LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date: 24th September 2013

Ward: Town

Report of

Assistant Director - Planning, Highways & Transportation

Contact Officer:

Andy Higham Tel: 020 8379 3848 Sharon Davidson Tel: 020 8379 3841 Mr A. Jarratt Tel: 020 8379 3842

Category: Dwellings

Application Number: P12-01749PLA

LOCATION: 213 -219, BAKER STREET, ENFIELD, EN1 3LA

PROPOSAL: Redevelopment of site involving demolition of existing building and erection of a four storey block comprising 2 retail units on ground floor (A1/A2) and 10 self contained flats on first, second and third floors with condenser units to roof, balconies to all elevations and off street parking at rear with access to Baker Street.

Applicant Name & Address:

Brooke Brothers Retirement Ben Scheme 213, BAKER STREET, ENFIELD, EN1 3LA

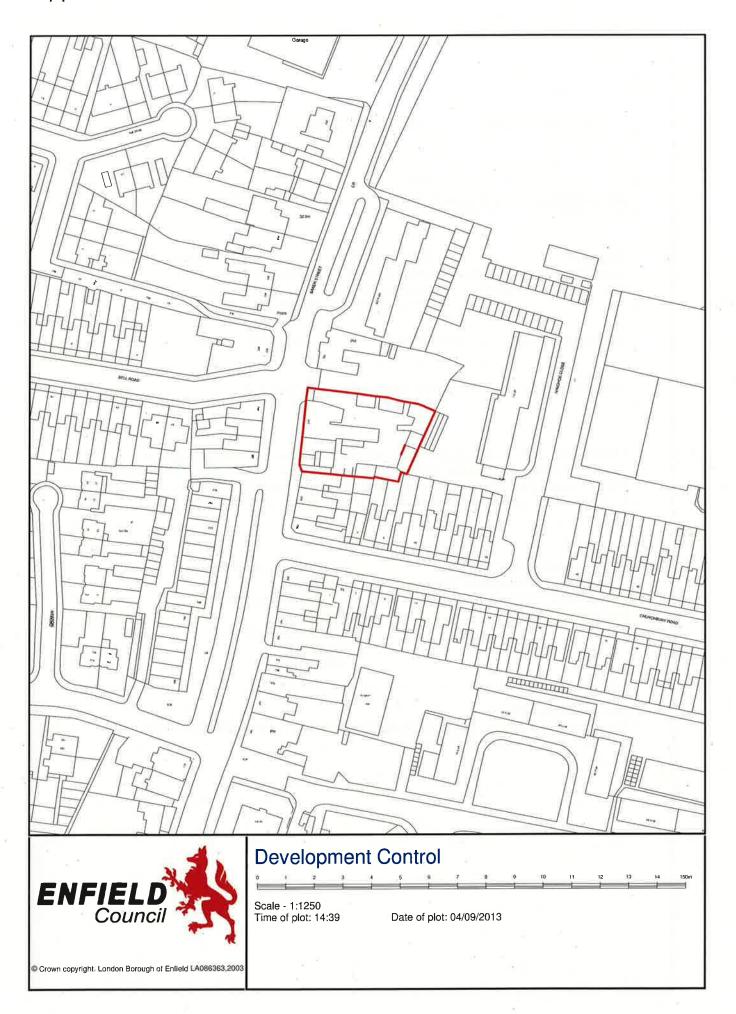
Agent Name & Address:

Gerry Wade,
Derrick Wade Waters
Field House
Station Approach
Essex
CM20 2FB

RECOMMENDATION:

It is recommended that planning permission be deemed to be **GRANTED** subject to a Section 106 agreement and conditions.

Application No:- P12-01749PLA



1 Site and Surroundings

- 1.1 The application site is located on the east side of Baker Street, north of its junction with Churchbury Lane and almost opposite the junction with Bell Road. The site is currently occupied by a small terrace of two storey buildings occupied by a betting office, a take-away and a letting agents on the ground floor with residential over. The rear part of the site is occupied by a series of single storey garages occupied as a car repair business. The site has the benefit of access to Baker Street.
- 1.2 The area in the vicinity of the site is mixed in character comprising primarily retail units with residential over to the Baker Street frontage. To the north the site adjoins the Bell Public House, to the south a three storey terrace comprising retail units on the ground floor with residential over. The eastern and south eastern boundaries of the site adjoin residential properties in Churchbury Road and Ivinghoe Close.

2 Proposal

2.1 This application proposes the redevelopment of the site, including the demolition of all existing buildings, and the erection of a new 4 storey building to provide two commercial units on the ground floor – a retail unit and a replacement unit for the existing betting office, together with 10 residential units over comprising (8 x 2 bed and 2 x 3 bed). The new building is primarily 3 storeys in height, relating to the height of the adjacent terrace to the south, with a four storey element which would be both recessed from the front main wall and each side boundary. Access to the site would remain as existing from Baker Street, leading to 10 parking spaces to the rear of the

3 Relevant Planning Decisions

- 3.1 None of direct relevance
- 4 Consultations
- 4.1 Statutory and non-statutory consultees

Traffic and Transportation

4.1.1 Traffic and Transportation note that the scheme is fundamentally a replacement of existing uses but with additional residential units. This in itself would not give rise to undue concern in terms of the additional trips to arise from the development and their impact on the network. It utilises the existing access alongside the northern boundary of the site. This is shown to serve the rear car parking and will be adequate for this purpose. The layout will provide sufficient space for turning a refuse freighter (although not fully demonstrated by the auto-track). However refuse freighters may well in practice seek to collect from the street as will any deliveries seeking to serve the front of the premises. To accommodate this, on- highway arrangements will put in place outside peak hours. Provision is made for the following:

Car parking – 10 spaces (inc. 1 for blue badge use) is acceptable for the size of the development

Cycle parking – dedicated cycle store shown for 12 cycles, which is sufficient for the anticipated demand..

Waste/re-cycling storage – adequate facilities integrated into the ground floor accommodation..

- 4.1.2 An ATM is proposed to the site frontage (southern section of frontage). This does give rise to concern as the associated parking can result in delays/congestion. Any individual parking offence may be short-term, but will be almost impossible to prevent, but cumulatively can cause an enduring problem. Deletion of the installation from the application would be preferred, unless a CCTV traffic enforcement camera is provided to assist in addressing this.
- 4.1.3 The new building line is set back from current and the new forecourt is shown paved. Its dedication as public footway will assist in enhancing the highway and accommodating the proposed loading arrangements

Biodiversity Officer

4.1.4 The Biodiversity Officer confirms that the ecological report submitted with this application has been undertaken to an appropriate standard and concludes that there should be no ecological constraints to this development. However, the proposals contain virtually no landscaping and instead have a large area of hardstanding and as such the development would not comply with either the NPPF or local planning policy. It is recommended that an outline landscaping scheme be provided to include native and wildlife friendly landscaping and large canopy trees to break up the hardstanding.

Thames Water

4.1.5 Thames Water raises no objections to the development but identify that there are public sewers crossing the site or close to the development and approval is required from Thames Water where building works lie within 3m of a public sewer.

4.2 Public

- 4.2.1 Consultation letters were originally sent to 73 adjoining and nearby properties. In addition the application was advertised both on site and in the local press. In response 15 letters of objection were received. The objections raised can be summarised as:
 - the provision of a Tesco store would spell devastation to local retailers trying to keep their businesses going in the current economic climate.
 - Extra traffic
 - The plans do not include parking for shoppers.
 - Waiting restrictions in Baker Street means that visitors to local shops and schools already park in adjacent residential roads.
 - Dust, noise and disruption
 - The proposed building will be taller than existing buildings and those surrounding the site along Baker Street.

- The building will be out of character with those immediately surrounding the site
- The demolition of the existing buildings will be an architectural loss to the area which includes alternative examples of Victorian shopping terraces.
 The building would be enhanced with restoration as it has been neglected by the owners.
- Delivery access to the retail business will cause traffic problems as Baker Street is a busy and narrow road.
- Parking in the area is already a severe problem, in particular in Bell Road, Tenniswood Road and Churchbury Road. This will exacerbate the parking problem.
- The assessment of increased local employment ignores the loss of jobs in the existing businesses, including the garages at the rear.
- Height of the building will lead to loss of light and outlook to adjacent/nearby properties
- Loss of privacy
- Noise from condenser units and air source heat pumps on balconies.
- Long opening hours from retail unit and frequent deliveries.
- The existing wall of one of the garage workshop buildings would be demolished giving rise to security implications for adjacent residents.
- The demolition of could cause serious damage to adjacent structures/buildings - what measures are in place to prevent damager to adjacent properties?
- During construction adjacent properties would be exposed to risk of burglary and vandalism.
- No demand for another convenience store.
- 4.2.2 Since the original consultation, revised drawings have been received, reducing the total number of residential units proposed, together with design amendments. Further consultation has taken place with adjoining residents and any further responses received will be reported at the meeting.

5 Relevant Policy

- 5.1 The National Planning Policy Framework (NPPF) published in March 2012 allowed local planning authorities a 12 month transition period to prepare for the full implementation of the NPPF. Within this 12 month period local planning authorities could give full weight to the saved UDP policies and the Core Strategy, which was adopted prior to the NPPF. The 12 month period has now elapsed and as from 28th March 2013 the Council's saved UDP and Core Strategy policies will be given due weight in accordance to their degree of consistency with the NPPF.
- 5.2 The Development Management Document (DMD) policies have been prepared under the NPPF regime to be NPPF compliant. The Submission version DMD document was approved by Council on 27th March 2013 for submission to the Secretary of State for examination. Examination and subsequent adoption is expected later this year. The DMD provides detailed criteria and standard based policies by which planning applications will be determined.
- 5.3 The policies listed below are considered to be consistent with the NPPF and therefore it is considered that due weight should be given to them in assessing the development the subject of this application.

5.4 The London Plan

Policy 3.3	Increasing housing supply
Policy 3.4	Optimising housing potential
Policy 3.5	Quality and design of housing developments
Policy 3.8	Housing choice
Policy 3.10	Definition of affordable housing
Policy 3.12	Negotiating affordable housing
Policy 3.13	Affordable housing thresholds
Policy 5.1	Climate change mitigation
Policy 5.2	Minimising carbon dioxide emissions
Policy 5.3	Sustainable design and construction
Policy 5.12	Flood risk management
Policy 5.13	Sustainable drainage
Policy 6.3	Assessing the effects of development on transport capacity
Policy 6.9	Cycling
Policy 6.10	Walking
Policy 6.13	Parking
Policy 7.1	Building London's neighbourhoods and communities
Policy 7.2	An inclusive environment
Policy 7.3	Designing out crime
Policy 7.4	Local character
Policy 7.6	Architecture
Policy 7.19	Biodiversity and access to nature

5.5 <u>Local Plan – Core Strategy</u>

CP2	Housing supply and	locations	for new	homes
-----	--------------------	-----------	---------	-------

- CP3 Affordable housing
- CP4 Housing quality
- CP5 Housing types
- CP9 Supporting community cohesion
- CP17 Town Centres
- CP20 Sustainable energy use and energy infrastructure
- CP21 Delivering sustainable water supply, drainage and sewerage infrastructure
- CP24: The road network
- CP25: Pedestrians and cyclists
- CP28 Managing flood risk through development
- CP30 Maintaining and improving the quality of the built and open environment
- CP32 Pollution
- CP36 Biodiversity
- CP46 Infrastructure contributions

5.6 Saved UDP Policies

(II) GD3	Aesthetics and functional design
(II) GD6	Traffic Generation
(II) GD8	Site Access and Servicing
(II) H8	Overlooking and privacy
(II) S19	Design of retail development

5.7 Submission Version DMD

DMD1	Affordable housing on sites capable of providing 10 or more units
DMD2 DMD3	Affordable Housing for Developments of less than 10 units Providing a Mix of Different Sized Homes
DMD6	Residential Character
DMD8	General standards for new residential development
DMD9	Amenity space
DMD 10	Distancing
DMD25	Locations for new retail, leisure and office development
DMD28	Large local centres, small local centres and local parades
DMD 33	Betting shops
DMD37	Achieving High Quality and Design-Led Development
DMD38	Design Process
DMD39	The design of business premises
DMD44	Preserving and Enhancing Heritage Assets
DMD45	Parking Standards and Layout
DMD47	New roads, access and servicing
DMD48	Transport Assessments
DMD49	Sustainable Design and Construction Statements
DMD50	Environmental Assessment Methods
DMD51	Energy Efficiency Standards
DMD53	Low and zero carbon technology
DMD54	Allowable solutions
DMD55	Use of roof space/vertical surfaces
DMD56	Heating and cooling
DMD57	Responsible sourcing of materials, waste minimisation and
	green procurement.
DMD58	Water Efficiency
DMD61	Managing surface water
DMD68	Noise
DMD79	Ecological enhancements
DMD81	Landscaping

5.8 Other Relevant Policy Considerations

National Planning Policy Framework London Housing SPG Section 106 Supplementary Planning Document

6 Analysis

<u>Principle</u>

The application site is located within the Baker Street Large Local Centre. The site already contains a mix of uses, including approximately 620sq.m of retail floor space together with 2 residential units over. The proposal provides for 476 sq.m of retail floor space to be occupied as two retail units and 10 residential units. This mix of accommodation, together with the provision of retail floor space at ground floor level is considered appropriate within a Large Local Centre and in keeping with the character of the immediate area.

- There has been concern raised by local residents that the proposed retail unit will be occupied by a major supermarket chain which would be detrimental to the surrounding area and existing retail premises. While the concern is noted, the end occupier of the units is not a material planning consideration. The issue for consideration is whether the principle of and quantum of retail space proposed is acceptable on this site. The site is located within a Large Local Centre and presently includes retail space at ground floor level. The proposal continues the principle of retail floor space at ground floor level with a reduction floor space compared to what presently exists. The principle of retail development is therefore considered acceptable with regards to Core Policy 17 of the Enfield Plan and Policies DMD25 and DMD 28.
- 6.3 Concern has also been expressed by local residents about the loss of the existing buildings on this site. These buildings are of some age and contribute to the ambience and character of this part of Baker Street. However, they do not benefit from any statutory protection and therefore there is no objection in principle to their demolition.

Siting, size, scale and external appearance

- The size, scale and design of the proposed building has been the subject of discussion and amendment since the application was originally submitted, resulting in a removal of two residential units from the scheme.
- The site has a PTAL rating of 2 and the area in the vicinity of the site would fall somewhere between the urban and suburban definition in terms of character. Accordingly, the London Plan density matrix would suggest a density range of between 150-250hrph (suburban) or 200-450 (urban). The application site has an area of 0.117 hectares and a total of 32 habitable rooms are proposed, giving a density of 273 hrph. This density is considered acceptable in principle on this site having regard to the character and scale of development in the area.
- Baker Street is characterised by buildings of various styles and heights. Whilst the existing buildings on site are two storeys in height, the terrace immediately to the south is three storeys in height and the residential block to the rear of the site, in Ivinghoe Close, is four storeys in height. The design and scale of the building has been the subject of discussion and the scheme has been amended to ensure the main part of the building has a height consistent with the three storey building to the south. A four storey element is included, but this would be recessed from the site frontage and from each site boundary and treated externally in lighter materials. It is considered that the scale and massing of the building as now proposed is acceptable in the context of the Baker Street frontage and the wider surroundings.
- 6.7 The external appearance of the Baker Street frontage as proposed, seeks to echo some of the elements of the building to the south. The retail frontage has been broken to give the impression of three retail units, with pilasters taken through to break a fascia line. The fascia line is reflective of that to the retail units to the south. No details of finishing materials are given but the area includes a mix of yellow stocks, red bricks and render. A condition is recommended requiring approval of finishing materials, together with larger scale details of windows, cills and headers and the parapet detail to ensure overall quality of detail and finishing materials.

- 6.8 The siting of the proposed building respects the existing building line to the Baker Street frontage. This involves a set back from the present position of the buildings on site allowing for a wider footway. This is to be welcomed and the dedication of the additional section of frontage as public highway would be secured by S106 Agreement.
- Vehicle access to the site remains as existing. This is designed as a shared surface providing access to 10 car parking spaces and cycle storage to the rear. The parking spaces are for the benefit of future residents only and this allows the access to be gated and thus provide a more secure and attractive environment for future residents. Pedestrian access to the residential units would be from a point beyond the gates on the north elevation of the building. Pedestrian access to the retail units would be direct to Baker Street. The access arrangements to the site are considered acceptable.

Residential Mix

Market Housing

- 6.10. The proposed development comprises a total of 10 residential units at first, second a and third floor level.
- 6.11 Core Policy 5 of the Enfield Plan seeks an appropriate range, in size and tenure of housing types. Policy 3.8 of the London Plan addresses housing choice and the Enfield Housing Market Assessment, Final Report 2010 emphasises the lack of suitable family housing with at least three bedrooms.
- 6.12 Core Policy 5 of the Enfield Plan indicates that over the lifetime of the Core Strategy, the following mix of housing should be achieved:

Social rented housing

<u> </u>	•
20% 1 & 2 bed flats	20% 1 & 2bed 3 person flats
15% 2 bed houses	20% 2 bed 4 person flats
45% 3 bed houses	30% 3 bed units
20% 4bed + houses	30% 4 bed + units

- 6.13 DMD 3 of the Submission version DMD states that development on sites capable of accommodating 10 or more dwellings, in particular should meet targets. Development of less than 10 units should contribute towards meeting these targets by providing a mix of different size homes, including family sized accommodation.
- 6.14 The proposed development makes provision for eight 2-bed and two 3-bed flats. This would not meet the optimum mix set out above, particularly in respect of family sized accommodation. However, it must be acknowledged that this is a mixed use development, with the residential accommodation provided over retail accommodation at ground floor, and given this together with other constraints of the site, the provision of only two family sized units is considered acceptable.

Quality of Accommodation

- 6.15 Core Policy 4 of the Enfield Plan, Policy 3.5 of the London Plan and the London Housing SPG seek to ensure that new residential development is of a high standard.
- 6.16 London Plan Policy 3.5, as detailed in Table 3.3 "Minimum space standards for new development" and the London Housing SPG requires the following minimum floor standards to be met:

Dwelling type (bedroom (b)/persons- bed spaces(p))	GIA (sqm)
1b2p	50
2b3p	61
3b4p	74
3b5p	86

- 6.17 The proposed flats all exceed the corresponding minimum floor space standards in the London Plan and SPG.
- 6.18 The proposed third floor flats would be located immediately adjacent to the plant room proposed at roof level and to service the ground floor retail space. In order to safeguard the amenities of future residential occupiers, a condition is recommended to ensure that no sound arising from the plant room shall be audible in any of the residential flats within the development and that an acoustic report be submitted demonstrating measures to be employed to ensure this.

Amenity Space

- 6.19 Policy (II) H9 of the UDP refers to amenity space standards for developments. In regards to amenity space provision for flats such amenity space is normally used communally rather than being subdivided between individual occupiers within the development. The policy requires that amenity space for flats should equate to 75% of the total GIA of the proposed building and balconies can be included within this calculation, however should not exceed 15% of the total amenity space provision. The proposed development would not comply with these standards.
- 6.20 Policy DMD9 of the Submission Development Management Document reduces the overall quantum of amenity space necessary to support a development but focuses more on the quality and functionality of that space for future residents. Amenity space standards are more in line with the London Plan and London Housing SPG.
- 6.21 The proposed amenity space provision for the site is made up primarily of private balconies for each flat, which would comply with the relevant private amenity space standards set out in the London Plan, London Housing SPG and DMD 9. DMD 9 also seeks to ensure the provision of an element of communal amenity space for flats. There is limited opportunity for communal space within the scheme due to the mixed use nature of the development and the need to provide parking and turning facilities to the rear of the site. However, the parking layout shown does not provide the most efficient layout and there would be scope within the area to the rear to provide some soft landscaping/amenity space whilst still providing the level of parking shown.

Accordingly, it is recommended that a condition be attached to require the submission of a revised parking layout plan. Given this, the level of amenity space is suitable to meet the needs of future occupiers.

6.22 The site is located within walking distance of open space and chidlren's play facilities at Aldersbrook Avenue, to the south east of the site.

Affordable Housing

6.23 Core Policy 3 of the Core Strategy seeks to ensure a Borough wide target of 40% affordable housing in new units on sites capable of accommodating ten or more dwellings. Whilst 10 dwellings are proposed as part of this development, there are two existing residential units on site and therefore the net increase in provision is 8 units. Accordingly, policy would require a financial contribution towards provision of affordable housing off-site. In this instance the applicant has confirmed that all units would be provided by a Housing Association and therefore comprise affordable housing and therefore the policy would no off-site contribution would be required and Core Policy 3 would be complied with. Notwithstanding, a S106 Agreement will be required to ensure the units are provided by a Housing Association as proposed.

Traffic, access and parking

- 6.24 Notwithstanding the concerns raised by local residents regarding congestion and parking issues, having regard to the existing use of the site, Traffic and Transportation have confirmed that the proposed development is acceptable in terms of the access, parking and servicing arrangements. Concern has been raised about the inclusion of an ATM to the site frontage. This has been discussed with the applicant who has advised that an ATM is required as part of the proposal and has agreed therefore to fund the provision of a CCTV camera to address enforcement of waiting restrictions.
- 6.25 Concern has been raised by residents that no provision is to be made for staff or visitor parking linked to the retail units. No such dedicated parking presently exists for the existing retail units on site. As with other retail units in this Large Local Centre visitors would be expected to either arrive on foot or park on street. Restricting the car parking to be provided as part of the development to residents only, would enable a security gate to be provided across the entrance to the site, limiting access to the rear of the site which would provide a more attractive and secure environment to the rear for both adjoining and future residents.
- 6.26 Concern has also been expressed that deliveries taking place from the street will impede traffic flow. The existing retail units on the site, together with those in the immediate vicinity presently service from the street and the proposal is to continue this arrangement. The scheme did offer the opportunity to allow delivery vehicles to enter the site and service from the rear. However, it was considered on balance that this would be unlikely to be used and to therefore design the scheme around a servicing layout would compromise the environment for future residential occupiers. As set out above, limiting access to the rear to residents only should ensure a more secure environment for future residents. It is also noted that the development in setting back the front building line from its current position would allow for the provision of a wider footpath and therefore, with appropriate reinforcement, there could be scope

for delivery vehicles to park two wheels on pavement. The applicant has agreed to fund any works necessary to facilitate servicing from the street (pavement reinforcement if required, waiting and loading restrictions etc) and these would be secured through a S106 and 278 Agreement.

Impact on neighbouring properties

- 6.27 The proposed building is sited to align with the existing front wall of No.211 Baker Street to the south, to which the building would be attached. The rear wall of the building would align with the rear wall of the two storey addition to the rear of this property before stepping out at a distance of 5.5m from the boundary. No.211 Baker Street is occupied as a Fish and Chip shop on the ground floor with residential accommodation over. There are no windows in the flank elevation. There is a single window in the rear elevation at first/second floor level and the proposed development would breach a 30' angle when taken from the mid point of this window. However, as the proposed development is to the north of this window and the outlook from the window is somewhat impeded by the mono pitched roof to the two storey addition to the rear of No.211, it is considered that the proposed development would not have an undue impact on the amenities of the occupier of the residential accommodation through loss of light or outlook.
- 6.28 The third floor level of accommodation includes a secondary living room window in the south facing elevation. This is positioned such that it would face the blank flank wall of No.211 Baker Street and therefore would not give rise to any overlooking of the property, or the properties further to the south/south-east in Churchbury Road.
- 6.29 The proposed building would be separated from the Bell Public House to the north by the access road leading to the rear parking facilities. Given this, and the fact that the Public House also has an access leading to its own car park on the boundary, the proposed development would not have any undue impact in terms of loss of light or outlook for the occupiers of this property. The development does include windows to the north elevation. However, these are designed as a box that projects from the flank wall with the windows facing east and west only, and therefore would not raise issues of overlooking or privacy.
- 6.30 The application site bounds the residential blocks in Ivinghoe Close to the east. The minimum separation distance between facing windows is achieved and therefore the development, which does include balconies to the rear elevation, should have no undue impact on the amenities of the occupiers of these properties.
- 6.31 To the south east, the site abuts the rear boundaries of properties in Churchbury Road. The ground floor element of the building would not extend to the depth of single storey buildings that presently exist on site. The first and second floor element of the building has been amended to reduce its projection into the site and would now align initially with the rear wall of the two storey back addition to No.211, before stepping out at a distance of approximately 5.5m from the southern site boundary. Given this, and the existing of a 1 ½-2 storey building to the rear of No 2 Churchbury Road, it is considered that the relationship of the block to these properties is acceptable and would not dominate their outlook or result in any loss of light. Balconies

are proposed to the rear elevation of the block. However, these would be sited approximately 9.5m from the southern boundary and would be contained by elements of the building either side and so would not give rise to overlooking or loss of privacy.

- 6.32 Opposite the site there is a terrace of retail units with residential accommodation over. The facing distance between the proposed building and these properties would be approximately 15m, which would be below the normal facing distance standard of 25m. However, the existing buildings, which include residential accommodation over are slightly closer and as this is on the public face of the building where levels of privacy are reduced, separated by Baker Street, this separation distance is considered acceptable. Whilst the proposed building would stand taller than the existing building, given the separation distance, it is not considered that the residents of the units opposite the site would suffer any undue loss of light.
- 6.33 Adjoining residents have expressed concern about security of their properties, particularly during the construction stage and the implications for the demolition of boundary structures/walls. This would be largely a matter for the developer of the site to address in terms of compliance with the Party Wall Act and ensuring the site was secure and compliant with relevant Health and Safety legislation. However, a condition is recommended requiring the submission of a construction management plan.
- 6.34 The application confirms that the retail units proposed would look to operate between 0700 hours and 2300 hours daily. The existing retail units on site are not subject to any hours of use restrictions. The area in the immediate vicinity of the site includes a public house to the north and a number of other uses which operate within similar hours, particularly late into the evening. Given this, the hours of use proposed are generally considered acceptable and should not lead to a noise or disturbance detrimental to the amenities of adjoining and nearby residents. However, it is considered that Sunday opening hours should be more restricted as background noise and general levels of activity are normally less, particularly in the early morning, and therefore it is recommended that opening hours on Sundays be restricted to 0900 to 2200 hours.
- 6.35 Concern has been raised about noise arising from plant on the building and air source heat pumps originally proposed and to be located on balconies. Air source heat pumps as originally proposed are not considered acceptable for a variety of reasons and the applicant had been advised that the approach to energy use on the site will need to be reconsidered. Condition 24 as recommended addresses this issue. The plant for the building would be positioned to the front of the building, at roof level and enclosed. The Noise Report submitted with the application confirms that the development would be unlikely to generate a level of noise that would harm the amenities of adjoining and nearby residents. Notwithstanding a condition is recommended to require the submission of an acoustic report to set out the sound level generated from the plant room and state the noise control measures to be employed to ensure the noise from the plant room does not exceed a level of 10dB(A) below the lowest measured background noise levels at the façade of the nearest residential property excluding those within the development itself.

Sustainable Design & Construction

6.36 The development is designed to achieve Code Level 4 for Sustainable Homes. The retail units will need to achieve a BREEAM 'Very good' and this will be secured by condition. The flat roof to the ground floor retail store is proposed as a green roof and a condition will require the submission of details of it. Conditions are also recommended requiring the submission of details of the energy strategy for the development and measures to address sustainable urban drainage.

Biodiversity

6.37 The ecological report submitted with the application that there are no ecological constraints to development. Conditions are recommended seeking to secure biodiversity enhancements through landscaping and other measures such as the integration of bird/bat boxes within the building.

S106

6.38 As discussed throughout this report the following matters will need to be secured through a S106 Agreement:

100% affordable housing provision on site

Education contribution of £24,951

Funding of highway works/waiting restrictions to address on street deliveries (these works would also need to be addressed through a S278 Agreement)

Funding for the installation of CCTV camera and monitoring (subject to ATM being retained)

dedication of widened footway as public highway.

<u>CIL</u>

- As of the April 2010, new legislation in the form of CIL Regulations 2010 (as amended) came into force which would allow 'charging authorities' in England and Wales to apportion a levy on net additional floor space for certain types of qualifying development to enable the funding of a wide range of infrastructure that is needed as a result of development. Since April 2012 the Mayor of London has been charging CIL in Enfield at the rate of £20 per sum. The Council is progressing its own CIL but this is not expected to be introduced until spring / summer 2014.
- 6.40 In this instance the proposed evelopment would be subject to a £20 per square metre levy in accordance with the GLA's CIL Charging Schedule.
- The applicant has indicated that the new development would create 1720sq.m square metres in gross internal floor area and would result in the demolition of 1246sq.m of existing floor space, giving a net increase of 474sq.m of additional floor space. On this basis, the calculation and sum arising would be as follows:

 $(£20/m2) \times (474m2) \times 232/223 = £9,862.60$

The provision of 100% affordable housing on site would enable the applicant to apply for relief for an element of the CIL liability and this would be for the applicant to apply for.

7 Conclusion

- 7.1 Having regard to all of the above, it is considered that on balance the scheme is acceptable for the following reasons:
 - The proposed development provides additional residential units in the Borough. This accords with Core Policies 2 of the Enfield Plan, Policies 3.3 and 3.4 of the London Plan and the objectives of the National Planning Policy Framework.
 - The proposed development is considered to respect the character and appearance of the surrounding area and street scene and is therefore acceptable with regards to Core Policy 30 of the Core Strategy, Policy (II)GD3 of the Unitary Development Plan, Policies 7.6 and 7.8 of the London Plan and DMD 6, 8, 37 and 39 of the Submission version Development Management Document
 - The proposed development is considered to not have a detrimental effect on neighbouring occupier's residential or visual amenities nor harm the character and appearance of the existing site and wider locality having regard to Core Policy 30 of the Enfield Plan, Policies (II)GD3 and (II)H8 of the Unitary Development Plan and Policy DMD 10 of the Submission Version Development Management Document.
 - The proposed development, having regard to existing use of the site, will not give rise to conditions prejudicial to the free flow and safety of either pedestrian or vehicular traffic on the adjoining highways, or unacceptably prejudice the availability of existing parking on the surrounding roads, having regard to Core Policy 25 of the Enfield Plan, Policies (II)GD6 and (II)GD8 of the Unitary Development Plan, Policies 6.3, 6.9, 6.10 and 6.13 of The London Plan, and Policy DMD45 and 47 of the Submission Version Development Management Document.

8 Recommendation

- 8.1 It is recommended that planning permission be deemed to be GRANTED subject to a Section 106 agreement and conditions which are summarised below:
 - 1 C61 Approved Plans Revised
 - 2 C07 Details of Materials
 - 3 C09 Details of Hard Surfacing
 - That development shall not commence until detailed drawings, including sections, to a scale of 1:20 or larger of a sample panels through the building together to include details of windows, sills and headers, balconies, pilasters and parapet detailing, have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to occupation.

Reason: In the interests of amenity

- 5 C10 Details of Levels
- 6 C11 Details of Enclosure
- Notwithstanding the drawings submitted, development shall not commence until details of a revised parking and turning facilities to be provided in accordance with the standards adopted by the Local Planning Authority have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be constructed in accordance with the approved details before the development is occupied and shall be maintained for this purpose.

Reason: To ensure that the development complies with Unitary Development Plan Policies and does not prejudice conditions of safety or traffic flow on adjoining highways.

- 8 C14 Details of Access and Junction
- The parking area(s) forming part of the development shall only be used for the parking of private motor of residents of the development or their visitors and shall not be used for any other purpose.

 Reason: To ensure that the development complies with Unitary Development Plan Policies and to prevent the introduction of activity which would be detrimental to amenity.
- 10 C17 Details of Landscaping
- 11 C19 Details of Refuse Storage & Recycling Facilities
- 12 C25 No additional Fenestration
- 13 C30 Restriction of Open Storage
- 14 C33 Contaminated Land
- Deliveries and collections to and from the premises shall only take place between the hours of 0930 and 1630 hours and 1830 and 2000 hours Mondays to Saturdays and between the hours of 0900 and 1600 hours on Sundays.
 - Reason: To safeguard the amenities of the occupiers of nearby residential properties and having regard to the impact of deliveries on local highway conditions.
- The premises shall only be open for business and working between the hours of 0700 and 2300 hours Monday to Saturday and 0900 to 2200 hours on Sundays.
 - Reason: To safeguard the amenities of the occupiers of nearby residential properties.
- 17 C41 Details of External Lighting
- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any amending Order, the retail premises included within this development shall only be used for purposes within Use Class A1 or A2 purposes as defined by the Town and Country Planning (Use Classes) Order 1987.
 - Reason: Having regard to the amenities of the occupiers of adjoining and nearby properties.
- 19 C59 Cycle parking spaces
- 20 The development shall not commence until details of a rainwater recycling system have been submitted to and approved in writing by the Local Planning Authority. The details submitted shall also demonstrate the maximum level of recycled water that can feasibly be provided to the development.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: To promote water conservation and efficiency measures in all new developments and where possible in the retrofitting of existing stock in accordance with Policy CP21 of the emerging Core Strategy, Policy 5.15 of the London Plan.

21 The development shall not commence until details of surface drainage works have been submitted and approved in writing by the Local Planning Authority. The details shall be based on an assessment of the potential for disposing of surface water by means of a sustainable drain age system in accordance with the principles as set out in the Technical Guidance to the National Planning Policy Framework. The drainage system shall be installed/operational prior to the first occupation and a continuing management and maintenance plan put in place to ensure its continued function over the lifetime of the development.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: To ensure the sustainable management of water, minimise flood risk and to minimise discharge of surface water outside of the curtilage of the property in accordance with Policy CP28 of the Core Strategy, Policies 5.12 & 5.13 of the London Plan and the NPPF.

22 The development shall not commence until details of bird and/or bat nesting boxes/bricks/tiles/tubes shall be submitted to and approved in writing by the Local Planning Authority.

No less than 10 nesting boxes/bricks/tiles/tubes shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes/bricks/tiles/tubes shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: To minimise the impact of the development on the ecological value of the area and to ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity in accordance with Policy CP36 of the Core Strategy, the Biodiversity Action Plan and Policy 7.19 of the London Plan.

- 23 The development shall not commence until evidence has been submitted to and approved in writing examining the feasibility of providing a biodiversity (green/brown) roof(s) within the development. If the evidence demonstrates a green/brown roof can be provided then prior to the commencement of development details of the green/brown roof to be provided shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity (green/brown) roof(s) shall be:
 - a. Biodiversity based with extensive substrate base (depth 80-150mm);
 - b. Planted/seeded with an agreed mix of species within the first planting season following practical completion of the building works.

The biodiversity (green/brown) roof shall not be used for any recreational purpose and access shall only be for the purposes of the maintenance and

repair or means of emergency escape. Details shall include full ongoing management plan and maintenance strategy/schedule for the green/brown roof to be approved in writing by the Local Planning Authority.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: To minimise the impact of the development on the ecological value of the area and to ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity in accordance with Policy CP36 of the Core Strategy, the Biodiversity Action Plan and Policies 5.11 & 7.19 of the London Plan.

- 24 The development shall not commence until a detailed 'Energy Statement' has been submitted and approved in writing by the Local Planning Authority. Submitted details will demonstrate the energy efficiency of the development and shall provide for no less than 25% total CO₂ emissions arising from the operation of a development and its services over Part L of Building Regs 2010 (expressed as a 25% improvement of the Dwelling Emission Rate over the Target Emission Rate baseline) utilising gas as the primary heating fuel. The Energy Statement should outline how the reductions are achieved through the use of Fabric Energy Efficiency performance, energy efficient fittings, and the use of renewable technologies. Where renewables are proposed, details shall include:
 - a. The resulting scheme, together with any flue/stack details, machinery/apparatus location, specification and operational details;
 - b. A management plan and maintenance strategy/schedule for the operation of the technologies;
 - c. (if applicable) A servicing plan including times, location, frequency, method (and any other details the Local Planning Authority deems necessary);
 - d. (if applicable) A noise assessment and air-quality assessment regarding the operation of the technology; and
 - e. (if applicable) In the case of ground source heat pumps and ground source cooling confirmation that the system shall be a 'closed loop' system and shall not tap or utilise ground water / aquifer.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO_2 emission reduction targets are met in accordance with Policy CP20 of the Core Strategy, Policies 5.2, 5.3, 5.7 & 5.9 of the London Plan 2011 and the NPPF.

25 Following practical completion of works a final Energy Performance Certificate shall be submitted to an approved in writing by the Local Planning Authority. Where applicable, a Display Energy Certificate shall be submitted within 18 months following first occupation.

Reason: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO₂ emission reduction targets

are met in accordance with Policy CP20 of the Core Strategy, Policies 5.2, 5.3, 5.7 & 5.9 of the London Plan 2011 and the NPPF.

- Evidence confirming that the development achieves a Code for Sustainable Homes rating of no less than 'Code Level 4' (or equivalent scheme or rating if this is updated) shall be submitted to and approved in writing by the Local planning Authority. The evidence required shall be provided in the following formats and at the following times:
 - a design stage assessment, conducted by an accredited Code Assessor and supported by relevant BRE interim certificate, shall be submitted at pre-construction stage prior to the commencement of superstructure works on site; and,
 - b. a post construction assessment, conducted by and accredited Code Assessor and supported by relevant BRE accreditation certificate, shall be submitted following the practical completion of the development and prior to the first occupation.

The development will be assessed under the November 2010 version of the Code unless this has been superceded at commencement of works.

The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior approval of the Local Planning Authority.

Reason: In the interests of addressing climate change and to secure sustainable development in accordance with the strategic objectives of the Council and Policies 3.5, 5.2, 5.3, 5.7, 5.9, 5.12, 5.13, 5.15, 5.16, 5.18, 5.20 & 6.9 of the London Plan 2011 as well as the NPPF.

- 27 Evidence confirming that the development achieves a BREEAM New Construction 2011 rating of no less than 'Very Good' shall be submitted to and approved in writing by the Local planning Authority. The evidence required shall be provided in the following formats and at the following times:
 - a design stage assessment, conducted by an accredited Assessor and supported by relevant BRE interim certificate, shall be submitted at pre-construction stage prior to the commencement of superstructure works on site; and,
 - d. a post construction assessment, conducted by an accredited Assessor and supported by relevant BRE accreditation certificate, shall be submitted following the practical completion of the development and prior to the first occupation.

The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior approval of the Local Planning Authority.

Reason: In the interests of addressing climate change and to secure sustainable development in accordance with the strategic objectives of the Council and Policies 3.5, 5.2, 5.3, 5.7, 5.9, 5.12, 5.13, 5.15, 5.16, 5.18, 5.20 & 6.9 of the London Plan 2011 as well as the NPPF.

28 Development shall not commence until revised details confirming compliance with all of the Lifetime Homes standards have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter.

Reason: To ensure that the development allows for the future adaptability of the home to meet with the needs of future residents over their lifetime in accordance with Policy CP4 of the Core Strategy and Policy 3.5 of the London Plan 2011.

29 The development shall not commence until a Green Procurement Plan has been submitted to and approved in writing by the Local Planning Authority. The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including by use of low impact, locally and/or sustainably sourced, reused and recycled materials through compliance with the requirements of MAT1, MAT2 and MAT3 of the Code for Sustainable Homes and/or relevant BREEAM standard. The Plan must also include strategies to secure local procurement and employment opportunities. Wherever possible, this should include targets and a process for the implementation of this plan through the development process.

The development shall be constructed and procurement plan implemented strictly in accordance with the Green Procurement Plan so approved.

REASON: To ensure sustainable procurement of materials which minimises the negative environmental impacts of construction in accordance with Policy CP22 and CP23 of the Core Strategy and Policy 5.3 of the London Plan

- 30 The development shall not commence until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan should include as a minimum:
 - Target benchmarks for resource efficiency set in accordance with best practice
 - ii. Procedures and commitments to minimize non-hazardous construction waste at design stage. Specify waste minimisation actions relating to at least 3 waste groups and support them by appropriate monitoring of waste.
 - iii. Procedures for minimising hazardous waste
 - iv. Monitoring, measuring and reporting of hazardous and non-hazardous site waste production according to the defined waste groups (according to the waste streams generated by the scope of the works)
 - v. Procedures and commitments to sort and divert waste from landfill in accordance with the waste hierarchy (reduce; reuse; recycle; recover) according to the defined waste groups

In addition no less than 85% by weight or by volume of non-hazardous construction, excavation and demolition waste generated by the development has been diverted from landfill

Reason: To maximise the amount of waste diverted from landfill consistent with the waste hierarchy and strategic targets set by Policies 5.17, 5.18, 5.19, 5.20 of the London Plan and the draft North London Waste Plan.

- 32 That development shall not commence until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The construction methodology shall contain:
 - (i) a photographic condition survey of the roads, footways and verges leading to the site
 - (ii) details of construction access, associated traffic management and vehicle routing to the site
 - (iii) arrangements for vehicle servicing and turning areas
 - (iv) arrangements for the parking of contractor's vehicles
 - (v) arrangements for wheel cleaning
 - (vi) details of the site compound and the layout of any temporary construction buildings
 - (vii)arrangements for the storage of materials
 - (viii) hours of work
 - (ix) A construction management plan written in accordance with the 'London Best Practice Guidance: The control of dust and emission from construction and demolition'.

The development shall then be undertaken in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the implementation of the development does not lead to damage to the existing roads, prejudice highway safety or the free-flow of traffic on the adjoining highways, and to minimise disruption to neighbouring properties.

No sound arising from the plant room shall be audible in any of the residential units within the development. An acoustic report demonstrating inaudibility has been achieved shall be submitted to and approved by the local planning authority prior to occupation of any of the residential units.

Reason: To safeguard the amenities of the future occupiers of the residential units hereby approved.

Prior to the installation of any plant and equipment within the plant room identified on the roof of the proposed building an acoustic report shall be submitted to and approved by the Local Planning Authority. The report must set out the sound level generated from the plant room and state the noise control measures to be employed to ensure the noise from the plant room does not exceed a level of 10dB(A) below the lowest measured background noise levels at the façade of the nearest residential property excluding those within the development itself. The plant shall be installed in accordance with the approved details.

Reason: To safeguard the amenities of the occupiers of adjoining and nearby properties.

