

LONDON BOROUGH OF ENFIELD**PLANNING COMMITTEE****Date: 5 September 2023****Report of**Director of Planning &
Growth - Brett Leahy**Contact Officers:**Lap Pan Chong
Sharon Davidson
Andy Higham**Category**

Major

Ward

Whitewebbs

Councillor Request

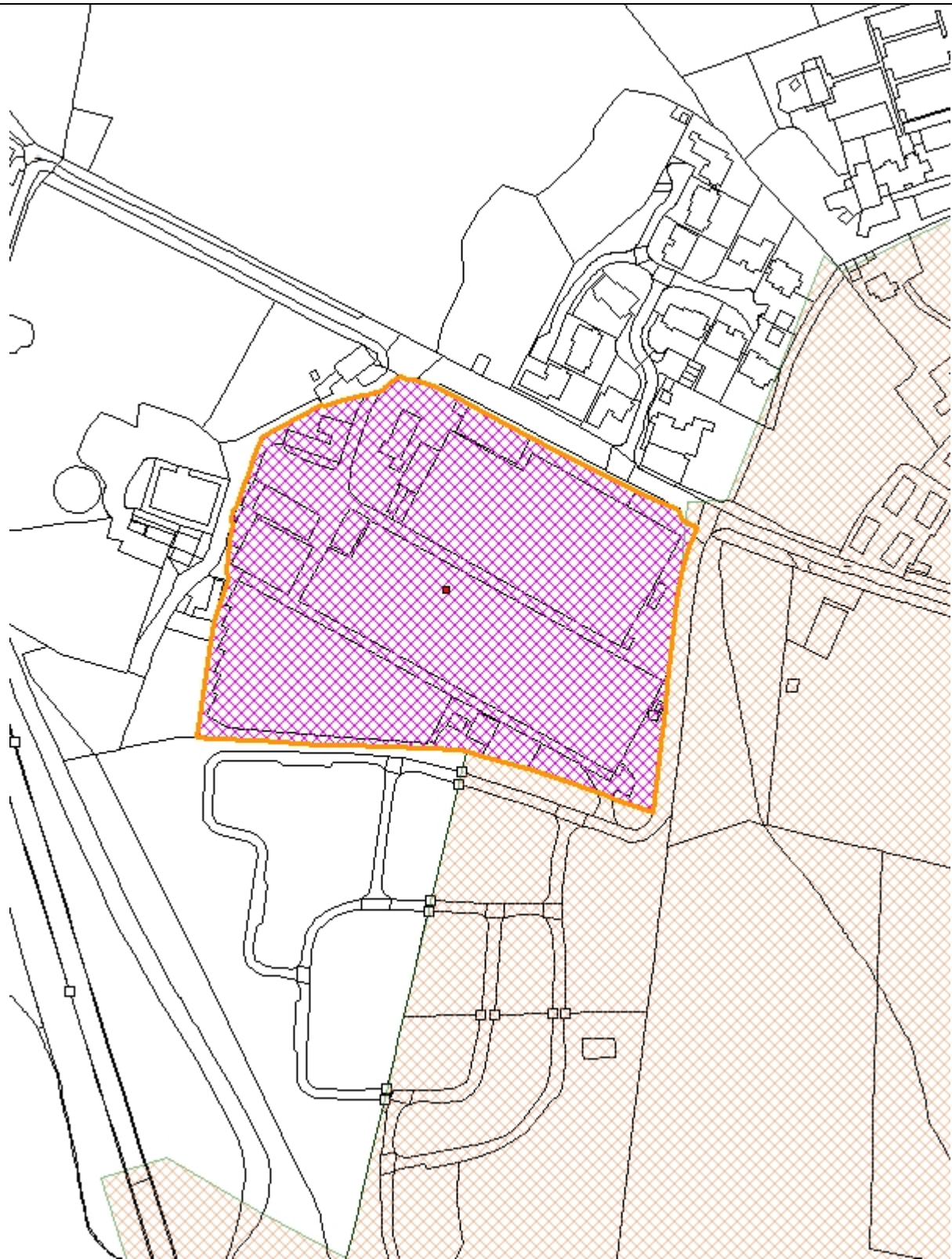
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LOCATION: Anglo Aquarium Plant, 30 And 32 Strayfield Road, Enfield, EN2 9JE**APPLICATION NUMBER:** 22/01542/OUT

PROPOSAL: Outline application with all matters reserved except for access for the demolition of existing buildings, structures and removal of open storage, and construction of up to 58 affordable dwellings, 5 live-work units (Use Class Sui Generis) and refurbishment of existing office building to provide flexible, serviced office space, along with associated landscaping and access.

Applicant Name & Address:Mrs Emma Hardy
Lansdown and Anglo Aquatic Plant
Company Limited and David J
4 Queen Street
Bath
BA1 1HE**Agent Name & Address:**Mrs Emma Hardy
Lansdown and Anglo Aquatic Plant
Company Limited and David J
4 Queen Street
Bath
BA1 1HE**RECOMMENDATION:**

- 1) That subject to referral of the application to the Greater London Authority (Stage 2) and the completion of a Section 106 Agreement to secure the matters covered in this report, the Head of Planning be authorised to GRANT planning permission subject to conditions.
- 2) That the Head of Planning be granted delegated authority to agree the final wording of the Section 106 Agreement and the conditions to cover the matters in the Recommendation section of this report



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1. Note for Members

- 1.1 This planning application is categorised as a 'major' planning application and a departure from DMD Policy 82. In accordance with the scheme of delegation it is reported to Planning Committee for determination

2. Executive Summary

- 2.1. This outline application seeks planning permission (including access) for the demolition of existing buildings and construction of up to 58 affordable dwellings, 5 live-work units (Use Class Sui Generis) and refurbishment of existing office building to provide flexible, serviced office space within the designated Green Belt and the setting of the Clay Hill Conservation Area. All the other matters are reserved.
- 2.2. Whilst the proposed development is inappropriate development within the Green Belt and would result in harm to the Green Belt, 'Very special circumstances' do exist where the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal is clearly outweighed by other considerations.
- 2.3. This 100% affordable homes scheme would deliver 58 energy-efficient affordable homes including 50% social rented homes and 50% family homes, which would contribute to the affordable family housing delivery in the borough especially given the substantial shortfall in 5 years housing land supply (3.8 years), under delivery of housing supply in the last three years (meeting 73% of the housing targets), and the long term under-delivery of affordable homes.
- 2.4. The other public benefits of the scheme can be summarised as follow:
- Provision of at least 764 sqm community allotments with necessary food growing infrastructure for both the future occupiers of the development and residents in the local area.
 - Substantial landscape and biodiversity enhancements resulting in an Urban Greening Factor of 0.4 and Biodiversity Net Gain of 87.86% (area based) and 828.67% (linear based)
 - Financial contribution towards walking and cycling infrastructure in the locality
 - An improvement to on-site sustainable urban drainage succeeding greenfield run-off rate
 - Delivery of modern office spaces and creating estimated additional 13 full-time equivalent operational jobs
- 2.5. The proposed scheme would upgrade the existing infrastructure in the locality to mitigate the impacts from the development through financial contributions towards education and health facilities and the delivery of a safer pedestrian route on Strayfield Road by the Applicant.
- 2.6. Subject to the recommended conditions and obligations, the proposed development would preserve the setting of the Clay Hill Conservation Area, provide safe and well-designed accommodation to the future occupiers and result in no unreasonable impacts on the residential amenities of the neighbouring properties. These aspects would be assessed in more detail at reserved matters stage.
- 2.7. The proposed development would comply with paragraph 148 of the NPPF 2021 and broadly accord with the Development Plan (Adopted London Plan 2021, Core Strategy and Development Management Policies) policies.

3. Recommendation

- 3.1. That subject to the referral of the application to the Greater London Authority (Stage 2) and the completion of a Section 106 Agreement to secure the matters covered in this report, the Head of Planning be authorised to GRANT planning permission subject to conditions
- 3.2. That delegated authority be granted to the Head of Planning to agree the final wording of the Section 106 Agreement and the conditions to cover the matters in the Recommendation section of this report.

3.3. Conditions

- 1. Time Limit
- 2. Approved Plans
- 3. Reserved matters
- 4. Phasing plan
- 5. Control parameters (Maximum two storey height, maximum ridge height, maximum footprint and maximum volume)
- 6. Final Landscape Visual Impact Assessment
- 7. Accessible homes provision
- 8. Opening hours of the offices
- 9. Details of Work-live unit
- 10. Detailed drawings and materials details
- 11. Details of digital connectivity
- 12. Fire Statement addendum
- 13. Landscaping details including playspace, allotments and green roofs
- 14. Biodiversity Net Gain addendum
- 15. Bat or bird boxes details
- 16. External Lighting details
- 17. Security by Design certification
- 18. Tree Method Statement and Tree Retention Plan
- 19. Tree / shrub Clearance – Nesting Birds
- 20. Great Crested Newt precautionary measure
- 21. Bicycle parking details
- 22. Parking details including disabled parking and electric charging points
- 23. Delivery and Servicing Plan
- 24. Construction and Logistic Management Plan
- 25. Final Sustainable Drainage Strategy
- 26. Sustainable Drainage Verification Report
- 27. Final Energy Statement
- 28. Low Carbon Technology details
- 29. Overheating assessment
- 30. Final Whole Life Carbon Assessment and post construction monitoring
- 31. Final Circular Economy Statement, Excess Materials Exchange and post construction monitoring
- 32. BREEAM assessment (design stage and post-construction)
- 33. Compliance to water efficiency measures
- 34. No piling
- 35. Land contamination remediation
- 36. Written Scheme of Investigation
- 37. Compliance to Air Quality Neutrality measures
- 38. Compliance to non-road mobile machinery

39. Restriction of PD rights to minimise the impacts on openness

4. Site & Surroundings

- 4.1 The site is on the southern side of Strayfield Road, which runs west from Theobalds Park Road. The site is circa 2.7 hectares and is currently owned and operated by the Anglo Aquatic Company. There are three glasshouses across the majority of the site. In the western part of the site, there is an office building as well as buildings for storage, packaging and distribution. Between the buildings is hardstanding with small areas of soft landscaping and water features around the office building. The site is mainly flat. Around the site there are some trees and areas of hedging.
- 4.2 To the south is Strayfield Road Cemetery. To the east of the site is the access road into Strayfield Road Cemetery and beyond this is the northern end of Hilly Fields Park woodland and beyond this is North Enfield Cricket Club. To the west is a commercial operation, which is understood to be a stud farm, with a railway line beyond. To the north, there are residential properties on the northern side of Strayfield Road
- 4.3 The site is within the Green Belt. The Hilly Fields Park woodland to the east is part of a Site of Metropolitan Importance for Nature Conservation. To the west, the railway corridor is designated as a Site of Borough Importance for Nature Conservation.
- 4.4 Immediately beyond the site's eastern, southern and part of the western boundary corresponds with an Area of Special Character which also extends to include the buildings around Strayfield Road and Theobald's Park Road. This land is also identified as Local Open Space.
- 4.5 To the east of the site, Hilly Fields Park is identified as a non-designated heritage asset within LBEs Local Heritage List 2018. The Site adjoins Clay Hill Conservation Area (designated heritage asset). To the north and east of the site are residential properties with the Grade II St John's Church to the east (designated heritage asset). The site is within Whitewebbs Hill, Bulls Cross and Forty Hill Area of Archaeological Importance.
- 4.6 The Site also adjoins Area of Special Character to the east.
- 4.7 The Public Transport Accessibility Level (PTAL) is 0, which reflects poor accessibility. The nearby services and facilities have been outlined in Table 1 below.

Table 1 : Distance to local amenities

Amenity	Physical distance (km)	Estimated walk / cycle distance (mins)
Bus stops on Theobald's Park Road and Clay Hill	0.4 km to the east	5 minutes' walk
Crews Hill Station	1.2 km to the north	8-minute cycle or 28 minutes' walk
Gordon Hill Station	1.2 km to the south	8-minute cycle or 27 minutes' walk
Headstart Crews Hill Day Nursery and Pre-school on Theobald's Park Road	0.2 km to the north	9 minutes' walk
St John's Church of England Primary School on Theobald's Park Road	0.2 km to the north	7 minutes' walk

One Degree Academy (Primary School) in Chase Farm	2km to the south-west of the Site	8 minute cycle or 26 minutes' walk
Wren Academy (Secondary School) in Chase Farm	2km to the south-west of the Site	8 minute cycle or 26 minutes' walk
Some garden centres with cafes and shops on Cattlegate Road	1km to north	6-minute cycle or 22 minutes' walk
Lavender Hill Local Centre with a wide variety of facilities and services	2km to the south-east of the Site	7-minute cycle or 27 minutes' walk
Chase Farm Hospital	2km to the south-west of the Site	8 minute cycle or 26 minutes' walk
General practices on Tenniswood Road	2.6km to the south-east of the Site	9-minute cycle or 30 minutes' walk

4.8 The site is located in Environment Agency Flood Zone 1 (low risk of flooding).

5. Proposal

5.1 This outline planning application is for access only with all other matters reserved.

5.2 The existing glasshouses and storage structures on site would be demolished, with the proposal to construct up to 58 residential dwellings. This would include 18 x two-bedroom units and 40 x three-bedroom units. All are proposed to be affordable, with a proposed tenure mix of 50:50 between social rent and intermediate housing.

5.3 There would also be five live-work units (Use Class Sui Generis) with employment floorspace on the ground floor and residential floorspace above.

5.4 The existing office building would be refurbished to provide flexible, serviced office space.

5.5 There would be ancillary landscaping, playspace, and parking.

5.6 The existing secondary access to the application site from Strayfield Road to the east of the main access will be altered to serve the proposed development. The existing main access shared with the adjoining sites would remain in place but would no longer serve the site.

5.7 The Applicant has provided further details on the proposal, although this must be interpreted in the context of scale, layout, appearance and landscaping being reserved matters. Hence, the plans provided are indicative.

5.8 The indicative layout shows an internal circular road within the site which would be lined with trees. The employment uses would be in the north-west of the site. The housing would occupy the remainder of the site. There would be open space, community allotments, greenhouses, cycle and pedestrian links. There would be an attenuation pond in the south of the site and permeable paving elsewhere. There would be new tree and hedge planting (See Biodiversity, Trees and Landscaping section).

6. Consultation

Pre-application Consultation

Public engagement

- 6.1 The Applicant has submitted a Statement of Community Involvement (SCI). Based on the submitted SCI, the Applicant visited the neighbouring properties and engaged St John's Church of England School and Headstart Nursery. The SCI stated some concerns had been raised including the impacts on neighbouring residential amenity. No details have been provided to illustrate the number and address of the residents interviewed. A letter of support from St. John's School shows the school welcomes the proposed development as it would attract more families to the school within a walking distance, reduce the number of heavy vehicles, and provide amenity and ecological benefits.

Enfield Place and Design Quality Panel (DRP):

- 6.2 During the course of this application, the proposed development was brought to the Enfield Place and Design Quality Panel (hereby referred to as DRP) on 20 December 2022
- 6.3 The Panel suggests the Applicant provide further evidence to demonstrate that the development could realise the envisioned settlement idea and considerations such as density, mass, scale and layout should all take cues from the existing rural context, views and surrounding landscape.
- 6.4 The panel recognises that the applicant is keen to formulate a series of design codes but comments this is an unusual approach for a relatively small, discreet site. The panel considers that to arrive at a suite of design codes, greater consideration needs to be given to the definition of a brief along with key design principles. Given the context, the panel suggests some themes to inform design principles, and therefore design codes, including context, setting and landscape, topography, views, layout, community and open space, connectivity, transport, potential creation of 'village' high street, sustainable growth, biodiversity, approach to sustainable energy and a different tenure mix.
- 6.5 The offers including allotments, greenhouses, nature areas, and live-work units are welcome. The panel suggests that analysis of the value of the proposed development and future management costs shall be undertaken earlier to avoid the risk of the development being declared unviable and value engineered.

Officer comment: The matters raised are assessed in the 'Design', 'Housing Need and Mix', 'Economic considerations', 'Social consideration', 'Biodiversity, Trees and Landscaping', 'Traffic, Access and Parking' and 'Sustainable Design and Construction' sections of this report.

Statutory and Non-Statutory Consultees

External

Energetik:

- 6.6 No objection to the proposal subject to provisions to enable future connection of District Heat Network.

Officer comment: The S106 obligation identified is recommended in the 'S106 Heads of Terms' section below. The matters raised are assessed in the 'Sustainable Design and Construction' section of this report.

6.7 *Environment Agency:* No comment received

Great London Authority:

6.8 **Land Use Principles:** 100% affordable housing is proposed on what the GLA have contended is a previously developed site within Green Belt. GLA officers consider that the spatial and visual impact would not give rise to substantial harm to openness, taking into account the existing context. Therefore, the scheme could be considered to comprise appropriate development within the Green Belt and 'Very Special circumstances' are not required

Affordable housing: 58 new homes at 100% affordable housing, representing a 50:50 tenure mix. This could comply with the Fast Track Route criteria subject to the tenure mix being agreed with the Council. The affordability of all units and type of the intermediate housing should be clarified and secured.

Urban design: The design, layout and residential quality is acceptable, and the height and massing proposed would not harm heritage assets or cause substantial harm to the Green Belt

Transport: Conditions and obligations are required in relation to walking and cycling improvements, car parking, servicing and travel plan requirements

Sustainable development: Additional information and clarification is required in respect to the energy strategy, flood risk and drainage, whole life carbon (WLC) and circular economy

Conclusion: The application does not yet comply with the London Plan. Possible remedies set out in this report could address these deficiencies.

Officer comment: Officers disagree with the GLA and consider the site is not considered Previously Development Land according to the NPPF's definition. Officers therefore consider the scheme comprises inappropriate development within the Green Belt and 'Very special circumstances' are required. This matter was discussed in the 'Green Belt' section of this report.

The other GLA comments have informed the proposed dwelling size and tenure mix, level of accessible homes, the Energy Statement, Circular Economy Statement and Air Quality Assessment. The conditions identified in relation to energy, WLC, circular economy, air quality, flood risk, and car parking management plan are recommended in the 'Recommendation' section above. Furthermore, a financial contribution towards walking and cycling infrastructure improvements will be secured by a S106 obligation as stated in the 'S106 Heads of Terms' section below.

Historic England (GLAAS):

6.9 No objection subject to a written scheme of investigation (WSI) condition

Officer comment: The condition identified is recommended in the 'Recommendation' section above. The matters raised are assessed in the 'Heritage and Archaeology, section of this report.

6.10 *Historic England*: No comment received.

6.11 *London Fire Brigade*: No objection subject to meeting the requirements of the Approved Document B (ADB) B5 Access and Facilities for the Fire Service.

Officer comment: During the course of this application, the design of the proposed works to Strayfield Road has been revised to ensure the whole stretch of carriageway of Strayfield Road would have a minimum width of 3.7m in accordance with the ADB B5. The matter raised is assessed in the 'Fire Safety' section of this report.

Metropolitan Police (Secured by Design):

6.12 No objection subject to a 'Secured by Design' condition to ensure the appropriate crime prevention practices and principals are followed.

Officer comment: The condition identified is recommended in the 'Recommendation' section above. The matters raised are assessed in the 'Design' section of this report.

6.13 *Natural England*: No comment received

6.14 *NHS London Healthy Urban Development Unit* – Requested a contribution of £94,795 to increase health infrastructure capacity within the locality of the development through reconfiguring and upgrading existing floorspace of Chase Farm Hospital.

Officer comment: The S106 obligation identified is recommended in the 'S106 Heads of Terms' section below.

Transport for London (TfL):

6.15 No objection subject to delivery of the pedestrian route works on Strayfield Road and the proposed bus stops improvements to replace the 'hail and ride' stops in accordance with TfL Bus Stop Accessibility Guidance and specifications TfL Asset Operations and TfL Engineering teams will further review the detailed design.

Officer comment: During the course of this application, the Highways Team has secured funding to introduce new fixed bus stops on Theobalds Park Road and Clay Hill. Upon the request from the Council's Transportation Team, a greater sum of financial contribution towards walking and cycling infrastructure in the locality was sought instead. The obligations are recommended in the 'S106 Heads of Terms' section below. The matters raised are assessed in the 'Traffic, Access and Parking' section of this report.

Thames Water:

6.16 No objection with regard to the surface water network infrastructure capacity, foul water sewerage network infrastructure capacity, water network and water treatment infrastructure capacity. Thames Water recommended an informative about the minimum water pressure.

Officer comment: The informative identified will be included in the decision notice. The matters raised are assessed in the 'Flood Risk, Drainage, Sewerage and Water' section of this report.

6.17 *UK Power Networks*: No comment received.

6.18 *Enfield Disablement Association*: No comment received.

Internal

6.19 *Building Control*: The width of the emergency access on Strayfield Road should be no less than 3.7m unless approved by LFB.

Officer comment: During the course of this application, the design of proposed pedestrian route works to Strayfield Road have been revised to ensure the whole stretch of Strayfield Road would have a minimum width of 3.7m as stated in the ADB B5. The matter raised is assessed in the 'Fire Safety' section of this report.

Climate Action and Sustainability:

6.20 *No objection* subject to conditions to secure final energy strategy, whole life carbon assessment and use of Enfield Excess Materials Exchange platform.

Officer comment: The conditions identified are recommended in the 'Recommendation' section above and a S106 obligation is recommended in the 'S106 Heads of Terms' section below. The matters raised are assessed in the 'Sustainable Design and Construction' section of this report.

Heritage

6.21 No objection to the principle of the development. Further assessment and detailed design are required to ensure that the rural landscape character of the site would not be eroded, and that the increased visibility of the built form when compared to the existing greenhouses would not result in an adverse impact on its contribution to the setting of the Conservation Area. An insular suburb on the outskirts of the Clay Hill Conservation Area which conflicts with the settlement pattern and character should be avoided.

6.22 The Heritage Team have suggested the following requirements if the Application is to be approved:

- A S106 obligation to request details of the proposed Strayfield Road works including external lighting controls. The length of segregated pedestrian footway should be kept to a minimum and street furniture should be kept to a minimum and painted black
- In the absence of a parameter plan, a condition which limits the height of development to two storeys with a maximum ridge height of 8.5m and maximum volume is welcomed. However, this does not infer that all dwellings can be built to these limits at reserved matters stage.
- S106 obligation requiring the Applicant to enter a design competition or at least to attend Enfield Place and Design Quality Panel(s) prior to submission of each reserved matters application to ensure design quality of the development.
- A condition to require a 15m strip of the site at the northern boundary shall remain public space

Officer comment: The conditions identified are recommended in the 'Recommendation' section above. The suggested S106 obligation for design competition has been explored with the Applicant. However, the registered provider / the delivery partner is unknown at this stage, and a number of the potential delivery partners have their own

in-house design terms. Hence, a S106 obligation requiring the Applicant to attend Enfield Place and Design Quality Panel prior to submission of each reserved matters application is recommended in the 'S106 Heads of Terms' section below. The matters raised are assessed in the 'Built Heritage and Archaeology' section of this report.

Education

- 6.23 No objection subject to a financial contribution of £159,705 towards provision of education facilities to be secured via S106.

Officer comment: The S106 obligation identified is recommended in the 'S106 Heads of Terms' section below.

- 6.24 *Economic Development:* No comment received

Environmental Health:

- 6.25 No objection subject to conditions for piling method statement, land contamination mitigation scheme, compliance to emission standards for non-road mobile machinery, dust and emissions control measures, and implementation of mitigation measures stated in the submitted Air Quality Assessment.

Officer comment: The conditions identified are recommended in the 'Recommendation' section above. The matters raised are assessed in the 'Noise and Distance', 'Air Quality' and 'Land Contamination' sections of this report.

Housing:

- 6.26 Support. There is an overarching need for affordable housing and particularly social rented units considering the recent increase in the number of residents on the housing needs register. As at Jan 2023, there were 5,000 households on the housing needs register.

- 6.27 Whilst the family housing is in demand, the priority is for supply across all bedroom sizes. The delivery of social rented properties could support downsizers and overcrowded households. The proposal provides a good offer on family housing. Wheelchair adaptable homes would meet the needs as there are families with mixed abilities who would benefit from this type of accommodation.

- 6.28 Supply is stalling recently given market conditions and rising build costs. There have been consented schemes being varied resulting in less affordable housing being offered or built out. The expression of interest letters from registered providers (RPs) provided by the Applicant are welcome. This scheme presents an opportunity for the council to secure housing through a nominations agreement and offer genuine affordable housing subject to restricting the homes to households meeting the GLA eligibility requirements.

Officer comment: The requirements identified will be secured by a S106 agreement as recommended in the 'S106 Heads of Terms' section below. The matters raised are assessed in the 'Housing Need and Mix' section of this report.

Journeys and Places:

- 6.29 The Transportation Team confirmed the proposed trip generations would be acceptable. The commitment to Travel Plan monitoring is welcome. The Transportation Team acknowledges the challenges in connectivity of the Site.
- 6.30 The proposed works to Strayfield Road to provide a safe pedestrian route between the site and bus stop are broadly welcome. The Transportation Team initially raised concerns over the design, deliverability and future maintenance of the proposed works to Strayfield Road. After a joint site visit and a number of revisions in the design and further clarifications from the Applicant, the latest Strayfield Road work proposals would be acceptable at this stage subject to final details (including road drainage) of the proposed Strayfield Road works together with Road Safety Audits, a construction and logistics management plan, a detailed management and maintenance plan for the Strayfield Road works. The Transportation Team also requested that the proposed works to Strayfield Road be completed prior to first occupation.
- 6.31 The Applicant initially proposed to introduce new fixed bus stops to replace the 'hail and ride' stops to service the 456 bus route. However, The Highways Team confirmed that the Council had secured funding to introduce new fixed bus stops on Theobalds Park Road and Clay Hill. The Transportation Team therefore requested a larger sum of active travel financial contribution towards improving the walking and cycling infrastructure in the locality .

Officer comment: The S106 obligations identified are recommended in the 'S106 Heads of Terms' section below. The matters raised are assessed in the 'Traffic, Access and Parking' section of this report.

Watercourses:

- 6.32 No objection subject to a condition to secure the final sustainable drainage strategy and drainage verification report.

Officer comment: The conditions identified are recommended in the 'Recommendation' section above. The matters raised are assessed in the 'Flood Risk, Drainage, Sewerage and Water' section of this report.

Trees:

- 6.33 No objection subject to a more detailed Arboricultural Method Statement and Tree Protection Plan to address the following impacts:
- Installation of tree protection (protective barriers and temporary ground protection)
 - Demolition of existing structures and removal of existing hard surfacing within Root Protection Areas
 - Construction within Root Protection Areas (if applicable)
 - Installation of new utility services/drainage and/or reconfiguration of existing service runs (all services to be illustrated within TPP)
- 6.34 The Tree Officer also requested an auditable schedule of arboricultural monitoring where works would need to be undertaken within Root Protection Areas in order to ensure continued compliance with the agreed tree protection scheme throughout the development process.

Officer comment: The conditions identified are recommended in the 'Recommendation' section above. The matters raised are assessed in the 'Biodiversity, Trees and Landscaping' section of this report.

Public

6.35 Consultation letters were sent to 127 surrounding properties on 01.07.2022 and 20.07.2023.

6.36 Site notices were put up on 11.07.2022. Press notices were displayed in the Enfield Independent on 22.06.2022 and 18.01.2023.

6.37 *Cllr Hannah Dyson, Cllr Reece Fox, Cllr David Skelton (LB Enfield Ward Councillor)*
Objection for the following reasons:

- Green Belt should be protected unless no suitable alternatives exist. The proposed development is inappropriate development within the Green Belt.
- Overdevelopment given only one access point though Strayfield Road and higher density than the surrounding developments. It would dramatically alter the nature and character of the countryside.
- The local transport provisions are already inadequate. The majority sections of the pedestrian routes to Crews Hill Station and Gordon Hill Station including Strayfield Road are unlit without segregated footway and therefore are unsafe to pedestrians particularly children particularly during dark winter months.
- The traffic assessment is based on outmoded data. The reduction in existing heavy goods vehicle traffic will be outweighed by the increase in new traffic from the development. The development would result in congestion and increased danger for local people.
- There are already cars parked along Strayfield Road for the nearby North Enfield Cricket Club, St John's Church and the St John's school. More houses would restrict emergency vehicles access through Strayfield Road during peak hours.
- Increase in traffic would be inconvenient and potentially dangerous for users of the adjacent Hilly Fields Park.
- No amenities within walking distance
- No information has been provided with regard to the excavation work on Strayfield Road to provide new sewers
- No proposed arrangement to 'make good' / maintain the unadopted Strayfield Road in case of any damage caused.
- Loss of habitats and wildlife
- Increase in air pollution and contrary to London Plan Policy SI 1.
- Increase in noise pollution
- Adverse impacts on the health and wellbeing of local people
- Lack of community consultation. The 22 households contacted by Crews Hill Residents Association all expressed opposition to the development.
- The proposal displays lack of preparation and lack of awareness of the local area.

Officer comment: The matters raised are assessed in the 'Green Belt', 'Traffic, Access and Parking' and 'Consultation' sections of this report.

British Horse Society

- 6.38 Objection on grounds of potential impact on Strayfield Road (a public bridleway) during construction. To address this concern and remove the objection, a condition requiring the bridleway to be kept open throughout construction and fully accessible with no vehicles, plant or materials obstructing any part of it either during or following construction, should be attached to any permission granted. Furthermore, a request has been made for a financial contribution to be secured by s106 to provide and install physical speed restrictions along Strayfield to prevent speed in excess of 20mph being achievable by vehicular traffic and parking restrictions, as necessary, to ensure safe passage and visibility for equestrians along its length.

Officer comment: The matters raised are assessed in the 'Traffic, Access and Parking' section.

Crews Hill Residents Association

- 6.39 Maintain objection for the following reasons:

- No Very special circumstances to justify new development within Green Belt. It would breach the purposes of Green Belt as set out in the NPPF.
- Rossendale Close was a genuine brownfield site and should not be seen as a precedent. The existing dwelling on site is for security and maintenance purposes.
- Impact on greenhouse emissions
- Harm the openness of the countryside
- Potential road safety hazard at the Strayfield Road / Clay Hill junction given the car parked during school drop off and pick up times
- The proposed works on Strayfield Road would hinder large vehicles to the existing properties on Strayfield Road
- More dwellings may be built in future applications
- The proposed allotments may be built on if they are not used.

Officer comment: The matters raised are assessed in the 'Green Belt', 'Traffic, Access and Parking' and 'Sustainable Design and Construction' sections of this report. This outline application is for up to 58 homes, 5 live-work units and refurbishment of the existing offices. A new planning application would be required for any uplift in residential units from the approved quantum.

- 6.40 *Enfield Disablement Association:* No comments received.

Enfield Road Watch

- 6.41 Maintain objection for the following reasons:

- The site is within the Green Belt and the Clay Hill Conservation Area. No Very special circumstances to justify new development within Green Belt. It would breach three of the five purposes of the Green Belt set out in NPPF.
- Impact on greenhouse emissions
- The reduction in horticultural activities does not turn the site into brownfield land
- Lack of infrastructure and amenities
- The access for large vehicles using Strayfield Road will be obstructed
- A condition should be applied to prevent buildings on the proposed allotments in perpetuity to be built.

Officer comment: The Application site (outlined in red) is within the setting of Clay Hill Conservation Area (not directly within the Conservation Area). The matters raised are assessed in the 'Green Belt', 'Built Heritage and Archaeology', 'Traffic, Access and Parking' and 'Social Considerations' sections of this report.

Enfield Society

6.42 Maintain objection for the following reasons:

- The site is within the Green Belt and the Clay Hill Conservation Area. No 'Very special circumstances' to justify new development within Green Belt. Enforcement action against non-horticultural activities should be considered.
- Likely increase in vehicle movement due to very limited public transport in the area
- The application site is not part of the draft local plan site allocations. In view of its proximity to Hilly Fields Park, the Strayfield Road Cemetery and the Conservation Area, it is important that this site remains within the Green Belt designation.
- Need to protect the rural nature of the Clay Hill Conservation Area

Officer comment: The Application site (outlined in red) is within the setting of Clay Hill Conservation Area (not directly within the Conservation Area). The matters raised are assessed in the 'Green Belt', 'Traffic, Access and Parking' and 'Built Heritage and Archaeology' sections of this report.

Environment Forum

6.43 Maintain objection for the following reasons:

- A permanent loss of the Green Belt.
- No overwhelming justification for the loss of Green Belt.

Officer comment: The matters raised are assessed in the 'Green Belt' section of this report.

North Enfield Cricket Club

6.44 Objection for the following reasons:

- There are matches and practice sessions from late afternoon through the evening every week from mid-April to late July. The proposal will increase congestion and hinder access to the cricket club at peak traffic times.
- No indication of who would pay for the ongoing maintenance of the proposed measures
- No indication of the current access to the Cricket Club's gateway area to ensure no impacts on the operation of the Cricket Club.
- No impact assessment on the hedge along Strayfield Road and on the trees within the Sports Ground.
- A bespoke traffic management scheme is needed.

Officer comment: The matters raised are assessed in the 'Biodiversity, Trees and Landscaping' and 'Traffic, Access and Parking' sections of this report.

St John the Baptist Church

6.45 Neutral:

- Strongly in support of genuinely affordable homes for local people
- Increased road traffic and reduced parking availability on Strayfield Road may adversely affect the Church's regular activities, mass activities, and venue businesses which is an essential source of income.
- The increase in delivery traffic may harm the Church's foundations.
- The drain at the Clay Hill / Strayfield Road junction (on the Church's side) often overflows resulting in flooding across the road.
- Residents and visitors are likely to use cars as the existing public transport is not regular.

Officer comment: The matters raised are assessed in the 'Traffic, Access and Parking' and 'Built Heritage and Archaeology' sections of this report. No footway is proposed to the drain on the northern side of Strayfield Road near the Church. The potential impacts on the income of the Church are not a material planning consideration.

6.46 Objections to this application from 29 properties were received during the public consultation. A summary of the comments received, and officer comments are as follows:

Summary of responses

- Consultation period is too short

Officer comment

The LPA undertook consultation for 24 days when the application was first submitted in 2022. In July 2023, neighbouring properties were consulted on the additional clarifications and information for 14 days. The consultation was conducted in accordance with the statutory requirements set out in Article 15 of the Town and Country Planning (Development Management Procedure)(England) Order 2015.

Summary of responses

- Inappropriate development within the Green Belt in conflict with the local plan
- The existing residential development on the northern (opposite) side of Strayfield Road is not a precedent as it was used as a factory building with furnaces and smelting facilities.
- Many alternative sites could be used for residential development.
- The site has history of complaints against non-horticultural activities within the site.

Officer comment

The matters raised are assessed in the 'Green Belt' section of this report. The details of any complaints and enforcement are outside the scope of this application. As mentioned in the 'Green Belt' section, officers consider that the non-horticultural activities within the site do not make the whole site 'Previously Development Land'.

Summary of responses

- Encouraged to see brownfield land is repurposed
- Too high and too dense
- Overdevelopment with an addition of potentially 300 more people in the area
- Out of keeping with rural character of area
- Strayfield Road without lighting will become a hotspot for criminal activity

Officer comment

The matters raised are assessed in the 'Green Belt', 'Built Heritage and Archaeology', 'Design' and 'Traffic, Access and Parking' sections of this report. Bollard lighting is proposed as part of the proposed Strayfield Road works.

Summary of responses

- Potential buy to let landlords would acquire these 'affordable' homes and rent them out at unaffordable prices.
- The definition of 'affordable housing' and who gets access to these houses are not clear.

- Should have more live-work units and workspaces to create a more diverse mix

Officer comment

The matters raised are assessed in the 'Housing Need and Mix' and 'Economic Consideration' sections of this report.

Summary of responses

- Loss of privacy during construction
- Loss of privacy as their bedroom windows overlooking the Site.
- Loss of outlook from Astley House and Rossendale Close
- Noise from construction traffic
- Noise from rear gardens of the new development and increase in traffic
- Impact on quality of life of existing residents
- Increase in air pollution from the reliance on cars due to the lack of community facilities in close proximity, the lack of safe pavement on Strayfield Road and fast and heavy traffic on Clay Hill

Officer comment

The matters raised are assessed in the 'Neighbouring Residential Amenities' and 'Air Quality' sections of this report.

Summary of responses

- Aged sewer systems
- Poor water pressure

Officer comment

The matters raised are assessed in the 'Flood Risk, Drainage, Sewerage and Water' section of this report.

Summary of responses

- Inaccurate ecological surveys. There are bats and Great Crested Newts in existing ponds.
- Destroy the existing trees and natural habitat of wildlife

Officer comment

The matters raised are assessed in the 'Biodiversity, Trees and Landscaping' section of this report.

Summary of responses

Parking

- Inadequate parking
- The proposed electric car charging solution is unclear. Inadequate supply of electricity.

Trip generation

- Unsustainable location with no amenities such as shops, doctor's surgeries, secondary schools and libraries within walking distance from the site.
- Strayfield Road cannot accommodate additional 200 cars trips.
- Clay Hill is too narrow for large vehicles including buses to pass each other. Collisions happened before.
- Clay Hill and Theobalds Park Road are busy with dangerous bends and corners. Given the associated on-street parking during school pick-up and

drop off and the potential future expansion of Headstart nursery, the additional traffic to Clay Hill and Theobalds Park Road would be dangerous.

Access on Strayfield Road

- Strayfield Road is a private unadopted road with no segregated footway and lighting which would be dangerous during evenings and winter. An accident occurred before. Adverse impact on the walkers, cyclists and equestrians.
- Vehicular movement is particularly difficult during school pick up and drop off and the church's events such as funerals and weddings as parents to the nearby school, visitors to the nearby Church, North Enfield Cricket Club and Hilly Fields Parks, nearby residents and the farms all park on Strayfield Road.
- Insufficient emergency vehicle access given the proposed single lane bottleneck at the lower end of Strayfield Road and the on-street parking.
- Officers have not visited the site during school times and Sunday morning during church services and cricket club activities.
- The give way situation should not encroach the existing vehicular accesses to the adjoining properties including Burnbrae Cottage, 1 and 21 Strayfield Road, and the Church. The effects on existing vehicular access to the properties including 2 Strayfield Road is not clear. No consent has been given for any works involving 2 Strayfield Road.
- Requested measures to ensure adequate parking provisions for church visitors.
- Lack of details including bollards lighting, street names, wayfinding information. No comprehensive map showing the boundaries of the church, its junction with Clay Hill. Wayfinding information for the proposed pedestrian crossing should be improved.
- Unclear whether the junction between Clay Hill and Strayfield Road will be narrowed.
- The proposed works should preserve the character of the area
- Strayfield Road is unadopted and in poor condition. Flooding occurred at the proposed new crossing as the drain blocks without regular maintenance. The maintenance responsibilities of the proposed low level bollard lighting, the road, other road installations and drainage are unclear. The maintenance should not cost taxpayers money. Installations may be vulnerable to vandalism. A clear protocol for reporting issues and timely resolution of issues should be outlined.
- A comprehensive traffic management plan should be provided.
- A dedicated road cutting through the field facing the proposed homes cutting straight into Theobalds Park Road should be proposed.

Public transport and access to amenities

- Inadequate public transport provisions. The 456 bus route offers very limited services.
- There are only partial footways on Theobalds Park Road and Cattlegate Road between the Site and Crews Hill station
- The pedestrian route from the Site to Gordon Hill stations through the cemetery would not be safe to use in the evenings and during winter given no lighting in the cemetery.

- The proposed southbound bus stop should be sited before the Flash Lane/Clay Hill junction to allow clear visibility of the buses for the other drivers.

Construction traffic

- Works shall not be taken place on a Sunday to enable free movement to and from the church.

Officer comment

The matters raised are assessed in the 'Traffic, Access and Parking' and 'Built Heritage and Archaeology' sections of this report.

Summary of responses

- Poor broadband and potential adverse impacts on the existing broadband services.

Officer comment

The matters raised are assessed in the 'Digital Connectivity' section of this report.

Summary of responses

- Potential land contamination

Officer comment

The matter raised is assessed in the 'Land Contamination' section of this report.

Summary of responses

- Impact on property price

Officer comment

Impact on the property values is not a material planning consideration.

Petition

6.47 A petition of objection was submitted by the Crews Hill Residents Association on 29 June 2022. The petition purported to have 47 signatories. Some of them have also submitted their own objections as mentioned in paragraph 6.46. The grounds of objection set out in the petition's covering statement are set out in detail below:

- No 'Very special circumstances' to justify new development within Green Belt.
- It would breach three of the purposes of Green Belt set in the NPPF.
- The existing dwelling on site is for security and maintenance purposes. The site is not a brownfield site and is in horticultural use.
- Only a small number of older residential dwellings existed before Metropolitan Green Belt was established and are part of the Clay Hill Conservation Area. The proposed development would harm the openness of the countryside.
- The privately owned unadopted Strayfield Road is not suitable for additional traffic particularly at the Clay Hill / Theobalds Park Road junction
- Potential road safety hazard at the Strayfield Road / Clay Hill junction given the car parks during school drop off and pick up times

Officer comment: The matters raised are assessed in the 'Green Belt', 'Built Heritage and Archaeology' and 'Traffic, Access and Parking' sections of this report.

6.48 A letter of objection was submitted by the St John's Mobile Home Park on 31 July 2023. The petition purported to have 16 signatories. Some of them have also submitted their own objections as mentioned in paragraph 6.46. The grounds of objection set out in the letters are set out in detail below:

- Inappropriate development within the Green Belt and Conservation Area
- Too dense and is out of keeping with the character of the local area
- High levels of additional traffic and noise in an area and at a road junction that already experiences traffic issues associated with school access and church events
- Misrepresents accessibility and adequacy of public transport in the local area and will inevitably generate significant extra traffic usage
- Inadequate level of safety for pedestrians from the development using Strayfield Road
- Adverse impact on the current condition and usage of Strayfield Road which is heavily used for local parking by parents, church and cricket club.

7. Relevant Planning History

Application site

REFERENCE	DESCRIPTION	DATE	DECISION
20/02697/FUL	Erection of replacement detached outbuilding	24 August 2020	Submitted
TP/97/0250	Erection of a replacement office building with ancillary staff facilities, incorporating storage area in roofspace involving construction of dormer windows to north and south elevation, together with provision of additional car parking spaces.	30th May 1997	Approved
TP/96/1025	Erection of a replacement office building with ancillary staff facilities, incorporating accommodation in roofspace involving construction of dormer windows to north elevation, together with provision of additional car parking spaces	14th Jan 1997	Approved
TP/96/1024	Erection of a new greenhouse block, together with provision of additional car parking spaces	14th Jan 1997	Approved
TP/95/0698	Erection of a replacement greenhouse/potting shed	28th November 1995	
ENFIELD_8026B	New glasshouses		Approved
EDMONTON 8026	Office extension		Approved
ENFIELD 8026	Bungalow		Approved
ENFIELD 8026A	Bungalow		Approved
ENFIELD 8026A/1	Details		Approved

Surrounding Site – Rosendale Close (On the opposite/northern side of Strayfield Road)

- 7.1 TP/00/0345 Redevelopment of site by the erection of 12 5-bed detached houses together with associated access road and garage blocks. **Granted with conditions**
18 May 2000

8. Relevant Planning Policies

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

National Planning Policy Framework 2021

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

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

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

- 8.4 In relation to achieving appropriate densities Paragraph 124 of the NPPF notes that planning policies and decisions should support development that makes efficient use of land, whilst taking into account:

a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

b) local market conditions and viability;

c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and

e) the importance of securing well-designed, attractive and healthy places.

Green Belt

8.5 Paragraph 48 of the NPPF details when weight may be given to relevant emerging plans. This guidance states that the stage of preparation, the extent to which there are unresolved objections and the degree of consistency of relevant policies to the Framework are relevant.

8.6 The NPPF makes clear that the government attached great importance to Green Belts (para 137). Paragraphs 147 – 151 of the NPPF provide guidance to decision makers for proposals that affect the Green Belt.

- Paragraph 147 states 'Inappropriate development is, by definition, *harmful to the Green Belt* and should not be approved *except in very special circumstances*.
- Para 148 states "Very special circumstances' will not exist *unless the potential harm* to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, *is clearly outweighed by other considerations*."
- Paragraph 149 notes that a local planning authority *should regard the construction of new buildings as inappropriate in the Green Belt, with a number of exceptions*.
- Paragraph 149(g) states: limited infilling or the *partial or complete redevelopment of previously developed land*, whether redundant or in continuing use (excluding temporary buildings), which would *not have a greater impact on the openness of the Green Belt than the existing development; or not cause substantial harm to the openness of the Green Belt*, where the development would *re-use previously developed land and contribute to meeting an identified affordable housing need* within the area of the local planning authority.

Presumption in Favour of Sustainable Development:

8.7 The NPPF sets out at Paragraph 11 a presumption in favour of sustainable development. For decision taking this means:

"(c) approving development proposals that accord with an up-to date development plan without delay; or

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (8), granting permission unless:

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

- 8.8 Footnote (7) advises that the national policies referred to at (d)(i) above include policies relating to land designated as Green Belt. Paragraph 147 of the NPPF states "Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'Very special circumstances.
- 8.9 Footnote (8) referenced here advises "*This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous 3 years.*"
- 8.10 In summary, the presumption in favour of sustainable development applies in two situations – where a Council is unable to demonstrate a five-year housing land supply, and when a Council fails to achieve 75 per cent or more in the Housing Delivery Test.
- 8.11 Enfield Council currently fails against both criteria – and is therefore subject to the most severe government sanctions which impact the Council's consideration of housing-led planning applications.
- a) **5-year housing land supply:** Members will note the need to be aware of the Council's housing land supply – and how it impacts on decision making. When there is not an up to date Local Plan and 5-year housing land supply cannot be demonstrated then this has a significant impact on the weight given to material planning considerations. The NPPF presumption, or 'tilted balance', applies in Enfield due to the Council's inability to demonstrate the required five-year housing land supply. The Council is unable to demonstrate a 5-year supply of deliverable housing sites and this impacts on the status of its Local Plan policies.
- b) **Housing delivery test:** The NPPF presumption, or 'tilted balance', also applies in Enfield because Enfield is one of 51 Councils which have achieved below 75 per cent against the Housing Delivery Tests – it is therefore also subject to the Housing Delivery Tests most severe government sanction, the NPPF's presumption in favour of sustainable development.
- 8.12 The Housing Delivery Test (HDT) is an annual measurement of housing delivery introduced by the Government through the NPPF. It measures the performance of local authorities by comparing the completion of net additional homes in the previous three years to the housing targets adopted by local authorities for that period.
- 8.13 Local authorities that fail to meet 95% of their housing targets need to prepare a Housing Action Plan to assess the causes of under delivery and identify actions to increase delivery in future years. Local authorities failing to meet 85% of their housing targets are required to add 20% to their five-year supply of deliverable housing sites targets by moving forward that 20% from later stages of the Local Plan period. Local authorities failing to meet 75% of their housing targets in the preceding 3 years are placed in a category of "presumption in favour of sustainable development".
- 8.14 The Council's recent housing delivery has been below our housing targets. This has translated into the Council being required to prepare a Housing Action Plan in 2019 and being placed in the "presumption in favour of sustainable development category" by the Government through its Housing Delivery Test. This status has recently been confirmed for the period 2022-23.

- 8.15 The Department for Levelling Up, Housing and Communities has not published the latest Housing Delivery Test measurement for 2022. Based on the Enfield Authority Monitoring Report 2021/22 published in February 2023, between 1st April 2019 and 31 March 2022, Enfield delivered 2,350 homes of the 3,216 required, achieving 73% of its homes target. The Council therefore remains in the “presumption in favour of sustainable development”.
- 8.16 Based on the Enfield Authority Monitoring Report 2021/22 published in February 2023, there is an estimated supply of 5,676 net new homes in the next five years. This is equivalent to 3.80 years housing land supply when measured against the London Plan requirement and taking into account backlog need and a 20% buffer due to the failure of Housing Delivery Test.
- 8.17 This is referred to as the “tilted balance” and the NPPF states (see paragraph 8.6 above) that for decision-taking this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole – which also includes the Development Plan.

Overall Planning Balance

- 8.18 However, in this case, the proposed development is in the Green Belt and therefore as noted at Footnote 7 above paragraph 11 (d) (i) will need to be considered. Whilst the development plan policies are ‘out of date’, the Planning Committee will first need to consider whether the proposed development meets national Green Belt policies in line with paragraph 11(d)(i). If the Planning Committee considers that the proposed development would be inappropriate development in the Green Belt, to which none of the exceptions at paragraph 149 NPPF apply and for which ‘Very special circumstances’ do not exist, then the Council should refuse permission in line with paragraph 11(d)(i) and the tilted balance will not apply. If the Planning Committee considers that the proposed development would be inappropriate development in the Green Belt but ‘Very special circumstances’ do exist, then the Planning Committee should weigh up the adverse impacts and benefits of the scheme and the tilted balance will apply in accordance with paragraph 11(d)(ii).
- 8.19 Under the NPPF paragraph 11(d) where the most important development plan policies for the application are deemed to be ‘out of date’, planning permission should be granted. That does not mean out of date policy can be disregarded, but it means that less weight can be applied to it, and applications for new homes should be given weight by the Planning Committee when undertaking their assessment taking account of the “tilted” balance that applies. The level of weight given is a matter of planning judgement and the statutory test continues to apply, that the decision should be, as section 38(6) of the Planning and Compulsory Purchase Act 2004 requires, in accordance with the development plan unless material considerations indicate otherwise.

The London Plan 2021

- 8.20 The London Plan together with Enfield’s Local plan forms the Development Plan for this application. It is the overall strategic plan for London setting out an integrated economic, environmental, transport and social Framework for the development of London for the next 20-25 years. The following policies of the London Plan are considered particularly relevant:

- GG1 – Building Strong and Inclusive Communities
- GG2 – Making the Best Use of Land
- GG3 – Creating a Healthy City

- GG4 – Delivering the Homes Londoners Need
- D3 – Optimising Site Capacity through the Design-Led Approach
- GG5 – Growing a good economy
- GG6 – Increasing efficiency and resilience
- D1 – London's form, character and capacity for growth
- D2 – Infrastructure requirements for sustainable densities
- D3 – Optimising site capacity through the design-led approach
- D4 – Delivering Good Design
- D5 – Inclusive Design
- D6 – Housing Quality and Standards
- D7 – Accessible Housing
- D8 – D8 Public realm
- D11 – Safety, Security and Resilience to Emergency
- D12 – Fire Safety
- D14 – Noise
- E1 – Offices
- E2 – Providing suitable business space
- H1 – Increasing housing supply
- H4 – Delivering Affordable Housing
- H5 – Threshold Approach to Applications
- H6 – Affordable Housing Tenure
- H10 – Housing Size Mix
- HC1 – Heritage conservation and growth
- G2 – London's Green Belt
- G5 – Urban Greening
- G6 – Biodiversity and Access to Nature
- G7 – Trees and Woodland
- G8 – Food growing
- S1 – Developing London's social infrastructure
- S2 – Health and social care facilities
- S3 – Education and childcare facilities
- S4 – Play and informal recreation
- S4 – Play and Informal Recreation
- SI1 – Improving Air Quality
- SI2 – Minimising Greenhouse Gas Emissions
- SI3 – Energy Infrastructure
- SI4 – Managing Heat Risk
- SI5 – Water Infrastructure
- SI6 – Digital connectivity infrastructure
- SI7 – Reducing Waste and Supporting the Circular Economy
- SI12 – Flood Risk Management
- SI13 – Sustainable Drainage
- T2 – Healthy Streets
- T3 – Transport Capacity, Connectivity and Safeguarding
- T4 – Assessing and Mitigating Transport Impacts
- T5 – Cycling
- T6 – Car Parking
- T6.1 – Residential Parking
- T6.2 – Office parking
- T6.5 – Non-residential disabled persons parking
- T7 – Deliveries, Servicing and Construction
- T9 – Funding transport infrastructure through planning

Local Plan - Overview

8.21 Enfield's Local Plan comprises the Core Strategy, Development Management Document, Policies Map and various Area Action Plans as well as other supporting policy documents. Together with the London Plan, they form the statutory development plan for the Borough. Enfield's Local Plan sets out planning policies to steer development where they align with the NPPF and the London Plan. Whilst many of the policies do align with the NPPF and the London Plan, it is noted that these documents do in places supersede the Local Plan in terms of some detail and as such the proposal is reviewed against the most relevant and up-to-date policies within the Development Plan.

Enfield Core Strategy: 2010

8.22 The Core Strategy was adopted in November 2010 and sets out a spatial planning framework for the development of the Borough through to 2025. The document provides the broad strategy for the scale and distribution of development and supporting infrastructure, with the intention of guiding patterns of development and ensuring development within the Borough is sustainable.

CP2:	Housing supply and locations for new homes
CP3:	Affordable housing
CP4:	Housing quality
CP5:	Housing types
CP9:	Supporting community cohesion
CP13:	Promoting economic prosperity
CP19:	Offices
CP20:	Sustainable energy use and energy infrastructure
CP21:	Delivering sustainable water supply, drainage and sewerage infrastructure
CP22:	Delivering sustainable waste management
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
CP32:	Pollution
CP33:	Green Belt and countryside
CP36:	Biodiversity
CP46:	Infrastructure contributions

Development Management Document (2014)

8.23 The Council's Development Management Document (DMD) provides further detail and standard based policies by which planning applications should be determined. Policies in the DMD support the delivery of the Core Strategy.

8.24 The following local plan Development Management Document policies are considered particularly relevant:

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
DMD25	Locations for New Retail, Leisure and Office Development
DMD37	Achieving High Quality Design-Led Development
DMD38	Design Process
DMD45	Parking Standards
DMD47	New Roads, Access and Servicing
DMD48	Transport Assessments
DMD49	Sustainable Design and Construction Statements
DMD50	Environmental Assessment Methods
DMD51	Energy Efficiency Standards
DMD53	Low and Zero Carbon Technology
DMD55	Use of Roof Space / Vertical Surfaces
DMD56	Heating and Cooling
DMD57	Responsible Sourcing of Materials
DMD58	Water Efficiency
DMD59	Avoiding and Reducing Flood Risk
DMD60	Assessing Flood Risk
DMD61	Managing Surface Water
DMD65	Air Quality
DMD66	Land contamination and instability
DMD68	Noise
DMD69	Light Pollution
DMD70	Water Quality
DMD72	Open Space Provision
DMD73	Children's Play Space
DMD76	Wildlife Corridor
DMD78	Nature Conservation
DMD79	Ecological Enhancements
DMD80	Trees on Development Sites
DMD81	Landscaping
DMD82	Protecting the Green Belt
DMD89	Previously Developed Sites in the Green Belt

8.25 Other Material Considerations

The Environment Act 2021

The Planning (Listed Buildings and Conservation Areas) Act 1990 – sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should “have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses” (Section 66). In relation to conservation areas, special attention must be paid to “the desirability of preserving or enhancing the character or appearance of that area” (Section 72).

National Planning Practice Guidance

Technical housing standards – nationally described space standard (2015)

TfL London Cycle Design Standards (2014)

Mayor of London Housing SPG (Adopted March 2016)

Affordable Housing and Viability SPG (2017)

Draft Development Viability LPG (2023)

Draft Affordable Housing LPG (2023)

Energy Guidance LPG (2021)

Be Seen Energy Monitoring LPG (2021)

Play and Informal Recreation SPG (2016)

Housing Design Standards LPG (2023)

Draft Fire Safety LPG 2022

Whole Life Carbon LPG (2022)

Circular Economy Statements LPG (2022)
Urban Greening Factor LPG (2023)
Air quality positive LPG (2023)
Air quality neutral LPG (2023)
Community Infrastructure Levy Regulations 2010 (as amended)
The Setting of Heritage Assets – Historic Environment Good Practice Advice in Planning: 3, Historic England (2017)

Enfield S106 Supplementary Planning Document (2016)
Enfield Local Housing Needs Assessment (2020)
Enfield Blue and Green Strategy June (2021)
Enfield Waste and Recycling Storage Planning Guidance (2010),
Enfield Local Heritage List (May 2018)
Clay Hill Conservation Area Management Proposal (2015)
Clay Hill Conservation Area Character Appraisal 2015)
Making Enfield: Enfield Heritage Strategy 2019-2024 SPD (2019)

Enfield Local Plan (Reg 18) 2021

- 8.26 Enfield Local Plan (ELP) - Reg 18 Preferred Approach was approved for consultation on 9th June 2021. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for several sites. As the emerging Enfield Local Plan progresses through the plan-making process the draft policies within it will gain increasing weight but at this stage it has relatively little weight in the decision-making process.
- 8.27 The Local Plan remains the statutory development plan for Enfield until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.
- 8.28 Key local emerging policies from the plan are listed below:
- Strategic Policy SPPL9 Crews Hill
 - Site Allocation 27 Crews Hill
 - Strategic Policy BG4: Green Belt and Metropolitan Open Lane
 - Strategic Policy BG5: Green Belt and edges of countryside
 - Policy DM SE2 – Sustainable design and construction
 - Policy DM SE4 – Reducing energy demand
 - Policy DM SE5 – Greenhouse gas emissions and low carbon energy supply
 - Policy DM SE7 – Climate change adaptation and managing heat risk
 - Policy DM SE8 – Managing flood risk
 - Policy DM SE10 – Sustainable drainage systems
 - Strategic Policy SPBG3 – Biodiversity net gain, rewilding and offsetting
 - Policy DM BG8 – Urban greening and biophilic principles
 - Policy DM DE1 – Delivering a well-designed, high-quality and resilient environment
 - Policy DM DE2 – Design process and design review panel
 - Policy DM DE6 – Tall buildings
 - Policy DM DE7 – Creating liveable, inclusive and quality public realm
 - Policy DM DE10 Conserving and enhancing heritage assets
 - Policy DM DE11 – Landscape design
 - Policy DM DE13 – Housing standards and design
 - Policy DM H2 – Affordable housing
 - Policy DM H3 – Housing mix and type
 - Policy DM T2 – Making active travel the natural choice

Strategic Policy SP D1 – Securing contributions to mitigate the impact of development

8.29 Currently, the draft ELP contains a number of placemaking policies focused on areas of growth which present opportunities to bring benefits to local communities. One of these is a proposed rural placemaking area at Crews Hill as set out in draft Policy PL9. The Council's updated Local Development Scheme (March 2023) refers to a timetable for work on the future new Local Plan 2023-37. The indicative timetable below envisages publication of a proposed submission Local Plan (Regulation 19) in winter 2023:

- The Enfield Local Plan (Regulation 19) will be going to Full Council on 22nd November 2023, to seek approval to publish.
- Anticipate publishing in December 2023 / January 2024.
- There will be a 12 week publication period.
- Anticipate submitting for examination, later in 2024.

Given the stage of the preparation of the draft ELP at the time of writing this report, the policies in the ELP hold no planning weight.

In advance of the ELP, the Core Strategy, Development Management Plan and the London Plan will continue to constitute the development plan for the borough. Notwithstanding, the draft ELP indicates the direction of travel for planning policy in the borough and sets out the borough's ambition for future growth.

Relevant planning appeals and case law

2020 Surrey Heath Borough Appeal Dismissed

8.30 **Ref: APP/D3640/W/19/3235041: Castle Grove Nursery, Scotts Grove Road, Chobham, Woking GU24 8DY:** This appeal was dismissed on 23 January 2020 for 40 dwellings. The inspector noted that glasshouses are not regarded as inappropriate in the Green Belt, being buildings for agriculture falling within the list of exceptions set out in paragraph 145 of the NPPF whose effects on openness are implicitly acceptable. The position in respect of the assessment of Green Belt openness when the existing buildings are in horticultural use is relevant to the consideration of this application.

- Paragraph 11 of the appeal decision sets out that effects of inappropriate development on the openness of the Green Belt should not be ascertained with reference to those of the existing horticulture development because the existing development is an acceptable use in Green Belt by definition. It states '*Despite both this, and the fact that the proposed development would be inappropriate in the Green Belt, the appeal scheme has been promoted on the basis that its built-form would occupy less space than the glasshouses, and thus that it would have a less impact on the openness of the Green Belt. However, in this context effects on openness cannot be ascertained with reference to those of the existing development on site, given the latter are, by definition, acceptable*'

8.31 **Supreme Court Judgement on Openness of Green Belt: R.(Samuel Smith Old Brewery (Tadcaster) and others) v Yorkshire County Council [2020] UKSC 3:** This judgement dated 05 Feb 2020 related to a judicial review of the decision made by Yorkshire County Council to grant planning permission for an extension to the operational face of Jackdaw Crag Quarry. The case considered the concept of 'openness' in the NPPF and confirmed that "*matters relevant to openness in any particular case are a matter of planning judgement, not law*" (para 39).

8.32 **Court of Appeal Judgement on Openness of Green Belt: Turner v SSCLG & East Dorset Council [2016] EWCA Civ 466:** This judgement dated 18 May 2016 related to a judicial review of the decision made by the East Dorset Council to refuse planning permission and the Planning Inspectorate to dismiss the appeal for a proposal to replace a mobile home and storage yard with a three-bedroom residential bungalow. The case considered the assessment on 'openness' and confirmed that it has a 'visual' as well as 'spatial' or 'volumetric' dimension – "[openness should not be] narrowly limited to [a] volumetric approach" but "is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case".

8.33 **High Court Judgement on Previously Developed Land and Very Special Circumstances: R (Lee Valley Regional Park Authority) v Broxbourne Borough Council [2015] EWHC 185 (Admin):** This judgement dated 30 January 2015 related to a judicial review of the decision made by Broxbourne Borough Council to grant outline planning permission for 90 homes in a former nursery site.

- The case considered the definition of 'previously developed land' (PDL) and confirmed that the presence of some PDL within a site does not make the whole site PDL.
- The case also considered 'Very Special Circumstances' and confirmed that it is not necessary to go through the process of considering whether a factor is not a very special circumstance but nonetheless falls to be taken into account in favour of the development as another relevant material consideration.

2021 Enfield Council Appeal Allowed

8.34 **Ref: APP/Q5300/W/20/3263151: 79 Windmill Hill, Enfield EN2 7AF:** This appeal was allowed on 02 November 2021 for 49 x self-contained flats within 3 Blocks. The position in respect of affordable housing and housing mix are relevant to the consideration of this application.

- Paragraphs 19 and 20 of the appeal decisions sets out that the Council's Core Strategy mix targets should not be applied mechanistically to every scheme on every site – but rather applied over the lifetime of the CS across the entire borough. Enfield's Core Strategy and Development Management Document mix policies have less weight than Policy H10 of the London Plan – which stresses the importance of locational factors when considering mix and the benefits of 1 and 2 bed dwellings in taking pressure off conversions of larger family homes to smaller dwellings.
- Paragraphs 15 to 17 consider the Council's 40% Affordable Housing requirement set out at Enfield's Development Management Document Policy DMD1 in the context of London Plan Policy, including H4 and conclude that the amount of affordable housing should correctly be tested by viability where there is evidence of viability issues affecting a development.

2021 Enfield Council Appeal Allowed

8.35 **Appeal Ref: APP/Q5300/W/21/3270885: Southgate Office Village, 286 Chase Road, Southgate N14 6HT:** This appeal was allowed on 14 December 2021 for the erection of a mixed-use (C3) scheme ranging from 2 to 17 storeys with a dual use café (B1/A3), with associated access, basement car and cycle parking, landscaping, and ancillary works

- Paragraph 54 notes "The evidence shows that at present, they {the Council} can demonstrate a supply {Housing} of just over two years...that

would make LP Policy D9 (amongst others) out-of-date”

- Paragraph 55 provides the following commentary on paragraph 11d)ii of the NPPF commenting “*This sets out that in the situation under consideration, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The only harmful aspect of the scheme is that its timing relative to the emerging Local Plan means that the Council, residents, and others with an interest, would lose the opportunity to consider the suitability of the site for a tall building, or buildings, through the examination process, whenever it might take place. To my mind, bearing in mind the parlous state of the Council’s housing land supply, the harm that flows from that pales against the enormous benefits of the open-market and affordable housing the scheme would bring forward in a well-designed, contextually appropriate scheme.*”
- Paragraph 56 goes on to state “*It seems to me therefore that whichever way one approaches the matter, the answer is the same; planning permission should be granted for the proposal*”.

2022 Enfield Council Appeal Allowed

8.36 **Appeal ref: APP/Q5300/W/21/3276466: Car Park Adjacent to Arnos Grove Station, Bowes Road:** This appeal was allowed on 30 March 2022 for the construction of four buildings, comprising 162 x residential units (64 x affordable homes) and flexible use ground floor unit.

- Paragraph 81 considers the Council’s failure to deliver against its Housing Target concluding that: ‘*the appeal scheme would make a significant contribution to the delivery of housing in general and affordable housing in particular. Viewed in the context of recent levels of housing delivery in Enfield, significant benefit should be attached to the benefit of the scheme’s housing delivery*’.

9. Analysis

9.1. The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 seek to establish that planning decisions are taken in accordance with the Development Plan unless material considerations indicate otherwise. Furthermore, paragraph 11 (c) of the NPPF goes on to state that development proposals that accord with the development plan should be approved without delay.

9.2. As explained at Section 8, in this case, the proposed development is in the Green Belt. Whilst the development plan policies are ‘out of date’, the NPPF states that for decision making that means refusing permission if the national Green Belt policies in the Framework provides a clear reason to do so in line with paragraph 11(d)(i). If the Planning Committee considers that the proposed development would meet the Green Belt policies in the Framework, then the Council is subject to the so called “tilted balance” and the NPPF paragraph 11 (d) (ii) states that for decision-taking this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole – which also includes the Development Plan. Under the NPPF paragraph 11(d) the most important development plan policies for the application are deemed to be ‘out of date’. However, the fact that a policy is considered out of date does not mean it can be disregarded, but it means that less weight can be applied to it, and applications for new homes should be considered with more weight (tilted) by planning committee. The level of weight given is a matter of planning

judgement and the statutory test continues to apply, that the decision should be, as section 38(6) of the Planning and Compulsory Purchase Act 2004 requires, in accordance with the development plan unless material considerations indicate otherwise.

- 9.3. This report sets out the analysis of the issues that arise from the proposal when assessed against the development plan and the NPPF
- 9.4. The main considerations of the development are the following:
- Green Belt
 - Agricultural Land
 - Housing Need and Mix
 - Economic considerations
 - Social considerations
 - Built Heritage and Archaeology
 - Design
 - Neighbouring Residential Amenities
 - Quality of Accommodation
 - Biodiversity, Trees and Landscaping
 - Traffic, Access and Parking
 - Flood Risk, Drainage, Sewerage and Water
 - Sustainable Design and Construction
 - Fire Safety
 - Air Quality
 - Land Contamination
 - Digital Connectivity
 - Planning Balance

Green Belt

Green Belt policy context

- 9.5. The site is within the Green Belt, which is a significant material planning consideration and fundamental to the proposed development.
- 9.6. Paragraph 147 of the NPPF states “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in ‘Very special circumstances.
- 9.7. Paragraph 148 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 9.8. Paragraph 149 identifies the construction of new buildings as inappropriate in the Green Belt, but with some exceptions identified. The Applicant suggests Point (g) of paragraph 149 is relevant to this application:

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- *not have a greater impact on the openness of the Green Belt than the existing development; or*
- *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

9.9. Policy G2 of the London Plan identifies that the Green Belt should be protected from inappropriate development: development proposals that would harm the Green Belt should be refused except where ‘Very special circumstances’ exist, and the enhancement of the Green Belt to provide appropriate multi-functional beneficial uses for Londoners should be supported. This echoes with Policy 33 of the Core Strategy (2010) and Policy DMD 82 of the Development Management Policies (2014)

9.10. Due to the Green Belt designation, the main factors to be considered in establishing the acceptability of the principle of development are:

- 1) Whether or not the proposal would constitute inappropriate development in the Green Belt having regard to any relevant development plan policies and the NPPF;
- 2) If the proposal is inappropriate development whether harm by reason of inappropriateness and any other harm would be clearly outweighed by other considerations so as to amount to the ‘Very special circumstances’ required to justify the proposal

(1) Appropriateness

9.11. Enfield’s DMD policies defer to the NPPF in defining what constitutes ‘*inappropriate development*’ in the Green Belt. As mentioned above paragraph 149 of the NPPF sets out that construction of new buildings in the Green Belt should be considered as inappropriate except for certain exceptions. The Applicant considers that the application site is an exception under paragraph 149(g) as detailed at paragraph 9.8 above. None of the other exceptions set out under paragraph 149 are considered relevant to the application site. Hence, in order to determine whether or not the site constitutes an exception as per paragraph 149(g), the first test to be considered is whether the site can be considered to be ‘Previously Developed Land’ (PDL).

- *Is the Application site previously developed land?*

9.12. The NPPF defines Previously Developed Land as “*Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.” [emphasis added]*

9.13. Section 336 of the Town and Country Planning Act 1990 (TCPA) defines agriculture as “*horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (any creature kept for the production of food, wool, skins or fur, or for the*

purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds^[1], and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and 'agricultural' shall be construed accordingly."

- 9.14. The applicant argues that the site is PDL within the Green Belt and suggests the site is currently in sui generis use. The applicant's assumption of existing use class is predicated on treating the entire site as a single planning unit which it suggests is in mixed-use.
- 9.15. Legal advice has confirmed that PDL is not defined by reference to the lawful use of a planning unit as a whole. The definition of PDL focuses on the lawful use of land on which buildings and their curtilages sit. In the case of *R (Lee Valley Regional Park Authority) v Broxbourne Borough Council* [2015] EWHC 185 (Admin), Ouseley J held that the presence of some PDL within a site does not make the whole site PDL. The extent of PDL will be defined by the extent of the curtilage of any building. Consequently, the fact that part of the Site is used for non-horticultural uses does not mean that the whole Site (or the whole of any planning unit comprising the Site) is PDL.
- 9.16. Table 2 below summarises the lawful use of each building on the site and assesses whether those uses fall within any of the exceptions from the NPPF definition of PDL (i.e. in this case, is the use agricultural).

Table 2 Assessment of whether the curtilage of the buildings is PDL

Buildings	Existing use	Is the curtilage of the buildings PDL?
(a) The glasshouses and buildings for storage, packaging and distribution.	<p>I. The Applicant suggests there are non-horticultural activities including a range of aquatic baskets and aquatic plant display trays which are exported across the UK and internationally. Products are imported and then sold directly to customers, including plants, pots, and bottled oxygen cannisters.</p> <p>II. The applicant has also stated that since 1986 the business operating at the site has manufactured display trays, baskets and pots for aquatic plants, which at one point was producing 1000 trays per season. Other commercial activities have taken place at the site including a swimming ponds business from 2011 to 2013, a business importing fish for sale to angling clubs and private estates, a haulage company from early 1980s until 2016, and a building used for Anglo Tooling for at least 20 years.</p> <p>III. However, no planning permission nor a certificate of lawfulness has been formally granted for the change of use of these buildings. Evidence has been submitted as part of this application to demonstrate the site has been in such commercial uses for more than 10 years to deem lawful use status:</p>	No

	<ul style="list-style-type: none"> i. The evidence includes invoices, the earliest of which is 20 September 2010 and the most recent is 10 February 2022. The invoices show what was being purchased and where it was being sent to. However, there are no records for 2014 which would assist in demonstrating that the use had been in place consistently for 10 years. ii. There is also a sworn statement from the owner provided that describes how the site has been used over time. The information contained is useful in explaining the uses and processes that have taken place over time, and is not disputed as an accurate record. However, this does not demonstrate a settled use for a continuous period of 10 years. For example, Anglo Swimming Pools is identified as a construction business operating from the site. It is suggested that this operated from 2001 to 2013. Days Transport is identified as a haulage company operating from the site. It appears to have operated until 2016, but it is not clear when it started. iii. The applicant has also provided Trade Price List Extracts, the earliest of which is from 1986. They are of some value and demonstrate that some products were available for sale. However, in isolation they are not considered to demonstrate a settled use for a continuous period of 10 years. iv. The applicant has identified that the most recent Enfield Strategic Housing Land Availability Assessment (2020) included the site and identified it as "Mixed use office, residential, industrial, storage, retail". However, this did not involve a detailed assessment of the lawful use, and this was one of over 600 sites identified. <p>IV. The Applicants' Planning Statement and sworn statement state that 64.5% of Anglo Aquatic's sales remain horticultural. At least part of the glasshouses is therefore likely used for the cultivation of plants for sale by the business. There was no indication of the geographical extent of non- horticultural use or business on the site.</p> <p>V. Prior to this current application, the most recent planning application (ref: 20/02697/FUL) for the demolition of existing propagation glasshouse and erection of a replacement corrugated steel building for storage and distribution was submitted in August 2020. The Planning Statement submitted describes the site as "The nursery complex comprises three large glass house buildings (facilitating plant propagation) that cover the vast majority of the site's area and a collection of smaller <u>ancillary</u> packaging, storage and distribution buildings' and suggests the proposed building at the time "will specifically be used as an 'internet shed'</p>	
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	<p><u>ancillary to the wider horticultural use of the nursery..”</u> Therefore, in 2020 a development was promoted at the site that identified the existing use as agricultural land and that the proposed building was ancillary to what was already taking place at the site. Whilst the application was invalidated, and the applicant ultimately did not pursue the application, this 2020 planning application was made presumably on behalf of the Applicant, and they would have been aware of the existing uses at the time.</p> <p>VI. The website of the current occupier shows the glasshouses are still used as a plant nursery.</p> <p>VII. Based on the case officer’s on-site observation, it also appears that the glasshouses and the buildings for storage, packaging and distribution are currently used for plant nursery-related uses.</p> <p>VIII. On the balance of probabilities, for the purpose of assessing this planning application and establishing the existing lawful use of the above mentioned buildings, it is considered that these buildings therefore remain in agricultural use as a plant nursery, and are therefore excluded from the definition of PDL.</p> <p>IX. It is noted that the submitted Planning Statement suggests that some commercial activities were undertaken including Days Transport, Anglo Tooling and Anglo Swimming Ponds. Some of these commercial activities have ceased. Any potential breach of planning control would be further investigated by the Enforcement Team but is outside the scope of this planning application.</p>	
(b)The office building	<p>I. The offices were also permitted pursuant to a separate planning permission (ref: TP/97/0250/1) granted in 1997. The delegated report at the time was assessed on the basis that the office buildings would be ancillary to the horticultural use. Condition 8 of this planning permission restricts the use of the office to ancillary to the nursery operation at the site.</p> <p>II. No planning permission nor certificate of lawfulness has been granted for a change of use of the office building.</p> <p>III. Based on officer’s site visit observation, the office building is also in use by the current occupiers of the nursery and appears to support the operation of the existing nursery.</p> <p>IV. On the balance of probabilities, for the purpose of assessing this planning application and establishing the existing lawful use, the office building therefore remain as ancillary to the nursery use and is therefore excluded from the definition of PDL.</p>	No

(c) The bungalow	<p>I. The planning history shows that the application for the bungalow (ref: ENFIELD 8026) was granted prior to the existence of the glasshouses.</p> <p>II. It has a separate address (i.e.30 Strayfield Road). It is understood that the dwelling has not always been in the same ownership as the remainder of the site even though it is currently.</p> <p>III. The bungalow therefore is not considered to be ancillary to agriculture use.</p>	Yes
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9.17. Accordingly, in line with the definition set out in the Section 336 of the TCPA 1990 the majority of buildings covering the site constitute agricultural buildings and therefore are excluded from the definition of Previously Developed Land^[2]. Only a very small proportion of the site occupied by the dwellinghouse is considered to be 'previously developed land'. It is noted that the provision of affordable homes on this small section of PDL could potentially meet the exception test at paragraph (g) provided they would not result in substantial harm to the openness of the Green Belt. However, this section of the PDL is very small and only occupies 2.4%¹ of the total site area. Hence, the majority of the site would not meet the exception test (g) and the proposed development is therefore considered to be inappropriate development within Green Belt under paragraph 149.

9.18. Four appeal decisions and cases are referred to by the Applicant in their Planning Statement. Three of the decisions² did not hinge on whether the development was on PDL or not as both the applicant and Council did not dispute on this matter. The *Chester Nursery*³ appeal decision, in which the Inspector appeared to conclude that the presence of some PDL on the site in question rendered the whole of that site PDL, was determined before the *Lee Valley* case, in which the Court held the opposite. Furthermore, the *Allen v Secretary of State for the Environment* [1990] JPL 340 case referred to, only deals with the question as to what amounts to an ancillary use, and is therefore of limited relevance. Hence, these decisions and cases therefore carry limited weight when interpreting the NPPF definition of PDL.

9.19. It is acknowledged that the Stage I response from the GLA has not contradicted the applicant's position that the land is PDL. It is not known if the GLA officer conducted a site visit. LBE Officers conducted visits on 16 January and 13 July 2023. As detailed above, officers also sought legal advice to review the evidence provided by the Applicant and establish the legal principles of defining PDL with references to case law and appeal decisions.

9.20. For the reasons outlined above, officers conclude that the majority of the site except bungalow's curtilage is not previously developed land. The proposed development therefore would be inappropriate in the Green Belt. Inappropriate development is by definition harmful to the Green Belt, and paragraph 144 of the Framework indicates that substantial weight should be given to any such harm. Officers therefore attach

¹ The footprint of the bungalow together with the hardstanding within its curtilage is approximately 650m² based on the case officer's measurement on the submitted existing site plan. The total site area is circa 26,700 m²

² *Oak Tree Farm* (Appeal Ref. APP/L3625/W/21/3271384), *Hayes Street Farm* (Appeal Ref. APP/G5180/W/18/3206947) and *Langley and Mile Nurseries* (Appeal Ref: APP/J1535/W/20/3259315)

³ Appeal Ref: APP/B1930/A/13/2199820.

substantial weight to the harm that the development would cause by reason of its inappropriateness.

(2) Openness of the Green Belt

- *(a) Context*

- 9.21. Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. The recent Supreme Court decision in *R.(oao Samuel Smith Old Brewery) v Yorkshire County Council* [2020] UKSC 3 [1] confirmed that “*matters relevant to openness in any particular case are a matter of planning judgement, not law*” (para 39). *Turner v. SSCLG* [2016] EWCA Civ 466 further sheds light on the definition of openness, and suggests that it has a ‘*visual*’ as well as ‘*spatial*’ or ‘*volumetric*’ dimension – “*[openness should not be] narrowly limited to [a] volumetric approach*” but “*is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case*”.
- 9.22. ‘Buildings for agriculture’ fall within the list of exceptions set out in paragraph 149 of the Framework. As such they are not inappropriate within the Green Belt. This exception implicitly takes into account the effects of such development on the openness of the Green Belt. The glasshouses on site are therefore of a type of building whose effect on the openness of the Green Belt is acceptable in principle, regardless of considerations of size or appearance.
- 9.23. In the appeal decision relating to the redevelopment of the site for the erection of residential development of 40 dwellings at Castle Grove Nursery, Scotts Grove Road, Chobham, Woking GU24 8DY (ref: APP/D3640/W/19/3235041), the inspector states the following in paragraph 11:

Despite both this, and the fact that the proposed development would be inappropriate in the Green Belt, the appeal scheme has been promoted on the basis that its built-form would occupy less space than the glasshouses, and thus that it would have a less impact on the openness of the Green Belt. However, in this context effects on openness cannot be ascertained with reference to those of the existing development on site, given the latter are, by definition, acceptable. Indeed, were I to take the contrary view, it would undermine the logic underpinning national policy as set out within the Framework. It is therefore necessary to consider the effects of the proposed development in its own terms, and on its own merits

- 9.24. In light of the principle stated in the above appeal, the impacts of the proposed development on the openness of the Green Belt (both spatial and visual aspects) are considered in its own terms and on its own merits.

- *(a) Assessment*

- 9.25. This outline application is for access only with all other matters reserved. The assessment is based on the proposed maximum footprint, maximum ridge height and maximum volume set out in the submitted Planning Statement and the Landscape Visual Impact Assessment. These maximum design parameters are summarised in Table 3 below.

Table 3: Comparison of existing vs proposed situation

Metric	Existing	Proposed	Change
Footprint (m ²)	18,438	5,021	-13,417 (73%)
Height (m)	Glasshouses: 3.5m to the ridge. Warehouses: 3.7m - 8m to the ridges Office building: 7.3m to ridge Residential dwelling: 4.4m to ridge.	Maximum 2 storeys with 8.5m to the ridge	N/A
Volume (m ³)	56,065	32,144	-23,921 (-43%)

- 9.26. There are some two storey residential properties on the opposite (northern) side of Strayfield Road. There is a row of hedgerow along the frontage of the site. It is nevertheless clear from outside the site, and in views from Strayfield Road and the Strayfield Road Cemetery in particular, that the site does not currently contain housing.
- 9.27. The application proposals would introduce built development to the site in the form of 58 dwellings and 5 live works with associated access roads and pavements, enclosed residential gardens, open space and driveways. The precise layout and form of the development would be determined at reserved matters stage. These solid built forms would inevitably have more permanent physical and visual presence than the existing transparent glasshouse structures, and would collectively occupy a reduced but still significant amount of space across the site. The proposed development would inevitably still be visible from outside the site via the access, and would be experienced upon accessing and moving around the site itself during winter times when foliage is less dense.
- 9.28. Even taking into account the Applicant's commitments to substantial reduction in built footprint (13,417m³) and volume (23,921 m³) together with enhancements to the site's landscaping, including a significant reduction in hardstanding (See also Biodiversity, Trees, and Landscaping Section) which could be integral to the layout of the residential development proposed, the proposed development still would have the effect of a considerable reduction in the openness of the site considering the principle of assessment of openness set out in the *Castle Grove Nursery* appeal decision (ref: APP/D3640/W/19/3235041) mentioned in paragraph 9.23.
- 9.29. For the reasons outlined above, officers conclude that the development would cause significant harm to the openness of the Green Belt. In view of paragraph 144 of the Framework, officers attach **substantial weight** to the harm that would be caused.
- 9.30. With regard to the public consultation comments noting that there are alternative sites for development, there is no policy requirement for a sequential test for the proposed development within Green Belt.

(3) Purposes of the Green Belt

- 9.31. The Applicant has undertaken an assessment against the five Green Belt purposes in the submitted Landscape Visual Impact Assessment (LVIA). The Council has undertaken a borough-wide Green Belt and Metropolitan Open Land Study by LUC (June 2021) to the Green Belt across the whole borough as part of the Council's emerging Local Plan (ELP) Evidence Base. Whilst the Council's study has not assessed the application site as a separate parcel, it is included within the overall maps.
- 9.32.
- 9.33. Table 4 indicates the assessment of the contributions against the five Green Belt purposes. It is the most up to date evidence base. Hence, it carries weight in the assessment.

Table 4: Assessment against the purposes of Green Belt in the Council's Emerging Local Plan Green Belt Study and the Applicant's LVIA.

Purposes of Green Belt	Council's Emerging Local Plan Green Belt Study (considering a wider parcel up to the railway line to the west and Crews Hill settlements to the north)	Applicant's assessment
1. Check the unrestricted sprawl of the large built-up area	Strong contribution	No Contribution
2. Prevent neighbouring towns from merging into one another	Weak/no contribution	Relatively Weak Contribution
3. Assist in safeguarding the countryside from encroachment	Strong contribution	Relatively Weak Contribution
4 Preserve the setting and special character of historic towns -	Weak/no contribution	Relatively Weak Contribution
5 Assist in urban regeneration, by encouraging the recycling of derelict and other urban land	Strong contribution	No assessment has been provided.

- 9.34. The Council's Green Belt and Metropolitan Open Land Study states:

The land to the south of Strayfield Road and north of Strayfield Road Cemetery makes a strong contribution to purposes 1, 3 and 5; however, its release in combination with the Green Belt land to the north up to the southern edge of Crews Hill would have a relatively minor/negligible impact on the distinction of the adjacent Green Belt land due to the presence of strong boundary features – notably a railway line to the west, and the cemetery to the south – and the presence of existing inappropriate development associated with the washed over settlement of Clay Hill to the east.

- 9.35. It is noted that the application site is within the Crews Hill Placemaking Area in the emerging plan. The impact on the purposes of the Green Belt may change as the emerging Enfield Local Plan progresses through the plan-making process. At this stage it has limited weight in the decision-making process although the level of weight that can be attributed will increase through the plan-making process. The next draft of the plan (Regulation-19) is due to be considered at Full Council on 22 November 2023. The plan will carry increasing weight from regulation-19 to examination and then adoption.
- 9.36. The piecemeal residential development by reason of its inappropriateness within Green Belt in the current policy context (prior to any adopted changes in Green Belt

policy) would inevitably be contrary to the purposes of the Green Belt. In this specific location, there are some residential properties on the opposite (northern side) of Strayfield Road. The presence of Strayfield Road cemetery to the south and the Hilly Fields Park woodland to the east effectively restricts any further urban expansion except to the west.

- 9.37. As a result of these locational characteristics and influences, the consequences of the development at the application site would mean that the proposals would have only a localised effect on the Green Belt. The broad thrust of function and purpose of the Green Belt in this location would largely remain and there would result in some encroachment into the countryside. Officers therefore consider that the proposal would result in minor harm in term of the encroachment of the Green Belt in this location. The minor harm to the purposes of the Green Belt carries **moderate weight**.

Conclusion on Green Belt

- 9.38. The majority of the site remains in agricultural uses and is not considered PDL. Hence, the proposed development does not meet any exception tests and is considered inappropriate development within the Green Belt. The proposed development would result in substantial harm to the Green Belt by virtue of its inappropriateness, harm on openness (both visual and spatial) and minor harm by the loss of the purpose in safeguarding the countryside from encroachment. Hence, the Applicant is required to demonstrate that the harm would be clearly outweighed by other considerations so as to amount to the 'Very special circumstances' required to justify the proposal
- 9.39. The Applicant considered the following benefits of the proposed development constitute Very special circumstances. Officers have assessed these considerations in more detail in the following relevant sections of this report. In the 'Very Special Circumstances / Planning Balance' section, officers have assessed whether VSCs exists when considering all the benefits in combination.

Very Special Circumstances proposed by the Applicant	Detailed assessment in the relevant sections of this report
a) Affordable housing need	Housing Need and Mix
b) Housing delivery/supply	
c) Economic benefits	Economic Considerations
d) Biodiversity net gain	Biodiversity, Trees and Landscaping
e) Provision of community amenities	Social Considerations
f) Improvement to sustainable transport links	Traffic, Access and Parking

Loss of Agricultural Land

- 9.40. Paragraph 174 of the NPPF states planning decisions should recognise the economic and other benefits of the best and most versatile (BMV) agricultural land. Footnote 59 states where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. BMV agricultural land is graded 1 to 3a where 1 is the best.
- 9.41. Strategic level mapping suggests the site is Agricultural Land Classification 3. It is noted that no soil surveys have been provided to indicate whether the site constitutes grade 3a (i.e., part of BMV). In any event, the existing horticultural use features substantial hardstanding at the moment, which is lawful. There is no reasonable

prospect that the existing hardstanding will be removed even if the proposed development is not pursued. The proposed development would achieve a biodiversity net gain on-site (See also Biodiversity, Trees and Landscaping' section). Furthermore, the site is a discrete, isolated piece of agricultural land, and its development would not directly lead to any further agricultural land being lost. There is no evidence suggesting that granting permission would set an undesirable precedent. Natural England did not comment on this application. Officers therefore place **limited** weight on the loss of agricultural land.

Housing Need and Mix

- 9.42. The current London Plan sets a target for the provision of 52,287 new homes each year. In addition, the London Plan identifies a need for a minimum of 1,246 dwellings per year to be delivered over the next 10-years in the Borough, based on the Strategic Housing Market Assessment (SHMA): an increase over the current target of 798.
- 9.43. Enfield's Housing and Growth Strategy 2020-2030 sets a priority to maximise housing delivery. The key aims of the Strategy seek to address the housing crisis within the Borough. During consideration of the Cabinet report, Members discussed the current housing situation and highlighted the rise in private sector rents in proportion to the average salary and the significant rise in homelessness. Insecurity and unaffordability of private sector housing has evidence-based links with homelessness. One of the most common reasons for homelessness in London is currently due to the ending of an assured tenancy (often by buy to let landlords).
- 9.44. Core Policy 3 of the Core Strategy sets a borough-wide affordable housing target of 40% in new developments, applicable on sites capable of accommodating ten or more dwellings. Affordable housing should be delivered on-site unless in exceptional circumstances.
- 9.45. Core Policy 5 outlines that the Council will seek a range of housing types in the intermediate sector and that the mix of intermediate housing sizes will be determined on a site by site basis. It should also be noted that the evidence base to support Core Policy 5 dates from 2008. The Local Housing Needs Assessment 2020, which informs the emerging draft Local Plan for Enfield, is a more up to date evidence base. Hence, it carries weight in the assessment.
- 9.46. The Local Housing Needs Assessment (LNHA) 2020 identifies that among those on the Council's housing register waiting list, 14.7% need one-bedroom, 35.3% need two bedrooms, 42.3% need three-bedrooms, and 7.7% need four or more bedrooms.
- 9.47. The LNHA has informed emerging Policy H3 of the Draft Local Plan for Enfield (2021). The table below is an extract from Policy H3, which outlines priority types for different-sized units across different tenure. The focus of affordable ownership provision (social/affordable rented) should be on two-bedrooms and 3 bedrooms units. It is noted that the Draft Reg 18 Local Plan was published in June 2021 and is at an early stage of preparation. Although this draft policy in the emerging plan carries limited weight now, it is used to illustrate the most up-to-date housing need in Enfield.

	Studio/bedsit	One-bedroom	Two-bedrooms	Three-bedrooms	Four-bedrooms or more
Social/affordable rented	Low priority	Medium priority	High priority	High priority	Low priority
Intermediate	Low priority	High priority	High priority	Medium priority	Low priority
Market	Low priority	Low priority	Medium priority	High priority	High priority

Source: Table 8.4: Dwelling size priorities, Enfield Local Plan (Reg 18) 2021

- 9.48. As stated in paragraphs 8.15 and 8.16, Enfield only delivered 73% of homes required in the preceding three years (i.e., 2019 - 2022), failing to pass the Housing Delivery Test. Also, there is only an estimated 3.80 years housing land supply when measured against the London Plan requirement and taking into account backlog need and a 20% buffer due to the failure of Housing Delivery Test, failing to demonstrate 5-year housing land supply.
- 9.49. Based on the latest statistics in the Enfield Authority Monitoring Report 2021/22 published in February 2023, between FY2011 and FY2021, the proportion of affordable housing (gross) delivered is 27% of the completed conventional homes (the total number of net homes completion are below target on average over the ten-year period. This falls significantly below the Adopted Local Plan target of 40% affordable provision and highlights the substantial under-delivery in the Borough over the last 10 years.
- 9.50. The proposed 58 affordable homes (100% of the proposed homes) far exceed the policy requirements of the London Plan Policy H5, which sets a 35% threshold and the Policies CP3 and DM1 of the Adopted Enfield Local Plan, which require 40% provision. Whilst the emerging Local Plan currently carries limited weight, it is worth noting that the Strategic Policy SP H2 (3)(c) of the emerging Enfield Local Plan (2021), states that 50% affordable housing is required in all areas of the Green Belt. The proposed development will make a significant contribution to the 1,407 affordable homes per annum needed in Enfield over the emerging plan period identified in the LHNA (2020).
- 9.51. As shown in
- 9.52. Table 5, the proposed bedroom x tenure mix would broadly meet the housing needs identified in the LNHA (2020) (See paragraph 9.46). In particular, 29 homes (50%) will be social rent including 20 x 3 bedroom homes, which are identified as high priority in the borough in the LHNA (2020).

Table 5: Proposed bedroom and tenure mix (by unit)

Tenure	2 Bedroom	3 Bedroom	Total units by tenure	Tenure mix %
Social Rent	9	20	29	50%
Shared Ownership	7	16	23	40%
London Living Rent	2	4	6	19%
Total units by bedroom size	18	40	58	
Bedroom mix (%)	31%	69%		

- 9.53. 10% of the units will be M4(3) wheelchair accessible homes which will be split equally between Social Rent and Intermediate affordable housing. All the remaining homes

will be M4(2) wheelchair adaptable, which would meet the London Plan Policy D5 requirements.

- 9.54. London Plan Policy H5(d) states that development which provides 75 per cent or more affordable housing may follow the Fast Track Route where the tenure mix is acceptable to the borough or the Mayor where relevant. Paragraph (e) further states that fast tracked applications are not required to provide a viability assessment at application stage. To ensure an applicant fully intends to build out the permission, the requirement for an Early Stage Viability Review will be triggered if an agreed level of progress on implementation is not made within two years of the permission being granted (or a period agreed by the borough).
- 9.55. Given the overall affordable home provision (100% affordable) and the policy-compliant proposed tenure and bedroom mix, the proposed development can follow the fast-track viability route. Hence, a viability assessment is not required in accordance with London Plan Policy H5(d). The Applicant has agreed that the eligibility, affordability and early review mechanisms would be secured through a S106 in line with the GLA Affordable Housing and Viability SPD (2017).
- 9.56. Officers have also sought legal advice on the weight to be given to the affordable housing commitments given a viability assessment has not been submitted. Relevant to weight is the fact that the applicant is willing to enter into a s.106 agreement to secure the provision of affordable housing at 100%. Should the applicant be unable to do so, the Council will be able to take enforcement steps against the Applicants in accordance with s.106 TPCA 1990. Therefore, in the absence of any evidence to suggest that the applicants will not be able to deliver the level of affordable housing proposed, officers consider the absence of viability assessment does not affect the weight placed on the affordable housing offer in the proposed scheme.

Conclusion on housing need and mix

- 9.57. This 100% affordable homes scheme therefore far exceeds the affordable housing policy threshold required by the London Plan (35%) and adopted Enfield Local Plan (40%) and the emerging Enfield Local Plan (50%). The proposal would contribute significantly to increasing the affordable housing stock in the borough and meeting the most acute need in terms of tenure mix (50% Social Rent: 50% Intermediate) and bedroom mix (69% 3 bedroom homes) within the Borough.
- 9.58. Given the substantial shortfall in 5 years housing land supply (3.8 years), under delivery of housing supply in the last three years (meeting 73% of the housing targets), and the long term under-delivery of affordable homes, officers therefore place **substantial weight** to the delivery of new family homes and **substantial weight** to the delivery of affordable homes which would also have high energy efficiency and help reduce ongoing energy costs for the future lower income occupiers and alleviate fuel poverty (see also Sustainable Design and Construction section).

Economic Considerations

- 9.59. Policy CG5 of the London Plan seeks to ensure that the benefits of economic success are shared more equally across London. Policy E11 makes clear that development should support employment, skills development, apprenticeships and other education and training opportunities in both the construction and end use phases.
- 9.60. DMD 25 seeks to direct new major office development to Enfield Town and the borough's four district centres. The site location is therefore not considered an appropriate location for offices. However, it is acknowledged that the office building is

existing. Its refurbishment and change of use from ancillary to horticultural to offices (Class Use E(g)) would not undermine the spatial strategy of locating offices in town centre locations. On balance, the proposed change of use of the existing office building would be acceptable.

- 9.61. The submitted Economic Statement states that there are 10 existing employees at the site including 4 office-based jobs. It is proposed to refurbish the existing office building into flexible office space or smaller units suitable for micro, small and medium-sized enterprises, which is estimated to provide a minimum of 18 FTE jobs. It is also proposed to deliver five live-work units as supported by NPPF paragraph 82(d). The proposed live-work units are estimated to provide at least 5 FTE jobs. As a result, a net increase in 13 FTE jobs is estimated.
- 9.62. The details of the refurbished office will be assessed at the reserved matters stage. With regard to the live-work units, following requests from officers, the Applicant has made the following commitments:
- A minimum of 455 sqm of employment floorspaces across the five live-work units
 - Employment floorspaces in these units are limited to Class E
 - The occupancy of the living area would be restricted to people working full-time in the business and these units would be equipped with provision of superfast broadband or equivalent.
 - Submit full details of the live-work units including the extent and type of commercial workspace together with a management plan of how these would be controlled and the division of space between residential and commercial space at the reserved matters stage

These commitments would be secured through appropriately worded conditions.

- 9.63. The submitted Economic Statement also estimates that the proposed development would support 139 direct or indirect jobs during the construction phase. The Applicant is also committed to an Employment & Skills Strategy to provide apprenticeship and procure local labours, goods and materials. This would be secured by a S106 obligation.

Conclusion on Economic consideration

- 9.64. The new employment opportunities generated through construction and the commitments to an Employment and Skills Strategy are standard expectations for any major developments in the borough. The estimated uplift in employment opportunities generated through refurbishment of the existing offices and new live-work units are supported. However, the Site is not within any town centre locations and is not considered an appropriate location for offices as suggested in DMD 25. It is also not located in proximity to any other existing clusters of offices or live-work spaces. The Applicant has not engaged any delivery partners nor provided any market assessment to demonstrate the levels of demand for these proposed employment floorspaces at this location, officers therefore place **limited weight** on the economic benefits in the assessment.

Social considerations

Food growing areas

- 9.65. DMD 85 states that the use of land for growing food, including commercial and community food growing, will be supported throughout the borough.

- 9.66. The Applicant has committed to provide a minimum 850sqm food growing area including greenhouses, of which 764sqm will be allotments which would be open to residents of the proposed development and residents of the surrounding area. The location of the allotment will be assessed in the reserved matters application to ensure it is accessible for the wider communities and integrates with the wider landscape (See also Built Heritage and Archaeology section).
- 9.67. The Applicant has also committed to promote the allotments to the wider community and support the setup of the non-profit making management group to manage the allotments through the following:
- Provide topsoil and water supply infrastructure prior to first occupation of the proposed development
 - Maintain the land until the local management group is formed.
 - Make a one-off payment of £10,000 to support the non-profit making local management group
 - Charge peppercorn ground rent to use the area
 - Make a payment of £5,000 to the local management group for purchase and erection of greenhouses if the group consider necessary

These commitments would be secured through the S106 Agreement.

Education

- 9.68. St. John's Primary School and the Headstart Crews Hill Day Nursery & Pre-School on Theobalds Park Road are both within 10 minutes' walk from the Site. Further afield, St Michaels and Lavender Academy and One Degree Academy are circa 30mins' walk from the Site.
- 9.69. The Statement of Community Involvement submitted with the application shows a letter of support for the development from the headteacher of the nearby St. John's primary school in 2022.
- 9.70. The Education Team has been consulted and confirmed a financial contribution of £159,705 (calculated in accordance with para 9.11 of the adopted S106 SPD) towards would be sufficient. A financial contribution will be secured by a S106 agreement to help mitigate the impacts of the proposed development on the primary school and early years.

Healthcare

- 9.71. The Chase Farm Hospital is located 2km away from the Site. There are three general practices on Tenniswood Road and Chase Side (within 2.5km). London Healthy Urban Development Unit have been consulted and suggested a financial contribution of £94,795 be paid to enable the NHS to reconfigure and upgrade the existing floorspace in Chase Farm Hospital to improve the health infrastructure capacity within the locality including for acute and mental healthcare provision. A financial contribution towards an upgrade of the existing healthcare provision in Chase Farm Hospital would be secured through the S106 agreement to mitigate the impact of the additional demand for healthcare services from the proposed development.

Conclusion on social consideration

- 9.72. The financial contributions towards education and health facilities are secured to mitigate the impacts of the development. They are neutral factors which weigh neither

in favour nor against the proposed development in this assessment. The provision of the community allotments would meet the need of the community growing areas in the locality and are supported by the policies. There are no minimum requirements for the provision of such facilities. Hence, the proposed provision is considered to exceed the policy requirement, officers therefore place **moderate weight** to the benefit of the community growing areas in this assessment.

Built Heritage and Archaeology

- 9.73. Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 impose a statutory duty on planning authorities to safeguard the special interest of listed buildings and their settings. Section 72 of the Act imposes a statutory duty on planning authorities to preserve or enhance the character and appearance of conservation areas. The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should “*have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*”. In relation to conservation areas, special attention must be paid to “*the desirability of preserving or enhancing the character or appearance of that area*”.
- 9.74. The NPPF states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset’s conservation and the more important the asset, the greater the weight should be (para 199). Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting (para 200). Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset’s physical presence or its setting (Annex 2). There should be ‘clear and convincing’ justification for any harm to, or loss of, a designated heritage asset (para 200). Where a development will lead to ‘less than substantial harm’, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (para 202).
- 9.75. London Plan Policy HC1 requires development proposals which affect the setting of heritage assets (designated and non-designated) to be sympathetic to their significance and appreciate their surroundings. Harm should be avoided, and enhancement opportunities taken where they arise. ECP31 of the Local Plan requires that special regard be had to the impacts of development on heritage assets and their settings, Policy DMD 44 advises applications for development which fail to conserve and enhance the special interest, significance or setting of a heritage asset will be refused whilst Policy DMD 37 requires that development must be suitable for its intended function and improve an area through responding to the local character, clearly distinguishing public and private spaces, and a variety of choice. Making Enfield: Enfield Heritage Strategy 2019-2024 SPD (2019) is also relevant.
- 9.76. The first step is for the decision-maker to consider each of the designated heritage assets (referred to hereafter simply as “heritage assets”) which would be affected by the proposed development (the applicant should describe the significance of the heritage assets affected) in turn and assess whether the proposed development would result in any harm to the heritage asset. The Court of Appeal judgment in *Barnwell Manor Wind Energy Ltd v (1) East Northamptonshire DC & Others [2014] EW Civ 137* confirms that the assessment of the degree of harm to the heritage asset is a matter for the planning judgement of the decision-maker. However, where the decision-maker

concludes that there would be some harm to the heritage asset, in deciding whether that harm would be outweighed by the advantages of the proposed development (in the course of undertaking the analysis required by s.70 (2) of the Town and Country Planning Act 1990 and s.38 (6) of the Planning and Compulsory Purchase Act 2004, the decisionmaker is not free to give the harm such weight as the decision-maker thinks appropriate. Rather, Barnwell Manor establishes that a finding of harm to a heritage asset is a consideration to which the decision-maker must give considerable importance and weight in carrying out the balancing exercise. There is therefore a “strong presumption” against granting planning permission for development which would harm a heritage asset. In *Forge Field v Sevenoaks* [2014] EWHC 1895 (Admin), the High Court explained that the presumption is a statutory one. It is not irrefutable. It can be outweighed by material considerations powerful enough to do so. But a local planning authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering. The case-law also establishes that even where the harm identified is ‘less than substantial’ (NPPF para 199), that harm must still be given considerable importance and weight. Where more than one heritage asset would be harmed by the proposed development, the decision-maker also needs to ensure that when the balancing exercise is undertaken, the cumulative effect of those several harms to individual assets is properly considered. Considerable importance and weight must be attached to each of the harms identified and to their cumulative effect. It is important to note that the identification of ‘less than substantial harm’ does not equate to a ‘less than substantial’ objection⁴. The decision-maker must apply a weighted or tilted balancing exercise, giving the assessed degree of harm (or enhancement) to the heritage asset ‘considerable importance and weight’ as against other considerations⁵. What follows is an officer assessment of the extent of harm which would result from the proposed development.

- 9.77. The NPPF is further amplified in a series of five steps in Historic England GPA 3: *The Setting of Historic Assets (2017)* setting out the stages of assessment and how opportunities for enhancement should be identified.

Built Heritage

- 9.78. The site of the proposed development is immediately adjacent to the Clay Hill Conservation Area. It forms a part of the Conservation Area’s setting. The application site forms a part of a unique landscape character within Enfield – ‘Nursery and Glasshouse Centre’ – as identified in The Enfield Characterisation Study (2011). The tradition of growing produce is an important part of Enfield’s landscape heritage and should where possible be preserved and enhanced. The existing greenhouses on site are of limited visibility within the immediate vicinity as a result of local topography and the existence of mature vegetation. Where the greenhouses are visible, they are very clearly of an agrarian character and contribute to east-west transition from the village core to a rural agrarian landscape.
- 9.79. Located to the south-west of the site is the Locally Listed Rendlesham Viaduct an imposing local landmark which provides elevated views of the Conservation Area.
- 9.80. To the east of the site is Locally Listed Hilly Fields Park which makes an important contribution to the landscape character of the Conservation Area.

⁴ Barnwell vs. East Northamptonshire DC 2014 (para.29)

⁵ Kinsey vs. London Borough of Lewisham 2021 (para.84)

- 9.81. NPPF paragraph 194 requires that in the determining of applications that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be appropriate to the asset's significance.
- 9.82. A Heritage Statement was prepared by Squire Heritage Consulting and submitted in support of the planning application. The report assesses designated and non-designated built heritage assets that may be affected by the development, including the contribution of their settings to their significance, and concludes with an assessment of impact of the proposed development on the significance of relevant built heritage assets.
- 9.83. The Heritage Team have no in-principle objection to the residential development in the site and requested further details to ensure no harm to heritage assets. Since this application is an outline application for the access only with all matters reserved, officers are satisfied this can be achieved through conditions and S106 obligations at the reserved matters stage.
- 9.84. To ensure the layout of the development would reflect the settlement pattern in Clay Hill and preserve the semi-rural character and appearance of Strayfield Road and thereby give greater certainty that the character and appearance of the Conservation Area and its setting will be preserved, a condition is recommended to make sure there will be a 15m buffer from the northern site boundary to allow sufficient landscaping such as hedges, allotments and playspace while the proposed new buildings could face onto these landscaping features and provide passive surveillance to Strayfield Road (See also Design section). This would also avoid car parking dominating the frontages (See also Design section). This condition is supported by the Heritage Team. An external lighting condition will also minimise the visual presence of the new buildings at night and the resultant impact of the proposed development on the local character.
- 9.85. In order to preserve the setting of the Clay Hill Conservation Area, a compliance condition is recommended to ensure no buildings will be more than 2 storeys with a ridge height capped at 8.5m measured from the existing ground level. The layout, massing and roof forms of the proposed buildings together with a submission of Landscape Visual Impact Assessment will be further assessed at the reserved matter application stages to ensure the design responds to the site topography and minimise the visibility of the built form and preserves the unique landscape character of the 'Nursery and Glasshouse Centre' as experienced within immediate, medium and longer distance views during winter months as well as in the evenings. The landscaping condition will also secure tall native species boundary hedges within integrated trees to be maintained in perpetuity around the perimeter of the site. Furthermore, following the request from the Heritage Team, the Applicant has also agreed to attend Enfield Place and Design Quality Panel prior to submission of each reserved matters application to ensure the design quality, which would be secured through a S106 agreement.
- 9.86. With regard to the proposed work on Strayfield Road, the amount of segregated pedestrian footway has been minimised while ensuring safety for the pedestrians (See also Traffic, Access and Parking section). The Applicant has also revised the design to the segregated pedestrian footway to raised pavement with kerbstone to minimise the urbanising effect on the semi-rural character and appearance of Strayfield Road. The timber bollards providing low-level lighting are considered acceptable subject to adaptive lighting and motion sensors to minimise light pollution. The Applicant has also

committed to minimise the street furniture and keep it black. The design details of the proposed work on Strayfield Road will be secured through a S106 agreement.

- 9.87. The Heritage Team confirmed that the greenhouses and allotments would reflect the heritage of the area and help mitigate against the residential character of the site. In order to fulfil their potential as a tangible link to the site's heritage, the provision of food growing areas will be secured through the landscaping condition. Long term management and maintenance of these areas will also be secured through a S106 agreement (See also Social Considerations section).
- 9.88. It is noted that a concern was raised during public consultation in relation to the impacts of the heavy traffic vehicles on the integrity of the foundation of the Grade II Listed Church of St John the Baptist. However, no evidence has been provided to demonstrate clearly the impacts of the existing heavy vehicles traffic on the Grade II Listed Church to support the comments received. The proposed development would remove the large goods vehicles (LGVs) traffic associated with the existing aquatic plant and reduce volume of LGVs on Strayfield Road. In any event, the LGVs trips on the Strayfield Road associated with the proposed development are commonly found on any other roads in proximity to a listed building.

Archaeology

- 9.89. The application site lies within the Whitewebbs Hill, Bulls Cross and Forty Hill Area of Archaeological Importance. Following the comments from G.L.A.A.S, the Applicant has submitted a revised Archaeological Desk-based Assessment prepared by CSA Environmental, which includes specialist Palaeolithic and geoarchaeological assessment of the site to inform the potential of the underlying geology and the site situation. A walkover survey from a qualified archaeologist was also undertaken to inform on existing impacts. Furthermore, the revised assessment has now included historic mapping predating the 1860s as well as the detailed results of any local archive search.
- 9.90. G.L.A.A.S have confirmed that the revised Archaeological Desk-based Assessment and the proposed development would not adversely impact below-ground remains of archaeological interest in Whitewebbs Hill, Bulls Cross and Forty Hill Archaeological Priority Area subject to a Written Scheme of Investigation condition to ensure all historic environment investigation and recording is appropriately controlled. A condition has therefore been attached.

Heritage Conclusions

- 9.91. The steps for assessing proposals affecting heritage assets are as set out in the NPPF Section 16: Conserving and Enhancing the Historic Environment and amplified by Historic England GPA 3: The Setting of Historic Assets. The duty to pay 'special regard' or 'special attention', in sections 16(2), 66(1) and 72(1) of the Act (1990) means that there is a 'strong presumption' against the grant of planning permission where it would cause harm to a heritage asset⁶. Harm should be minimised and the desirability of enhancing the asset considered. Any harm to a designated asset requires 'clear and convincing' justification. For non-designated heritage assets there should be a 'balanced judgement' between harm and the significance of the asset.
- 9.92. This is an outline application for the access only with all other matters reserved. Officers consider that the proposed development could result in no harm to the existing

⁶ Kinsey vs. London Borough of Lewisham 2021 (para.82)

built heritage assets subject to a high quality building and landscape design at the reserved matters stage. Compliance conditions regarding the 15m landscape buffer from the northern site boundary, maximum height of 2 storey with ridge height capped at 8.5m, a condition requesting further LVIA, and S106 obligations regarding undertaking design review panel and details of the design of the Strayfield Road works would help ensure that the new development would assimilate into the landscape and minimise the visual impact. The proposed development would also not adversely impact below-ground remains of archaeological interest in Whitewebbs Hill, Bulls Cross and Forty Hill Archaeological Priority Area subject to a Written Scheme of Investigation condition to ensure all historic environment investigations and recording is appropriately controlled. Officers therefore considered the impact on heritage is a **neutral factor** which weighs neither in favour nor against the proposed development in this assessment.

Design

- 9.93. Paragraph 126 of the NPPF underscores the central value of good design to sustainable development. The Framework expects the planning process to facilitate “high quality, beautiful and sustainable buildings and places”. As in Paragraph 130, the assessment of a scheme should take into account the endurance of the design, visual appeal, sensitivity to local context, sense of place, optimisation of the site and contribution to health and wellbeing.
- 9.94. London Plan Policy D4 encourages the use of master plans and design codes to ensure the delivery of high-quality design and place-making. Design scrutiny, through the use of Design Review Panels is encouraged.
- 9.95. Enfield Policy DMD 37 sets out objectives for achieving good urban design: character; continuity and enclosure; quality of public realm; ease of movement; legibility; adaptability and durability; and diversity.
- 9.96. This application is an outline application for the access only with all matters reserved. This application was presented to the Design Review Panel with the indicative layout and massing. The DRP commends the ambition to provide a mix of uses on the site, including serviced office space in the existing office building and five live/work units and suggested that the Applicant undertake further detailed design analysis further at the reserved matter stages. Below are some key areas to be further explored.
- Maximisation of active frontage along Strayfield Road (See also Built Heritage and Archaeology section’).
 - Variety in roofscape and detailing
 - Integration of the landscape features to provide multiple benefits
 - Careful design of the interface between the proposed residential and employment elements
- 9.97. The final design details including landscaping details and lighting strategy would be dealt with at the reserved matters stage. S106 obligations and compliance conditions are attached to secure the minimum quantum of live-work units (See also Economic Considerations section), publicly accessible allotment (See also Social Considerations section), and greenery (See also Biodiversity, Trees and Landscaping section), which are the key components of the proposed development which would benefit the wider general public.

- 9.98. It is noted that GLA Officers suggested the Applicant provide a design code. However, LBE Officers consider that this approach is not necessary given this is a relatively small, discreet site. This view is also supported by the DRP.

Secure by Design

- 9.99. The Met Police Designing Out Crime Officer has confirmed no objection to the application. A condition has also been attached to ensure the proposed development attain 'Secured by Design' certification in accordance with Policy D11 of the London Plan (2021) and Policy DMD 37 of the Development Management Document (2014).

Conclusion on Design

- 9.100. This application is an outline application for the access only with all matters reserved. The detail design will be dealt with under the reserved matters stage. Officers therefore consider the overall impact on neighbouring residential amenities is a **neutral factor** which weighs neither in favour nor against the proposed development.

Neighbouring Residential Amenities

Daylight, sunlight, overshadowing and privacy

- 9.101. Nos 1 and 4 Rossendale Close and Astley House (29 Strayfield Road) are the nearest two storey residential properties on the opposite (northern) side of Strayfield Road. There are some habitable windows in the northern elevation of these three properties and private amenity of No.4 face Strayfield Road, which are sited circa 13.5m away from the application site. The rear gardens of 1 Rossendale Close and Astley House are sited to the north of the main properties, away from the application site.
- 9.102. This outline application seeks approval for access only with all other matters reserved. The submitted site plan is indicative. Given the proposed maximum eaves height (5.3m) and ridge height (8.2m), the separation distance between the subject site and the northern windows of the nearest residential properties and 1 Rossendale Close and the expected set-back of the proposed built form from Strayfield Road (See also Heritage section), it is unlikely that the proposed development would result in unacceptable loss of daylight, sunlight, overshadowing and privacy subject to further scrutiny of the layout and form of the development at reserved matters stage.

Noise and Disturbance

- 9.103. Given the proposed additional net trip generation and the decrease in heavy vehicle trips (See also the Traffic, Access and Parking section), the proposed development would not result in an unacceptable level of noise and disturbance to the residential properties on Strayfield Road nor other properties in Crews Hill. A piling method statement will also be secured via condition to protect nearby residents from noise and disturbance during construction as requested by the Environmental Health Officer who has confirmed no objection to the proposal.

Conclusion on Neighbouring Residential Amenities

- 9.104. Having regard to the above, it is unlikely that the proposal would cause any significantly detrimental impact on the amenities of any neighbouring dwellings in terms of noise, disturbance, daylight, sunlight, outlook and overlooking subject to further assessment at the reserved matters stage. It would be in accordance with Policies D3, D4, D6 and D14 of the London Plan (2021), CP 4 of the Enfield Core Strategy (2010) and Policies DMD 8, 10, 37, and 68 of the Enfield Development Management Document (2014).

Officers therefore considered the overall impact on neighbouring residential amenities is a **neutral factor** which weighs neither in favour nor against the proposed development.

Quality of Accommodation

- 9.105. The internal layout of the homes will be assessed at the reserved matters stage to ensure the homes are compliant to housing design standards. The Applicant has also committed to provide at least 595 m³ playspace on-site to meet the minimum requirement stated in Policy S4 of the London Plan . The landscape and playspace details will be secured through a planning condition. As part of this condition, completion of the on-site amenity space and playspace will be required prior to first occupation of the new homes. Officers therefore consider the quality of accommodation to the future occupiers is a **neutral factor** which weighs neither in favour nor against the proposed development.

Flood Risk, Drainage, Sewerage and Water

- 9.106. Flooding is not a known risk on this site and the existing site mainly comprises impermeable surfaces. A Flood Risk Assessment and preliminary SuDS Report demonstrates the Applicant's commitments to succeed the greenfield runoff rates for 1 in 1 year and 1 in 100 year (plus climate change) year events (which is above and beyond the policy requirement) and extensively use SUDS source control measures including permeable paving, ponds and green roofs over the Work-Live units, and rainwater harvesting. The Watercourses Team have confirmed that the proposed indicative SuDs proposals are acceptable at this stage and would require further drainage details at the reserved matters stage including how all the roof runoff and hardstanding will discharge via source control SuDS and removal of the impermeable liners on the permeable paving in order to allow partial infiltration. The final sustainable drainage strategy and a drainage verification would be secured via condition.
- 9.107. Thames Water has confirmed no objection considering the surface water network infrastructure capacity. The Watercourses Team have no objection to the proposal subject to a SUDS based on the final design and a drainage verification report. The requested information would be secured by way of condition in accordance with Policies SI 12, SI 13 of the London Plan (2021), Policy CP 28 of the Enfield Core Strategy (2010) and Policies DMD 59, DMD 61 and DMD 63 of the Development Management Document (2014).
- 9.108. With regard to foul water sewerage network capacity and water network and water treatment infrastructure capacity, Thames Water also confirmed no objection. An informative about the minimum water pressure will be attached to the decision notice as requested.
- 9.109. The proposed development would achieve green field runoff rates which is an improvement over the existing situation. Officers therefore place **limited weight** on the delivery of improvement in sustainable drainage.

Biodiversity, Trees and Landscaping

- 9.110. Policy DMD 76 states that development on sites that abut a wildlife corridor will only be permitted if the proposal protects and enhances the corridor. Policy DMD 78 states that development that has a direct or indirect negative impact upon important

ecological assets will only be permitted where the harm cannot reasonably be avoided, and it has been demonstrated that appropriate mitigation can address the harm caused.

- 9.111. Policy G7 of the London Plan and Policy DMD 80 of the Development Management Document (2014) state that any development involving the loss of or harm to protected trees or trees of significant amenity or biodiversity value will be refused.

Designated Sites

- 9.112. A preliminary Ecological Appraisal (PEA) prepared by Greenlink Ecology Ltd has been submitted. The report assesses the impacts of the proposed on the designated sites including two non-statutory designated SINCS in close proximity. The report concludes that there would be no impact on the Crews Hill to Bowes Park Railsides SINC, which is located circa 100m to the south/west as it is inaccessible to the public. With regards to Hilly Fields Country Park SINC, the report concludes that a relatively small increase in visitors associated with the new homes is likely to have insignificant impacts.

Trees

- 9.113. The Tree Survey indicates 35 individual trees, 4 tree groups and 4 hedges on site. Of these trees, only 2 trees are 'category A' (high grade), 7 trees are 'category B' (moderate grade), 25 individual trees and 4 groups of trees are 'category C' (low grade) and 1 tree is 'Category U' (very low grade). All the hedges are 'category C' (low grade).

Table 6: Categories of the existing trees and tree loss

	Existing	Loss
Category A	2 trees	None
Category B	7 trees	None
Category C	25 individual trees 4 groups of trees 4 hedges	7 individual trees 1 tree group (consisting of 2 trees) 3 hedges
Category U	1	None

- 9.114. 7 x low-quality category C trees, 1 x category C tree group (consisting of 2 trees) and 3 x category C hedges will be removed to facilitate the proposed development. To compensate for the loss of trees for the development and enhance the biodiversity and greenery, the Applicant is committed to provide a new urban tree habitat of 452m², native hedgerows of 541m long, and green roofs of 551m² as shown in the UGF calculator and biodiversity metric. The Applicant is committed to meeting the Urban Greening Factor (UGF) target of 0.4 as required by the London Plan Policy G4. A condition has therefore been attached to seek details of the landscape scheme and ensure the committed minimum areas of these key surface covers and the targeted UGF scores will be achieved.

- 9.115. The Tree Officer has confirmed no objection to the principle of development from an arboricultural perspective, according to the impacts identified within the arboricultural report produced by Tracy Clarke Tree Consultancy subject to a detailed tree protection scheme (Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP)) to minimise the impacts upon retained trees. A condition has therefore been recommended. An auditable schedule of arboricultural monitoring where works would need to be undertaken within Root Protection Areas will also be secured by a condition to ensure continued compliance with the agreed tree protection scheme throughout the development process. A S106 obligation is also recommended to secure the same

requirements to ensure the proposed pedestrian footway works to Strayfield Road would not have adverse impacts on the adjoining existing trees and hedgerows.

Habitats and Biodiversity Net Gain

- 9.116. The Site comprises a mixture of buildings along with extensive hard standing, some grassland, ruderal vegetation, miscellaneous planting, sections of hedgerows on the site's northern and eastern boundaries, along with short sections around the residential dwelling/offices, scattered trees and 6 artificial ponds.
- 9.117. The PEA survey establishes that the overall site is of low ecological value and that the habitat types are common/widespread and not of conservation concern. The proposals include the retention of trees, hedgerows and ponds along with the provision of a variety of new habitat types, including gardens, allotments, hedgerows, trees, a Sustainable Drainage System (SuDS) and green roofs. The Applicant has calculated the ecological values of the pre- and post-development site using Natural England Metric 3.1 methodology⁷. The biodiversity units will also increase from 0.11 units to 0.21 units, equivalent to a Biodiversity Net Gain (BNG) of 87.86% for habitat units and 828.67% for hedgerow units. The uplift would exceed the emerging statutory minimum BNG requirement of 10%. The Applicant will submit a Biodiversity Net Gain addendum to factor in the loss of verge due to the proposed Strayfield Road works (See also 'Traffic, Access, Parking' section) to ensure the same level of BNG gain would be attained within the application site. This would be secured through a condition. The Applicant is also committed to 30 years BNG monitoring in line with the emerging statutory requirement, which would be secured through a S106 Agreement.
- 9.118. This outline application is for access only with all other matters reserved. The site layout and landscape scheme will be subject to reserved matters applications. Based on the indicative layout, detailed landscaping plans and an Ecological Management Plan will also be secured by a landscaping condition to ensure the local biodiversity and the greenery would be enhanced in accordance with Policy DMD 81.

Protected Species

- 9.119. The submitted Preliminary Ecological Appraisal (PEA) Report indicates the Site has the potential to support the following protected/notable species:
- Some potential to support nesting birds;
 - Low potential to support roosting bats;
 - Limited potential for use by commuting / foraging bats
 - Low potential to support great crested newts
- 9.120. A single dusk emergence survey visit was subsequently undertaken by a qualified ecologist during the optimal seasonal period in May 2022 in accordance with Bat Surveys for Professional Ecologists Good Practice Guidelines (2016). In the absence of any bats recorded within the Application site, the Bat Report concludes that bats do not roost within the site. Very low numbers of Nathusius' pipistrelle (*Pipistrellus nathusii*) and noctule (*Nyctalus noctula*) bat calls were recorded which suggests bats were commuting/foraging in the wider area but not directly associated with the building. The Bat Report recommends every dwelling should install 1 no. wall-integrated bat (or bird) box at least 4-5 metres from ground level on different elevations and not

⁷ This application was validated in June 2022 before the new Metric 4 methodology was released.

illuminated by artificial lighting. The details of the bat /bird boxes and external lighting therefore would be secured through conditions.

- 9.121. No evidence of actively breeding birds was observed in the PEA survey. As the site contains some potentially suitable habitats for bird nesting throughout the site, the PEA recommends site clearance is undertaken outside of the active nesting period (March to August inclusive) unless a suitably qualified ecologist has confirmed the absence of active nests. This would be secured by a compliance condition. Box boxes (or bat boxes) will also be installed to enhance biodiversity (see also the above paragraph).
- 9.122. The PEA survey identifies the suitability of the three ponds in the north-west corner of the site for great crested newts as 'below average' based on the Habitat Suitability Index criteria. This has been further confirmed by no great crested newt DNA in the water samples obtained from these three ponds. The majority of the site contains hardstanding that is unsuitable for the species. The PEA concludes that great crested newts are absent from the site and immediate surrounding area.
- 9.123. Ponds 1 and 2 will be retained, and Pond 3 will be removed. As a precautionary approach, the PEA recommends the water from Pond 3 should be drained into the two other retained ponds and the marginal vegetation temporarily relocated into them in order to allow any wildlife the opportunity to disperse into a similar habitat. A condition has therefore been attached to ensure compliance.

Conclusion on Biodiversity, Trees and Landscaping

- 9.124. Considering the above, the proposed development would not result in any significant harm to the trees of high amenity values or the local wildlife and the designated sites including nearby Hilly Fields Country Park SINC. It would enhance the local biodiversity and greening subject to final details on the proposed landscaping scheme, proposed biodiversity enhancement measures and an Ecological Management Plan, which would be secured by conditions. The proposal therefore would comply with Policies G5, G6 and G7 of the London Plan (2021), Policy CP36 of the Enfield Core Strategy (2010) and Policies DMD76, 78, 79, 80 and 81 of the Enfield Development Management Document (2014).
- 9.125. Overall, the proposed UGF score (0.4) just meets the London Plan target (0.4). The substantial increase in BNG (in percentage term) is skewed by the low baseline due to the existing site being dominated by hard standing. Nevertheless, the proposal would improve the local greenery and habitats from the existing achieving a BNG of 87.86% (area based) and 828.67% (linear based) exceeding the emerging statutory target of 10% with commitment to long term monitoring for 30 years. Officers therefore place **moderate weight** on the delivery of new greenery and biodiversity enhancements.

Traffic, Access, Parking

- 9.126. The site is located off the southern side of Strayfield Road, which is an unlit, unadopted bridleway. There are no footways or segregated cycle lanes along Strayfield Road. The carriageway in the vicinity of the site is subject to a 30pmh speed limit. There are no parking controls along Strayfield Road.
- 9.127. There are multiple Public Rights of Way (PROW) in the vicinity of the site. These include Bridleway 125 which runs along the site's frontage, Footpath 159 which is located circa 300m to the east of the site and Footpath 3 which connects the site frontage on Strayfield Road to Cattlegate Road. National Cycle Route 12 is also

located along the site frontage and provides cycle links to numerous destinations to the north and south of the site.

- 9.128. The site has a PTAL rating of 0. The nearest bus stops are located on Theobalds Park Road and served by the 456 bus route. Bus route 456 only provides a 20-30 minute service on weekdays, a half hourly service on Saturdays and approximately hourly service on Sundays. There are no bus stops in these locations as this section of the 456 bus route operates as 'hail and ride.' The Council has secured funding to introduce new fixed bus stops (both the northbound and southbound). It is also noted that there is no footway on the eastern side of Theobalds Park Road and the northern side of Clay Hill and no existing safe crossing facilities connecting Strayfield Road to the southbound bus stop. As part of the Council's bus stops improvement works, a new crossing will be provided to connect the southern side of Clay Hill with the new fixed southbound bus stop. Public consultation on the Council's bus stop improvement works was conducted in Jan 2023.

Vehicular Trip Generation

- 9.129. The assumed trip generation outlined in the Transport Assessment (TA) is based on TRICS analysis of trips generated by other comparable development sites. The TA anticipates that the proposed development will generate 34 two-way vehicle trips in the AM peak and 25 two-way vehicle trips in the PM peak. A daily total of 260 two-way vehicle trips is anticipated to be generated from the site as the worst case scenario. With the closure of the existing Anglo Aquatic plants, the associated existing HGV trips associated will be removed from the local roads. As a result, it is estimated there would be a net increase of 234 daily vehicular trips in winter and 158 daily vehicular trips in spring/summer with a reduction in large HGVs travelling on Strayfield Road.
- 9.130. The Transportation Team confirmed that Strayfield Road is a lightly trafficked road and the Strayfield Road arm of Strayfield Road/Clay Hill/Theobalds Park Road/Flash Lane junction, which vehicles travelling to and from the site will use, benefits from sufficient visibility. Officers therefore are satisfied that the predicted increase in vehicle movements associated with the development can be accommodated on this junction and would not have a material impact on the local highway network.
- 9.131. It is noted that there is a separate live planning application for extensions of Headstart Nursery to increase the number of pupils from 55 to 195 (ref: 22/00679/FUL). At the time of writing this report, the planning application for Headstart Nursery is still under consideration. In any event, each application should be assessed based on its own merits including any mitigation measures. Hence, the Headstart Nursery application does not change the assessment of this application.

Vehicular Access

- 9.132. The site benefits from two existing vehicle accesses off Strayfield Road. The site can also be accessed via a shared access road with No.36 Strayfield Road and a stud farm to the north-west of the site.
- 9.133. The existing eastern access will be modified to create a new priority access junction to serve as the main access to the new development. The submitted swept path analysis in the Transport Assessment demonstrates that visibility of 2.4m x 43m are achievable from the site access. The plans also show that the new access will be 5.5m wide with

a 6.0m radii and 2.0m footways either side of the access. During the course of this application, the Applicant has also provided a revised swept path analysis to demonstrate the Council's refuse vehicles can safely enter and exit the site in forward gear. The Transportation Team has confirmed that the proposed access arrangement is acceptable while maintaining an acceptable pedestrian access.

- 9.134. This application is an outline application for access only. The design of the internal roads will be assessed at the reserved matters stage to ensure separate footways would be provided and the larger refuse vehicles would be tracked.

Pedestrian , Cyclist and Equestrian Access

- 9.135. Strayfield Road is a bridleway which is currently used by pedestrians, cyclists, equestrians and drivers without physical segregation on the road. The TA estimates that the total person trip rates from the proposed new homes and Live Work Units are 97 trips in the AM peak and 78 trips in the PM peak with a daily total of 739 two-way trips. To accommodate the increase in pedestrian and cyclist trips generated from the proposed development, it is proposed to provide a segregated pedestrian footway on Strayfield Road from the site entrance to the Strayfield Road/Theobalds Park Road/Clay Hill/Flash Lane junction. Following the comments from the Transportation Team and local residents, the Applicant has revised the design of the proposed pedestrian route. A 2m wide footway will be provided along the site frontage within the application site and the majority of the remaining footway will have a clear width of 1.5m except the last section near the Clay Hill/Strayfield junction and a few locations where there is an obstacle such as utility poles and equipment. The proposals would be broadly in line with Inclusive Mobility A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure (2021). The new footway will then join up with the existing public adopted footway on Clay Hill and Theobald Parks Road. Bollard lighting will be provided on the southern side of the proposed footway. New crossing between the two sides of Strayfield Road is also proposed at the eastern end.
- 9.136. Following the comments received during public consultation, the Applicant has amended the design of the pedestrian route works which clearly shows that the existing vehicular accesses to the adjoining properties on Strayfield Road would be retained with dropped crossings at all the existing vehicular accesses. The proposal therefore would not unreasonably hinder the use of the existing vehicular accesses of adjoining properties including 2 Strayfield Road, the North East Enfield Cricket Club and Strayfield Road Cemetery.

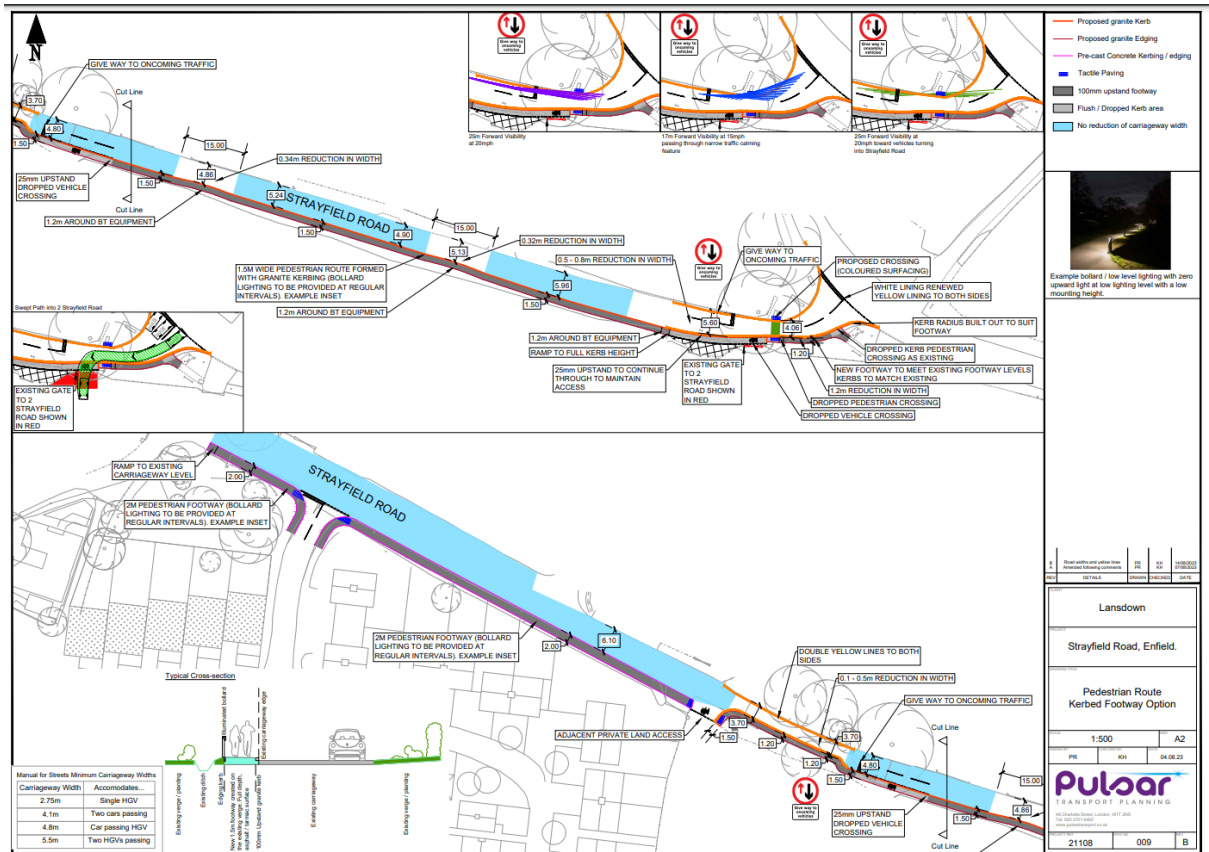


Figure 1. Proposed pedestrian route work on Strayfield Road

9.137. With regard to the potential impacts of the proposed works on vehicular traffic on Strayfield Road, the majority of the proposed pedestrian footway will be within the existing verge on the southern edge of the Strayfield Road carriageway. Therefore, for the majority of its length, Strayfield Road would have the same carriageway width as it does currently (See the areas highlighted in blue in Figure 1 above). There are a couple of minor reductions in width where the path avoids existing utility boxes, utility poles and trees. The swept analysis has demonstrated that refuse vehicles could pass these sections. The overall retained width of the carriageway in these localised points is similar to other existing parts of Strayfield Road. Following the comments from LFB, LBE Building Control Team and the local residents, the Applicant has also revised the design and increased the effective width of the whole carriageway to at least 3.7m.

9.138. With regard to the concerns over potential parking on Strayfield Road and the resultant obstruction to traffic raised during public consultation, officers have visited the site on a Thursday afternoon during school drop-off and a Sunday morning. While cars park on the eastern section of Strayfield Road at certain periods of the day, such as during school drop off and pick up and events hosted by the nearby church or cricket club, these cars tend to dissipate afterwards. It is not common that these occasions would happen at the same time. For example, based on the comments from the North Enfield Cricket Club received during public consultation, there are usually matches and practice sessions from late afternoon through the evening every week from mid-April to late July. This is beyond normal school pick up times. These occasions are also normally outside the AM peak and PM peak of the vehicular trips generated from the proposed development. As mentioned in the above, only a number of small sections of the carriageway would be reduced in width and large vehicles would still be available to pass through. It is highly unlikely that any rational driver would deliberately park on both sides of Strayfield Road nor at the pinch points to obstruct traffic flow on Strayfield Road. Double yellow lines while not enforceable are also included at the two narrowest

points at the Clay Hill / Strayfield Road junction and near the access to the Cemetery as a visual deterrence.

- 9.139. Secondly, Strayfield Road is relatively long, and there would still be numerous opportunities for drivers to park further into Strayfield Road where parking would not block other incoming and outgoing vehicles.
- 9.140. Thirdly, at the reserved matters stage, sufficient car parking spaces will be secured within the application site. Hence, the proposed development would not create any demand for additional on-street parking on Strayfield Road.
- 9.141. Considering the above, it is therefore considered that the proposed development including the proposed works to Strayfield Road, would not make a material difference on the on-street parking on Strayfield Road and would not have an adverse impacts on the traffic flows on Strayfield Road.
- 9.142. The final design of the proposed Strayfield Road works including a road drainage proposals together with Road Safety Audits at design, post-construction and post-opening monitoring stages will be secured through a S106 agreement (See also 'Built Heritage and Archaeology' section). The Applicant has confirmed that they have the legal rights to undertake the works on the unregistered unadopted bridleway and is committed to complete the proposed work on Strayfield Road prior to the first occupation of the new development. These would be secured through a s106 agreement.
- 9.143. The Applicant has also committed to a long term management and maintenance of the proposed footways, bollard lighting, signage installation and road drainage. A S106 obligation is recommended to seek the details of the management and maintenance plan.
- 9.144. With regard to the suggestion for a financial contribution by the British Horse Society to install physical speed restrictions along Strayfield Road to prevent speed in excess of 20mph being achievable, it is considered not necessary as the proposed development would not have a significant impact on the safety of the users of Strayfield Road including equestrians as demonstrated in the above section.
- 9.145. It is therefore considered that on balance the proposed works to Strayfield Road would be acceptable and would provide a safe pedestrian route for the existing users and the future occupiers of the development given the site constraints. Also, the proposed works would not result in detrimental impacts on the users of existing accesses to the existing properties and Strayfield Road including drivers, pedestrians, cyclists and equestrians.

Parking

- 9.146. Since this outline application is for access only with all other matters reserved, the parking provision will be assessed in detail at the reserved matters stage. The proposed parking provision would be required to comply with the maximum car parking standards stated in the London Plan (2021) whilst resulting in no detrimental overspill parking in the area. The Applicant is committed to meet the London Plan standards in regard to electric charging and disabled bay provision. An on-site car club bay will also be provided. These provisions would be secured through conditions.

Cycle Parking

- 9.147. The Applicant is committed to provide a total of 126 long stay bicycle parking spaces and 3 short stay spaces for the proposed new dwellings and live-work units. With regard to the offices, 3 long-stay cycle parking spaces and 1 short-stay cycle parking will be provided. The provision will meet the London Plan minimum requirements. A condition has been attached requesting that final details demonstrating that all the bike parking is fully accessible and secured is provided, and to ensure that the bike store is provided prior to first occupation in accordance with DMD Policy 45, Policy T6.1 of The London Plan (2021) and TfL London Cycle Design Standards (2014).

Sustainable Travel

- 9.148. As noted above, there is a bus route 456 accessible within a five-minute walk of the site (the route from the site to the bus stops through Strayfield Road will be improved as stated in the 'Pedestrian, Cyclist and Equestrian Access'). This bus route connects the Site with local areas including Enfield Town which is approximately 15 minutes by bus from the site. The challenges of site connectivity are acknowledged.
- 9.149. The Applicant initially suggested to deliver bus stop improvements at the two nearest stops on Clay Hill/ Theobalds Park Road to replace the 'hail and ride' stops. The Transportation Team have confirmed that the Council has already secured funding to improve the existing bus stops. Upon the Transportation Team's request, the Applicant has agreed to a financial contribution of £68,024 to improve the walking and cycling infrastructures in the locality in order to improve key routes to amenities.
- 9.150. To promote sustainable mode of transport, the Applicant is also committed to providing a Travel Plan and its monitoring, 2 years' car club membership, car club credits and vouchers for oyster cards for each household (including Live-Work units). These commitments would be secured through a S106 agreement.

Servicing and Refuse

- 9.151. Upon the request from the Transport Team, the Applicant has provided a revised swept analysis using the size of Council's refuse vehicles. The submitted swept path analysis has demonstrated that refuse vehicles can egress and ingress the site through Strayfield Road even if cars are parked on one side of Strayfield Road. The Transportation Team has confirmed that a larger access into the site is not required as it would be the main route for pedestrians, and minimising the junction radii would help pedestrians to navigate. The internal road layout will be subject to reserved matters applications. A delivery and servicing plan for all the proposed uses (residential, live-work units and offices) will be secured through a condition.

Construction Traffic Management

- 9.152. The bridleway status of Strayfield Road and the concerns raised are noted. A detailed Construction and Logistic Management Plan will be submitted to ensure that the construction traffic from the new development including the proposed pedestrian route work on Strayfield Road would minimise the impacts on local highways and different users of Strayfield Road. A condition and S106 obligation have therefore been recommended.

Conclusion on Traffic, Access and Parking

9.153. Overall, the existing challenges of poor site connectivity are acknowledged. It has been demonstrated that the proposed vehicular trip generations would not result in conditions prejudicial to the safety and free flow of traffic in the surrounding area. The proposed pedestrian route works to Strayfield Road and the commitment to Travel Plan and its monitoring would mitigate the estimated increase in pedestrians and public transport trips generated from the proposed development subject to the conditions and obligations mentioned above. Officers consider the impacts on the highway safety would not be detrimental to the degree that would warrant a reason for refusal. Furthermore, a financial contribution towards improving walking and cycling infrastructure in the locality would mitigate the impacts of the development while also benefitting the wider communities through increasing the connectivity of Crews Hill in general. Officers therefore consider **limited weight** be placed on the active travel contribution.

Sustainable Design and Construction

Operational carbon emissions

- 9.154. This outline application seeks approval for access only with all other matters reserved. Nevertheless, the Applicant has submitted an Energy and Sustainability Statement to illustrate the indicative proposed energy strategy and resultant operational carbon emissions performance for the proposed residential development and Live-Work units based on the indicative layout and building typologies. The proposed office refurbishment does not qualify as a major refurbishment (i.e. 1,000 sqm+). Hence, an energy assessment on the proposed refurbishment of the office building is not required. The final energy strategy and operational carbon emissions reduction will be established based on the final design at the reserved matters stage.
- 9.155. At the 'Be lean' stage, the Applicant has committed to achieving no less than a 12% reduction over Part L (2021) through demand reduction measures including thermally efficient fabric, high-performance glazing, reduced air permeability and wastewater heat recovery slightly exceeding the minimum operational carbon emissions reduction target (10%) as stated in Policy SI 2 of the London Plan. However, it is noted that the proposed Space Heating Demand and Energy Use Intensity are higher than the benchmarks stated in the GLA Energy Guidance which is because a lower efficiency of the air source heat pump is assumed at this stage as the worst case scenario. The final energy strategy and details would be secured through a condition.
- 9.156. Energetik has confirmed that the site is currently beyond the planned routes of the District Heat Network. An Air Source Heat Pump (ASHP) is proposed, preventing the need for any gas connections to the scheme. The Applicant has agreed to ensuring the detailed design of the proposal is future-proofed to connect to a future heat network, including safeguarded pipe routes and suitable heating plant room locations. This would be secured by S106 agreement.
- 9.157. At the 'Be Green Stage', the Applicant has committed to a PV output of at least 151.2 kWp and air source heat pump technology, which would result in an overall 79% reduction. This would meet the minimum operational carbon emissions reduction targets (35%) as stated in Policy SI 2 of the London Plan.
- 9.158. The final Energy Strategy and all the details of the wastewater heat recovery system, PV panels and air source heat pumps will be secured through conditions based on the final design of the development at the reserved matters stage. The conditions will also ensure measures are provided prior to first occupation.

- 9.159. The final Energy Performance Certificate with associated Building Regulations Compliance Report and Display Energy Certificate after practical completion of the building will be secured to ensure compliance with the revised Energy Statement via a condition. The Applicant has also committed to a post-occupation energy consumption will be monitored for 5 years in accordance with the London Plan Be Seen Guidance (2021). This will be secured by a 106 obligation.
- 9.160. The Applicant is also committed to a financial contribution to offset the shortfall of the residual operational carbon emissions against the net zero carbon target based on the final energy strategy. This will be secured by a S106 obligation.
- 9.161. The Climate Change and Sustainability Team has no objection to the proposed development subject to the above mentioned planning conditions and S106 obligations. Considering the above, it is therefore considered that the proposed development would comply with the energy hierarchy and Policies SI 2 and SI3 of the London Plan (2021).

Overheating

- 9.162. The submitted Energy and Sustainability Statement is committed to using passive cooling measures and ruling out mechanical ventilation or air conditioning in accordance with the broad principles of the cooling hierarchy required by London Plan Policy SI4. The Applicant is also committed to carry out a dynamic model in accordance with TM59 and the Approved Document O Part 2b will be carried out and submitted at the detailed planning stage. The overheating assessment and details of overheating reduction measures will be secured through condition.

Whole Life Carbon Assessment

- 9.163. This Application is an outline application for access only with all other matters reserved. Hence, limited information can be provided at this stage given the design and layout are not part of this application. The existing office building will be retained. Given the siting of the existing dwellinghouse and warehouse facilities and the low head height and structural bearing of the existing glasshouses, it is not feasible to retain the existing buildings and structures for residential buildings. Although a Whole Life Carbon Assessment has not been provided at this stage, officers are satisfied that the options have been fully explored before considering substantial demolition in accordance with GLA Whole Life Carbon Assessment LPG (2023) at this stage.
- 9.164. The Applicant has committed to provide a full WLC assessment at the reserved matters stage as they progress the final design. This would be secured through a condition. The condition will also request for a post construction monitoring report to ensure the compliance of the WLC reduction actions.

Circular Economy

- 9.165. London Plan Policy D3 requires development proposals to integrate circular economy principles as part of the design process. London Plan Policy SI7 requires development applications that are referable to the Mayor of London to submit a Circular Economy Statement, following the Circular Economy Statements LPG (2022).
- 9.166. Following the GLA Stage I referral, the Applicant has submitted a Circular Economy Statement which sets out some high-level strategies. It has not been demonstrated satisfactorily that the development would fully comply with LP Policy D3. However, this outline application is for access only with all other matters reserved. Hence, limited information can be provided at this stage. Officers are satisfied that compliance to

circular economy policy can be addressed through a condition to secure a revised Circular Economy Statement together with the GLA CE template and supporting evidence including pre-demolition development audit, pre-demolition audit, bill of materials, outline Construction Site Waste Management Plan and Operational Waste Strategy. The use of the Enfield Excess Materials Exchange platform will also be conditioned to maximise re-use of the existing materials as requested by the Climate Change and Sustainability Team. . Furthermore, a condition will be attached to request a postconstruction report to ensure delivery of all the proposed waste minimisation measures.

Water consumption

- 9.167. Policy SI5 of the London Plan (2021) requires that residential development be designed so that mains water consumption would meet a target of 105 litres or less per head per day, excluding an allowance of 5 litres per head for external water use. The Energy and Sustainability Statement shows the Applicant's commitment to meet the London Plan target through incorporating water-saving measures and equipment and installing water butts to reduce the usage of portable water for exterior use. A condition therefore has been attached to ensure compliance.
- 9.168. To reduce the water demand within the refurbished office, the Applicant is also committed to water-consuming fittings to reduce water demand by at least a 12.5% over the design baseline standard defined by BREEAM Wat 01. However, it is expected the proposal would target a 65% improvement in water efficiency over notional baseline for the 'Wat 01' water category through water efficient sanitaryware specification in order to comply with the Policy 58 of DMD (2014) and SI 5 of London Plan (2021). This would be secured through the condition for a pre-design BREEAM statement (see also BREEAM section below).

BREEAM

- 9.169. Policy 50 of DMD (2014) recommends a BREEAM target of 85% to achieve 'Outstanding' rating. The submitted Circular Economy Statement indicates a commitment to BREEAM excellent rating for the refurbished office building and Live-Work units. No design stage BREEAM pre-assessment has been submitted. A condition has therefore been attached to seek design stage and post-construction assessments to demonstrate how the refurbished building would aim at achieving an 'outstanding' rating and at least meet the 'Excellent' rating, a minimum of 3 out of 7 credits under MAT 1 (life cycle impact assessment) and a minimum of 2 out of 3 credits under MAT 3 (Responsible sourcing of materials) as required by Policy 57 of DMD (2014).

Conclusion on Sustainable Design and Construction

- 9.170. Considering the above, the proposed development would meet the policy requirements in terms of sustainable design and construction subject to additional information at the reserved matters stage. The proposed development would contribute to an increase in modern offices stock and energy efficient affordable housing stock, which would help reduce ongoing energy costs and alleviate fuel poverty in the borough. Officers have considered the benefits in the 'Housing Need and Mix' and 'Economic considerations' sections.

Fire Safety

9.171. Following public consultation and the GLA Stage I referral, A Fire Statement Assessment prepared by a fire professional who has suitable qualifications and demonstrable experience has been submitted. Following the consultation responses from the public and London Fire Brigade, the design of proposed pedestrian route works to Strayfield Road have been revised to ensure the whole stretch of carriageway of Strayfield Road would have a minimum width of 3.7m as stated in the ADB B5 which addressed the comments from the London Fire Brigade.

9.172. Given this outline application is for access only with all matters reserved, a condition has been attached to seek a Fire Statement addendum at the reserved matters stage . Having regard to the above, it is considered that the proposed fire safety arrangements are acceptable at the outline planning application stage subject to the aforementioned condition. Officers considered this is a **neutral factor** which weighs neither in favour nor against the proposed development.

Air Quality

9.173. Policy SI 1 (Improving Air Quality) of the London Plan states that any development proposal should not lead to further deterioration of existing poor air quality and not be located or operated in a manner that would subject vulnerable people to poor air quality.

Construction phase

9.174. Following public consultation and the GLA Stage I referral, the Applicant has submitted an Air Quality Assessment which assesses the dust impacts of the construction activities on the sensitive receptors. Subject to dust control measures during the various stages of redevelopment of the site in accordance with GLA The Control of Dust and Emissions During Construction and Demolition Supplementary Planning Guidance (2014), the residual dust impact is considered not significant. The Environmental Health Officer has confirmed no objection subject to compliance to the dust control measures and restrictions on the emissions from all non-road mobile machinery during demolition and construction and the final Construction Logistics Management Plan. The requested information will be secured by condition.

Operational phase

9.175. Concentrations of NO₂, PM₁₀ and PM_{2.5} have been predicted at worst-case locations representing existing properties adjacent to the road network under the worse-case scenario with the use of 2025 traffic data and 2019 emission factors. The predicted concentrations are below the relevant objectives at all the existing receptor locations with the proposed development in place. The impact is therefore considered not significant.

9.176. Dispersion modelling was also undertaken to quantify air quality conditions at the application site to confirm whether the site is suitable for residential use. Based on the assessment results, the site has been classified as Air Pollution Exposure Criteria (APEC) - A, which means no air quality mitigation measures are required for occupiers of the new homes in accordance with the London Councils Air Quality and Planning Guidance (2007). The Environmental Health Officer has no objection to the new development from an air quality perspective.

Air Quality Neutrality

9.177. Electricity will be used to provide heating and hot water for the development. The proposal is considered air quality neutral from a building emissions perspective. Whilst the proposed scheme based on the estimated trip generation is currently not 'air quality

neutral' when compared to the transport emission benchmark, the Environmental Health Officer has confirmed the mitigation measures set out in the Air Quality Assessment to reduce vehicle trips would be sufficient to mitigate the impacts (See also 'Healthy Street' section). This would be secured through a compliance condition. It is therefore considered that the proposed development would comply with Policy SI 1 of London Plan (2021).

Conclusion on Air Quality

- 9.178. For the reasons outlined above, officers considered this is a **neutral** factor which weighs neither in favour nor against the proposed development.

Land Contamination

- 9.179. The submitted Phase One Contamination and Geotechnical Assessment (desk study report) concludes gross contamination is unlikely to be on-site and recommends an intrusive investigation prior to commencement. The Environmental Health Officer confirmed that the proposed development is unlikely to result in adverse land contamination subject to an acceptable scheme to deal with the contamination of the site, which would be secured by a planning condition. Officers therefore consider land contamination is a **neutral factor** which weighs neither in favour nor against the proposed development.

Digital Connectivity

- 9.180. Based on the data from Openreach, standard broadband and Superfast Fibre Broadband services are currently available for the site and the surrounding properties. The Applicant has committed to provide superfast broadband for the Live-Work units. A planning condition is also recommended requiring the submission of detailed plans demonstrating the provision of sufficient ducting space to future proof any full fibre connectivity infrastructure within the development in line with London Plan Policy SI6. Once the Applicant has further engagement with the network operators, the Applicant will submit evidence to demonstrate the development would not have detrimental impacts on the digital connectivity of neighbouring buildings in accordance with London Plan Policy SI 6. Officers therefore consider digital connectivity is a **neutral factor** which weighs neither in favour nor against the proposed development.

Planning Balance

- 9.181. Paragraph 148 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 9.182. What is considered to constitute Very Special Circumstances (VSC) depends on the weight of each of the factors put forward, the degree of weight accorded to each is a matter for the decision taker. In the case of *R (Wildie) v Wakefield Metropolitan BC [2013] EWHC 2769 (Admin)*, Stephen M states '*in order to qualify as "very special", circumstances do not have to be other than "commonplace" i.e., they do not have to be rarely occurring*'. In the case of *R (Lee Valley Regional Park Authority) v Broxbourne Borough Council [2015] EWHC 185 (Admin)*, Ouseley J states "*Once the issue is whether or not inappropriate development should be permitted in the Green Belt, all factors which tell in favour of the grant go to making up very special circumstances, which may or may not suffice. It is not necessary to go through the process of considering whether a factor is not a very special circumstance but nonetheless falls to be taken into account in favour of the development as another*

relevant material consideration. See *Secretary of State for Communities and Local Government v Redhill Aerodrome Ltd [2014] EWCA Civ 1386.*” [68].

- 9.183. The proposals would cause definitional harm to the Green Belt by reason of inappropriateness, significant harm to openness and the harm to the purposes of the Green Belt. The first two harms identified attract **substantial** weight and the latter harm identified attracts **moderate** weight. The loss of agricultural land attracts **limited** weight. However, Enfield has acute housing delivery shortages particularly family homes and acute affordable housing need. The proposals would make a significant contribution towards addressing these needs in the form affordable family homes. Officers have attached **substantial** weight to the provision of energy-efficient, affordable homes, particularly family homes. Officers have also attached **moderate weight** to the provision of community allotments and on-site biodiversity net gain together with improvements in greenery. Furthermore, officers have attached **limited weight** to the financial contribution to the walking and cycling infrastructure in the area, the delivery of additional employment floorspace and employment opportunities, and the improvement in sustainable drainage. These factors, when considered collectively demonstrate that very special circumstances do exist.
- 9.184. Officers consider the proposed pedestrian routes to Strayfield Road, contributions towards education and health facilities would mitigate the impacts of the proposed development that support the delivery of new homes. Subject to the conditions and S106 obligations, the proposed development would have a neutral impact on heritage, neighbouring amenities, quality of accommodation, air quality, fire safety and land contamination.
- 9.185. Officers therefore consider that the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations in accordance with paragraph 144 of the National Planning Policy Framework 2021. Looking at the application as a whole, very special circumstances do exist to justify inappropriate development in the Green Belt. As a result, officers therefore conclude that the proposals would comply with both the National Policy Framework 2021 and the development plans taken as a whole. For the reasons given above, and having considered all other matters raised, this application is recommended for grant subject to conditions and a S106 agreement.

Community Infrastructure Levy (CIL)

Mayoral CIL

- 9.186. Mayoral CIL is collected by the Council on behalf of the Mayor of London. The amount that is sought for the scheme is calculated on the net increase of gross internal floor area multiplied by an Outer London weighting (increased to £60per sqm as of 1st April 2019).

Enfield CIL

- 9.187. The Council introduced its own CIL on 1st April 2016. Enfield has identified three residential charging zones, and the site falls within the lower rate charging zone (£40/sqm).
- 9.188. Both CIL charging rates are presented prior to indexing. The proposed development would be CIL liable as it would create new dwellings. However, the proposed development involves 100% London Affordable Rent. It would be eligible for Mandatory Social Housing CIL relief.

S106 Heads of Terms

9.189. The table below outlines the Heads of Terms of financial and non-financial contributions to be secured within a Section 106 Agreement

Heads of Term	Description	Sum
Education	<ul style="list-style-type: none"> Contribution towards provision of education facilities 	£159,705
Healthcare	<ul style="list-style-type: none"> Contribution towards upgrading the existing floorspace in Chase Farm Hospital to increase the acute health and mental health service provision. 	£94,795
Playspace	<ul style="list-style-type: none"> Provision of at least 595 sqm on-site playspace 	N/A
Community allotments	<ul style="list-style-type: none"> Provision of at least 764 sqm open to residents of the proposed development and the surrounding areas Submission and implementation marketing strategy and monitoring to promote the community allotments The community allotments will be managed by a non-profit making organisation. Financial contribution of £10,000 to the local management group for general support Financial contribution of £5,000 to the local management group for procuring greenhouses or other facilities Submission and implementation of Management and maintenance plan 	N/A
Strayfield Road works	<ul style="list-style-type: none"> Undertaking Road Safety Audits Submission and implementation of the final design of the proposed Strayfield Road works including road drainage, an Arboricultural Impact Assessment, a Tree Method Statement, a Construction and Logistics Management Plan. Responsible for the long term management and maintenance of the footway, bollard lighting, installation, and road drainage. Submission and implementation of the detailed management and maintenance plan. 	N/A
Travel plan	<ul style="list-style-type: none"> Submission and implementation of residential travel plan for approval. Discount vouchers for oyster card for £50 per bedroom (including Live-Work units) Submission of travel plan monitoring reports and associated monitoring fee 	£5,500
Car club	<ul style="list-style-type: none"> Provision of on-site parking for car club use 2 years car club membership and £50 credit for each household for the first occupiers (including Live-Work units) 	N/A
Active travel	Contribution towards walking and cycling improvement works in the area	£68,024
Employment and skills strategy	<ul style="list-style-type: none"> Submission and implementation of employment and skill strategy 	N/A
Live-work units	<ul style="list-style-type: none"> Provision of at least 455 sqm employment floorspaces within the Live-work units. The occupancy of the living area will be restricted to a person and their households working full time in the business. 	N/A

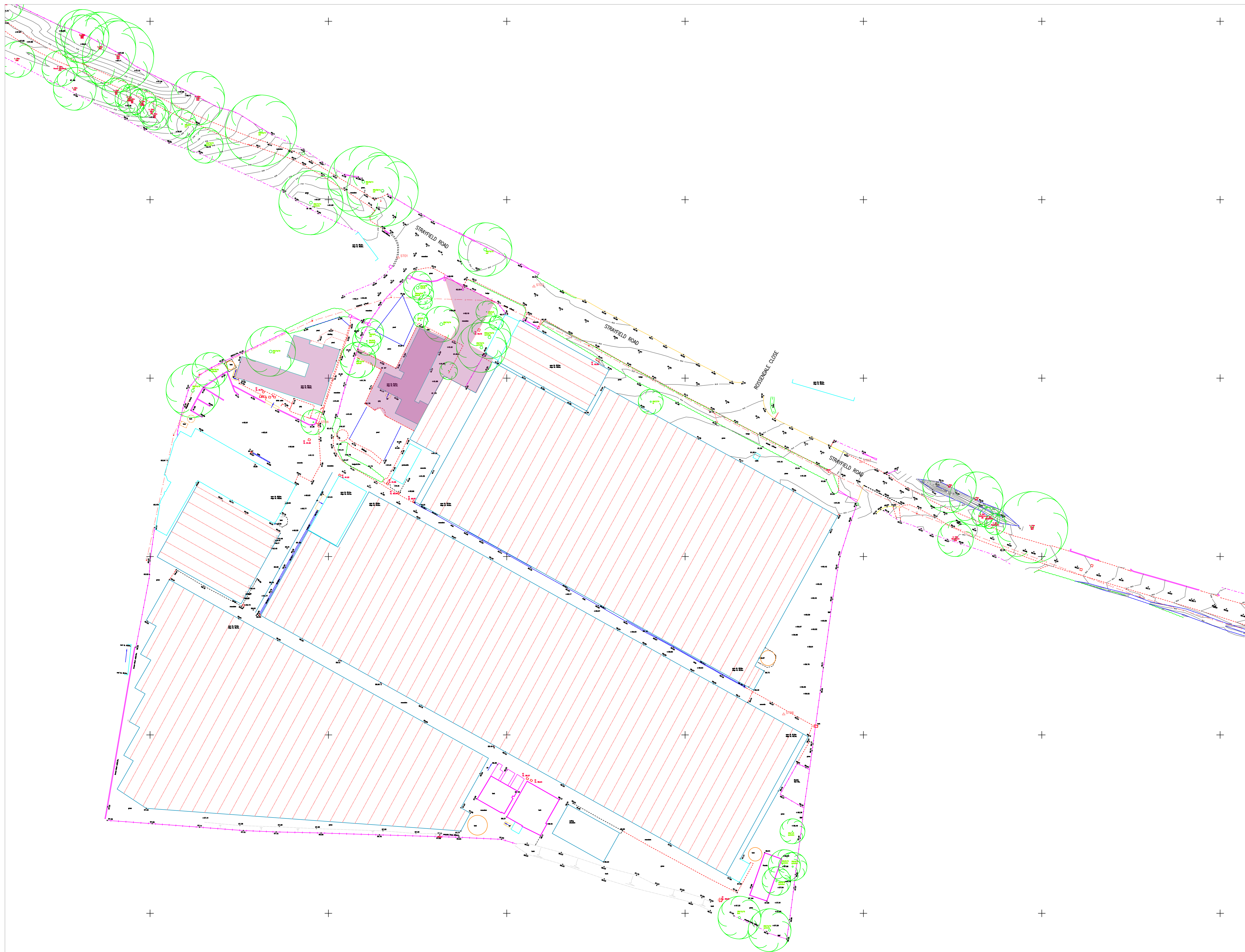
District Heat Network	<ul style="list-style-type: none"> Provision and safeguarding the connection pipe route 	N/A
Carbon offset fund	<ul style="list-style-type: none"> Contribution towards carbon emissions reduction projects in the borough to offset the shortfall in the achieved on-site carbon emissions reduction against net zero based on the final energy strategy to be submitted under condition 27 	To be confirmed at the reserved matters stage.
Be-seen monitoring	<ul style="list-style-type: none"> Submission of the energy performance data 	N/A
Affordable housing	<ul style="list-style-type: none"> Residential (C3) dwellings to be provided as 100% affordable housing (excluding live-work units) with the following size and tenure mix: <ul style="list-style-type: none"> 50% social rent, 40% shared ownership, 10% London Living Rent 69% 3-bedroom homes, 31% 2-bedroom homes Affordable housing to be provided by a Registered Provider At least 10% of the dwellings to meet Building Regulation requirement M4(3) and equally split between social rent and intermediate housing. Meeting the GLA eligibility requirements Submission and implementation of a nomination agreement Early viability review 	N/A
Biodiversity	<ul style="list-style-type: none"> Delivery of the BNG and 30 years monitoring and associated monitoring fee 	£8,250
Design Review Panel	<ul style="list-style-type: none"> Attending the Enfield Design Review Panel prior to submission of each reserved matters application 	N/A
Retention of architect	<ul style="list-style-type: none"> Design monitoring fees in the events of changes in project architect 	N/A
Considerate construction scheme	<ul style="list-style-type: none"> Register the development with Considerate Constructor's scheme and subsequent assessment from a representative of the Considerate Construction Scheme 	N/A
S106 monitoring fee	As per the Enfield S106 SPD.	

10. Public Sector Equality Duty

- 10.1. In accordance with the Public Sector Equalities Duty, an equalities impact assessment has been undertaken. It is considered the proposal would not disadvantage people who share one of the different nine protected characteristics as defined by the Equality Act 2010 compared to those who do not have those characteristics.

11. Conclusion

- 11.1. The starting point for the determination of any planning application is the development plan. Paragraph 11(d) of the NPPF states that planning permission should be granted unless "the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed".
- 11.2. Whilst the proposed development is inappropriate development with the Green Belt and would result in harm to the Green Belt, it is considered that 'Very special circumstances' exist. As demonstrated in the 'Planning Balance' section, the harm to the Green Belt and the loss of agricultural land are clearly outweighed by the benefits of the scheme.
- 11.3. This 100% affordable homes scheme would deliver 58 low carbon affordable homes including 50% social rented homes and 50% family homes, which would contribute to the affordable housing delivery in the borough especially given the substantial shortfall in 5 years housing land supply (3.8 years), under delivery of housing supply in the last three years (meeting 73% of the housing targets), and the long term under-delivery of affordable homes.
- 11.4. The proposed development would also provide community allotments which would benefit the wider communities, The financial contributions towards improving the existing school and health facilities would mitigate the additional demands from the development.
- 11.5. Biodiversity net gain of 87.86% (area based) and 828.67% (linear based) would be achieved whilst existing trees and wildlife species in the application site and the nearby Hilly Fields Country Park SINC would not be harmed. On-site sustainable drainage would be improved with greenfield runoff rate.
- 11.6. Whilst the challenges of site connectivity are acknowledged, the Applicant has committed to a financial contribution to improve the walking and cycling infrastructure in the local area which would benefit the wider communities. The proposed development would not result in any adverse impacts on safety of pedestrians, cyclists, equestrians and drivers nor the traffic flow in the area. The proposed work to Strayfield Road would provide a safer pedestrian route which would help promote sustainable modes of travel for the occupiers of the development.
- 11.7. The recommended conditions and obligations would ensure the proposed development would preserve the setting of the Clay Hill Conservation Area, provide safe and well-designed accommodation to the future occupiers and result in no unreasonable impacts on the residential amenities of the neighbouring properties. These aspects would be assessed in more detail at reserved matters stage.
- 11.8. On balance, taking account of the national Green Belt policies and the presumption in favour and the weight to be given to development, it is concluded that the development for the reasons set out within this report, has demonstrated 'Very Special Circumstances' and accords with the policies of the NPPF and Development Plan where they are material to the development and other relevant material planning considerations including emerging policy. Subject to the appropriate mitigations as set out within the recommended condition schedule, and within the Section 106 Agreement, the application is recommended for approval.



LEGEND

Kerb Drop kerb	AP Anchor Point	LP Lamp Post
Overhead/canopy	AV Air Valve	LPS Lamp Post Short
Building	BH Borehole	MH Manhole
Surface Change	BL Bollard	MK Service Marker Post
FENCES	BT British Telecom cover	OBF Open Board Fence
Chain Link	BWF Barbed Wire Fence	PM Parking Meter
Board	CATV Cable Television Cover	PRF Post and Rail Fence
Wooden rail	CTV Cable Television Point	PWF Post and Wire Fence
Wire	CBF Close Board Fence	RE Rodding Eye
Security	CLF Chainlink Fence	RS Road Sign
Iron Rolling	CPS Concrete paving slabs	SC Stop Cock
	CN Column	SV Stucco Valve
	DP Downpipe	TCB Telephone Call Box
	DPC Damp Proof Course	TPAV Tactile Paving
	EC Electricity Cover	TKT Ticket Machine
	EP Electricity Pole	TP Telephone Pole
	FFL Finished Floor Level	TS Traffic Signal
	FH Fire Hydrant	UL Soffit/upper level
	FP Fence Post	UTL Unable to lift
	GP Gate Post	VP Vent Pipe
	G Gully	WO Wash Out
	KO Kerb Outlet	WM Water Meter
	LB Letter Box	WMF Wire Mesh Fence

NOTE. The Survey has been oriented to the O.S. National Grid (OSGB36) via a Global Position System and the O.S. Active Network (OS Net) OSGB36(15). True OSGB36(15) coordinates have been established at a point near the site centre and a further OSGB36(15) point established to create a true O.S. bearing for angle orientation. All levels are based on O.S. Datum. No scale factor has been applied to the survey and thus the Coordinate System is Arbitrary and not a true O.S. Coordinate System which would require scale factors to be applied to all distances. The Survey Station Table should be used to establish any on-site coordinates.

- NOTE.
1. This is a topographic survey and as such the physical features shown are not necessarily legal boundaries.
 2. Drainage information is by surface inspection only and cannot be guaranteed.
 3. This survey has been carried out at an accuracy commensurate with the scale shown on the title block of this drawing. Enlarging the drawing by digital means will not increase the accuracy of the survey.

Tree Information
 400/7/8 bole dia.(mm)/spread(m)/height(m)
 Tree species should be checked by an expert if identification is critical.
 Trees show average spread unless otherwise shown.
 Tree heights are by visual estimation and are not measured

N

SURVEY STATIONS

Station	Easting	Northing	Level	Type
ST01	531519.59	189983.85	62.14	Nail
ST02	531527.61	189975.30	62.21	Nail
ST03	531449.30	189926.52	60.89	Nail
ST04	531402.24	189937.27	61.44	Nail
ST05	531402.13	189923.17	61.18	Nail
ST06	531427.65	189955.79	59.32	Nail

SHEET LAYOUT

Revision	Suff	App	Date

AT LAND SURVEYS
 PRECISION AND RELIABILITY

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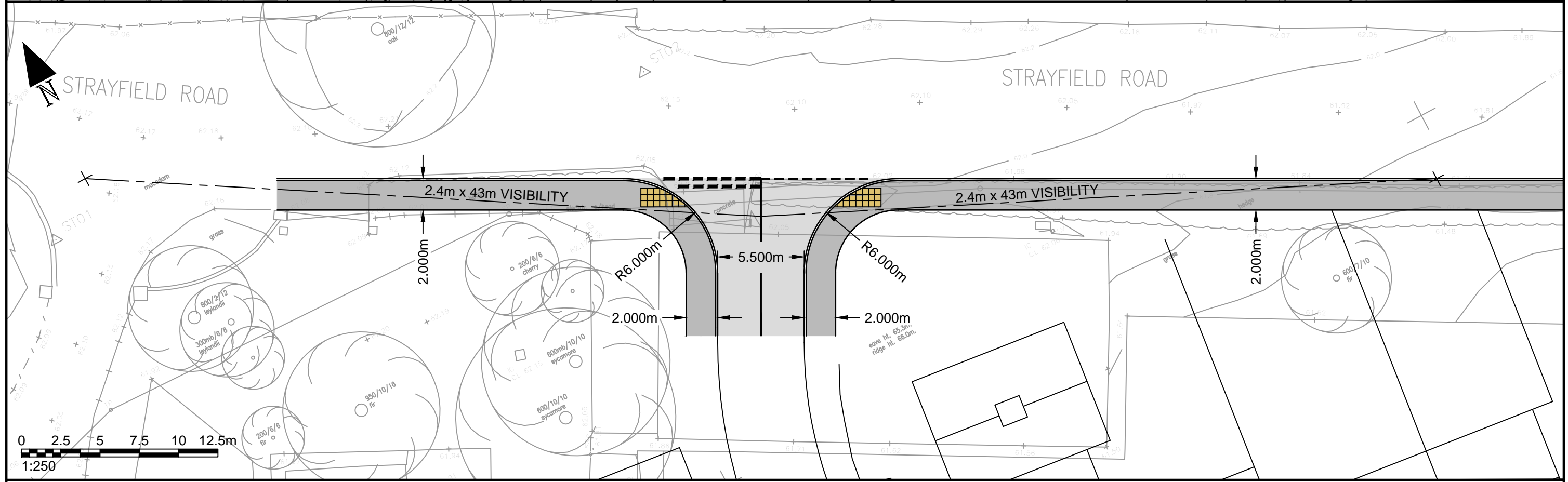
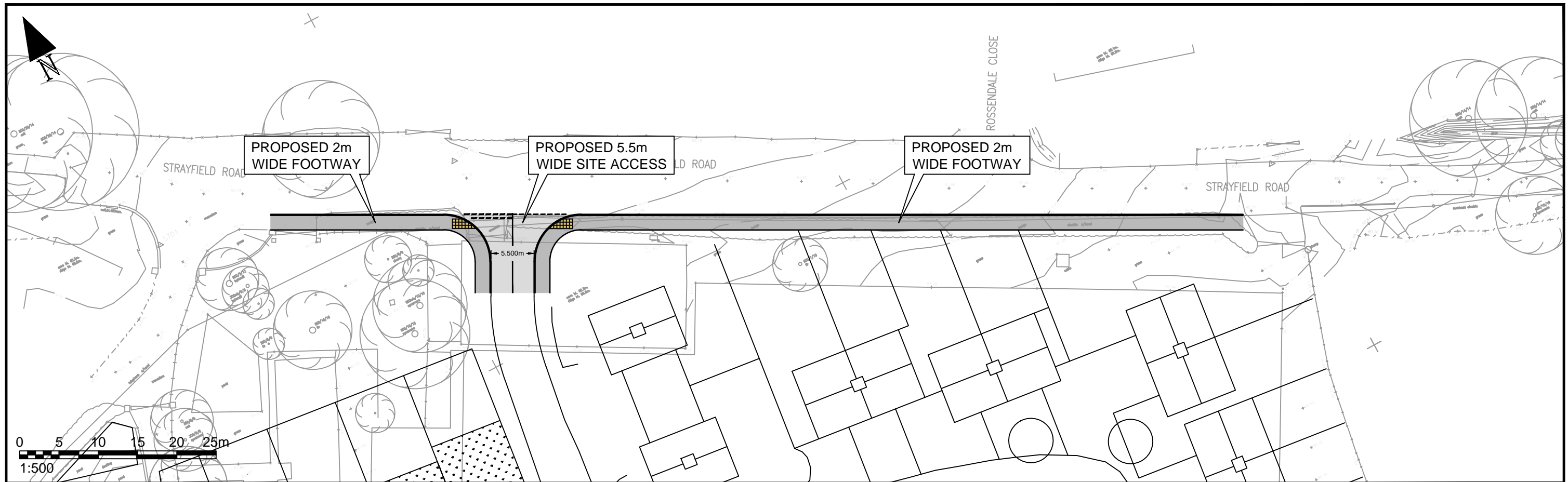
Project
**ANGLO AQUATIC
 STRAYFIELD ROAD
 ENFIELD**

Drawing Title
OUTLINE SURVEY

Drawn	Date	Checked	Date
AT	NOV 2020	AT	NOV 2020

Scale
1:500 (AT A1 SIZE)

Drawing Number
20070-S1



NOTES: 1. Do not scale from this drawing. 2. This drawing to be read & printed in colour. 3. This drawing is for illustrative purposes only, and not for construction.					PROJECT		CLIENT														
					Strayfield Road, Enfield		Landsdown Land & Development														
<table border="1"> <thead> <tr> <th>REV</th> <th>DETAILS</th> <th>DRAWN</th> <th>CHECKED</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>...</td> <td>...</td> <td>...</td> <td>...</td> <td>...</td> </tr> </tbody> </table>					REV	DETAILS	DRAWN	CHECKED	DATE	DRAWING TITLE		SCALE	SIZE	DRAWN BY	CHECKED BY	DATE
					REV	DETAILS	DRAWN	CHECKED	DATE												
...																	
Proposed Highway Arrangement		1:250 / 1:500	A3	DW	KH	14.12.2021															
					PROJECT REF		DWG NO		REV												
					21108		001														

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4 Underwood Row, London, N1 7LQ
Tel: 020 7324 2677
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Anglo Aquatic Plant Co, Strayfield Road, Enfield EN2 9JE

Indicative Site Plan

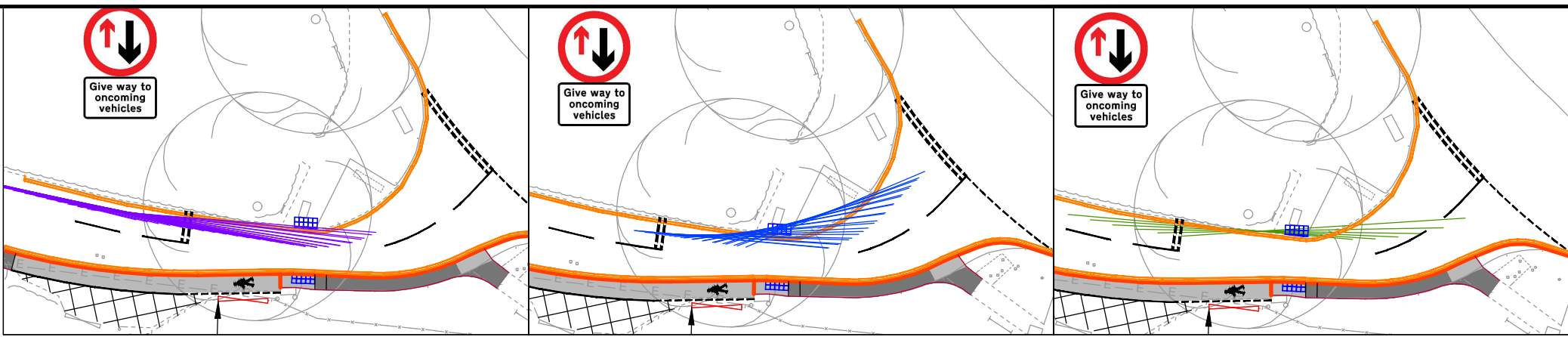
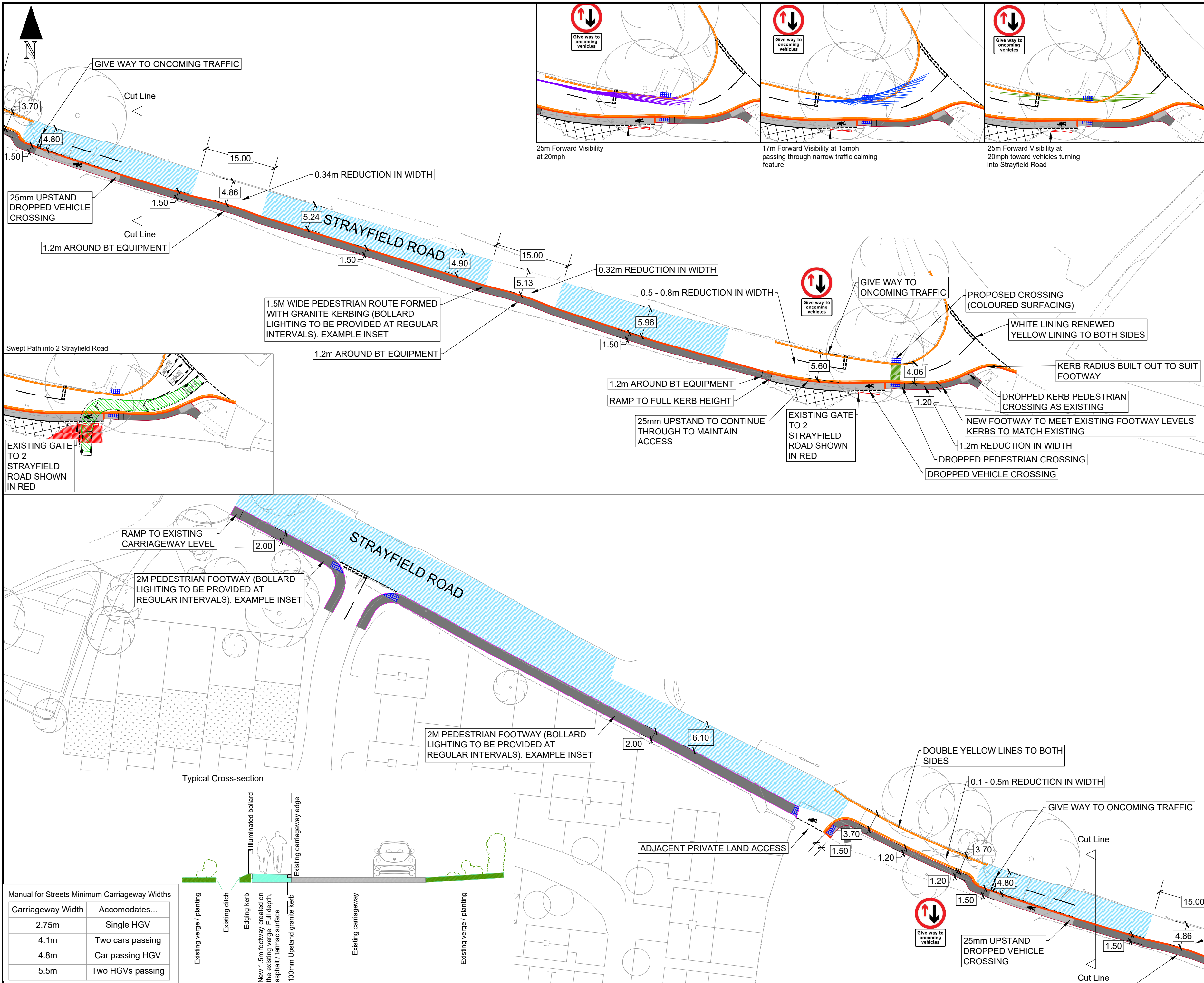
Legend
1:1000 @ A3



- 1. New entrance
- 2. Five live-work units (green roofs)
- 3. Existing building (refurbished-serviced offices)
- 4. Existing ponds
- 5. SuDS - new pond
- 6. Communal Greenhouses
- 7. Allotments
- 8. Play area
- 9. Garages/car ports
- 10. Retained trees
- 11. New boundary hedge with trees

Rev	Date	Description	Drawn	Checked
Do not scale from this drawing All dimensions are to be checked on site Any discrepancies are to be reported immediately to the Architect or Main Contractor				
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Richard Morton Architects Ltd The Bungalow, Home Yard, Hatfield House, AL9 5NF Tel: 0203 179 9030 Email: richard@rm-architects.com Web: www.rm-architects.com				
Client Lansdown				
Project Anglo Aquatic Plant Co Strayfield Road, Enfield EN2 9JE				
Drawing Indicative Site Plan Legend For illustrative purposes only				
Scale 1:1000 @ A3				
Project No.	Drawing No.	Revision		
Status	Date	Drawn by	Checked by	
	Mar22	DC	RM	

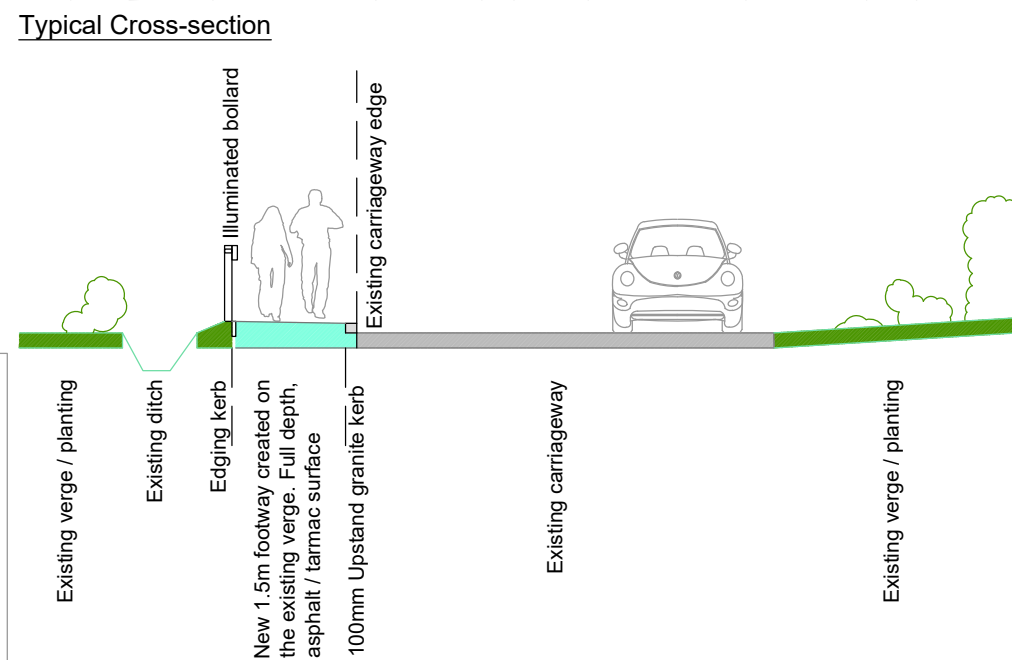
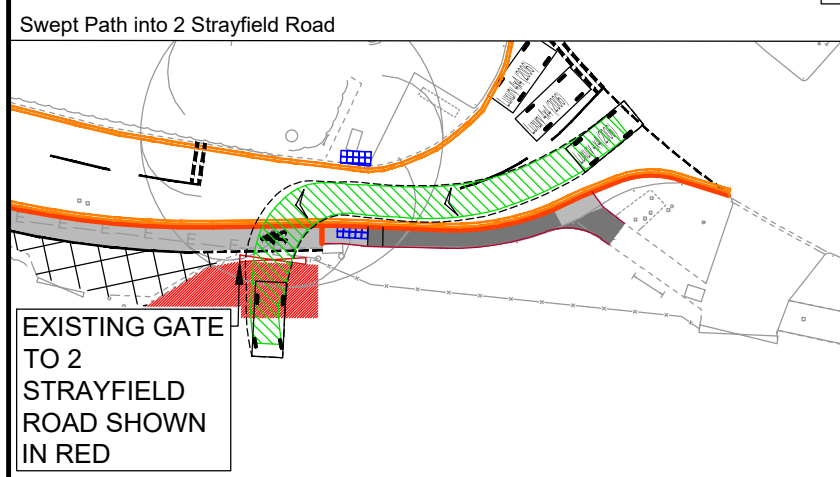




- Proposed granite Kerb
- Proposed granite Edging
- Pre-cast Concrete Kerbing / edging
- Tactile Paving
- 100mm upstand footway
- Flush / Dropped Kerb area
- No reduction of carriageway width



Example bollard / low level lighting with zero upward light at low lighting level with a low mounting height.



Carriageway Width	Accommodates...
2.75m	Single HGV
4.1m	Two cars passing
4.8m	Car passing HGV
5.5m	Two HGVs passing

B	Road widths and yellow lines	PR	KH	14/08/2023
A	Amended following comments	PR	KH	07/08/2023
REV	DETAILS	DRAWN	CHECKED	DATE

CLIENT
Lansdown

PROJECT
Strayfield Road, Enfield.

DRAWING TITLE
**Pedestrian Route
Kerbed Footway Option**

SCALE
1:500

SIZE
A2

DRAWN BY
PR

CHECKED BY
KH

DATE
04.08.23

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21108

DWG NO
009

REV
B

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