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PLANNING COMMITTEE

Tuesday, 4th June, 2024 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, Nelly Gyosheva, Ahmet Hasan, Bektas Ozer, Michael Rye OBE, and Jim Steven.

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 - 6)

To receive and agree the minutes of the meeting held on Tuesday 23 April 2024.

4. REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL (Pages 7 - 10)

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

5. 20/02628/FUL & 20/02629/LBC - 510 HERTFORD ROAD, ENFIELD, EN3 5SS (Pages 11 - 56)

RECOMMENDATION:

1. That planning permission be GRANTED with conditions and S106 Agreement for Sustainable Transport Contribution.
2. That Listed Building consent be GRANTED with conditions.
3. The Planning Decisions Manager be granted delegated authority to finalise the wording of the Section 106 Agreement and agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

Ward: Carterhatch

6. 22/02248/FUL - 24-26 CHURCHBURY LANE, ENFIELD, EN1 3TY (Pages 57 - 94)

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.

Ward: Town

7. DEVONSHIRE ROAD AT THE JUNCTION WITH GREEN LANES IN PALMERS GREEN (Pages 95 - 106)

RECOMMENDATION:

1. To adopt the proposal as set out in this report to extinguish vehicular access rights over the junction at Devonshire Road where it meets Green Lanes.
2. To delegate authority to the Programme Director for Journeys and Places to proceed to advertise an Order pursuant to Section 249 of the Town and Country Planning Act 1990 to facilitate the pedestrianisation.
3. Subject to fulfilling the requirements of Section 252 of the Town and Country Planning Act 1990, to delegate authority for determining whether or not to proceed with the Order received to the Cabinet Member for Transport and Waste, Cllr Rick Jewel following consideration of any objections and representations in a Portfolio Report.
4. To delegate authority to the Programme Director of Journeys and Places in consultation with the Cabinet Member for Transport and Waste, Cllr Rick Jewel, on the final scheme design and subsequent implementation.

Ward: Palmers Green

8. DATES OF FUTURE MEETINGS

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

Tuesday 18 June 2024
Tuesday 2 July 2024 (provisional)
Tuesday 16 July 2024
Tuesday 6 August 2024 (provisional)
Tuesday 17 September 2024
Tuesday 15 October 2024
Tuesday 5 November 2024 (provisional)
Tuesday 19 November 2024
Tuesday 17 December 2024
Tuesday 21 January 2025
Tuesday 11 February 2025 (provisional)
Tuesday 25 February 2025
Tuesday 4 March 2025 (provisional)
Tuesday 18 March 2025
Tuesday 1 April 2025 (provisional)
Tuesday 22 April 2025

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

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PLANNING COMMITTEE - 23.4.2024

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON TUESDAY, 23 APRIL 2024****COUNCILLORS**

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

OFFICERS: Karen Page (Head of Planning and Building Control), Sharon Davidson (Planning Decisions Manager), Karolina Grebowiec-Hall (Principal Planner), Eloise Kiernan (Principal Planning Officer), Amma Busia (Planning Officer), Joseph Aggar (Principal Planner), Aaron Hawkins (Senior Planning Officer), Gideon Whittingham (Planning Decisions Manager), Chris Cole (Head of Strategic Transport Planning & Policy), Michael Kennedy (Principal Urban Designer), John Hood (Legal Adviser), and Harry Blake-Herbert (Governance Officer).

Also Attending: Applicant and agent representatives, deputees, members of the public, press, Attigo Trust representative, and officers observing.

1 WELCOME AND APOLOGIES

The Chair welcomed everyone to the meeting.

Apologies for absence were received from Cllr Thomas Fawns.

2 DECLARATIONS OF INTEREST

Cllr Lee Chamberlain declared a non-pecuniary interest, as a Member of the North London Model Flying Club, who practiced within the boundary of the site on item 7, application reference 23/03142/RE4. Cllr Chamberlain would leave the meeting during discussions and voting on this application.

3 MINUTES OF PREVIOUS MEETING

The minutes of the Planning Committee meeting held on Tuesday 23 January 2024 were **AGREED**.

4 REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL

Received the report of the Head of Planning and Building Control, which was **NOTED**.

PLANNING COMMITTEE - 23.4.2024

5 23/01848/FUL - VACANT TFL HIGHWAYS LAND FORMALLY COMPRISING NO'S 108-112 PALMERSTON CRESCENT, LONDON, N13 4NG

Eloise Kiernan, Principal Planning Officer, introduced the report, highlighting the key aspects of the application.

In response to Members' queries regarding scale, officers advised that the application was for two buildings, block A ranging in height from 3 to 6 storeys and block B at 6 storeys. The applicant would not be able to vary the height, and had to comply with the drawings.

In response to Members' questions and comments relating to transport, officers responded that a controlled parking zone (CPZ) would offset some of the parking issues in the surrounding area. Access provided by a turning head would allow for better servicing, and would be a shared surface with the cycle way; this improved/ rationalised amendment would make it a safer and more pleasant space for all. The only parking provision being provided by the development was three disabled spaces for the three accessible units, which was served by the undercroft. Although the process for implementing a CPZ is outside the planning process, officers would try to seek payment from the developer at the earliest opportunity to design and engage with residents over the CPZ, and have it in place as soon as possible.

In response to Members' enquiries regarding distancing/ separations, officers replied that there was a frontage, with a planting buffer between the building and the North Circular Road. Residential units had been pulled back from the road, with no primary residential amenity on the ground floor sitting along it, and the buildings were angled so that all principal views did not overlook the North Circular. The distance to the neighbouring property 106, was said to be 1.6m to the common boundary and 3.5m to the building at the front, and tapering to just under 2m at the back. Concerns regarding overlooking at the north elevation in block A, were mitigated by them being non-habitable or secondary windows which could be conditioned to have obscure glass. In block B there was a separation of 15m, landscaping which created shielding, and the non-habitable windows could also be conditioned. Most of the windows affected by day/sun light loss served non-habitable rooms, and in the instance where a habitable room was affected there were other sources of light.

In response to Members' questions relating to trees, officers advised that some category b trees had to be lost to allow for meaningful development, as they were located in the middle of the site, but they had done their best to maintain as much as possible and use the amenity space effectively. Eight trees would be replanted, and if there was space, officers would try to secure additional trees through condition in the landscaping scheme, but they wanted to ensure the trees had enough space to thrive.

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

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1. That subject to the completion of a S106 to secure the matters covered in this report, the Head of Planning and Building Control be authorised to GRANT planning permission subject to conditions.
2. That Head of Planning & Building Control be granted delegated authority to finalise the wording of the S106 Agreement and the planning conditions listed in the report. This includes the conditions discussed relating to: obscure windows, the landscaping plan, and to demarcate the shared turning head space if possible.

6 23/02832/FUL - 14 MAXIM ROAD, LONDON N21 1EX

Amma Busia, Planning Officer, introduced the report, highlighting the key aspects of the application. A day/sun light report submitted by one of the objectors regarding the impact on their property was shared with Members, and officers reiterated their response to this, as had been outlined in the report.

A deputation was received from Cllr Julian Sampson, representing the Ward Councillors, who spoke against officers' recommendations.

A deputation was received from Costas Constantinou, and Lauren & Kieran James, local residents, who spoke against officers' recommendations.

The applicant, Joachim Sander, spoke in response.

Officers responded to comments in respect of the height and mass of the building, advising that there were other two storey and semi-detached properties in the street. The building would stand slightly higher than neighbouring properties, but reflected the change in road level. The amended scheme was considered acceptable in the street scene context and would not result in more than marginal planning harm. The building had been brought in from the boundary to allow for a metre separation.

In response to Members' queries relating to distancing/ separation, officers responded that whilst there was day/sun light impact on a neighbouring property window, the room affected was served by/ received light from other sources. Due to the height of the Velux windows, it was unlikely that somebody would be able to look out and down through them, but they could be conditioned to be obscured glazed.

In response to Members' questions and comments regarding parking, officers replied that Transport had raised no objection to the four-bed dwelling providing two spaces, and there would be a unilateral undertaking to prevent car parking on street.

In response to Members' enquiries relating to materials, officers advised that there was a condition in place to control the materials and colours to ensure they were consistent with those in the street.

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

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1. The Planning Decisions Manager be authorised to GRANT planning permission subject to conditions and the completion of a Section 106 Agreement; including an additional condition requiring the roof lights to flank elevations to be obscure glazed.
2. The Planning Decisions Manager be granted delegated authority to finalise the wording of the Section 106 Agreement and agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

7 23/03142/RE4 - 90 HECTARES OF LAND LYING BETWEEN BOTANY BAY (SOUTH) AND THE M25 (NORTH)

Sharon Davidson, Planning Decisions Manager, introduced the report, highlighting the key aspects of the application. Updates provided in a previously circulated addendum report were reasserted.

Cllr Chamberlain would leave the meeting for discussions and voting on this item, having declared that he was a Member of the North London Model Flying Club, who practiced within the boundary of the site.

A deputation was received from Cllr Joanne Laban, Ward Councillor, who spoke against officers' recommendations.

A deputation was received from Kevin Lynskey, a local resident, who spoke against officers' recommendations.

The agent, Michael Graham, spoke in response.

Officers responded to comments in respect of discrepancies in the documentation, advising that the application had been assessed based on the 1.6 million cubic meter capacity. There had been a level of preapplication consultation undertaken by the applicant, and 101 letters had been sent out in reference to the planning application.

In response to Members' questions regarding transport, officers responded that restrictions for vehicle movements reflected the planning permission for the adjoining site which had similar vehicle movements. The morning travel peak was described as more extreme than the afternoon/ evening peak, as school and work times coincided, as opposed to being more spread out in the afternoon/ evening. Monitors were being added to the Ridgeway close to the hospital which would allow for improved monitoring of the traffic. Officers could look into considering additional cameras from an enforcement viewpoint if vehicles were not using the prescribed left in, right out proposal. The council would investigate vehicles which did not leave the site through the correct route, and the proposed scheme had stronger contractual controls than previously. There was potential for officers to attend and manage vehicles at the site; independent consultants also visited and monitored this, and there was 24-hour CCTV in operation. There would be a condition attached to planning permission requiring the submission of a construction environmental management plan (CEMP). As landowner, through the contractual process,

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the council would control and penalise if contractors at the site breached the approved CEMP.

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

1. That in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, the Head of Planning and Building Control be authorised to GRANT planning permission subject to conditions.
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 set out in the Recommendation section of this report.

8 23/02385/FUL - HOUNDSFIELD PRIMARY SCHOOL, RIPON ROAD, LONDON, N9 7RE

Joseph Aggar, Principal Planner, introduced the report, highlighting the key aspects of the application.

In response to Members' queries regarding the application's expiration, officers replied that following the previous application's expiration in March 2022 there had been pre-application discussion with the applicant team in respect of whether that part of the Metropolitan Open Land would be de-designated. Were permission to be granted, permission for the application would begin from the day it was issued. It was conveyed that the applicant could apply in the coming years to make the permission/ building permanent, but this couldn't be conditioned, and whether such permission would be appropriate, given it was a modular construction and on Metropolitan Open Land, would then need to be considered. Officers had no concerns as to the condition of the building but agreed with Members that the long-term strategy of the site and SEND provision in the borough needed to be better understood.

In response to Members' questions and comments relating to whether the educational need persisted, an Attigo Trust representative explained that the planning permission came to light during the conversion process of the school in 2019, and they had been working to resolve the application. It had been reduced from a three to two form entry school, but every classroom was used and the school had recently been upgraded to 'good' by Ofsted. The school was said to support a variety of groups in the community and would be providing long term SEND places.

Members expressed dissatisfaction at the lack of information provided to them regarding the reduction from three to two forms of entry and diversification to provide additional SEND places, in addition to Education representatives having not attended to explain more. Officers expressed that they had received late written representation from the Education department which set out that a further thirty SEN places would be provided by the school which would help meet the need in the borough.

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In response to Members' enquiries regarding transport, officers advised that there would be no change in servicing and delivery, which would continue to access the site from Doncaster Road.

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

1. That planning permission be GRANTED subject to conditions.
2. That the Head of Planning & Building Control be granted delegated authority to finalise the wording of the conditions to cover the matters in the Recommendation section of this report.

9 23/02493/VAR - THE ROYAL CHACE HOTEL, 162 THE RIDGEWAY, ENFIELD, EN2 8AR

Sharon Davidson, Planning Decisions Manager, introduced the report, highlighting the key aspects of the application.

In response to Members' questions relating to process, officers responded that a decision on the application was Enfield Council's, and it was not a referable scheme for the GLA.

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

1. That subject to the completion of a deed of variation to link the development to the Section 106 Agreement previously secured for 21/01816/FUL, and to reflect the resulting changes to the shared ownership provisions within the current Section 106, the Head of Planning & Building Control be authorised to GRANT full planning permission subject to conditions.
2. That the Head of Planning & Building Control be granted delegated authority to agree the final wording of the deed of variation and conditions to cover those matters recommended in this report.

10 REVIEW OF APPEAL PERFORMANCE 2023/24

Gideon Whittingham, Planning Decisions Manager, introduced and highlighted the key aspects of the report.

Members NOTED the report.

11 DATES OF FUTURE MEETINGS

Members NOTED that the dates of future meetings would be confirmed following Annual Council on Wednesday 15 May 2024.

The Chair thanked Members and officers for their time and contributions, and the meeting ended at 21:54.



London Borough of Enfield

Report Title	Report of Head of Planning and Building Control
Report to	Planning Committee
Date of Meeting	4 th June 2024
Cabinet Member	Councillor Susan Erbil
Executive Director / Director	Brett Leahy – Director of Planning & Growth Perry Scott – 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, 400 applications were determined between 11/04/2024 and 20/05/2024, of which 309 were granted and 91 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: 21/05/2024

Appendices

None.

Background Papers

To be found on files indicated in Schedule.

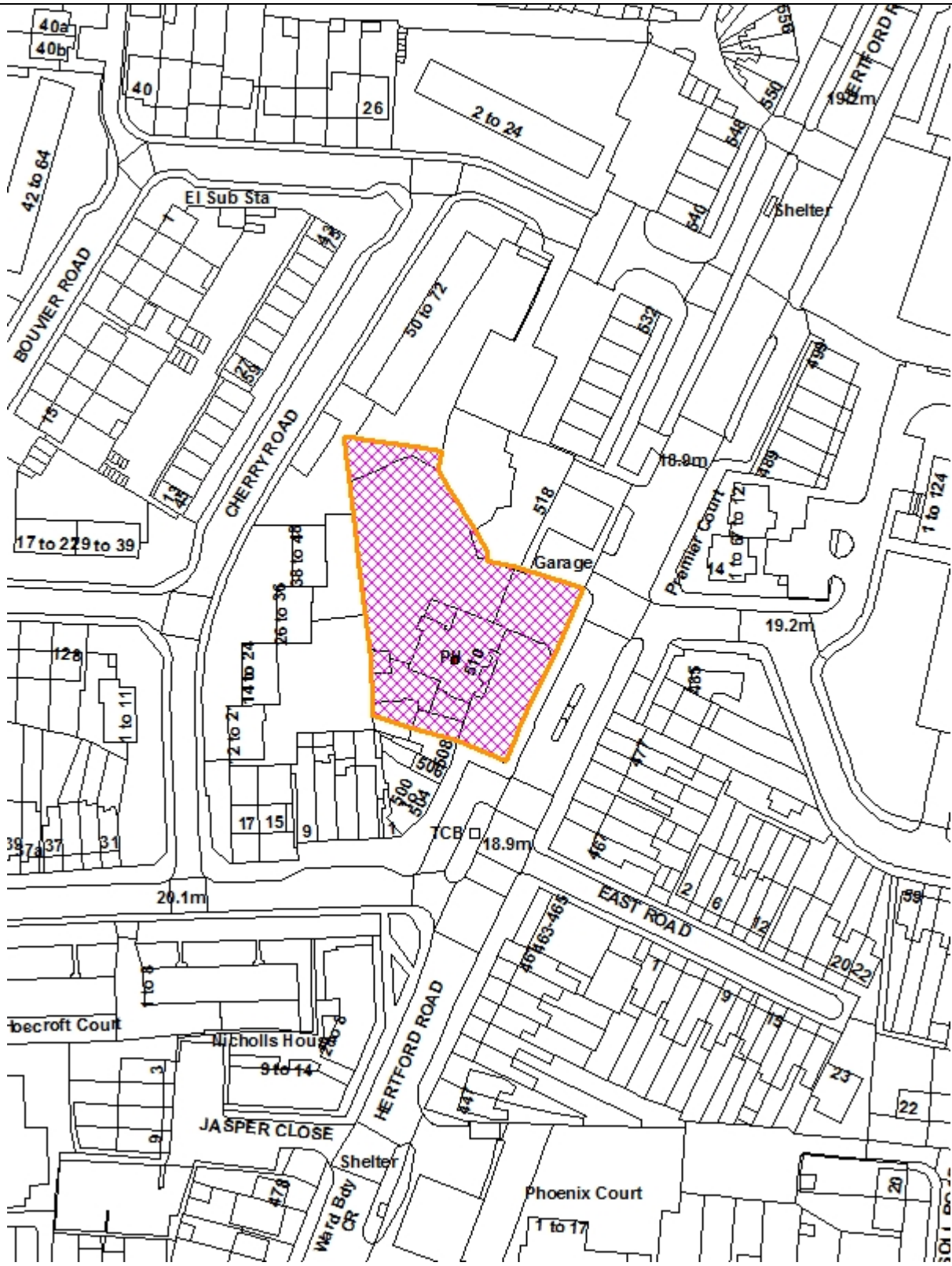
Background Papers

None

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PLANNING COMMITTEE	Date: 4th June 2024	
Report of Head of Planning & Building Control – Karen Page	Contact Officers: Planning Decisions Manager - Sharon Davidson Case officer-Tendai Mutasa	Category Full Planning Application & Listed Building Consent
Ward – Carterhatch	Councillor Request - No	
LOCATION: 510 Hertford Road, Hertford Road, Enfield, EN3 5SS		
APPLICATION NUMBER: 20/02628/FUL and 20/02629/LBC		
<p>PROPOSAL: Part redevelopment of site to provide 7 additional residential units (16 in total) and 2 x retail units involving demolition of existing building at side, refurbishment of existing building involving retention of A3 unit at ground floor, internal and external alterations to provide 4 self-contained flats, erection of 3 detached buildings involving a part 3, part 4-storey block at side incorporating a retail unit on ground floor and 2 self-contained flats with balcony /terraces at rear, a part 3 part 4-storey block at side incorporating a retail unit on ground floor and cycle store to the rear with 6 self-contained flats with balcony /terraces to front and rear and a 4-storey block at rear incorporating 4 self-contained flats with balcony / terraces to front, refuse store to rear, off street car parking and associated landscaping.</p>		
Applicant Name & Address: Kemal Kaya Mapeforce Ltd 510, Hertford Road Enfield EN3 5SS		Agent Name & Address: Mr Murat Aydemir Intelliarch Ltd 47 Eversley Park Road London N21 1JJ

Ref: 20/02628/FUL LOCATION: 510 Hertford Road, Enfield, EN3 5SS,



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North



RECOMMENDATION:

1. That planning permission be **GRANTED** with conditions and S106 Agreement for Sustainable Transport Contribution.
2. That Listed Building consent be **GRANTED** with conditions.
3. The Planning Decisions Manager be granted delegated authority to finalise the wording of the Section 106 Agreement and agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

1 Note for Members:

- 1.1 The application is reported to the Planning Committee for determination as it is a major development, involving more than 10 residential units in accordance with the scheme of delegation.

2 RECOMMENDATION

- 2.1. That planning permission be **GRANTED** with conditions and S106 Agreement for Sustainable Transport Contribution.
- 2.2. That Listed Building consent be **GRANTED** with conditions.
- 2.3. The Planning Decisions Manager be granted delegated authority to finalise the wording of the Section 106 Agreement and agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

Full Planning Permission Conditions

1. Time limited permission
2. Approved Plans
3. Materials
4. Enclosure
5. Refuse New Builds
6. Levels
7. Cycle New Builds
8. Section M4(2) Category 2: Accessible and Adaptable Dwellings
9. Water efficiency
10. Energy New build
11. Updated Energy Statement
12. Sustainable Drainage Strategy
13. Sustainable Drainage Verification Report
14. Non-Road Mobile Machinery (NRMM)
15. Remediation
16. Contamination
17. Secure by Design Guide
18. Vehicle Access reinstatement of redundant crossings
19. Control of proposed gate to ensure access for servicing and delivery vehicles

20. Surfacing Materials
21. Details of shopfronts/signage zone for commercial units
22. Sample panels of all external materials – to show brick bond, mortar mix, pointing profile
23. Prior to commencement of the development the 'Glazed Building' identified on plan "1062-05 Rev D" shall be removed from site.
24. Secure by design
25. Electric vehicle charging points
26. Landscaping details
27. Biodiversity enhancements
28. Use Class restriction for commercial units Class E (a)
29. Opening hours – commercial units
30. Obscure glazing
31. Overheating Risk Assessment
32. BREEAM
33. No plant and machinery to be affixed to external facades of buildings
34. Access and car parking arrangement to be in place prior to occupation of any dwelling
35. Parking management plan
36. Minimum number of disabled bays
37. Hard and Soft Landscape
38. Construction Management Plan

Listed Building Conditions

1. Time
2. Plans
3. Remedial Works
4. Scaled drawings
5. Window Details
6. Section/Elevations of building
7. Rainwater Goods
8. Sample Bricks
9. Schedule of internal material
10. Method Statement for the conservation of exterior brickwork of Block B
11. Refuse Listed Building
12. Cycle Listed Buildings

Informatives

- a) In aiming to satisfy the secure by design condition the applicant must seek the advice of the Metropolitan Police Service Designing Out Crime Officers (DOCOs). The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk
- b) All works to the highway ie the construction of the vehicular access and the reinstatement of the existing access(es), will need to be undertaken by the Council's Highway Services team, who should be contacted on the footway crossing helpdesk (020 8379 2211) as soon as possible so that the required works can be programmed.

3 Executive Summary

- 3.1. The **Full Planning Application** seeks permission for the provision of 7 additional residential units (16 in total including in the Listed Building) comprising (a mixture of 1 bed, 2 bed, 3 bed and 4 bedroom units) and 2 x retail units.
- 3.2. 10% wheelchair accessible units, totalling 2 No. 3bed flats at ground floor with private gardens.
45. no Cycle stores to the rear, amenity spaces, refuse stores to rear, 10 off street car parking and associated landscaping.
Vehicle access to the buildings would be via Hertford Road.
Pedestrian access into the site is provided to the front of the Restaurant in line with existing cross over, keeping pedestrian and vehicular movement segregated.
- 3.3. The **Listed Building Consent** application also includes the removal of some unauthorised works. There is a pergola at the front which will need to be removed to pave way for the works. The land to the front of the site is Council owned and the applicants are in the process of acquiring this land. There is a separate process for the applicant to go through to secure the land which does not prevent the grant of planning permission.

The **Listed building** application will seek alterations to the external and internal of the building and works to the curtilage of the building. The ground floor restaurant will be retained.

- The works to the **Listed Building** are to remove the two small extensions to the eastern side of the Listed Building.
- Existing air condition units are to be removed and relocated underneath the existing staircase.
- The existing railings and security railing to the window will be removed.
- The disabled ramp is to be removed and relocated to the front and the doorway that is been formed for this ramp will be converted back to a window.
- The front seating is to be fully removed and converted back to a driveway.
- Remove all satellite dishes and the air conditioning units and fit them in one communal area to the roof.
- Removal of signs.

- Internal re-configuration of the residential units and reduction from 9 units to 4 units.

3.4. The scheme is considered acceptable for the following reasons:

- a) The proposal would provide sixteen dwellings ranging from 1 bedroom flats to 4 bedroom house which would contribute to the Borough's housing stock.
- b) The quality of accommodation exceeds the minimum standard in accordance with the London Plan.
- c) The proposal would not have a detrimental impact on the character and appearance of the wider street scene although it would harm the Listed Building.
- d) The proposal would not negatively impact the amenities of the neighbouring residential properties.
- e) There would be no adverse effect on highway safety or traffic generation.
- f) Although outweighed by the heritage harm, the scheme delivers a number of heritage benefits which assist with the overall 'balancing act'.

4 Site and Surroundings

- 4.1. The site is located on the west side of Hertford Road. It contains a Grade II Listed three-storey building and a number of outbuildings. The ground floor is currently used as a restaurant. A lawful development certificate was issued for use of the upper floors and outbuildings as nine self-contained studio units.
- 4.2. The surrounding area comprises of a mix of commercial properties on the ground floor and residential above. To the north of the site is a petrol filling station to the Hertford Road frontage; to the south is a terrace of buildings ranging in height between 2 and 3 storeys and occupied for commercial purposes on the ground floor and ancillary and/or residential accommodation on the upper floors. To the west are 3 storey blocks of flats fronting Cherry Road
- 4.3. The subject site has a PTAL score of 4a.
- 4.4. There are no protected trees on site.
- 4.5. Currently the site is accessed from Hertford Road and there is an existing unauthorised pergola at the front owned by the applicants used to provide additional seating for the restaurant and that sits on land in Council ownership.
- 4.6. A curtilage listed outbuilding to the rear has been demolished without consent.

4.7. The site is not located in a Conservation Area.



5 Proposal

- 5.1. This report covers two applications, one for planning permission for the development as a whole and second for Listed Building Consent for the physical works that are needed to the listed building to facilitate the development together with retrospective consent for the demolition of a curtilage listed building.
- 5.2. Planning permission is sought for the erection of 4 new blocks of accommodation to accommodate a total of 12 new flats and two retail units at ground floor. The blocks range between 3 and 4 storeys. The application includes the reconfiguration of the access arrangements to the site, including the demolition of the existing pergola to the frontage of the listed building. A single point of vehicle access is proposed through to the rear of the site, providing access to 6 parking spaces and a turning head. Additional parking is provided through the extension of the service road to the site frontage in place of the existing pergola. The application also includes works to the Listed Building to remodel the upper floor accommodation to replace the existing 9 studio units with 4 x1 bed self-contained flats. A ground floor extension is proposed to the side of the Listed Building.
- 5.3. Listed Building consent is sought for the internal alterations necessary to remodel the upper floor, the proposed ground floor extension and some of the additional works to remove unauthorised works and to remove some plant and equipment affixed to the building.

6 Relevant Planning History

- 6.1. 15/03178/LBC – Conversion of uppers floors and building at side to provide 9 studio flats (RETROSPECTIVE).– Granted - 10.12.2015.
- 6.2. 15/04049/CEU – Nine self-contained studio flats.– Granted 08.12.2015.
- 6.3. TP/05/1089 - retention of single-storey 1-bed unit at side - refused 19/9/2005.
- 6.4. TP/05/1086 & LBC/05/0018 - conversion of residential accommodation above the public house into a house of multiple occupation (retrospective) approved 12/8/2010.

7 Consultation

Statutory and non-statutory consultees

- 7.1. Transportation – No objection raised subject to conditions and legal agreement.
- 7.2. Secure by Design – No objection subject to conditions.
- 7.3. Trees – No objection raised.
- 7.4. Suds Team – No objection subject to conditions.
- 7.5. Sustainability Officer – No objection subject to conditions.
- 7.6. Heritage Officer – Objection raised see Heritage section of the report.
- 7.7. Urban Design Officer – No objection raised.

Public consultation

- 7.8. Twenty two (22) adjacent properties were notified of the application through letters. A site notice has been displayed and a notice published in the press. No objections were received at the time of writing this report.

8 Relevant Planning Policies

- 8.1. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the development plan so far as material to the application: and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Enfield Core Strategy (2010); the Enfield Development Management Document (2014); and The London Plan (2021).

National Planning Policy Framework (NPPF) (MHCLG, 2023)

- 8.3. The National Planning Policy Framework (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.
- 8.4. In relation to achieving appropriate densities Paragraph 128 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:

- 8.6. 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:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (7); or
 - (ii) any adverse impacts of so doing would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 8.7. 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....; or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous 3 years."
- 8.8. 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.
- 8.9. 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.
- 8.10. 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 and being placed in the "presumption in favour of sustainable development category" by the Government through its Housing Delivery Test.
- 8.11. In 2022 Enfield delivered 2270 of the 3098 homes target, this equates to 73% of the target and as a result continues to be placed into the "presumption in favour of sustainable development" category.
- 8.12. This is referred to as the "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.

- 8.13. 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.

London Plan (2021)

- 8.14. 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:

Policy GG2 - Making the Best Use of Land

Policy GG4 - Delivering the Homes Londoners Need

Policy GG6 - Increasing Efficiency and Resilience

Policy D1 - London's Form and Characteristics

Policy D2 - Delivering Good Design

Policy D3 - Inclusive Design

Policy D6 - Housing quality and standards

Policy D8 – Public Realm

Policy D10 - Safety, security and resilience to emergency

Policy D12 – Fire Safety

Policy D14 – Noise

Policy H1 - Increasing Housing Supply

Policy H4 Delivering Affordable Housing

Policy H6 Affordable housing tenure

Policy HC1 Heritage conservation and growth

Policy H2 - Small Sites and Small Housing Developments

Policy H10 – Housing Size Mix

Policy G5 – Urban Greening

Policy G6 - Biodiversity and Access to Nature

Policy SI5 - Water Infrastructure

Policy SI7 - Reducing Waste and Supporting the Circular Economy

Policy SI12 - Flood Risk Management

Policy SI13 - Sustainable Drainage

Policy T4 - Assessing and Mitigating Transport Impacts

Policy T5 – Cycling

Policy T6 - Car parking

Enfield Core Strategy (adopted November 2010)

- 8.15. 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 of the Core Strategy is considered particularly relevant:

Policy CP 2 Housing Supply and Locations for New Homes

Policy CP 3 Affordable Housing

Policy CP4: Housing Quality

Policy CP5: Housing Types

Policy CP7: Health and Social Care Facilities and the Wider Determinants of Health

Policy CP20: Sustainable Energy Use and Energy Infrastructure

Policy CP21: Delivering Sustainable Water Supply, Drainage and Sewerage Infrastructure

Policy CP22: Delivering Sustainable Waste Management

Policy CP24: The Road Network

Policy CP25: Pedestrian and Cyclists

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

Policy CP31 Heritage

Policy CP32: Pollution

Enfield Development Management Document (DMD) (November 2014)

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

Policy DMD 1 Affordable Housing on Sites Capable of Providing 10 units+

Policy DMD 3 Providing a Mix of Different Sized Homes
Policy DMD6: Residential Character
Policy DMD7: Development of Garden Land
Policy DMD8: General Standards for New Residential Development
Policy DMD9: Amenity Space
Policy DMD10: Distancing
Policy DMD37: Achieving High Quality and Design-Led Development
Policy DMD38: Design Process
Policy DMD44: Preserving and Enhancing Heritage Assets
Policy DMD45: Parking Standards and Layout
Policy DMD47: Access, New Roads and Servicing
Policy DMD49: Sustainable Design and Construction Statements
Policy DMD51: Energy Efficiency Standards
Policy DMD58: Water efficiency
Policy DMD59: Avoiding and reducing flood risk
Policy DMD61: Managing Surface Water
Policy DMD79: Ecological Enhancements
Policy DMD81: Landscaping

North East Enfield Area Action Plan (Adopted June 2016)

Transport and movement

Property Market

Land use and character

Enfield Local Plan (Reg 19) 2024

8.17. The Council has published the Enfield Local Plan 2019-2041 for Regulation 19 Consultation between 28 March and 20 May 2024. The Enfield Local Plan is at an advanced stage of preparation and is considered by the council to be sound and will not be modified significantly prior to examination. NPPF 2023 Paragraph 48 states that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the London Plan and NPPF 2023. Key local emerging policies from the plan are listed below:

Policy DM SE2 Sustainable design and construction

Policy DMSE4 Reducing energy demand

- Policy DMSE6 Renewable energy development
- Policy DM SE7 Climate change adaptation and managing heat risk
- Policy DM SE10 Sustainable drainage systems
- Policy DM DE1 Delivering a well-designed, high-quality and resilient environment
- Policy DM DE4 Putting Heritage at the centre of place-making
- 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

Other relevant policy/guidance

- National Planning Practice Guidance
- Enfield Characterisation Study (2011)
- National Design guide (2019)
- Council's Refuse and Recycling Guide ENV 08 162
- Housing Needs assessment (2020)
- National described internal Space standards (2015)
- London Housing SPG (2016)
- Enfield Local Heritage List (May 2018)
- Making Enfield: Heritage Strategy 2019-24
- GLA Threshold Approach to Affordable Housing on Public Land (2018)

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. The main issues arising from this proposal to consider are:
 - 1. Principle of Development
 - 2. Heritage
 - 3. Design, & Appearance & Impact on the Character of the Surrounding Area
 - 4. Quality of Accommodation
 - 5. Impact on Neighbouring Residential Amenities

6. Housing Mix, Affordable Housing,
7. Highways & Parking Considerations
8. Flood/ Surface water risk
9. Biodiversity, Ecology and Landscaping and Trees
10. Energy

Principle of development

- 9.3. The NPPF and London Plan advise that local authorities should seek to deliver a wide choice of high-quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. The NPPF 2023 recognises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly.
- 9.4. The Borough's current target for the plan period is for a minimum of 12,460 net housing completions between 2019/20 – 2028/29, as set out in the London Plan 2021. In the event that the proposed development was acceptable in all other respects, the proposed 7 new additional units would make a positive contribution towards meeting the strategic housing needs of Greater London and increasing the housing stock. The proposals would add 6 x 3 bed and 1x 4 bed family units and the existing studios within the listed building will be remodelled to reduce the total number but improve the quality of the accommodation provided by providing 4 x 1 beds to meet space standards and that would also improve the quality of housing stock of the Borough in accordance with the NPPF and the Policy CP5 of the Enfield Core Strategy (2010). In this context, it is acknowledged the redevelopment of the site could help delivery and contribute to the Council's substantial housing delivery targets which is welcome.
- 9.5. The existing plot is currently in use as residential and commercial with some parts of the site vacant. The provision of additional commercial space on the site at ground floor level is acceptable in the context of the area and the form of development that fronts the Hertford Road.

Heritage Considerations

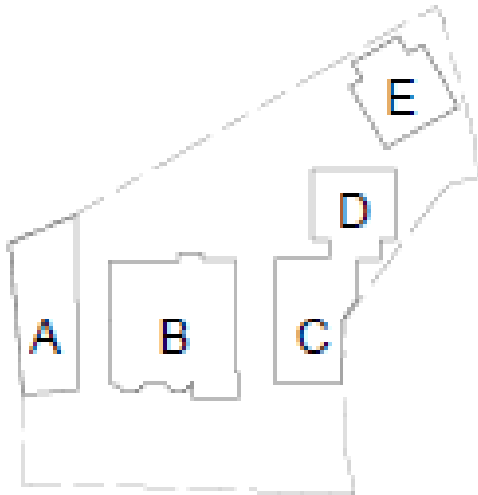
- 9.6. The development involves works to a Grade II Listed Building and development within the setting of the same building. The works proposed to the Listed Building include the remodelling of the upper floors of accommodation to reduce the number of residential units in the building from 9 to 4, the removal of modern additions, plant and equipment affixed to the building. The scheme also includes the demolition of a curtilage listed building together with more modern structures. New works include a single storey extension to the rear. Development within the curtilage includes the erection of 4 new detached blocks containing commercial and residential floor space, remodelling of the parking and access arrangements, including the demolition of pergola structure to the site frontage, erection of structure to house refuse containers, hard and soft landscaping.

Demolition of southern structures

- 9.7. The removal of poorly maintained structures within the setting of the listed building could have a slight positive affect though the degree of benefit would depend on what is proposed for these areas. The diagram below shows in hatched, the structures to be demolished within the setting of the listed building.



- 9.8. A curtilage listed C19th brick outbuilding to the south of the main Listed Building has been demolished since 2008, the precise date is not known. This application would regularise the un-authorised removal of this structure. Whilst attributing significance to the outbuilding retrospectively is challenging it can reasonably be concluded that the demolition of the C19th outbuilding would cause a moderate degree of less than substantial harm.



Site layout plan labelling blocks in reference to comments below

Block B (Listed Building)

9.9. The existing Listed building contains a restaurant at ground floor and flats above. The proposal would retain the restaurant but would re-configure the upper floor accommodation. The works would involve reducing the number of units and making them bigger.

9.10. The proposals introduce the following works:

- The removal of all lights, redundant alarm box and associated cables.
- The removal of a floodlight; timber signage batons; and security grill to the upper floors.
- The demolition of the single-storey flat-roof additions.
- The removal of escape stair.
- Retention of awning (which does not have the benefit of Listed Building Consent).
- Design of the re-instated windows.
- Retention of timber railing and window to porch area (which does not have the benefit of Listed Building Consent) together with removal of decorative iron railing.
- Removal of existing signage (which does not have the benefit of Listed Building Consent).
- Removal of raised patio area and associated glass screens and handrails (which does not have the benefit of Listed Building Consent) together with reinstatement of historic steps.
- Loss of saloon bar entrance (which is also the level access entrance).

- Removal of air conditioning units (which do not have the benefit of Listed Building Consent)
- Removal of ramp. Erection of extension.
- Retention exhaust chimney (which does not have the benefit of Listed Building Consent).
- Erection of access stair; replacement of first floor window with door;
- Retention of awning (which does not have the benefit of Listed Building Consent).

9.11. The Heritage consultation has identified harm caused by numerous items on the above list. There are also items which cannot be given any weight as they include the reversal of works which do not have the benefit of Listed Building Consent.

9.12. From a heritage perspective, it would have been prudent to introduce stairs inside the restaurant leading to the flats above. The existing arrangement involves using the existing external staircase and this will continue in the proposed scheme. The applicant was asked to consider introducing an internal staircase to facilitate removal of the external structure that detracts from the Listed Building. However, they have advised that the restaurant at ground floor has a separate lease and therefore they are not able to accommodate such works. In light of this it is not possible to change the arrangement to allow the staircase to be internal. Therefore this application will consider the staircase outside.

New Block A

9.13. It is considered that the massing of the proposed block would crowd the Listed Building and gives no indication that it was previously set within an open and spacious plot with ancillary outbuildings. The massing also does not reflect the historic hierarchy/subservience within the site. The submitted plans do not demonstrate with any certainty whether the detailing of the scheme is well resolved and of a suitably high quality. This block is not considered contextually appropriate and would cause a moderate degree of less than substantial harm to the Listed Building.

New Block C

9.14. The submitted plans do not provide sufficient certainty that the detailing of the scheme is well resolved and of a suitably high quality. However, the overall level of harm would be a low-to-moderate degree of less than substantial harm.

New Blocks D and E

9.15. Just like at Block C, the submitted drawings do not provide certainty that the detailing of the scheme is well resolved and of a suitably high quality.

9.16. The above materiality and detailing issues across all new blocks can be addressed by conditions and appropriately worded conditions are included to cover these matters in the recommendation section above.

Other heritage matters

9.17. The removal of conifers to the front of the Listed Building is a positive enhancement.

9.18. The hardstanding to the frontage of the Listed Building will be paviors rather than tarmac which represents a slight enhancement.

9.19. The removal of structures at the front of the Listed Building is a positive enhancement although limited weight is being given to this structure as it has not been demonstrated that the structures were erected prior to May 2020 (four years ago) in which case weight cannot be given to this as they do not benefit from deemed consent.

9.20. The landscaping improvements overall offer a low heritage benefit.

9.21. With regards to the Planning (Listed Buildings and Conservation Areas) Act 1990, the Heritage Advisor has identified that the scheme fails to preserve the special interest of the Listed Building contrary to Sections 16(2) and 66(1). The duty to pay 'special regard' in Sections 16(2) and 66(1) of The Act means that there is a 'strong presumption' against the grant of planning permission where it would cause harm to a heritage asset.

9.22. With regards to the NPPF, and in the light of the assessment above , the works as a whole are considered to result in a high degree of 'less than substantial' harm to the heritage asset. The local planning authority should weigh this harm against any public benefits of the proposal including, where appropriate, securing its optimum viable use (Para.202). When undertaking the balancing act, it is important to note that the identification of 'less than substantial harm' does not equate to a 'less than substantial' objection. The decision-maker must apply a weighted or tilted balancing exercise, giving the assessed degree of harm to the heritage asset "considerable importance and weight" as against other considerations.

9.23. The public benefits that the development will deliver are identified as:

- A net increase of 7 new housing units
- An improvement to the size and quality of accommodation contained within the Listed Building
- The provision of 7 new family sized units 6 x 3b and 1 x 4b
- New commercial floor space that will contribute to the Enfield Wash Local Centre
- New commercial floor space that will provide employment opportunities
- Introduction of soft landscaping and biodiversity enhancements
- Sustainable transport contribution

Design, & Appearance & Impact on the Character of the Surrounding Area

- 9.24. The fundamental aim of the NPPF is to secure sustainable development. In order to achieve sustainable development, a development is required to have a good design. Policy D3 of the London Plan encourages the design-led approach that optimises the capacity of sites.
- 9.25. Policy CP30 of the Core Strategy requires new development to be of a high-quality design and in keeping with the character of the surrounding area.
- 9.26. Enfield Development Management Document Policy DMD8 (General Standards for New Residential Development) states that new developments should preserve amenity in terms of daylight, sunlight, outlook, privacy, overlooking, noise and disturbance. 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.
- 9.27. Policy DMD6, residential character requires proposed developments to be of a density appropriate to the locality. The development would be expected to take account of the pattern of development along Hertford Road, to be in keeping with the immediate character of the area and the street scene. Properties along this part of Hertford Road consist of buildings generally between 2 and 3 storeys in height, with pitch roofs adding further height.
- 9.28. The principle of development is supported and the creation of new housing to the rear of the site with retail use fronting Hertford Road is welcome and will fill an unattractive and underutilised gap on the high street.
- 9.29. The proposed buildings will range from 9.2m to 12m in height; Blocks A and C, either side of the Listed Building being 3 storeys in height and Blocks D and E which are set behind the pub being 4 storey. All blocks have a flat roof and are therefore comparable with the overall height and scale of those in the locality. The disposition of the mass across the site ensures the buildings would not be considered over dominant. The Listed Building remains the tallest element to the Hertford Road frontage, maintaining its prominence.



- 9.30. The inclusion of commercial space at the front of the ground floor to the Hertford Road helps achieve the objective of sustainable economic development. This site is in a suitable location for commercial development with ground floor uses to the south and on the opposite side of Hertford Road all being commercial. The commercial units would contribute to the active frontage given the local centre location. No details have been submitted regarding the shop fronts/signage for the commercial aspects. This can be secured by condition. The commercial units are separately accessed from Hertford Road in line with other retail units on the street. The residential access would be to the side and rear of the site and this arrangement is considered to work and is therefore considered acceptable. The overall layout of the site has demonstrated that the parking space distribution works in relation to the various uses, and there is defensible space to ground floor windows and the amenity spaces are usable and all areas are accessible.
- 9.31. On assessment, the LPA is of the view that despite the harm identified from a heritage perspective, on balance this proposed built form would not appear detrimental to the character of the area and is therefore considered in line with Policy DMD 6, Policy DMD8, DMD44 and Policy 37. The overall proposed scale is in keeping with the character of the area.

Quality of Accommodation

- 9.32. DMD 8 require that new residential development must 'meet or exceed minimum space standards in the London Plan and London Housing Design Guide'. The Nationally Described Space Standards 2015 is the relevant document used for determining this.
- 9.33. Applications must be able to demonstrate that habitable rooms will have access to appropriate amounts of natural light, in line with the requirements of the London Housing SPG (2016). Each unit is required to be self-contained and have, inter alia, rooms of an adequate size and shape and feature its own entrance, kitchen and bathroom accommodation.
- 9.34. All new flats are dual aspect, which is supported. They layout of each is usable and functional. All will have access to good natural light. All units meet or exceed the minimum standards.
- 9.35. The plans indicate communal gardens and a private amenity area to the rear of the proposed buildings. Each flat would provide adequately sized private amenity areas in the form of gardens and/or balconies except for the flats in the Listed Building. To achieve private amenity space would result in inappropriate additions to the Listed Building which would be harmful. Residents of the remodelled units within the Listed Building (all 1 bed units) will have access to the communal space available on site. Overall, the proposed development would provide adequate amenity space and is in general alignment with the goals of Policy DMD 9 and The Mayors Housing SPG (2016).
- 9.36. A condition is recommended to ensure the new build element of the development meets the relevant accessibility standards i.e. 10% being wheelchair accessible.
- 9.37. Overall, the quality of the accommodation for future residents is considered acceptable.

Impact on the neighbours' amenity

- 9.38. Policy DMD 8, General Standards for New Residential Development requires new residential dwellings to take into account the nature of the surrounding area and preserve amenity in terms of daylight, sunlight, outlook, privacy, overlooking, noise and disturbance.
- 9.39. Policy DMD 10, Distancing requires new developments to have a minimum of 11 metres between windows and side boundaries and a distance of a minimum of 22 metres between rear facing windows. Development below these standards will only be permitted if it does not compromise development on adjoining sites. The site has neighbouring flatted development to the north of the site and on Hertford Road there is a petrol station and some commercial uses with residential above. The blocks are set away from boundaries and there are no amenity breaches and therefore the amenity of neighbouring buildings is protected. The proposal is in line with DMD10 with regard to distancing between rear/side facing windows.
- 9.40. The submitted plans provide details on the interface between the subject site and the adjoining dwellings. Given the significant separation distances and the upper floor windows proposed, there would be no adverse harm in terms overlooking or loss of privacy to the neighbouring residents or the future residents of the subject site.
- 9.41. The proposed buildings would not break a 25 degree line of site towards the sky from the ground floor windows of the buildings surrounding the site. The submitted Daylight and Sunlight report has demonstrated that the proposed development will have a low impact on the light receivable by its neighbouring properties. As such it is considered that the proposed development would not result in an unacceptable loss of light for neighbouring occupiers.
- 9.42. The intensification of development on the site would lead to greater comings and goings, trips to the site and some additional noise. However, the quantity of both trips and noise would not be unusual in this urban location and would not result in harm to neighbouring occupiers in accordance with Policy DMD 8.
- 9.43. Subject to conditions, the proposed development would not unacceptably impact the residential amenities (noise, privacy, outlook, daylight, and sunlight) of to the neighbouring occupiers.

Housing Mix

- 9.44. Core Strategy Policy CP 5 requires that new development should provide a mix of different sized homes, and sets the following targets for different sized housing. This is a target mix across the Borough for the plan period and is not a site by site requirement:

20%	1 & 2 bed flats (1-3 Persons)
15 %	2 bed houses (4 persons)
45 %	3 bed houses (5-6persons)
20%	4+ bed house (6 + persons)

- 9.45. The proposals include the re-configuration of the units in the Listed building and the reduction of units from the existing 9 studio units to 4 units comprising 4 x 1 bed flats, allowing for larger and better quality accommodation.
- 9.46. The new proposed blocks would deliver the following units:
 1 x 4 bedroom unit,
 6 x 3 bedroom units
 5 x 2 bedroom units.
- 9.47. This represents a good housing mix and equates to 58% of the new units being family sized, which is welcomed.

Affordable Housing

- 9.48. London Plan Policy H4 sets out a strategic target for 50% of all new homes delivered across London to be genuinely affordable Enfield sets a Borough-wide affordable housing target of 40% in Core Policy 3 but acknowledges the appropriate figure will need to take into account site-specific land values, grant availability and viability assessments, market conditions, as well as the relative importance of other planning priorities and obligations on the site.
- 9.49. The development would not have a net increase of 10 units, given the loss of 5 units within the Listed Building and as such would not be liable for an affordable housing contribution. In order to ensure that the net increase does not exceed 10 units, it is important that the works to the Listed building are done and completed before occupation of the new buildings. This has been secured through the conditions listed above.

Highways & Parking Considerations

- 9.50. The DMD 47 recognises the importance of all layouts achieving safe, convenient and fully accessible environment for pedestrians and cyclists.

Vehicle Parking Provision

Residential:

- 9.51. The parking requirement for the residential component of the development, based on London Plan standards, is shown in the table below:

TABLE 1: NEW PLAN							
		PTAL 4		Requirement			
Unit type	No.	Lower Max	Upper Max	Lower Max	Upper Max	Provision	Ratio
1xbed	4	0	3	0	13.5	10	0.56
2xbed	8	0	6				
3xbed	5	0	3.75				
4xbed	1	0	0.75				
TOTAL	18	0	13.5				

+ When considering development proposals that are higher density or in more accessible locations, the lower standard shown here should be applied as a maximum.

- 9.52. The provision of 10xspaces for the whole site is considered an acceptable provision. All the spaces should have passive electric charging points, with 2xspaces pre-converted to active points. This will be secured by condition.
- 9.53. The layout would mean delivery vehicles would not need to reverse along the access road should all the spaces be occupied.
- 9.54. It is noted a gate is located to prevent access, but deliveries should still be allowed access to the car park. Also, the front and back would still allow deliveries to take place.

Retail:

- 9.55. The parking layout for the retail units will differ significantly to what is on site now.
-The retail component consists of the following:

- ▶ Class E Retail – 266 square metres (2xunit)
- ▶ Class E Restaurant – 273 square metres (retained)

- 9.56. The London Plan does not explicitly state parking standards for E class uses, however assessment should have regard to the standards for retail. Therefore, the assessment of the site is based on the total floorspace being 539sqm of retail space.
- 9.57. The maximum standard from Table 10.5 of the London Plan is 1xspace per 50sqm, giving a total requirement of 10xspaces.
- 9.58. The development proposes 10xspaces, including 2xdisabled bays. However, these are spaces which will be available to the public, as they will be on adopted highway. The applicants are in the process of purchasing this land.
- 9.59. Overall, the provision of 10xspaces is acceptable. It is noted that the use of restaurant will peak in the evenings, when demand for spaces for the retail units is likely to lower, and vice versa.

Vehicle Parking Layout

Residential:

- 9.60. The spaces meet the minimum dimensions required (2.40mx4.80m, including the 0.60 width for the disabled bays, and vehicles can turn and exit in a forward gear.

Commercial:

- 9.61. The retail/commercial bays consist of 4xparallel bays on the access road fronting the site.

6.6 The accessibility of the bays is considered acceptable, and a swept path tracking has been provided to support the arrangement.

Vehicular Access

Residential:

9.62. The residential access is via an existing access road leading to the rear of the site. It measures approximately 5.50m wide. This is enough for two-way vehicle movements and for a fire engine to gain access.

9.63. There is no separate pedestrian access either on the access road or through the proposed gate. The scale of development does not require a segregated access, but the surfacing should include a demarcated pedestrian width of 1.50m minimum.

Commercial:

9.64. The commercial access will be via a new access road (created by the removal of the existing unauthorised construction on the public highway).

9.65. The principle of the access road is acceptable; however it will need detailed drawings to be submitted (as part of a Section 278 Agreement) to confirm the exact layout and the interface with the neighbouring boundaries.

Servicing

Residential:

9.66. The layout of the car park allows delivery vehicles to access and turn.

9.67. Refuse storage is shown to the rear of the site. A swept path diagram has been submitted to explain how refuse will be collected. It is expected that refuse vehicles will be able to leave the site in a forward gear without reversing.

9.68. This arrangement would bring the refuse vehicle to within 25m of the bins, which is an acceptable distance having regard to Manual for Streets guidance.

Commercial:

9.69. The commercial units are likely to be serviced from the frontage on the access road.

9.70. It is noted that the plans show the vehicles on the access road facing south, whereas vehicles on the adjacent existing access road face north. The access will operate a one way system at the front.

Cycle Parking

Residential:

9.71. Cycle parking requirement is 1xspace per 1xbed unit 1p, 1.5 spaces per 1xbed unit 2p and 2xspaces per 2xbed+. These will be secured by condition.

9.72. The plans show 45 Long stay spaces. This is considered acceptable and meets the standards.

Commercial:

9.73. The commercial units will require 1xspace per 175 sqm long stay and 1xspace per 750sqm short stay. This works out at 4xlong stay and 1xshort stay.

9.74. .8xspaces are shown for the commercial units to the frontage of unit 3 and between units 1 and 2. These are short stay.

Sustainable Transport Contribution

9.75. The scale of the development will require a sustainable transport contribution to mitigate against the impact of the additional trips to and from the site.

9.76. Based on scale of the development and the number of units, this is a figure of £15000.

Construction impact

9.77. A Construction Traffic Management Plan (CTMP) has been submitted with this application. A condition shall be placed on the permission to ensure the development is undertaken in accordance with the approved condition.

SuDS

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

9.79. The applicant provided an initial SuDS strategy, and the drainage team have been having ongoing discussions with the applicants and as such further information can be conditioned. A condition that the applicant provide more details through an updated SUDs strategy and management plan is recommended.

Biodiversity, Ecology and Landscaping and Trees

- 9.80. The London Plan and the adopted Core Strategy and DMD seek to protect and enhance biodiversity. Policy DMD 79 states that developments resulting in a net gain of one or more dwellings should provide on-site ecological enhancements and Policy DMD 81 states that development must provide high quality landscaping that enhances the local environment. Most developments can provide ecological enhancements to improve the biodiversity offer on that site. Enhancements could range from anything such as bird boxes to wildlife friendly landscaping or green roofs.
- 9.81. An Ecological Statement has been submitted. In this regard, the proposed development should provide a high-quality landscape scheme including native, wildlife-friendly trees and shrubs, biodiverse roofs and/or living walls, bird and bat boxes, tiles and tubes... Conditions will require further details and are recommended in the list above.
- 9.82. No trees will need to be removed to enable development works. The indicative landscaping scheme shows the planting of 13 new trees. This together with the introduction of soft landscaping across a site that is almost entirely hard surfaced at present, is welcomed.

Energy

- 9.83. London Plan Policy SI 2 confirms major development proposals should include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions reduction are to be met within the framework of the energy hierarchy. The proposed application has been submitted with an Energy Report Q-08158 which details energy saving measures in line with London Plan (2021) confirming the CO₂/yr (using SAP 10) savings over Part L of Building regulations (2013). However further details are required, and these have been secured by conditions.

10 Community Infrastructure Levy (CIL)

Mayoral CIL

- 10.1. The Mayoral CIL was introduced in London to fund strategically important infrastructure, such as Crossrail. The Mayoral CIL is collected by the Council on behalf of the Mayor of London, with the amount that is sought for the scheme is calculated on the net increase of gross internal floor area, multiplied by the Outer London weight of £60 and a monthly inflationary factor.
- 10.2. The proposals would be liable to the Mayoral CIL for 566sqm.

Enfield CIL

- 10.3. The Council introduced its own CIL on 1 April 2016. The money collected from the levy (Regulation 123 Infrastructure List) will fund rail and causeway infrastructure for Meridian Water. Enfield has identified three residential charging zones and the site falls within the lower charging rate zone (£40/sqm). The proposed floor space for the development is 566sqm and would be liable to CIL.

SAAMS / SANGs

- 10.4. Epping Forest is a designated Site of Special Scientific Interest, and a portion is designated as a Special Area of Conservation (SAC).
- 10.5. New residential developments can result in an increase in the number of visitors to Epping Forest. The development falls within the 6.2km of the Epping Forest SAC recreational zone of influence and therefore would now generate a requirement for contributions towards Strategic Access Management Measures (SAMMs) and Suitable Alternative Natural Greenspaces (SANGs) to mitigate the harmful impacts by visitors to Epping Forest SAC. However, as the application was submitted before these requirements came into effect a contribution will not be required.

11 Public Sector Equality Duty

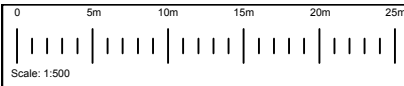
- 11.1. In line with the Public Sector Equality Duty the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. Section 149 of the Act requires public authorities to have due regard to several equality considerations when exercising their functions including decision making on planning applications. It is considered that the proposal to grant planning permission for this development would not disadvantage people who share any of the different nine protected characteristics compared to those who do not have those characteristics and therefore it is considered that the development would not have a disproportionate equalities effect. Accordingly, the recommendation is considered appropriate in upholding the council's adopted and emerging policies and is not outweighed by any engaged rights.

12 Planning Balance

- 12.1. Having regard to the assessment in this report, the development would provide additional residential units (7 in total) and 2 x retail units and retain the existing restaurant. This would contribute towards the Borough's strategic objectives in terms of delivering new homes and family sized homes. The quality of accommodation is acceptable and exceeds minimum standards. The development would not result in harm to the amenity and living conditions of neighbours or the wider character and appearance of the area.
- 12.2. It is recognised that there is heritage harm to the Listed Building arising from the development and that harm is considered to be at the higher end of less than substantial. In the circumstances, consideration must be given to the public benefits associated with the development and whether these are considered sufficient to outweigh that harm. The public benefits have been identified as:
- A net increase of 7 new housing units where there is significant and evidenced demand for new housing units
 - An improvement to the size and quality of accommodation contained within the Listed Building.
 - The provision of 6 new family sized units 5x 3b and 1 x 4b units.
 - New commercial floor space that will contribute to the Enfield Wash Local Centre
 - New commercial floor space that will provide employment opportunities
 - Introduction of soft landscaping and biodiversity enhancements

- Sustainable transport contribution to improve access to the site for future occupiers

12.3. On balance it is considered that, having regard for the 'balancing act' and requirement to give 'considerable weight and important' to the identified heritage harm, the aforementioned public benefits do outweigh the harm. Having regard to the presumption in favour of sustainable development, it is considered that the development can be supported, subject to conditions and the completion of a S106 Agreement to secure the sustainable transport contribution.




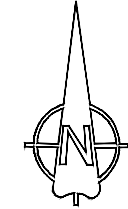
Notes

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rev.	date.	dwn.
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 Areas to be demolished



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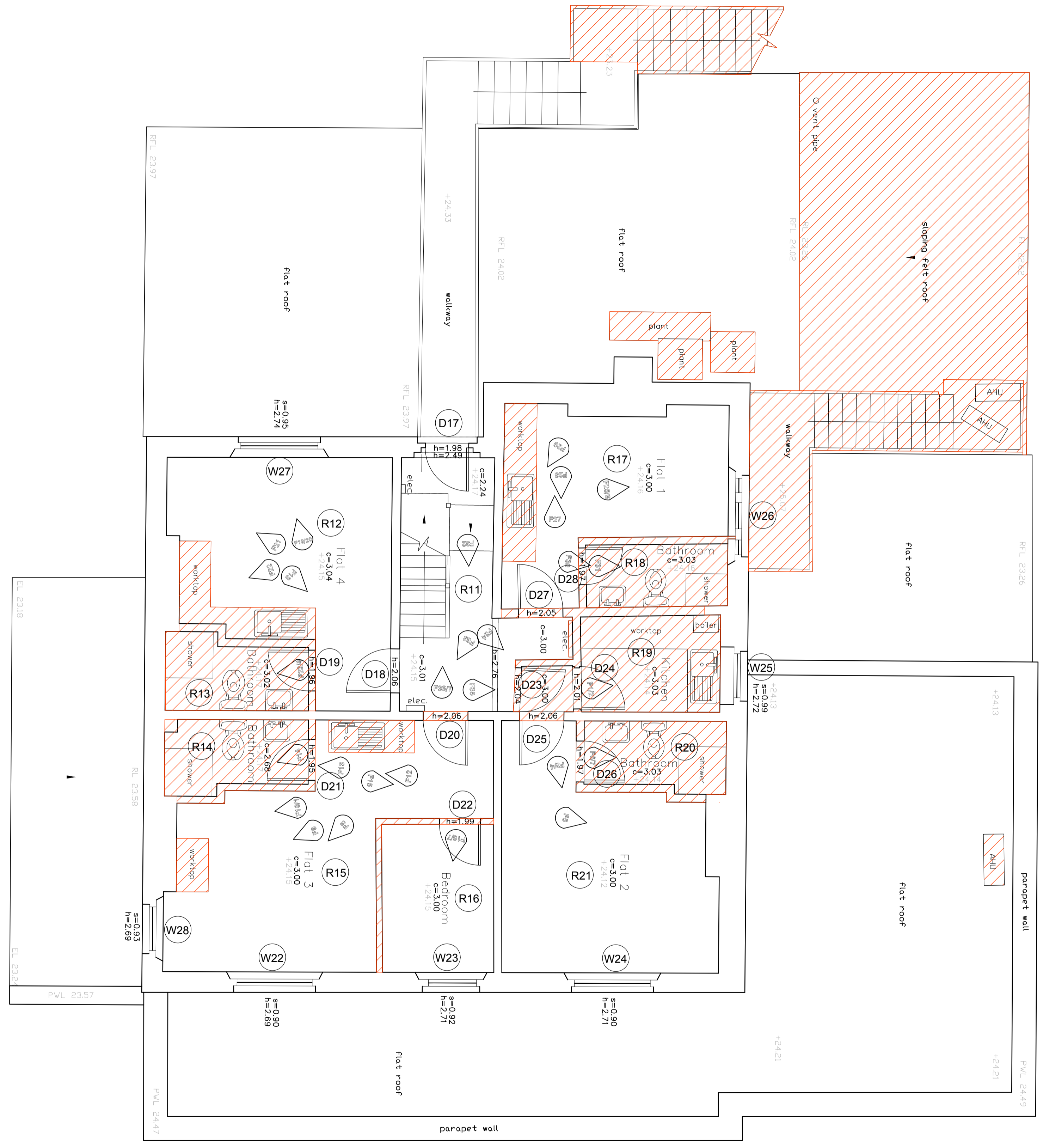
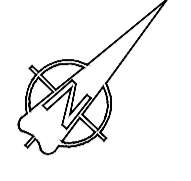


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project	510 Hertford Road Enfield EN3 5SS	
title	Existing Ground Floor	
scale	1:500 @ A3	dwn MA
date	13 April 2021	chk
drg no.	1062-05	rev D


 Areas to be demolished

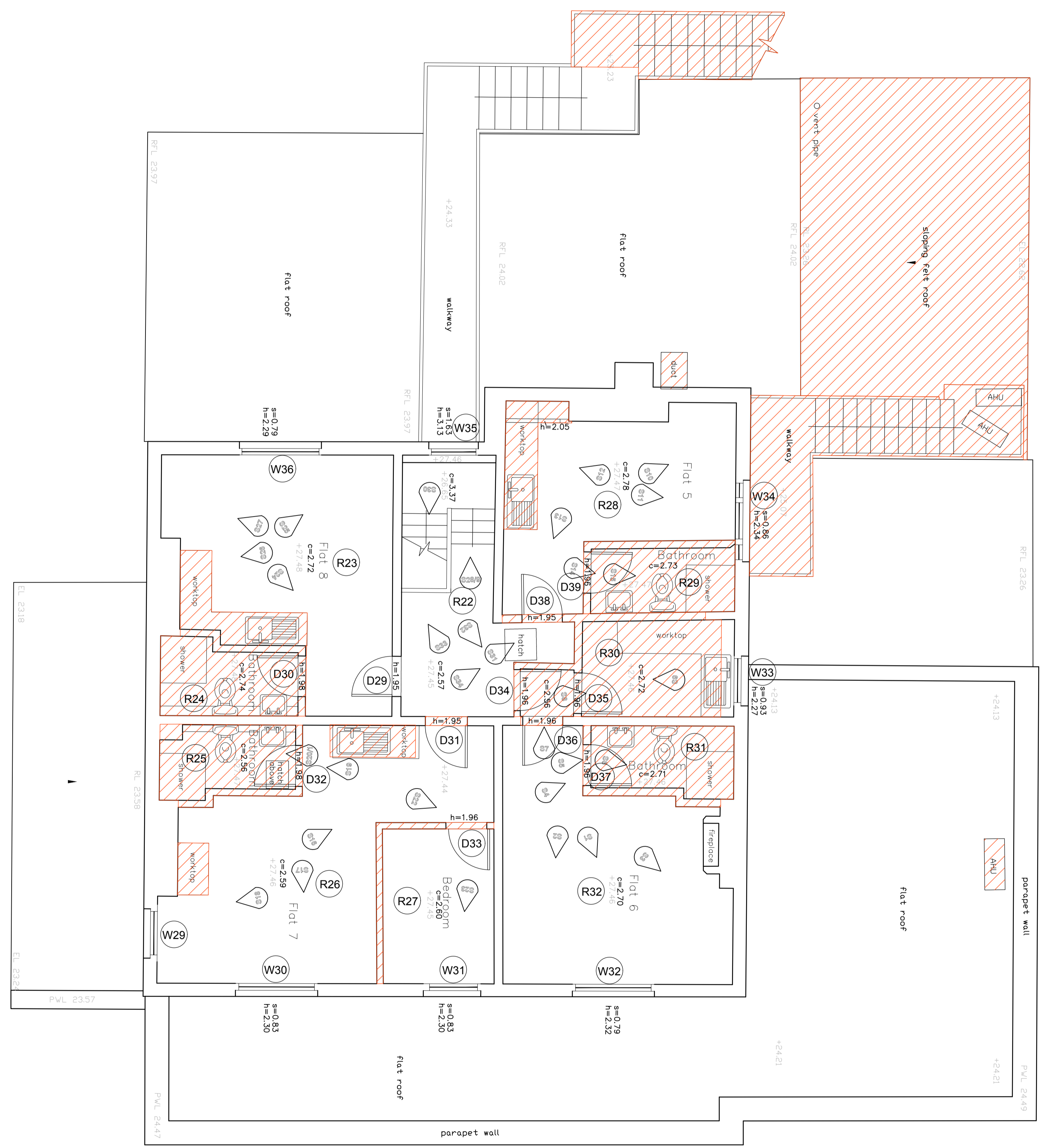
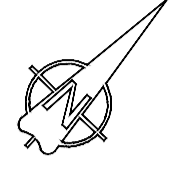


Existing First Floor Plan

FOR PLANNING


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project	510 Hertford Road Enfield EN3 5SS
title	Existing First Floor Plan
scale	1:50 @ A1
date	13 April 2021
dig no.	1062-06.1
rev	B

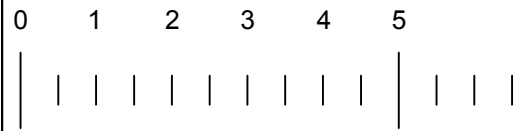
 Areas to be demolished



Existing Second Floor Plan

FOR PLANNING

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project	510 Hertford Road Enfield EN3 5SS
title	Existing Second Floor Plan
scale	1:50 @ A1
date	13 April 2021
dig no.	1062-07.1
rev	B



Scale: 1:100

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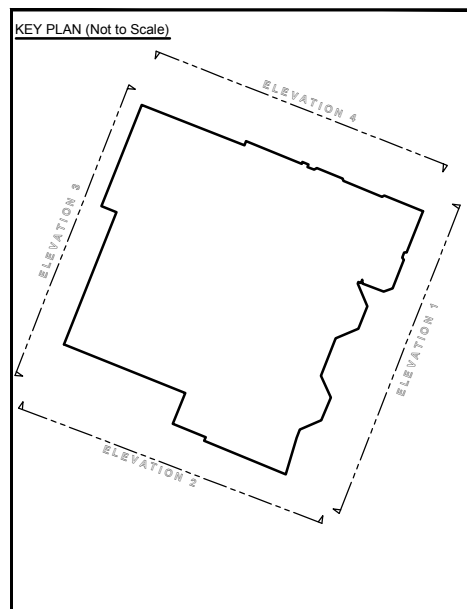
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ABBREVIATIONS (WHERE APPLICABLE)		
BUILDING	BUILDING	BUILDING
ACCESS HATCH	AH	WINDOW CILL LEVEL
ARCH HEAD HEIGHT	AHH	WINDOW HEAD LEVEL
ARCH HEAD LEVEL	AHL	SKYLIGHT
ARCH SPRINGER HEIGHT	ASH	SOIL AND VENT PIPE
ARCH SPRINGER LEVEL	ASL	THRESHOLD LEVEL
BEAM	BE	UNABLE TO SURVEY
BEAM HEIGHT	BH	VENT PIPE
BEAM HEAD LEVEL	BHL	WASTE PIPE
BEAM SOFFIT LEVEL	BSL	WASH BASIN
BRICKWORK	BKWK	WATER TANK
COLUMN	Col	
CILL TO HEAD	C-H	
CEILING LEVEL	CL	BARBED WIRE FENCE
DOOR HEAD	DH	CORRUGATED IRON FENCE
DOOR HEAD LEVEL	DHL	CLOSE BOARD FENCE
DOWN PIPE	DP	CHAIN LINK FENCE
FIRE ALARM	FA	CHESTNUT PALING FENCE
FLOOR TO CILL	F-C	FENCE POST
FALSE CEILING	FC	INTERWOVEN FENCE
FLOOR TO CEILING HEIGHT	FCH	IRON RAILING FENCE
FINISHED FLOOR LEVEL	FFL	LARCH LAP FENCE
HOSE REEL	HR	MISCELLANEOUS FENCING
ROOF LEVEL	RL	POST AND RAIL FENCE
RADIATOR	Rad	POST AND WIRE
RAIN WATER PIPE	RWP	TUBULAR STEEL RAIL
		WCL
		WHL
		SL
		SVP
		THL
		UTS
		VP
		WP
		WB
		WT
		BWF
		CIF
		CBF
		CLF
		CPF
		FPO
		IRF
		IRF
		LLF
		Misc F
		PCF
		PRF
		PWF
		TSRF

Areas to be demolished



Elevation 1



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project
510 Hertford Road
Enfield EN3 5SS

title
Existing Elevation 1

scale
1:100 @ A3

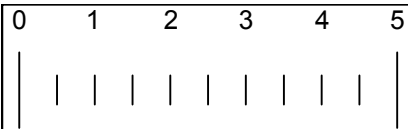
dwn
MA

date
13 April 2021

chk

drg no.
1062-08.1

rev
B



Scale: 1:100

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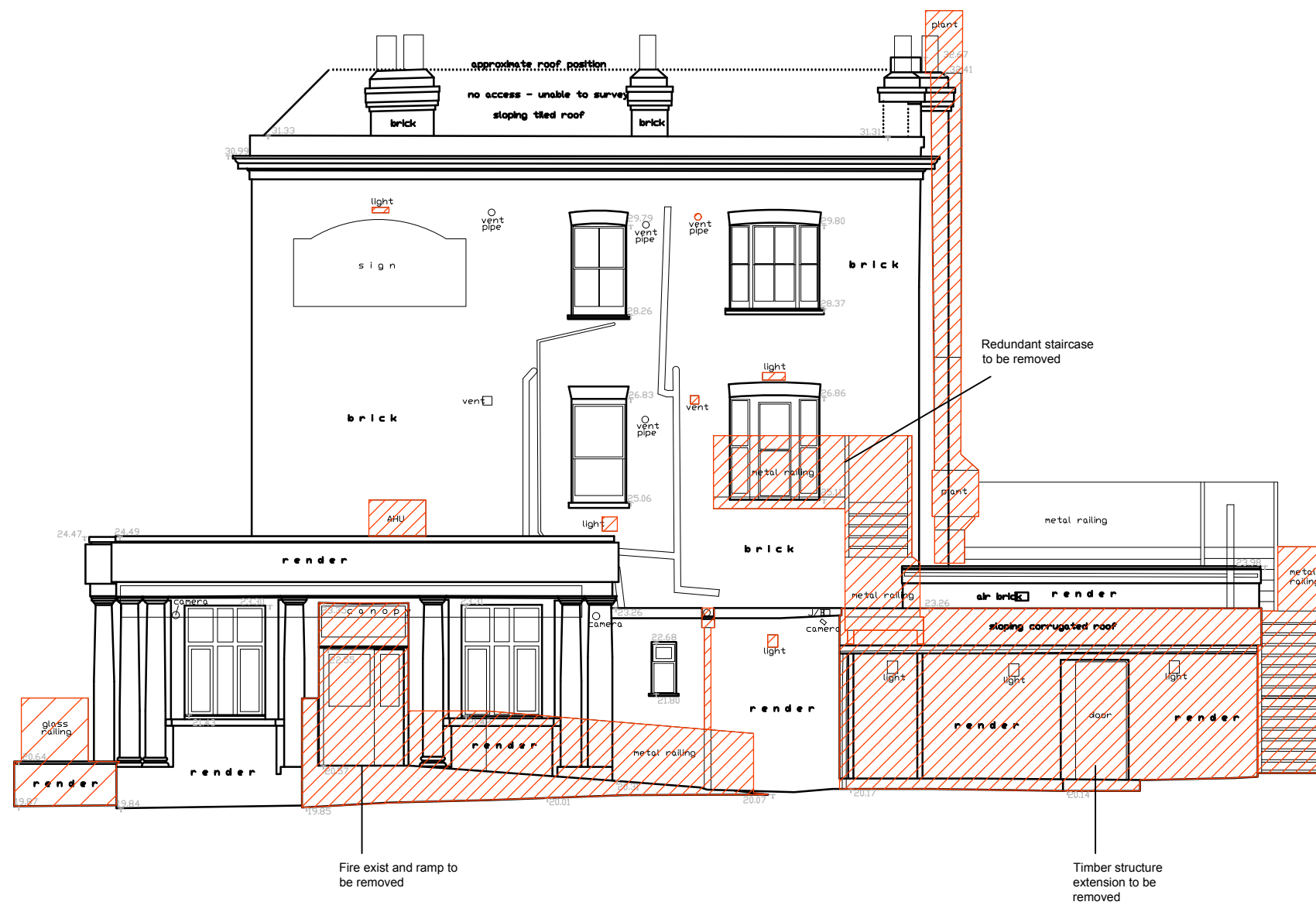
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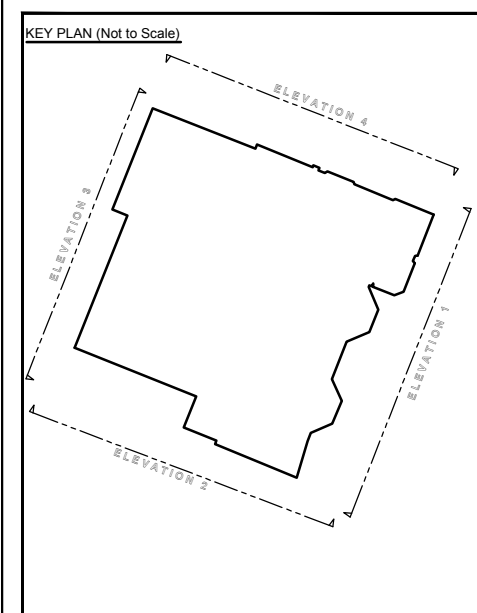
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ABBREVIATIONS (WHERE APPLICABLE)

BUILDING		BUILDING	
ACCESS HATCH	AH	WINDOW CILL LEVEL	WCL
ARCH HEAD HEIGHT	AHH	WINDOW HEAD LEVEL	WHL
ARCH HEAD LEVEL	AHL	SKYLIGHT	SL
ARCH SPRINGER HEIGHT	ASH	SOIL AND VENT PIPE	SVP
ARCH SPRINGER LEVEL	ASL	THRESHOLD LEVEL	TL
BEAM	BE	UNABLE TO SURVEY	UTS
BEAM HEIGHT	BH	VENT PIPE	VP
BEAM HEAD LEVEL	BHL	WASTE PIPE	WP
BEAM SOFFIT LEVEL	BSL	WASH BASIN	WB
BRICKWORK	BKWK	WATER TANK	WT
COLUMN	Col		
CILL TO HEAD	C-H	FENCES	
CEILING LEVEL	CL	BARBED WIRE FENCE	BWF
DOOR HEAD	DH	CORRUGATED IRON FENCE	CIF
DOOR HEAD LEVEL	DHL	CLOSE BOARD FENCE	CBF
DOWN PIPE	DP	CHAIN LINK FENCE	CLF
FIRE ALARM	FA	CHESTNUT PALING FENCE	CPF
FLOOR TO CILL	F-C	FENCE POST	FPO
FALSE CEILING	FC	INTERWOVEN FENCE	IFW
FLOOR TO CEILING HEIGHT	FCH	IRON RAILING FENCE	IRF
FINISHED FLOOR LEVEL	FFL	LARCH LAP FENCE	LLF
HOSE REEL	HR	MISCELLANEOUS FENCING	Misc.F
ROOF LEVEL	RL	POST AND RAIL FENCE	PRF
RADIATOR	Rad	POST AND WIRE	PWF
RAIN WATER PIPE	RWP	TUBULAR STEEL RAIL	TSRF



Areas to be demolished



Datum 17.00m AOD

Elevation 4

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**510 Hertford Road
Enfield EN3 5SS**

title
Existing Elevation 4

scale
1:100 @ A3
dwn MA
date
13 April 2021
chk

drg no.
1062-09.1
rev
B

0 1 2 3 4 5

Scale: 1:100


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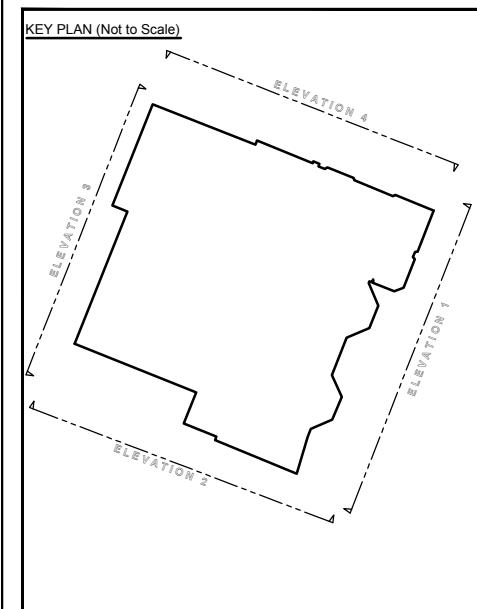
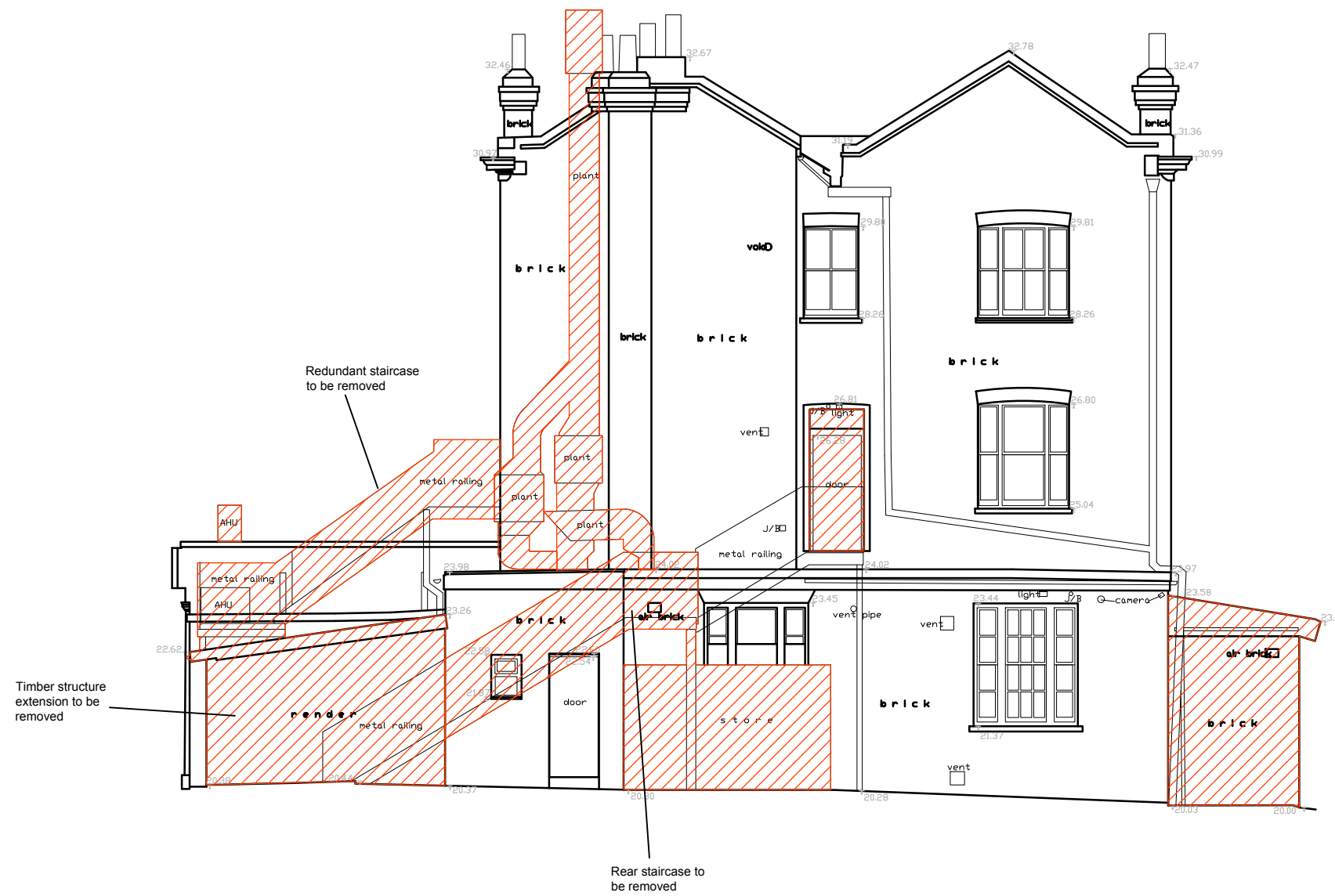
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rev.	date.	dwn.
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ABBREVIATIONS (WHERE APPLICABLE)		
BUILDING	BUILDING	BUILDING
ACCESS HATCH	AH	WINDOW CILL LEVEL
ARCH HEAD HEIGHT	AHH	WINDOW HEAD LEVEL
ARCH HEAD LEVEL	AHL	SKYLIGHT
ARCH SPRINGER HEIGHT	ASH	SOIL AND VENT PIPE
ARCH SPRINGER LEVEL	ASL	THRESHOLD LEVEL
BEAM	BE	UNABLE TO SURVEY
BEAM HEIGHT	BH	VENT PIPE
BEAM HEAD LEVEL	BHL	WASTE PIPE
BEAM SOFFIT LEVEL	BSL	WASH BASIN
BRICKWORK	BKWK	WATER TANK
COLUMN	Col	
CILL TO HEAD	C-H	
CEILING LEVEL	CL	
DOOR HEAD	DH	
DOOR HEAD LEVEL	DHL	
DOWN PIPE	DP	
FIRE ALARM	FA	
FLOOR TO CILL	F-C	
FALSE CEILING	FC	
FLOOR TO CEILING HEIGHT	F-CH	
FINISHED FLOOR LEVEL	FFL	
HOSE REEL	HR	
ROOF LEVEL	RL	
RADIATOR	Rad	
RAIN WATER PIPE	RWP	
		BARBED WIRE FENCE
		CORRUGATED IRON FENCE
		CLOSE BOARD FENCE
		CHAIN LINK FENCE
		CHESTNUT PALING FENCE
		FENCE POST
		INTERWOVEN FENCE
		IRON RAILING FENCE
		LARCH LAP FENCE
		MISCELLANEOUS FENCING
		POST AND CHAIN FENCE
		POST AND RAIL FENCE
		POST AND WIRE
		TUBULAR STEEL RAIL
		WCL
		WHL
		SL
		SVP
		THL
		UTS
		VP
		WP
		WB
		WT
		BWF
		CBF
		CLF
		CPF
		FPO
		IRF
		LLF
		Misc.F
		PCF
		PRF
		PWF
		TSRF

 Areas to be demolished



Datum 17.00m AOD

Elevation 3

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510 Hertford Road
Enfield EN3 5SS

title
Existing Elevation 3

scale
1:100 @ A3
dwn
MA

date
13 April 2021
chk

drg no.
1062-09.2

rev
B

0 1 2 3 4 5



Scale: 1:100

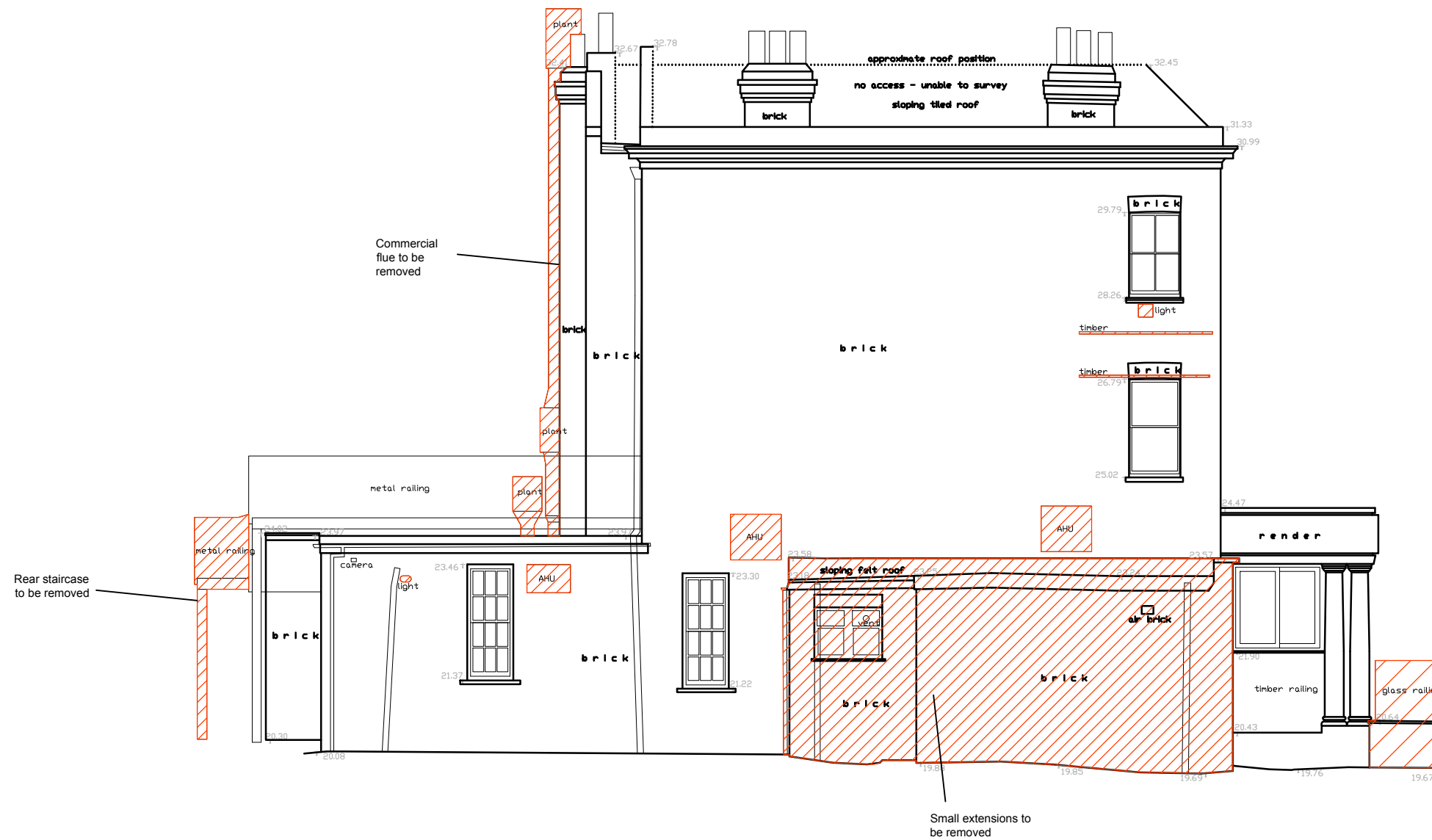
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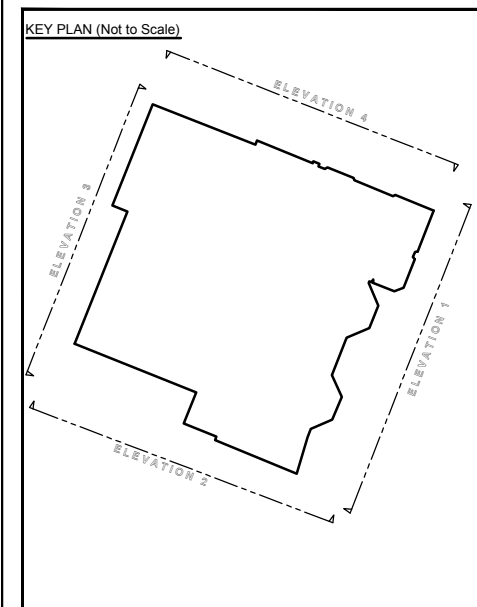
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rev.	date.	dwn.
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ABBREVIATIONS (WHERE APPLICABLE)		
BUILDING	BUILDING	BUILDING
ACCESS HATCH	AH WINDOW CILL LEVEL	WCL
ARCH HEAD HEIGHT	AHH WINDOW HEAD LEVEL	WHL
ARCH HEAD LEVEL	AHL SKYLIGHT	SL
ARCH SPRINGER HEIGHT	ASH SOIL AND VENT PIPE	SVP
ARCH SPRINGER LEVEL	ASL THRESHOLD LEVEL	THL
BEAM	BE UNABLE TO SURVEY	UTS
BEAM HEIGHT	BH VENT PIPE	VP
BEAM HEAD LEVEL	BHL WASTE PIPE	WP
BEAM SOFFIT LEVEL	BSL WASH BASIN	WB
BRICKWORK	BKWK WATER TANK	WT
COLUMN	Col	
CILL TO HEAD	C-H	
CEILING LEVEL	CL	
DOOR HEAD	DH	
DOOR HEAD LEVEL	DHL CORRUATED IRON FENCE	BWF
DOWN PIPE	DP	
FIRE ALARM	FA	
FLOOR TO CILL	F-C	
FALSE CEILING	FC	
FLOOR TO CEILING HEIGHT	FFCH	
FINISHED FLOOR LEVEL	FFL	
HOSE REEL	HR	
ROOF LEVEL	RL	
RADIATOR	Rad	
RAIN WATER PIPE	RWP	
	FENCES	
	BARBED WIRE FENCE	BWF
	CORRUATED IRON FENCE	CIF
	CLOSE BOARD FENCE	CBF
	CHAIN LINK FENCE	CLF
	CHESTNUT PALING FENCE	CPF
	FENCE POST	FPO
	INTERWOVEN FENCE	IWF
	IRON RAILING FENCE	IRF
	LARCH LAP FENCE	LLF
	MISCELLANEOUS FENCING	Misc.F
	POST AND CHAIN FENCE	PCF
	POST AND RAIL FENCE	PRF
	POST AND WIRE	PWF
	TUBULAR STEEL RAIL	TSRF



Areas to be demolished



Datum 17.00m AOD

Elevation 2

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project
510 Hertford Road
Enfield EN3 5SS

title
Existing Elevation 2

scale
1:100 @ A3

dwn
MA

date
13 April 2021

chk

drg no.
1062-09.3

rev
B

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Scale: 1:250

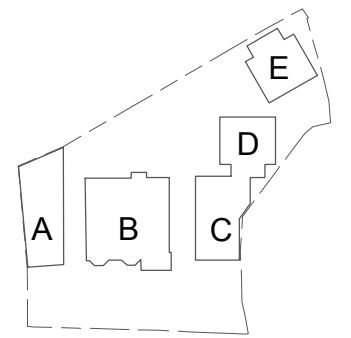
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rev.	date.	dwn.
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 New areas walls / windows



line of existing survey information

assumed building line to be determined

Stock Room
78m²

Retail Unit 1 (A1)
55m²

Unit 2 (A3)

Retail Unit 3 (A1)
90m²

45.No
Cycle Store

Res Bin Store
Res Bin Store
Ret Bin Store

1
Dis

3
Dis

4
Dis

5
Dis

6
Dis

A
Dis

B
Dis

C
Dis

D
Dis

HERTFORD
ROAD

○ wb = water butt

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project
510 Hertford Road
Enfield EN3 5SS

title
Proposed Ground Floor Plan

scale 1:250 @ A3	dwn MA
date 15th April 2024	chk

drg no. 1062-10	rev M
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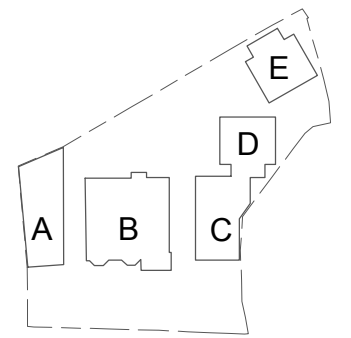
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 New areas walls / windows



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project
510 Hertford Road
Enfield EN3 5SS

title
Proposed First Floor Plan

scale
1:250 @ A3

dwn
MA

date
15th April 2024

chk
chk

drg no.
1062-20

rev
L

HERTFORD
ROAD

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
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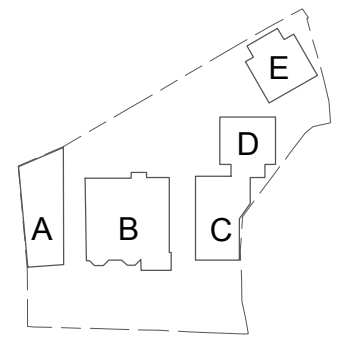
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 New areas walls / windows



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project
510 Hertford Road
Enfield EN3 5SS

title
Proposed Second Floor Plan

scale
1:250 @ A3

dwn
MA

date
15th April 2024

chk
chk

drg no.
1062-30

rev
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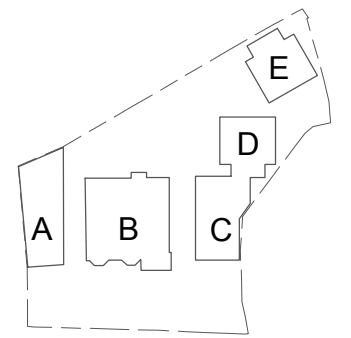
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 New areas walls / windows



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project
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title
Proposed Third Floor Plan

scale
1:250 @ A3
dwn
MA
date
15th April 2024
chk

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1062-40
rev
M

0 1 2.5 5 7.5



Scale: 1:250

Notes

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rev.	date.	dwn.
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Block A

Existing (Block B)

Block C

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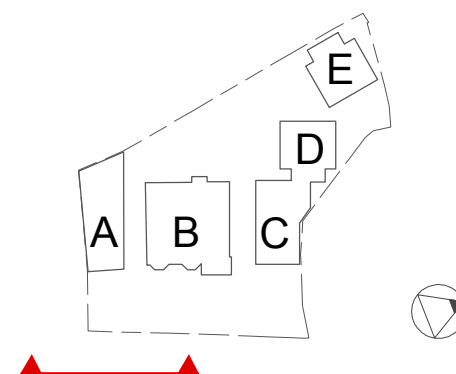
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 T: 0208 4435882 M: 07956 296 076 E: murat@i-arch.co.uk
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project
 510 Hertford Road
 Enfield EN3 5SS

title
 Proposed Elevation A B & C

scale 1:200 @ A3	dwn MA
date 9th May 2024	chk

drg no. 1062-50	rev D
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0 1 2.5 5 7.5



Scale: 1:250

Notes

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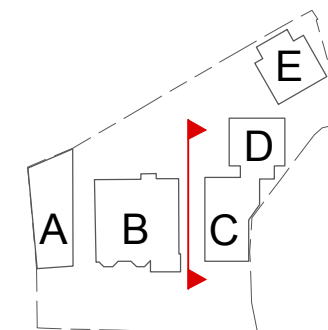
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project	510 Hertford Road Enfield EN3 5SS	
title	Proposed Elevation C D & E	
scale	1:200 @ A3	dwn MA
date	9th May 2024	chk
drg no.	1062-60	rev E



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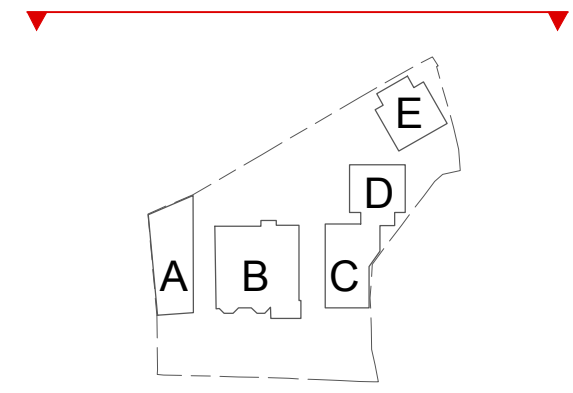
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project
 510 Hertford Road
 Enfield EN3 5SS

title
 Proposed Elevation A B C D & E

scale 1:200 @ A3	dwn MA
date 9th May 2024	chk chk

drg no. 1062-70	rev D
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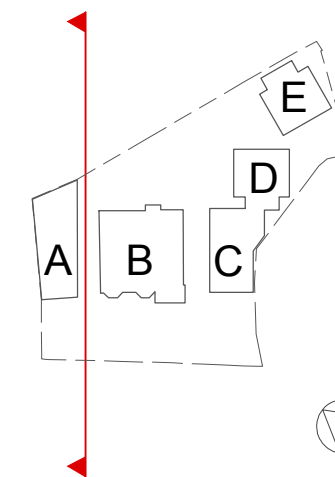
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project 510 Hertford Road Enfield EN3 5SS	
title Proposed Elevation A	
scale 1:200 @ A3	dwn MA
date 9th May 2024	chk
drg no. 1062-80	rev E

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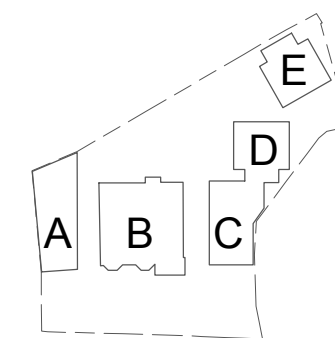
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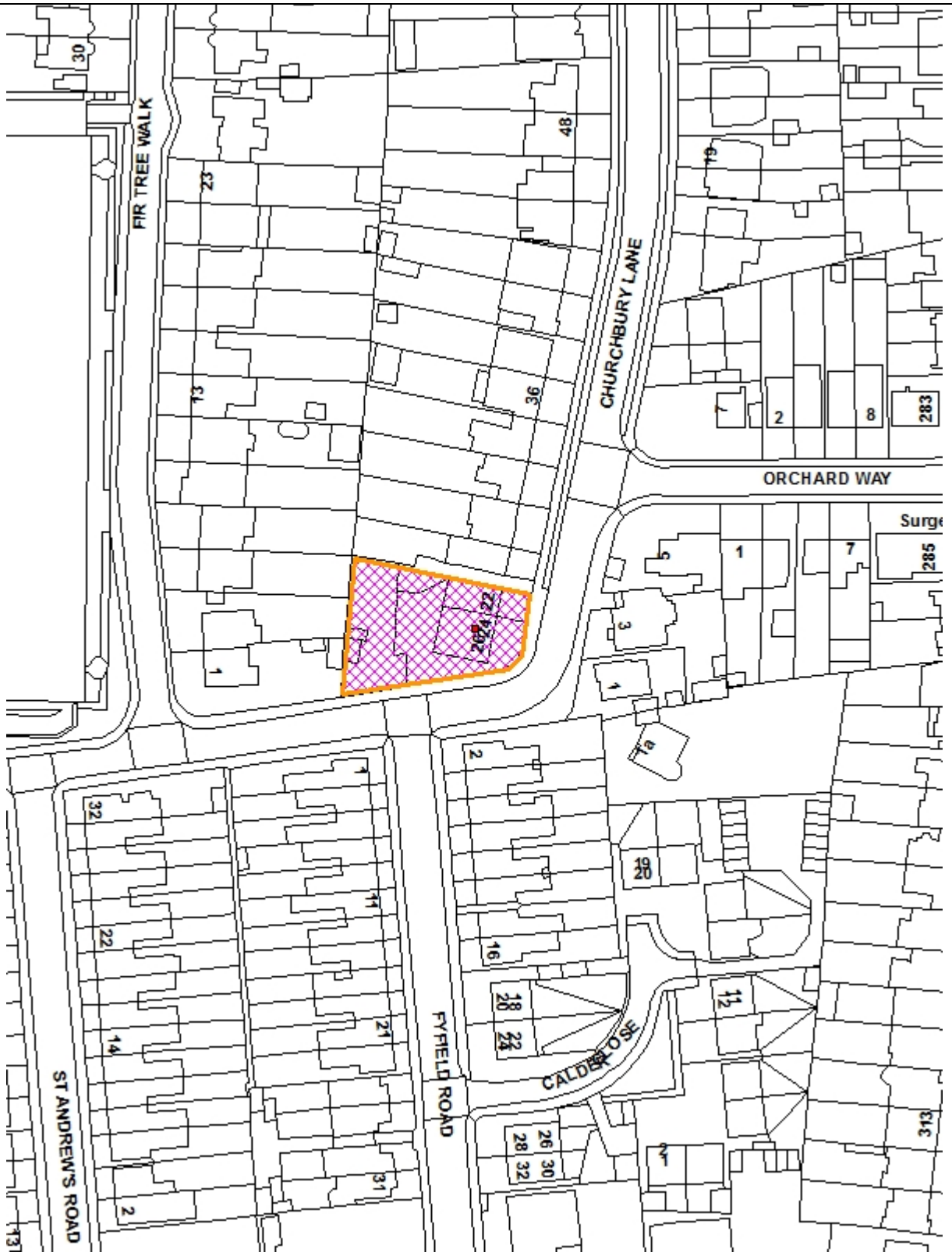


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project 510 Hertford Road Enfield EN3 5SS	
title Proposed Elevation D & E	
scale 1:200 @ A3	dwn MA
date 9th May 2024	chk
drg no. 1062-90	rev D

LONDON BOROUGH OF ENFIELD		
PLANNING COMMITTEE	Date: 4th June 2024	
Report of Head of Planning & Building Control – Karen Page	Contact Officers: Tendai Mutasa- Case Officer Sharon Davidson- Planning Decisions Manager	Category Minor
Ward Town	Councillor Request Cllr Emma Supple	
LOCATION: 24 - 26 Churchbury Lane, Enfield, EN1 3TY		
APPLICATION NUMBER: 22/02248/FUL		
PROPOSAL: Demolition of the existing buildings providing supported living accommodation and erection of a detached 2-storey building with additional accommodation in the roof area, to provide 4 clusters of accommodation including 2 x 1-person self-contained units with associated office space for support staff, 5 individual bedrooms with ensuite facilities and shared facilities and 12 x 1 person self-contained units with additional and ancillary shared living accommodation and office space for support staff, all for residents receiving care (19 persons) (Class use Sui Generis) and provision of associated car parking, cycle parking and refuse/recycle storage.(Amended Description).		
Applicant Name & Address: Mr Paul Buxton 163 Church Hill Road East Barnet EN4 8PQ	Agent Name & Address: Mr Joe Henry 163 Church Hill Road East Barnet EN4 8PQ	

Ref: 22/02248/FUL LOCATION: 24 - 26 Churchbury Lane, Enfield, EN1 3TY,



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North



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.

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 committee for determination at the request of Councillor Emma Supple due to the local interest.

2 Recommendation

1. That the Head of Planning and Building Control be authorised to **GRANT** planning permission subject to conditions outlined below:
2. That the Head of Planning and Building Control be granted delegated authority to agree the final wording of the conditions.

Conditions:

1. Time limit
2. Approved plans
3. The flank windows on the side elevations shall be fixed/obscure-glazed up to 1.7m above floor level.
4. Details of materials
5. Water consumption
6. Energy statement
7. Details of electric charging provision.
8. Details of levels
9. Details of refuse
10. Details of enclosure, boundary treatments
11. Details of cycle parking
12. Private vehicles only – parking areas
13. Construction Management Plan
14. Compliance to Tree Protection measures
15. SUDS
16. Restriction on number of residents (maximum 19)
17. Delivery and servicing
18. Compliance to Landscaping details and replacement tree planting.
19. Biodiversity enhancement provision

3. Executive Summary

3.1 This application was considered at the 20th June 2023 Planning Committee when Members resolved to defer consideration for the following reasons:

- To provide certainty as to how the internal layout would work.
- Regarding Trees – what is being retained, provided and any replanting.
- What amenity space is being offered for 1st and 2nd floor occupants, and if adequate with specific reference to whether there are any standards from social services for amenity space for supported living of this nature.
- Fire safety – to see if standards are being met
- Investigate if there are any access to daylight/sunlight issues

3.2 Amended plans have been submitted to demonstrate:

- How the layout will function in the context of wheelchair accessible accommodation, with this being focused on the ground floor;
- To confirm only the protected Ash tree in the rear garden is to be retained; 3 new trees are to be planted to the rear of the site and 5 new trees to the front garden area
- To confirm that ground floor units 1 and 2 will have an area of private amenity space, all other units will have access to the remaining communal garden area to the rear of the site
- How the proposed development complies with fire safety and what accommodation will be suitable for wheelchair users, with only the ground floor cluster unit being wheelchair accessible. Amended plans have been submitted to demonstrate compliance and in addition to the planning process, the applicant will be required to achieve separate approval for the scheme as a whole under the Building Regulations.
- To confirm that the upper floor units would have sufficient daylight/sunlight by inserting longer rooflights.

Neighbor re-consultation has been undertaken on the revised plans and the description of development has been amended to reflect a Sui Generis use. It is considered that the new description reflects a Sui Generis use which is more accurate in terms of what is being proposed and the class use.

- 3.3 Members should also be aware that the applicant has commenced work on the implementation of planning permission 22/00915/FUL for part single, part two-storey side and rear extensions, front and rear rooflights and ancillary works to expand existing supported living facility to accommodate up to 8 residents. In so doing, all trees on site with the exception of the protected Ash tree have now been removed. Through the re-consultation process, residents have made the point that this application should not be progressed as the applicants have commenced development on this alternative permission. Whilst officers have asked the applicant if they intend to withdraw the current application, they have been clear that they want their application to progress to determination and they will not be withdrawing it. The current application is for the demolition of the existing building and that would include any works undertaken in connection with the alternative permission. The application can therefore continue to be considered and determined.
- 3.4 The applicant seeks permission for the demolition of the existing building that provided supported living accommodation and erection of a detached 2-storey building with additional accommodation in the roof area, to provide four cluster of accommodation; 2 of the clusters providing accommodation for up to 6 people living in self-contained accommodation but with access to additional shared living space and supported, 1 cluster providing accommodation for up to six people living together as a single household and receiving care, and 2 self-contained units with access to on site support, together with the provision of associated car parking, cycle parking and refuse/recycle storage.
- 3.5 This application follows an earlier refusal of planning permission under application reference 20/02821/FUL. An appeal against this decision (appeal reference number APP/Q5300/W/21/3273405) was dismissed on 8 April 2022.
- 3.6 The Inspector raised no concerns regarding:
- the design, height and massing of the proposed building and found no harm to the character and appearance of the area;
 - harm to the amenities of the occupiers of Nos. 1 and 3 Fyfield Road in terms of light, outlook or privacy;
 - the level of parking provision to support the quantum of development proposed.
- 3.7 However, the Inspector did find harm from:
- overlooking and loss of privacy to number 28 Churchbury Lane from proposed side windows.
 - quality of accommodation for future residents in terms of floorspace, ceiling heights and amenity space;
 - the accessibility of the parking spaces to the rear of the site and the requirement to reverse onto Churchbury Lane to leave the site;
 - lack of clarity over deliveries and servicing;
 - the lack of a tree survey and impact assessment which meant the impact on trees and the tree the subject of the TPO was not known.
 - Lack of information on sustainable drainage

- 3.8 In response, this application now proposes obscure or partially obscure glazed windows to the flank elevation of the new building along the shared boundary with number 28. The floor areas of the self-contained supported living units meet or exceed the minimum floor space standards for 1 person units. Ceiling heights have increased to 2.5m to meet the relevant guidelines for the ground and first floor accommodation, with the 2nd floor accommodation achieving 2.8m. Amenity space has been apportioned so one of the ground floor units (identified as Unit 2 on the submitted plans) and the 5 bedspace cluster (identified as Unit 1 on the submitted plans) have access to some private amenity space. The remaining units would have access to the communal garden space to the rear of the proposed building. The number of parking spaces in the rear garden has been reduced from 5 to 3, with the turning area available sufficient to ensure cars are able to exit the site in forward gear. A tree survey and impact assessment has been submitted identifying the trees for removal and the protection measures for the protected tree. A drainage strategy has been provided.
- 3.9 The Inspector accepted conditions could be used to cover a construction management plan.
- 3.10 Having regard to the above, it is considered that the reasons for refusal have now been overcome and hence the recommendation is for approval subject to conditions as identified above.

4 Site Description

- 4.1 The subject site is located on Churchbury Lane opposite the junction with Fyfield Road. The site contains a pair of semi-detached two storey buildings with access for vehicle parking shared between Nos.26 and 28 to the north and a driveway to the west providing access to an outbuilding (garage) for No.24. Works have commenced on the implementation of planning permission reference 22/00915/FUL, the roof of the original building has been removed and all trees with the exception of the protected Ash tree have been removed.
- 4.2 The property was previously used for the accommodation of 5 adults with physical and learning disabilities.
- 4.3 An Ash tree to the rear of the site is the subject of a Tree Preservation Order (TPO - NO 107 1980). No other trees on site were the subject of protection.

- 4.4 The site is not located within a conservation area nor is it statutorily or locally listed.

Proposal

- 4.5 This application proposes the demolition of the existing building which provided supported living accommodation for 5 residents and the erection of a detached 2-storey building with additional accommodation in the roof area, to provide four clusters, Sui Generis use : 2 of the clusters providing accommodation for up to 6 people living in self-contained accommodation but with access to additional shared living space and supported, 1 cluster providing accommodation for up to six people living together as a single household and receiving care, and 2 self-contained units with access to on site with on site. All clusters will share a common single entry point to the south elevation of the building. The clusters are as follows:

- Cluster 1(Ground Floor) – 2 x 1person self-contained units with a small ancillary office space and toilet;
- Cluster 2 (Ground Floor) - 5 individual bedrooms with ensuite facilities, shared living, eating and cooking facilities, shared special care shower room and WC, ancillary office space and toilet facilities;
- Cluster 3 (First Floor) – 6 x 1 person self-contained units, together with shared living, dining and cooking space, ancillary office and WC
- Cluster 4 (Second floor)– 6 x 1 person self-contained units, together with shared living, dining and cooking facilities, ancillary off and WC.

- 4.6 Five parking spaces in total are proposed; two to the site frontage and 3 to the rear garden area. Refuse storage and cycle parking spaces are proposed to the rear.

Revised landscaping plans have been submitted that confirm the retention of the protected Ash tree only (all other trees on site have now been removed) . Eight new trees are to be planted; 3 to the rear garden and 5 to the front garden.

5 Relevant Planning History

Historical applications

- 5.1 TP/04/2322 - Part single, part two storey side and rear extension. (Revised scheme). Granted With Conditions 30 Dec 2004. This permission was implemented in 2005

TP/05/1193 - Single storey rear extension (retrospective). Granted 03 Aug 2005

TP/05/1025 - Use of single-family dwelling house as a residential care home for 5 people with learning and physical disabilities. Granted With Conditions 21 Jul 2005.

Alternative planning permission on which works have commenced

- 5.2 22/00915/FUL - Part single, part two-storey side and rear extensions, front and rear rooflights and ancillary works to expand existing supported living facility to accommodate up to 8 residents. – Granted with conditions on 28.07.2022

24-26 Churchbury Lane – Appealed application

5.3 20/02821/FUL - Demolition of the existing buildings providing supported living accommodation and erection of a detached 2-storey building with additional accommodation in the roof area, to provide four class C3(b) uses (up to six people living together as a single household and receiving care) and provision of associated car parking to the front and side, cycle parking and refuse/recycle storage. Refused 18.03.2021 for the following reasons:

1. *The proposed development, by virtue of inadequate floor areas, floor to ceiling heights, internal layouts, poor quality of outlook, insufficient natural light, the insufficient provision of private/communal amenity space and required measures to ensure privacy would result in substandard accommodation and be harmful to the amenities of future occupiers, contrary to Policy D6 of the London Plan (2021), Policies CP4 and CP30 of the Enfield Core Strategy (2010), Policies DMD6, DMD8 and DMD9 of the Enfield Development Management Document (2014).*
2. *The proposed development, by virtue of its form, height, depth, bulk, massing and detailed design would appear visually intrusive, overly dominant and out of keeping with the character and appearance of the streetscene of which it forms part and the surrounding area, contrary to the Policies D3 and D4 of the London Plan (2021), Policy CP30 of the Enfield Core Strategy (2010) and Policies DMD8 and DMD37 of the Enfield Development Management Document (2014).*
3. *The proposed development, by virtue of its size, proximity and siting would give rise to an unneighbourly loss of privacy as perceived from neighbouring properties including No. 28 Churchbury Lane and Nos.1 and 3 Fir Tree Walk, contrary to Policies D3 and D6 of the London Plan (2021), Policies CP4 and CP30 of the Enfield Core Strategy (2010) and Policies DMD8 and DMD10 of the Enfield Development Management Document (2014).*
4. *The proposed development, in the absence of an adequate justification to demonstrate vehicle parking commensurate with the use proposed, would give rise to conditions prejudicial to the free flow and safety of vehicular traffic and fail to promote or prioritise the use of sustainable modes of transport or reduce car use, contrary to Policies T4, T6 and T6.1 of the London Plan (2021), Policies CP 24 and CP25 of the Enfield Core Strategy (2010) and Policies DMD45, DMD47 and DMD48 of the Enfield Development Management Document (2014).*
5. *The proposed development, in the absence of a legal agreement securing a construction and demolition management plan, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to Policy T7 of the London Plan (2021), Policy CP24 and 32 of the Enfield Core Strategy 2010 and Policies DMD48 and DMD 68 of the Enfield Development Management Document 2014.*
6. *The proposed development, in the absence of an adequate arboriculture report, has failed to demonstrate that the proposal would retain and protect trees (including those the subject of a Tree Preservation Order) of visual amenity and biodiversity value within the site / in adjacent sites and the surrounding area, contrary to Policy G7 of the London Plan (2021), Policies CP30 of the Enfield Core Strategy (2010) and Policies DMD37 and DMD80 of the Enfield Development Management Document (2014) and the British Standard for Trees in relation to design, demolition and construction (BS 5837:2012).*

7. The proposed development, in the absence of an adequate sustainable drainage strategy, fails to demonstrate how proposed measures manage the risk of flooding from surface water run-off and follow the drainage hierarchy in the London Plan, contrary to Policy SI 13 of the London Plan (2021), Policies CP21 and CP28 of the Enfield Core Strategy (2010), Policies DMD59, DMD60, DMD61 and DMD62 of the Enfield Development Management Document (2014) and the Enfield Strategic Flood Risk Assessment (2008).

5.4 The subsequent appeal against this decision was dismissed. The Inspector did not support the Council's decision in terms of reasons 2, and 5, accepting in relation to reason 5 that a construction management plan could be secured by condition. He partially supported the Council's decision in respect of reason 3, accepting a harmful impact on No.28 Churchbury Lane arising from windows in the side facing elevation but considered there would be no harmful impact on the amenities of the occupiers of 1 and 3 Fyfield Road. He did not support the Council's concern about the level of parking but did raise concerns about the inability of vehicles to exit the rear parking spaces in a forward gear. He supported the Council's decision in terms of the quality of the accommodation to be provided, lack of information on servicing and delivery and the lack of information to assess impact on trees and flood risk.

5.5 21/02621/FUL - Change of use from Care Home(C2) into 8 supported Living accommodation units with 24 hour care involving two-storey side, rear and roof extensions, rear rooflights, Juliet balconies and associated works. – Refused on 27.09.2021 for the following reasons:

- *The proposed development, by virtue of its form, height, depth, bulk, massing and detailed design would appear visually intrusive, overly dominant and out of keeping with the character and appearance of the streetscene of which it forms part and the surrounding area, contrary to Policies CP30 of the Enfield Core Strategy (2010), DMD8 and DMD37 of the Enfield Development Management Document (2014), D3 and D4 of the London Plan (2021) and the National Planning Policy Framework 2021 as a whole.*
- *The proposed development, in the absence of an adequate arboriculture report, has failed to demonstrate that the proposal would retain and protect trees (including those the subject of a Tree Preservation Order) of visual amenity and biodiversity value within the site / in adjacent sites and the surrounding area, contrary to Policies CP30 of the Enfield Core Strategy (2010), DMD37 and DMD80 of the Enfield Development Management Document (2014), G7 of the London Plan (2021), the National Planning Policy Framework 2021 as a whole and the British Standard for Trees in relation to design, demolition and construction (BS 5837:2012).*

5.6 This refusal was not appealed.

6 Consultation

6.1 Statutory and Non-Statutory Consultees

6.1.1 Transport – No objections subject to conditions.

6.1.2 SUDS – No objections subject to conditions.

6.1.3 Trees – The Tree Officer raised no objection to the removal of the 7 category U trees that were originally identified for removal but have since now been removed. Amended plans have been provided to ensure no new tree planting within the root protection area of the protected tree, which is supported, appropriate siting for new tree planting to the front and rear of the proposed building and new soft landscaping to the front of the building and to the Churchbury Lane return frontage

6.1.4 Building Control Officer - No objections raised on access and fire safety.

7.0 Public Consultation

7.1 Forty two adjoining and nearby properties have been consulted on the planning application and the receipt of revised plans. A total of 14 representations have been received, and the issues raised are largely the same as those from the previous rounds of consultation and have been summarised below and given additional comment in the body of the report:

Summary of responses

- Overdevelopment
- Incorrect use proposed
- Proposal does not meet standards for specialist housing
- Strain on existing community facilities
- Out of Keeping with the character of area
- Detrimental scale of building proposed
- Detrimental impact on privacy / light
- Detrimental proximity to neighbouring building
- Loss of privacy to houses and gardens
- Windows and balconies overlook gardens
- Detrimental impact on parking
- Insufficient parking provision
- Increased congestion/pollution
- Incorrect Information
- Fire safety issues
- Future usage of site could be changed
- Traffic volume and noise will be increased
- Affect local ecology/TPO trees
- Amended description is not correct as the proposed accommodation is clearly for specialist care housing with a total of 30 non-resident carers working in shifts. As such it falls very neatly into the C2 class. Near identical

accommodation in the borough, including the building currently on site, has been defined as C2. It is therefore not in a class of its own - or Sui Generis.

Officers' response

Whilst these objections are noted a number of the issues raised have been considered by the Inspector at appeal and have not been supported, particularly related to the principle of this form of development, the nature of the use, the number of residents to be accommodated, the size/form and massing of the building and the level of parking provision. Other matters raised are assessed in the analysis section of this report.

8 Relevant Planning Policies

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

8.2 National Planning Policy Framework (NPPF) 2023

8.2.1 The National Planning Policy Framework (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.

8.2.3 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.

8.2.4 In relation to achieving appropriate densities Paragraph 128 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.

8.2.5 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:

8.2.6 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:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (7); or
 - (ii) any adverse impacts of so doing would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

8.2.7 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 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous 3 years."

8.2.8 The Council's recent housing delivery has been below Enfield's increasing housing targets. This has translated into the Council being placed in the "presumption in favour of sustainable development category" by the Government through its Housing Delivery Test

- a) 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
- b) 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.”

8.2.9 In 2019, Enfield met 77% of the 2,394 homes target for the preceding three-year period (2016/17, 2017/18, 2018/19), delivering 1,839 homes. In 2020 Enfield delivered 56% of the 2,328 homes target. In 2021, Enfield delivered 1777 of the 2650 homes required, a rate of 67%. The consequence of this is that Enfield is within the “presumption in favour of sustainable development” category.

8.2.10 This is referred to as the “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 the 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.

8.3 London Plan (2021)

8.3.1 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:

- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D6 Housing quality and standards
- Policy D7 Accessible housing
- Policy D14 Noise

- Policy H10 Housing size mix
- Policy H12 Supported and specialised accommodation
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands
- Policy SI 1 Improving air quality
- Policy SI 2 Minimising greenhouse gas emissions
- Policy SI 13 Sustainable drainage
- Policy T3 Transport capacity, connectivity and safeguarding
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car parking
- Policy T6.1 Residential parking
- Policy T7 Deliveries, servicing and construction

8.4 Enfield Core Strategy

8.4.1 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 of the Core Strategy is considered particularly relevant:

- CP4: Housing quality
- CP5: Housing types
- CP6: Meeting Particular Housing Needs
- CP20: Sustainable energy use and energy infrastructure
- CP21: Delivering sustainable water supply, drainage and sewerage infrastructure
- CP24: The road network
- CP25: Pedestrians and cyclists
- CP26: Public transport
- CP28: Managing flood risk through development
- CP30: Maintaining and improving the quality of the built and open environment
- CP32: Pollution
- CP36: Biodiversity

8.5 Enfield Development Management Document

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

- DMD3 Providing a Mix of Different Sized Homes
- DMD4 Loss of Existing Residential Units
- DMD6 Residential Character
- DMD8 General Standards for New Residential Development
- DMD9 Amenity Space
- DMD 10 Distancing
- DMD15 Specialist Housing Needs
- DMD37 Achieving High Quality Design-Led Development
- DMD38 Design Process
- DMD45 Parking Standards

DMD47 New Roads, Access and Servicing
 DMD48 Transport Assessments
 DMD49 Sustainable Design and Construction Statements
 DMD50 Environmental Assessment Methods
 DMD51 Energy Efficiency Standards
 DMD53 Low and Zero Carbon Technology
 DMD58 Water Efficiency
 DMD61 Managing Surface Water
 DMD65 Air Quality
 DMD68 Noise
 DMD69 Light Pollution
 DMD70 Water Quality
 DMD72 Open Space Provision
 DMD79 Ecological Enhancements
 DMD80 Trees on Development Sites
 DMD81 Landscaping

8.6 Enfield Local Plan (Regulation 18) 2021

8.6.1 The Council has published the Enfield Local Plan 2019-2041 for Regulation 19 Consultation between 28 March and 20 May 2024. The Enfield Local Plan is at an advanced stage of preparation and is considered by the council to be sound and will not be modified significantly prior to examination. NPPF 2023 Paragraph 48 states that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the London Plan and NPPF 2023. For example, a policy that receives few objections at the Regulation 19 consultation can be given more weight than a policy that receives many objections. As such, policies must be considered on a case-by-case basis for larger schemes during the consultation and examination period and the weight given to specific policies must be determined at the time a decision is made. Enfield's adopted Development Plans remain the starting point for decision taking until the new Enfield Local Plan is adopted.

8.6.2 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
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 DE11	Landscape design
Policy DM DE13	Housing standards and design
Policy DM H3	Housing mix and type
Policy DM T2	Making active travel the natural choice
Policy SP D1	Securing contributions to mitigate the impact of development

8.7 Other Material Considerations

National Planning Practice Guidance
London Housing SPG (2016)
DCLG Technical Housing Standards (2015)
Refuse and Recycle Storage Guide Enfield (2020)

9 **Analysis**

9.1 The principal considerations material to the determination of this application are considered as follows:

- Land Use
- Design
- Impact on neighbouring amenity
- Transport
- Trees
- Biodiversity
- Energy and Sustainability
- Sustainable Drainage Systems (SuDS)
- Inclusive Design and Fire Safety
- Community Infrastructure Levy (CIL)

9.2 This application follows a refusal of planning permission under application reference 20/02821/FUL which was subsequently appealed. The appeal (reference APP/Q5300/W/21/3273405) was dismissed on 8 April 2022 and a summary of the Inspectors findings is given above. This decision carries significant weight in this assessment.

Land Use

9.3 Permission was granted in 2005 (TP/05/1025) for the use of the site as a residential care home for 5 people with learning and physical disabilities. The submitted documents forming part of this application noted:

- All of the residents need a high level of support because of their physical disabilities which includes periodic care over the 24 hour period and the provision of personal care. It was anticipated that three members of staff would be at the premises during the day with one or two at night. The plans provided for the provision of a staff bedroom but staff would normally be awake and they would not reside at the premises. [An additional parking space] was provided for staff and visitors and 6 off-street spaces were available.

9.4 Condition 2 of this planning permission requires:

- Notwithstanding the provisions of the Town and Country Planning Use Classes Order 1987, or any amending Order, the premises shall only be used for the accommodation of adult residents with physical and learning disabilities and shall not be used for any other form of accommodation or purpose within use class C2. Reason: To safeguard the residential amenities of adjoining occupiers.

9.5 The site is therefore established to provide supported living accommodation for 5 people under the C2 Use Class.

9.6 With respect to the current application, the applicant's description reads:

- Demolition of the existing buildings providing supported living accommodation and erection of a detached 2-storey building with additional accommodation in the roof area, to provide 4 clusters of accommodation including 2 x 1-person self-contained units with associated office space for support staff, 5 individual bedrooms with ensuite facilities and shared facilities and 12 x 1 person self-contained units with additional and ancillary shared living accommodation and office space for support staff, all for residents receiving care (19 persons) (Class use Sui Generis) and provision of associated car parking, cycle parking and refuse/recycle storage.

9.7 The submitted documents forming part of this application noted:

- Residents live in an environment where they have control over their day to day lives but with the ability to immediately call upon a range of flexible services. Level of care and services provided can increase or decrease dependent upon the needs of the individual.

Concern has been raised by residents about how the application is being assessed with some documents describing the use as C2 and others as C3(b). In light of this, it has now been considered more accurate to amend the description of development to reflect a Sui Generis use. This is because some of the units are for more independent living and some are shared. Notwithstanding the fact that the Inspector in the appeal did not question the description of development as this was not a reason for refusal before him, this issue was raised in the officer report. In reviewing the application in preparation for this planning committee, we have considered again the description of development and the layout and function of the development proposed. There are two ground floor totally self-contained units, and the remaining accommodation comprises a mix of supported living units where residents have self contained accommodation but also with access to shared amenities in the form of living and dining spaces and one cluster where residents have a bedroom only and access to shared living, eating and dining facilities. Given this, it is considered that the development would not fall clearly within C2, C3(b) and nor would it be general C3. We consider it to be a hybrid application and as such should more appropriately be considered a sui generis use and as such it has been considered prudent to amend the description to reflect this.

9.8 The application is for 'assisted' or 'supported living', with residents being able to reside in the property with supervision.

- 9.9 The proposal does not result in the loss of a conventional single family residential unit, as the permitted use of the property is as a residential care home for 5 people with learning and physical disabilities. Instead, the scheme proposes the replacement of one type of residential accommodation with an alternative form of supported living accommodation, albeit now accommodating up to 19 people. The proposed use would not conflict with Enfield Core Strategy Policy CP4 (Housing quality) and Enfield Development Management Document Policy DMD4 (Loss of Existing Residential Units).
- 9.10 It is noted that the proposal would result in an intensification of the site, with up to 19 persons living on site in either the self-contained units or within the shared accommodation.
- 9.11 The applicant states each of the clusters would be operated independently as follows:
- Cluster 1 - 2 x 1-person flats and 1 small office.
 - Cluster 2 - 5 bedrooms each with ensuite bathrooms and a shared dining/kitchen area and 1 small office.
 - Cluster 3 - 6 x 1-person flats and a shared communal living/dining/kitchen area and 1 small office..
 - Cluster 4- 6 x 1-person flats and a shared communal dining/kitchen area and 1 small office.
- 9.12 The site was occupied by 5 residents, occupying 5 rooms and assisted by 5 full time staff (3 during the day and 2 during the night). The proposal would result in 19 residents, assisted by 20 full time staff (10 during the day and 10 during the night).
- 9.13 Notwithstanding the intensification in the use of the site, the appeal decision did not find this harmful and therefore the proposals are acceptable in this context. A condition is recommended requiring the accommodation to be occupied by no more than 19 residents, given the mix and arrangement of accommodation proposed, and the lack of private amenity space to support all units. The condition will also require that the communal kitchen/living/dining space and office space needed to support the specific type of accommodation proposed is retained.

Standard of Accommodation

- 9.14 The Mayor's Housing SPG advises that the nationally described space standards and the optional Building Regulations do not apply to specialist forms of housing such as student housing and supported living; however, the space needed for furniture, activity and movement should be considered when designing all forms of housing. Policy D6 of the London Plan states the standards apply to all new self-contained dwellings of any tenure. This application includes units of self-contained accommodation, albeit the majority also have access to shared living/dining and kitchen facilities in addition to those within the individual units.
- 9.15 Policy DMD 8 (General Standards for New Residential Development) of the Enfield Development Management Document provides wider considerations of what constitutes acceptable levels of habitable accommodation within development.

- 9.16 With the refused application, 20/02821/FUL it was considered that the proposed development, by virtue of inadequate floor areas, floor to ceiling heights, internal layouts, poor quality of outlook, insufficient natural light, the insufficient provision of private/communal amenity space and required measures to ensure privacy would have resulted in substandard accommodation and be harmful to the amenities of future occupiers, contrary to Planning Policy.
- 9.17 The Appeal Inspector supported the Council on this reason for refusal and concluded that on balance, the proposal would not provide suitable living conditions for future occupiers having regard to the quality and quantity of internal and external space.

- 9.18 In addressing the above reasons for refusal, the applicants have amended the plans so that each self-contained unit is provided with a minimum of 37sqm in floor space which meets the London Plan floorspace standard for a single person unit. Objections have been raised as to why the units are not double rooms and the applicant has advised that the service users will be living as single persons and as such the rooms as proposed are considered acceptable and they meet the requirements for a single person.

Two of the ground floor units have access to private amenity space. Identified on the submitted plans as Unit 1, a cluster of 5 bedrooms with shared living facilities and Unit 2 a self-contained single person unit. The remaining units (one self-contained one bedroom unit to the ground floor and the shared clusters at first and second floor level) would have access to the shared communal garden which is 169sqm over and above the requirement for conventional C3 use which is 4sqm of communal amenity space from DMD policy 9 per 1 bedroom person apartment. The amenity space standards for conventional C3 housing for 1 person accommodation would look to the provision of 4sq.m of private outdoor amenity space for a self-contained 1 bed unit. There are only 2 such units within the development and one of these would have amenity space in excess of this with the second, due to its location within the block, not having any private outdoor amenity space. The failure of this unit to meet the private outdoor amenity space standards needs to be considered in the overall planning balance. Unit 1, the cluster of 5 single bedrooms alongside shared living space would have access to 47sq.m of private amenity space. The equivalent size conventional C3 dwelling 4b5p/4b6p units would require private amenity space of 8/9sq.m respectively where there is also communal amenity space available. The remaining upper floor accommodation within the development that would not have access to private outdoor amenity space is not conventional C3 housing. These upper floor cluster units have additional indoor space in the form of communal living/kitchen/dining facilities over and above their private kitchen/living/dining spaces. This is an 'amenity' for the residents albeit not outdoor space. The communal garden area to the rear of the block will provide the outdoor amenity space for those units that do not have private outdoor amenity space. The failure to meet the minimum standards for outdoor amenity space for these units needs to be considered in the planning balance.

Within the refused application the garden space available to support the development had not been clearly defined in terms of how it would be used by future residents. This amended scheme identifies a private garden for one of the ground floor self-contained units and for the residents of Cluster 2 (described above). A further communal area beyond the provision of private amenity space would be accessible to all residents. The cluster that is to accommodate residents requiring wheelchair access has direct access to a private garden area and there is level access to this space. This application has now therefore clarified the apportionment of amenity space. Whilst all units do not have access to private outdoor amenity space, given this is supported living where residents live in a more communal way, encouraged through the provision of communal living/dining and kitchen facilities, the reliance on communal amenity space for the majority of residents is considered on balance acceptable.

Given the development does not meet the requirements of amenity space for conventional self-contained C3 residential accommodation and there is reliance on additional internal space to support some of the units, a condition is recommended to ensure that the units remain in use as supported living accommodation only and as one person units as proposed and the communal indoor amenity, provided through the additional shared living/dining/kitchen spaces must be retained .

- 9.19 In terms of floor to ceiling heights, the earlier refused application's had ceiling heights of 2.4m to the ground and first floor level of the building, whilst the second floor had 2.8m. The current application proposes a floor to ceiling height of 2.5m to the ground and first floor and retains the 2.8m height at second floor level. This is in compliance with planning guidance. The plans have been amended so that the proposed rooflights serving some of the upper bedrooms are enlarged to ensure that the rooms receive adequate daylight and better outlook.
- 9.20 The units overall have adequate light and outlook. One of the ensuite bedrooms within Cluster 2 has its sole bedroom window to the flank elevation. This window needs to be fixed and obscured at the lower level to protect the privacy of the occupiers of No.28 Churchbury Lane. As this is a bedroom and the occupier would have access to a sizable communal living/dining/kitchen space, with good natural light, this in the overall planning balance is considered acceptable.
- 9.21 Having regard to the amendments to the scheme, it is considered that the concerns previously raised regarding the quality of the accommodation have been satisfactorily addressed.

Design

- 9.22 Enfield Core Strategy Policy CP30 (Maintaining and improving the quality of the built and open environment) seeks to ensure that new developments are high quality and design-led, having regard to their context.
- 9.23 Enfield Development Management Document Policy DMD8 (General Standards for New Residential Development) states that new developments should preserve amenity in terms of daylight, sunlight, outlook, privacy, overlooking, noise and disturbance. DMD37 (Achieving High Quality Design-Led Development) states that development that is not suitable for its intended function that is inappropriate to its context, or which fails to have appropriate regard to its surroundings, will be refused. However, it also recognised there is a degree of subjectivity in this assessment of acceptable design.
- 9.24 The principle of demolition has already been accepted under the refused application and this was not disputed in the appeal decision. It was concluded that the existing buildings are of limited value and therefore limited weight shall be given to their conservation. In the absence of making a significant positive contribution to the wider area, the complete demolition of all site buildings is acceptable subject to a suitable replacement.

- 9.25 The proposal would result in a change to the form/shape of the building and the extent of site coverage. The proposed building is neither massed to address the recognised and typical principal elevation (east), nor the south facing elevation and surrounding views. The proposal will result therefore in an atypical building, formed in an 'L' shape with an apex serving as an entrance on the corner of Churchbury Lane, with principal elevations facing east (14.9m) and south (18.5m). Where the more typical built format in the locality is that of semi-detached rectangular buildings with a single principal elevation, this proposal would introduce 2 principal elevations which under the previous scheme was previously considered to be at odds with the locality.
- 9.26 However, the Inspector did not support the Council's earlier objections to the design of the building. He considered the area to be of mixed character and that there was no single, defining dominant character and appearance at the site or around it. He did not therefore consider the form of development proposed to be harmful to the character and appearance of the area. This current scheme has the same form and massing and therefore in the light the appeal decision, which carries significant weight in the assessment of this application, no objection is now raised to the design of the building.

Impact on neighbouring amenity

- 9.27 Enfield Core Strategy Policy CP9 (Supporting community cohesion) supports community cohesion by promoting attractive, safe, accessible and inclusive neighbourhoods. Enfield Development Management Document Policies DMD 8 and 10 seek to ensure that developments do not negatively impact on the residential amenities of neighbouring properties. Policy DMD 8 states residential development will only be permitted if it preserves amenity in terms of daylight, sunlight, outlook, privacy, overlooking, noise and disturbance. Policy DMD 10 states that distancing between developments serves a number of purposes: it helps to maintain a sense of privacy; it is also key to avoiding overshadowing and ensuring adequate amounts of sunlight are available for new and existing developments. The spacing between development at the rear offers the space for amenity uses. It is therefore important that an appropriate distance is achieved and maintained as a result of the development of new residential units and extensions. Development should be designed to protect the privacy of both new and existing dwellings to a reasonable degree. Spaces that are overlooked lack privacy. The most sensitive areas to overlooking are habitable spaces such as living rooms, bedrooms, kitchens and the part of a garden nearest to the house.
- 9.28 The massing and form of the proposed building would be greater than the existing built form and therefore the impacts to the neighbouring residential amenity requires assessment.
- 9.29 The area surrounding the site is predominantly residential. The following properties are contiguous to the application site:
- No.28 Churchbury Lane – neighbouring to the north of the application site. This building has several flank wall windows facing the development site, at ground, first and second floor level.
 - Nos.1 and 3 Fir Tree Walk - neighbouring to the west of the application site. These buildings have a number of upper floor windows facing the development site serving habitable spaces.

- 9.30 All other adjacent properties on the opposite side of Churchbury Lane (including Nos.1 and 3 Churchbury Lane, Nos. 1 and 2 Fyfield Road and 5 Fir Tree Walk), by virtue of their proximity and orientation are considered to experience no greater harm as a result of the development than the existing arrangement.
- 9.31 The size and scale of the development and its relationship with neighbouring properties has been found acceptable through the previous appeal decision.
- 9.32 Within the refused application it was considered that due to new upper floor windows facing the windows and gardens of number 28 Churchbury Lane and Nos.1 and 3 Fir Tree Walk, this would give rise to an unneighbourly loss of privacy from overlooking which would be harmful to the amenities of these neighbouring properties.
- 9.33 The Appeal Inspector disagreed with the harm to numbers Nos.1 and 3 Fir Tree Walk but concluded that whilst he was satisfied that the proposal would not cause harmful overlooking or loss of privacy to the gardens of No 28 Churchbury Lane and Nos.1 and 3 Fir Tree Walk, as the relationship would be fundamentally the same as existing, he found that the side facing windows in the side wall of the proposed building would give rise to an unacceptable loss of privacy and perceived loss of privacy to the occupiers of No 28.
- 9.34 In addressing the above reason for refusal, the applicant has made changes to the scheme by removing some windows from some rooms including a bedroom and also by designing the rooms such that all the side windows facing number 28 are obscure glazed and non-opening, with the bedroom within Unit 1 being obscured glazed and fixed to a height of 1.7m above floor level and thereafter clear glazed. The quality of accommodation is not compromised by inserting obscure glazed windows as most of these rooms are non-habitable rooms. One of the ensuite bedrooms within Cluster 1 would have its sole window as a partially obscure glazed window. However, this is a bedroom and the occupier would have access to a large communal living/dining/kitchen space. In the overall planning balance, this is considered acceptable. The reason for refusal on harm to the amenities of number 28 is therefore considered to have been overcome.

Transport

- 9.35 Policies DMD45 and DMD47 provide the criteria upon which developments will be assessed with regard to parking standards / layout and access / servicing. Enfield Development Management Document Policy DMD 45 (Parking Standards and Layout) and DMD48 (Transport Assessments) seeks to minimise car parking and to promote sustainable transport options. The Council recognises that a flexible and balanced approach needs to be adopted to prevent excessive car parking provision while at the same time recognising that low on-site provision sometimes increases pressure on existing streets.
- 9.36 The site is located on the corner junction of Churchbury Lane and Fyfield Road. The site is located within the Enfield Town Controlled Parking Zone (CPZ), and the site has a PTAL of 4, which is good.

- 9.37 There are currently two vehicle access points into the site; one on the north (closest to the junction with Orchard Way) which is shared with No.28 Churchbury Lane and one to the south of the site, facing the junction with Fyfield Road. The Council recognises that a flexible and balanced approach needs to be adopted to prevent excessive car parking provision while at the same time recognising that low on-site provision sometimes increases pressure on existing streets. As part of this proposal, both crossovers would remain, with formal parking areas provided serving the front and rear of the site with 2 spaces and 3 spaces respectively. The provision of 7 car parking spaces to service the previous scheme was considered excessive within the refused application. However, the Inspector did not agree with the Council on this issue and was satisfied that the over-provision of parking would not in itself be harmful to the free flow and safety of vehicular traffic. It is considered a reduction in parking as now proposed from 7 to 5 spaces, does not undermine the Inspectors decision and is more in line with the Council's original position.
- 9.38 The Inspector was concerned with the combination of the particular parking layout and access to the car parking spaces, meaning vehicles would need to reverse onto the public highway, and the uncertainty over deliveries and servicing which would give rise to harm to the free flow of vehicular traffic and the safety of all other road users. In reducing the number of parking spaces in the rear garden, the two spaces that required a reversing movement have been removed. This area of concern has therefore been addressed. The Council's Transport Team raise no objections to the proposed parking layout.

With respect to servicing and delivery, the applicant has provided information to explain the expected servicing and delivery details to support the proposed use. This confirms:

- It is anticipated that overall, there will be 20 members of staff working at the site (10 during the day and 10 at night)
- The proposal includes 5 on site parking spaces, including 1 disabled space (two at the front and three to the rear)
- As a result of their disabilities, the residents of the supported living accommodation are unlikely to be car drivers. Parking is mainly intended for staff use.
- Refuse and recycling will be collected by the Council refuse team, from Churchbury Lane.
- Residents will shop for themselves. If they are unable to shop for themselves, carers will go shopping locally on foot to a local supermarket (Tesco's is 5 minutes walk away). Any medication or clothing requirement would be dealt with in the same way.
- Delivery of goods and services are anticipated to be occasional by common private delivery services
- If the building needs maintenance or repairs, the applicant's maintenance team based at the Holtwhites Hill site would walk over or if materials are needed then a van will be parked in one of the parking spaces or if there is space, on street.

In response, the Transportation Team have advised that deliveries and servicing requirements are likely to be modest in scale and associated vehicles can be accommodated on street or through use of the off-street parking spaces. It should also be noted that traffic calming features have recently been implemented on

Churchbury Lane, including raised tables and making it no entry from Parsonage Lane, resulting in both a reduction in traffic volume and traffic speeds along this section of the road. The interventions also mean the highway conditions are materially different since the Inspector's comments were originally made, and further mitigate the highway safety impacts should any vehicles attempt to reverse out of the parking spaces. However, it should be noted these have also been reconfigured since the previous application by the deletion of 2 spaces to the rear, which are the spaces the Inspector raised concerns over the need to reverse out from.

- 9.39 A condition is recommended to require a Construction Management Plan as directed by the Planning Inspector who stated that subject to the imposition of an appropriate condition, the implementation of the proposal would not be likely to give rise to conflicts with other road users and not be detrimental to the amenity of the area.
- 9.40 With regard to cycle parking, the proposal indicates an area for 10 cycle spaces., Policy DMD 45 (Parking Standards and Layout) would expect a pre-commencement condition to secure the siting, number and design of the secure and covered cycle parking spaces. A condition is recommended to cover this.

Trees

- 9.41 Enfield Development Management Document Policy DMD80 (Trees on Development Sites) states that all development including subsidiary or enabling works that involve the loss of or harm to trees covered by TPO's or trees of significant amenity or biodiversity value will be refused. Policy DMD81 states that development must provide high quality landscaping that enhances the local environment.
- 9.42 The site contained a number of trees, including an Ash Tree in the rear garden that is the subject of a Tree Preservation Order. All trees other than the protected Ash tree have now been removed. These were identified as category U trees in the Arboricultural Assessment that supports the application. The protected tree will be retained within an area of communal garden to the rear. The entire boundary to the west will remain as existing, a mixture of timber fence and a concrete wall to avoid any unnecessary disturbance to the protected Ash tree. The position of the cycle store now sits outside the root protection zone for the protected tree. The tree officer has raised no objection to the development in terms of impact on trees. The proposed landscaping details have been amended to more appropriately relate to the site context and avoid new tree planting within the root protection zone of the Ash tree. Eight new trees are to be planted; 3 to the rear garden and 5 to the front garden.

A condition is recommended to ensure compliance with the tree protection measures during construction and after. This reason for refusal is now considered to be satisfactorily addressed.

Biodiversity

- 9.43 Policy G6 of the London Plan (Biodiversity and access to nature), Enfield Core Strategy Policy 36 (Biodiversity) and Development Management Document Policy DMD79 (Ecological Enhancements) would expect a condition to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures including bird and bat boxes. A condition is recommended.

Energy and Sustainability

- 9.44 Enfield Core Strategy Policy CP4 sets a strategic objective to achieve the highest standard of sustainable design and construction throughout the Borough, whilst policies 49 (Sustainable Design and Construction Statements) and 50 (Environmental Assessment Methods) of the Development Management Document relate to 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.
- 9.45 An Energy Statement has not been provided at this stage and therefore a condition is recommended requiring the submission of one pre-commencement.

Sustainable Drainage Systems (SuDS)

- 9.46 London Plan Policy SI 12 (sustainable drainage) outlines that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features, in line with the following drainage hierarchy:
1. rainwater use as a resource (for example rainwater harvesting, blue roofs for irrigation)
 2. rainwater infiltration to ground at or close to source
 3. rainwater attenuation in green infrastructure features for gradual release (for example green roofs, rain gardens)
 4. rainwater discharge direct to a watercourse (unless not appropriate)
 5. controlled rainwater discharge to a surface water sewer or drain
 6. controlled rainwater discharge to a combined sewer.
- 9.47 Enfield Core Policy 28 (Managing flood risk through development) confirms the Council's approach to flood risk, inclusive of the requirement for SuDS in all developments. 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.

- 9.48 The previous application was refused as it was considered that the proposals had failed to demonstrate how proposed measures manage the risk of flooding from surface water run-off and follow the drainage hierarchy. The Appeal Inspector concluded that given it is fundamental to the acceptability of the proposal, it would be inappropriate to defer such an important detail to condition. The applicants have now submitted a SUDS strategy which has been assessed by the Council's drainage team who have concluded that these details are sufficient and can be supported in principle with a condition requiring further technical details. This reason for refusal of a previous application has been addressed.

Inclusive Design and Fire Safety

- 9.49 Policy D5 (Inclusive design), of the London Plan states that Development proposals should achieve the highest standards of accessible and inclusive design. It states that developments should be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment, be able to be entered, used and exited safely, easily and with dignity for all. Above all the policy states that proposals should be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.
- 9.50. Policy D12 of the London Plan on Fire safety states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they:

- 1) identify suitably positioned unobstructed outside space:

A community garden area at the rear has been provided and is unobstructed

- a) for fire appliances to be positioned on
this has been annotated on the proposed ground floor plan at the rear of the site
- b) appropriate for use as an evacuation assembly point
this has been annotated on plan at the rear and front of the site

- 2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures

This has been annotated on the ground floor plan and will also be tied to a final condition for compliance purposes

- 3) are constructed in an appropriate way to minimise the risk of fire spread

this has been annotated on plan which shows fire doors and evacuation routes.

4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users

A fire strategy has been submitted with this application and there is no objection from the Building Control Officers, this has also been annotated on plan.

5) develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in

A fire strategy has been submitted with this application and there is no objection from the Building Control Officers, this has also been annotated on plan.

6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

This has been demonstrated in the Fire Strategy submitted with this application and also annotated on plan

The plans have been amended to comply with the above policy requirements.

- 9.51 Following on from the deferment of the application at committee, in order to address issues regarding inclusive access and fire safety, amended plans have been submitted demonstrating how the proposed development complies with M4 (3) and M4(2) of the Building Regulations regarding wheelchair accessible and adaptable units. The plan shows wheelchairs turning points, fire doors, and doors with clear openings which the previous plan did not show. This more detailed plan has been submitted which clearly shows that the ground floor cluster unit will be wheelchair accessible. The Council's Building Control Officer has been consulted and has not raised any objections in terms of fire safety and the internal arrangements. Clearly, in addition to the planning process, the applicant will be required to achieve separate approval for the scheme as a whole under the Building Regulations.

Affordable Housing

- 9.52 Concern has been raised through the consultation process that if the application is to be considered as Class C3(b) accommodation it must make provision for affordable housing as a total of 19 units are included within the scheme. The application is not seeking planning permission for 19 self-contained residential units, but 4 clusters of accommodation, three of which are clusters of accommodation so no more than 6 people live within each cluster having care provided. Accordingly, as the number of units at 4 is less than the threshold of 10 that would potentially trigger an affordable housing contribution, no affordable housing contribution is required.

Community Infrastructure Levy (CIL)

- 9.53 This development would be liable for both Mayoral and Enfield CIL. The Mayoral CIL liability is expected to be £33,060.00 and the Enfield CIL liability is also expected to be £33,060.00. Final calculations would be undertaken at the point a CIL liability notice is issued.

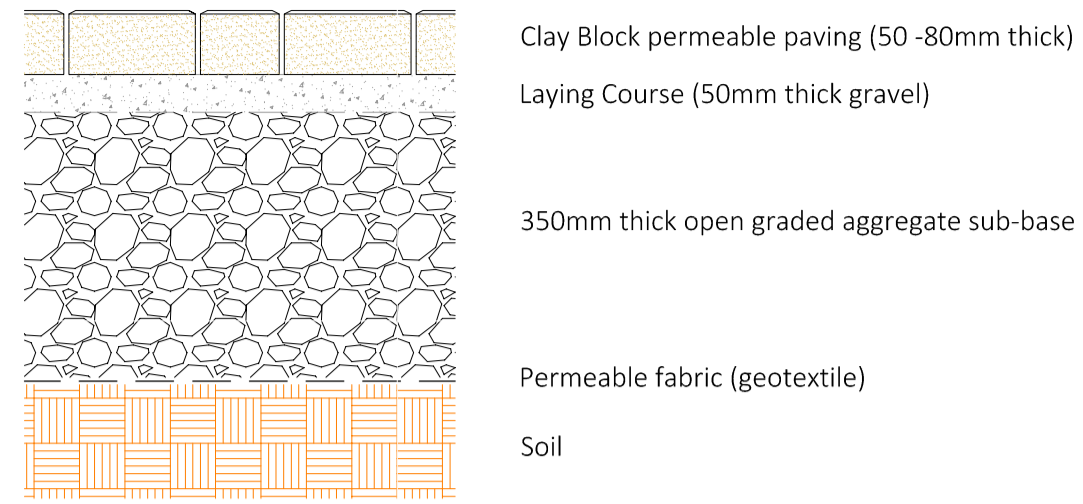
Public Sector Equality Duty

- 9.54 In line with the Public Sector Equality Duty the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. Section 149 of the Act requires public authorities to have due regard to several equality considerations when exercising their functions including decision making on planning applications. It is considered that the proposal to grant planning permission for this development would not disadvantage people who share any of the different nine protected characteristics compared to those who do not have those characteristics and therefore it is considered that the development would not have a disproportionate equalities effect. Accordingly, the recommendation is considered appropriate in upholding the council's adopted and emerging policies and is not outweighed by any engaged rights.

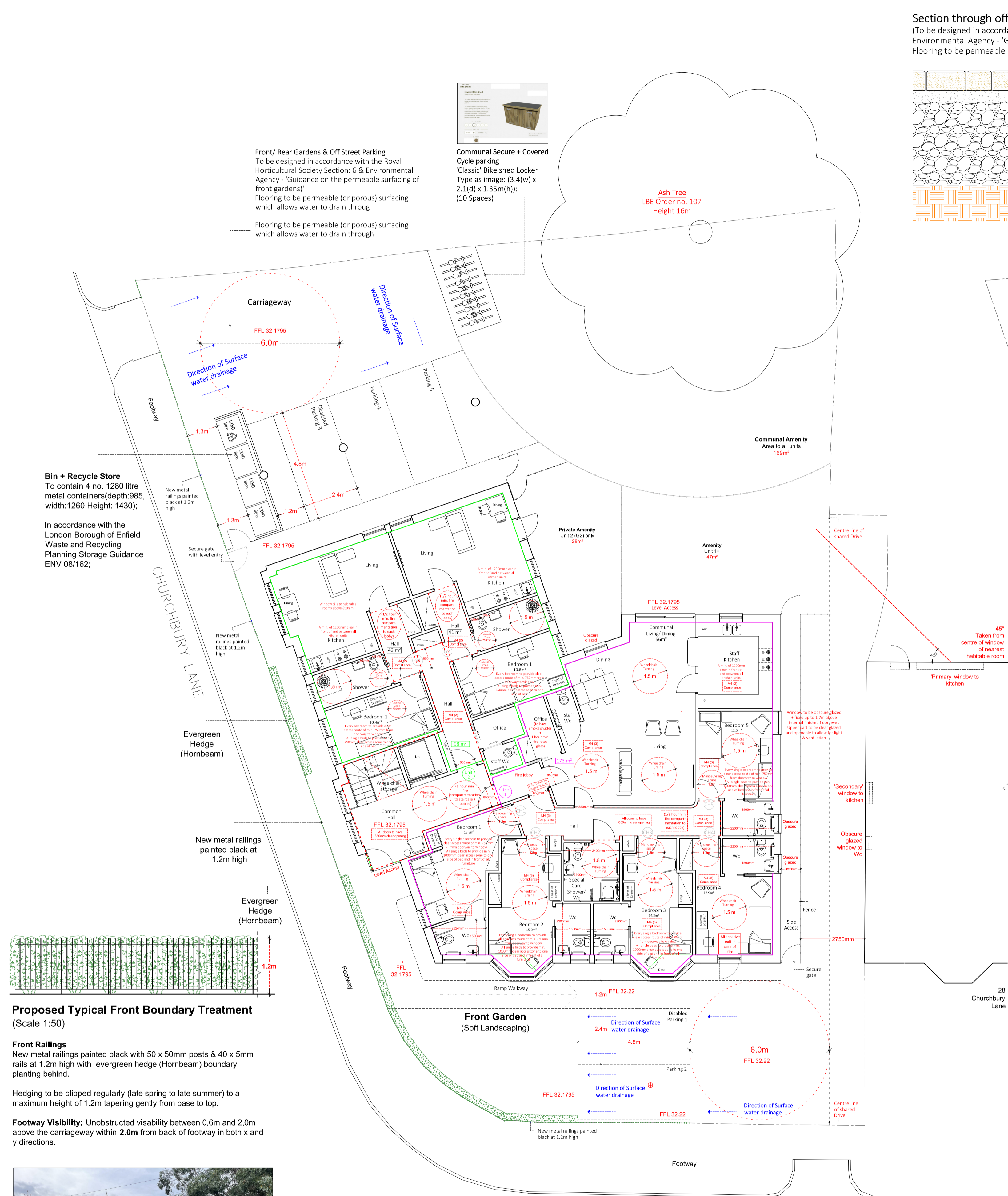
10. Conclusion

- 10.1 The starting point for the determination of any planning application is the development plan. Paragraph 11(d) of the NPPF, and the application of the tilted balance means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, which also includes the Development Plan. Moreover, planning permission should be approved unless "the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed".
- 10.2 It is acknowledged that the consideration of this report has involved some balanced judgements, in relation to residential quality, the impacts of the development on neighbouring occupiers and transport impacts. The appeal decision has been a material consideration in this balance. The Inspector raised no issues with the type of accommodation proposed and the use of the site for supported living purposes, the design, height or massing of the building and its impact on the character or appearance of the area. The issues raised with regard to residential quality, overlooking of the neighbouring property at No.28 Churchbury Lane and highways impact, trees and sustainable drainage are now considered to have been satisfactorily addressed. For these reasons it is recommended that planning permission be granted with conditions as set out above.

Section through off street parking area (scale 1:10)
 (To be designed in accordance with the Royal Horticultural Society Section: 6 & Environmental Agency - 'Guidance on the permeable surfacing of front gardens')
 Flooring to be permeable (or porous) surfacing which allows water to drain through



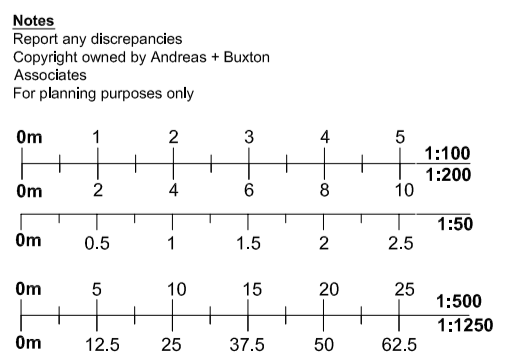
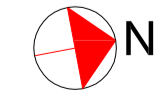
Site area = 941 m ²				Unit	m ²
Existing	169	131	300 m²	Unit 1	173
Proposed	296	317	293	Unit 2	98
				Unit 3	301
				Unit 4	279
				Total	851 m²



Proposed Ground Floor Plan

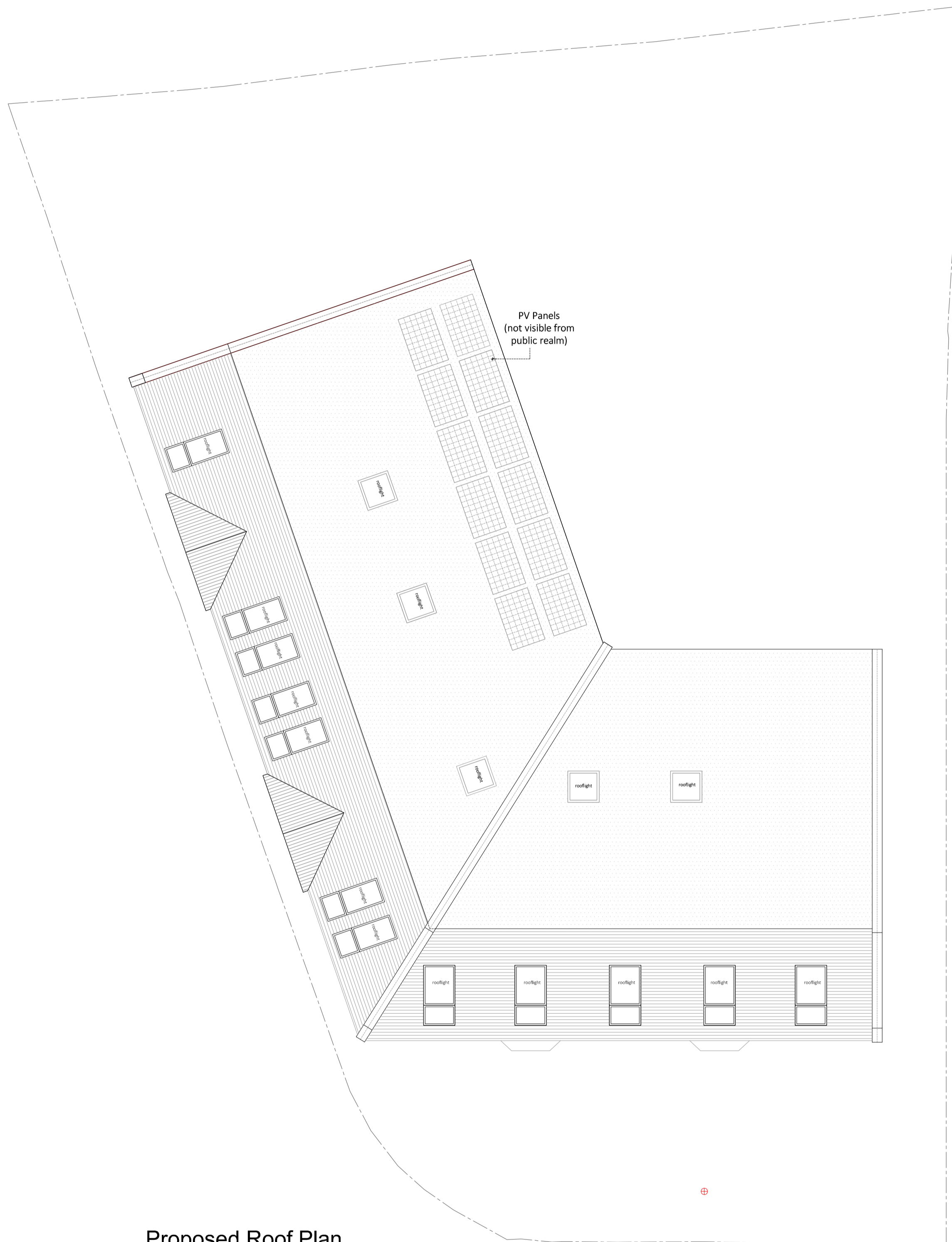


Proposed First Floor Plan





Proposed Second Floor Plan

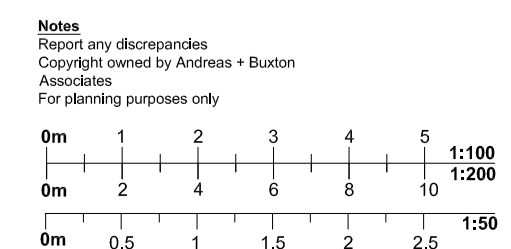


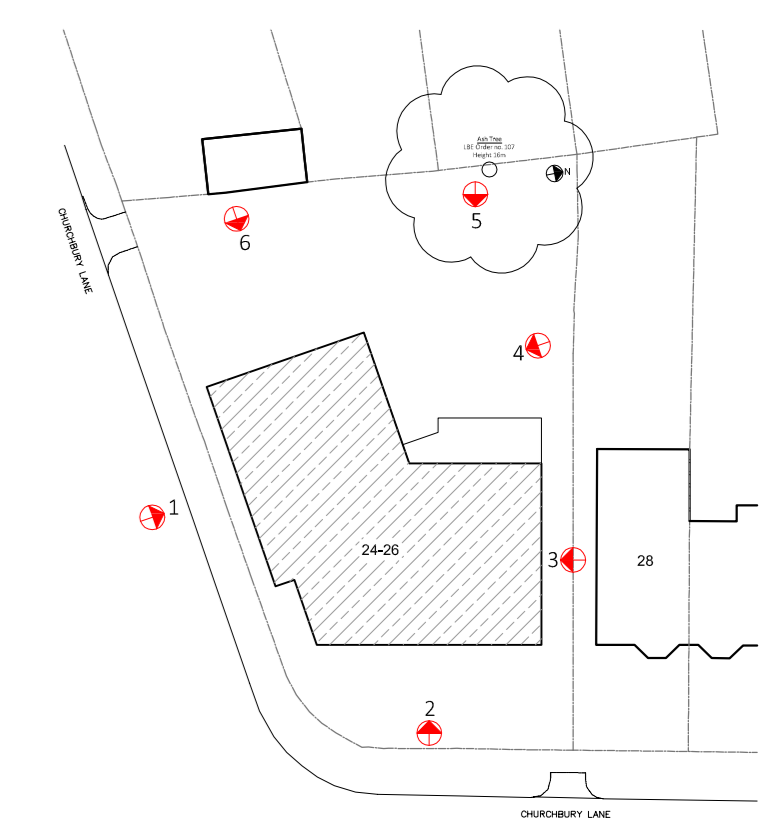
Proposed Roof Plan



Site area = 941 m ²				
	Ground	First	Second	Total
Existing	169	131		300 m ²
Proposed	296	317	293	906 m ² (+ 606 m ² / 302%)
				Total 851 m²

Unit	m ²
Unit 1	173
Unit 2	98
Unit 3	301
Unit 4	279





Proposed Site Plan
(Scale 1:500)



Proposed Front Elevation: South (1)
(Scale 1:100)



Proposed Front Elevation: East (2)
(Scale 1:100)



Proposed Side Elevation: North (3)
(Scale 1:100)



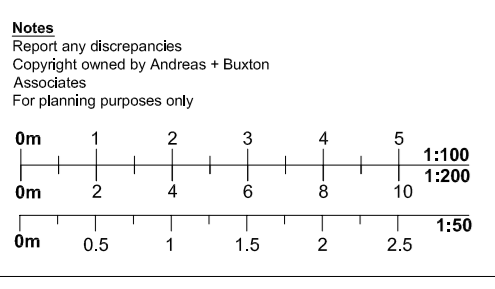
Proposed Side Elevation: North (4)
(Scale 1:100)



Proposed Rear Elevation: West (5)
(Scale 1:100)

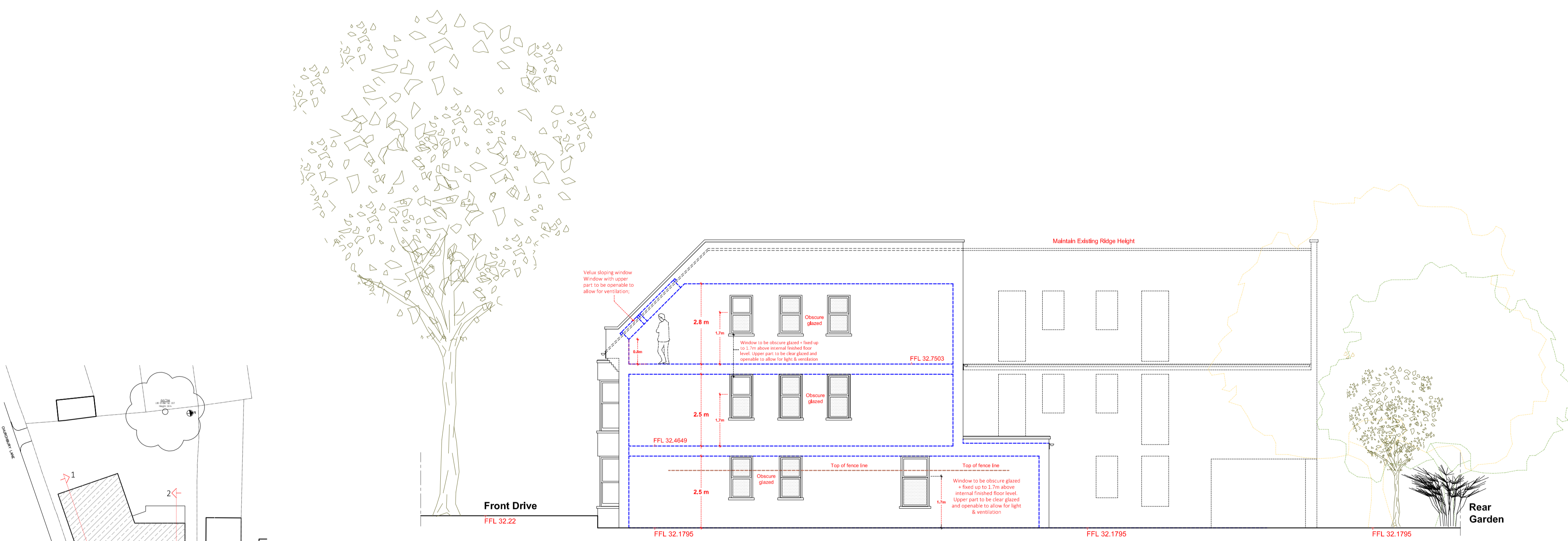


Proposed Rear Elevation: West (6)
(Scale 1:100)

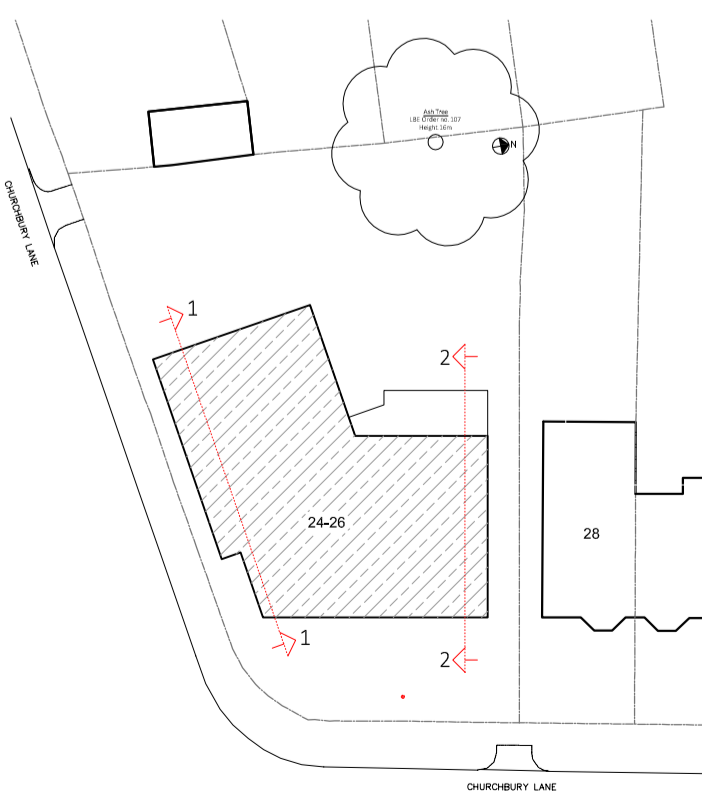




Proposed Front Elevation/ Section : South (1)
(Scale 1:100)



Proposed Side Elevation/ Section: North (2)
(Scale 1:100)



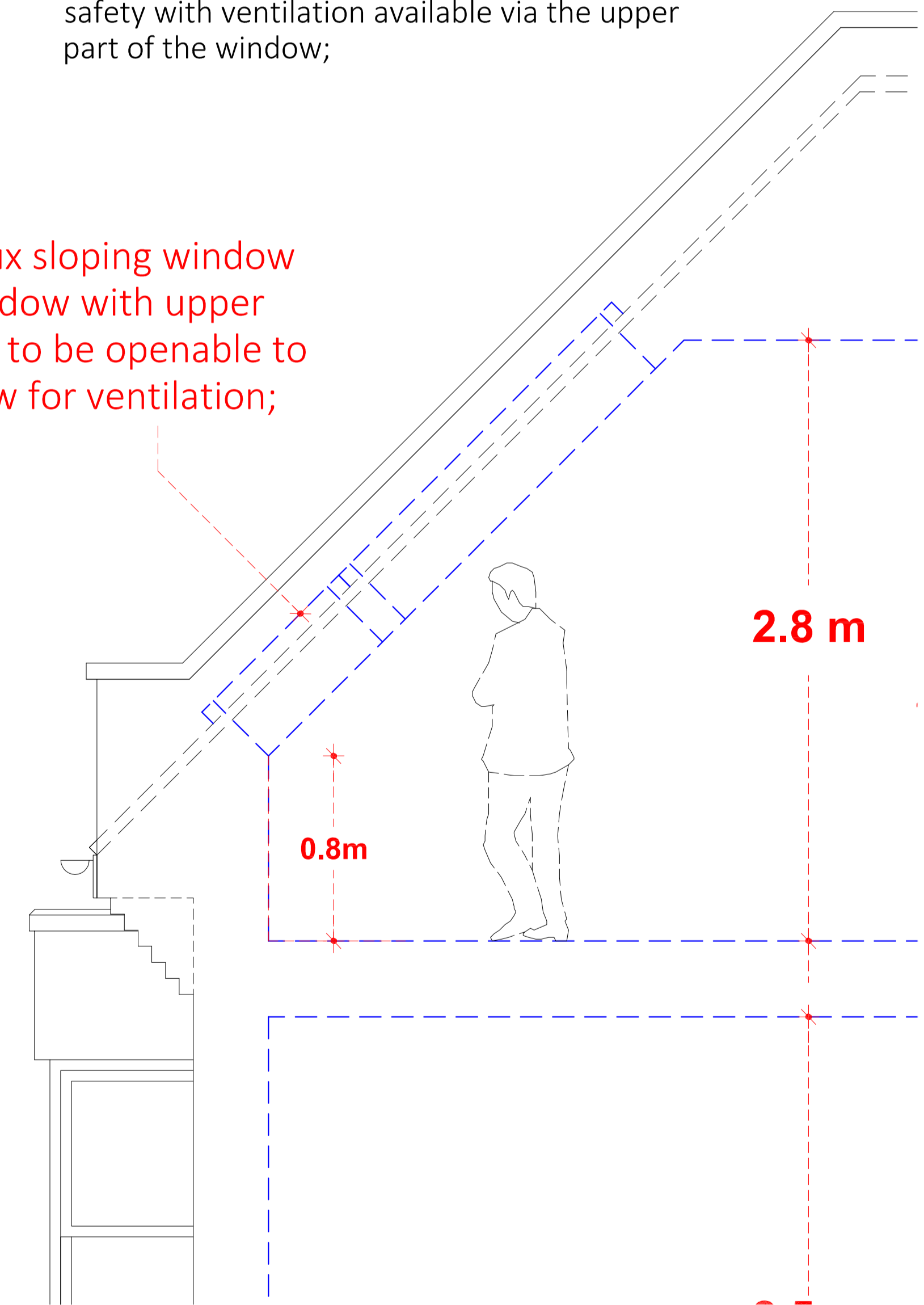
Proposed Site Plan
(Scale 1:500)



Typical image of 'floor-to-ceiling' window for expansive views, more natural daylight and light depth into the room.

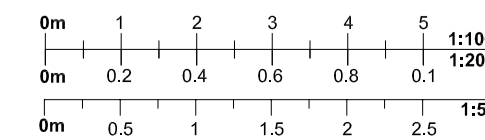
The fixed lower part of the window ensures safety with ventilation available via the upper part of the window;

Velux sloping window
Window with upper
part to be operable to
allow for ventilation;



Proposed Section
(Scale 1:20)

Notes
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Rev. Date Drawing Description
A 08/03/23 100 The above
Planning Application

Project
24-26 Churchbury Lane Enfield
EN1

Project Description
Proposed Works

Drawing Name
Proposed Sections with Levels

Date
30.07.23

Scale:
1:100 + 1:20
@ A1

Draw. No.
Chu/22/PP/07C

Rev.

Fire Strategy Document Rev A 16th September 2023

24 – 26 CHURCHBURY ROAD ENFIELD EN1 3TY

Proposal: Demolition of the existing buildings providing supported living accommodation and erection of a detached 2-storey building with additional accommodation in the roof area, to provide four class C3(b) uses (up to six people living together as a single household and receiving care) and provision of associated car parking, cycle parking and refuse/recycle storage.

Prepared by. Mr M McHugh MCIQB MCABE who has worked in Building Control for over 25 years at Tower Hamlets Building Control, Carillion, HCD Building Control and was also Director and shareholder at a Corporate Approved Inspector - LB Building Control.

He provides Building Regulations and Fire Safety advice for clients such as The Cabinet Office, Pizza Express and City Lit.

He has successfully completed similar Planning Fire Strategy Documents in Greater London

1. Information on space provisions for fire appliances and assembly points (criteria 1).

Fire Brigade Access is via the front entrance on Churchbury Road. The width of the road is greater than 3.7m and therefore complies with Approved Document B1 Table 13.1.

A dry riser will be provided in the central stair core to allow Fire Brigade hose coverage within the 45m requirement contained in Approved Document B1 clause 13.1.

2. Information on passive and active safety measures (criteria 2).

Heat and smoke detection will be provided in accordance with BS5839 Part 1 to an L1 standard.

The purpose of the building is to provide some independent level of living to the occupants and this is why a flat style layout is being adopted.

A progressive horizontal type evacuation strategy will be used with the central corridors providing 60 minutes fire compartmentation and giving direct access to the escape staircase. The occupants are not being moved in beds (as per the ADB guidance) and this is where there is a crucial difference between the Approved Document B guidance and this

arrangement. The residents are able to escape on their (own although some co ordination / assistance maybe required). All occupants will escape vertically at the time of an evacuation (another difference from ADB) however the introduction of a fully compartmented central corridor ensures that travel distances from the habitable rooms into the corridor are reasonable.

Each bedroom and habitable room will be enclosed in fire resisting construction (minimum REI 30) with fire resisting doors (minimum E 30).

Every internal corridor serving bedrooms should be a protected corridor (see paragraph 2.24).

The central corridors will be provided with 60 minutes fire compartmentation including 60 minute fire doors. Smoke vent (1sq m) will be provided to the staircase.

An evacuation lift will be provided within the central core.

The evacuation strategy is augmented by the provision of sprinklers to BS 9251.

Floors will provide 60 minutes fire separation.

Fire rated lobbies will be provided between habitable rooms and the central corridors.

Smoke shutters and fire rated glass will be provided to the offices to maintain the compartmentation to the corridors.

An alternative exit will be provided from the ground floor flats to the left hand side of the common room so they do not need to escape via the common room.

A fire rated lobby will be provided between the common room and the escape stair.

3. Information and data on construction products and materials (criteria 3).

Walls to the building will comprise cavity masonry wall which provides 60 minutes fire protection. This is in accordance with Approved Document B1.

Wall insulation will be mineral wool which is non combustible.

Ceiling linings will be plasterboard which typically achieves a class B – s3, d2 European classification or Class) (National Classification).

Structural steel work will be encased in fireline plasterboard to achieve 60 minutes fire protection.

4. Information on means of escape and evacuation strategy (criteria 4).

Means of escape is a progressive horizontal evacuation strategy.

Travel distances into the central corridor are less than 9 metres.

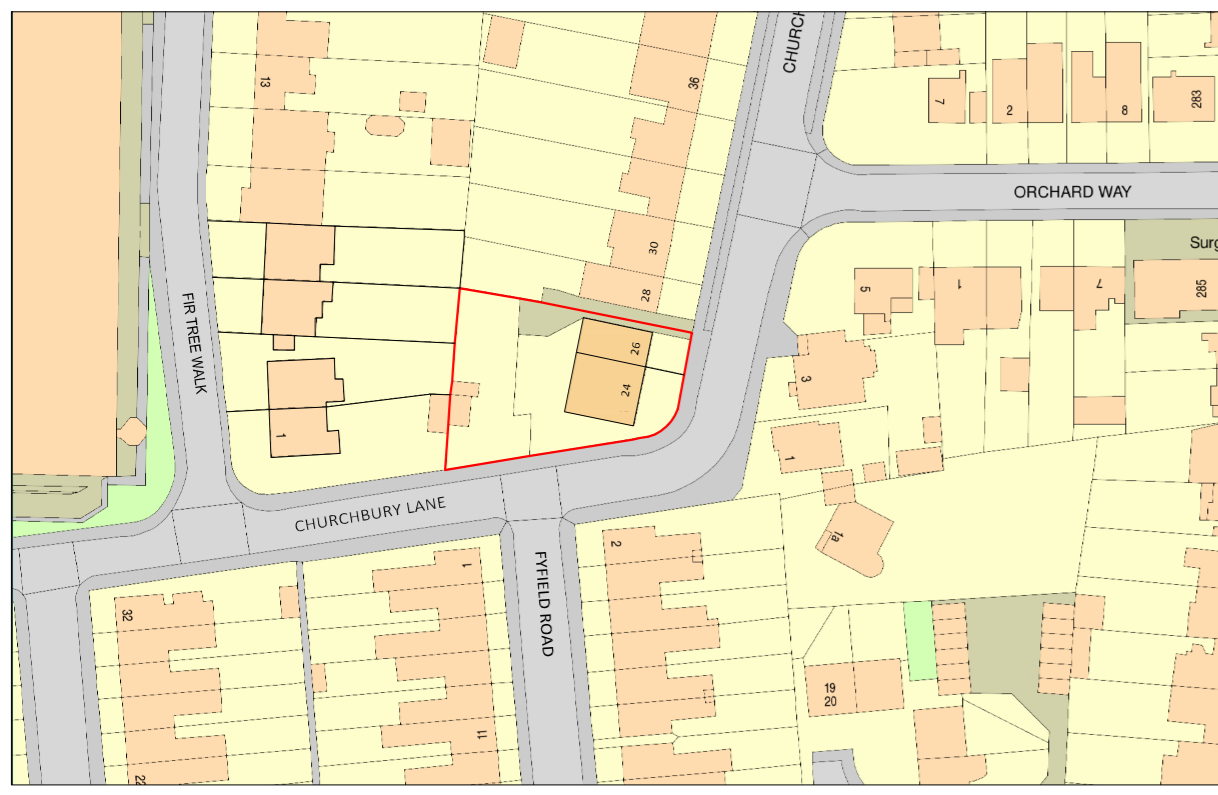
It's likely that only one bedroom or habitable room will be the source of the fire. The early warning L1 fire alarm will alert staff who can commence an evacuation. An evacuation will commence automatically if the alarm is not dealt with within 2 minutes (time tbc). The level of compartmentation and smoke lobbies will ensure fire and smoke spread will be limited and will not block the escape routes.

5. Information on access and equipment for firefighting (criteria 6).

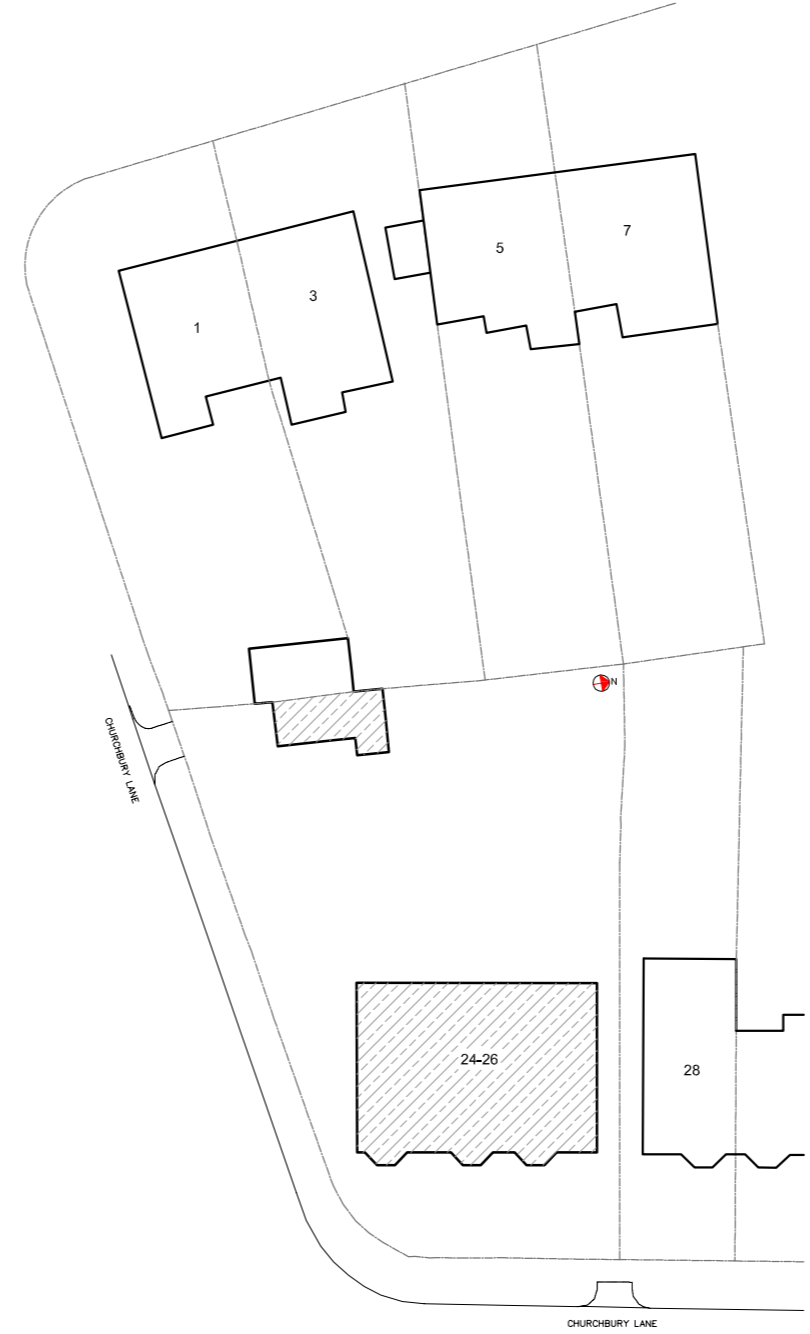
Access to the property will be via the front door.

No alternative water supply is required and on street hydrants will be utilised.

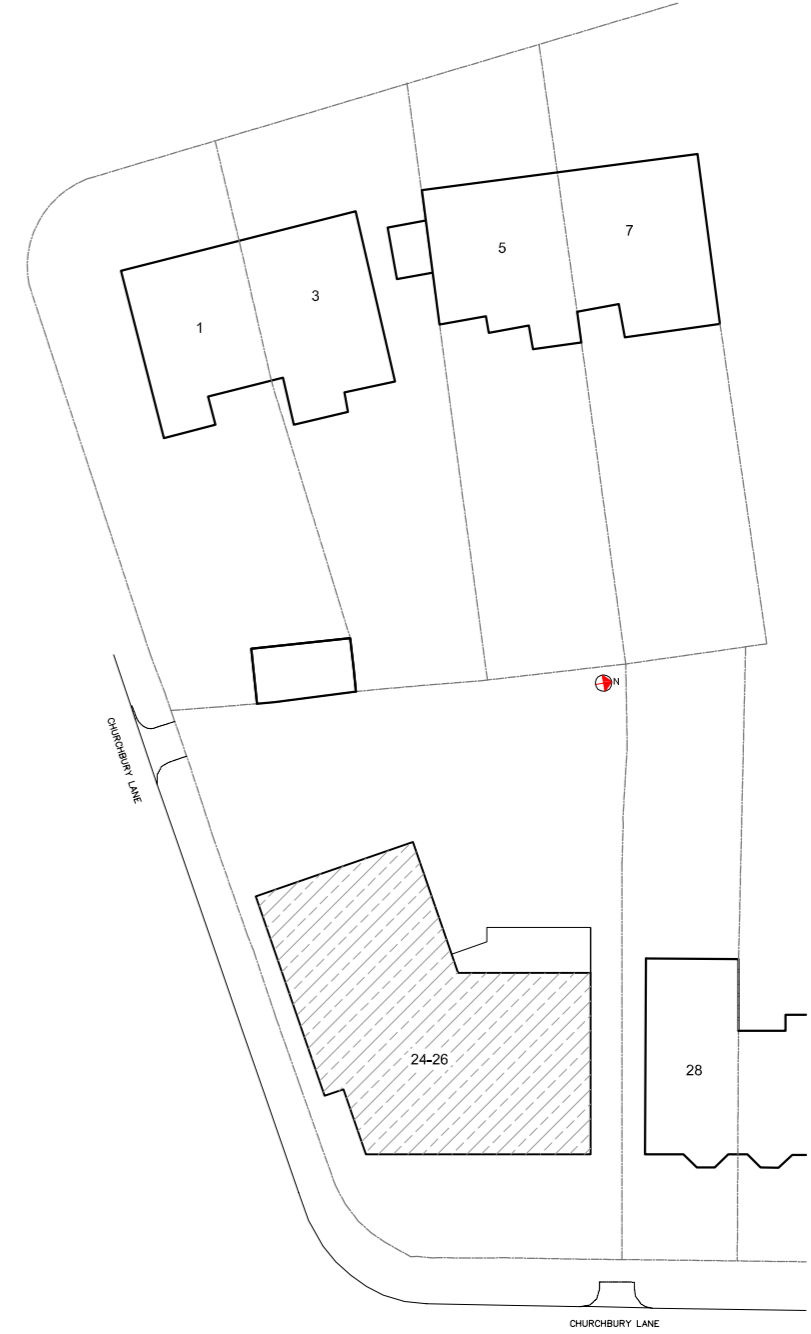
Existing Photographs of Site



Existing Site Location Plan
Scale 1:1250

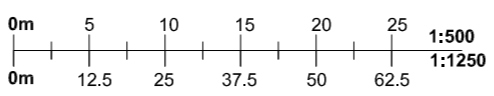


Existing Site Plan
(Scale 1:500)



Proposed Site Plan
(Scale 1:500)

Notes
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Rev: _____ Date: _____ Drawing Status: _____
Planning Application

Project: 24 - 26 Churchbury Lane Enfield
EN1

Project Description:
Proposed Works

Drawing Name:
Existing Site Location Plan, Photos + Site Plans

Date: 19.07.19
Scale: 1:1250 + 1:500 @ A2

Drw. No.: Chu/19/P/01
Rev: _____

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LONDON BOROUGH OF ENFIELD		
PLANNING COMMITTEE	Date: 4 June 2024	
Report of Head of Planning and Building Control Karen Page	Contact Officers: Dimitra Kosmidou	Category: N/A
Ward: Palmers Green	Councillor Request: No	
LOCATION: Devonshire Road at the junction with Green Lanes in Palmers Green.		
APPLICATION NUMBER: N/A		
PROPOSAL: Pedestrianisation of the highway at the junction with Devonshire Road and Green Lanes, Palmers Green to facilitate the creation of an outdoor community space.		
Applicant Name & Address: Journeys and Places Team, London Borough Enfield.	Agent Name & Address: N/A	
RECOMMENDATION:		
<ol style="list-style-type: none"> 1. To adopt the proposal as set out in this report to extinguish vehicular access rights over the junction at Devonshire Road where it meets Green Lanes. 2. To delegate authority to the Programme Director for Journeys and Places to proceed to advertise an Order pursuant to Section 249 of the Town and Country Planning Act 1990 to facilitate the pedestrianisation. 3. Subject to fulfilling the requirements of Section 252 of the Town and Country Planning Act 1990, to delegate authority for determining whether or not to proceed with the Order received to the Cabinet Member for Transport and Waste, Cllr Rick Jewel following consideration of any objections and representations in a Portfolio Report. 4. To delegate authority to the Programme Director of Journeys and Places in consultation with the Cabinet Member for Transport and Waste, Cllr Rick Jewel, on the final scheme design and subsequent implementation. 		

1. Note for Members

- 1.1 As part of the Devonshire Square project, it is proposed to make an order using powers provided by Section 249 of the Town and Country Planning Act 1990 to extinguish vehicular rights over the section of highway identified so that an attractive space can be created that improves the amenity of the area.
- 1.2 A pre-requisite for using powers to make an order under Section 249 of the 1990 Act is that:
 - (a) the local planning authority by resolution adopt a proposal for improving the amenity of part of their area: and
 - (b) the proposal involves the public ceasing to have any right of way with vehicles over a highway in that area, being a highway, which is neither a trunk road nor a road classified as a principal road.

Accordingly, this report has been brought to Planning Committee seeking the necessary resolution.

2. Executive Summary

- 2.1 'Devonshire Square' is a working title given to the space at the junction with Devonshire Road and Green Lanes in Palmers Green. The junction is identified in **Appendix 1**. Devonshire Road is located within the Fox Lane Area Quieter Neighbourhood (QN) and was initially closed via a bollard, which prevented all motor vehicles from passing through the filter. People walking and cycling were still permitted to pass through the point closure/filter.
- 2.2 To implement further changes in this location, a second traffic order was required to create a traffic-free length of road space that would be used for other community purposes on a trial basis. The Devonshire Square traffic order prohibiting all vehicles, but exempting cyclists and those walking, came into force on 08 September 2022 with the aim to be in operation for up to 18 months.
- 2.3 The Council in collaboration with key local businesses and partners including Palmers Green Action Team (PGAT), implemented and piloted improvements in Devonshire Square, building on the initial point closure in this location. These enhancements included outdoor dining spaces, informal seating, and the introduction of street planting. **Appendix 2** provides an overview of the current area.
- 2.4 As a result of a consultation which yielded positive feedback from the community and stakeholders, a Permanent Traffic Order prohibiting vehicles was subsequently made on the 21 February 2024 and came into operation on the 28 February 2024.
- 2.5 To implement further changes to pedestrianise the area, a separate order under Section 249 of the Town and Country Planning Act 1990, extinguishing vehicular rights will be required. If Planning Committee is minded to adopt the proposals set out in this report, the statutory process for making an order as set out in Section 252 of the 1990 Act will be followed and a further Portfolio Report will be prepared with a recommendation as to whether the Council should proceed with the implementation of the Section 249 Order.

2.6 If the Section 249 order is made as set out in this report, the space will be redeveloped using permanent materials. A separate decision will be sought by the Programme Director of Journeys and Places in consultation with the Cabinet Member for Transport and Waste, Cllr Rick Jewel to implement specific designs later in the current financial year.

2.7 This report is now being taken to the Planning Committee to align with the Town and Country Planning Act 1990, Section 249¹ Order extinguishing the right to use vehicles on the highway.

3. Site and Surroundings

3.1 Devonshire Square is located within the Fox Lane Area Quieter Neighbourhood (QN) on Devonshire Road at its junction with Green Lanes. The junction is identified in **Appendix 1**. On the two corners of the junction, there are two cafes operating (the Le Grand Jour and Olive Café). Vehicles are currently restricted access to the junction by a temporary bollard and planter.

3.2 The site is not located in a Conservation Area or Flood Risk Zone.

4. Proposal

4.1 The proposal for which adoption (agreement) is sought, is to extinguish vehicular access rights over the junction at Devonshire Road where it meets Green Lanes. This adoption is necessary to enable the making of the necessary pedestrianisation order to be progressed.

4.2 The space will be used for a variety of purposes including community led markets, cultural and community events, and accommodating outdoor dining for the two cafes on the square.

4.3 The pedestrianisation will align with the key objectives of the Devonshire Square project which is to create a highly versatile public square and community space, which supports how residents, communities and businesses want the space to accommodate their activities and services over the long-term.

5. Relevant Planning History

N/A

6. Consultations

6.1 There is no requirement on the Local Planning Authority to consult in advance of resolving to adopt a proposal under section 249 of the Town and Country Planning Act 1990.

6.2 Notwithstanding the above, consultation and public engagement on the pedestrianisation of Devonshire Square has been ongoing by the Journeys and

¹ [Town and Country Planning Act 1990 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

Places Team at various stages of the project. Summary of the consultation and the engagement carried out to date, can be found **Appendix 3**.

- 6.3 Should the Planning Committee resolve to adopt the proposal, there will be further meetings with the stakeholders and local communities will also be held throughout the design stages of the Devonshire Square project. These stakeholders include Palmers Green Action Team, Arbeit Studios Green Lanes, Le Grand Jour, Olive Café, Fakin It, Better Streets, and Fox Lane Resident's Association, and representatives of local disability groups and organisations.
- 6.4 There will also be statutory consultation of the making of the Order pursuant to section 249 of the Town and Country Planning Act 1990 to facilitate the pedestrianisation for 28 calendar days, as stated in this report. A non-key Portfolio decision will be drafted summarising the outcomes of the statutory consultation and inviting the Cabinet Member for Transport and Waste to take a decision on whether to implement the Section 249 or not.

7. Relevant Policies

N/A

8. Assessment

- 8.1 Section 249 of the Town and Country Planning Act 1990 requires the Local Planning Authority to adopt (agree) a proposal for improving the amenity of an area, where the improvement involves the removal of vehicle access rights to that area.
- 8.2 The key matter under consideration is whether the removal of vehicle access rights would improve the amenity of the area. Note this is not a decision on the final detailed design of the scheme which is implementable under separate legislation and does not require planning permission.
- 8.3 In considering this the following alternative options have been considered:

Option	Comment
Do nothing.	<p>One of the aims of the Devonshire Square Project is to improve the amenity of the area around the junction of Devonshire Road and Green Lanes, Palmers Green, involving the public ceasing to have any right of way with vehicles over the extent of the highway.</p> <p>By not pedestrianising the area, the Council won't be able to create and provide a permanent and versatile outdoor community space that can accommodate a variety of users as led by key stakeholders and local communities regular using the space.</p>
Re-open the section of the highway allowing	As a result of consultation and feedback received from the community and stakeholders which suggested successful use of the space, the making of the Permanent Traffic Order came

access to vehicles.	<p>into operation on the 28th of February 2024.</p> <p>By re-opening the section of the highway allowing access to vehicles and not delivering the project, funds could go unused, and potential opportunities for improving the amenity of the area would be lost.</p>
---------------------	--

8.4 Removing vehicular access to the junction on a permanent basis, would enable the permanent pedestrianisation of this part of Devonshire Road. Officers consider this would improve the amenity of the area through creating a safer, more vibrant, and sustainable urban environment for local businesses and residents. In summary it would have the following amenity benefits:

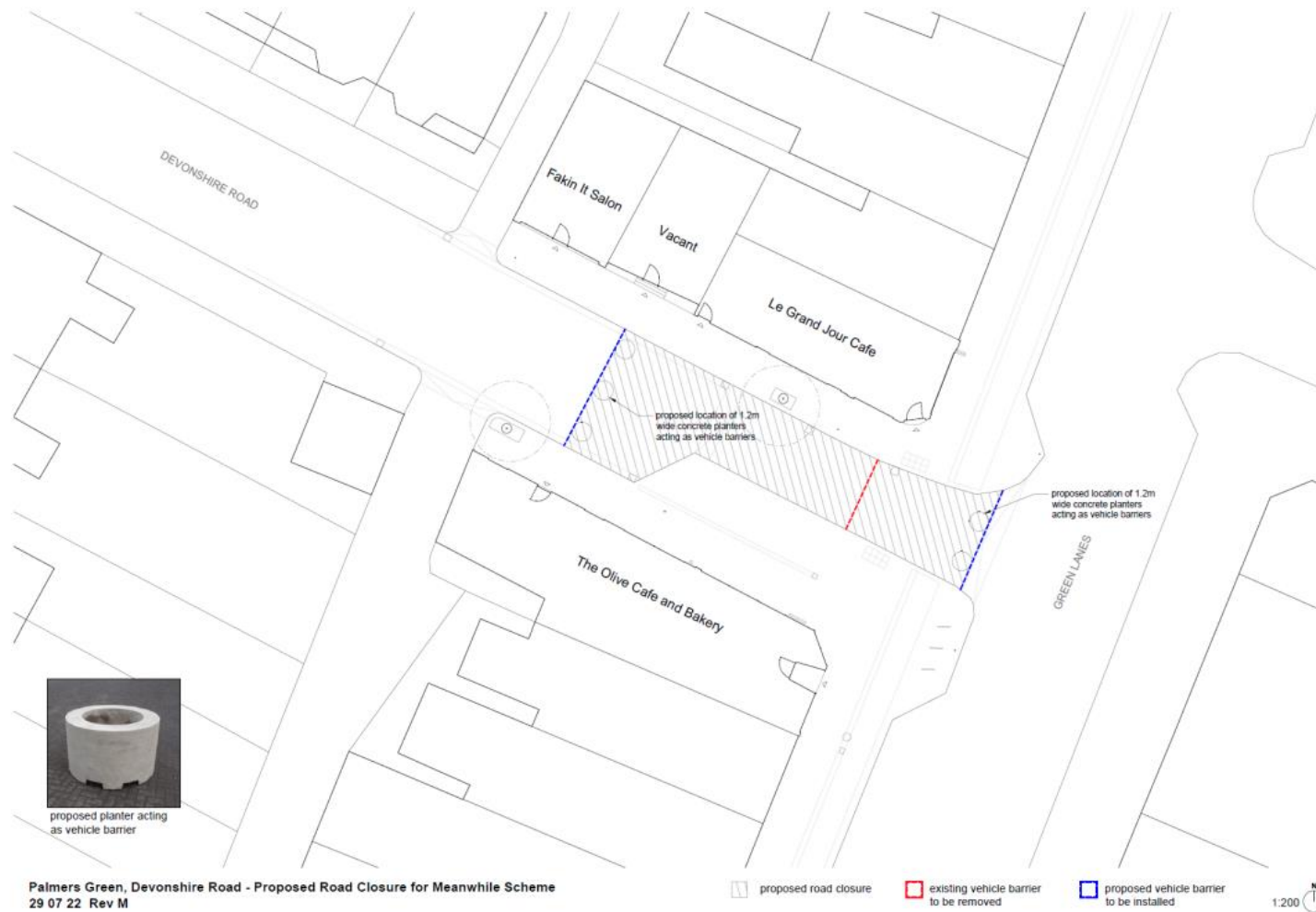
- **Safety:** Pedestrianised areas reduce the risk of accidents involving vehicles and pedestrians. Prioritising foot and cycle only traffic creates safer spaces for people to walk, shop, and socialize.
- **Health and Well-Being:** Pedestrianised areas encourage physical activity and improves overall well-being. It also reduces air pollution by decreasing reliance on cars.
- **Community Interaction:** Pedestrianised areas foster social interaction. People can gather, chat, and enjoy public spaces without the noise and pollution associated with vehicular traffic.
- **Economic Benefits:** Pedestrianised areas attract shoppers, tourists, and businesses. Increased foot traffic can boost local economies, as people tend to spend more time and money in pedestrian-friendly areas.
- **Environmental Impact:** By reducing car usage, pedestrianization contributes to lower greenhouse gas emissions and less noise pollution. It aligns with sustainable urban development goals.
- **Aesthetic Appeal:** Well-designed pedestrian areas enhance the visual appeal of a place. Green spaces, public art, and outdoor seating create an inviting atmosphere.

9. Conclusion

9.1 Taking the above factors into account, officers recommend that members of the Planning Committee resolve to adopt the proposal to extinguish vehicular access at the junction of Devonshire Road and Green Lanes, as it would improve the amenity of the area in accordance with Section 249 of the Town and Country Planning Act 1990.

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Appendix 1 – Devonshire Road junction with Green Lanes area



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Appendix 2 – Visualisation of the Devonshire Square area



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Appendix 3 – Summary of the consultation and the engagement carried out to date

1. During the period of late 2021 and early 2022, a meeting was held with stakeholders to discuss the opportunities as well as the next steps of the Devonshire Square project. These stakeholders included Palmers Green Action Team, Arbeit Studios Green Lanes, Le Grand Jour, Olive Cafe, Fakin It, Better Streets, and Fox Lane Resident's Association.
2. After the Experimental Traffic Order (ETO) was implemented, communications and engagement activities with the wider community regarding the project included:
 - In September 2023 the Devonshire Square Communication, Engagement and Consultation Plan was published on the Let's Talk page, which outlines the communications, consultation, and engagement activities that will be undertaken next to inform the community and stakeholders about the Devonshire Square project.
 - An interactive map was created in October 2023 where the community had the opportunity to share their ideas for Devonshire Square with Enfield Council. The map remained open until 30 November 2023.
 - A Stakeholder's reflection session (PGAT & Arbeit) took place in October 2023, and feedback was gathered, and it will inform any the future designs.
 - A pop-up event was held during the market day on Devonshire Square on Saturday 14 October 2023, and provided an opportunity for Enfield Council to share the latest updates on Devonshire Square, and the plans to make this a permanent public square and a community space.
 - Emails inviting feedback were sent to the key stakeholders namely Palmers Green Action Team, Arbeit Studios, and Better Streets for Enfield.
 - Ward Cllrs have been provided information about the project to share with the community at their respective ward forums.
3. Feedback from the community as well as stakeholders suggests a successful use of the space, including an increase in footfall within the square area. Some feedback included suggestions on how the space can be improved further, and these comments will be taken into consideration when designs for the permanent space are being developed.
4. A variety of uses have taken place at the square during the experimental period. These included running regular community markets, live music, and performance events, public art, greening, and outdoor dining/hospitality square events.
5. The Notice of making of the ETO was published on 31 August 2022. The ETO came into operation on 8 September 2022, with the statutory period for representations and objections ending six months from the date on which the

Experimental Traffic Order (ETO) came into force. Four objections have been received during the six months of the consultation period. Common themes included:

- Processes and decision-making
- Consultation process
- Design and safety
- Loading and unloading impact
- Miscellaneous

6. Comments around the safety of young children, project rationale, and impact on loading and unloading on Devonshire Road, were raised in feedback received. The Council has carefully considered representations and objections received during the consultation period. An overview of the responses received can be found in **Table 1** below. Further details of objections received as well as a response to these can be found on the Let's Talk page hereⁱ.

Table 1: An overview of objections received during the statutory consultation period

Number of responses	There was a total of four objections to the statutory consultation and these were received via email. No paper objections have been received.
Demographics	As the responses received were sent via email, therefore, it was not possible to assess the demographic data of the respondents.
Location	The respondents did not provide postcodes; however, responses mention proximity to the project; it is therefore assumed that all 4 respondents live in the Palmers Green ward.

7. Further engagement has taken place since. In March 2024, a community market took place, where residents and visitors were invited to contribute their thoughts and ideas and help shape the redevelopment of Devonshire Square, a new cultural and community space for Palmers Green. Designs for the new square are currently being developed. Enfield Council also invited residents and business owners to view the proposed design for Devonshire Square and share their views at an event on the 24th of May; and an online survey was hosted from the 10th of May until the 2nd of June, on the Palmers Green Town Centre project page at <https://letstalk.enfield.gov.uk/PalmersGreen>. In addition, a session was held with representatives of disability groups including Enfield Vision, to review the concept design for the space.

ⁱ [Key Documents | Palmers Green Town Centre | Let's Talk Enfield](#)