

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date : 24th November 2015

Report of
Assistant Director, Planning,
Highways & Transportation

Contact Officer:
Andy Higham
Sharon Davidson
Ms Gemma Robinson

Ward:
Town

Ref: 15/04171/RE4

Category: LBE - Dev by LA

LOCATION: 4 And 5, Burleigh Way, EN2 6AE,

PROPOSAL: Change of use from Retail (A1) to Medical Health Clinic (D1).

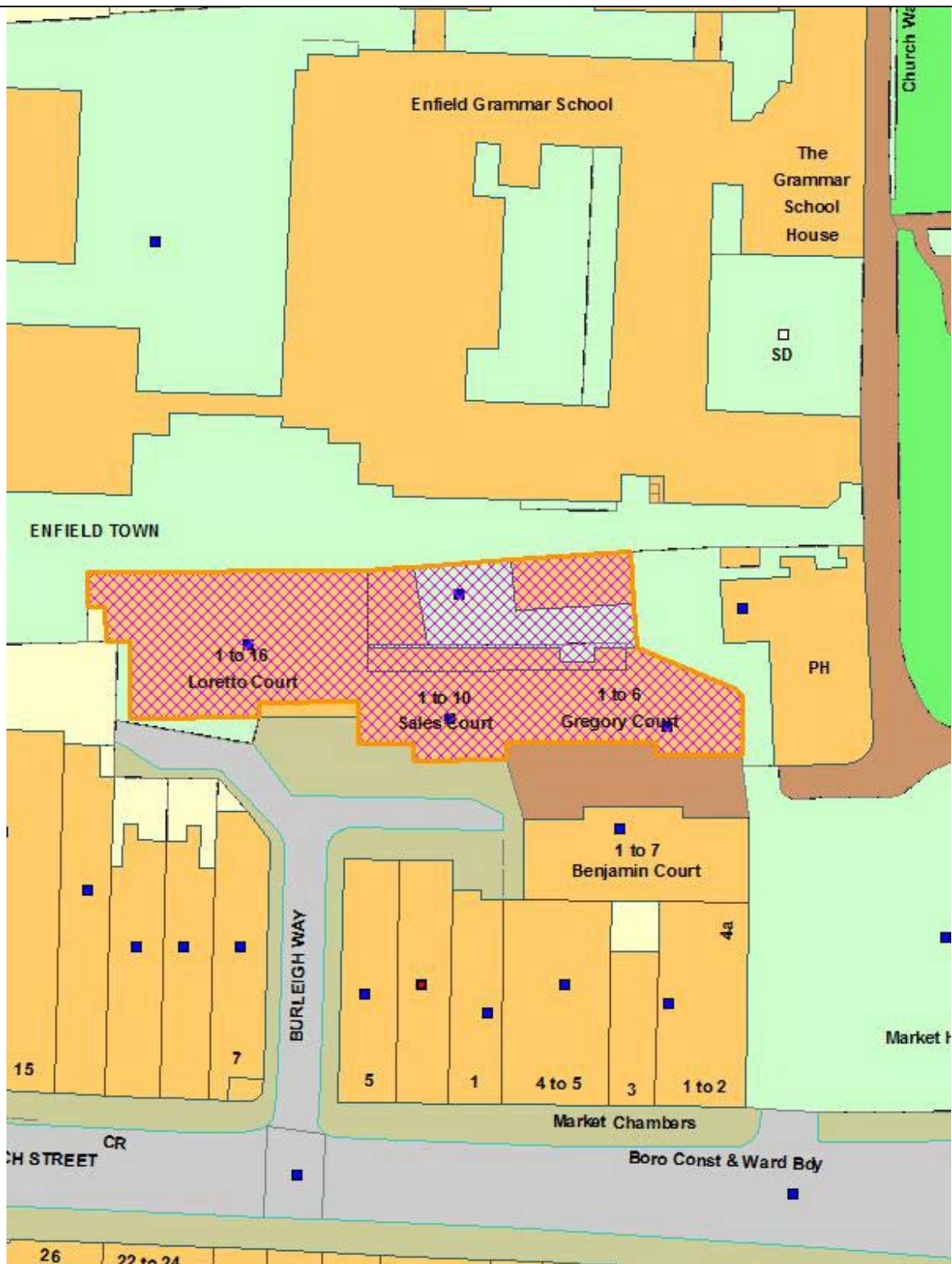
Applicant Name & Address:
Bindi Nagra

Agent Name & Address:
Tahir Ditta
P O Box 52
Civic Centre
B Block South
Silver Street
EN1 3XD

RECOMMENDATION:

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

Ref: 15/04171/RE4 LOCATION: 4 And 5, Burleigh Way, EN2 6AE,



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Scale 1:1250

North



Site and surroundings

- 1.1 The application site area comprises a relatively new ground floor unit to the north side of the pedestrianised section of Burleigh Way. It currently has A1 retail use.
- 1.2 The surrounding area is a mix of commercial units on the ground floor and residential above. To the east Burleigh Way leads to the Market Square and to the south it joins Church Street.
- 1.3 The site is within the Enfield Town Conservation Area, within a Site of Archaeological interest and a Major Centre.

• Proposal

- 2.1 Planning permission is sought for the change of use from Retail (A1) to Medical Health Clinic (D1).
- 2.2 The Medical Health Clinic will comprise five (5) treatment rooms, two cubicle service areas with ancillary waiting area, reception, wash closets and staff room with kitchenette.
- 2.3 The proposed opening hours are to be:

Monday to Friday: 8.00am to 7.00pm;
Saturday: 9.00am to 2.00pm; and
Sunday: 9.00am to 2.00pm.
- 2.4 No change to the total floor space is proposed, it will remain as 157m².
- 2.5 The proposed total number of full time employees is 6, with no part-time employees proposed.

• Relevant Planning Decisions

- 3.1 TP/10/1112 Planning permission granted for the demolition of the existing building and erection of 6 commercial units & 39 residential units (50% of which Affordable Housing) in two, part 3 & part 4 storey blocks, comprising of 6 x 1-bed, 17 x 2-bed & 16 x 3-bed flats, incorporating accommodation in roof space with front, rear & side dormer windows & pedestrian access to the Market Place.

• Consultation

4.1 Statutory and non-statutory consultees

4.1.1 Environmental Health

No objection.

4.1.2 Enfield Town Conservation Area Study Group

No comments received.

4.1.3 Conservation Officer

No objection.

4.1.4 Traffic and Transportation

No objection.

4.2 **Public**

4.2.1 Letters were sent to 84 neighbouring properties. The consultation period ended on the 15 October 2015. No representations were received.

- **Relevant Policy**

5.1 The London Plan

6.13 Parking

7.4 Local Character

5.2 Core Strategy

CP13 Promoting economic prosperity

CP16 Economic success and skills

CP17 Town Centres

CP25 Pedestrians and cyclists

CP30 Maintaining and improving the quality of the built and open environment

5.3 Development Management Document

DMD16 Provision of new community facilities

DMD26 Enfield Town

DMD44 Conserving and Enhancing Heritage Assets

DMD45 Parking Standards and Layout

5.4 Other Relevant Policy

National Planning Policy Framework

National Planning Practice Guidance

Enfield Town Conservation Area Character Appraisal

- **Analysis**

6.1 Principle

6.1.1 The principal of a change of use is acceptable providing that it does not harm the vitality and viability of the shopping centre, amenities of residential occupiers, street scene, conservation area nor impact upon traffic and parking.

6.2 Impact on Vitality and Viability

6.2.1 CP18 of the Core Strategy states that a range of facilities and uses will be encouraged consistent with the scale and function in the hierarchy, to meet people's day to day needs whilst preserving the predominance of retail use

within the centres. CP17 encourages development that would ensure that Enfield Town will be the preferred location for new retail, leisure and cultural developments, particularly those with a borough wide catchment area.

- 6.2.2 DMD26 relates to Enfield Town and states development within primary shopping areas, comprising primary and secondary frontages must have regard to a number of criteria amongst others including the following; it must not create an over-concentration of similar uses, must be of an appropriate town centre use and complement the shopping function of the centre, retain a shop front, achieve an active ground floor frontage during the day, not have a detrimental visual impact and must respect the character of the centre.
- 6.2.3 The units the subject of this application are not on a primary shopping frontage and therefore may support non-A1 uses. Moreover, the units have been vacant since their construction and have struggled to attract long term occupiers. The proposed community service use will complement existing uses in the Enfield Town centre area by providing a key community service in an area that is well serviced by public transport and will bring into use a long standing vacant unit .
- 6.2.4 DMD26 is further supported by DMD25 under general considerations for town centre development whereby development will only be permitted if it meets the following set of criteria:
- a. the proposed use supports town centre vitality and viability,
 - b. the design and siting of the development promotes visual continuity with the surrounding built environment,
 - c. the proposed use does not harm the character, appearance and amenity of the area,
 - d. the residential amenities of local residents will not be harmed by way of noise, disturbance, loss of daylight or privacy,
 - e. the development will not have an adverse impact on safety and traffic flows or unacceptably add to traffic and parking problems in the area,
 - f. the scale of parking is proportionate to the size of the development, and an active frontage is achieved at the ground floor.

6.2.5 Those elements that are repeated in both policies but not assessed above are assessed below.

6.3 Provision of Community Facilities

- 6.3.1 DMD16 encourages new community facilities which will be supported borough wide, with planning permission being granted providing the proposed development is demonstrated to have a community need, makes an efficient and effective use of land and buildings, and where appropriate, provides opportunities for co-location, flexible spaces and multi-use, is easily accessible to the community it is intended to serve by walking, cycling and public transport to reduce dependence upon private car transport, is designed to provide access for physically impaired users, does not harm the amenities of neighbouring and nearby properties and does not have a negative impact on the area in terms of the potential traffic generated.
- 6.3.2 The proposed use as a medical centre will provide health care services within the centre of the Enfield Town area. It is considered that the proposal makes efficient use of an existing building to provide a high demand community service.

6.3.3 The site is located on the pedestrianised section of Burleigh Way which is accessible for both disabled and non-disabled people from both the Market Square and also via Church Street. Taking the above into consideration the proposal would be an appropriate sustainable use of the site having regard to DMD16.

6.4 Impact on the Character and Appearance of the Conservation Area

6.4.1 The site was permitted for retail uses but has never been occupied. The application does not propose any external changes to the building except for window signage and minor identification treatments. However, the arrangement of facilities within the building will mean that the existing shopfront windows are likely to be obscured in some way, to safeguard the privacy of patients. Whilst recognising the need for privacy, it is considered important to see details of the treatment of the windows to encourage an active and visually interesting frontage as possible and therefore a condition is recommended requiring the submission of details. Subject to this, and taking into consideration that there is otherwise no change to the external structure of the shop front, it will not harm the character and appearance of the unit and so would serve to conserve the Enfield Town Conservation Area having regard to DMD37 and DMD44.

6.4.2 Any signage associated with the proposed use will need to obtain advertising consent as appropriate.

6.5 Impact on Neighbouring Residential Properties

6.5.1 The medical use will occupy the ground floor unit of the proposal. The upper floors above the commercial units of Burleigh Way are residential. The proposal does not include any external additions. Taking into consideration the mixed use nature of the surrounding area, the proposal will not have an unduly harmful impact to nearby residential occupier's amenities having regard to DMD25 and DMD26.

6.6 Impact on Traffic and Pedestrians

6.6.1 Currently the site has no designated parking spaces for staff vehicles nor for the public. There is restricted parking available within Market Square on specific days of the week. The site area has a Public Transport Access Level rating of 5 (with 1 being the least accessible and 6 being the most accessible). The site is served by a number of bus routes, with bus stops nearby and Enfield Town Rail station in close walking distance. The unit is currently situated on a pedestrianised section of Burleigh Way.

Due to the location the proposed use is unlikely to attract trade from passing cars. There are parking restrictions along Church Street but parking facilities are available within the car parks near Little Park Gardens and Cecil Road. Taking the above into consideration the change of use is within a highly accessible area with various modes of transport available.

6.6.2 In addition, the proposal would not have a negative impact upon pedestrian safety.

6.7 Hours of Operation

- 6.7.1 The proposed opening hours are to be Monday to Friday 8am – 7pm, Saturday 9am – 2pm and Sunday and Bank Holidays 9am to 2 pm.
- 6.7.2 Should permission be granted a condition will be attached ensuring that any changes to the hours of operation for the D1 use will have to be first agreed in writing by the Local Planning Authority. This will also ensure there is no undue harm to the residents of the surrounding area. In addition to this Environmental Health have no objections. In regard to the above the proposal accords with policies CP30, DMD25 and DMD26.

6.8 Refuse and servicing

- 6.8.1 The existing development incorporates bin stores (general waste and recyclable) for the retail units at the ground floor. For the duration of the project, the bins are to be stored in the retail secondary bin store which is 1 of 3 bin stores located to the left of the Unit 1 Burleigh Way. This is acceptable having regard to DMD32.

• **Conclusion**

- 7.1 It is considered that the change of use of the retail unit to D1 will not be detrimental to the surrounding area and will add vitality to the shopping area and will conserve the character and appearance of the Enfield Town Conservation Area.

8 Recommendation

- 8.1 That planning permission be deemed to be **GRANTED** in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 subject to conditions :

1. C60 Approved Plans
2. C38 Restricted Hours - Opening
The premises shall only be open for business and working between the hours of 08:00hrs and 19:00hrs Monday to Friday, 09:00 and 14:00 on Saturdays, Sundays and Bank Holidays.

Reason: to ensure that the approved use does not unduly prejudice the amenities of the occupiers of adjoining and nearby residential properties.

3. C49 Restricted Use Class

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any amending Order, the premises shall only be used for purposes within Use Class D1(a) 'for the provisions of any medical or health services except the use of premises attached to the residence of the consultant or practitioner'.

Reason: To ensure the premises is used only for a Use Class D1(a) purpose and no other Use Class D1 purposes that may result in adverse traffic or noise impacts in Burleigh Way.

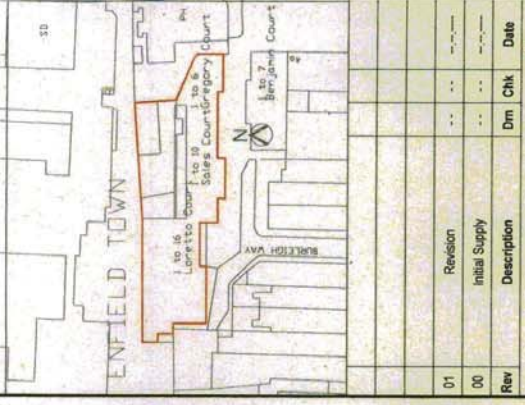
4 That prior to occupation of the premises details shall be submitted of any proposed treatment to be applied to the existing windows to the front elevation of the building to safeguard the privacy of patients. The works shall be carried out only in accordance with the approved details.
Reason: To safeguard the character and appearance of the area.

5 C51A Time Limited Permission

DO NOT SCALE FROM DRAWING. ALL DIMENSIONS MUST BE TAKEN ON SITE.



North Direction

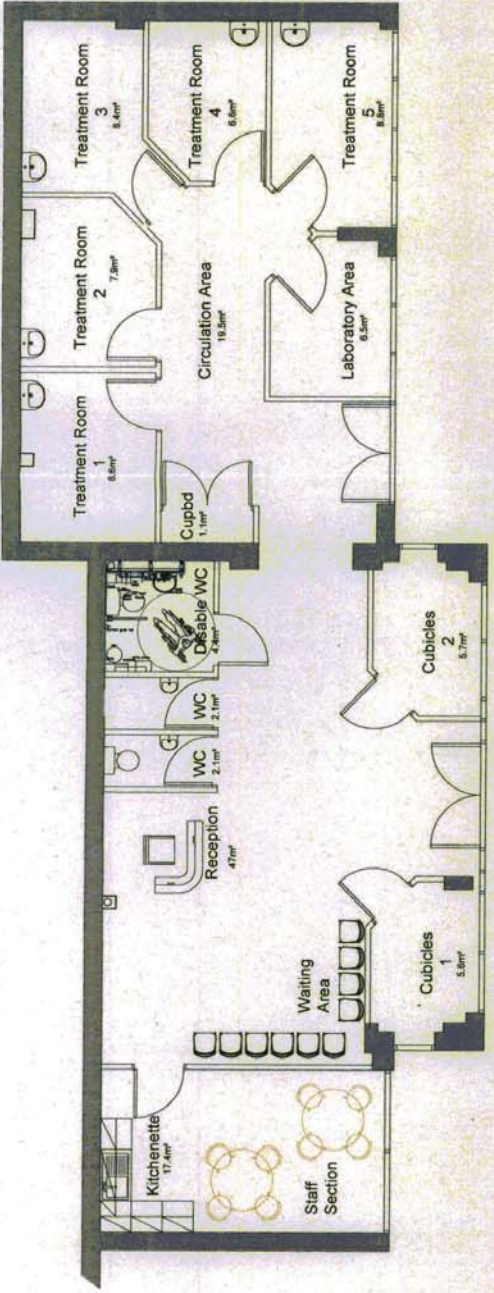


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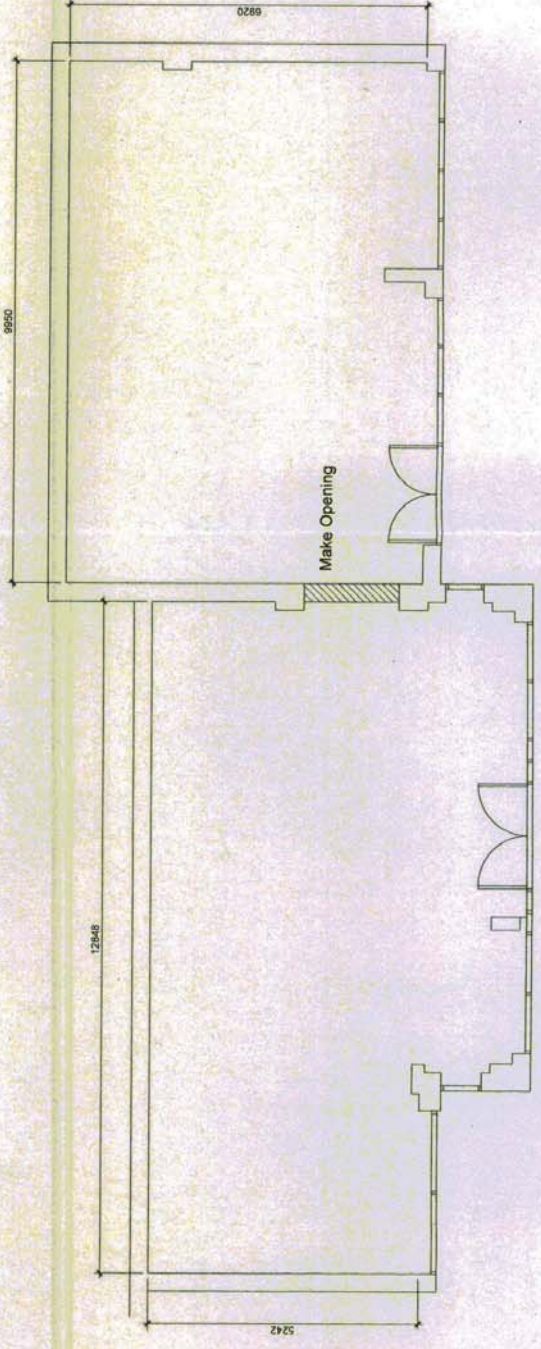
Property: Units 4 & 5 Burlingame Way
 Enfield, Middlesex,
 London, EN2 6AE

Title: Ground floor Plan
 Existing & Proposed Plans.

Area Information		LBE Ref.:	...
Total Site Area:	...	Scale:	1:100 @ A3
Gross External Area:	...	Date:	09-09-15
Gross Internal Area:	157m ²	Survey:	PB
Total Room Area:	...	Drawn:	Pavinder Shumber
Net Internal Area:	...	Checked:	T. Dilla
LBE Site Boundary:	...	LBE Drawing Check:	...
Filename:	Burlingame Way		
UPRN No:	M/004686 - 01		01 OF 01

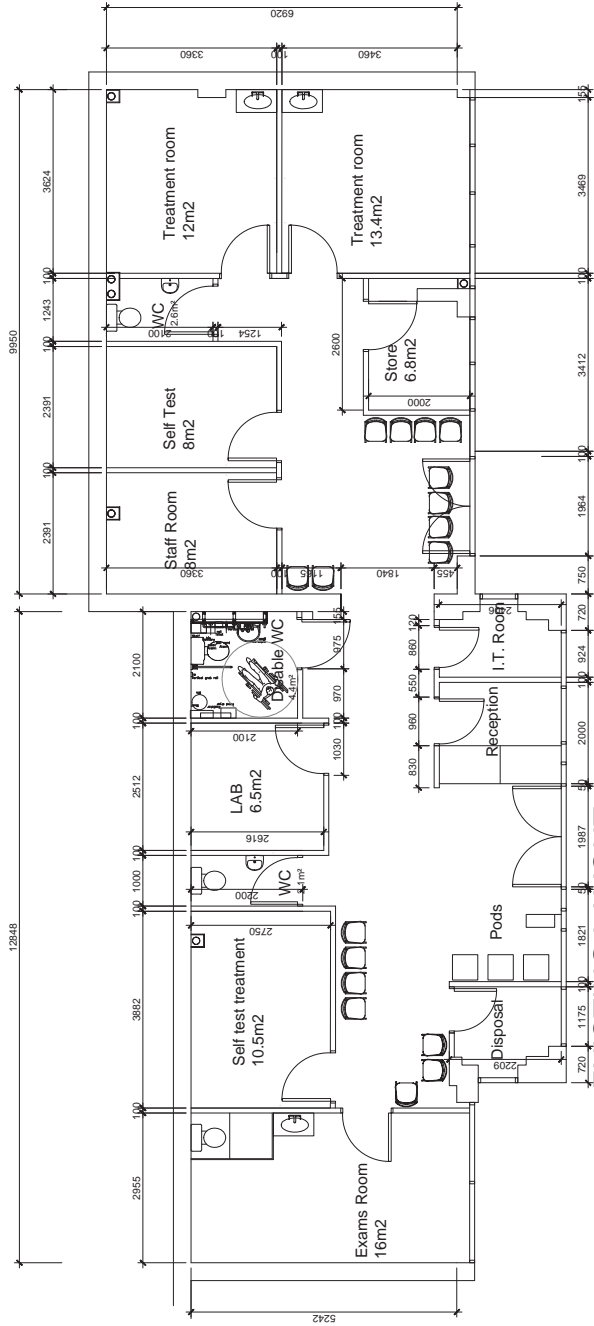
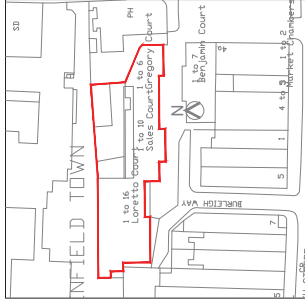


PROPOSED LAYOUT

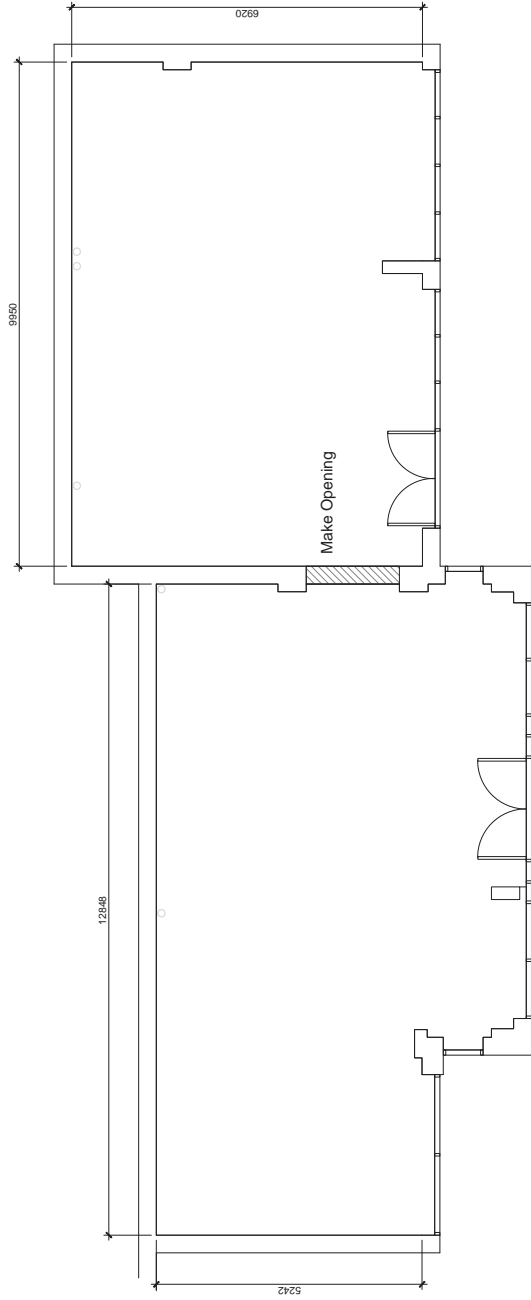


EXISTING LAYOUT

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EXISTING LAYOUT



EXISTING LAYOUT

Rev	Description	Dm	Chk	Date
01	Amended as to email from NHS 14-09-15	PB	PB	15-09-2015
00	Initial Supply	PB	PB	09-09-2015



**CORPORATE
MAINTENANCE &
CONSTRUCTION**

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2. Address: 100 Burreleigh Way, Enfield, Middlesex, EN2 6AE
3. Contact: 020 8996 2000
4. Email: corporate@enfield.gov.uk
5. Website: www.enfield.gov.uk

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Property: Unit 4 & 5 Burreleigh Way
Enfield, Middlesex,
London, EN2 6AE

Title: Ground Floor Plan
Existing & Proposed Plans
Dimensions

Area Information	LBE Ref.:	...
Total Site Area:	000	Scale: 1:100 @ A3
Gross External Area:	000	Date: 09-09-2015
Gross Internal Area:	000	Survey: Parvinder Bhumber
Total Room Area:	000	Drawn: Parvinder Bhumber
Net Internal Area:	000	Checked: T. Dilla
LBE Site Boundary:	Yes	LBE Drawing Check: T Dilla

Filename: Unit 4 & 5 Burreleigh Way
Plan No: M/004686 - 02
02 of 02