

## **PLANNING COMMITTEE**

Tuesday, 28th September, 2010 at 7.30 pm  
Venue: Conference Room  
The Civic Centre, Silver Street,  
Enfield, Middlesex, EN1 3XA

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Council website: www.enfield.gov.uk

## **MEMBERS**

Councillors : Andreas Constantinides (Chairman), Toby Simon (Vice-Chairman),  
Kate Anolue, Ali Bakir, Yusuf Cicek, Don Delman, Ahmet Hasan, Ertan Hurer,  
Nneka Keazor, Dino Lemonides, Paul McCannah, Terence Neville OBE JP, Anne-  
Marie Pearce, Eleftherios Savva and George Savva MBE

**N.B. Any member of the public interested in attending the meeting  
should ensure that they arrive promptly at 7.15pm.**

**Involved parties may request to make a deputation to the Committee by  
contacting the committee administrator before 12:00pm on 27/09/10.**

## **AGENDA – PART 1**

- 1. WELCOME AND LEGAL STATEMENT**
- 2. APOLOGIES FOR ABSENCE**
- 3. DECLARATION OF INTERESTS (Pages 1 - 2)**

Members of the Planning Committee are invited to identify any personal or prejudicial interests relevant to items on the agenda. Please refer to the guidance note attached to the agenda.

- 4. MINUTES OF PLANNING COMMITTEE 31 AUGUST 2010 (Pages 3 - 14)**

To receive the minutes of the Planning Committee meeting held on Tuesday 31 August 2010.

**5. REPORT OF THE ASSISTANT DIRECTOR, PLANNING AND ENVIRONMENTAL PROTECTION (REPORT NO. 74) (Pages 15 - 16)**

To receive the covering report of the Assistant Director, Planning and Environmental Protection.

5.1 Applications dealt with under delegated powers.  
(A copy is available in the Members' Library.)

**6. LBE/10/0029 - 22, CARPENTER GARDENS, LONDON, N21 3HJ (Pages 17 - 24)**

RECOMMENDATION: Approval Subject to Conditions  
WARD: Winchmore Hill

**7. LBE/10/0038 - MAIN BUILDING, GALLIARD PRIMARY SCHOOL, GALLIARD ROAD, LONDON, N9 7PE (Pages 25 - 32)**

RECOMMENDATION: Approval Subject to Conditions  
WARD: Jubilee

**8. TP/09/1826 - 293-303, FORE STREET, LONDON, N9 0PD (Pages 33 - 48)**

RECOMMENDATION: Refusal  
WARD: Edmonton Green

**9. TP/10/0916 - ST MATTHEWS C OF E PRIMARY SCHOOL, SOUTH STREET, ENFIELD, EN3 4LA (Pages 49 - 56)**

RECOMMENDATION: Approval Subject to Conditions  
WARD: Ponders End

**10. TP/10/0945 - CUCKOO HALL PRIMARY SCHOOL, CUCKOO HALL LANE, LONDON, N9 8DR (Pages 57 - 64)**

RECOMMENDATION: Approval Subject to Conditions  
WARD: Jubilee

**11. CAC/10/0007 - FORMER BROOMFIELD PARK NURSING HOME, 110-112, ALDERMANS HILL, LONDON, N13 4PT (Pages 65 - 72)**

RECOMMENDATION: Approval Subject to Conditions  
WARD: Southgate Green

**12. TP/07/1560/MM1 - 110-112, ALDERMANS HILL, LONDON, N13 4PT (Pages 73 - 84)**

RECOMMENDATION: Approval Subject to Conditions  
WARD: Southgate Green

**13. COUNCILLORS' GUIDE TO THE PLANNING SYSTEM** (Pages 85 - 110)

To receive the report of the Head of Development Management in relation to  
Probity in Planning.

SENT TO FOLLOW

**14. APPEAL INFORMATION** (Pages 111 - 118)

Section 1 : New Town Planning Application Appeals

Section 2 : Decisions on Town Planning Application Appeals

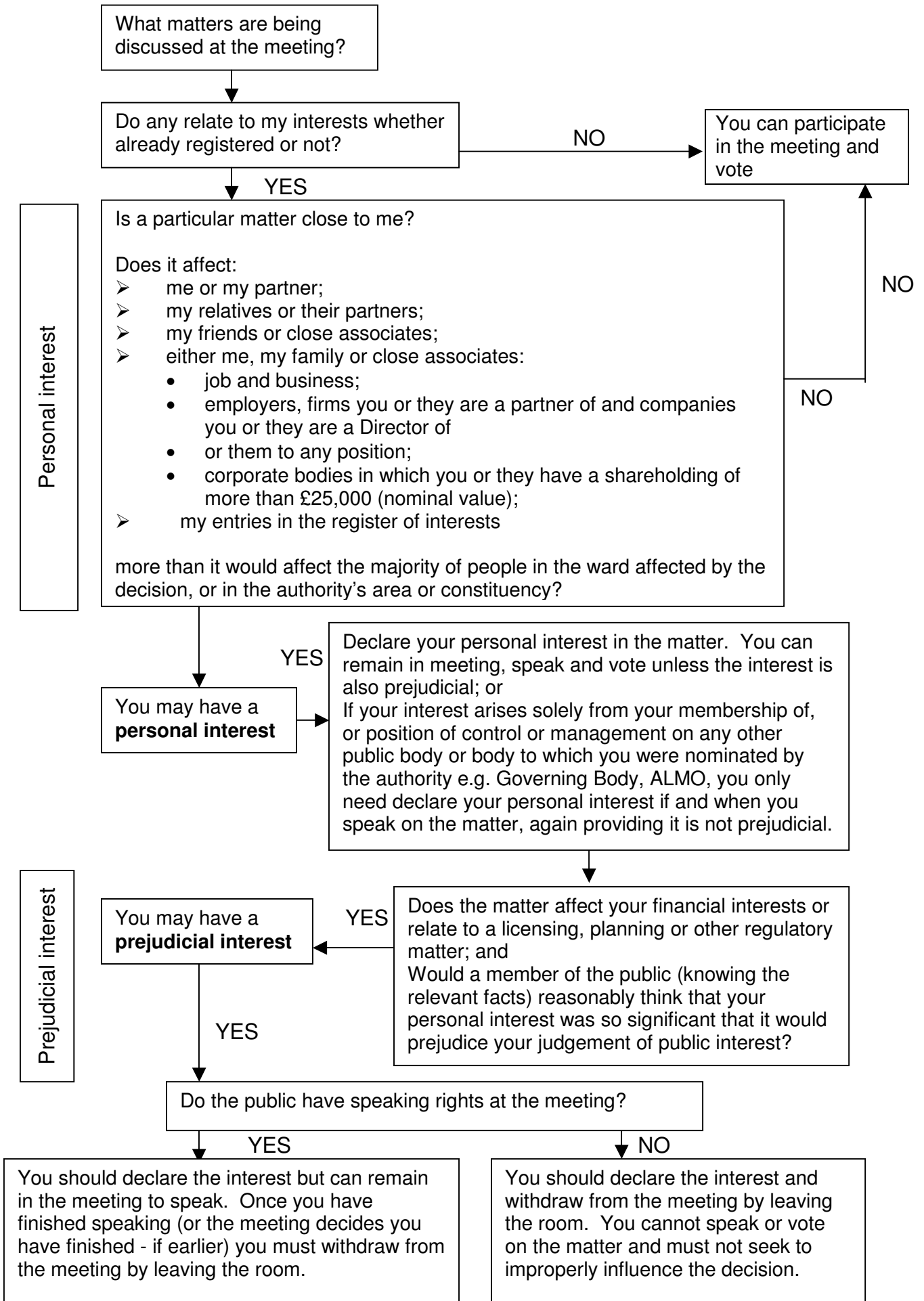
**15. EXCLUSION OF THE PRESS AND PUBLIC**

If necessary, to consider passing a resolution under Section 100A(4) of the  
Local Government Act 1972 excluding the press and public from the meeting  
for any items of business moved to part 2 of the agenda on the grounds that  
they involve the likely disclosure of exempt information as defined in those  
paragraphs of Part 1 of Schedule 12A to the Act (as amended by the Local  
Government (Access to Information) (Variation) Order 2006).

(There is no part 2 agenda)

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**DECLARING INTERESTS FLOWCHART - QUESTIONS TO ASK YOURSELF**



**Note:** If in any doubt about a potential interest, members are asked to seek advice from Democratic Services in advance of the meeting.

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**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE  
HELD ON TUESDAY, 31 AUGUST 2010****COUNCILLORS**

**PRESENT** Toby Simon (Chairman), Kate Anolue, Ali Bakir, Dogan Delman, Ahmet Hasan, Ertan Hurer, Dino Lemonides, Paul McCannah, Terence Neville OBE JP and Anne-Marie Pearce

**ABSENT** Andreas Constantinides, Yusuf Cicek, Nneka Keazor, Eleftherios Savva and George Savva MBE

**OFFICERS:** Bob Ayton (Schools Organisation & Development), Linda Dalton (F&CR), Bob Griffiths (Assistant Director, Planning & Environmental Protection), Andy Higham (Area Planning Manager), Steve Jaggard (Environment & Street Scene) and Aled Richards (Head of Development Services) and Kasey Knight (Secretary).

**Also Attending:** Approximately 30 members of the public, applicants, agents and their representatives.  
Dennis Stacey, Chairman of Conservation Advisory Group.

**222****WELCOME AND LEGAL STATEMENT**

The Chairman welcomed attendees to the Planning Committee, and introduced Linda Dalton, Legal representative, who read a statement regarding the order and conduct of the meeting.

**223****APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Cicek, Constantinides, E Savva and G Savva.

In the absence of the Chairman, the Vice Chairman Councillor Toby Simon chaired the meeting.

**224****DECLARATION OF INTERESTS****NOTED**

1. Councillor Hurer declared a prejudicial interest in application TP/10/0686 - Waiting Room Café, Palmers Green Station, Aldermans Hill, London N13 4PN, as he had expressed opposition in discussion with residents prior to becoming a member of the Planning Committee.

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2. Councillor McCannah declared a prejudicial interest in application TP/10/0312 - Land adjacent to 8 Alderwood Mews, Barnet, EN4 0ED, as he had written a letter supporting residents' objections.

3. Councillor McCannah declared a prejudicial interest in application TP/10/0335 - Catherine Court, London, N14 4RB, as he had written a letter supporting residents' objections.

**225**

**MINUTES OF PLANNING COMMITTEE 27 JULY 2010**

NOTED, in response to Councillor Neville's request that the style of minutes include more detailed notes of the discussion at Committee (in particular more detailed minutes with regards to voting) the Chairman reminded Members' that the Members' Newsletter notified Members' of minutes published. Members' were encouraged to submit any comments and/or amendments to the Secretary. The Chairman requested that all future minutes include the numbers for and against when recording votes. Named voting records would only be included upon request at Committee.

**AGREED** the minutes of the meeting held on Tuesday 27 July 2010 as a correct record.

**226**

**REPORT OF THE ASSISTANT DIRECTOR, PLANNING AND ENVIRONMENTAL PROTECTION (REPORT NO. 44)**

RECEIVED the report of the Assistant Director, Planning and Environmental Protection (Report No. 44).

**227**

**ORDER OF AGENDA**

**AGREED** that the order of the agenda be varied to accommodate the members of the public in attendance at the meeting. The minutes follow the order of the meeting.

**228**

**TP/10/0335 - CATHERINE COURT, LONDON, N14 4RB**

NOTED

1. The deputation of Mr Barry Scott, local resident, including the following points:

- i. Inaccurate description in the application, in particular in respect of tree screening.
- ii. The proposed design does not respect the Art Deco building and would be detrimental to neighbouring properties.
- iii. The erection of four 1 bed flats was not compliant with the Housing Needs  
The loss of trees and shrubs would be detrimental to Enfield's Green Policy.



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- iv. Risk of fire due to proposed use of timber cladding.
- v. Increased noise and disturbance for neighbouring residents.
- vi. Clarification was required on the parking arrangements.
- vii. The development would be overbearing, cause loss of light and privacy.
- viii. He asked Members to consider deferring a decision to allow time to make a site visit.

3. The statement of Councillor Paul McCannah, Cockfosters Ward Councillor, including the following points:

- i. He supported the comments of Mr Scott.
- ii. Local residents had responded to the consultation and raised a number of concerns including loss of light, view and outlook, in particular from Consibee Court and Tregona Close.
- iii. The proposals were contrary to policies (I)GD1, (I)GD2 and (II)GD3 of the Unitary Development Plan as well as the objectives of PPS3.
- iv. The removal of trees would be detrimental to the character and appearance of the area.
- v. Parking arrangements would increase on-street parking.
- vi. He asked Members to consider deferring a decision to allow time to make a site visit in order to determine the appropriateness of the application.

4. The response of Mr Jeremy Spratley, the agent, including the following points:

- i. The proposal includes, amenity space, unit sizes, parking spaces and cycle parking that all meet the required standards and policies.
- ii. The proposed development not a listed building or in a conservation area.
- iii. The design respects the character of the existing buildings.
- iv. The scheme has been significantly redesigned since the previous application.
- v. The development would contribute to increasing the Boroughs' housing stock.

5. Councillor McCannah declared a prejudicial interest and withdrew from the meeting.

6. In response to Members' queries, officers' clarified the access road arrangements and the London Plan parking standards.

7. Members' comments on the need for larger family dwellings, demand for which was identified in the Housing Needs Assessment.

8. Councillor Neville moved that consideration of the application be deferred to enable Members to conduct a site visit. Councillor Hurer seconded this motion. A vote was taken; 4 votes in favour of deferring consideration of the application and 6 votes against.

9. Confirmation of the Planning Officer that condition 8 covered refuse storage, and clarification that details of refuse and recycling storage facilities

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would be submitted to the Local Planning Authority for approval. Confirmation from Officer's that the Trees were not the subject of a TPO but recognition that there were mature trees on site. Officers could see if they merited a TPO.

10. Discussion of Members' remaining concerns regarding parking arrangements and officers' confirmation that parking concerns were covered by conditions 4, 5 and 6 and the Council's use of enforcement powers.

11. Members' request for an additional condition to be imposed to control site working hours.

12. A vote to accept the recommendation was taken; 6 votes in favour and 3 votes against the recommendation. Councillor Hurer abstained on the grounds that he would have preferred a site visit.

**AGREED** that planning permission be granted subject to the conditions set out in the report for the reasons set out in the report and the additional condition.

No demolition, construction or maintenance activities shall be carried on at the site outside the hours of 08:00 to 18:00 Monday to Friday and 08:30 -13:00 on Saturday and at no time at all on Sunday and Bank Holidays which are audible at the site boundary unless otherwise agreed in writing by the local planning authority having been previously agreed under s61 of the Control of Pollution Act 1974.

Reason: To ensure that the occupiers of the buildings are protected from external noise pollution.

**229**

**TP/10/0882 - 1, MEADOW CLOSE, ENFIELD, EN3 5PE**

NOTED

1. An amendment to the report (page 117, paragraph 6.2.3) to read "The proposed level of amenity space for the existing dwelling would meet with the minimum standard in terms of provision".

2. Receipt of an additional letter of objection from the Enfield Society with particular reference to parking arrangements. A site visit was recommended.

3. The deputation of Miss S Walsh, including the following points:

- i. The recommended reasons for refusal 1 and 2 failed to recognise that the proposal was for the conversion of an existing building.
- ii. The relationship of the building to the boundaries, its size, siting and scale were as existing.
- iii. Other than the insertion of windows and doors the building was largely unaltered externally.

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- iv. The property was of domestic scale and constructed of materials that were reflective of those used in the area.
- v. It was accepted that the proposal was deficient in amenity space having regard to Policy (II)H9 of the UDP. The space provided is regarded as sufficient for the daily recreational needs of the occupiers given that Albany Park and associated facilities are situated opposite the application site.
- vi. The gross internal area extends the minimum standard.
- vii. The Core Strategy seeks to ensure that 20% of market housing is four or more bed houses. One two bed unit cannot have any material impact on the housing mix of the Borough.
- viii. The Council has approved some six applications registered in 2010 that have proposed sub-division and the erection of one two bed dwelling.
- ix. Parking and boundary treatments are as existing.
- x. Members are invited to visit the site should they wish to do so.
- xi. Letters of support from neighbours have been circulated to Members.

4. The advice of the Head of Development Management's clarification of previous planning decisions in relation to this site.

5. In response to Members' queries, officers' advice to clarify the calculation of amenity space

6. Discussion of Members' remaining concerns that the previous reasons for refusal had not been overcome that it represented a cramped form of development, amenity space concerns were not overcome and issues around accessibility.

7. A vote was taken to accept the recommendation; 7 votes in favour, 2 votes against, and 1 abstention.

**AGREED** that planning permission be refused for reasons 1 and 2 set out in the report.

**230**

**TP/10/0312 - LAND ADJACENT TO 8, ALDERWOOD MEWS, BARNET, EN4 0ED**

NOTED

1. Introduction by the Head of Development Management with particular advice in relation to the planning history. Only members who had been at the July meeting would vote.

2. Councillor McCannah declared a prejudicial interest, withdrew from the meeting and took no part in the vote.

3. Receipt of comments from the Conservation Advisory Group.

4. Confirmation that the applicant had agreed to the incorporation of a Sustainable Urban Drainage System within the scheme.

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5. Receipt of an additional objection letter, highlighting concerns in relation to the access for vehicles such as builders' plant equipment and heavy lorries associated with the development.

6. A vote was taken, 8 votes in favour, 1 vote against the recommendation and 1 abstention.

**AGREED** that planning permission be granted subject to the conditions set out in the report for the reasons set out in the report.

**231**

**SUPPLEMENTARY AGENDA**

**232**

**CONSULTATION ON PROPOSED NORTHUMBERLAND DEVELOPMENT PROJECT (INVOLVING REDEVELOPMENT OF TOTTENHAM HOTSPUR FOOTBALL CLUB)**

NOTED

1. The Head of Development's verbal introduction and background information to the application. Officers noted that while the Traffic Assessment had been submitted there were still issues that needed to be addressed for it to be comprehensive.

2. Members expressed their views and concerns on the proposal, in particular the need for controlled parking zones, minimising bus diversions on match days and emphasising the issues highlighted in paragraph 5.11 of the report, and ensuring safety of pedestrians.

3. Members asked for a coordinated response to be prepared by officers.

**AGREED** that the Head of Development Management be authorised to convey to Haringey Council that this Council raised no objection in principle to the proposed development subject to the satisfactory resolution of the matters outlined in the report and the entering into a s106 agreement to ensure the necessary mitigation identified in the report.

**233**

**TP/10/0570 - LUMINA PARK, 153, LINCOLN ROAD, EN1 1SB**

NOTED

1. Alteration to the recommendation; as the floor area was less than 5000sq. threshold, there was no need to refer to GOL. It would thus read;

That subject to the completed variation of the s106 Agreement, the Head of Development Management be authorised to grant planning permission subject to conditions.

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2. An amendment to Condition 12 to extend morning opening hours to 6 am.

The separate A3/A4 element hereby approved within the hotel shall only be open between the hours of 06:00 and 23:30 hours

Reason: To safeguard the amenities of the surrounding area.

3. An amendment to Condition 9.

The development hereby approved shall be carried out in accordance with the details already discharged pursuant to Conditions 18 (Construction management Plan), Condition 32 (Delivery and Service Management Plan), Condition 33 (Sustainability Strategy) and Condition 34 (Energy Strategy) of the planning permission granted under ref: TP/08/1077.

Reason: in the interests of the proper planning and implementation of the development in accordance with already approved details and for the avoidance of doubt.

4. Councillor Neville welcomed the proposal for a new hotel and commented that it was a missed opportunity that conference facilities were not included in the proposal.

**AGREED** that planning permission be granted subject to the above amendments.

**234**

**LBE/10/0014 - BRITANNIA HOUSE, 137-143, BAKER STREET, ENFIELD, EN1 3JL**

NOTED

1. Clarification of paragraph 6.4.1 of the report that the site would have off street parking provision in the car park for 8 vehicles.

2. Concern was expressed about possible future parking problems.

**AGREED** in accordance with Regulation 3 of the Town and Country Planning (General) Regulations 1992, planning permission be granted subject to the conditions set out in the report for the reasons set out in the report.

**235**

**LBE/10/0018 - FIRS FARM PRIMARY SCHOOL, RAYLEIGH ROAD, LONDON, N13 5QP**

NOTED

1. Rewording of Condition 3 as follows:

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On completion of each phase of the development evidence shall be submitted to the Local Planning Authority demonstrating that the new build phase of the development achieves a BREEAM rating of no less than 'Very Good' for its approval. The required evidence shall take the form of a post construction assessment supported by relevant BRE accreditation certificate(s). Within six months of the date of this permission details of the specifications of the refurbishment stage including evidence of the BREEAM Education rating shall be submitted to and approved by the Local Planning Authority and thereafter implemented.

Reason: In the interests of addressing climate change and securing sustainable development in accordance with the strategic objectives of the Council and Policies 4A.1, 4A.2, 4A.3 and 4A.9 of the London Plan as well as PPS1 and PPS1: Supplement.

2. Councillor Neville's concerns that the site has very low public transport accessibility and the proposed expansion would only exacerbate the current problems experienced on the highway. He felt that more consideration should be given to the transport implications.

3. Discussion of Members' regarding demand for school places and the associated car journeys, particularly at peak drop off and pick up times and that a wider solution is required.

4. Councillor Hurer remarked that multiple bus changes for school children could lead to a rise in absenteeism.

5. Suggestion that Traffic and Transportation investigate the possibility of providing school buses.

**AGREED** that planning permission be granted subject to the above amendment to condition 3.

**236**

**LBE/10/0026 - MONTAGU ROAD RECREATION GROUND, MONTAGU ROAD, LONDON, N9 0EU**

NOTED

1. Additional Conditions from Environmental Health

i. The development shall not commence until details of facilities and methodology for cleaning the wheels of construction vehicles leaving the site have been submitted to and approved in writing by the Local Planning Authority. The approved facilities and methodology shall be provided prior to the commencement of site works and shall be used and maintained during the construction period.

**PLANNING COMMITTEE - 31.8.2010**

Reason: To prevent the transfer of site material onto the public highway in the interests of safety and amenity.

ii. Deliveries of construction and demolition materials to and from the site shall only take place between the hours of 08:00 to 18:00 Monday to Friday and 08:30 -13:00 on Saturday and at no time at all on Sunday and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby residential properties.

iii. No demolition, construction or maintenance activities shall be carried on at the site outside the hours of 08:00 to 18:00 Monday to Friday and 08:30 - 13:00 on Saturday and at no time at all on Sunday and Bank Holidays which are audible at the site boundary unless otherwise agreed in writing by the local planning authority having been previously agreed under s61 of the Control of Pollution Act 1974.

Reason: To ensure that the occupiers of the buildings are protected from external noise pollution.

**AGREED** that planning permission be granted subject to the conditions set out in the report for the reasons set out in the report and the additional condition above.

**237**

**TP/10/0686 - WAITING ROOM CAFE, PALMERS GREEN STATION, ALDERMANS HILL, LONDON, N13 4PN**

NOTED

1. Councillor Hurer declared a prejudicial interest and withdrew from the meeting and took no part in the vote.

2. Officers' clarification that Health and Wellbeing issues are material to the consideration of the application for a hot food takeaway. No objection was raised on this ground due to its town centre location and the availability of other similar premises closer to the nearest school (St Anne's in Oakthorpe Road)

3. Discussion of traffic generation implications and lack of parking provision. Officers responded that traffic calming measures could address unlawful dangerous traffic movements

4. Councillor Neville's comments that this proposal was inappropriate in a location where there was already an over-concentration of takeaways.

5. Discussion of Members' regarding operating hours. Suggestion that the premises open for business between the hours of 07:30 - 22:30 Monday to

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Saturday and 09:00 - 22:00 on Sundays. All activities associated with the use shall cease within 30 minutes of the closing times.

6. A vote was taken. 6 votes in favour of the recommendation of approval and 4 against.

**AGREED** that planning permission be granted subject to the conditions set out in the report for the reasons set out in the report and to the amendment to condition 3.

Amendment to Condition 3

The premises shall only be open for business and working between the hours of 07:30 - 22:30 Monday to Saturdays and 09.00 - 22.00 Sundays (including public holidays) and all activity associated with the use shall cease within 30 minutes of the closing times specified above.

Reason: To safeguard the amenities of the occupiers of nearby residential properties.

**238**

**TP/10/0859 - LAND AT SMYTHE CLOSE, EDMONTON GREEN SHOPPING CENTRE, THE BROADWAY, LONDON, N9 0TZ**

NOTED

1. The Head of Development Management's verbal introduction and background information to the application.

2. Members' welcome for a development that would bring new jobs to an area that needed further business and employment opportunities.

3. Councillor Neville's suggestion to renegotiate the Section 106 Agreement to assist in the funding of the proposed Controlled Parking Zone. However the usage of the hotel would add very little to daytime parking pressure and that this would thus not be justified.

**AGREED** that subject to the completion of a Section 106 Agreement regarding the provision of a Construction and Employment Strategy Planning Permission be granted subject to the conditions set out in the report for the reasons set out in the report.

**239**

**TP/10/0893 - 154, PALMERSTON ROAD, LONDON, N22 8RB**

**AGREED** that planning permission be granted, subject to the conditions set out in the report, for the reasons set out in the report.

**240**

**TP/10/1035 - AYLANDS SCHOOL, KESWICK DRIVE, ENFIELD, EN3 6NY**



**PLANNING COMMITTEE - 31.8.2010**

NOTED

1. Additional Conditions from Environmental Health

i. The development shall not commence until details of facilities and methodology for cleaning the wheels of construction vehicles leaving the site have been submitted to and approved in writing by the Local Planning Authority. The approved facilities and methodology shall be provided prior to the commencement of site works and shall be used and maintained during the construction period.

Reason: To prevent the transfer of site material onto the public highway in the interests of safety and amenity.

ii. Deliveries of construction and demolition materials to and from the site shall only take place between the hours of 08:00 to 18:00 Monday to Friday and 08:30 -13:00 on Saturday and at no time at all on Sunday and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby residential properties.

iii. No demolition, construction or maintenance activities shall be carried on at the site outside the hours of 08:00 to 18:00 Monday to Friday and 08:30 - 13:00 on Saturday and at no time at all on Sunday and Bank Holidays which are audible at the site boundary unless otherwise agreed in writing by the local planning authority having been previously agreed under s61 of the Control of Pollution Act 1974.

Reason: To ensure that the occupiers of the buildings are protected from external noise pollution.

**AGREED** that following the expansion of the consultation period and following the receipt of no new material planning considerations, planning permission be granted in accordance with Regulations 3 of the Town and Country Planning General Regulations 1992, subject to the conditions set out in the report, for the reasons set out in the report.

**241**

**VILLAGE GREEN APPLICATION - LAND ADJACENT TO 68, WEIR HALL AVENUE, N18 (REPORT NO. 45)**

NOTED

1. The Head of Legal Services' verbal introduction and background information to the application.

2. The statement of Councillor Toby Simon,

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While I recommend the committee agree with the Inspector that the application should be refused, I would wish to place on record my doubts as to the arguments concerning the definition of the locality and neighbourhood concerned.

In a built-up area such as Enfield, it will often be difficult to identify clear-cut boundaries, but this should not be allowed to deprive residents of their rights to register town greens. The legal requirement is that a locality has to be "known to the law", although it seems unsatisfactory that the residents were asked to identify a locality which was then disallowed on the technicality of the change in ward boundaries. It might in future be better to use more historical and stable boundaries, such as Anglican parishes, rather than electoral boundaries which are frequently redrawn.

However, in my view it would be reasonable for the committee to accept the recommendation that the applicants had not demonstrated that number of inhabitants making use of the field met the test of being a significant number within the identified locality nor that they demonstrated that the community was cohesive.

**AGREED** to accept the recommendations of the independent Inspector that neither the whole nor any part of the Application Land should be added to the Register of Town and Village Greens because on the evidence it does not meet the statutory tests required for such registration.

**242**

**APPEAL INFORMATION**

NOTED the information on town planning appeals received from 13/07/2010 to 17/08/2010.

**MUNICIPAL YEAR 2010/2011 - REPORT NO 074**

**COMMITTEE:**  
 PLANNING COMMITTEE  
 28.09.2010

AGENDA - PART 1	ITEM 5
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SUBJECT -

MISCELLANEOUS MATTERS

**REPORT OF:**  
 Assistant Director, Planning  
 and Environmental Protection

**Contact Officer:**  
 Planning Decisions Manager  
 Andy Higham Tel: 020 8379 3848

**5.1 APPLICATIONS DEALT WITH UNDER DELEGATED POWERS** INF

5.1.1 In accordance with delegated powers, 180 applications were determined between 18/08/2010 and 10/09/2010, of which 138 were granted and 42 refused.

5.1.2 A Schedule of Decisions is available in the Members' Library.

Background Papers

To be found on files indicated in Schedule.

**5.2 PLANNING APPLICATIONS AND APPLICATIONS TO DISPLAY ADVERTISEMENTS** DEC

On the Schedules attached to this report I set out my recommendations in respect of planning applications and applications to display advertisements. I also set out in respect of each application a summary of any representations received and any later observations will be reported verbally at your meeting.

Background Papers

- (1) 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. The development plan for the London Borough of Enfield is the Unitary Development Plan (UDP).
- (2) Other background papers are those contained within the file, the reference number of which is given in the heading to each application.

**5.3 APPEAL INFORMATION**

INF

The Schedule attached to the report lists information on town planning application appeals received between 18/08/2010 and 08/09/2010 and also contains information on decisions taken during this period.

## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 28<sup>th</sup> September 2010

**Report of**

Assistant Director, Planning & Environmental Protection

**Contact Officer:**

Aled Richards Tel: 020 8379 3857  
 Andy Higham Tel: 020 8379 3848  
 Mr R. Lancaster Tel: 020 8379 4019

**Ward:**

Winchmore Hill

**Application Number : LBE/10/0029**

**Category:** Householder Development

**LOCATION:** 22, Carpenter Gardens, London, N21 3HJ

**PROPOSAL:** Single storey side extension and new door at rear with access ramp.

**Applicant Name & Address:**

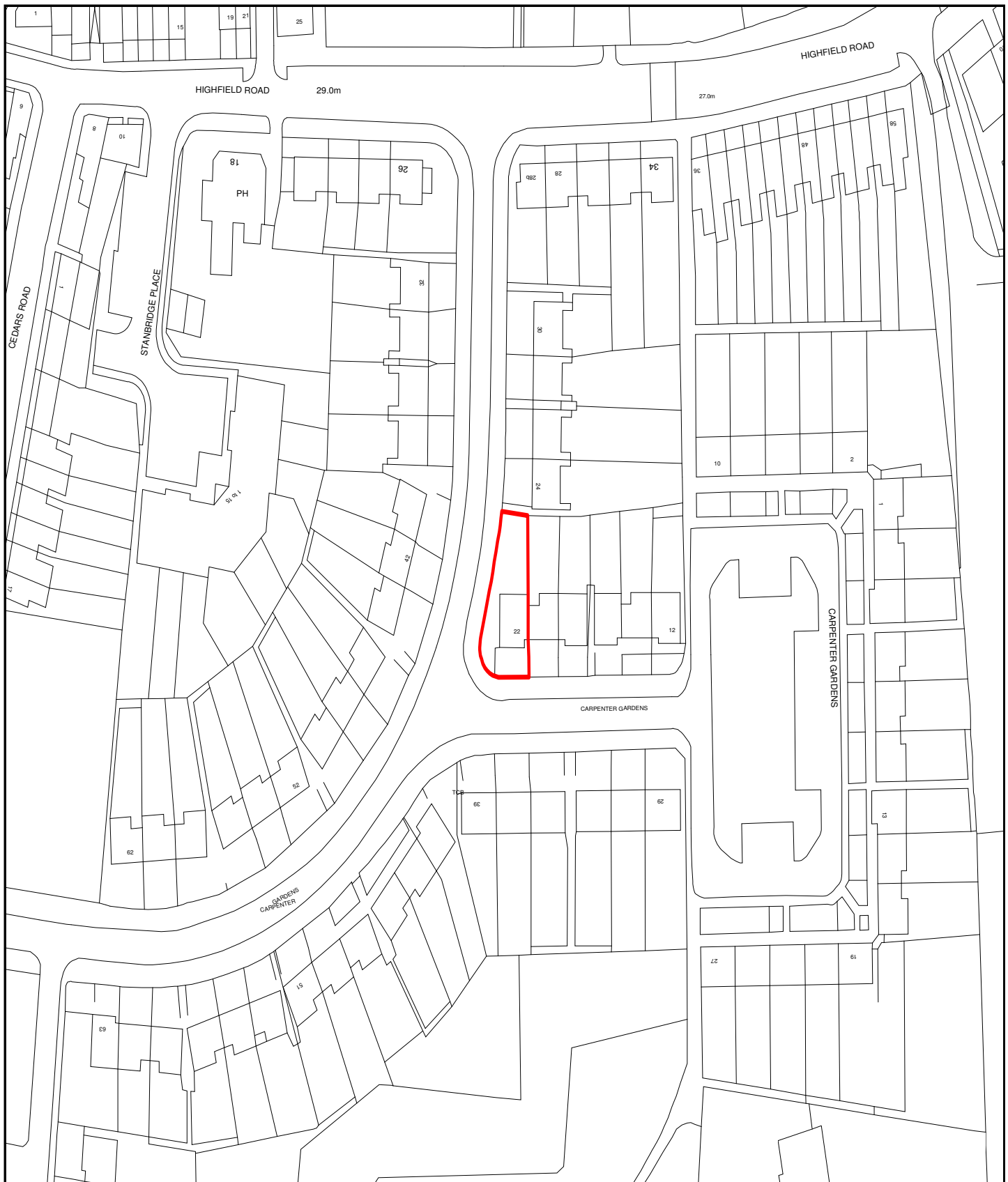
Enfield Homes  
 Housing, Technical & Property Services,  
 1<sup>st</sup> Floor, Unit 9, Centre Way,  
 Claverings Estate,  
 Edmonton,  
 N19 0AR

**Agent Name & Address:**

Mr Stuart McClinton,  
 Hadley Design Associates Ltd,  
 1, Christchurch Lane,  
 Barnet,  
 Herts,  
 EN5 4PL

**RECOMMENDATION:**

That in accordance with Regulation 3 of the Town and Country Planning General Regulations) 1992, planning permission be deemed to be **GRANTED** subject to the conditions.



### Development Control



Scale - 1:1250  
Time of plot: 10:16

Date of plot: 15/09/2010

## **1.0 Site and Surroundings**

1.1 The property is a 2 storey end-of-terrace single family dwelling located on Carpenter Gardens.

1.2 The area is residential in character

## **2.0 Amplification of Proposal**

2.1 This application is for a single storey side extension and new door at rear with access ramp.

## **3.0 History**

3.1 None relevant.

## **4.0 Consultation**

### 4.1 Statutory and Non-Statutory Responses

4.1.1 No responses have been received at the time of writing.

4.1.2 Any responses will be reported at the meeting.

### 4.2 Public Response

4.2.1 One neighbour was notified in writing. The consultation period expired 18th September 2010. No responses have been received at the time of writing.

4.2.2 Any responses will be reported at the meeting.

## **5.0 Relevant Policies**

(I) GD1	Appropriate regard to surroundings
(I) GD2	Improve environment, quality of live and visual amenity
(II) GD3	High standard of functional and aesthetic design
(II) H8	Maintain privacy and prevent overlooking
(II) H9	Provision of amenity space
(II) H12	Home Extensions
(II) H13	Return frontages
(II) H14	Continuous facade
(II) H18	Extensions for disabled persons

## **6.0 Analysis**

6.1 The applicant seeks permission for a single storey extension, which extends to the side boundary. It has a tapered design to match the boundary and is 3.5m high with a pitched/hipped roof. It does not breach either the front or rear building line.

6.2 The applicant also seeks permission for a new door to rear with access ramp, which is 4m long and the handrails are a maximum of 1.5m above ground level.

- 6.3 The proposal are alterations to provide level access at rear and a bedroom and wet room on ground floor for a person identified by Occupational Therapist on behalf of Enfield's Housing Team.
- 6.4 The extension is situated on the boundary where Carpenter Gardens curves and therefore there are no neighbours adjacent to the proposed extension. Therefore the extension is not considered to harm neighbouring occupier's amenities. The extension is considered to be satisfactorily designed and would appear subordinate to the main dwelling, therefore having regard to Policies (I)GD1, (I)GD2 and (II)H18 it is considered that the extension would detract from the visual amenity of the area
- 6.5 The access ramp due to its size and siting is not considered to harm the visual amenity of the area nor would it, having regard to Policy (II)H8, result in overlooking of neighbouring residential properties.

## **7.0 Conclusion**

- 7.1 The application is recommended for approval for the following reasons:
- 1) The proposal due to the size and siting of the extension and new access ramp to rear does not significantly affect the amenities of adjoining or nearby residential properties having regard to Policies (I)GD1, (I)GD2, (II)GD1, (II)H8 and (II)H12 of the Unitary Development Plan.
  - 2) The proposal due to its siting, size and design, does not detract from the character and appearance of the existing property or the visual amenities of the surrounding area having regard to Policies (I)GD1, (I)GD2, (II)GD3, (II)H12, (II)H13 and (II)H18 of the Unitary Development Plan.

## **8.0 Recommendation**

- 8.1 That planning permission be granted subject to the following conditions:
- 1) The external finishing materials shall match those used in the construction of the existing building.

Reason: To ensure a satisfactory appearance.

- 2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any amending Order, no balustrades or other means of enclosure shall be erected on the roof of the extension(s). No roof of any part of the extension(s) shall be used for any recreational purpose and access shall only be for the purposes of the maintenance of the property or means of emergency escape.

Reason: To safeguard the privacy of the occupiers of adjoining properties.

- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any amending Order, no external windows or doors other than those indicated on the approved



drawings shall be installed in the development hereby approved without the approval in writing of the Local Planning Authority.

Reason: To safeguard the privacy of the occupiers of adjoining properties.

4) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the decision notice.

Reason: To comply with the provisions of S.51 of the Planning & Compulsory Purchase Act 2004.



Rear Elevation



Front Elevation



Side Elevation

Rev B Minor amendments

# HDA

Project  
 22 Carpenter Gardens N21 3HJ  
 Single storey side extension

Client  
 Enfield Homes  
 Drawing

Proposed elevations

Scale	Date	Drawn	Checked
1:50 @ A2	18/08/2010	DM	

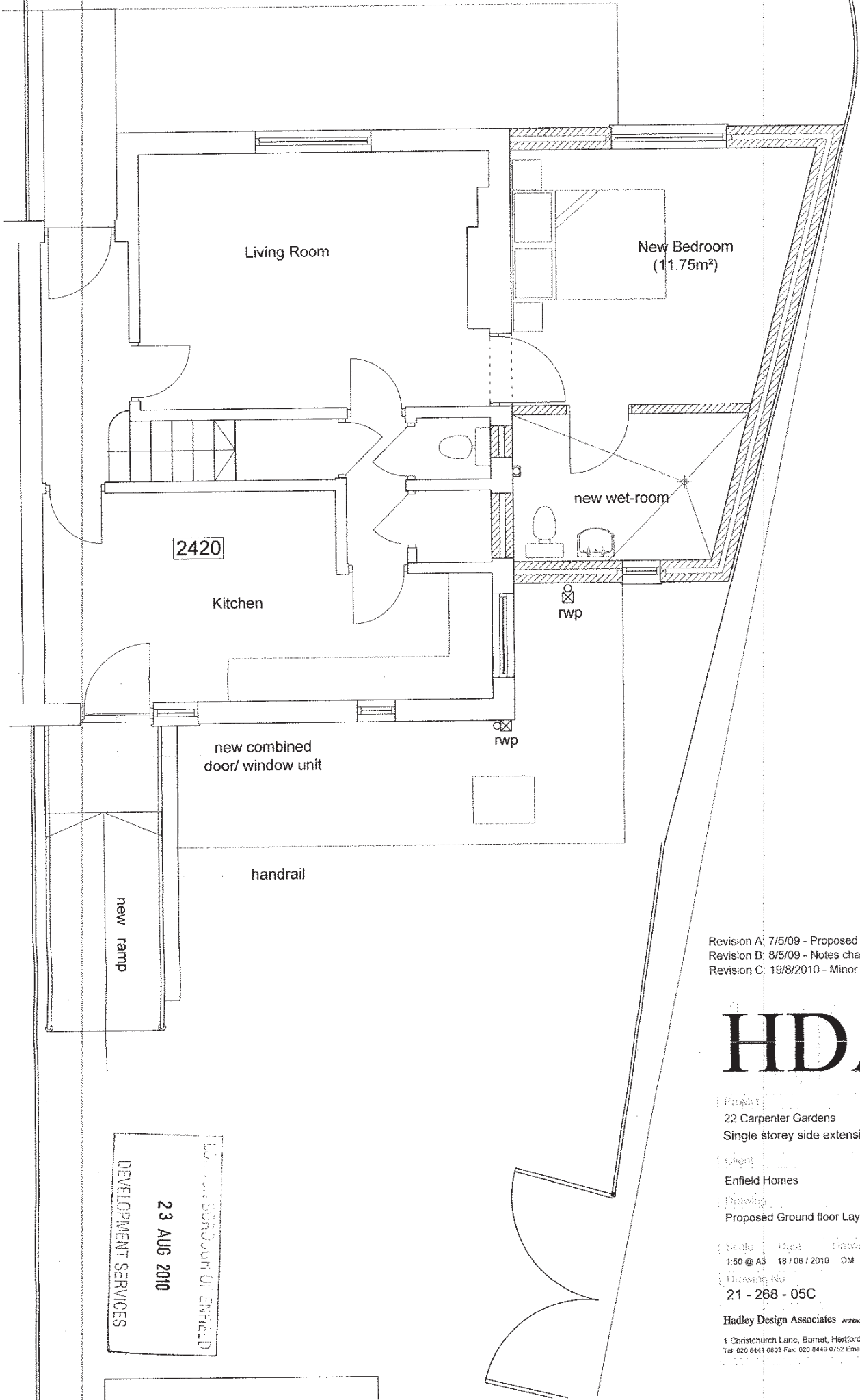
Drawing No.  
**21 - 268 - 04B**

Hadley Design Associates Architects and Building Surveyors

1 Christchurch Lane, Barnet, Hertfordshire, EN5 4PL  
 Tel: 020 8441 0803 Fax: 020 8449 0752 Email: mail@hdacorp.com

LONDON COUNCIL OF ENFIELD  
 23 AUG 2010  
 DEVELOPMENT SERVICES

UBE10/0029



Revision A: 7/5/09 - Proposed layout changed  
 Revision B: 8/5/09 - Notes changed  
 Revision C: 19/8/2010 - Minor amendments

# HDA

Project  
 22 Carpenter Gardens N21 3HJ  
 Single storey side extension

Client  
 Enfield Homes  
 Drawing  
 Proposed Ground floor Layout.

Scale 1:50 @ A3 Date 18 / 08 / 2010 Drawn DM

Drawing No  
 21 - 268 - 05C

Hadley Design Associates Architects and Building Surveyors

1 Christchurch Lane, Barmet, Hertfordshire, EN5 4PL  
 Tel: 020 8441 0803 Fax: 020 8449 0752 Email: mail@hda.co.uk

ENFIELD HOMES  
 DEVELOPMENT SERVICES  
 23 AUG 2010

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## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 28<sup>th</sup> September 2010

**Report of**

Assistant Director, Planning & Environmental Protection

**Contact Officer:**

Aled Richards Tel: 020 8379 3857  
 Andy Higham Tel: 020 8379 3848  
 Mr R Lancaster Tel: 020 8379 4019

**Ward:** Jubilee

**Application Number :** LBE/10/0038

**Category:** Other Development

**LOCATION:** Main Building, Galliard Primary School, Galliard Road, London, N9 7PE

**PROPOSAL:** Single storey extension to existing Children's Centre to provide a staff room.

**Applicant Name & Address:**

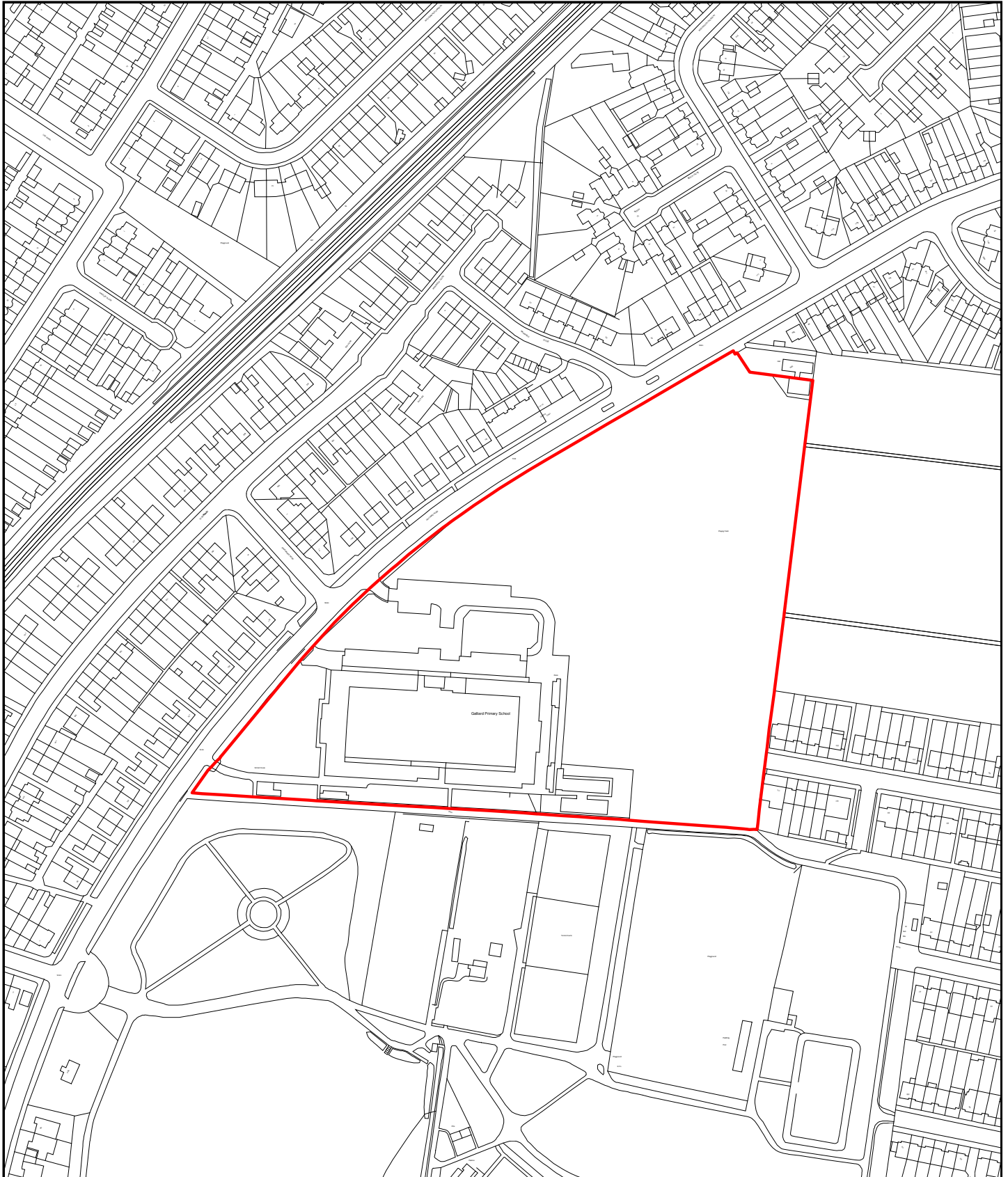
Education, Children's Services and Leisure,  
 7<sup>th</sup> Floor,  
 Civic Centre,  
 Silver Street,  
 EN1 3XQ.

**Agent Name & Address:**

John Wilkinson,  
 Architectural Services,  
 PO BOX 50,  
 Civic Centre,  
 Silver Street,  
 Enfield,  
 Middlesex,  
 EN1 3XA.

**RECOMMENDATION:**

That in accordance with Regulation 3 of the Town and Country Planning General Regulations) 1992, planning permission be deemed to be **GRANTED** subject to the conditions.



## Development Control



Scale - 1:2500  
Time of plot: 10:13

Date of plot: 15/09/2010

## **1 Site and Surroundings**

- 1.1 Oaktree Primary School comprises a single storey building located within a mainly residential area, on the eastern side of Galliard Road, to the south of the site is Jubilee Park. The main access to the school is from Galliard Road. The site is designated within a Flood Zone 2 area.

## **2 Proposal**

- 2.1 Permission is sought for a single storey extension to the eastern side existing children's centre to be used as a staffroom. The area of the proposed extension would be 22sq m and is 2.9m in height with a flat roof. The extension is sited over 60m from the nearest neighbouring property. There is no increase in pupil or staff numbers.

## **3 Relevant Planning Decisions**

- 3.1 None relevant

## **4 Consultations**

### 4.1 Statutory and non-statutory consultees

- 4.1.1 Environment Agency raises no objections.

### 4.2 Public

- 4.2.1 Six consultation letters have been sent to neighbouring properties. No comments have been received.

## **5 Relevant Policy**

### 5.1 Unitary Development Plan

- |         |   |
|---------|---|
| (I)GD1  | New development to have appropriate regard to its surroundings  |
| (I)GD2  | New development to improve the environment  |
| (II)GD1 | New developments are appropriately located  |
| (II)GD3 | Aesthetic and functional designs  |
| (II)GD6 | Traffic implications  |
| (II)GD8 | Access and servicing  |
| (II)CS1 | Facilitate work of various community facilities   |
| (II)CS2 | Siting and Design of Community Facilities to comply with Council policies   |
| (II)CS3 | Community facilities which are responsibility of Council to be provided in optimal locations and provide an effective and efficient use of land |

### 5.2 London Plan

- |       |                      |
|-------|----------------------|
| 3A.21 | Education Facilities |
| 3C.23 | Parking strategy     |
| 4A.14 | Sustainable drainage |

4B.8            Respect Local Context and Character

5.3    Local Development Framework

5.3.1    The Enfield Plan is now proceeding through the Examination in Public process into the soundness of the Plan. It is considered some weight can now be attributed to the policies contained in the Core Strategy and the following policies from this document are of relevance:

SO5    Education, health and wellbeing

CP8    Education

5.4    Other Material Considerations

PPS1            Delivering Sustainable Development

**6    Analysis**

6.1    The proposed extension would be over 100m from Galliard Road and hidden behind the children centre from the road, consequently the proposal would not harm the street scene. The extension is over 60m, from neighbouring properties and 25m from the boundary with Jubilee Park. Given its modest size and 2.9m height and distance from the boundary, it is not considered that it would harm the visual amenity of the area.

6.2    The proposal results in the minor loss of a hardsurfaced play area, however given the extent of the remaining play areas and small 22sq m extension, it is considered that the proposal would result in a significant diminution of play areas.

6.3    Due to the size and siting of the proposed extension and the distance to the nearest neighbouring property, the proposal is not considered to harm neighbouring occupier's amenities.

**7    Conclusion**

7.1    In the light of the above, the proposal is not considered to harm the character and appearance of the area or neighbouring resident's amenities.

**8    Recommendation**

8.1    That in accordance with Regulation 3 of the Town and Country Planning (General Regulations) 1992, planning permission be deemed to be GRANTED subject to the following conditions:

1.    The external appearance shall accord with that described on the submitted plans and application form.

Reason: To ensure a satisfactory appearance.

2.    Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any amending Order, no balustrades or other means of enclosure shall be erected on the roof of the extension(s). No roof of any part of the extension(s) shall be used for any recreational purpose and access shall only be



for the purposes of the maintenance of the property or means of emergency escape.

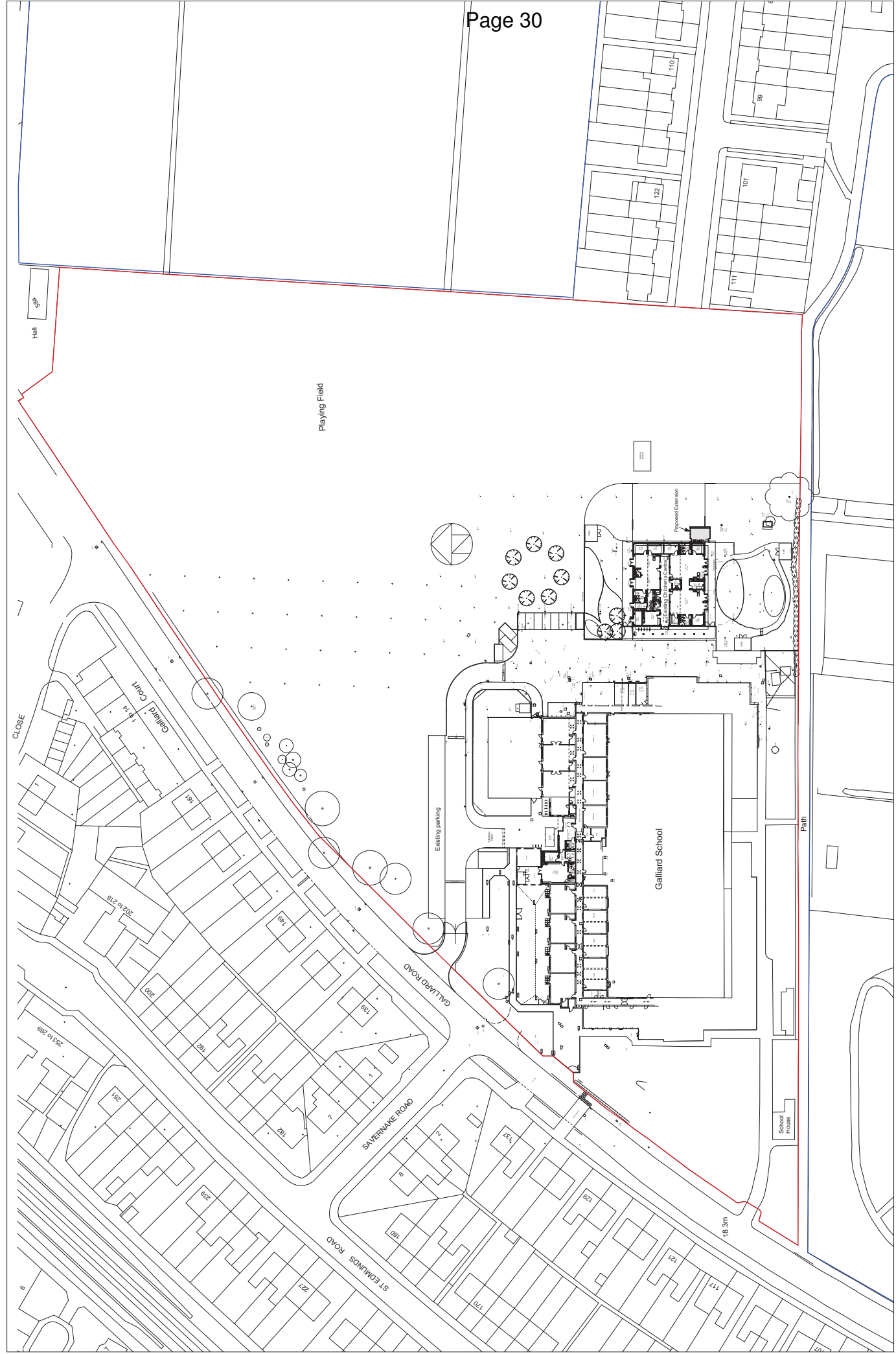
Reason: To safeguard the privacy of the occupiers of adjoining properties.

3. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the decision notice.

Reason: To comply with the provisions of S.51 of the Planning & Compulsory Purchase Act 2004.

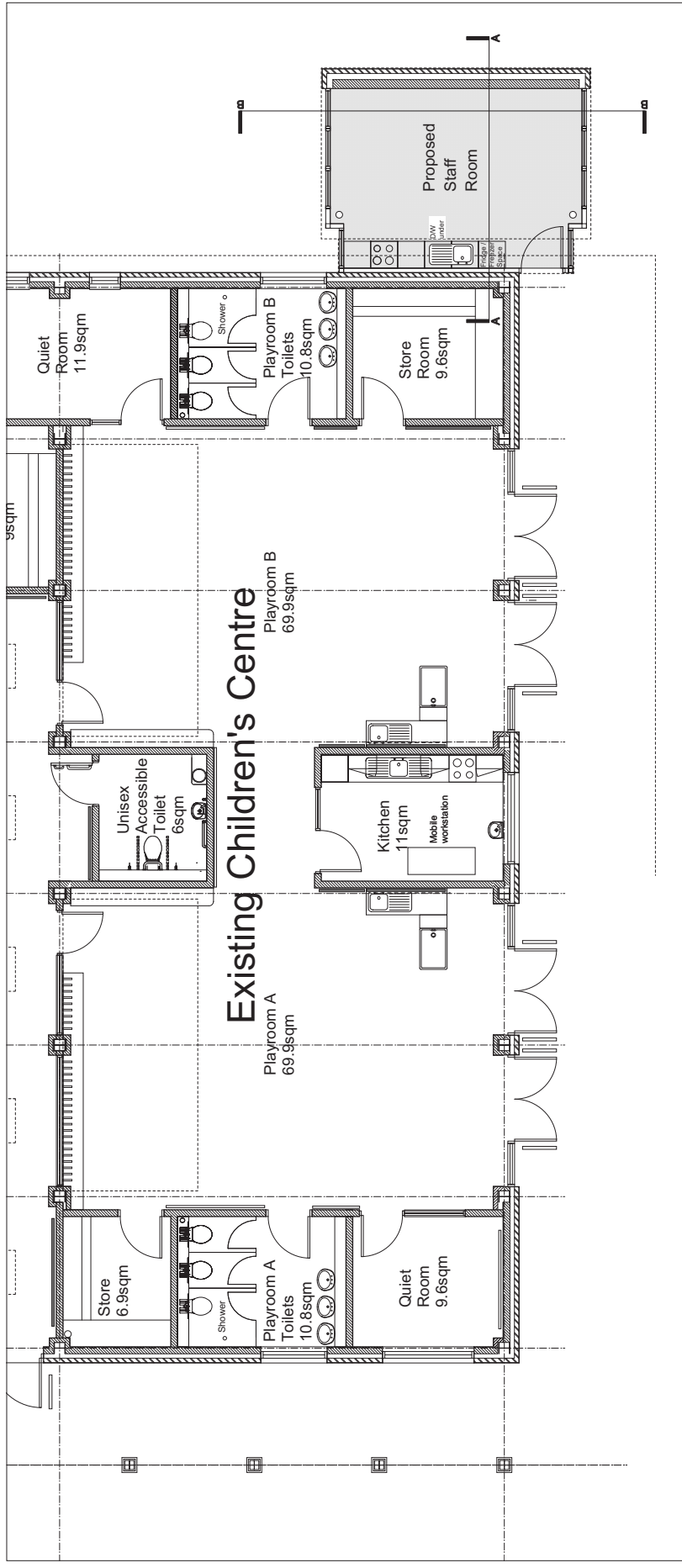
8.2 The reasons for granting planning permission are:

1. The proposed extension contributes to the enhanced provision of educational facilities and thus is compatible of Policies (II) CS1, (II) CS2 and (II) CS3 of the Unitary Development Plan; 3A.17 and 3A.24 of the London Plan; and, PPS1: Sustainable Development.
2. The proposed extension does not detract from the character and appearance of the surrounding area and would not serve to undermine residential amenity to neighbouring properties having regard to Policies (I) GD1, (I) GD2, (II) GD1 and (II) GD3 of the Unitary Development Plan.

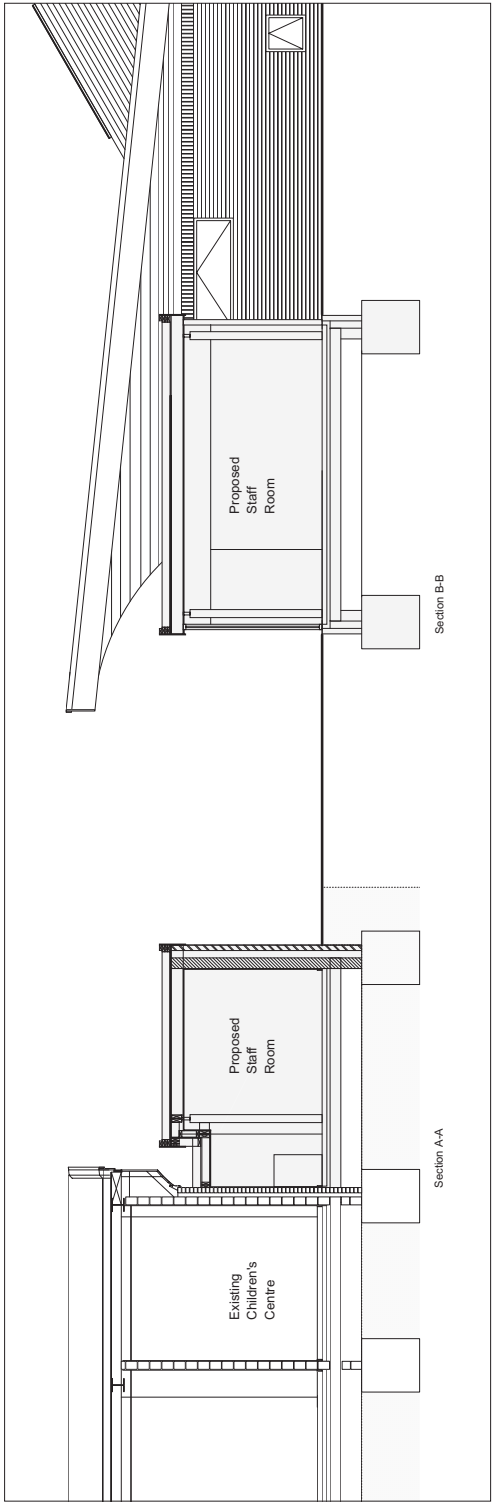


PROJECT NO.	GLRD DFE234/002/104-1/AL/0/004
CLIENT	Galliard Primary School
DATE	15/03/2023
SCALE	1:1000
DESIGNER	Architectural Services
PROJECT NAME	Children's Centre Staff Room Extension
PROPOSED BLOCK PLAN	
PLANNING	

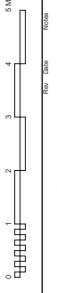




Proposed Plan



Proposed Sections



CAD File No: C:\Projects\PROJECT\_3876\Collater\Primary School\234\_302\ML-1\Childrens Centre - Staffroom D.dwg\31.dwg  
 Date: 08/09/2016



DATE: 08/09/2016	PROJECT: GLRD DE234/002/104-1/AL/0/006
DRAWN BY: JAW	PROJECT: Planning
CHECKED BY: @ A1	PROJECT: Children's Centre Staff Room Extension
DATE: 08/09/2016	PROJECT: Proposed Plan & Sections
DATE: 08/09/2016	PROJECT: Proposed Plan & Sections
DATE: 08/09/2016	PROJECT: Proposed Plan & Sections

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## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 28<sup>th</sup> September 2010

**Report of**  
Assistant Director, Planning &  
Environmental Protection

**Contact Officer:**  
Aled Richards Tel: 020 8379 3857  
Andy Higham Tel: 020 8379 3848  
Robert Lanacaster Tel: 020 8379  
4019

**Ward:** Edmonton  
Green

**Application Number :** TP/09/1826

**Category:** Change of Use

**LOCATION:** Nos. 293 to 303 Fore Street, London, N9 0PD

**PROPOSAL:** Change of use from car sales and service workshops into a banqueting suite and conference hall with ancillary offices, 3 retail units and a cafe involving a first floor extension, external cladding, new entrance and external staircase at front, alterations to rear fenestration, new entrance to first floor level at rear and replacement hard surfacing.

**Applicant Name & Address:**

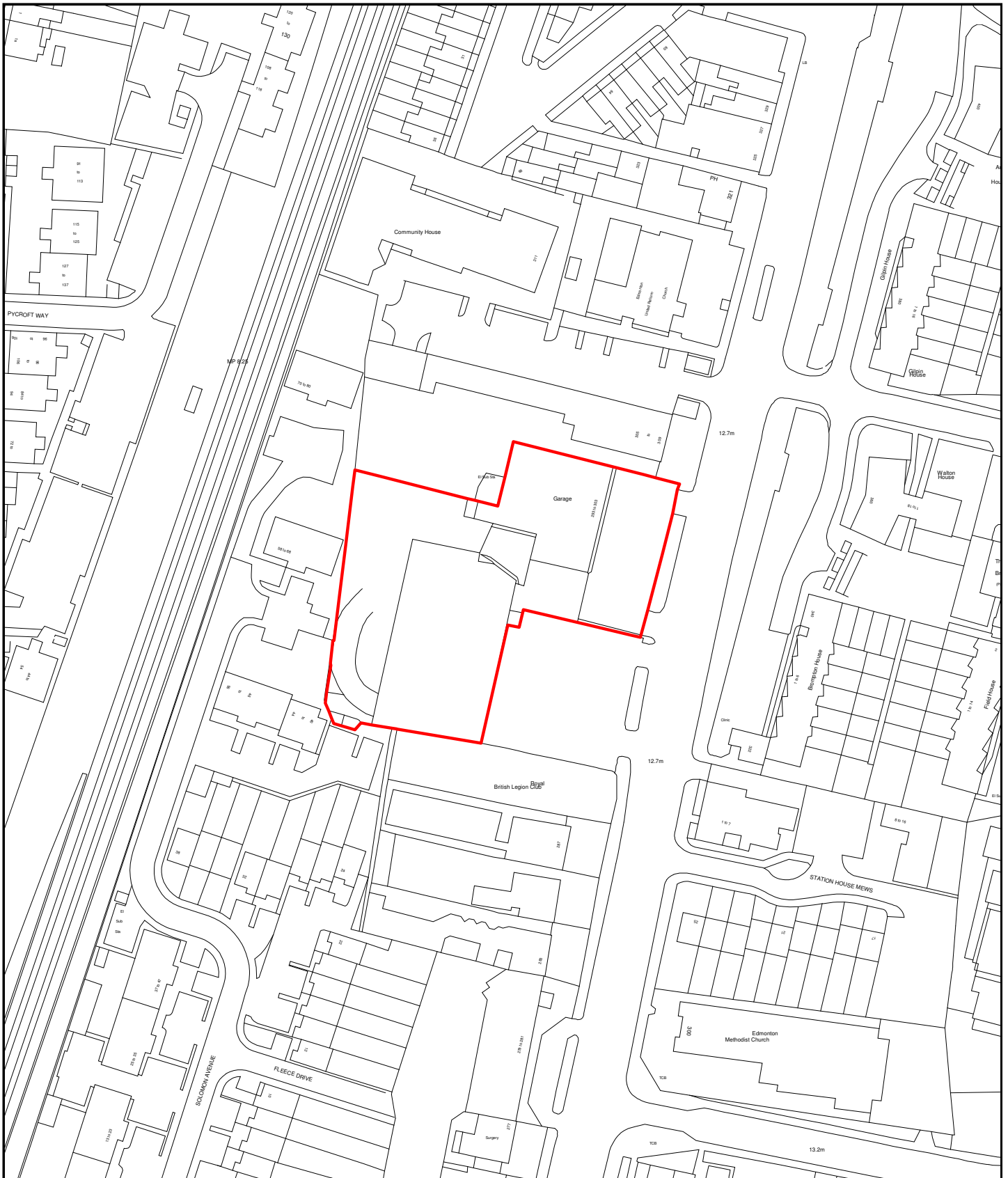
Gursel Aksu  
70, Wolbrook House,  
Huntington Road,  
Edmonton,  
London,  
N9 8LR

**Agent Name & Address:**

Miss Ozlem Ipek,  
Archipek,  
47a, Green Lanes,  
Newington Green,  
London,  
N16 9BU

**RECOMMENDATION:**

That Planning Permission be **REFUSED**.



### Development Control



Scale - 1:1250  
Time of plot: 10:02

Date of plot: 15/09/2010

## **1. Site and Surroundings**

- 1.1 The site is located on west side of Fore Street, Edmonton, between the junctions with Sebastopol Road and Station House Mews and is between, but not in, the Lower Edmonton and Upper Edmonton Conservation Areas and outside Upper Edmonton Town Centre, which ends at No. 277 Fore Street.
- 1.2 The site contains 2 blocks. The front block is part 1, part 2-storeys high and has a floor area of 1495sqm. The rear block is single storey with a parking area on the roof and has an internal floor area of 1150sqm.
- 1.3 The site is currently vacant, having been occupied by Kia Motors as car showroom and service workshop. The applicant indicates that the use ceased on 01/01/2007.
- 1.4 To the south is a cleared site with a valid permission for major residential development by Genesis Housing Association. An application to discharge the conditions to the residential scheme is currently being assessed and David Foster of Genesis Housing Association indicates that the development will be completed by mid-2011.
- 1.5 To the north of the site is Edmonton Mental Health Community Centre.
- 1.6 The site has a PTAL of 4/5, is accessed off a principal road and within an area designated as Flood Zone 2. The site area is 0.37 Hectares.

## **2. Amplification of the Proposal**

- 2.1 Consent is being sought for the change of use of the premises from car sales and service workshop to a mixed use banqueting suite, conference hall, three retail units and café involving external cladding, new entrance and external staircase at front, alterations to rear fenestration, new entrance to first floor level at rear, first floor extension and relayed hard surface.
- 2.2 The banqueting suite would have an internal floor area of 1,115 sq m, the conference hall 249 sq m, the hairdressers 82 sq m, the photography studio 93.5 sq m, the 98 cover café 171 sq m, the flower shop 8 sq m and ancillary office of 95 sq m.
- 2.3 There will be a total of 92 parking spaces (including 5 disabled) provided in 3 separate areas with 12 spaces at the front of the site adjacent to the retail units, 18 spaces at the rear of the site and 62 spaces on the first floor roof accessed via the existing ramp. The pedestrian and vehicular access points are unchanged.
- 2.4 The proposed staff numbers will be 15 staff for the banqueting hall on event nights, 8-10 managerial, maintenance and cleaning staff, 15 staff for the retail units and 10 staff for security and control. This equates to approximately 50 Full-Time Equivalent staff but not necessarily on site at one time.
- 2.5 Combined guest numbers for the banqueting suite and conference hall will be restricted to 400.

- 2.6 The proposed operating hours are 08:30 - 24:00 Mondays to Sundays with the banqueting suite limited between 18:00-24:00 Mondays to Sundays.

### **3. Relevant Planning Decisions**

- 3.1 TP/00/1661- Change of use from car sales, service workshops and retail, to self-storage warehouse (Granted with conditions).
- 3.2 TP/02/0004- Change of use of workshop from B2 (general industry) to A1 (retail) and change of use of showroom to A3 (restaurant) (Refused).
- 3.3 TP/02/0938- Change of use from workshop (B2) to retail (A1) involving two-storey side extension, first floor canopy, new shop front and external alterations. (Withdrawn Lapsed).
- 3.4 TP/09/0174- Change of use of existing building to Retail and storage. (Withdrawn).
- 3.5 TP/09/0480- Change of use of existing building to from car dealership to storage (B8) and retail (A1). (Withdrawn).

### **4. Consultations**

#### **4.1 Statutory and non-statutory consultees**

- 4.1.1 Traffic and Transportation objects to the proposal on the basis of potential overspill kerbside parking being detrimental to highway safety and free flow of traffic.
- 4.1.2 Property Services confirm that they have agreed to the change of use in lease of part of these premises that is within the Council's freehold ownership and leased to Currie Motors.
- 4.1.3 Environmental Health object on the basis of noise and disturbance to occupiers' of the flats currently being constructed at Nos. 289-291 Fore Street and surrounding residents.
- 4.1.4 Environment Agency makes no objection to the proposal.

#### **4.2 Public**

- 4.2.1 Consultation letters were sent to 81 neighbouring properties. In addition, two notices were displayed at the site. Three responses have been received:
- Councillor Ali Bakir considers that it is a good business investment for the area and would provide high levels of employment.
  - Janet Marshall from 41 Folkestone Road N18, objects on the basis that the development is not suitable for the area and will increase crime/anti-social behaviour and place more strain on police resources.
  - David Foster of Genesis Housing Group objects to the scheme on the basis that the proposal would cause disruption to the future occupiers of their residential scheme at Nos.289-291 Fore Street, particularly in terms of traffic congestion, overspill parking and that the Noise



Assessment fails to take account of the Genesis development and the use would result in unacceptable noise levels for their residents.

## 5. Relevant Policy

### 5.1 London Plan

2A.1	Sustainability criteria
3C.3	Sustainable transport in London
3C.16	Tackling congestion and reducing traffic
3C.22	Improving conditions for cycling
3C.23	Parking Strategy
4A1- 4A.11	Sustainability and energy use
4B.1	Design Principles
4B.2	High-class Architecture
4B.3	Quality of Public Realm
4B.8	Respect Local Context and Character

### 5.2 Unitary Development Plan

(I)GD1	Regard to surroundings
(II)GD1	Appropriate location
(I)GD2	Surroundings and quality of life
(II)GD3	Aesthetics and functional design
(II)GD6	Traffic Generation
(II)GD8	Site access and servicing
(II)GD10	Integration with Locality
(II)GD12	Flooding risk prevention measures
(II)GD13	Downstream flooding
(I)E1	Enfield as location for business
(II)E1	Having regard to labour Supply
(II)S17	Out of centre retail development
(I)CS1	Community services
(II)CS1	Support a full range of facilities and services appropriate to the needs of the Borough
(II)CS3	Community services on Council land
(I)EN1	Protect and enhance environment
(I)EN6	Minimise environment impact
(II)EN30	Noise/water Pollution
(I)AR1	Resist in general loss of facilities and to seek opportunities for further provision where appropriate
(I)AR2	Facilities to be provided in environmentally acceptable and accessible locations
(II)AR5	Seek Provision of Arts, Leisure, Entertainment and Facilities
(I)S2	Maintain and Enhance Town Centres

### 5.3 Local Development Framework

The Enfield Plan – Core Strategy has now completed its Examination in Public on the ‘soundness’ of the plan and the Inspectors report is now awaited. In the light of the matters raised, it is considered some weight can now be attributed to the policies contained in the Core Strategy and the following policies from this document are of relevance:

SO2	Environmental sustainability
SO6	Maximizing Economic Potential
SO7	Employment and Skills
SO8	Transportation and accessibility
SO10	Built Environment
CP11	Recreation, Leisure, Culture and Arts
CP13	Promoting economic prosperity
CP16	Economic Success and Improving Skills
CP20	Sustainable energy use
CP28	Managing Flood Risk
CP32	Noise Pollution

5.4 Other Material Considerations

PPS 1	Delivering Sustainable Development
PPS 1	Supplement
PPS 4	Planning for Sustainable Economic Growth
PPG 13	Transport
PPS 22	Renewable Energy
PPS 24	Planning and Noise
PPS 25	Development and Flood Risk

**6. Analysis**

6.1 Principle

6.1.1 Having regard to Policies (I)AR1 and (II)AR5, the Council seeks to support where appropriate, banqueting and conference facilities and recognises the demand for such facilities within the Borough. Therefore, and having regard to Policy (I)GD1, where such a development does not have an unduly detrimental impact on character of the area, neighbouring amenities or highway safety and the free flow of traffic, the Council will seek to support such proposals.

6.2 Impact on character and appearance

6.2.1 It is not considered that the works including the first floor wood-clad extension, external cladding, external staircase, new entrances, alterations to the fenestration and new hard surfacing would by virtue of their siting, size and design have a detrimental impact on the character and appearance of the area and furthermore they would preserve the character and appearance of the nearby Lower and Upper Edmonton Conservation Areas.

6.3 Impact on neighbouring resident's amenities

6.3.1 The key issue is whether the nature, intensity and combination of the proposed uses, would by virtue of noise and disturbance, have an undue detrimental effect on neighbouring occupiers' amenities. This may be internal noise transmission resulting from the uses within the building to neighbouring occupiers or pedestrian and vehicular movements/activity as vehicles including servicing vehicles and pedestrians enter and leave the premises particularly in the later hours of the night

6.3.2 Environmental Health in assessing the proposal, and having regard to the Noise Impact Assessment and Report on the Noise Survey, considers that

adequate noise mitigation measures have been proposed to ensure that noise transmission from within the premises to surrounding neighbour's properties would not unduly affect neighbouring occupiers.

- 6.3.3 The pedestrian entrances/exits to the site as well as the banqueting and conference facility, café and retail shops are such that the likely movements of pedestrians would be well away from the south and west boundaries that are closest to residential properties. Given this arrangement it is not considered that pedestrian movements in and out of the site would cause undue harm to the amenities of neighbouring occupiers.
- 6.3.4 The first floor car park (62 spaces) is situated on south-western boundary and is an open-air car park. It is accessed by an open access road situated on the south-western boundary. Therefore this access road would potentially be used by a maximum of 62 vehicles.
- 6.3.5 The adjacent site to the south is No.289/291 Fore Street. Genesis Housing Group has an extant permission to build a part 4, part 5 storey block of 25 residential flats on this land. Genesis has written to the LPA to confirm that they envisage completion by June 2011. At the northern end of the block there will be eight two-bed flats for private sale spread across the first, second, third and fourth floors. On this northern flank on each floor there are long continuous runs of windows serving each of the flats' lounges and kitchens. These windows will be opening windows and not fixed-shut. These flats will also have a recessed balcony facing either east or west on the northern edge of the east and west elevations (the fourth floor flats' balcony are uncovered). The north elevation is sited 4.8m from the boundary with the application site.
- 6.3.6 Therefore the car park and access road will be approximately 5m from these windows. It is also observed that the premises is applying for hours of use up to 24.00 hours and has a Licensing application currently under consideration for consumption of alcohol on the premises. Furthermore it is likely that the banqueting suite will be used for social functions such as weddings. Therefore it is likely that when customers leave the premises at 24.00 hours that they are likely to be in high spirits and in close proximity to the neighbouring properties.
- 6.3.7 Given the above observations it is likely that people congregating, talking, laughing, shouting as well as the opening and shutting of car doors and starting, reversing and manoeuvring of vehicles and the shining of headlights in close proximity to the adjacent flats will cause undue noise, light pollution and general disturbance to the future occupier's of the flats at No.289/291 Fore Street.
- 6.3.8 The open car park and access road is also adjacent to three blocks of flats to the west of the site at Nos. 40-68 Solomon Avenue. It is considered that the proposal would cause a similar problem in terms of noise, light pollution and disturbance to these occupiers as it would to the future occupiers at No.289/291 Fore Street.

## 6.4 Access, parking and traffic, cycling, refuse & re-cycling

### 6.4.1 *Vehicular and Pedestrian Access*

The scheme includes an automatic, CCTV controlled system which will be installed at the entrance to the site will not be in place during the operational hours of the site to ensure that there is no delay to vehicles entering the site. The proposed barrier will only be in place outside of operational hours as a security measure. It is also proposed that the southern access will be entry and exit for all vehicle types whilst the northern access will be exit only. Service vehicles, taxis and cars will be able to use this one-way loop arrangement for drop off/pick up operations.

The internal layout is considered to provide adequate pedestrian accessibility as there will be an internal footpath that links the retail units, café, conference room, banqueting hall, toilets, kitchen and car park areas to the external footway network at the north eastern corner of the site.

### 6.4.2 *Emergency access and servicing/ refuse*

Servicing for the banqueting hall, cafe and conference facility will be undertaken on site with vehicles entering via the main entrance on Fore Street, driving through to the car park on the eastern side of the site, loading/unloading, turning round in the car park area and driving out the same route in forward gear. Servicing to this part of the site will only occur during the hours of 08:00-16:00 hours whereby cars will not be allowed to park in this area to facilitate turning movements. Servicing for the retail element of the site will occur off highway from the frontage of the units with refuse collection being undertaken from the retail bin store located opposite the retail units at the western side of the site. Service vehicles can access this section of the site by using the one-way loop via the entrance/exit to/from Fore Street.

The 4 refuse bins in the rear car park will be wheeled by staff to the front of the site to be collected in the same way as the bins for the retail units. It is also envisaged that servicing and delivery vehicles would be no larger than 10m rigid goods vehicles. The majority of deliveries to the banqueting hall will be via transit vans as they will be for catering at events.

It is considered that there is sufficient space within the site for such vehicles to enter, safely manoeuvre without affecting the operation of the site and then exit in a forward gear and therefore subject to appropriate conditions the refuse provision, servicing and emergency access to acceptable.

Three cycle parking spaces will be located adjacent to the security kiosk. Additional (20 spaces) will be split into two areas, 10 under the car parking ramp and 10 spaces in the northern corner of the site. It is considered, subject to condition, that the cycle parking provision is acceptable.

### 6.4.3 *Trip generation*

In order to predict the traffic generated by the existing car showroom, TRICS 20010(a) database has been investigated and the following information obtained:

Period	Am Peak (08:00-09:00 am)			PM Peak (17:00-18:00 pm)		
	Arrive	Depart	Two-way	Arrive	Depart	Two-Way
Trip Generation	17	5	22	6	15	21

The total Proposed Trip Generation indicated by the applicant is contained in the table below:

Period	Am Peak (08:00-09:00 am)			PM Peak (17:00-18:00 pm)		
	Arrive	Depart	Two-way	Arrive	Depart	Two-Way
Trip Generation	13	7	20	8	10	18

#### 6.4.4 Staff Travel Plan

As there is no modal split information available for a number of the proposed uses in either the TRICS or TRAVL databases. It has been agreed that the modal shift targets rather than based on census will be based on the survey of staff when the site is operational and the targets will be refined. The Travel Plan should also include an Action Plan that sets out the programme for the implementation of measures and who will responsible for their implementation.

#### 6.4.5 Car Parking

There is a concern with regards to the number of parking spaces proposed. Whilst the car parking for three small retail units is believed to be appropriate (12 parking spaces at front) given the scale of these uses and a potential of attracting linked trips by sustainable modes of transport, it is considered that the same cannot be applied to the proposed banqueting unit, conference hall and café (this café unit by offering 100 seats could also have a potential to attract a considerable number of customers and it is highly likely that it would operate after 18:00hrs).

It is proposed that the overall level of parking for the banqueting hall and the conference room is to be 92 spaces. The assumption made by the applicant that '60% of guests will arrive by car, 20% by taxi and 20% by public transport' is not based on any strong evidence therefore it is difficult to predict/ensure that this is what will happen.

Even based on the above assumption that 60% (out of 400) of guests will arrive by car the following scenarios could potentially take place:

- 1) 240 car trips (no car sharing)
- 2) 2 people would car share, which equates to 120 car trips
- 3) 3 people would car share, which equates to 80 car trips,

which means that in some cases a parking shortfall of between 28 and 148 vehicles would need to be accommodated on street.

#### 6.4.6 Parking survey-public car parks

The applicant undertook a car park usage survey on Thursday 29<sup>th</sup> July for the following public car parks:

- Trafalgar Place Car Park- located 750m (9min walking) from the proposed site
- Raynham Road Car Park-located 650m (8min) from the proposed site
- Fairfield Road Car Park-400m (4min) from the proposed site
- Lion Road Car park- 850m (10m) from the proposed site

The survey results confirmed that the closest car park (Fairfield Road) had only 5 car parking spaces available at that time.

#### 6.4.7 *Parking survey-on street*

The survey revealed that the occupancy of the closest streets is in fact the highest (Sebastopol Road-95% occupancy, Fore Street South-100% occupancy). Moreover, taking into account the nature of the proposed banqueting suite (weddings) it is considered unrealistic that guests would walk 750m or 850m from the car park to the site. It is more likely that guests unfamiliar with the area will take the opportunity to park as close to the site as possible. This could have a detrimental effect upon the highway safety particularly along Fore Street (South) and Sebastopol Road which as the parking surveys revealed are already heavily parked with negligible scope to accommodate for the parking.

Therefore the scale of the proposals and the combination of uses gives concern in traffic and transportation terms if 400 people are to use the banqueting and conferencing facilities (plus others using the further uses/floorspace proposed). Notwithstanding the likely traffic generation, there could be a particular risk of problems from inadequate off-street parking.

#### 6.4.8 *Conclusion*

It is considered that the insufficient car parking provision is a fundamental concern as it will have a negative impact on the surrounding highway network and as a result, there is an **objection** to the scheme on the following highway and transportation grounds:

*The proposal because of its scale and combination of uses prejudices the ability of the site to satisfactorily provide adequate parking for proposed uses and would result in the potential for future on-street parking in the surrounding roads, resulting in an unacceptable increase in kerbside parking to the detriment of safety and the free flow of traffic on the highway contrary to Policies (II)GD6 and (II)GD8 of the Unitary Development Plan which seek to ensure that such changes of use comply with the Council's standards and do not give rise to on-street parking which could be hazardous, cause congestion or have an adverse impact on safety and free flow of traffic on the surrounding highways.*

#### 6.5 Retail and café element

- 6.5.1 The scheme seeks to introduce three Class A1 retail premises (flower shop, hairdressers and photography studio) with a combined floor space of 183sq m and a 98 cover Class A3 café with a floor space of 171 sq m. The site is situated 85m from the Upper Edmonton Town Centre and is in an area of

mixed Class C (residential) and Class D (non-residential) uses. Policies (I)S2, (I)S3 and (II)S2 seeks to maintain and enhance the role of Town Centres (including Upper Edmonton Town Centre) with particular regard to their viability and vitality. Therefore regard needs to be given as to whether the proposed introduction of Class A1 and A3 uses would draw custom from the Town Centre and harm the viability of and vitality of the Centre. Given the relatively modest size of the proposed Class A1 floor space, the proposal is not considered to be of a scale that would detract from the viability or vitality of the Town Centre.

- 6.5.2 Policy (I)GD1 seeks to support proposal only where they are in an appropriate location. In assessing the retail and café element of the scheme, it is considered that given that it is sited on a busy classified road, the quasi-retail character of the previous use of the site as a Car Showroom and the mixed character of the surrounding area, it is not considered that the this element of the proposal would harm the character of the area.

## 6.6 Flood Risk and SUDS

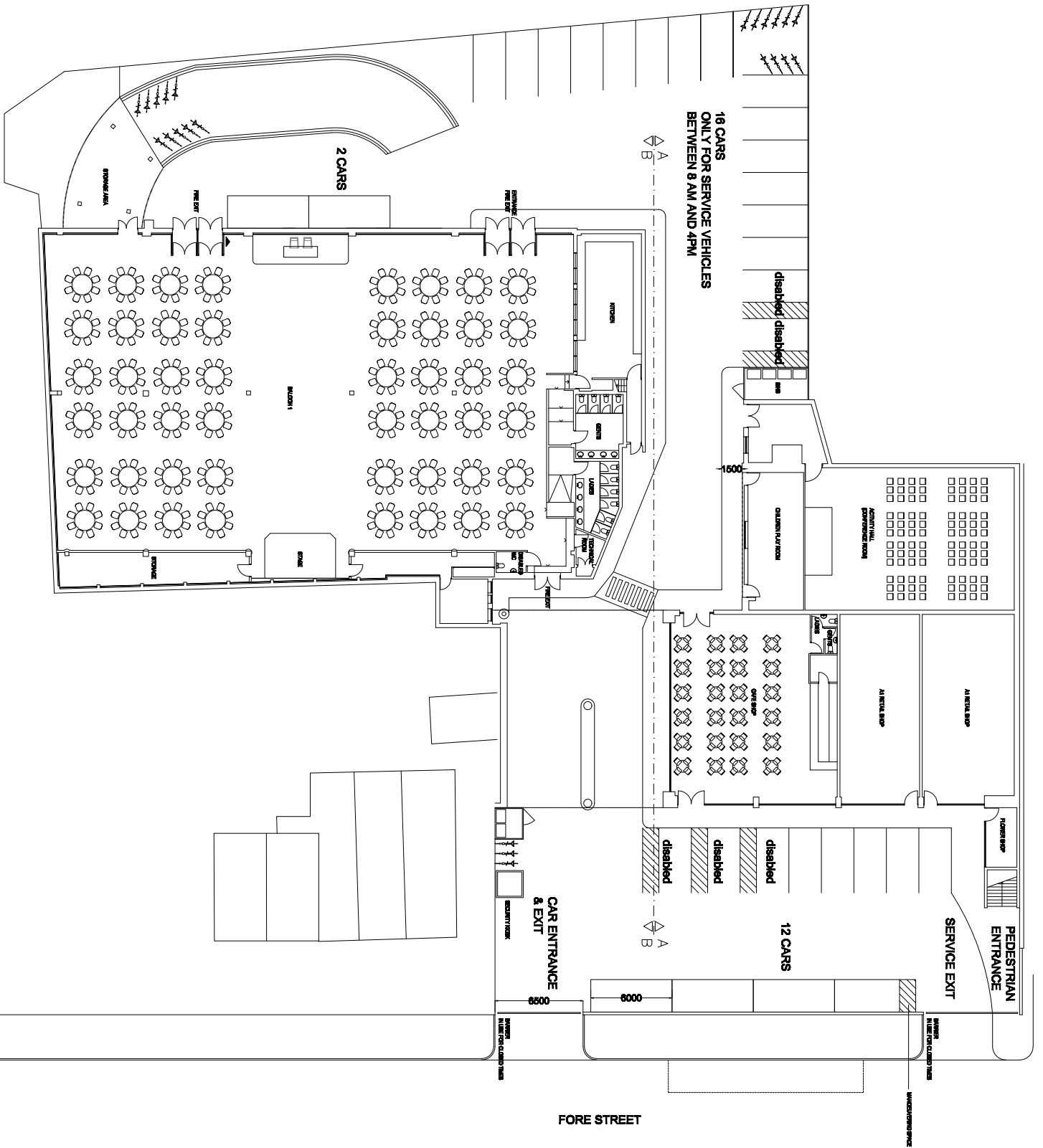
- 6.6.1 The Environment Agency has raised no objections to the proposal on basis of the premises being at undue risk of flooding.
- 6.6.2 No information has been submitted to demonstrate that the relayed hard surfacing is/ will be constructed in a manner that ensures that the risk and severity of downstream flooding has/ will be adequately mitigated.

## 7. **Conclusion and Recommendation**

- 7.1. The proposal by virtue of the nature and intensity of the combination of uses would lead to overspill parking on the kerbside that would be to the detriment of highway safety and the free flow of traffic and the use of the open-air first floor car park would result in unacceptable levels of noise, light pollution and disturbance to the future neighbouring occupiers at Nos. 289 & 291 Fore Street and residents at Nos. 40 to 68 Solomon Avenue. Furthermore insufficient information has been demonstrated to show how the relayed hardstanding will be / has been constructed from porous or permeable materials and therefore does not adequately mitigate downstream flooding.
- 7.2. It is therefore recommended that planning permission be refused for the following reasons:
1. The proposal because of its scale and combination of uses prejudices the ability of the site to satisfactorily provide adequate parking for the proposed uses and would result in potential on-street parking in the surrounding roads, leading to an unacceptable increase in kerbside parking to the detriment of the safety and the free flow of traffic on the highway contrary to Policies (II)GD6 and (II)GD8 of the Unitary Development Plan which seek to ensure that such changes of use comply with the Council's standards and do not give rise to on-street parking which could be hazardous, cause congestion or have an adverse impact on safety and free flow of traffic on the surrounding highways.

2. The proposed use of the first floor open air car park would give rise to undue noise, light pollution and disturbance to the occupiers' of the flats currently being constructed at Nos. 289-291 Fore Street and the existing occupiers of Nos.40-68 Solomon Avenue to the detriment of their residential amenities, contrary to Policies (I)GD1, (I)GD2 and (II)EN30 of the Unitary Development Plan, Supplementary Planning Guidance: Local Centres and Planning Policy Guidance 24: Planning and Noise.
3. Insufficient information has been submitted to demonstrate that the replacement hard surface is/will be constructed of porous materials or that provision has/ will be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the premises and therefore in the absence of this information it is considered that the proposal does not adequately mitigate the risk and severity of down-stream flash flooding resulting from surface water falling on the hard surfaced area contrary to Policies (II)GD13, (I)EN1, (I)EN6 and (II)EN30 of the Unitary Development Plan and national guidance PPS: 1 Delivering Sustainable Development, Planning and Climate Change supplement to PPS: 1 and PPS: 25 Development and Flood Risk.





FORE STREET

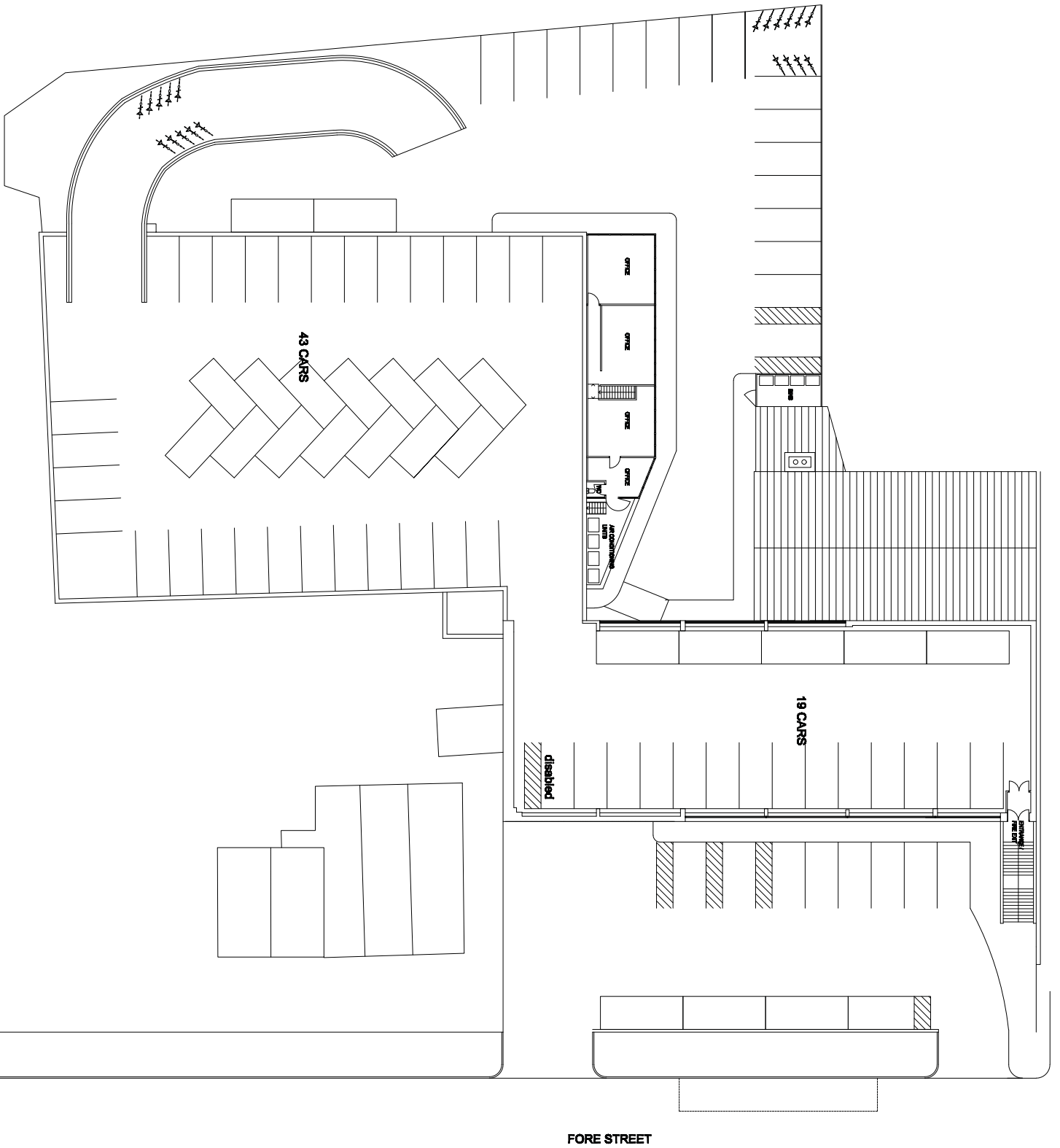
REVISIONS	
A	Revised 09/10
B	Revised 07/10
C	Car parking revised 08/10
D	Office extension added 09/10
E	
F	
G	
H	

**ARCHIPEK**  
 ARCHITECTS  
 100 FINE STREET  
 LONDON  
 EC2A 1BE

**PROPOSED**  
 GROUND FLOOR PLAN  
 100 FINE STREET  
 LONDON  
 EC2A 1BE

Scale: 1:1000  
 Date: 10/10  
 Drawn by: CM  
 Checked by: CM

0917 / P / 10



REVISIONS	
A	Revised 06/10
B	Revised 07/10
C	Gate parking revised 08/10
D	Office extension added 09/10
E	
F	
G	
H	

**ARCHIPEK**  
 ARCHITECTURAL DESIGN  
 100 FORE STREET  
 LONDON  
 W8 4PD

PROJECT  
 PROPOSED  
 FIRST FLOOR PLAN  
 DATE: 11/09/10 TIME: 10:30  
 DRAWN BY: CM  
 CHECKED BY: CM

0917 P 20

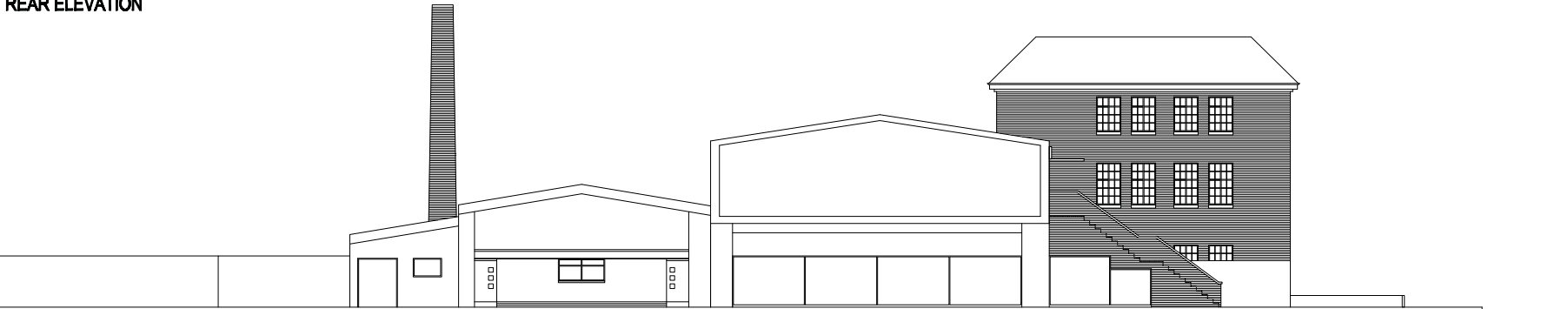
FRONT ELEVATION (FROM FORE STREET)



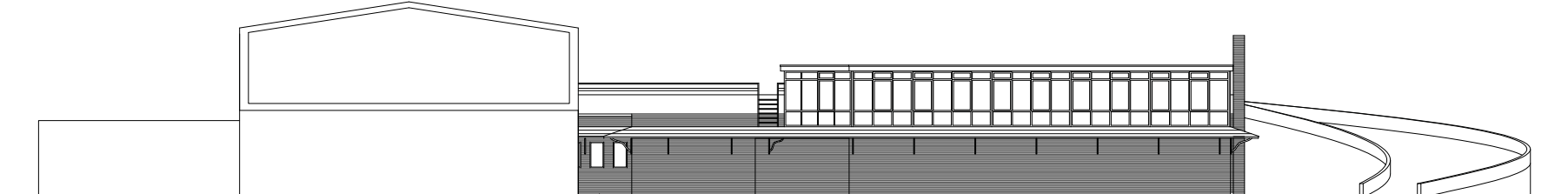
REAR ELEVATION



A-A SECTION



B-B SECTION



AMENDMENTS	
A	B-B Section added 09/10
B	
C	
D	
E	
F	
G	
H	
<b>ARCHIPEK</b> ARCHITECTURE + INTERIORS	
<small>88 STONEY NEWINGTON HIGH STREET LONDON N16 8RL T - 020 73412327 F - 020 73412385 E - info@archipek.com</small>	
<small>CLIENT:</small> <b>283 FORE STREET LONDON N9 0PD</b>	
<small>ISSUES</small>	
<b>PROPOSED ELEVATIONS</b>	
<small>SCALE</small>	<small>DATE</small>
<b>1:100 @ A1</b>	<b>10.09</b>
<small>DESIGNED BY</small>	<small>CHECKED BY</small>
<b>OI</b>	<b>OI</b>
<small>ISSUING No.</small>	
<b>0917   P   3<sub>A</sub></b>	

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## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 28<sup>th</sup> September 2010

**Report of**  
Assistant Director, Planning &  
Environmental Protection

**Contact Officer:**  
Aled Richards Tel: 020 8379 3857  
Andy Higham Tel: 020 8379 3848  
Mrs S.L. Davidson Tel: 020 8379  
3841

**Ward:** Ponders  
End

**Application Number :** TP/10/0916

**Category:** Other Development

**LOCATION:** ST MATTHEWS C OF E PRIMARY SCHOOL, SOUTH STREET,  
ENFIELD, EN3 4LA

**PROPOSAL:** Single storey rear extension.

**Applicant Name & Address:**

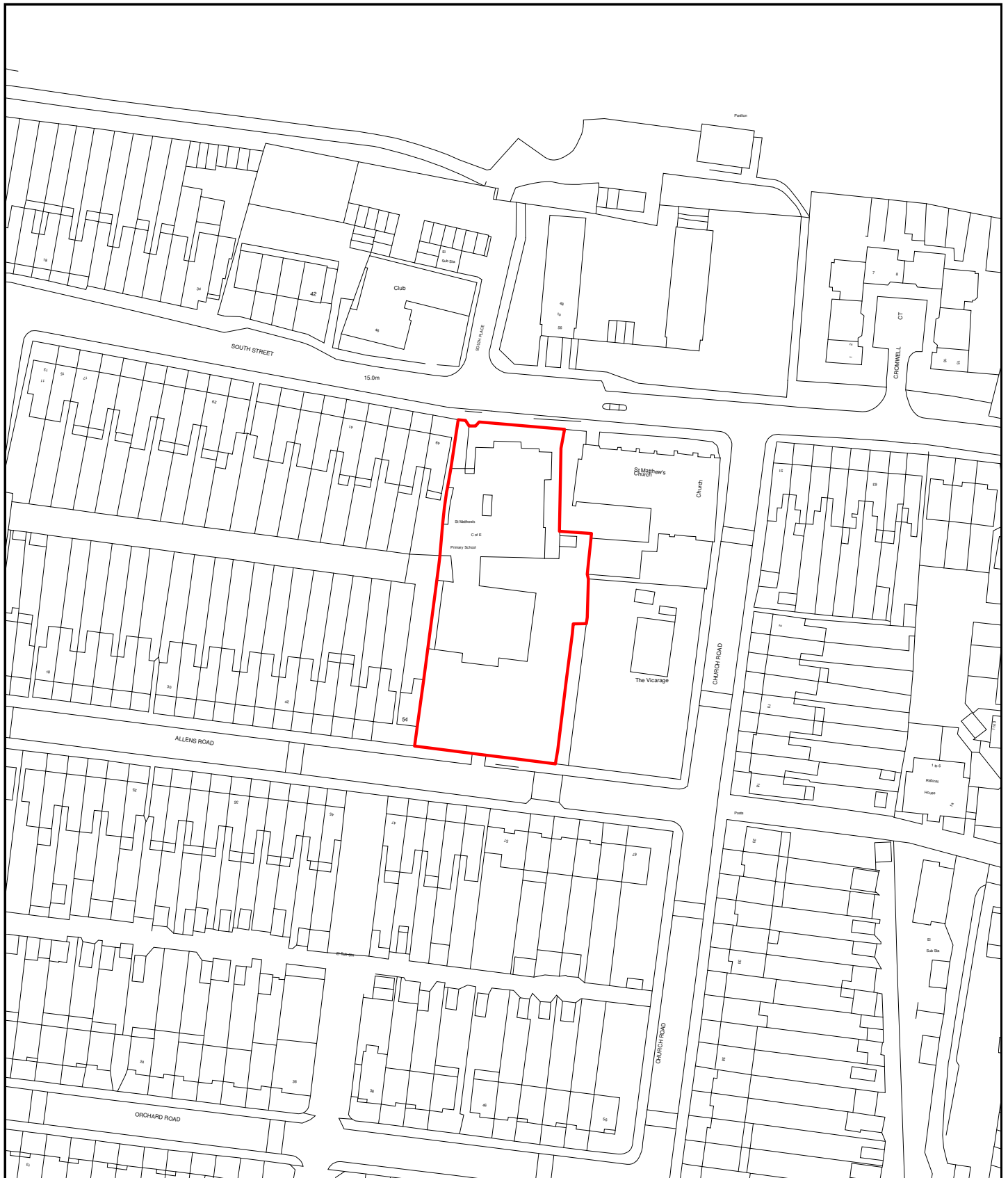
Wayne Everitt,  
Wilby and Burnett  
Provident House,  
123, Ashdon Road,  
Saffron Walden,  
Essex,  
CB10 2AJ

**Agent Name & Address:**

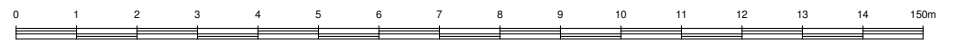
Wayne Everitt,  
Wilby and Burnett  
Provident House  
123, Ashdon Road  
Saffron Walden  
Essex  
CB10 2AJ

**RECOMMENDATION:**

That planning permission be **GRANTED** subject to conditions.



### Development Control



Scale - 1:1250  
Time of plot: 09:47

Date of plot: 15/09/2010

## 1 Site and Surroundings

- 1.1 St. Matthews C of E Primacy School is located on the south side of South Street. The main buildings are positioned towards the South Street frontage with the play area and gardens to the rear, bounded by Allens Road. The site adjoins St. Matthews Church and its grounds to the east and No 49 South Street and No.54 Allens Road to the west.

## 2 Proposal

- 2.1 Permission is sought for the erection of a single storey extension to an existing single storey prefabricated building located to the rear of the adjacent Church. The extension would be located within the grounds of the school and would provide a purpose built kitchen facility to enable the school to provide daily fresh cooked meals for the pupils. As part of the works the existing asbestos roof to the existing structure would be removed and the whole structure, including the extension would be roofed with composite panels.
- 2.2 No additional staff or pupils are involved.

## 3 Relevant Planning Decisions

- 3.1 TP/10/0752 Planning permission granted in July 2010 for the erection of 2 free standing canopies to provide play shelters.

## 4 Consultation

### 4.1 Statutory and non-statutory consultees

- 4.1.1 None

### 4.2 Public

- 4.2.1 Consultation letters have been sent to the occupiers of 9 nearby residents. In addition a notice has been posted on site. No responses have been received.

## 5 Relevant Policy

### 5.1 Unitary Development Plan

- |         |   |
|---------|---|
| (I)GD1  | New development to have appropriate regard to its surroundings  |
| (I)GD2  | New development to improve the environment  |
| (II)GD3 | Design  |
| (I)CS1  | Community services  |
| (II)CS2 | Design/siting of community service buildings  |
| (II)CS3 | Council provided community services to represent an efficient and effective use of land and buildings |

### 5.2 Local Development Framework

The Enfield Plan – Core Strategy was submitted to the Secretary of State on 16<sup>th</sup> March 2010 for a Public Examination of the ‘soundness’ of the plan. The hearings sessions of the Examination have taken place and as a result, some

weight can be attached to the policies. The following policies from this document are of relevance to the consideration of this application

Core Policy 8	Education
Core Policy 30	Maintaining and improving the quality of the built and open environment

5.3 London Plan

4B.1 Design principles for a compact city

5.4 Other Material Considerations

PPS1 Delivering sustainable development

**6 Analysis**

6.1 Effect on the character and appearance of the area

6.1.1 The proposed extension is designed to match the style and profile of the existing prefabricated building. It would be contained within the site, with limited visibility from the public domain. Accordingly, the extension would have no undue impact on the character and appearance of the wider area.

6.2 Effect on residential amenities

6.2.1 The proposed extension is internal to the site and therefore would have no impact on the amenities of occupiers of the nearest residential properties to the west of the site.

6.3 Impact on trees

6.3.1 There are two self set sycamore trees on the existing church land in close proximity to the proposed new extension. In view of their proximity to the proposed building line it would not be practicable to retain the trees and successfully implement the proposed development. Whilst these trees have some amenity value within the confines of the site, they are not of sufficient value to justify protection or modifications to the proposed development. Nevertheless, a condition is recommended to secure replacement elsewhere within the school grounds.

**7 Conclusion**

7.1 The proposed extension is required to provide appropriate kitchen facilities to enable the school to provide daily fresh cooked meals for its pupils. The extension is designed to reflect the existing building to which it would be attached, having limited impact beyond the curtilage of the site. Approval is recommended for the following reason:

1 The proposed extension, having regard to its size, siting and design, has appropriate regard to its surroundings, the amenities of the area and those of nearby residents. In this respect the development complies with Policies (I)GD1 and (II)GD3 of the Unitary Development Plan.



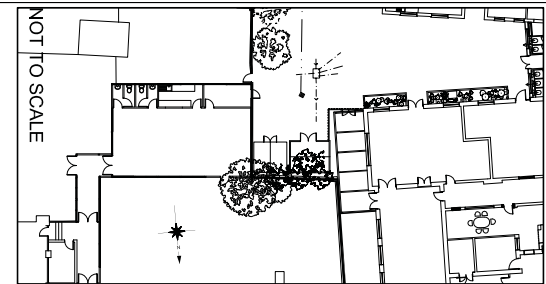
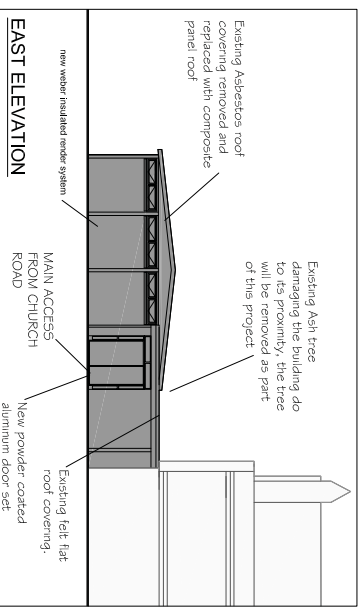
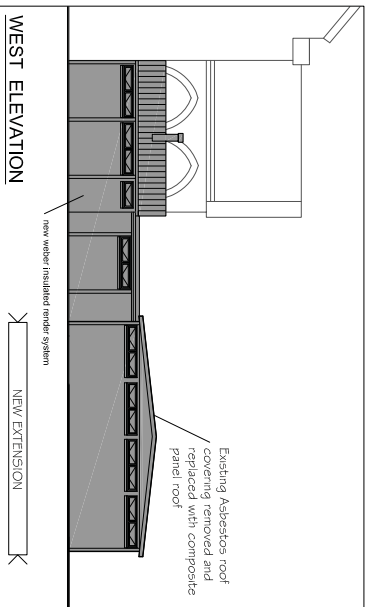
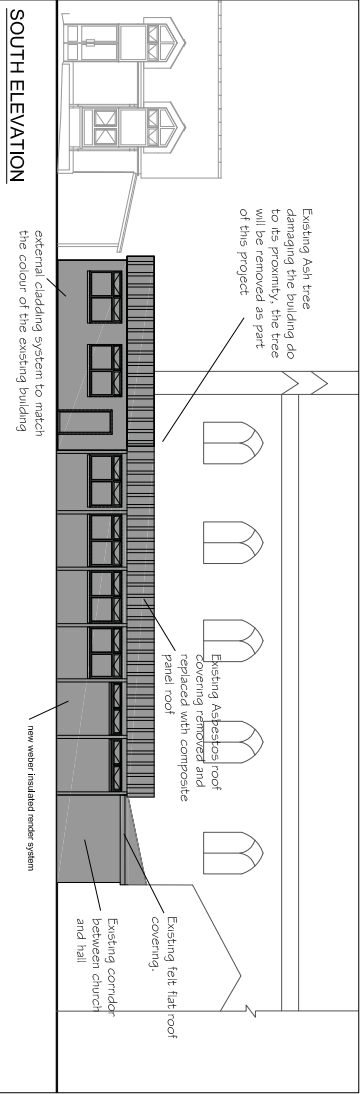
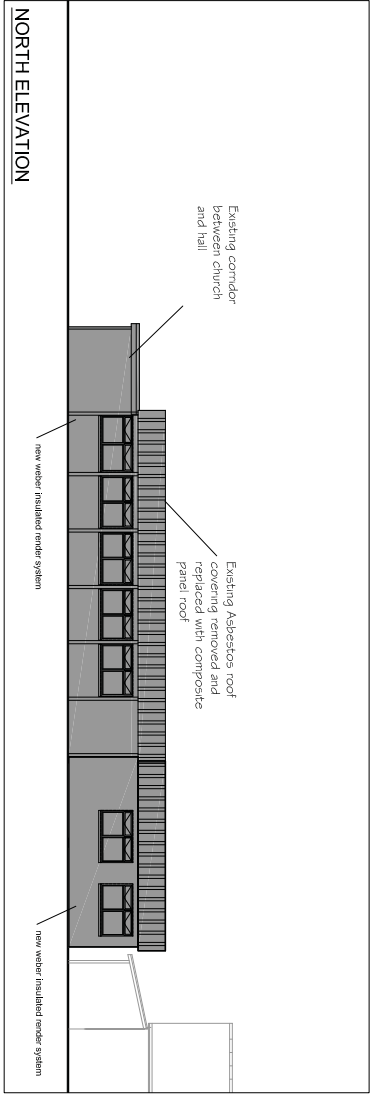
**8 Recommendation**

8.1 That planning permission be GRANTED subject to the following conditions:

1 C07 Details of Materials

2. That details of two replacement trees to be provided within the school grounds shall be submitted to and approved by the local planning authority. The trees to be planted in the first available planting season.  
Reason: in the interests of visual amenity and biodiversity

3 C51a Time Limited Permission



ALL WORKING DIMENSIONS TO BE CHECKED ON SITE. DIMENSIONS SHOWN ARE APPROXIMATE TO SCALE. DIMENSIONS SHOWN ARE APPROXIMATE TO SCALE AND BETWEEN DIMENSIONS AND SPECIFICATION WHERE DECISION IS TO BE NOTIFIED TO SUPERVISION OFFICE FOR COPYRIGHT RESERVED.

REVISIONS

PLANNING

PROJECT  
ST. MATTHEWS C.E. SCHOOL  
SOUTH STREET  
PONDERS END  
ENFIELD

CLIENT  
THE GOVERNORS

DETAIL  
ELEVATIONS

AS PROPOSED

**WIBBY & BURNETT LLP**  
Project Management, Architecture & Surveying  
**RIBA #**  
Chartered Technicians

Head Office: 122A Market Road, Solihull, Warwick, CV56 2JF  
Tel: 0121 709 31000 Fax: 0121 709 31009 Email: info@wibbyburnett.co.uk  
Web: www.wibbyburnett.co.uk

DATE	MAY 2010	DRAWN BY	WIE
SCALE	1:100	CHECKED BY	
DRAWING NO.	2165/13/SD06	REVISION	





PHOTO 1



PHOTO 2

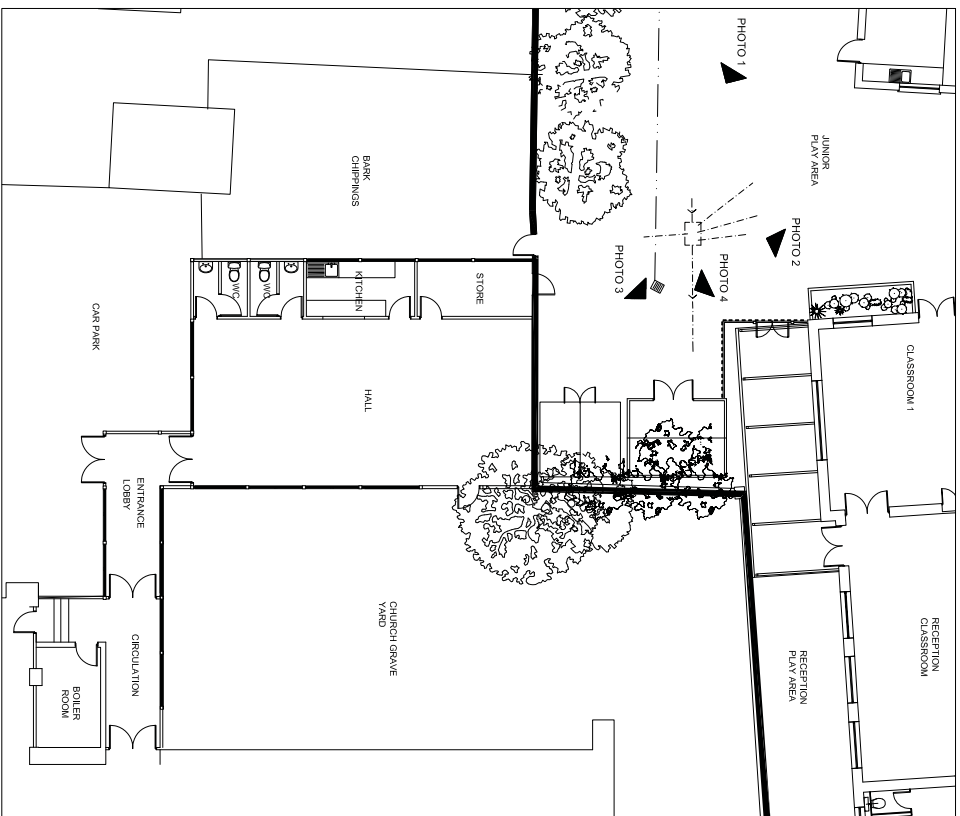
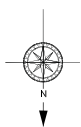


PHOTO 3



PHOTO 4

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REVISIONS

PLANNING

PROJECT  
 ST. MATTHEWS C.E. SCHOOL  
 SOUTH STREET, PONDERS  
 END, ENFIELD  
 PROPOSED EXTENSION AND  
 INTERNAL ALTERATIONS TO  
 CHURCH HALL TO CREATE  
 NEW KITCHEN  
 CLIENT  
 THE GOVERNORS

DETAIL  
 DETAILED SITE PLAN AS  
 EXISTING

**WIBY&BURNETT LLP**  
 Project Management, Architecture & Surveying



Project Address: 127A Midland Road, Kilburn, London, NW9 4LJ  
 Tel: 020 7296 5288/5287 Fax: 020 7296 5289/5288 Email: info@wibyb.com  
 This is a limited liability company. Registered office: 127A Midland Road, Kilburn, London, NW9 4LJ

DATE	DRAWN BY
APRIL 2010	WIE
SCALE	CHECKED BY
1:100	
DRAWING NO.	REVISION
2165/13SD03	

## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 28<sup>th</sup> September 2010

**Report of**

Assistant Director, Planning & Environmental Protection

**Contact Officer:**

Aled Richards Tel: 020 8379 3857  
 Andy Higham Tel: 020 8379 3848  
 Mr R.W. Laws Tel: 020 8379 3605

**Ward:** Jubilee

**Application Number :** TP/10/0945

**Category:** Other Development

**LOCATION:** CUCKOO HALL PRIMARY SCHOOL, CUCKOO HALL LANE, LONDON, N9 8DR

**PROPOSAL:** Single storey extension to south elevation to provide new entrance facility and relocation of existing canopy.

**Applicant Name & Address:**

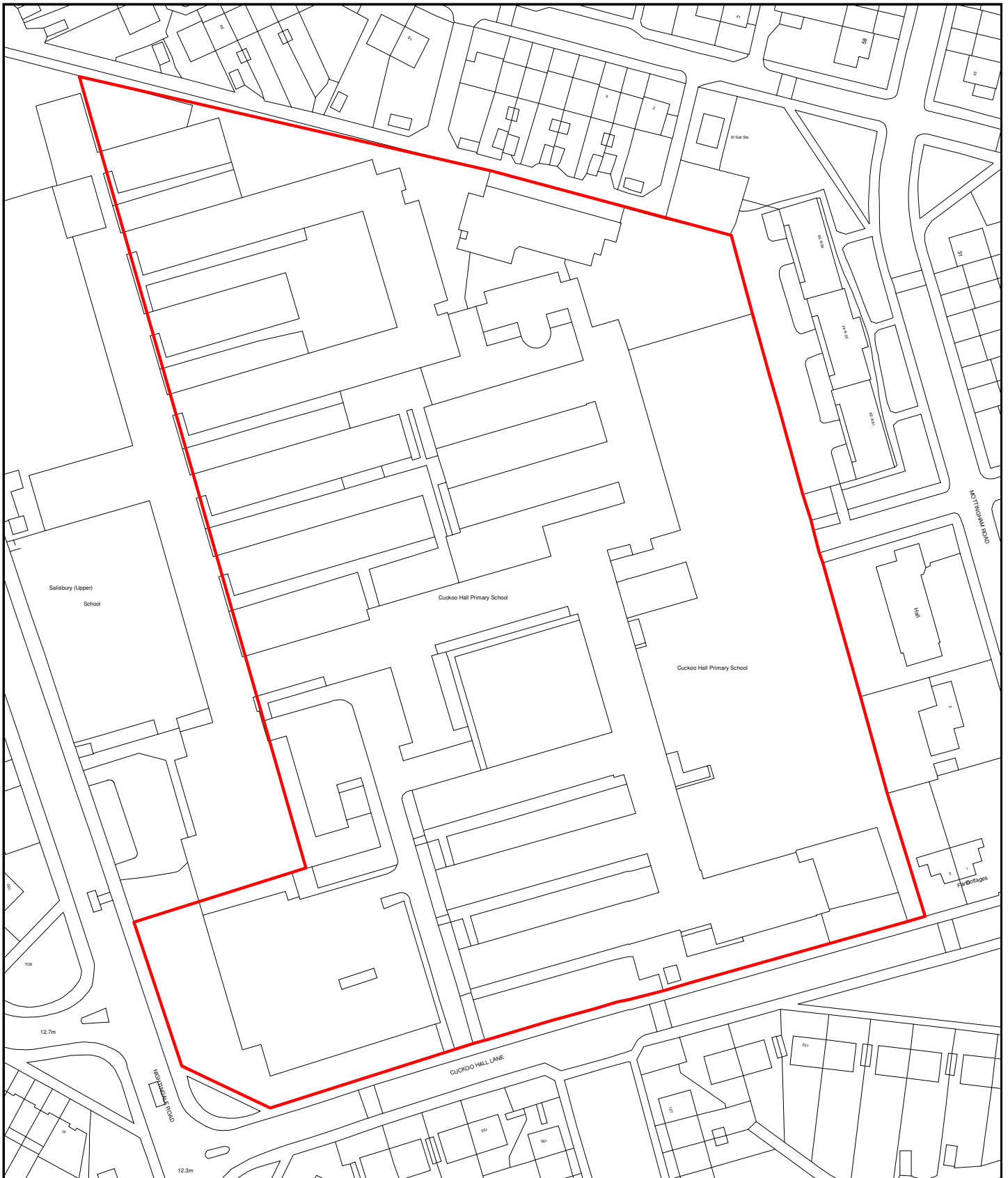
The Governors  
 CUCKOO HALL PRIMARY SCHOOL,  
 CUCKOO HALL LANE,  
 LONDON,  
 N9 8DR

**Agent Name & Address:**

Paul Saggars,  
 John Pryke and Partners  
 Warlies Park House  
 Horseshoe Hill  
 Upshire  
 Waltham Abbey  
 Essex  
 EN9 3SL

**RECOMMENDATION:**

That Planning Permission be **GRANTED** subject to conditions.



## Development Control



Scale - 1:1250  
Time of plot: 09:45

Date of plot: 15/09/2010

## **1. Site and Surroundings**

- 1.1 Cuckoo Hall Primary School is situated on a large site bounded by Nightingale Road to the west, Cuckoo Hall Lane to the south, Mottingham Road to the east and Dartford Avenue to the north. The site comprises a mix of school buildings ranging from single storey to two storeys in height. The immediate surrounding area is residential in character.

## **2. Proposal**

- 2.1 The proposal involves the construction of a single storey extension on the south elevation facing Cuckoo Hall Lane sited in the location of the existing entrance to the Primary school and would to provide improved entrance facilities and ancillary accommodation for the School. The proposed extension is 14m in width by 4.5m in depth with a height of 2.8m, this increase to 4m in height with the pyramid glassed roof light. The existing covered entrance canopy is also relocated to the front of the new extension.

## **3. Relevant Planning Decisions**

- 3.1 TP/07/0847- A single storey front extension was granted July 2007

## **4. Consultations**

### 4.1 Statutory and non statutory consultees

- 4.1.1 Any responses will be reported at the meeting.

### 4.2 Public

- 4.2.1 Consultation letters were sent to 3 properties. In addition a site notice was also displayed. No responses have been received.

## **5. Relevant Policy**

### 5.1 London Plan

3A.4	Education Facilities
4B.8	Respect Local Context
2A.1	Sustainability Criteria

### 5.2 Unitary Development Plan

(I)GD1	Regard to surroundings
(II)GD1	Appropriate location
(I)GD2	Surroundings and Quality of life
(II)GD3	Aesthetics and functional design
(II)GD6	Traffic Generation
(II)GD8	Site access and servicing
(I) CS1	Community services

### 5.3 Local Development Framework

The Enfield Plan- Core Strategy has now completed its examination in Public on the “soundness “of the plan and the Inspectors report is now awaited. In the light of the matters raised, it is considered some weight can now be attributed to the policies contained in the Core Strategy and the following Policies from this document are of relevance:

SO2	Environmental Sustainability
SO5	Education, health and well being
SO10	Built Environment
CP8	Education

#### 5.4 Other Material Considerations

PPS1 Delivering Sustainable Development

### **6. Analysis**

#### 6.1 Impact on Character of Surrounding Area

6.2.1 The extension to the front of the school facing Cuckoo Hall Lane would reflect the form and appearance of the existing school buildings. In particular the flat roof extension would be sympathetic with the style of the existing facades and the facing brickwork of the extension would complement the style of the higher building which it will abut. Thus having regard to its siting, design and appearance, it is considered that the extension would not adversely impact on the surrounding street scene and would satisfactorily assimilate in with the existing school building complex.

#### 6.3 Impact on residential amenity

6.3.1 The nearest residential properties are located on the opposite side of Cuckoo Hall. At a minimum distance of approximately 24m from 127/129 Cuckoo Hall, the proposed single storey extension would have no adverse impact on the residential amenities of these properties.

#### 6.4 Parking / Access

6.4.1 The extension does not result in any increase in staff or pupils. Consequently, it is considered that the proposal will have no significant impact on vehicular or pedestrian safety.

### **7. Conclusion**

7.1 The single storey extension and relocated canopy would have no effect on the residential amenities of surrounding properties and would satisfactorily integrate into the street scene. Accordingly it is recommended that permission be granted for the following reason.

1. The proposed extension and relocated canopy due to its size, design and siting would not unduly affect the amenities of adjoining or nearby residential properties, the appearance of the street scene or the character of the surrounding area having regard to Policies (I) GD1, (I) GD2 and (II) GD3 of the Unitary Development Plan.



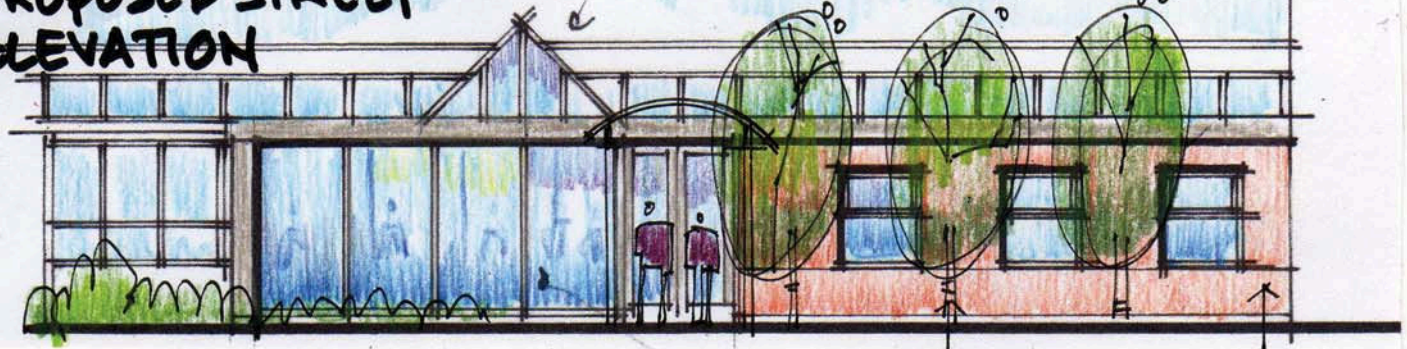
2. The proposed extension provides additional space and improved entrance facilities to be used in conjunction with and supportive of the existing school use in accordance with Policy (I) CS1 of the UDP and 3A.24 of the London Plan.

**8. Recommendation**

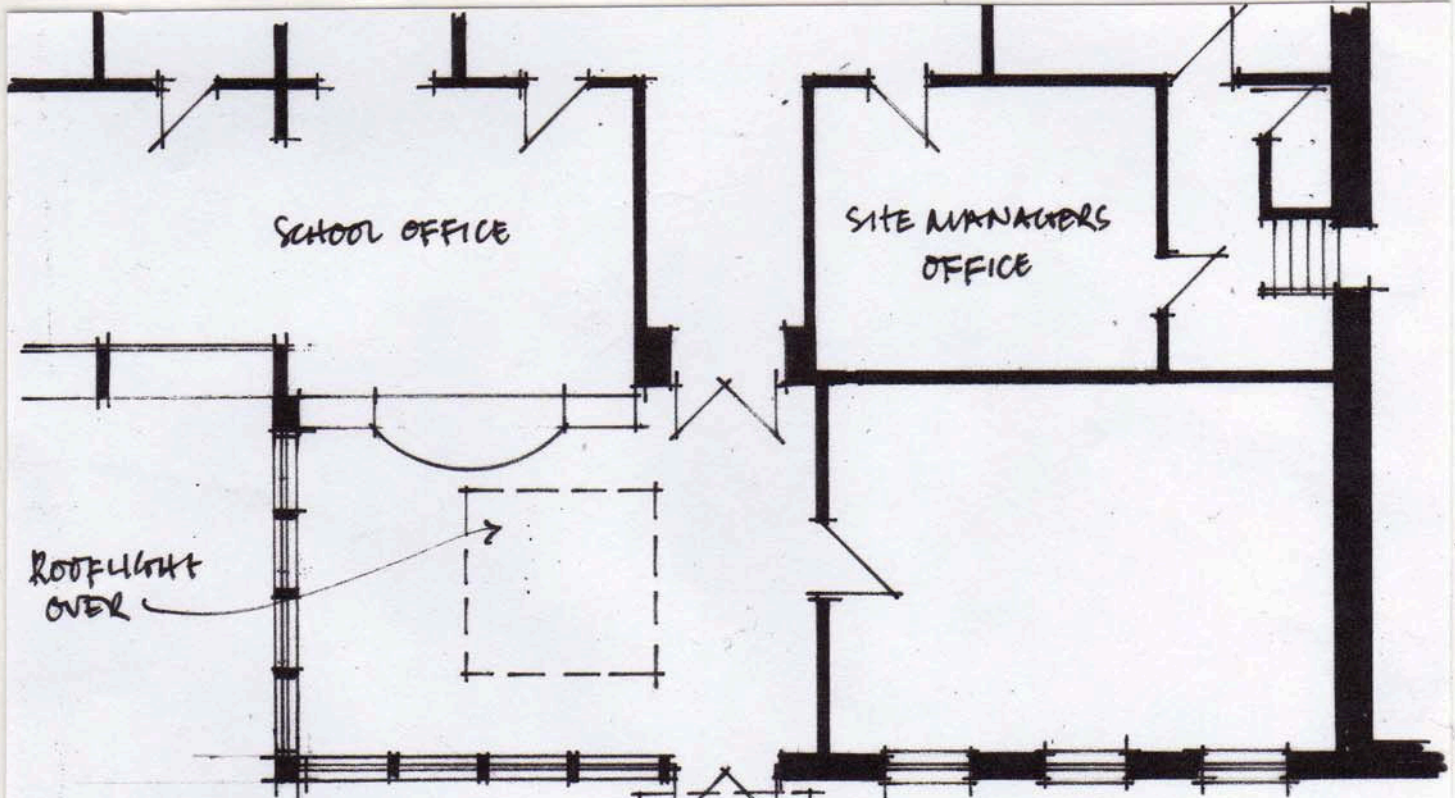
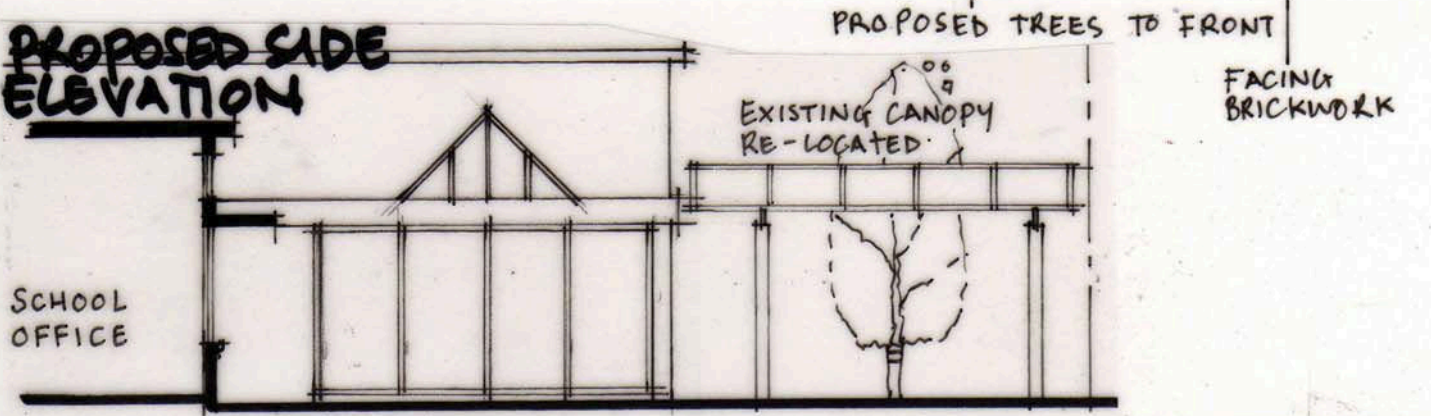
- 8.1 That Planning Permission be **GRANTED** subject to the following conditions:

1. C7 – Details of materials
2. C51A- Time Limit

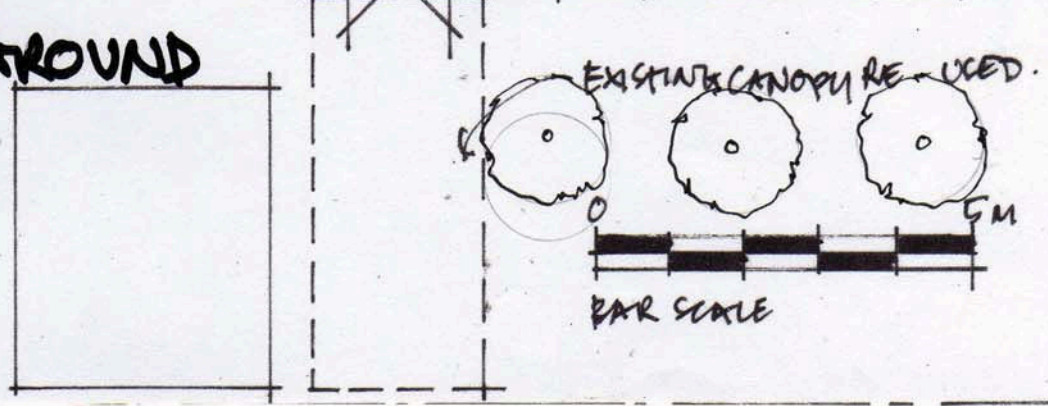
# PROPOSED STREET ELEVATION



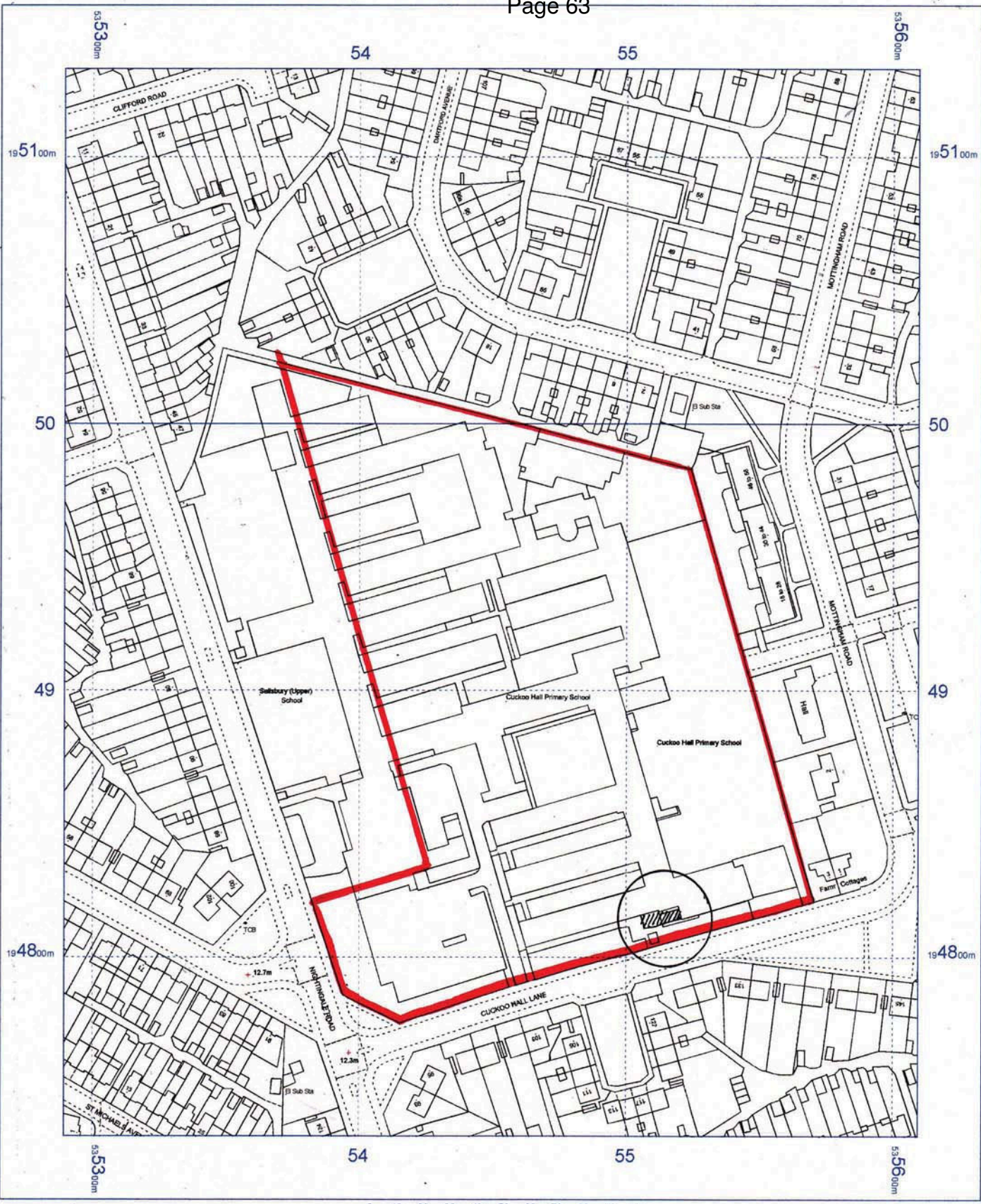
# PROPOSED SIDE ELEVATION



# PROPOSED GROUND FLOOR



# CUCKOO HALL PRIMARY SCHOOL



SITE LOCATION PLAN  
SCALE 1:2000

OS Mastermap  
05 July 2010  
www.centremapslive.com

1:2000 scale print at A4  
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BKG NO P/CH/10/1005. CUCKOO HALL PRIMARY SCHOOL

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## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 28<sup>th</sup> September 2010

**Report of**

Assistant Director, Planning &  
Environmental Protection

**Contact Officer:**

Aled Richards Tel: 020 8379 3857  
Andy Higham Tel: 020 8379 3848  
Mr A.J. Higham Tel: 020 8379 3848

**Ward:**

Southgate Green

**Application Number : CAC/10/0007**

**Category:** Conservation Area  
Consent

**LOCATION:** Former BROOMFIELD PARK NURSING HOME, 110-112, ALDERMANS HILL, LONDON, N13 4PT

**PROPOSAL:** Demolition of existing building (RETROSPECTIVE) in connection with approved redevelopment of site for residential use under Ref:TP/07/1560.

**Applicant Name & Address:**

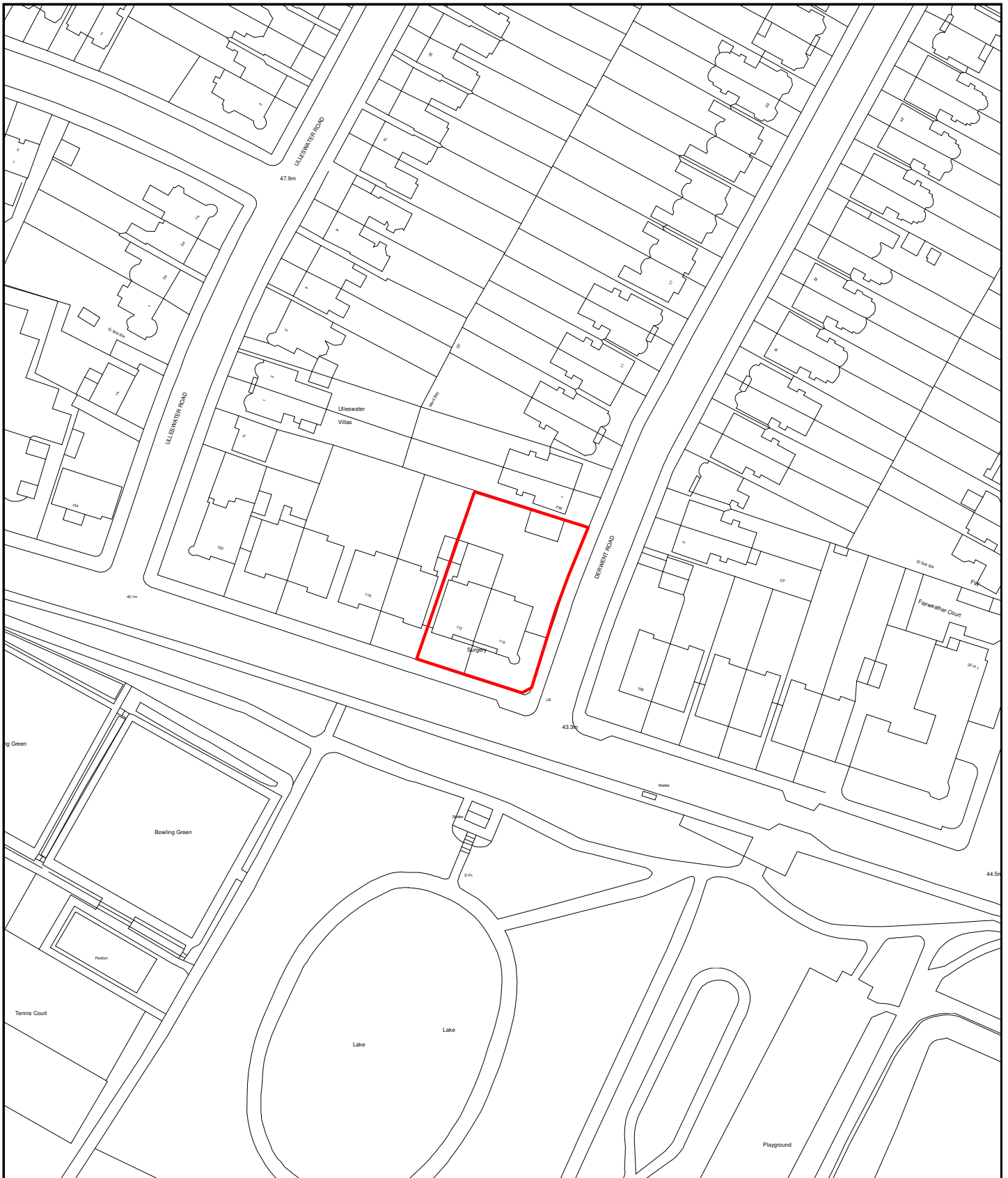
Sherif Raafat,  
Ballater Investments Ltd  
Templar House,  
Don Road,  
St. Helier,  
Jersey,  
JE1 2TR

**Agent Name & Address:**

Marianne Wren,  
Curl La Tourelle Architects  
80, Lambie Street  
London  
NW5 4AB

**RECOMMENDATION:**

That conservation area consent be **GRANTED** subject to conditions.



### Development Control



Scale - 1:1250  
Time of plot: 10:20

Date of plot: 15/09/2010

## **1.0 Site and Surroundings:**

- 1.1 The application site comprises a vacant plot of land situated on the corner of Alderman's Hill and Derwent Road within The Lakes Conservation Area. The surrounding area is residential in character.
- 1.2 Previously, prior to the demolition that has occurred, the site contained a two storey Edwardian style building dating from approx. 1905 which was formerly occupied as a Residential Care Home. The property formed part of a group of Edwardian style buildings comprising the application properties and Nos. 114, 116, 118, 120 and 122 Alderman's Hill.
- 1.3 The property consisted of a pair of two-storey semi-detached buildings with a large rear garden. There was a single storey rear extension at 110 Alderman's Hill together with two existing detached garages situated in the rear garden, one of which is shared with the adjoining property at 114 Alderman's Hill; the other being situated at the rear boundary towards 1 Derwent Road. There is an existing cross over and gates to access the latter from Derwent Road.

## **2.0 Proposal:**

- 2.1 Permission is sought retrospectively for the demolition of the existing buildings on the site, in connection with a proposed residential redevelopment of the site, for which planning permission was granted in 2007 under ref: TP/07/1560.
- 2.2 The proposal needs to be considered in conjunction with an application for a minor material amendment which is reported elsewhere on this agenda

## **3.0 Relevant Planning History:**

TP/07/1560 – planning permission for the demolition of existing nursing home and erection of a 2-storey block of 10 x 2-bed self-contained flats with accommodation in roof space, front, side and rear dormers and parking to rear was granted in October 2007. The permission remains valid until 25<sup>th</sup> October of this year.

TP/07/1560/DP1 - Details of external finishing materials, surfacing materials, enclosure, parking layout, access roads and junctions, soft landscaping, refuse storage and methodology submitted pursuant to conditions 1, 2, 3, 4, 5, 6, 7 and 9 of approval under ref: TP/07/1560 for demolition of existing nursing home and erection of a 2-storey block of 10 x 2-bed self-contained flats with accommodation in roof space, front, side and rear dormers and parking to rear approved August 2010

TP/07/1560/NM1 – an application for a non material amendment to approval granted under Ref: TP/07/1560 to insert an additional condition into the planning permission has yet to be determined although it is acceptable in principle.

## **4.0 Consultations:**

- 4.1 Statutory and Non Statutory Consultees:

4.1.1 English Heritage advise that the application should be determined in accordance with national and local policy guidance and on the basis on your specialist conservation advice

#### 4.2 Public

4.2.1 47 letters of objection have been received which raise all or some of the following points:

- Properties should not have been demolished without the necessary Conservation Area Consent
- Demolition is a criminal offence and Developer should be prosecuted
- The demolition represents an unacceptable breach of planning control;
- Properties were attractive and picturesque original Edwardian buildings
- Properties represented some of the most significant visual properties within the Conservation Area
- Original buildings formed an important frontage for the Conservation Area and an important visit towards Broomfield Park
- Character Appraisal for the Conservation Area identifies the building as having original features and making a positive contribution to the character of the Conservation Area
- With the designation of the Conservation Area and their status, consent for demolition should not be granted
- Approval would send out the wrong signals to other Developers
- There is lack of any supporting information to justify why the demolition should be permitted;
- Proposal fails to meet the statutory test for demolition in a conservation area  
The 2007 replacement scheme is not an acceptable replacement for a building on a prominent corner location, lacking townscape and design quality
- Maintaining the Conservation would not be achieved by a non conforming, out of character development.0
- Does not relate to the neighbouring buildings
- Unacceptable loss of rear garden to car parking
- Demolition harms the character and appearance of the Conservation Area
- any new development should reflect and be more in keeping with the Edwardian nature of the area

4.2.2 In addition to these objections, there have been many more letters received objecting to the principle of development. As the 2007 planning permission remains valid and must therefore receive weight when assessing future schemes, on balance, minimal weight can be given to objections focusing on the principle of development.

4.2.3 The Enfield Society comment that whilst the original permission pre dated the designation of the Conservation Area, this does not excuse the unauthorised demolition. In the circumstances, it would not be reasonable to expect the original building to be reconstructed in facsimile but it does seem reasonable that the design of the original excessively monolithic and poorly detailed residential block should be altered to reflect the ambience of the demolished original Edwardian buildings. As proposed, it detracts from rather than enhancing the conservation area object to the unauthorised demolition given the designation of the Conservation Area. Any replacement development



4.2.4 The Fox Lane and District Residents Association comment that Nos 110-112 Aldermans Hill were an extremely attractive Edwardian building forming an important part of the Lakes Conservation Area and fronting onto Broomfield Park. As a result of the demolition that occurred, the character of the conservation area has been harmed in the most conspicuous and public part of the street scene by this action. The developer should be made to account for their actions in a court of law and if consent is given, it will open the door for other developers to commit similar acts of vandalism.

4.3 Conservation Advisory Group

4.3.1 The Group raise no objection subject to the acceptability of the replacement scheme.

**5.0 Relevant Policies:**

5.1 Unitary Development Policies

- (I) C1 Areas of Architectural or Historical interest
- (II) C26 Demolition in Conservation Areas
- (II)C27 Retention of Buildings with Architectural, Historic or Townscape Interest
- (II)C28 Inappropriate Development within Conservation Areas

5.2 Local Development Framework:

5.2.1 The Enfield Plan – Core Strategy has now completed its Examination in Public on the ‘soundness’ of the plan and the Inspectors report is now awaited. In the light of the matters raised, it is considered some weight can now be attributed to the policies contained in the Core Strategy and the following policies from this document are of relevance:

- SO10 Built environment
- CP31 Built and landscape heritage

5.3 London Plan

- 4B.8 Respect local context and communities
- 4B.11 London’s Built Heritage
- 4B.12 Heritage Conservation

5.4 Other Material Considerations

PPS5 – Planning for the Historic Environment

The Lakes Conservation Area Character Appraisal

**6.0 Analysis:**

6.1 Background

- 6.1.1 This is an application for Conservation Area Consent required in connection with the demolition of a building in a conservation area. Unfortunately, the demolition has already occurred. This occurrence in advance of obtaining the necessary consent is extremely regrettable and represents a serious breach of planning control: one that does render the developer liable to criminal prosecution.
- 6.1.2 However, in determining our approach to the restitution of this site, it cannot be ignored that planning permission was granted in 2007 for the redevelopment of the site, involving the demolition of the existing building, for 10 flats. This permission is still valid.
- 6.1.3 It is acknowledged that this grant of planning permission pre dated the designation of the Conservation in February of this year. The designation of the Conservation Area however, does not invalidate the permission. It does though place a statutory requirement on the Developer to secure Conservation Area Consent for the demolition of the original building. This enables the acceptability of the demolition and the replacement development to be assessed in terms of the impact on the character and appearance of the conservation area.
- 6.2 Impact on Character and Appearance of the Conservation Area
- 6.2.1 The Conservation Area designation does not prevent redevelopment of the site nor does it prevent the principle of a residential development composed of flats. Any development however, including demolition, must meet the test in PPS5 “planning for the Historic Environment” regarding the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment: in the case, the Lakes Conservation Area.
- 6.2.2 The special architectural and historic character of the Conservation Area derives primarily from the homogenous, collective value of its high quality Edwardian buildings. With regard to Nos 110-112 Aldermans Hill although they are not listed they are acknowledged within the Character Appraisal for the Conservation Area (along with the majority of other dwellings dating from the Edwardian era) to be buildings which positively contribute to its character and appearance. Moreover, the Appraisal identifies that the buildings together with others fronting Aldermans Hill, form a distinct architectural edge to the estate. This “edge” is further enhanced by the prominent location of the site on the corner of Aldermans Hill and Derwent Road.
- 6.2.3 Policy (II) C26 of the Unitary Development Plan refers to the demolition of buildings, which should be resisted unless the buildings are incapable for their designed use, and that there is an intention to introduce a scheme which would enhance the character and appearance of the area.
- 6.2.4 It is not disputed that the original buildings are identified as having a positive contribution to the character and appearance of the Conservation Area. Where it not for the demolition that has already occurred, this status could have formed an argument for resisting a consent being granted. However, the present situation means that an objection in the principle would not advance the restitution of an acceptable development which it considered is in the interests of the Conservation Area. Thus, a further test when assessing applications for demolition should be given more weight in this particular

circumstance: this being the adequacy of the replacement development which is considered a more applicable test to apply in terms of realising a development which addresses the current appearance.

- 6.2.5 Notwithstanding this, it is accepted that the design and appearance of the 2007 scheme is now inappropriate within the context of the conservation area as it does not respect the form, design and detailing attributes which contribute to its distinctiveness. As a result, the 2007 development is considered to be visually unacceptable and without amendment, would lead to a recommendation that conservation area consent should not be granted.
- 6.2.6 In response to the breach of planning control, discussions have taken place with the Developer. These have resulted in the submission of amendments to the elevations of the 2007 scheme. These are reported elsewhere on this agenda under ref: TP/07/1560/MM1 and if the proposals within the application are found to be acceptable, it would enable conservation area consent to be granted subject to conditions linking the consent to the amended plans for the revised scheme. It must be noted that this approach is supported by the Council's Conservation team

## 7.0 Conclusion:

- 7.1 Accordingly, in the light of the position detailed at Para 6.2.6, subject to the considered acceptability of the minor material amendment it is recommended that Conservation Area Consent be granted for the following reason:
- 1 The unauthorised demolition of the buildings identified in the application and the redevelopment in accordance with the amended elevations approved under TP?07/1560MMA1, will not harm the special character and appearance of the Lakes Conservation Area having regard to Policies (I)C1 and (II)C26 of the Unitary Development Plan.

## 8.0 Recommendation

- 8.1 That conservation area consent be **GRANTED** subject to the following condition:
1. The retrospective conservation area consent is subject to a contract being entered into for the carrying out of works approved under ref TP/07/1560/MM1 as shown on Drg Nos 794A/PL/05 - /06 - /07 - /08 - /09 - /10 - /15 - /16 - /17 - /18 - /19 - /20 - /21. Confirmation of this contract shall be confirmed to the local planning authority prior to the construction work commencing.

Reason: in the interests of the appearance and character of The Lakes Conservation Area and to ensure the development makes a positive contribution to the character and local distinctiveness of the historic environment

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## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 28<sup>th</sup> September 2010

**Report of**

Assistant Director, Planning & Environmental Protection

**Contact Officer:**

Aled Richards Tel: 020 8379 3857  
 Andy Higham Tel: 020 8379 3848  
 Mr A.J. Higham Tel: 020 8379 3848

**Ward:**

Southgate Green

**Application Number :** TP/07/1560/MM1

**Category:** Other Development

**LOCATION:** 110-112, ALDERMANS HILL, LONDON, N13 4PT

**PROPOSAL:** Alterations to external appearance of development for a 2-storey block of 10 x 2-bed self-contained flats with accommodation in roof space, front, side and rear dormers and parking to rear (approved under ref: TP/07/1560).

**Applicant Name & Address:**

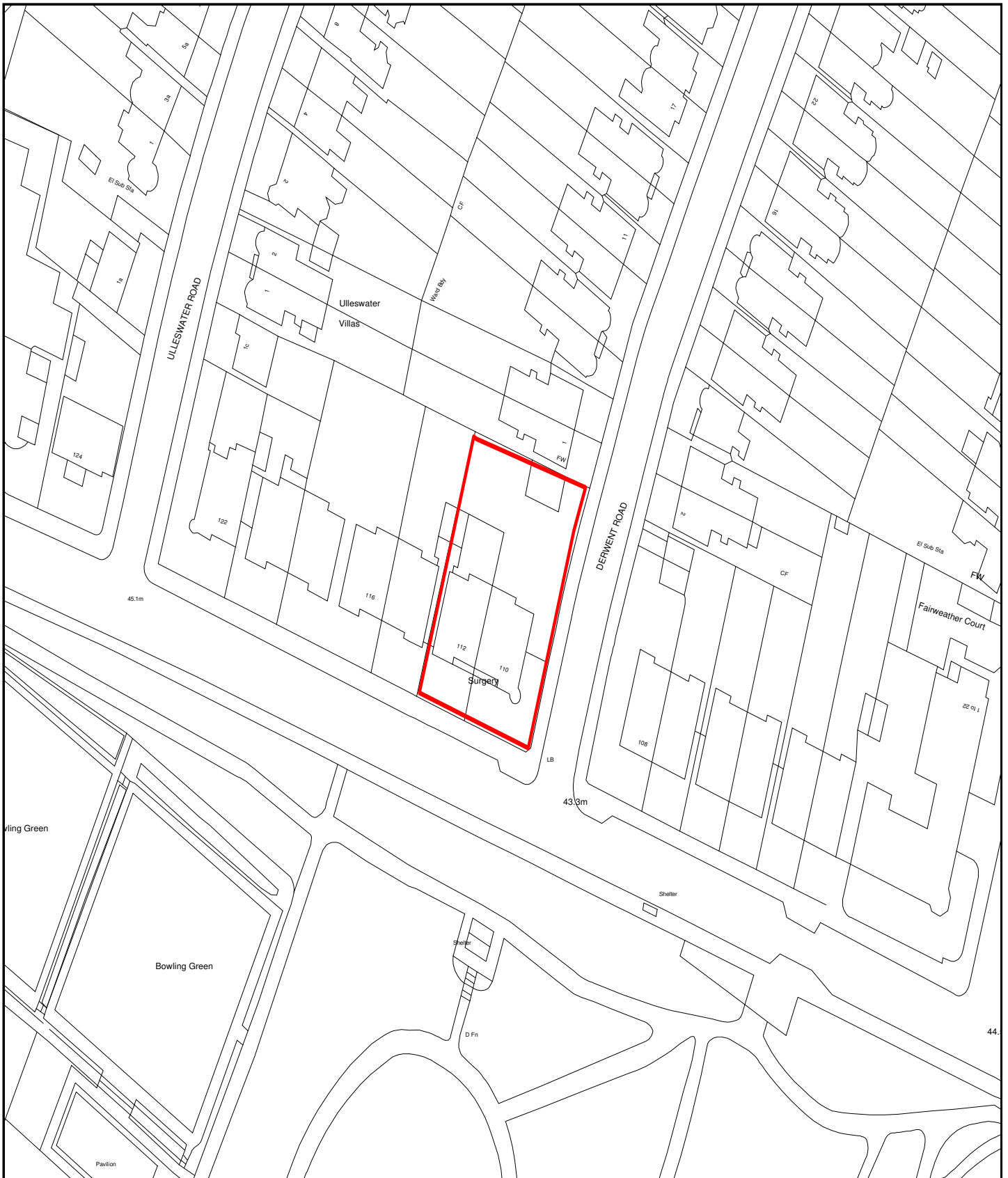
Sherif Raafat,  
 Ballater Investments Ltd  
 Templar House  
 Don Road  
 St. Helier  
 Jersey  
 JE1 2TR

**Agent Name & Address:**

Marianne Wren  
 Curl La Tourelle Architects  
 80, Lambie Street  
 London  
 NW5 4AB

**RECOMMENDATION:**

That planning permission for be granted subject to conditions.



**Development Control**



Scale - 1:1250  
Time of plot: 10:18

Date of plot: 15/09/2010

**1.0 Site and Surroundings:**

- 1.1 The application site comprises a vacant plot of land situated on the corner of Alderman's Hill and Derwent Road within The Lakes Conservation Area. The surrounding area is residential in character.
- 1.2 Previously, prior to the demolition that has occurred, the site contained a two storey Edwardian style building dating from approx. 1905 which was formerly occupied as a Residential Care Home. The property formed part of group of Edwardian style buildings comprising the application properties and No.'s 114, 116, 118, 120 and 122 Alderman's Hill.
- 1.3 The property consisted of a pair of two-storey semi-detached buildings with a large rear garden. There was a single storey rear extension at 110 Alderman's Hill together with two existing detached garages situated in the rear garden, one of which is shared with the adjoining property at 114 Alderman's Hill; the other being situated at the rear boundary towards 1 Derwent Road. There is an existing cross over and gates to access the latter from Derwent Road.

**2.0 Proposal:**

- 2.1 Permission is sought retrospectively for the demolition of the existing buildings on the site, in connection with a proposed residential redevelopment of the site, for which planning permission was granted in 2007 under ref: TP/07/1560.
- 2.2 The proposal needs to be considered in conjunction with an application for a minor material amendment which is reported elsewhere on this agenda

**3.0 Relevant Planning History:**

TP/07/1560 – planning permission for the demolition of existing nursing home and erection of a 2-storey block of 10 x 2-bed self-contained flats with accommodation in roof space, front, side and rear dormers and parking to rear was granted in October 2007. The permission remains valid until 25<sup>th</sup> October of this year.

TP/07/1560/DP1 - Details of external finishing materials, surfacing materials, enclosure, parking layout, access roads and junctions, soft landscaping, refuse storage and methodology submitted pursuant to conditions 1, 2, 3, 4, 5, 6, 7 and 9 of approval under ref: TP/07/1560 for demolition of existing nursing home and erection of a 2-storey block of 10 x 2-bed self-contained flats with accommodation in roof space, front, side and rear dormers and parking to rear approved August 2010

TP/07/1560/NM1 – an application for a non material amendment to approval granted under Ref: TP/07/1560 to insert an additional condition into the planning permission has yet to be determined although is acceptable in principle.

CAC/10/0017 - Demolition of existing building (RETROSPECTIVE) in connection with approved redevelopment of site for residential use under Ref:TP/07/1560 (reported elsewhere on this agenda)

#### **4.0 Consultations:**

##### **4.1 Statutory and Non Statutory Consultees:**

4.1.1 English Heritage advise that the application should be determined in accordance with national and local policy guidance and on the basis on your specialist conservation advice

##### **4.2 Public**

4.2.1 Consultation letters have been sent to 230 neighbouring and nearby residential properties. Two letters of objection have been received specifically in relation to this application. They arse all or some of the following points:

- encourage Council to prosecute developer
- everything that happens sets a precedent for this and other conservation areas
- the reinstatement must be a true reflection of the original structure including the detailed building work of its time
- replacement proposals should ring characteristics to the conservation area to at least match the quality of the original.
- The scale of the proposed dormers, the corner tower and the street interface do not match the original which were strong feature of the original building
- The edge of the Conservation Area fronting Broomfield Park makes a coherent period composition and distinctive view and this should be maintained;
- undermines the work of designating conservation areas

4.2.2 It is also acknowledged that significant objection has been received about the demolition (reported elsewhere on this agenda under ref CAC/10/0007). In addition, 31 letters were received in connection with the application relating to the details submitted pursuant to the 2007 permission (ref: TP/07/1560/DP1), all of which sought to question the principle of the redevelopment.

4.2.3 In assessing this application, the general and specific concerns expressed by local residents have been taken into consideration where relevant. It should be noted that little weight can be given to the many letters received objecting to the principle of development as the 2007 planning permission remains valid and must therefore receive weight when assessing future schemes. As previously stated, the conservation are does not invalidate the planning permission.

4.2.4 The Enfield Society comment that whilst the original permission pre dated the designation of the Conservation Area, this does not excuse the unauthorised demolition. In the circumstances, it would not be reasonable to expect the original building to be reconstructed in facsimile but it does seem reasonable that the design of the original excessively monolithic and poorly detailed residential block should be altered to reflect the ambience of the demolished original Edwardian bullrings.



4.3 Conservation Advisory Group

- 4.3.1 The Group raise no objection subject to the resolution of details relating to the colour of the first floor render, the introduction of brick detailing above first floor windows and a revision to the window detailing.

**5.0 Relevant Policies:**

5.1 Unitary Development Policies

(I) C1	Areas of Architectural or Historical interest
(II) C26	Demolition in Conservation Areas
(II)C27	Retention of Buildings with Architectural, Historic or Townscape Interest
(II)C28	Inappropriate Development within Conservation Areas

5.2 Local Development Framework:

- 5.2.1 The Enfield Plan – Core Strategy has now completed its Examination in Public on the ‘soundness’ of the plan and the Inspectors report is now awaited. In the light of the matters raised, it is considered some weight can now be attributed to the policies contained in the Core Strategy and the following policies from this document are of relevance:

SO10	Built environment
CP31	Built and landscape heritage

5.3 London Plan

4B.8	Respect local context and communities
4B.11	London’s Built Heritage
4B.12	Heritage Conservation

5.4 Other Material Considerations

PPS5 – Planning for the Historic Environment

The Lakes Conservation Area Character Appraisal

**6.0 Analysis:**

6.1 Background

- 6.1.1 This is an application to accept as a minor material amendment, alterations to the elevation of the extant 2007 planning permission for the demolition of existing nursing home and the erection of a 2-storey block of 10 x 2-bed self-contained flats with accommodation in roof space including front, side and rear dormers together with parking to rear. The alterations involve an amended external treatment the elevation of the development to better match the original building and the distinctive appearance of the Conservation Area

- 6.1.2 The objections regarding the approach of using the minor material process have been noted. Nevertheless, the approach decided upon has been influenced by the continued validity of the extant 2007 planning permission

which the Conservation Area designation has not altered. Although it cannot be implemented without the associated conservation area consent for demolition, its existence carries significant weight when assessing future planning applications establishing fundamental principle for the development of this site. Mindful of this, as the designation of the Conservation does not prevent redevelopment of the site nor does it prevent the principle of a residential development composed of flats, it was felt an application focused on the objectionable element of the 2007 scheme; namely, its design, would be preferable

## 6.2 Impact on Character and Appearance of the Conservation Area

- 6.2.1 Any development however, including demolition, must meet the test in PPS5 "Planning for the Historic Environment" regarding the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment: in the case, the Lakes Conservation Area.
- 6.2.2 The special architectural and historic character of the Conservation Area derives primarily from the homogenous, collective value of its high quality Edwardian buildings. With regard to Nos 110-112 Alderman's Hill although they are not listed they are acknowledged within the Character Appraisal for the Conservation Area (along with the majority of other dwellings dating from the Edwardian era) to be buildings which positively contribute to its character and appearance. Moreover, the Appraisal identifies that the buildings together with others fronting Alderman's Hill, form a distinct architectural edge to the estate. This "edge" is further enhanced by the prominent location of the site on the corner of Alderman's Hill and Derwent Road.
- 6.2.3 Policy (II) C26 of the Unitary Development Plan refers to the demolition of buildings, which should be resisted unless the buildings are incapable for their designed use, and that there is an intention to introduce a scheme which would enhance the character and appearance of the area.
- 6.2.4 The original buildings are identified in the Character Appraisal for the Conservation Area as having a positive contribution to the character and appearance of the Conservation Area. Any replacement development therefore for it to prove acceptable, must meet this high standard and the basic test set out in PPS5.
- 6.2.5 With reference to the proposed minor material amendment, the submitted plans show a significant improvement in the elevation for the development. In particular:
- a) the inclusion of a distinguishing turret as a corner feature reflecting that of the original building and evident on other corner properties within the conservation area;
  - b) the use of soft red stock at ground floor and render at first floor, clay vertical hanging tiles for the front / flanks of the dormer, and red sand faced clay tiles all of which are typical of the Conservation Area and identified as important features within the Character Appraisal and typical of the Edwardian built form prevailing in the conservation Area
  - c) timber detailing over the front entrance infilling the spaces between the protruding front bays.

- d) The introduction of wooden windows of a more proportionate and appropriate shape and detailing
- e) The introduction of cast aluminium rainwater goods
- f) The replacement of the existing front boundary wall with a low level brick wall to match that at 114 Alderman's Hill

- 6.2.6 Taking these elements into account, the "new" building would have an appearance of considerable similarity to that which existed.
- 6.2.7 Concern has been raised the footprint of the development. It is larger than the original building but reflects the footprint of the 2007 scheme.
- 6.2.8 It is recognised that this amendment is not the original building but in terms of addressing the visual harm to the conservation area arising from both the demolition of the original and the extant 2007 permission, it is considered these amendments would deliver an acceptable form of development which would meet the testing PPS5 "the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. It is also considered the amended design would enhance recreate the strong architectural form fronting Alderman's Hill at the southern edge of the Conservation Area notwithstanding the setting of Broomfield Park on the opposite side of Alderman's Hill which is protected by its inclusion on English Heritages Register of Historic Parks and Gardens of Special Historic Interest. This approach is supported by Conservation as well as CAG

### 6.3 Miscellaneous

- 6.3.1 It is recognised that other objections have been raised regarding the provision of parking in the rear garden, the extent of proposed hard surfacing, the position and appearance of the refuse store. Whilst these would normally be material factors to be taken into account, the rear garden area is not a public space and thus would have minimal visual presence within the context of the distinctive character of the conservation area. Subject to adherence with normal planning policy therefore, these aspects are considered to remain acceptable. The refuse store however, does have a significant presence within the street scene given its position on the Derwent Road frontage. Revised details for this have therefore been secured to improve its appearance through a redesign, increased use of brick, an amended door position and increased landscaping.

## 7.0 **Conclusion:**

- 7.1 Accordingly, in the light of the above, it is considered that the proposed external alterations to the approved development are acceptable for the following reason:
- 1 The proposed amendments to the elevations of the 2007 planning permission (ref: TP/07/1560) due to the design, architectural features and materials, would result in the construction of a replacement building having an acceptable form and appearance which would make a positive contribution to the character and local distinctiveness of the historic environment having regard to Policies (I)C1 and (II)C26

of the Unitary Development Plan, Core Policy 31 of the Local Development Framework as well as the Character Appraisal for The Lakes Conservation Area.

## 8.0 Recommendation

8.1. That planning permission for be granted subject to the following conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Drg Nos 794A/PL/05 - /06 - /07 - /08 - /09 - /10 - /15 - /16 - /17 - /18 - /19 - /20 - /21

Reason: in the interests of the appearance and character of The Lakes Conservation Area and to ensure the development makes a positive contribution to the character and local distinctiveness of the historic environment

2. The development shall not commence until details of the external finishing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: To ensure a satisfactory external appearance.

3. For the duration of the construction period all trees and shrubs shown on the approved plans and application as being retained shall be protected by fencing a minimum height of 1.2 metres at a minimum distance of 5 metres from the existing planting. No building activity shall take place within the protected area. Any tree or shrub which dies or is damaged during the construction period shall be replaced.

Reason: To protect existing planting during construction.

4. During the construction period of the approved development an area shall be maintained within the site for the loading/unloading, parking and turning of delivery, service and construction vehicles.

Reason: To prevent obstruction on the adjoining highways and to safeguard the amenities of surrounding occupiers.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any amending Order, no external windows or doors other than those indicated on the approved drawings shall be installed in the development hereby approved without the approval in writing of the Local Planning Authority.

Reason: To safeguard the privacy of the occupiers of adjoining properties.

6. The development covered by this permission must be commenced prior to the expiration of the original 2007 permission 26th October 2010.

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 NOTES:  
 All dimensions to be checked on site, not scaled from this drawing.  
 Any discrepancies on this drawing with other contract documents to be reported immediately to the Contract Administrator for clarification



PROPOSED ALDERMANS HILL / SOUTH ELEVATION

rev. date by comment

CURL - LA TOURELLE - ARCHITECTS  
 80 LAMBLE STREET LONDON NW5 4AB  
 TEL 020 7267 0055 FAX 020 7204 0060  
 www.curlarchitects.co.uk mail@curlarchitects.co.uk  
 Client  
 BALLATER LTD.

Job  
 Proposed residential development.  
 110-112 ALDERMANS HILL  
 LONDON N13 4PT

Drawing Title  
 PROPOSED SOUTH ELEVATION  
 ALDERMANS HILL

Scale 1:100 @ A3

Date	Drawn	Issued	Checked
25.08.2010	MW		

Dwg. No.	Rev.
794A PL 07	-

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 NOTES  
 All dimensions to be checked on site, not scaled from this drawing  
 Any discrepancies on this drawing, on any contract document, to be reported immediately to the Council Administrator for clarification



PROPOSED ALDERMANS HILL / SOUTH ELEVATION



PROPOSED DERWENT ROAD / EAST ELEVATION



PROPOSED REAR / NORTH ELEVATION



PROPOSED WEST ELEVATION ADJACENT TO NO 114

CURL - LA TOURELLE - ARCHITECTS  
 80 LAMBLE STREET LONDON NW4 4AB  
 TEL 020 7267 0055 FAX 020 7264 0850  
 www.la-tourelle.co.uk email@la-tourelle.co.uk

Client  
 BALLATER LTD

Job  
 RESIDENTIAL DEVELOPMENT AT  
 110-112 ALDERMANS HILL  
 LONDON N12 4PT

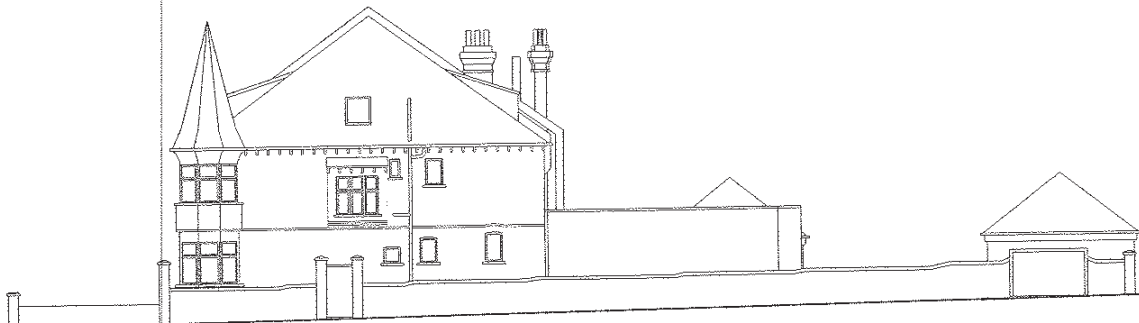
Drawing Title  
 PROPOSED ELEVATIONS

Scale 1:200 @ A3  
 Date 25.08.2010 Drawn MW Issued Checked

Drw. No	Rev.
794A PL 06	-



SOUTH ELEVATION (ALDERMANS HILL)



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION

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NOTES  
 All dimensions to be checked on site, not scaled from the drawing.  
 Any discrepancies on this drawing with other contract documents to be reported immediately to the Contract Administrator for resolution.

25/08/2010

ref	date	by	approved	photo

CURL - LA TOURELLE - ARCHITECTS  
 80 LAMBLE STREET LONDON NW8 4AB  
 TEL: 020 7267 0955 FAX: 020 7264 0860  
[www.curlarchitects.co.uk](http://www.curlarchitects.co.uk) [info@curlarchitects.co.uk](mailto:info@curlarchitects.co.uk)

Client  
 BALLATER

Job  
 RESIDENTIAL DEVELOPMENT  
 110 - 112 ALDERMANS HILL  
 LONDON N13 4PT

Drawing Title  
 EXISTING ELEVATIONS

Scale	1:200 @ A3
Date	25.08.2010
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**A guide to procedures and protocol for Councillors and Officers involved in making decisions on planning applications and other planning matters**

**September 2010**

**London Borough of Enfield**

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- 6. HOSPITALITY**
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## CODE OF PRACTICE : PROBITY IN PLANNING

### 1. EXECUTIVE SUMMARY

1.1 This guidance report gives an overview of probity issues in planning, including Members of the Planning Committee training and gives information on the approved Code of Practice.

1.2 A brief summary of the recommended approach that should be taken by planning committee members as well as key issues to avoid is listed below. These are covered in greater detail within the body of this guide.

- **Do** listen to all deputations and officer presentations before coming to a decision.
- **Do not** make statements that can be perceived as predetermining any applications
  
- **Do** treat all applicants the same irrespective of race, gender, disability, nationality, religion, age, sexual orientation, family status or any other irrelevant factor.
- **Do not** do anything which may cause the Council to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006)
  
- **Do** deal with all applications in an impartial way and refrain from putting pressure on officers to change recommendations.
- **Do not** do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council.
  
- **Do** give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Council.
- **Do not** resolve to overturn recommendations of officers without first discussing and confirming planning reasons to do so.
  
- **Do** disclose at the planning committee prior to any discussion the existence and nature of any personal or prejudicial interest at the commencement of that consideration, or when the interest becomes apparent.
- **Do not** fail to disclose and personal or prejudicial interest. If there is any doubt please consult the Assistant Director of Corporate Governance or the Legal Advisor to the committee.
  
- **Do** consider each matter on its individual merits and should not give the impression that they individually or as a political group have already come to their decision before all the material considerations have been taken into account.
- **Do not** block vote on political grounds.

- **Do** ensure that at a Site Inspection Panel, questions and answers should be given in the hearing of all members in attendance. Members must not talk individually with applicants, objectors or others in the course of a site visit.
- **Do not** talk individually with applicants, objectors or others in the course of a site visit.
- **Do** reject any offers or gifts, hospitality or future favours made personally or to the Committee or Council generally. Where approaches are made details should be forwarded to the Assistant Director of Corporate Governance in writing. Any offers of hospitality shall be recorded and sent to the Monitoring Officer (Assistant Director of Corporate Governance).

## 2. **BACKGROUND AND BASIC PRINCIPLES**

- 2.1 This Code of Practice has been produced to provide on the Council's planning functions. It is produced principally for the benefit of Councillors, especially those on the Planning Committee and Officers dealing with planning related matters and has regard to current advice and examples of good practice.
- 2.2 Probity in planning has been the subject of some scrutiny by central government in recent years. This code aims to assist Members of the Planning Committee and those Officers who service Planning Committee to make well informed and consistent decisions in light of the Council's Development Plans and the government guidance<sup>1</sup>.

## 3. **CODE OF PRACTICE**

- 3.1. It is recommended that each local authority should have its own local code of conduct dealing with the issues set out in the guidance<sup>2</sup>. In response to that recommendation the Planning Committee considered a briefing report on Probity in Planning in July 2009. Issues were raised by Members about the content and recommendations contained within the report. This guidance document sets out the protocol for Members of the Council and Members of the Planning Committee in respect of site visits, responding to lobbying and engaging in pre-application discussions. The Local Government Association Code sets standards for and aims to improve public confidence in the planning system but also provides a mechanism for protecting the Council and its Members who act within it. Details of the main elements of the Local Government Association Code appear at Appendix A to this report.

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<sup>1</sup> Nolan Report 'Standard of Conduct in Local Government' and the Local Government Association Paper 'Probity in Planning'

<sup>2</sup> 'Probity in Planning' Local Government Association

3.2. Planning law requires Members of Local Planning Authorities to determine all planning applications in accordance with the Statutory Development Plan unless material planning considerations indicate otherwise. This responsibility must be performed without undue influence or personal interest. Members of Local Planning Authorities also have a duty to take into account all representations made to the Planning Committee including those received as a result of consultation with interested bodies, or as a result of public notice or neighbour notifications. In doing so it is necessary to decide which representations are material to the decision to be made, and, if so, what weight to attach to them. A conclusion should not be reached until all the facts have been presented in the report and considered at Committee.

#### 4. **ROLE OF ALL PLANNING COMMITTEE MEMBERS TRAINING**

4.1 The London Borough of Enfield is required by its constitution to provide training to all Members of the Planning Committee within one month of their appointment to the Planning Committee to enable them to sit on the Planning Committee. The Government endorses this approach and has suggested a syllabus for this training which can be seen at Appendix C. The Development Management section endeavours to make additional training available for Members of the Planning Committee on a variety of topics of relevance usually as bimonthly briefings carried out by officers.

4.2 The planning system relies on Planning Committee Members and Officers acting in a way that is fair, and is clearly seen to be so. Planning decisions must be taken openly, fairly, with sound judgement and for justifiable reasons.

4.3 Councillors have two roles in the planning system:

- they make decisions about planning applications, and
- they act as representatives of public opinion in their communities and convey and defend decisions of the Authority to their constituents.

4.4 Planning Officers responsible for the preparation of written reports and for advising Members at the Committee meetings will be qualified to an appropriate level in Town Planning. Whether or not they are members of the Royal Town Planning Institute (RTPI), they will be required to undertake continued professional development to a level required by the RTPI.

4.5 Training for Members of the Planning Committee takes various forms, including an intensive introductory training session, officer briefings, written notes, updates and guidance on new and emerging policy,

legislation and other planning issues. A record will be kept of all Members' training and attendance.

- 4.6 The advantages of these training and briefing sessions are that Members do not have to travel far to receive the training, it can be tailored to the particular issues faced by the Authority, it is relatively cheap and can be laid on at times to suit particular Members. However, internal training may be combined with external training so that Councillors gain a wider perspective and see how the same issue is tackled by other Authorities. A record will be kept by the Head of Development Management of the training undertaken by each Member.
- 4.7 The Head of Development Management will give newly elected Councillors a copy of this guidance along with the Planning Handbook.
- 4.8 The delivery of the Development Management Service will be monitored and reports on performance will be made to the Planning Committee at 6 monthly intervals. The Development Management protocols will be reviewed on an annual basis.

## **5. PRE-COMMITTEE MEETINGS**

- 5.1 Pre-application meetings between potential applicants and Planning Officers are encouraged by the Council, and can be of considerable benefit to both parties. There is a well established and successful pre-application advice service already in operation.
- 5.2 It should always be made clear at the outset that discussions will not bind the Council to making a particular decision.
- 5.3 Any Member of the Planning Committee receiving a request to attend or organise a meeting to discuss a proposal must refer the request as soon as possible to the Head of Development Management. This is to ensure that Officers can also be present at the meeting and that all parties are given an equal opportunity to present their point of view. Members will decline to attend meetings which are to be conducted other than in accordance with details as outlined in Appendix D. Conducting these pre-application meetings in accordance with Appendix D will protect the Member and the Council against adverse perceptions.
- 5.4 Where an applicant or any other interested party requests a meeting with any Member of the Planning Committee to discuss a proposal in advance of its determination by the Committee the following general principles shall be observed.

- (i) The meeting shall take place at the Council offices and shall be arranged through the Planning & Environmental Protection Division.
- (ii) Officers will also attend the meeting and no meeting shall occur without the presence throughout of officers.
- (iii) A written record will be made of what was discussed at the meeting and those present will be advised of this. It may then form part of the discussion when considering the various issues.
- (iv) All such meetings will be conducted on the strict understanding that any view or opinion expressed by Officers, the Chairman, Vice Chairman and any other Member present, is not binding on the Council and any formal decision can only be made by the Committee once it is in possession of all the material considerations. This must be expressly stated at the start of the meeting.

5.5 Where a Member receives any written representations these should be passed on to the Head of Development Management and the Committee Administrator within 48 hours of receipt in order that it may be brought to the attention of the Committee. Members should minimise their social contacts with developers and agents and refrain altogether from such social contact when the Member concerned is likely to be involved in deciding a particular matter in which the developer or agent has an interest.

5.6 The above advice is directed towards Members of the Planning Committee rather than other Members.

## 6. **HOSPITALITY**

6.1 Because of the interests involved, the acceptance of gifts and hospitality from developers or objectors is likely to lead to allegations of impropriety. Members and Officers should reject any offers or gifts, hospitality or future favours made personally or to the Committee or Council generally. Great care must be exercised.

6.2 Where approaches are made details should be forwarded to the Assistant Director of Corporate Governance in writing. Any offers of hospitality shall be recorded and sent to the Monitoring Officer and Assistant Director of Corporate Governance.

## 7. **LOBBYING**

7.1 Although lobbying is an acceptable and normal part of the political process, it can lead to questions about whether a Councillor is being honest and impartial.

7.2 Members of the Planning Committee may respond to lobbying and engage in pre-application discussions at their discretion as long as the procedures in Appendix D are complied with but must expressing views in advance of the consideration of all material factors of a case at Committee.

7.3 A copy of the code is contained in Appendix D (See also paragraph 5.3 – Pre Committee Meetings). Failure to adhere to these guidance notes may give rise to the perception of a prejudicial or personal interest which may limit Members participation at planning committee. Advice can be sought from the legal section.

## 8. **SITE VISITS**

8.1 Members of the Planning Committee should only request a site visit where the impact or effect of the proposed development is difficult to visualise from the plans, photographs and other documents available to the Committee or where there is some physical aspect of the proposal which cannot be adequately addressed in Committee without a site visit. Site visits help Members of the Planning Committee to learn more about an application before they make their decision. Committee site visits shall be undertaken in appropriate cases with an Officer always in attendance. The purpose of Committee site visits shall principally be to view and obtain information about the site and its surroundings. This will help Members of the Planning Committee to understand comments made by the applicant and objectors. If there is third party/applicant attendance Members of the Planning Committee may hear representations but should not give comment or enter into discussion. A record of the site visit and findings shall be kept, noted in the subsequent Committee report and listed on a background paper.

8.2 Appendix E sets out guidance on how site visits shall be conducted. Ward Councillors may attend the Site Visit but must adhere to the guidance set out in Appendix E.

8.3 The deferral of an application for a site visit shall be to aid the consideration of the matters before the Committee. This should be reasonable and the reason for deferral should be fully minuted.

## 9. **PLANNING COMMITTEE : TAKING THE DECISION – OFFICER REPORTS AND RECOMMENDATIONS TO COMMITTEE**

9.1 An Officer of the Council will provide to the Planning Committee a report setting out the relative merit or otherwise of a particular proposed development and will make a recommendation. This is based on their expert professional opinion. Members should not in any way



attempt to influence the contents or recommendation of an Officer's report to Committee.

- 9.2 Reports prepared for the Committee form the basis on which Members' decisions are made. They may be subject to close scrutiny by the Planning Inspectorate, the Ombudsman or the High Court and will need to be explained and justified by the preparing officer. The report should be clear and accurate and include an exposition of the Development Plan, Site and Relevant History, the substance of objections and the views of consultees and all material considerations. The report should contain a technical appraisal, which justifies the recommendation. The decision maker should be able to reach a proper conclusion from the report alone.
- 9.3 Verbal updating at Committee is acceptable but a written note of any changes to the recommendation should be circulated where possible.
- 9.4 The Planning Committee may receive, at the discretion of the Chair, in person deputations in relation to a proposed development.
- 9.5 Any report recommending a departure from the Development Plan must be clearly marked as such and must give full and clear justification for such departure.
- 9.6 Members of the Planning Committee will consider the Officer's report, any updates to the Officer's report and deputations made to the Committee. Members may disagree with the Officers recommendation. When a motion is put which is contrary to the Officer's recommendation, the proposer must state clearly the planning justification in support of the proposition and, as appropriate, the reasons for approval, refusal, or the imposition of any condition. The final formal wording of such reasons or conditions can be delegated to the Assistant Director of Planning & Environmental Protection and shall appear in the official minutes of the meeting.

## 10. **COMMITTEE PROCEDURES**

- 10.1 Planning applications shall be determined in accordance with the approved scheme of delegation.
- 10.2 The Agenda for Planning Committee shall be made available to the public at least 5 clear working days prior to the date of the Committee as required by Section 100B of the Local Government Act 1972 (as amended by the Local Government (Access to Information) Act 1985).
- 10.3 The Agenda for Planning Committee shall include a list of:

- All applications to be determined by the Committee with a recommendation from the Assistant Director of Planning and Environmental Protection.
  - All delegated decisions since the previous Committee
  - All Appeals and decisions received.
- 10.4 The Planning Committee shall operate in accordance with the procedures outlined at Appendix F which will be produced in full on each agenda.
- 10.5 If any application is deferred for determination at a later Committee the reasons for this shall be stated before the vote is taken and this will be fully minuted. If an application is deferred at the request of a Member of the Committee, this shall be proposed and seconded. This will include those deferred for site visits.
- 10.6 If the Committee decides to grant or refuse permission against the officer's recommendation they should give their reasons for doing so. This will then be recorded in the minutes and will have to be substantiated at any appeal or judicial proceedings.
- 10.7 If any Member wishes to refer an application to the planning committee they must follow the following steps:
- (i) The requests must be made in writing to the Assistant Director of Planning and Environmental Protection within 21 days of the circulation of details of the application (weekly list)
  - (ii) The Chairman of the Planning Committee has the discretionary power to agree or disagree with the call in request from any Member

## 11. **MONITORING OF DEVELOPMENT**

- 11.1 Periodic site visits will be conducted to enable Members of the Committee to monitor the quality of planning permissions granted. A briefing note will be prepared by the Assistant Director of Planning & Environmental Protection for each such visit. The purpose of this is to review overturned recommendations.

## 12. **COMMITTEE MEETINGS**

- 12.1 A Member of the Planning Committee who does not have significant personal or pecuniary interest can nevertheless have had contact with an interested party in the planning matter which is before the Committee to determine. That contact shall be disclosed to the Committee at that meeting and the Member should avoid pre-determining their position.

12.2 Members and Officers are required by law to have regard to all material considerations and to make a determination in accordance with the Development Plan unless material considerations indicate otherwise.

12.3 Members and Officers should only address their minds to planning considerations and shall disregard non-planning considerations when considering applications and other planning matters.

### 13. **DECLARATIONS OF INTEREST**

13.1 Members of the Planning Committee should consider each matter on its individual merits and should not give the impression that they individually or as a political group have already come to their decision before all the material considerations have been taken into account.

13.2 Whilst Members of the Planning Committee are free to discuss their opinion on planning matters at political group meetings, decisions shall not be made on how to vote on particular applications prior to the Committee meeting concerned.

13.3 The law and the National Code of Local Government Conduct set out requirements and guidance for Councillors, respectively, on declaring pecuniary and non-pecuniary interests and the consequences of having such interests. These must be followed scrupulously and Councillors should review their personal situation regularly. When doing so it must be borne in mind that the National Code advises that not only should impropriety be avoided but also any appearance, or grounds for suspicion, of improper conduct. The responsibility for this rests individually with each Councillor.

13.4 Where a Member of the Planning Committee has had any personal involvement with an applicant, agent or interested party which could leave an observer with the impression that the involvement could affect the Member's judgement in any matter coming before the Committee related to that applicant, agent or interested party, the Member concerned shall declare an interest. There are two types on interest: Personal and Prejudicial interests.

13.4.1 Personal interest: is one which affects the Councillor, the members of the Councillor's family or their close associates more than it would a member of the public. A personal interest should be declared in the matter and the Councillor may continue to consider the application at Planning Committee.

13.4.2 Prejudicial Interest: A personal interest may be a prejudicial interest if the item under discussion affects the Councillors financial interests or it relates to a licensing, planning or regulatory matter and a member of the public knowing all the relevant facts would think that the interest was so significant as to prejudice the Councillors judgement of the

item. A prejudicial interest should be declared at the outset of the meeting or when it becomes known. A Member with a prejudicial interest may speak at the Planning committee meeting but they should withdraw after they have spoken. This is to ensure they do not influence other Members of the committee

- 13.5 A Member of Planning committee who considers either that they have, or may be perceived to have, predetermined their position on a particular item should not take part in the consideration or determination of that matter. The Member should declare their predetermined position at the outset of the meeting. In the event that the Member wishes to address the committee on the application, then, at the discretion of the chairman they may do so. When the affected Member has finished speaking the Member should leave the room.
- 13.6 Members of the Planning Committee who are unsure as to whether to declare an interest, should ask the Assistant Director of Legal Services and/or the Assistant Director Corporate Governance for advice, although the Member must make the final decision.
- 13.7 Where appropriate, the Standards Committee may provide a dispensation by way of an exception in circumstances where Members of the Planning Committee declare an interest by virtue of a political membership.

#### 14. **DEVELOPMENT PROPOSALS SUBMITTED BY MEMBERS AND OFFICERS**

- 14.1 Where known, applications by any Member, any Senior Manager or Officer of Development Management Services or their spouses / partners must be dealt with by the Committee. This rule will apply regardless of whether the application is in line with policy, is not controversial, or falls within the scheme under delegated powers.
- 14.2 Members and Officers who have made applications which are before the Committee for consideration must declare their interests, and then leave the room whilst the application is being considered.

#### 15. **PLANNING OBLIGATIONS**

- 15.1 Where a planning obligation (usually known as a 106 Agreement) is required or offered in connection with any development proposals the Council may negotiate these agreements with developers for them to provide local community facilities if the Council agree to the development.

- 15.2 Officers will negotiate with developers and applicants in appropriate cases. Members of the Planning Committee may be involved in discussions. Reports to the Planning Committee must include a summary of the main points of the proposed agreement between the Council and developer.
- 15.3 Once a planning obligation has been completed it will be entered in a register maintained by the Council and be available for inspection by the public unless there is a need to respect confidential or commercially sensitive information.
- 15.4 Members of the Planning Committee receive regular reports on Section 106 contributions to scrutinise and monitor performance, delivery and outcomes.

## 16. **COMPLAINTS**

- 16.1 The Council has a system for reviewing and dealing with complaints. It operates a formal complaints procedure, details of which are available from any of the Council's reception offices at the Civic Centre, Silver Street, Enfield. In cases of maladministration, the Local Government Ombudsman may be contacted on PO Box 4771, Coventry, CV4 0EH or by emailing [advice@lgo.org.uk](mailto:advice@lgo.org.uk).

## 17. **PUBLIC ATTENDANCE AT COMMITTEE MEETINGS**

- 17.1 The Nolan Committee suggests that it is good practice to allow opportunities for applicants, objectors and interested parties to make presentation to the Planning Committee on the basis that this enhances public confidence and direct lobbying may be reduced.
- 17.2 The practice is set out in Appendix G should apply to everyone including residents, applicants, agents and developers. Separate arrangements exist for Members not appointed to the Planning Committee to address the Committee.

## 18. **PLANNING COMMITTEE**

- 18.1 The Planning Committee normally meets every fourth Tuesday at 7:30pm in the Civic Centre, Silver Street, Enfield to consider all planning applications that have not been determined under delegated powers. A copy of the scheme of delegation is available from the Environment Direct reception in the B Block reception of the Civic Centre.

- 18.2 The agenda for the Planning Committee is prepared so that it is available for public inspection at least 5 full days in advance of the Committee.
- 18.3 The Planning Committee would normally make one of the following decisions on applications placed before them:
- approval of the proposal with or without conditions or the requirements to enter into Section 106 Agreements;
  - refusal of the proposal;
  - referral to the Mayor of London with a recommendation to approve;
  - deferral for a Site Visit;
  - deferral for further specific negotiations between the applicant and the Council;
  - deferral for specific additional information.
- 18.4 Public speaking is intended to aid Members to make an informed decision and to ensure that the Council's procedures accord with Human Rights Legislation and the principles of Best Value.
- 18.5 Following any deputations and a general discussion on the merits of the application the formal decision making process is as follows:
- 18.6 The first motion is to :-
- (a) to accept the Officers recommendation, and
  - (b) to grant planning permission
- 18.7 If Members vote not to accept the officer recommendation then a second motion is made to
- (a) to reject the officers recommendation
- 18.8 Following this there would be a further discussion of the reasons and a further motion is made to either:-
- (i) grant permission with different reasons
  - (ii) refuse permission with reasons
  - (iii) defer for a site inspection panel
  - (iv) defer the application to request further information
  - (v) defer for officers to draft robust reasons
- 18.9 Members need to make their vote clear by raising their hands up and the votes will be counted



## **Appendix A**

### **Code of Practice for Members and Officers – Main Elements**

It is recommended that the following statements form the basis of this Code of Practice.

- (i) Members shall at all times act in accordance with the current statutory and/or national and local code/s of Local Government conduct.
- (ii) The successful operation of the planning system relies on ensuring that Officers and Members act in a way which is not only fair but is clearly seen to be so. Members have a particular duty to represent their constituents, but also an overriding duty to the wider community. They should act in the interests of the general public in relation to planning matters. However, there is no reason why a local Member should not participate in the decision making process for a particular planning application, provided they abide by this code.
- (iii) The role of the Planning Officer is to advise and assist Members in matters of planning policy and their determination of planning application by providing impartial, professional advice. They will ensure that all the necessary information for a decision to be made is provided together with a clear and accurate analysis of the issues including setting the application against the Development Plan policies and all other material considerations. All reports to Members will contain a clear recommendation.
- (iv) The Council endorses the Royal Town Planning Institute (RTPI) Code of Conduct, (Appendix B), and in particular that RTPI members shall not make or subscribe to any statements or reports which are contrary to their own professional opinions. All officers in the Authority advising on planning matters are expected to act in accordance with the RTPI Code of Conduct whether or not they are RTPI members. Members of the Council should respect these professional responsibilities at all times.



## **Appendix B**

### **The Royal Town Planning Institute Code of Professional Conduct**

The Chartered Object of the Royal Town Planning Institute is to advance the science and art of town planning for the benefit of the public. It is the purpose of this Code to ensure that in all their professional activities members of the Royal Town Planning Institute:

- (a) shall act with complete competence, honesty and integrity;
- (b) shall fearlessly and impartially exercise their independent professional judgement to the best of their skills and understanding;
- (c) shall discharge their duty to their employers, clients, colleagues and others with due care and diligence in accordance with the provisions of this Code;
- (d) shall not discriminate on the grounds of race, sex, creed, religion, disability or age and shall seek to eliminate such discrimination by others and to promote equality of opportunity;
- (e) shall not bring the profession or the Royal Town Planning Institute into disrepute.

To this end the Council has drawn up the undermentioned numbered clauses which spell out in more detail the requirements of this Code. These requirements shall apply notwithstanding any permission or agreement to the contrary by or with the client or body employing or consulting any member. In this Code the word "member" means every corporate member, non-corporate member, honorary member and students of the Institute. Words purporting the singular number include the plural and vice versa.

- (i) Members shall take all reasonable steps to maintain their professional competence throughout their working lives and shall comply with the Council's continuing professional development regulations as amended from time to time.
- (ii) Members who, as employers or managers, have responsibility for other members shall take all reasonable steps to encourage and support such other members in the maintenance of professional competence and in compliance with the Council's continuing professional development regulations.
- (iii) In their professional activities members shall not discriminate on the grounds of race, sex, creed, religion, disability or age and shall seek to eliminate such discrimination by others and to promote equality of opportunity.
- (iv) Members shall not make or subscribe to any statements or reports which are contrary to their own bona fide professional opinions and shall not knowingly enter into any contract or agreement which requires them to do so.

- (v) Members shall take all reasonable precautions to ensure that no conflict of duty arises between the interests of one employer or client and another, or between the interest of any employer or client and the interests of themselves or their firms or business associates. Any such conflict shall be immediately reported and subsequently confirmed in writing to all parties concerned.
- (vi) Members shall not disclose or use to the advantage of themselves, their clients' information acquired in confidence in the course of their work.
- (vii) Members shall disclose to their employers or clients any discounts, gifts or commissions received from any third parties in connection with their work as professional planners.
- (viii) Before commencing work on any commission members shall ensure that their terms of engagement have been given and confirmed in writing to their clients and shall satisfy themselves that these terms have been accepted.
- (ix) Members shall notify their clients in writing before undertaking work or incurring fees or expenses additional to those previously agreed and shall satisfy themselves that the necessary instructions have been received.
- (x) When accepting instructions from private individuals members shall ensure that the services offered are appropriate to the individual's requirements.
- (xi) The Council may from time to time publish supplementary regulations relating to such matters as continuing professional development, planning aid, professional indemnity insurance, professional designations or direct professional access to the Bar, and members shall comply with any such regulations.
- (xii) Members with responsibility for the work of a company or of a practice or partnership or of a local planning authority or of any central government department or agency or of any other organisation or body any of which is engaged in town planning work, or for the work of any department, section or team within any such organisation or body, shall take all reasonable steps to ensure that all town planning matters in the organisation or body, or within that part of the organisation or body for which they have responsibility, are conducted in accordance with this Code, whoever undertakes such work.
- (xiii) Members practising outside the United Kingdom and Ireland shall order their professional conduct in such a way as to uphold the status and integrity of the Royal Town Planning Institute and the profession of town planning.

## **Appendix C**

### **External Planning Advisory Service Training Modules**

The Planning Advisory Service provide online guidance and advice on their website [www.pas.gov.uk](http://www.pas.gov.uk) . Members are encouraged to view these guidance and briefing notes as a valuable reference in addition to the in house officer training and briefings. The most relevant area pertains to Development Management and this module includes sections on

- The culture of development management
- Pre application advice
- Resourcing implications
- Councillor Involvement in Development Management

## **Appendix D Lobbying and Members**

Elected Members, when approached by an individual or group in respect of either a current or proposed application should:

- Listen to and note the facts and opinions expressed;
- Advise the lobbyists to submit these views in writing to the Assistant Director of Planning & Environmental Protection;
- Explain the decision making process of the Council;
- Avoid giving, or appearing to give, any commitment as to the likely outcome of the proposal;
- Make it clear that any opinion given is personal and not the position of the Assistant Director of Planning & Environmental Protection;
- Pass on information of any such discussions to the Assistant Director of Planning & Environmental Protection;
- Declare any contact under these circumstances at the relevant Committee before any vote is taken.

Elected Members may be requested to meet with prospective applicants or other interested parties. Such meetings should not be common practice. However, when such meetings are held Members of the Planning Committee should:

- Advise the Head of Development Management of the intention to hold such a meeting:
- Discuss the need for an officer to attend:
- Ensure that an accurate record of the meeting is provided in writing to the Assistant Director of Planning & Environmental Protection to include within the application file:
- In accordance with the National Code of Conduct, Members should avoid placing themselves in a position that could lead the public to thinking they are seeking preferential treatment for themselves, for relatives or friends or any firm or body with which they are personally connected.

**Appendix E**  
**Code Of Conduct**  
**Planning Committee Site Visits**

- 1 All site visits to be undertaken by the Planning Committee will be determined by the Chair of the Committee prior to the finalisation of the agenda for any particular meeting. A site visit will be used only when a proposal is contentious or particularly complicated and when in the Committee's view the expected benefit in assisting the Committee to determine the application is substantial. The nature of that expected benefit shall be minuted as the reason for the decision to make a site visit.
- 2 A site visit will normally take place immediately preceding the next Committee meeting following the decision to make the visit and should be arranged by the planning case officer.
- 3 The applicant, the occupiers and the owners of private land to which access is desirable to consider the application shall be notified in writing and prior agreement shall be obtained if possible. The written notice shall make it clear that at the site visit only factual information or answers relating to the recorded matters which have caused the visit to be made may be given. No lobbying will be permitted.
- 4 Members must not talk individually with applicants, objectors or others in the course of a site visit. So far as practicable, information, question and answers should be given in the hearing of all members in attendance. The ward councillors will also be notified of and able to attend site visits.
- 5 A note shall be made of members attending site visits.
- 6 The Committee will arrive on time at the site.
- 7 Site visits do not commence until the Chair or his nominated substitute and the authorised officer of the Council has arrived on site.
- 8 The Chairman of the Committee will introduce the participants and explain the purpose of the inspection making it clear that the panel is not authorised to make a decision on the application.
- 9 The authorised Case Officer will set out the main issues relating to the application, i.e. what the application involves, relevant planning policies, the main grounds of objection and relevant responses from consultees.
- 10 There will be an opportunity for Members of the Committee to ask questions to the officer.

- 11 The site meeting will be conducted with all those attending remaining together as a single group throughout. No lobbying will be permitted.
- 12 Documents, letters, or positions concerning the planning issues or the site visit from any party will not normally be accepted at any site visit.
- 13 The Chair will terminate the meeting and the Committee will depart.

## **Appendix F**

All applications reported to Committee have been considered and determined in accordance with principles set out in:-

### **The Human Rights Act; Section 17 of the Crime and Disorder Act; The report on the Lawrence Inquiry.**

- 1 Full written reports are included for consideration by the Committee. Planning officers will make further comments or representations to the Committee where he feels this will add to the consideration of matters by Committee. All items will be considered in the order on the printed agenda unless the Chairman is made aware of a large public presence in respect of a particular item when, with the Committee's agreement, the order may be changed.
- 2 Other than Members of the Committee, other Councillors, with the prior agreement of the Chairman, officers of the Council and those registered to make deputations, no one else will be allowed to address the Committee. The Committee will determine applications in accordance with the recommendation of the Assistant Director of Planning & Environmental Protection unless they consider material considerations override this recommendation. In order that the process is fair and transparent the Chairman shall carry out the following steps:
  - (i) Invite Members of the Planning Committee to vote on the recommendation outlined in the report
  - (ii) If Members of the Planning Committee vote not to agree with the officer recommendation then Members need to make one of the following decisions
    - (a) Encourage the formation of tentative reasons for approval or refusal by discussing a predisposition with planning officers
    - (b) Writing down the reasons as part of a mover's motion;
    - (c) If a very strong objection from officers on validity of reasons, Members should consider deferring the matter to another meeting to have the putative reasons tested and discussed
    - (d) If no strong objection the Chair may invite a Member vote on any of the following outcomes
      - (i) overturn the recommendation
      - (ii) defer the application for putative reasons to be tested and discussed among officers
      - (iii) defer the application for a site visit
      - (iv) defer the application for further negotiations to address the committee's specific concerns
      - (v) defer the application for further information to be submitted to address the committee's specific concerns

- 3 If the planning committee makes a decision contrary to the officers' recommendation (whether for approval or refusal), a detailed minute of the committee's reasons should be made and a copy placed on the application file. Thus, members should be prepared to explain *in full* their reasons for not agreeing with the officer's recommendation. The officer should also be given an opportunity to explain the implications of the contrary decision.
- 4 After each application has been considered the Chairman will state the outcome of the application.



## **Appendix G Procedures for Public Speaking**

1. Public speaking will only be permitted where the applicants, objectors, developers or agents' comments have previously been submitted in writing and the procedure for registering to speak has been complied with. Details of current procedure can be obtained from Democratic Services.
2. The Assistant Director of Corporate Governance must be notified by Midday on the day before the Committee meeting. This can be in writing or by e-mail or by telephone. Details including the name, address, and day-time contact number must be left.
3. At the discretion of the Chairman objectors have a total of five minutes, or this time can be split amongst objectors for two or more objectors, to address Committee. If other people have requested to speak on an item details will be provided and then it will be decided on how their views are presented. Any deviation on this would be at the discretion of the Chair of Planning Committee.
4. Public speaking will be permitted whenever the application is considered by the Planning Committee, i.e. if the application is deferred a further address to Committee will be permitted in certain circumstances i.e if the application was deferred for additional information. Normally no further deputations will be heard if the application had previously been deferred for a Site Inspection Panel.
5. Those people addressing Committee will be advised when they have 30 seconds of their allotted five minutes remaining and will be expected to cease talking immediately on being advised that the five minutes is up.
6. Ward Councillors are also afforded 5 minutes to make a deputation.
7. Those people who have advised the Assistant Director of Corporate Governance of their desire to address Committee are requested to identify themselves to the Committee Clerk 15 minutes before Committee commences. This will enable the order of the discussion of items on the agenda to be varied at the Chairman's discretion if it is appropriate.
8. The discussion on applications will be in the following order:
  - (i) Chair of Planning to announce the application
  - (ii) Planning officers will present the item
  - (iii) Objector to address Committee
  - (iv) Ward Members (not on Planning Committee) to address Committee
  - (v) Applicant/agent to address Committee

- (vi) Planning officers or if appropriate other Council officers to respond to any issues raised
- (vii) Members questions and debate
- (viii) Planning officers or if appropriate other Council officers to respond to any issues raised
- (ix) Proposition
- (x) Vote
- (xi) In addressing the Committee applicants, agents, supporters and objectors are requested to restrict their comments to issues which are material planning considerations. Advice on what constitutes a material consideration may be obtained from the Development Management Service.

TOWN PLANNING APPEALS

**Appeal Information for Period: 18/08/2010 to 08/09/2010**

Section 1: New Town Planning Application Appeals

Section 2: Decisions on Town Planning Application Appeals

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Page 113  
SECTION 1  
NEW TOWN PLANNING APPLICATION APPEALS

Application No.: TP/09/1555                      Ward:Southgate

Appeal Type: Written Evidence

Appeal Received date: 31-Aug-2010

Location: 71, CHASE SIDE, LONDON, N14 5BU

Proposal: Change of use of ground floor to a Cafe (Class A3).

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Application No.: TP/09/1848                      Ward:Turkey Street

Appeal Type: Written Evidence

Appeal Received date: 18-Aug-2010

Location: 19, NORTHUMBERLAND AVENUE, ENFIELD, EN1 4HF

Proposal: Subdivision of site and erection of a detached 2-storey 3-bed single family dwelling with rooms in roof.

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Application No.: TP/10/0050                      Ward:Town

Appeal Type: Written Evidence

Appeal Received date: 08-Sep-2010

Location: 4, ST. ANDREWS ROAD, ENFIELD, EN1 3UB

Proposal: Conversion of existing dwelling into two self contained flats (1 x 1-bed and 1 x 2-bed) together with a single storey rear extension.

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Application No.: TP/10/0555                      Ward:Southgate Green

Appeal Type: FASTTRACK

Appeal Received date: 26-Aug-2010

Location: 1, RIDGEMEAD CLOSE, LONDON, N14 6NW

Proposal: Side dormer.

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Application No.: TP/10/0569

Ward:Winchmore Hill

Appeal Type: FASTTRACK

Appeal Received date: 02-Sep-2010

Location: 40, STATION ROAD, LONDON, N21 3RA

Proposal: Demolition of existing garage and erection of a new garage.

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Application No.: TP/10/0791

Ward:Palmers Green

Appeal Type: Written Evidence

Appeal Received date: 19-Aug-2010

Location: Room 2, 3A, ALDERMANS HILL, LONDON, N13 4YD

Proposal: Change of use of first floor from office to minicab booking office.

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Application No.: TP/10/0819

Ward:Southgate Green

Appeal Type: Written Evidence

Appeal Received date: 25-Aug-2010

Location: 28, WILMER WAY, LONDON, N14 7JA

Proposal: Detached garage at rear and vehicular access to Ashridge Gardens.

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SECTION 2  
DECISIONS ON TOWN PLANNING APPLICATION APPEALS

Application No.: AD/09/0087

Ward:Southgate Green

(Delegated - 18-Dec-2009 - REFUSED)

Appeal Type: Written Evidence

Appeal Decision: Appeal allowed subject to condition(s)

Decision Date: 20-Aug-2010

Location: 44, CANNON HILL, LONDON, N14 6LH

Proposal: Installation of 1x externally illuminated fascia sign and 1 x internally illuminated projecting hanging sign.

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Application No.: TP/09/0616

Ward:Bowes

(Delegated - 24-Jun-2009 - REFUSED)

Appeal Type: Written Evidence

Appeal Decision: Appeal Dismissed

Decision Date: 01-Sep-2010

Location: 23, GREEN LANES, LONDON, N13 4TN

Proposal: Conversion of first floor into 2 self contained flats (1 x 1-bed and 1 x 2-bed) together with a first floor rear extension.

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Application No.: TP/09/0726

Ward:Lower Edmonton

(Delegated - 24-Jul-2009 - REFUSED)

Appeal Type: Written Evidence

Appeal Decision: Appeal Dismissed

Decision Date: 07-Sep-2010

Location: 324, NIGHTINGALE ROAD, LONDON, N9 8PP

Proposal: Conversion of single family dwelling into 2x2-bed self contained flats involving a single storey rear extension, hip-to-gable loft extension and rear dormer window.

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Application No.: TP/09/0870

Ward:Edmonton Green

(Delegated - 10-Aug-2009 - REFUSED)

Appeal Type: Written Evidence

Appeal Decision: Appeal Dismissed

Decision Date: 01-Sep-2010

Location: Land adjacent to 50, MONTAGU GARDENS, (AKA 52 Montagu Gardens),  
LONDON, N18 2EZ

Proposal: Conversion of single family dwelling house to 2 self-contained flats (1 x 1-bed, 1  
x 2-bed). (RETROSPECTIVE)

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Application No.: TP/09/1032

Ward:Lower Edmonton

(Delegated - 15-Sep-2009 - REFUSED)

Appeal Type: Written Evidence

Appeal Decision: Appeal Dismissed

Decision Date: 02-Sep-2010

Location: 206, HERTFORD ROAD, LONDON, N9 7HH

Proposal: Change of use from single family dwelling to office (A2).

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Application No.: TP/09/1189

Ward:Bowes

(Delegated - 02-Nov-2009 - REFUSED)

Appeal Type: Written Evidence

Appeal Decision: Appeal allowed subject to  
condition(s)

Decision Date: 19-Aug-2010

Location: 129, BOWES ROAD, LONDON, N13 4SB

Proposal: Conversion of first, second and third floor maisonette into 2 self contained flats  
(comprising of 1x1-bed and 1x2-bed flat), installation of new front entrance, and parking to  
rear.

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Application No.: TP/09/1224

Ward:Haselbury

(Delegated - 01-Oct-2009 - REFUSED)

Appeal Type: Written Evidence

Appeal Decision: Appeal Dismissed

Decision Date: 24-Aug-2010

Location: 10, LICHFIELD ROAD, LONDON, N9 9HD

Proposal: Conversion of single family dwelling into 2 self contained flats (comprising of 1x2-bed and 1x1-bed) and erection of a part single, part two storey 3-bed side extension with rear dormer to provide a separate end of terrace dwelling, including demolition of side garage and installation of window to front elevation at first floor level.

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Application No.: TP/09/1465

Ward:Southbury

(Delegated - 10-Dec-2009 - REFUSED)

Appeal Type: Written Evidence

Appeal Decision: Appeal Dismissed

Decision Date: 01-Sep-2010

Location: 134, PERCIVAL ROAD, ENFIELD, EN1 1QU

Proposal: Change of use from A2 (office) to A5 (Take-away) and alterations to shop front to provide separate access to 1st floor, and installation of extractor flue.

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Application No.: TP/09/1567

Ward:Bowes

(Delegated - 23-Dec-2009 - REFUSED)

Appeal Type: Written Evidence

Appeal Decision: Appeal Dismissed

Decision Date: 31-Aug-2010

Location: 154, PALMERSTON ROAD, LONDON, N22 8RB

Proposal: Conversion of single family dwelling into 3 self contained flats (comprising 2 x 1-bed and 1 x 2-bed) involving a single storey rear extension, rear dormer and external staircase with walkway at rear.

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Application No.: TP/09/1582

Ward:Lower Edmonton

(Delegated - 21-Dec-2009 - REFUSED)

Appeal Type: Written Evidence

Appeal Decision: Appeal Dismissed

Decision Date: 02-Sep-2010

Location: 206, HERTFORD ROAD, LONDON, N9 7HH

Proposal: Change of use from single family dwelling to office (A2).

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Application No.: TP/10/0149

Ward:Edmonton Green

(Delegated - 09-Apr-2010 - REFUSED)

Appeal Type: FASTTRACK

Appeal Decision: Appeal Dismissed

Decision Date: 02-Sep-2010

Location: 16, DUNHOLME GREEN, LONDON, N9 9LS

Proposal: Part single, part two storey rear extension.

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