

# Public Document Pack



## PLANNING COMMITTEE

Thursday, 4th September, 2014 at 7.30 pm  
Venue: Conference Room,  
The Civic Centre, Silver Street,  
Enfield, Middlesex, EN1 3XA

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## MEMBERS

Councillors : Toby Simon (Chair), Derek Levy (Vice-Chair), Abdul Abdullahi, Lee Chamberlain, Dogan Delman, Christiana During, Christine Hamilton, Ahmet Hasan, Suna Hurman, Andy Milne, Anne-Marie Pearce 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**  
**Please note that if the capacity of the room is reached, entry may not be permitted. Public seating will be available on a first come first served basis.**

**Involved parties may request to make a deputation to the Committee by contacting the committee administrator before 12:00 noon on 4/09/14**

## AGENDA – PART 1

### 1. WELCOME AND APOLOGIES FOR ABSENCE

### 2. DECLARATION OF INTERESTS

Members of the Planning Committee are invited to identify any disclosable pecuniary, other pecuniary or non pecuniary interests relevant to items on the agenda.

### 3. 14/02397/FUL - SLOEMANS FARM, WHITEWEBBS ROAD, EN2 9HW (Pages 1 - 34)

RECOMMENDATION: Refusal  
WARD: Chase

**4. P14-01298PLA - 30A NOBEL ROAD, N18 3BH (Pages 35 - 46)**

RECOMMENDATION: Condition number 5 be removed from application TP/08/0744/REN1 and conditions be re-imposed.

WARD: Edmonton Green

**5. 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)

## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 4<sup>th</sup> September 2014

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

**Contact Officer:**  
Andy Higham Tel: 020 8379 3848  
Sharon Davidson Tel: 020 8379  
3857  
Mr R. Singleton Tel: 020 8379 3837

**Ward:** Chase

**Application Number :** 14/02397/FUL

**Category:** Major Large Scale – All  
Other

**LOCATION:** SLOEMANS FARM, WHITEWEBBS ROAD

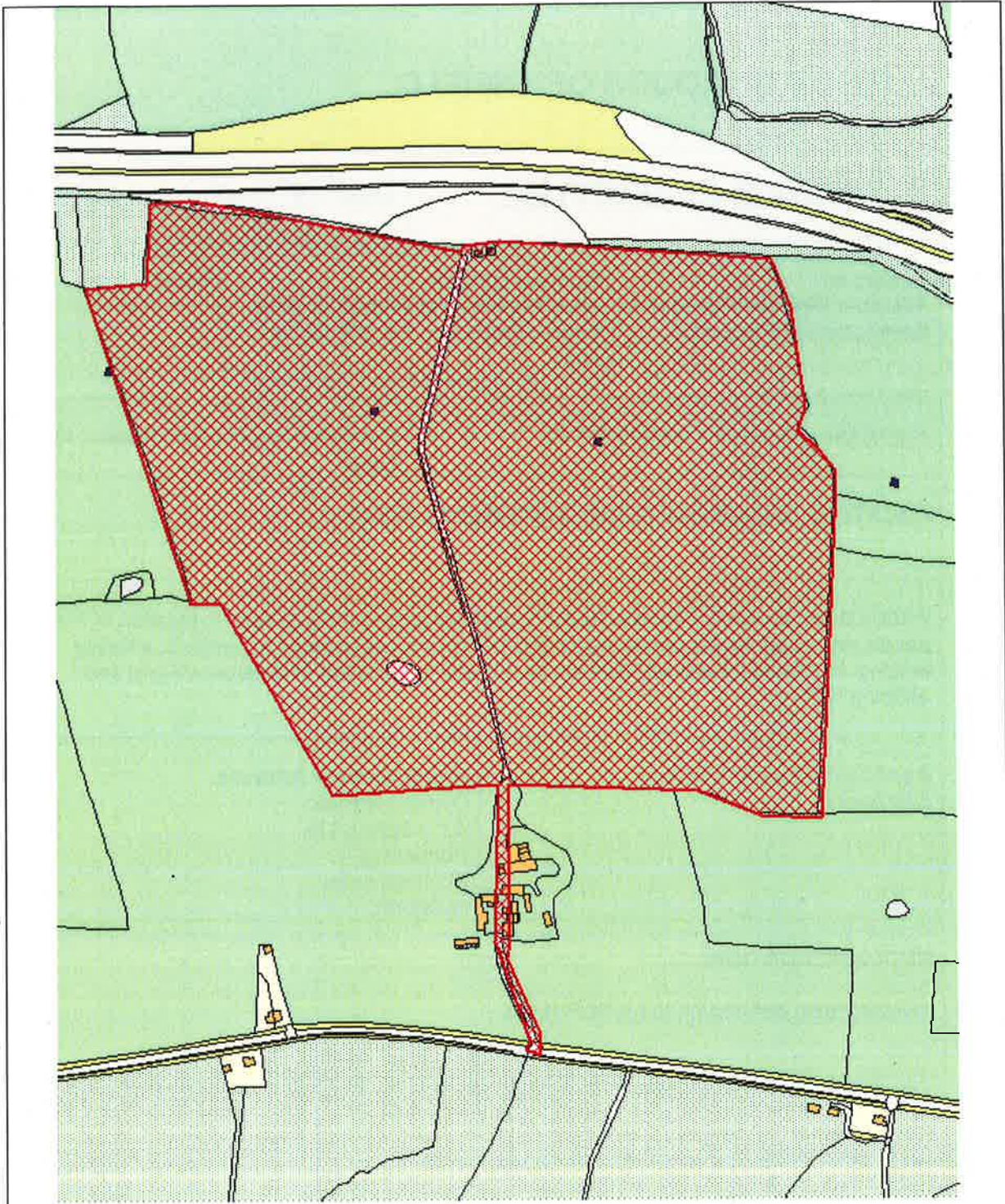
**PROPOSAL:** Construction of a 15.2MW capacity solar farm involving installation of PV panels and supports (approximate height 1.75m) with associated equipment, security fencing, landscaping and ancillary works on land to the north of Sloemans Farm and abutting M25.

**Applicant Name & Address:**  
C/O Agent

**Agent Name & Address:**  
Damian Hosker  
CS planning Ltd  
Ponderosa  
Scotland Lane  
Horsforth

**RECOMMENDATION:**

That planning permission to be **REFUSED**.



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Scale 1:1250



## **1. Site and Surroundings**

- 1.1 The subject site comprises 25ha of land forming part of a larger plot of farmland located to the north site of Whitewebbs Road. The site is bounded to the north by the M25 and to the east and west by arable farmland.
- 1.2 The topography of the site and surrounding area is such that the land undulates, rising to a dirt track located broadly to the centre of the site and falling away to the east and west. A topographical plan accompanies the application. As a result of the topography of the site and the surrounding area, the site is clearly discernible from a number of viewpoints.
- 1.3 High voltage electricity pylons punctuate the site from east to west with two pylons contained within the site demise.
- 1.4 The surrounding area is characterised by predominately large agricultural holdings with pockets of ancillary residential accommodation and farm buildings. In the wider surround, pockets of more intensive horticultural and residential uses exist.
- 1.5 The site is not within a Conservation Area nor are any of the properties within the wider site demise Listed Buildings.
- 1.6 The site is within the Green Belt, is a known area for Great Crested Newts and is within a Site of Importance for Nature Conservation (SINC) buffer zone.
- 1.7 The site is also designated as an area of archaeological interest.

## **2. Proposal**

- 2.1 The project proposes the construction of a 15.2MW capacity solar farm involving the installation of PV panels and supports with associated equipment, security fencing, landscaping and ancillary works on land to the north of Sloemans Farm and abutting the M25.
- 2.2 The scheme would result in the installation of south facing frame-mounted parallel rows of photovoltaic panels at a 25-degree tilt and interspersed with invertors / transformers. The photovoltaic panels will have a combined surface area of 10ha (albeit where the dimensions of an individual panel are 1m wide by 1.7m high) and when mounted on their frames would stand approximately 1.8m at their highest point from ground level with a 3.5m gap allowed between modules for access and servicing needs. Invertor housing would typically be 3.62m in height, 5m in length and would have an overall depth of 3m.
- 2.3 The site would be enclosed by a 2.2m high green weld mesh security fence bounded by a planted 3m high hedge. For additional security a series of pole-mounted CCTV installations with an approximate height of 4.5m located to a number of points along the perimeter of the development.

## **3. Relevant Planning Decisions**

- 3.1 P13-02928SOR – Proposed 15MW solar installation – Environmental Impact Assessment not required (28/10/13)

- 3.2 P13-01007PRE – Use of land as a solar farm and installation of a 2m high boundary fence and pole mounted CCTV – Pre-application advice given (07/08/14) with a stated objection in principle to the proposed development within Green Belt Land on the basis of unacceptable loss of openness and harm to visual amenity. Issues pertaining to the suitability of the site for arable production was also cited.

#### **4. Consultations**

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

###### Biodiversity Officer

- 4.1.1 A review of the accompanying ecological report highlighted the need to conduct further surveys for the following:

- Winter and breeding birds (including barn owls)
- Great Crested Newts
- Badgers
- Brown Hares
- Bats

- 4.1.2 There are various time constraints associated with such surveys and as such the developer would be unable to provide the supporting information. In this regard, the applicant has failed to provide the Council with sufficient information to determine the likely impact of the proposals on statutorily Protected Species. As such refusal of the scheme is recommended.

###### Traffic and Transportation:

- 4.1.4 Raise no objections.

###### Tree Officer:

- 4.1.6 Raises an objection on the basis of:

- The stated loss of several mature oak trees located to the east side of the central access road
- The impact of underground cabling (utilising a trenching method) upon root protection areas which would potentially be significantly damaging to the trees
- Inadequate screening

###### Thames water:

- 4.1.9 Raise no objections to the scheme subject to an informative.

###### Highways Agency:

- 4.1.10 Raise no objections.

###### National Grid:

- 4.1.11 Standing advice only.



Environment Agency:

4.1.12 No objections to the scheme.

Transport for London:

4.1.13 No objections to the scheme.

English Heritage:

4.1.14 Recommends no Archaeological requirement.

**4.2 Public response**

4.2.1 The application was referred to 46 surrounding properties and a site notice was posted in the site. Ten written representations were received objecting to the proposal on the following grounds:

- Loss of Green Belt Land
- Inappropriate development within the Green Belt
- Unacceptable impact upon biodiversity
- Loss of visual amenity
- Not enough information
- Industrial proposal not compatible with the designation or arable use of the land
- No direct / indirect benefit to local communities
- Adverse impact upon highway safety
- Increased glare
- Loss of privacy

4.2.2 A further one letter of support was received advocating the wider sustainability benefits of the scheme in decarbonising the grid and promoting large scale renewable energy sources to tackle climate change. The development is consistent with Enfield 2020 and would not unduly impact upon the Green Belt or result in the loss of arable land.

**5. Relevant Policy**

5.1 The National Planning Policy Framework (NPPF) published in March 2012 allowed Local Planning Authorities a 12 month transition period to prepare for the full implementation of the NPPF. Within this 12 month period Local Planning Authorities could give full weight to the saved Unitary Development Plan policies (UDP) and the Core Strategy, which was adopted prior to the NPPF. The 12 month period has now elapsed and as from 28th March 2013 the Council's saved UDP and Core Strategy policies will be given due weight in accordance to their degree of consistency with the NPPF.

5.2 The Development Management Document (DMD) policies have been prepared under the NPPF regime to be NPPF compliant. The Submission version DMD document was approved by Council on 27th March 2013 and is now under examination. An Inspector has been appointed on behalf of the Government to conduct the examination to determine whether the DMD is sound. The examination is a continuous process running from submission

through to receiving the Inspector's Report. Public Examination of the document was completed on Thursday 24th April 2014. The DMD provides detailed criteria and standard based policies by which planning applications will be determined, and is considered to carry significant weight having been occasioned at Public Examination and throughout the examination stage.

5.3 The policies listed below are considered to be consistent with the NPPF and therefore it is considered that due weight should be given to them in assessing the development the subject of this application.

5.3.1 The London Plan including Revised Early Minor Amendments (REMA)

Policy 5.1 – Climate change mitigation  
Policy 5.2 – Minimising carbon dioxide emissions  
Policy 5.3 – Sustainable design and construction  
Policy 5.5 – Decentralised energy networks  
Policy 5.6 – Decentralised energy in development proposals  
Policy 5.7 – Renewable energy  
Policy 5.9 – Overheating and cooling  
Policy 5.12 – Flood risk management  
Policy 5.13 – Sustainable drainage  
Policy 5.15 – Water use and supplies  
Policy 5.18 – Construction, excavation and demolition waste  
Policy 5.21 – Contaminated land  
Policy 6.9 – Cycling  
Policy 6.10 – Walking  
Policy 6.12 – Road network capacity  
Policy 6.13 – Parking  
Policy 7.4 – Local character  
Policy 7.5 – Public realm  
Policy 7.14 – Improving air quality  
Policy 7.15 – Reducing noise and enhancing soundscapes  
Policy 7.16 – Green Belt  
Policy 7.18 – Protecting local open space and addressing local deficiency  
Policy 7.19 – Biodiversity and access to nature  
Policy 7.21 – Trees and woodlands  
Policy 7.22 – Land for food

5.3.2 Local Plan – Core Strategy

Strategic Objective 9: Natural environment  
Core Policy 20: Sustainable energy use and energy infrastructure  
Core Policy 24: The road network  
Core Policy 25: Pedestrians and cyclists  
Core Policy 26: Public transport  
Core Policy 28: Managing flood risk through development  
Core Policy 29: Flood management infrastructure  
Core Policy 30: Maintaining and improving the quality of the built and open environment  
Core Policy 31: Built and landscape heritage  
Core Policy 32: Pollution  
Core Policy 33: Green Belt and countryside  
Core Policy 36: Biodiversity  
Biodiversity Action Plan  
S106 SPD



### 5.3.3 Unitary Development Plan

After the adoption of the Core Strategy, a number of UDP policies are retained as material considerations pending the emergence of new and updates policies and development standards within the Development Management Document. The following are of relevance

- (II)GD3 – Character and design
- (II)GD6 – Traffic generation
- (II)GD8 – Site access and servicing
- (II)E9 – Non-commercial and industrial uses
- (II)T13 – Creation or improvement of accesses
- (II)C38 – Trees
- (II)G7 – Woodland
- (II)G8 – Trees, tree belts, woodland, hedges and shrubbery
- (II)G9 – Maintenance of woodland
- (II)G11 – New development within the Green Belt
- (II)G14 – M25 landscaping
- (II)G16 – Public utility / infrastructure within the Green Belt
- (II)G18 – Visual intrusion of public utilities distribution network
- (II)G19 – High quality design, layout, landscaping and use of materials

### 5.3.4 Development Management Document: Submission Version

- DMD37: Achieving High Quality and Design-Led Development
- DMD38: Design Process
- DMD45: Parking Standards and Layout
- DMD47: New Road, Access and Servicing
- DMD48: Transport Assessments
- DMD49: Sustainable Design and Construction Statements
- DMD50: Environmental Assessments Method
- DMD51: Energy Efficiency Standards
- DMD53: Low and Zero Carbon Technology
- DMD55: Use of Roofspace/ Vertical Surfaces
- DMD57: Responsible Sourcing of Materials, Waste Minimisation and Green Procurement
- DMD58: Water Efficiency
- DMD59: Avoiding and Reducing Flood Risk
- DMD64: Pollution Control and Assessment
- DMD65: Air Quality
- DMD68: Noise
- DMD69: Light Pollution
- DMD79: Ecological Enhancements
- DMD80: Trees on development sites
- DMD81: Landscaping
- DMD82: Protecting the Green Belt
- DMD83: Development adjacent the Green Belt
- DMD84: Areas of Special Character
- DMD85: Land for food and Agricultural Uses
- DMD86: Agricultural Workers Dwellings
- DMD87: Equine-related development
- DMD88: Farmers Diversification
- DMD89: Previously Developed sites in the Green Belt

#### 5.4 National Planning Policy Framework

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

- approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or

Specific policies in the Framework indicate development should be restricted.

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

5.4.3 In addition, paragraphs 93 to 108 of the NPPF elevates the status of planning stating that it plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. In this regard, the government considers this to be central to the economic, social and environmental dimensions of sustainable development. To help increase the use and supply of renewable and low carbon energy, the NPPF requires local planning authorities to recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources.

5.4.4 When determining planning applications, the NPPF sets the following two requirements:

- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- approve the application if its impacts are (or can be made) acceptable unless material considerations indicate otherwise.

5.4.5 However, in considering applications for large scale renewable development within the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases, the document requires developers to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider

environmental benefits associated with increased production of energy from renewable sources, however, as is the case with all applications for development within the Green Belt, Local Planning Authorities must ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

#### 5.5 National Planning Practice Guidance

5.5.1 On 6<sup>th</sup> March 2014, the Department for Communities and Local Government (DCLG) launched the National Planning Practice Guidance (NPPG) to consolidate and simplify previous suite of planning practice guidance. Of particular note for members, the guidance builds on paragraph 91 of the NPPF stating that the deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the NPPG acknowledges that the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.

#### 5.5 Other Material Considerations

London Plan; Sustainable Design and Construction SPG;  
Mayor's Climate Change Adaption Strategy;  
Mayor's Climate Change Mitigation and Energy Strategy;  
Circular 06/05 Biodiversity and Geological Conservation – Statutory Obligations and Their Impact within the Planning System

### 6. **Analysis**

6.1 The main issues to consider are as follows:

- i. Principle of development within the Green Belt including:
  - a. Appropriate uses;
  - b. Principle of large scale renewable development and consideration of 'Very Special Circumstances'; and,
  - c. Impact upon visual amenity
- ii. Loss of Agricultural land;
- iii. Biodiversity;
- iv. Impact to trees; and
- v. Transport implications.

#### 6.2 Principle of Development within the Green Belt

6.2.1 The subject sit is wholly contained within Green Belt land. The National Planning Policy Framework (NPPF) states that Local Planning Authorities 'should regard the construction of new buildings as inappropriate in Green Belt'. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

6.2.2 In addition certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- mineral extraction;
- engineering operations;
- local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- the re-use of buildings provided that the buildings are of permanent and substantial construction; and
- development brought forward under a Community Right to Build Order.

6.2.3 The Local Plan transposes these tests into Policy under CP33 and DMD82. In particular DMD82 states that inappropriate development within the Green Belt will not be permitted. Appropriate development will only be permitted if all of the following criteria are met:

- The siting, scale, height and bulk of the proposed development is sympathetic to and compatible with the prime aim of preserving the openness of the Green Belt;
- The development has regard to site contours, displays a high standard of design and landscaping to complement and improve its setting, and takes all measures to ensure that the visual impact on the Green Belt is minimised;
- The nature, quality, finish and colour of materials blend with the local landscape to harmonise with surrounding natural features;
- Existing trees, hedges, bushes and other natural features are retained and integrated with the scheme to ensure adequate screening;
- Appropriate parking provision, safe access, egress and landscaping is provided to ensure vehicles are parked safely and that the development does not prejudice the openness of the Green Belt.

6.2.4 The subject scheme seeks the installation of a 15MW solar farm covering a 25ha area with associated plant, fencing and security measures. In this regard, the development is considered to be a substantial addition to the Green Belt and given the scale and nature of the installation would represent what would be considered as a semi-industrial/commercial use. In the supporting statement the applicant claims exemption from the relevant tests on the basis that no buildings are to be constructed and only plant and machinery are proposed. Whilst it is acknowledged that the scale and scope of the development does not seek to include a formalised building, the quantum of development associated with the planned use of the site and the physicality of the structures required to deliver the use, is such that the semantics of Policy is secondary to the wider considerations of the cumulative impact of the built form and the spirit of Green Belt Policy.

is secondary to the wider considerations of the cumulative impact of the built form and the spirit of Green Belt Policy.

- 6.2.5 Indeed, the NPPF acknowledges this tension and states that where renewable energy projects are located in the Green Belt, elements of the projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources. In this regard, the relevant tests governing what is considered to be 'appropriate' within the Green Belt have not been met by the scheme and hence the acceptability of the development hinges on whether exceptional circumstances to justify the development exist.
- 6.2.6 The applicant therefore sets out a case for exceptional circumstances based on the wider sustainability credentials of the scheme as aligned with the wider commitments of Government to decarbonise the power grid and achieve legally binding targets for carbon reduction. To assist in the delivery of these challenging targets, the NPPF places a requirement on Local Planning Authorities to set and adopt pro-active and positive Policies for the adaption to and tackling of climate change. In particular, the document sets an onus on Local Planning Authorities to recognise the role of the Local Plan in setting appropriate Policies to encourage and facilitate energy generation from renewable or low carbon sources. In this regard, LPAs should:
- have a positive strategy to promote energy from renewable and low carbon sources;
  - design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts;
  - consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources;
  - support community-led initiatives for renewable and low carbon energy, including developments outside such areas being taken forward through neighbourhood planning; and
  - identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.
- 6.2.7 Set against a national imperative to cut carbon emissions by 80% from a 1990 baseline by 2050 as is enshrined by law under the Climate Change Act 2008, the NPPF is underpinned by a presumption for sustainable development and adopts a permissive stance in relation to the consideration of energy generating development from renewable and low carbon sources. The document adopts a permissive stance for renewable and low carbon energy production stating that there is no burden of proof to demonstrate need and indeed approve the application if its impacts are (or can be made) acceptable unless material considerations indicate otherwise.
- 6.2.8 The National Planning Practice Guidance (NPPG) outlines specific considerations for large scale solar farm installations and acknowledges that the deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual

impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.

6.2.9 Particular factors a local planning authority will need to consider include:

- encouraging the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value;
- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
- the proposal's visual impact, the effect on landscape of glint and glare (see guidance on landscape assessment) and on neighbouring uses and aircraft safety;
- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
- the need for, and impact of, security measures such as lights and fencing;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
- the energy generating potential, which can vary for a number of reasons including, latitude and aspect.

6.2.10 The approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines. However, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero.

6.2.11 In a speech by the Minister for Energy and Climate Change, the Rt Hon Gregory Barker MP, to the solar PV industry on 25 April 2013, the minister stated that *'we need to be careful that we do not over-incentivise large-scale ground-mounted projects in inappropriate places – I am thinking of greenfield agricultural land – that could generate strong opposition to our community energy agenda... ..It needs careful design and thoughtful consideration. It certainly could not be a scheme about renewable energy at any cost. Impacts on the local community, on landscape and on consumer bills have to be a real consideration...'* The Minister strongly advocated that *'for larger deployments brownfield land should always be preferred'* and that where successful delivery has been achieved it has been *'installed on disused airfields, degraded soil and former industrial sites'* and that this *'is the model for future solar projects.'*

- 6.2.12 In the House of Commons oral statement of 29<sup>th</sup> January 2014 the Planning Minister, Nick Boles, stated '*[t]he policies in the national planning policy framework are clear that there is no excuse for putting solar farms in the wrong places. The framework is clear that applications for renewable energy development, such as solar farms should be approved only if the impact, including the impact on the landscape – the visual and the cumulative impact – is or can be made acceptable. That is a very high test.*'
- 6.2.13 At a local level Strategic Objective 2 of the Core Strategy seeks to promote a sustainable pattern of development and to mitigate and adapt to the impacts of climate change, promoting energy efficiency and renewable sources of energy with CP20 containing a commitment to increasing the proportion of London's energy supplied from decentralised, renewable and low carbon sources to a quarter by 2025 and a majority by 2050. The Development Management Document provides more substantive detail as to the delivery of low carbon and sustainable development within the Borough, with DMD51 this again is transposed into Local Plan Policy with challenging carbon reduction targets. In relation to large scale energy generation, Enfield's Renewable Energy and Low Carbon Study (2010) was undertaken as part of the evidence base for the Local Development Framework (LDF). It was intended to support the reduction of carbon dioxide (CO<sub>2</sub>) emissions from residential and non-domestic buildings in Enfield and increase in the supply of energy from renewable and low carbon sources. This document assessed the viability and feasibility of a range renewable and low carbon resources within the Borough examining the opportunities and constraints of each to inform and establish a robust Policy base for delivery. This document established that Decentralised Energy Networks namely District / Community Heat and Power Networks were the Council's preferred low carbon option with development focused within the industrial belt to the east of the Borough and focussed around two existing industrial uses, namely the Ecopark waste incinerator and the gas power station. This preference is realised via DMD52 where Proposals for the development of decentralised energy network infrastructure and related apparatus in the Borough will be supported. The Council will support, and in some cases facilitate, the provision of infrastructure to support new and expanding networks including safeguarding routes and land for such use where necessary.
- 6.2.14 While the Local Plan does not rule out delivery of alternative low carbon and renewable options, consistent with the NPPF and NPPG, Policy DMD53 states that where such proposals are located within the Green Belt, elements of many low and zero carbon energy projects would constitute inappropriate development, which may impact on the openness of the Green Belt, the established character of the landscape or its biodiversity. In evaluating the development, the Council will give significant weight to the visual impacts of the project, the potential for disturbance to neighbouring properties and specific ecological considerations. Developers will need to demonstrate very special circumstances that clearly outweigh any harm by reason of inappropriateness and that there are no overriding local impacts for an application to be approved.
- 6.2.15 While it is not necessary for the applicant to establish the need for this large scale renewable project, the Local Planning Authority would acknowledge the potential contribution made by the installation in decarbonising the grid and how this would align with the strategic objectives of Government. However, it



is considered that this point alone is not sufficient to demonstrate the 'very special circumstances' for adopting a permissible stance to the development within the Green Belt particularly where the potential location for such solar farms is not a geographically fixed concept and must be subjected to the rigor of sequential testing and hence the critical issue in the assessment of the application must remain with the cumulative impact upon the character and visual amenity of the Green Belt, the loss of viable agricultural land and it is on this basis that the principle of the development cannot be established.

- 6.2.16 Enfield's Characterisation Study (2011) identifies the area as falling within the Farmland Ridge and Valleys character type and more specifically the Theobalds Estate South landscape character area. The Farmland Ridge and Valleys character type is described as a very attractive undulating agricultural landscape which is sparsely populated and has a geometric field pattern. It is an important area of high quality open landscape with a special character which is highly valued and a major asset for the borough. The Theobalds Estate is an important area of historic landscape, and Enfield's section is an important part of the Green Belt that connects with the Hertfordshire countryside to the north and the rural character areas to the west. It plays a key role in providing a sense of openness that serves to define this section of the Green Belt between Crews Hill and Bullsmoor and is historically significant. In this regard, the intrinsic value of the land both in defining the openness of the Green Belt, its linkages to the countryside of Hertfordshire to the north and indeed the contribution it makes to the visual amenity of the area is significant.
- 6.2.17 In support of the scheme, the applicant has submitted a Landscape and Visual Impact Assessment. The assessment suggests that the siting and design of the proposal has been specified with the intent of minimising visual impact, stating that the undulating topography serves to limit the visual influence of the installation and that the area benefits from a shielding effect resultant from the existing vegetation that bounds the site concluding that *'there will be no long term significant, adverse, landscape or visual effects arising from the development of the Sloemans Farm PV proposal'*. However, the document also acknowledges the *'high number of sensitive viewpoints'* and that *'it is accepted that due to the scale of the proposal some views may be significant within the immediate vicinity of the site'*.
- 6.2.18 Contrary to the views presented in the report, from observations made on site, this rear portion of the farm is highly conspicuous with the locality with the undulation of the plot exacerbating rather than mitigating for potential impact of the development and its position within the wider landscape. The site is clearly discernible from key vantage points including Crews Hill / Theobalds Park Road to the south west, the M25 to the north and from as far afield as the Alma Estate in Ponders End to the south east.



**Photo 1: View to south-west Crews Hill / Theobalds Park Road**



**Photo 2: View to south-east Alma Estate Ponders End**



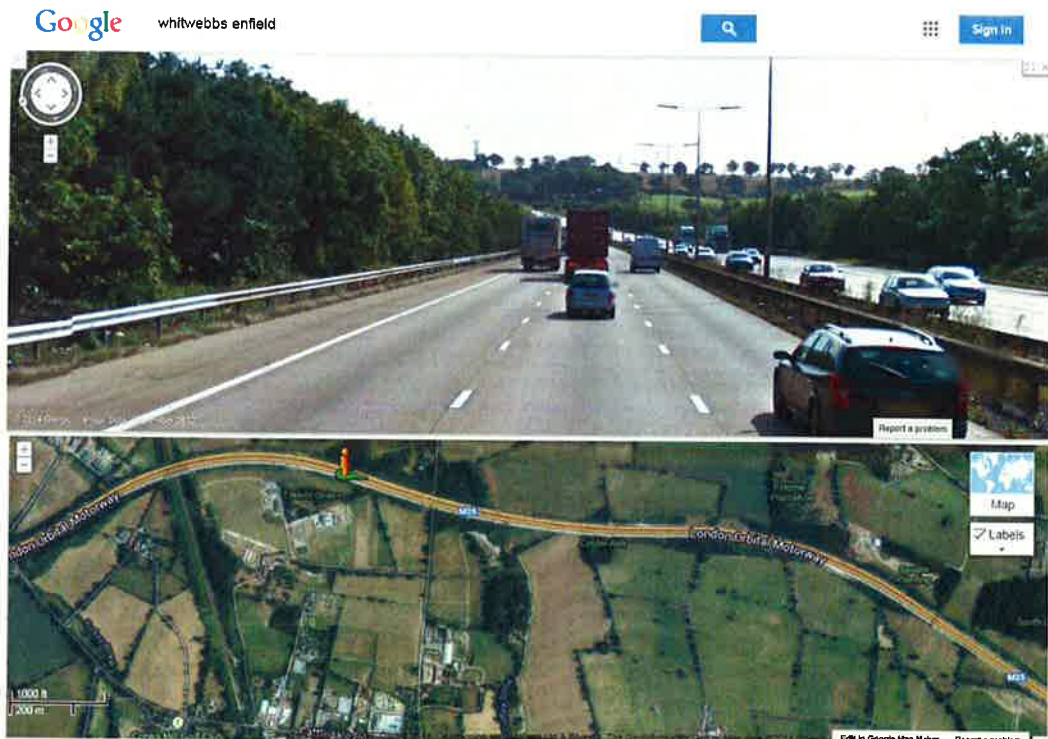
**Photo 3: View to north-east M25**





**Photo 4: View to north-west M25**

- 6.2.19 Although the Characterisation Study acknowledges that some of the area has become more urbanised in nature and the punctuation of the M25 acts as a physical barrier within the character area, the site and surround remains an important part of the Green Belt that has a role in containing further urbanisation both from the eastern A1055 corridor and indeed Crews Hill to the south west and also provides an attractive and valuable green gateway to the Borough as announced and when perceived from the M25.
- 6.2.20 Indeed, while the applicant seeks to emphasise the seclusion of the site, it is clear that the field is readily perceptible with a topography that elevates rather than contains the site and sits well above the established tree canopy with an arable use that is not only discernible, but contributes significantly to a sense of openness of this largely unspoilt area of the Green Belt. This provides rural / countryside feel that belies the urbanisation of this London Borough and defines the character of north of the Borough, standing as an essential attribute that celebrates in a retention of significant areas of high quality Green Belt.



**Screenshot 1: View to Sloemans Farm from M25 to east**



**Screenshot 1: View to Sloemans Farm from M25 to west**

6.2.21 Further, the emphasis placed in the Landscape and Visual Impact Assessment that the area landscape quality and Green Belt qualities of this character area are generally lower than most of the other agricultural areas as stated in the Characterisations study is misplaced and misinterpreted. Contrary to the assertions of the applicant, the reduction in the quality of the

landscape at points within the character area is due to the diversification of arable land to alternative uses including grazing and poor management of the areas. In this regard, further diversification would further erode the character of the area and indeed in relation to the subject site it is clear that this retained arable area of land makes a positive contribution to the surrounding Green Belt and is valuable asset to the character of the area, its loss therefore would not be acceptable and contrary to the overall quality of the area and the recommendations of the characterisation study.

- 6.2.22 The elevated status given to the vegetated nature of site perimeter is also misplaced and is likely to considerably lessen in terms of direct mitigation in the winter months where leaf shedding will expose previously screen elements. Indeed, in taking account of the established views to the site from a variety of distances and the clear scenic and perceptual qualities of the area and its surroundings, clearly elevates the sensitivity of the site and its environs to a high rather than the low to medium range of sensitivities stated in the Visual Impact Assessment.
- 6.2.23 The development would result in the loss of arable land for a minimum 25 year period. Therefore for the lifetime of the development the regimented rows of dark, hard surfaced solar panels with associated plant, weld mesh fencing and security measures would represent an obtrusive and overly dominant form of development with utilitarian elements on a significant industrial scale within the Green Belt and an area for all intents and purposes with the characteristics of open countryside. The quantum and magnitude of the development will therefore have a significant urbanising effect on the area exacerbated by the contours and topography of the site and clearly discernable from the wider surround. When perceived from the surrounding area, the installation would sit in stark contrast to the rural feel of the area and would be an installation that is readily discernible as an alien addition to the surround.
- 6.2.24 Moreover, the faith placed in the potential mitigation offered by the proposed hedging is again misplaced, with wider elevated views completely unaffected by the measures and with even those viewpoints assessed to have had a 'medium' impact within close proximity of the site as featured in the accompanying report, not only would the proposed hedging take time to mature it would, conversely at the human scale, further reduce the sites openness and create a sense of enclosure when viewed from these stated points. The protrusion of a line of security cameras, will also contribute to an industrial sense of the space beyond the fencing and hedges and will not alter even though views to the physical plant at this human scale of perception would be largely obstructed.
- 6.2.25 In terms of the potential for glare, the applicant has suggested that the overall emittance of solar glare would be lower than that of grass, with a coating and finish designed to absorb solar energy. However, the evidence presented by the applicant is rather sparse and would appear more anecdotal than substantive in terms of evidence to support the subject scheme, with an absence of detailed technical analysis of the site, its topography and the potential impact and influence of orientation, topographical tilt, associated plant and indeed the frame structures supporting the arrays and in this regard must be considered to be harmful. Further the dark colouration of the solar panels rather than reducing visual impact would conversely add to the incongruity of the installation, giving the appearance of a substantially



developed plot of land that deviates from the arable, green or countryside appearance of the area and appears to be more akin to already harmful developed areas peppered throughout the Green Belt including Crews Hill and the M25.

6.2.26 Indeed, notwithstanding the inappropriateness of the proposed use regard and significant weight must also be given to a defined change in the status of the land. In this regard, and by the admission of the applicant, should the development go ahead the greenfield status of the site would be lost even where a commitment to reinstate the land is present and thus the remaining subdivided plot would be downgraded to a brownfield level status and therefore subject to the relatively generous provisions of development of brownfield land within the Green Belt as stipulated by the NPPF. In this scenario the Local Planning Authority would find it difficult to resist large scale development that would otherwise benefit from brownfield land status (e.g. housing, industrial, commercial uses) and in the longer term could further erode Green Belt Land and irrevocably negatively alter the character of the area.

6.2.27 Overall, it is considered that the magnitude of change resultant from the development within the immediate locality and wider surround would be significant (or high) and would not significantly alter over time albeit where hedging would serve to gradually obstruct views within close proximity of the development a perception of an alternative industrial use of the site would be maintained throughout. In this regard, the applicant has failed to demonstrate the 'very special circumstances' to justify the scheme and the resultant development would represent inappropriate development within designated Green Belt Land, effectively urbanising the site which is prejudicial to the open character and visual amenity of the site and resulting in the creation of an obtrusive and overly dominant form of development that is clearly discernible from a number of vantage points in the wider surrounding area contrary to the provisions of Policy CP33 of the Core Strategy, DMD53 & 82 of the Development Management Document, Policy 7.16 of the London Plan, paragraph 91 of the NPPF and guidance provided in the NPPG.

### 6.3 Loss of Agricultural Land

6.3.1 Paragraph 112 of the NPPF, Local Planning Authorities are required to take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

6.3.2 Annex 2 of the NPPF further defines the best and most versatile agricultural land as '*and in grades 1, 2 and 3a of the Agricultural Land Classification.*'

6.3.3 The NPPG expands upon this and states that in relation to large scale solar farms the document encourages the effective use of land by focussing large scale solar farms on previously developed and *non-agricultural land*, provided that it is not of high environmental value and where a proposal involves greenfield land sets two relevant tests as to whether:

- the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and



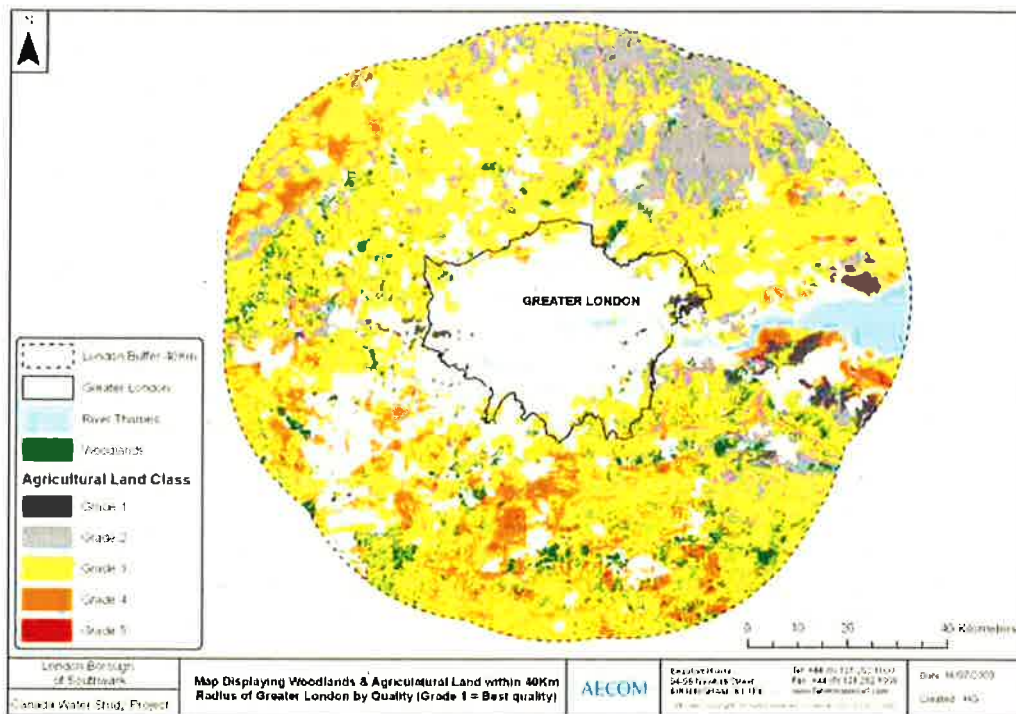
- the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
- 6.3.4 The NPPG also makes reference to a speech by the Minister for Energy and Climate Change, Greg Barker, that exercises caution in the delivery of large scale solar farm installations stating that *'we need to be careful that we do not over-incentivise large-scale ground-mounted projects in inappropriate places – I am thinking of greenfield agricultural land'* and *'[w]here solar farms are not on brownfield land, you must be looking at low grade agricultural land...'*
- 6.3.5 The Planning Minister Nick Boles further elaborates on this point stating that *'where significant development is necessary on agricultural land, the national planning policy framework is equally clear that Local Planning Authorities should seek to use areas of poorer quality to that of higher quality. Where land is designated at a relatively high grade it should not be preferred for the siting of such development.'*
- 6.3.6 Such points are reiterated by the UK Solar PV Strategy published by the Solar Trade Association albeit where they alter the definition of low grade land as those that fall within grades 3a, 3b, 4 and 5.
- 6.3.7 Policy DMD88 of the Development Management Document supports farm diversification only where:
- a. Agriculture remains the dominant use within the holding;
  - b. Building requirements are met through the re-use or replacement of existing building(s);
  - c. The proposed use improves the open land character by way of scale, location and design and would respect and preserve the openness and character of the Green Belt;
  - d. The proposed use does not generate excessive traffic or a significant number of additional trips;
  - e. The proposed use does not prejudice future opportunities for the land to revert back to agriculture use;
  - f. The proposed use does not unacceptably impact upon the amenities of residents or cause an unacceptable level of noise, light, air or water pollution;
  - g. The proposed use provides adequate landscaping and screening to minimise its visual impact;
  - h. There is no detrimental impact on nature conservation, wildlife habitats and historic features.
- 6.3.8 Set against this backdrop, the principal issue to address is whether the use of agricultural land is necessary given a general thrust of Policy that would seek to resist the loss of viable agricultural land. This exercise by implication should demonstrate that no suitable brownfield land or non-agricultural land is available within a reasonable search area. There is no government guidance on what is a reasonable search area and each case must be assessed on its own merits taking account of planning and operational constraints. Whilst it is acknowledged that the Local Plan does not allocate specific sites for large scale solar farms, as stated previously, the preferred low carbon option for delivery is a district heating and power model and in Policy terms adopts a criteria based approach to the loss / diversification of agricultural land and uses. Indeed, while a sequential test examining the appropriate selection of

sites is not emphatically stated within relevant Policy or Guidance, it is certainly implied and a pragmatic approach to meet the relevant tests set.

- 6.3.9 In support of the application, a planning statement has been submitted where the applicant acknowledges that, in accordance with relevant Policy '*brownfield sites would be preferred*' albeit where the applicant suggests that in accordance with the NPPF delivery is key and should be afforded '*significant weight as a material consideration*'. Notwithstanding the fact that this is not stated within the NPPF in relation to the creation of large scale renewable and low carbon energy production, it would appear that the applicant is referring to a broader presumption in favour of sustainable development, but would be applied only where the benefits of the scheme materially outweigh the harm, which on the basis of the considerations of the LPA would not occur in this instance.
- 6.3.10 The applicant appears to argue that the selection of the subject site was based on five principal considerations:
- a. The availability of the site;
  - b. The delivery of the project;
  - c. The value of the existing agricultural use;
  - d. The restoration of agricultural use after the cessation of operation; and,
  - e. The visibility of the land.
- 6.3.11 In relation to the final point raised, this has been addressed in the previous section and the LPA would contend that the location highly conspicuous and consequently inappropriate within the Green Belt and will not be examined further. The actual scope of the submitted justification falls significantly short of relevant Policy tests with broad and sweeping statements, which can be considered at best anecdotal. A defined search area has been entirely omitted and would appear to have been selected more on the basis of the '*willingness of the landowner to engage and assist in the delivery of renewable power*' rather than a substantive sequential account of the variety of alternative sites examined and discounted in the selection of the final site. This is clearly insufficient to justify the proposal on this ground and is of particular note when Enfield benefits from the second largest industrial location in London and an area more suited to industrial processes and is already the location of Enfield's only power station.
- 6.3.12 The applicant admittedly alludes to financial constraints in the consideration of alternative locations with a more urban location stating that '*linked to the the delivery of this project, land values within more urban locations would be prohibitive, and result in a project not being financially deliverable.*' A viability assessment has not been submitted with the scheme, there is no clarification of what is meant by an '*more urban location*' and within what geographic area such a location was examined particularly given that the area of search is both notably omitted, but also would not necessarily be limited to Enfield and associated land values would differ significantly across the Borough, but also further afield. No further clarification of this position features within the submission, rendering the point unsubstantiated anecdote rather than substantive evidence and hence very limited weighting (if any) can be given to this statement.
- 6.3.13 The applicant also claims that site selection was dependent of its proximity to existing national grid infrastructure, namely the pylons that puncture the site.

While this is of benefit to the development, it does not justify the selection of this site at the expense of alternatives, particularly where such infrastructure is prevalent across the borough and notably along the eastern industrial belt where the gas fired power station and Brimsdown Substation are located.

- 6.3.14 The subject site comprises existing tenanted farm land in extensive arable use on rotation. Information held by Council from the Department for the Environment, Food and Rural Affairs (DEFRA) indicates that the land has a soil quality of 3 and grade that appears to be exclusively replicated across farmland within the Borough.



**Map 1: Agricultural Grades**

- 6.3.15 In support of the development, the applicant has submitted an Agricultural Assessment. A desk based study of the likely land quality has been carried out and the report concludes that the site is of Grade 3a, which in accordance with the NPPF is defined as among the best and most versatile agricultural land within the classification system. While the applicant has sought to rely on the guidance of the Solar Trade Association to justify the loss of agricultural land, it is considered that as this is not a planning document its weighting in deliberations is subordinate to those contained within the NPPF and thus it is not reasonable to dispute, by the admission of the applicant, that the land is classified as being of a high grade and viable for continued arable uses. In this regard, the presumption for its retention is maintained.
- 6.3.16 Indeed from observations made on site and from discussions with the current tenant farmer, the land is currently utilised for the growing of crops on a rotation basis and has been for a number of years providing continued local and sustainable sources of grain to the benefit of the Borough, but also Greater London and the counties beyond. In accordance with DMD88, while it is acknowledged that the scheme would seek to retain land to the south of the farmhouse for continued agricultural use, from discussions with the tenant

farmer and from observations made on site, while this area remains within the demise of the farm, the area is not currently utilised for crops and should the subdivision occur, the farmer claims that the remaining land would not be sufficient to maintain cost effective arable use thereby 'sterilising' the site as an ongoing concern. Clearly this itself is anecdotal, and it is acknowledged that the proposal would at least on paper retain the south of the site for agricultural purposes, however, further testing would be expected in the submission to explore the feasibility, marketability and function of the reduced site. Evidence to this effect has not been submitted and will remain a further bone of contention that undermines the claims made by the applicant.

- 6.3.17 It is also important at this stage to note, that should the Local Planning Authority accept the contention that Grade 3a land is of inherently low value for agriculture, given the exclusive prevalence of Grade 3 land across the Borough, a dangerous precedent would be set whereby the LPA would find it difficult to resist further applications of this type. This is a clear and present threat to the protection of Green Belt land where further urbanisation and industrial development could potentially proceed unabated.
- 6.3.18 In relation to the reinstatement of agricultural use, the Local Planning Authority would agree that the degree of invasive earthworks would be minimised and should the operation cease, works to effect a restoration of the site to the former use would be possible. However, one must also consider the provisions of the NPPG where the natural implication of implementing powers to control the proposed development via a temporary consent and effectively require the restoration of the agricultural use could not be considered reasonable. Were the LPA to accept that the land is of a low grade and the visual impacts acceptable, the principle for the loss of the land for agricultural use is consequently accepted, therefore a condition to reinstate what is considered a use superfluous to need over the long term could be challenged.
- 6.3.19 Indeed, a time limitation on the consent may consequently disincentivise investment and, as a result, deny the benefit of the consent to the applicant, in that an installation of this size would require considerable investment to implement. In this regard, an argument to justify the creation of a solar farm on the basis of an ability to exercise control to reinstate the former agricultural use is fundamentally flawed and would not meet relevant tests for conditions listed in the NPPG.
- 6.3.20 In summary, the approach adopted by the applicant (despite pre-application advice) to substantiate the selection of the subject site is far from robust and wholly inadequate to demonstrate either the 'very special circumstances' to allow development within the Green Belt and indeed to justify the use of agricultural land. It is considered that even if the use of the agricultural land was considered to be necessary, the applicant has also failed to demonstrate that poorer quality agricultural land has been chosen in preference to higher quality examples and absolutely no evidence has been presented that urban / industrial / brownfield land have even been considered. Consequently, the applicant has failed to meet the relevant tests set out in Policy for the selection and sequential assessment of potential sites for the development of large scale renewable energy installations. In this regard, it is considered that the proposed development will result in the loss of viable and productive agricultural land contrary to the stipulations and requirements of Policies

DMD85 and DMD88 of the Development Management Document, the NPPF and the NPPG.

#### 6.4 Biodiversity

6.4.1 An Ecological Assessment and Environmental Management Plan has been submitted as part of the application. The Ecological Assessment identifies a need for further surveys to assess the impact of the development upon:

- Winter and breeding birds (including barn owls)
- Great crested newts
- Badgers
- Brown Hares
- Bats

6.4.2 All protected species and their habitats are protected under the 1981 Wildlife and Countryside Act as amended and the European Habitats and Species Directive (92/43/C) enacted in the UK through the Conservation of Habitats and Species Regulations 2010. Bats and their shelters (roosts) are protected under this legislation.

6.4.3 In addition, the accompanying documents fail to actually operationalise the nature and quantum of ecological enhancements proposed for the site and again seeks to infer, rather than substantiate, any meaningful benefits of the scheme. This fails the relevant tests stated in relevant Policy and undermines claims of biodiversity enhancements where there is a defined absence of any commitment or plan for the development of meaningful biodiversity enhancements commensurate with the sensitivities and constraints of the site. The fact that the biodiversity benefits of the development is cited as one of the justifications for the selection and use of the site, this does not align with the requirements and guidance set out by DMD88, the NPPF and the NPPG it is clear that the absence of detail is unacceptable at this stage.

6.4.4 In consultation with the Council's Biodiversity Officer, due to the various time constraints associated with these surveys, the applicant will not be able to provide the LPA with all the information required at this stage to satisfy legislative mandates. The applicant has failed to provide the council with sufficient information to be able determine the likely impact of the proposals on Protected Species and once again further undermine the position of the applicant in relation to the demonstration of 'very special circumstances' for development within the Green Belt and indeed the stated loss of viable agricultural land. As such, until this information is provided, and in consideration of the relevant tests of the NPPG in relation to the application of conditions, it would not be appropriate to consider conditions to ameliorate the objections raised. In this regard, The LPA the application must be refused on the grounds that insufficient information had been provided to the council to determine the ecological impacts of the proposals, in particular in relation to bats, great crested newts and badgers, all of which are material in the assessment of the application.

#### 6.5 Impact to Trees

- 6.5.1 The development will result in the loss of several trees located to the crest of the hill to the centre of the site. The specimens are highly conspicuous and further contribute to the quality of the wider landscape and the rural feel of the site. The trees line the single vehicle access to the site and comprise large mature oak specimens that announce the site to the surrounding area and further emphasise the significant undulation of the site. Whilst the development appears to retain most trees on the site, in consultation with the Council's Tree Officer, it is considered that it is unacceptable to remove several mature oak trees of established landscape and biodiversity value that are located on the East side of the central path/road. Given the size of the site it would appear that there is no justification for the loss of specimens of value both in terms of their presence and contribution to the landscape, but also as capable of providing viable habitat for protected species and the LPA would expect such specimens to be retained.
- 6.5.2 The Tree Officer also has significant reservations about the cable/service runs for the incoming power, the solar panel units, CCTV and other facilities that require cabling. From submitted plans, it would appear that much of this cabling would be within the Root Protection Areas of retained trees and as such it would be potentially significantly damaging to the trees to install such cabling using trenching methods. The trees may decline in health or fail as a result of windthrow and again resulting in the loss of trees of biodiversity, landscaping and screening value. To protect the long term health of the trees services will either have to be 'mole bored' or the service/cable runs will have to be re-located outside of the tree RPAs, neither of which are proposed. Again these points further undermine the criteria based assessment of the loss of viable agricultural land and further the demonstration of 'very special circumstances to development of this type within the Green Belt.
- 6.5.3 In this regard, the proposed development would result in the loss of mature tree specimens of significance to the landscape and biodiversity interest of the site. In addition, the proximity of the cabling routing and the selected method for installation falls within the Root Protection Zones of many of the retained trees which would be likely to be prejudice to their long term survival. The loss of which would be detrimental to the quality of the landscape, the visual amenity of the area and biodiversity interests of statutorily protected species. This is contrary to Policies CP31 and CP36 of the Core Strategy, DMD79, 80 and 81 of the Development Management Document, Policies (II)C38 and (II)G8 of the Unitary Development Plan, Policies 7.19 and 7.21 of the London Plan, the NPPF and the NPPG.

## 6.6 Transport and Access

- 6.6.1 In the assessment of the scheme due regard must be given the transportation implications of the scheme particularly during the delivery and installation periods of the realisation of the solar farm. While it is acknowledged that traffic to and from the site will intensify during these periods, in consultation with Traffic and Transportation colleagues, the submitted information indicates that the delivery activities will take place during off-peak hours when traffic conditions are relatively uncongested. In this regard, it is unlikely that the expected deliveries by HGVs over the stated 80 day installation period will give rise to conditions prejudicial to the safety and free flow of traffic on adjoining highways.

6.6.2 Moreover, the existing access road servicing the site is sufficient to support the servicing of the current agricultural use and consequently will be able to adequately support the movement of HGVs to and from the site without again prejudicing highway safety.

6.6.3 On this basis, the impact of the scheme in Traffic and Transportation terms is acceptable.

## 6.7 Other Matters

### *Flood Risk/Sustainable Urban Drainage*

6.7.1 The subject site is not within a Flood Zone and hence has a low annual probability of flooding. In accordance with Policies DMD 59, 60, 61 and 62 the adequate management of surface water-run-off is a key consideration in the detailed specification of the scheme. A Flood Risk Assessment has been submitted with the scheme, the development would not significantly increase the degree of hardstanding area save for the site entrance and hence would not result in an material increase in flood risk or undermine existing surface water drainage.

### *Noise*

6.7.2 It is not considered that the development would give rise to excessive noise generation given its separation to noise sensitive uses and the ambient background noise generated by the M25 to the north.

## 6.8 S106 Contributions

6.8.1 None applicable.

## 6.9 Community Infrastructure Levy

6.9.1 As of the April 2010, legislation in the form of CIL Regulations 2010 (as amended) came into force which would allow 'charging authorities' in England and Wales to apportion a levy on net additional floorspace for certain types of qualifying development to enable the funding of a wide range of infrastructure that is needed as a result of development. Since April 2012 the Mayor of London has been charging CIL in Enfield at the rate of £20 per sqm. The Council is progressing its own CIL but this is not expected to be introduced until spring / summer 2015.

6.9.2 Given the nature of the development CIL is not chargeable.

## 6.10 Equalities Impact Assessment

6.10.1 Regard has been given to any potential impact upon the protected characteristics outlined by the Equalities Act 2010 Section 149 and the provisions contained therein. It is considered that due regard has been given to the impact of the scheme on all relevant groups with the protected characteristics schedule and given the comments made in the previous 'Inclusive Access' section there would undue impact upon any identified group.

## 7. **Conclusion**



- 7.1 In the assessment of the subject application a balance needs to be undertaken between the competing considerations of the proposal. On the one hand, the LPA would acknowledge the benefits of a development that would generate significant levels of renewable energy to decarbonise the energy grid and align with the strategic and legislative commitments of government to reduce carbon emissions by 2050. However, on the other hand, it is clear that the development would represent inappropriate development within designated Green Belt land, would cause substantial harm the character and appearance of a valued landscape, would result in the loss of viable and high quality agricultural land and would adversely impact upon biodiversity and trees within the site demise.
- 7.2 While it is recognised that there is a place within Policy for developments of this type, it does not override other relevant material planning considerations and the burden of proof set out by relevant Policy and Guidance is significant. In this regard, and in taking all matters into consideration, it is considered that the harm resultant from the development would significantly and demonstrably outweigh the benefits of the scheme and thus in accordance with the provisions of the Local Plan, the NPPF and Guidance contained within the NPPG it is recommended that the application be refused.

## **8. Recommendation**

### **8.1 That planning permission be refused for the following reasons:**

1. The applicant has failed to demonstrate the 'very special circumstances' to justify the scheme and the resultant development would represent inappropriate development within designated Green Belt Land, effectively urbanising the site which is prejudicial to the open character and visual amenity of the site and resulting in the creation of an obtrusive and overly dominant form of development that is clearly discernible from a number of vantage points in the wider surrounding area contrary to the provisions of Strategic Objective 9 and Policies CP30, CP31 and CP33 of the Core Strategy, DMD53 & 82 of the Development Management Document, Policies (II)G11, (II)G16, (II)G18 and (II)G19 of the Unitary development Plan, Policy 7.16 of the London Plan, paragraph 91 of the NPPF and guidance provided in the NPPG.

2. The applicant has failed to meet the relevant tests set out in Policy for the selection and sequential assessment of potential sites for the development of large scale renewable energy installations. In this regard, it is considered that the proposed development will result in the loss of high quality viable and productive agricultural land contrary to the stipulations and requirements of Policy CP33 of the Core Strategy, Policies DMD85 and DMD88 of the Development Management Document, Policy 7.22 of the London Plan, the NPPF and the NPPG.

3. Insufficient information had been provided to the council to determine the ecological impacts of the proposals, in particular in relation to bats, great crested newts and badgers, all of which are material in the assessment of the application contrary to Strategic Objective 9 and Policies CP33 and CP36 of the Core Strategy, DMD78, 79, 80 and 81 of the Development Management Document, (II)G8 and (II)G11 of the Unitary Development Plan, Policy 7.19 of the London Plan, the NPPF and the NPPG.

4. The proposed development would result in the loss of mature tree specimens of significance to the landscape and biodiversity interest of the site. In addition, the proximity of the cabling routing and the selected method for installation falls within the Root Protection Zones of many of the retained trees which would be likely to be prejudice to their long term survival. The loss of which would be detrimental to the quality of the landscape, the visual amenity of the area and biodiversity interests of statutorily protected species. This is contrary to Policies CP30, CP31 and CP36 of the Core Strategy, DMD78, 79, 80 and 81 of the Development Management Document, Policies (II)C38 and (II)G8 of the Unitary Development Plan, Policies 7.19 and 7.21 of the London Plan, the NPPF and the NPPG.

**MASTER PLAN**

<b>BILLBOARD</b>	
PLAN AREA (sq. FT.)	15,274 sq. ft.
PLAN AREA (sq. METERS)	1,409 sq. m.
<b>LEGEND</b>	
PROPOSED BOUNDARY	---
LAND UNDER PROPOSED BOUNDARY	■
EXISTING BOUNDARY	---
LAND UNDER EXISTING BOUNDARY	■

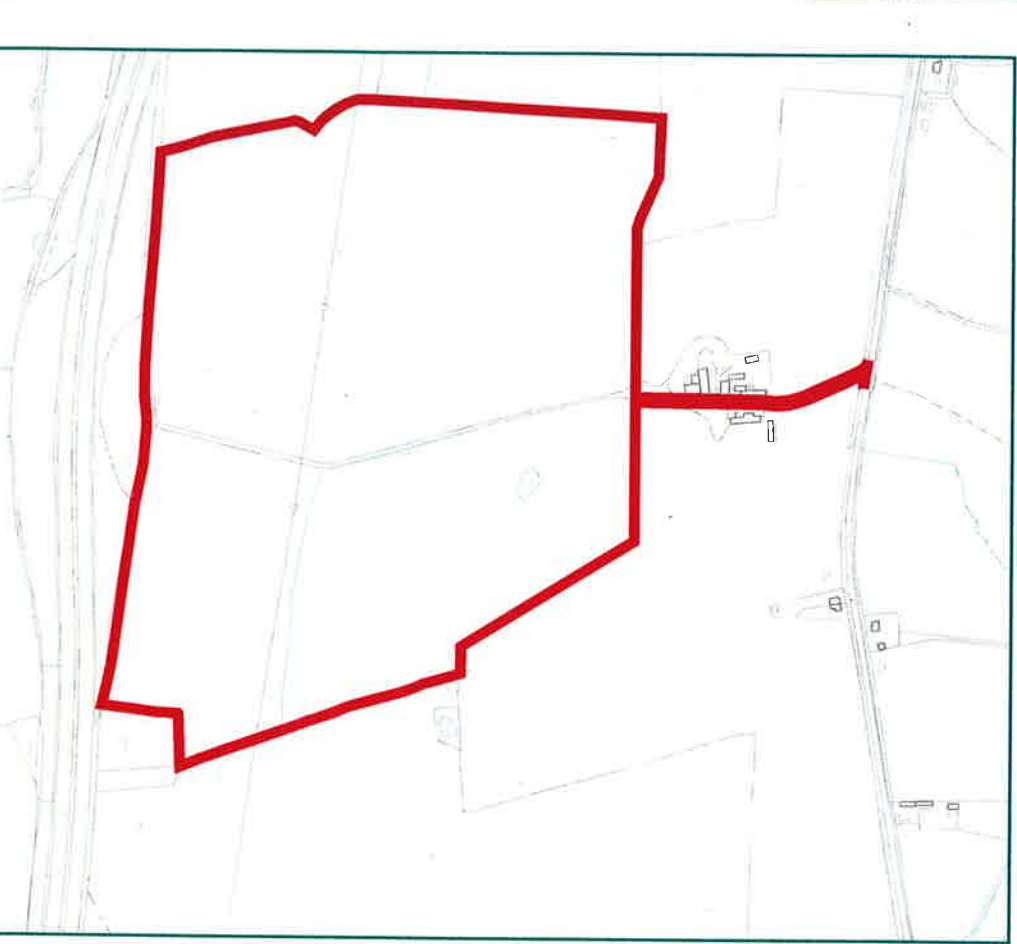
<b>REVISIONS</b>		
NO.	DATE	DESCRIPTION
1	11/20/2014	ISSUED FOR PERMITTING
2	11/20/2014	ISSUED FOR PERMITTING
3	11/20/2014	ISSUED FOR PERMITTING
4	11/20/2014	ISSUED FOR PERMITTING

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DATE	11/20/2014
PROJECT	1003-MA-01
CLIENT	1003-MA-01
SCALE	1:2500
DRAWN BY	AW
CHECKED BY	AW
DATE	11/20/2014
PROJECT	1003-MA-01

**Casado Design**

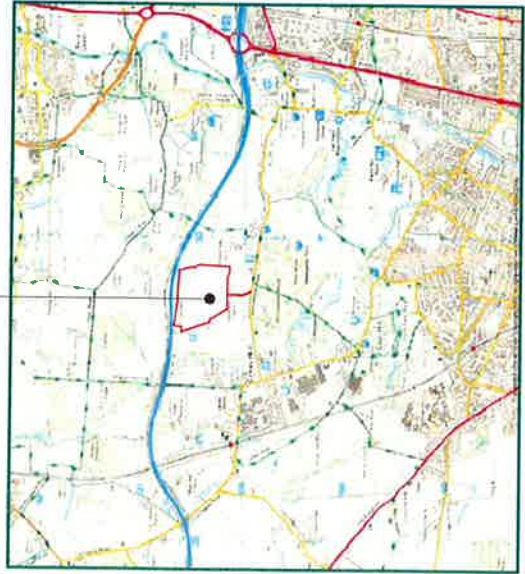
1003-MA-01



**DETAILED SITE LOCATION**  
(Scale 1:2500)

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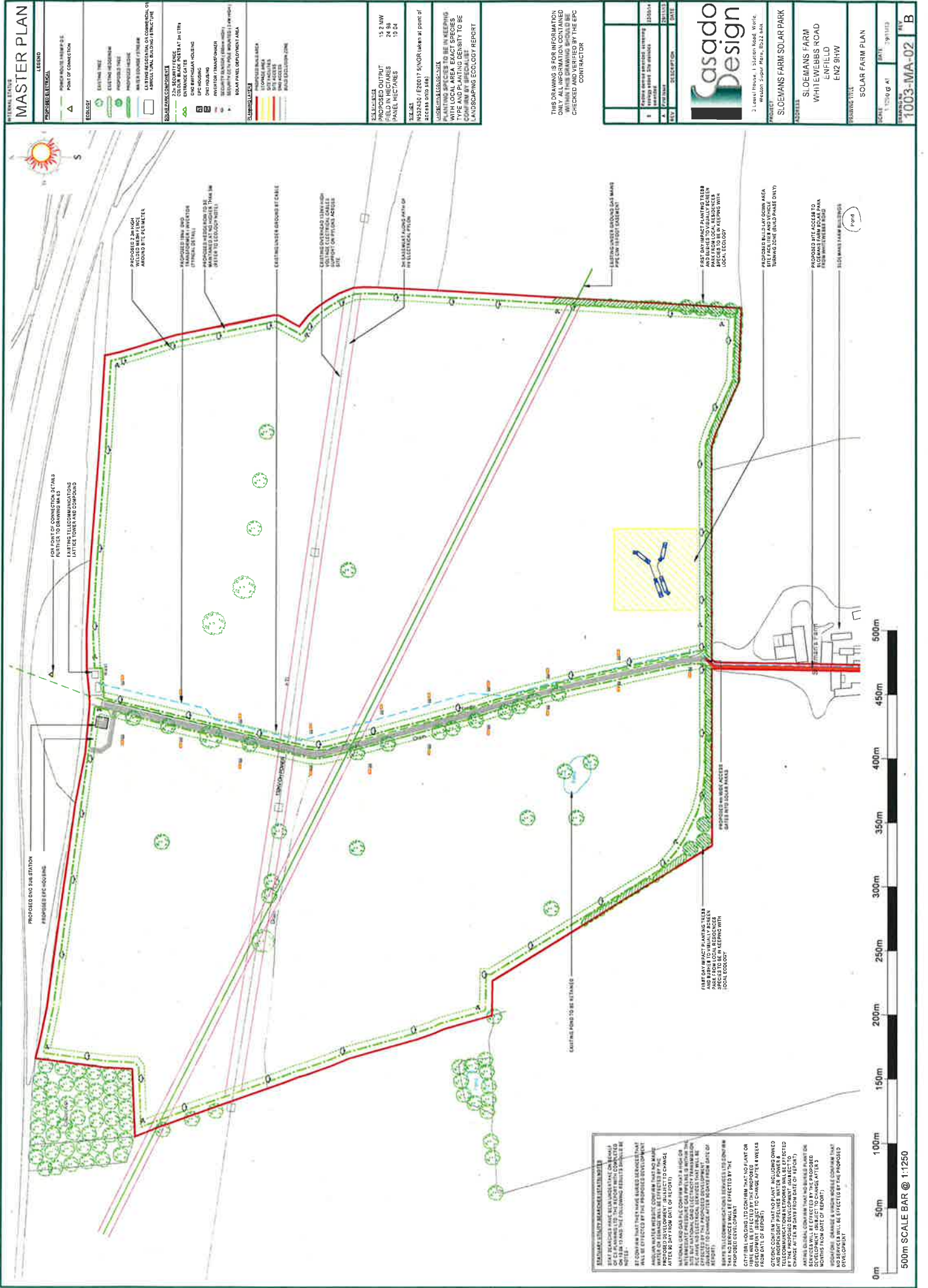
**SITE LOCATION**



**SITE LOCATION**  
(Scale 1:25000)

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# MASTER PLAN

INTERNAL STATUS: 1003-MA-02

PROPOSED FEATURES	
▲	POINT OF CONNECTION

EXISTING	
(Circle with cross)	EXISTING TREE
(Circle with dot)	EXISTING SHED/DOME
(Circle with cross and dot)	PROPOSED TREE
(Circle with dot and cross)	PROPOSED SHED
(Circle with cross and dot)	EXISTING PROPOSED
(Circle with cross and dot)	EXISTING PROPOSED
(Circle with cross and dot)	EXISTING PROPOSED

VEGETATION	
(Circle with cross)	20m SECURITY FENCE
(Circle with cross)	20m SECURITY FENCE
(Circle with cross)	EXISTING SHED/DOME
(Circle with cross)	PROPOSED SHED
(Circle with cross)	EXISTING PROPOSED
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SUBMITTALS

(Yellow)	EXISTING AREA
(Red)	EXISTING AREA
(Green)	EXISTING AREA
(Blue)	EXISTING AREA
(Purple)	EXISTING AREA
(Orange)	EXISTING AREA
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(Orange)	EXISTING AREA
(Pink)	EXISTING AREA
(Brown)	EXISTING AREA
(Grey)	EXISTING AREA
(Black)	EXISTING AREA

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REV	DESCRIPTION	DATE

**casqdo Design**  
3 Lavel Road • 3 Lavel Road, Wattle  
Victoria 3099 • Ph: 03 9523 1011

PROJECT: SLOEMANS FARM SOLAR PARK  
SITE: SLOEMANS FARM  
1 WHITEWATERS ROAD  
ENFIELD  
EN2 9HW

PROJECT TYPE: SOLAR FARM PLAN  
SCALE: 1:1000 AT DATE 29/11/23  
DRAWING NO: 1003-MA-02  
REV: B

REVISIONS/AMENDMENTS TO THE MASTER PLAN:

1. ALL SERVICES WILL BE EFFECTED BY THE PROPOSED DEVELOPMENT.

2. THE DESIGN TEAM HAS CONSIDERED THE IMPACT OF CLIMATE CHANGE ON THE PROPOSED DEVELOPMENT AND HAS TAKEN STEPS TO MINIMIZE THE RISK OF CLIMATE CHANGE.

3. THE DESIGN TEAM HAS CONSIDERED THE IMPACT OF CLIMATE CHANGE ON THE PROPOSED DEVELOPMENT AND HAS TAKEN STEPS TO MINIMIZE THE RISK OF CLIMATE CHANGE.

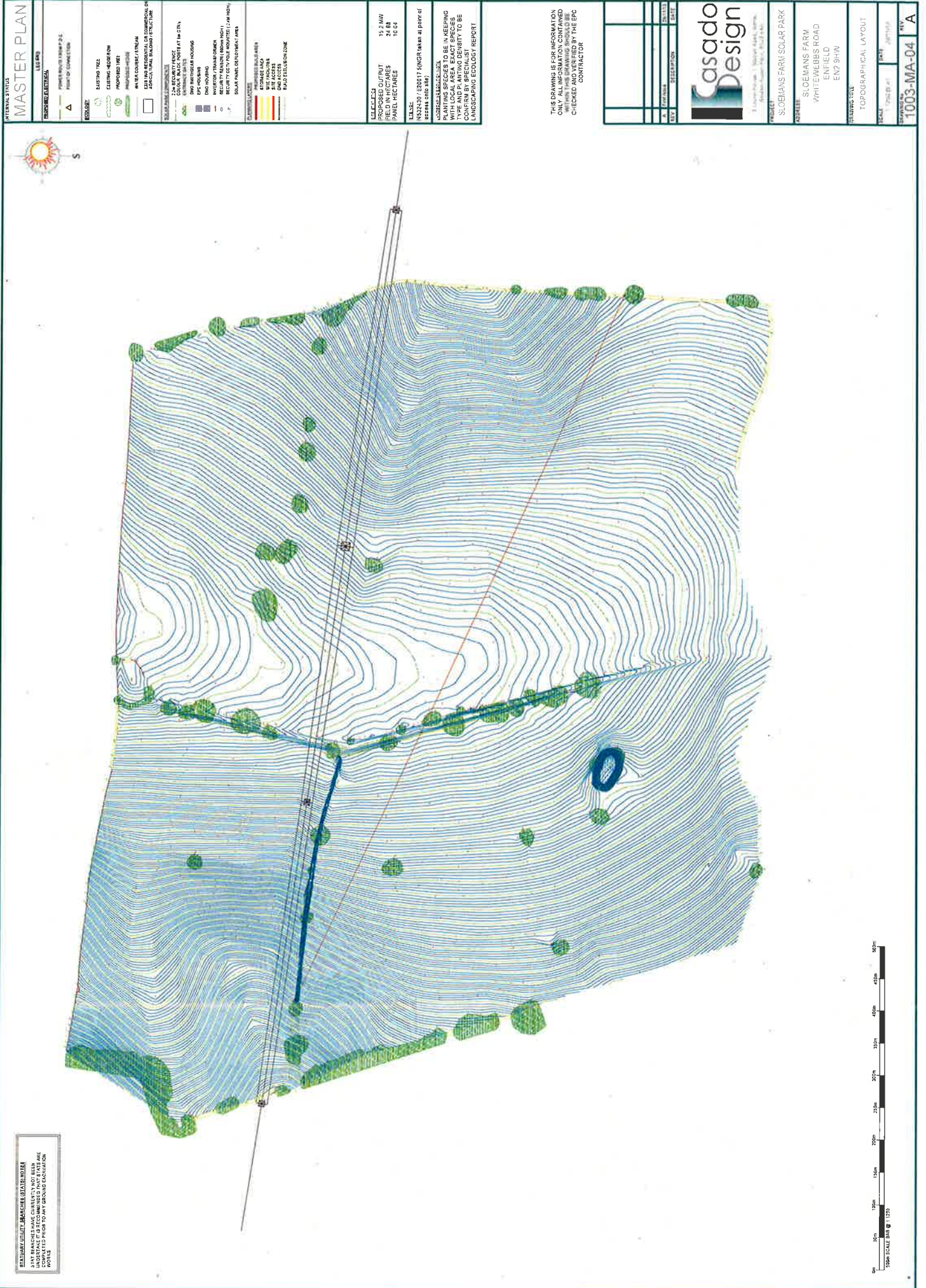
4. THE DESIGN TEAM HAS CONSIDERED THE IMPACT OF CLIMATE CHANGE ON THE PROPOSED DEVELOPMENT AND HAS TAKEN STEPS TO MINIMIZE THE RISK OF CLIMATE CHANGE.

5. THE DESIGN TEAM HAS CONSIDERED THE IMPACT OF CLIMATE CHANGE ON THE PROPOSED DEVELOPMENT AND HAS TAKEN STEPS TO MINIMIZE THE RISK OF CLIMATE CHANGE.









STABILITY/LIABILITY BRANCHES STATEMENTS  
 STAY BRANCHES HAVE CURRENTLY NOT BEEN  
 INSTALLED. IT IS RECOMMENDED THAT STAYS ARE  
 INSTALLED AS PART OF THE BRANCHING SOLUTION.

INTERNAL STATUS  
**MASTER PLAN**

LEGEND  
**PROPOSED ELECTRICAL**  
 POWER MAINS TO KEMP 2.5kV  
 POINT OF CONNECTION

**RESOURCE**  
 EXISTING TREES  
 EXISTING REDWOOD  
 PROPOSED TREES  
 PROPOSED REDWOOD  
 PROPOSED PALM  
 PROPOSED PLANTING  
 PROPOSED PLANTING OF SPECIES TO BE PLANTED ON EXISTING TALLER BUSHES OR STRUCTURE

**2.2M SECURITY FENCE**  
 COLLECTOR PAVEMENT PORTALS IN CITY  
 DWP PARITICULAR HOUSING  
 DWP HOUSING  
 SECURITY FENCE (ADDITIONAL)  
 SECURITY FENCE (ADDITIONAL) TO BE INSTALLED TO THE NORTH AND SOUTH SIDE OF THE SITE

**EXISTENTIAL FEATURES**  
 EXISTING REDWOOD  
 EXISTING PALM  
 EXISTING PLANTING  
 EXISTING PLANTING OF SPECIES TO BE PLANTED ON EXISTING TALLER BUSHES OR STRUCTURE

**UTILITIES**  
 PROPOSED OUTPUT  
 15.2 MW  
 PROPOSED PANELS  
 10.04 HECTARES

**UTILITIES**  
 15.2 MW  
 10.04 HECTARES  
 PROPOSED OUTPUT  
 PROPOSED PANELS  
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 PROPOSED PANELS

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 10.04 HECTARES

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**UTILITIES**  
 PROPOSED OUTPUT  
 15.2 MW  
 PROPOSED PANELS  
 10.04 HECTARES

**Casado Design**  
 3, Loughborough Road, Loughborough, Leicestershire, LE11 3BA  
 01509 242424  
 www.casado.co.uk

**SLOEMANS FARM SOLAR PARK**  
 SLOEMANS FARM  
 WHITEWELLS ROAD  
 ENFIELD  
 EN2 9HW

**TOPOGRAPHICAL LAYOUT**

**1003-MA-04**  
 REV A



50m SCALE BAR © 11/20

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<b>LONDON BOROUGH OF ENFIELD</b>		
<b>PLANNING COMMITTEE</b>		<b>Date :</b> 4 <sup>th</sup> September 2014
<b>Report of</b> Assistant Director, Planning, Highways & Transportation	<b>Contact Officer:</b> Andy Higham 020 8379 3848 Sharon Davidson 020 8379 3841 Ms M Demetri 02083796843	<b>Ward:</b> Edmonton Green
<b>Ref:</b> P14-01298PLA		<b>Category:</b> Full Application
<b>LOCATION:</b> 30A, Nobel Road, London, N18 3BH		
<b>PROPOSAL:</b> Removal of condition 5 of approval TP/08/0744/REN1 for the continued use of the unit for go-kart racing and manufacturing centre with ancillary conference facilities.		
<b>Applicant Name &amp; Address:</b> TeamSport (North London) Ltd 30A, Nobel Road, London, N18 3BH		<b>Agent Name &amp; Address:</b> Savills 30A, Nobel Road, London, N18 3BH
<b>RECOMMENDATION:</b> That condition number 5 be removed from application TP/08/0744/REN1 and conditions be re-imposed		



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Scale 1:1250



## **1.0 Site and surroundings**

- 1.1 30A Nobel Road has been in use as a go-karting centre for TeamSport since December 2008. The site is located within the Eley Industrial Estate to the west of Nobel Road approximately 80 metres south of Thornton Road. The site contains a large industrial building, where the go-karting centre is located, while the remainder of the site is laid to hard standing. Access is from Nobel Road in the southeast corner of the site.
- 1.2 The area is characterised by predominantly heavy industry and storage uses. The nearest residential dwellings are approximately some 360 metres to the west, fronting Montague Road.
- 1.3 The whole of the site lies within Flood Zone 3 in close proximity to the boundary with Flood Zone 2.

## **2.0 Proposal**

- 2.1 This is a Section 73 planning application seeking the removal of condition number 5 of application TP/08/0744/REN1 as worded below:

*This permission is granted for a limited period expiring on 22nd June 2014 when the use hereby permitted shall be discontinued and the land reinstated.*

*Reason: To ensure that the unit within a Strategic Industrial Location remains available for industrial use in the medium to long term, to protect the supply of industrial land within the Borough and protect the objectives of the forthcoming Central Leaside Area Action Plan.*

## **3.0 Relevant Planning History**

- 3.1 30A Nobel Road has been in use as a go-karting centre for TeamSport since December 2008. An initial temporary 3 year planning permission was granted in May 2008 for the use as an indoor go-karting centre (TP/08/0744). This was renewed in June 2011 for a further temporary 3 years associated with condition number 5 (TP/08/0744/REN1).

## **4.0 Consultation**

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

#### **4.1.1 Traffic and Transport**

No objection raised. There have been no known complaints relating to the site.

#### **4.1.2 Environmental Health**

No objection raised. No environmental complaints about the premises. The continued use of the development is unlikely to have a negative environmental impact. In particular there are no issues regarding noise, contaminated land, air quality or nuisance.

## **4.2 Public response**

- 4.2.1 Nine neighbours have been notified directly by letter and a site notice erected. No response received.

## **5.0 Relevant policies**

- 5.1 The National Planning Policy Framework (NPPF) published in March 2012 allowed Local Planning Authorities a 12 month transition period to prepare for the full implementation of the NPPF. Within this 12 month period Local Planning Authorities could give full weight to the saved Unitary Development Plan policies (UDP) and the Core Strategy, which was adopted prior to the NPPF. The 12 month period has now elapsed and as from 28th March 2013 the Council's saved UDP and Core Strategy policies will be given due weight in accordance to their degree of consistency with the NPPF.

- 5.2 The Development Management Document (DMD) policies have been prepared under the NPPF regime to be NPPF compliant. The Submission version DMD document was approved by Council on 27<sup>th</sup> March 2013 and is now under examination. An Inspector has been appointed on behalf of the Government to conduct the examination to determine whether the DMD is sound. The examination is a continuous process running from submission through to receiving the Inspector's Report. Part of this process involved an oral hearing sessions and this took place on Wednesday 23rd April 2014. The DMD provides detailed criteria and standard based policies by which planning applications will be determined.

- 5.3 The policies listed below are considered to be consistent with the NPPF and therefore it is considered that due weight should be given to them in assessing the development the subject of this application.

### 5.4 London Plan (subject to Revised Early Minor Alterations 2013)

Policy 2.17 Strategic Industrial Locations  
Policy 4.4 Managing Industrial Land and Premises  
Policy 6.3 Assessing effects of development on transport capacity

### 5.5 Core Strategy

CP14 Safeguarding Strategic Industrial Locations  
CP25 Pedestrian and Cyclists  
CP30 Pollution

### 5.6 Unitary Development Plan

(II) GD3 Planning Standards  
(II) GD6 Planning Standards  
(II) GD8 Planning Standards  
(II) T13 Highway Improvements

5.7 Submission Version DMD

DMD 19 Strategic Industrial Location (SIL)  
DMD 45 Parking Standards and Layout  
DMD46 Vehicle Crossovers and Dropped Kerbs  
DMD 47 New Roads, Access and Servicing  
DMD 48 Transport Assessments  
DMD 64 Pollution Control and Assessment  
DMD 66 Land Contamination and Instability  
DMD 68 Noise

5.8 Other relevant considerations

Manual for Streets 1 and 2  
NPPF (2012)  
NPPG (2014)  
Employment Land Review (2012)  
North London Employment Land Study (updated 2009)  
Council's Central Leaside Area Action Plan (CLAAP) (draft 2012)  
Upper Lee Valley Opportunity Area Planning Framework (2013)

**6.0 Analysis**

6.1 Background

6.1.1 TP/08/0744 and TP/08/0744/REN1 were approved subject to temporary 3 year permissions. Condition number 5 was imposed so that the Council could retain control of the use of the unit until the Council's Central Leaside Area Action Plan (CLAAP) and the Development Management Document (DMD) were published. It was envisaged that the CLAAP and DMD would be likely to improve future demand and the unit could be returned to industrial use in the long-term. It should be noted that the CLAAP has been in draft form since 2012.

6.1.2 The Council has now received the Inspector's Report into the soundness and legal compliance of Enfield's Development Management Document (DMD). The Inspector has concluded that the DMD (part of Enfield's Local Plan) provides an appropriate basis for the planning of the Borough, satisfies the requirements of Section 20(5) of the 2004 Planning & Compulsory Purchase Act and meets the criteria for soundness in the National Planning Policy Framework

6.2 Policy and principle

6.2.1 Enfield's Local Plan, particularly the Core Strategy (adopted 2010) sets the context for the Central Leaside area, and it is supported by an evidence base, including the Employment Land Review (2012) and the North London Employment Land study and its update report in (2009). The Core Strategy sits within a suite of planning documents including the Development Management Document (submission version March 2013), and the draft Central Leaside Area Action Plan (May 2012), as well as the Mayor's Upper Lee Valley Opportunity Area Planning Framework (July 2013). Together these planning policies and guidance at the local and sub-regional level provide a clear steer on appropriate development in the area.

6.2.2 Additionally, the Council has formally submitted its Development Management Document (DMD) to the Secretary of State for independent examination. Examination to determine the soundness of the DMD was held in April 2014. Chapter 4 of the DMD deals with Enfield's economy. It re-affirms the Council's position to supporting businesses and facilitating economic growth. Based on an up-to-date evidence of demand and supply, the Council will continue to protect industrial land and employment premises, including those safeguarded as SIL and Locally Significant Industrial Sites (LSIS). This approach is supported by the findings of the Employment Land Review (2012), which identified that the supply of industrial land in North London is limited and there is a need to retain industrial capacity to accommodate existing and future demand. The Review concludes that, even in the context of the current economic climate, Enfield should protect its employment sites.

6.2.3 Unit 30A Nobel Road is situated within Eleys Industrial Estate. Core Policy 14: Strategic Industrial Location (SIL) safeguards Eleys Estate as SIL, and identifies it within a 'Preferred Industrial Location' (PIL). The objective of this policy is to strengthen the role of industrial areas within the Borough, which are in employment use. Consequently, the principle use of the site as an indoor go-karting centre (sui generis use) is contrary to policies set out in Enfield's Local Plan as its retention would result in a loss of industrial capacity. However, material considerations exist that are required to be considered.

### 6.3 Material considerations for the retention of the go karting use

#### *A history of 30 A to D Nobel Road*

6.3.1 The whole unit at 160,000 sqf, known as number 30, was originally built to accommodate a steel foundry. The building was purpose built to suit the specific requirements of the steel foundry. Upon relocation of this company in the 1980's the entire unit was let to Coca Cola Enterprise Limited. In the early 1990's Coca Cola moved out and a removal firm and logistic company occupied the site. In 2006 both the removal firm and a logistic company vacated. The whole unit was marketed as a whole for 18 months with no success. In 2008 the unit was split into separate units and advertising commenced for the separate units. Team Sport Go-Karting occupied unit A and Professional Print Finishing Services Limited occupied unit D. The remaining space remained unoccupied until 2013. In August 2013 Dogtas Limited (B8 use) let 26,000 sqft. There is still approximately 60,000 sqft of space remaining to be let within the unit.

6.3.2 Over the years it is apparent that there has been very little demand for this particular unit to be retained as an industrial/warehouse use. This is further demonstrated by the 60,000 sqft of the unit still not let and the length it has taken to let even part of the whole unit. The potential loss of the go karting use could further add to the empty floor space available within the unit to the detriment of the Eley Estate.

#### *Specific analysis of 30A to D Nobel Road*

6.3.3 The following bullet points are an account from Pater Johnson Merriman, the letting agents and chartered surveyors acting on behalf of the owners of the unit. They have collated information to demonstrate how the whole unit has been marketed,

incentives offered to draw leaseholders to the site and why the unit is deemed to be unattractive. This information has been gathered since 2006 when the unit first became fully vacant.

*The unit itself*

- The age of the unit makes it less attractive given the number of modern units within the industrial areas of the Borough. New modern units are currently being erected in the Eley Estate making 30 Nobel Road even more unattractive to prospective leaseholders. Modern operational needs are in demand hence why new industrial units are being erected.
- The poor condition of the unit given the length of time it has not been leased for. The existing unit is deemed to be part of the poor existing stock and is not adaptable without major investment.
- The ceiling height is too low for some of the B use classes to use given that the unit was specifically designed to be used as a steel foundry.
- The impression of the wider Eley Estate which appears run down.
- The general access and roadway are poorer than competing space which can clearly be seen on site through the quality of the road.
- The smell from the adjoining waste facility is unattractive.
- Levels of break ins in the Eley Estate may not be exceptionally high but still occur.

6.3.4 The above demonstrates that in order to make 30 Nobel Road attractive to users within the B Use Class, the applicant would need to demolish the unit and erect a new building but also repair the roads and access outside of their ownership.

*Type of marketing and incentives offered since 2006*

- Incentives offered to lease the unit included large rent free periods, the flexibility of the unit, short term lettings and internal refurbishment works.
- The rent for the unit is low which in terms of marketability indicates the poor quality of the space in terms of the B use classes.
- Since 2007 there has been an agents marketing board for the whole site.
- The unit has been advertised on industries' websites and circulated to all Central London industrial agents.
- The unit has been advertised in a variety of industrial marketing literature nationwide.
- Since 2006 the majority of the unit still remained unleased. In 2013 Dogtas Limited leased part of the remaining unit because of its proximity to its local retail stores and the lower than average rent within the Eley Estate.

- 6.3.5 The whole site has been marketed since 2007 and is still not fully occupied. Where it has been marketed in more recent years there was a niche reason as to why Dogtas Limited leased part of the reason. This did not have anything to do with the draft CLAAP (2012) document which aims to regenerate the employment sites within the Borough. Given the evidence submitted, it is considered that the site has been widely marketed for a number of years with a number of incentives offered, although occupancy at the unit still remains low.

*Assessment of the Eley Estate and Strategic Industrial Locations within Enfield*

- 6.3.6 R Morris Associates have undertaken extensive survey work of the Eley Estate and all of the other designated SILs within the Borough at the request of Officers. The survey has involved site visits, desk-top research using Focus.net amongst other tools and extensive discussions with marketing agents who are active in the Borough. It was required to consider not just the Eley Estate, but also availability in the other SILs within the Borough. This is because an industrial/warehouse occupier when looking for premises will not focus their search in a specific estate. Instead, they would consider a wider area/region. The summary of the survey is as follows:

- The survey of all of the SILs establishes that there is approximately 1,234,000 sq ft of available industrial and warehouse space. This demonstrates that there is a considerable level of supply and choice of availability within the SILs of the Borough.
- The 1,234,000 sq ft comprises 42 different units of sizes from 7,000 sqft to circa 100,000 sqft. Of this, approximately 1,100,000 sq ft has been marketed for one year or more. Although not all of this space is actually vacant, in regards to marketing, 89% of all of the space on the market has been available for leasing for at least 12 months.
- There is more available space in the vicinity of the site now compared to when the application was considered in 2011.

- 6.3.7 The review by the Council found that Enfield should not see any net reduction in the employment land stock. Given that the 2014 survey undertaken by the Agent portrays an up to date representation of the Eley Estate and SILs it would be unreasonable to rely solely on the Employment Land Review (2012). The loss of the go karting unit would just add to the existing vacant units and the amount of industrial space not occupied. Specifically in the Eley Estate, 15 additional units are being built (reference P12-03055PLA). Therefore, it is considered given current vacancy rates, the amount of units in the SILs, future provision and that there is a net increase of units at the Eley Estate, it is considered that the retention of the go karting business would not harm the employment land stock.

*Enfield's economy*

- 6.3.8 The fundamental aim of Section 4 of the submission Development Management Document (2013) is to ensure that there is sufficient employment land stock to provide employment. The go karting business at 30A Nobel Road employs a total of 28 people from the local area. An industrial/warehouse unit of this particular size may not employ as many people given the low level of employment generated by an



industrial/warehouse use generally. The loss of this unit would therefore result in the loss of 28 jobs. Further, there would be no guarantee that another business would replace this business and provide equivalent replacement employment.

- 6.3.9 One of the fundamental aims of the NPPF (2012) is to achieve sustainable development through building a strong and competitive economy. The business appears to be thriving, implied by the expressed need to remain in situ. Therefore, the use brings members of the community to the Borough of Enfield who would not have generally come to this part of the Borough. Although the use cannot necessarily be described as tourism, visitors to this recreational facility would serve to support the community and promote economic prosperity in the Borough. The retention of the business would ensure that existing jobs and prosperity are maintained.

*Overall*

- 6.3.10 It is acknowledged that by removing condition number 5 this would be a departure from the Local Plan. However, it is considered that there are positive benefits arising from the permanent retention of this unit that need to be balanced against the principle of the loss of the industrial use. These positive benefits have been discussed above and on balance it is considered that condition number 5 should be removed from application TP/08/0744/REN1.

6.4 Conditions and Decision Notice

- 6.4.1 An application under Section 73 of the Town and Country Planning Act 1990 (as amended) to remove condition number 5 has been submitted. Thus planning permission under Section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. Therefore, it is recommended that conditions number 1, 2, 3 and 4 of TP/08/0744/REN1 shall be re-imposed to any granting of permission.

6.5 Community Infrastructure Levy

- 6.5.1 As of the April 2010, legislation in the form of CIL Regulations 2010 (as amended) came into force which would allow 'charging authorities' in England and Wales to apportion a levy on net additional floorspace for certain types of qualifying development to enable the funding of a wide range of infrastructure that is needed as a result of development. Since April 2012 the Mayor of London has been charging CIL in Enfield at the rate of £20 per sqm. The Council is progressing its own CIL but this is not expected to be introduced until spring / summer 2015.
- 6.5.2 The existing building has been continuously and lawfully occupied as an indoor go-karting centre for at least 6 months within the last 36 months and has not increased in net floor space. In accordance with Regulation 40, the proposal would not be CIL liable.

**7.0 Conclusion**

- 7.1 On balance, given the premises has now been used as a go-karting centre for 6 years and provides 28 jobs, taken together with the marketing evidence submitted,

no objection is raised to the removal of condition number 5 from application TP/08/0744/REN1.

**8.0 Recommendation**

8.1 That condition number 5 be removed from application TP/08/0744/REN1 and the following conditions be re-imposed:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Cover Letter, PA-01, PA-02, PA-03, Planning, Design and Access Statement

Reason: For the avoidance of doubt and in the interests of proper planning.

2. There shall be no raising of existing ground levels on the site.

Reason: To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity.

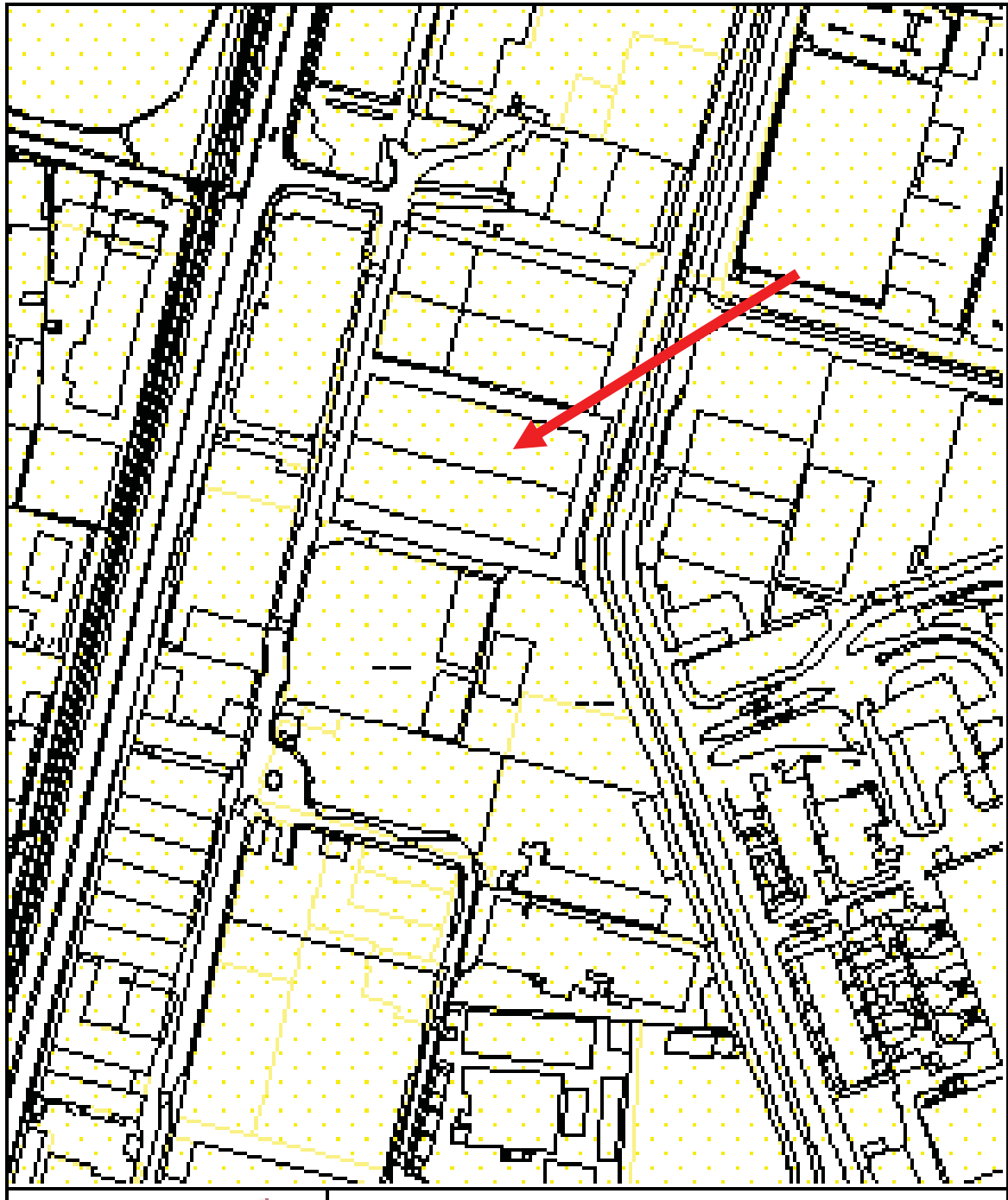
3. The parking, turning and refuse facilities shown on approved plan PA-02 shall remain available for their respective uses at all times the premises is in use. The parking areas shall only be used for the parking of private motor vehicles and shall not be used for any other purpose.

Reason: In the interests of highway safety.

4. The premises shall be used only as a go-kart racing and manufacturing centre with ancillary conference facilities and shall not be used for any other purpose.

Reason: To protect the amenities of the surrounding properties.

Site location



Front elevation

