

# LONDON BOROUGH OF ENFIELD

## PLANNING COMMITTEE

Date : 21st July 2015

**Report of**

Assistant Director, Planning,  
Highways & Transportation

**Contact Officer:**

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**Ward:**

Chase

Ref: 15/01788/RE4

Category: LBE - Dev by LA

**LOCATION:** Orchardside Nurseries, Bullsmoor Lane, Enfield, EN1 4RL

**PROPOSAL:** Demolition of existing bungalow and horticultural glasshouses and erection of a single storey Secondary Tuition Centre (D1 use) for upto 100 pupils with associated car parking, multi use games ares at rear and associated landscaping.

**Applicant Name & Address:**

Mr Andrew Fraser  
London Borough of Enfield  
Civic Centre  
Silver Street  
Enfield  
EN1 3XA  
United Kingdom

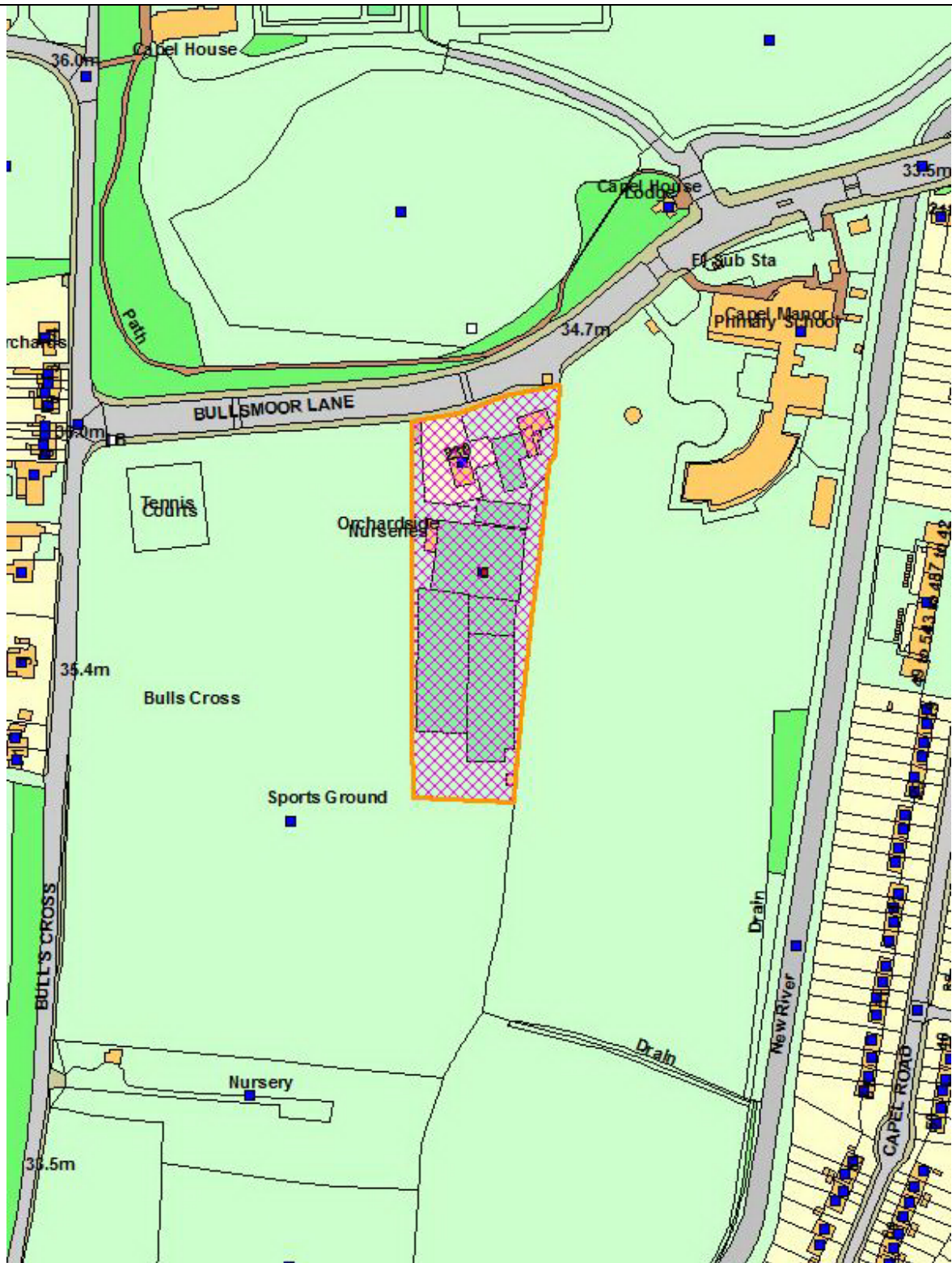
**Agent Name & Address:**

Mr Andrew Fraser  
London Borough Of Enfield  
Civic Centre  
Silver Centre  
Enfield  
EN1 3XA

**RECOMMENDATION:**

That following referral to the Mayor of London and no objections being raised, as well as referral to the Secretary of State and no objections being raised, the Head of Development Management or the Planning Decisions Manager be authorised to **GRANT** planning permission in accordance with Regulation 4 of the Town & Country Planning General Regulations 1992 subject to conditions.

Ref: 15/01788/RE4 LOCATION: Orchardside Nurseries, Bullsmoor Lane, Enfield, EN1 4RL



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Scale 1:1250

North



## **1. Site and Surroundings**

- 1.1. The site comprises an area of 0.85ha of land with two distinct elements: a former horticultural unit occupied by vacant glasshouses (Orchardside Nursery), and a residential bungalow sited in the north-west corner. The glasshouses extend along the majority of the site and the entire site is covered in hardstanding. The bungalow, which has previously been extended to the rear and into the roof space, is completely enclosed by boundary vegetation.
- 1.2. To the east is Capel Manor Primary. The school buildings are located towards the eastern side of the site. To the west and south of the site are the playing fields which form the Bullsmoor Open Space. On the opposite side of Bullsmoor Lane is the Capel Manor estate. Views into the estate are limited by the high brick wall, some fencing and a screen of mature vegetation.
- 1.3. The site sits within the Forty Hill Conservation Area and the Metropolitan Green Belt.

## **2. Amplification of Proposal**

- 2.1. Permission is sought for the demolition of an existing bungalow and horticultural glasshouses and the erection of a single storey Secondary Tuition Centre for up to 100 pupils with associated car parking, multi-use games area at rear and associated landscaping.
- 2.2. The proposed building will have a maximum depth of approximately 108m and a maximum width of 43m, providing an overall floor area of 2,583sqm.
- 2.3. The hall, which is sited towards the front of the site, will have an overall height of approximately 8.7m
- 2.4. Parking spaces will be provide on either side of the building and will include a total of 28 car spaces (inclusive of 1 disabled space), 2 minibus spaces and a space for service vehicles. In addition, cycle parking will be provided for 28 bicycles.
- 2.5. Accommodation for 44 FTE staff and up to 100 pupils. The school will be operational between 7am and 6pm Monday to Friday during term time. Outside of school hours and during school holidays, it is proposed that the facilities could be used by the wider community.

## **3. Relevant Planning Decisions**

- 3.1. Planning permission was granted in 1968 for a display conservatory (ref: TP/68/0557). Various applications have been made in relation to the existing nursery use.

## **4. Consultations**

### **4.1. Statutory and non-statutory consultees**

#### Conservation Officer

- 4.1.1. The following comments have been made:

*“The compact plan form of the settlement, with a tight cluster of buildings set close to the road, makes a strong contribution to the character of the area. This prevailing settlement pattern is continued in the scheme, through the daring decision to site the building to the northern boundary of the site, creating a strong frontage along Bullsmoor Lane emphasized by the double height school hall. Despite being unashamedly bold in its approach, the siting of the building and use of materials are contextual and draw on the rich vernacular traditions found in the surrounding area, arguably giving the building a strong ‘sense of place’.*

*I fully support the removal of existing poor quality structures that will act to enhance the surrounding conservation area, in addition to the setting of nearby listed buildings. Moreover, the proposed scheme will arguably have a minimal impact on the significance of surrounding designated heritage assets due to the limited views into the site, particularly from Capel Manor and the Pied Bull Public House.*

*The revised scheme features a reduction in height and the introduction of extensive timber cladding (birch). The amended design does a good job of breaking up the significant scale and massing of the building, through the use of light weight materials and introduction of regular bay rhythms. The floating zinc roof with integrated canopy acts to tie the structure together, creating a strong visual presence in the streetscape, in addition to picking up on the silver hues of the birch cladding. The timber boarding acts to integrate the building with its semi-rural surroundings and draws on several precedents of vernacular building typologies found in the surrounding area.*

It remains unclear from the proposals exactly how signage is to be employed in the scheme. I maintain that any signage should be integrated into design and not seen as an afterthought. Further details of any proposed signage should be subject to conditions to ensure that it is in keeping with the building and surrounding conservation area.

*I would strongly recommend that any approval be subject to comprehensive materials conditions requiring the submission of samples in addition to sufficiently detailed drawings.*

*Due to the site’s location in an Archaeological Priority Area, I would strongly recommend that robust archaeological conditions be placed on any planning permission”*

#### Historic England (GLAAS)

- 4.1.2. No objections are raised subject to securing a Written Scheme of Investigation due to the close proximity of the Roman Ermine Street.

#### The Environment Agency

- 4.1.3. The development is considered to pose a low environmental risk to flooding, controlled waters and the water environment.

#### Thames Water

- 4.1.4. In relation to surface water drainage, it has been advised there are no objections with regard to sewerage infrastructure capacity.
- 4.1.5. With regard to surface water drainage, the developer is responsible for making proper provision for drainage to ground, water courses or a suitable sewer and any connections to the public sewer will require Thames Water approval.

4.1.6. In relation to water infrastructure capacity, the developer is advised to note the minimum pressure provided by Thames Water of 10m head and a flow rate of 9 litres/minute.

4.1.7. It has also been advised that no impact piling should be permitted to take place until a piling method statement has been approved, in order to prevent / minimise the potential for damage to subsurface infrastructure.

#### Environmental Health

4.1.8. It has been advised that there are no objections as there is unlikely to be a negative environmental impact. There are no particular concerns relating to air quality, noise or contaminated land.

#### Traffic & Transportation

4.1.9. It has been advised that there are no objections.

#### Tree Officer

4.1.10. It is advised that there are no objections subject to the provision of Tree Protection Plan and an Arboricultural Plan in accordance with BS5837:2012, in addition to an appropriate landscaping plan.

#### Conservation Advisory Group

4.1.11. No objections have been raised.

#### SuDS Officer

4.1.12. The Sustainable Drainage Strategy provided is considered adequate.

### **4.2. Public response**

4.2.1. Letters were sent to 65 adjoining and nearby residents in addition to statutory publicity. As a result, two letters of objection (one from the LVRPA) have been received raising the following points:

#### Impact on Character of Area

- The CA is defined by a series of narrow lanes serving large residential properties some of which have been converted to business use; this physical character creates a quasi-rural ambience which policy and local decisions should aim to preserve. The addition of a use which could generate significant volumes of traffic at specific times adding to existing problems of local congestion would undermine the essential character of the CA and run counter to advice contained in the NPPF which advises that heritage assets should be respected

#### Highway Issues

- Although the Transport Assessment indicates that a retail nursery theoretically can generate more trips than that which could be generated through the proposal, these trips would have been spread over the length of the working day. Effectively this equates to about 60 trips per hour. In contrast the anticipated trips

generated by the application will result in 327 daily trips in the two peak periods, approximately 100 trips per hour.

- Trip generation for the proposed development will occur when road capacity is at a premium.
- Although the section of Bullsmoor Lane west from the A10 is wide it is often close to capacity at peak times because of the number of trips made to the primary school which lies on an adjacent site. However, other roads such as Whitewebbs Lane and Bulls Cross do not have the same capacity but are still subject to considerable volumes of traffic due to the Forty Hill School and the fact that they are regularly used as rat runs to avoid the 'controlled' junctions along the Cambridge Road. Of critical importance is the impact of this high level of traffic on the amenity of the conservation area.
- It is unclear how the proposal will address the high level of accidents recorded as part of the TA rather than exacerbating this matter. Measures should be put in place irrespective of the final decision on this application to improve matters.

#### Other matters raised

- Although such facilities are necessary, how can a school for disruptive pupils be located next to a primary school?

## **5. Relevant Policy**

### **5.1. The London Plan**

Policy 3.16	Protection and enhancement of social infrastructure
Policy 3.18	Education facilities
Policy 5.1	Climate change mitigation
Policy 5.2	Minimising carbon dioxide emissions
Policy 5.3	Sustainable design and construction
Policy 5.5	Decentralised energy networks
Policy 5.6	Decentralised energy in development proposals
Policy 5.7	Renewable energy
Policy 5.8	Innovative energy technologies
Policy 5.9	Overheating and cooling
Policy 5.10	Urban greening
Policy 5.11	Green roofs and development site environs
Policy 5.12	Flood risk management
Policy 5.13	Sustainable drainage
Policy 5.14	Water quality and wastewater infrastructure
Policy 5.15	Water use and supplies
Policy 5.16	Waste net self-sufficiency
Policy 5.18	Construction, excavation and demolition waste
Policy 5.21	Contaminated land
Policy 6.3	Assessing the effects of development on transport capacity
Policy 6.5	Funding Crossrail and other strategically important infrastructure
Policy 6.7	Better streets and surface transport
Policy 6.9	Cycling
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	Lifetime neighbourhoods
Policy 7.2	An inclusive environment

Policy 7.3	Designing out crime
Policy 7.4	Local character
Policy 7.5	Public realm
Policy 7.6	Architecture
Policy 7.8	Heritage assets and archaeology
Policy 7.13	Safety, security and resilience to emergency
Policy 7.14	Improving air quality
Policy 7.15	Reducing noise and enhancing soundscapes
Policy 7.16	Green Belt
Policy 7.19	Biodiversity and access to nature
Policy 7.21	Trees and woodlands
Policy 8.2	Planning obligations
Policy 8.3	Community Infrastructure Levy

## 5.2. Core Strategy

CP8:	Education
CP9:	Supporting community cohesion
CP11:	Recreation, leisure, culture and arts
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
CP22:	Delivering sustainable waste management
CP24:	The road network
CP25:	Pedestrians and cyclists
CP26:	Public transport
CP28:	Managing flood risk through development
CP30:	Maintaining and improving the quality of the built and open environment
CP31:	Built and landscape heritage
CP32:	Pollution
CP33:	Green Belt and countryside
CP36:	Biodiversity
CP46:	Infrastructure contributions

## 5.3. Development Management Document

DMD10	Distancing
DMD16	Provision of New Community Facilities
DMD17	Protection of Community Facilities
DMD37	Achieving High Quality Design-Led Development
DMD38	Design Process
DMD42	Design of Civic / Public Buildings and Institutions
DMD44	Conserving and Enhancing Heritage Assets
DMD45	Parking Standards
DMD47	Access, New Roads and Servicing
DMD48	Transport Assessments
DMD49	Sustainable Design and Construction Statements
DMD50	Environmental Assessment Methods
DMD51	Energy Efficiency Standards
DMD52	Decentralised Energy Networks
DMD53	Low and Zero Carbon Technology
DMD54	Allowable Solutions
DMD55	Use of Roof Space / Vertical Surfaces
DMD56	Heating and Cooling
DMD57	Responsible Sourcing of Materials

DMD58	Water Efficiency
DMD59	Avoiding and Reducing Flood Risk
DMD60	Assessing Flood Risk
DMD61	Managing Surface Water
DMD62	Flood Control and Mitigation Measures
DMD64	Pollution Control and Assessment
DMD65	Air Quality
DMD66	Land Contamination and Instability
DMD68	Noise
DMD69	Light Pollution
DMD70	Water Quality
DMD78	Nature Conservation
DMD79	Ecological Enhancements
DMD80	Trees on Development Sites
DMD81	Landscaping
DMD82	Protecting the Green Belt
DMD84	Areas of Special Character
DMD89	Previously Developed Sites in the Green Belt

#### 5.4. Other Relevant Policy Considerations

National Planning Policy Framework  
National Planning Practice Guidance  
Enfield Characterisation Study  
Forty Hill Conservation Area Character Appraisal (2015)  
Community Infrastructure Levy Regulations 2010

## 6. **Analysis**

### 6.1. **Principle**

- 6.1.1. Although the provision for facilities for educational purposes is acceptable in principle, notwithstanding that the development must still satisfy all material planning considerations such as its impact on neighbouring amenity and highway matters, the development raises a number of “in principle” issues. These include: development which affects heritage assets and the level of harm, if any, that arises from the proposal; development within the Green Belt; and the need for such a facility in the proposed location.

### 6.2. **Heritage Considerations**

#### Statutory background

- 6.2.1. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“Listed Buildings Act”) confirm that special attention shall be paid to the desirability of preserving a listed building or its setting (s.66) and preserving or enhancing the character or appearance of that area (s.72). As confirmed by the Court of Appeal (Civil Division), the decision in Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council [2014] EWCA Civ 137, it was concluded that where an authority finds that a development proposal would harm the setting of a listed building or the character and appearance of a conservation area, it must give that harm “*considerable importance and weight*”.



- 6.2.2. In The Forge Field Society & Ors, R v Sevenoaks District Council [2014] EWHC 1895 (Admin), Lindblom J. reconfirmed the *Barnwell* judgement and the considerations to be undertaken by a planning authority by observing at para.49 that:

*“when having to give considerable importance and weight to any harm it did not mean that an authority’s assessment of likely harm to the setting of a listed building or to a conservation area is other than a matter for its own planning judgement. It does not mean that the weight the authority should give to harm which it considers would be limited or less than substantial must be the same as the weight it might give to harm which would be substantial. But it is to recognize...that a finding of harm...gives a strong presumption against planning permission being granted. The presumption is a statutory one. It is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. But an authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and demonstrably applies that presumption to the proposal it is considering”*

- 6.2.3. In a court ruling in November 2014, in R. (on the application of Hughes) v South Lakeland DC [2014] EWHC 3979 (Admin), the court addressed the correct approach to assessing development proposals in a conservation area as well as covering the approach to heritage in the NPPF. Judge Waksman QC addressed relevant guidance at paras 131-135 NPPF. He explained that in a para.134 case, harm to a designated heritage asset was to be given more weight than it would if it were simply one of a number of factors to be considered. Where non-designated heritage assets were being considered the harm was to be taken into account as part of a ‘balanced judgment’ (paras 50-53 see NPPF para. 135).

- 6.2.4. A more recent ruling on 5 January 2015, Pugh v Secretary of State for Communities and Local Government [2015] EWHC 3 (Admin), Gilbart J considered at paras.49 and 50 that:

*“Like Judge Waksman QC in Hughes v South Lakeland, in my view paragraph 134 of NPPF can be a trap for the unwary if taken out of context. I agree with his approach that the significance of a heritage asset still carries weight at the balancing stage required by paragraph 134, and to the extent that Kenneth Parker J in Colman v Secretary of State for Communities and Local Government & Ors [2013] EWHC 1138 and Jay J in Bedford Borough Council v SSCLG [2013] EWHC 2854 suggest otherwise, I prefer the approach of Judge Waksman QC. Thus, the value and significance of the asset, whatever it may be, will still be placed on one side of the balance. The process of determining the degree of harm, which underlies paragraph 132 of NPPF, must itself involve taking into account the value of the heritage asset in question. That is exactly the approach that informed the Addendum Assessment upon which Mr Harwood relies. The later assessment also addressed the value of the asset, and then the effect of the proposal on that value. Not all effects are of the same degree, nor are all heritage assets of comparable significance, and the decision maker must assess the actual significance of the asset and the actual effects upon it.*

*50. But one must not take it too far so that one rewrites NPPF. It provides a sequential approach to this issue. Paragraphs 126-134 are not to be read in isolation from one another. There is a sequential approach in paragraphs 132 -4 which addresses the significance in planning terms of the effects of proposals on designated heritage assets. If, having addressed all the relevant considerations about value, significance and the nature of the harm, and one has then reached the point of concluding that the level of harm is less than substantial, then one must use the test*

*in paragraph 134. It is an integral part of the NPPF sequential approach. Following it does not deprive the considerations of the value and significance of the heritage asset of weight: indeed it requires consideration of them at the appropriate stage. But what one is not required to do is to apply some different test at the final stage than that of the balance set out in paragraph 134. How one strikes the balance, or what weight one gives the benefits on the one side and the harm on the other, is a matter for the decision maker. Unless one gives reasons for departing from the policy, one cannot set it aside and prefer using some different test'*

### National Guidance

- 6.2.5. Section 12 of the National Planning Policy Framework (“NPPF”) (Conserving and enhancing the historic environment) advises LPAs to recognise heritage assets as an “irreplaceable resource” and to “conserve them in a manner appropriate to their significance” (para. 126).
- 6.2.6. When determining planning applications, LPAs are advised to take into account of:
- *“the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
  - *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
  - *the desirability of new development making a positive contribution to local character and distinctiveness”* (para.131)
- 6.2.7. Paragraph 132 confirms that it is the significance of the heritage asset upon which a development proposal is considered and that “*great weight should be given to the asset’s conservation*”. LPAs need to consider whether a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset. Proposals that lead to substantial harm or loss to a designated heritage asset should be refused unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or it meets with the test identified at paragraph 133. Where a development will lead to less than substantial harm, the harm is to be weighed against the public benefits of the proposal, including securing its optimum viable use (para. 134).
- 6.2.8. Paragraph 135 provides guidance in relation to non-designated heritage assets. The development proposal must also be assessed against the significance of the heritage asset, and “*a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*”.
- 6.2.9. In addition, at paragraph 137, LPAs are also advised to look for opportunities for new developments within conservation areas and within the setting of heritage assets to better reveal their significance. Where a proposal preserves those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.
- 6.2.10. The NPPF provides a glossary of terminology at Appendix 2. The relevant heritage terms include:
- **“Heritage Asset:** *A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions*

*because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).*

- **Setting of a heritage asset:** *The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral*
- **Significance (for heritage policy):** *The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting."*

6.2.11. The National Planning Practice Guidance ("NPPG") provide some guidance on the term "public benefit" at paragraph 20:

*"Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (Paragraph 7). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.*

*Public benefits may include heritage benefits, such as:*

- *sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- *reducing or removing risks to a heritage asset*
- *securing the optimum viable use of a heritage asset in support of its long term conservation"*

6.2.12. A "benefit" is not limited solely to heritage benefits but also to all material planning benefits arising from a particular scheme, providing that they meet with the relevant policy tests for conditions and obligations.

6.2.13. The NPPG advises that the extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which the asset is experienced is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places.

6.2.14. The NPPG also advises that the conservation of heritage assets in a manner appropriate to their significance is a core planning principle. It also advises that conservation is an "*active process of maintenance and managing change*". Heritage assets are an irreplaceable resource and effective conservation delivers wider social, cultural, economic and environmental benefits.

6.2.15. Significance, as advised within the NPPF derives not only from a heritage asset's physical presence but also from its setting. When assessing significance, it is advised that great weight should be given to the asset's conservation and the more important the asset, the greater the weight to be applied. Where a development leads to less than substantial harm to the significance of the heritage asset, the harm should be weighed against the public benefits of the proposal, including its optimum viable use.

The NPPG advises that what matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset. It does also advise that 'substantial harm' is a high test, so may not arise in many cases.

### Local Plan

6.2.16. Planning law requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise, as confirmed at s.38(6) of the Planning and Compulsory Purchase Act 2004 ("the 2004 Act") and s.70(2) of the Town and Country Planning Act 1990 ("T&CPA 1990"). The Local Plan, as confirmed at s.38(2) of the 2004 Act, comprises of: the Spatial Development Strategy for Greater London ("London Plan"), the Enfield Plan Core Strategy 2010-2015 ("Core Strategy") and the Development Management Document ("DMD").

6.2.17. London Plan policy 7.8 (Heritage Assets and Archaeology) advises that at a strategic level, London's heritage assets and historic environment should be identified

#### **Strategic**

- A. *London's heritage assets and historic environment, including listed buildings, registered historic parks and gardens and other natural and historic landscapes, conservation areas, World Heritage Sites, registered battlefields, scheduled monuments, archaeological remains and memorials should be identified, so that the desirability of sustaining and enhancing their significance and of utilising their positive role in place shaping can be taken into account.*
- B. *Development should incorporate measures that identify, record, interpret, protect and, where appropriate, present the site's archaeology.*

#### **Planning decisions**

- C. *Development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate.*
- D. *Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.*
- E. *New development should make provision for the protection of archaeological resources, landscapes and significant memorials. The physical assets should, where possible, be made available to the public on-site. Where the archaeological asset or memorial cannot be preserved or managed on-site, provision must be made for the investigation, understanding, recording, dissemination and archiving of that asset.*

#### **LDF preparation**

- F. *Boroughs should, in LDF policies, seek to maintain and enhance the contribution of built, landscaped and buried heritage to London's environmental quality, cultural identity and economy as part of managing London's ability to accommodate change and regeneration.*
- G. *Boroughs, in consultation with English Heritage, Natural England and other relevant statutory organisations, should include appropriate policies in their LDFs*

*for identifying, protecting, enhancing and improving access to the historic environment and heritage assets and their settings where appropriate, and to archaeological assets, memorials and historic and natural landscape character within their area.*

6.2.18. Core Policy 31 (Built and Landscape Heritage) confirms that the Council will implement national and regional policies and work with partners to “*pro-actively preserve and enhance all of the Borough’s heritage assets*”. This is to be achieved by the following:

- *Reviewing heritage designations and their boundaries where appropriate, and continuing to maintain non-statutory, local lists and designations based on formally adopted criteria;*
- *Ensuring that built development and interventions in the public realm that impact on heritage assets have regard to their special character and are based on an understanding of their context. Proposals within or affecting the setting of heritage assets will be required to include a thorough site analysis and character appraisal which explicitly demonstrates how the proposal will respect and enhance the asset;*
- *Identifying opportunities for the repair and restoration of heritage assets and working with owners of heritage assets on English Heritage’s Heritage at Risk Register to find viable solutions to secure the asset’s long-term future. Where necessary, the Council will make full use of its legislative powers to ensure their preservation;*
- *Ensuring developments in areas of archaeological importance take into account the potential for new finds by requiring consultation with English Heritage and on-site investigations, including the appropriate recording and dissemination of archaeological evidence;*
- *Supporting appropriate initiatives which increase access to historic assets, provide learning opportunities and maximise their potential as heritage attractions, particularly at Forty Hall and the Area of Special Character in the north west of the Borough; and*
- *Finding new ways to record and recognise Enfield’s intangible heritage resources and, where possible, open up wider public access to them.*

6.2.19. The DMD was adopted by the Council in November 2014. The policies contained therein are consistent with the NPPF and therefore carry considerable weight. Policy DMD44 (Preserving and Enhancing Heritage Assets) confirms the following:

1. *Applications for development which fail to conserve and enhance the special interest, significance or setting of a heritage asset will be refused*
2. *Development affecting heritage assets or their setting should seek to complement the asset in all aspects of its design, materials and detailing*
3. *All applications affecting heritage assets or their setting should include a Heritage Statement. The applicant will also be required to record and disseminate detailed information about the asset gained from desk-based and on-site investigations. Information should be provided to the Local Planning Authority, Historic Environment Record and English Heritage. In some circumstances, a Written Scheme of Investigation will be required.*

Forty Hill Conservation Area Character Appraisal (2015)

6.2.20. The site falls within the Forty Hill Conservation Area and in particular, is sited on the periphery of two areas defined in the Character Appraisal as “Character Area C: Capel Manor” and “Character Area F: Bull’s Cross”.

6.2.21. The Capel Manor character area is described throughout section 2.7 of the Character Appraisal. Its special interest is summarised at para .2.7.5 as being:

- *The presence of the intact core of a historic country estate, including house, walled kitchen garden and stable block and its immediate setting of formal gardens and parkland.*
- *Capel Manor and the Stable block are important historic buildings, with considerable visual presence.*
- *The high-quality formal and informal landscaping. This has developed over the past two centuries and continues to develop, providing an attractive setting for the key historic buildings.*
- *The enclosed nature of the estate, which is a discrete unit, effectively cut off from the surrounding landscape.*

6.2.22. The *Problems and pressures* of this character area are identified at para. 2.7.6 and relate to issues within the walled estate.

6.2.23. The Bulls Cross character area is described throughout section 2.10 of the Character Appraisal. The special interest for this character area is summarised at para 2.10.5 as being:

- *The retention of the character and appearance of a linear rural hamlet, which has changed little since the late 19<sup>th</sup> century.*
- *The presence of a group of attractive buildings. Most of the buildings make a positive contribution to the appearance of the area as a whole and have a cohesive vernacular character. The two earliest buildings, The Pied Bull public house and The Orchards are of particular historic interest.*
- *The compact plan form of the settlement, with a tight cluster of buildings set close to the road, makes a strong contribution to the atmosphere of a rural hamlet.*
- *Property boundaries, generally white painted picket fences, give the area a uniform and distinctive appearance.*

6.2.24. The *Problems and pressures* of this character area are identified at para. 2.10.6. The principal issue is identified as being the loss of original architectural detail and alterations to boundaries. Additional pressures include the “*bleak, municipal appearance*” of the south side of Bullsmoor Lane, the excessive width of the road, the volume of traffic and the large number of cars parked on Bullsmoor Lane all detracting from the rural atmosphere.

6.2.25. Of additional note is the summary of special interest of the conservation area as a whole, identified at para. 3.1.1:

- *The long history of occupation. With continuity of occupation back to medieval times, and evidence of use in the Roman and prehistoric periods, Forty Hill is an area rich in history and archaeology, with clear evidence of time depth.*
- *The presence of the intact core of three historic country estates - including the houses, kitchen gardens, stables and immediate settings of formal gardens and parkland.*
- *The survival of three historic hamlets, each with a distinctive, linear settlement pattern. Two of these, Bull’s Cross and Maiden’s Bridge, have a vernacular*

*character. The third, Forty Hill, has more the character of a genteel suburb. In all the areas, the low density of development, often including large spaces between buildings, is an important factor.*

- *The presence of extensive open land. This helps to preserve the individual nature of each settlement and gives the historic estates and hamlets an attractive landscape setting, particularly where it is parkland, woodland or agricultural land rather than playing fields. The setting of Forty Hill and Myddelton House are particularly enhanced by the shallow valley around the Turkey Brook, which facilitates good views of both houses.*
- *The architectural quality of many of the buildings. The Conservation Area contains a variety of important historic buildings, ranging from simple vernacular houses and spacious classical houses, to a house (Forty Hill) of outstanding national importance. Together, these buildings make a major and significant contribution to the character and appearance of an interesting and attractive area.*
- *Distinctive property boundaries. A mixture of high walls, hedges, railings and picket fences gives each character area a highly distinctive appearance. In addition, high boundary walls or hedges define and enclose the public frontages of the three country estates.*
- *The absence of extensive modern development in the area. The appearance, superficially at least, of much of the area has not significantly altered since the 19th century. This creates the pleasing impression that the area has been bypassed by modern life. A major recent exception is the football training ground, which intrudes on what was previously an undeveloped agrarian landscape, of considerable archaeological and historic significance.*

6.2.26. At para. 4.1.1 it is recognised that although there are different pressures for each character area, a number of common pressures are identified (expanded below where considered applicable:

- *Inappropriate alterations to buildings*
- *Poor quality treatment of property boundaries*
- *Poor quality streetworks*
- *Derelict or untidy buildings or land*
- *Loss of the traditional settlement pattern - At the northern and southern extremities of the Conservation Area, the traditional settlement pattern of small-scale, linear settlements, separated by open land, has begun to break down... To the north, bungalows, nurseries and schools have encroached upon open land.*
- *Erosion of quality and character of Forty Hill park and farm*
- *The impact of municipal-style playing field and the football training grounds west of Myddelton House - playing fields are a key element of this area, particularly in the north. While these make a valuable contribution in terms of preserving open space, poor quality boundaries, [prominent infrastructure], utilitarian ancillary buildings and large areas of featureless, close-cropped grass give them a municipal [and urban appearance] which is detrimental to the area's special character*
- *The conversion of single dwellings into multiple-occupancy dwellings*

6.2.27. The proposal will have a greater or lesser impact on individual heritage assets. The factors for consideration will be:

- Proximity
- Visibility
- Compatibility of the proposal with the context and setting of the asset
- The significance of the asset
- The sensitivity to harm of the asset

6.2.28. There are several heritage assets upon which the impact of the development should be considered against:

- the Pied Bull public house (grade II listed)
- the Forty Hill Conservation Area
- Capel Estate (Capel House grade II\*, Garden Wall grade II, Stable Range grade II)

6.2.29. What must therefore be determined is whether any of the elements proposed will harm the significance of the various heritage assets, having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting (s.66) and preserving or enhancing the character or appearance of a conservation area (s.72).

6.2.30. If any harm is identified, great weight must be given to that harm. Further to this, as advised above, if substantial harm or total loss to significance is identified, it would need to be established whether there are any substantial public benefits that would outweigh the identified harm or loss or the tests identified at para.133 of the NPPF are met. If there is less than substantial harm, the harm is to be weighed against the public benefits of the proposal, and for undesignated heritage assets, a balanced judgement must be made having regard to the scale of any harm or loss and the significance of the heritage asset. It should be noted that benefits are not limited to heritage benefits but to all material planning benefits capable of meeting the policy tests.

#### The Pied Bull public house (grade II)

6.2.31. The list entry detail of the Pied Bull (listed 31 January 1974) is as follows:

*“House of C17 or earlier appearance. 2 storeys, 3 windows; with one-storey, one-window left extension. Projecting, one-storey gabled right wing. Rendered 1st floor oversailing on curved brackets. High pitched tiled roof with eaves broken by raised 1st floor windows. Weatherboarded ground floor. 1st floor windows are modern casements with glazing bars; ground floor windows C18 sliding sashes”*

6.2.32. The above list description indicates the principle elements worthy of listing and it is acknowledged that the proposed development will not affect any of the identified elements contributing to its special character. However, consideration must also be given to the setting of a listed building. The Pied Bull is surrounded by car parking to the side and rear, with an area of seating at the front of the building.

6.2.33. The development site is well-screened from the Pied Bull PH by virtue of the boundary plantings along the western side of the playing fields and the boundary plantings along the western boundary of the site itself. The development is considered to not cause any harm to the significance or setting of the grade II listed public house.

#### The Forty Hill Conservation Area

6.2.34. The special character of this part of the conservation area, its pressures, and the pressures on the conservation area as a whole have been described above.

6.2.35. The site falls between the two sub-character areas of Bulls Cross and Capel Manor. The existing poor quality buildings and general appearance from the street is considered to harm the significance of this part of the Conservation Area. The



sensitively designed proposed building will enhance the appearance of the Forty Hill Conservation Area.

- 6.2.36. Having regard to those elements identified above that are of special interest to the two character areas and to the wider conservation area (the retention of the character and appearance of a linear rural hamlet; compact plan form of development, with a tight cluster of buildings set close to the road), it is considered that the proposed development does not harm the significance of the character area or the conservation area. The development proposal is therefore considered to preserve the character and appearance of the conservation area.

#### The Capel Estate

- 6.2.37. There are several elements to the Capel Estate which are individually listed in their own right. These include Capel House (grade II\*), the garden wall to the east of Capel House (grade II), the stables and former coach house range (grade II). The full listing of the above is attached at Appendices 1-3 of this report.
- 6.2.38. The above heritage elements are sited approximately 180m, 190m and 205m distant respectively from the proposed school site. In addition, a screen of boundary vegetation limits any views to each of the aforementioned listed heritage assets. Having regard to the levels of distancing and to the vegetated boundary screen, it is considered that the proposed development will not harm the significance of any of the identified heritage assets associated with the Capel Manor Estate.
- 6.2.39. Whilst the development is considered to not harm the significance of the above heritage assets, the development site is directly opposite the Capel Manor estate, albeit the boundary wall / fence. The existing nursery, with its poor quality buildings is considered to harm the setting of the Capel Manor estate. The removal of the unattractive buildings is therefore considered to be a planning gain and one which will enhance the setting of the wider Capel Manor estate.

#### Archaeology

- 6.2.40. The site is within close proximity to Ermine Street, one of the major Roman roads in Britain. Although recent investigations at Myddelton Farm (ref: 14/03915/FUL) have been negative, the close proximity to Ermine Street may reveal some remains which would need to be recorded. A condition is therefore proposed to seek details of a Written Scheme of Investigation, and the publication / dissemination of the results.

#### Summary of Heritage Considerations

- 6.2.41. The significance of the wider conservation area, the two sub-character areas in particular, and the various listed heritage assets in close proximity is considered to not be harmed by the development proposal. The proposed scheme will result in the removal of unsympathetic buildings and their replacement with a building that has been designed with specific regard to achieving a positive impact on the conservation area in particular.
- 6.2.42. Having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting (s.66) and preserving or enhancing the character or appearance of a conservation area (s.72) the proposal has been assessed against the identified heritage assets as set out above. It is considered that the development proposals will not lead to any harm to the designated or undesignated heritage assets having regard to Policy 7.8 of the London Plan, Core

Policy 31, Policy DMD44 of the Development Management Document, and with section 12 of the NPPF. The development proposals must therefore now be assessed against any other material considerations, in accordance with s.38(6) of the 2004 Act and s.70(2) of the T&CPA 1990.

### 6.3. Green Belt Considerations

6.3.1. The NPPF confirms that the fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence (para.79).

6.3.2. The purposes of including land in the Green Belt are to:

- check the unrestricted sprawl of large built-up areas;
- prevent neighbouring towns merging into one another;
- assist in safeguarding the countryside from encroachment;
- preserve the setting and special character of historic towns; and
- assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.3.3. It also confirms that inappropriate development is harmful to the Green Belt and should only be approved in very special circumstances (para.87) and substantial weight must be given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of its inappropriateness, and any other harm, is clearly outweighed by other considerations (para.88).

6.3.4. The construction of new buildings, as advised at paragraph 89, is inappropriate in the Green Belt unless it is one of the exceptions as outlined below:

- Buildings for agriculture and forestry;
- Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

6.3.5. In addition, it is also advised at paragraph 90 that certain other forms of development are also not inappropriate provided that they preserve the openness of the Green Belt and not conflict with the purposes of including land within it. These are:

- mineral extraction;
- engineering operations;
- local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- the re-use of buildings provided that the buildings are of permanent and substantial construction; and
- development brought forward under a Community Right to Build Order.

- 6.3.6. Policy 7.16 of the London Plan (“Green Belt”) confirms that the strongest protection should be given to the Green Belt in accordance with national guidance. Inappropriate development is to be refused except in very special circumstances whilst development that is appropriate and helps to secure the objectives of improving the Green Belt will be supported. The above is reflected in Core Policy 33 (“Green Belt and Countryside”) and Policy DMD82 (“Protecting the Green Belt”), which provides the criteria upon which proposals are to be assessed:
- a. *“The siting, scale, height and bulk of the proposed development is sympathetic to and compatible with the prime aim of preserving the openness of the Green Belt;*
  - b. *The development has regard to site contours, displays a high standard of design and landscaping to complement and improve its setting, and takes all measures to ensure that the visual impact on the Green Belt is minimised;*
  - c. *The nature, quality, finish and colour of materials blend with the local landscape to harmonise with surrounding natural features;*
  - d. *Where possible, existing trees, hedges, bushes and other natural features are retained and integrated with the scheme to ensure adequate screening. Where this is not possible, planning permission will only be granted if adequate mitigation measures are secured; and*
  - e. *Appropriate parking provision, safe access, egress and landscaping is provided to ensure vehicles are parked safely and that the development does not prejudice the openness of the Green Belt.”*
- 6.3.7. Having regard to the policy guidance above, the proposal does involve the limited infilling or the partial or complete redevelopment of a previously developed site, therefore in this regard the proposal is not “inappropriate”. Consideration must therefore turn to whether the development will have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 6.3.8. The existing site is predominantly built over, with a series of built structures and hardstanding. The footprint of existing structures amounts to approximately 3200sqm.
- 6.3.9. The building footprint will be reduced to approximately 2500sqm. From the rear boundary, the extent of the proposed building will be sited some 47m from that boundary. The expanse of space between these two elements will be taken up by a “hardplay” area. It is important to note that there is effectively no change to this part of the site because at present, where there is no building in situ, hardstanding is in place. The building has also been moved away from the flank boundaries to accommodate the two parking areas which immediately flank the building. In addition, the front elevation has also been pulled away from the boundary with Bullsmoor Lane. Openness around the site has therefore been increased.
- 6.3.10. Although the footprint of the building has been reduced, “openness” can still be compromised through an increase in height. The existing structures are all single storey and the tallest element of the proposed school, the hall, will be double height but will be sited at the front of the site. This is considered to be the most appropriate location because, notwithstanding design principles for civic buildings discussed below, it is the urban frontage of the site, therefore relating better to the busy road and other buildings along the road frontage. Moreover, by having the single storey elements of the building at the rear, the impact on openness is no greater than the existing.
- 6.3.11. Having regard to the above, the proposal will not have a greater impact on the openness of the Green Belt than the existing. Moreover, the proposal will not

compromise those purposes of including land within the Green Belt as outlined above. The development is “appropriate” in Green Belt terms, having regard to Policy 7.16 of the London Plan, Core Policy 33 and DMD82 of the Development Management Document, and with section 9 of the NPPF.

### Need

6.3.12. Although a “very special circumstances” argument does not need to be made because the development is considered to not be “inappropriate”, the applicant has provided additional information to support the submission. This includes:

- The need for the development
- The consideration of alternative accommodation

6.3.13. Paragraph 72 of the NPPF confirms the importance the Government attaches to ensuring that there is a sufficient choice of school places available to meet the needs of existing and new communities. Local Planning Authorities (LPAs) are advised to take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen education choice. To achieve this, LPAs are to:

- *“give great weight to the need to create, expand or alter schools; and*
- *Work with school promoters to identify and resolve key planning issues before applications are submitted”.*

6.3.14. The above is also supported by London Plan Policy 3.18 where it is advised that proposals for new schools should be given positive consideration and should only be refused where there are demonstrable negative local impacts which substantially outweigh the desirability of establishing a new school and which cannot be addressed through the appropriate use of planning conditions or obligations.

6.3.15. The development will result in the amalgamation of the three Secondary Tuition (STC) sites at Eldon, Newbury and Swan Annexe, into one purpose-built facility. The existing facilities have insufficient space, the existing accommodation is deficient in specialist and general teaching areas for admin, support and storage. In addition, the external areas are restricted with no appropriate areas for recreation and PE. The existing poor facilities has affected the ability to provide a broad and balanced curriculum, with a 2010 Ofsted report noting that *“staff have had to be imaginative and creative in designing the curriculum because the poor quality accommodation is a severe constraint”*. A 2013 Ofsted report advised that to improve the school further it would need to *“address the accommodation shortcomings so that students can be offered a wider range of practically based courses”*.

6.3.16. The consolidation of the three sites into one will also produce greater efficiencies by avoiding the duplication of resources.

### Consideration of Alternative Sites

6.3.17. It has been advised that a suitable location for a new STC site has been ongoing since 2004. Basic requirements include:

- A 1-2 acre site to accommodate the necessary teaching space and external outdoor play areas
- A location which was suitably distant from other secondary schools, away from influences which currently affect the students.

6.3.18. A total of 18 sites were explored. Although the majority of them were located outside of the Green Belt, either through size and site constraints or availability, but were all

ruled out. A full list of sites explored is at Table 4.1 of the submitted *Planning, Design and Access Statement*.

#### 6.4. Impact on the Character of the Area

##### Design

- 6.4.1. The NPPF (section 7) confirms that the Government attaches great importance to the design of the built environment, with good design being a key aspect of sustainable development. London Plan policies 7.4, 7.5 and 7.6 confirm the requirement for achieving the highest architectural quality, taking into consideration the local context and its contribution to that context. Design should respond to contributing towards “a positive relationship between urban structure and natural landscape features...”
- 6.4.2. Civic buildings are required by DMD42 to be of a high standard and prominence within their community. They need to communicate their importance and function through architectural cues; they should positively address the public realm; have entrances which are prominent; and be designed to accommodate alternative uses.
- 6.4.3. The proposed building will have a double-height element (hall) near to the site frontage, which together with an entrance canopy that projects out to the pavement on Bullsmoor Lane, provides the prominence required. In addition, the curvature of the road has been addressed by offsetting the admin block from the school hall. Although details of signage have not been included, careful consideration will need to be given to this element. Ideally, signage should be integrated into the design of the building.
- 6.4.4. Although the entire building will be clad in timber, some individuality is achieved through the use of horizontal cladding on the northern elevation facing Bullsmoor lane and vertical cladding on the east / west elevations. Above the timber boarding on the lower elements is the continuous ribbon of clerestory windows, with the flat roof above with its windcatchers to provide some visual relief. The projecting roof forms a canopy to provide some shadow relief.
- 6.4.5. The choice of materials (timber cladding, metal fascia and dark windows / doors) is considered to be a sensitive response to the site's location within the conservation area and the Green Belt. Moreover, timber is considered to respect the rural vernacular and features on other sites in the locality, for example, Capel Manor, Myddelton Farm, Myddelton House and the Pied Bull PH. A condition is proposed to secure the details of the materials to be used.
- 6.4.6. Notwithstanding the discussion above in relation to civic buildings needing to be prominent, the location of the site within the Green Belt requires taller elements to be positioned towards the road frontage in order to minimise the impact on the Green Belt in terms of harm to openness and visual amenity.
- 6.4.7. The building has been designed to enable the dual use of it outside of school hours, with the ability to segregate the school hall, changing rooms and toilets for community use.
- 6.4.8. The overall design of the building is considered to be a sensitive response to the constraints of the site and will not detract from the character and appearance of the street scene. Moreover, it will be constructed to very high sustainable design credentials, with the very achievable potential of a BREEAM rating of “Excellent”.

## 6.5. Impact on Neighbouring Properties

### Loss of Outlook / Light / Overlooking / Loss of Privacy / Distancing

- 6.5.1. West of the site, the nearest residential properties are approximately 145m distant on the western side of Bulls Cross. These dwellings are separated by the expanse of sports field between, a row of mature Cypress trees along the boundary of the site and a further row of high vegetation along the western boundary of the sports ground.
- 6.5.2. To the east, the nearest dwelling is approximately 138m distant. With regard to the dwellings to the east, Capel Primary sits between.
- 6.5.3. Due to the level of distancing involved to nearby residential properties, it is considered that this development will not lead to a loss of outlook, light, overlooking and loss of privacy, having regard to Policy 7.6 of the London Plan, Core Policy 30, Policies DMD8 and DMD10 of the Development Management Document.

### Noise

- 6.5.4. Paragraph 123 of the NPPF considers noise impacts of development. It confirms that policies and decisions should aim to:
  - avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
  - mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
  - recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and
  - identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.
- 6.5.5. London Plan policy 7.15 encourages development proposals to manage noise through appropriately locating noisy activity away from noise sensitive receptors or through mitigation where appropriate. Core Policy 32 recognises the noise pollution should be minimised and DMD68 provides the criteria upon which developments will be assessed.
- 6.5.6. The school will be located adjacent to an existing primary school, where increased levels of noise may be experienced during school hours, against the background of traffic on the A10 and the M25. Community activities outside of school hours would largely take place within the buildings but would be subject to controlled hours of use.
- 6.5.7. It is not expected, given separation distances to the nearest residential dwellings, that there will be any harmful impact to residential occupiers during the construction phase.
- 6.5.8. Having regard to the above, it is considered that the development will not unduly impact on the existing amenity of neighbouring occupiers with regard to noise and disturbance. The development is considered to comply with Policy 7.15 of the London Plan, Core Policy 32, Policy DMD68 of the Development Management Plan.

## Lighting

- 6.5.9. Paragraph 125 of the NPPF advises that through the encouragement of good design, policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. The supporting text to London Plan policy 7.5 confirms the balance that must be struck between issues of safety / security and reducing light pollution. Core Policy 32 recognises the need to minimise light pollution and DMD69 confirms that development which results in light pollution that has a harmful impact on local amenity, nature conservation/wildlife and environment will not be permitted. Restrictions on the hours of operation may be imposed.
- 6.5.10. Given the sensitivities of the site, near to areas of wildlife habitat, within a conservation area and Green Belt, a lighting scheme should be designed to minimise the impact of light spillage / light trespass whilst obviously providing the necessary level of lighting for functional use. It should be noted that lighting columns are not proposed for the playing courts at the rear of the site.
- 6.5.11. An appropriately worded condition is proposed to secure the details of a lighting assessment and a lighting plan. The development should therefore have sufficient regard to the impact of lighting on adjacent sensitive receptors, having regard to Core Policy 32, Policy DMD69 of the Development Management Document.

## **6.6. Traffic and Highway Considerations**

### Traffic Generation

- 6.6.1. Policy 6.3 of the London Plan confirms that the impact of development proposals on transport capacity and the transport network are fully assessed. The proposal must comply with policies relating to better streets (Policy 6.7), cycling (Policy 6.9), walking (Policy 6.10), tackling congestion (Policy 6.11), road network capacity (6.12) and parking (Policy 6.13). Policies DMD45 and 47 provide the criteria upon which developments will be assessed with regard to parking standards / layout and access / servicing.
- 6.6.2. The site is located in an area with a poor PTAL score (1b). There is currently no off-street parking, except for the one parking space associated with the residential bungalow. The proposal would provide 28 parking spaces
- 6.6.3. The existing trip generation from the existing uses on the site (i.e. horticultural nurseries) was obtained using trip rates from the TRICS database. The TRICS database was employed because the existing site does not have a car park and in order to ascertain the mode split of people travelling to the site each person would need to be surveyed separately. The above methodology is therefore considered to be acceptable. and a summary of the trips by car modes and by all modes are provided in Tables 2 and 3 below.

Table 2: Trip Generation vehicles (2,500 sq.m)

Time	Arrivals	Departures	Total
08:00-09:00	9	1	11
09:00-10:00	7	7	14
10:00-11:00	20	20	40
11:00-12:00	40	42	82
12:00-13:00	22	22	44
13:00-14:00	26	23	49
14:00-15:00	37	25	62
15:00-16:00	23	33	56
16:00-17:00	9	17	26
17:00-18:00	3	7	10
<b>Total</b>	<b>197</b>	<b>198</b>	<b>395</b>

Table 3: Trip Generation - all modes (2,500 sq.m)

Time	Arrivals	Departures	Total
08:00-09:00	10	1	11
09:00-10:00	11	8	19
10:00-11:00	44	34	77
11:00-12:00	68	62	130
12:00-13:00	43	36	79
13:00-14:00	43	44	86
14:00-15:00	56	48	104
15:00-16:00	39	56	95
16:00-17:00	24	31	54
17:00-18:00	3	19	22
<b>Total</b>	<b>339</b>	<b>339</b>	<b>679</b>

- 6.6.4. The proposed trip generation from pupils and staff for the new school was obtained from hands up surveys from the three existing secondary tuition centres together with modal split.

Table 4: Total Pupil trip generation (100 pupils) – *school hands-up survey*

	Arrivals	Departures	Total
Pedestrians	8	8	16
Cyclists	3	3	6
Public Transport users	79	79	158
Vehicle passengers	10	10	20
<b>Total</b>	<b>100</b>	<b>100</b>	<b>200</b>

Table 5: Staff Trip generation (44 employees) – *school hands-up surveys*

	Arrivals	Departures	Total
Pedestrians	2	2	4
Cyclists	2	2	4
Public Transport users	11	11	22
Vehicle passengers + drivers	29	29	58
<b>Total</b>	<b>44</b>	<b>44</b>	<b>88</b>



6.6.5. Thirty nine two-way person trips have been estimated as the worst case scenario for evening meetings including 6 (two-way) vehicular trips. Based on the existing and proposed trip generation the net traffic impacts are shown in Table 6 below:

Table 6: Net Trip Generation (two-way)

	Existing	Proposed			
		Pupils	Staff	Evening	Net
Pedestrians		26	4		
Cyclists		6	4		
Public Transport Users		158	22		
Vehicles	395		52	6	-317
Vehicle passengers	126	20	6	2	
<b>Total</b>	<b>679</b>	<b>200</b>	<b>88</b>	<b>39</b>	<b>-352</b>

- 6.6.6. The results in Table 6 above indicate that the loss of the horticultural nurseries and the creation of the new school will result in an overall reduction in vehicle traffic on Bullsmoor Lane.
- 6.6.7. There have been considerable concerns from neighbouring developments on the level of additional traffic the new school is likely to generate on Bullsmoor Lane. Whilst it is acknowledged that there are delays and congestion along Bullsmoor Lane up to the A10 (Great Cambridge Road); a significant proportion of the trips are associated with through traffic trying to avoid delays between the A10 and junction 25 of the M25. It is also acknowledged that there are vehicular movements along this corridor in the AM and PM peaks from Capel Manor Primary School.
- 6.6.8. Looking at the reduction in traffic generation which is shown on Table 6, it is considered that the level of trip generation from the school overall will not be significantly increased in the wider context to cause any further adverse impacts on the surrounding highway network.
- 6.6.9. Capel Manor Primary School is already operational and due to its scale and population, generates significantly more vehicular trips as compared to the proposed new school. Whilst it is accepted that there will be increased vehicular movements from the new school, it is also considered that a significant proportion of trips will also be undertaken by non-car modes. Therefore, whilst the level of traffic through the conservation area will be increased by the new school, it is not considered to be significantly worse as compared to the existing overall.
- 6.6.10. In a wider context, it is also worth mentioning that, TfL/Highways Agency are aware of the traffic congestion particularly on the Bullsmoor Lane/A10 (Cambridge Road) junction and are currently looking at signal improvements at the junction to ensure that junction capacity is more efficiently utilised. Whilst this will not completely solve the congestion problems on this corridor, this is intended to improve the capacity of the junction. There are also plans by the Highways Agency to look at left turn free flow traffic on the slip road to junction 25 of the M25 also in a bid to improve traffic congestion in the area. The proposals seek to provide a linkage between the A10 and M25 junctions to improve congestion in this area.

#### Parking

- 6.6.11. The proposals include the provision of 28 car parking spaces for the 44 staff (including 2 disabled bays), 2 mini bus bays and a servicing bay with turning head on the site. The parking on the site is proposed for the sole use of the staff and parents will not be allowed to enter/drive on-to the site.
- 6.6.12. The level of parking provision is thought to be acceptable. However because parents are not allowed to use or park in the car park, they will be parking and pick-off/pick up activities taking place on-street (i.e. Bullsmoor Lane) and there have been concerns raised on how any additional parking due to the new school will affect availability of kerbside parking especially with the Capel Manor Primary School located just next to the site. There are no parking restrictions along Bullsmoor Lane apart from the school keep clear markings located outside Capel Manor Primary School which are in operation between 08:15-09:15 and 14:45 and 16:00.
- 6.6.13. In order to understand the current on-street parking capacity and levels of use in the vicinity of the site, an on-street parking occupancy survey was undertaken between 6am-11am and 1pm to 7pm on Thursday 20th May 2014.
- 6.6.14. The results indicate that the worst period is during the school pick up period 1500-1530 when the occupancy exceeds 80% (i.e. 89%).
- 6.6.15. Considering the ages of the proposed students to the school and the nature of the school, it is unlikely to have significant high levels of school drop offs and pick-ups from parents etc. Therefore overall the proposed parking provision and access arrangements are deemed acceptable in highway terms.
- 6.6.16. The provision of electric vehicle charging points (EVCPs) have not been detailed within the *Transport Assessment*. To comply with the London Plan, 20% of the car parking spaces should have active provision and a further 20% provided with passive provision for future use. Details of this will be secured by condition.
- 6.6.17. The information submitted indicates that 20 cycle parking spaces will be provided in total for pupils, staff and visitors. This is considered to be in line with the current cycle parking standards in the London 2015. However the location and detailed design of the bike store has not been included.
- 6.6.18. The design of the store should ensure that it is big enough to accommodate cycles with stands/racks allowing both the frame and at least one wheel to be secured. The cycle parking must be lockable (ideally by an access fob or a mortice lock), sheltered from the weather and lit.
- 6.6.19. The plans provided should include detailed designs of the bike store, including dimensions, materials of the bike racks, and materials of the bike store and also showing the proposed racks/ stands inside the store.

#### Access / Servicing

- 6.6.20. The proposals include two vehicular access points from Bullsmoor Lane. Each access will lead to car parking areas, with approximately 14 car parking spaces. The vehicle access to the north of the site also has 2 mini bus bays and a turning head. The vehicle access to the south of the site has 14 spaces and a servicing area with turning head. These access points will provide two-way vehicle access to the site. School keep clear markings will be applied to both vehicle accesses to ensure no parking or stopping occurs at any time.

- 6.6.21. A separate/segregated pedestrian's access is provided between the two vehicle access points from Bullsmoor Lane. This will separate pedestrians and cyclists from the vehicle trips in/out of the site. A new raised table crossing is also proposed adjacent to the pedestrian access which will provide safe crossing point for pedestrians and cyclists into the school from the main road. The access layout is considered to be acceptable overall and is thought to be in line with policies 46 (vehicle crossover and dropped kerb) and 47 (access, new roads and servicing) of the DMD.
- 6.6.22. If planning permission is granted for the proposed scheme, all highways works will be subject to S278 agreement.

#### Highways Safety

- 6.6.23. Accident statistics was obtained from TfL's Road Safety Unit to cover an area extending to the east of the A10, Turkey Street, Bulls Cross and Bullsmoor Lane; for the most recently available five year period from the end of November 2009 to the end of November 2014. There were a total of 40 accidents, 35 of which resulted in slight injuries and 5 led to serious casualties. Significant proportions (55%) of these occurred around the A10 junction with Bullsmoor Lane.
- 6.6.24. Bullsmoor Lane has a speed limit of 20mph, speed surveys of Bullsmoor Lane in either direction does not exceed 25mph on average. However, there were no accidents in the immediate vicinity of the site and there was no real pattern emerging from the accident data available. There is therefore no major highway safety concerns associated with the proposed development.
- 6.6.25. To enhance safety in and around the STC site, improvements should be carried out at the Bull Cross/Gilmour Close Junction to control vehicle traffic speeds and also warn drivers of the presence of school children and the blind bend.

#### School Travel Plan

- 6.6.26. An outline Travel Plan has been included in the TA with information from hands up surveys carried out in the existing STC sites. Whilst this is acceptable, travel surveys will need to be carried out within 6 months of occupation of the new site.
- 6.6.27. This will form the baseline data for the final travel plan and enable its progress to be monitored. The final travel plan will be secured by planning condition.
- 6.6.28. Among other things the applicant should provide a firm commitment to the use of the 2 minibuses at the existing STC sites to transport pupils to and from the new site to minimise the number of car trips generated to the site. In order to guarantee that this measure is put in place, it will be secured via planning condition.
- 6.6.29. Having regard to the above, it is considered that the development provides acceptable parking and servicing facilities having regard to Policy 6.13 of the London Plan, and Policy DMD45 of the Development Management Document.

### **6.7. Sustainable Design & Construction**

#### Energy Efficiency

- 6.7.1. The London Plan confirms that non-domestic buildings in the period 2013-2016 should be looking to achieve a 40% improvement on 2010 Building Regulations,

although the applicant is of the opinion that due to an early Building Regulation Submission, compliance with the 2010 Regulations is sufficient as opposed to the 2013 Building Regs. Building Control have confirmed that an application was made prior to the deadline for when the more recent standards would be applicable (6 April 2013). A condition will be imposed to secure confirmation that the scheme has achieved the targeted savings.

- 6.7.2. The Energy Statement confirms that a number of renewable technologies have been investigated, with photovoltaic cells, solar thermal heating and gas fired air source heat pumps being the most viable technically and practically.
- 6.7.3. Details of the proposed energy saving measures can be secured through the imposition of an appropriately worded condition. With regard to photovoltaic panels, details should also include a maintenance plan that must also take into account the proposed blue roof.

#### BREEAM

- 6.7.4. Due to the development being located within the Green Belt and in a Conservation Area, it would be expected that the scheme would aim to achieve as a minimum, a BREEAM rating "Excellent". Achieving such a standard could also potentially be used towards helping to justify the impact on the Green Belt because of the high sustainability credentials required. To achieve an "Excellent" rating, the scheme would have to equal or gain better than 70% of the mandatory elements.
- 6.7.5. From supporting information it is clear that the development has the potential of achieving a BREEAM "Excellent" rating, with an anticipated score of 75.4%. An appropriately worded condition is suggested to ensure that the scheme does achieve the highest rating possible.

#### Biodiversity / Ecology

- 6.7.6. Policy 7.19 of the London Plan ("Biodiversity and access to nature") requires development proposals to make a positive contribution, where possible, to the protection, enhancement, creation and management of biodiversity. Core Policy 36 of the Core Strategy confirms that all developments should be seeking to protect, restore, and enhance sites. Policy DMD79 advises that on-site ecological enhancements should be made where a development proposes more than 100sqm of floor space, subject to viability and feasibility.
- 6.7.7. The site is predominantly built over, with an extensive area of hardstanding, glasshouses, a bungalow in use as the shop / office and a former residential bungalow in the north-west corner of the application site. Along the western boundary is a screen of mature Cypress trees, which towards the rear, are fire damaged. Along the eastern boundary, there is a variety of plantings as detailed within the submitted *Ecology Report*. Surrounding the site is amenity grassland, primarily in use as playing fields (within Capel Primary and the Bullsmoor Open Space).
- 6.7.8. A landscaping plan has not been submitted, however one can reasonably be conditioned. The section of fire-damaged Cypress trees will be replaced with similar trees.
- 6.7.9. With regard to bats, the glass / green houses are not suitable for roosts. The existing office / shop (bungalow) has no visible gaps between roof tiles, cracks / gaps which could be utilised by bats to gain access into the building. The former residential

bungalow was not accessed during the course of the survey, therefore, and as noted in the *Ecology Report*, prior to demolition of this building, a survey will need to be undertaken to establish the presence or otherwise, of bats and their roosts. This survey will need to be undertaken before the demolition of any building / site clearance can take place because it is a criminal offence to destroy habitats and the removal of the bungalow is integral to the whole scheme. A survey of the trees on and around the site did not reveal any holes or cracks that could be used as a roost.

6.7.10. Vegetation clearance would only be permitted outside of the bird nesting season and should planning permission be granted, a condition could reasonably be imposed to secure this. A further condition is required in relation to the bungalow to ensure that a bat survey is undertaken prior to demolition to establish the presence or otherwise of bats and their roosts.

6.7.11. As discussed above, a lighting condition will be imposed to ensure that any proposed lighting is sensitive to the environment. From an ecological perspective, this will include wildlife habitat.

### Trees

6.7.12. An Arboricultural Assessment has been provided to help inform the decision making process insofar as any potential impacts from the development proposal on trees within the site and immediately adjacent. The survey recorded a total of 28 individual trees, five groups of trees and four hedgerows.

6.7.13. An arboricultural survey has been undertaken and an Arboricultural Constraints Report (with Constraints Plan) has been submitted in support of the application. All trees were categorised in accordance with BS5837:2012 to establish their condition, age and quality. Category A trees are of high quality, contribute to local amenity, and should be retained if possible. Category B trees are of moderate quality with an estimated life expectancy of at least 20 years. Category C trees are considered to be of low quality, with either a limited life expectancy, or very young trees with a stem diameter of not more than 150mm, or very little contribution to local amenity. Category U trees are ones in such a poor condition that they cannot realistically be retained as living trees.

6.7.14. Of the 17 trees / groups of trees / hedgerow identified to be wholly removed or in part, five of these are graded Category B, ten as Category C, and two as category U. The Category B trees are directly impacted upon by the development and their removal cannot be reasonably avoided. As discussed above, some of the boundary hedge of Cypress trees along the western and southern boundaries is being removed and will be replaced.

6.7.15. Having regard to the above, it is considered that the development proposals will not unreasonably impact on the health of retained trees, and where existing planting will be removed, through condition, sufficient replacement planting will be provided.

### Drainage

6.7.16. London Plan policies 5.12 and 5.13 requires the consideration of the effects of development on flood risk and sustainable drainage respectively. Core Policy 28 ("Managing flood risk through development") confirms the Council's approach to flood risk, inclusive of the requirement for SuDS in all developments. Policies DMD59 ("Avoiding and reducing flood risk") confirms that new development must avoid and reduce the risk of flooding, and not increase the risks elsewhere and that Planning

permission will only be granted for proposals which have addressed all sources of flood risk and would not be subject to, or result in unacceptable levels of flood risk on site or increase the level of flood risk to third parties. DMD61 (“Managing surface water”) requires the submission of a drainage strategy that incorporates an appropriate SuDS scheme and appropriate greenfield runoff rates.

6.7.17. A *Drainage Strategy* has been submitted in support of the application. The *Strategy* confirms that a number of measures will be incorporated into and around the building. These include the provision of green and blue roofs (a roof that stores water), permeable surfacing, and the provision of a rain garden at the front of the building.

6.7.18. The above measures will be secured through an appropriately worded condition. The *Strategy* also recommends that an additional topographical survey is undertaken to confirm the levels and profile of the existing ditch to the south of the site is undertaken to confirm levels and profile prior to detailed designing.

#### Site Waste Management

6.7.19. Policy 5.16 of the London Plan has stated goals of working towards managing the equivalent of 100% of London’s waste within London by 2026, creating benefits from waste processing and zero biodegradable or recyclable waste to landfill by 2026. This will be achieved in part through exceeding recycling and reuse levels in construction, excavation and demolition (“CE&D”) waste of 95% by 2020.

6.7.20. In order to achieve the above, London Plan policy 5.18 confirms that through the Local Plan, developers should be required to produce site waste management plans to arrange for the efficient handling of CE&D. Core Policy 22 of the Core Strategy states that the Council will encourage on-site reuse and recycling of CE&D waste.

6.7.21. Details of a construction waste management plan have not been submitted with the application although the submitted *Sustainability Statement* acknowledges that one will need to be prepared in accordance with adopted standards. The details of a construction site waste management plan can be secured through an appropriately worded condition.

#### Contamination

6.7.22. Having regard to the existing use of the site as a nursery, and the former use as an orchard, consideration must be given to land contamination (London Plan policy 5.22 and DMD66). To enable an understanding of any potential contaminants and the likely impact on receptors from these former uses, a *Site Contamination Assessment* has been submitted.

6.7.23. Potential contaminants have been identified from:

- Pesticides / fertilisers related to orchard activity
- The storage of materials on site
- One bomb strike
- Contamination related to made ground

6.7.24. Identified receptors include:

- Future site users
- Adjacent site users
- Construction workers
- Construction materials

- Groundwater
- Surface water

6.7.25. The *Assessment* provides a series of recommendations to minimise any potential adverse impact, such as placing a 300mm remedial cover on any soft-landscaped areas and suitable precautions being undertaken for site workers (and the general public) throughout site clearance and subsequent construction. A number of observations are made in relation to foundations.

6.7.26. Having regard to the *Site Contamination Assessment*, it is considered appropriate to impose a condition to deal with contaminants throughout the contamination process. In addition, and in light of the comments also received from Thames Water with regards to piling, a condition is recommended to secure details of the proposed foundations.

## 6.8. **Employment and Training**

6.8.1. Core Policy 16 of the Core Strategy confirms the commitment of the Council to promote economic prosperity and sustainability in the Borough through a robust strategy to improve the skills of Enfield's population. One initiative is, through the collaboration with the Boroughs of Haringey, Broxbourne, Epping and Waltham Forest is to promote skills training for local people.

6.8.2. Details of a Local Employment Strategy could be secured by condition. The Strategy should set out how the development will engage with local contractors / subcontractors, the number of trainees to be employed on site and the number of weeks training will be provided.

## 6.9. **Equalities Monitoring**

6.9.1. In April 2011, the Public Sector Equality Duty, a provision of the 2010 Equalities Act came into force. It requires schools and other public bodies to have regard to the need to: eliminate discrimination, harassment, and victimisation; advance equality of opportunity; and foster good relations between different groups. The Duty covers the protected characteristics of: age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation.

6.9.2. To do this, it is necessary for the potential effects of a development on different people to be understood. Where these are not immediately apparent, it may be necessary to carry out some form of assessment or analysis, in order to understand them. To this end, a *Predictive Equality Impact Assessment* has been provided.

## 6.10. **Community Infrastructure Levy**

6.10.1. The Mayoral CIL is collected by the Council on behalf of the Mayor of London. The amount that is sought for the scheme is calculated on the net increase of gross internal floor area multiplied by the Outer London weight of £20 and a monthly indexation figure (July - 254)

6.10.2. The CIL regulations exempts certain types of development, with education uses being one of these. The development is therefore not CIL liable.

## 7. **Conclusions**

- 7.1. Taking all material planning considerations into account it is considered that the development should be approved for the following reasons:
1. Having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting (s.66) and preserving or enhancing the character or appearance of a conservation area (s.72) the proposal has been assessed against the identified heritage assets and their significance as set out above. It is considered that the development proposals will not lead to any harm to the designated or undesignated heritage assets having regard to Policy 7.8 of the London Plan, Core Policy 31, Policy DMD44 of the Development Management Document and with guidance contained within the National Planning Policy Framework (in particular Section 12).
  2. The development, being one involving the partial or complete redevelopment of a previously developed site in the Green Belt which does not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development, is considered to comply with Policy 7.16 of the London Plan, Core Policy 33 and DMD82 of the Development Management Document, and with guidance contained within the National Planning Policy Framework (in particular Section 9).
  3. The proposed development, having regard to its size, siting and design and by virtue of conditions imposed has appropriate regard to its surroundings, the character and amenities of the local area and those of adjoining occupiers in terms of loss of light, privacy, outlook, noise and disturbance, having regard to Policies 7.1, 7.4 & 7.6 7.15 of The London Plan, Core Policy 30, Policies DMD68 and DMD69 of the Development Management Document.
  4. The development makes appropriate provision for access and servicing and will not lead to conditions detrimental to highway safety on having regard to Policy 6.3 of The London Plan, DMD47 of the Development Management Document.
  5. The proposed development, by virtue of the measures proposed and conditions imposed, should achieve an acceptable level of sustainable design and construction having regard to Policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8 & 5.9 of the London Plan, Core Policies 20, 21, 22, & 26 of the Core Strategy, Policies DMD49, DMD51, DMD53, DMD55, DMD56, DMD58, DMD59, DMD60, DMD61, DMD69, DMD78, DMD79, DMD81 of the Development Management Document.

## **8. Recommendation**

- 8.1. That following referral to the Mayor of London and no objections being raised, as well as referral to the Secretary of State and no objections being raised, the Head of Development Management or the Planning Decisions Manager be authorised to GRANT planning permission in accordance with Regulation 4 of the Town & Country Planning General Regulations 1992 subject to the following conditions:

1. **Approved Plans**

Unless required by any other condition, the development hereby permitted shall be carried out in accordance with the approved plans, including plans(s) that may have been revised, 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.



2. Time Limited Permission

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the decision notice.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. Highways Improvements

The development shall not be occupied until the range of highways improvement measures identified within the *Transport Assessment* have been implemented.

Reason: To ensure measures are provided within an appropriate timescale to improve pedestrian and road user safety in the vicinity of the site.

4. Materials

Notwithstanding any submitted plan or supporting document, no above-ground works shall commence until detailed drawings and samples of the types of external materials and finishes to be used in the proposed development have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include 1:20 or larger showing details of the proposed zinc roof, fenestration, proposed cladding system and signage.

The works shall thereafter be carried out in accordance with the approved details and the approved sample brickwork panel shall be retained on site throughout the duration of works.

Reason: To ensure a satisfactory appearance to the development and to preserve the character and appearance of the Conservation Area and the Metropolitan Green Belt.

5. Details of Access

The development shall not commence until detailed drawings showing the means of access to the development including the siting, levels and construction of any access roads, junctions, parking, turning and servicing areas and street lighting have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to first occupation.

Reason: To ensure that the development complies with adopted Policy and does not prejudice conditions of safety or traffic flow on adjoining highways.

6. Hard Surfacing

Where in close proximity to the root protection areas of any retained tree(s) or hedge(s), hard surfacing works shall be undertaken in accordance with the measures identified in the *Arboricultural Impact Statement*.

Reason: To ensure that the method of construction of hard surfaced areas do not adversely affect the health of retained trees and hedges.

7. No External Pipework / Extraction / Ventilation Units / Plant

No plumbing, pipes, plant or services and fittings shall be fixed on the external faces of the buildings forming the approved scheme unless shown otherwise on the approved drawings or other documentation hereby approved or unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development having regard its sensitive location within a Conservation Area, heritage assets within / and in proximity to the site and the surrounding Green Belt.

8. Details of Means of Enclosure

Details of any means of enclosure proposed throughout the site shall be submitted to the Local Planning Authority for approval in writing. The means of enclosure shall be erected in accordance with the approved detail prior to first occupation.

Reason: To ensure a satisfactory appearance having regard to the location of the site within a Conservation Area and the Metropolitan Green Belt and in the interest of highway safety.

9. Details of External Lighting

Prior to development commencing, details of the design, siting, lux levels and measures to prevent external lighting affecting light sensitive premises or ecologically sensitive areas in the vicinity of the development shall be submitted to the Local Planning Authority for approval in writing. The approved lighting scheme shall be implemented prior to first occupation in accordance with the approved detail and permanently maintained.

Reason: In the interest of protecting the amenity of the adjoining residential occupiers and the minimal disruption to wildlife friendly habitats whilst being cognizant of the need to provide suitable levels of lighting appropriate to the sites location within the Green Belt and Conservation Area.

10. Private Vehicles Only

The parking areas forming part of the development shall only be used for the parking of private motor vehicles only and shall not be used for any other purpose.

Reason: To ensure that the development complies with Development Plan Policies and to prevent the introduction of activity which would be detrimental to amenity.

11. Electric Charging Points

That prior to any works commencing in relation to the provision of parking / turning facilities, typical details, including siting, 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 first occupation of the development and permanently maintained and retained.

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

12. Details of Cycle Parking

Within three months of development commencing, the details (including elevational details) for covered cycle parking for the storage of a minimum of 20no. bicycles and ancillary cycle facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage and ancillary

facilities shall be provided prior to first occupation of the development the subject of this permission and permanently maintained. The approved cycle storage shall be kept free from obstruction, and available for the parking of cycles only.

Reason: To provide secure cycle storage facilities free from obstruction in the interest of promoting sustainable travel.

#### 13. Drainage Plan / SuDS

The development shall be undertaken in accordance with the details and recommendations of the submitted *Drainage Strategy (April 2015)* and accompanying plans. There shall be no deviation from the approved drainage scheme without the prior approval in writing of the Local Planning Authority.

Reason: In the interest of managing surface water runoff as close to the source as possible in accordance with adopted policy.

#### 14. SuDS Verification

Prior to occupation of the development approved, a verification report demonstrating that the approved drainage / SuDS measures have been fully implemented shall be submitted to the Local Planning Authority for approval in writing.

Reason: In the interest of managing surface water runoff as close to the source as possible in accordance with adopted policy.

#### 15. Archaeology

- A. No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
- B. No development shall take place other than in accordance with the Written Scheme of Investigation approved under Part (A).
- C. The development shall not be occupied until the site investigation and post investigation with the programmed set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: In order to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development due to the potential of heritage assets of archaeological interest surviving on the site due to the close proximity of the Roman Ermine Rd.

#### 16. Piling / Foundations

No development shall take place until a detailed scheme showing the complete scope and arrangement of the foundation design and ground works have been submitted to and approved by the Local Planning Authority.

Where impact piling is proposed, this shall not take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be

undertaken in accordance with the terms of the approved piling method statement.

Reason: In the interests of safeguarding any archaeological heritage assets that may exist on the site and to prevent harm to groundwater

#### 17. Landscaping

Notwithstanding any submitted plan, a landscaping plan shall be submitted to the Local Planning Authority for approval in writing prior to any works commencing. The Landscaping plan shall include:

- (a) Planting plans;
- (b) Written specifications (including cultivation, maintenance and other operations associated with plant and grass establishment);
- (c) 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);
- (d) Implementation timetables;
- (e) Wildlife friendly plants and trees of local or national provenance; and
- (f) Biodiversity enhancements in accordance with Section 4.13 of the Ecology Report (April 2015)

Plantings shall be provided within the first planting season following practical completion of the development. Any planting which dies, becomes severely damaged or diseased within five years of completion of the development shall be replaced with new planting in accordance with the approved details or an alternative approved in writing by the Local Planning Authority.

Reason: To enhance the ecological value of the site and to ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity in accordance with adopted policy, and to ensure highway safety.

#### 18. Tree Protection Plan

Development shall not commence until a Tree Protection Plan and Detailed Arboricultural Method Statement written in accordance with BS5837:2012 has been submitted to the Local Planning Authority for approval in writing.

The development shall be undertaken in accordance with the approved detail.

Reason: To ensure that the retained trees, shrubs and hedgerows on the site are not adversely affected by any aspect of the development, having regard to adopted policy.

#### 19. Vegetation Clearance (Outside of Nesting Season)

All areas of trees, hedges, scrub or similar vegetation where birds may nest and 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: Nesting birds are protected under the Wildlife & Countryside Act, 1981 (as amended), this condition will ensure that wildlife is not adversely affected by the proposed development in line with CP36 of the Core Strategy

#### 20. Bats

No demolition of any building or structure within the application site may occur until the results of a bat survey of the residential bungalow in the north-west corner of the application site has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that bats and their roosts (a material consideration) are not impacted by the proposed development, in line with the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended).

#### 21. BREEAM

Evidence confirming that the development achieves a BREEAM rating of no less than 'Excellent' 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) Following commencement of works regular updates on progress under the relevant BREEAM scheme shall be submitted at monthly intervals prior to the submission of the post construction assessment;
- (b) A post construction assessment, conducted by an accredited Code Assessor and supported by all relevant evidence, shall be submitted within 1 month of formal submission to the British Research Establishment; and
- (c) A BRE accreditation certificate shall be submitted within 3 months of first occupation of the site.

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 adopted policy.

#### 22. Energy

In accordance with the submitted '*Sustainable Statement*' (April 2015) and '*Energy Statement*' (April 2015) the energy efficiency of the development and shall provide for no less than 40% total CO2 emissions arising from the operation of a development and its services over Part L of Building Regs 2010, unless otherwise agreed in writing by the Local Planning Authority.

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

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

Reason: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets are met in accordance with adopted Policy.

#### 23. Details of Renewable Energy Provision

The development shall not commence until details of the renewable technologies to be used in the development have been submitted to the Local Planning Authority for approval in writing. Where appropriate, the submitted detail shall demonstrate compliance with the approved renewable energy strategy and include the design, size, siting, and a maintenance strategy / schedule inclusive of times, frequency and method.

In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets by renewable energy are met in accordance with adopted Policy.

#### 24. Details of Construction Management Plan

No development shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The construction management plan shall include details of the following:

- a. arrangements for wheel cleaning;
- b. arrangements for the storage of materials;
- c. hours of work;
- d. arrangements for the securing of the site during construction;
- e. the arrangement for the parking of contractors' vehicles clear of the public highway.
- f. The siting and design of any ancillary structures.
- g. A construction management plan written in accordance with the 'London Best Practice Guidance: The control of dust and emission from construction and demolition'.

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

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

#### 25. Details of CCTV

No works shall commence on the provision and installation of any external closed circuit television cameras (CCTV) until details of their design, siting and field of vision has been submitted to the Local Planning Authority and approved in writing.

The CCTV shall be provided in accordance with the approved detail before the development is occupied.

Reason: In the interest of protecting the privacy of neighbouring occupiers.

#### 26. Community Access

Prior to the occupation of the development approved details of a Community Access Plan shall be submitted to the Local Planning Authority for approval in writing setting out the proposals for community access to the building and facilities.

The development shall be occupied and used in accordance with the approved access plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that appropriate provision is made for community access to facilities outside of school hours, having regard to one of the 'special circumstances' advanced to support the development on Metropolitan Open Land.

#### 27. Traffic Management and Parking Plan

Prior to use commencing a Traffic and Parking Management Plan shall be submitted to the Local Planning Authority for approval in writing. The statement should include the measures that will be employed to encourage users of the community use to travel to site other than by car, car parking availability on-site and how car parking will be managed to ensure there is no impact on-street as a result of the community use.

The agreed Traffic Management and Parking Plan shall be implemented and maintained prior to first use of the site by any community group.

Reason: To minimise the impact of the development on on-street parking availability and in the interest of promoting sustainable modes of transport.

#### 28. Construction Traffic Management Plan

No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority.

The statement should include:

- a. condition survey of highways in vicinity of the site
- b. routing of demolition and construction vehicles;
- c. access arrangements to the site;
- d. the estimated number and type of vehicles per day/week;
- e. details of any vehicle holding area;
- f. details of the vehicle call up procedure;
- g. details of measures to protect pedestrians and other highway users from construction activities on the highway;
- h. Work programme and/or timescale for each phase of the demolition, excavation and construction works; and
- i. Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.
- j. loading / unloading locations;
- k. coordination with other development projects in the vicinity of the site;
- l. coordination with Capel Manor Primary School to avoid peak school drop-off and pick up times.

The development shall be carried out in accordance with the approved Construction Traffic Management Plan.

Reason: To minimise the impact of construction works upon highway safety, congestion and parking availability

#### 29. Star Track Travel Plan

Within six months of first occupation of the development a full STAR-Track compliant School Travel Plan, incorporating the components set out in TfL

guidance, shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall also include:

- a. Agreed targets with the aim of reducing the impact of car travel on the environment; to encourage staggered start and finish times for the various year groups throughout the school;
- b. measures to promote sustainable transport and provisions promoting a wider range of cleaner travel choices;
- c. details of a proposed minibus service; a phased programme for the increase in cycle parking provision on site, a full travel survey in consultation with the Council's School Travel Plan Monitoring Officer(s);
- d. a programme for the review and monitoring of the Travel Plan to ensure targets are met.

The School shall operate in accordance with the approved Travel Plan.

Reason: In order to reduce the level of car borne traffic associated with the development and the promotion of more sustainable modes of transport.

### 30. Details of Refuse Storage

The development shall not commence until details, including elevational 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 interest of amenity and the recycling of waste materials in support of the Boroughs waste reduction targets.

### 31. Construction Site Waste Management

Prior to any development commencing, inclusive of site clearance, details of a Construction Waste Management Plan shall be submitted to the Local Planning Authority for approval in writing. The Construction Waste Management Plan shall include as a minimum:

- (a) Target benchmarks for resource efficiency set in accordance with best practice;
- (b) 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;
- (c) Procedures for minimising hazardous waste;
- (d) 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);
- (e) 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; and
- (f) No less than 85% by weight or by volume of non-hazardous construction, excavation and demolition waste generated by the development has been diverted from landfill

Reason: To maximise the amount of waste diverted from landfill consistent with the waste hierarchy and strategic targets set by Policies 5.17, 5.18, 5.19 of the



London Plan, and to meet with the stated targets as advised by the submitted *Sustainability Statement*.

## **Appendix 1**

**Capel House: Extract from the List Descriptions of the Statutory Register from the English Heritage website 9 July 2015**

## List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

**Name:** CAPEL HOUSE

**List Entry Number:** 1078898

### Location

CAPEL HOUSE, BULLSMOOR LANE

The building may lie within the boundary of more than one authority.

**County:** Greater London Authority

**District:** Enfield

**District Type:** London Borough

**Parish:**

**National Park:** Not applicable to this List entry.

**Grade:** II\*

**Date first listed:** 19-Mar-1951

**Date of most recent amendment:** 10-Dec-1975

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## Legacy System Information

The contents of this record have been generated from a legacy data system.

**Legacy System:** LBS

**UID:** 200550

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## Asset Groupings

This List entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

---

## List Entry Description

### Summary of Building

Legacy Record - This information may be included in the List Entry Details.

### Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

## History

Legacy Record - This information may be included in the List Entry Details.

## Details

1. 4411 BULLSMOOR LANE Capel House

TQ 3499 1/44 19.3.51.

II\*

2. Mid-late C18 house., Main block of 2 storeys and attic, 7 windows; with 2 -storey one-window side wings. Gambrel roof, of graduated green slates, with 5 flat dormers. Brick walls painted red. Moulded brick cornice and stone-coped parapet 1st floor band. Gauged flat brick arches to sash windows with glazing bars. Central porch mostly glazed but with 2 projecting columns supporting entablature broken forward in centre. Door of 6 fielded panels with patterned fanlight. Similar rear elevation but with Roman Doric central porch having open mutuled pedimented hood. Fancy interlaced bars to fanlight. Inside some rich interiors of late C19 in a reproduction Restoration style with much carving and panelling.

Listing NGR: TQ3445099780

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## Selected Sources

Legacy Record - This information may be included in the List Entry Details

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## Map

**National Grid Reference: TQ 34342 99687**

The below map is for quick reference purposes only and may not be to scale. For a copy of the full scale map, please see the attached PDF - [1078898.pdf](#) - Please be aware that it may take a few minutes for the download to complete.



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## **Appendix 2**

**Garden Walls to East of Capel Manor: Extract from the List Descriptions of the  
Statutory Register from the English Heritage website 9 July 2015**

## List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

**Name:** GARDEN WALLS TO EAST OF CAPEL HOUSE

**List Entry Number:** 1078899

### Location

GARDEN WALLS TO EAST OF CAPEL HOUSE, BULLSMOOR LANE

The building may lie within the boundary of more than one authority.

**County:** Greater London Authority

**District:** Enfield

**District Type:** London Borough

**Parish:**

**National Park:** Not applicable to this List entry.

**Grade:** II

**Date first listed:** 31-Jan-1974

**Date of most recent amendment:** 10-Dec-1975

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## Legacy System Information

The contents of this record have been generated from a legacy data system.

**Legacy System:** LBS

**UID:** 200551

---

## Asset Groupings

This List entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

---

## List Entry Description

### Summary of Building

Legacy Record - This information may be included in the List Entry Details.

### Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

## History

Legacy Record - This information may be included in the List Entry Details.

## Details

1. 4411 BULLSMOOR LANE Garden Walls to East of Capel House TQ 3499 1/45

II

2. C18 red brick walls of varying heights all around enclosed garden.

Listing NGR: TQ3436899690

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## Selected Sources

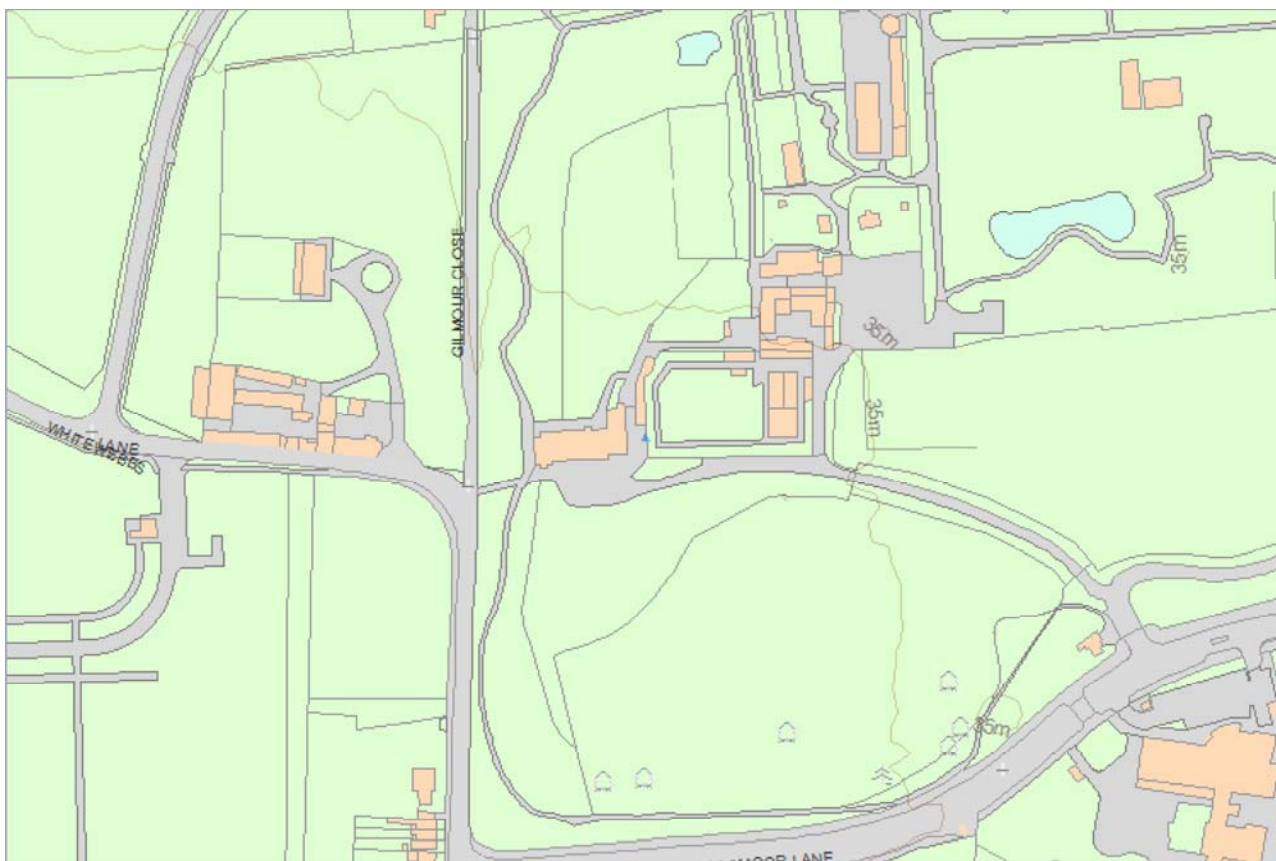
Legacy Record - This information may be included in the List Entry Details

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## Map

### National Grid Reference: TQ 34369 99690

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## **Appendix 3**

**Stables and Former Coach House Range at Capel Manor: Extract from the List  
Descriptions of the Statutory Register from the English Heritage website 9 July  
2015**

## List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

**Name:** STABLES AND FORMER COACH HOUSE RANGE AT CAPEL MANOR

**List Entry Number:** 1358742

### Location

STABLES AND FORMER COACH HOUSE RANGE AT CAPEL MANOR, BULLSMOOR LANE

The building may lie within the boundary of more than one authority.

**County:** Greater London Authority

**District:** Enfield

**District Type:** London Borough

**Parish:**

**National Park:** Not applicable to this List entry.

**Grade:** II

**Date first listed:** 26-Jan-1990

**Date of most recent amendment:** Not applicable to this List entry.

---

## Legacy System Information

The contents of this record have been generated from a legacy data system.

**Legacy System:** LBS

**UID:** 200828

---

## Asset Groupings

This List entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

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## List Entry Description

### Summary of Building

Legacy Record - This information may be included in the List Entry Details.

### Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

## History

Legacy Record - This information may be included in the List Entry Details.

## Details

The following building shall be added to the list:

BULLS MOOR LANE TQ 3499 Stables and former Coach- 1/301 house range at Capel Manor

II GV

Stable and Coach-house, coach-house now cafeteria. Late C19; C20 alterations. Red brick in Flemish bond; plain tile roof. U-shaped plan, right wing shorter. One and 2 storeys. Left wing, of 2 storeys, has former Coach-house to ground and accommodation over. Right wing and right part of spine range comprise single-storey stable. At junction of stable and coach-house is open-fronted covered area surmounted by clock tower. Lean-to shelter-shed against rear. Board doors; small-pane wooden windows with projecting sills; moulded brick eaves; brick corbels to kneelers; stone coping to raised verges of gables. Coach-house wing on right side has continuous range of 5 double doors, with 2 horned 12-pane sashes to 1st floor; 2 lateral stacks to left side. Spine range: on left, at back of open-fronted section, a door and 16-pane pivoting window; at front, a wooden arch, and wood bracket supporting over-sailing eaves. Clock, tower is square on plan with a small-pane window at base, and to each side a clock face, moulded string below tripled louvred openings and moulded cornice pyramidal roof with 1954 weathervane. Stable: 2 large 24-pane top-hinged windows to spine range and 1 to wing gable; stable door in left side of wing, and at left end of spine-range part; 2 circular metal ridge vents with conical caps (1 cap removed). Lean-to stables against right return not of special interest. Rear: 4-bay open-fronted lean-to shelter-shed on left has wooden posts arch-braced to eaves plate, and replacement corrugated-sheet roof. On right, end of coach-house wing has various windows, and iron stair up to 1st-floor board door which has 2-light 8-pane, overlight and bracketed pent canopy with hoist beam; the roof is half-hipped, the gable having wooden louvering and knob finial. Left return coach-house wing: 2 late C20 windows to ground floor in-keeping and 2 to 1st floor at centre; louvred gable as before. Interior of stables: 4 stalls along spine range, 3 boxes to wing, with gallery in angle having wooden balustrade and door in rear wall. High quality original fittings remain, including: grooved non-slip concrete and yellow-brick floors with covered drains; wooden mainscoting; glazed green octagonal and yellow tiles to walls; mahogany partitions with wavy iron balustrades at top, and iron end columns with brass finials; iron water troughs (with plugs), hay-racks with dust filtration base-plates, and name plaques. Brackets for gas lamps; one surviving saddle peg. Ceiling underdrawn. The stables fittings are of exceptionally fine quality.

Listing NGR: TQ3442599744

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## Selected Sources

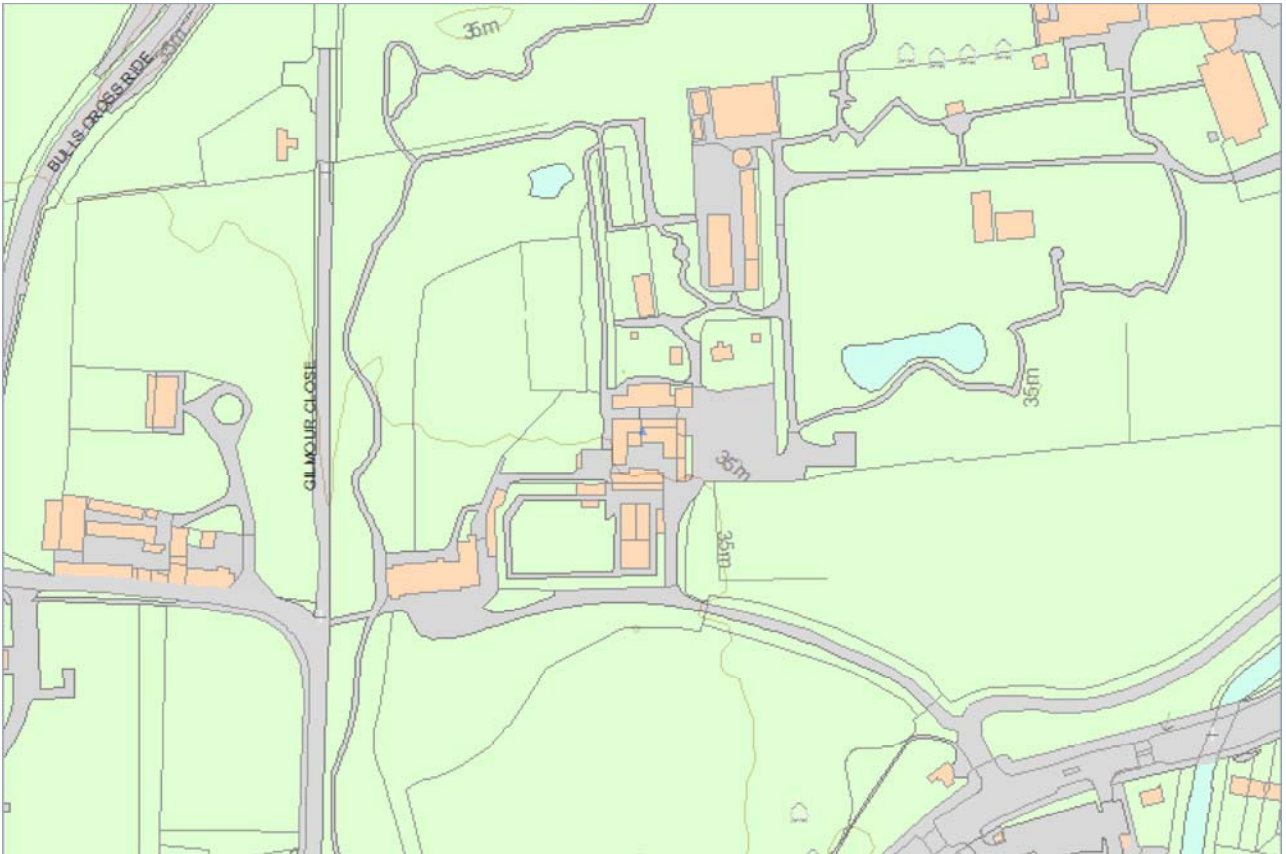
Legacy Record - This information may be included in the List Entry Details

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## Map

### National Grid Reference: TQ 34425 99744

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