

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE  
HELD ON TUESDAY, 5 NOVEMBER 2024**

**COUNCILLORS**

**PRESENT** Mahym Bedekova (Vice Chair), Josh Abey, Kate Anolue, Lee Chamberlain, Peter Fallart, Ahmet Hasan, Michael Rye OBE, Nawshad Ali and Andy Milne.

**OFFICERS:** Karen Page (Head of Planning and Building Control), Gideon Whittingham (Planning Decisions Manager), Michael Kennedy (Design and Heritage Manager), Mike Hoyland (Senior Transport Planner), Brett Leahy (Director of Planning and Growth), Terry Osborne (Director of Law and Governance), John Hood (Legal Adviser), and Harry Blake-Herbert (Senior Governance Adviser).

**Also Attending:** Applicant and agent representatives, deputees, press, and members of the public.

**1 WELCOME AND APOLOGIES**

In the absence of the Chair, the Vice-Chair chaired and welcomed everyone to the meeting.

Apologies for absence were received from Cllr Sinan Boztas (Chair), who was substituted by Cllr Nawshad Ali; Cllr Jim Steven, who was substituted by Cllr Andy Milne; Cllr Nelly Gyosheva, Cllr Bektas Ozer and Cllr Suna Hurman.

**2 DECLARATIONS OF INTEREST**

Cllr Bedekova declared a non-pecuniary interest on item 5, application reference 21/01140/FUL, as she had used the agent's services on an application for one of her properties previously. It was confirmed that this was not a sufficient interest to prevent Cllr Bedekova from taking part in discussions and voting on item 5.

**3 MINUTES OF PREVIOUS MEETING**

Cllrs Chamberlain and Rye queried why votes were not being recorded as they had been previously. The Director of Law and Governance conveyed that there had been an inconsistency in approach so had asked for this to be changed, that the minutes were accurate, and she would take away this suggestion and consider reverting to the previous approach moving forwards. Members asked that the vote for the application at this meeting be recorded.

The minutes of the Planning Committee meetings held on Tuesday 17 September 2024 and Tuesday 15 October 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**.

#### **5 21/01140/FUL - PUBLIC HOUSE, GREEN STREET, ENFIELD EN3 7SH**

Gideon Whittingham, Planning Decisions Manager, introduced the report and highlighted the key aspects of the application. Members were updated that since the report was published, the applicant had provided some commentary on the application which among other things, indicated that they were capable of contributing towards the Section 106 requirements.

A deputation was received from Murat Aydemir, agent representing the applicant, who spoke against officers' recommendation.

In response to Members' questions relating to financial viability, officers advised that the applicant had submitted a viability report. An independent adjudication found a greater deficit than had been assumed by the applicant, who had not taken account of the contributions required as part of the application. Discussions had since taken place with the GLA, who the application would have to go to for approval, who appointed their own consultant to assess the applicant's financial report, the outcome of which also showed a deficit. The applicant had indicated a higher than typical profit margin, which if reduced would likely only reduce the deficit, rather than result in the application being in profit. The development would result in a number of pressures, for which financial contributions were sought to alleviate them, but it was not thought that these could be paid. The viability assessment submitted found that if the scheme were to provide 100% open market units, it would result in a £1.95m deficit, and if it were to provide a policy compliant 40% affordable housing, it would result in a negative of £4.26m. Any contributions would be expected following the signing of Section 106 legal agreements, and without these, any mitigation required for additional pressures brought about by the proposal would need to be picked up by the public purse. The documents provided by the agent since the publication of the report before the committee, had not been evidenced, hence officers could not comment on it.

In response to Members' questions and comments regarding design, officers replied that the emerging Local Plan deemed this area as appropriate for tall buildings, and national policies and the London Plan promoted densification in such an area. The proposal was 3 metres or 1 storey taller than what would be deemed an appropriate height, but there was flexibility for this to be permissible if the public benefits were judged to outweigh the harm. The reasons for refusal captured the height in so far as they made reference to the form, appearance and design, which height came into; but the reasons needed to be formulated in such a way that they were robust/ defensible if the decision were appealed, and did not expose the council to challenge or cost. The London Plan requires that the architectural quality and materials of

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tall buildings be of exemplary standard, but the scheme did not meet this bar, as limited information had been provided as to the details of materiality. One of the reasons the scheme wasn't viable was because it had a low net gross efficiency, with lots of space in the building not providing income. The change in level to resolve the flood risk would result in new ramps needing to be introduced to access entrances to the building, which added visual clutter. Play space would usually be expected outside, whereas this scheme proposed the majority to be internal on the mezzanine level and terraces on the upper floors, but detail had not been provided that these would be safe or practical, hence this could not be supported and it was felt that a contribution was needed. A daylight/ sunlight report had been submitted which recognised that some levels of light would be reduced as a result, but the degree of this was not considered harmful given mitigating reasons, unlike in previous iterations.

In response to Members' queries relating to reasons for refusal, officers responded that the last time the application came to committee there had been 3 reasons for refusal; members chose to defer, asking officers to negotiate on flood risk issues, and it had now returned with 2 reasons for refusal which were still maintained. The scheme had radically changed since its first iteration which had 12 reasons for refusal, with the longest gap for negotiations had taken place between the second and third iterations presented to the committee and had involved a collaborative approach and significant officer resources. Officers made recommendations for the site, many of which were raised by the Enfield Design Review Panel, and it was for the applicant to choose to accept them or pursue their own avenue; the proposal being a culmination of both.

In response to Members' enquiries in respect of transport, officers advised that if there wasn't a CPZ in place, the proposal would not be supported, as it would result in additional cars looking for parking, and possibly blocking emergency vehicle access. The figure for mitigation could vary from £24,000-£190,000 depending on the size of the CPZ required.

In response to Members' questions relating to consultations, officers responded that in total across its iterations there had been 297 objections and 27 responses received in support of the scheme. Network Rail had been consulted on each of the iterations and no comment had been received.

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

8 FOR  
0 AGAINST  
1 ABSTENTION

and so, it was AGREED:

1. That planning permission be REFUSED.

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2. That the Head of Planning & Building Control be granted delegated authority to agree the final wording of the reasons for refusal as indicated in the Recommendation section of the report.

### **6 DATES OF FUTURE MEETINGS**

Members NOTED the dates of future meetings as set out in the agenda. The 19 November meeting was described as unlikely to be used, so the 17 December would likely be the next meeting.

Cllr Rye expressed his thanks to Cllr Boztas for his Chairmanship of the committee and courtesy towards members of the opposition whom he always gave an opportunity to contribute to discussions on applications that came before the committee, and wished him well as he moved on to other roles in the council.

The Chair thanked Members and officers for their time and contributions, and the meeting ended at 20:03.