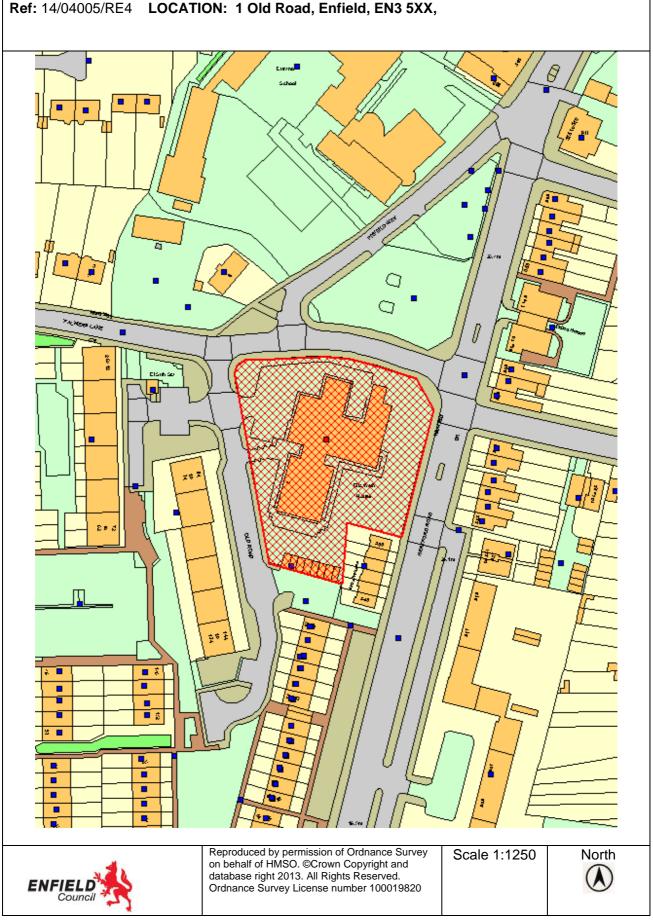
| LONDON BOROUGH OF ENFIELD  |  |   |                                      |                    |
|--|--|---|--------------------------------------|--------------------|
| PLANNING COMMITTEE   |  |   | Date: 16 <sup>th</sup> December 2014 |                    |
| <b>Report of</b><br>Assistant Director, Planning,<br>Highways & Transportation   | Contact Officer:<br>Andy Higham 020 8379 3848<br>Sharon Davidson 020 8379 3841<br>Ms Claire Williams 02083794372 |   | 8379 3841                            | Ward:<br>Southbury |
| <b>Ref:</b> 14/04005/RE4   |  |   | Category: LBE - Dev by LA            |                    |
| LOCATION: 1 Old Road, Enfield, EN3 5XX,   PROPOSAL: Erection of a 3-storey seventy bedroomed residential care home with associated car and cycle parking, vehicular and pedestrian access and landscaping  |  |   |                                      |                    |
| Applicant Name & Address:<br>Mr John Knightley<br>Civic Centre<br>Silver Street<br>Enfield<br>EN1 3XA  |  | Agent Name & Address:<br>Enfield Council<br>Civic Centre<br>Silver Street<br>Enfield<br>EN1 3XA |                                      |                    |
| <b>RECOMMENDATION:</b><br>That, following re-consultation on the revised plans and subject to no objections being raised, Officers in consultation with the Chair, be authorised to <b>GRANT</b> planning permission in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, subject to conditions. |  |   |                                      |                    |



Ref: 14/04005/RE4 LOCATION: 1 Old Road, Enfield, EN3 5XX,

# 1. Site and Surroundings

- 1.1 This 0.37ha site enclosed with security fencing consists of a vacant piece of land bounded by Palmers Lane to the north, Hertford Road to the east, Old Road to the west and the Grade II Listed Wright's Almshouses and single storey garages to the south. The land is currently vacant but was previously occupied by a care home, known as Elizabeth House, a three storey building with a flat roof that was located in the centre of the site set back from the adjacent roads with landscaping surrounding it. The Elizabeth House care home was demolished in 2011. The site contains several mature trees particularly along the western and eastern boundaries. The trees are not protected by a Tree Preservation Order.
- 1.2 The surrounding area is predominantly residential but of a mixed character. To the south fronting Hertford Road are Grade II listed Wright's Almshouses which consist of a row of six mid-18<sup>th</sup> century two storey cottages. To the east along Hertford Road are two storey semi-detached properties and three storey blocks of flats. To the west along Old Road are 1970s style three and four storey blocks of flats; and to the north of the site on the corner of Palmers Lane and Hertford Road is Enfield Heights Academy, a two storey modern primary school building.
- 1.3 Hertford Road is a designated Principal Road and the site is located within a designated Critical Drainage Area.

# 2. Proposal

- 2.1 The application seeks full planning permission for the erection of a three storey seventy bedroomed residential care home with associated car and cycle parking, vehicular and pedestrian access and landscaping.
- 2.2 The 'L' shaped building when measured from Hertford Road would measure 17 57 metres in depth and 17 40 metres in width. It would measure 10 metres in height and comprise a hipped roof with parapet walls. Projecting rendered three storey blocks with flat roofs set down from the main ridge, large vertical windows and recessed brick and render panels are proposed along each elevation.
- 2.3 The total gross internal floor area would measure 3,428 square metres. The format of the proposed care home has been informed by the principle of two household clusters linked by a central core of ancillary functions such as an activity room, hair salon and multi faith room which is repeated on each floor level. A plant room, sprinkler tank and pump room would be sited at third floor level but this would be enclosed by the hipped roof.
- 2.4 External materials to be used include render and brick for the walls and an aluminium roof, doors and thermally broken double glazed windows and curtain walling. Photovoltaic cladding panels measuring 225 square metres and flat plate solar hot water collectors measuring 135 square metres are proposed to be sited on the roof of the building.
- 2.5 The vehicle access and parking area would be sited to the south of the site. A total of 15 parking spaces and 8 10 cycle spaces would be provided.

Pedestrian access would be gained from several points around the site. A bin store would be sited within the north western corner of the plot.

- 2.6 Four trees would be removed and new trees planted. A wild flower area would be created to the west of the site.
- 2.7 Amendments have been sought to the scheme to address officer concerns. These include
  - Reduction in height from three to two storeys on the southern section of the building adjacent to the Amshouses
  - Parking area re-sited to the south western corner of the site
  - Drop off bay introduced along Old Road
  - Amenity space increased
  - Two additional Category B trees to be retained and a Category C tree to be removed resulting in the retention of four trees.
  - New access from Old Road removed and existing vehicular access to the south of the site used
- 2.8 At this stage, re-consultation has not been undertaken following the receipt of revised plans. However, in order to progress the application and ensure a decision within the statutory time period, the application is brought to committee now and officers are seeking delegated powers to determine the application once the consultation period has expired and subject to no objections being raised.

#### 3. Planning History

- 3.1 LBE/86/0038 Change of use of second floor of old persons home from staff accommodation to divisional social services office. Approved 30/11/1988.
- 3.2 LBE/88/0052 Alterations to part of existing ground floor layout to provide day care facilities for non-resident elderly persons and provision of additional parking facilities Approved 24/07/1989.

## 4. Consultations

#### 4.1 Statutory and Non-Statutory Consultees

The consultee comments set out below are based on the original drawings that were submitted unless otherwise stated.

#### 4.1.1 Traffic and Transportation

No objection subject to conditions.

Members will be verbally updated at committee on Traffic and Transportation comments on the revised scheme.

## 4.1.2 Tree Officer

The Tree Officer has raised an objection to the scheme. An amended site plan has been reviewed and it has been confirmed that tree no's 4, 5 and 6 will be retained. The Tree Officer has confirmed that subject to details the revised scheme is better in that it retains more and better quality trees on the site. However objections to the siting of the building's in relation to the retained A Category Lime tree on the north east corner remain. This tree is a category A (in accordance with BS5837:2012) tree that should be retained on site. It is of good condition, significantly high amenity value in a prominent position and it will have a long life if not compromised. The proposed development encroaches into the root protection area of this tree and the proposed building is physically too close to the tree and will not allow the tree to grow without significant pruning works to prevent encroachment and nuisance to the building, thereby reducing its amenity value, lifespan and contribution to the wider environment.

Information relating to hard and soft landscaping and an Arboricultural Impact Assessment would be required if permission is granted

#### 4.1.3 Environmental Health

No objection subject to a condition requiring information on land contamination.

There are no concerns regarding noise as the acoustic report puts forward suitable proposals for glazing to ensure internal noise levels meet the levels recommended in BS8233:2014.

#### 4.1.4 Biodiversity Officer

The Ecological Impact Assessment submitted with the application reveals that the site is of limited biodiversity value and therefore, there are no perceived ecological constraints to the proposed development.

Any approval should be subject to the following conditions: Nesting Birds, Lighting Plan and Landscaping and Biodiversity Enhancements.

#### 4.1.5 Urban Design Officer

Expressed concerns with the following:

- The main entrance to the building should front Hertford Road and preferably be located at the corner to front both Hertford Road and Palmers Lane, and form a strong design feature.
- The building does not respond to the surrounding street geometry.
- The elevations lack the rhythm and quality of some of the surrounding development. The vertical emphasis of surrounding Victorian development could be reflected through architectural features within the facades, including a greater vertical emphasis to fenestration.
- Three storey development is considered appropriate in this location. However the building dominates the Almshouses and should be sensitively managed through an increased gap or a reduced height to ensure there is no significant impact on the setting of the heritage asset.

• The car parking would be dominant and should be less visually prominent from Old Road. The amenity space would be highly exposed to the public realm and parking areas and is therefore unlikely to be well used.

## 4.1.5 Conservation Officer

The Conservation Officer raised no objection to the principle of development but explained that the new development would need to take into account its sensitive location in the immediate setting of a listed building. The Conservation Officer has reviewed the revised scheme and concluded that the proposal will still impact upon the setting of the Grade II listed buildings due to its close proximity to the buildings, in addition to its scale, height, massing and materials. However the impact on the setting of the grade II listed buildings would constitute less than substantial harm and this harm can be justified in terms of the social benefit that will be delivered by the scheme. Samples of the materials and external finishes to be used in the above proposed scheme, in addition to further details of the window and door openings would be required through condition.

# 4.1.7 Thames Water

No objection subject to conditions and informatives.

# 4.2 Public response

- 4.2.1 Letters were sent to 198 adjoining and nearby residents with respect to the originally submitted plans. Site notices were posted on 30 October 2014 and expired on 20 November 2014 and a press notice was published on 22 October 2014 and expired on 5 November 2014. No responses have been received.
- 4.2.2 Residents will be notified of the receipt of revised plans and any comments will be taken into consideration before the application is formally determined.

# 5 Relevant Policy

- 5.1 The Development Management Document (DMD) was adopted by the Council on 19<sup>th</sup> November 2014. The DMD provides detailed criteria and standard based policies by which planning applications will be determined, and is considered to carry significant weight.
- 5.4 London Plan
  - 3.1 Ensuring Life Chances for All
  - 3.9 Mixed and Balanced Communities
  - 3.16 Protection and Enhancement of Social Infrastructure
  - 3.17 Health and Social Care Facilities
  - 5.1 Climate Change Mitigation
  - 5.2 Minimising Carbon Dioxide Emissions
  - 5.3 Sustainable Design and Construction
  - 5.5 Decentralised Energy Networks
  - 5.6 Decentralised Energy in Development Proposals

- 5.7 Renewable Energy
- 5.8 Innovative Energy Technologies
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water Quality and Wastewater Infrastructure
- 5.15 Water Use and Supplies
- 5.16 Waste Self Sufficiency
- 5.21 Contaminated Land
- 5.22 Hazardous Substances and Installations
- 6.3 Assessing the Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing Traffic Flow and Tackling Congestion
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Building London's Neighbours and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.14 Improving Air Quality
- 7.15 Reducing Noise and Enhancing Soundscapes
- 7.19 Biodiversity and Access to Nature
- 7.21 Trees and Woodland\*
- 8.2 Planning Obligations\*
- 8.3 Community Infrastructure Levy

## 5.5 Core Strategy

- SO1 Enabling and Focusing Change
- SO2 Environmental Sustainability
- SO4 New Homes
- SO5 Education, Health and Wellbeing
- SO8 Transportation and Accessibility
- SO9 Natural Environment
- SO10 Built Environment
- CP1 Strategic Growth Areas
- CP6 Meeting Particular Housing Needs
- CP7 Health and Social Care Facilities and the Wider Determinants of Health
- CP9 Supporting Community Cohesion
- CP20 Sustainable Energy Use and Energy Infrastructure
- CP21 Delivering Sustainable Water Supply, Drainage and Sewerage Infrastructure
- CP22 Delivering Sustainable Waste Management
- CP24 The Road Network
- CP25 Pedestrians and Cyclists
- CP30 Maintaining and Improving the Quality of The Built And Open Environment
- CP32 Pollution

- CP34 Parks, Playing Fields and Other Open Spaces
- CP36 Biodiversity
- CP46 Infrastructure Contribution

## 5.6 <u>DMD</u>

- DMD6 Residential Character
- DMD8 General Standards for New Residential Development
- DMD9 Amenity Space
- DMD10 Distancing
- DMD15 Specialist Housing Needs
- DMD37 High Quality and Design Led Development
- DMD45 Parking Standards and Layout
- DMD46 Vehicle Crossover and Dropped Kerbs
- DMD49 Sustainable Design and Construction Statements
- DMD51 Energy Efficiency Standards
- DMD52 Decentralised Energy Networks
- DMD53 Low and Zero Carbon Technology
- DMD54 Allowable Solutions
- DMD55 Use of Roofspace/ Vertical Surfaces
- DMD56 Heating and Cooling
- DMD57 Responsible Sourcing Of Materials, Waste Minimisation And Green Procurement
- DMD58 Water Efficiency

## 5.7 Other relevant Policy/ Guidance

Section 106 Supplementary Planning Document (adopted November 2011) Mayor of London's Housing Supplementary Planning Guidance (SPG) (2012) National Planning Policy Framework (NPPF) National Planning Practice Guidance (NPPG)

## 6. Analysis

## Principle of Development

- 6.1 Policy 3.4 of the London Plan promotes the optimisation of housing output within different types of location. Policy 3.8 of the London Plan also encourages the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing.
- 6.2 Policy 6 of the Council's Core Strategy sets out the Council's guiding principles for meeting particular housing needs, and states:

"The Council, with its partners, will develop flexible and accessible accommodation services that meet the local housing needs of vulnerable adults and that support the delivery of the Personalisation Agenda. Future accommodation requirements will be set out in the emerging Health and Adult Social Care commissioning strategies. These strategies should be used as a tool for shaping and informing future development in the Borough. There is a particular need to control the development of traditional residential care home provision and align the development of supported accommodation services with local need. The Council will work to ensure that there is appropriate provision of specialist accommodation across all tenures. Criteria for assessing applications for housing to meet particular needs, having regard to need and supply will be set out in the Development Management Document."

6.3 Furthermore, Policy DMD15 of the Council's adopted Development Management Document refers to specialist housing needs, and states that:

"Development proposals for specialist forms of housing would only be permitted if all of the following criteria are met:

a. The development would meet an identified borough need for that form of specialist housing having regard to evidence of need in the Council's Market Statement, Health and Adult Social Care Commissioning Strategies, or the needs assessment of a recognised public health care body;

b. The property is suitable for such a use and would not result in an over intensive use of the site

c. That residential amenity is preserved in accordance with the relevant criteria in policy DMD 8 'General Standards for New Residential Development';

d. It would not result in an excessive number or concentration of similar uses in a locality which would be detrimental to residential character or amenity;

e. The development is adaptable, well designed, of a high quality, accessible (internally and externally), meets the needs of the specific client groups it serves and their carers but is flexible in case these change. Developments must have regard 'General Standards for new development', other design considerations and local guidance. The Council will work with partners to ensure the facilities provide an adequate form of accommodation; and

f. The development is well located so that it is easily accessible to existing local community facilities, infrastructure and services, such as public transport, health services, retail centres, recreation and leisure opportunities."

- 6.4 Given the above policies, it is considered that the principle of development for a new care home facility in this location, where such a facility previously existed, is acceptable. There is no specific planning policy guidance in place that relates specifically to care home standards. However there are bodies in place that regulate care home standards, most notably the Care Quality Commission (CQC). It is noted that many of these standards clearly relate to operational arrangements which are controlled outside of the planning process, e.g. allowing visitors at reasonable times, varied dietary offers, appropriate staffing levels and maintenance.
- 6.5 In compliance with the CQC standards, accessible toilets would be provided on each floor through en-suite facilities, as would communal space for residents. The CQC standards dictate that all new-build should incorporate single bedrooms with a minimum usable floor space of 12 sq m (excluding en-suite facilities). In this instance, the proposed plans indicate individual room areas that consistently exceed the 12 sq m threshold.
- 6.6 The applicant is to confirm that the proposed design of the care home will be fully compliant with the Care Standards Act 2000 with the space standards in excess of the recommended National Minimum Standards to ensure flexibility and an element of "future-proofing" of the development. The space standards and internal layout should enable the delivery of the highest quality of care to all residents for the life of the building. The proposed care home would be

compliant with the aspirations, principles and objectives of the National Service Framework for Older People.

#### Care Home Need

- 6.7 The proposed development seeks to re-organise and improve care provision for older people in the borough. This would be achieved through the re-provision of two Local Authority run care homes (Coppice Wood Lodge (38 beds) and Bridge House (32 beds)) that currently fall below CQC standards, and the replacement of bed spaces lost when Elizabeth House, was closed through the establishment of a new single purpose built care home. The new care home would provide care and accommodation for elderly people with dementia and other complex health needs.
- 6.8 A needs analysis was undertaken and concluded that there is a significant need for a Registered Care Home with nursing that delivers specialised care to meet the growing demand for individuals with dementia and other complex needs in the borough. Current experience of the Council in seeking to place service users into residential nursing care shows a significant shortage of available accommodation within the borough and neighbouring areas, and evidence shows that this shortage is likely to continue due to increasing demand. With an increase in the number of older people and improvements in overall life expectancy, there is likely to be a growing need for a care home in the borough particularly over the next five years and more long term over the next 20 years.
- 6.9 It is important to note that if the two care homes were to be retained as operational buildings, significant investment would be required to improve their condition.

#### Impact on Listed Building

- 6.10 Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special regard is given to the desirability of preserving the setting of listed buildings and considerable importance and weight must be given to this in the balance with other material considerations.
- 6.11 Policy DMD44 states that applications for development which fail to conserve and enhance the special interest, significance or setting of a heritage asset will normally be refused. Furthermore development affecting heritage assets or their setting should seek to complement the asset in all aspects of its design, materials and detailing.
- 6.12 The application was submitted with a Heritage Statement and this sets out that the proposed development would have a minor/ moderate impact on the setting of the Wrights Almshouses. The statement states that any significant impact of the proposed development would be mitigated through its design.
- 6.13 The Conservation Officer and Urban Design Officer raised concerns with the impact the proposed building would have on the setting of the Grade II Listed Almshouses due to its overall design and in particular its height. Amended drawings have been received that sets the southern section of the building adjacent to the Almshouses down from three to two storeys. The flat roof would read with the height of the Almshouses which would help reduce any significant impact on the setting of the heritage asset. The new building would be of a

contemporary design, which is considered acceptable and appropriate as a pastiche of the Almshouse could significantly detract from its setting. In terms of the elevations, bricks would be used that respect those of the Almshouses and rendered projections and detailing would be incorporated into the building to provide a mix of materials and interest to the elevations.

- 6.14 Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 6.15 The reduction in height addresses some of the Conservation Officer and Urban Design Officer's concerns relating to the impact of the proposed development on the immediate setting of the neighbouring Grade II listed buildings. However it is considered that the development would still result in some harm to the setting of the listed buildings, albeit to a lesser degree. Whilst the impact on the setting of the Grade II listed buildings would constitute less than substantial considerable weight and importance must be given to this harmin harm. undertaking the balance with other material considerations and public benefits arising from the development. However considering the proposed development would bring a currently vacant site back into beneficial use and provide a much needed care home for the borough, meeting an identified housing need, it is considered that this harm would be outweighed by the public benefits that would arise from the scheme. The proposal is considered acceptable and in accordance with the NPPF, Policies 7.4, 7.6 and 7.8 of the London Plan, Policies CP30 and CP31 of the Core Strategy and Policies DMD37 and DMD44 of the DMD.

## Impact on Street Scene and Design

- 6.16 Policy DMD 37 states that applications for development that are not suitable for its intended function, that is inappropriate to its context, or which fail to have appropriate regard to its surroundings, will be refused.
- 6.17 The surrounding area is predominately residential but of a mixed character with Victorian two storey terraced dwellings and 1970s style three and four storey blocks of flats and modern school buildings. Given the height of the surrounding developments the proposed three storey care home is considered appropriate and acceptable. With the reduction in height of the southern section of the building and its contemporary design, the proposed building would not appear unduly dominant in relation to the Almshouses.
- 6.18 It is considered that the proposed rendered projecting panels do not necessarily break up the bulk and massing of the building, and the vertical emphasis of surrounding Victorian development is not reflected within the facades of the building. However the proposed development with large vertical glazing would not appear out of keeping within the varied street scene or result in any demonstrable harm to the character and appearance of the area. The proposed brick would have regard to the character and appearance of the Almshouses and the rendered elements would to a degree help break up and provide interest to the elevations of the building. To protect the visual amenity within the street scene, a condition would be attached to any grant planning permission

requiring external materials to be submitted to and approved by the Local Planning Authority.

- 6.19 The parking area has been re-sited to the south west of the site which has increased the amount of amenity space available for the residents of the care home. It has also reduced the prominence of the amenity space to the public realm along Old Road, which would be of benefit to future resident's privacy. Boundary treatments would respect the predominance of low brick walls with planting behind in the local area. However full details of the proposed boundary treatments have not been provided and therefore a condition would be required to ensure that the boundary treatments do not result in any significant impact on visual amenity.
- 6.20 Overall it is considered that the general design of the proposed development would contribute to economic, social and environmental sustainability and would therefore be in accordance with Policy DMD 37.

#### Impact on Neighbours

- 6.21 Any new development should not unduly impact on the residential amenity of neighbouring residents. Due to the minimum distance of approximately 20 metres between the new building and the residential properties located to the east and west of the site, the proposed development would not significantly impact on the residential amenities of these occupants in terms of loss of light, overlooking or appearing overbearing.
- 6.22 In terms of the Almshouses the reduction in height of the section of the building closest to the cottages and the flat roof form would ensure that the new building would not appear dominant and overbearing to the occupants of these cottages. Furthermore there would be a distance of approximately 7 metres between the southern flank wall of the proposed building and the northern flank wall of the Almshouses. When taken from the mid point of the closest original window at first floor level there would be no intrusion into a 45 degree splay line which would ensure that the proposed development would not result in any significant loss of light to the windows of these properties.

Transportation, Access and Parking

- 6.23 Policies 6.3, 6.9 and 6.13 of the London Plan (2011) seek to regulate parking in order to minimise additional car travel, reduce trip lengths and encourage use of other, more sustainable means of travel.
- 6.24 Policy DMD45 requires parking to be incorporated into schemes having regard to the parking standards of the London Plan; the scale and nature of the development; the public transport accessibility (PTAL) of the site; existing parking pressures in the locality; and accessibility to local amenities and the needs of the future occupants of the developments.
- 6.25 Policy DMD47 of the Proposed Submission DMD states that new development will only be permitted if the access road junction which serves the development is appropriately sited and is of an appropriate scale and configuration and there is no adverse impact on highway safety and the free flow of traffic.
- 6.26 Traffic and Transportation raised no concerns with the original proposal in terms of parking, access and servicing subject to conditions. As the parking area has

been re-designed T&T will be re-consulted and their comments taken on board. The parking provision of 15 parking spaces would remain under the revised scheme which is considered sufficient for the 34 members of staff that could be on site at any one time. In addition the number of parking spaces would mitigate against any overspill parking which could take place on the street. Although seven garages would be lost to accommodate the proposed parking area there is parking in the vicinity. Parking surveys were undertaken as part of the Enfield Heights school development which have demonstrated that there is spare capacity on adjacent roads to provide some off street parking when required. Furthermore there are multiple bus routes that operate along Hertford Road and Enfield Lock train station is located approximately 1.5 miles from the site.

- 6.27 Cycle parking would be provided to the south of the site although details of the cycle store have not been provided and there is a discrepancy in the number of spaces to be provided, this would therefore be secured by way of a condition.
- 6.28 The Travel Plan and a Travel Plan monitoring fee of £3,500 would be secured through a condition.

#### Trees and Landscaping

- 6.29 Policy DMD80 seeks to protect trees of significant amenity or biodiversity value. The Tree Officer has stated that the Category A Lime tree located in the north east corner of the site is of significantly high amenity value. The Tree Officer has highlighted that the proposed development encroaches into the root protection area of the Lime tree and the proposed building is physically too close to the tree and will not allow the tree to grow without significant pruning works to prevent encroachment and nuisance to the building, thereby reducing its amenity value, lifespan and contribution to the wider environment. It is important to note that the tree is not protected by a Tree Preservation Order or by being located within a Conservation Area.
- 6.30 The applicant was asked to amend the scheme to reduce the impact of the development on the existing trees on the site and also reduce the impact on the setting of the Grade II Listed Buildings. This has proven to be a difficult balance to achieve, given the need for the number of bedrooms to be accommodated and to achieve a viable development. The amendments now proposed seek to achieve a better relationship with the listed building and retain more trees on the site overall. However, it has proven difficult to provide a greater separation between the proposed building and the Category A tree, without reducing the separation to the Listed Building. The amenity value of the Lime tree to be retained is recognised but if the proposed building was moved closer to the Almshouses this would significantly impede on the setting of the listed buildings and to reduce the size of the building would impact on the number of rooms that could be delivered on the site which would in turn impact on the viability of the scheme.
- 6.31 Considering the scheme has been amended so that it would have less of an impact on the Grade II Listed buildings; retain a greater number and higher quality of trees; introduce new trees, a larger private amenity space and a wild flower area and provide a much needed care home within the borough on a currently vacant plot of land, on balance it is considered that the benefits of the scheme outweigh the impact the proposal may have on the Lime tree. Nevertheless to ensure that the Lime tree and other trees to be retained are

adequately protected and the local environment is enhanced, several conditions such as details of tree protection measures would be attached to any grant of planning permission.

## **Biodiversity**

6.32 The Ecological Impact Assessment submitted with the application reveals that the site is of limited biodiversity value and therefore, there are no perceived ecological constraints to the proposed development. The Biodiversity Officer has recommended several conditions relating to Nesting Birds, Lighting Plan and Landscaping and Biodiversity Enhancements be attached to any planning permission granted. It should be noted that a wild flower area is proposed to the west of the site which would be in accordance with Policy DMD79 (Ecological enhancements).

## Pollution

6.33 Policy DMD 64 sets out that planning permission will only be permitted if pollution and the risk of pollution is prevented, or minimised and mitigated during all phases of development. The Environmental Health Officer has raised no objection to the proposal and has confirmed that the noise assessment submitted with the application is suitable and sufficient. However a condition requiring information on land contamination would be required.

## Sustainable Design and Construction

- 6.34 Policy DMD 49 states that all new development must achieve the highest sustainable design and construction standards having regard to technical feasibility and economic viability. An energy statement in accordance with Policies DMD 49 and 51 is required to demonstrate how the development has engaged with the energy hierarchy to maximise energy efficiency. Sustainability and energy issues have been set out within the submitted Design and Access Statement, however a detailed energy statement has not been provided, this would be secured through a condition.
- 6.35 Policy 5.2 of the London Plan and Policy DMD51 requires major development to achieve a 40% improvement over 2013 Building Regulations. A document setting out compliance with the 2010 Building Regulations has been submitted with the planning application. The proposed development would achieve a 35% improvement above the 2014 Building Regulations which would fall short of the policy requirements but is considered acceptable. Policy DMD 50 requires major residential development to achieve a BREEAM Multi-residential or relevant equivalent rating of 'Excellent'. However following a meeting with the Sustainable Design Officer it was agreed that a BREEAM rating of 'Very Good' would be acceptable due to economic viability.
- 6.36 As set out in Policy DMD52 all major development should connect to or contribute towards existing or planned decentralised energy networks (DEN) supplied by low or zero carbon energy. Proposals for major development which produce heat/ and or energy should contribute to the supply of decentralised energy networks unless it can be demonstrated that this is not technically feasible or economically viable. The proposed development does not plan to connect to a DEN and it has not been demonstrated that this is not possible.

The proposal would be required to safeguard a potential connection to a future DEN and this would be secured through a condition.

- 6.37 Policy DMD55 requires all development to maximise the use of roof and vertical surfaces for Low and Zero Carbon Technology / Living Walls / Green Roofs. It is acknowledged that photovoltaic cladding panels and flat plate solar hot water collectors are proposed to be sited on the roof of the building however a condition requiring a feasibility study outlining the details of the biodiversity (green/brown) roof(s) would be required.
- 6.38 Although the proposed development falls short of policy requirements, having regard to economic viability the sustainable design features that have been incorporated into the scheme are considered acceptable. Several conditions would be required

## Flood Risk

6.39 The site is located within a designated Critical Drainage Area. Policy DMD 59 states that new development must avoid and reduce the risk of flooding, and not increase the risk elsewhere. Policy DMD 59 requires new development to manage surface water as part of all development to reduce run off in line with Policy DMD61 which requires all development to demonstrate how proposed measures manage surface water as close to its source as possible and follow the drainage hierarchy in the London Plan. The proposal does not demonstrate how SuDs will be used and maximised on site to provide storage for surface water generated on site in line with Policy DMD59 or the NPPF; this will therefore be secured by a planning condition.

<u>CIL</u>

6.40 As of the April 2010, 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 sqm. The Council is progressing its own CIL but this is not expected to be introduced until 2015. The Mayor's CIL is not applied to medical or health services except the use of premises attached to the residence of the consultant or practitioner and therefore the proposed development would not be liable to the Mayor's CIL.

# 7.0 Conclusion

7.1 Whilst the proposed development would result in less than substantial harm to the setting of the listed buildings this harm must be given considerable weight in the balance of other material considerations. However it is recognised that the harm would be outweighed by the public benefits that would be gained from the scheme. The proposed scheme would provide a much needed care home in the Borough on a currently vacant plot of land. The scheme would not only meet the needs of the growing elderly population but also provide jobs. The proposal maintains a greater number of existing higher quality trees and improves the layout of the site for the benefit of the future residents. Conditions are suggested to safeguard trees to be retained on the site. The proposed scheme would also not result in any demonstrable harm to the character and

appearance of the street scene or the residential amenity of neighbouring properties. Overall the proposal is considered acceptable and in accordance with relevant policies of the London Plan and the Enfield Local Plan.

7.2 At this stage, reconsultation with residents in respect of the revised plans has not been undertaken. However, in order to ensure that the application can be determined within the statutory period, this application is reported to ask Members to endorse the officer assessment of the application and grant delegated authority for officers to determine the application, once consultation has been undertaken and subject to no objections being received that raise material planning considerations that have not already been addressed in the report.

#### 8.0 Recommendation

- 8.1 That, following re-consultation on the revised plans and subject to no objections being raised, Officers in consultation with the Chair, be authorised to **GRANT** planning permission in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, subject to the following conditions.
- 1. C51 Time Limit) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

2. C2 (C60 Approved Plans) - The development hereby permitted shall be maintained in accordance with the approved plans, as set out in the attached schedule which forms part of this notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. (C7 Materials) The development shall not commence until details of the external finishing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: To ensure a satisfactory external appearance.

4. (C9) The development shall not commence until details of the surfacing materials to be used within the development including footpaths, access roads and parking areas and road markings have been submitted to and approved in writing by the Local Planning Authority. The surfacing shall be carried out in accordance with the approved detail before the development is occupied or use commences.

Reason: To ensure that the development does not prejudice highway safety and a satisfactory appearance.

5. C20 (C11) Details of Enclosure - The site shall be enclosed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. A plan indicating the posiitons, design, materials and type of enclosures to be erected. The means of enclosure shall be erected in accordance with the approved details before the development is occupied and maintained.

Reason: To ensure satisfactory appearance and safeguard the privacy, amenity and safety of adjoining occupiers and the public and in the interests of highway safety.

6. (C14) The development shall not commence until details of the construction of any access roads and junctions and any other highway alterations associated with the development have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out in accordance with the approved details before development is occupied or the use commences.

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.

7. (C17) Notwithstanding the submitted details, the development shall not commence until details of trees, shrubs and grass to be planted on the site have been submitted to and approved in writing by the Local Planning Authority. The planting scheme shall be carried out in accordance with the approved details in the first planting season after completion or occupation of the development whichever is the sooner. Any planting which dies, becomes severely damaged or diseased within five years of planting shall be replaced with new planting in accordance with the approved details.

Reason: To provide a satisfactory appearance and ensure that the development does not prejudice highway safety.

8. (C19) Notwithstanding the submitted details, the development shall not commence until details of refuse storage facilities including facilities for the recycling of waste to be provided within the development, in accordance with the London Borough of Enfield Waste and Recycling Planning Storage Guidance ENV 08/162, have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details before the development is occupied or use commences.

Reason: In the interests of amenity and the recycling of waste materials in support of the Boroughs waste reduction targets.

9. (C59) Notwithstanding the submitted details the development shall not commence until the details of the siting, number and design of 12 secure/ covered cycle parking spaces have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed and permanently retained for cycle parking.

Reason: To ensure the provision of cycle parking spaces in line with the Council's adopted standards.

10. The development shall not commence until details of facilities and methodology for cleaning the wheels of construction vehicles leaving the site have been submitted to and approved in writing by the Local Planning Authority. The approved facilities and methodology shall be provided prior to the commencement of site works and shall be used and maintained during the construction period.

Reason: To ensure that the implementation of the development does not lead to damage to the existing highway and to minimse disrpution to neighbouring properties and the environment.

11. No development shall take place until a Construction Traffic Management is submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the implementation of the development does not lead to damage to the existing highway and to minimse disrpution to neighbouring properties and the environment.

12. The development shall not commence until a scheme to deal with the contamination of the site including an investigation and assessment of the extent of contamination and the measure to be taken to avoid risk to health and the environment has been submitted to and approved in writing by the Local Planning Authority. Remediation shall be carried out in accordance with the approved scheme and the Local Planning Authority provided with a written warranty by the appointed specialist to confirm implementation prior to the commencement of development.

Reason: To avoid risk to public health and the environment.

13. Following practical completion of works a final Energy Performance Certificate with accompanying Building Regulations compliance report shall be submitted to an approved in writing by the Local Planning Authority and shall reflect the carbon reduction targets agreed. 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, DMD51 of the Development Management Document, Policies 5.2, 5.3, 5.7 & 5.9 of the London Plan 2011 and the NPPF.

14. The development shall not commence until an 'Energy Statement' has been submitted and approved in writing by the Local Planning Authority. The development shall provide for no less than a 35% improvement in total CO2 emissions arising from the operation of a development and its services over Part L of Building Regs 2013 utilising gas as the primary heating fuel. The maintenance and management strategy for the continued operation of the Photovoltaic cladding panels and the flat plate solar hot water collectors shall be submitted to and approved by the Local Planning Authority. 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.

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 CO2 emission reduction targets are met in accordance with Policy CP20 of the Core Strategy, DMD51 of the Development Management Document, Policies 5.2, 5.3, 5.7 & 5.9 of the London Plan 2011 and the NPPF.

- 15. Evidence confirming that the development achieves a BREEAM (2014 version or relevant equivalent if this is replaced or superseded) 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. a design stage assessment, conducted by an accredited Code / BREEAM Assessor and supported by relevant BRE interim certificates for each of the units, shall be submitted at pre-construction stage within 3 month of commencement of superstructure works on site; and,
- b. a post construction assessment, conducted by and accredited Code / BREEAM Assessor and supported by relevant BRE accreditation certificates for each of the units, shall be submitted following the practical completion of the development and within 3 months of 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.

16. Prior to occupation details of the internal consumption of potable water have been submitted to and approved in writing by the Local Planning Authority. Submitted details will demonstrate reduced water consumption through the use of water efficient fittings, appliances and recycling systems to show consumption equal to or less than a 12.5% improvement over a BREEAM water consumption baseline.

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 Core Strategy, DMD58 of the Development Management Document and Policy 5.15 of the London Plan.

17. 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 Core Strategy, Policies DMD58 and DMD61 of the Development Management Document and Policy 5.15 of the London Plan.

18. 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 drainage system in accordance with the principles as set out in the Technical Guidance to the National Planning Policy Framework and shall be designed to a 1 in 1 and 1 in 100 year storm event allowing for climate change. 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, DMD61 of the Development Management Document, Policies 5.12 & 5.13 of the London Plan and the NPPF.

19. All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.

Reason: To ensure that wildlife is not adversely impacted by the proposed development in accordance with national wildlife legislation and in line with CP36 of the Core Strategy. Nesting birds are protected under the Wildlife and Countryside Act, 1981 (as amended).

- 20. No development shall commence until a report detailing the lighting scheme and how this will not adversely impact upon wildlife has been submitted to and approved in writing by the LPA. The report shall include the following figures and appendices:
- A layout plan with beam orientation;
- Measures to avoid glare on to features of suitable bat foraging/commuting habitat (such as hedges, tree lines and watercourses) and bat enhancement features (such as bat tiles/bricks/boxes);
- An isolux contour map showing light spillage to 1 lux both vertically and horizontally in areas identified as being of importance for commuting and foraging bats.

The approved lighting plan shall thereafter be implemented as agreed.

Reason: This condition will ensure maximum benefits of the biodiversity enhancements to be installed as part of the development and to avoid adverse impacts on bats and other wildlife in line with CP36 of the Core Strategy and wildlife legislation.

- 21. No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority. Soft landscape details shall include:
- Planting plans;
- Written specifications (including cultivation and other operations associated with plant and grass establishment);
- Schedules of plants and trees, to include native and wildlife friendly species and large canopy trees in appropriate locations (noting species, planting sizes and proposed numbers / densities);
- Implementation timetables;

- Biodiversity enhancements; 4 bird and 4 bat bricks/tiles/tubes built into the new buildings in appropriate locations (following guidance from a suitably qualified ecologist);
- And if applicable specifications for fencing demonstrating how hedgehogs and other wildlife will be able to continue to travel across the site (10cm<sup>2</sup> gaps in appropriate places at the bottom of the fences).

Reason: To ensure that the ecological value of the site is enhanced post development in line with the Biodiversity Action Plan, CP36 of the Core Strategy and the London Plan.

- 22. The development shall not commence until a feasibility study outlining the details of the biodiversity (green/brown) roof(s) shall be submitted 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.

If deemed feasible 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, DMD49 & 55 of the Development Management Document, the Biodiversity Action Plan and Policies 5.11 & 7.19 of the London Plan.

23. No works or development shall take place until a scheme for the protection of the retained trees (BS 5837, the Tree Protection Plan) and Arboricultural Method Statement has been agreed in writing with the Local Planning Authority.

Reason: To screen, preserve and enhance the development and ensure adequate landscape treatment in the interest of amenity and that the retained trees, shrubs and hedgerows on the site or in adjacent sites are not adversely affected by any aspect of the development. In accordance with planning policies CP30, CP31, CP33, CP34 and CP36 of the Core Strategy and Policies DMD 80 and DMD 81 of the Development Management Document.

24. The development shall not commence until an undertaking to meet with best practice under the Considerate Constructors Scheme and achieve formal certification has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the implementation of the development does not adversely impact on the surrounding area and to minimise disruption to neighbouring properties.

- 25. 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:
- i. 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 Policy DMD57 of the Development Management Document and Policies 5.17, 5.18, 5.19, 5.20 of the London Plan.

26. Electric charging points - That prior to development commencing, details, including type, siting, strategy and management plan of supplying and maintaining the electric charging points, of electric vehicular charging points to be provided in accordance with London Plan standards (minimum 20% of spaces to be provided with electric charging points and a further 20% passive provision for electric vehicles in the future) shall be provided to the Local Planning Authority for approval in writing. All electric charging points shall be installed in accordance with the approved details prior to occupation of any of the units and permanently maintained and retained.

Reason: To ensure that the development complies with the sustainable development policy requirements of the London Plan.

27. The applicant shall give written notice to the Local Planning Authority of 10 days prior to carrying out the approved tree works and any operations that present a particular risk to trees (e.g. demolition within or close to Root Protection Areas, excavations within or close to a Root Protection Areas, piling, carnage).

Reason: To screen, preserve and enhance the development and ensure adequate landscape treatment in the interest of amenity and that the retained trees, shrubs and hedgerows on the site or in adjacent sites are not adversely affected by any aspect of the development. In accordance with planning policies CP30, CP31, CP33, CP34 and CP36 of the Core Strategy and Policies DMD 80 and DMD 81 of the Development Management Document.

- 28. The following activities must not be carried out under any circumstances:
  - a, No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
  - b, No works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.
  - c, No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.
  - d, No mixing of cement or use of other materials or substances shall take place within Root Protection Areas, or close enough to a Root Protection Area that seepage or displacement of those materials or substances could cause then to enter a Root Protection Area
  - e, No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To screen, preserve and enhance the development and ensure adequate landscape treatment in the interest of amenity and that the retained trees, shrubs and hedgerows on the site or in adjacent sites are not adversely affected by any aspect of the development. In accordance with planning policies CP30, CP31, CP33, CP34 and CP36 of the Core Strategy and Policies DMD 80 and DMD 81 of the Development Management Document.

- 29. No works or development shall take place until a scheme of supervision for the arboricultural protection measures has been approved in writing by the Local Planning Authority. The scheme will be administered by an Arboriculturalist (as defined in BS 5837). Furthermore the scheme will be appropriate to the scale and duration of the works and include the following details:
  - a, induction and personnel awareness of arboricultural matters.
  - b, identification of individual responsibilities and key personnel.
  - c, statement of delegated powers.
  - d, timing and methods of site visiting and record keeping, including updates.
  - e, procedures for reporting and dealing with variations and incidents.

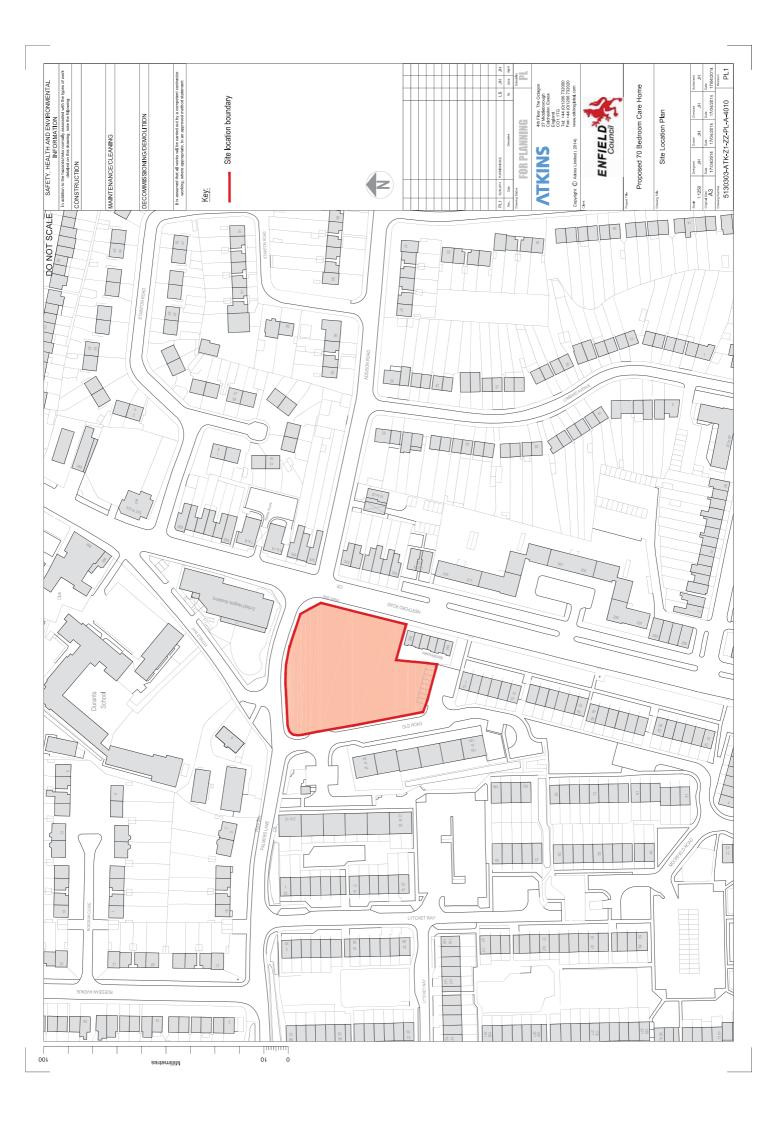
Reason: To screen, preserve and enhance the development and ensure adequate landscape treatment in the interest of amenity and that the retained trees, shrubs and hedgerows on the site or in adjacent sites are not adversely affected by any aspect of the development. In accordance with planning policies CP30, CP31, CP33, CP34 and CP36 of the Core Strategy and Policies DMD 80 and DMD 81 of the Development Management Document.

30. In this condition a "retained tree" is an existing tree which is to be retained in accordance with the approved plans and particulars and any recommendations therein; and paragraphs (a) and (b) below shall have effect until the expiration

of 5 years from the date of the (occupation of the building/commencement of use of the approved development) for its permitted use.

- a, No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS 3998.
- b, If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason: To screen, preserve and enhance the development and ensure adequate landscape treatment in the interest of amenity and that the retained trees, shrubs and hedgerows on the site or in adjacent sites are not adversely affected by any aspect of the development. In accordance with planning policies CP30, CP31, CP33, CP34 and CP36 of the Core Strategy and Policies DMD 80 and DMD 81 of the Development Management Document.

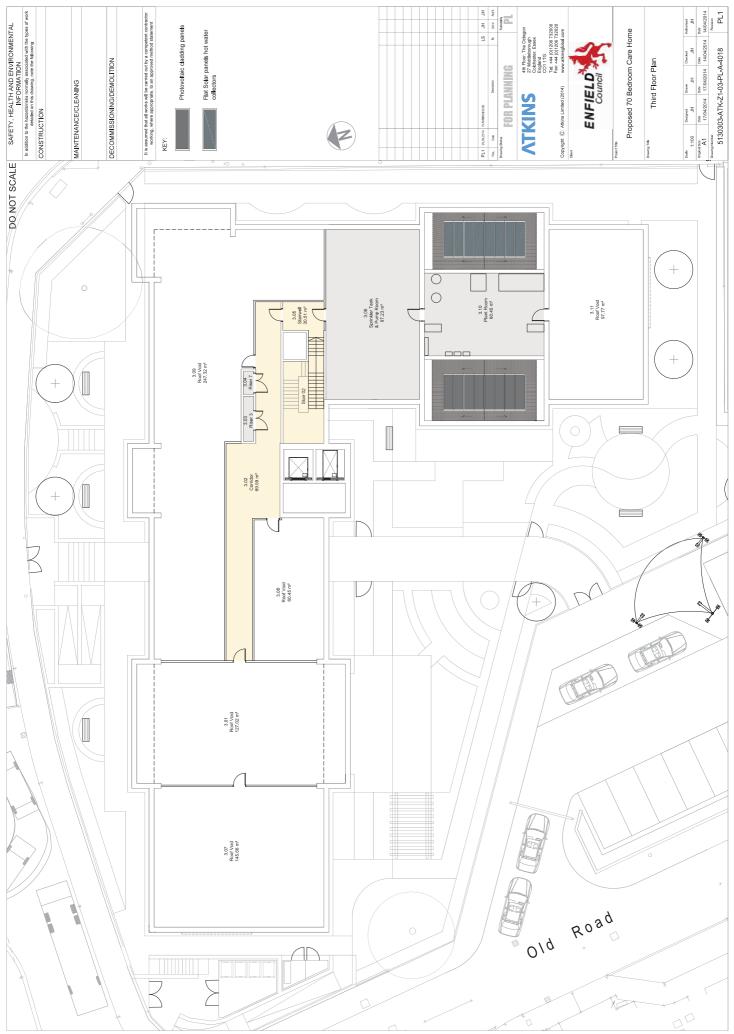


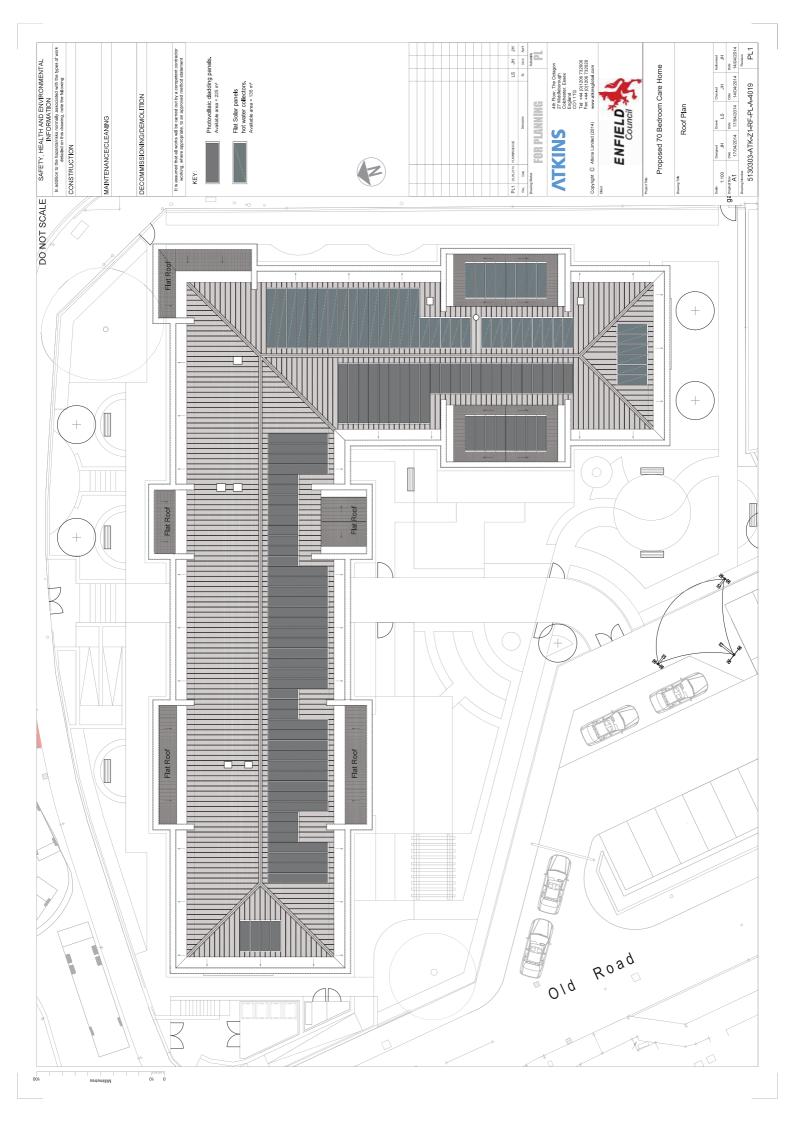


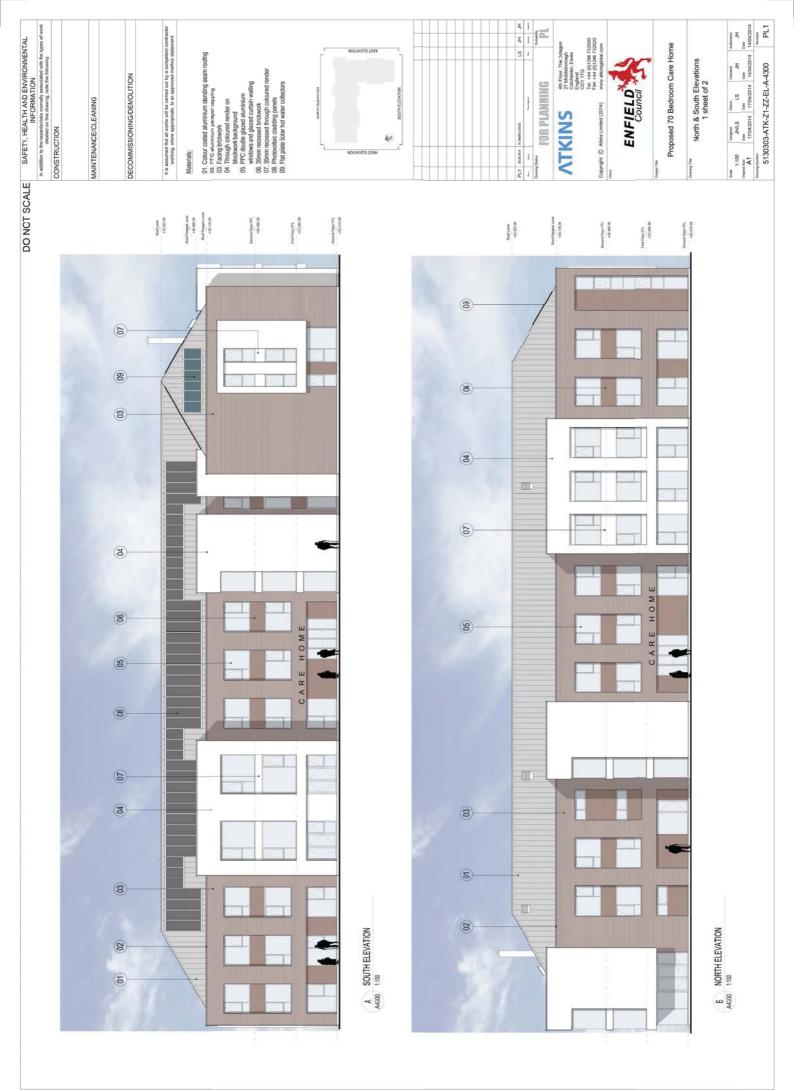
01 senem





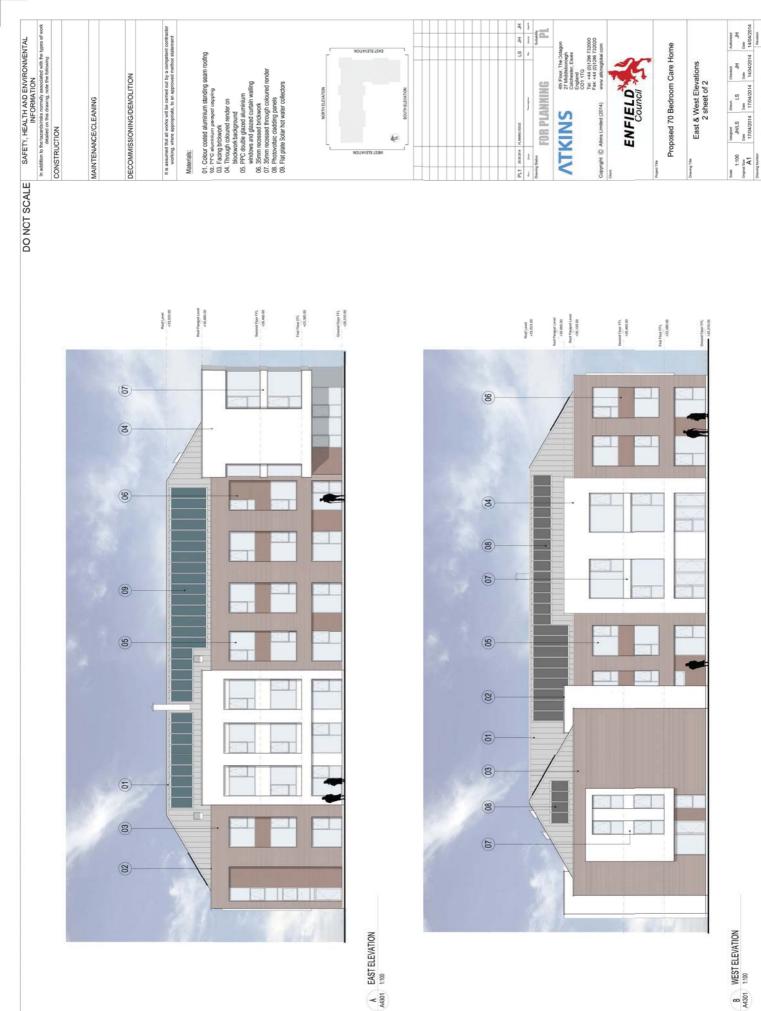






Т Or O

eertemiliiM I

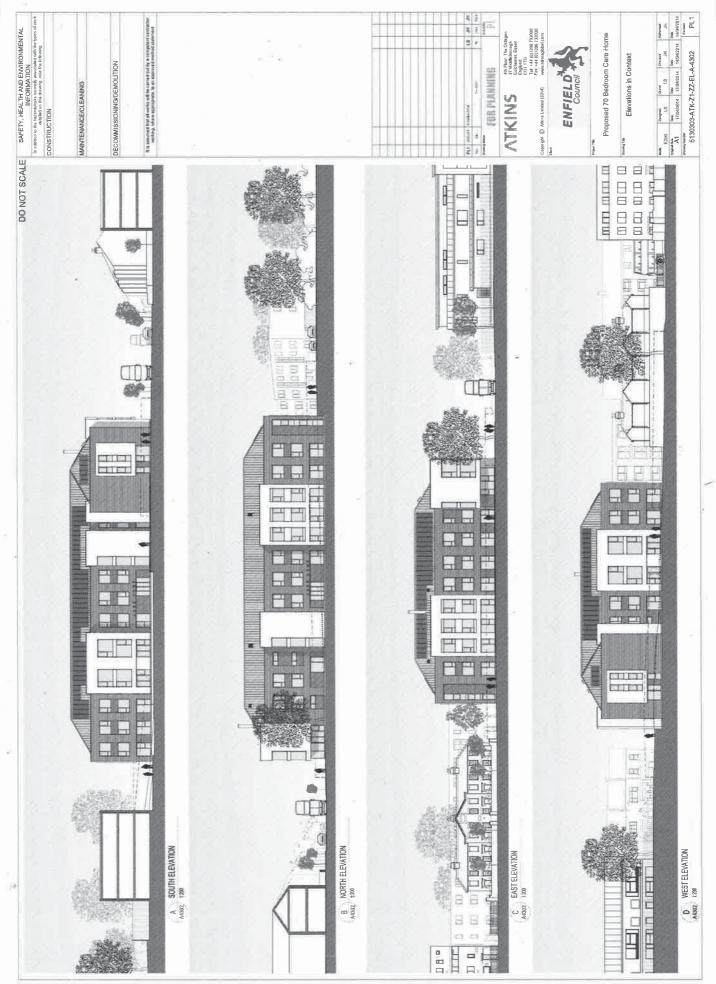


B WEST ELEVATION A4301 1:100

PL1

5130303-ATK-Z1-ZZ-EL-A-4301

eortomiliiM Т 0r 0



THE REPORT OF THE

Ci D