

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON TUESDAY, 20 AUGUST 2013**

COUNCILLORS

PRESENT Andreas Constantinides, Kate Anolue, Ingrid Cranfield, Dogan Delman, Ahmet Hasan, Ertan Hurer, Nneka Keazor, Derek Levy, Paul McCannah, Anne-Marie Pearce, Martin Prescott, George Savva MBE and Toby Simon

ABSENT Lee Chamberlain and Christiana During

OFFICERS: Bob Griffiths (Assistant Director - Planning, Highways & Transportation), Andy Higham (Head of Development Management), Sharon Davidson (Planning Decisions Manager), Linda Dalton (Legal Services), Bob Ayton (Schools Organisation & Development), Steve Jaggard (Traffic & Transportation) and Sean Newton (Planning Officer) Metin Halil (Secretary) and David Wearing (Secretary)

Also Attending: Approximately 30 members of the public, applicants, agents and their representatives
Ward Councillors: Councillor Simon Maynard

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WELCOME AND LEGAL STATEMENT

The Chairman welcomed everyone to the meeting and the Legal Services representative read a statement regarding the order and conduct of the meeting.

243

APOLOGIES FOR ABSENCE

NOTED that apologies for absence were received from Councillor Chamberlain and Councillor During.

244

DECLARATION OF INTERESTS

There were no declarations of interest.

245

MINUTES OF THE PLANNING COMMITTEE 23 JULY 2013

AGREED that the minutes of the Planning Committee held on Tuesday 23 July 2013 as a correct record.

246

**MINUTES OF THE PLANNING PANEL HELD ON 3 JUNE 2013 -
CARTERHATCH DEPOT**

RECEIVED the minutes of the Planning Panel held on Monday 3 June 2013.

247

**REPORT OF THE ASSISTANT DIRECTOR, PLANNING, HIGHWAYS AND
TRANSPORTATION (REPORT NO.55)**

RECEIVED the report of the Assistant Director, Planning, Highways and
Transportation (Report No.55).

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ORDER OF AGENDA

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

249

**P13-01103LBE - CLOWES SPORTS GROUND, BARROWELL GREEN,
LONDON, N21 3AU**

NOTED

1. Introduction by the Head of Development Management clarifying the site and surroundings.
2. The creation of a new car park on the Clowes Sports Ground to provide 30 car parking spaces for the benefit of the Sports Club following the sale of the Barrowell Green Car Park.
3. Additional condition required to require the marking out of two disabled parking bays within the car park and details of tree protection during construction.
4. The deputation of Mr Ozan Abujuma, local resident, speaking against the officer recommendation of approval subject to conditions, including the following points:
 - a. He had lived in Barrowell Green for 17 years and in that time had seen a steady increase in traffic.
 - b. A short 60 metre stretch of the road, which includes the re-cycling centre, the hospice and the new flats on the old car park, tends to be very congested, especially at weekends.
 - c. The new proposed car park will cause even more congestion, increase pollution and jeopardise road safety.
 - d. Most local residents in Barrowell Green have their own car spaces so there are enough parking spaces on the road even throughout the cricket and football seasons.
 - e. The Hospice would benefit from car parking on Barrowell Green as local residents usually take their cars to work.

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- f. The existing car park on Firs Lane has ample parking and would provide enough parking spaces if properly marked out. This location should be looked at before developing the green space of the sports ground.
 - g. There is no need to develop the proposed car park as nothing had changed in Barrowell Green as regards parking problems.
 - h. The Committee to reject the application.
5. The response by David Bond (Property Services) including the following points:
- a. The application had been made on behalf of Enfield Council.
 - b. The advantage of the proposed car park was to improve the traffic position on football and sports days including a loading facility for football and sports equipment.
 - c. The Council had received a letter requesting car space provision when the previous car park was sold for housing development.
 - d. Different locations had been considered but the present location was the safest option.
 - e. The Council had responded to the users of the sports ground and the hospice.
6. Members' debate and questions responded to by officers, including the following points:
- a. Some Members expressed concern that when OSC reviewed the decision to sell the existing car park and Planning Committee determined the related planning application, it had been argued that car parking spaces were not needed; it was not made clear why were they needed now. The response by Officers was that at the time the previous application was considered, traffic surveys had showed that there was sufficient on-street car parking. However, it was stated at the time that other measures were being examined for additional car spaces and the case for parking on the Sports Ground itself, for visitors' convenience, would be reviewed.
 - b. With regards to development on Metropolitan Open Land (MOL), Members had to determine whether the development would be harming the area as an inappropriate development. The parking facility could be viewed as ancillary to MOL and therefore is not considered to be inappropriate development..
 - c. Members queried whether the Firs Lane Car Park had been considered and officers confirmed that other measures were investigated
 - d. Members' questioned that there were no yellow lines on the northern side of Barrowell Green and how long it would remain without yellow lines.
 - e. It was agreed that the penultimate paragraph at 2.4 of the report should be removed from the report as it was not a material planning consideration.
 - f. The Greater London Authority (GLA) had raised no objections and accepted the proposal would not impact on the character and openness of the MOL.

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- g. Any restrictive covenants not to build on the sports ground were not a material planning consideration and should be considered outside the planning process.
 - h. In response to queries from Members the access point to the car park on the bend in the road on Barrowell Green will provide better access to the proposed car park than it did with the previous car park.
 - i. In response to Members concerns officers confirmed there would only be a loss of one tree by the development. There are other trees on site but these will not be affected and will be protected and managed.
 - j. In response to Members concerns officers confirmed that Condition 5 sets out the car park's opening and closing times. Outside of these hours the car park gates shall be locked.
7. The majority support of the Committee for the Officers' recommendations with 8 votes for and 5 votes against.

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, for the reason set out in the report and the additional conditions below.

Additional conditions required to require the marking out of two disabled parking bays within the car park and details of tree protection during construction.

Prior to the commencement of any development, a revised plan shall be submitted to the local planning authority for approval detailing this inclusion of two disabled parking spaces within the car park area hereby approved. The revised parking layout shall then be implemented in accordance with this approved detail and thereafter, the layout retained as approved unless otherwise agreed in writing by the local planning authority.

Reason: to ensure adequate provision for those users of those sports grounds requiring disability spaces in the interests of ensuring full accessibility is available to all residents of the Borough.

Prior to any development commencing, details of tree protection measures for any tree within 10 metres of the proposed works, shall be submitted to and approved by the local planning authority. The approved tree protection measures shall be erected prior to any works commencing and thereafter retained for the duration.

Reason: in order to protect nearby trees from damage in the interests of safeguarding their visual amenity and the appearance of the street scene.

NOTED

1. The introduction by the Planning Decisions Manager, clarifying the proposals and site.
2. Additional objection and comments summarised by the officer from the Chair of the Council of the Parish of Christ the King, including the following points:
 - a. Diocese of Westminster is still negotiating the boundaries of each parcel of land with the applicant and therefore may impact on what is currently being proposed.
 - b. No allowance has been made for access to the small hall and for refuse storage/collection for the Parish Church.
 - c. Garden area provided inadequate for up to 100 teenagers.
 - d. No allocation of rooms for staff to stay overnight on premises.
 - e. Fire Officer has stated that 64 children is too many for the rooms being made available.
3. Amendments to condition 5 and condition 9.
4. The deputation of Wendy Smith, local resident, speaking against the recommendation of approval subject to conditions and completion of section 106 agreement, including the following points:
 - a. Incorrect statement as to the nature of the school in the officer's recommendations and as a result a major issue had not been considered. The statement is at Paragraph 6.1.3 in the sentence 'it will be noted that the presence of Vita et Pax School (located to the southeast) would not only illustrate the existing varied nature of the area but also similarities with the proposed use'.
 - b. Vita et Pax is a day school with students not present in the evenings, at weekends and for the duration of their school holidays. The proposed use of 29 Bramley road is for a residential school, with the potential for noise disruption for local residents during the day, throughout the evening, at weekends and throughout the school holidays. The report states that 100 students would be attending the school, 64 of them would be resident and the potential noise disruption would have a detrimental effect on the quality of life of local residents.
 - c. The applicant's reassurance that he would synchronise play/recreation times with other local schools to minimise the potential for noise disturbance to local residents was naïve. How would the noise disturbance be addressed in the evenings, weekends and holiday periods?
 - d. Concern that the proposed use may generate a need for the installation of air conditioning/extractor fans causing further noise disturbance especially in the evenings.
 - e. Linked to the noise issue is the issue of overcrowding especially as the proposal was for 100 students which is a number way beyond the capacity of the building and its facilities. However, this was a building that was purpose built for occupancy by 18 adults.
 - f. No mention of any controls in place to prevent the resulting noise disturbance for local residents.

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- g. Confirmation by Officers' that if planning permission were to be granted to convert the building to a school, the school will not operate until the Fire Brigade and Ofsted have approved the premises.
 - h. Objection to the officers' recommendations on the grounds that the issue of noise disturbance for neighbours from a residential school has not been adequately considered and that the recommendations seem content to make an invalid comparison between the functioning of a day school and its impact on the local environment and what is proposed for 29 Bramley Road.
5. Members' debate and questions responded to by officers', including the following points:
- a. Internal operations of the proposed school would be a matter for the applicant and was not a planning consideration.
 - b. As detailed within the report, staffing levels of the school would include 6 full time and 2 part time persons. Concern by Members' that as there was no accommodation provision for staff, the 64 students which could be accommodated overnight would have no supervision.
 - c. The applicant had not indicated if the school would be closed during holiday periods but it appeared that it would operate all year round.
 - d. Members' concern that accurate numbers of each class room size had not been mentioned in the report, only an age range of pupils had been indicated. Therefore the size of classes could not be properly assessed as being correct. The response by Officers' was that this was a management issue and Planning Committee could only consider the total number of pupils.
 - e. School recreation facilities was not a planning consideration.
 - f. Members' concern that there were no Fire and Health & Safety reports and Ofsted reports within the application. The Legal representative advised that the Committee should focus on the planning considerations listed at 6.1 of the report and that other statutory consents would be required in the future but that these were not a matter for planning committee.
 - g. Councillor Simon suggested deferral of the application for further information as there had been no assessment of external noise from the environmental officer and the likely impact of 100 pupils, 64 of which could be accommodated overnight. He accepted that internal issues including cramped class sizes and adequate room sizes would be for Ofsted to assess and approve, but argued these were not immaterial to planning.
 - h. The Head of Development Management recommended that the Committee should determine the application as it stood. Councillor Hurer proposed to refuse the application and was seconded by Councillor Savva.
 - i. Members' suggested that a site visit would be useful should a further application be received.
6. The unanimous support of the Committee against the officers' recommendation and to refuse the application as it stands.

AGREED to resolve to Refuse planning permission on grounds of:

The proposed development, given the proposal to accommodate up to a maximum of 100 students, with a maximum of 64 residential students, would result in an over-intensive use of the site and in the absence of information to demonstrate the number of students proposed, together with associated staff, welfare and classroom accommodation could be accommodated within the existing building and how the internal and external areas would be managed, the proposed use could result in noise, disturbance and a general level of activity detrimental to the amenities of the occupiers of adjoining residential properties. In this respect the development would be contrary to Policy (II)GD3 of the Unitary Development Plan, Core Policies CP30 and CP32 of the Core Strategy and DMD68 of the Submission version Development Management Document.

Members did not object in principle to the use of the site as a language school but considered there was insufficient information contained in the application to demonstrate that the site could accommodate the numbers of children proposed and that use would not have a detrimental impact on the amenities of the occupiers of adjoining residents through noise and disturbance.

251

P13-01271PLA - DEPOT, 7, MELLING DRIVE, ENFIELD, EN1 4BS

NOTED

1. The introduction by the Principal Planning Case Officer clarifying the proposal, site and surroundings and adjustments made to the application arising from the Planning panel held on 3 June 2013.
2. A Planning Panel was held on 3 June 2013 and the minutes of that meeting are attached to the Agenda.
3. Paragraph 6.4.18 of the report outlines the parking provision of the development.
4. The original application showed access points into the development from Bressey Avenue and Abercrombie Drive which would have caused increased traffic levels.
5. There would be no adverse impact on traffic from Carterhatch Lane or on the roundabout. Traffic surveys had been carried out between the times of 11:30pm – 03:30am. Melling Drive would be the main route into and out of the proposed development.
6. Arising from the Planning Panel, members of the panel queried whether amenity areas would be overshadowed by the 4-storey building. Officers' advised that amenity areas would have acceptable levels of light with 2 hours of direct sunlight to over 50% of areas.

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7. One additional response received from a Bressey Avenue local resident (Jennifer Passingham 11.08.13) was summarised by the officer as including the following point:
 - a. We are pleased that Bressey Avenue will only be used for cycles and emergency vehicles.
 - b. Members requested that the case officer approach the developer regarding the provision of the signage referred to in Ms Passingham's e-mail to make it clear that the parking was for residents only.
8. The statement of Councillor Simon Maynard (Chase ward Councillor) on behalf of local residents highlighting concerns not addressed by the current proposals, including the following points:
 - a. He wanted to highlight residents' concerns regarding traffic issues.
 - b. Additional road works at the QE2 Stadium and box junction coupled with school expansions in the area are causing parking problems in the area already.
 - c. Paragraph 6.4.20 of the report did not clarify off street parking figures or when the parking surveys on surrounding roads was carried out.
 - d. He was disappointed with the statement made at paragraph 6.15.5/4 that the proposed provision for access and parking would have no adverse effect on the free flow and safety of traffic and pedestrians using the adjoining highways and felt that this was insufficient, the role should be to improve the situation.
 - e. The only access into and out of the development, through Melling Drive, would make traffic issues worse.
 - f. There had been no thought given to increased anti-social behaviour.
 - g. He was not opposed to the development but issues around parking and residents concerns should be addressed.
9. The response of Paul Pearce (Notting Hill Housing) and Adam Donovan (Deloitte Real Estate) including the following points:
 - a. Notting Hill Housing already managed 625 properties in Enfield and was proposing to develop 63 units out of the 150 proposed units as affordable housing.
 - b. The scheme was policy compliant and would help the Council achieve its quota of affordable housing.
 - c. There had been 2 days of public consultation and a Planning Panel.
 - d. Since the consultation and Planning Panel, the applicant had subsequently amended the application. In particular, changes to the access proposals via Abercrombie Drive and Bressey Avenue to meet concerns raised by residents.
 - e. There was a comprehensive parking and traffic policy in place which had been developed in conjunction with TfL & the Highway authority.
Parking provision would include 145 parking spaces in accordance with the London Plan and would limit impact on the surrounding roads.
 - f. A parking management plan would be secured through the Section 106 agreement.

10. Members' debate and questions responded to by officers', including the following points:
 - a. Concern by Members' regarding traffic increase in an already congested area. The 145 allocated parking spaces would create more traffic movements and the Melling Drive access into and out of the development will cause traffic problems.
 - b. In response officers stated that this was a residential scheme replacing a large busy depot and the proposed scheme would not have a detrimental impact or exacerbate traffic in the area. There were no grounds on traffic terms to refuse the application.
 - c. Parking surveys had been conducted between the hours of 12:30am – 05:30am to assess the current level of parking provision.
 - d. The A10/Carterhatch Lane junction was running at full capacity and there would be no alteration to the A10 traffic lights. Transport for London (TfL) would always give signal timing priority to the strategic road over Carterhatch Lane.
 - e. The proposed 4 storey blocks would be compatible in the area as there were other 3-4 storey blocks in the vicinity of the site.
 - f. The present extent of anti-social behaviour in the area was not a material planning consideration.
 - g. From the recent site visit to the Depot, on the 17 August, Members' noted parking problems in neighbouring roads caused by Council employees from Charles Babbage House, parking their vehicles in residential car parks in Melling Drive. Employees of Enfield Council should not be parking their vehicles in parking spaces allocated to residential flats. Members' enquired if Section 106 monies could be secured to improve the private car park. The response by officers' stated that they would be unable to incorporate section 106 funding to improve the the private car park, but that they would be discussing this issue with the developer.
 - h. The applicant had addressed all the issues that had been raised.
11. The unanimous support of the Committee for the Officers' recommendation subject to completion of a Section 106 agreement.

AGREED that planning permission be granted subject to completion of Section 106 agreement, the Head of Development Management/Planning Decisions Manager be authorised to grant planning permission subject to the conditions set out in the report, for the reasons set out in the report.

252

P12-00939PLA - 265, HIGH STREET, ENFIELD, EN3 4DW

NOTED

1. Introduction by the Planning Decisions Manager clarifying the proposals and surroundings.
2. One letter of objection raising the following concerns:
 - Already enough congestion and this will add to it.

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- Enough noise and rubbish.
 - Noise and vibration during construction which could damage adjacent properties.
3. Additional condition – Details of tree protection during construction to be submitted to and approved by the LPA.
 4. The unanimous support of the Committee for the Officers' recommendation.

AGREED that subject to the completion of a Section 106 agreement to secure the matters outline, planning permission be granted subject to the conditions set out in the report, for the reasons set out in the report and the following additional condition.

Additional Condition requiring details of tree protection during construction to be submitted to and approved by the Local Planning Authority (LPA).

253

P13-01507PLA - GALLIARD PRIMARY SCHOOL, GALLIARD ROAD, LONDON, N9 7PE

NOTED

1. Introduction by the Head of Development Management clarifying the proposal and surroundings.
2. The proposed building would be sited within Metropolitan Open Land (MOL), however, due to its siting and scale it would not compromise the open character of the MOL or impact on residential amenity of surrounding properties.
3. The unanimous support of the Committee for 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 conditions.

254

P13-01585PLA - HOUNDSFIELD PRIMARY SCHOOL, RIPON ROAD, LONDON, N9 7RE

NOTED

1. The introduction by the Head of Development Management clarifying the proposal and surroundings.
2. Additional condition required requiring that the parking facilities available on site to be made available at a time when the Multi Use Games Area (MUGA) is available for community use.
3. The unanimous support of the Committee for 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, for the reasons set out in the report and subject to a further additional condition requiring the submission of details of a management system for the switching off of the floodlights.

Additional Condition

Prior to the installation of the floodlights hereby approved, details of timing/management system for the operation of the floodlights shall be submitted to the local planning authority for approval. The details shall specify measures by which the lights will be automatically switched off at 10:00pm (50%) with all lights off by 10:15pm. The floodlights shall be operated in accordance with this agreed details of this management system at all times unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of safeguarding the residential amenities of local residents and the visual amenities of the surrounding area.

255

P13-01976LBE - 50 - 96 MOREE WAY, LONDON, N18 2UN

NOTED

1. Introduction by the Planning Decisions Manager clarifying the proposals.
2. The creation of 12 parking spaces, a new vehicular access to Moree Way and inclusion of one disabled bay to alleviate existing parking pressures in the local area.
3. The unanimous support of the Committee for 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, for the reasons set out in the report.

256

P13-01645LBE - PALMERS GREEN LIBRARY, SOUTHGATE TOWN HALL, 251, GREEN LANES, LONDON, N13 4XE

NOTED

1. Introduction by the Head of Development Management clarifying the proposals.

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2. This proposal was an enabling phase to secure a viable long term future for the site and buildings as set out in the adopted Southgate Town Hall Planning Brief.
3. During the enabling works the Library would still be operational and the lift directly behind the new fire escape staircase would be retained.
4. The unanimous support of the Committee for 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, for the reasons set out in the report.

257

P13-01993LBE - 1 - 8, CORDWAIN HOUSE, 97, FORE STREET, LONDON, N18 2XH

NOTED

1. Introduction by the Planning Decisions Manager clarifying the proposals.
2. The unanimous support of the Committee for 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, for the reason set out in the report.

258

P13-02016LBE - CHESTERFIELD PRIMARY SCHOOL, 2B, CHESTERFIELD ROAD, ENFIELD, EN3 6BG

NOTED

1. Introduction by the Planning Decisions Manager clarifying the proposals.
2. The unanimous support of the Committee for 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, for the reasons set out in the report.

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APPEAL INFORMATION

NOTED that the update on decision relating to Town Planning Appeals would be circulated to members following the meeting.

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Noted the information on Town Planning application appeals received from 3 June 2013 to 1 August 2013 summarised in tables.