

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON TUESDAY, 29 MARCH 2011**

COUNCILLORS

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

ABSENT Ali Bakir

OFFICERS: Bob Ayton (Schools Organisation & Development), Linda Dalton (Legal Representative), Bob Griffiths (Assistant Director, Planning & Environmental Protection), Andy Higham (Planning Decisions Manager), Steve Jaggard (Traffic & Transportation) and Aled Richards (Head of Development Management) Jane Creer (Secretary) and Jacqui Hurst (Secretary)

Also Attending: Approximately 15 members of the public, applicants, agents and their representatives.
Dennis Stacey, Chairman of Conservation Advisory Group.

901

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.

902

APOLOGIES FOR ABSENCE

NOTED that apologies for absence were received from Councillor Del Goddard, Cabinet Member for Regeneration and Improving Localities.

903

DECLARATION OF INTERESTS

NOTED

1. Councillor McCannah declared a personal and prejudicial interest in application TP/10/1784 – 5, Walmar Close, Barnet, EN4 0LA as he had written a letter of objection previously.

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2. Councillor Pearce declared a personal and prejudicial interest in application TP/10/1784 – 5, Walmar Close, Barnet, EN4 0LA as she used to live at no. 6, Walmar Close and knew the applicant.

3. Councillor Pearce declared a personal and prejudicial interest in application TP/10/1770 – 93, Camlet Way, Barnet, EN4 0NL as she currently lived in Camlet Way and would be affected by this decision.

904

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AGREED the minutes of the meeting held on Wednesday 16 February 2011 as a correct record.

905

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.

906

REPORT OF THE ASSISTANT DIRECTOR, PLANNING AND ENVIRONMENTAL PROTECTION (REPORT NO. 222)

RECEIVED the report of the Assistant Director, Planning and Environmental Protection (Report No. 222).

907

TP/10/0339 - NORTH MIDDLESEX HOSPITAL, STERLING WAY, LONDON, N18 1QX

NOTED that since the report was completed, a consultation was underway on the future of Enfield's hospitals, and after discussion with the NMUH NHS Trust, it was recommended that this application be deferred while that consultation was ongoing.

AGREED that a decision on the application be deferred to the next meeting of the Planning Committee.

908

TP/10/1770 - 93, CAMLET WAY, BARNET, EN4 0NL

NOTED

1. Having declared a personal and prejudicial interest, Councillor Pearce left the room and took no part in the discussion or vote on the application.

2. The introduction by the Head of Development Management, highlighting the changes to PPS3, the objections received, the views of Planning officers,

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and that issues were finely balanced and it was for Members to make a judgement.

3. An additional condition to replace Condition 22, in relation to balustrades and the safeguarding of the privacy of adjoining residents.
4. Receipt of a letter of objection from the occupiers of 99, Camlet Way, circulated to Members.
5. The deputation of Mrs Linda Lindsay, neighbouring resident of 99, Camlet Way, including the following points:
 - a. This was an example of back garden development intended to be prevented by the recently amended legislation.
 - b. This development would establish a precedent which could lead to further fragmentation of the north side of Camlet Way.
 - c. These gardens were a valuable buffer zone to the facing green belt.
 - d. The siting of the development would be overbearingly close in proximity to the garden of no. 99, and the access drive running alongside the garden boundary line would lead to loss of privacy and severely affect the amenity and enjoyment of her garden.
 - e. The water table could be disturbed by work on nearby ponds.
 - f. This development would be detrimental to the surrounding area.
 - g. She drew attention to the six letters of objection from local residents and references to dangerous traffic conditions. This would add to traffic volume.
 - h. The pavements were inadequate and there had already been a number of accidents and fatalities.
 - i. In respect of the calculation for contribution to affordable housing, she questioned the quoted market value of this house.
6. The response of Mr Paul Carter, the agent, including the following points:
 - a. There was nothing in the changes to PPS3 which affected the determining issues in this application; there was no automatic presumption against development.
 - b. The context was the wide variety of designs in the area, and the impact of this house had been reduced by making good use of the levels of the site.
 - c. The access drive was set some distance from the boundary of no. 99 and would be below ground level where it met the dwelling.
 - d. The impact on the green belt and surrounding properties had been assessed, and all trees on the boundary would be safeguarded.
 - e. He could confirm that fire officers had no objection to this development.
 - f. The proposal complied with up-to-date national and local policies.
7. Mr Dennis Stacey advised that the Conservation Advisory Group had not been consulted on the application as it was not in a conservation area, but he would be concerned about a precedent, and that the development would be against the spirit and style of the area.
8. Confirmation of the Head of Development Management that a proposal for a two-storey dwelling set high in the landscape would have been considered unacceptable, but in this case the visual impact was reduced considerably

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and the sustainability criteria was high, and it was not felt there was sufficient justification to warrant refusal.

9. Concerns expressed by Councillor Prescott in respect of such building on a backland site and increase in density out of keeping in the vicinity.

10. Councillor Simon's comments in support of the need for more housing in the borough and for the innovative, imaginative and sustainable design.

11. The advice of the Head of Development Management in response to Members' queries, on the effects and implications of amendments to PPS3 and potential reasons for refusal of planning permission.

12. The confirmation of the Head of Development Management that Traffic and Transportation officers had no objection in terms of traffic generation and did not consider there would be undue noise generated by vehicle movements. It was also considered this proposal would be very unlikely to have any effect on hydrology.

13. Planning officers' agreement to the request of Councillor Delman to seek conclusive and clear guidance from the office of the Secretary of State on PPS3.

14. The Head of Development Management's clarification on amenity space provision, and on the Council's adopted S106 policy document.

15. The confirmation of the Traffic and Transportation officer that in traffic terms there was no objection to one extra dwelling in Camlet Way.

16. Councillor Hurer's support for reasons to refuse planning permission in respect of unacceptability of the proposal in terms of overdevelopment and the visual impact.

17. The support of the majority of the Committee to accept the officers' recommendation: 7 votes for and 5 against.

AGREED that planning permission be granted, subject to the conditions set out in the report, deletion of Condition 22, and the additional condition below, for the reasons set out in the report.

Additional Condition (to replace Condition 22)

No approval is granted to the glass balustrade on the roof serving the eastern, western and southern elevations of the development and full details of the balustrades along these elevations shall be submitted to and approved by the local Planning Authority prior to the first occupation of the building and shall thereafter be erected in accordance with the approved details.

Reason: To safeguard the privacy of adjoining residents.

909

TP/10/1784 - 5, WALMAR CLOSE, BARNET, EN4 0LA

NOTED

1. Having declared personal and prejudicial interests, Councillors Pearce and McCannah left the room and took no part in the discussion or vote on the application.
2. Introduction by the Head of Development Management, highlighting key issues.
3. The deputation of Mr David Clement, the applicant, including the following points:
 - a. Copies of background letters and emails were circulated to Members and other involved parties, including drawing numbers referred to.
 - b. He did not agree with points made in the officers' report.
 - c. As built, the roof width was reduced and the roof had decreased 5.17%.
 - d. The overall width of the frontage as built was reduced, increasing the space between nos. 4 and 5.
 - e. The overall as built depth was reduced, which reduced the ground floor and first floor.
 - f. Each of the planning approvals allowed the roof pitch to be increased.
 - g. It was not possible to scale from the printed drawings, and all drawings had carried a warning to that effect.
 - h. There was no reference in the June 2010 report to any vertical dimensions.
4. The response of Mr David Sumners, neighbouring resident of 6, Walmar Close, including the following points:
 - a. He was speaking on behalf of himself and his wife, and the occupiers of no. 4, Walmar Close.
 - b. The properties in Walmar Close were all of a similar size and proportion with the same ridge height and a harmony of design. No. 5 was now wider and bulkier and completely out of keeping in the street scene in architectural detail, overbearing design and huge size.
 - c. Construction was already underway when retrospective planning permission was approved in 2010. The application was referred to Committee as the original property had been demolished.
 - d. In September 2010 a stop notice was issued as what was being built was not the same as the plans approved. A letter from the builder confirmed that what was built was exactly what the applicant wanted.
 - e. It was important that proper procedures were enforced and developers must adhere to the rules properly made.
5. The Planning Decisions Manager's advice on planning history of the development.
6. The unanimous support of the Committee to accept the officers' recommendation.

AGREED that planning permission be refused, for the reason set out in the report.

910

LBE/10/0036 - CHURCHFIELD PRIMARY SCHOOL, LATYMER ROAD, LONDON, N9 9PL

NOTED

1. The introduction by the Planning Decisions Manager, highlighting key issues.
2. The unanimous support of the Committee to accept the officers' recommendation.

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

Additional Condition

That detail of an enhanced School Travel Plan to reflect the development hereby approved shall be submitted to and approved by the local planning authority. The School Travel Plan to be in place prior to the occupation of the development hereby approved.

Reason: in the interest of minimising traffic generation and vehicle movements on the surrounding roads and to safeguard the free flow and safety of vehicles and pedestrians on the surrounding highways.

911

LBE/11/0001 - FORMONT CENTRE, WAVERLEY ROAD, ENFIELD, EN2 7BT

NOTED

1. The dissatisfaction of the Committee that a retrospective application had been made on behalf of the London Borough of Enfield.
2. The unanimous support of the Committee to accept the officers' recommendation.

AGREED that planning permission be granted, for the reason set out in the report.

912

LBE/11/0002 - GREEN TOWERS HALL, PLEVNA ROAD, LONDON, N9 0BU

NOTED

1. The introduction by the Planning Decisions Manager, highlighting key issues.
2. The unanimous support of the Committee to accept the officers' recommendation.

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

913

TP/10/0972 - 8, CHASEVILLE PARADE, CHASEVILLE PARK ROAD, LONDON, N21 1PG

NOTED

1. Introduction and update by the Planning Decisions Manager clarifying that, given the material change in circumstances, officers now recommended approval of planning permission.
2. Receipt of three additional letters of objection, including an objection from the freehold owner of no. 8a, Chaseville Parade in respect of the erection of an extractor flue which they had not consented to.
3. Members' support for an additional condition to secure an acceptable means of extraction system.
4. The unanimous support of the Committee to accept the officers' recommendation.

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

Additional Condition

Prior to the first use of the development hereby approved written confirmation shall be forwarded to the local planning authority confirming that the siting of the extractor flue on the wall of 8a Chaseville Parade has been agreed with the property's owner. If an agreement cannot be reached, details of an alternative means of extraction to serve the development shall be submitted to and agreed by the local planning authority and shall thereafter be installed prior to the first use of the development.

Reason: to ensure an acceptable means of extraction system is provided to cater for the development and in the interest of the amenities of local residents.

914

TP/10/1685 - 154, PALMERSTON ROAD, LONDON, N22 8RB

NOTED

1. An introduction and update by the Planning Decisions Manager, drawing attention to the receipt of revised plans which may address concerns raised, and officers' request that a decision be deferred to enable the accuracy of the revised plans to be established.
2. Receipt of an objection from Councillor Brett, Bowes Ward Councillor, on behalf of local residents.
3. If officers were minded to approve planning permission, they agreed to arrange for Councillor Brett to receive notification, and that the application would only need to be reported to Committee if requested by Councillor Brett.
4. The unanimous support of the Committee to accept the officers' recommendation above.

AGREED that a decision be deferred to enable the accuracy of the revised plans to be established.

915

APPEAL INFORMATION

NOTED the information on town planning appeals received from 07/02/2011 and 11/03/2011, summarised in tables. Full details of each appeal were available on the departmental website.