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PLANNING COMMITTEE - 31.8.2010

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

COUNCILLORS

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

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

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

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

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WELCOME AND LEGAL STATEMENT

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

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APOLOGIES FOR ABSENCE

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

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

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DECLARATION OF INTERESTS

NOTED

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

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2. Councillor McCannah declared a prejudicial interest in application TP/10/0312 - Land adjacent to 8 Alderwood Mews, Barnet, EN4 0ED, as he had written a letter supporting residents' objections.
3. Councillor McCannah declared a prejudicial interest in application TP/10/0335 - Catherine Court, London, N14 4RB, as he had written a letter supporting residents' objections.

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MINUTES OF PLANNING COMMITTEE 27 JULY 2010

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

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

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

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

227

ORDER OF AGENDA

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

228

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

NOTED

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

229

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

NOTED

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

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

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

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

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

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

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

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

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

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

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

NOTED

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

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

3. Receipt of comments from the Conservation Advisory Group.

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

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

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

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

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SUPPLEMENTARY AGENDA

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

NOTED

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

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

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

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

233

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

NOTED

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

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

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

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

Reason: To safeguard the amenities of the surrounding area.

3. An amendment to Condition 9.

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

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

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

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

234

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

NOTED

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

2. Concern was expressed about possible future parking problems.

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

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

NOTED

1. Rewording of Condition 3 as follows:

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

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

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

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

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

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

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

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

NOTED

1. Additional Conditions from Environmental Health

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

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

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

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

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

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

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

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

NOTED

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

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

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

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

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

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

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

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

Amendment to Condition 3

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

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

238

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

NOTED

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

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

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

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

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

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

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

NOTED

1. Additional Conditions from Environmental Health

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

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

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

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

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

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

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

241

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

NOTED

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

2. The statement of Councillor Toby Simon,

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

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

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

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

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APPEAL INFORMATION

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