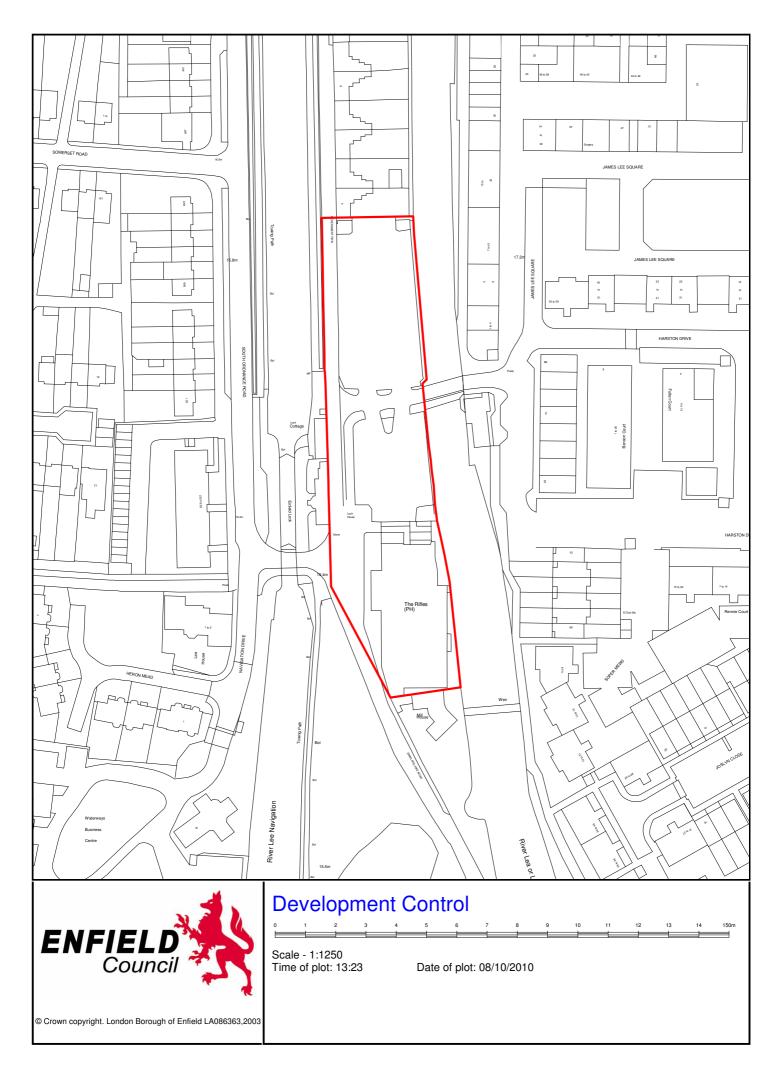
Report of Assistant Director, Planning &			
Environmental Protection	Contact Officer: Aled Richards Tel Andy Higham Tel: Mrs S.L. Davidson 3841	020 8379 3848	Ward: Enfield Lock
Application Number : TP/06/2169/REN1		Category: Dwellings	
nouses; erection of a pair of se provision of 8 car parking spac of application)			
Applicant Name & Address: Seedwell Ltd 12B, Greendale, Green Avenue, Mill Hill, London, NW7 4QA		Agent Name & Address: Ms Guin Dimock Fanshaw House Fanshaw Street London N1 6HX	

# Application No:- TP/06/2169/REN1



# 1 Site and Surroundings

- 1.1 The site comprises the Rifles Public House and Banqueting Suite at the end of Ordnance Road, together with the two car parks that serve the premises to the north, dissected by the emergency access into the Enfield Island site. It also includes an area of undeveloped land, opposite the existing public house, that is predominantly covered in trees and is the subject of an Area Tree Preservation Order (the 'woodland'). The site is located within the Enfield Lock Conservation Area. The public house, the land to the south and the 'woodland', are located within the Lee Valley Regional Park and designated Green Belt.
- 1.2 To the north, the site adjoins No.4 Government Row, which forms part of a Listed terrace of cottages; to the east, the River Lee and beyond Enfield Island Village and to the south, Mill House, a two storey detached residential property. Opposite the site are two locally listed buildings, Lock House and Lock Cottage.
- 1.3 The area in the vicinity of the site is primarily residential in character

# 2 Proposal

- 2.1 This application seeks consent for the renewal of a planning permission granted under reference TP/06/2169 for the redevelopment of site for residential purposes (totalling 23 units) with associated access, car parking and amenity space, by the partial demolition and conversion of The Rifles Public House into 6 self-contained flats (comprising 1 x studio, 1 x 1-bed, 4 x-2-bed) involving balconies at rear first floor level, accommodation in roof space with front and rear dormer windows, front entrance ramp and bicycle store at side; erection of a terrace of 7 x 3-bed 2-storey houses and a terrace of 8 x 3-bed 2-storey houses; erection of a pair of semi-detached 2-storey 3-bed houses together with provision of 8 car parking spaces for the use of residents of Government Row.
- 2.2 The emergency access though the site to the Enfield Island Village site beyond is retained.
- 2.3 The 'woodland', covered by the Area Tree Preservation Order would remain.

# 3 Relevant Planning History

3.1 TP/05/0728 – Planning permission granted for the demolition of the existing banqueting suite and other adhoc extensions to the original public house; its conversion into 8 self-contained flats, involving single storey extensions either side; the erection of two new terraces of two storey houses on the car park sites, providing a total of 13 dwellings; the erection of a new two storey detached house between the extended public house and Mill House. This permission was subject to a S106 Agreement requiring:

A contribution of £36,000 towards education provision

A contribution of £50,000 towards environmental improvements to improve amongst other things access in the vicinity of the site

The leasing of the woodland to the LVRPA to secure its future management, following the undertaking of an aboricultural report and any necessary tree works identified having been undertaken.

- 3.2 TP/06/0564 Planning permission refused for the redevelopment of site for residential purposes (totalling 24 units) with associated access, car parking, garaging and amenity space, by the partial demolition and conversion of The Rifles Public House into 6 self-contained flats (comprising 4 x 2-bed, 1 x 1-bed, 1 x studio) involving balconies at rear first floor level, accommodation in roof space with front and rear dormer windows and front entrance ramp; erection of two terraces of eight 3 bed 2-storey houses and erection of a pair of semi-detached 2-storey 3-bed houses together with provision of 8 car parking spaces for the use of residents of Government Row. This revised scheme was considered unacceptable on grounds the size, siting and layout, and in particular the dominance of frontage parking would lead to an overdevelopment of the site and a cramped form of development.
- 3.3 TP/06/2169 Planning permission granted for the redevelopment of site for residential purposes (totalling 23 units) with associated access, car parking and amenity space, by the partial demolition and conversion of The Rifles Public House into 6 self-contained flats (comprising 1 x studio, 1 x 1-bed, 4 x-2-bed) involving balconies at rear first floor level, accommodation in roof space with front and rear dormer windows, front entrance ramp and bicycle store at side; erection of a terrace of 7 x 3-bed 2-storey houses and a terrace of 8 x 3-bed 2-storey houses; erection of a pair of semi-detached 2-storey 3-bed houses together with provision of 8 car parking spaces for the use of residents of Government Row. (Revised scheme) This permission was subject to a variation to the S106 Agreement linked to TP/05/0728.

# 4 Consultations

## 4.1 Statutory and non-statutory consultees

- 4.1.1 The Environment Agency have raised an objection to the development in the absence of an up to date Flood Risk Assessment, bearing in mind circumstances have changed since the original assessment was undertaken in 2006. A updated assessment has been requested and an update of the situation and whether this objection has been addressed will be provided at the meeting.
- 4.1.2 Traffic and Transportation raises no objection to this renewal of planning permission. However, since the original permission, a 'Greenway' cycle route has been approved utilising access over the existing bridge into Enfield Island Village. The original S106 Agreement required a contribution of £50k towards highways/environmental improvements. This contribution is still required.
- 4.1.3 Education advises that the development would generate a requirement for 3 primary school paces and 1 secondary school place equating to a contribution of £59,107. This will need to be secured through a variation to the existing S106 Agreement.

## 4.2 Public

- 4.2.1 Letters have been sent to the occupiers of 85 adjoining and nearby properties. In addition, the application has been advertised on site and in the local press. One letter of response was received raising the following issues:
  - appropriate protection to be given to the flank wall of No.4 Government Row from the overrun of cars in the proposed car park.
  - Ensure that an access gate into the private right of way that exists along the rear of 4 Government Row is retained from the adjoining proposed car park.
  - Query how the car parking allocated for use of Government Row residents is to be safeguarded and maintained and if any lighting is proposed and the position of any lighting columns.

# 5 Relevant Policy

# 5.1 Unitary Development Plan

(I)EN3 (I)EN6	To have regard for nature conservation Need to minimise the environmental impact of all developments, to assess flooding and drainage implications of
(II)E10	proposed developments To ensure that all development, especially in the Green Belt, satisfactorily takes into account the erection, protection and enhancement of existing features of nature conservation
(II)EN14	importance. To promote nature conservation in the management of land through the preparation of management plans by entering management agreements with landowners where appropriate.
(I)G1	To support strongly the principle of the Green Belt.
(II)G1	To resist inappropriate development in the Green Belt except in very special circumstances
(II)G11	Criteria for the design of new development within the Green Belt
(II)G30	To require developments in or adjacent to the Lee Valley Regional Park to have regard to the importance of the Park for recreation and nature conservation and where appropriate, to make provision for improved public access and landscape
(I)C1	planting. To ensure areas /buildings of architectural or historic interest together with their character and settings are preserved or enhanced
(II)C1-C6	Archaeology
(II)C26	To resist the demolition of any unlisted building which contributes to the character of a conservation area
(II)C27	To ensure buildings or groups of architectural, historic or townscape interest are retained and their setting protected.
(II)C28	To ensure development in conservation areas does not result in the inappropriate use of areas of hard or soft landscaping
(II)C29	To resist the loss of uses which the Council consider important to the make-up of the conservation area
(II)C30	New development to replicate, reflect or complement the traditional characteristics of the conservation area.
(II)C31	To secure the removal of features which detract from the conservation areas.

(II)C38	To resist developments that entail the loss of trees of public amenity value
(I)GD1	New development to have appropriate regard to its surroundings
(I)GD2	New development to improve the environment
(II)GD3	Design and character
(II)GD6	Traffic implications
(II)GD8	Access and servicing
(II)GD10	Ensure new development is satisfactorily integrated into the physical, social and economic framework of the locality
(II)GD12&13	Development in flood risk areas
(II)H8	Privacy and overlooking
(II)H9	Amenity space provision

# 5.2 Local Development Framework

- 5.2.1 The Planning and Compulsory Purchase Act 2004 requires the Council to replace the Unitary Development Plan with a Local Development Framework. At the heart of this portfolio of related documents will be the Core Strategy, which will set out the long-term spatial vision and strategic objectives for the Borough.
- 5.2.2 The Enfield Plan Core Strategy was submitted to the Secretary of State on 16th March 2010 for a Public Examination of the 'soundness' of the plan. The Inspector has confirmed that the Core Strategy is sound but it will not be adopted until the full meeting of Council in November 2010. The following polices from this document are of relevance to the consideration of this application:

Core Policy 4 Housing quality Core Policy 5 Housing types Core Policy 20 Sustainable energy use and energy infrastructure Core Policy 21 Delivering sustainable water supply, drainage and sewerage infrastructure Core Policy 30 Maintaining and improving the quality of the built and open environment Core Policy 31 Built and landscape heritage Core Policy 32 Pollution Core Policy 33 Green Belt and Countryside Core Policy 36 Biodiversity Core Policy 40 North East Enfield

- 5.3 London Plan
  - 3A.1 Increasing London's supply of housing
  - 3A.3 Maximising the potential of sites
  - 3A.5 Housing choice
  - 3A.6 Quality of new housing provision
  - 3A.10 Negotiating affordable housing in individual private residential and
  - mixed-use schemes
  - 3A.11 Affordable housing thresholds
  - 3C.23 Parking strategy
  - 3D.14 Biodiversity and nature conservation
  - 4A.3 Sustainable design and construction
  - 4B.1 Design principles for a compact city

- 4B.5 Creating an inclusive environment
- 4B.8 Respect local context and communities
- 4B.12 Heritage conservation
- 4C.3 The natural value of the Blue Ribbon Network

#### 5.4 Other Policy Considerations

PPG2	Green Belts
PPS3	Housing
PPS5	Planning for the Historic Environment
PPS9	Biodiversity and geological conservation
PPG13	Transport
PPS25	Development and Flood Risk

## 6 Analysis

6.1 The principle of redevelopment of this site for residential purposes has already been accepted through the granting of planning permission under references TP/05/0728 and TP/06/2169. The 05 planning permission remains valid and capable of implementation. This application has been made under the new procedures introduced in October 2009 for the extension of the time limit for implementation of the 06 permission. The Council has previously considered the development to be acceptable in terms of its impact on the Conservation Area and adjoining Listed Buildings, Green Belt, adjacent river corridor, on the amenities of the occupiers of adjoining properties and in terms of its impact on local highway conditions. The issue therefore to consider with this application is whether there has been any material change in circumstances on site or in terms of policies adopted since the original grant of planning permission that might lead to either a different decision or the need for additional conditions and/or S106 obligations. In this respect there have been no material changes in circumstances on site. However, there have been a number of changes in policy that have implications for the development proposed. These relate to the threshold for the provision of affordable housing, the housing mix and sustainable design and construction policies. These are addressed in turn below.

#### Affordable Housing

6.2 The threshold for the provision of affordable housing was 25 units when the previous application was considered. This has now been reduced to 10 units and therefore the applicant was asked to provide the necessary viability appraisal to demonstrate whether the scheme could make provision of affordable housing on site. The viability appraisal, given the site has a valid and implementable planning permission for 22 market dwellings, confirms that the site cannot afford to make provision for affordable housing.

#### Housing Mix

6.3 Core Strategy Core Policy 5 sets down mix of unit sizes that the Council will look to achieve borough-wide. This requires a significant portion of family housing (3 and 4 bed units) to be provided across the Borough. The scheme does not make provision for any 4 bed units but does provide for 17x 3 bed family dwellings, equating to 74% of the proposed development. Whilst, the mix is not directly accord with the Core Strategy preferred mix, given the

scheme makes provision for a high proportion of 3 bed family dwellings, the development remains acceptable.

6.4 The applicant has confirmed that 10% of the proposed units could be easily adapted for wheelchair access and a condition requiring this is recommended.

#### Sustainable Design and Construction

6.5 Current policies require that all new dwellings are constructed to Lifetime Home standards and Core Strategy Core Policy 4 seeks to ensure all new housing should seek to exceed Code for Sustainable Homes Level 3. The applicant has confirmed that these standards will be achieved and additional/new conditions are proposed to be attached to any renewal requiring compliance.

#### S106 Agreement

6.6 The original planning permission is subject to a S106 Agreement that requires a contribution towards education provision, a contribution towards environmental/highway improvements and the leasing of the woodland opposite the application site but which was within the applicants control to the LVRPA to secure its future management, following the undertaking of an aboricultural report and any necessary tree works identified having been undertaken. The level of contribution for education provision has increased since the original grant of planning permission having regard to current cost indices. The S106 Agreement therefore needs to be varied to reflect this change in the contribution and to be linked to this new planning permission.

## 7 Conclusion

- 7.1 The development of the site as proposed remains acceptable, having regard to the fact that there have been no material changes in circumstances on site since the original grant of planning permission and that the applicant has addressed the changes in policy since the original approval through the submission of the necessary evidence to demonstrate that the scheme cannot make a contribution to affordable housing. It is therefore recommended that the timescale for implementation of the original planning permission be extended allowing a further 3 years from the date of this decision for implementation for the following reasons:
  - 1 The proposal provides for the removal of a number of features that presently detract from the character and appearance of this part of the Conversation Area. In this respect the development complies with Policy (II)C31 of the Unitary Development Plan.
  - 2 The proposal provides for the retention and conversion of the original public house, a prominent and important building within the Enfield Lock Conservation Area. In this respect the development complies with Policies (I)C1, (II)C26 and (II)C27 of the Unitary Development Plan.
  - 3 The proposal as a whole provides a form, scale and configuration of development that respects the strong linear character of existing development, the setting of the statutory and locally listed buildings

and its riverside setting. In this respect it is considered that the character and appearance of the Enfield Lock Conservation Area will be preserved. The proposal therefore complies with Policies (I)C1, (II)C28, (II)C30, (I)GD1, (I)GD2 & (II)GD3 of the Unitary Development Plan.

- 4 Having regard to the volume of existing development to be demolished and the impact this development has on the character and appearance of the Conservation Area, it is considered that very special circumstances exist sufficient to justify the erection of new residential development in the Green Belt in this instance. In this respect appropriate regard has been had to Policies (I)G1 and (II)G1 of the Unitary Development Plan.
- 5 The proposal provides for the retention of the existing area of woodland and through the proposed S106 Agreement its future management will be secured. In this respect the development complies with Policies (I)EN3, (II)EN9, (II)EN10, (II)EN14 and (II)C38 of the Unitary Development Plan.
- 6 The proposed development in removing a substantial volume of building and area of hard surfacing immediately adjoining the River Lee and providing in its place amenity areas provides an opportunity to enhance the river setting and its nature conservation value. In this respect the development complies with Policies (I)EN3 and (II)EN10 of the Unitary Development Plan.
- 7 The proposal has appropriate regard to the Council's amenity space and distancing standards, given the need to balance these against the need to ensure a form and configuration of development that respects the character of this part of the Conservation Area and the setting of the adjoining statutory and locally listed buildings. Given this, and in view of the S106 Agreement that will secure the future of the existing woodland and provide a contribution to improving access to existing areas of open space, appropriate regard is had to Policies (II)H8 and (II)H9 of the Unitary Development Plan.
- 8 The proposal will not generate additional traffic over and above the existing use and access to the site is acceptable in terms of highway safety. The development therefore complies with Policies (II)GD6 and (II)GD8 of the Unitary Development Plan.
- 9 Given the proposed S106 Agreement securing a contribution to access improvements in the area and in the light of London Plan policy, the proposal makes appropriate provision for car parking.

## 8 Recommendation:

8.1 That subject to the objection from the Environment Agency being satisfactorily resolved and subject to the completion of a deed of variation to the existing S106 Agreement to reflect the revised education contribution and to link it to the new planning permission, planning permission be GRANTED subject to the following conditions:

1 The development shall not commence until details of the external finishing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: To ensure a satisfactory external appearance.

2 That all new works and works of repair and reinstatement to the existing public house shall match exactly the original in terms of materials used, colour, texture, profile and workmanship and in the case of brickwork, facebond and pointing.

Reason: To safeguard the character and appearance of this prominent building within the Enfield Lock Conservation Area.

3 That development shall not commence on site until detailed drawings, including sections, to a scale of 1:20 or larger, have been submitted to and approved by the Local Planning Authority of a sample panel through the proposed new cottages showing all brickwork detailing and bonding, doors, windows, cills, window arches, fascias, chimneys and rainwater goods. The development shall be completed in accordance with the approved details prior to occupation.

Reason: To safeguard the character and appearance of this part of the Enfield Lock Conservation Area and the setting of the Listed Government Row cottages.

4 That development shall not commence on site until detailed drawings, including sections, to a scale of 1:20 have been submitted to and approved in writing by the Local Planning Authority of the proposed access ramps and associated handrails to the front of the proposed dwellings and the public house. The development shall be completed in accordance with the approved details prior to occupation of any dwelling

Reason: To safeguard the character and appearance of this prominent building within the Enfield Lock Conservation Area

5 That the public house shall be painted externally in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to occupation of any dwelling therein.

Reason: To safeguard the character and appearance of this prominent building within the Enfield Lock Conservation Area.

6 That the public house shall be painted externally in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to occupation of any dwelling therein.

Reason: To safeguard the character and appearance of this prominent building within the Enfield Lock Conservation Area.

- 7 C09 Details of Hard Surfacing
- 8 C10 Details of Levels

- 9 C11 Details of Enclosure
- 10 C14 Details of Access and Junction
- 11 C16 Private Vehicles Only Parking Areas
- 12 C17 Details of Landscaping
- 13 C19 Details of Refuse Storage
- 14 C21 Construction Servicing Area
- 15 C22 Details of Const. Vehicle Wheel Cleaning
- 16 C23 Details of Archaeological Investigation
- 17 C25 No additional Fenestration
- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any amending Order, no buildings or extensions to buildings shall be erected nor shall any external face of the building be painted without the prior approval in writing of the Local Planning Authority.

Reason: To safeguard the character and appearance of this part of the Enfield Lock Conservation Area.

19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any amending Order no part of the front gardens of the dwellings hereby approved shall be hard surfaced, other than as shown on drawing number 1297-10P, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of this part of the Enfield Lock Conservation Area.

20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any amending Order, no walls, fences, gates or any other means of enclosure shall be erected on any part of the site without the prior agreement in writing of the Local Planning Authority.

Reason: To safeguard the character and appearance of this part of the Enfield Lock Conservation Area.

- 21 C033 Contaminated Land
- 22 C41 Details of External Lighting
- 23 The development shall not commence until details of the number and design of the cycle parking spaces have been submitted to and approved in writing by the LPA. The approved details shall thereafter be installed and permanently retained for cycle parking.

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

24 Compensatory flood storage works shall be carried out in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority before the development commences.

Reason: To alleviate the increased risk of flooding that would otherwise be caused by a reduction in flood storage capacity.

25 External artificial lighting within eight metres of the river corridor shall be directed away from the watercourse and shall be focused with cowlings.

Reason: To minimise light spill from the new development into the watercourse or adjacent river corridor habitat.

26 There shall be no storage of materials related to the development within eight metres of the watercourse. This area must be suitably marked and protected during development and there shall be no access within the area, other for the construction works shown on the approved plans, during development. There shall be no fires, dumping or tracking of machinery within this area during development.

Reason: To reduce the impact of the proposed development on the buffer zone and the movement of wildlife along the river corridor.

27 Before development commences, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (except small privately owned domestic gardens), shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason: To protect and enhance the natural features and character of the area.

All planting within eight metres of the bank of the Lee Navigation shall be locally native plant species only, of UK genetic origin.

Reason: To maintain and/or enhance the natural character of the watercourse and provide undisturbed refuges for wildlife using the river corridor

29 Development shall not commence until details of on site drainage works have been submitted to and approved by the Local Planning Authority in consultation with the sewerage undertaker. No works which result in the discharge of foul or surface water from the site shall be commenced until the on site drainage works referred to above have been completed.

Reason: To ensure that the foul and/or surface water discharge from the site shall not be prejudicial to the existing sewerage system.

30 Before the development hereby permitted commences an initial design stage assessment shall be carried out by an accredited assessor for the Code for Sustainable Homes and an interim certificate confirming compliance with at least level 3 of the Code shall be submitted to and acknowledged in writing by the Local Planning Authority. The dwellings shall not be occupied until a final Code certificate of compliance has been issued. Reason: To ensure that the development is built in accordance with the Code for Sustainable Homes.

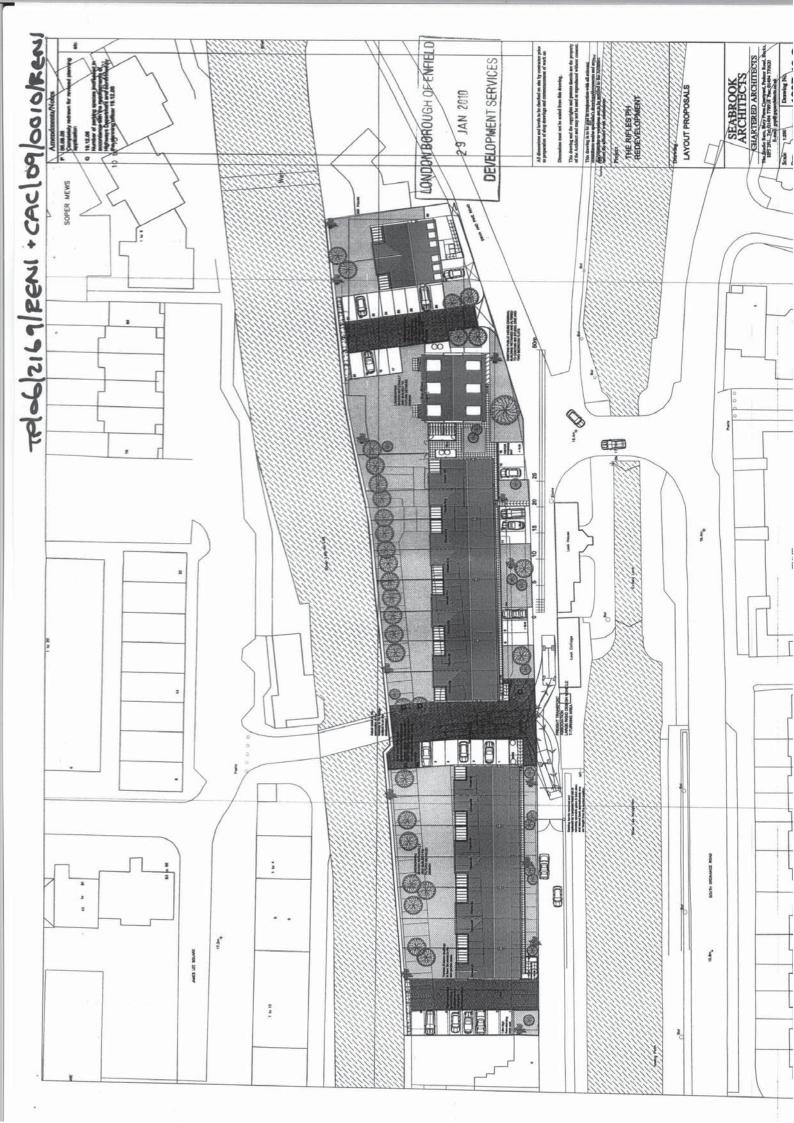
31 That prior to the commencement of development on site details shall be submitted and approved by the Local Planning Authority demonstrating the 2 of the proposed units are designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. The development shall be completed in accordance with the approved details prior to occupation.

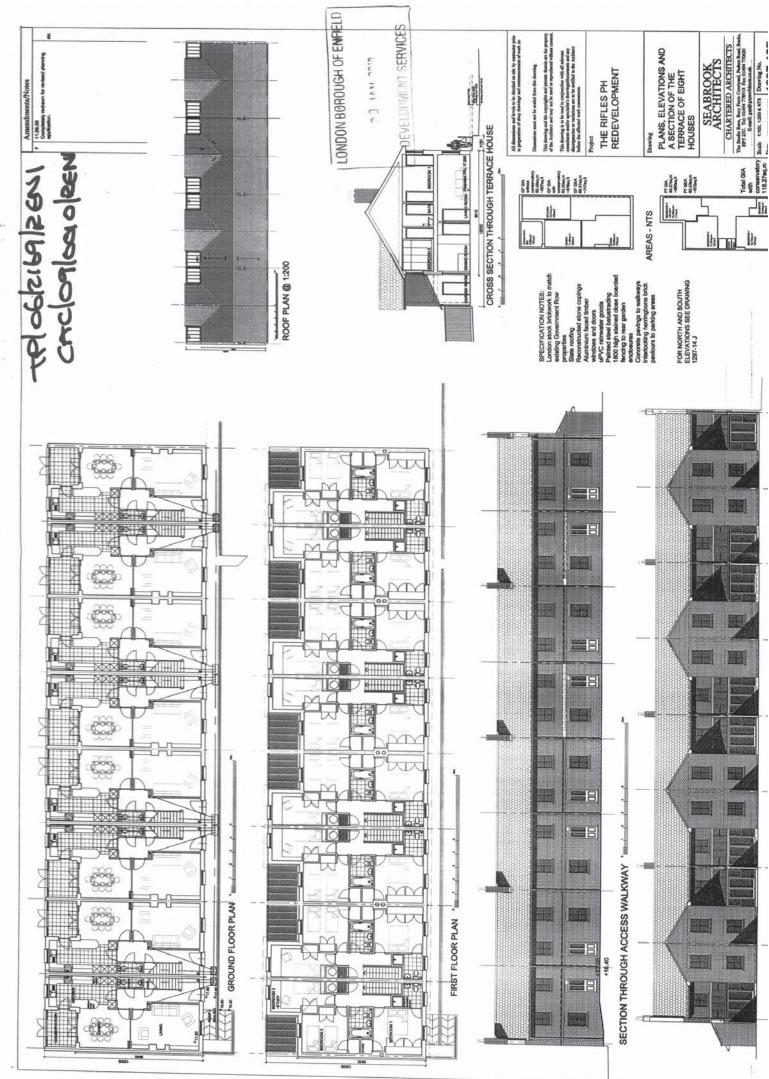
Reason: In order to comply with the requirements of London Plan policy 3A.5 and Core Strategy Core Policy 4.

32 That prior to the commencement of development details shall be submitted to and approved by the Local Planning Authority demonstrating that the development complies with Lifetime Homes Standards. The development shall be completed in accordance with the approved details prior to occupation.

Reason: In order to comply with the requirements of London Plan policy 3A.5 and Core Strategy Core Policy 4.

33 51A Time Limited Permission





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