

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date : 22nd October 2013

Report of
Assistant Director - Planning,
Highways & Transportation

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Ward: Haselbury

Application Number : P12-02206PLA

Category: Other Development

LOCATION: 59-69, CHURCH LANE, LONDON, N9 9PZ

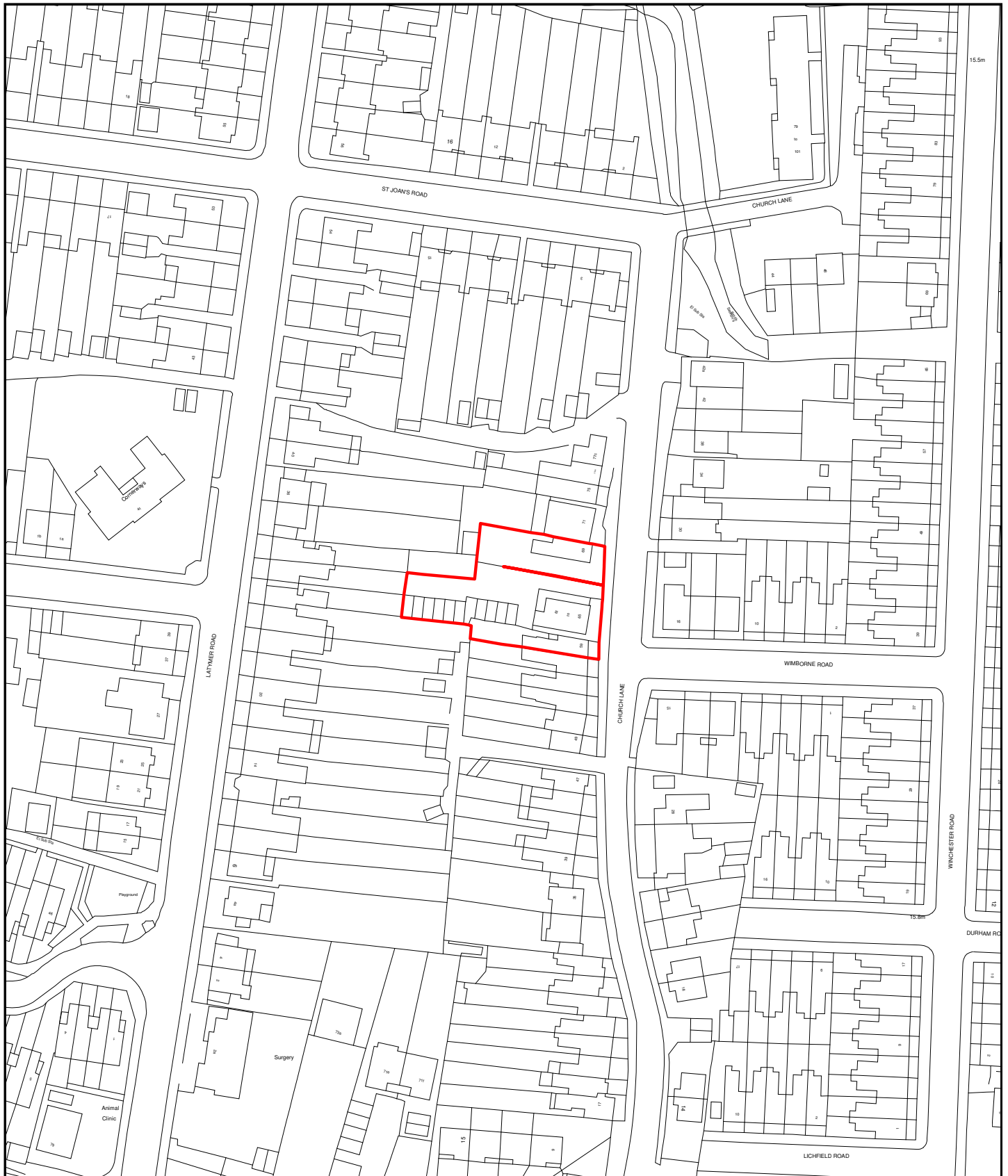
PROPOSAL: Erection of a replacement temple with detached Mandapam and mixed use of No. 59 Church Lane as residential accommodation, meeting area, shop and computer room ancillary to temple use.

Applicant Name & Address:
Enfield Nagapooshani Ambaal Temple
59 Church Lane
Enfield
N9 9PZ

Agent Name & Address:
Lamont Planning Associates
PO Box 339
Watford
WD19 4XB

RECOMMENDATION:

It is recommended that planning permission be **REFUSED**.



Development Control



Scale - 1:1250
Time of plot: 08:56

Date of plot: 09/10/2013

1. Site and Surroundings

- 1.1 The site is occupied by a two storey detached building located on the western side of Church Lane. The site is surrounded predominantly by residential properties. The building has permission to be used as a place of worship granted under planning reference TP/03/0483.
- 1.2 The site is located on the western side of Church Lane, directly opposite the junction with Wimborne Road.
- 1.3 The site is not within a conservation area and does not contain any listed buildings.

2. Proposal

- 2.1 Planning permission is sought for the erection of a replacement temple with detached Mandapam and mixed use of No. 59 Church Lane as residential accommodation, meeting area, shop and computer room ancillary to temple use.
- 2.2 Parking is proposed to the front and rear of the site comprising of a total of 8 spaces.

3. Relevant Planning Decisions

- 3.1 TP/99/0302 - Single storey rear extension at 61-65 Church Lane - granted
- 3.2 TP/03/0483 - Change of use from light industrial to meeting hall with associated facilities on ground floor with self-contained 2-bed flat above, granted 09-May-2003 subject to conditions including:
- 3.3 TP/03/0483/2 - Continued use of premises as a meeting hall with associated facilities, incorporating extension of hours of use between 8am and 10pm - granted
- 3.4 TP/03/0483/1 - Details of refuse, sound insulation to first floor flat and amplified sound generation from the premises, pursuant to condition 1, 3 and 4 under Ref: TP/03/0483, in connection with the change of use from light industrial to meeting hall with associated facilities on ground floor with self-contained 2-bed flat above - granted
- 3.5 TP/04/0609 - Formation of pitched roof to replace existing flat roof- granted
- 3.6 TP/06/0241 - Demolition of existing building and erection of a part 2-storey, part lower ground detached building with basement parking for 14 cars to provide a Prayer hall – refused for the following reasons:
 1. The proposed erection of a part 2-storey, part lower ground detached building to provide a Prayer hall, by reason of its design, detailing, height, scale and mass results in a cramped, intrusive and discordant form of development which is considered detrimental to the visual amenities of the area and the street scene. This would be contrary to Policies (I) GD1, (I) GD2 and (II) GD3 of the Unitary Development Plan.

2. The proposed erection of a part 2-storey, part lower ground detached building to provide a Prayer hall, by reason of its size, siting and excessive rearward projection within the site, would give rise to conditions through a loss of light, outlook and privacy, that would adversely affect the residential amenities enjoyed by the occupiers of adjacent residential properties. This would be contrary to Policies (I)GD1 and (II)GD3 of the Unitary Development Plan.
 3. In light of the absence of information concerning the nature, operation, number of visitors and intensity of the use as a Prayer hall, the Local Planning Authority are unable to accurately assess the acceptability of the proposed car parking provision in accordance with the standards adopted by the Council and therefore the proposal may give rise to kerbside parking in the adjacent streets to the detriment of safety and free flow of traffic including pedestrian traffic on the highway. This would be contrary to Policy (II)GD6 and (II)GD7 of the Unitary Development Plan.
 4. In light of the absence of information concerning the nature, operation, number of visitors and intensity of the use as a Prayer hall, the Local Planning Authority are unable to accurately assess the acceptability of the proposal in terms of noise and disturbance to the surrounding properties and therefore it is considered the proposal would result in increased activity and general noise and disturbance associated with the potential level of occupation that would detract from the existing residential amenities of the adjoining residential property. This would be contrary to Policies (I) GD1 and (I) GD2 of the Unitary Development Plan.
- 3.7 TP/09/1251 – First floor rear extension at 59 Church Lane – refused
 - 3.8 TP/09/1678 - Two storey rear extension, first floor side extension and side/rear with hipped roof over and alterations to fenestration at all sides - refused
 - 3.9 TP/09/1705 - Retention of covered walkway to the side of the property - refused
 - 3.10 TP/11/0143 - Two storey rear extension, first floor side extension and side/rear with hipped roof over and alterations to fenestration at all sides – granted

4. Consultations

4.1 Statutory and non-statutory consultees

4.1.1 Traffic and Transportation

Objection in accordance with the observations set out below under sub heading 'Highway Safety, Access and Parking'.

4.1.2 Biodiversity Officer

No objection

4.1.3 Trees and Landscape

No objections

4.1.5 Environmental Health

Objection - Taking into consideration the past history from noise complaints about the premises, if planning permission is granted, it is highly likely that there will be a potential outbreak of noise from activities associated with the proposed site. In my opinion this will be prejudicial to the local amenity and the neighbouring residential properties that surround the site.

4.1.6 Economic Development

No objection

4.1.7 Thames Water

No objection

4.1.8 London Fire and Emergency Planning

No objection

4.1.9 Metropolitan Police

No objection but recommend the applicant adopt principles of Secure by Design

4.1.10 Sustainable Design

No objection subject to conditions

4.2 Public

4.2.1 The application was originally submitted on 4 September 2012 and has since been revised following discussions. Consultation letters have been sent to 396 adjoining and nearby residents. In addition, site notices have been displayed. During the first consultation a total of 38 responses were received in favour of the proposed development and 26 were received objecting to the proposed development. Comments are detailed below.

4.2.2 The following comments were received in support of the original application:

- The temple is the only one in Enfield for the Tamil community and therefore important
- Very happy to come to the temple to meet other people
- I am gaining my spiritual level, peace of mind and meeting devotees and support expansion
- Using the space and building a bigger temple will benefit everyone who attends
- I love coming to the temple and cannot wait to see the big temple
- Expansion of the temple will be good for our children
- I would love out temple to be made bigger
- Temple encourage everyone to do charity work
- Expansion will enable more people to attend and benefit

- Bigger building would accommodate the vast number of people who come here
- Temple is providing our culture and developing our culture
- There is now a lot of devotees attending and there is not enough space for the charity
- By expanding, the temple can organise more activities for our self and children
- Urgent need of expansion to accommodate the growing number of people who come to the temple
- I want the temple to be built bigger
- Temple is place where the Hindu-Tamil community can come together
- Temple needs the extra space
- Temple should be built superior
- We need a spacious temple
- A lot of people want to see a traditional temple
- It is only temple in north London Borough of Enfield expansion will benefit devotees and the younger generation
- Proposed temple will be an aesthetically pleasing building when developed and rebuilt
- Expansion of temple is pleasing and hope to see more devotees
- Currently my family have to stand outside when it is busy due to lack of space
- Expanded temple would be able to provide more classes for young people
- Distressed to hear that the council are not supporting the application for expansion
- The expansion is vital as members, family, friends and children have increased over the years
- Expansion will beneficial to future generations
- Good to convert the building into a traditional looking temple

4.2.3 In addition a petition from London Anglo Tamil Association in support signed by 75 people.

4.2.4 The following comments were received objecting to the original application:

- Temple is noisy
- No consideration to parking rules
- Extension is inconvenience
- Large amounts of litter
- They have people who work in the council
- There are a lot of parking issues
- Not correct place for temple
- Church lane is narrow
- Existing temple causes many problems
- A lot of disruption in summer months
- Driveways are often blocked by visitors
- A lot of noise at night when temple finishes
- Building will dominate the skyline
- Impact of proposed construction
- There has been an increase in usage over past months
- Level of parking has increased, further expansion will make things worse

- Proposed building will duplicate services offered by New Covenant Church
- Proposed building will dominate the area
- Street is not very clean with lots of rubbish
- Existing nearby parking and buses have little effect
- Properties lose market value
- Parking is horrendous on celebration days
- Design and access statement states it is not an option to move however what happens when they outgrow the site again
- Problems with parking and refuse

4.2.5 Following further consultation on revised plans a total of 28 responses have been received raising the following objections:

- Object to further development of the temple
- Having such a building in residential area is a diabolical idea
- Will cause distress to neighbouring residents
- Not given opportunity to protest at the initial build
- Problems with noise pollution, smell pollution and parking
- Current size of temple conflicts with residents interests
- Temple members park on our roads causing large inconvenience
- They do not use parking at Latymer Allsaints School
- Temple is noisy especially during summer months
- Smell from food cooked on site prevents people hanging clothes outside
- Suggest moving temple to a far more convenient area
- Church Lane is a lane of cottages and similar houses, a temple will be out of character
- Why does such a small area need three places of worship
- The temple show no benefit to local residents, with many attendees from different boroughs
- New temple will attract sightseers as well as new attendees
- Church Lane is a small and quiet residential byway
- Since 2003 parking has become a daily nightmare for those in proximity
- Noise pollution from ringing of bells
- Environmental pollution from temple busses
- Marked increase in rubbish on streets
- Invasion of privacy when festivals are held
- Building will overshadow and destroy the aspect of the traditional London suburb
- Problems with noise, parking and refuse
- Traffic problems since temple started
- Breach of human rights
- Local area not coping with the level of patronage of the temple
- Traffic congestion
- Concern with road safety and the related difficulty with parking for both residents and visitors
- Breaches of parking control
- Community has endured negative impact from facility for 10 years
- Many users drive to temple

- Why is bus service needed with nearby train and bus station acknowledged
- The Temple location is not in keeping with the characteristic in Church Lane and the surrounding area.
- Continual problems with traffic congestion and parking which has been on going from the time The Meeting Hall (temple) took up occupancy.
- The revised plans shows an reduction in the main building but the capacity remain the same. With a new basement area added.
- Existing temple attendees block residents drives
- Scale is unsuitable for this congested area
- A lot of visitors drive to the temple and parking is a problem with parking controls ignored
- It is s residential area and the temple is out of character
- Is there a more suitable site in Enfield?
- Revised height of building is still out of character
- Church lane is narrow
- Visitors park badly
- Litter is a problem when events take place
- Anti-social behaviour
- Proposal is discordant and visually intrusive form of development out of keeping with the immediate area

4.3 Petition

- 4.3.1 A petition signed by 95 residents has been submitted objecting to the proposed development.
- 4.3.2 In addition a petition from London Anglo Tamil Association signed by 75 people in support of the original proposal was submitted.

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 3.16	Social infrastructure
Policy 5.1	Climate change mitigation
Policy 5.2	Minimising carbon dioxide emissions
Policy 5.3	Sustainable design and construction
Policy 5.13	Sustainable drainage
Policy 5.14	Water quality and wastewater infrastructure
Policy 5.15	Water use and supplies
Policy 5.16	Water self-sufficiency
Policy 5.18	Construction, excavation and demolition waste
Policy 6.3	Assessing the effects of development on transport capacity
Policy 6.7	Better streets and surface transport
Policy 6.10	Walking
Policy 6.11	Smoothing traffic flow and tackling congestion
Policy 6.12	Road network capacity
Policy 6.13	Parking
Policy 7.1	Building London's neighbourhoods and communities
Policy 7.2	An inclusive environment
Policy 7.4	Local character
Policy 7.6	Architecture
Policy 7.8	Heritage assets and archaeology
Policy 7.19	Biodiversity and access to nature
Policy 8.2	Planning Obligations

5.5 Local Plan – Core Strategy

CP9	Supporting community cohesion
CP20	Sustainable energy use and energy infrastructure
CP21	Delivering sustainable water supply, drainage and sewerage infrastructure
CP24	The road network
CP25	Pedestrians and cyclists
CP30	Maintaining and improving the quality of the built and open environment
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) H2	Existing dwellings

5.7 Submission Version DMD

DMD16	Provision of New Community Facilities
DMD17	Protection of Community Facilities
DMD37	Achieving High Quality and Design-Led Development
DMD38	Design Process
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
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
DMD79	Ecological enhancements
DMD81	Landscaping

5.8 Other Relevant Policy Considerations

National Planning Policy Framework
Section 106 Supplementary Planning Document

6. **Analysis**

6.1 The key considerations in the determination of this planning application will focus on the principle of development, the impact of the development on the character and appearance of the street scene, highways and access issues, and neighbouring amenity.

6.2 Principle of development

6.2.1 Planning permission was granted for the change of use of this site from light industrial to meeting hall with associated facilities on ground floor with self-contained 2-bed flat above in May 2003(TP/03/0483). Permission was granted subject to a condition restricting the operating hours between 1000 and 2200 for one year. Permission was subsequently granted later in 2003 for the continued use of the premises between 0800 and 2200 (TP/03/0483/2). Permission was granted with consideration of the effects of the extended hours of opening upon the surrounding environment and surrounding properties.

6.2.2 Core Policy 9 of the Enfield Plan indicates that the Council will promote community cohesion by promoting accessibility whereby all members of the community have access to social facilities in locations that serve the community. In addition, London Plan Policy 3.16 states that development proposals which provide high quality social infrastructure will be supported in light of local and strategic needs assessments. Facilities should also be accessible to all.

6.2.3 Planning permission was granted in 2011 for the extension of the temple. The planning permission was subject to a condition that there shall be no more than 100 people present on site at any time. This condition was attached in order to protect the amenities of nearby residents and in the interest of highway safety. The permission has not been implemented.

6.2.4 The 2011 application granted permission for a two storey extension of the temple together with the removal of the internal first floor providing a total of 153sqm of worship space.

6.2.5 The proposed development will provide a total of 168sqm of worship space with an additional 80sqm of basement storage space. While the proposed

development will provide an addition of 32sqm of worship space above the existing temple and an increase of 15sqm above that granted permission in 2011, the creation of a purpose built temple is considered likely to attract additional worshippers over and above the large number who currently attend. The submitted transport statement indicates that some attendees travel considerable distances and therefore a purpose built temple with a large catchment area could still attract considerable numbers.

- 6.2.6 The level of activity on the application site appears to have steadily increased over time since permission was first granted in 2003. This is demonstrated through noise complaints and an increase in penalty charge notices issued in vicinity of the site (discussed in sections 6.6 and 6.5). Further increases in attendances have the potential to increase disturbances for nearby residents and worsen the existing parking situation.
- 6.2.7 The 2011 permission included a condition restricting the number of people on site to a maximum of 100. At the time, this was considered acceptable to safeguard the amenities of the nearby residents and highway safety. Since permission was granted the circumstances of the surrounding area have changed with increased noise disturbance and heavily congested roads.
- 6.2.8 The existing site is currently used as a place of worship and therefore the use is established in principle. While there is extant permission to provide a modest extension to the worship space, given the existing situation any expansion of the temple, particularly through comprehensive redevelopment is not considered acceptable in principle.

6.3 Loss of residential

- 6.3.1 The proposed development will include the use of the ground floor of number 59 for purposes associated with the temple. The uses will include a meeting area, shop and computer room which are ancillary to the temple use.
- 6.3.2 The first floor of number 59 is to be retained as a single residential flat while number 69 will be retained completely for residential use as a single family dwelling.
- 6.3.3 The existing temple building also contains a residential flat used by the priesthood. While this flat will be lost as part of the proposed development, given that it is associated with the temple and does not form standard market accommodation its loss is considered acceptable with regards to Core Policies 1 and 2 of the Enfield Plan and Policy (II)H2 of the UDP.

6.4 Character of the Surrounding Area

- 6.4.1 The application site currently has a small two storey detached building used as a place of worship.
- 6.4.2 The National Planning Policy Framework advises that Local Planning Authorities should not attempt to impose architectural styles or particular tastes, and that design policies should concentrate on guiding factors such as the layout of the new development in relation to neighbouring buildings. It is however proper to seek to promote or reinforce local distinctiveness. In addition, Core Policy 30 seeks to maintain and improve the quality of the built and open environment, whilst Policy (II) GD3 of the UDP seeks to promote

high standards of functional design in developments. London Plan policies 7.4 Local Character and 7.6 Architecture are also relevant.

6.4.3 The area is characterised by residential properties. The existing building whilst of a more modern design still maintains residential characteristics with a simple appearance and modest scale, with pitched roof. The proposed building, as with a number of places of worship is intended to emphasise its use as a destination and thus has an appearance which reflects this. While it is recognised that the design of the building has been significantly reduced in terms of scale and mass since the original submission, it is still considered that the overall appearance of the proposed temple will be at odds with the surrounding modest residential terraced properties.

6.4.4 In addition, based on the applicants submitted transport statement those who attend the temple do not largely reside in the immediate vicinity of the application site and therefore the feature appearance is not considered a necessary focus of the local area. With regards to this, the design and appearance of the proposed temple is not considered to respect the character of the surrounding area and is therefore contrary to Core Policy 30 of the Enfield Plan, Policy (II)GD3 of the UDP, Policies 7.4 and 7.6 of the London Plan and Emerging Policy DMD37 of the Submission Version DMD.

6.5 Highway Safety, Access and Parking

6.5.1 The main consideration is the impact the expansion of the temple will have on the area in terms of the increase in the on street parking demand. It is noted from figures included in the Transport Statement and from site observations that parking is approaching saturation levels on Church Lane, Wimbourne Road and Winchester Road. Figures from surveys in the TA show that on three of the four days on which the surveys were undertaken that Church Lane and Wimbourne Road had parking saturations of above 90% at 18.30. This is not unexpected as they are the roads immediately adjacent to the site. However, the surrounding roads also had a relatively high parking occupancy with Winchester Road showing saturation levels of 53%, 79%, 89% and 79% at 18.30. Litchfield Road had similar levels, at 71%, 86%, 86% and 86%. Surveys undertaken by LBE gave similar results.

6.5.2 Although there is an argument that the temple expansion would not result in an increase in the number of visitors, based on the previous site history it is considered that the increase in size is likely to accommodate an increase in numbers. It is acknowledged that the increase may be gradual, and that there won't be an increase in the number of worshippers straight away. However, over time numbers are likely to increase. The additional facilities may result in the temple being busier for longer periods including throughout the daytime as well as the evening, which will further impact on the on street parking availability. It is noted that the number of people who can be accommodated within the temple will be limited by its size, so it is unlikely to continue increasing beyond a certain point. However, numbers are already high and the reason for the expansion is to provide additional space which is already needed; a situation which could re occur in the future.

6.5.3 As well as limiting the on street parking availability for residents, the increase in the demand for on street parking is likely to have a negative impact on the highway safety conditions of the surrounding roads. Visitors will naturally try to park as close as possible to the temple, causing congestion and vehicle

manoeuvres and increasing the chance of conflicts, particularly around Church Lane / Church Road junction. The further reduction in spaces will further reduce the opportunity for vehicles to give way to oncoming traffic, particularly on Church Lane where there are limited parking restrictions and crossovers which could provide space for vehicles to pull in to and give way. The narrow footway widths as a result of the two wheel parking also make the footways unsuitable for high numbers of pedestrians and limits visibility for people crossing the road, and whilst this may be acceptable if it only occurred on limited occasions, the increase in the intensity and frequency of the usage of the temple means it is likely to happen more often should the application be approved.

6.5.4 It is noted that the site would have a travel plan and that the applicant is willing to enter into a Section 106 to secure the use of a shuttle bus to and from Edmonton Station, as well as provide additional car parking using Latymer School car park. These initiatives are welcomed however they would be required to operate for the entirety of the temple's usage. This could be problematic if the school did not agree to the S106. Given the scale of the work involved in developing the temple, then a temporary approval to assess the impact would not be appropriate.

6.5.5 Church Lane is known to be heavily congested and this is supported by figures which show that between 01 January 2005 and 14 March 2013 a total of 984 Penalty Charge Notices have been issued in Church Lane alone. Furthermore, in the local vicinity the number of notices has shown to be on the rise with 402 issued in 2011, 571 in 2012 and up to 14 March 2013 a total of 234 were issued. While the charge notices cannot be attributed solely to the temple, they do show a rising trend demonstrating the parking saturation in the local area. However, the increasing activity over time and given the illegal parking noted in close proximity to the application site on several site visits would suggest that at least some of the charge notices can be attributed to those visiting the temple. Any increase in visitors could potentially worsen the situation.

6.5.6 It is also noted that the applicant has made amendments to the plans to reduce the overall floorspace, and has now included some parking within the site itself. However there are still concerns that the any increase in worship area could lead to an increase in worshippers and exacerbate the current parking problem which is already approaching saturation levels.

6.5.7 The proposed development is likely to ultimately result in an increase in visitors to the site, and therefore an increase in the on street parking demand in the local area. This will have an associated impact on highway safety due to the surrounding roads being unsuitable to accommodate the expected parking demand increase.

6.5.8 The proposed development, due the expectant increase in worshippers and vehicle movements, results in a scheme that will potentially give rise to an unacceptable on street parking demand that may prejudice the availability of existing on street parking spaces, and have a negative impact highway conditions of the surrounding roads, and is therefore contrary to Policies (II)GD6 and (II)GD8 of the UDP, Policy 6.13 The London Plan 2011, and Policy 45 of the Enfield DMD.

6.6 Neighbouring Amenity

- 6.6.1 The proposed development will be sited on the western side of Church Lane. The surrounding area is predominately residential in character with mostly modest two storey terraced properties. Numbers 59 and 69 Church Lane form part of the application site and will partly be retained in residential use as part of the proposed development.
- 6.6.2 Emerging Policy DMD16 states that planning permission for new community facilities will be granted where the proposed development does not harm the amenities of neighbouring and nearby properties. While the proposed development is not a completely new community facility, given the nature of the proposed development as a new purpose built building, the principles of policy DMD16 are considered applicable in the determination of the planning application.
- 6.6.3 The proposed development will involve the demolition of the existing place of worship comprising of the former warehouse building and replacement with a purpose built temple.
- 6.6.4 Environmental Health have been consulted on the application and have indicated that the site has a history from noise complaints about the premises. It is considered that if planning permission is granted, even for a modest increase in floorspace then it is highly likely that there will be a potential outbreak of noise from activities which will be prejudicial to the local amenity and the neighbouring residential properties that surround the site.
- 6.6.5 While regard is had to the existing use of the site and the extant permission, the proposed development of a purpose built temple is considered likely to result in an increase in attendance numbers and therefore likely to lead to increased noise and disturbance and therefore contrary to Core Policies 22 and 30 of the Enfield Plan, Policy (II)GD3 of the UDP and Emerging Policy DMD16 of the Submission Version DMD.

6.7 Sustainability

- 6.7.1 Core Policy 20 of the Enfield Plan requires all new developments to address the causes and impacts of climate change by: minimising energy use; supplying energy efficiently; and using energy generated from renewable sources.
- 6.7.2 The applicant has submitted a BREEAM assessment as part of the application which indicates that the development is likely to achieve a 'Very Good' rating which ensures that the development has considered the principles of Sustainable Design and Construction. Should permission be granted, this will be conditioned.
- 6.7.3 The submitted energy statement indicates that a 74% over building regulations would be achieved which is considered very high. However this appears to be as places of worship are exempt from building regulations. The sustainable design officer has advised that given the proximity of the development to the proposed Edmonton Decentralised Energy Network, there should be a commitment for the applicant to connect to this if it is delivered in the future. This could be secured through condition were permission to be granted.

6.7.4 The proposed development, subject to conditions, is considered to be acceptable with regards to Core Policy 20 of the Enfield Plan, Policies 5.1, 5.2 and 5.3 of the London Plan and Emerging Policy DMD50 of the Submission DMD.

6.8 Biodiversity

6.8.1 The applicant has submitted a Phase 1 Habitat Survey Report with the application which has been reviewed by the Biodiversity Officer. The report concludes that the site has negligible potential to support roosting bats and no evidence of bats on site was found. However, given that two bats were seen in the vicinity during an Activity Survey it is recommended that bat boxes are secured as biodiversity enhancements on site. If planning permission were to be granted, these could be secured by condition.

6.8.2 The habitat survey also identifies that the site has the potential to support nesting birds. Therefore any vegetation to be cleared would need to be carried out outside of the bird nesting-season. This could also be secured by condition were permission to be granted.

6.9 Trees

6.9.1 The proposed development does not involve the removal of any trees on site. The applicant has indicated that trees on neighbouring land will not be affected by the proposed development. The submitted arboricultural assessment relates to the previous larger temple. While the proposed temple is now smaller, in order to ensure adjacent trees were not harmed during development, a condition could be imposed requiring the submission of a revised arboricultural method statement were permission to be granted.

6.10 Planning Obligations

Parking, waiting restrictions and minibus

6.10.1 The applicant has submitted a unilateral undertaking committing to the provision of a minibus service from Edmonton Green Station, waiting restrictions and two on street disabled parking spaces along Church Lane and the use of the Laytmer Primary School car park for those attending the temple. However, for reasons set out above, this is not considered sufficient to address the concerns raised.

6.11 Community Infrastructure Levy (CIL)

6.11.1 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 floorspace 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.

6.11.2 In this instance the proposed residential development would be subject to a £20 per square metre levy in accordance with the GLA's CIL Charging Schedule.

6.11.3 The applicant has indicated that the new development would result in an overall reduction of floorspace on site and thus the development would not be liable for any CIL payment.

6.12 Construction Impact

6.12.1 The proposed development will involve demolition and construction in close proximity to residential properties. Construction activity is largely regulated by the Control of Pollution Act 1974. Given the nature of the works and to ensure that disruption to residential properties and the local highway network was kept to an acceptable level, a condition requiring the submission of a construction management plan could be imposed were permission to be granted.

7. **Conclusion**

7.1 This application was originally registered in January 2013 and discussions have been on-going since with the applicant with a view to obtaining additional information and seeking to resolve concerns identified. However, it is considered that the concerns raised cannot be satisfactorily addressed and therefore having regard to all of the above, it is considered that on balance the scheme is unacceptable.

8. **Recommendation**

8.1 It is recommended that planning permission be REFUSED.

- 1 The proposed temple by virtue of its design and appearance is considered to be at odds with the character and appearance of the surrounding area and fails to respect the street scene and is therefore contrary to Core Policy 30 of the Enfield Plan, Policy (II)GD3 of the UDP, Policies 7.4 and 7.6 of the London Plan and Emerging Policy DMD37 of the Submission Version DMD.
- 2 The proposed development, due the expectant increase in worshippers and vehicle movements, results in a scheme that will potentially give rise to an unacceptable on street parking demand that may prejudice the availability of existing on street parking spaces, and have a negative impact highway conditions of the surrounding roads, and is therefore contrary to Policies (II)GD6 and (II)GD8 of the UDP, Policy 6.13 The London Plan 2011, and DMD45 of the Submission version DMD.
- 3 The proposed development of a purpose built temple is considered likely to result in an increase in attendance numbers and therefore likely to lead to increased noise and disturbance and therefore would be contrary to Core Policies 22 and 30 of the Enfield Plan, Policy (II)GD3 of the UDP and DMD16 of the Submission Version DMD.



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SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION
 In addition to the hazards/risks normally associated with the types of work detailed on this drawing, consult the following:
CONSTRUCTION

MAINTENANCE/CLEANING

DECOMMISSIONING/DEMOLITION

NOTE: all dimensions must be checked and confirmed on-site prior to commencement of construction and any discrepancies to drawings discovered on-site must be immediately brought to the attention of the project leader. do not scale this drawing.

Key Plan

2.0 27.09.13 Revised scheme issued for planning
 1.0 01.01.13 Issued for planning

SP AA HTCA
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Project Name
PROPOSED NAGAPOOSHANI AMBAAL TEMPLE
 59-69 CHURCH LANE
 EDMONTON
 LONDON N9 9PZ

SITE PLAN

Client
NAT/2012/2002

Project No.
 11053

Drawn By
 SP

Checked By
 SP

Approved By
 SP

Scale
 1:100

Revision
 4.0



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MAINTENANCE/CLEANING
 DECOMMISSIONING/DEMOLITION
 NOTE: All dimensions must be checked and confirmed on-site prior to commencement of construction and any inconsistencies to drawings discovered on site must be immediately brought to the attention of the project leader. Do not scale this drawing.

Key Plan

2.0 29.09.13 Revised scheme issued for planning
 1.0 23.08.12 Issued for planning

SP AA HTCA
 SP AA HTCA
 1m 1:24 1:25

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Project Name
 PROPOSED NAGAPOOSHANI AMBAAL TEMPLE
 59-61 CHURCH LANE
 EDMONTON
 LONDON N9 9PZ
 Title
 FRONT ELEVATION E1 E1
 (Chariot parking removed for clarity)

Project No. 11053
 Originator's Job No. 11053
 Drawing Originator A to the power of 3
 Checked By AA
 Approved By HTCA
 Checked Date 10/04/2012
 Approval Date 10/04/2012
 Drawn By SP
 Scale 1:50
 Status P2
 Version
 NAT/2012/2003
 4.0



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CONSTRUCTION

MAINTENANCE/CLEANING

DECOMMISSIONING/DEMOLITION

NOTE: all dimensions must be checked and confirmed on-site prior to commencement of construction and any discrepancies to drawings discovered on site must be immediately brought to the attention of the project leader. do not scale this drawing.

Key Plan

0.0 23.08.12 Issued for planning

SP AA HTCA

A to the power of 3

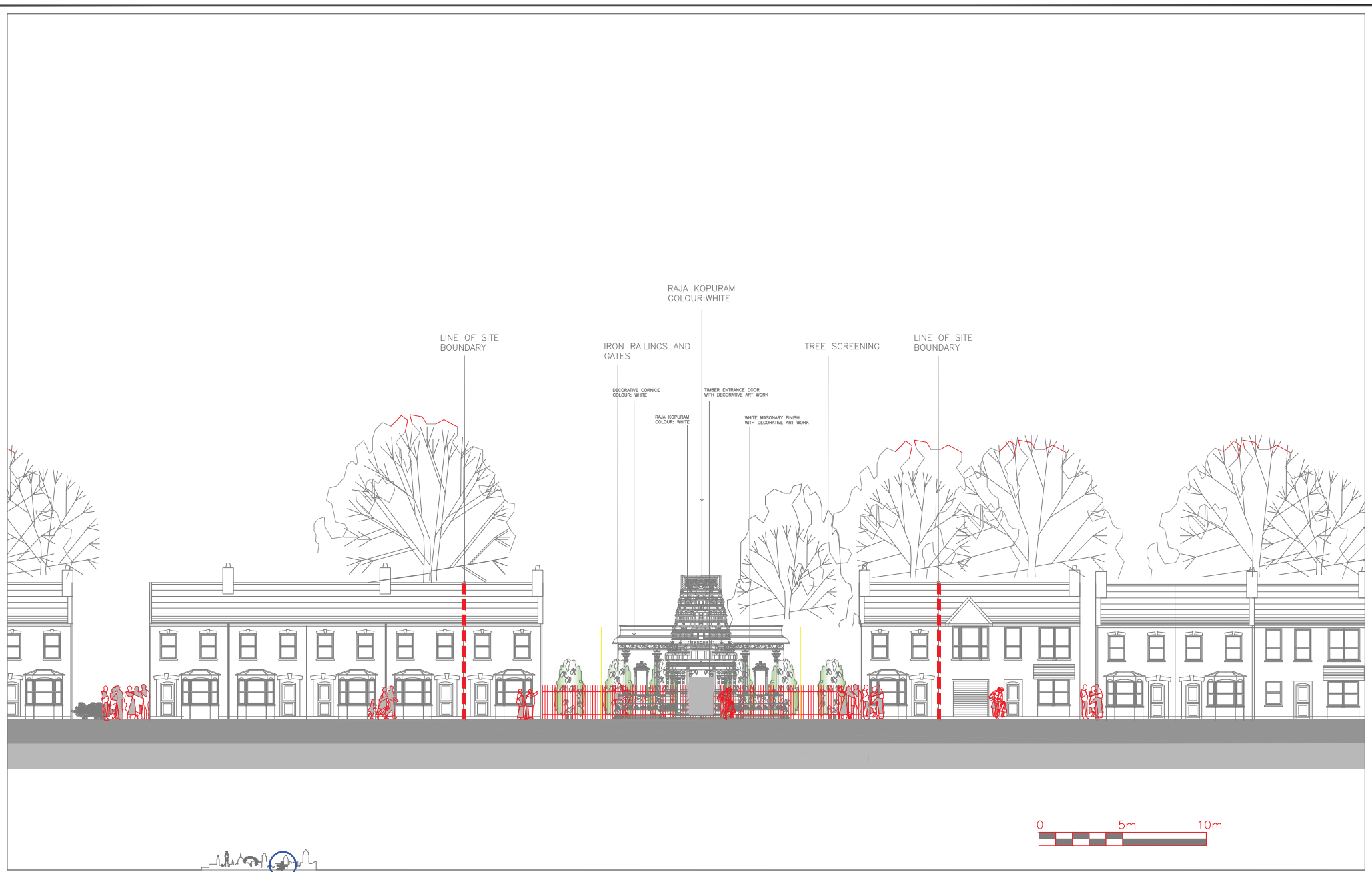
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Project Name
PROPOSED NAGAPOOSHANI AMBAAL TEMPLE
 59-69 CHURCH LANE
 EDMONTON
 LONDON N9 9PZ

Site
OVERLAY OF EXISTING / PROPOSED

ENFIELD HINDU CULTURAL ASSOCIATION		Project No. 11053
Drawing Originator A to the power of 3	Checked By AAA	Drawn By PS
Checked Date 10/04/2012	Approval Date 10/04/2012	Scale 1:200
NAT/2012/2015		Version 4.0



<p>to the power of 3 copyright</p> <p>SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION In addition to the hazards normally associated with the types of work detailed on this drawing, consult the following:</p> <p>CONSTRUCTION</p>	<p>MAINTENANCE/CLEANING</p> <p>DECOMMISSIONING/DEMOLITION</p> <p><small>NOTE: all dimensions must be checked and confirmed on-site prior to commencement of construction and any discrepancies to drawings discovered on site must be immediately brought to the attention of the project leader. do not scale this drawing.</small></p>	<p>Key Plan</p>	<p>1.0 23.08.12 Issued for planning</p> <p>SP AA HTCA</p>	<p>A to the power of 3</p> <p>Andy Amamath Architecture</p> <p>5 Addison Avenue Southgate London N14 4AL</p> <p>t: 0208 440 9686 m: 07528 183 453 email: andy.amamath5@gmail.com</p>	<p>Project Name PROPOSED NAGAPOOSHANI AMBAAL TEMPLE 59-69 CHURCH LANE EDMONTON LONDON N9 9PZ</p> <p>Client STREET ELEVATION</p>	<p>Project No. 11053</p> <p>Drawing Originator A to the power of 3</p> <p>Checked By NA</p> <p>Approval By NA</p> <p>Checked Date 10/04/2012</p> <p>Approval Date 10/04/2012</p> <p>Scale 1:100</p> <p>Drawn By AA</p> <p>Drawn Date 10/02/2012</p> <p>Status P2</p> <p>Revision 4.0</p>	<p>ENFIELD HINDU CULTURAL ASSOCIATION</p> <p>NAT/2012/1010</p>
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