

**LONDON BOROUGH OF ENFIELD****PLANNING COMMITTEE****Date:** 4 June 2024**Report of**Head of Planning and Building Control  
Karen Page**Contact Officers:**

Dimitra Kosmidou

**Category:**

N/A

**Ward:**

Palmers Green

**Councillor Request:**

No

**LOCATION:**

Devonshire Road at the junction with Green Lanes in Palmers Green.

**APPLICATION NUMBER:**

N/A

**PROPOSAL:**

Pedestrianisation of the highway at the junction with Devonshire Road and Green Lanes, Palmers Green to facilitate the creation of an outdoor community space.

**Applicant Name & Address:**Journeys and Places Team, London Borough  
Enfield.**Agent Name & Address:**

N/A

**RECOMMENDATION:**

1. To adopt the proposal as set out in this report to extinguish vehicular access rights over the junction at Devonshire Road where it meets Green Lanes.
2. To delegate authority to the Programme Director for Journeys and Places to proceed to advertise an Order pursuant to Section 249 of the Town and Country Planning Act 1990 to facilitate the pedestrianisation.
3. Subject to fulfilling the requirements of Section 252 of the Town and Country Planning Act 1990, to delegate authority for determining whether or not to proceed with the Order received to the Cabinet Member for Transport and Waste, Cllr Rick Jewel following consideration of any objections and representations in a Portfolio Report.
4. To delegate authority to the Programme Director of Journeys and Places in consultation with the Cabinet Member for Transport and Waste, Cllr Rick Jewel, on the final scheme design and subsequent implementation.

## 1. Note for Members

- 1.1 As part of the Devonshire Square project, it is proposed to make an order using powers provided by Section 249 of the Town and Country Planning Act 1990 to extinguish vehicular rights over the section of highway identified so that an attractive space can be created that improves the amenity of the area.
- 1.2 A pre-requisite for using powers to make an order under Section 249 of the 1990 Act is that:
  - (a) the local planning authority by resolution adopt a proposal for improving the amenity of part of their area: and
  - (b) the proposal involves the public ceasing to have any right of way with vehicles over a highway in that area, being a highway, which is neither a trunk road nor a road classified as a principal road.

Accordingly, this report has been brought to Planning Committee seeking the necessary resolution.

## 2. Executive Summary

- 2.1 'Devonshire Square' is a working title given to the space at the junction with Devonshire Road and Green Lanes in Palmers Green. The junction is identified in **Appendix 1**. Devonshire Road is located within the Fox Lane Area Quieter Neighbourhood (QN) and was initially closed via a bollard, which prevented all motor vehicles from passing through the filter. People walking and cycling were still permitted to pass through the point closure/filter.
- 2.2 To implement further changes in this location, a second traffic order was required to create a traffic-free length of road space that would be used for other community purposes on a trial basis. The Devonshire Square traffic order prohibiting all vehicles, but exempting cyclists and those walking, came into force on 08 September 2022 with the aim to be in operation for up to 18 months.
- 2.3 The Council in collaboration with key local businesses and partners including Palmers Green Action Team (PGAT), implemented and piloted improvements in Devonshire Square, building on the initial point closure in this location. These enhancements included outdoor dining spaces, informal seating, and the introduction of street planting. **Appendix 2** provides an overview of the current area.
- 2.4 As a result of a consultation which yielded positive feedback from the community and stakeholders, a Permanent Traffic Order prohibiting vehicles was subsequently made on the 21 February 2024 and came into operation on the 28 February 2024.
- 2.5 To implement further changes to pedestrianise the area, a separate order under Section 249 of the Town and Country Planning Act 1990, extinguishing vehicular rights will be required. If Planning Committee is minded to adopt the proposals set out in this report, the statutory process for making an order as set out in Section 252 of the 1990 Act will be followed and a further Portfolio Report will be prepared with a recommendation as to whether the Council should proceed with the implementation of the Section 249 Order.

2.6 If the Section 249 order is made as set out in this report, the space will be redeveloped using permanent materials. A separate decision will be sought by the Programme Director of Journeys and Places in consultation with the Cabinet Member for Transport and Waste, Cllr Rick Jewel to implement specific designs later in the current financial year.

2.7 This report is now being taken to the Planning Committee to align with the Town and Country Planning Act 1990, Section 249<sup>1</sup> Order extinguishing the right to use vehicles on the highway.

### **3. Site and Surroundings**

3.1 Devonshire Square is located within the Fox Lane Area Quieter Neighbourhood (QN) on Devonshire Road at its junction with Green Lanes. The junction is identified in **Appendix 1**. On the two corners of the junction, there are two cafes operating (the Le Grand Jour and Olive Café). Vehicles are currently restricted access to the junction by a temporary bollard and planter.

3.2 The site is not located in a Conservation Area or Flood Risk Zone.

### **4. Proposal**

4.1 The proposal for which adoption (agreement) is sought, is to extinguish vehicular access rights over the junction at Devonshire Road where it meets Green Lanes. This adoption is necessary to enable the making of the necessary pedestrianisation order to be progressed.

4.2 The space will be used for a variety of purposes including community led markets, cultural and community events, and accommodating outdoor dining for the two cafes on the square.

4.3 The pedestrianisation will align with the key objectives of the Devonshire Square project which is to create a highly versatile public square and community space, which supports how residents, communities and businesses want the space to accommodate their activities and services over the long-term.

### **5. Relevant Planning History**

N/A

### **6. Consultations**

6.1 There is no requirement on the Local Planning Authority to consult in advance of resolving to adopt a proposal under section 249 of the Town and Country Planning Act 1990.

6.2 Notwithstanding the above, consultation and public engagement on the pedestrianisation of Devonshire Square has been ongoing by the Journeys and

---

<sup>1</sup> [Town and Country Planning Act 1990 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

Places Team at various stages of the project. Summary of the consultation and the engagement carried out to date, can be found **Appendix 3**.

6.3 Should the Planning Committee resolve to adopt the proposal, there will be further meetings with the stakeholders and local communities will also be held throughout the design stages of the Devonshire Square project. These stakeholders include Palmers Green Action Team, Arbeit Studios Green Lanes, Le Grand Jour, Olive Café, Fakin It, Better Streets, and Fox Lane Resident's Association, and representatives of local disability groups and organisations.

6.4 There will also be statutory consultation of the making of the Order pursuant to section 249 of the Town and Country Planning Act 1990 to facilitate the pedestrianisation for 28 calendar days, as stated in this report. A non-key Portfolio decision will be drafted summarising the outcomes of the statutory consultation and inviting the Cabinet Member for Transport and Waste to take a decision on whether to implement the Section 249 or not.

## 7. Relevant Policies

N/A

## 8. Assessment

8.1 Section 249 of the Town and Country Planning Act 1990 requires the Local Planning Authority to adopt (agree) a proposal for improving the amenity of an area, where the improvement involves the removal of vehicle access rights to that area.

8.2 The key matter under consideration is whether the removal of vehicle access rights would improve the amenity of the area. Note this is not a decision on the final detailed design of the scheme which is implementable under separate legislation and does not require planning permission.

8.3 In considering this the following alternative options have been considered:

Option	Comment
Do nothing.	<p>One of the aims of the Devonshire Square Project is to improve the amenity of the area around the junction of Devonshire Road and Green Lanes, Palmers Green, involving the public ceasing to have any right of way with vehicles over the extent of the highway.</p> <p>By not pedestrianising the area, the Council won't be able to create and provide a permanent and versatile outdoor community space that can accommodate a variety of users as led by key stakeholders and local communities regular using the space.</p>
Re-open the section of the highway allowing	As a result of consultation and feedback received from the community and stakeholders which suggested successful use of the space, the making of the Permanent Traffic Order came

access to vehicles.	<p>into operation on the 28<sup>th</sup> of February 2024.</p> <p>By re-opening the section of the highway allowing access to vehicles and not delivering the project, funds could go unused, and potential opportunities for improving the amenity of the area would be lost.</p>
---------------------	--

8.4 Removing vehicular access to the junction on a permanent basis, would enable the permanent pedestrianisation of this part of Devonshire Road. Officers consider this would improve the amenity of the area through creating a safer, more vibrant, and sustainable urban environment for local businesses and residents. In summary it would have the following amenity benefits:

- **Safety:** Pedestrianised areas reduce the risk of accidents involving vehicles and pedestrians. Prioritising foot and cycle only traffic creates safer spaces for people to walk, shop, and socialize.
- **Health and Well-Being:** Pedestrianised areas encourage physical activity and improves overall well-being. It also reduces air pollution by decreasing reliance on cars.
- **Community Interaction:** Pedestrianised areas foster social interaction. People can gather, chat, and enjoy public spaces without the noise and pollution associated with vehicular traffic.
- **Economic Benefits:** Pedestrianised areas attract shoppers, tourists, and businesses. Increased foot traffic can boost local economies, as people tend to spend more time and money in pedestrian-friendly areas.
- **Environmental Impact:** By reducing car usage, pedestrianization contributes to lower greenhouse gas emissions and less noise pollution. It aligns with sustainable urban development goals.
- **Aesthetic Appeal:** Well-designed pedestrian areas enhance the visual appeal of a place. Green spaces, public art, and outdoor seating create an inviting atmosphere.

## 9. Conclusion

9.1 Taking the above factors into account, officers recommend that members of the Planning Committee resolve to adopt the proposal to extinguish vehicular access at the junction of Devonshire Road and Green Lanes, as it would improve the amenity of the area in accordance with Section 249 of the Town and Country Planning Act 1990.