

# Public Document Pack



## **PLANNING COMMITTEE**

Tuesday, 21st October, 2014 at 7.30 pm  
Venue: Conference Room,  
The Civic Centre, Silver Street,  
Enfield, Middlesex, EN1 3XA

Contact: Jane Creer / Metin Halil  
Committee Administrator  
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## **MEMBERS**

Councillors : Abdul Abdullahi, Lee Chamberlain, Dogan Delman, Christiana During, Christine Hamilton, Ahmet Hasan, Suna Hurman, Derek Levy, Andy Milne, Anne-Marie Pearce, George Savva MBE and Toby Simon (Chair)

**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 20/10/14**

## **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. MINUTES OF THE PLANNING COMMITTEE 23 SEPTEMBER 2014**  
(Pages 5 - 8)

To receive the minutes of the Planning Committee meeting held on Tuesday 23 September 2014.

**4. REPORT OF THE ASSISTANT DIRECTOR, PLANNING, HIGHWAYS AND TRANSPORTATION (REPORT NO.100) (Pages 9 - 10)**

To receive the covering report of the Assistant Director, Planning, Highways & Transportation.

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

**5. P13-03229PLA - EVERLAST HOUSE, 1 CRANBROOK LANE, LONDON, N11 1PF (Pages 11 - 34)**

RECOMMENDATION: Approval subject to S106 Agreement and conditions  
WARD: Southgate

**6. P14-02066PLA - PONDER'S END INDUSTRIAL ESTATE, EAST DUCK LEES LANE, ENFIELD, EN3 7SP (Pages 35 - 80)**

RECOMMENDATION: Approval subject to S106 Agreement and conditions  
WARD: Ponders End

**7. 14/02747/HOU - 2 PARKLANDS CLOSE, BARNET, EN4 0AB (Pages 81 - 86)**

RECOMMENDATION: Approval subject to conditions  
WARD: Cockfosters

**8. 14/02821/FUL - 21 ARBOUR ROAD, ENFIELD, EN3 7TX (Pages 87 - 94)**

RECOMMENDATION: Approval subject to conditions  
WARD: Ponders End

**9. 14/02806/OUT - STONEHILL ESTATE, SILVERMERE DRIVE, N18 3QH**

**TO FOLLOW**

**10. 14/02807/FUL - UNIT 2, 3A & 3B STONEHILL BUSINESS PARK, SILVERMERE DRIVE, N18 3QH**

**TO FOLLOW**

**11. 14/02808/FUL - STONEHILL ESTATE, THE TRIANGLE SITE, SILVERMERE DRIVE, N18 3QB**

**TO FOLLOW**

**12. APPEAL INFORMATION**

Monthly decisions on Town Planning Application Appeals.  
(The update will be provided at the meeting.)

### **13. EXCLUSION OF THE PRESS AND PUBLIC**

If necessary, to consider passing a resolution under Section 100A(4) of the Local Government Act 1972 excluding the press and public from the meeting for any items of business moved to part 2 of the agenda on the grounds that they involve the likely disclosure of exempt information as defined in those paragraphs of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).  
(There is no part 2 agenda)

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## PLANNING COMMITTEE - 23.9.2014

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE  
HELD ON TUESDAY, 23 SEPTEMBER 2014**

**COUNCILLORS**

**PRESENT** Abdul Abdullahi, Lee Chamberlain, Dogan Delman, Ahmet Hasan, Suna Hurman, Derek Levy, Anne-Marie Pearce, George Savva MBE and Toby Simon

**ABSENT** Christiana During, Christine Hamilton and Andy Milne

**OFFICERS:** Bob Griffiths (Assistant Director - Planning, Highways & Transportation), Andy Higham (Head of Development Management), Sharon Davidson (Planning Decisions Manager) and Izabella Grogan (Legal Services) and Jane Creer (Democratic Services)

**Also Attending:** Approximately 12 members of the public, applicants, agents and their representatives  
Dennis Stacey, Chairman – Conservation Advisory Group  
Councillor Ahmet Oykenner (ward councillor)

**128****WELCOME AND APOLOGIES FOR ABSENCE**

NOTED

1. Councillor Simon, Chairman, welcomed everyone to the meeting.
2. Apologies for absence were received from Councillors During, Hamilton and Milne.
3. Apologies for lateness were received from Councillor Hasan.

**129****DECLARATION OF INTERESTS**

NOTED

1. There were no declarations of interest.
2. In respect of application ref P13-02505PLA, Councillor Levy advised that Mrs Ozyigit (neighbouring resident) had attended his ward councillor surgery in April 2013 with issues pertaining to 17 Grosvenor Gardens N14, but he had taken no active involvement.

**130****MINUTES OF THE PLANNING COMMITTEE 19 AUGUST 2014**

**AGREED** the minutes of the Planning Committee meeting held on Tuesday 19 August 2014 as a correct record.

PLANNING COMMITTEE - 23.9.2014

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**REPORT OF THE ASSISTANT DIRECTOR, PLANNING, HIGHWAYS AND TRANSPORTATION (REPORT NO. 65)**

RECEIVED the report of the Assistant Director, Planning, Highways and Transportation (Report No. 65).

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**P13-02505PLA - 17, GROSVENOR GARDENS, LONDON, N14 4TU**

NOTED

1. Introduction by the Head of Development Management.
2. The Chair had agreed to receive deputations given the lapse of a year since Planning Committee last considered this application, and the election of new Members to the Committee.
3. The deputation of Mr Troy Shearing, on behalf of the neighbouring residents of nos 15 and 19 Grosvenor Gardens.
4. Councillor Hasan arrived at the meeting, but having missed the beginning of the item, would not be permitted to vote in respect of the application.
5. The statement of Councillor Ahmet Oykener, speaking in lieu of ward councillors, who were not available this evening.
6. The response of Mr Michael Koutra, agent of the applicant.
7. Advice of the Head of Development Management in respect of issues raised.
8. Members expressed concerns in respect of height, size, siting, privacy, lighting, screening and the impact on adjoining properties.
9. Following a debate, a vote was taken and the officers' recommendation was not supported by a majority of the committee: 3 votes for and 5 against.
10. Councillor Delman's proposal that planning permission be refused due to the size, scale and visual prominence of the building in the rear garden setting, given the elevated levels of the structure in relation to the levels of adjacent properties and because of a loss of privacy, was supported by a majority of the committee: 4 votes for, 3 against and 1 abstention.

**AGREED** that planning permission be refused for the reasons below.

- 1 The outbuilding, by virtue of its size, siting, external finish and height in relation to surrounding topography, represents a dominant and overbearing structure in this garden setting, detrimental to the amenities of adjoining occupiers. In this respect the development is contrary to Core Policy CP30, DMD 8 and 12 of the Submission version Development Management Documents and Policy (II)GD3 of the UDP.
- 2 The outbuilding due to the presence of a facing window, its height and prominence relative to the adjoining property leads to overlooking and a loss of privacy for the occupiers of No.19 Grosvenor Gardens, detrimental to their amenities. In this respect the development is contrary to Core Policy CP30, Policy DMD 8 and 12 of the Submission

**PLANNING COMMITTEE - 23.9.2014**

version Development Management Document and Policy (II)H8 of the Unitary Development Plan.

**133**

**P14-01298PLA - 30A, NOBEL ROAD, LONDON, N18 3BH**

NOTED

1. Introduction by the Planning Decisions Manager.
2. Following a debate the officers' recommendation was unanimously approved.

**AGREED** that condition number 5 be removed from application TP/08/0744/REN1 and conditions be re-imposed.

**134**

**FUTURE MEETINGS**

NOTED

1. Meetings of the Planning Committee were confirmed for 21 October, 18 November, 25 November and 16 December 2014.
2. The meeting on 18 November would consider Deephams Sewage Works upgrade application.
3. A Member site visit would be arranged on Saturday 18 October to three sites – Middlesex University Queensway Campus, Deephams Sewage Works, and 41 Picketts Lock Lane (proposed bus depot). Minibus transport would be provided for Members from the Civic Centre at 9:30am.
4. A Member training session would be provided by Planning Policy Team on 21 October at 6:30pm in Room 6 regarding Development Management Document and Area Action Plans.

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**MUNICIPAL YEAR 2014/2015 - REPORT NO 100**

**COMMITTEE:**  
PLANNING COMMITTEE  
21.10.2014

AGENDA - PART 1	ITEM 4
SUBJECT -	
MISCELLANEOUS MATTERS	

**REPORT OF:**  
Assistant Director, Planning,  
Highways and Transportation

**Contact Officer:**  
Planning Decisions Manager  
Sharon Davidson Tel: 020 8379 3841

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

4.1.1 In accordance with delegated powers, 770 applications were determined between 09/07/2014 and 09/10/2014, of which 620 were granted and 150 refused.

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

Background Papers

To be found on files indicated in Schedule.

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

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

Background Papers

- (1) Section 70 of the Town and Country Planning Act 1990 states that the Local Planning Authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section 54A of that Act, as inserted by the Planning and Compensation Act 1991, states that where in making any determination under the Planning Acts, regard is to be had to the development, the determination shall be made in accordance with the plan unless the material considerations indicate otherwise. The development plan for the London Borough of Enfield is the Unitary Development Plan (UDP).
- (2) Other background papers are those contained within the file, the reference number of which is given in the heading to each application.

**4.3 APPEAL INFORMATION**

INF

The Schedule attached to the report lists information on town planning application appeals received and also contains information on decisions taken during the specified period.

## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 21<sup>st</sup> October 2014

**Report of**  
Assistant Director - Planning,  
Highways & Transportation

**Contact Officer:**  
Andy Higham Tel: 020 8379 3848  
Sharon Davidson: 0208 379 3841  
Francis Wambugu Tel: 020 8379  
5076

**Ward:** Southgate

**Application Number :** P13-03229PLA

**Category:** Major

**LOCATION:** EVERLAST HOUSE, 1, CRANBROOK LANE, LONDON, N11 1PF

**PROPOSAL:** Conversion of existing 2 storey office building and basement including erection of third storey to provide 11 x self-contained flats (comprising 3 x 1-bed, 6 x 2-bed and 2 x 3- bed) balconies to first floor and second floors, associated parking and landscaping.

**Applicant Name & Address:**

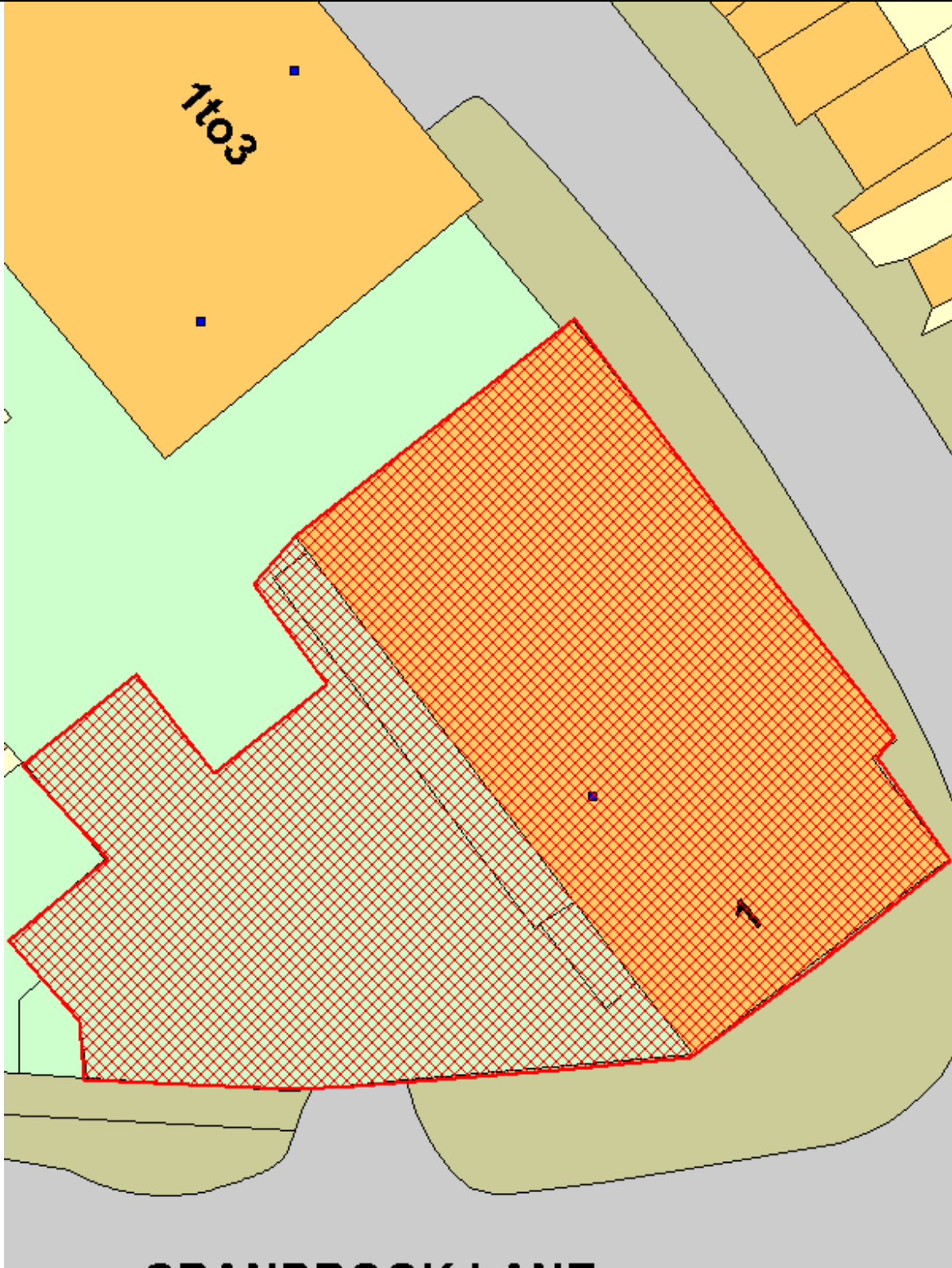
Andrew Savva  
357 Cockfosters Road  
Barnet  
EN4 0JT

**Agent Name & Address:**

Colin Butcher  
Delta Architects  
1 Batemans Row  
Shoreditch  
London EC2A 3HH

**RECOMMENDATION:**

That subject to the completion of a S106 Agreement to secure the obligations as set out in the report, the Head of Development Management / the Planning Decisions Manager be authorised to **GRANT** planning permission subject to conditions.



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## **1. Site and Surroundings**

- 1.1 The application site comprises an irregularly shaped plot currently occupied by a two storey office building on the corner of Cranbrook Lane and Marconi Place. The building is in use as an office.
- 1.2 The site is part of an area bounded by the rear gardens of residential properties fronting Betstyle Road to north, Bowes Road to south and other properties on Cranbrook Lane to west. The locality is comprised of a variety of building styles ranging from two storey terraced houses, three storey flats and several four storey flats. The site benefits from two accesses via the Cranbrook Lane loop both linking with Betstyle Road.

## **2. Proposal**

- 2.1 Planning permission is sought for the conversion of existing 2 storey office building and basement to flats, together with the erection of a third storey to provide in total 11 x self-contained flats (comprising 3 x 1-bed, 6 x 2- bed and 2 x 3- bed) and balconies to the first floor and second floors.
- 2.2 The development also includes the provision of five off-street parking spaces with access from Cranbrook Lane, together with landscaping.
- 2.3 The proposals have been revised since their original submission. The revised scheme incorporates a flat roof rather than the mansard roof originally proposed, an enlarged accessible refuse storage area, additional landscaping on front court with communal amenity space area and more private amenity on second floor terrace.

## **3. Relevant Planning Decisions**

- 3.1 TP/04/0503 - Construction of 2<sup>nd</sup> floor with mansard roof extension to provide additional offices and ancillary areas and extension of external stair case at side – granted 29<sup>th</sup> April 2004.
- 3.2 P13-03468PRJ - Change of use from office (B1) to residential (C3) providing 8 residential units. Prior approval not required.

## **4. Consultations**

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

#### **4.1.1 Health, Housing and Adult Social Care**

No objections received

#### **4.1.2 Thames Water**

Thames Water advises that with regard to sewerage and water infrastructure they would not have any objection to the planning application. With regard to surface water drainage they would not have any objection subject to recommended informatives. In addition it was noted that the proximity of a trunk sewer to the south-western boundary of the site should be noted and the foundations of any building should be designed accordingly.

4.1.3 Sustainable Design Officer

The Sustainable Design Officer raises no objections subject to conditions

4.1.4 Traffic and Transportation

Traffic and Transportation raises no objections subject to conditions

4.1.7 Biodiversity

The Biodiversity Officer raises no objection subject to conditions

4.1.8 Environmental Health

The Environmental Health Officer raises no objections

**4.2 Public**

4.2.1 Letters were initially sent to 50 adjoining and nearby residents. In addition a notice was displayed on site and in the local press. As a result three responses were received raising the following comments:

- Loss of privacy for nearby property
- Oppose planning as too close to our property
- Change from office to residential development with roof extension and windows will affect privacy
- Submitted plans do not accord with elevations
- Elevations show doors opening out into office driveway
- Existing windows are obscure glazed in order to protect privacy
- New windows should be omitted on grounds of privacy
- Building regulations will need to be observed and taken account of in this application.

4.2.2 Following submission of revised plans, letters were again sent to those adjoining and nearby residents initially consulted. Three further responses have been received raising the same comments similar to those originally received:

- Loss of privacy and light for nearby property
- Submitted plans do not accord with elevations (NW elevation)
- Elevations show doors opening out from Bedroom 2 of flat C into office driveway
- Existing windows at ground floor are obscure glazed in order to protect privacy and should be maintained.
- New windows should be omitted on grounds of privacy
- Building regulations will need to be observed and taken account of in this application.
- Too close to adjoining properties
- Too high

4.2.3 In response, it can be confirmed that the applicant has submitted amended plans correcting the anomaly identified on NW and SE elevations to ensure

that plans and elevations now accord. Additionally no doors are proposed opening into the driveway.

## 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 UDP policies 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 has now successfully been through examination. It is expected that the document will be adopted at full Council in November 2014. The DMD provides detailed criteria and standard based policies by which planning applications will be determined, and is considered to carry greater weight now it is at 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.

### 5.4 The London Plan

Policy 3.3	Increasing housing supply
Policy 3.4	Optimising housing potential
Policy 3.5	Quality and design of housing developments
Policy 3.8	Housing choice
Policy 3.9	Mixed and balanced communities
Policy 3.10	Definition of affordable housing
Policy 3.11	Affordable housing targets
Policy 3.12	Negotiating affordable housing
Policy 3.13	Affordable housing thresholds
Policy 3.16	Social infrastructure
Policy 5.1	Climate change mitigation
Policy 5.2	Minimising carbon dioxide emissions
Policy 5.3	Sustainable design and construction
Policy 5.13	Sustainable drainage
Policy 5.14	Water quality and wastewater infrastructure
Policy 5.15	Water use and supplies
Policy 5.16	Water self-sufficiency
Policy 5.18	Construction, excavation and demolition waste
Policy 6.3	Assessing the effects of development on transport capacity
Policy 6.7	Better streets and surface transport
Policy 6.9	Cycling
Policy 6.10	Walking
Policy 6.11	Smoothing traffic flow and tackling congestion
Policy 6.12	Road network capacity
Policy 6.13	Parking

Policy 7.1	Building London's neighbourhoods and communities
Policy 7.2	An inclusive environment
Policy 7.4	Local character
Policy 7.6	Architecture
Policy 7.19	Biodiversity and access to nature
Policy 8.2	Planning Obligations

5.5 Local Plan – Core Strategy

CP2	Housing supply and locations for new homes
CP3	Affordable housing
CP4	Housing quality
CP5	Housing types
CP9	Supporting community cohesion
CP19	Offices
CP20	Sustainable energy use and energy infrastructure
CP21	Delivering sustainable water supply, drainage and sewerage infrastructure
CP24	The road network
CP25	Pedestrians and cyclists
CP26	Public Transport
CP28	Managing flood risk through development
CP30	Maintaining and improving the quality of the built and open environment
CP31	Built and landscape heritage
CP36	Biodiversity
CP46	Infrastructure contributions

5.6 Saved UDP Policies

(II) GD3	Aesthetics and functional design
(II) GD6	Traffic Generation
(II) GD8	Site Access and Servicing
(II) H8	Overlooking and privacy
(II) H9	Amenity Space

5.7 Submission Version DMD

DMD1	Affordable Housing on Sites Capable of Providing 10 units or more
DMD3	Providing a Mix of Different Sized Homes
DMD6	Residential Character
DMD8	General Standards for New Residential Development
DMD9	Amenity Space
DMD10	Distancing
DMD37	Achieving High Quality and Design-Led Development
DMD38	Design Process
DMD45	Parking Standards and Layout
DMD47	New Roads, Access and Servicing
DMD48	Transport Assessment
DMD49	Sustainable Design and Construction Statements
DMD50	Environmental Assessment Methods
DMD51	Energy efficiency standards
DMD52	Decentralised energy networks
DMD53	Low and zero carbon technology



DMD54	Allowable solutions
DMD55	Use of roof space/vertical surfaces
DMD56	Heating and cooling
DMD57	Responsible sourcing of materials, waste minimisation and green procurement.
DMD58	Water efficiency
DMD61	Managing surface water
DMD71	Protection and enhancement of open space

## 5.8 Other Material Considerations

National Planning Policy Framework  
National Planning Practice Guidance  
Housing SPG 2012

## 6. **Analysis**

6.1 The key considerations in determining this planning application are; the principle of development with particular regard to loss of office use, design and impact on character of locality and neighbouring properties, impact on neighbouring amenity and the standard of accommodation proposed with regard to density, mix and quality of accommodation.

### 6.2 Principle of development

6.2.1 The proposal involves the conversion of an existing two storey office building to residential accommodation and in this respect would result in loss of office space. However, recent changes to the General Permitted Development Uses Class Order are such that premises in office use can change to residential use subject to prior approval having regard to matters only relating to flooding, transport and contamination issues. The relevant history set out above confirms that a prior approval application for conversion of existing offices to eight residential units was not required. The principle of residential development including loss of office use on this site has therefore already been established.

### 6.3 Impact on Character of Surrounding Area

6.3.1 Policy 37 of the Submission DMD requires developments be designed for their intended function and be appropriate to their context and surroundings. The proposed development includes the addition of a new recessed third floor level to accommodate a second floor of accommodation. Balconies are proposed to the rear elevation at first floor and a terrace would be provided around the new second floor. The new storey would be contained within existing flat roof space and be recessed from external walling on all sides designed of contemporary light weight material in satisfactory contrast to existing yellow brick façade.

6.3.2 The new third floor is considered to be subservient to existing building in terms of size and scale. Immediately to northwest of site is a two storey building, similar in design to the existing, and across Cranbrook Lane to south are blocks of flats taller in height (3 and 4 storeys) than proposed development. Accordingly, the resulting building would sit well within surrounding developments in terms of size and scale and would not detract from the character of the surrounding having regard to Core Policy 30 of the

Core Strategy, Policy 7.4 of the London Plan and Policy 37 of the submission  
Version DMD

#### 6.4 Impact on Neighbouring Residential Properties

- 6.4.1 Policy (II)H8 of the UDP requires that residential developments are designed to maintain privacy and prevent overlooking. Emerging Policy DMD 10 requires minimum distance between rear facing windows of 25m while DMD 8 requires that new residential development be of an appropriate scale, bulk and massing and preserve amenity in terms of daylight, sunlight, outlook, privacy, overlooking, noise and disturbance.
- 6.4.2 Neighbouring properties nearest to proposed development include an office building to the north western side and residential flats to south and west. Terraced properties are also located to the north east and east of the development.
- 6.4.3 The existing building can convert to residential use through the prior approval already granted. The issue is therefore whether the additional balconies on first floor and accommodation proposed at second floor level would give rise to overlooking. No windows are proposed in the flank of the proposed roof extension and therefore no additional overlooking would arise in relation to the office building to the northwest. The block immediately to the south does not feature any windows on its side elevation. Given the distances between the site and those flats to the south the proposed development will not result in any increase in overlooking.
- 6.4.4 Properties to the east and north east comprising terraced dwellings fronting Betstyle Road have their rear elevation windows over 30m away across Marconi Place and would therefore not be prejudiced in regard to overlooking and therefore residential amenities are considered sufficiently safeguarded. Furthermore, the relationship of the building with the nearest residential properties in terms of siting would not change as a result of this proposal. It is considered that proposed development would not prejudice amenities of neighbouring properties and would therefore be in accord with Policy (II)H8 of the UDP and Policies DMD8 and DMD 10 of the Submission Version DMD.
- 6.4.6 Additionally, it is suggested that to ensure amenities enjoyed by occupiers of neighbouring properties are not prejudiced during construction and in future, it is recommended that a condition with respect to construction methodology be imposed as part of planning permission.

#### 6.3 Density

- 6.3.1 Policy 3.8 of the London Plan whilst asserting the need for more houses to help boost housing choices and mix also requires that such housing provide good quality environments. Policy 3.4 of the London Plan focuses on optimization of housing potential and sets standards for appropriate density levels with regard to location, existing building form, massing, and having regard to the Index of Public Transport Accessibility Level (PTAL).
- 6.3.2 According to guidance in (Table 3.2) of the London Plan, with a PTAL rating of 5, the site would accommodate sustainable residential density

range of between 200-700/ha. With 31 habitable rooms within a 0.0586 Ha site, the proposed development equates to a density of 530 hr/ha. This density is within range outlined in the London Plan. Furthermore, it would be comparable to other flatted development in surrounding area

#### 6.4 Residential Mix

- 6.4.1 The proposed development comprises a total of 11 residential units contained within three floors plus part basement.
- 6.4.2 Core Policy 5 of the Enfield Plan seeks an appropriate range, in size and tenure of housing types. Policy 3.8 of the London Plan addresses housing choice and the Enfield Housing Market Assessment, Final Report 2010 emphasises the lack of suitable family housing with at least three bedrooms.
- 6.4.3 Core Policy 5 of the Enfield Plan indicates that over the lifetime of the Core Strategy, the Council will plan for the following mix of housing:

<b>Bedroom</b>	<b>Persons</b>	<b>Percentage</b>
1-2 bed flats	1-3 persons	20%
2 bed houses	4 persons	15%
3 bed houses	5-6 persons	45%
4+ bed houses	6+ persons	20%

- 6.4.4 The proposed development comprises 3 x 1 bed, 6 x 2 bed and 2 x 3 bed flats. This represents a mix of 27.3% one bed; 54.5% two bed units and 18.2% 3+ bed units. It is recognised that not every site and development can meet the mix of housing set out in Core Policy 5. Given the constraints of the site as an existing building with no space available for outward extension it is recognised that the site cannot reasonably accommodate greater numbers of family sized units than currently proposed. The applicant has made revisions to accommodate two family units and this is considered acceptable with regards to Core Policy 5 of the Core Strategy, Policy 3.8 of the London Plan and Policy DMD3 of the Submission Version Development Management Document.

#### 6.5 Quality of Accommodation

- 6.5.1 Core Policy 4 of the Enfield Plan, Policy 3.5 of the London Plan and the London Housing SPG seek to ensure that new residential development is of a high quality standard internally, externally and in relation to their context.
- 6.5.2 London Plan Policy 3.5, as detailed in Table 3.3 “Minimum space standards for new development” and the London Housing SPG require the following minimum floor standards to be met:

Dwelling type (bedroom (b)/persons- bedspaces(p))	GIA (sqm)
1b2p	50
2b3p	61
2b4p	70

3b4p	74
3b5p	86
3b6p	95

6.5.3 The proposed development provides the following:

Flat number	type	GIA
A	3b5p	90
B	2b3p	62
C	3b5p	87
D	1b2p	50
E	2b3p	68
F	1b2p	56
G	1b2p	50
H	2b4p	71
I	2b3p	61
J	2b3p	61
K	2b3p	61

6.5.4 All proposed units meet or exceed the corresponding minimum gross internal floorspace area (GIA) standards in the London Plan and Housing SPG and are considered acceptable with regards to Core Policy 5 of the Core Strategy, Policy 3.5 of the London Plan and the London Housing SPG.

## 6.6 Amenity Space

6.6.1 Policy DMD 9 of Submission Version Development Management document sets out the following minimum standards for amenity space provision:

Dwelling type	Minimum Private Amenity Space
1b2p	5sqm
2b3p	6sqm
2b4p	7sqm
3b5p	8sqm

6.6.2 Policy DMD9 states that in addition to the above standards for private amenity space, flats must provide communal amenity space which is functional, is overlooked by surrounding development, is wheelchair accessible and has suitable management arrangements in place.

6.6.3 All units with the exception of flats D and H (which comprise 1 x 1 bed and 1 x 2 bed units) are provided with private space (some in form of balconies) in accordance with DMD9 standards. In addition, 43sqm of communal amenity space is provided to the rear of the site which would be accessible to all residents. Given that the family units have been provided with private gardens and there is accessible communal amenity space for those units without private amenity space, and given the prior approval already obtained for the building allowing for its conversion into 8 flats, the proposed development is considered to be acceptable with regard to Policy DMD9 of the Submission Version DMD and Policy (II)H9 of the UDP.

6.7 Traffic Impact

*Parking*

- 6.7.1 The proposals include the provision of five off-street parking spaces. Given the site is close to Arnos Grove train station and other good public transport linkages, this level of parking provision is considered acceptable. However, it is recommended that future residents be prevented from applying for parking permits and this will need to be secured by S106 Agreement..

*Access and Servicing*

- 6.7.1.1 DMD 45 requires new developments to make provision for cyclists whilst DMD 47 gives guidelines on servicing and refuse collection provision. The proposal includes provision of bins and recycling storage within the forecourt area which is considered adequate and accessible. A secure cycle storage area for 12 is provided on the ground floor. It is suggested that full details and specifications for both cycle parking and refuse storage be submitted for LA approval and be secured by condition should permission be granted.

6.7 Sustainability

- 6.7.1 The applicant has submitted a sustainability statement asserting that the development can achieve Code level 3 for Sustainable Homes and BREEAM Domestic Refurbishment 'Very Good'. This is considered acceptable and will be secured by condition should permission be granted.
- 6.7.2 Applicant has also submitted an Energy Statement which demonstrates that the proposed development is expected to reduce regulated CO2 emissions by 49.8% when compared with a notional building built to current Part L Building Regulations (2010) which is considered acceptable. This will be secured by condition should permission be granted.

6.8 Planning Obligations and Financial Contributions

*Affordable Housing*

- 6.8.1 Core Policy 3 of the Core Strategy, advises that the Council will seek to achieve a borough-wide target of 40% affordable housing units in new developments, applicable to sites capable of accommodating ten or more dwellings and that affordable housing should be delivered on-site unless in exceptional circumstances. The mix of affordable housing should reflect the need for larger family units as required by Core Policy 5.
- 6.8.2 The applicant originally submitted a viability assessment which suggested that the scheme would not viably make provision towards affordable housing. Core Policy 3 of the Core Strategy requires that some form of contribution towards affordable housing will be expected on all new housing sites. This together with the S106 SPD requires that applicants must first test whether on-site affordable housing can be provided and if not physically possible, a financial contribution towards off site provision will be acceptable.

- 6.8.3 The scheme proposes 11 units in total and would therefore be expected to include provision of affordable housing on site equivalent to 40%. After discussions with the Council and a review of the submitted viability statement by the Council's viability specialist, the applicant has agreed to make provision for affordable housing through an off-site financial contribution. The agreed amount of £73,830.73 will be included as part of the total S106 contributions for this scheme.

*Education*

- 6.8.4 The Calculation for S106 contributions for education provision is based on child yield ratios which show the annual average 'yield' from different sizes of property across the range of statutory school ages. The child yield is then multiplied by capital cost multipliers which are supplied by the department for Education to produce a sum for the contribution to represent the capital cost of providing primary and secondary school places in each local authority area.
- 6.8.5 A contribution towards provision of education infrastructure and mitigation against increased pressure on availability of primary and secondary school places in local area has been sought amounting £26,763.77 and included as part of the S106 contributions for this development.

*Parking Permits*

- 6.8.6 As set out in above the S106 Agreement will also need to include an obligation to prevent future residents from being eligible for on street parking permits.

*Section 106 Monitoring*

- 6.8.7 In accordance with the council's Section 106 Supplementary Planning Document, a 5% monitoring fee amounting £5,029.72 is payable and has been included as part of the S106 contributions for the scheme.

6.9 Community Infrastructure Levy (CIL)

- 6.9.5 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 floor space 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 sum. The Council is progressing its own CIL but this is not expected to be introduced until spring / summer 2015.
- 6.9.6 In this case, the proposed residential development would be subject to a £20 per square metre levy in accordance with the GLA's CIL Charging Schedule.
- 6.9.7 The applicant has indicated that the new development would create 205 square metres in gross internal floor area. On this basis, the CIL arising would be as follows:

$(£20/m^2) \times (205m^2) \times 240/223 = £4,412.55$

6.9.8 Should permission be granted, a CIL liability notice shall be issued.

## 7 Conclusion

7.1 Having regard to assessment as discussed above, the proposed development is considered to be acceptable with regard to compliance with development plan policies and other material considerations. It is considered that the proposed development would contribute to the provision of new residential housing units within the Borough, whilst not adversely impacting on the character of the area and the amenities of adjoining and nearby occupiers.

## 8 Recommendation

8.1 That subject to the completion of a S106 Agreement to secure the obligations as set out above, the Head of Development Management / the Planning Decisions Manager be authorised to **GRANT** planning permission subject to the following conditions:

1. C61 Approved plans
2. C51A time limited permission (3 years)
3. C07 Materials
4. C09 hard surfacing materials
5. Parking – private vehicles only for residents
6. C019 - Refuse details
7. C059 - Cycle details
8. Parking and turning to be provided prior to occupation
9. Code for sustainable homes level 3
10. BREEAM 'very good'
11. Lifetime homes
12. Landscaping details
13. NSC4 Construction Methodology
14. NSC7 Water Efficiency
15. Rainwater Harvesting

The development shall not commence until details of a rainwater recycling system have been submitted to and approved in writing by the Local Planning Authority. The details submitted shall also demonstrate the maximum level of recycled water that can feasibly be provided to the development.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: To promote water conservation and efficiency measures in all new developments and where possible in the retrofitting of existing stock in accordance with Policy CP21 of the Core Strategy, Policies DMD58 and DMD61 of the Development Management Document and Policy 5.15 of the London Plan.

### 16. Sustainable Urban Drainage System

The development shall not commence until details of surface drainage works have been submitted and approved in writing by the Local Planning Authority. The details shall be based on an assessment of the potential for

disposing of surface water by means of a sustainable drainage system in accordance with the principles as set out in the Technical Guidance to the National Planning Policy Framework and shall be designed to a 1 in 1 and 1 in 100 year storm event allowing for climate change. The drainage system shall be installed/operational prior to the first occupation and a continuing management and maintenance plan put in place to ensure its continued function over the lifetime of the development.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: To ensure the sustainable management of water, minimise flood risk and to minimise discharge of surface water outside of the curtilage of the property in accordance with Policy CP28 of the Core Strategy, DMD61 of the Development Management Document, Policies 5.12 & 5.13 of the London Plan and the NPPF.

#### 17. Biodiversity

##### Nesting Boxes

The development shall not commence until details of bird and bat nesting boxes/bricks shall be submitted to and approved in writing by the Local Planning Authority.

No less than 8 nesting boxes/bricks shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes/bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: To minimise the impact of the development on the ecological value of the area and to ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity in accordance with Policy CP36 of the Core Strategy, the Biodiversity Action Plan and Policy 7.19 of the London Plan.

#### 18. Green Roof

The development shall not commence until a feasibility study outlining the details of the biodiversity (green/brown) roof(s) shall be submitted and approved in writing by the Local Planning Authority. The biodiversity (green/brown) roof(s) shall be:

a. Biodiversity based with extensive substrate base (depth 80-150mm);

b. Planted/seeded with an agreed mix of species within the first planting season following practical completion of the building works.

The biodiversity (green/brown) roof shall not be used for any recreational purpose and access shall only be for the purposes of the maintenance and repair or means of emergency escape. Details shall include full ongoing management plan and maintenance strategy/schedule for the green/brown roof to be approved in writing by the Local Planning Authority.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: To minimise the impact of the development on the ecological value of the area and to ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity in accordance with Policy CP36 of the Core Strategy, the Biodiversity Action Plan and Policies 5.11 & 7.19 of the London Plan.



## 19. Energy

### Energy Performance Certificate

Following practical completion of works a final Energy Performance Certificate with accompanying Building Regulations compliance report shall be submitted to an approved in writing by the Local Planning Authority and shall reflect the carbon reduction targets agreed. Where applicable, a Display Energy Certificate shall be submitted within 18 months following first occupation.

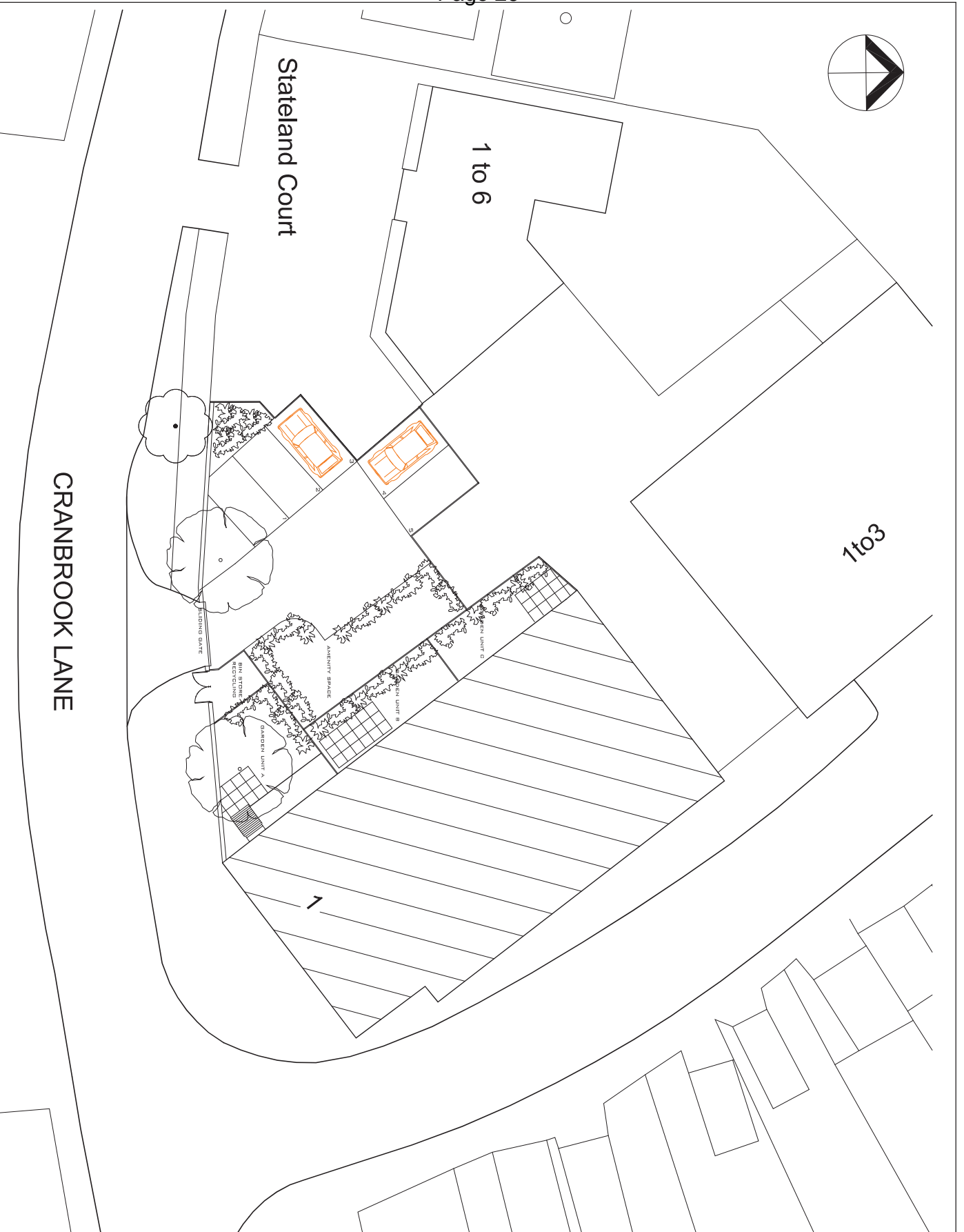
Reason: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets are met in accordance with Policy CP20 of the Core Strategy, DMD51 of the Development Management Document, Policies 5.2, 5.3, 5.7 & 5.9 of the London Plan 2011 and the NPPF.

### Energy Efficiency

The development shall not commence until an 'Energy Statement' has been submitted and approved in writing by the Local Planning Authority. Submitted details will demonstrate the energy efficiency of the development and shall provide for no less than a 35% improvement in total CO2 emissions arising from the operation of a development and its services over Part L of Building Regs 2013 utilising gas as the primary heating fuel. Should Low or Zero Carbon Technologies be specified as part of the build the location of the plant along with the maintenance and management strategy for their continued operation shall also be submitted. The Energy Statement should outline how the reductions are achieved through the use of Fabric Energy Efficiency performance, energy efficient fittings, and the use of renewable technologies.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets are met in accordance with Policy CP20 of the Core Strategy, DMD51 of the Development Management Document, Policies 5.2, 5.3, 5.7 & 5.9 of the London Plan 2011 and the NPPF.



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**NOTES**  
 xxx

**DIAGRAM**

REVISIONS	120414
A GENERAL UPDATE	130814
B GENERAL UPDATE	

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 1 CRANBROOK LANE, N11

**DRAWING**  
 BLOCK PLAN

**PROJECT ARCHITECT** CB

**DRAWN** AA

**CHECKED** CB

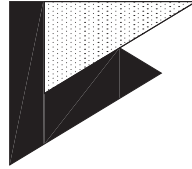
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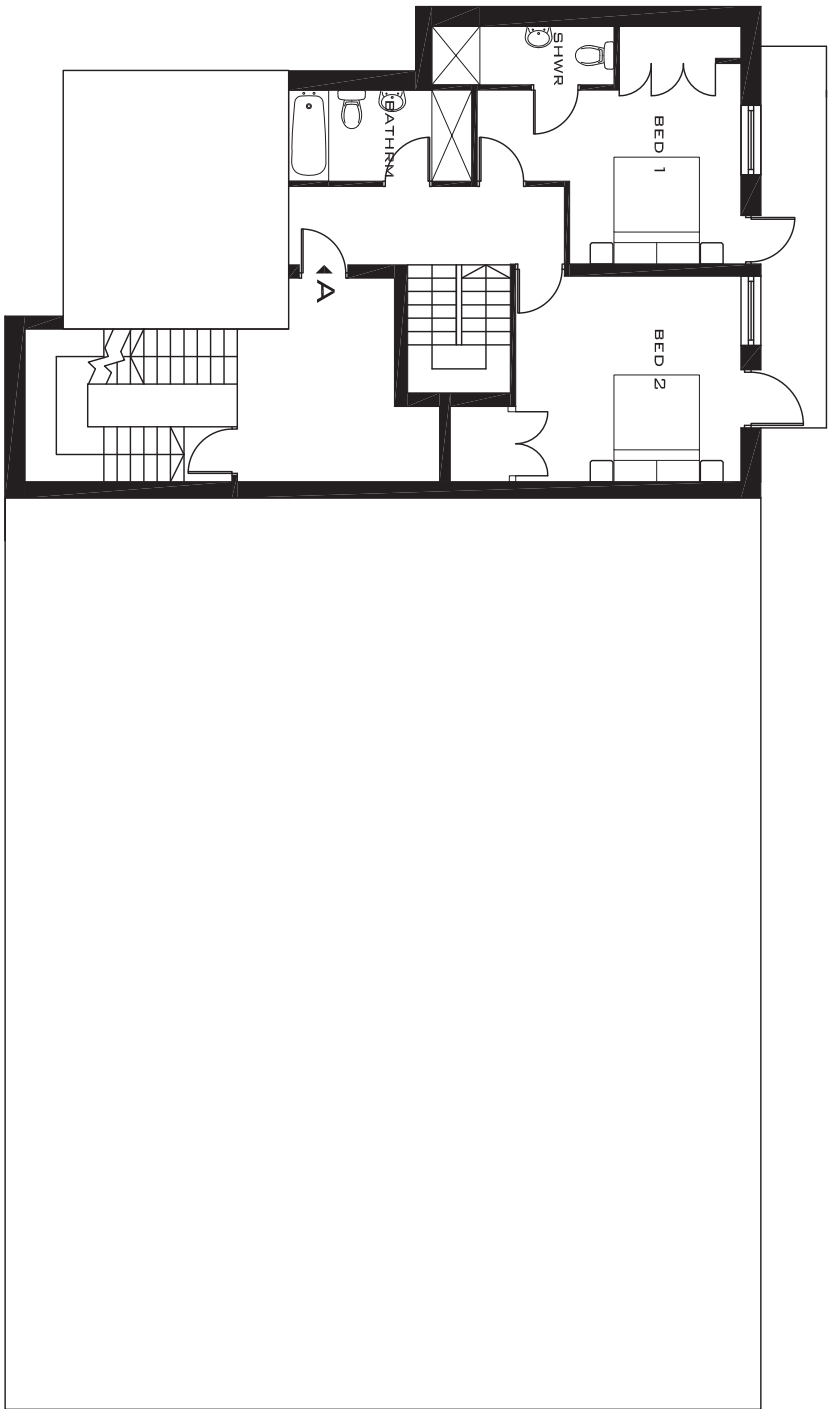
**PROJECT NUMBER** 11022

**DRAWING NO** 155B



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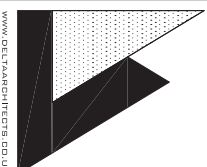


**REVISIONS**  
 A GENERAL UPDATE 120414

**PROJECT**  
 1 CRANBROOK LANE, N11

**DRAWING**  
 PROPOSED BASEMENT PLAN

**PROJECT ARCHITECT** CB  
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**CHECKED** CB  
**DATE** NOV 12  
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**STATUS** PLANNING  
**PROJECT NUMBER** 11022  
**DRAWING NO** 160A



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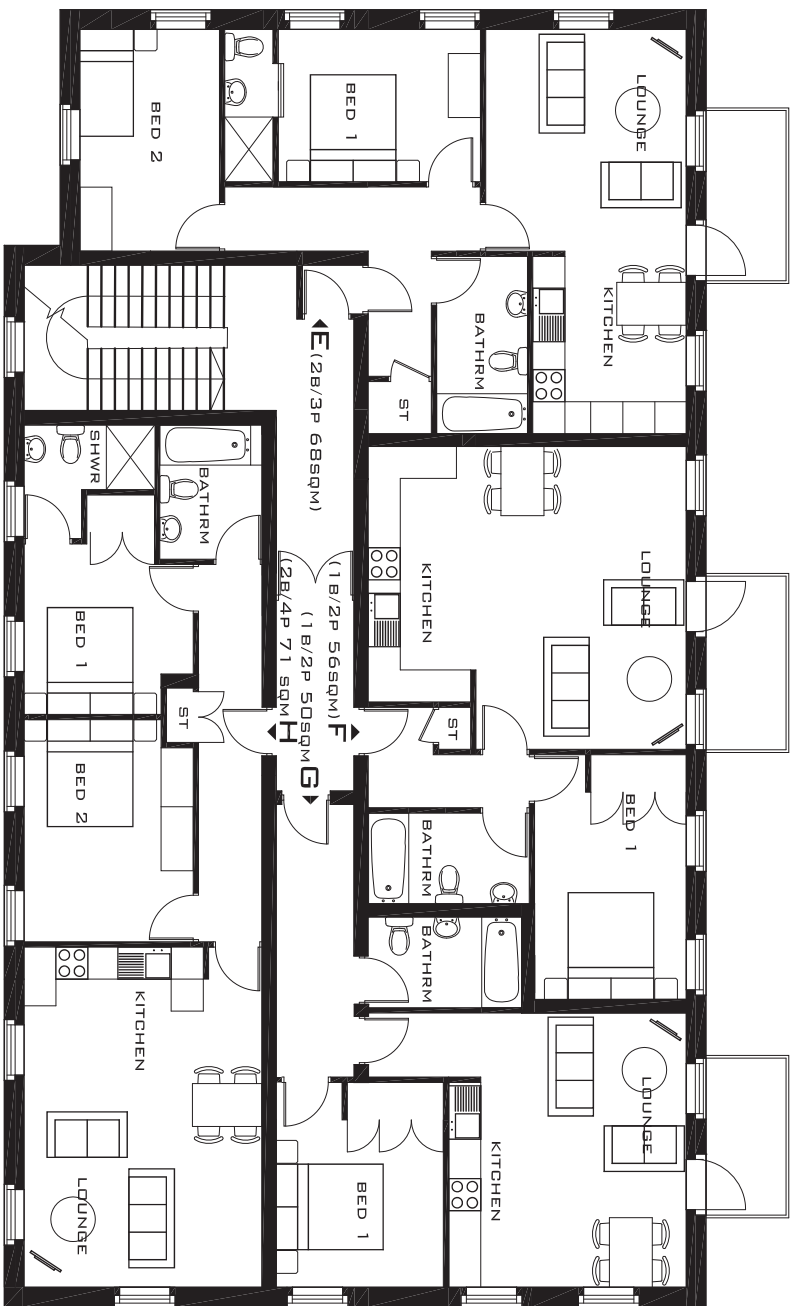
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**DRAWING**  
 PROPOSED GROUND FLOOR PLAN

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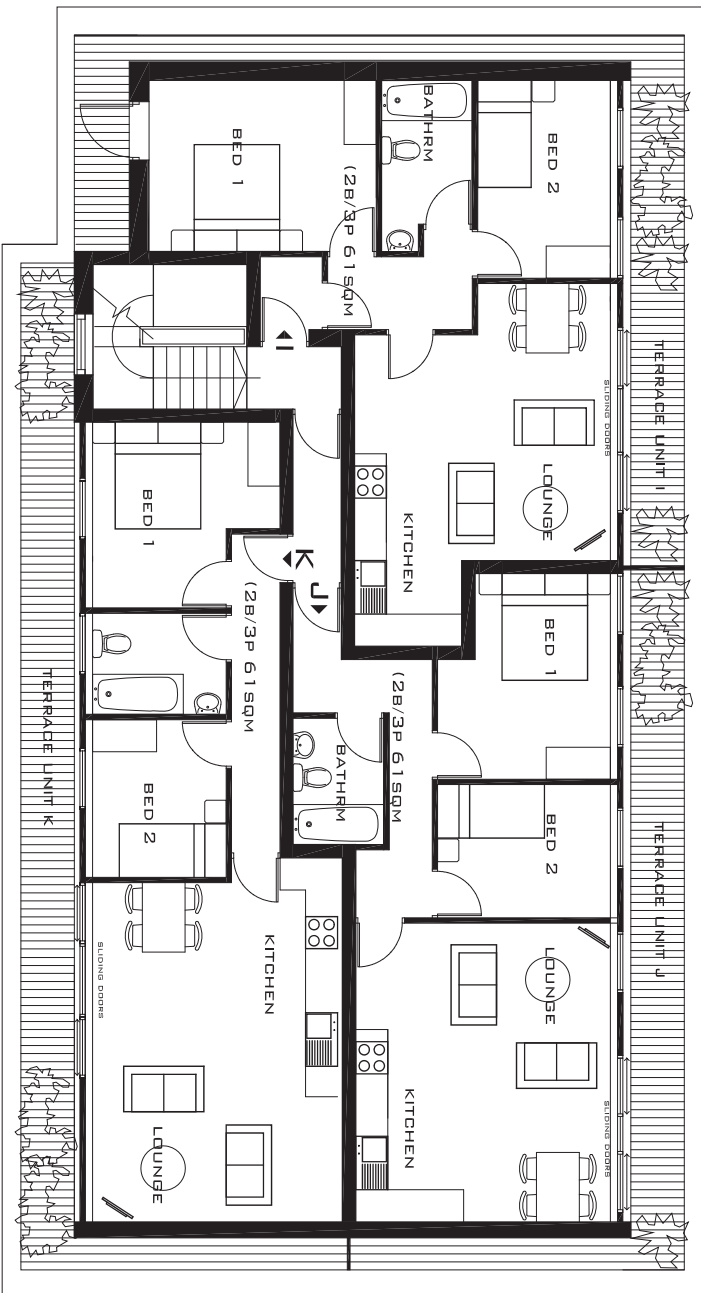
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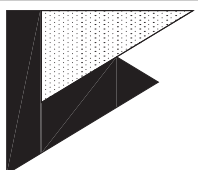


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**PROJECT**  
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**DRAWING**  
 PROPOSED SECOND FLOOR PLAN

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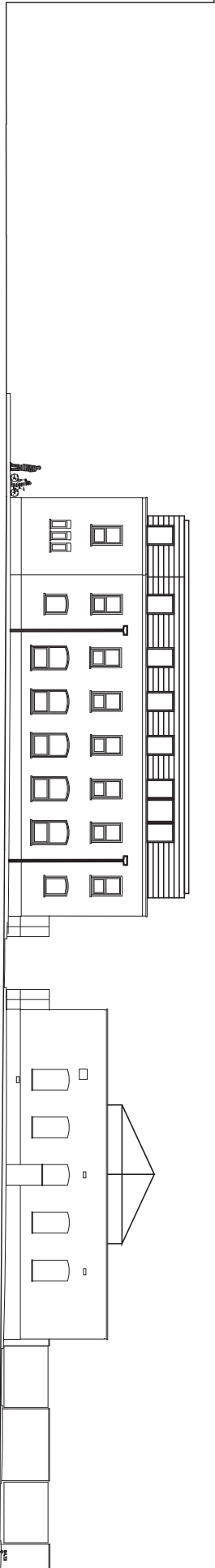


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PROPOSED NORTH EAST  
ELEVATION / SECTION



PROJECT  
1 CRANBROOK LANE, N11

DRAWING  
PROPOSED STREET ELEVATIONS

REVISIONS  
A GENERAL UPDATE 120414  
PROJECT ARCHITECT CB

DRAWN  
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PLANNING

PROJECT NUMBER  
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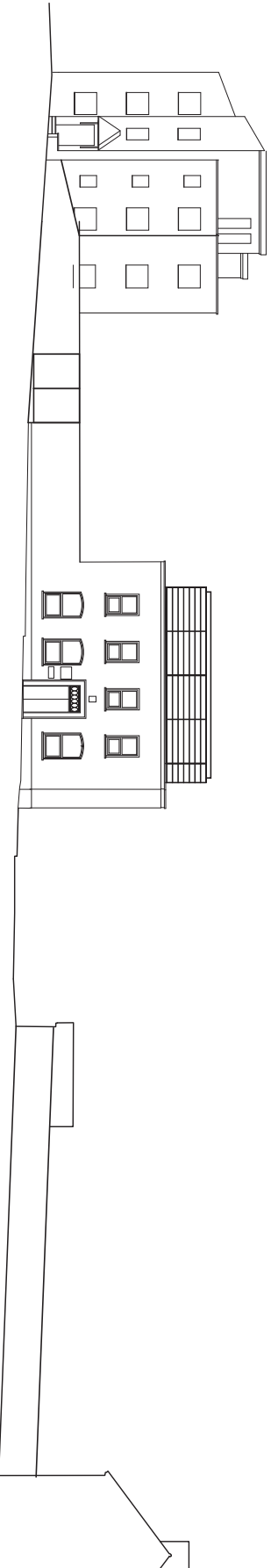
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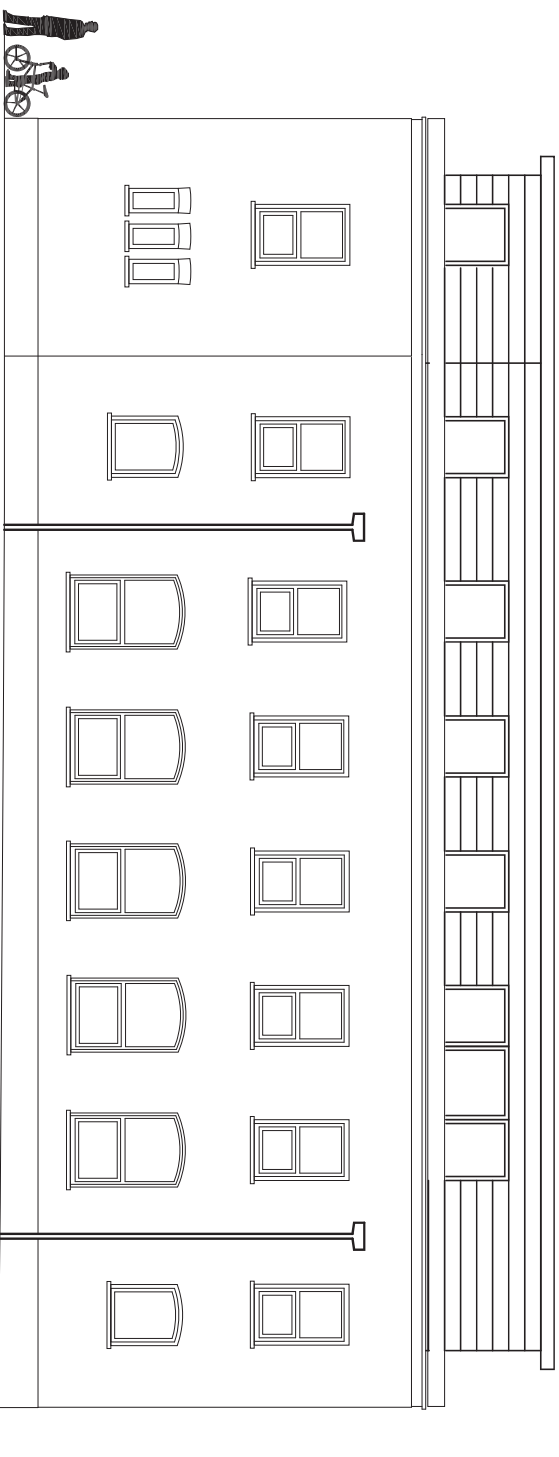
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PROPOSED SOUTH EAST  
ELEVATION / SECTION





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**DIAGRAM**

**REVISIONS**  
 A GENERAL UPDATE 120414  
 B GENERAL UPDATE 130814

**PROJECT**  
 1 CRANBROOK LANE, N11

**DRAWING**  
 PROPOSED NE ELEVATION

**PROJECT ARCHITECT** CB

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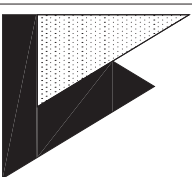
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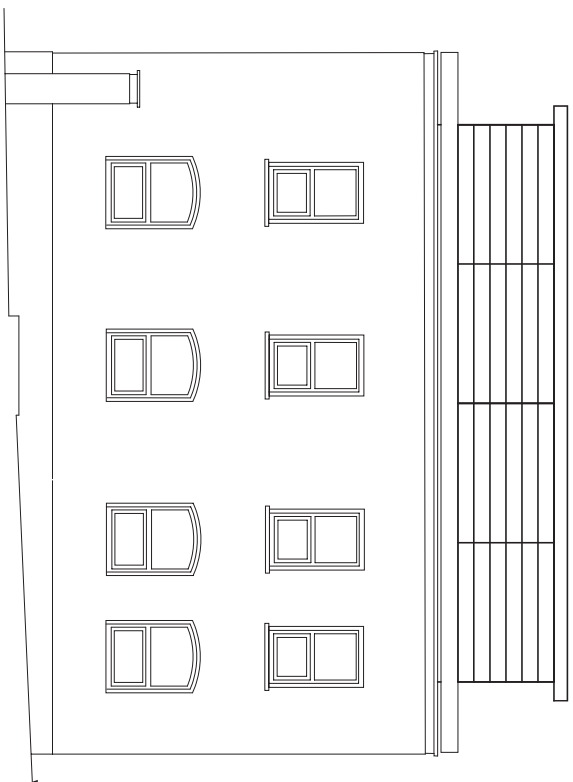
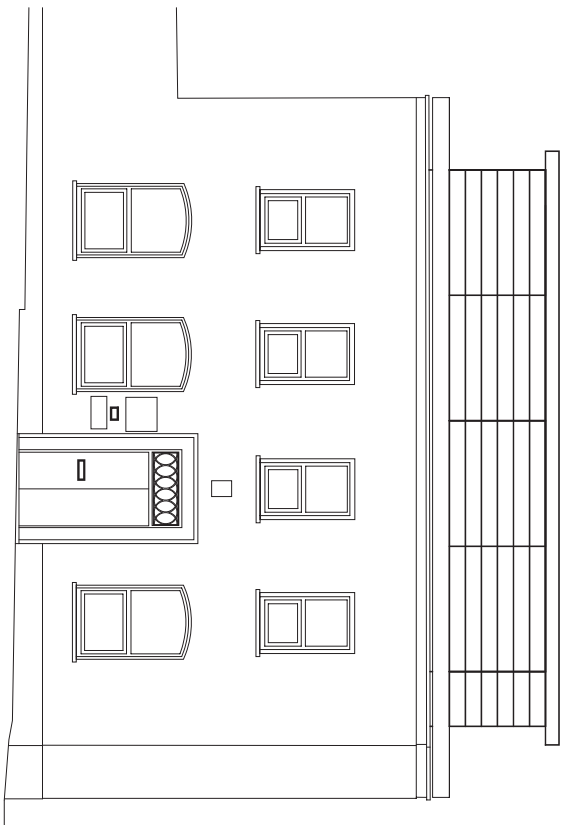
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 B GENERAL UPDATE 130814  
 C GENERAL UPDATE 300914

**PROJECT**  
 1 CRANBROOK LANE, N11

**DRAWING**  
 PROPOSED SE AND NW ELEVATIONS

**PROJECT ARCHITECT** CB

**DRAWN** AA

**CHECKED** CB

**DATE** FEB 12

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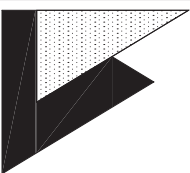
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## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

**Date :** 21st October 2014

**Report of**

Assistant Director, Planning,  
Highways & Transportation

**Contact Officer:**

Andy Higham 020 8379 3848  
Sharon Davidson 020 8379 3841  
Mr Andrew Ryley 020 8379 2577

**Ward:**

Ponders End

**Ref:** P14-02066PLA

**Category:** Outline Application

**LOCATION:** Ponders End Industrial Estate, East Duck Lees Lane, Enfield, EN3 7SP

**PROPOSAL:** Redevelopment of part of existing industrial estate involving demolition of existing units and erection of replacement industrial units totalling approx. 31,552sqm of floor space for B1, B2 and B8 uses (OUTLINE with some matters reserved - Access).

**Applicant Name & Address:**

The Ponders End Trust C/O Scottish Widow  
Ponders End Industrial Estate,  
East Duck Lees Lane,  
Enfield,  
EN3 7SP

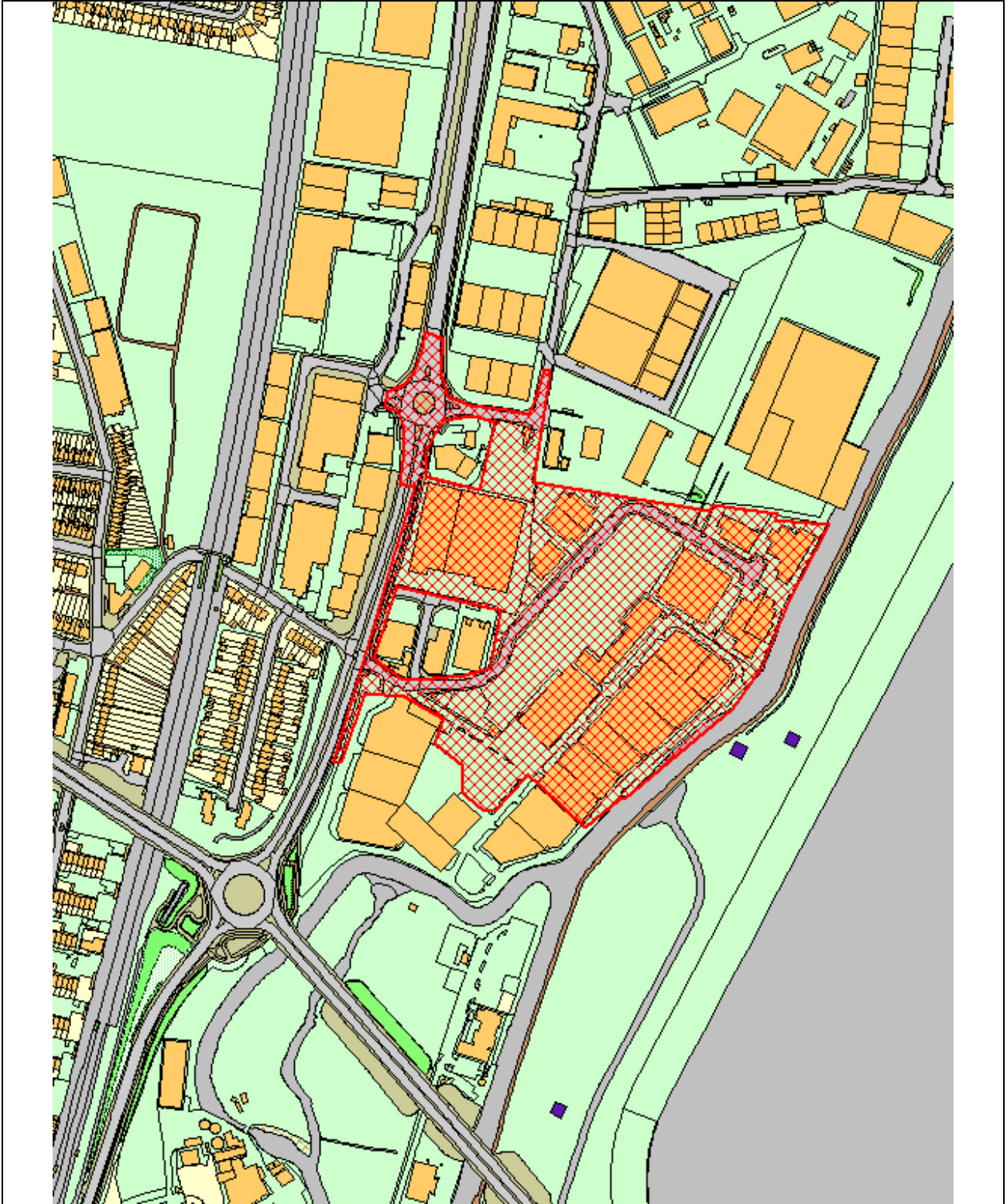
**Agent Name & Address:**

Planning Potential Ltd.  
Ponders End Industrial Estate,  
East Duck Lees Lane,  
Enfield,  
EN3 7SP

**RECOMMENDATION:**

That subject to the completion of a S106 Agreement to secure the obligations as set out in the report, the Head of Development Management / the Planning Decisions Manager be authorised to **GRANT** planning permission subject to conditions.

**Note for Members:**



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## **1. Site and Surroundings**

- 1.1 The application site has largely been cleared but was until recently home a group of industrial buildings located off East Duck Lees Lane. Prior to their demolition, which was approved via the prior approval procedure under reference P13-03556PRI, the buildings were in a derelict state, and although some of them were vacant, some were occupied. The floorspace of the units was 31,448sqm in B2-general industrial use.
- 1.2 The majority of the site lies within the designated 'Strategic Industrial Location' (SIL), with a small overlap onto the southern part covering a non-SIL area, and falls within one of the Council's Regeneration areas.
- 1.3 The River Lee Navigation adjoins to the east and beyond the King George Reservoirs, designated as a Site of Special Scientific Interest (SSSI). The Navigation forms the boundary to the Lee Valley Regional Park to the east, designated Green Belt.
- 1.4 The application site straddles East Duck Lees Lane, public adopted highway. Northampton Road and Jeffreys Road also comprise public adopted highway. Gates are located in public adopted highway at the north-east extent of East Duck Lees Lane.
- 1.5 No parking restrictions are in place currently on East Duck Lees Lane and Jeffreys Road. Northumberland Road and Alpha Road accommodate a majority of Double Yellow Line (At Any Time) restrictions. A cycle track runs along the eastern footway of Mollison Avenue. The site is served, via Mollison Avenue, by the bus route no491 with two bus stops sited between the East Ducklees Lane and Jeffreys Road junctions. The site's PTAL varies between 1a and 2 (i.e Very Poor to Poor).
- 1.6 The site has an area of 8.46 hectares.

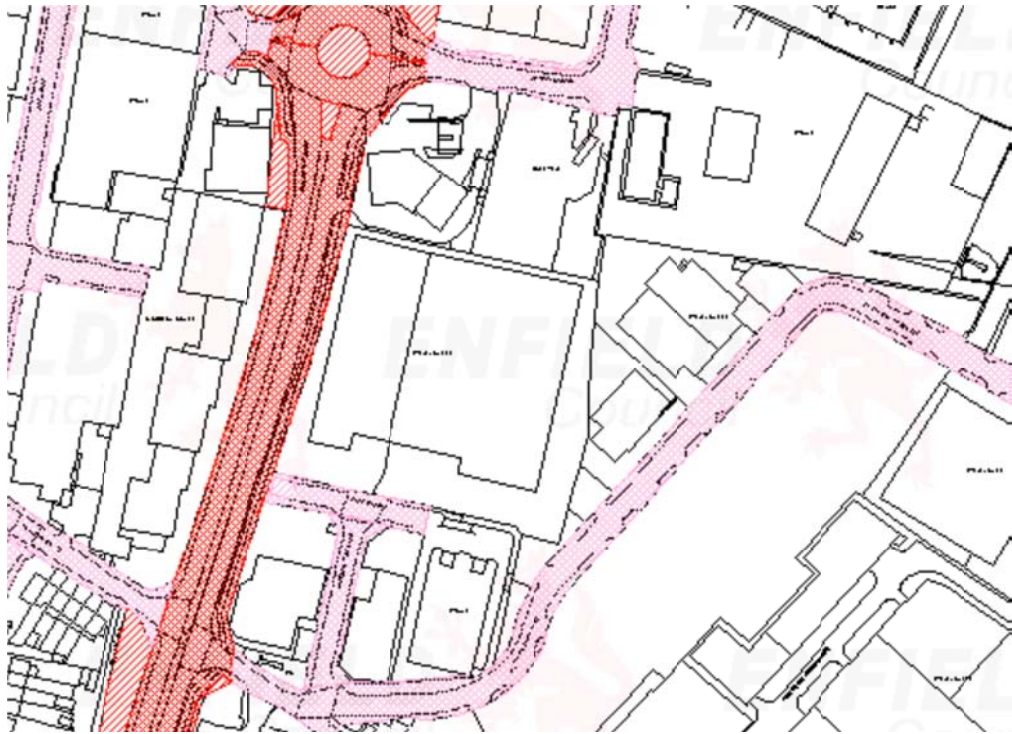
## **2. Proposal**

- 2.1 This is an outline application for the redevelopment of part of the existing industrial estate involving demolition of existing units and erection of replacement industrial units totalling approx. 31,552 sqm of floor space for B1, B2 and B8 uses (outline with all matters reserved except the means of access). This is an increase of 104 sqm of floor space compared to the floor space of the units that were previously on site.
- 2.2 It is proposed that the development will be delivered in phases although the details are not known – a parameters led approach is likely to be followed for this application, with specific sub-proposals being dealt with by Reserved Matters as prospective occupiers come forward.

2.3 The two indicative options shown are:

- Option 1 (Masterplan 1) Proposals comprise of four separate units, 300 parking spaces, 41 HGV spaces and 40 HGV loading bays, with no disabled parking bays shown.
- Option 2 (Masterplan 2) Parking proposals comprise of three units, 316 spaces, 67 HGV spaces and 40 loading bays, with no disabled spaces.

2.4 A new link road is proposed connecting East Duck Lees Lane and Jeffreys Road (to the north). The proposed development site is located along the eastern limit of the publically maintained highway of Mollison Avenue. The application is accompanied by a Transport Assessment (TA). Below is an extract of a plan showing the extent of the publicly adopted highway near the development site.



[Plan Showing Extent of Publicly Adopted Highway]

2.4 The applicant has stated as part of their submission that the proposed redevelopment of Ponders End Industrial Estate will bring forward a 'successful and viable commercial scheme' on a safeguarded industrial site. Following the redevelopment of the site, the area will be rebranded as 'Enfield Distribution Park'. The applicant notes that this is the only large scale industrial site available within the Enfield Borough and the proposed development represents a significant investment in the local economy which is realistic and deliverable as well as being of high quality and respectful of its context and future users.

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

- 3.1 P13-03556PRI Demolition of industrial Units B - M and Units 2 – 9 – Granted 20/12/2013
- 3.2 P13-03088PRI Demolition of industrial Units B - M and Units 2 – 9 Withdrawn – 15/11/2013
- 3.3 Officers did engage in pre-application discussions with the applicant. The conclusion was that whilst officers raised no objection in principle to the redevelopment of this site, there were matters that would need to be addressed through the submission of the application, such as the nature of the commercial uses, design and layout issues, and the improvements to connectivity and public realm that could be delivered through the new development.

### **4. Consultations**

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

##### Biodiversity Officer

- 4.1.1 No objection subject to conditions and has commented that from a biodiversity perspective Option 2 – with a more broken-up building footprint – is strongly preferred as this will allow for provision of wildlife-friendly landscaping which can therefore provide wildlife corridors throughout the site.

##### Traffic and Transportation

- 4.1.2 No objection, subject to planning conditions and obligations and contributions to be secured via a Section 106 Agreement.

##### Environmental Health

- 4.1.3 No objection subject to conditions.

##### Lee Valley Regional Park Authority

- 4.1.4 No objection in principle, although it is recommended that the following be achieved in the final scheme:

- a) A belt of vegetation alongside the proposed riverside walkway that would act to visually screen the proposed industrial units when viewed from the Regional Park on the opposite bank of the Navigation;
- b) That the layout and heights of the proposed units do not appear visually overbearing when viewed from the Regional Park in the east, in this regard the visual permeability provided by Indicative

Layout 1 is far preferable to the long single side elevation adjacent to the Navigation shown in Indicative Layout 2;

- c) The recommendations for habitat enhancement of protected species and invasive plant species; in particular the preservation of a dark corridor, with ecological enhancement, adjacent to the Navigation; and
- c) It is recommended that CIL monies be provided for projects set out in adopted the Authority's PDF proposals for Areas 5.A.1 and 5.A.2 which border the application site.

#### Arboricultural Officer

- 4.1.5 No objection in principle to this proposed development. However, a wider landscaped 'buffer' needs to be provided along the river boundary. Currently it looks like the proposed buildings on this part of the site are too close to be able to provide an adequate landscaped buffer.

#### Employment and Training

- 4.1.6 No objection, but states there is a need for an Employment and Training Strategy to be secured via a Section 106 Agreement.

#### Urban Design Officer

- 4.1.7 Objection, due to concerns over indicative layouts proposed.

#### Planning Policy

- 4.1.8 No objection.

#### Metropolitan Police

- 4.1.9 No objection, but comments that the development should adopt the principles and practices of 'Secure by Design' and complies with the 3D Secured by Design Commercial guide and tool kit.

#### Sustainable Design Officer

- 4.1.10 Objection to application as submitted. Advises that in accordance with policies SO2 and CP40 of the Core Strategy as well as the emerging NEEAAP, development within this location is of critical strategic importance and is required to deliver exemplary sustainable design and construction flagship development. This has not been sufficiently engaged with by the applicant and needs to be addressed. The applicant has submitted additional / revised details on this matter which are currently being assessed.



Thames Water:

4.1.12 No objection subject to conditions.

Canal and River Trust

4.1.13 No objection in principle, but comments that neither Option 01 nor 02 significantly enhances the waterside environment of the River Lee Navigation, or provide active frontages that would help link with and animate the waterside. The Canal and River Trust would prefer the layout of Option 01, which breaks up the mass of the development against the water. However, they consider both proposals to be situated too close to the waterside to be able to provide a meaningful landscape buffer that would screen the development from the Navigation and towpath. Note that some amenity landscaping is suggested between the buildings and the Navigation, and would support some active space adjacent to the waterway environment that would allow employees to enjoy the waterspace, as well as provide some passive surveillance of the towpath. The Canal and River Trust would also support windows from any office space being located on the waterside elevation, to provide further relief to the structures and passive surveillance.

Natural England

4.1.14 No objection subject to conditions.

English Heritage

4.1.15 No objection subject to conditions.

Environment Agency

4.1.16 Objection to application as submitted. The applicant has submitted additional / revised details to address the concerns identified which are currently being assessed. An update will be provided at the meeting.

**4.2 Public response**

4.2.1 The application was referred to 29 surrounding properties and a site notice was posted in the site (21 days expired 04/08/2014). One comment was received, raising the following concerns:

– Concern over the potential impact on the access driveway into and out of adjacent site at 102 East Duck Lees Lane.

**5. Relevant Policy**

5.1 National Planning Policy Framework (NPPF)

5.2 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.

5.3 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 has now successfully been through examination. It is expected that the document will be adopted at full Council in November 2014. The DMD provides detailed criteria and standard based policies by which planning applications will be determined, and is considered to carry significant weight.

5.4 National Planning Practice Guidance

5.5 On 6th March 2014, the Department for Communities and Local Government (DCLG) launched the National Planning Practice Guidance (NPPG) to consolidate and simplify the previous suite of planning practice guidance. Of particular note for Members, the guidance builds on paragraph 173 of the NPPF stating that where an assessment of viability of an individual scheme in the decision-making process is required, decisions must be underpinned by an understanding of viability, ensuring realistic decisions are made to support development and promote economic growth. Where the viability of a development is in question, local planning authorities should look to be flexible in applying policy requirements wherever possible.

5.6 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.

5.7 The London Plan (subject to REMA)

Policy 2.6 – Outer London: vision and strategy

Policy 2.7 – Outer London: economy

Policy 2.8 – Outer London: transport

Policy 2.14 – Areas for regeneration

Policy 4.1 – Developing London's economy

Policy 4.3 – Mixed use development and offices

Policy 4.4 – Managing industrial land and premises

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 5.10 – Urban greening
- Policy 5.11 – Green roofs and development site environs
- 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 7.1 – Building London’s neighbourhoods and communities
- Policy 7.2 – An inclusive environment
- Policy 7.3 – Designing out crime
- Policy 7.4 – Local character
- Policy 7.5 – Public realm
- Policy 7.6 – Architecture
- Policy 7.19 – Biodiversity and access to nature
- Policy 7.24 – Blue Ribbon Network
- Policy 7.27 – Blue Ribbon Network: supporting infrastructure and recreational use
- Policy 8.2 – Planning obligations

## 5.8 Core Strategy

- SO1 Strategic growth areas
- SO2 Environmental sustainability
- SO6 Maximising economic potential
- SO8 Transportation and accessibility
- SO9 Natural environment
- SO10 Built environment
- CP13 Promoting economic prosperity
- CP14 Safeguarding strategic industrial locations
- CP16 Taking part in economic success and improving skills
- CP20 Sustainable energy use and energy infrastructure
- CP25 Pedestrians and cyclists
- CP28 Managing flood risk through development
- CP30 Maintaining and improving the quality of the built environment
- CP31 Built and landscape heritage
- CP32 Pollution
- CP33 Green Belt and countryside
- CP35 Lee Valley Regional Park and waterways
- CP36 Biodiversity
- CP40 North East Enfield
- CP46 Infrastructure contributions

## 5.9 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)E4	Special needs of small firms
(II)E9	Non-commercial and industrial uses
(II)T13	Creation or improvement of accesses

## 5.10 Development Management Document: Submission Version

DMD19	Strategic Industrial Locations
DMD23	New Employment Development
DMD37	Achieving High Quality and Design-Led Development
DMD39	The Design of Business Premises
DMD44	Preserving and Enhancing Heritage Assets
DMD45	Parking Standards and Layout
DMD47	New Roads, Access and Servicing
DMD49	Sustainable Design and Construction Statements
DMD50	Environmental Assessment Methods
DMD51	Energy Efficiency Standards
DMD59	Avoiding and Reducing Flood Risk
DMD61	Managing Surface Water
DMD76	Wildlife Corridors
DMD77	Green Chains
DMD78	Nature Conservation
DMD79	Ecological Enhancements
DMD83	Development Adjacent to the Green Belt

## 5.11 Draft North East Enfield Area Action Plan (NEEAAP)

Policy 12.1 Ponders End Waterfront

## 5.12 Other Material Considerations

Upper Lee Valley Opportunity Area Planning Framework  
 LB Enfield Industrial Estates Strategy Draft Final Report  
 Enfield Mini Holland Bid Document  
 London Plan: the Mayor's Ambient Noise Strategy  
 London Plan: the Mayor's Air Quality Strategy  
 London Plan: the Mayor's Transport Strategy;  
 Land for Transport Functions SPG  
 London Plan: Mayoral Community Infrastructure Levy

Circular 06/05 Biodiversity and Geological Conservation- Statutory Obligations and Their Impact within the Planning System  
Biodiversity Action Plan  
Section 106 SPD

## **6. Analysis**

6.1 The main issues to consider are as follows:

- i. Principle of development;
- ii. Layout, form and scale of development, including impact upon adjacent Greenbelt and River Lee Navigation;
- iii. Amenity of neighbouring properties;
- iv. Traffic and Transportation matters;
- v. Sustainable design and construction;
- vi. Landscaping and biodiversity;
- vii. Archaeology;
- viii. Flood risk and contamination;
- ix. Planning Obligations; and
- x. Community Infrastructure Levy
- xi. Other matters

### 6.2 Principle of development

6.2.1 As set out above, whilst the site is currently vacant, its most recent use was industrial. The majority of the site lies within the designated 'Strategic Industrial Location' (SIL), with a small overlap onto the southern part covering a non-SIL area, and falls within one of the Council's Regeneration areas.

6.2.2 Core Policy 14 states that the Council will safeguard Strategic Industrial Locations. In addition, Policy DMD 19 of the Submission Version of the Development Management Document states that only proposals involving general industrial, light industrial, storage and distribution, waste management, recycling, some transport related functions, utilities and other industrial related activities including green industries and management of waste, will be permitted within 'Preferred Industrial Location' (PIL).

6.2.3 Policy 12.1 of the Draft North East Enfield Area Action Plan (NEEAAP) relates to this area and is referred to as the Ponders End Waterfront. The Proposed Submission NEEAAP was published for consultation between the 3rd June to 14th July 2014 and the applicant's agent, Planning Potential, has made representations to the Council as part of this. Policy 12.1 of the current iteration of the NEEAAP sets out that Ponders End Waterfront, of which this is one of the key development sites, is a "major opportunity for employment-led mixed-use development that connects the waterfront back to the wider NEE area, creating a distinctive place and a valuable leisure resource for local

people.” A number of the key principles listed in the policy are applicable to this application, and include:

- redevelop the area for an employment-led mix of uses in high quality new buildings that collectively create a distinctive new quarter within the NEE area;
- ensure that active building frontages overlook the waterways and streets and spaces within the development;
- provide a pedestrian / cycle route along the waterways;
- create views through the development to the water and to the reservoir embankments beyond;
- create a clear pedestrian / cycle ‘circuit’ that connects the two railway crossings, the waterside walks, Alma Road and South Street together;
- ensure that the redevelopment of South Brimsdown allows for future connections to the north, especially for pedestrians and cyclists.

Figure 12.2 of the NEEAAP identifies that, in relation to the above key principles, a new bridge crossing is required to improve connectivity and provide leisure routes, linking into the new riverside walk on the western side of the Lee. The location identified for this new bridge is immediately due south of the application site.

- 6.2.4 Accordingly, it is considered that the redevelopment of the site for a combination of B1, B2 and B8 uses is acceptable in planning policy terms insofar as it is consistent with the overarching thrust of the policy for an employment led scheme. However, as set out above, policy 12.1 of the NEEAAP sets out very specific requirements that any development on this site should adhere to.
- 6.2.5 It is noted that although the layout for the proposed development shows a scheme of 3 or 4 commercial warehouse units of approximately 31,552 sq m gross for B1, B2 and B8 uses, no details have been provided to demonstrate what level of employment yield the scheme would generate compared with the current operational trends of existing business, and it is noted that details have not been submitted with the application within the Planning Statement. Whilst information in this regard would have been helpful, there is no explicit planning policy that identifies that an uplift in employment yield versus the existing baseline is required to make the development acceptable.
- 6.2.6 It is welcomed that pre-application comments regarding Southern Brimsdown (the site to the immediate south) have been noted and the application details indicates how this site (which for most part is in the applicant’s ownership) could potentially be developed in the future. The approach accords with the key principles of NEEAAP Policy 12.1 Ponders End Waterfront. However, the detailed matters of the design and layout of the scheme are assessed in full below.

6.2.7 On the basis of the above, it is considered that the principle of the development is acceptable.

6.3 Layout, form and scale of development, including impact upon adjacent Green Belt and River Lee Navigation

6.3.1 In terms of the relevant planning policies that set out the importance of good design, the NPPF (2012) continues to emphasise that:

“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. (Para 56)

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. (Para 57)

Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment. (Para 61)

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. (Para 64)

Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal’s economic, social and environmental benefits). (Para 65)”

6.3.2 The London Plan (2011) policies 7.4B and 7.6B set out the design principles that all boroughs should seek to ensure for all development proposals. The London Plan (2011) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. The London Plan (2011) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion, composition, scale and orientation. Development should not be harmful

to amenities, should incorporate best practice for climate change, provide high quality indoor and outdoor spaces, be adaptable to different activities and land uses and meet the principles of inclusive design.

- 6.3.3 Policy DMD83 indicates that development in close proximity to the Green Belt will only be permitted if there is no increase of the visual dominance and intrusiveness of the built form by way of height, scale and massing, there is a clear distinction between the Green Belt and urban areas; views and vistas from the Green Belt into urban areas and vice versa, especially at important access points, are maintained. This policy is important because the land to the immediate east is designated as Green Belt.
- 6.3.4 Policy DMD37 sets out criteria for 'Achieving High Quality and Design-Led Development' and policy (II) GD3 of the UDP aims to ensure that high standards of design are taken into consideration, with reference to the boundary treatment of the property, the use of materials and the proposals siting, layout, alignment, spacing, height, bulk and massing.
- 6.3.5 This is an outline application with all matters reserved except for means of access. However, the applicant is seeking permission for the provision of a maximum of 31,552 sqm of development on the site. Accordingly, the applicant has sought to demonstrate how this level of development could be accommodated on the site. This has generated the two illustrative options that are presented as part of this application. Whilst these are of assistance, they are purely illustrative and should planning permission be granted, conditions would be attached requiring the submission of full details of the siting, layout and design of any future buildings to be erected on the site.
- 6.3.6 At pre-application stage, officers advised that the principle of redevelopment was acceptable, and whilst maintaining a similar level of floorspace, so acknowledging that this would likely result in fewer buildings but of a larger scale than what is existing, nonetheless raised concern in relation to the size and scale of these buildings, and highlighted the need for them to respond to the local context and constraints. Other than the surrounding residential development, it is considered the main constraint is the adjacent River Lee Navigation to the east of the site.
- 6.3.7 In response to this, and in formulating the design of the scheme, the applicant has highlighted that this has to have strong regard to the operational needs of the potential occupiers, and they are likely to require the following:
- A 24-hour operation, to provide flexibility and efficiency, whilst also giving opportunity for traffic associated with the development to be spread out across peak / off peak hours.



- Initial market demands indicate that units in these sectors and in this vicinity, are sought with footprint areas between 5,000m<sup>2</sup> and 20,000m<sup>2</sup>. Whilst these figures may not be a precise representation of footprint demands, they give an indication of the scope of the units which may be developed.
- Within these unit footprints, it is likely that the following functions will be provided: Single-storey warehouse areas, left open plan for racking and storage installations; Administration and operational offices; Plant areas.
- Service Yards with HGV parking, vehicle circulation and HGV turning.
- Associated vehicle barriers/gates and secure cycle and / or motorcycle storage.

6.3.8 In terms of their design approach, the applicant has advised that:

*“The design principles of B2 General Industrial & B8 Storage / Distribution are based on efficiency and operation, wherein one or both of the longer elevations are utilised for inbound and outbound loading. Within these long yard facing elevations, the usage of internal floor space is then predetermined as marshalling (temporary storage), a circulation zone and then block storage in back to back racking with aisles. Given the rigid functionality and performance optimisation of these building types, rectangular forms with an approximate ratio of 2:1, are the predominant building footprint for type B developments.*”

*These sectors are dominated by buildings with critical internal heights (usually between 9-15m to underside of haunch) to suit operational requirements, based on specific capacity / volumetric requirements and industry standard equipment and storage modules. The heights of type B8 usage buildings are generally dictated by the pallet racking heights within the building, which in turn are usually maximised to enable efficient storage volumetrics within a footprint. The footprint of B8 usage buildings are usually determined by optimising portal frames, where the spacing of these frames are designed around housing an effective distribution of loading doors, usually housed along one or two of the long building elevations. In order to minimise the actual roof heights of the buildings it is proposed that they incorporate a shallow pitched roof, with a curved apex, rather than fixed point ridge. The combination of the above in conjunction with a parapet-less design, can reduce the perceived and actual building height.”*

6.3.9 The results of this are the two illustrative masterplans, which are set out below:

Illustrative Masterplan 01:-



Illustrative Masterplan 02:-



6.3.10 Having reviewed the submission and consistent with the comments given at pre-application stage, a number of concerns have been raised with the two master plans. A summary of the concerns is set out below:

- The proposed storage/industrial units are loosely planned across the site with large areas of hard standing for service yards and car parking, visible from the street and riverside.
- The proposed buildings in both master plan options, especially the ones overlooking the River Lee Navigation, would have very big footprints which would make them look bulky and overbearing.
- The proposed development fails to design a well-connected network of streets and is perceived as bland, unattractive, unwelcoming and unsafe to pedestrian and cyclist.
- The street network proposed for the site should ideally distinguish between streets for freight vehicles and those that are for general motor vehicle traffic, cyclist and pedestrians.
- The master plans indicate pedestrian alleyways which are considered unattractive and unwelcoming for pedestrians.

- It is not clear why the existing access route to the south of the site is not being retained and extended to the riverside for all the street users, rather than proposing a new convoluted route that becomes narrow alleyway towards the riverside, accessible to only pedestrians. This arrangement further fails to open up views and vistas of the riverside.
- Concern over potential non-compliance with Secure by Design principles.
- No landscape strategy has been submitted to assess the scheme for different aspects and features of landscaping and public realm such as traffic management measures, street lighting, areas of soft/ hard landscaping, paving materials/ textures/ colour/ patterns, etc.
- Ideally the entrances to the site from Mollison Avenue to the south and Jeffeys Road to the north should be well defined by a high quality landscaped area that contributes to marking the gateways into the development.
- Along the eastern boundary an extensive woodland type of landscape or green mounds could be considered to screen the site to minimise the visual impact of the buildings from Lee Valley Regional Park. Along the western boundaries again the development should be set back appropriately and screened with tree planting. Tree planting and hedges defining the parking and circulation areas would also 'green' the layout.
- No Landscape and Visual Impact Assessment (LVIA) demonstrating the scale of the new buildings from key viewpoints vistas has been submitted, and concern is raised in relation to the proposed 9-15m high building height on the character of the area, in particular the Lee Valley Regional Park.
- General concerns about the architectural approach and the elevational design of individual buildings, especially where it fails to break down the scale of the building through its massing, form and materials
- The long facades of the buildings need to be articulated in such a way that it will diminish the visual impact of their scale and bulk.

6.3.11 It is noted that the Lee Valley Regional Park Authority have also commented on two specific parts of the scheme, these being the relationship to the riverside walk and ensuring that this space is large enough to accommodate sufficient landscaping to screen the new buildings, and that the layout and heights of the proposed units do not appear visually overbearing when viewed from the Regional Park in the east. In this respect, the Lee Valley Regional Park Authority comment that the long single side elevation adjacent to the Navigation shown in Master plan 02 is the less preferred of the two options put forward at this stage.

6.3.12 The Canal and River Trust has commented that in their view neither of the two suggested masterplans significantly enhances the waterside environment of the River Lee Navigation, or provides active frontages that would help link with and animate the waterside, as required by the NEEAAP, considering both proposals to be situated too close to the

waterside to be able to provide a meaningful landscape buffer that would screen the development from the Navigation and towpath.

6.3.13 The Canal and River Trust note that some amenity landscaping is suggested between the buildings and the Navigation, and support some active space adjacent to the waterway environment that would allow employees to enjoy the waterspace, as well as provide some passive surveillance of the towpath. The Canal and River Trust have also advised that they would also support windows from any office space being located on the waterside elevation, to provide further relief to the structures and passive surveillance.

6.3.14 In response to the concerns raised, the applicant has sought to emphasise that it is 'critical' to bear in mind that the current application is in outline only and that the layout will be dealt with under future Reserved Matters applications. The applicant highlights that the masterplans are indicative and "illustrate how the quantum of floorspace applied for can be accommodated on the site, taking account of the applicant's knowledge of operators requirements of such sites." However, whilst highlighting the indicative nature of the masterplans, the applicant also states they disagree with the vast majority of the comments of made, stating that in their view, each of the masterplans submitted would, if built, "create an attractive, modern and safe environment ensuring the safety of staff and visitors whilst representing a considerable visual improvement of the site."

6.3.15 It is noted that the applicant's agent made representations to the Council as part of the examination of the DMD, and that following the Examination Hearings of this, within the Schedule of Proposed Main Modifications released for public consultation in May-June 2014, the Planning Inspector revised draft policy DMD 39 'The Design of Business Premises to give greater importance to 'viability and the operational requirements of the proposed use'. The applicant states that "this is particularly important for the proposed warehouse units which will be designed to fit the occupier's requirements and will be determined under future Reserved Matters applications. It is necessary that this emphasis on viability and operational requirements is considered in the determination of this application and future Reserved Matters applications, given the progression of this policy document."

6.3.16 Noting both sides of the arguments above, the fact that this is an outline application must be taken into account and that the Council is not approving the layout, appearance or the sizes of the subject buildings. However, there are a number of key design criteria that need to be met in order to achieve a scheme of suitable quality, create an attractive place for people to work, to create safe and attractive routes into and through the site to the waterfront to enhance its accessibility for future and existing employees and the wider public, with the public health benefits that come from having safe and attractive environments which encourage people to walk and cycle,

having regard to the Council's priorities for this area. Notwithstanding the comments of the applicant in terms of their approach, and the need for flexibility to take account of the different potential operators, it is considered that the illustrative masterplans submitted do not achieve the key design criteria and so are not acceptable from that perspective. As such, it is considered important that any Reserved Matters applications that are submitted pursuant to an outline planning permission on this site to have regard to the following, and for these matters to be identified and addressed through the submission of a detailed design report:

- The provision for a landscaped walk/cycle route of a minimum width of 8m adjacent to the Navigation, providing the opportunity to soften the impact of such buildings and enhance the river setting. This would also provide definition between the adjacent Green Belt and the urban setting of the industrial estate, having regard to Policy DMD83. .
- Suitable interaction with Mollison Avenue in terms of the positioning and size of the buildings in this location and the provision for sufficient landscaping to create a positive street environment.
- Ensure that active building frontages overlook the waterways and streets and spaces within the development – this means that the offices that support any new large industrial location should, in part be located so that they overlook this area to the east of the site so as to prevent this from becoming a dead frontage.
- Improved pedestrian and cycle links through the site from Mollison Avenue to the River; the links must be well lit, open and overlooked and at least 3m in width in order to provide a safe and attractive environment.
- Create views through the development to the water and to the reservoir embankments beyond.
- The bulk, scale and mass of buildings are broken down through careful design, detailing and the use of an appropriate palette of materials.

6.3.17 Whilst it is the case that the Council must accept that the scheme will be driven by the needs of the future occupiers, and as such the units are likely to be of a large size (9 to 15m in height as the applicant highlights), with the provision of the extension to the riverside walk along the western side of the River Lee Navigation to connect into the adjacent sites' walkways, an appropriate relationship to Mollison Avenue and pedestrian and cycle friendly links through the site to create the access to the river, it is considered that the scheme would be of a suitable quality, such that it would be consistent with the NEEAAP and other Development Plan policies.

6.3.18 It is on this basis that the application is considered to acceptable. As the application is in outline, and bearing in mind the nature of the site and the likely future occupiers, it is likely that the scheme would come forward in phases, and so the condition(s) requiring the approval of the

reserved matters of the appearance, landscaping, layout and scale of the development will be worded to reflect this.

#### 6.4 Impact of Neighbouring Properties

6.4.1 Policies 7.6 of the London Plan and CP30 of the Core Strategy seek to ensure that new developments have appropriate regard to their surroundings, and that they improve the environment in terms of visual and residential amenity.

6.4.2 Given the siting of the building in relation to the site boundaries, it is considered that the proposed development will have no discernible impact on nearby residential occupiers.

#### 6.5 Traffic and Transportation matters

6.5.1 The NPPF sets out the overarching planning policies on the delivery of sustainable development through the planning system. It emphasises the importance of reducing the need to travel, and encouraging public transport provision to secure new sustainable patterns of transport use. The London Plan (2011) and the adopted Core Strategy (2010) encourage and advocate sustainable modes of travel and requires that each development should be assessed on its respective merits and requirements, in terms of the level of parking spaces to be provided etc.

6.5.2 As noted above, whilst the application is in outline, the applicant is seeking approval for the means of access into the site and therefore this is a matter for determination at this stage. The Council's Traffic and Transportation department has reviewed the application and whilst initially raising concerns with certain elements of scheme (in particular some of the transport related documents) is now satisfied with it, and so is raising no objection.

6.5.3 Traffic and Transportation department raised concerns with the submitted Transport Assessment in terms of the trip generation for a flexible B1, B2 and B8 permission, where, although arguably somewhat unlikely, it is feasible that a Reserved Matters scheme could come forward that would be wholly B1 office space, which generates a higher number of vehicle movements. In response to this, the applicant has undertaken an additional modelling exercise for a B1 only scheme, which raises concerns in terms of the volume of pedestrian and vehicular traffic that would be generated. In order to control this impact the applicant has advised that they are willing to accept a cap on the proportion of B1 floorspace on the site. A cap of 15% B1 across the site would limit the potential traffic generation to a level that could be accommodated on the surrounding highway network without significant impact. A condition to this effect is recommended

- 6.5.4 As the access proposals onto the main road network are to be approved in detail, the applicant has submitted detailed drawings of the proposed changes to the Jeffreys Road and East Duck Lees Lane junctions with Mollison Avenue, along with accompanying stage 1 Road Safety Audits and amendments to parking regulations. Traffic and Transportation have advised that these details are acceptable and would help ensure there is improved access to the site.
- 6.5.5 The following highway improvements are proposed: provision of increased radii at the junction with Mollison Avenue, provision of a new Link/Access Road between Jeffreys Road and East Duck Lees Lane, an improved alignment, visibility and radii at the Northampton Road/East Duck Lees Lane junction and a new pedestrian link into the site from Mollison Avenue to East Duck Lees Lane via Alpha Road. The new road link would be built to an adoptable standard, and could therefore be adopted by the Council at some point in the future if it elects to do so. These proposed improvements would need to be secured by way of S106 and S278 agreement and include provision of a new link road between Jeffreys Road and East Duck Lees Lane to be designed and built to an adoptable standard, an improved alignment, visibility and radii at the Northampton Road/East Duck Lees Lane junction and a new pedestrian link into the site from Mollison Avenue to East Duck Lees Lane via Alpha Road.
- 6.5.6 The Council initially sought to reroute the 491 bus along the proposed new link road in order to better serve the site and encourage more sustainable travel patterns. The proposed bus route through the site was resisted by the applicant and would also require separate agreement from London Buses. Therefore an alternative package of measures was developed in order to offer the same level of incentive to use sustainable modes.
- 6.5.7 Traffic and Transportation have also highlighted the importance of the need for improved pedestrian and cycle links through the site from Mollison Avenue to the River to the south of indicative 'unit 3', as this would provide better access to the bus stops on Mollison Avenue, to the north of 'unit 4' and to the south of 'unit 2'. The links must be well lit, open and overlooked where possible and at least 3m in width in order to provide a safe and attractive environment.
- 6.5.8 A financial contribution is also required to the planned bridge connection across the River Lee to the south of the site. The Council has considered the potential contributions likely to be achievable from other nearby sites as well as capital funds and other sources of grant and an appropriate contribution is being sought from this site to help reduce the impacts of the development on the highway network by encouraging sustainable travel. The bridge would also have broader public benefits and therefore, as set out, funding from non-development sources would need to be secured.



- 6.5.9 These measures should be secured by way of S106 and are required in order to ensure workers are able to travel to the site using sustainable modes of transport. Along with the proposed Travel Plan measures this would also mean car parking can be reviewed and reduced as detailed proposals come forward, while recognising the operational requirements of the uses proposed. This would help to minimise the impact of the proposals on the road network.
- 6.5.10 It is noted that no detail of the cycle parking has been proposed, which is acceptable given the outline nature of the application. A condition is therefore recommended to secure cycle parking provision in accordance with the standards set out in the Further Alterations to the London Plan.
- 6.5.11 One car parking space per 100sqm is proposed, which accords with the London Plan 2011 car parking standards for B1 uses (worst case). A lower car parking provision however should be provided for B2-B8 uses so as the scheme does not undermine the Travel Plan aspirations and given improvements to pedestrian and cycle environment. Electric charging points would also be provided to London Plan standards together with motorcycle parking and disabled parking. The details of design of the car parks, including number of spaces, turning facilities and electric charging points are recommended to be secured by planning condition.
- 6.5.12 Traffic and Transportation have advised that there are no transport objections to the stopping up of the eastern end of East Duck Lees Lane.
- 6.5.13 An area of concern that has been raised by the occupier of the adjacent site is that of the access into their site. Planning permission (ref. TP/05/1616/REN2) has been granted at the adjacent site for the demolition of the existing building and erection of warehouse for B8 use with ancillary offices (Outline application-layout and means of access approved). This development, which was approved in 2005, permission renewed in 2008 and then again earlier this month, involves an access to the site as is existing, which is from East Duck Lees Lane.
- 6.5.14 Each of the indicative masterplans shows the access into the adjacent site as being maintained, but as set out above, these layouts are not fixed. The access from the adjacent site to the adopted highway of East Duck Lees Lane (as indicated in paragraph 2.4) is within the red line area of this application site. It is considered that from a wider planning perspective, it is important that access to the adjacent site is ensured so as to not sterilise the regeneration of the wider area.
- 6.5.15 The applicant's TA confirms that a transport contribution will be provided towards:

- Provision of a widened pedestrian/cycle link along the western bank of the River Lea;
- Providing a link/access road connection to Jeffreys Road;
- Providing a transport contribution towards a bridge over the River Lea and improved crossing facilities across Mollison Avenue to East Duck Lees Lane.

6.5.16 As such, in transport terms the application is considered to be acceptable, as is the proposed means of access into the site as a detailed matter to be approved as part of this decision. This is predicated on the following matters being controlled via planning conditions or obligations: 15% cap on B1 floorspace; mitigations to highway network at Jeffreys Road / Mollison Avenue, East Duck Lees Lane / Mollison Avenue, Northampton Road / East Duck Lees Lane and associated changes to parking restrictions; pedestrian links from Mollison Avenue to the River Lee; financial contribution towards the delivery of a new bridge crossing over the River Lea as per the NEEAPP; cycle parking to London Plan standards; details of car parking and vehicle loading to include number of spaces, turning facilities and electric charging; requirement for stopping up order; requirement for adoption of land between highway and adjacent site or deed of dedication.

## 6.6 Sustainable Design and Construction

6.6.1 The NPPF advises that when determining planning applications, local planning authorities should expect new development to:

- comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption

6.6.2 In accordance with London Plan Policy 5.2 and DMD51 of the Development Management Document, the application includes an energy strategy for the development setting out how carbon dioxide emissions will be reduced with an overarching target to reduce carbon dioxide emission by 40% over Part L of Building Regulations 2010 across the site.

6.6.2 The Policy embeds the principles of the energy hierarchy (be lean, be clean, be green) and requires strict adherence to the hierarchy to maximise energy efficiency in development from the ground up, ensuring that the structure of the energy policies serve to incentivise considered innovative design as the core value in delivering exemplar sustainable development in accordance with the Spatial Vision for Enfield and Strategic Objective 2 of the Core Strategy. Indeed,

reflecting the overarching strategic vision for the borough, the Policy goes further than the London Plan and instils a flexibility in the decision making process to seek further efficiencies and deliver exemplar developments within our regeneration areas.

- 6.6.3 In line with draft policy DMD52, proposals for major development should contribute to the supply of decentralised energy networks and will be expected to ensure that the site is capable of future connection to a decentralised energy network, or provide a contribution towards the expansion of decentralised energy networks, or other carbon reduction measures within the borough. Details have not been submitted with the application within the Planning Statement.
- 6.6.4 The Council's Sustainable Design Officer has advised that the submitted information provided is insufficient to demonstrate compliance with the above policies and the advice provided at pre-application stage. The documents seem only to reiterate the general policy requirements without any substantive or evidenced commitments. Despite detailed pre-application advice, the application does not commit to stated measures. Whilst the Council's Sustainable Design Officer acknowledges that this is an outline application, a firm commitment to attaining the targets set is required to enable the levying of conditions to this effect and accord with the provisions of the NPPG.
- 6.6.5 In relation to the specific issues associated with this element of the application, the Council's Sustainable Design Officer has advised:
1. Energy – An energy statement has been submitted. It omits any substantive commitment and the vast majority of the document comprises acknowledgements of relevant Policies. No notional modelling has been considered, and a site wide energy strategy has not been engaged with. The requirements of DMD51, 52, 53, 54, 55 and 56 have not been addressed and ULVHN connection requirements are very light touch. The use of renewable would be essential to achieve the stated requirements (35% improvement over 2013 BR) yet this has not been engaged with particularly in light of DMD55. This is unacceptable and needs to be addressed.
  2. BREEAM – A pre-assessment features as part of the sustainability statement, but omits any substantive detail or justification. While 'Very Good' seems to have been targeted again the commitment to the rating is lost and omitted entirely from the summary section.
  3. Drainage – An FRA has been submitted. A Sustainable Drainage Strategy has been omitted despite some clear recommendations as part of the FRA. Given the 2 outline proposals, there is absolutely no reason to prevent the submission of a clear drainage strategy. This is unacceptable and critical issue to resolve given the Flood Risk afflicting the site.
  4. Green Roofs / LZC – The sustainability statement completely discounts green roof provision on the basis of technical constraints. The application is outline, by its nature detailed specification has not

been commissioned, in this regard stating that green roofs is not feasible at this stage is not possible and once again contrary to pre-app advice.

5. Living Walls – This requirement has been omitted and advice / requirements stated at pre-app have not informed the final scheme with southern elevations unnecessarily constrained. This is unacceptable and contrary to DMD39 & 55.

6. Water efficiency – Commitments omitted. This is unacceptable.

7. Biodiversity – The site is within an ecologically sensitive location. A range of recommendations feature as part of the ecological report, these have been restated in the sustainability statement, but no commitments made. Associated enhancements to the Navigation, relevant buffer zones and landscaping have been omitted. This is unacceptable.

6.6.6 In response to these concerns, the applicant has submitted a further suite of documents and these are currently being considered by the Council's Sustainable Design Officer and an update will be provided at the meeting.

#### 6.7 Landscaping and Biodiversity

6.7.1 The Council's Arboricultural Officer has raised no objections to the application, advising that in relation to the trees on site, the better specimens appear to be retained and therefore has no objection to the few removals as long as significant tree planting enhancements are provided in the indicate landscape plan. A Tree Protection Plan will need to be conditioned to ensure the retained trees are protected during demolition and construction, and so is recommended accordingly.

6.7.2 The Council's Arboricultural Officer has raised the issue of the riverside walk and highlighted that a wider landscaped 'buffer' needs to be provided along the river boundary. This comment is noted and gives further weight to the analysis of this issue as set out above.

6.7.3 Natural England (NE) have noted that the application is in close proximity to the Chingford Reservoirs and Epping Forest Sites of Special Scientific Interest (SSSI). NE have advised that they are satisfied that the proposed development, being carried out in strict accordance with the details of the application as submitted, would not damage or destroy the interest features for which these sites have been notified. NE therefore that these SSSIs do not represent a constraint in determining this application.

6.7.4 NE have stated that this application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes, and so advise the that the Council should consider securing measures to enhance the biodiversity of the

site from the applicant, if it is minded to grant permission for this application. The Council's Biodiversity Officer has noted that as this is an outline application and no details of the final proposed footprint of the building has been confirmed at this stage. Accordingly, various conditions will be required which will be dependent on the final proposed development and the time frame of delivery. The Council's Biodiversity Officer has advised that from a biodiversity perspective Option 2 – with a more broken-up building footprint is strongly preferred – as this will allow for provision of wildlife-friendly landscaping which can therefore provide wildlife corridors throughout the site.

- 6.7.5 The Ecological report highlights the following key biodiversity issues:
- Invasive species (and the need for further surveys, eradication strategies and method statements);
  - Time-sensitive demolition and vegetation clearance (for nesting birds);
  - Water vole survey (should vegetation along River Lee Navigation be impacted by proposed development);
  - Bat foraging/commuting potential and therefore, the need for sensitive lighting schemes
  - Further bat surveys (should buildings 2, 11 and 12 be impacted in by future development and should demolition works not commence prior to April 2015).

6.7.6 The Council's Biodiversity Officer recommends nine planning conditions be attached from a biodiversity perspective, to ensure wildlife is not impacted as a result of the development and to ensure the Council fulfil their duty under the NERC Act (2006) to conserve biodiversity. The applicant has made a number of comments on the draft conditions in terms of their requirement if covered by other legislation, or whether they are required bearing in mind the majority of the onsite buildings have been demolished. In consultation with the Council's Biodiversity officer, the conditions have been amended to reflect this.

## 6.8 Archaeology

6.8.1 The NPPF (Section 12) and the London Plan (2011 Policy 7.8) emphasise that the conservation of archaeological interest is a material consideration in the planning process. Paragraph 129 of the NPPF says that applicants should use information from assessment to minimise conflict with the conservation of heritage assets whilst paragraph 141 says they should be required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence publicly available.

6.8.2 English Heritage's Greater London Archaeological Advisory Service (GLAAS) has provided archaeological advice to the Council in relation to the information submitted with the application.

- 6.8.3 The site's archaeological interest lies in the potential to recover palaeo-environmental evidence preserved within peat relating to the landscape of the Lea Valley from the last Ice Age up to historic times and remains of prehistoric, Roman or early medieval settlement or structures, which could be well preserved beneath alluvium and including organic materials preserved in waterlogged conditions. Elsewhere in the Enfield section of the Lea Valley evidence of occupation and riverside structures has been found, including for example what has been interpreted as a late Roman/early Saxon 'crannog', a type of lake/wetland dwelling known from Scotland and Ireland – such sites can be considered of regional/national significance.
- 6.8.4 Following the completion of the geo-archaeological survey report and 'deposit model', English Heritage have now been supplied with some proposed foundation sections which show that the pile caps and ground beams would be constructed within modern made ground of no archaeological interest. However, piles would penetrate through the underlying deposits of archaeological interest creating an impact cumulative to that of piles which are understood to have been used for the existing buildings. English Heritage have advised that they understand that there is an intention to grub out existing foundations, which would be a concern if that involved digging below the made ground. However, as the layout of new development has not been defined the new pile layout, density and method is not yet known.
- 6.8.5 In order to fully understand and minimise the impact of development on the site's archaeological interest, English Heritage recommend that a mitigation strategy is drawn up to cover further archaeological investigation, design of foundations and control of groundworks. A condition is therefore recommended to require a two-stage process of archaeological investigation comprising: first, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by control over foundation design and further investigation. The applicant has confirmed that they are happy with this condition.

## 6.9 Contaminated Land and Flooding

- 6.9.1 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere (para 100). Core Policy 32 and London Plan Policy 5.21 seeks to address the risks arising from the reuse of brownfield sites to ensure its use does not result in significant harm to human health or the environment.
- 6.9.2 The site is located almost entirely within Flood Zones 2 and 3 of the River Lee. As such, a Flood Risk Assessment (FRA) has been submitted with the application and this has been assessed by the Environment Agency (EA). At this time, the EA are objecting to the application on the basis of the FRA submitted. In response to their

concerns, the applicants has submitted an updated FRA and this is currently being considered by the EA. Their view on the acceptability, or otherwise, of the updated FRA will be reported at the meeting.

6.9.2 The Council's Environmental Health officer has advised that the site is likely to have contamination and the extent needs to be established and risks to both human health and groundwater assessed. As such, they have recommended a planning condition to cover this matter, which is set out below. The EA, however, have raised an objection in relation to the application. It appears that when the EA first assessed the application, they did not have access to a document submitted by the applicant in relation to this matter, namely, the Phase 2 Geo-Environmental Assessment Report. The EA now have access to this document and their view on the acceptability, or otherwise, will be reported at the meeting.

#### 6.10 Planning Obligations

6.10.1 Policies 8.1 and 8.2 of The London Plan (2011) seek to ensure that development proposals make adequate provision for both infrastructure and community facilities that directly relate to the development. Developers will be expected to meet the full cost of facilities required as a consequence of development and to contribute to resolving deficiencies where these would be made worse by development.

6.10.2 It is noted that the accompanying Planning Statement states a commitment by the applicant to make necessary and relevant contributions towards local infrastructure including borough services and local community facilities in accordance with London Plan policies 6.4 and 8.2 and Core Strategy policy 46 and the adopted S.106 SPD.

6.10.3 The Council has sought to achieve the provision of a riverside walk along the western banks of the Navigation to enhance pedestrian access to the employment area and to provide an amenity for those who work in the area. This has been achieved in connection with the redevelopment of a number of sites to the north and south. This application provides the opportunity to complete the link providing a continuous footpath link between Millmarsh Lane and East Duck Lees Lane, and the opportunity for a further connection to the Brimsdown site to the south. It is considered that an obligation within a Section 106 Agreement is required to ensure public access will be available and that the footpath and associated landscaping will be maintained to an agreed specification.

6.10.4 Mitigations to highway network at Jeffreys Road / Mollison Avenue, East Duck Lees Lane / Mollison Avenue, Northampton Road / East Duck Lees Lane and associated changes to parking restrictions would be secured via a Section 278 Agreement (under the Highways Act 1980) but the obligation securing the principles and the delivery

mechanism is required as an obligation within the Section 106 Agreement.

6.10.5 As set out in the report above, a key priority of the NEEAPP is the delivery of a new pedestrian bridge over the River Lee. The Council has considered the potential contributions likely to be achievable from other nearby sites as well as capital funds and other sources of grant and an appropriate contribution is thus sought from this site. It is considered that this has a direct link to the proposed development as it would help reduce the impacts of the development on the highway network by encouraging sustainable travel. The bridge would also have broader public benefits and therefore, as set out, funding from non-development sources would need to be secured. Discussions are currently ongoing with the applicant regarding the level of financial contribution to be made as part of this application.

6.10.6 It is also important to ensure that vehicle, pedestrian and cycle access to the site of No. 102 East Duck Lees Lane to the north is safeguarded so that development of this site does not sterilise the continued use of this land for employment purposes. The precise location of an access can be resolved through reserved matters submissions but no layout should prejudice such access.

6.10.7 An employment and skills strategy is required as an obligation within a Section 106 Agreement

6.10.8 It is on this basis that the proposal is considered to be acceptable, but a full update will be provided on the Heads of Terms at the meeting.

#### 6.11 Community Infrastructure Levy

6.11.1 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.

6.11.2 In taking account of the structures on the site that have been demolished but, some of which, were occupied for at least six months within the last three years, a total of £ 248,028 is payable.

#### 6.12 Other matters

6.12.1 Planning conditions are set out below that seek to cover all of the matters identified in the report above, and have been drafted on the basis that the scheme is likely to forward in multiple phases.



6.12.2 As referred to above, the applicant has commented on a number of the conditions recommended to the Council by statutory consultees, and, where appropriate, the conditions have been amended or even removed in light of these comments. It is anticipated that further such changes to the draft conditions may be required and any such changes will be reported to Members at the committee.

## **7. Conclusion**

7.1 The regeneration of this site for an employment led development is consistent with a number of Council corporate priorities and the prevailing Development Plan policies in the London Plan, Core Strategy and emerging policy documents (such as the Development Management Document and Draft North East Enfield Area Action Plan (NEEAAP)).

7.2 As the application is in outline the actual end occupiers are not known at this time, and as such the precise number of jobs to be created is not fixed. However, given the nature of and size of the site, it is considered that the development would make a significant and meaningful contribution to the creation of new jobs, and this is a key material planning consideration to be weighed up as part of the assessment of the application.

7.3 It is recognised that a number of consultees, in particular the Council's Urban Design officer, as well as the Lee Valley Regional Park Authority and Canal and River Trust, have raised concerns with the indicative masterplans put forward by the applicant. These concerns need to be given weight because of the strategic importance of the site for setting a benchmark for high quality design, and the sensitivities of the site in terms of its relationship with the Lee Valley and adjacent Green Belt. A balance has to be struck, however, with the operational needs of the future occupiers, and bearing in mind that the application is in outline and that the Council is not approving a specific layout or design at this time, it is considered that these issues can be addressed at Reserved Matters stage. Nevertheless, the applicant will be reminded of the key issues that the Council expect them to address through the submission of the reserved matters.

7.4 Overall, it is considered that the proposed development is consistent with the requirements of the Development Plan and subject to the conditions recommended below, and the securing of a legal agreement to secure significant infrastructure benefits for the local area, is acceptable.

## **8. Recommendation**

8.1 That subject to the completion of a S106 Agreement to secure the obligations as set out in the report, the Head of Development Management / the Planning Decisions Manager be authorised to

GRANT planning permission subject to conditions to address the following.

1. The development shall be begun not later than three years from the date of this permission or two years from the final approval of the first Reserved Matters application, whichever is the later.  
Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).
2. This permission shall lapse unless the first Reserved Matters application is made within two years of the date of this permission.  
Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).
3. Approval of the details shown below (the Reserved Matters) for each phase of development shall be obtained from the local planning authority in writing before any development in that phase is commenced:
  - a) layout
  - b) scale
  - c) appearance
  - d) landscapingThe application for the approval of the scale and appearance of the buildings shall include a Landscape and Visual Impact Assessment (LVIA) so as to address the potential visual impact of the new buildings.  
Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).
4. The maximum total floorspace of the buildings that are constructed pursuant to this planning permission shall not exceed 31,552 sqm, of which a maximum of 15% of the Gross Internal Area of such shall be used as Class B1 offices.  
Reason: in the interests of highway safety.
5. Each phase of the development shall not commence until details of parking and turning facilities to be provided in that phase in accordance with the standards adopted by the Local Planning Authority have been submitted to and approved in writing by the Local Planning Authority. The details shall include provision for disabled parking bays (minimum 10%) and electric charging points (minimum 20% with a further 10% passive provision). The facilities shall be constructed in accordance with the approved details before the development is occupied and shall be maintained for this purpose.  
Reason: To ensure that the development complies with Unitary Development Plan Policies and does not prejudice conditions of safety or traffic flow on adjoining highways.
6. Each phase of the development shall not commence until details of the siting and design of secure covered cycle parking facilities for that phase in accordance with the standards adopted by the Local Planning

Authority have been submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall be provided in accordance with the approved details prior to occupation of any part of the development and thereafter permanently maintained for cycle parking.

Reason: To ensure the provision of cycle parking spaces in line with the Council's adopted standards.

- 7 The site shall be enclosed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The means of enclosure shall be erected in accordance with the approved detail before the development is occupied.

Reason: To ensure satisfactory appearance and safeguard the privacy, amenity and safety of adjoining occupiers and the public and in the interests of highway safety.

- 8 Each phase of the development shall not commence until details of refuse storage facilities including facilities for the recycling of waste to be provided within the development, in accordance with the London Borough of Enfield Waste and Recycling Planning Storage Guidance ENV 08/162, have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details before the development is occupied or use commences.

Reason: In the interests of amenity and the recycling of waste materials in support of the Boroughs waste reduction targets.

9. No plant, machinery, goods, products or waste material shall be deposited or stored on any open part of the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and the appearance of the site.

10. A) Prior to the submission of reserved matters for any part of the development, the applicant (or their heirs and successors in title) shall secure the implementation of a programme of archaeological evaluation for that part in accordance with a written scheme which has been submitted by the applicant and approved by the local planning authority in writing and submit a report on the evaluation to the local planning authority.

B) If heritage assets of archaeological interest are identified by the evaluation under Part A, then development shall not take place until details of the foundation design have been submitted by the applicant and approved in writing by the planning authority and the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.

C) No development or demolition below existing ground level (other than removal of the concrete slab) shall take place other than in

accordance with the foundation design and Written Scheme of Investigation approved under Part (B).

D) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (B), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF.

11. Each phase of the development shall not commence until a report detailing both temporary and permanent lighting schemes and how they will not adversely impact upon wildlife has been submitted to and approved in writing by the LPA. The report shall include the following figures and appendices:

- A layout plan with beam orientation;
- Measures to avoid glare on to features of suitable bat foraging/commuting habitat (hedges, tree lines and watercourses as indicated in Middlemarch Environmental Ltd's Phase 1 Habitat Assessment) and suitable otter commuting habitat (in particular the River Lee Navigation);
- Measures to ensure that lighting (both temporary and permanent) along the southern and eastern boundaries of the site will be kept to a minimum and directed away from the river to maintain 'dark' corridors;
- An isolux contour map showing light spillage to 1 lux both vertically and horizontally in areas identified as being of importance for commuting and foraging bats (as highlighted in Middlemarch Environmental Ltd's Phase 1 Habitat Assessment and Bat Survey Report).

The approved lighting plan shall thereafter be implemented as agreed.

Reason: To ensure that wildlife is not adversely affected by the proposed development in line with CP36 of the Core Strategy.

12. No development shall commence of each individual phase until details of sustainable drainage systems (SuDS) to dispose of surface water run-off, incorporated into a landscaping SuDS scheme have been submitted and approved in writing by the council. The SuDS landscaping scheme shall include:

- Features of natural habitat to include if practicable; green roof(s), rain gardens and permeable paving;
- Written specifications (including cultivation and other operations associated with plant establishment);
- Schedules of plants and seeds to be incorporated which include native, wildlife-friendly species;
- A continuing management and maintenance plan to ensure its continued function over the lifetime of the development.

The Sustainable Drainage System shall be installed prior to the first occupation alongside the installation of the landscaping scheme and shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: To ensure that flood risk, biodiversity and adaptation to climate change have been addressed by the new development in line with the Core Strategy (Core Policy 28 & 36), the London Plan (Policies 2.18; 5.11; 5.12 & 5.13) and NPPF.

13. Prior to the commencement of the development hereby permitted, a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water must be submitted and approved in writing by the local planning authority in consultation the Canal & River Trust.

Reason: In the interest of navigational safety

14. Prior to the commencement of any development adjacent to the boundary with the River Lee, a survey of the condition of the waterway wall, and a method statement and schedule of the repairs identified shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Canal & River Trust. The repair works identified shall be carried out in accordance with the method statement and repairs schedule by a date to be agreed in the repairs schedule.

Reason: In the interest of the structural integrity of the waterway wall, waterway heritage, navigational safety and visual amenity.

15. No development shall take place until Construction Management Plan, written in accordance with the 'London Best Practice Guidance: The control of dust and emissions from construction and demolition' detailing how dust and emissions will be managed during demolition and construction work shall be submitted to the local planning authority for approval. Once approved the Construction Management Plan shall be fully implemented for the duration of any demolition and construction works.

Reason: To avoid risk to public health and the environment.

16. No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

17. The development shall not commence until a scheme to deal with the contamination of the site including an investigation and assessment of the extent of contamination and the measure to be taken to avoid risk to health and the environment has been submitted to and approved in writing by the Local Planning Authority. Remediation shall be carried out in accordance with the approved scheme and the Local Planning Authority provided with a written warranty by the appointed specialist to confirm implementation prior to the commencement of development.  
Reason: To avoid risk to public health and the environment
  
18. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS 3998. If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.  
Reason: To screen, preserve and enhance the development and ensure adequate landscape treatment in the interest of amenity, and to ensure that the retained trees, shrubs and hedgerows on the site or in adjacent sites are not adversely affected by any aspect of the development.
  
19. No works or development shall take place until a scheme for the protection of the retained trees (BS 5837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. This scheme shall include:
  - A: a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (BS 5837) of every retained tree on site and on neighbouring or nearby property to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.
  - B: the details of each retained tree as required in accordance with BS 5837 in a separate schedule.
  - C: a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS 3998.
  - D: written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works.
  - E: the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (BS 5837).
  - F: the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (BS 5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in

place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.

G: the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (BS 5837).

H: the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (BS 5837).

I: the details of any changes in levels or the position of any proposed excavations within 5 metres of any Root Protection Area (BS 5837) of any retained tree, including those on neighbouring or nearby ground.

J: the details of any special engineering required to accommodate the protection of retained trees (BS 5837), (e.g. in connection with foundations, bridging, water features, surfacing)

K: the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the Root Protection Areas of retained trees.

L: the details of the working methods to be employed for the installation of drives and paths within the Root Protection Area's of retained trees in accordance with the principles of "No-Dig" construction.

M: the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site.

N: the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.

O: the details of the method to be employed for the stationing, use and removal of site cabins within any Root Protection Areas (BS 5837).

P: the details of tree protection measures for the hard landscaping phase (BS 5837).

Q: the timing of the various phases of the works or development in the context of the tree protection measures.

Reason: To screen, preserve and enhance the development and ensure adequate landscape treatment in the interest of amenity, and to ensure that the retained trees, shrubs and hedgerows on the site or in adjacent sites are not adversely affected by any aspect of the development.

20. The following activities must not be carried out under any circumstances:

A: No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.

B: No works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.

C: No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.

D: No mixing of cement or use of other materials or substances shall take place within Root Protection Areas, or close enough to a Root

Protection Area that seepage or displacement of those materials or substances could cause then to enter a Root Protection Area

E: No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To screen, preserve and enhance the development and ensure adequate landscape treatment in the interest of amenity, and to ensure that the retained trees, shrubs and hedgerows on the site or in adjacent sites are not adversely affected by any aspect of the development.

21. No works or development shall take place until a scheme of supervision for the arboricultural protection measures has been approved in writing by the Local Planning Authority. The scheme will be administered by an Arboriculturalist (as defined in BS 5837). Furthermore the scheme will be appropriate to the scale and duration of the works and include the following details:

A: induction and personnel awareness of arboricultural matters.

B: identification of individual responsibilities and key personnel.

C: statement of delegated powers.

D: timing and methods of site visiting and record keeping, including updates.

E: procedures for reporting and dealing with variations and incidents.

Reason: To screen, preserve and enhance the development and ensure adequate landscape treatment in the interest of amenity, and to ensure that the retained trees, shrubs and hedgerows on the site or in adjacent sites are not adversely affected by any aspect of the development.

22. Before development is commenced, a feasibility study shall be carried out to assess the potential for moving freight by water during the construction cycle (waste and bulk materials). The use of waterborne transport shall be maximised during the construction of the development unless the above assessment demonstrates that such use of the waterway is not physically or economically feasible.

Reason: To encourage the use of the waterways for transporting waste and bulk materials.

23. Each phase of the development shall not commence until a Japanese Knotweed survey has been completed and an eradication strategy has been submitted to, and approved in writing by the council. The strategy shall include details of and timescales for knotweed eradication and if the knotweed has not been eradicated at the time of commencement of works, details of the measures to be put in place to ensure that works do not cause its spread.

The eradication strategy shall be carried out in accordance with the approved details.

Reason: To ensure that wildlife is not adversely affected by the proposed development in line with CP36 of the Core Strategy



(Japanese knotweed, is an invasive weed that can have a significant adverse effect on biodiversity).

24. Each phase of the development shall not commence until a Himalayan balsam and Buddleia removal method statement has been submitted to, and approved in writing by the council. The method statement shall include details of how both species will be removed in a sensitive manor to ensure that the proposed works do not result in the spread of any non-native invasive species.  
The method statement shall be carried out in accordance with the approved details.  
Reason: To ensure that biodiversity is not adversely affected by the proposed development in line with CP36 of the Core Strategy (Both Himalayan Balsam and Buddleia are an invasive non-native species that can have an adverse effect on biodiversity).
25. All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.  
Reason: To ensure that wildlife is not adversely impacted by the proposed development in accordance with national wildlife legislation and in line with CP36 of the Core Strategy. Nesting birds are protected under the Wildlife and Countryside Act, 1981 (as amended).
26. Prior to commencement of works, all areas of marginal vegetation along the River Lee Navigation which are to be impacted by the proposed development are to be inspected for water voles by a suitably qualified ecologist and a brief report detailing the methodology, findings (presence/absence) and follow up strategy (if necessary) is to be submitted and approved in writing by the Council.  
Reason: To ensure that Water Voles (a European Protected Species) are not impacted by the proposed development.
27. Should development not commence prior to April 2015, further internal bat surveys of any trees to be impacted by future development works will need to be undertaken (by an appropriately qualified ecologist) and the results submitted and approved in writing by the Council. Should bats or evidence of bats be found no development is to commence until the relevant licence(s) have been obtained from the Statutory Nature Conservation Organisation (Natural England).  
Reason: To ensure that bats, a European Protected Species and a material consideration, are not adversely impacted upon by the development.

28. A cycle/pedestrian route a minimum of 3m in width shall be provided through the site, linking Mollison Avenue with the River Lea Navigation. Details of the alignment of the route, lighting and surface treatment shall be submitted as part of the first reserved matters submission pursuant to condition 3. The cycle/pedestrian route shall be constructed in accordance with the approved details and available for public use before the occupation of any part of the development. The cycle/pedestrian route shall thereafter be maintained and shall not otherwise be enclosed or obstructed except for purposes of maintenance.

Reason: To ensure that pedestrian and cycle access from Mollison Avenue to the Lee River is attractive to use so as to encourage more sustainable modes of transport.

#### DIRECTIVES:

1. Applications for approval of Reserved Matters submitted pursuant to this permission relating to layout, scale, appearance and landscaping shall be accompanied by an urban design report which explains the approach to the design and how it addresses the following matters (applicability dependent upon location):

- The provision for a landscaped walk of a minimum width of 8m from any new buildings to the Navigation;
- Suitable interaction with Mollison Avenue in terms of the positioning and size of the buildings in this location and the provision for sufficient landscaping to create a positive street environment.
- Ensure that active building frontages overlook the waterways and streets and spaces within the development.
- Improved pedestrian and cycle links through the site from Mollison Avenue to the Lee River; the links must be well lit, open and overlooked and at least 3m in width in order to provide a safe and attractive environment.
- Create views through the development to the water and to the reservoir embankments beyond.

Reason: in the interests of securing high quality development the response to local context and improves the wider character of the area.

2. Soft landscaping details submitted under condition 3 shall include:

- Planting plans;
- Written specifications (including cultivation and other operations associated with plant and grass establishment);
- Schedules of plants and trees, to include native and wildlife friendly species and large canopy trees in appropriate locations (noting species, planting sizes and proposed numbers/densities), following habitat recommendations within section 6.2 of Middlemarch Environmental Ltd's Phase 1 Ecological Assessment;
- Implementation timetables;
- Biodiversity enhancements to include 10 bird and 10 bat bricks/tiles/tubes which are to be designed and built into the new

buildings (targeting species such as house sparrow) in appropriate locations with guidance from a suitably qualified ecologist following recommendations within section 6.2 of Middlemarch Environmental Ltd's Phase 1 Ecological Assessment;

- Specifications for fencing demonstrating how hedgehogs and other wildlife will be able to continue to travel across the site (10cm<sup>2</sup> gaps in appropriate places at the bottom of the fences).

Reason: To ensure that the ecological value of the site is maintained, protected and enhanced post development in line with the Biodiversity Action Plan, CP36 of the Core Strategy, the London Plan and Paragraph 118 of the NPPF.

3. In relation to condition 11, the Council would expect any new lighting to not adversely impact upon wildlife and therefore details of this should be included with the submission for this.

4. In relation to condition 18, a "retained tree" is an existing tree which is to be retained in accordance with the approved plans and particulars and any recommendations therein; and paragraphs (a) and (b) shall have effect until the expiration of 5 years from the date of the (occupation of the building/commencement of use of the approved development) for its permitted use.



- Dimensions are in millimeters, unless stated otherwise.  
 - It is the responsibility of the user to ensure that the documents are the correct ones.  
 - All reserved drawings and specifications should be read in conjunction with this drawing.

For information  
**Enfield Distribution Park**  
 Illustrative Masterplan 01

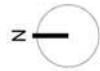
**SCOTTISH WIDDOWS INVESTMENT PARTNERSHIP**  
 PERFORM

**GRAFTONGATE**

u**mc** architects

Drawing No: ESM  
 Date: 21/11/2013  
 Scale: 1:1000 @ A1  
 Drawing No: 13020\_P002  
 Revision: E

Scale 1:1000



- Dimensions are in millimeters, unless stated otherwise.  
 - All measurements are to face, unless otherwise indicated.  
 - All reserved drawings and specifications should be read in conjunction with this drawing.

By: [Signature]  
 Enfield Distribution Park  
 Illustrative Masterplan 02

SCOTTISH WIDOWS  
 INVESTMENT PARTNERSHIP  
 PERFORM

GRAFTONGATE

umc architects  
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Drawing Status:	Preliminary
Drawn:	EM
Date:	12/02/2014
Scale:	1:1000 G.A1
Drawing no:	13020_P003
Revision:	D





Dimensions in millimeters unless stated otherwise.  
It is the responsibility of the user to ensure that the correct scale is used.  
All relevant drawings and specifications should be read in conjunction with this drawing.

revisions by date  
Enfield Distribution Park  
Red Line Application Boundary

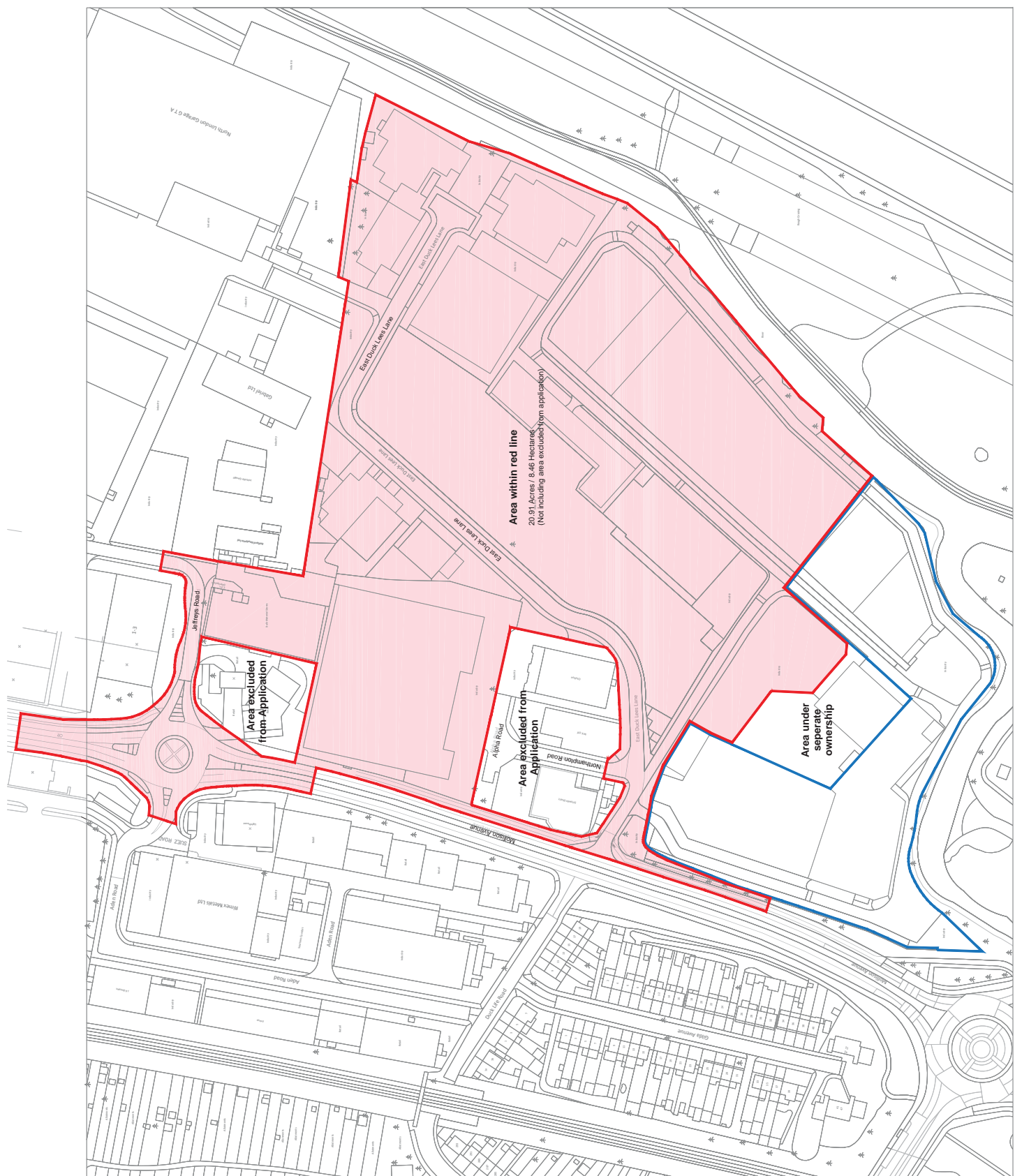
SCOTTISH WIDOWS INVESTMENT PARTNERSHIP  
PERFORM

GRAFTONGATE

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Project No: 2011/2013  
Rev: RM  
Drawn: 17/03/13  
Date: 17/03/13  
Drawing no: T30220  
Revision: G

SCALE 1:100  
10m



Area within red line  
20.91 Acres / 8.46 Hectares  
(Not including area excluded from application)

Area excluded from Application

Area excluded from Application

Area under separate ownership

# 05 | Design & Access

Illustrative Aerial Photomontage - based on Illustrative Masterplan 01



# 05 | Design & Access

Illustrative Eye Level Perspective - based on Illustrative Masterplan 01





## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 21<sup>st</sup> October 2014

**Report of**

Assistant Director, Planning,  
Highways & Transportation

**Contact Officer:**

Andy Higham 020 8379 3848  
Sharon Davidson 020 8379 3841  
Mr Andrew Ryley 020 8379 2577

**Ward:**

Cockfosters

Ref: 14/02747/HOU

**Category:** Householder

**LOCATION:** 2 Parklands Close, Barnet, EN4 0AB,

**PROPOSAL:** Single storey side extension and part first floor, part gable extension to front.

**Applicant Name & Address:**

Mr J Chadwick-Jones  
2 Parklands Close  
Barnet  
EN4 0AB

**Agent Name & Address:**

Miss Debra Fabricius  
2 Parklands Close  
Barnet  
EN4 0AB

**RECOMMENDATION:**

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

**Note for Members:**

This application would normally be dealt with under delegated powers but it is referred to Planning Committee for consideration at the request of Councillor Pearce due to local objection.

## **1.0 Site and Surroundings**

- 1.1 The subject property comprises a two storey detached property at the end of Parklands Close which is a residential cul-de-sac in the Cockfosters ward of the borough and the plot of land was previously host to Parkfield House nursing home.
- 1.2 The subject property has an existing single storey rear projection which is approximately 2.2 metres deep and sited on the eastern edge of the properties rear elevation.
- 1.3 The site's neighbouring properties consist of the adjacent number 1 and 3, both of which are detached properties which share the same building line as the subject property, however, it should be noted that the adjacent number 3 is set at an angle to the subject property, it does not project beyond the subject properties rear elevation.
- 1.4 The site is not location within a Conservation Area.

## **2.0 Proposal**

- 2.1 The application seeks planning permission for a single storey side extension; a part first floor, part gable extension to front.

## **3.0 Relevant Planning Decisions**

- 3.1 TP/11/0213 Single storey rear extension – Granted 21/04/2011
- 3.2 TP/08/1570 Rear dormer windows and window to existing front gable – Granted 07/10/2008
- 3.3 TP/92/0047 Change of use of Parkfield House from residential nursing home to single family dwellinghouse and erection of 3 x five-bedroom detached houses with garage on land adjoining Parkfield House – Granted 22/04/1992

## **4.0 Consultations**

### Public

- 4.1 Six neighbouring properties consulted. One comment has been received raising an objection to the proposal on the following grounds:
  - Significant concerns raised over proposed side extension stating that it would have a noticeable and detrimental impact on the street scene and character of Parklands Close, citing issues that the extension would not be parallel with the flank walls but would be at an angle; that the extension would 'infill the entire western side garden' and would also project forward of the front elevation by 3.0m; notes that no separation of 1.0m to the adjacent boundary is proposed which is contrary to policy DMD14 of the Development Management Document Submission Version
  - Notes that the set-back location of the wall was chosen by the original developers to provide a sense of separation between the properties. This would be removed and replaced with a bulk projecting forward of the main original building line and above the brick wall and create a terracing effect at ground level perceived when in the Close. This is considered to be contrary to policy DMD 14 as no separation from the boundary is proposed where a minimum of 1m should be maintained.

- Considers that the 17m extension along the Western boundary is excessive and would have a detrimental impact on the neighbouring garden of the adjoining property.
- Considers that the removal of the catslide feature at the front of the property and its replacement with a full height additional storey would unbalance the composition and create an overly dominant extension that would compete with the host building.
- Notes that a tree within a rear garden, which provides visual screening, is to be removed and that no replacement is proposed.
- Arboriculture report has not been submitted just for the loss of the tree and no ecological survey either.

#### External

Duchy of Lancaster – No objection

#### Internal

None

### **5.0 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 UDP policies 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 has now successfully been through examination. It is expected that the document will be adopted at full Council in November 2014. The DMD provides detailed criteria and standard based policies by which planning applications will be determined, and is considered to carry significant weight.

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 The London Plan

- 7.1 Building London's Neighbourhoods and communities
- 7.4 Local character
- 7.6 Architecture

#### 5.5 Local Development Framework

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

#### 5.6 Saved UDP Policies

- (II) GD3 High standard of functional and aesthetic design
- (II) H8 Maintain privacy and prevent overlooking
- (II) H12 Home Extensions

#### 5.7 Development Management Document Submission Version

DMD11	Rear Extensions
DMD13	Roof Extensions
DMD14	Side Extensions
DMD37	Achieving High Quality and Design-Led Development

#### 5.8 Other Relevant Policy

National Planning Policy Framework  
National Planning Policy Guidance

### **6.0 Analysis**

6.1 For an application for residential extensions such as this, the most relevant material planning considerations are the impact of the proposed development upon the character and appearance of the subject dwelling itself, impact of the proposed development upon the character and appearance of the wider surrounding area and the impact of the proposed development upon the residential amenities of neighbouring occupants.

#### 6.2 Character and appearance and residential amenity

6.2.1 It is noted that subject dwelling is of a significant size and has been extended on a number of occasions. This application would result in a further addition to the dwelling consisting of a single story side to rear extension, and a part first floor, part gable extension to front.

6.2.2 The side to rear extension would follow the angled line of the adjacent boundary fence and so be wider at the back than at the front. It is noted that the extension would be relatively deep and so would form a not insignificant addition to the property, and that concerns about its size and its impact upon the character of the area have been raised in an objection from adjacent occupier.

6.2.3 It is accepted that the proposed side to rear extension would not be set in by 1.0m from the boundary. Whilst DMD policy reference a 1m separation to the boundary, this is in the context of preventing a terracing effect and given the nature and the character of the properties in this area, it is not considered that this impact would result in this instance. Whilst it is acknowledged that the extension would be large, especially in terms of its depth, this must be considered in the context of the size of the existing property, which as referred to above, is itself relatively large. The proposed side to rear extension would of course increase this size further, but in this context is itself relatively modest. In terms of its depth beyond the rear wall of the main dwellinghouse, this is approximately 4.5m. There are no habitable room windows on the ground floor flank elevation of the adjacent property and given the juxtaposition of the subject dwelling and the adjacent property to the west, it is considered that no harm would result in terms of loss of light or overbearing impact. The proposed development would not breach the 45° angle from the neighbours nearest window.

- 6.2.4 Whilst the extension would protrude further than the bulk of the main dwellinghouse at the front, this already occurs with two other projecting elements, and so this proposal would add a third. Again, given the size of the property and that these characteristics already exist, the design approach followed in this case is considered to be acceptable. The objection received in terms of the impact on the street scene is noted, but given the modest width that the extension would infill in this area, it is considered that any such impact could not be considered to be of such significant weight to warrant the refusal of planning permission.
- 6.2.5 The proposed part first floor, part gable extension to the front would be visible from the public highway, but would be modest in scale and size in relation to the proportions of the existing dwellinghouse. The part first floor, part gable extension to the front would mimic the character and style of the existing front gables and would not create an unsympathetic development in this regard.
- 6.2.6 Comments regarding the loss of a tree are noted, but this is not covered by a Tree Preservation Order and the site is not within a Conservation Area, and therefore there are no restrictions on the applicant removing it.

### 6.3 Community Infrastructure Levy

- 6.3.1 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 floor space 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 sum. The Council is progressing its own CIL but this is not expected to be introduced until spring / summer 2015.
- 6.3.2 The development is not liable for CIL.

### 7.0 Conclusion

- 7.1 Overall, owing to the siting of the proposed development in conjunction with its scale, it is considered that it would not cause undue harm to the character and appearance of the subject dwelling itself or the wider surrounding area, nor have an impact on the amenities of the adjacent occupiers, in accordance with Policies 7.4 and 7.6 of the London Plan, Policy CP30 of the Enfield Plan Core Strategy, Policy (II)GD3 of the Unitary Development Plan and Policies DMD11, 14 and 37 of the Submission Version of the Development Management Document.

### 7.0 Recommendation:

- 7.1 That planning permission be GRANTED subject to the following conditions:
1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the decision notice.  
Reason: To comply with the provisions of S.51 of the Planning & Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans, as set out in the attached schedule which forms part of this notice.

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

3. The external finishing materials shall match those used in the construction of the existing building and/or areas of hard surfacing.

Reason: To ensure a satisfactory appearance.

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

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

## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

**Date :** 21st October 2014

**Report of**  
Assistant Director,  
Planning, Highways &  
Transportation

**Contact Officer:**  
Andy Higham 020 8379 3848  
Sharon Davidson 020 8379 3841  
Rajvinder Kaur 020 8379 1860

**Ward:**  
Ponders End

**Ref:** 14/02821/FUL

**Category:** Full Application

**LOCATION:** 21 Arbour Road, Enfield, EN3 7TX,

**PROPOSAL:** Garage conversion to a habitable room & conversion of property to HMO for 7 residents.

**Applicant Name & Address:**

Mr Kyriakos Hajikypry  
21 Arbour Road  
Enfield  
EN3 7TX

**Agent Name & Address:**

EA Consulting  
21 Arbour Road  
Enfield  
EN3 7TX

**RECOMMENDATION:**

To **GRANT** planning permission subject to conditions.

**Note for Members:**

This application would normally be dealt with under delegated powers but it is referred to Planning Committee for consideration at the request of Councillor Taylor due to local objection

**1. Site and surroundings**

- 1.1 The application site comprises an end of terraced property situated on the east side of Arbour Road. The property currently benefits from an attached garage, first floor side and roof extension.
- 1.2 The surrounding area is suburban in character, comprising terraced residential properties.

**2. Proposal**

- 2.1 Planning permission is sought for a change of use of the property from a single family dwelling house to a house of multiple occupation (HMO) for up to 7 people living together as a single household.
- 2.2 Each of the bedrooms would range between 13.3m<sup>2</sup> to 18.9m<sup>2</sup>. There are 2 bedrooms at the ground floor, 3 at the first floor and 2 in the loft space.

**3. Relevant Planning Decisions**

None

**4. Consultation**

**4.1 Statutory and non-statutory consultees**

4.1.1 Traffic and Transport

No objection.

4.1.2 Thames Water

No objection in relation to sewerage and water infrastructure capacity.

4.1.3 Environmental Health

No objections as there is unlikely to be a negative environmental impact.

**4.2 Public Response**

- 4.2.1 Letters were sent to 37 neighbouring properties. Seven representations have been received. The comments are summarised below:

- The introduction of 7 residents to the property would increase the number of cars on the street by a minimum of 6 cars which would cause extreme inconvenience to the residents.
- The introduction of a HMO is not in keeping to the character of the street scene.
- The loss of a family sized home would reduce the stock of housing in the borough.
- The works required to convert the house will cause disruption to residents.



- The introduction of a HMO would cause a reduction in house prices.
- Concern that there will be continuous letting to a number of different tenants and about the operation and management of the property once let to 7 individuals. Will neighbours be made of the contact details if there are any complaints?
- Will the landlord be contactable and will they address any problems the neighbours have? A similar house was let nearby to 5 people and there was nothing but trouble, i.e, anti-social behaviour, complaints about leaking pipe to adjoining property ignored. The landlord did not care about the neighbourhood as he did not live here.
- Concerns about the sewage as there would be 7 toilets in the property this may cause blockages.
- Objection to garage conversion.
- Object as 7 individuals in one property combined with the existing parking problems that we suffer and the additional noise and strain on existing facilities.
- Arbour Road is mainly family homes and does not lend itself to multiple occupancy.
- No site notice was displayed for 21 days
- With 7 people in one property there will be a lot of noise.

4.2.2 Councillor Taylor objects to the planning application.

## **5. Relevant Policy**

5.1 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 UDP policies 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 has now successfully been through examination. It is expected that the document will be adopted at full Council in November 2014. The DMD provides detailed criteria and standard based policies by which planning applications will be determined, and is considered to carry significant weight.

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

- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.8 Housing choice
- Policy 3.9 Mixed and balanced communities
- Policy 3.10 Definition of affordable housing
- Policy 6.9 Cycling

Policy 6.13	Parking
Policy 7.1	Communities and Neighbourhoods
Policy 7.4	Local Character
Policy 7.6	Architecture

## 5.5 Core Strategy

CP2	Housing supply and locations for new homes
CP4	Housing quality
CP5	Housing types
CP 6	Meeting particular housing needs
CP30	Maintaining and improving the quality of the built and open environment
CP24	The road network
CP25	Pedestrians and Cyclists

## 5.6 Saved UDP Policies

(II)GD3	High standard of functional and aesthetic design
(II)GD6	Traffic Generation
(II)GD8	Access and Servicing
(II)H16	Conversion of single dwellings

## 5.7 Submission Version Development Management Document (Including Proposed Minor Modifications)

DMD4	Loss of existing residential units
DMD5	Residential conversions
DMD8	General standards for new residential development
DMD9	Amenity Space
DMD45	Parking standards and layout
DMD81	Landscaping

## 5.8 Other Relevant Policy

National Planning Policy Framework  
 National Planning Practice Guidance  
 Mayors Housing Supplementary Guidance (2012)  
 Enfield's Housing Market Assessment (2008)  
 Enfield's Homelessness Strategy (2008)  
 Enfield's Action Plan for Tackling Overcrowding (2009)

## 6. **Analysis**

### 6.1 Principle

6.1.1 The adopted policies encourage residential development that improves the existing housing stock and provides new housing to accommodate London's increasing population and changing demographics. Residential development should provide a range of high quality, sustainable homes that promote opportunity and provide real choice. Shared accommodation or HMOs play an important role in increasing housing supply and diversity. They provide flexible and relatively affordable accommodation through the private market, though concentrations of HMOs and their quality can give rise to concern.

6.1.2 Therefore, the key considerations are whether the proposal maintains the character of the surrounding area, whether the proposal results in an unacceptable concentration of conversions, whether the proposal provides an appropriate standard of accommodation and whether the proposal provides adequate car and bicycle parking.

## 6.2 Impact upon Character and Appearance

6.2.1 In relation to the external appearance of the dwelling, the development proposes only the addition of a window in place of the garage door. Taking the small scale nature of the above alteration to the front of the dwelling into consideration the proposal will not have an impact to the street scene.

## 6.3 Limitations on the number of conversions in an area

6.3.1 Policy DMD5 of the Submission version DMD and Policy (II) H16 of the Saved Policies seek to ensure that the number of conversions in a locality is not excessive. The policies require that no more than 20% of the total residential buildings in a road are converted into self-contained flats or HMOs and that no more than 1 property in a consecutive row of 5 units is converted

6.3.2 Having reviewed the planning history for Arbour Road and observed the properties on site it is evident that less than 20% of the dwellings have been converted and that none of the 5 properties either side have been converted. It is acknowledged that the development would result in the loss of a single family accommodation for which there is an identified demand in the borough but the proposal provides a type of accommodation for which there is a need. However, it is considered that the proposed internal alterations would not prevent the building from being converted back to a family home in the future.

6.3.3 The Mayor requires local planning authorities to strike a careful balance between local concerns and meeting strategic and local needs, recognising that there is a surplus of large dwellings London wide and the contribution that they can make to housing choice and mixed and balanced communities if converted to HMOs. It identifies HMO's as collectively strategically important housing resource, providing flexible and relatively affordable accommodation through private market. In London, the occupant profiles are more broadly based and HMOs play a particularly important role in supporting labour market flexibility (especially for new entrants) and in reducing pressure on publicly provided affordable housing. The London Plan (para 3.55) states that those of a reasonable standard should generally be protected.

## 6.4 Standards of accommodation

### *Room Sizes*

6.4.1 The Mayor's Housing Supplementary Guidance (2012) provides minimum standards for the size and layout of different rooms. The minimum floor area for a single bedroom is 8m<sup>2</sup>; the proposed HMO would meet this standard and provide a range between 13.3m<sup>2</sup> and 18.9m<sup>2</sup> with each containing an en-suite. The proposal does not provide a communal living/dining area but does provide a communal kitchen with a floor space of 18.2m<sup>2</sup>. It is considered that the kitchen would provide a large enough communal space for the occupants.

6.4.2 It is noted that there is no minimum floor area for bathrooms and WCs.

*Outdoor Space*

- 6.4.3 The adopted policies encourage residential development that provides good quality amenity space. There is no minimum standard for HMOs, however DMD9 of the Submission Version DMD requires at least 35m<sup>2</sup> outdoor space for a 4 bedroom 6 person dwelling. Whilst it does not reflect the exact number of bedrooms/persons at the development, it could still be used as a guide. The garden is to remain unchanged providing a private amenity space of 37.31sqm.
- 6.4.4 The Mayors Housing SPG does not provide minimum amenity space standards for HMO's. However, a minimum of 5sqm of private outdoor space should be provided for a 1-2 person dwelling and an extra 1 sqm provided for each additional occupant. This would equate to 10-11sqm. The proposal would exceed this.

*Refuse*

- 6.4.5 No alterations are proposed to the existing provision of waste and recycling storage.

Highway safety and parking

- 6.4.6 The adopted policies encourage residential development that incorporates adequate car and bicycle parking. There are no specific parking requirements for HMOs. If the garage is lost then there would be provision for one space for seven rooms, with any more parking demand being absorbed through on street spaces. Given that the existing property had 5 bedrooms, then the car parking demand for a 7 bedroom HMO would not be too dissimilar and the level of parking proposed is considered sufficient.
- 6.4.7 In terms of cycle parking provision 6 secure cycle parking spaces should be provided in keeping with London Plan Policy 6.9 and the requirements of Table 6.3. This will provide for the residents and for a casual visitor arriving by cycle and provide the option for travel by this sustainable mode. This will be in keeping with the intentions within the National Planning Policy Framework and the Council's Strategic Core Objective 8. Details of the storage will be secured by condition should planning permission be granted.

6.5 Other matters

- 6.5.1 It is noted that residents have raised concerns regarding impact on property prices and the responsibility of the landlord to manage the property and future tenants. These are not material planning considerations.
- 6.5.2 It is also noted that residents have raised concerns about the impact of the development on local sewerage infrastructure. This would be a matter that would need to be addressed by Thames Water but it should be noted that they have raised no objections to the proposed development.

6.6 CIL

6.6.1 As of April 2010, legislation in the form of Community Infrastructure Levy (CIL) Regulations 2010 (as amended) came into force which 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 2015.

6.6.2 Is the proposal CIL liable: No

## **7. Conclusion**

7.1.1 The adopted policies encourage residential development that improves the existing housing stock and provides new housing to accommodate London's increasing population and changing demographics. Residential development should provide a range of high quality, sustainable homes that promote opportunity and provide real choice. HMOs play an important role in increasing housing supply and diversity.

7.1.2 The proposed HMO would maintain the appearance of the building and the residential character of the surrounding area.

7.1.3 The proposal would not result in an unacceptable concentration of conversions or prevent the building from being converted back to a family home in the future.

7.1.4 Furthermore, the proposal would provide an appropriate standard of accommodation including amenity space and car parking.

## **8. Recommendation**

8.1 To grant planning permission subject to the following conditions;

1. C60 Approved Plans

The use and development hereby permitted shall be carried out in accordance with the approved plans, as set out in the attached schedule which forms part of this notice.

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

2. Approved Layout

The use and development hereby permitted shall be laid out in accordance with the approved plans. There shall be no deviation from the number, size or mix of bedrooms without prior approval from the Local Planning Authority.

Reason: To ensure the development provides an appropriate layout and density.

3. Occupation

No more than 7 persons shall occupy the development at any time.

Reason: To provide an appropriate standard of accommodation and to ensure that the level of occupancy does not lead to conditions detrimental to the amenity of neighbouring occupiers.

4. C59 Details of cycle parking

Within 2 months of the date of this decision details of the siting, number and design of 7 secure/covered cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be installed and permanently retained for cycle parking.

Reason: To ensure the provision of cycle parking spaces in line with the Council's adopted standards.

- 5 C51 Time Limited permission.