

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON WEDNESDAY, 16 FEBRUARY 2011**

COUNCILLORS

PRESENT Andreas Constantinides, Toby Simon, Kate Anolue, Yusuf Cicek, Ahmet Hasan, Ertan Hurer, Nneka Keazor, Dino Lemonides, Paul McCannah, Anne-Marie Pearce, Martin Prescott, George Savva MBE and Ali Bakir

ABSENT Dogan Delman and Tom Waterhouse

OFFICERS: Debbie Addison (Legal Services), Bob Ayton (Schools Organisation & Development), Bob Griffiths (Assistant Director, Planning & Environmental Protection), Andy Higham (Area Planning Manager), Steve Jaggard (Traffic & Transportation), Aled Richards (Head of Development Management), David Warden (Principal Planning Officer), Mike Brown (Joint Acting Head of Planning Policy, Projects and Design - Heritage and Urban Design) and Sujata Majumdar (S106 Monitoring Officer) Jane Creer (Secretary) and Kasey Knight (Secretary)

Also Attending: Approximately 30 members of the public, applicants, agents and their representatives.
Tony Dey, Vice Chairman of Conservation Advisory Group.
Councillor Del Goddard, Cabinet Member for Regeneration and Improving Localities.

770

WELCOME AND LEGAL STATEMENT

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

771

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Delman and Waterhouse.

772

DECLARATION OF INTERESTS

NOTED that Councillor Prescott declared a personal and prejudicial interest in application TP/10/1392 – Enfield College, 73, Hertford Road, Enfield, EN3 5HA, as he was a governor of Southgate College, a competing college.

773

MINUTES OF PLANNING COMMITTEE 25 JANUARY 2011

AGREED the minutes of the meeting held on Tuesday 25 January 2011 as a correct record.

774

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.

775

PROTOCOL FOR CABINET MEMBER FOR REGENERATION AND IMPROVING LOCALITIES TO ATTEND PLANNING COMMITTEE (REPORT NO. 189)

RECEIVED the report of the Director of Finance and Corporate Resources (Report No. 189).

AGREED the draft protocol for Cabinet Member for Regeneration and Improving Localities to attend Planning Committee in his capacity as a Cabinet Member.

776

REPORT OF THE ASSISTANT DIRECTOR, PLANNING AND ENVIRONMENTAL PROTECTION (REPORT NO. 187)

RECEIVED the report of the Assistant Director, Planning and Environmental Protection (Report No. 187).

777

TP/10/1477 - 88 AND 90, HOPPERS ROAD, LONDON, N21 3LH

NOTED

1. The deputation of Mr V. F. Carpenter, local resident of Hoppers Road, including the following points:
 - a. The site had a history of numerous unsatisfactory developments.
 - b. The proposed flats would not offer the same amenities as the bungalows, particularly for disabled access, and seemed to represent a change of use.
 - c. There were concerns about affects on foundations of the adjacent cottage at no. 86 Hoppers Road.
 - d. This development would disfigure the attractive row of cottages and would be out of keeping in the street scene.
 - e. The school should stay in its current boundary with no further expansion.

2. The deputation of Ms Katie Donouzjian, local resident of Hoppers Road, including the following points:

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- a. She lived directly opposite and was affected by high levels of traffic, and inconsiderate and dangerous parking linked to the school.
- b. Conditions on use of the proposed school hall were not strict enough. Use outside school hours would exacerbate the parking difficulties around the site. Parking space availability in the evenings was already affected by on-street parking by customers of the Dog and Duck pub.
- c. Use of the hall for noisy activities such as music and rehearsals would affect local residents, especially in summer.
- d. The proposed flats were not a like for like replacement for the bungalows: they were not family homes and lacked amenity space.
- e. Committee Members should visit to see the site themselves.

3. The response of Mr David Cooper, the agent, including the following points:

- a. The school had an urgent need for the hall. The number and frequency of formal assessments for GCSE had increased. The school currently had only one large space available to accommodate a large group under exam conditions, and this was also used for assemblies, PE and drama, which were therefore disrupted by exams and assessments. This development would allow PE and drama to be delivered properly without interruption.
- b. There would be no increase in the numbers of pupils or staff, so no extra traffic generation or parking requirements.
- c. The two-storey development would give a ground floor space for exams and two single one-bed flats, which would have their own access and would not have windows that overlooked adjacent roads.
- d. No part of the development would be for outdoor play, there would be modern heating, toilets and kitchen facilities and all measures would be taken to minimise disturbance.
- e. He highlighted a recent 'Enfield Advertiser' press article which had contained inaccuracies.
- f. The hall would be commensurate with surrounding properties.
- g. The effects on no. 86 Hoppers Road were shown in the report. There would be no reduction in daylight to that dwelling.
- h. There would be no overlooking issues.

4. Receipt of a letter from Councillor Bambos Charalambous, objecting to the application for the following reasons:

- a. Size and massing – the proposal is overly dominant and visually intrusive and will have an adverse impact on no. 86 Hoppers Road.
- b. Parking and access – the expansion and development will lead to increased parking and traffic in the local area and affect local residents by having more congestions and potentially a loss of parking spaces.
- c. Local heritage – the demolition of the two cottages will have an adverse impact on the appearance of the local area in particular the properties that make up the historic part of Hoppers Road.

5. Receipt of three additional objections from local residents, raising points including that use of the hall outside school hours would lead to more parking problems, dominant and unsympathetic addition to the street, concerns the

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residential part of the school was expanded without consent and consequent effect on parking.

6. In response to concerns raised, Condition 8 would be amended to restrict use of the school hall so that it should not be occupied beyond 6.00pm.

7. An omission at para 6.3.2 of the officers' report – distance of existing wall to boundary is 0.9m increasing to 1.6m.

8. The Planning Decisions Manager's advice in response to Members' queries, including confirmation of distances of flank walls from the boundary, clarification of material planning considerations, confirmation that conditions were robust and enforceable, clarification that the eaves level was consistent with the present bungalows but the ridge height would be 1.2 metres higher. There was a prevailing terraced form, but also a large school building of three to four storeys so the development would have a context in the street scene.

9. Councillor Prescott's concerns regarding effectiveness of conditions and potential rise in pupil numbers if the school had a larger physical capacity.

10. In response to Councillor Hurer's queries, the advice of the Schools Organisation and Development Officer confirming this was an independent school and not under the direct jurisdiction of the Council, but would still be subject to Ofsted inspection which may have picked up general inadequacies in the school's accommodation, particularly for the holding of public examinations.

11. Planning officers' advice that the application had been assessed on its physical merits and that they considered the scale, bulk and design were acceptable and it would not have a detrimental impact.

12. The advice of the Legal representative that a remark made by Councillor Constantinides was not specific to this application and did not amount to predetermination.

13. The proposal of Councillor Hurer that planning permission be refused, for the reasons set out in Councillor Charalambous' objection, which was not supported by a majority of the Committee. On request the votes were recorded as follows:

Votes for: Councillors Hurer, McCannah, Pearce and Prescott.

Votes against: Councillors Simon, Anolue, Cicek, Hasan, Keazor, Lemonides, Savva and Bakir.

14. Councillor Prescott's request that the Chairman's remark that the Labour Party were against private schools be recorded.

15. Councillor Constantinides' response that the voting showed Labour Members were not constrained by party policy on independent schools and were voting on the planning merits.

16. The support of the majority of the Committee to accept the officers' recommendation: 8 votes for and 4 against.

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

Amended Condition 8

The school hall hereby approved shall not be occupied at any time other than for purposes ancillary to the operation of the school and at no time after 18:00 unless written approval is otherwise obtained from the local planning authority. Reason: To ensure the use of the hall remains appropriate and is not occupied as a separate unit and / or for purposes which would give rise to conditions through an increase in on street parking, that would be prejudicial to the free flow and safety of vehicles using the adjoining highway.

778

LBE/10/0037 - HIGHMEAD ESTATE, FORE STREET & CAR PARK TRAFALGAR PLACE, LONDON, N18 2SL

NOTED

1. Verbal introduction by the Planning case officer.
2. The additional and revised conditions and alterations to reasons for granting planning permission had been distributed to all Committee Members.
3. An additional S106 requirement for tree planting to site frontages along Fore Street, Cowper Road and Alpha Road.
4. An amendment to the recommendation to refer to Regulation 3 rather than Regulation 4 of the Town and Country Planning General Regulations 1992.
5. Additional consultation responses received from the Council's Environmental Health Officer and the Biodiversity Officer, who had no objection subject to conditions.
6. Receipt of a response from a neighbouring resident in support of the scheme, particularly the provision of private and affordable family homes.
7. The statement of Councillor Goddard, Cabinet Member for Regeneration and Improving Localities, in support of the application.
8. Councillor Goddard's confirmation of ongoing positive and constructive discussions taking place in respect of commercial uses.
9. The statement of Tony Dey that the views of the Conservation Advisory Group (CAG) were set out in para 4.3.1 of the report, and he highly commended the project officer's presentation to CAG.

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10. Members' comments welcoming the application, praising the architectural efforts and discussions regarding encouraging owner occupation.

11. Planning officers' confirmation that if negotiations in respect of potential inclusion of a health centre were successful, a further planning application would be submitted in that case.

12. Councillor Goddard was thanked for his attendance and left the meeting at the conclusion of this item.

AGREED that in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, and subject to the completion of a S106 Agreement, planning permission be deemed to be granted, subject to the revised conditions set out in the note for Members, for the revised reasons set out in the note for Members.

779

TP/10/1424 - CHASE SIDE WORKS, CHELMSFORD ROAD, LONDON, N14 4JN

NOTED

1. At the previous meeting of the Planning Committee, a decision on the application was deferred to allow Members the opportunity to make a site visit, which was carried out on 5/2/11.

2. Receipt of two additional letters of objection raising points including inadequate separation from existing properties, does not meet distancing standards, balconies would dominate the street scene, inadequate parking provision, and concerns regarding the design.

3. A letter from the applicant highlighting revisions to their scheme.

4. In the Note for Members on page 119 of the agenda pack, point b) should read "... represents 31% of the existing movements" not 13%.

5. Councillor Charalambous' continuing objection, as reported at the previous meeting.

6. Members' appreciation of the opportunity to visit the site with a Planning officer and were now happy to support the recommendation.

7. Members' concerns highlighting the condition of the fencing enclosing the electricity sub station. Officers agreed to attach a directive highlighting its poor condition and requesting action by relevant party. It was also confirmed that Environmental Protection officers would also investigate to establish whether the Council had any powers to intercede.

AGREED that planning permission be granted, subject to the conditions set out in the report and subject to a S106 Agreement in respect of the heads of terms as detailed in the report, for the reasons set out in the report.

780

LBE/10/0031 - HONILANDS PRIMARY SCHOOL, LOVELL ROAD, ENFIELD, EN1 4RE

NOTED

1. Verbal introduction by the Head of Development Management highlighting the objection from Sport England regarding loss of playing fields and that as a result of this objection any approval would have to be referred to the Government Office for the West Midlands.
2. Officers' advice that the increase in hard play area was felt sufficient to overcome the above objection.
3. Officers considered that mitigation measures set out in the report should satisfactorily deal with traffic generation and parking provision issues. A further condition would be added to require mitigation measures to be carried out prior to occupation.

AGREED that in light of the objection raised by Sport England to the loss of playing fields and therefore, subject to the views of the Government Office for the West Midlands, planning permission be deemed to be granted in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, subject to the conditions set out in the report and additional condition below, for the reasons set out in the report.

Additional Condition

That prior to the occupation of the development hereby approved, a scheme of mitigation measures to address the effects of increased traffic generation on the surrounding highways shall be submitted and approved by the Local Planning Authority. The approved mitigation measures to be implemented in accordance with agreed timescales.

Reason: In the interests of safeguarding the free flow and safety of vehicles and pedestrians using the adjoining highways.

781

LBE/10/0039 - MERRYHILLS PRIMARY SCHOOL, BINCOTE ROAD, ENFIELD, EN2 7RE

NOTED

1. Receipt of an objection from Sport England concerning the lack of fencing around the MUGA, that it would be marked out for one sport only, and that dimensions were not acceptable. Therefore any approval would have to be referred to the Government Office for the West Midlands.

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2. The response from the agent/applicant confirming acceptance of improvements as requested by Sport England except for the erection of fencing. Fencing was not considered necessary for the area's envisaged general usage, or visually pleasing.
3. The site was often waterlogged at present and the proposed drainage would make it more usable.
4. Officers did not consider the lack of fencing as sufficient reason to refuse planning permission. The school also had no wish to see fencing provided around the area.
5. Officers' confirmation that a MUGA was an all-weather Multi-Use Games Area and that the school wished to have a flexible general play space for use throughout the year.
6. General discussion about the merits of Sport England's objection and the needs of the school and about its status as a MUGA: should it be better defined as a multi use play space. However, taking into account the costs associated with improving drainage to make better use of the grassed playing field and the benefit to the school of this area being available all year round, there was agreement to the proposal notwithstanding the objection.

AGREED that in light of the objection raised by Sport England and therefore, subject to the views of the Government Office for the West Midlands, planning permission be deemed to be granted in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, subject to the conditions set out in the report, for the reason set out in the report.

782

TP/10/0473 - 1, CRESCENT ROAD AND 33, WAVERLEY ROAD, ENFIELD, EN2 7BN

NOTED

1. The Planning Decisions Manager's update on revisions to the application further to the Committee's deferral on 16/12/10, as set out in the Note for Members in the agenda pack.
2. Receipt of three further letters of objection reiterating previous objections including there were already a large number of dwellings, exacerbation of parking difficulties, congestion, the entrance to the car park was dangerous, loss of light, and disturbance from construction.
3. The advice of the Planning Decisions Manager in respect of S106 contributions and amendment to the recommendation.
4. Members welcomed the revised scheme brought by the developers.

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5. In response to Councillor Simon's request for additional detailing, officers' agreement to amend Condition 1.

AGREED that upon completion of a legal agreement to secure necessary financial contribution to Education, the Head of Development Management be authorised to grant planning permission, subject to the conditions set out in the report and amendment to Condition 1, for the reasons set out in the report.

Amendment to Condition 1

Details of the materials including revised elevations for the north and west flank wall showing the introduction of detailing using materials shall be submitted to and approved by the local planning authority. The development to be carried out in accordance with these approved details.

Reason: In order to secure an acceptable appearance for the development in the street scene and to introduce visual interest into the otherwise blank north and west elevations.

783

TP/10/0601/MM1 - MAIN BUILDING, ST MICHAELS C OF E PRIMARY SCHOOL, BRIGADIER HILL, ENFIELD, EN2 0NB

NOTED

1. Receipt of an additional objection from a resident to the north of the site concerned at the level of noise which might arise from the proximity of the repositioned hard surfaced play area.
2. Officers' confirmation that there would be an increase in play space for the school, and that there was no floodlighting proposed, and no suggestion of use by the community or outside school hours.

AGREED that planning permission be deemed to be granted in accordance with Regulation 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.

784

TP/10/0880 - WATER TOWER, 405, THE RIDGEWAY, ENFIELD, EN6 5QT

NOTED

1. The Planning Decisions Manager's confirmation that this was a retrospective application and that the Conservation Advisory Group (CAG) had objected to the application, as set out in para 4.3 of the report.
2. Mr Tony Dey spoke against the proposal in support of the CAG's original comments, supported by Councillor Prescott. Discussion focused on visual impact and assessment as a retrospective proposal.

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3. Planning officers' advice regarding permitted development rights, confirmation that the garage was ancillary to enjoyment of the dwelling house and could not be used for residential accommodation, and that applications were assessed similarly whether or not they were retrospective.

4. The recommendation was agreed by a majority of the Committee: 7 votes for, 3 votes against, and 2 abstentions.

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

785

TP/10/1392 - ENFIELD COLLEGE, 73, HERTFORD ROAD, ENFIELD, EN3 5HA

NOTED

1. Noted that Councillor Prescott, having declared a prejudicial interest, left the room and took no part in the discussion or vote on the application.

2. The Planning Decisions Manager's advice that the proposed building was considered utilitarian, but that its relationship with the Metropolitan Open Land and the tree belt would ensure that the development would not be overly intrusive when viewed from the adjoining open space.

3. An amendment to the recommendation to include a legal agreement in respect of traffic impact.

4. An additional condition regarding the requirement for a tree survey.

5. The Legal representative's confirmation that the S106 would be enforceable if framed appropriately.

6. In response to Councillor Simon's concerns regarding the external appearance of the proposed building and view from four nearby tower blocks, officers' advice in respect of green walls and roofs.

7. Members' discussion of parking issues and the advice of the Traffic and Transportation officer that surveys would be required in the future when the site was occupied to assess any necessary action.

AGREED that subject to the completion of a legal agreement to secure the review of traffic impact and financial contribution towards any identified necessary mitigation measures, the Head of Development Management be authorised to grant planning permission subject to the conditions set out in the report and additional condition below, for the reasons set out in the report.

Additional Condition

No development shall commence until a tree survey has been undertaken and submitted to the local planning authority for approval. The tree survey shall

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categorise the trees and, identifies any necessary tree works and informs the need for additional planting to improve the tree screen along this eastern boundary. The tree works to be carried out in accordance with the agreed schedule and the additional planting shall be carried out in the autumn of 2011 unless otherwise agreed in writing by the local planning authority.

Reason: In order to safeguard the future condition and appearance of the existing trees and to ensure an adequate screening exists along the eastern boundary.

786

TP/10/1725 - 173, GREEN LANES, LONDON, N13 4UR

NOTED

1. The Planning Decisions Manager confirmed that the application was presented to Committee for consideration as the applicant was Councillor Oykener, with apologies for the incorrect spelling of his name in the report. Additionally, the agent was Councillor McGowan.

2. Planning officers' confirmation that the property was within the North Circular Area Action Plan, was in a poor state of repair and not currently in residential use, and would in due course be included as part of comprehensive proposals for the area.

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

787

TP/11/0026 - GALLIARD PRIMARY SCHOOL, GALLIARD ROAD, LONDON, N9 7PE

NOTED that the application was discussed in conjunction with application TP/11/0028.

AGREED that subject to the expiry of the site notice after 23 February and no additional issues are raised which are not covered in the report, that planning permission be granted, subject to the conditions set out in the report, for the reasons set out in the report.

788

TP/11/0028 - GALLIARD PRIMARY SCHOOL, GALLIARD ROAD, LONDON, N9 7PE

NOTED the receipt of an additional objection from a resident of Bedford Road.

AGREED that subject to the expiry of the site notice after 23 February and no additional issues are raised which are not covered in the report, that planning permission be granted, subject to the conditions set out in the report, for the reasons set out in the report.

789

APPEAL INFORMATION

NOTED the information on town planning appeals received from 04/12/2010 to 31/12/2010, summarised in tables. Full details of each appeal were available on the departmental website.

790

SECTION 106 AGREEMENTS - MONITORING INFORMATION (REPORT NO. 188)

RECEIVED the report of the Assistant Director (Place Shaping) (Report No. 188).

NOTED

1. Mike Brown, Joint Acting Head of Planning Policy, Projects and Design – Heritage and Urban Design, introduced Sujata Majumdar, S106 Monitoring Officer, who would be the future contact and continue to report to Planning Committee.
2. As requested by the Committee on 25/1/11, the monitoring report format had been improved and simplified.
3. Members welcomed the amended format but expressed concern at delays with implementing some agreements, to be followed up by officers.
4. A written answer was requested by Councillor Prescott in respect of the agreement signed by Laing Homes in 1999.
5. The incorrect CPZ mentioned in the agreement with North Middx University Hospital would be corrected.
6. The Members of the Planning Committee noted the update of the monitoring of Section 106 Agreements (S106).

791

PLANNING COMMITTEE DEPUTATION PROCEDURES

NOTED

1. Councillor Prescott suggested that the deputation procedure would be improved by allowing deputees a further one minute speaking time to sum up after the Committee discussion.
2. The Chairman's advice that the procedure had been agreed by Council and any changes could be discussed by the Conservative and Labour Groups in the first instance.

