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PLANNING COMMITTEE

Tuesday, 17th October, 2023 at 7.00 pm
Conference Room, Civic Centre, Silver
Street, Enfield, EN1 3XA

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MEMBERS

Councillors: Sinan Boztas (Chair), Mahym Bedekova (Vice-Chair), Josh Abey, Kate Anolue, Lee Chamberlain, Peter Fallart, Thomas Fawns, Ahmet Hasan, Bektas Ozer, Michael Rye OBE, Jim Steven and Eylem Yuruk.

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

AGENDA – PART 1

1. **WELCOME AND APOLOGIES**
2. **DECLARATIONS OF INTEREST**

Members are asked to declare any disclosable pecuniary, other pecuniary or non-pecuniary interests relating to items on the agenda.

3. **MINUTES OF PREVIOUS MEETING** (Pages 1 - 14)

To receive and agree the minutes of the meetings held on Tuesday 5 September 2023 and Tuesday 19 September 2023.

4. **REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL**
(Pages 15 - 18)

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

5. 23/00294/FUL - 1-44 AVALON CLOSE ENFIELD EN2 8LR (Pages 19 - 56)

RECOMMENDATION:

1. That the Head of Planning and Building Control be authorised to GRANT planning permission subject to conditions listed in this report:
2. That the Head of Planning and Building Control be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

WARD: Ridgeway

6. DATES OF FUTURE MEETINGS

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

Tuesday 7th November 2023 (provisional)
Tuesday 21st November 2023
Tuesday 19th December 2023
Tuesday 9th January 2024 (provisional)
Tuesday 23rd January 2024
Tuesday 13th February 2024 (provisional)
Tuesday 20th February 2024
Tuesday 5th March 2024 (provisional)
Tuesday 19th March 2024
Tuesday 23rd April 2024

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

PLANNING COMMITTEE - 5.9.2023

**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**

PLANNING COMMITTEE - 5.9.2023

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

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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.

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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.

PLANNING COMMITTEE - 19.9.2023

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON TUESDAY, 19 SEPTEMBER 2023**

COUNCILLORS

PRESENT Sinan Boztas (Chair), Mahym Bedekova (Vice Chair), Josh Abey, Kate Anolue, Lee Chamberlain, Peter Fallart, Thomas Fawns, Ahmet Hasan, Bektas Ozer, Jim Steven, Eylem Yuruk, and Reece Fox.

OFFICERS: Brett Leahy (Director of Planning and Growth), Claire Williams (Planning Decisions Manager), Karolina Grebowiec-Hall (Principal Planner), Nicholas Page (Conservation & Heritage Adviser), Lucy Merryfellow (Senior Transport Planner, Journeys & Places), John Hood (Legal Adviser), and Harry Blake-Herbert (Governance Officer).

Also Attending: Kew Planning representatives, applicant and agent representatives, members of the public, deputees, press, and officers observing.

1 WELCOME AND APOLOGIES

The Chair welcomed everyone to the meeting.

Apologies for absence were received from Cllr Michael Rye OBE, who was substituted by Cllr Reece Fox.

Apologies for lateness were received from Cllr Thomas Fawns.

2 DECLARATIONS OF INTEREST

Cllr Mahym Bedekova disclosed a non-pecuniary interest on item 7, application reference 23/00770/FUL, as she knew and had used the agent's services previously. Cllr Bedekova would leave the meeting during discussions and voting on this application.

3 REPORT OF THE HEAD OF DEVELOPMENT MANAGEMENT

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

**4 20/01982/FUL - LAND REAR OF ELLINGTON COURT,
SOUTHGATE N14 6LB**

Claire Williams, Planning Decisions Manager, introduced the report, highlighting the key aspects of the application.

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The officer provided Members with an update, in the form of written representations submitted by the Arnos Grove Ward Councillors, Cllrs Paul Pratt and Adrian Grumi. Neither were able to attend to make a deputation, but wished for their opposition to the application to be voiced. They were in agreement with objections made and with the points which would be presented by the deputees.

Officers advised that obscure glaze from top level open windows on the Eastern elevation would need to be secured through condition.

A deputation was received from Roger Hepher, HGH consulting, who spoke against officers' recommendation.

A deputation was received from Denise Gandhi, Southgate Green Association, who spoke against officers' recommendation.

The agent, Julian Sutton, spoke in response.

The Chair informed Cllr Fawns that as he had arrived after this item had begun, he would be unable to participate in discussions and voting on this item.

Officers responded to Members' questions and comments in respect of impact on surrounding heritage assets and mitigation of harm to the conservation area.

Officers responded to Member's enquiries regarding policy. The application for the top floor of the existing Ellington Court building was made in 2019, and was assessed against relevant planning policy at the time. Officers confirmed that land ownership certification was addressed, and that consultation had taken place.

Officers also responded to Member's queries regarding the day/sun light report, trees, fire safety and access, parking space, the housing mix, and amenity space.

In respect of access for emergency vehicles, officers advised that a condition for further information on access could be included.

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

7 FOR
4 AGAINST
0 ABSTENTIONS

and so, it was AGREED:

1. That the Head of Development Management be authorised to GRANT planning permission subject to the conditions outlined in the report and

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discussed at the meeting, specifically relating to access for emergency vehicles.

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 original report dated 18 July 2023 and set out in this report.

5 20/03011/FUL - MOORFIELD FAMILY CENTRE, 2 MOORFIELD ROAD, ENFIELD, EN3 5PS

Kathryn Williams, Kew Planning, introduced the report, highlighting the key aspects of the application.

An addendum report/update had been sent to Members in advance of the meeting, which provided assessments on a few outstanding technical matters which needed further information, this related to the housing mix, transport and parking, design, flood risk/drainage, and the draft Heads of Terms agreement.

Officers responded to Member's questions and comments regarding crime and antisocial behaviour. Planning representatives highlighted that the conditions would address the Police comments, that further discussions would take place regarding the details, and the Police would be engaged with/consulted on these.

In response to Member's queries regarding travel and parking, planning representatives advised that the proposals fell under a controlled parking zone, and the applicant would be making a financial contributions. The provision of parking would be looked at in greater detail, as part of the parking management plan.

Planning representatives responded to Member's enquiries regarding drainage and flood mitigation. An evacuation plan and further drainage strategy were said to still be required, and would be secured by condition.

Planning representatives also responded to Member's queries regarding design, scaling/mass, trees, amenity space, and the housing mix.

Members had ongoing concerns with regards to crime and anti-social behaviour mitigation.

Cllr Yuruk proposed a countermotion, that a decision on the application be deferred, in order to allow for further consultation/engagement with the Metropolitan Police to take place. This was seconded by Cllr Chamberlain.

Brett Leahy, Director of Planning and Growth, advised that there were conditions in place to control this, and that they could present the details submitted as part of that condition back to committee for approval at the relevant stage, to ensure that the crime mitigation measures satisfy Members'

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concerns. Planning representatives confirmed that CCTV was one of the items that could be conditioned at the detail stage.

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

5 FOR
7 AGAINST
0 ABSTENTIONS

and so, this countermotion was not agreed.

Brett Leahy, Director of Planning and Growth, advised that the details of the condition would need to be approved, and they would consult with the Metropolitan Police, who would need to be satisfied with the details before they could proceed.

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

8 FOR
3 AGAINST
1 ABSTENTION

and so, it was AGREED:

1. That planning permission be GRANTED subject to the conditions outlined in the report and discussed at the meeting, specifically relating to crime mitigation, and the completion of a S106 legal agreement.
2. That the Head of Development Management be granted delegated authority to finalise the wording of the S106 Agreement and agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

The Chair adjourned the meeting at 21:00, for a short break, and the meeting resumed at 21:10.

**6 22/04095/RE3 - LAND ADJACENT TO THE NEW RIVER
EXTENDING FROM TENNISWOOD ROAD TO BULLSMOOR LANE**

Karolina Grebowiec-Hall, Principal Planner, introduced the report, and highlighted the key aspects of the application.

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

The officer read the written representations/comments submitted by Cllr Rye. This included: disappointment that the concerns, particularly regarding privacy, were not addressed when initially raised, continued opposition to this section of the river being opened up, but welcome of the changes/improvements which had been made.

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Sarah Whitehouse (Neighbourhood Workstream Lead) and David Hilliard (Enfield Cycle), spoke in response.

In response to Member's queries regarding the alternate route, officers advised that the applicant had assessed the alternative, but found the benefits of the scheme as it was proposed, far outweighed the costs of the alternative route; and steps had been taken to mitigate the impact on privacy.

Officers confirmed how members of the public would access the path, that amenities such as a crossing and lights would be added to improve it, and the gates to access that section of the new river would be open permanently. Officers confirmed that scooters and motorbikes were not permitted by law to access the path, CCTV was proposed to be installed to provide an extra deterrent, and that further details would be conditioned to ensure they did not invade privacy.

Officers provided further details regarding privacy and screening, of the rear gardens of Sinclair Close.

Members had ongoing concerns with regards to residents' privacy.

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

8 FOR
3 AGAINST
1 ABSTENTION

and so, it was AGREED:

1. That in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 the Head of Development Management be authorised to GRANT planning permission subject to the conditions outlined in the report and discussed at the meeting, specifically relating to CCTV.
2. That the Head of Development Management be granted delegated authority to finalise the wording of the conditions to cover the matters in the Recommendation section of the original report dated 18 April 2023.

MEETING TIME EXTENSION

AGREED that the rules of procedure within the Council's Constitution relating to the time meetings should end (10:00pm) be suspended for a period of 30 minutes to enable the remaining agenda items to continue to be considered.

7 23/00770/FUL - 55 EVERSLEY PARK ROAD, LONDON N21 1NR

CHANGE TO AGENDA ORDER

The Committee agreed to alter the order in which the items on the agenda were considered at the meeting. The minutes reflect the order of items as listed on the agenda.

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MEETING TIME EXTENSION

AGREED that the rules of procedure within the Council's Constitution relating to the time meetings should end (10:00pm) be suspended for a further 30 minutes to enable the remaining agenda items to continue to be considered.

Cllr Bedekova would leave the meeting for discussions and voting on this item, having declared that she knew and had used the agent's services previously.

Claire Williams, Planning Decisions Manager, introduced the report, highlighting the key aspects of the application.

The officer updated/informed Members that a day/sunlight report had been submitted by the planning agent, which demonstrated that the proposal would be in accordance with BRE guidelines, and it would be conditioned that top-level windows not open above 1.7m from floor/ground level.

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

A deputation was received from Cllr Elisa Morreale, Southgate Ward Councillor, who spoke against officers' recommendation.

The agent, Murat Aydemir, spoke in response.

Officers responded to comments and questions from Members in respect of the street scene and character of the area. A condition could be attached to ensure that the flat roof would not be used by occupants of the property, and that the windows would be obscure glazed. The basement could not be seen from the street and conditions were attached relating to flood risk assessment. Officers considered the application had addressed the shortcomings which saw it refused previously.

In response to Member's queries regarding design, officers advised that the materials used would respect the area; there was a condition proposed for details of external materials to be submitted, and these would need to be in keeping with nearby homes. The day/sunlight report was in accordance with guidelines and would not impact/overshadow neighbouring properties.

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.

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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.

8 23/01144/FUL - 59 LANGHAM GARDENS, LONDON N21 1DL

Claire Williams, Planning Decisions Manager, introduced the report, highlighting the key aspects of the application.

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

A deputation was received from Cllr Andy Milne, Grange Park Ward Councillor, who spoke against officers' recommendation.

Marco Belatri, representing the applicant/agent spoke in response.

Officers responded to Member's queries regarding the details and rules of the HMO. The floor plans showed 6 bedrooms and there would be a condition to ensure that a maximum of 6 people occupied the property. Planning had suggested an informative be attached to permission, to encourage the applicant to engage with the Police to look at addressing the issues raised.

In response to Member's queries regarding what would follow were Members minded to refuse the application, officers advised that it would be for planning enforcement to take action.

In response to Member's queries regarding the quality of the HMO, officers advised that substantial weight had been given to the quality of the accommodation, that licensing enforcement were happy the proposals complied with requirements, and it exceeded the minimum space standards/policy. It was confirmed that no external changes were sought, and a condition was proposed for roof lights to be obscure glazed, and that top-level windows not open above 1.7m from floor/ground level, which would help reduce overlooking/ privacy concerns.

The Chair proposed a counter-motion, that planning permission be refused on the basis of: the proposal is out of keeping with the character of the area; environmental impacts, specifically on antisocial behaviour; loss of privacy and overlooking; increase of pollution; and overcrowding. This was seconded by Cllr Bedekova.

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

12 FOR
0 AGAINST
0 ABSTENTIONS

and so, it was AGREED unanimously:

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That planning permission be **REFUSED**, for the reasons set out above.

9 DATES OF FUTURE MEETINGS

Members noted the dates of future meetings as set out in the reports pack.

The Chair thanked everyone for their time, and the meeting ended at 22:59.



London Borough of Enfield

Report Title	Report of Head of Planning and Building Control
Report to	Planning Committee
Date of Meeting	17 th October 2023
Cabinet Member	Councillor Susan Erbil
Executive Director / Director	Brett Leahy – Director of Planning & Growth Simon Pollock – Environment & Communities
Report Author	Karen Page karen.page@enfield.gov.uk
Ward(s) affected	All
Key Decision Number	Non Key
Classification	Part 1 Public

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.

Recommendations

- | |
|------------|
| I. To Note |
|------------|

Background

2. 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.
3. 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 the London Plan 2021. Other supplementary documents material to the assessment are identified in the individual reports.
4. Other background papers are those contained within the file, the reference number of which is given in the heading to each application, and which can be viewed via the online planning register on the Council's website.

Main Consideration

5. On the Schedules attached to this agenda, recommendations in respect of planning applications and applications to display advertisements are set out.
6. Also set out in respect of each application a summary of any representations received. Any later observations will be reported verbally at your meeting.
7. In accordance with delegated powers, 285 applications were determined between 06/09/2023 and 03/10/2023, of which 191 were granted and 94 refused.
8. A Schedule of Decisions is available in the Members' Library.

Relevance to Council Plans and Strategies

9. 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

Financial Implications

10. None

Legal Implications

11. None

Equalities Implications

12 None

Report Author: Karen Page
Head of Planning and Building Control
Karen.page@enfield.gov.uk
02081323039

Date of report: 04.10.2023

Appendices

None.

Background Papers

To be found on files indicated in Schedule.

Background Papers

None

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LONDON BOROUGH OF ENFIELD		
PLANNING COMMITTEE	Date: 17th October 2023	
Report of Director of Planning & Growth – Brett Leahy	Contact Officers: Ms K Perry Ms S Davidson	Category Minor (Dwellings)
Ward Ridgeway	Councillor Request Cllr J Laban	
LOCATION: 1 - 44 Avalon Close Enfield EN2 8LR		
APPLICATION NUMBER: 23/00294/FUL		
PROPOSAL: Construction of a part 3rd floor and 4th floor to existing blocks to provide a total of 8 units (4 on each block); 8 additional car parking spaces, a bicycle store for 16 bikes plus 2 Sheffield stands and additional bins (to be located within the existing bin shed).		
Applicant Name & Address: Mr T Alexandrou Southern Terrority (UK) Limited 1 The Green London E4 7ES	Agent Name & Address: Mrs C Apcar Kinetic House Theobald Street Boreham Wood WD6 4PJ	
Recommendation:		
<ol style="list-style-type: none"> 1 That the Head of Planning and Building Control be authorised to GRANT planning permission subject to conditions listed in this report: 2 That the Head of Planning and Building Control be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report. 		

Ref: 23/00294/FUL LOCATION: 1 - 44 Avalon Close, Enfield, EN2 8LR,



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Scale 1:1250

North



1. 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 this planning committee for determination as requested by Cllr Laban, and because previous applications for substantially the same development have been determined by the planning committee.
- 1.2 It is noted that this application was originally going to be reported to Planning Committee in June 2023. However, it was removed from the agenda following a request from the Agent to enable further technical assessments to be undertaken in respect of overshadowing / daylight / sunlight in response to concerns that were raised by residents. However, following an in depth review of the objections raised, and having regard to the previous applications - with the extended buildings as now proposed being lower than one of the previous applications (where no daylight/sunlight issues were raised by either officers or the planning committee or the relevant Inspector who considered the appeal) – the Agent has decided not to undertake any further technical assessments.

2. Executive Summary

- 2.1 The proposal is to construct an upward extension on each of the two blocks of flats, Block A and Block B, to accommodate four new flats on each block. The existing blocks are part three storey and part four storey, so the extensions would be part single storey and part two storey.
- 2.2 Associated works are proposed including a new hardstanding area for car parking and additional cycle storage.
- 2.3 Two previous applications for substantially the same development have been refused and dismissed at appeal. The first application was refused by the Council on the grounds of design, and on impact on amenity of existing occupiers. The appeal was dismissed in respect of impact on neighbour amenity, but not in respect of design.
- 2.4 The second application was refused by the Council on the grounds of impact on neighbour amenity. This was supported by the Inspector in respect of the circulation arrangements at third floor level, and impact on the bathroom windows to existing flats.
- 2.5 All other aspects of the scheme were considered acceptable.
- 2.6 This proposal, in the opinion of officers, now adequately addresses the sole reason why the most recent appeal was dismissed.

Recommendation

- 3.1 That the Head of Planning and Building Control be authorised to GRANT planning permission subject to conditions listed in this report
 1. Time limit
 2. Approved plans

3. Construction Method Statement
4. Energy Statement
5. Surface Water Drainage
6. Materials
7. Cycle Parking
8. Car Parking
9. Water Efficiency
10. Emissions
11. Obscure Glazing
12. Refuse Storage
13. Accessibility M4(2).

Delegated Authority

- 3.2 That the Head of Planning and Building Control be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

4 Site & Surroundings

- 4.1 The site is located on the east side of The Ridgeway. The surrounding area is predominantly residential, with similar residential blocks at Hansart Way. At the end of Avalon Close is Dudrich Mews which is accessed from Drapers Road. Dudrich Mews comprises two buildings, one that addresses Drapers Road and one that is to the north of the Avalon Close blocks on land that used to be a garage court.
- 4.2 Each of the two cruciform flat blocks has a central stair core. The blocks are part three- and part four-storey (that is, each block has a ground floor, first floor, second floor, and a partial third floor). The flats are in the four wings projecting out from the core. The stair and access arrangement on the top floor is different as the stair leads onto a flat roof which provides access to the four flats at this level – two on each of two wings. Three of the four existing flats on each top floor have a terrace on the roof of the flats below but the other flats in the development do not have balconies or terraces.
- 4.3 The site is flat and there are car parking spaces along the roadway which is to the south of the flat blocks. The Enfield Lawn Tennis Club is to the north-west of the site and is designated as local open space.

- 4.4 The site is not within a Conservation Area nor is it listed. The site has a public transport accessibility level (PTAL) of 1b to 2.

5 Proposal

- 5.1 The proposal is for the creation of a part third (infill to the existing third floor) and fourth floor to both blocks to provide a total of eight flats with associated car parking and electric vehicle charging points.
- 5.2 The upward extensions would be in line with the existing external walls although slightly set back at the end of each wing and would be clad with a grey composite cladding. The window design and alignment would follow that of the existing block.
- 5.3 The access arrangements for the existing third floor flats would alter as the stair at this level would be enclosed so that it could continue onto the new fourth floor. The existing open access deck would be roofed and partially enclosed.
- 5.4 The flats provided would be the same across each block and would include, in total,
- 4 x 2bed 4 person duplex at 3rd and 4th floor level
 - 2 x 2bed 3 person flat at 4th floor level
 - 2 x 1bed 2 person flat at 4th floor level
- 5.5 Between the two flat blocks, on an area currently grassed, a hardstanding is proposed for the parking of eight cars. An enclosed cycle store is also proposed.
- 5.6 The refuse storage would be accommodated within the existing bin store.
- 5.7 The new roofs would be green with solar panels.

6 Relevant Planning History

Application site

- 6.1 21/01308/FUL Creation of a part third and fourth floor to both blocks to provide a total of 8 self-contained units with associated parking involving electric vehicle charging point. Refused on the grounds that the proposed access and circulation arrangements and façade design would lead to a loss of privacy to occupiers of existing third floor flats. A subsequent appeal was dismissed.
- 6.2 19/00901/FUL Creation of a part third and fourth floor to both blocks to provide a total of 8 self-contained units comprising 6 x 2 bed and 2 x 1 bed with associated parking. Refused on the grounds that the proposed access and circulation arrangements and façade design would lead to a loss of privacy to occupiers of existing third floor flats, and that the proposed design would result in an unsympathetic and incongruous form of development detrimental to the appearance of the existing blocks and their setting and appearance within the wider area.
- 6.3 This application was refused on the 4/2/2020
- 6.4 This refusal was appealed, and the appeal was dismissed on the basis that proposed windows to some of the new flats would allow overlooking to existing flats; and that the circulation space at third floor level, including entrances to new flats, would overlook existing bathroom windows. The Inspector did not agree that there would

be harmful overlooking from the new windows to the existing flats. The Council's refusal on design grounds was not supported by the Inspector.

Surrounding Sites

- 6.5 17/00549/FUL. 1 – 64 Hansart Way EN2 8NB. Construction of fourth floor to both blocks to provide a total of 8 self-contained flats comprising (4 x 2 bed and 4 x 3 bed) with balconies to front side and rear. Approved subject to conditions 22/2/2018. The blocks have not yet been extended as approved.

7 Consultation

Statutory and Non-Statutory Consultees

Watercourses Team

- 7.1 Support the SuDS proposal to provide green roofs and permeable paving. Details required and a condition is recommended to cover this.

Environmental Health

- 7.2 No objection as there is unlikely to be a negative environmental impact. No concerns regarding air quality, noise or contaminated land. Conditions recommended regarding construction management and non-road mobile machinery.

Transportation

- 7.3 No objection. Although the additional flats would represent a slight increase in trips to and from the site, these would be residential trips and would not be significant or out of place. Cycle storage supported. Conditions requested regarding cycle parking and construction management plan.

Designing Out Crime Officer

- 7.4 No objection. Has requested that a Secure by Design condition is imposed on any grant of planning permission.

Public Consultation Responses

Planning Application

- 7.5 Consultation letters dated 6/2/2023 were sent to 216 neighbouring and nearby properties. Following some revisions to the details shown on the plans reconsultation letters were issued on the 19/5/2023.
- 7.6 In response 76 representations have been received (to the 6 June).
- 7.7 The first consultation response raised, in summary, the following points. In the interests of clarity officers have made responses to some of these points which are indicated in *italics*.

Principle of development

- Too much development already/no benefit to borough

- It is understood that LBE has approved sufficient homes to meet targets up to 2023 but has not met the housing delivery target – this application shows why this might be – if PP is granted for something that can't be built – [a similar development at] Hansart Way was granted planning permission in 2012 but it hasn't happened and is hanging over people
- London Plan density refers to 50-95 dph in PTAL 2 (*Officer's response: the quoted figure was in the 2016 London Plan so no longer applies. The current London Plan does not include an equivalent standard but does identify that high density is above 350 dph.*)
- The presumption in favour of sustainable development is not mandatory and 1-2 bed units are a lower priority.
- New flats not suitable for families (Enfield's priority) not disability friendly and won't be affordable.
- Loss of Green Belt

Officers' response

Housing need and principle of development is addressed below. The site is not in the Green Belt

Impact on existing residents

- Noise and disturbance from building work, legal noise limit may be exceeded
- Noise from occupants of new flats
- Noise from existing flats
- Occupants of top floor flats concerned at loss of their open outlook and relative privacy and quiet, new stairwell would mean people walking past flats that aren't currently walked past
- Occupants of top floor flats concerned at proposed works to their flats such as moving boiler flues, putting in fire doors and the enclosure of their bathroom windows
- Occupants of top floor flats would be unable to access their flats during building works
- Loss of green space and increased noise for Ground Floor flats near the car parking – no other green space suitable for children to play out – contrary to policy about garden grabbing
- Flats do not have balconies, outside space important
- Overlooking from high level windows
- Existing flat has been shown incorrectly on the plans submitted
- Why has no daylight/sunlight review been submitted
- Loss of sunlight/daylight/outlook/privacy to properties on Drapers Road and Dudrich Mews

Officers' response

The matters raised are assessed in the relevant section below.

Parking and waste management

- Limited car parking capacity – site and local area already over-subscribed with car parking
- Only one bus that runs through the area
- Parking survey was flawed – included spaces adjacent to dropped kerbs and the Ridgeway. We carried out our own survey and the number of spaces was 2 (*officers note: no evidence provided*)
- Provision of only four car parking spaces, not 8 as claimed (*officers note: it appears that residents are counting the turning head as parking spaces*)

- Avalon Close residents parking on private spaces for Dudrich Mews – this land must not be used for construction traffic
- Bike store not required as not many people have bikes and would increase the likelihood of theft
- Expecting people to give up their cars in favour of cycles in unrealistic
- Fly-tipping, bin store often overflowing

Officers' response

The matters raised are assessed in the Transportation section

Design, appearance and character

- Not in keeping with local suburban character
- Will look hideous
- Zinc cladding out of keeping/character ; vertical zinc cladding out of keeping with existing horizontal cladding, grey windows out of keeping with existing white windows
- Would be the tallest building in the area
- Sections and elevations might not be correct due to uncertainty about the structure over the existing timber roof (*Officers note: revised plans were provided and reconsultation took place 19/5/2023*)

Officers' response

The matters raised are assessed in the design section below.

Other comments made

- Affect local ecology
- Strain on existing community facilities (*Officer's response: the development would be liable for the community infrastructure levy*)
- Has been refused three times already (*Officer's response: the previous decisions are a material consideration but this application must be assessed on its own merits*)
- Inaccuracies in the application, out of date reports (*Officer's response: the inaccuracies in the application have not hindered consideration of the application, nor has the submission of out of date reports. Reports were submitted to address car parking/access, trees, SuDS and sustainability and each of these matters is considered in the report below.*)
- The Design and Access Statement quotes the wrong number of flats (*Officer's response: the DAS would not form an approved document and the inaccuracy has not affected assessment of the proposal.*)
- Lift would be required but isn't shown on the plans
- Applicant is related to a councillor who sits on the planning committee (*Officer's response: members of the planning committee are required to declare any personal interests in an application and may be required to refrain from considering an application depending on the circumstances. The application form has been amended to include this information.*)
- Online planning register shows incorrect numbers of consultations and comments (*Officer's response: this has not affected consideration of the application. Comments received in response to the application are not made available through the on line register. This report confirms the number of*

properties consulted and the number of responses received. The number shown on line resulted from a change to internal recording systems.)

- Misleading application – described as part 3rd and 4th floor, it is adding a 5th floor (*Officer's response: buildings are usually described as having a ground floor, first floor, second floor etc. The description is correct, works are proposed to the third floor and the addition of a fourth floor which would be a fifth storey.*)
- At planning committee, it was noted that more resident consultation was needed, but there hasn't been any (*Officer's response: lack of consultation between the applicant and neighbours cannot form a reason for refusal and is not relevant to assessment of the planning merits of an application.*)
- Development does not fall under [Permitted Development Rights (PDR)] – PDR requires the submission of a construction management plan. Surely the same should have been submitted with this proposal (*Officer's response: the development is not Permitted Development but this does not generate any weight against the proposal when being considered as part of a full planning application. Construction Management can be secured by condition.*)
- Applicant has said on the application form that there was no pre-app advice but there was in 2017. (*Officer's response: that advice was prior to the two earlier applications being submitted.*)

Officers' response

The matters raised, where not responded to above, are assessed in the Biodiversity section below.

Comments made in respect of non-planning matters

- Comments relating to obligations in leases
- Structural concerns and concerns around fire safety, changes/upgrading to existing services, flues, pipes etc.
- There would no purpose in approving a scheme if it does not comply with [Building Regulations/Fire Safety]
- Green roof and other matters could increase service charges
- Freeholders have failed to maintain trees that back up against neighbouring properties
- Rooftop flats have non-fireproof elements
- Freeholder has not discussed with leaseholders – no benefit to current residents
- Possible increase in service charges
- Will increase value of freehold even if build doesn't take place, leaseholders will be unable to afford the additional service charges let alone be in a position to buy the freehold
- Approval would fly in the face of the governments leasehold reforms to help flat owners
- Residents on top floor would have to be moved out for duration of building works – health and safety, and privacy
- Sale of airspace – tenants have right of first refusal but had not been discussed with leaseholders
- Comment regarding tenure of occupants
- Impact on mental health of current residents
- Compensation to leaseholders for inconvenience, increase in insurance etc
- If permission is granted it might not be able to be built but would hang over the residents and prevent buying and selling

- Application plans are not the same as the plans on the developer's website

Officers' response

As members will be aware, matters such as fire safety and structural issues are governed by other legislation including Building Regulations. London Plan policy D12 relating to Fire Safety is commented on in the Design section below. Notwithstanding that these matters would not generally be assessed as part of a planning proposal, no weight can be given to compliance or otherwise with Building Regulations other than in limited cases.

Matters relating to the rights and responsibilities in leases would be matters for parties to resolve between themselves.

Neighbour reconsultation

7.8 Further responses were received repeating many of the comments above and making the following additional comments.

- Increased height will cause more shade and loss of light
- Extent of shading not clear, should be a daylight/sunlight review
- Increased height will affect outlook
- This is a completely revised proposal for a taller building
- Will this really be the finished building height
- Roof needs reinforcement, suggests that foundations will not take the extra weight either
- Height of fifth storey is disproportionate to the lower storeys
- PV panels will further increase the overall appearance of the height
- Drawings show trees incorrectly
- Impact on people's mental health
- Local population will increase
- Cladding might be a fire risk – fire safety requirements could affect mortgagability of existing flats
- Previous proposals were refused because of height, why is it being considered again (*Officer's response: the most recent refusal was not on the grounds of height or design*)
- Fire risk/security/pollution/bin storage during construction period
- Third floor bathroom windows will be onto an enclosed area
- Zinc cladding will look like an industrial building
- Will be impossible for [development] to blend in with surrounding area
- Local authority can decline to determine applications if they have previously refused permission for two or more substantially similar applications, perhaps this should be done (*Officer's response: this is a materially different proposal that directly addresses the reason for dismissal of the most recent appeal*)
- Developer doesn't care for the current residents
- This should be dismissed as the application is ethically wrong.

8 Relevant Planning Policies

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

National Planning Policy Framework 2021

- 8.2 The National Planning Policy Framework 2021 (NPPF) introduces a presumption in favour of sustainable development. In this respect, sustainable development is identified as having three dimensions - an economic role, a social role and an environmental role. For decision taking, this presumption in favour of sustainable development means:

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 8.3 The NPPF recognises that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision making.

- 8.4 In relation to achieving appropriate densities Paragraph 124 of the NPPF notes that planning policies and decisions should support development that makes efficient use of land, whilst taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and

e) the importance of securing well-designed, attractive and healthy places.

8.5 Paragraph 48 of the NPPF details when weight may be given to relevant emerging plans. This guidance states that the stage of preparation, the extent to which there are unresolved objections and the degree of consistency of relevant policies to the Framework are relevant.

Housing Delivery Test / Presumption in Favour of Sustainable Development:

The NPPF sets out at Paragraph 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:
- 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
 - 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.

8.6 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."

8.7 In summary, the presumption in favour of sustainable development applies in two situations – where a Council is unable to demonstrate a five-year housing land supply, and when a Council fails to achieve 75 per cent or more in the Housing Delivery Test.

8.8 Enfield Council currently fails against both criteria – and is therefore subject to the most severe government sanctions which impact the Council's consideration of housing-led planning applications.

- **5-year housing land supply:** Members will be aware of the need to be aware of the Council's housing land supply – and how it impacts on decision making. When there is not an up-to-date Local Plan, and 5-year housing land supply cannot be demonstrated then this has a significant impact on the weight given to material planning considerations. The NPPF presumption, or 'tilted balance', applies in Enfield due to the Council's inability to demonstrate the required five-year housing land supply. The Council is unable to demonstrate a 5-year supply of deliverable housing sites and this impacts on the status of its Local Plan policies.

- **Housing delivery test:** The NPPF presumption, or 'tilted balance', also applies in Enfield because Enfield is one of 51 Councils which have achieved below 75 per cent against the Housing Delivery Tests – it is therefore also subject to the Housing Delivery Tests most severe government sanction, the NPPF's presumption in favour of sustainable development.
- 8.9 The Housing Delivery Test (HDT) is an annual measurement of housing delivery introduced by the Government through the 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.
- 8.10 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".
- 8.11 The Council's recent housing delivery has been below our housing targets. This has translated into the Council being required to prepare a Housing Action Plan in 2019 and being placed in the "presumption in favour of sustainable development category" by the Government through its Housing Delivery Test. This status has recently been confirmed for the period 2022-23.
- 8.12 In 2020 Enfield delivered 56% of the 2,328 homes target and was as a result placed into the "presumption in favour of sustainable development" category. In January 2021 Enfield delivered 67% of its homes target. The Council therefore remains in the "presumption in favour of sustainable development".
- 8.13 This is referred to as the "tilted balance" and the NPPF states (see paragraph 8.6 above) 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.
- 8.14 Under the NPPF paragraph 11(d) where the most important development plan policies for the application are deemed to be 'out of date', planning permission should be granted. That does not mean out of date policy can be disregarded, but it means that less weight can be applied to it, and applications for new homes should be given weight by the Planning Committee when undertaking their assessment taking account of the "tilted" balance that applies. 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

- 8.15 The London Plan together with Enfield's Local plan forms the Development Plan for this application. It 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
- D3 Optimising Site Capacity through the Design-Led Approach
- D4 Delivering Good Design
- D6 Housing Quality and Standards
- D7 Accessible housing
- H1 Increasing housing supply
- H2 Small sites
- H10 Housing size mix
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI2 Minimising greenhouse gas emissions
- SI4 Minimising heat risk
- T5 Cycling
- T6.1 Residential [car] parking

Local Plan - Overview

- 8.16 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, they form the statutory development plan for the Borough. Enfield's Local Plan sets out planning policies to steer development where they align with the NPPF and the London Plan 2021. Whilst many of the policies do align with the NPPF and the London Plan, it is noted that these documents do in places supersede the Local Plan in terms of some detail and as such the proposal is reviewed against the most relevant and up-to-date policies within the Development Plan.

Enfield Core Strategy: 2010

- 8.17 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 policies are of particular relevance to this application.

- CP2 Housing supply and locations for new homes
- CP4 Housing quality
- CP5 Housing types
- CP9 Supporting community cohesion
- CP20 Sustainable energy use and energy infrastructure
- CP24 The road network
- CP25 Pedestrians and cyclists
- CP30 Maintaining and improving the quality of the built and open environment

Development Management Document (2014)

- 8.18 The Council's Development Management Document (DMD) provides further detail and standard based policies by which planning applications should be determined. Policies in the DMD support the delivery of the Core Strategy.

- 8.19 The following local plan 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
DMD37 Achieving High Quality Design-Led Development
DMD45 Parking Standards
DMD47 New Roads, Access and Servicing
DMD49 Sustainable Design and Construction Statements
DMD51 Energy Efficiency Standards
DMD53 Low and Zero Carbon Technology
DMD55 Use of Roof Space / Vertical Surfaces
DMD58 Water Efficiency
DMD59 Avoiding and Reducing Flood Risk
DMD61 Managing Surface Water
DMD65 Air Quality
DMD68 Noise
DMD80 Trees on Development Sites
DMD81 Landscaping

- 8.20 Other Material Considerations

National Planning Practice Guidance
Mayor of London Housing SPG (Adopted March 2016)
LBE S106 SPD 2016
Enfield Local Housing Needs Assessment 2020
Community Infrastructure Levy Regulations 2010 (as amended)
Technical housing standards – nationally described space standard 2015
Enfield Blue and Green Strategy June 2021
Enfield Waste and Recycling Storage Planning Guidance (2010),
TfL London Cycle Design Standards (2014)
Energy Guidance LPG 2021
Be Seen Energy Monitoring LPG 2021
Draft Housing Design Standards LPG 2022
Draft Urban Greening Factor LPG 2021

Enfield Local Plan (Regulation 18) 2021

- 8.21 The Regulation 18 document sets out the Council's preferred policy approach together with draft development proposals for several sites. It is Enfield's Emerging Local Plan.
- 8.22 As the emerging Local Plan progresses through the plan-making process, the draft policies within it will gain increasing weight, but at this stage it has relatively little weight in the decision-making process.
- 8.123 Key local emerging policies from the plan are listed below.

Policy DM SE2	Sustainable design and construction
Policy DM SE4	Reducing energy demand
Policy DM SE5	Greenhouse gas emissions and low carbon energy supply

Policy DM SE7	Climate change adaptation and managing heat risk
Policy DM SE8	Managing flood risk
Policy DM SE10	Sustainable drainage systems
Strategic Policy SPBG3	Biodiversity net gain, rewilding and offsetting
Policy DM BG8	Urban greening and biophilic principles
Policy DM DE1	Delivering a well-designed, high-quality and resilient environment
Policy DM DE2	Design process and design review panel
Policy DM DE6	Tall buildings
Policy DM DE7	Creating liveable, inclusive and quality public realm
Policy DM DE10	Conserving and enhancing heritage assets
Policy DM DE11	Landscape design
Policy DM DE13	Housing standards and design
Policy DM H2	Affordable housing
Policy DM H3	Housing mix and type
Policy DM T2	Making active travel the natural choice
Strategic Policy SP D1	Securing contributions to mitigate the impact of development

9 Analysis

- 9.1. The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 seek to establish that planning decisions are taken in accordance with the Development Plan unless material considerations indicate otherwise. Furthermore, paragraph 11 (c) of the NPPF goes on to state that development proposals that accord with the development plan should be approved without delay.
- 9.2. As explained at Section 8, the Council is subject to the so called “tilted balance” and the 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.
- 9.3. This report sets out the analysis of the issues that arise from the proposal when assessed against the development plan and the NPPF.
- 9.4. This application has been subject to amendment to address some of the concerns raised by officers and local residents through the consultation process.
- 9.5. The main considerations of the development are the following.
 - Principle of Development
 - Housing Need and Mix
 - Character and Design
 - Neighbouring Residential Amenity
 - Quality of Accommodation
 - Flood Risk and Drainage
 - Trees and Landscaping

- Biodiversity
- Access Traffic and Parking
- Carbon Emissions and Sustainability

Principle of Development

- 9.6 The site is not allocated for any particular use. It is in residential use in a residential area and is reasonably well connected to services and facilities. The principle of increasing the residential use of the site is acceptable and accords with London Plan policy GG4 and paragraph 69 of the NPPF which supports use of small and windfall sites.

Housing Need and Mix

- 9.7 The current London Plan sets a target for the provision of 52,287 new homes each year. In addition, the London Plan identifies a need for a minimum of 1,246 dwellings per year to be delivered over the next 10-years in the Borough, based on the Strategic Housing Market Assessment (SHMA): an increase over the current target of 798. Whilst Enfield's 2019 Housing Action Plan recognises that the construction of more affordable, high-quality homes is a clear priority, only 51% of approvals in the Borough have been delivered over the previous 3-years.
- 9.8 Enfield's Housing and Growth Strategy (2020) was considered by Cabinet in January 2020 and approved at the February 2020 Council meeting. This sets out the Council's ambition to deliver ambitious adopted London Plan targets.
- 9.9 Local and national policy both support the provision of housing to meet identified need. The housing mix sought for market developments across the borough as a whole is 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).
- 9.10 Given the constraints of this site it would not be suitable for houses or for larger flats. The proposal seeks to optimise development on the site without further significant encroachment on garden space and therefore proposes additional accommodation as rooftop extensions. As the units would be at upper levels and only served by staircase access they would not be suitable as family accommodation.
- 9.11 The housing mix policy is a borough-wide target and each site needs to be considered in the context of what it can support, in the context that there is an over-riding need for all types of housing. This scheme would deliver eight additional housing units of a mix of sizes, albeit none would be three or more bedrooms. It would therefore make a valuable contribution to meeting housing need, and this must be given significant weight.

Character and Design

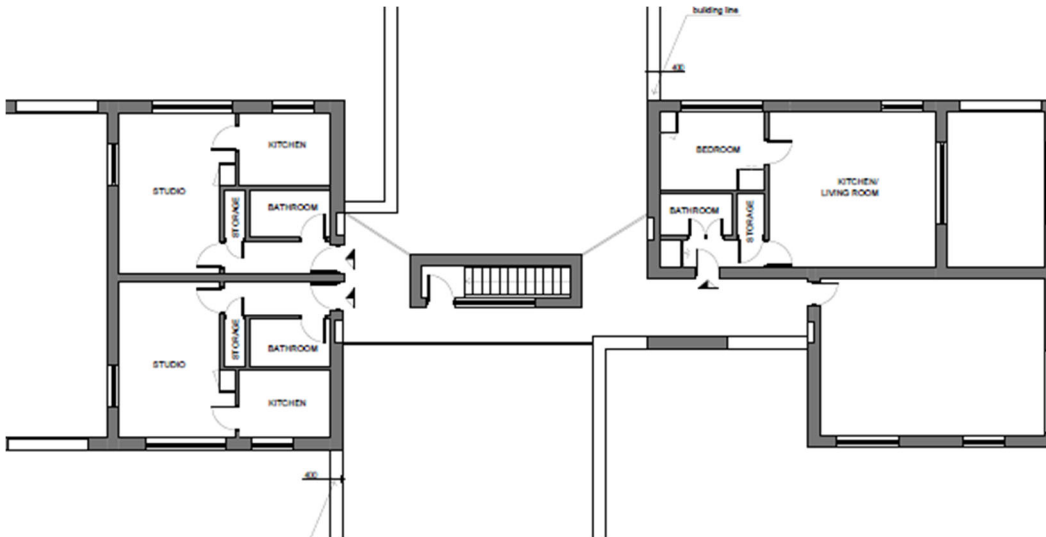
- 9.12 Enfield Development Management Document Policy DMD37 (“Achieving High Quality Design-Led Development”) states that development that is not suitable for its intended function, that is inappropriate to its context, or which fails to have appropriate regard to its surroundings, will be refused. However, it also recognises that there is a degree of subjectivity in this assessment of acceptable design.
- 9.13 Policy DMD8 (“General Standards for New Residential Development”) seeks to ensure that development is high quality, sustainable, has regard for and enhances local character, can meet the existing and future needs of residents, and protects residential amenity for neighbouring residents.
- 9.14 Policy DMD13 (“Roof Extensions”) will only permit extensions of an appropriate size and location that must not disrupt the character or balance of the property or group of properties of which the dwelling forms a part. This policy primarily relates to roof extensions on individual dwellings
- 9.15 The proposed additional storeys would be clad in grey panels with windows following the existing fenestration pattern. Some elements would be set back, resulting in a stepped building which follows the existing design.
- 9.16 Concerns were raised about the section plans, specifically the roof build up details, possibly not being correct and revisions have been secured. This revision makes an alteration to the height of about 0.75m.
- 9.17 The increase in height of the building is not of itself a reason to refuse the proposal. The height of the blocks would increase from 10.87m at the higher existing level to 14.27m overall. Previous applications have not been refused, nor appeals dismissed, on this basis. At the time when the last application was refused the overall height proposed was about 0.75m less than that proposed now however the first application proposed a height of 14.46m. The Inspector at the first appeal did not identify any harm due to the height. While this change in height is a material alteration to the scheme as proposed when this application was initially submitted it is not considered that, in the context of the scheme overall, this would tip the balance of acceptability of the design.
- 9.18 Comments have been made questioning whether the proposed height would really be the finished building height. The developer was asked to amend the plans in response to concerns from residents about changes to the roof structure and this resulted in the increase in height. Should a further increase in height be required for structural reasons after planning permission is granted then the applicant would have to apply to the local planning authority for a determination as to whether an amendment application would be required. This application however has to be assessed and determined on the basis of the information submitted.
- 9.19 London Plan policy D12 relates to Fire Safety, which has been raised as a concern by neighbours. Only certain sections of the policy apply to this application. This policy requires that various matters are secured however in respect of this application the access arrangement for the existing buildings is not changing – there are no ground floor changes proposed other than the provision of the car and cycle parking. The means of escape would be covered by the Building Regulations. A condition could be used to secure matters such as an evacuation strategy if not secured through the Building Regulations. An updated ‘Fire Access Site Plan’ plan has also

been provided by the applicant which shows the distance from a fire engine to the entrance door to both blocks of flats, rather than to the corners of the buildings as was previously shown. This demonstrates compliance with the relevant standards.

- 9.20 Comments have been made regarding the design, expressing views that the development would not be in keeping with the local area and that the vertical cladding would be out of keeping with the existing horizontal cladding and that the proposed grey windows would be out of keeping with the existing white windows.
- 9.21 The details of the external appearance are not materially different to the 2021 proposal, which addressed concerns raised by Members in refusing the 2019 proposal. The 2019 refusal was appealed, and the Inspector did not consider that the refusal on design grounds could be supported. The 2021 application was not refused for reasons of character or design and there has been no material change to the area or policy since then that would lead to a different conclusion.
- 9.23 A condition to secure details of external materials is recommended.

Neighbouring Residential Amenity

- 9.24 Both of the two previous applications, and both appeals, have been refused/dismissed because of the impact on privacy of existing residents of the flats. The proposal has been amended to address the reasons for dismissal of the most recent appeal.
- 9.25 As now proposed, the windows in elevations with the potential to overlook existing flats and terraces would be high level. This was the case when the Inspector considered the refusal of the 2021 application, and the appeal decision does not raise a concern on this basis. It is not considered that the increase in height would affect this.
- 9.26 The appeal in 2022 was dismissed because of the relationship between the communal stair and the bathroom windows which open onto the access deck at third floor. The 2021 proposal altered the third floor circulation layout, but the current proposal makes no change to the existing layout at third floor. People approaching existing flats on the third floor would exit the stair at the same place and at the same angle as they currently do. None of the proposed new flats would be accessed at third floor level. This is considered to address, in an acceptable way, the sole reason why the most recent appeal was dismissed.
- 9.27 The third floor as existing, and as proposed under this application, has a circulation area like this:



Existing plan – showing exit from existing stair



Proposed plan – showing same exit arrangement as already existing.

The proposed new flats are in yellow and purple – note they are not accessed on this level.

- 9.28 This indicates that views for people exiting the stairwell to go to the landing would be exactly the same as existing. The window between the stairwell and the landing would be obscure glazed and fixed shut. A condition is recommended to secure this.
- 9.29 The third floor as proposed in the 2021 application would have been like this, this layout was refused and dismissed at appeal because of the increase in looking towards bedroom windows.

Plan showing the 2021 scheme which was refused/dismissed due to the stair/door arrangements on the third floor landing.

This plan is not part of the current proposal.



- 9.30 Under the current proposal, none of the new flats would be accessed at third floor level and the circulation at this level would not change. This means that the reason for dismissal of the most recent appeal has been addressed.
- 9.31 Objections have been received to the enclosing of the existing third floor access deck which is currently open and uncovered. It is not considered that this would have such a harmful impact on amenity of occupiers as to warrant refusal of the application, and it is noted that this has not formed part of any earlier refusal or dismissal.
- 9.32 Objections have been received on the grounds of overlooking, noise and loss of light affecting occupants of the existing flats within Avalon Close. Other than the matter explained above and the increase in height there is no change to the scheme since the most recent appeal was dismissed. An increase in height of 0.75m is unlikely to have a substantial alteration to the shading that was previously considered acceptable.
- 9.33 In respect of the partial enclosure of existing terraces, which is a concern of some residents, this was not previously considered unacceptable and the increase in height of 0.75m is unlikely to result in a significant change. The walls alongside some of the existing third floor terraces are currently about 2.9m above terrace level, the initial proposal would have increased this to 5.57m and the current proposal would increase it to 6.32m. Given that the principle of extending wall heights in these locations has previously been considered acceptable it is only the increase from 5.57m to 6.32m that should be considered. It is not considered that this increase in height would make a material change to the shading on the terraces.
- 9.34 Objections have been received on the grounds of overlooking, noise and loss of light affecting occupants of nearby developments including homes on Dudrich Mews and Drapers Road. These matters were not previously considered unacceptable. There is a separation distance of 21-25m between the closest part of the flat blocks and the rear of properties on Drapers Road. The flat blocks are not parallel to those houses and the closest point is a corner rather than a length of wall, which would further reduce the impact. The blocks of flats are to the east of the Draper's Road properties. It is not considered that there would be any impact on daylight reaching those properties, and due to the shape of the blocks and the distance any alteration to shading would be minimal. There would be no windows directly facing the rear of these properties.
- 9.35 In respect of Dudrich Mews, the building accommodating Nos 7 - 13 is to the north of the application buildings. There is a separation distance of 18m between the nearest corner of the Avalon Close block and the south elevation of Dudrich Mews. None of

the existing or proposed windows would face directly so there would be no change to the overlooking situation. In respect of daylight and sunlight, as the additional storey would have a slight set back and the block is not parallel to the Dudrich Mews flats, it is considered that any impact in this respect would be minimal and intermittent. This matter was not previously considered unacceptable.

- 9.36 Comments have been made about noise from the new flats. Noise insulation is required and controlled by Building Regulations and there is no reason to suppose that additional dwellings, constructed to comply with the relevant regulations, would result in unacceptable noise impact on neighbours. It is important to remember that a planning application cannot be refused on the basis that people might make unreasonable levels of noise. Applications have to be assessed on the basis that people will behave in a reasonable manner, and it is reasonable noise that Building Regulations would seek to mitigate. Previous applications were not refused on this basis.
- 9.37 Comments have been received about the impact of the car parking on occupants of the ground floor flats. This is unchanged since the last application was determined and did not then form a reason for refusal. The proposed car parking would be about 2m from the nearest flat windows in Block B, which appear to be non-habitable kitchen windows. Habitable room windows are further away. Hedging could be used to provide a buffer between the car parking spaces and the ground floor flats. A condition is recommended to secure this.
- 9.38 Comments have been received about the existing refuse storage being inadequate. This application cannot be used to remedy existing problems with the bin storage – that is a matter for site management. The proposal includes additional refuse bins to be stored in the existing shed, which appears to have space for them. The applicant proposes 1880 litres of general waste provision and 720 litres of recycling provision. These figures are broadly in accordance with the requirements in the council's Waste and Recycling Storage Guidance. Concerns about refuse storage have not previously formed a reason for refusal.
- 9.39 Impact on occupiers of neighbouring dwellings (that is, beyond the Avalon Close blocks) was not a reason for refusal of either earlier application or dismissal of either appeal and has therefore been considered acceptable by two planning committees and two planning inspectors. There has been no significant change in circumstances that should lead to a different conclusion.

Quality of Accommodation

- 9.40 None of the earlier refusals or dismissals related to levels of amenity for occupiers of the proposed new flats.
- 9.41 The flats would each comply with the internal space standards required by London Plan policy D6.
- 9.42 The four two-storey units would each have an external terrace of 18 sq m which would exceed the private amenity space requirement specified in policy DMD9 (7 sq.m m for 2b4p units with communal amenity space). The other four flats would not have private amenity space. Although this is contrary to the requirements of policy DMD9, which requires all new dwellings to have external amenity space, revisions were made to the proposal in 2019 to remove some of the private amenity areas due to the impact on other aspects of the development and the site. The current proposal

is an evolution of the same proposal. The provision of flats without private amenity space is considered acceptable in this instance given the constraints of the site and the provision of outside space around the blocks. With the exception of some flats on the top floor, none of the existing flats have private amenity space.

- 9.43 Windows to the proposed new flats would provide adequate light, outlook and privacy for the occupiers. The windows would, externally, follow the pattern of windows to existing flats, but some would be high level to avoid overlooking to existing windows and roof terraces. Each of the habitable rooms served with a high level window would also have lower windows on a different wall to allow outlook.
- 9.44 London Plan policy D7 requires that all new dwellings to which Part M of the Building Regulations would apply are constructed to standard M4(2). It does not appear, from the plans, as though this development would comply with the requirement. As the proposal is to provide additional flats above existing flats, with shared common areas and constraints on fenestration, it is not considered that it would be reasonable to require that the M4(2) standard is applied in its entirety as this would require changes to the common areas and the installation of a lift in each block.
- 9.45 It would be possible for the flats to be amended internally to secure compliance to, for example, bathroom layouts, by condition. Externally, updated drawings have been provided so that the window cill heights in the living rooms are all 800mm to comply with Part M.
- 9.46 Quality of living accommodation to the new flats was not a reason for refusal of either earlier application or dismissal of either appeal and has therefore been considered acceptable by two planning committees and two planning inspectors. There has been no material change in circumstances that should lead to a different conclusion.

Flood Risk and Drainage

- 9.47 The applicant proposes to use green roofs and sustainable drainage including permeable paving to the new car parking areas, however, has not yet explained the details. The principle of this approach is acceptable, and a condition is recommended to secure the details.

Trees and Landscaping

- 9.48 A tree survey has been provided and is dated 2019. The plans show that no trees would be removed to carry out the development, although the proposed new hardstanding and cycle store would impinge on the root protection areas. There appears to be capacity elsewhere on the site to accommodate the cycle parking if necessary and this could be secured by condition.
- 9.49 Tree protection during the development period can be secured by condition. Details of the hardstanding and the installation of the cycle parking should also, in respect of impact on trees, be sought by condition although it is noted that the incursion onto the Root Protection Areas (RPA) would be limited in area.

Biodiversity

- 9.50 There is unlikely to be any harm caused to biodiversity other than by loss of grass and microfauna in the soil caused by installation of the hardstanding. A condition is

recommended to secure details of the green roofs which would have a biodiversity benefit.

Access, Traffic, and Parking

- 9.51 Avalon Close is adopted highway. It is a cul de sac with a turning head at the end. The existing access arrangements from the highway would be unchanged by the proposal. An additional eight dwellings would not have a material impact on traffic levels.
- 9.52 Cycle parking would be provided in a new shelter accommodating 16 cycles. This is considered acceptable, and a condition is recommended to secure details and provision prior to occupation.
- 9.53 The existing car parking on the Close is in high demand however this application cannot be used to secure improvements to the existing situation. Eight additional car parking spaces would be provided on a new area between the two buildings. The PTAL of the area is 1b/2 which, according to London Plan policy, would lead to a maximum provision of between six and twelve spaces. Eight spaces are considered acceptable as most of the site is within the higher PTAL level area.
- 9.54 Comments have been received about car parking and the length of time that has elapsed since the car parking survey was carried out. The proposal is for car parking provision to support the new units in accordance with London Plan policy; the provision of a further car parking survey would not change this. The previous applications were not refused for reasons related to access, traffic or parking and there has been no material change to the area or policy since then that would lead to a different conclusion.

Carbon Emissions and Sustainability

- 9.55 London Plan policies SI 1 (“Improving air quality”) and SI 2 (“Minimising greenhouse gas emissions”) seek improvements to air quality and to reduce greenhouse gas emissions.
- 9.56 London Plan Policy SI 13 (“Sustainable drainage”) states that development should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.
- 9.57 Enfield Core Strategy Policy CP20 (“Sustainable Energy Use and Energy Infrastructure”) sets a strategic objective to achieve the highest standard of sustainable design and construction throughout the Borough.
- 9.58 Enfield Development Management Document Policies DMD49 (“Sustainable Design and Construction Statements”), DMD50 (“Environmental Assessment Methods”) and DMD51 (“Energy Efficient Standards”) provide the criteria upon which developments will be assessed with regard to achieving the highest sustainable design and construction standards, having regard to technical feasibility and economic viability and compliance with targets relating to the relevant adopted environmental assessment methods respectively.
- 9.59 DMD 58 (“Water Efficiency”) requires new residential development to archive water use of under 50 litres per person per day.

- 9.60 Policy DMD 61 (“Managing Surface Water”) expects a Drainage Strategy will be required for all developments to demonstrate how proposed measures manage surface water as close to its source as possible and follow the drainage hierarchy in the London Plan.
- 9.61 The applicant has submitted a sustainability report dated 2018. This shows that the development could achieve the 35% improvement over the 2013 version of Part L of the Building Regulations. The report also specifies solar photo voltaic panels.
- 9.62 Part L of the Building Regulations has been updated recently and policy SI2 of the London Plan states that the threshold (35%) will be reviewed if Part L is updated. There is updated guidance on the GLA website. Given the changes since the applicant’s sustainability report was prepared a condition is recommended to secure an up to date energy statement prior to any development being carried out to ensure that the development follows the most recent guidance and achieves up to date targets.

Secure by Design

- 9.63 The Metropolitan Police Secure by Design Officer has no objection but has requested a condition. However, the issues commented on relate to matters that would not normally be controlled through land use planning. The application is for a roof-top extension and cannot be used to secure changes to the existing building. This condition was not recommended on previous applications.

Community Infrastructure Levy (CIL)

Mayoral CIL

- 9.64 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 £60per sqm as of 1st April 2019).

Enfield CIL

- 9.65 The Council introduced its own CIL on 1st April 2016. Enfield has identified three residential charging zones, and the site falls within the intermediate rate charging zone (£60/sqm).
- 9.66 The estimated CIL contribution is £66,898 for the Enfield CIL and £54,735 for Mayoral CIL.

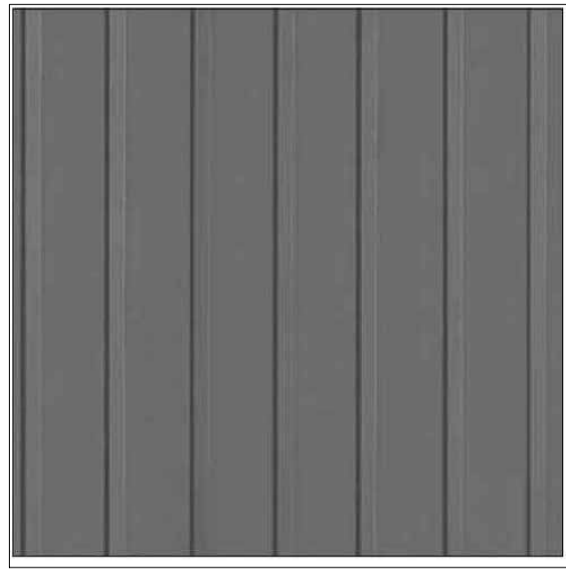
10. Public Sector Equality Duty

- 10.1. 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, except that there would not be step-free access to the new dwellings. This duty has been considered and given the nature of the proposals the additional dwellings would not be able fully to comply with the additional accessibility requirements of the Building Regulations. However, these

would be market dwellings and purchasers/occupiers would have choice about occupying them. The public benefit of providing additional dwellings and the tilted balance giving substantial weight towards the provision of housing indicates that on balance the matter is acceptable.

11. Conclusion

- 11.1 The need for additional housing has to be given significant weight. The proposed development would provide eight new homes meeting up to date space and sustainability standards, in a location reasonably close to services and facilities. Not all of the flats would have private amenity space and they would not be fully accessible due to the lack of a lift, but in the context of the site overall and the need to avoid harm to existing residents, the size of the units and the requirement to give the provision of new housing significant weight, the lack of private amenity space for some of the flats and lack of a lift is not considered to be unacceptable.
- 11.2 Impact on occupiers of existing flats would be acceptable in respect of overlooking, privacy and light.
- 11.3 Additional cycle and car parking would be provided, refuse storage would be available.
- 11.4 There would be some impact on the appearance of the immediate area as the blocks would be taller than at present and the materials to the new elements would be different, but this would not of itself cause harm and the site is spaciouly laid out in an area where buildings are of varying designs.
- 11.5 The proposal now under consideration addresses the sole reason for dismissal of the most recent appeal.
- 11.6 Taking the above into account and considering the tilted balance in favour of housing as it applies to this proposal, it is considered that the proposal meets policy requirements, and the proposal is therefore recommended for approval.



VM Zinc vertical standing seam ventilated cladding system
 Collier House Mead Lane
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 Herts SG13 7AX
 Tel: 0203 445 5640
 Email:
 vmzinc.uk@vmbuildingsolutions.com

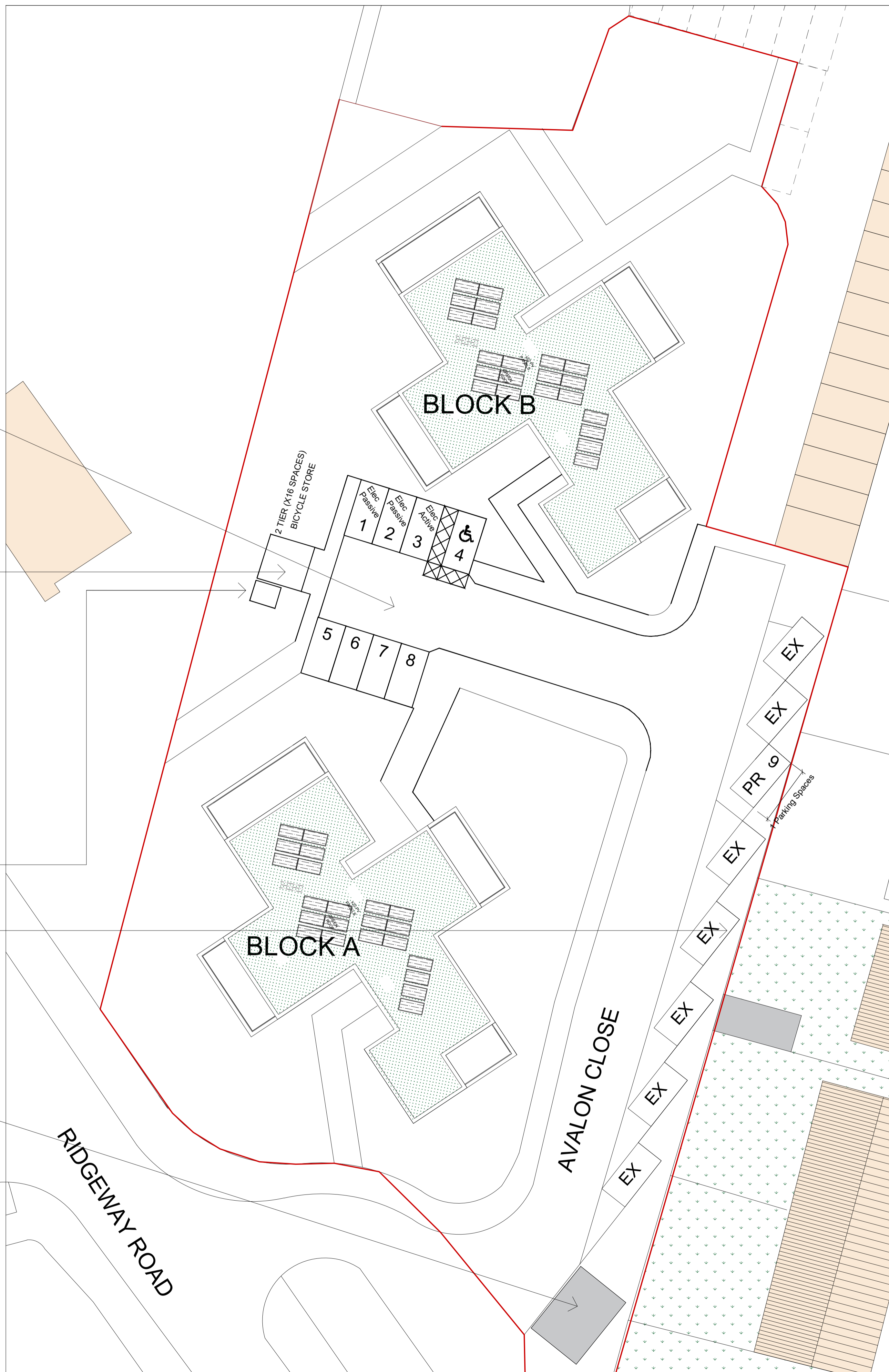
x8 NOS. NEW PARKING SPACES WITH PERMEABLE SURFACE
 PAVING TO ALLOW RAIN WATER DRAINAGE TO INCLUDE:
 x1 MARKED DISABLED SPACE AS SHOWN WITH 1.2M
 HATCHED SAFETY ZONE
 x1 ELECTRIC ACTIVE SPACE
 x2 PASSIVE ELECTRIC SPACES.

BICYCLE STORE:
 • 2 TIER LEVELS FOR X16 BIKES
 LOCKABLE TO BIKE FRAMES. JOSTA 2 TIER RACK + FULLY ENCLOSED WITHIN BICYCLE SHELTER BY CYCLE-WORKS LTD.
 TWO SHEFFIELD STANDS TO BE INCLUDED, INSTALLED BESIDE THE END OF THE BICYCLE STORE.

X2 SHORT STAY BICYCLE PARKING (SHEFFIELD STAND)

EXISTING PARKING

ADDITIONAL BINS REQUIRED FOR PROPOSED DEVELOPMENT:
 2 X 940 LTR BINS FOR GENERAL WASTE
 2 X 360 LTR BINS FOR RECYCLING WASTE.
 TO BE LOCATED WITHIN EXISTING BIN SHED.



EXISTING TIMBER SLATTED BIN STORE TO HOUSE NEW BINS

BIKE STORE OPTIONS



BIKE STORE OPTION 1:
 THE JOSTA® BIKESTORE 2 - 2-TIER SECURE BIKE LOCKER WITH JOSTA 2-TIER RACK WITH INDIVIDUAL CYCLE LOCKER ENCLOSURE. A MINIMUM OF 2.5M OF FREE SPACE IN FRONT OF THE DOORS IS RECOMMENDED. GALVANISED OR POWDER COATED MILD STEEL - OTHER COLOURS AVAILABLE.
 HEIGHT: 2550MM
 WIDTH: 850MM
 DEPTH: 2050MM



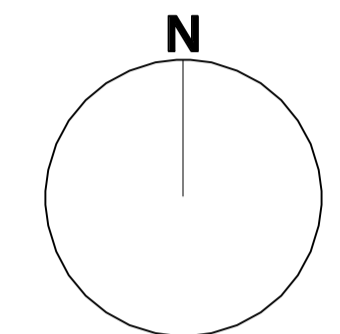
BIKE STORE OPTION 2:
 CW HIGHER SOLENT BIKE SHELTERS MADE OF GALVANISED AND POWDER COATED MILD STEEL, CLADDING MANUFACTURED FROM 5MM UV STABLE, SHATTERPROOF, IMPACT-RESISTANT AND NONCOMBUSTIBLE TRANSLUCENT PET MATERIAL. ALL STANDARD RAL AND BS COLOURS ARE AVAILABLE, GALVANISED FINISH AS SHOWN PROPOSED.
 HEIGHT: 2750MM,
 DEPTH: 2300MM,
 LENGTH: AS REQUIRED



2 NOS. SHEFFIELD STANDS TO BE LOCATED ADJACENT END OF BICYCLE STORE (SHORT STAY VISITOR)



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Rev:	Description:	Date:
A	removal of high level celestial windows	09/06/21

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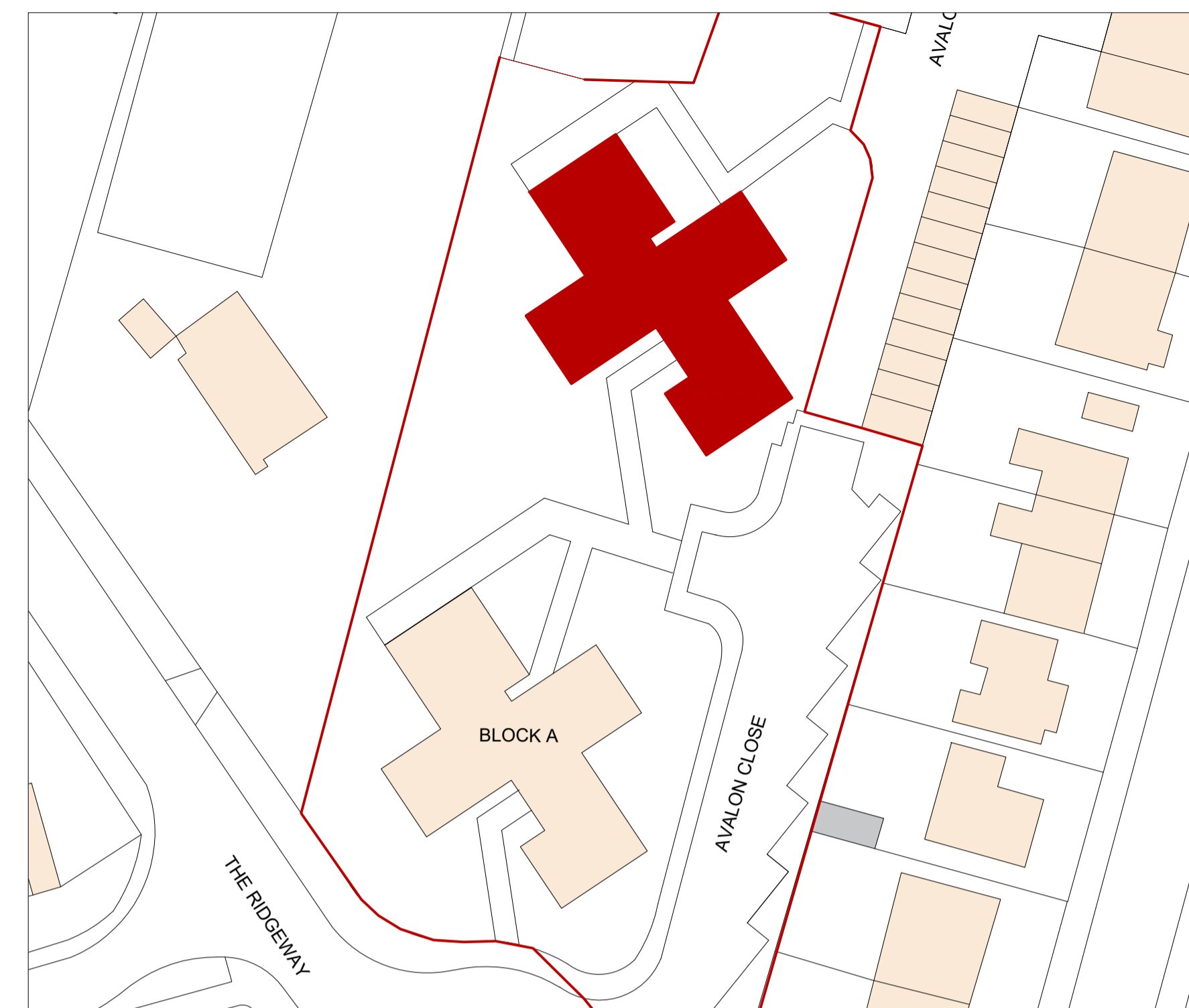
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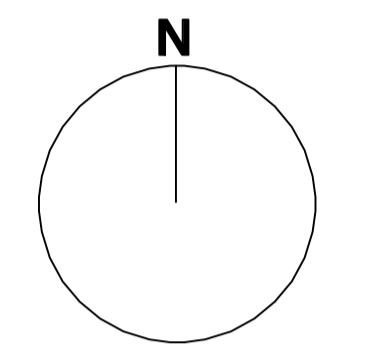
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 Proposed Site Plan

Date:	Drawing Status:
March 2021	Planning
Drawing Number:	Revision
SE 1596 - 16/P1	A
Scale:	Drawn By:
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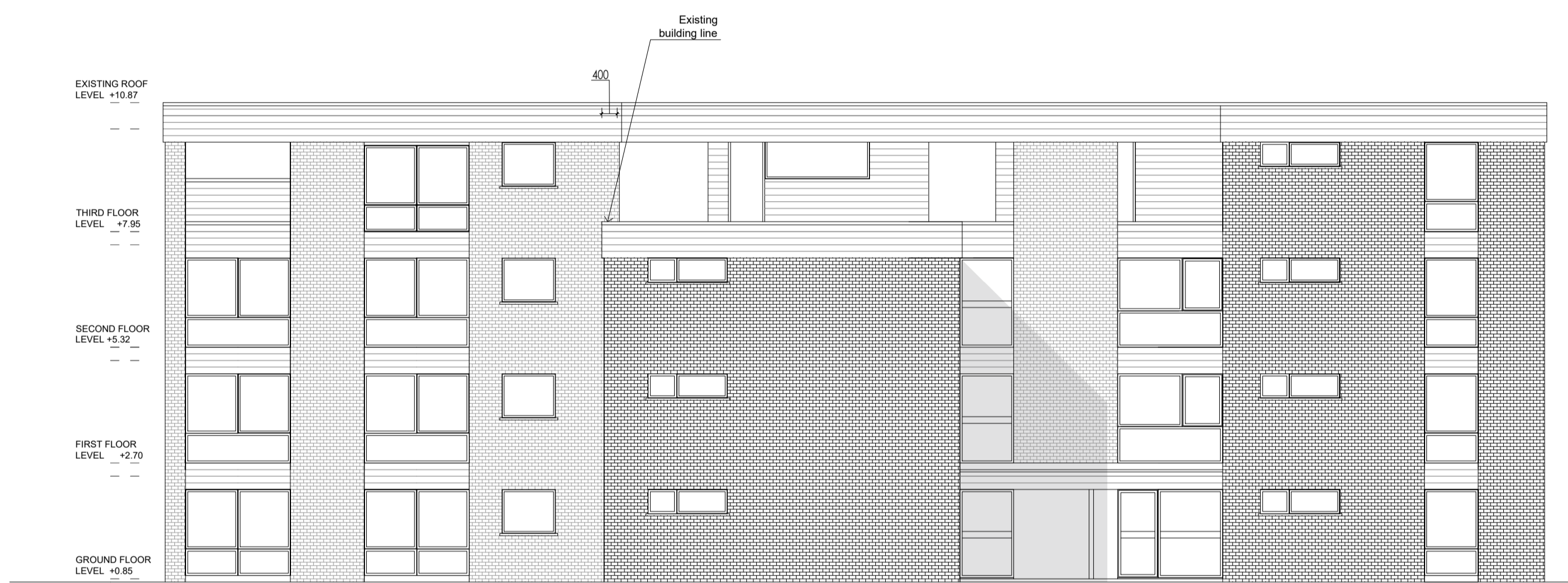
0 Existing Reference Plan
Scale 1:500

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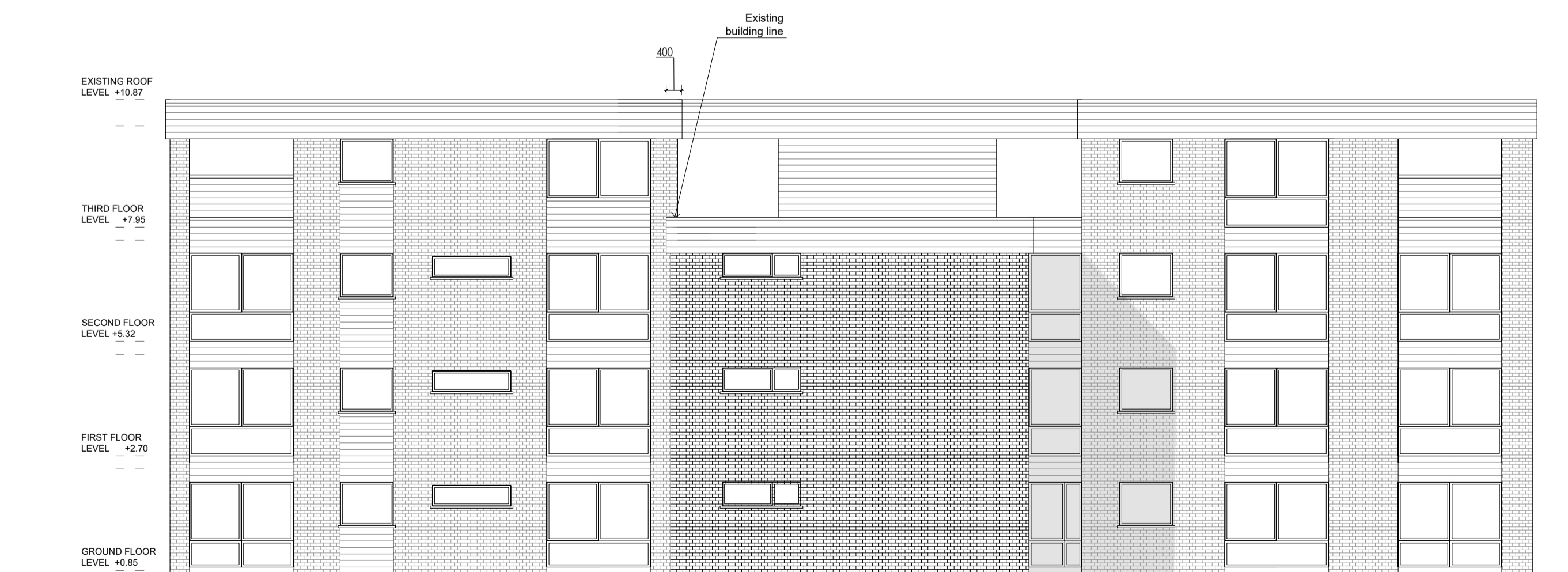
Rev:	Description:	Date:
A	Building line annotation	30/06/21
B	amendment to communal hallway & annotation of existing heights	10/05/23



1 Existing South-West Elevation
Scale 1:100



2 Existing South-East Elevation
Scale 1:100



3 Existing North-East Elevation
Scale 1:100



4 Existing North-West Elevation
Scale 1:100



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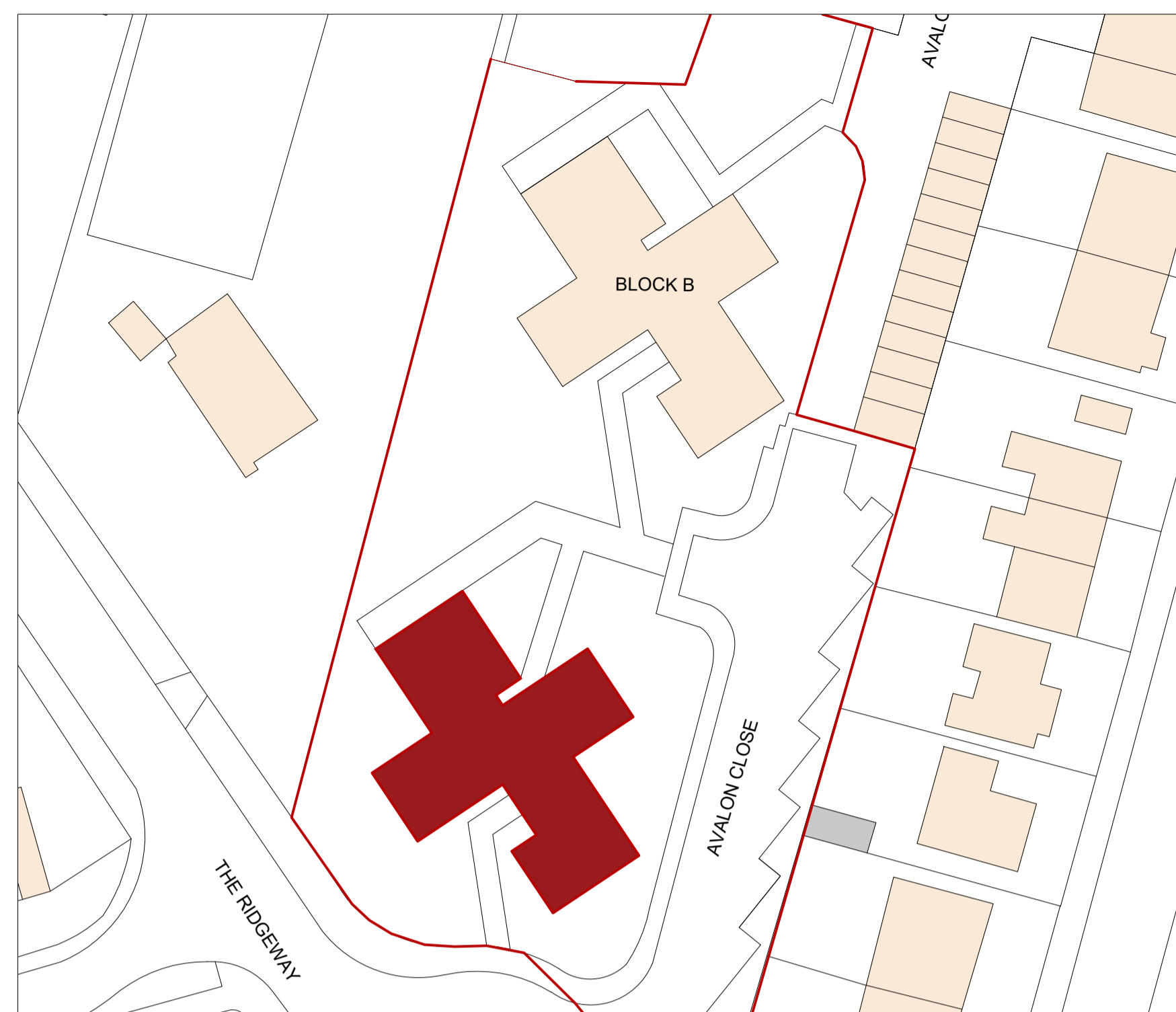
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Project:
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Drawing Title:
Existing Elevations BLOCK A

Date:	Drawing Status:
March 2021	Planning
Drawing Number:	Revision
SE 1596 - 04/P1	B
Scale:	Drawn By:
1:100 @ A1	SF

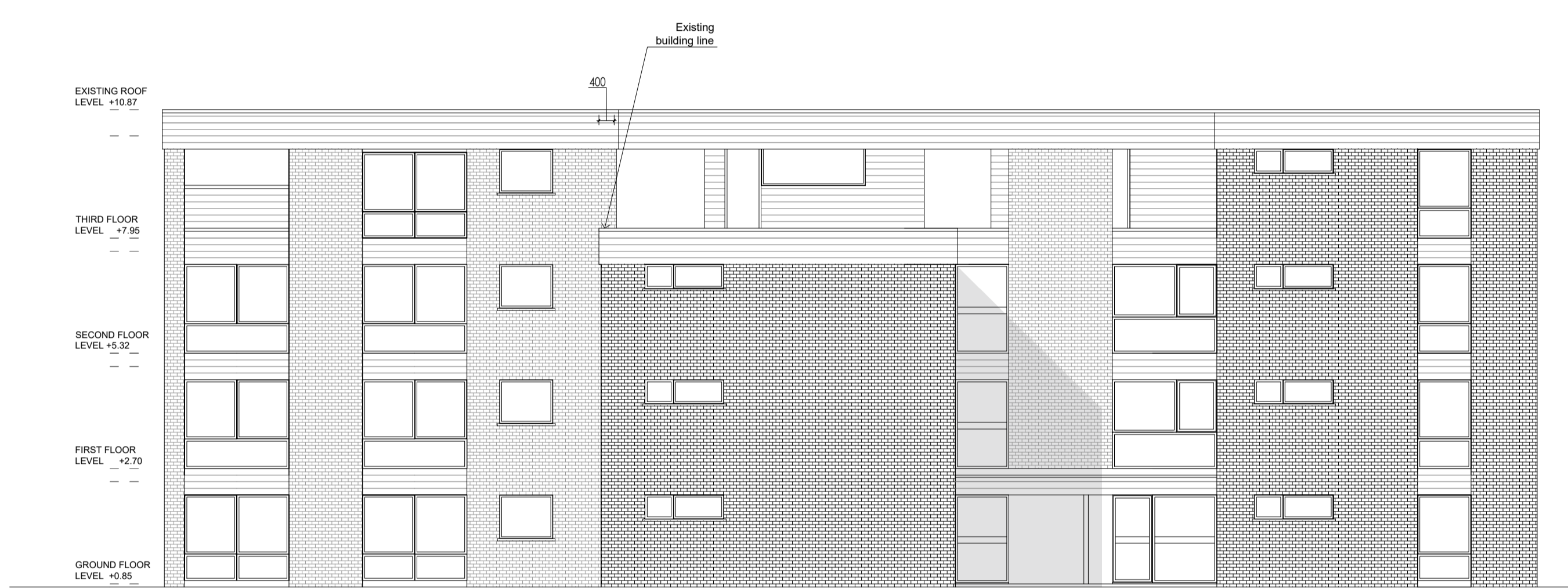


0 Existing Reference Plan
Scale 1:500

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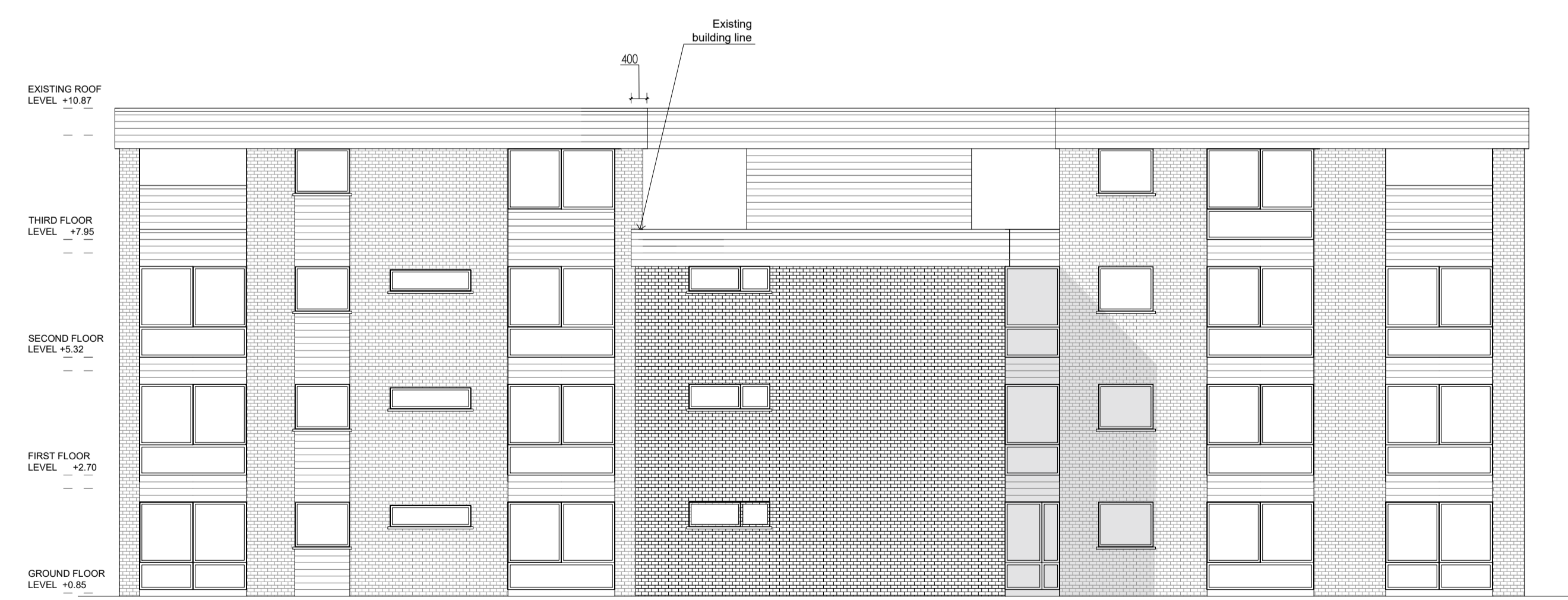
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3 Existing North-East Elevation
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4 Existing North-West Elevation
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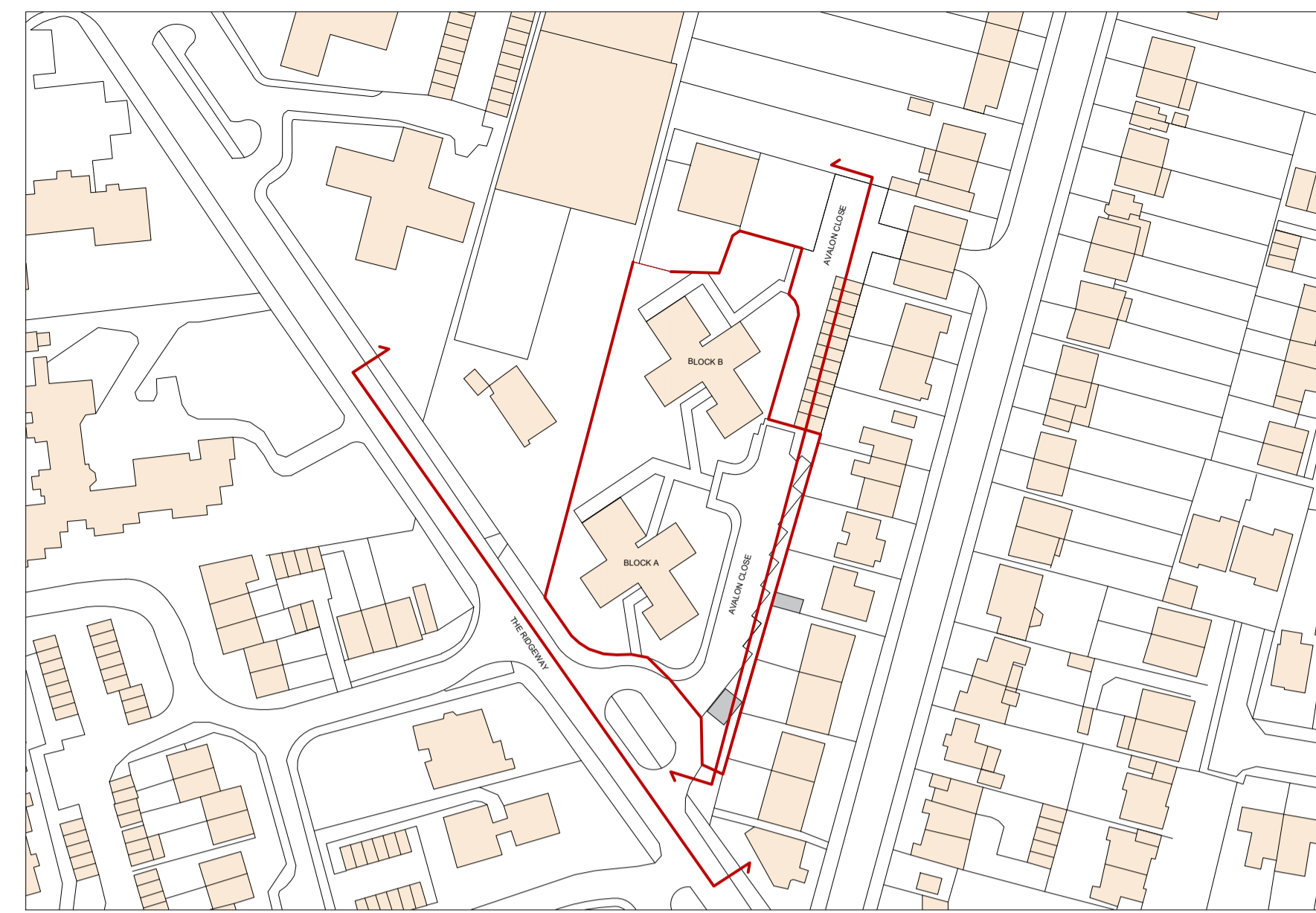
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Southern Territory

Project:
Avalon CI,
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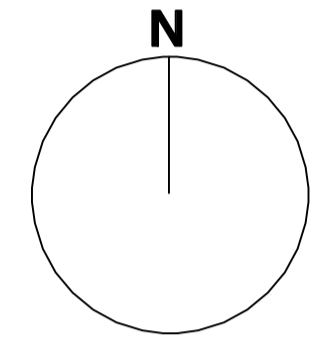
Drawing Title:
Existing Elevations BLOCK B

Date:	Drawing Status:
March 2021	Planning
Drawing Number:	Revision
SE 1596 - 06/P1	B
Scale:	Drawn By:
1:100 @ A1	SF



0 Reference Plan Scale 1:500

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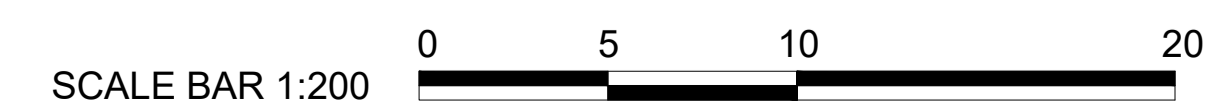
Rev:	Description:	Date:
A	amendment to communal hallway & annotation of existing heights	10/05/23



1 Existing Streetscene From The Ridgeway Road Scale 1:200



2 Existing Streetscene From The Avalon Close Scale 1:200



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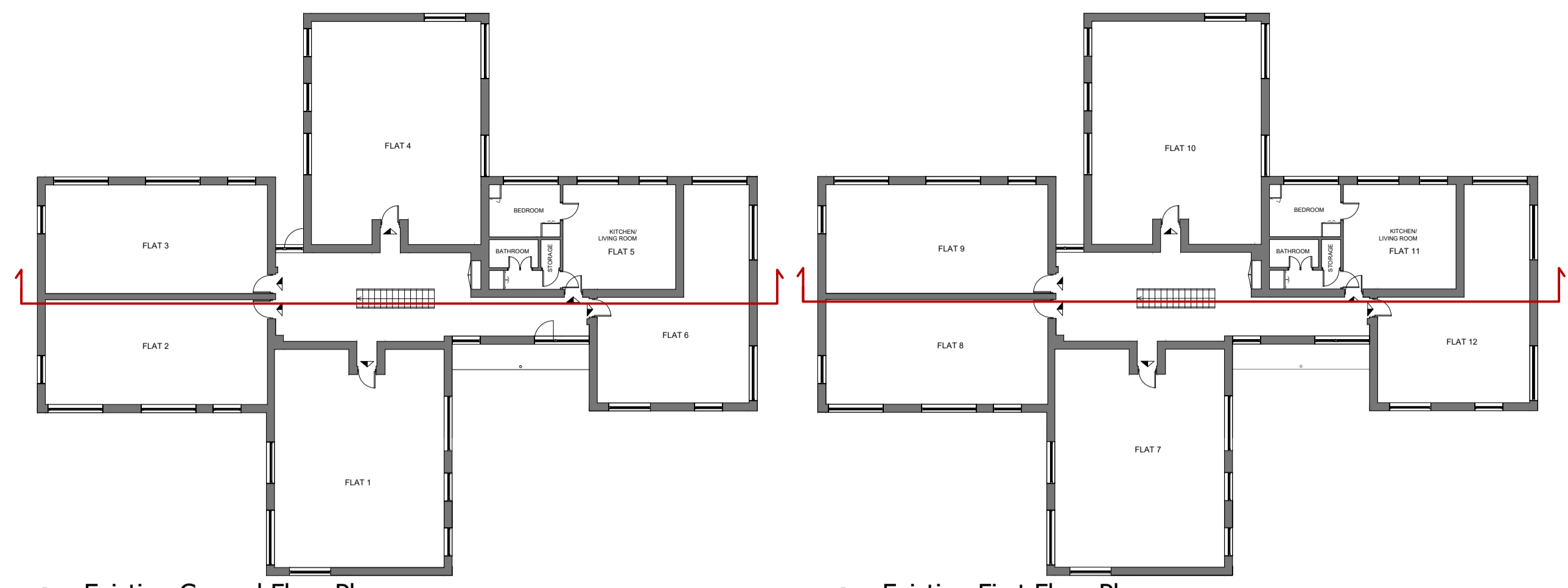
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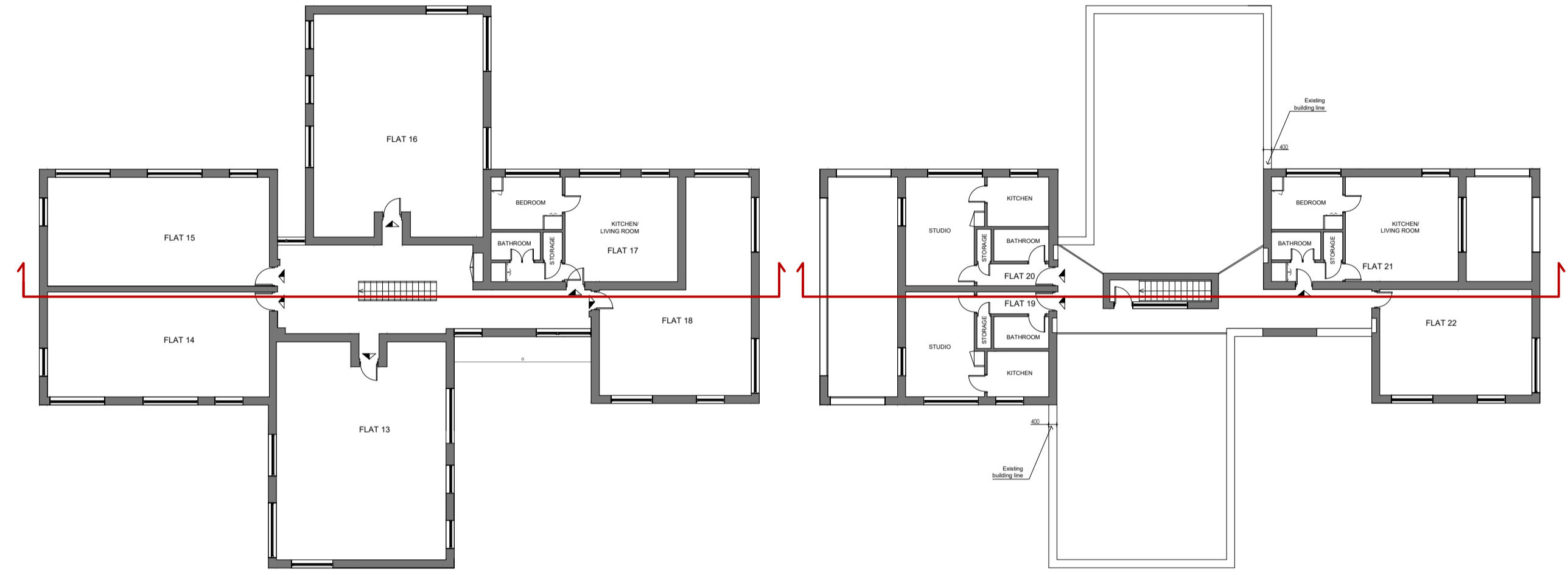
Drawing Title:
EX STREET ELEVATION

Date:	Drawing Status:
March 2021	Planning
Drawing Number:	Revision
SE 1596 -07/P1	A
Scale:	Drawn By:
1:200 @ A1	SF



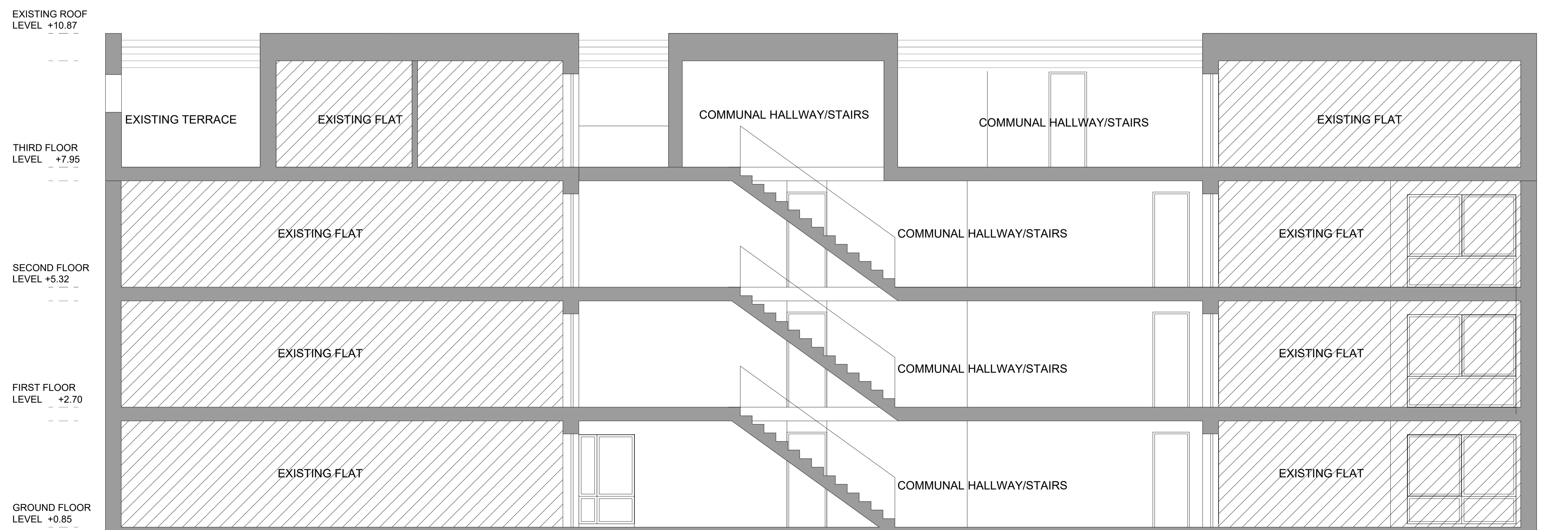
1 Existing Ground Floor Plan Scale 1:200

2 Existing First Floor Plan Scale 1:200

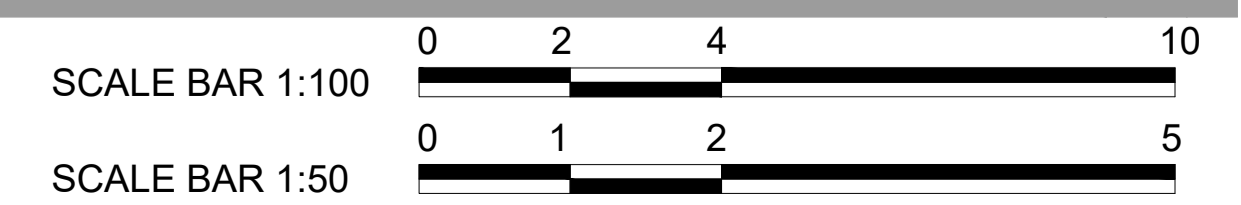


3 Existing Second Floor Plan Scale 1:100

4 Existing Third Floor Plan Scale 1:100



5 Existing Section AA Scale 1:50



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A	amendment to communal hallway & annotation of existing heights	10/05/23

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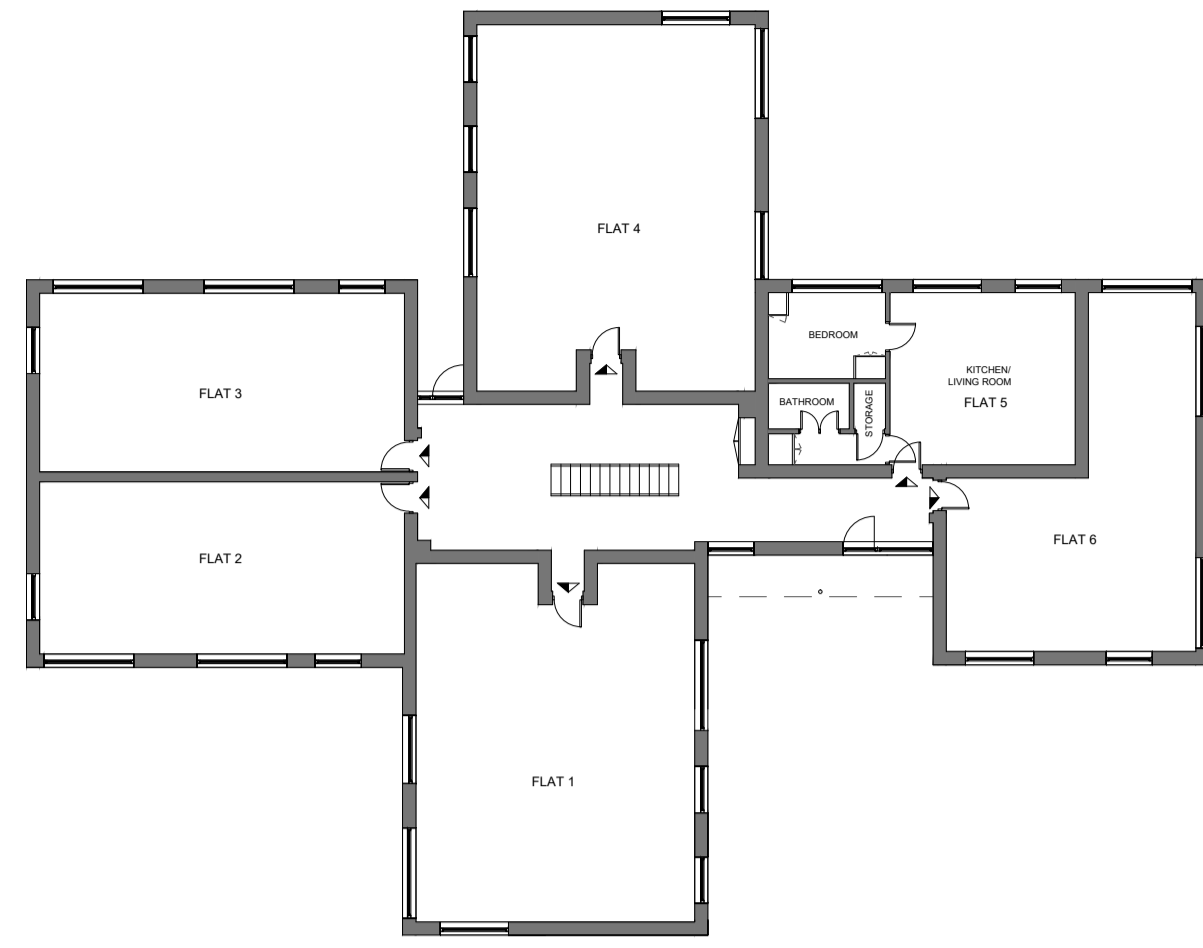
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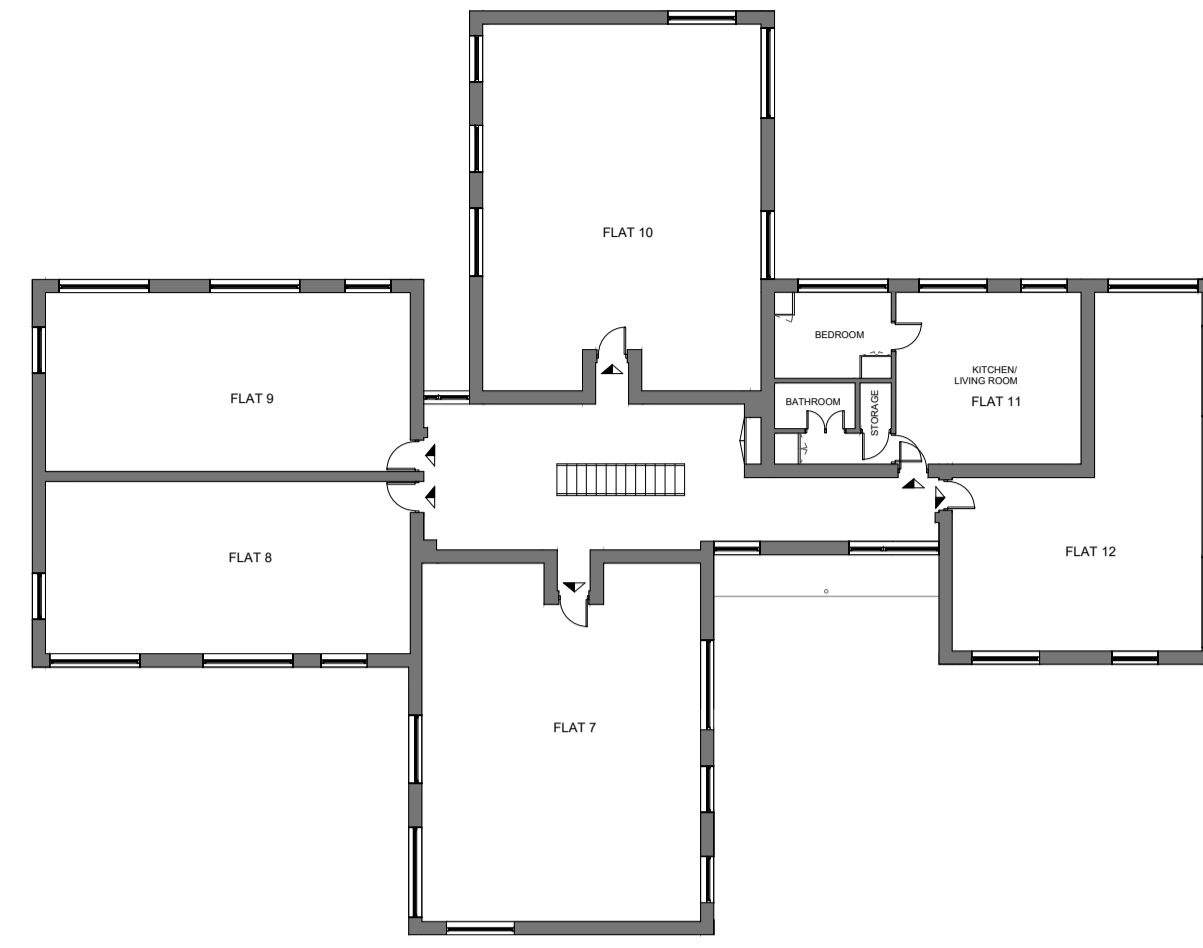
Project:
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Enfield EN2 8LR

Drawing Title:
Existing Section AA BLOCK A & B

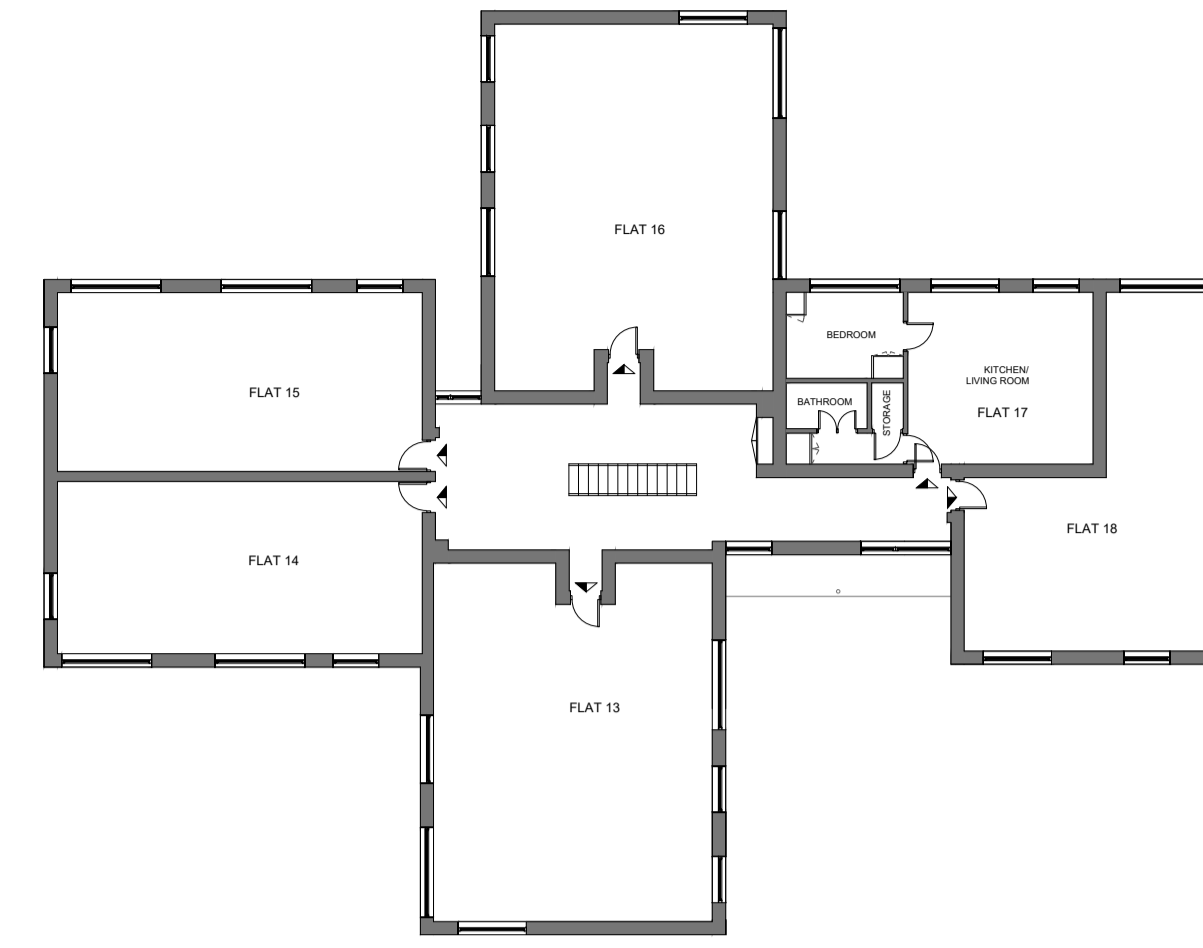
Date:	Drawing Status:
March 2021	Planning
Drawing Number:	Revision
SE 1596 - 09/P1	A
Scale:	Drawn By:
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1 Proposed Ground Floor Plan (as existing) Scale 1:200

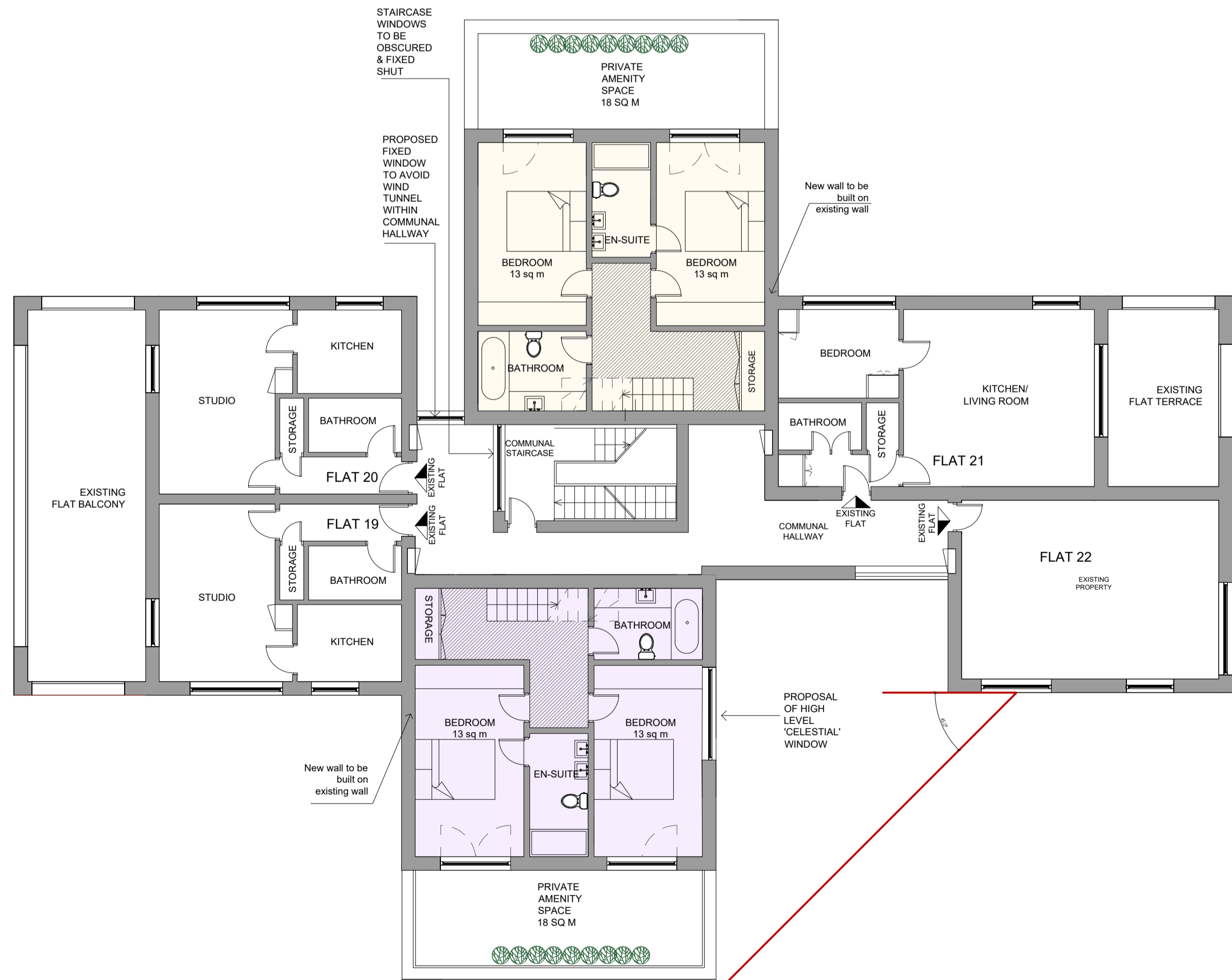


2 Proposed First Floor Plan (as existing) Scale 1:200

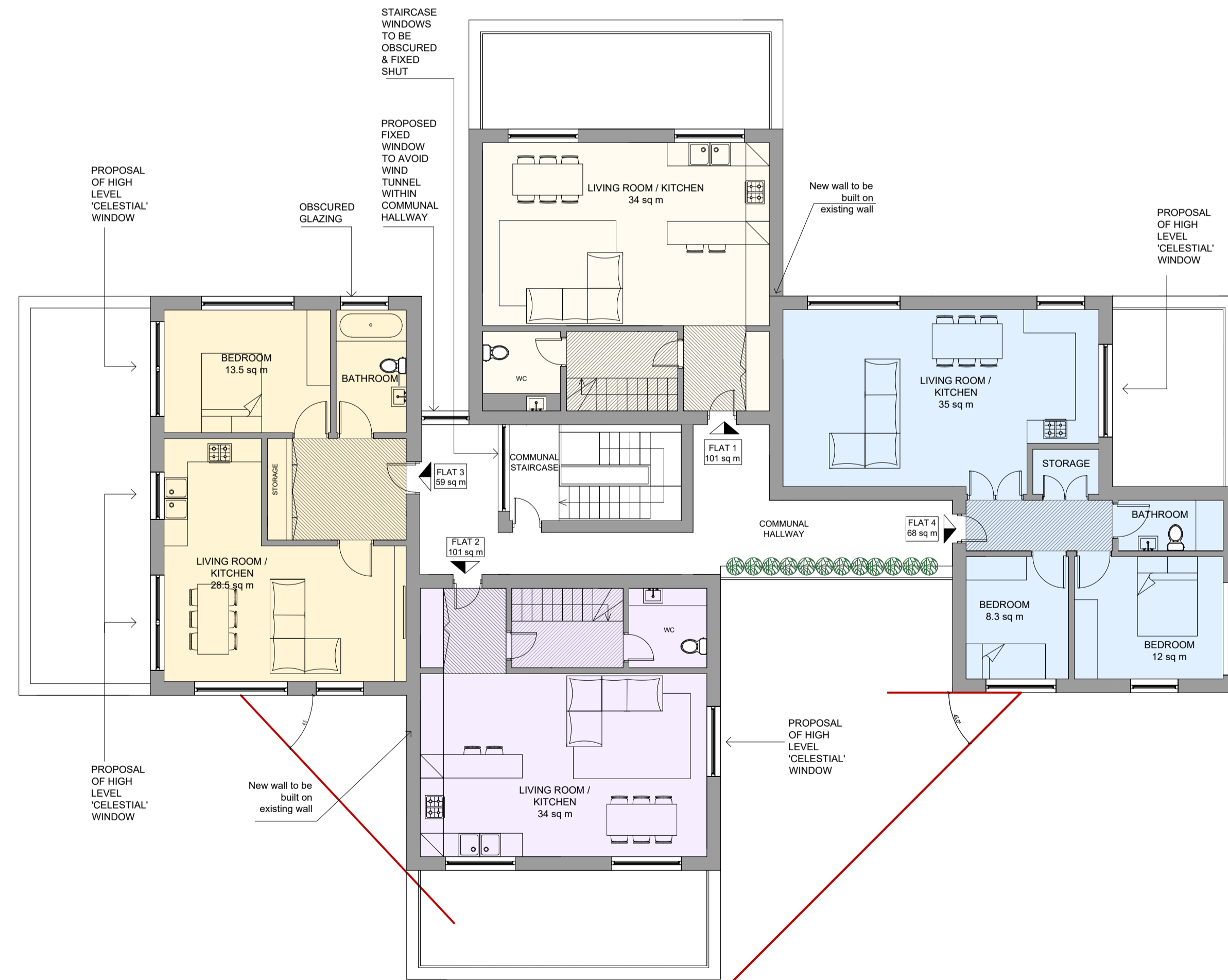


3 Proposed Second Floor Plan (as existing) Scale 1:200

SCHEDULE OF ACCOMMODATION - BLOCK A			
FLAT 1	2 BEDROOM, 4 PERSONS	101 SQ M (Third & Fourth Floor Maisonette)	
FLAT 2	2 BEDROOM, 4 PERSONS	100 SQ M (Third & Fourth Floor Maisonette)	
FLAT 3	1 BEDROOM, 2 PERSONS	59 SQ M	
FLAT 4	2 BEDROOM, 3 PERSONS	68 SQ M	
SCHEDULE OF ACCOMMODATION - BLOCK B			
FLAT 1	2 BEDROOM, 4 PERSONS	101 SQ M (Third & Fourth Floor Maisonette)	
FLAT 2	2 BEDROOM, 4 PERSONS	100 SQ M (Third & Fourth Floor Maisonette)	
FLAT 3	1 BEDROOM, 2 PERSONS	59 SQ M	
FLAT 4	2 BEDROOM, 3 PERSONS	68 SQ M	



4 Proposed Third Floor Plan Scale 1:100



5 Proposed Fourth Floor Plan Scale 1:100

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Rev:	Description:	Date:
A	removal of high level celestial windows	09/06/21
B	Existing window amendment on plan to match elevation	30/06/21
C	Flat numbers annotation & proposed staircase amendment	06/12/22
D	Fire exit door	16/03/23

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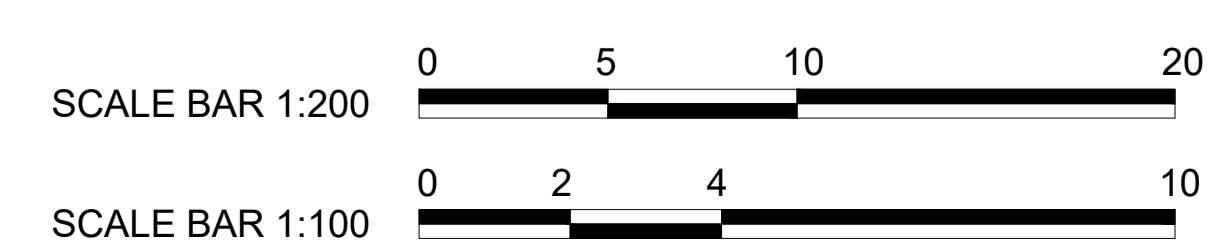
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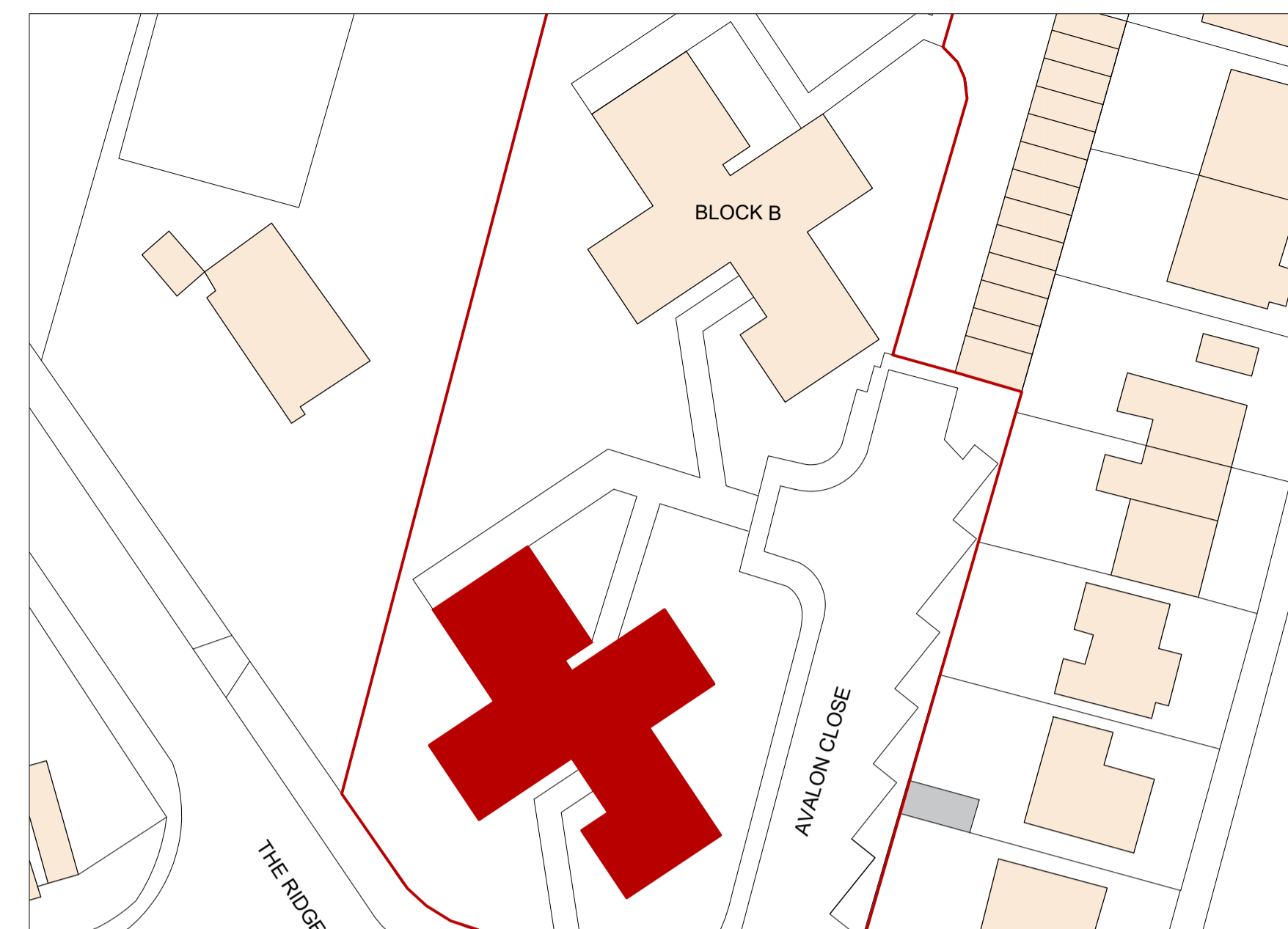
Client:
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Drawing Title:
Proposed Plans BLOCK A

Date:	Drawing Status:
March 2021	Planning
Drawing Number:	Revision
SE 1596 - 10/P1	D
Scale:	Drawn By:
1:100 @ A1 1:200 @ A1	SF



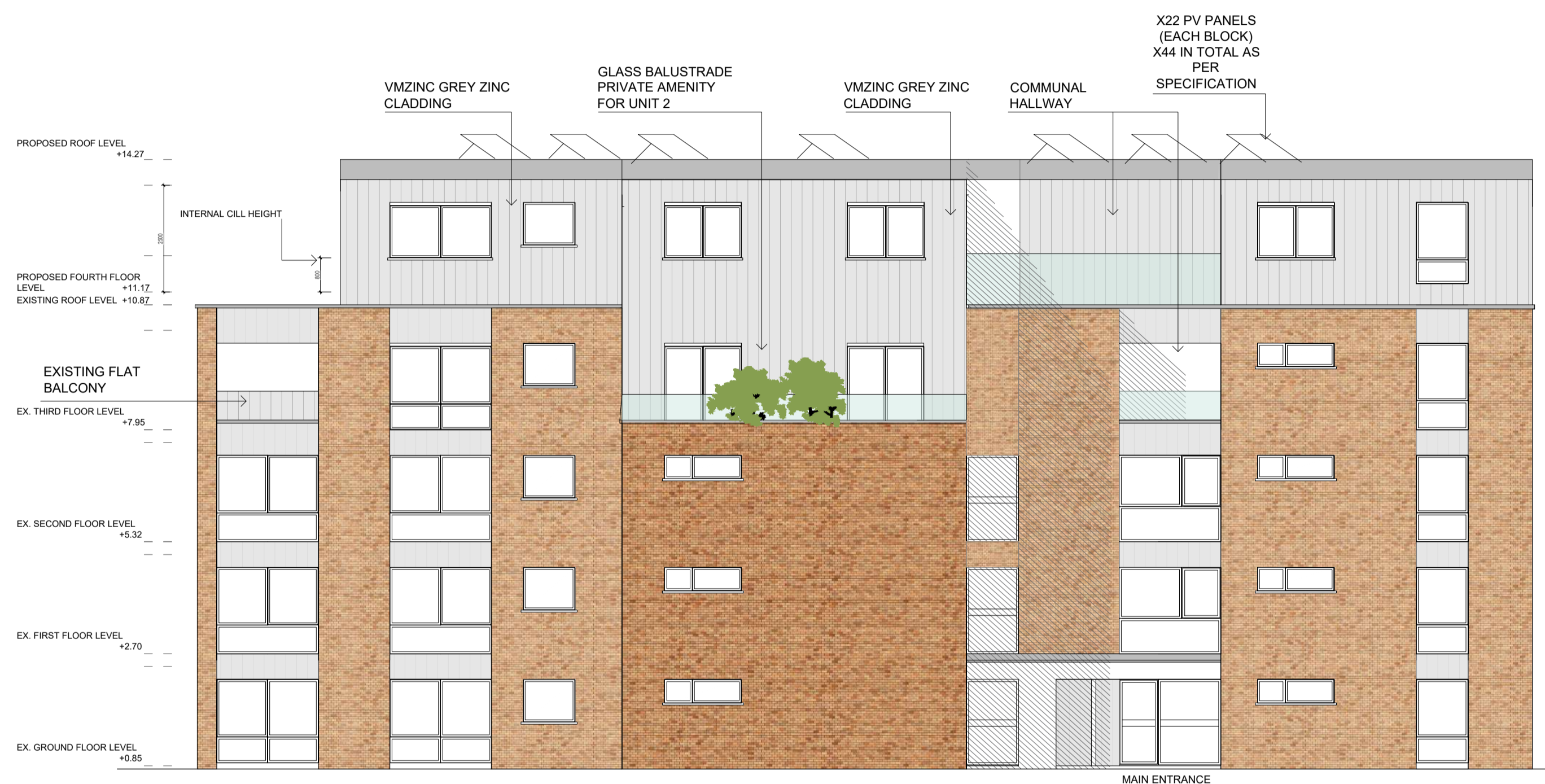


0 Proposed Reference Plan
Scale 1:500

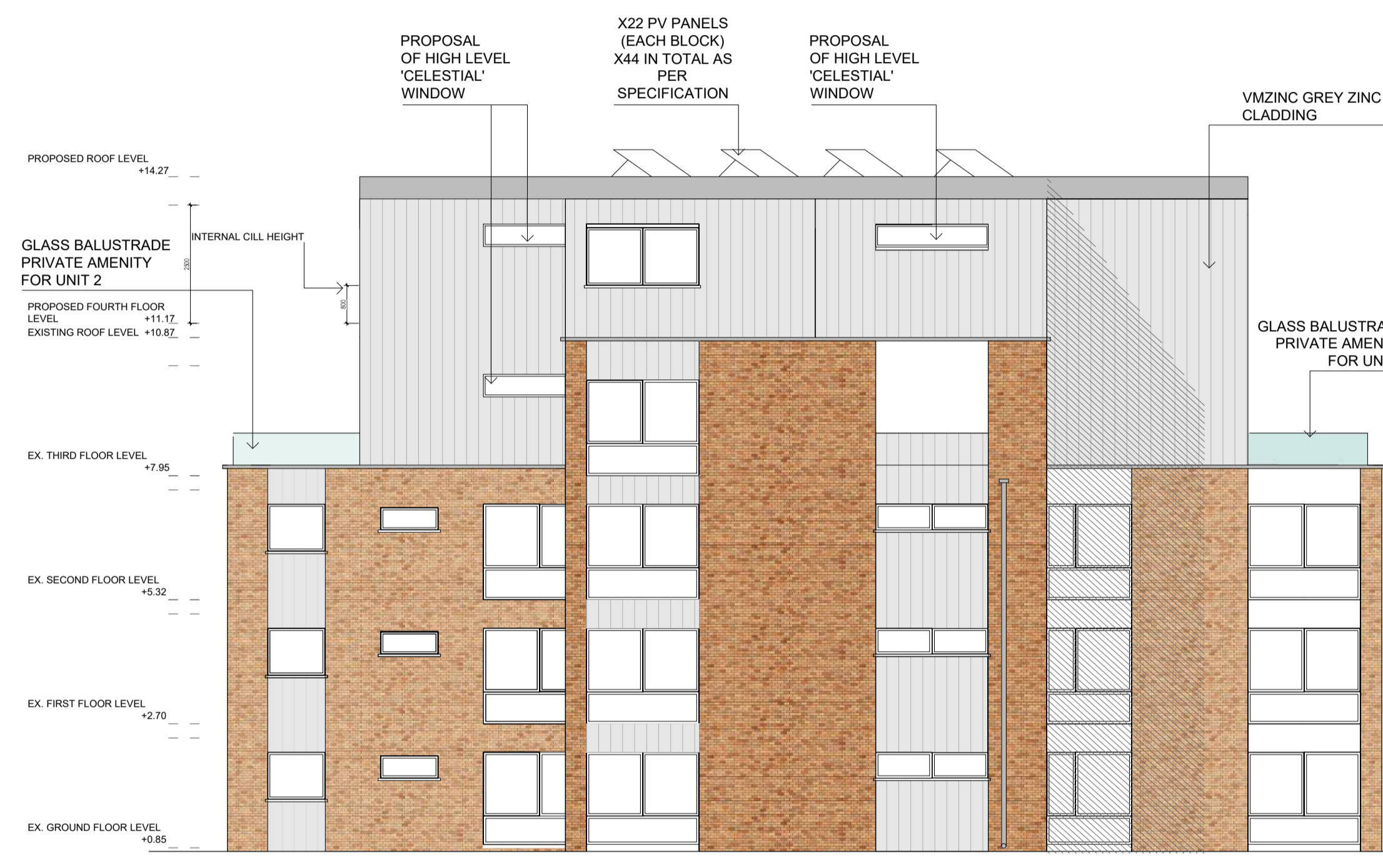
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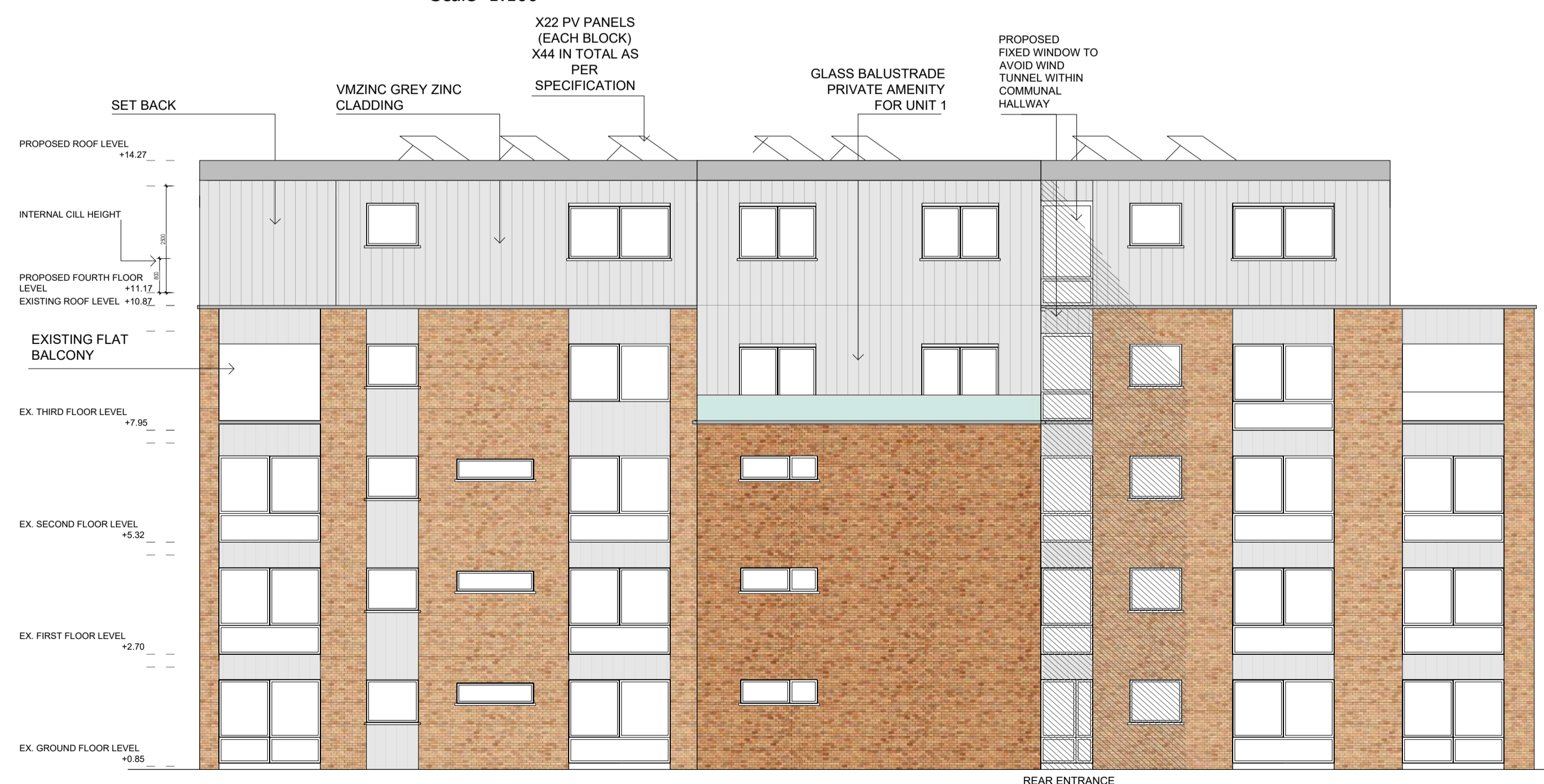
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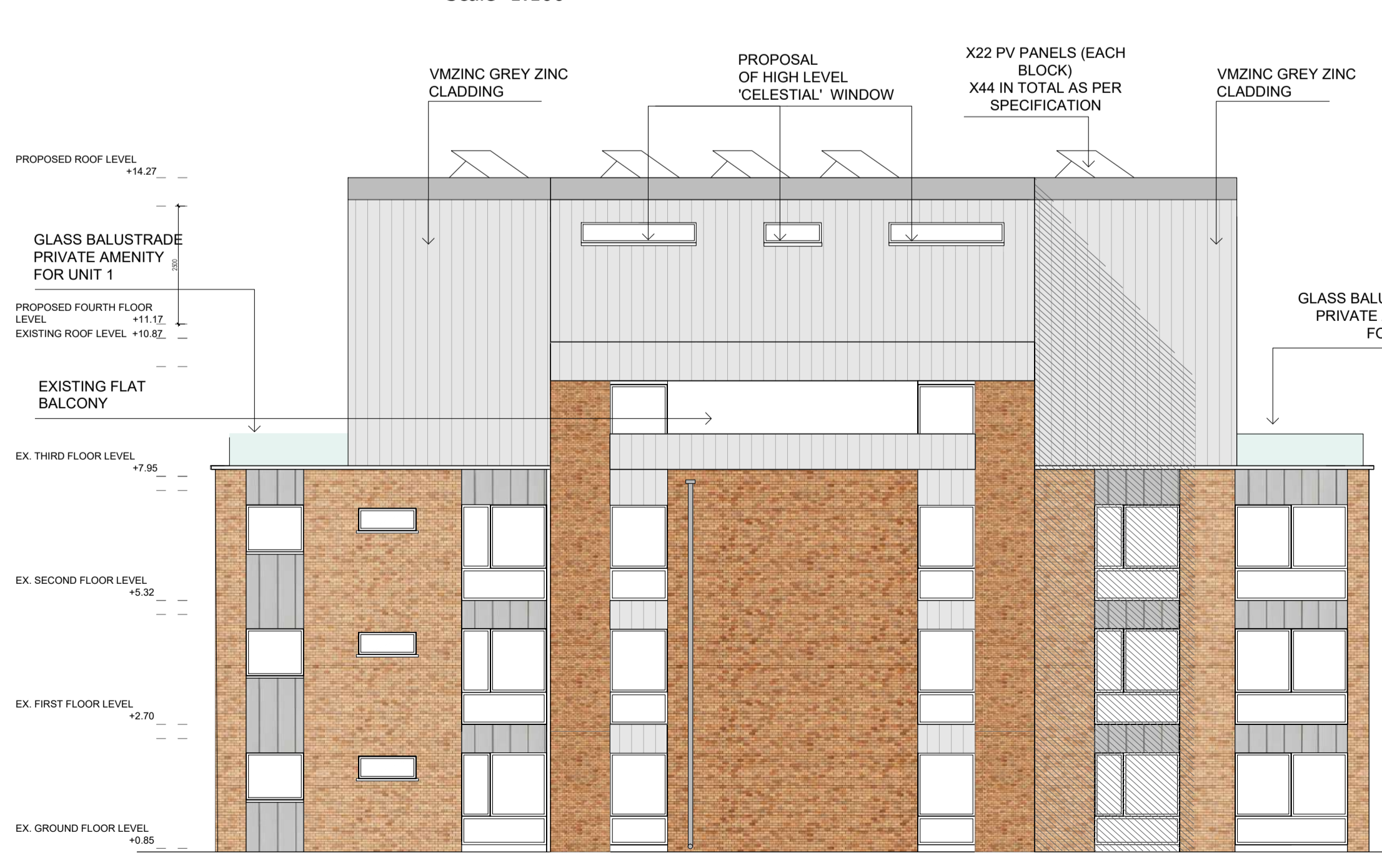
1 Proposed South-West Elevation
Scale 1:100



2 Proposed South-East Elevation
Scale 1:100



3 Proposed North-East Elevation
Scale 1:100



4 Proposed North-West Elevation
Scale 1:100

Rev:	Description:	Date:
A	removal of high level celestial windows	09/06/21
B	Existing window amendment on plan to match elevation	30/06/21
C	annotation to section heights & elevations	01/04/23
D	amendment to proposed window cill height	30/07/23

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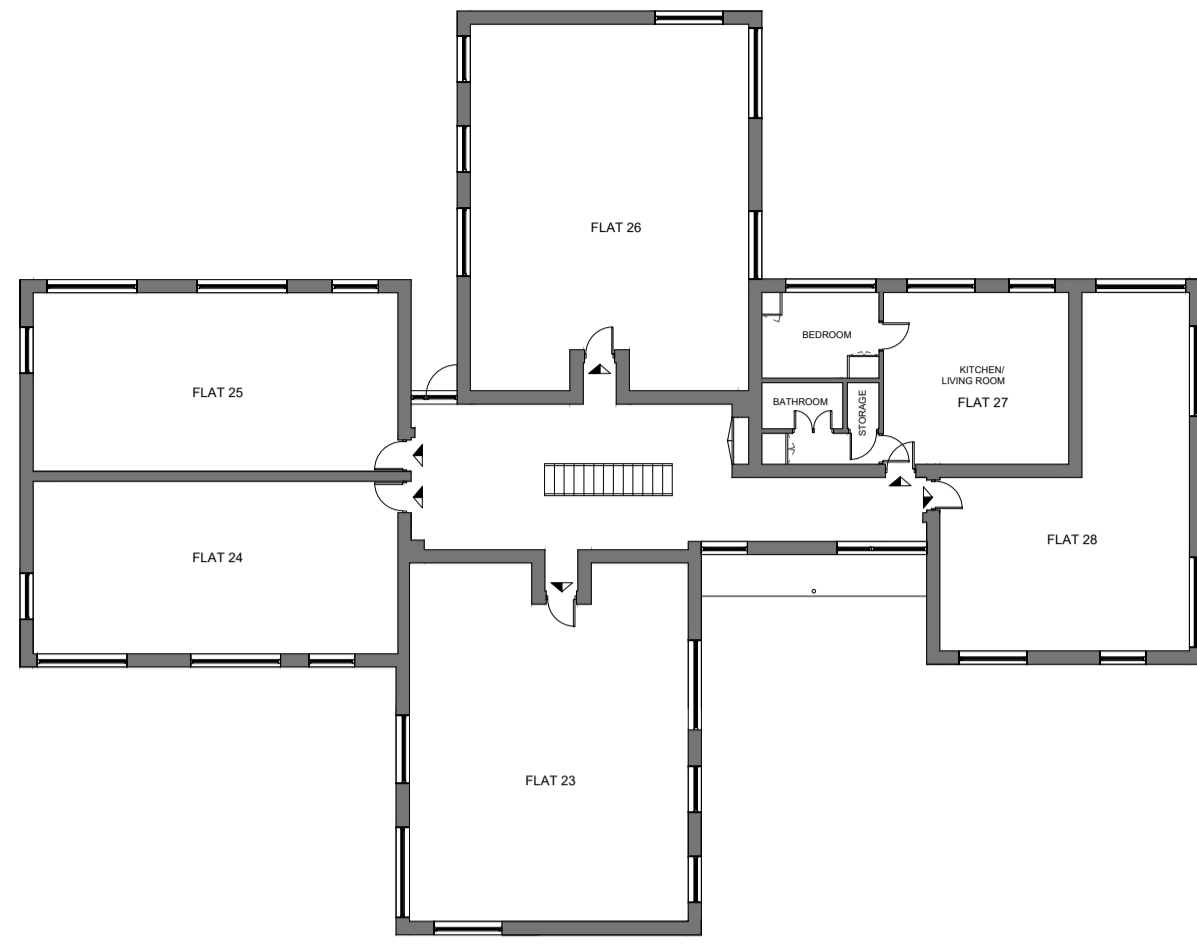
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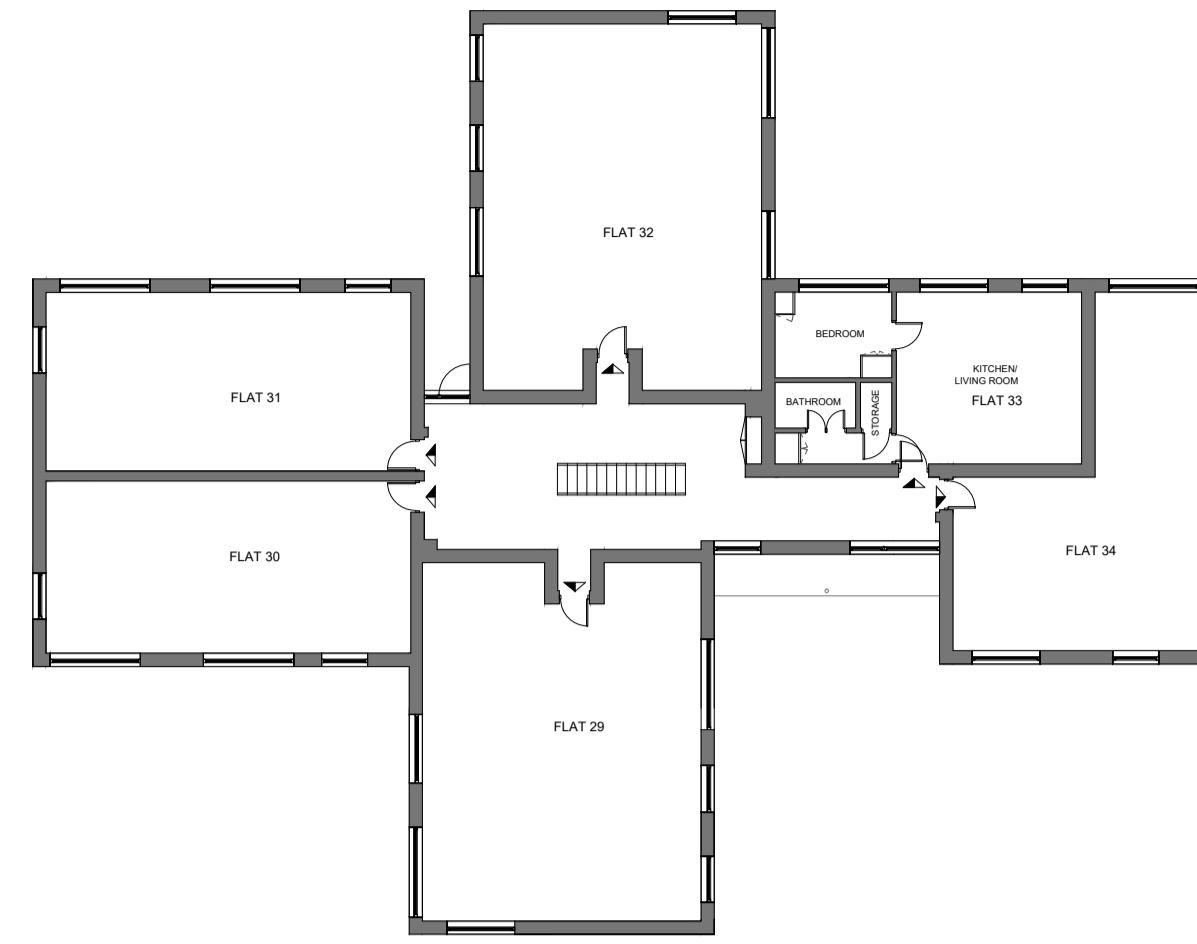
Drawing Title:
Proposed Elevations BLOCK A

Date:	Drawing Status:
March 2021	Planning
Drawing Number:	Revision
SE 1596 - 11/P1	D
Scale:	Drawn By:
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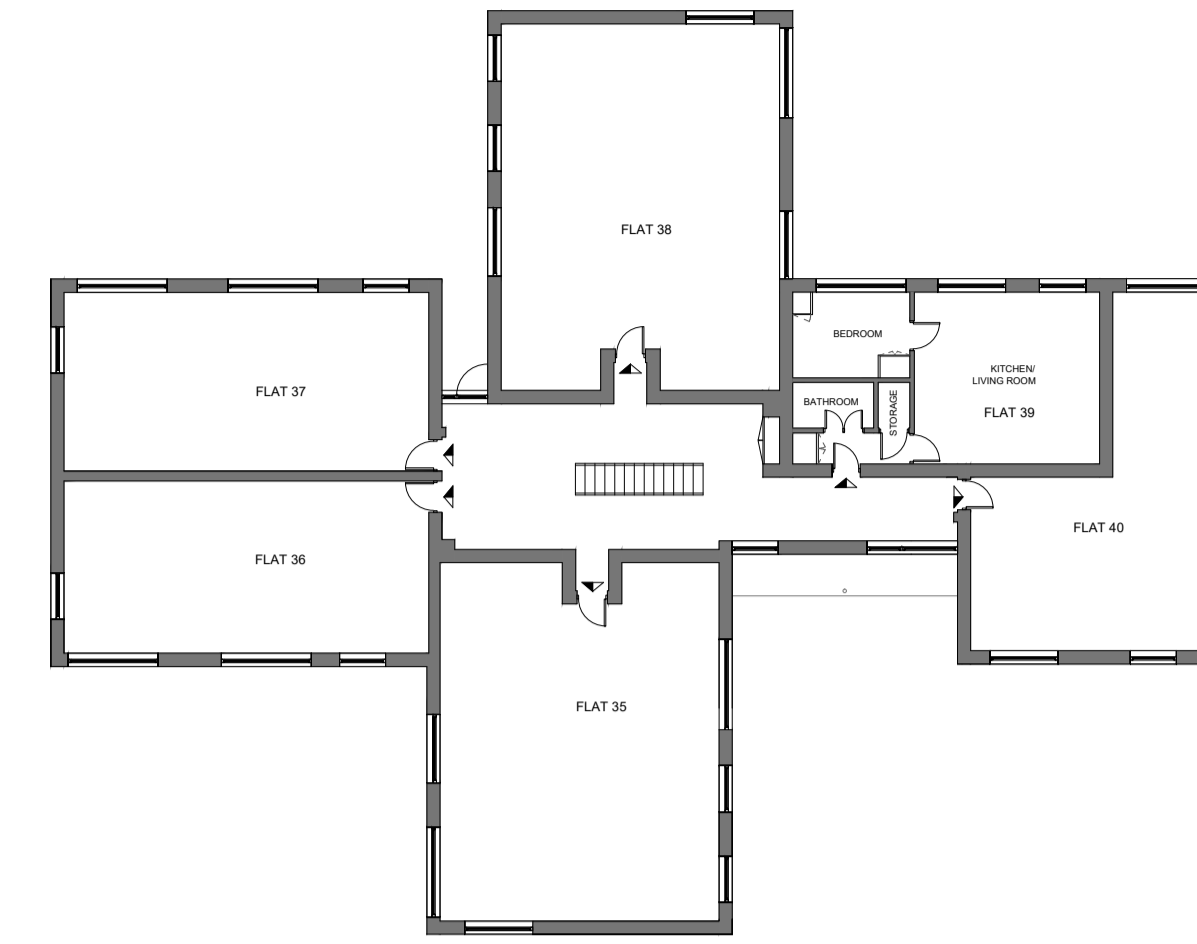




1 Proposed Ground Floor Plan (as existing) Scale 1:200



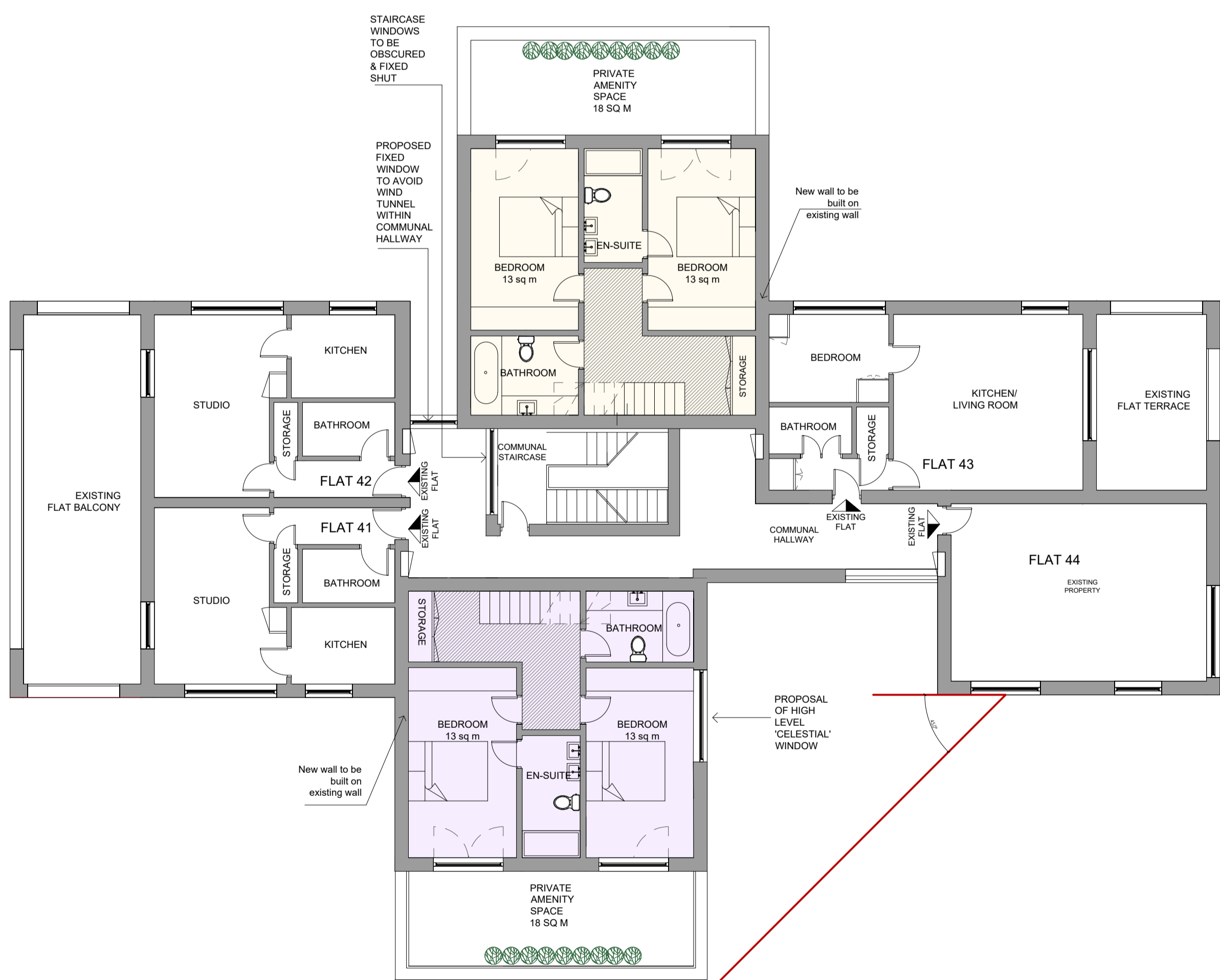
2 Proposed First Floor Plan (as existing) Scale 1:200



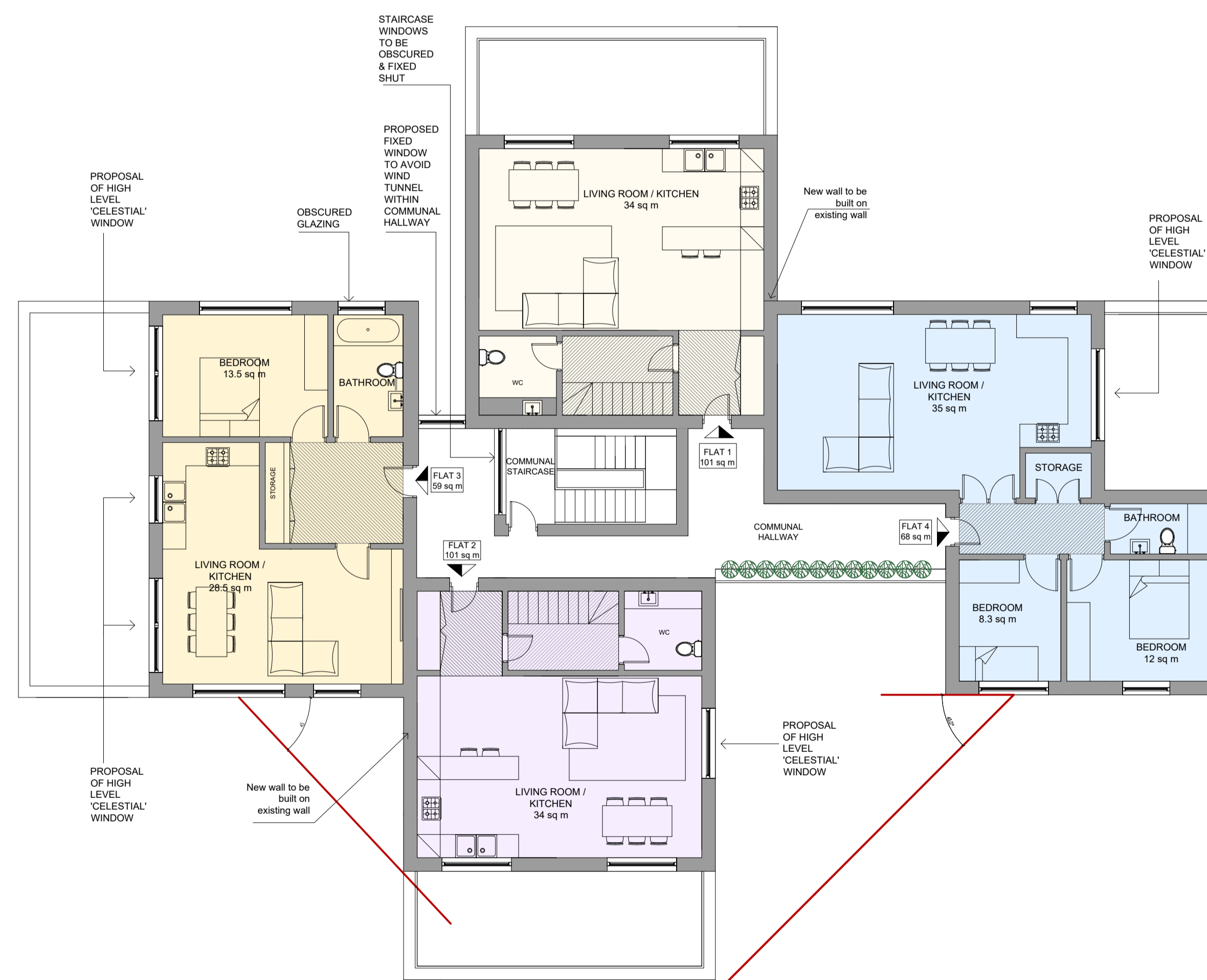
3 Proposed Second Floor Plan (as existing) Scale 1:200

SCHEDULE OF ACCOMMODATION - BLOCK A	
FLAT 1: 2 BEDROOM, 4 PERSONS	101 SQ M (Third & Fourth Floor Maisonette)
FLAT 2: 2 BEDROOM, 4 PERSONS	100 SQ M (Third & Fourth Floor Maisonette)
FLAT 3: 1 BEDROOM, 2 PERSONS	59 SQ M
FLAT 4: 2 BEDROOM, 3 PERSONS	68 SQ M

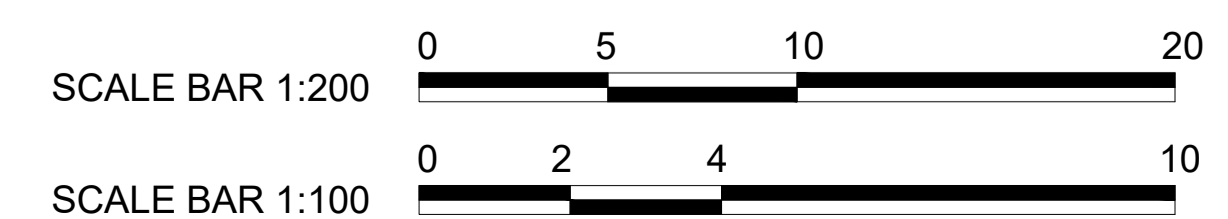
SCHEDULE OF ACCOMMODATION - BLOCK B	
FLAT 1: 2 BEDROOM, 4 PERSONS	101 SQ M (Third & Fourth Floor Maisonette)
FLAT 2: 2 BEDROOM, 4 PERSONS	100 SQ M (Third & Fourth Floor Maisonette)
FLAT 3: 1 BEDROOM, 2 PERSONS	59 SQ M
FLAT 4: 2 BEDROOM, 3 PERSONS	68 SQ M



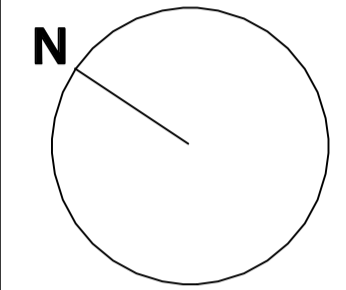
4 Proposed Third Floor Plan Scale 1:100



5 Proposed Fourth Floor Plan Scale 1:100



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A	removal of high level celestial windows	09/06/21
B	Existing window amendment on plan to match elevation	30/06/21
C	Flat numbers annotation & proposed staircase amendment	06/12/22
D	Fire exit door	16/03/23

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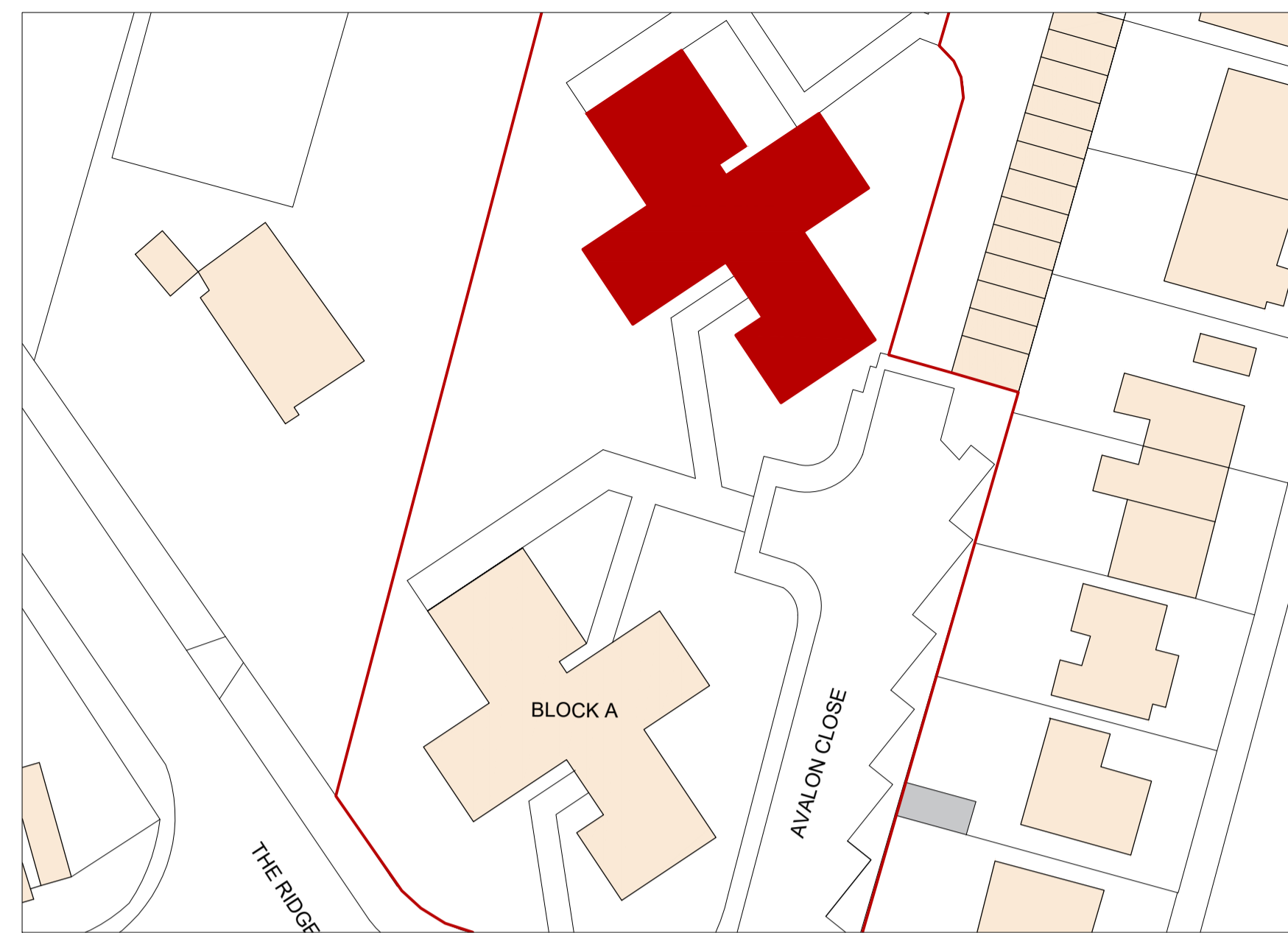
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Drawing Title:
Proposed Plans BLOCK B

Date:	Drawing Status:
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Drawing Number:	Revision
SE 1596 - 12/P1	D
Scale:	Drawn By:
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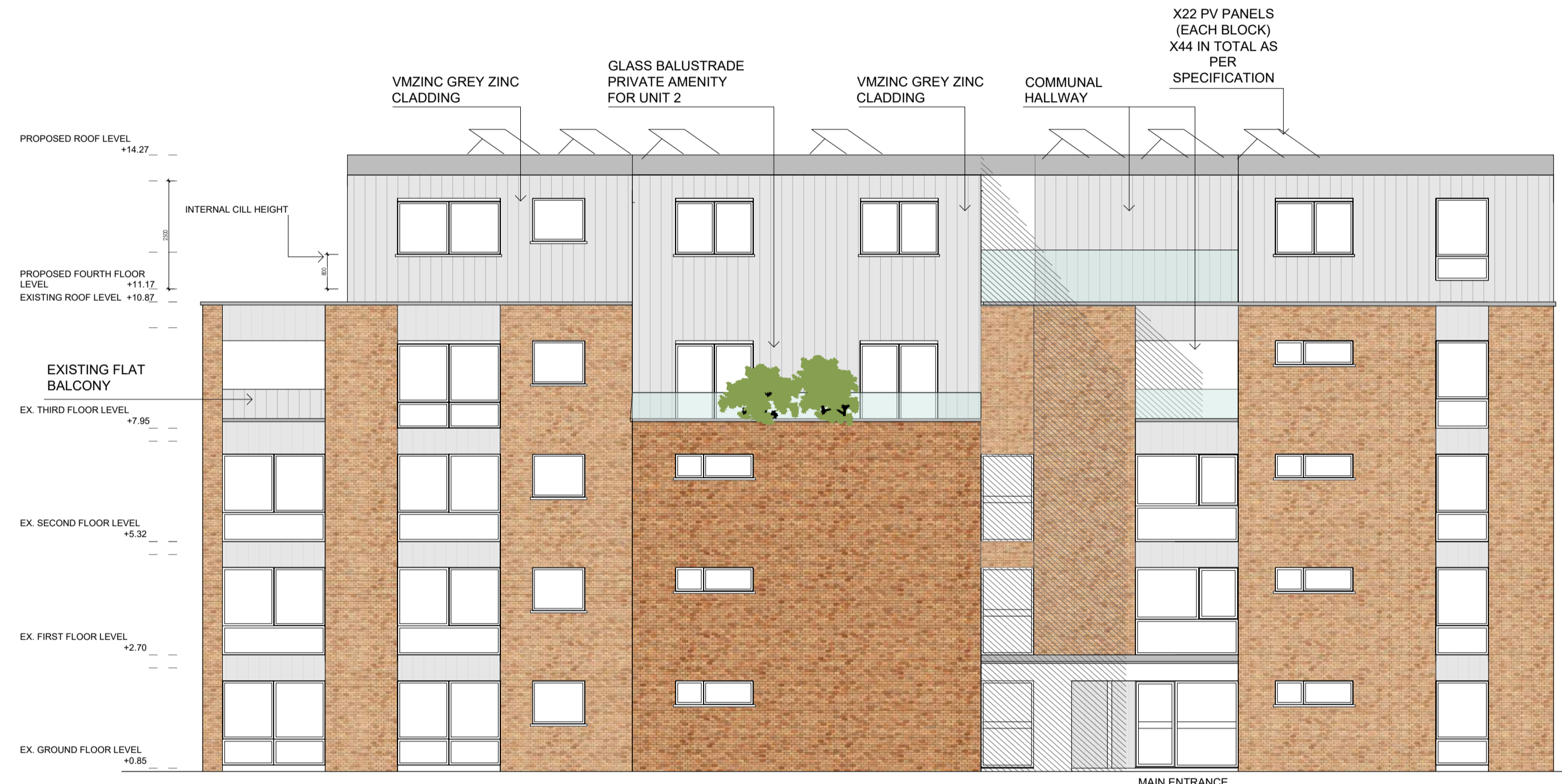


0 Proposed Reference Plan
Scale 1:500

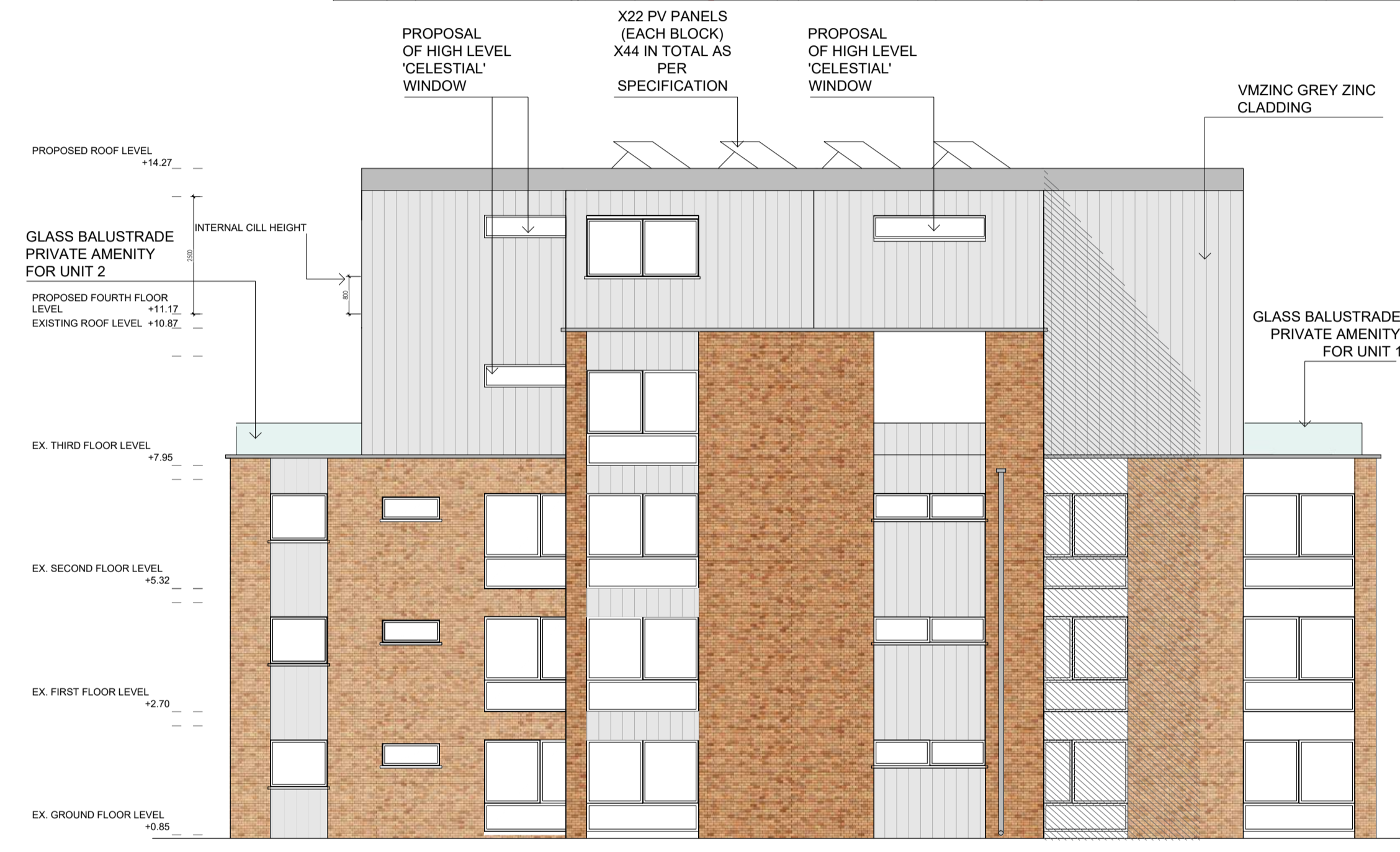
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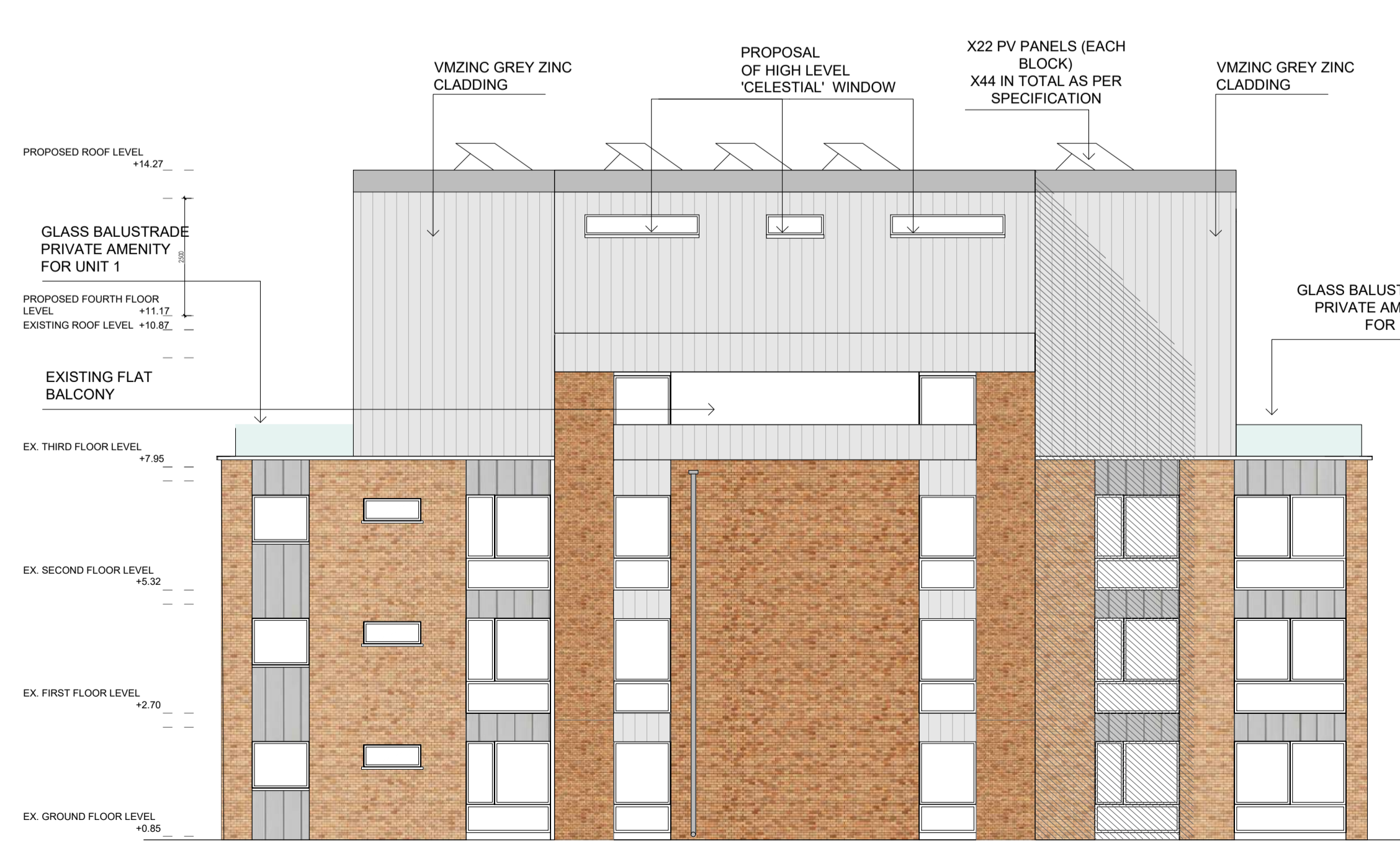
1 Proposed South-West Elevation
Scale 1:100



2 Proposed South-East Elevation
Scale 1:100



3 Proposed North-East Elevation
Scale 1:100



4 Proposed North-West Elevation
Scale 1:100

Rev:	Description:	Date:
A	removal of high level celestial windows	09/06/21
B	Existing window amendment on plan to match elevation	30/06/21
C	annotation to section heights & elevations	01/04/23
D	amendment to proposed window cill height	30/07/23

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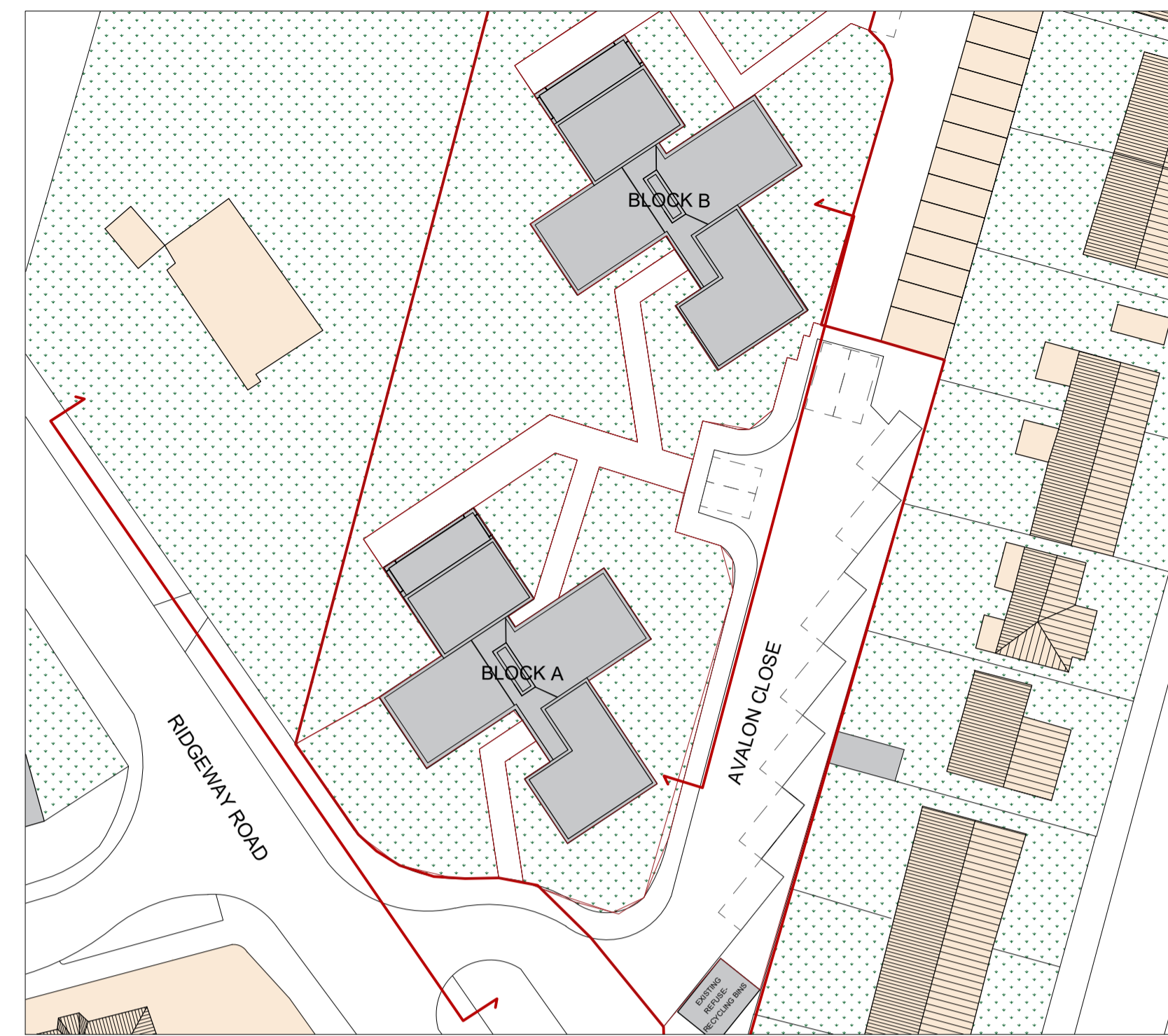
Client:
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Drawing Title:
Proposed Elevations BLOCK B

Date:	Drawing Status:
March 2021	Planning
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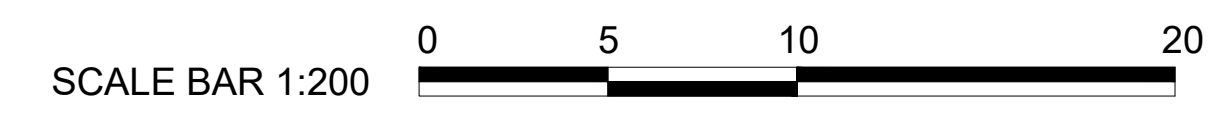
Rev:	Description:	Date:
A	removal of high level celestial windows	09/06/21
B	annotation to section heights & elevations	16/05/23
C	window cill height	10/08/23



1 Proposed Street Elevation (The Ridgeway) Scale 1:200



2 Proposed Street Elevation (Avalon Close) Scale 1:200



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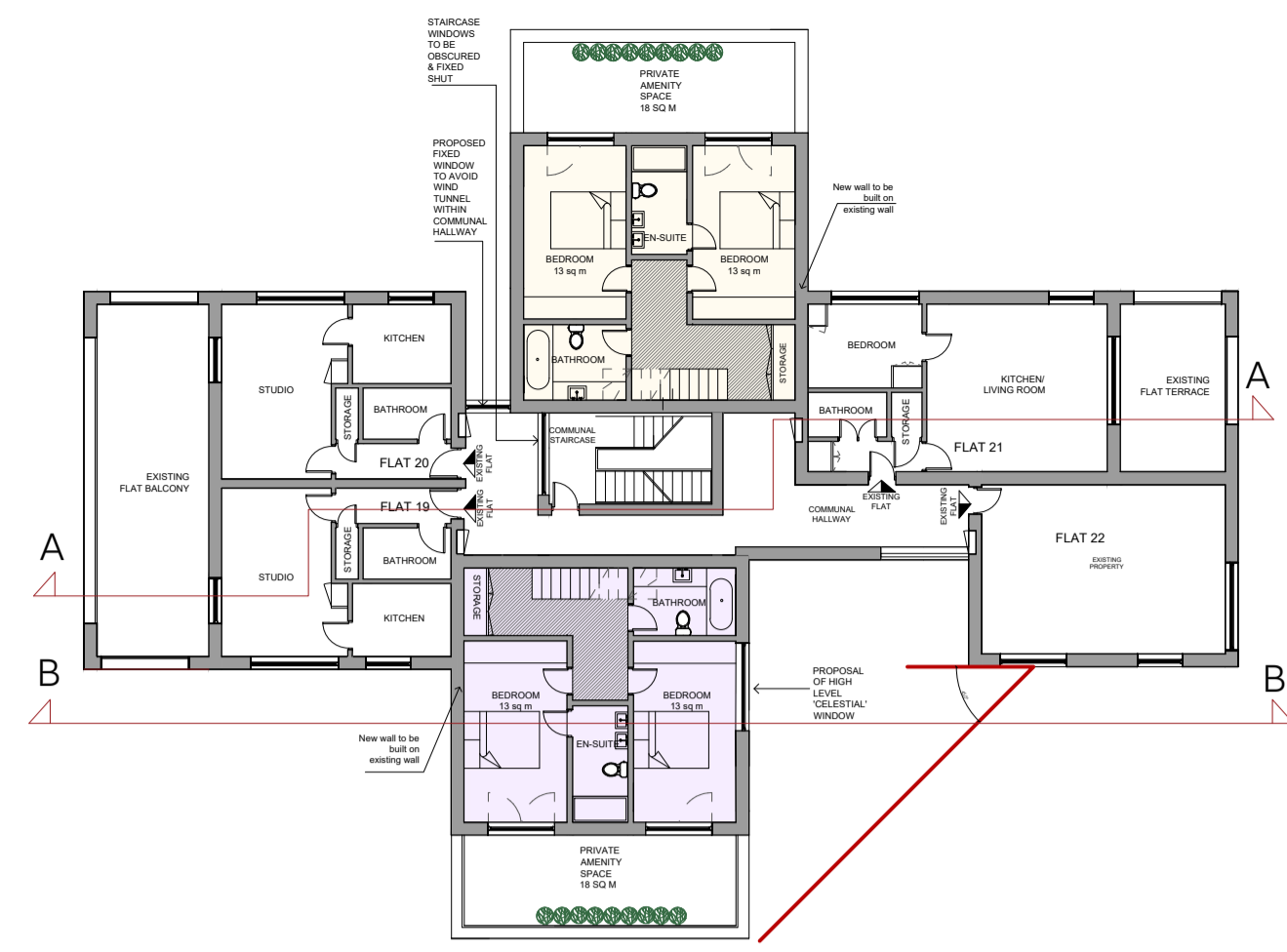
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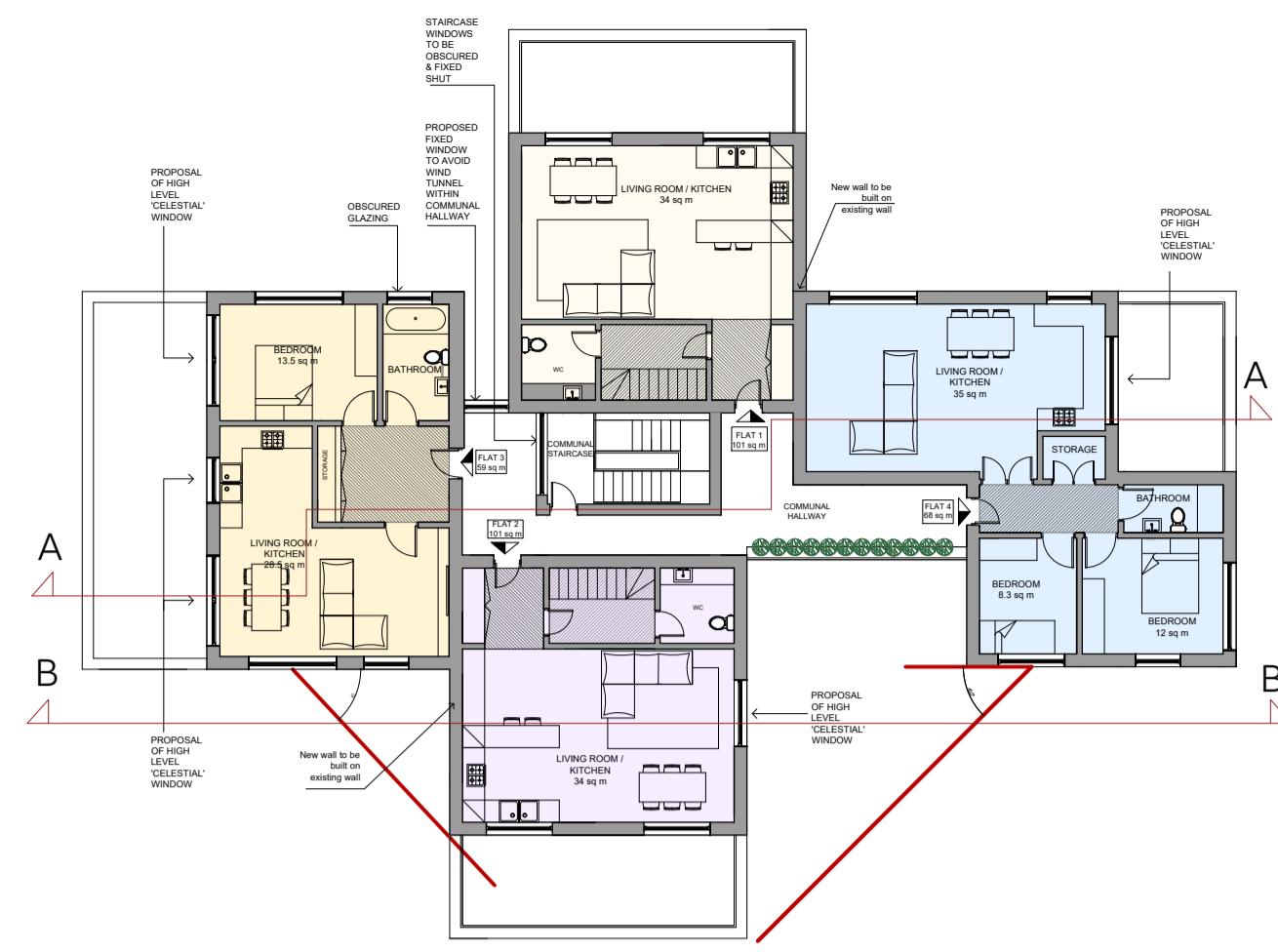
Project:
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Drawing Title:
Proposed Street Elevation

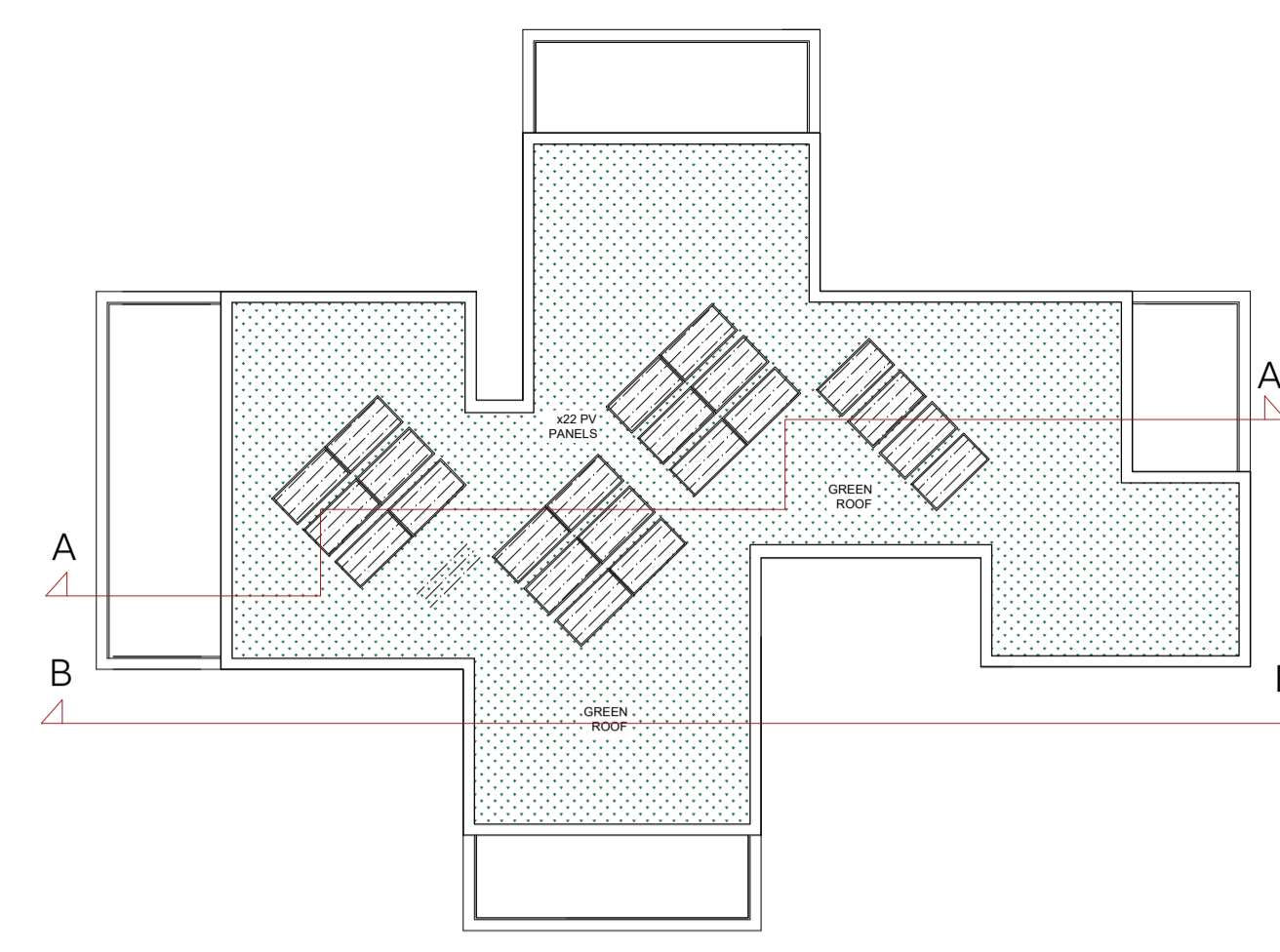
Date:	Drawing Status:
March 2021	Planning
Drawing Number:	Revision
SE 1596 - 14/P1	C
Scale:	Drawn By:
1:200 @ A1	SF



1 Proposed Third Floor Plan Scale 1:200

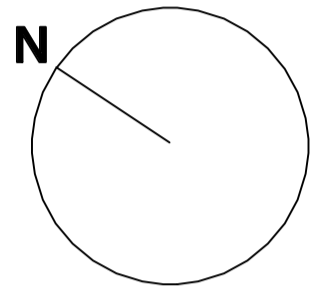


2 Proposed Fourth Floor Plan Scale 1:200



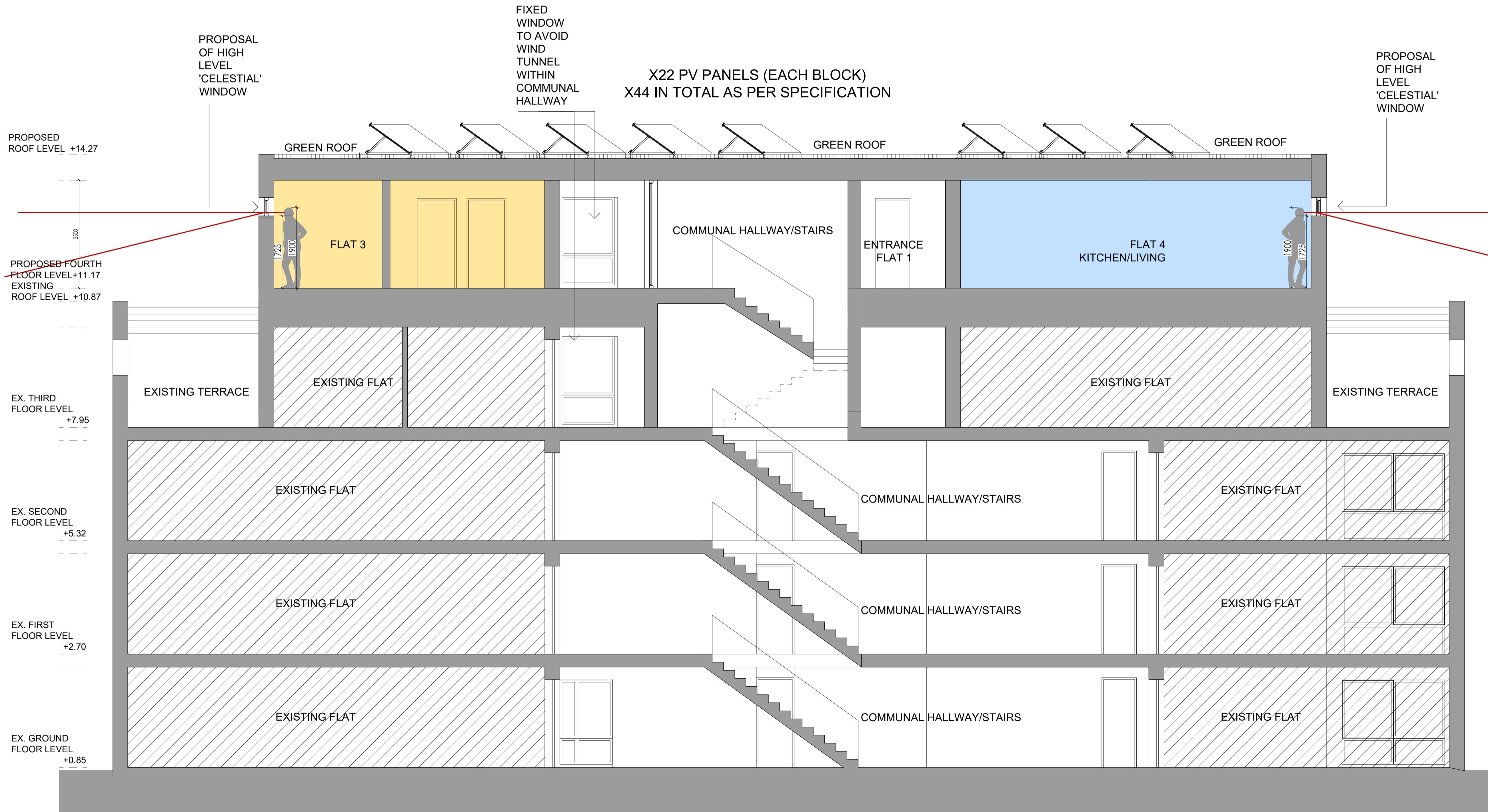
3 Proposed Roof Plan Scale 1:200

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Rev:	Description:	Date:
A	removal of high level celestial windows	09/06/21
B	Celestial Window amendment	30/06/21
C	revision to section line & additional notes	20/12/21
D	annotation to section heights & elevations	01/04/23
E	window cill height	10/08/23



4 Proposed Section AA Scale 1:50



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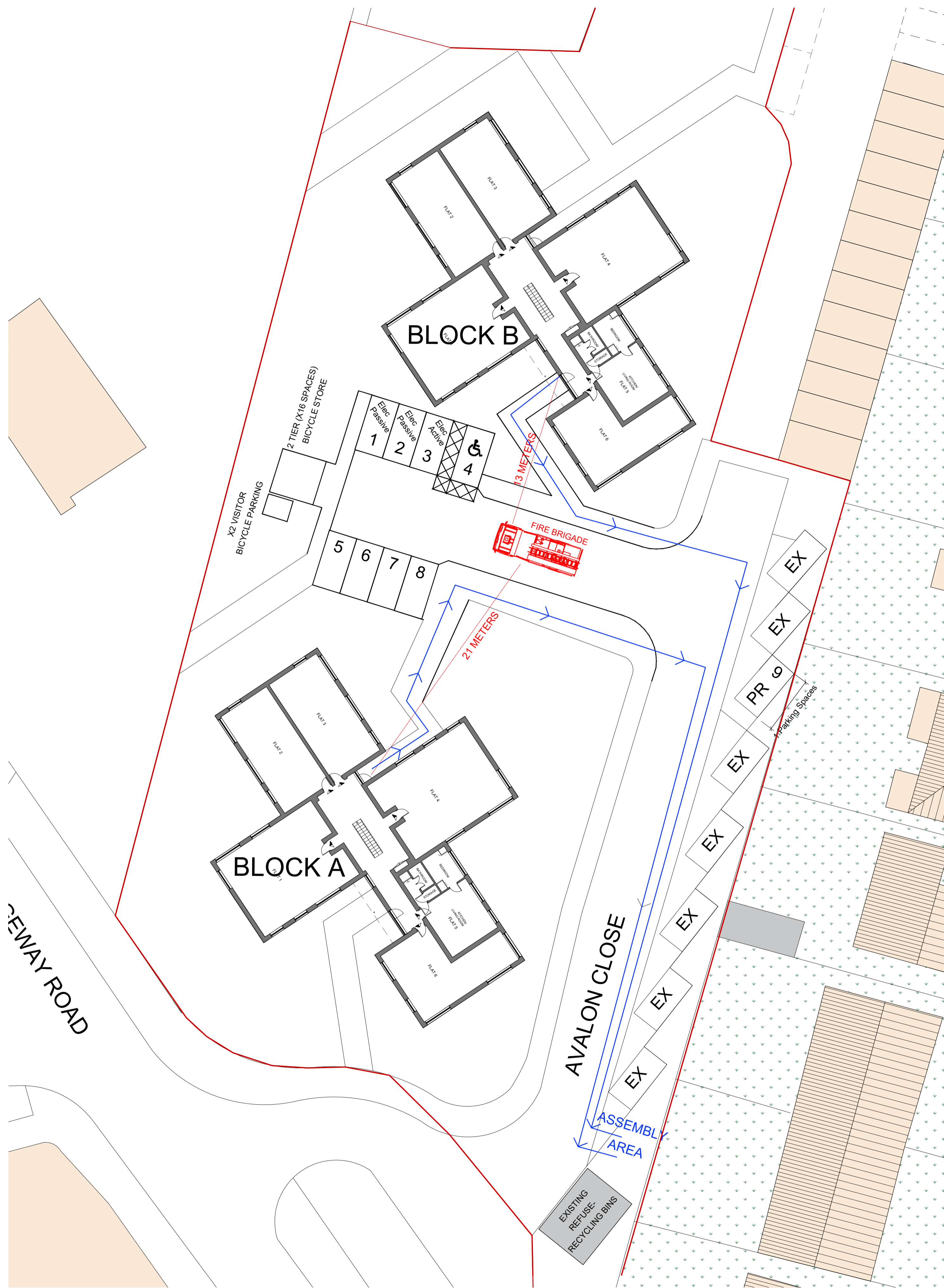
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Drawing Title:
Proposed Section AA
Block A & B

Date:	Drawing Status:
March 2021	Planning
Drawing Number:	Revision
SE 1596 - 15/P1	E
Scale:	Drawn By:
1:200 / 1:50 @ A1	SF

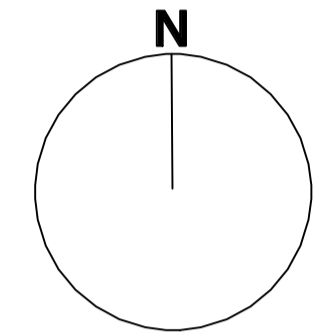


1 Proposed FIRE BRIGADE ACCESS PLAN (Ground Floor Plan) Scale 1:200



2 Proposed Key Plan Scale 1:500

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Rev:	Description:	Date:
A	Fire Strategy Route Plan	30/07/23
B	Fire Strategy - ground floor site plan	10/08/23

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Drawing Title:
Proposed Ground Floor Fire Strategy

Date:	Drawing Status:
June 2023	Planning
Drawing Number:	Revision
SE 1596 - 20/P1	B
Scale:	Drawn By:
1:200 / 1:500 @ A1	SF

