

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON TUESDAY, 5 SEPTEMBER 2023**

COUNCILLORS

PRESENT Sinan Boztas (Chair), Mahym Bedekova (Vice Chair), Josh Abey, Kate Anolue, Lee Chamberlain, Thomas Fawns, Ahmet Hasan, Bektas Ozer, Michael Rye OBE, Jim Steven, Mohammad Islam, and Julian Sampson.

ABSENT Peter Fallart and Eylem Yuruk.

OFFICERS: Brett Leahy (Director of Planning and Growth), Andy Higham (Head of Development Management), Sharon Davidson (Planning Decisions Manager), Mike Hoyland (Senior Transport Planner), Lap-Pan Chong (Principal Planning Officer), Julie Thornton (Legal Representative), and Harry Blake-Herbert (Governance Officer).

Also Attending: Applicant and agent representatives, members of the public, deputies, press, and officers observing.

1 WELCOME AND APOLOGIES

The Chair welcomed everyone to the meeting.

Apologies for absence were received from Cllrs Peter Fallart and Eylem Yuruk, who were substituted by Cllrs Julian Sampson and Mohammad Islam respectively.

2 DECLARATIONS OF INTEREST

There were no declarations of interest received regarding any items on the agenda.

3 MINUTES OF PREVIOUS MEETING

The minutes of the Planning Committee meeting held on Tuesday 18 July 2023 were agreed.

4 REPORT OF THE HEAD OF DEVELOPMENT MANAGEMENT

Received the report of the Head of Development Management, which was **NOTED**.

5 20/01742/FUL - FORMER PUBLIC HOUSE, 50-56 FORE STREET, EDMONTON

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Andy Higham, Head of Development Management, introduced the report, highlighting the key aspects of the application.

Members welcomed the changes the developer had made in light of a number of concerns expressed by the committee previously.

In response to Member's queries regarding conditions, officers confirmed that there were conditions relating to the colour of the brick work and the wind effect of the tall building, amongst others outlined in the report. Officers agreed to add a condition looking at the potential for more disabled parking spaces to be provided as part of the development, if possible, for those in accessible dwellings.

In response to Member's queries regarding the GLA comments, officers advised that with regards to tall buildings, Policy D9 sought a plan led approach to their location but could take other considerations into account and the GLA had looked at the location/context of the site and decided that on balance the benefits outweighed the harm. If the committee accepted the recommendation, the application would go back to the Mayor for a new Stage 2 referral.

In response to Member's queries regarding construction time, officers advised that there was still process to follow before implementation of any planning permission (finalisation of legal agreement & Stage 2 referral), but its construction once commenced was probably upwards of 2 years.

In response to Member's queries regarding parking, officers advised that there would be 4 disabled parking spaces provided on Clive Avenue, but that otherwise the application was located in a controlled parking zone. The provision met the relevant parking standards. It was subsequently clarified that while there is a condition requiring 10% M4(3) units to be provided in the development in accordance with policy, the parking standard requires 3% for disabled parking provision. It was therefore acknowledged that there would not be a 1 for 1 allocation for the M4(3) units. Officers highlighted for members the locations of the bin store and cycle parking.

In response to Member's queries regarding the Snell and Joyce Estate, officers advised that at present the building would be 24 storeys at its highest, but that discussions were still ongoing, and the height was subject to change. These proposals would come to committee in due course for consideration. By way of further context, officers highlighted the application was for would be 18 storeys, and there were other tall buildings in the surrounding area including those in Haringey to the south.

In response to Member's queries regarding community impact, officers advised that a key part of the proposal was the potential for the re-provision of a public house on the ground floor on the ground floor frontage, which would facilitate this but that it could not be committed as a public house as this would be commercial decision and there were other locations in the area which

could provide this. The use of the community space would need to be discussed in the future.

In response to Member's queries regarding viability, officers advised that the scheme is made on the basis of 110 affordable units (100%) and therefore no viability appraisal was required, that the developer was confident of delivering this, and this including nomination rights, would be secured through the section 106 agreement.

In response to Member's queries regarding the height of the development, officers advised that the current local policy is outdated, and the application must be assessed against the most up to date policy, that of the London Plan and that in respect of this it was acceptable.

In response to Member's queries regarding the conservation area, officers advised that harm did exist, that harm was less than substantial and could be balanced against the public benefits. It was said that the weightings attributed to these factors had shifted, which when combined with the GLA comments, meant that on balance there was a greater argument for approving the application.

In response to Member's queries regarding children's play areas/ amenity space, officers advised that each of the units had balcony space, that there was a play area for young children, but the details of this were not yet known. A condition securing these details was requested. Given the urban nature of the development there would be a section 106 contribution for offsite improvements.

Officers summarised the additional conditions outlined in the GLA Stage 2 response and those reported as part of the presentation together with a HoT for the S106 which would ensure future occupiers re excluded from permits to park in the CPZ.

The proposal having been put to the vote; Members voted:

11 FOR
0 AGAINST
0 ABSTENTIONS

and so, it was AGREED unanimously:

1. That the Head of Development Management be authorised to GRANT planning permission subject to conditions and the completion of a s106 Agreement.
2. That the Head of Development Management be granted delegated authority to agree the final wording of the s106 Agreement and the final wording of the conditions to cover the matters in the Recommendation section of the original report dated 18 January 2022 and this report.

6 22/01542/OUT - ANGLO AQUARIUM PLANT, 30 AND 32 STRAYFIELD ROAD, ENFIELD, EN2 9JE

Lap-Pan Chong, Principal Planning Officer, introduced the report, highlighting the key aspects of the application.

A deputation was received from Daniel Ishack, a local resident, who spoke against officers' recommendation.

A deputation was received from Cllr Hannah Dyson, Whitewebbs Ward Councillor, who spoke against the officers' recommendation.

The agent, Emma Hardy, spoke in response.

Officers responded to comments, and advised that the road safety and accessibility had been considered. The segregated pedestrian route, addition of give way signs, and lighting were tools being requested as a way of improving safety. It was estimated that during the AM peak, 40 vehicles would leave and 14 arrive, thus there would not be a large conflict of traffic, and the narrow nature of the road meant there should be a low vehicle speed, alleviating concerns regarding accidents. The trip rate was said to be calculated internally by officers using an industry standard database; this is separate to the applicant's transport consultants, who conduct the same process, each of which produce a broadly similar estimate. It was advised that parking on the road did take place but that this was for short periods and would not have a huge impact on safety, and the removal of the existing aquarium site would increase general parking provision. The Council-led new southbound fixed bus stop would be relocated further away from the bend to make it safer. Parking provision would be accommodated onsite, thus there was unlikely to be an overspill.

Officers advised that with regards to the application being on the greenbelt, it was considered that very special circumstances did exist such that the application could be supported. The section 106 obligations meant the applicant was fully committed to mitigate the impact of the development through various contributions. An air quality assessment had been submitted and officers raised no objections to this, or the potential for noise issues. Officers had raised no objections to the character of the proposals, and the applicant was committed to conditions to mitigate its impact, including being only 2 storeys with a maximum ridge height at 8.5m, and having a 15m distancing landscape buffer to the north boundary. Further landscape and visual impact assessments had also been committed to by the applicant. The Applicant was also committed to attend Design Review Panels prior to submission of reserved matters applications.

In response to Member's queries regarding the housing mix, officers advised that a section 106 agreement would secure the affordable housing provision offered through the application. Officers reassured members that if the applicant sought to reduce the quantum of affordable housing offered through this application that given the significant weight in the planning balance, that

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such a request would lead to a new application being required, at which point different weight would be attributed to the consideration of the circumstances that cumulatively make the case for very special circumstance. It was confirmed that there would be 6 accessible units, but the mix of 2 and 3 beds of these had not yet been discussed.

In response to Member's queries regarding access/ traffic, officers advised that the visibility at the Clay Hill junction was good, and only 1 accident had taken place in the past 7 years. As well as the transport assessment that had been submitted, officers also had checked it themselves.

In response to Member's queries regarding allotments, officers advised that included in the proposal was a shared area which could be used for food growing. It would support residents in the community and the applicant had committed to provide basic infrastructure for the community food growing area and a financial contribution to support the future non-profit making management group.

In response to Member's queries regarding the consideration of very special circumstances, officers advised of the collective factors in favour of the application. These factors included delivery of 100% affordable housing including family homes, which officers attributed substantial weight to, (given the affordable housing provision is above the policy requirements particularly in the context of shortfall in five-year housing land supply, under-delivery of housing in the last 3 years and long-term under-delivery of affordable housing). Officers also attributed moderate weight to biodiversity net gain and food growing provision given the proposal had also gone above and beyond the policy requirements with respect to these two factors. Together with all other factors that weighed in favour of the application (despite limited weight being attributed to these), officers considered that very special circumstances existed.

Brett Leahy, Director of Planning and Growth, expressed that officers recognised the challenge of the application being in the Greenbelt. He advised that the applicant was of the reasoned view that the land was Previously Developed Land within the Greenbelt and therefore they considered that the application of Very Special Circumstances did not need to apply; that officers were of the different view that it was not Previously Developed Land, but that Very Special Circumstances existed, and that if the application went to public inquiry, this difference of opinion may play out.

Members had ongoing concerns with regards to: transport/ travel safety; the difficulty in accessing any amenities, which were some distance away; and building on Greenbelt, some feeling that Very Special Circumstances had not been demonstrated and alternative sites outside the Green Belt had not been fully exhausted.

Cllr Rye proposed a counter-motion, that planning permission be refused, on the basis that: Very Special Circumstances had not been demonstrated for development on the Greenbelt, particularly in relation to the harm to

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openness, and reasonable alternative sites had not been exhausted. This was seconded by Cllr Chamberlain.

Officers asked whether the councillor would be willing to amend this counter-motion to a deferral to consider refusal, so that officers could seek guidance on the merits of the concerns expressed, namely the impact on the Greenbelt and the arising harm. Cllr Rye agreed to this, on the proviso that the application would then come back to planning committee for a decision.

This proposal, having been put to the vote; Members voted:

4 FOR
8 AGAINST
0 ABSTENTIONS

and so, this counter-motion was not passed.

The original officer's recommendation, having been put to the vote; Members voted:

8 FOR
4 AGAINST
0 ABSTENTIONS

and so, it was AGREED:

- 1) That subject to referral of the application to the Greater London Authority (Stage 2) and the completion of a Section 106 Agreement to secure the matters covered in this report, the Head of Planning be authorised to GRANT planning permission subject to conditions.
- 2) That the Head of Planning be granted delegated authority to agree the final wording of the Section 106 Agreement and the conditions to cover the matters in the Recommendation section of this report.

7 DATES OF FUTURE MEETINGS

Members noted the dates of future meetings as set out in the agenda pack, and that the next meeting would take place on Tuesday 19 September 2023.

Members asked that the upcoming site visit regarding application reference 20/01982/FUL, be rearranged so that more Members could attend.

Members noted that it would be Andy Higham, Head of Development Management's, last meeting. Members thanked him on behalf of the whole borough for all his help, his long, loyal, and successful service, and wished him all the best for his future.

The Chair thanked everyone for their time, and the meeting ended at 21:05.