms would be adjacent to the access deck, the proposed landscaping arrangements, which will need to be provided by condition, can be instrumental in ensuring adequate levels of separation are created between the access decks and the windows. However, with just three flats per floor, and 6 flats in total, the potential footfall past these windows would be significantly limited and together with the use of devices such as one-way glass, the amenity of the occupiers within would be safeguarded.
- 9.42 Officers recognise the need to utilise sites to their optimum and judged against the compliant standard of accommodation and the tilted balance, the development would accord with London plan (2021) policies, Housing standards SPD (Adopted March 2016), Enfield Core Strategy 4 (Housing quality) and Enfield Development Management Document policies DMD 8, DMD 9, DMD 37 and DMD 72.

### **Impact on Neighbouring Amenity**

- 9.43 Policy D6 of the London Plan 2021) sets out buildings should not cause unacceptable harm to residential amenity, including in terms of privacy and overshadowing. Development proposals should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst minimising overshadowing and maximising the usability of outside amenity space.

- 9.44 Policy CP30 of the Core Strategy seeks to ensure that new developments have appropriate regard to their surroundings, and that they improve the environment in terms of visual and residential amenity. Policies DMD 6 and 8 of the Development Management Document (2014) seek to ensure that residential developments do not prejudice the amenities enjoyed by the occupiers of neighbouring residential properties in terms of privacy, overlooking and general sense of encroachment.
- 9.45 The way that the upper floors of the building would be set back from the neighbouring residential buildings will ensure that the building would not give rise to any significant overshadowing there being a separation of 14 metres to the nearest residential boundary from the top floor access deck of the development. The amenity/access deck at first and second floor level would be significantly screened, however a privacy screen condition shall be appended should the proposed landscaping scheme not be considered sufficient to protect local residents from being overlooked. On this basis, the relationship is considered acceptable and on balance, having regard to the presumption in favour and the benefits of this proposal, any minimal is not considered sufficient to warrant refusal of the application.
- 9.46 Environmental Health does not object to the application for planning permission as there is unlikely to be a negative environmental impact. There are no concerns regarding air quality, noise or contaminated land. Conditions have been recommended in response to EHO Officer recommendations, including one to protect residents from noise. Overall, no objection is raised to residential amenity impact by the proposed development.

#### **Sustainable Drainage**

- 9.47 Policy SI 12 of the London Plan (2021) outlines development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 outlines that development proposals should aim to achieve greenfield runoff rates and ensure that surface water run-off is managed as close to its source as possible. It also states there should also be a preference for green over grey features, in line with an outlined drainage hierarchy. Core Strategy Policies CP21, CP28 and CP29 and Development Management Document Policies DMD59 – DMD63 are also relevant
- 9.48 The conditions shall be imposed to ensure that an appropriate SUDS strategy and FRA are in place to the satisfaction of the SUDS team

#### **Highway, Access and Parking**

- 9.49 London Plan (2021) Policy T1 sets a strategic target of 80% (75% in Enfield) 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.
- 9.50 Policy DMD 45 seeks to minimise car parking and to promote sustainable transport options. The Council recognises that a flexible and balanced approach needs to be adopted to prevent excessive car parking provision while at the same time recognising that low on-site provision sometimes increases pressure on existing streets.

#### *Pedestrian access*

- 9.51 Consideration has been given to residents and visitors accessing the site's cycle parking, waste store, and nearby streets meeting the requirements of the London Plan and Enfield DMD 47 which states that: "All developments should make provision for



attractive, safe, clearly defined and convenient routes and accesses for pedestrians, including those with disabilities.” Consideration has been given to wheelchair and pedestrian movements around the site. The proposals provide adaptable user dwellings, designed to comply with Part M of the Building Regulations. Every non-ground floor dwelling is accessible by a lift. This is most welcomed. Step free pedestrian access is afforded for both the residential units and the replacement community centre that would be directly off the Lancaster Road frontage. There would be a single communal entrance for the residential units along this frontage towards the site’s western boundary, whilst the community centre would have a separate larger focal street entrance located centrally along this frontage.

#### *Car parking*

- 9.52 The site fronts onto Lancaster Road which is an adopted classified road. There are parking restrictions in place along the site frontage. Single yellow lines are present and parking is restricted between the hours of 8am – 6:30pm, Mon – Sat. A Bus Stop is present opposite the site with a bus cage road marking and sign plate, no stopping or parking is allowed at any time.
- 9.53 Public Transport Accessibility Level (PTAL) is a widely adopted methodology in Greater London for quantifying a site’s accessibility to public transport and is considered to be a usable measure of relative accessibility to public transport at any location within a London borough and provides a general comparison of a site’s accessibility relative to another. The site has a PTAL of 2 but is on the edge of an area of PTAL 3 which indicates that access to frequent public transport services is moderate.
- 9.54 Table 10.3 of the London Plan provides details on ‘maximum residential parking standards’ it states:

<b>Location</b>	<b>Number of beds</b>	<b>Maximum parking provision</b>
Outer London PTAL 2 – 3	1-2	Up to 0.75 spaces per dwelling

- 9.55 Based on this, the residential element of the development could provide a maximum of 4 car parking spaces. The existing community centre which is to be replaced does not currently provide any off-street car parking and the proposal is to continue this approach providing no off-street car parking for the new improved civic & community space.
- 9.56 The development is proposing to be completely car-free. Overnight parking surveys were undertaken on 21<sup>st</sup> and 26<sup>th</sup> January, 2021. These surveys were undertaken during a period of restrictions on movement as people were advised to stay at home during the Covid pandemic. The surveys show parking stress in the area is high and that 82% of available on-street spaces were taken, however, there was still around 60 spare spaces within a 200m walk of the proposal site. Area-wide, a further 23 vehicles could be accommodated on-street without stress exceeding 90%. The level typically considered as equating to saturated conditions at and above which parking demands may be deemed unmanageable without mitigation.
- 9.57 Officers examined the 2011 Census data for the immediate area (lower layer E01001411) looking at car or van availability for flats, maisonettes and apartments.

Although historic, such census information can be used to estimate the likely number of car or vans associated with the six flats. The data suggests 51.4% of the flats would have no car or vans, 38.7% would have 1 car or van and 9.9% would have 2 or more car or vans. Therefore, it is estimated that the residential aspect of this development would likely have approximately 4 car or vans associated with it.

- 9.58 The Community Centre is an existing extant use on the site. Officers acknowledge the facility is being improved and capacity may be increased slightly. Taking into consideration the parking surveys and 2011 Census data, Officers consider it is unlikely the residential aspect of this development will have a significant impact on parking demand or increased vehicle trip generation on the local highway network.
- 9.59 Given the local characteristics of the area and the proximity to local amenities, it is thought that car-free development is acceptable as long as the development is exempt from acquiring parking permits for existing or future CPZ's in the area. This is to be secured by a legal agreement. In this regard, no objection is raised to the provision of a car free development in this location.

#### *Cycle spaces*

- 9.60 As suggested by the Council's Traffic and Transportation Team, a condition shall be imposed to ensure that the necessary quantum and quality of cycle parking is provided.

#### *Refuse and recycling*

- 9.61 Whilst there appears to be sufficient space within the floorplan for the waste, a condition shall be imposed to ensure that the necessary quantum and refuse and recycling facilities are provided.

#### *Servicing*

- 9.62 The proposed community centre use within the scheme would be a replacement of the existing community centre at the site, where servicing currently takes place from on-street. Servicing trips associated with the new residential element of the development have been considered as part of the transport assessment and it was concluded that: *"Such additional activity would be manageable and could not be considered material in impact, with the scope to be accommodated on-street either for a short-term duration along the stretch of Lancaster Road immediately in front of the site or for a longer-term duration along the initial stretch of either Acacia Road or Kynaston Road close to the site."*

#### *Construction*

- 9.63 In order to ensure that construction traffic associated with the development can be accommodated without any adverse impacts on the surrounding local highway network; a Construction Logistics Plan will be required for the proposed development and secured by condition.

#### **Biodiversity Impacts**

- 9.64 Policy G6 of the London plan (2021) states "development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process". The site is currently occupied by an existing building and is therefore of limited ecological value. The applicant is committed to providing an

extensive green roof, landscaping and the provision of a potager garden to be secured as part of a landscaping condition. Whilst the addition of trees within all developments is typically sought, the nature of this development would not however lend itself to the suitable and sustainable siting of trees. It is therefore considered that this is all deemed to be acceptable.

### **Sustainability and Climate Change**

9.65 Policy SI 2 (Minimising greenhouse gas emissions) of the London Plan (2021) expects major development to be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:

- 1) be lean: use less energy and manage demand during operation
- 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
- 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
- 4) be seen: monitor, verify and report on energy performance.

9.66 Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:

- 1) through a cash in lieu contribution to the borough's carbon offset fund, or
- 2) off-site provided that an alternative proposal is identified and delivery is certain

9.67 The applicant has submitted an Energy report resulting in in a 49.66% saving for the residential units and 56% saving for the community hall. Although the development does not meet Carbon Zero it does however exceed the baseline of 35% above Building regulations. Measures will be incorporated to minimise pollution, reduce water use, design out waste, utilise highly efficient materials and result in a building that has been designed with resilience for future climate change conditions.

### Affordable Housing

9.68 As a minor mixed residential development (less than 10 units) there is no legislative requirement for this scheme to provide any affordable housing.

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

#### *Mayoral CIL*

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

*Enfield CIL*

- 9.70 The Council introduced its own CIL on 1 April 2016. The money collected from the levy (Regulation 123 Infrastructure List) will fund rail and causeway infrastructure for Meridian Water and other projects in the borough. Enfield has identified three residential charging zones. The site falls within Enfield's Intermediate Zone (£60/sqm) and would demonstrate an uplift of 685 square metres. This would result in a sum of £41,000.
- 9.71 All figures above are subject to the BCIS figure for CIL liable developments at time of CIL processing.

**Equalities Implications**

- 9.72 Section 149 of the Equality Act 2010 places obligations on local authorities with regard to equalities in decision making. It is considered that the proposal would not disadvantage people who share one of the different nine protected characteristics as defined by the Equality Act compared to those who do not have those characteristics.

**10 Conclusion**

- 10.1 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"*.
- 10.2 The Government prescribes a "tilted balance" in favour of housing delivery to the Council's planning decision-making as a result of Enfield's current inability to demonstrate a 5-year housing land supply as well as the Council's shortfall in meeting housing delivery targets. This means that applications for new homes should be given greater weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that the adverse impacts of the scheme, are not sufficient to significantly and demonstrably outweigh the benefits of the proposed housing.
- 10.3 It is recognised that sites such as this need to be optimised in order to minimise encroachment into the Borough's Green Belt and protected Strategic Industrial Locations. It is considered that the social benefits, both in respect of the provision of high-quality new housing stock and other spatial and environmental enhancements carry significant weight in favour of the proposed development.
- 10.4 Having regard to the assessment in this report, the development would provide a replacement, modernised community facility, plus 6 new homes which would be consistent with the thrust of national planning policy and the development plan to optimise development on smaller sites and increase the delivery of new homes. Adverse impacts are not considered to significantly and demonstrably outweigh the scheme's proposed benefits, which is given weight commensurate with the number of new residential units being delivered, when assessed against the policies in the NPPF, when taken as a whole.





LANCASTER ROAD

BIRKBECK ROAD

ACACIA ROAD

ARMFIELD ROAD

KYNASTON ROAD

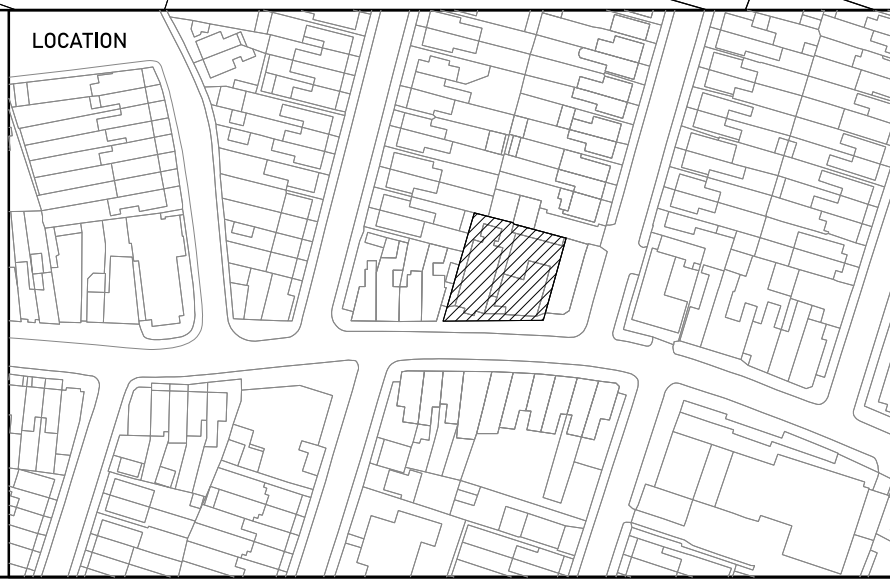
KEY

REV / DATE

**NOTES**

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NO.		012020	
PROJECT		CELBIC HALL	
TITLE			
EXISTING BLOCK PLAN			
DRN	CHK	SCALE	STATUS
BC	GC	1:500/A3 1:250/A1	PLANNING
DRAWING			REV
012020_P_002_EX			-



**Key**

- 1 Vertical stack bond multi red clay brick with dark mortar
- 2 Stretcher bond multi red medium light red clay brick with dark mortar
- 3 Composite timber & aluminum side hung window system
- 4 Composite timber & aluminum sliding door system
- 5 Dark grey painted steel balustrade incorporating timber capping & handrail
- 6 Pre patinated metal cladding system incorporating fixed glazing and entrance doors
- 7 Brick faced fire escape door to match surrounding
- 8 Brass or gold colored metal framed glazed entrance doors to main hall
- 9 Composite cladding system incorporating timber mullions and PPC aluminum facing
- 10 Painted timber front door
- 11 Multi red clay brick patchwork pattern to gable end



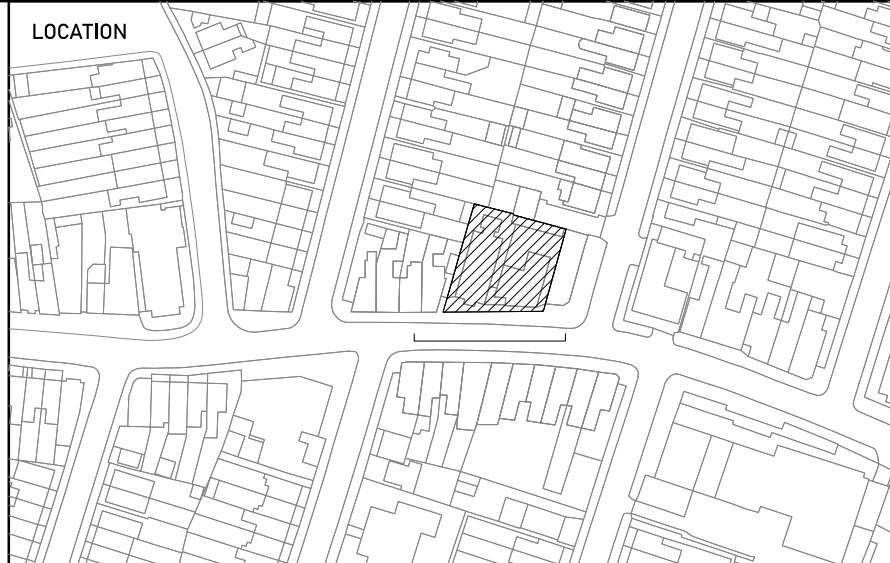
KEY	

REV / DATE
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NO.		012020	
PROJECT		CELBIC HALL	
TITLE			
PROPOSED SOUTH ELEVATION			
DRN	CHK	SCALE	STATUS
BC	GC	1:200/A3 1:100/A1	PLANNING
DRAWING			REV
012020_E_100			-



KEY

REV / DATE

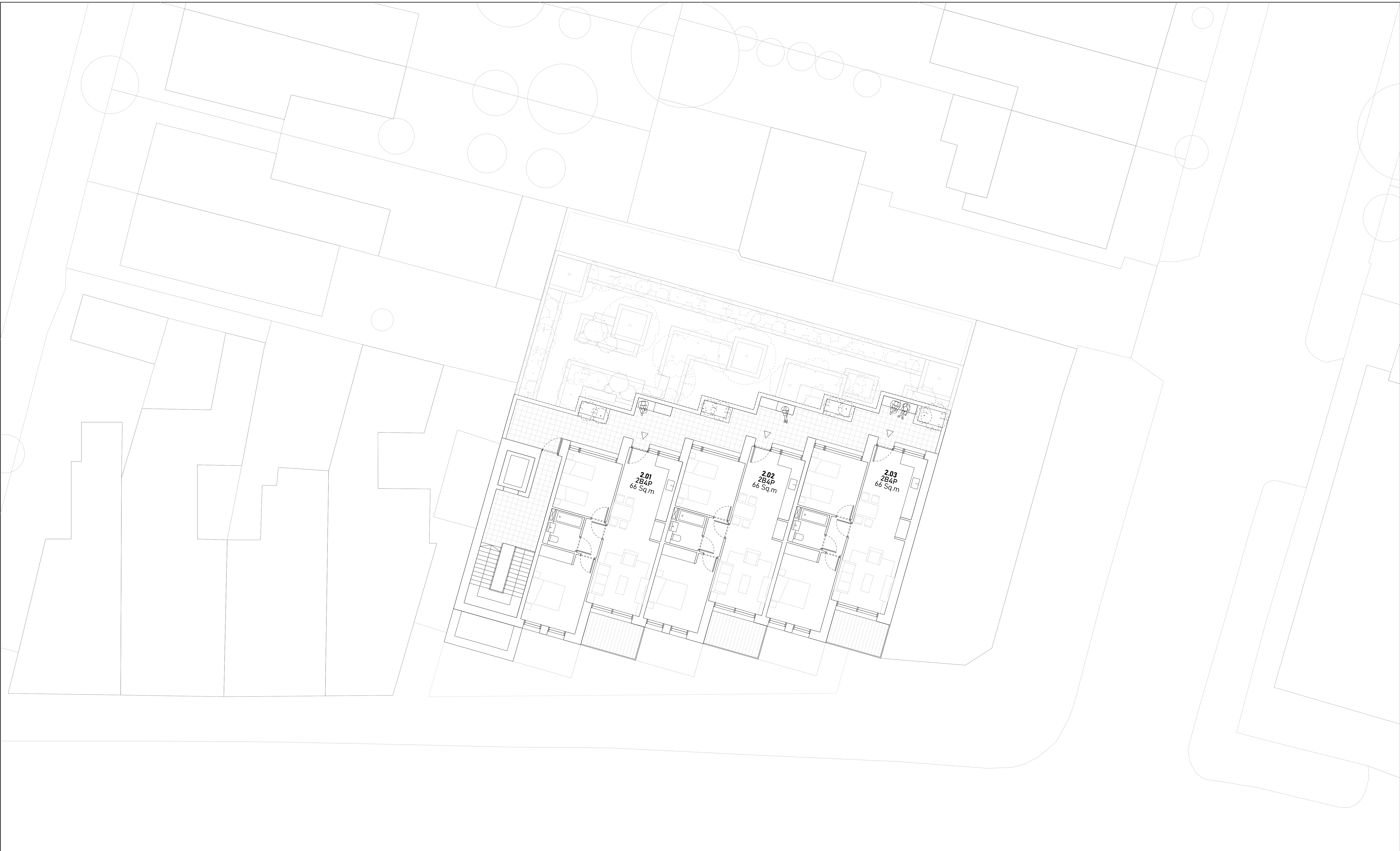
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NO.		012020	
PROJECT		CELBIC HALL	
TITLE			
PROPOSED GROUND FLOOR PLAN			
DRN	CHK	SCALE	STATUS
BC	GC	1:200/A3 1:100/A1	PLANNING
DRAWING			REV
012020_P_100			-



KEY

REV / DATE

**NOTES**

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NO.		012020	
PROJECT		CELBIC HALL	
TITLE			
PROPOSED SECOND FLOOR PLAN			
DRN	CHK	SCALE	STATUS
BC	GC	1:200/A3 1:100/A1	PLANNING
DRAWING			REV
012020_P_102			-



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