

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date : 4th February 2015

Report of

Assistant Director, Planning,
Highways & Transportation

Contact Officer:

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Sharon Davidson 020 8379 3841
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Ward:

Edmonton Green

Ref: 14/02646/RE4

Category: LBE - Dev by LA

LOCATION: Derby Road, Off Kenninghall Road, London, N18 2PA

PROPOSAL: Renewal of unimplemented permission granted under ref: LBE/08/0003 for the use of site for contractors storage / vehicle storage yard.

Applicant Name & Address:

Corporate Asset Mgt-Estates & Valuation,
P O Box 50, Civic Centre,
Silver Street,
Enfield,
Middlesex,
EN1 3XB

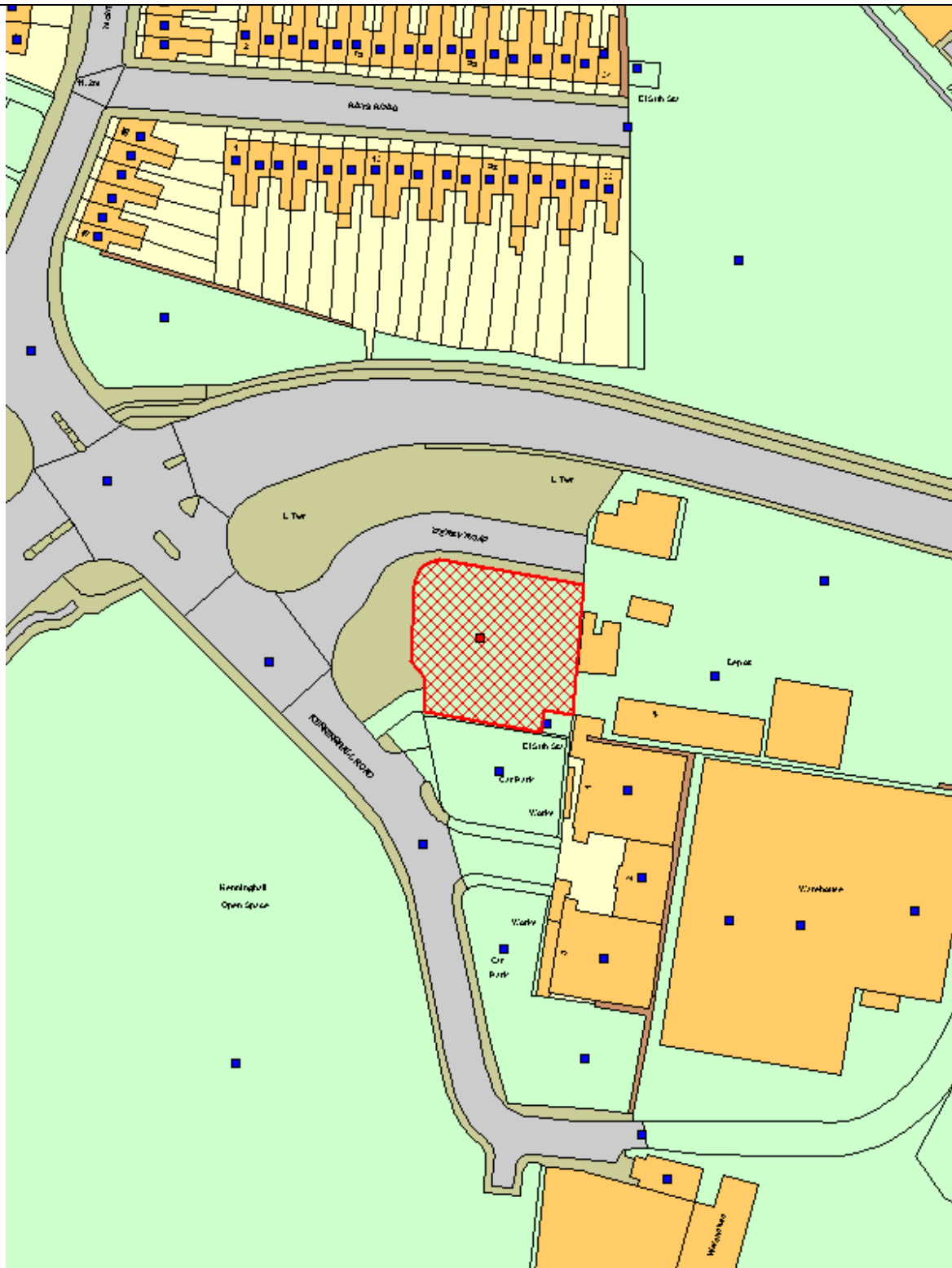
Agent Name & Address:

Mr R. F. Sample
Corporate Asset Mgt-Estates & Valuation,
P O Box 50, Civic Centre,
Silver Street,
Enfield,
Middlesex,
EN1 3XB

RECOMMENDATION:

That planning permission be deemed to be **GRANTED** in accordance with Regulation 3 of the Town & Country Planning General Regulations 1992 subject to conditions.

Ref: 14/02646/RE4 LOCATION: Derby Road, Off Kenninghall Road, London, N18 2PA



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Scale 1:1250

North



1 Site and Surroundings

- 1.1 The application site is located to the south of Derby Road adjacent to the junction with Kenninghall Road. It comprises a large area of hard standing with points of access from both Derby Road and Kenninghall Road, although the latter does not appear to be in active use.
- 1.2 The surrounding area is characterised by a predominantly residential development to the west and industrial to the east. The site is identified as Strategic Industrial Land and within Flood Zone 3. It is also located within the area covered by the Central Leaside Area Action Plan.

2 Proposal

- 2.1 The application is being reported to Planning Committee as the Council have an interest in the land.
- 2.2 The application seeks consent for the renewal of planning permission, granted under LBE/08/0003, for the use of the site for contractor's storage and a vehicle storage yard.
- 2.3 The site is approximately 1,150 sq.m in size and would operate for 24 hours a day, 7 days a week. It is proposed that a maximum of three members of staff would be on site at any given point. This includes one permanent and two temporary members of staff.

3 Relevant Planning Decisions

- 3.1 TP/89/1501 -Use of site as winter quarters for four showman's caravans from 1st November 1989 to 31st March 1990 – granted
- 3.2 LBE/08/0003 - Use of site for contractor's storage / vehicle storage yard – granted with conditions

4 Consultations

4.1 Statutory and non-statutory consultees

Environmental Health

- 4.1.1 No objections

Traffic and Transportation

- 4.1.2 Any response will be reported verbally at Planning Committee

Environment Agency

- 4.1.3 Any response will be reported verbally at Planning Committee

4.2 Public

- 4.2.1 Letters were sent to 4 adjoining and nearby residents. In addition a notice has been displayed on site. No responses have been received

5 Relevant Policy

5.1 London Plan

Policy 2.17 Strategic Industrial Land
Policy 4.4 Managing Industrial Land and Premises
Policy 5.1 Climate Change Mitigation
Policy 5.3 Sustainable Design and Construction
Policy 5.4 Retrofitting
Policy 6.3 Assessing effects of development on transport capacity
Policy 7.4 Local Character

5.2 Core Strategy

CP1 Sustainable and Efficient Land Use
CP13 Promoting Economic Prosperity
CP14 Safeguarding Strategic Industrial Land
CP16 Taking part in Economic Success and Improving Skills
CP20 Sustainable Energy Use and Energy Infrastructure
CP21 Delivering Sustainable Water Supply, Drainage and Sewerage Infrastructure
CP25 Pedestrians and Cyclists
CP28 Managing Flood Risk through Development
CP30 Maintaining and Improving the Quality of the Built and Open Environment
CP32 Pollution
CP37 Central Leaside
CP38 Meridian Water

5.3 Development Management Document

DMD 19 Strategic Industrial Location (SIL)
DMD37 Achieving High Quality and Design Led Development
DMD 45 Parking Standards and Layout
DMD46 Vehicle Crossovers and Dropped Kerbs
DMD 47 New Roads, Access and Servicing
DMD 48 Transport Assessments
DMD 49 Sustainable Design and Construction Statements
DMD 50 Environmental Assessment Methods
DMD 51 Energy Efficiency Standards
DMD 52 Decentralised Energy Networks
DMD 53 Low and Zero Carbon Technology
DMD 64 Pollution Control and Assessment
DMD 66 Land Contamination and Instability
DMD 68 Noise

5.4 Other relevant policy

Central Leaside Area Action Plan
Meridian Water Master Plan (July 2013)
The Mayor's Transport Strategy (2011)
Manual for Streets 1 and 2
NPPF (2012)
NPPG (2014)

6. Analysis

6.1 Principle

- 6.1.1 There has been a notable shift in planning policy direction since the determination of the previous application in 2008. At a local level, the Core Strategy and Development Management Document (DMD) have been formally adopted, and the Unitary Development Plan (UDP) has been superseded. Additionally, the site lies within the boundary of the Central Leeside Area Action Plan and Meridian Water Master Plan. The Central Leeside Area Action Plan is at a submission level and therefore can be attributed increasing weight. Meridian Water is long established as a significant area of regeneration through Enfield's Core Strategy, The London Plan and the Upper Lee Valley Opportunity Area Planning Framework. It is the Council's largest regeneration priority area, where a comprehensive approach to development will take place. At a regional level, the London Plan has been subject to amendments. Additionally, at a National level the PPG's and PPSs have been consolidated into the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG). These changes in policy will therefore be a key factor in the determination of the current application for renewal of the unimplemented planning permission.
- 6.1.2 The use of the site for storage purposes in connection with a contractor's yard is akin to a B8 storage use and therefore is consistent with the prevailing industrial character of the immediately adjacent land, that seeks to concentrate B1, B2 and B8 uses within Strategic Industrial Areas.
- 6.1.3 The surrounding area is currently the focus of wider regeneration proposals through the Meridian Water Master Plan and the Central Leeside Area Action Plan, which place the site and the immediate locality within a much more comprehensive framework. It is noted that objectives of both seek to retain its industrial and employment character and allow improved accessibility through public transport provision and the greater use of vehicular movements along the existing road networks, including better access for pedestrians and cyclists with better routes and connections to surrounding areas.
- 6.1.4 It is considered that a further temporary use for the purposes proposed would not compromise these objectives. However, given the longer term ambitions for the area it is considered appropriate to grant planning permission only on a temporary basis to ensure the long term regeneration objectives are not prejudiced. A further temporary period of 3 years is therefore appropriate, having regard to Policy 4.4 and 2.17 of the London Plan, CP14 and CP37 of the Core Strategy and DMD19 of the DMD, as well as the objectives outlined within the Central Leeside Area Action Plan.

6.2 Impact on Neighbouring Properties

- 6.2.1 The nearest residential properties are located to the north on Rays Road with the rear of these dwellings approximately 70 metres from the application site. Whilst the southern boundary of the rear gardens would be only 45 metres away, the intervening land is occupied by Conduit Lane, which is a busy road providing access to and from the North Circular and used by industrial and heavy goods vehicles. Whilst the proposed use would operate 24 hours per day 7 days per week, it is considered the size of the site would limit the level

of activity it could generate. In addition, it is considered that the proposal would be sufficiently distant from these properties to not result in a detrimental impact on their amenities through an increase in noise and general disturbance. Additionally, it is noted that Environmental Health have no objections in regards to air quality, contaminated land, noise or nuisance.

6.2.2 On the opposite side of Kenninghall Road is Kenninghall Open Space. This is a substantial area of public amenity space available to the local community. However, it is noted that the most actively used areas are further away from the existing industrial uses. As such, having regard to the existing industrial context and the scale of the proposed use, it is considered it would not affect the amenities of the users of Kenninghall Open Space.

6.2.3 The properties immediately surrounding the site are industrial uses and therefore it is not considered the proposal would result in an adverse impact on the occupiers of these buildings.

6.3 Traffic and Transportation

6.3.1 The site is accessible from Derby Road on to Montagu Road and Conduit Lane and thereafter, onto the North Circular Road and the North South Route. Given the good access to the existing highways network and the limited size of the site, it is considered that traffic movements would not affect traffic flows on these important routes or conditions of general highway safety.

6.3.2 However, there is concern about the use of the existing access to the site from Kenninghall Road, which is not designed for use by large vehicles. It is noted that this access does not appear to be in active use and as a result, an appropriately worded condition could be attached requiring that the access from Kenninghall Road be permanently closed in favour of the existing access from Derby Road. In addition, a condition is also recommended to require details of the internal parking and turning arrangements to ensure the operation of the site does not affect access or highway safety.

6.4 Other Matters

6.4.1 The site is located with Flood Zone 3, within the 1 in 100 flood risk event. As such, a condition is proposed requiring there to be no raising of site levels to ensure the proposal does not adversely effect on or off site flood storage.

6.5 CIL

6.5.1 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 spring / summer 2015.

6.5.2 The development is not liable for CIL.

7. Conclusion

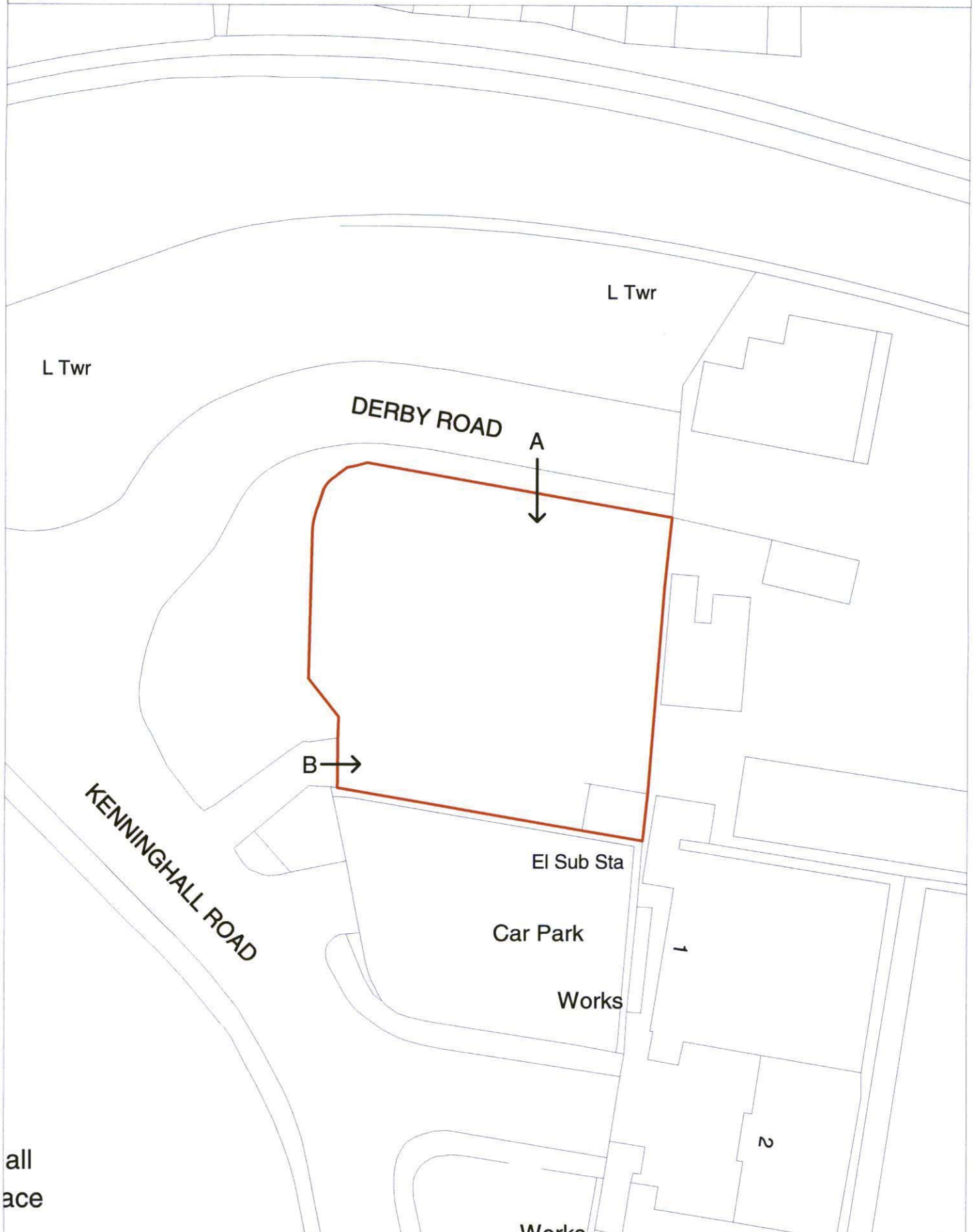
- 7.1 The renewal of the permission for a 3 year period use to allow the use of the site as contractor's storage/vehicle storage yard would not compromise the existing the Strategic Industrial Area or Central Leaside Area Action Plan. Additionally, the change of use would not be detrimental to residential amenities or highway safety.

8. Recommendation

- 8.1 That planning permission be deemed to be GRANTED in accordance with Regulation 3 of the Town & Country Planning General Regulations 1992 subject to the following conditions:
1. C60 – Approved plans
 2. There shall be no raising of existing ground levels on the site.
Reason: To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity.
 3. That within 3 months of the date of this decision the existing access to Kenninghall Road (marked B on the approved plan) shall be closed and the footway reinstated in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic within the public highway.
 4. C12 – Details of Parking and Turning Facility
That within 3 months of the date of this decision, development details for parking and turning facilities shall be provided in accordance with the standards adopted by the Local Planning Authority to be approved in writing by the Local Planning Authority. The facilities shall be constructed in accordance with the approved details and shall be maintained for this purpose.
Reason: To ensure that the development complies with Local Plan Policies and does not prejudice conditions of safety or traffic flow on adjoining highways.
 5. C19 – Details of Refuse Storage
That within 3 months of this decision, details of refuse storage facilities to be provided within the development shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details and retained thereafter.
Reason: In the interests of amenity.
 6. C31 – Open Storage
 7. C49 – Restricted Use
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any amending Order, the premises shall only be used for purposes within Use Class B8 Storage as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended).
Reason: In the interests of amenity and to ensure the impact of a change of use can be appropriately assessed.
 8. The use hereby permitted shall be discontinued and the land restored to its former condition on or before 01 February 2018 in accordance with a scheme of work submitted to and approved by the Local Planning Authority.
Reason: In the interests of safeguarding the objectives of the Strategic Industrial Land, the Central Leaside Area Action Plan and the Meridian Water Masterplan , having regard to policies 4.4 and 2.17 of the London Plan, CP14 and CP37 of the Core Strategy and DMD19 of the DMD, as well as the

objectives outlined within the Central Leaside Area Action Plan and Meridian Water Masterplan.

DERBY ROAD



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