

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date : 29th August 2017

Report of
Assistant Director,
Regeneration & Planning

Contact Officer:
Andy Higham
Kevin Tohill
Maria Demetri
Tel No: 020 8379 1000

Ward: Southbury

Ref: 17/01161/FUL

Category: Major

LOCATION: 1-3 Chalkmill Drive, EN1 1TZ

PROPOSAL: Subdivision of site (8,873 sqm) and part change of use of building to retail (A1 at 2,774 sqm) involving new shop front, creation of new access/servicing, pedestrian crossing, together with provision of new sub-station, widening of existing crossover, hard and soft landscaping and other associated works.

Applicant Name & Address:

Mr Tim Chilvers
Montagu Evans
5 Bolton Street
London
W1J 8BA

Agent Name & Address:

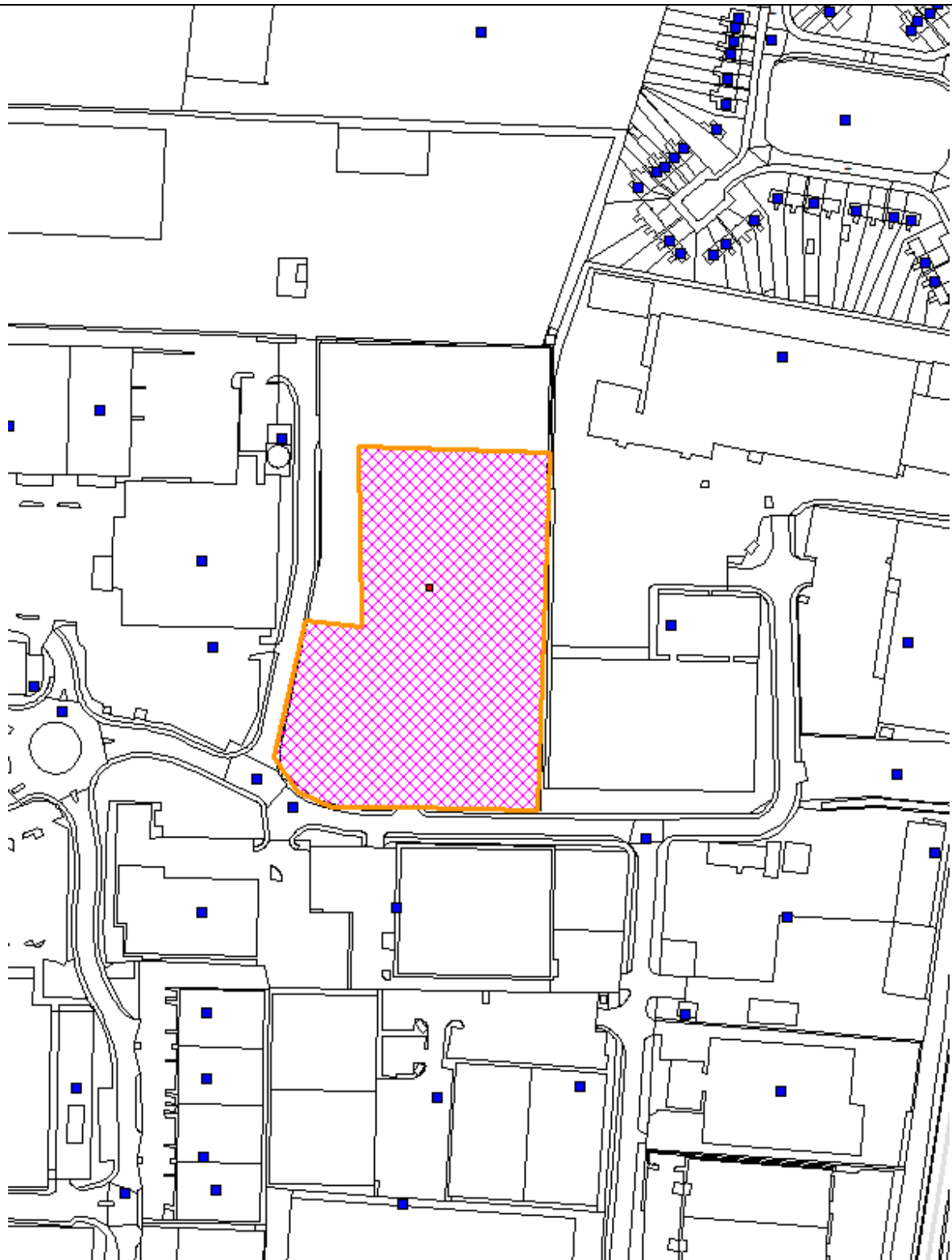
Barclays Nominees (George Yard) Limited C/o
Aberdeen Asset Management PLC
c/o Agent

RECOMMENDATION:

REFUSE to grant planning permission.

Note for Members: Applications of this nature would normally be considered under delegated authority but the application has been brought to the Planning Committee due to the planning issues raised.

Ref: 17/01161/FUL LOCATION: 1-3 Chalkmill Drive, EN1 1TZ, ,



Reproduced by permission of Ordnance Survey on behalf of HMSO. ©Crown Copyright and database right 2013. All Rights Reserved. Ordnance Survey License number 100019820

Scale 1:2500

North



1. Site and Surroundings

- 1.1 The site has an overall area of approximately 1.9 hectares and comprises the former Carcraft outlet with 8,873 sqm of floor area: falling within a Sui Generis use class designation, the premises has display space with ancillary office and retail elements granted under ref: TP/97/1355. It is understood the site has been vacant following the collapse of the Carcraft and its closure in May 2015. The site is bounded to the north by British Car Auctions, to the east by industrial units lining this section of Crown Road, to the south by Crown Road and to the west by Chalkmill Drive and the Enfield Retail Park beyond.
- 1.2 The site is located within a designated Strategic Industrial Location (SIL) as defined by the London Plan, the Local Plan Core Strategy, the Development Management Document and the North East Enfield Area Action Plan. A refined designation of the Great Cambridge Road/ Martinibridge Estate as an Industrial Business Park (IBP) is further identified by the London Plan. The surrounding area is predominantly characterised by industrial uses to the wider SIL and larger scale retail units comprising the Enfield Retail Park.
- 1.3 The site is in close proximity to the A10 (TfL maintained) trunk route to the west of the site and the Southbury Road Principal Route to the south. The Liverpool Street / Hertford East / Cambridge line lays to the east of the SIL. The site has a low / poor PTAL of 2.
- 1.4 The site is within an area of known contaminants including radiation and waste. The site is not within a Conservation Area nor is it a Listed Building.

2. Proposal

- 2.1 The proposal seeks permission for the subdivision of the unit (totalling 8,873 sqm) and part change of use of the unit (labelled as unit 1) to retail (A1 use class totalling 2,774 sqm). The proposed retail unit is to be a Lidl's. The remaining works involve a new shop front, creation of new access/servicing, pedestrian crossing, together with provision of new sub-station, widening of existing crossover, hard and soft landscaping and other associated works.
- 2.2 It is prudent to note that this is a standalone application and relates solely to unit 1 of the site. Unit 2 and unit 3 are being dealt with by a separate application.

3. Relevant Planning History

- 3.1 TP/97/1355: Erection of a unit for car sales, storage and display together with ancillary office and retail, plus external parking spaces – Approved subject to conditions (24/03/98)
- 3.2 17/02208/FUL: Change of use, subdivision and refurbishment of site to create 2 industrial units (Use Class B1/B2/B8) together with alterations to external appearance, creation of new access and servicing, alterations to existing vehicular access /egress, provision of new sub-station, car parking and

associated hard and soft landscaping – Pending consideration (determination date 30.08.2017).

4. Consultation

4.1 Statutory and non-statutory consultees

4.1.1 Sustainable Urban Drainage

An objection is raised. The submitted information does not adhere to the greenfield run off rate and drainage hierarchy in the London Plan and also falls short on other grounds. Whilst the Planning Officer notes these objections, a discussion has confirmed that the detail can be secured by way of a condition should the application be approved.

4.1.2 Environmental Health

No objection. Environmental Health does not object to the application for planning permission as there is unlikely to be a negative environmental impact. In particular there are no concerns regarding air quality or contaminated land. The new use is likely to have various items of plant likely to generate noise such as chiller plant and air conditioning systems. For this reason the following condition is required.

4.1.3 Traffic and Transport

An objection is raised to the scheme based on the three reasons for refusal put forward. Full comments and an analysis of these comments from a planning perspective have been provided within the delegated report under the “Traffic and Transport” section.

4.1.4 Property Development

The marketing of the site is deemed to be insufficient. It merely has a board outside with Co Star and mailshots. There is no presence on the A10 Frontage or local adverts in papers. A joint instruction with Glenny’s or Bowyer’s would have generated local interest.

The Officers have advised that based on their knowledge of the area, if the site was redeveloped with 3 units that will go quicker to smaller operators who are being decanted from other regeneration sites across London. In fact, the Officer was able to provide details of a tenant who would be interested in letting one of the units and their use is within the B1/B2/B8.

Beyond this, the Officer has been advised that there is demand in the area for such smaller units requesting space of 50,000 to 100,000 ft of floor space. In May 2017 there were 3 parties actively interested in a floor space of 100,000 ft and below with another party having found a unit along Mollison Avenue.

4.1.5 The Greater London Authority (GLA)

The GLA have reviewed the application and are content with the Borough refusing planning permission. However if, for any reason, the Borough are minded to approve, the GLA would need to take the application to stage 1.

4.1.6 Lichfields

A Retail Impact Assessment and Sequential Testing have been submitted by Montagu Evens. Lichfields were hired by the Borough Council to independently review and analyse the submission of the proposed impact by this out of centre retail unit.

4.1.7 Designing Out Crime Office

Objection raised. The scheme has not been designed with secure by design measures.

4.2 Public

4.2.1 18 neighbours were notified directly by letter, a site notice was erected and a press notice was advertised. In total 2 letters of objection have been received from Burnett Planning & Development Limited who act on the behalf of Universities Superannuation Scheme (USS) the owners of Enfield Retail Park, Crown Road, Enfield and Sainsbury's Supermarkets Ltd Highway Manager in Property Development.

4.2.2 The objection relates to transport matters. It is prudent to note that the letter of objection from Burnet Planning & Development Limited was accompanied by a Technical Note produced by transport consultants. The objections relate to the insufficient information submitted and how the submission has great shortfalls which ignore the fundamental issues currently being detail with by the Retail Park.

5. Relevant Policy

5.1 The policies listed below are considered to be consistent with the NPPF and therefore it is considered that full weight should be given to them in assessing the development the subject of this application

5.1.1 The London Plan

Policy 2.6 – Outer London: vision and strategy

Policy 2.7 – Outer London: economy

Policy 2.8 – Outer London: transport

Policy 2.14 – Areas for regeneration

Policy 2.17 – Strategic Industrial Locations
Policy 4.1 – Developing London’s economy
Policy 4.2 – Offices
Policy 4.3 – Mixed use development and offices
Policy 4.4 – Managing industrial land and premises
Policy 4.7 – Retail and town centre development
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 5.9 – 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 5.15 – Water use and supplies
Policy 5.18 – Construction, excavation and demolition waste
Policy 6.9 – Cycling
Policy 6.10 – Walking
Policy 6.12 – Road network capacity
Policy 6.13 – Parking
Policy 7.1 – Building London’s neighbourhoods and communities
Policy 7.2 – An inclusive environment
Policy 7.3 – Designing out crime
Policy 7.4 – Local character
Policy 7.5 – Public realm
Policy 7.6 – Architecture
Policy 7.15 – Reducing noise and enhancing soundscapes
Policy 7.18 – Protecting local open space and addressing local deficiency
Policy 7.19 – Biodiversity and access to nature

5.1.2 Local Plan - Core Strategy

Strategic Objective 1: Enabling and focusing change
Strategic Objective 2: Environmental sustainability
Strategic Objective 6: Maximising economic potential
Strategic Objective 7: Employment and skills
Strategic Objective 8: Transportation and accessibility
Strategic Objective 10: Built environment
Core Policy 13: Promoting economic prosperity
Core Policy 14: Safeguarding strategic industrial locations
Core Policy 15: Locally significant industrial sites
Core Policy 16: Taking part in economic success and improving skills
Core Policy 18: Delivering shopping provision across Enfield
Core Policy 20: Sustainable energy use and energy infrastructure
Core Policy 24: The road network
Core Policy 25: Pedestrians and cyclists
Core Policy 26: Public transport

Core Policy 27: Freight
Core Policy 28: Managing flood risk through development
Core Policy 29: Flood management infrastructure
Core Policy 30: Maintaining and improving the quality of the built and open environment
Core Policy 31: Built and landscape heritage
Core Policy 32: Pollution
Core Policy 36: Biodiversity
Core Policy 40: North East Enfield
Core Policy 46: Infrastructure contributions

5.1.3 Development Management Document

DMD19: Strategic Industrial Locations
DMD20: Locally Significant Industrial Sites
DMD21: Complementary and Supporting Uses within SIL and LSIS
DMD22: Loss of Employment Outside of Designated Area
DMD23: New Employment Development
DMD24: Small Businesses
DMD25: Locations for New Retail, Leisure and Office Development
DMD37: Achieving High Quality and Design-Led Development
DMD38: Design Process
DMD39: Design of Business Premises
DMD45: Parking Standards and Layout
DMD46: Vehicle Crossover and Dropped Kerbs
DMD47: New Road, Access and Servicing
DMD48: Transport Assessments
DMD49: Sustainable Design and Construction Statements
DMD50: Environmental Assessments Method
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, Waste Minimisation and Green Procurement
DMD58: Water Efficiency
DMD59: Avoiding and Reducing Flood Risk
DMD61: Managing Surface Water
DMD68: Noise
DMD69: Light Pollution
DMD79: Ecological Enhancements
DMD80: Trees on development sites
DMD81: Landscaping

5.1.4 Other Material Considerations

National Planning Practice Guidance
National Planning Policy Framework

6. Analysis

6.1 The main issues to consider are as follows:

- The principle of the use proposed within a Strategic Industrial Location;
- The sequential impact of a retail use to the area;
- The appearance of the premises arising from the altered frontage;
- Traffic and transport implications;
- Residential implications;
- Section 106; and
- Sustainability.

6.2 Principle of development

6.2.1 The site is within a designated Strategic Industrial Location (SIL), as defined with the adopted Core Strategy (2010), the Development Management Document (2014), the North East Enfield Area Action Plan (2016) and the London Plan (2016). Through the adoption of the Local Plan and more recently the NEEAAP (2016), the boundaries of the SIL have been clearly defined and firmly fixed.

6.2.2 Policy CP14 and DMD19 seeks to safeguard SIL to accommodate a range of industrial uses (defined as B1, B2 & B8 under the Use Classes Order) that meet the demand and needs of modern industry and businesses while also maximising employment opportunities. In this regard, the Policy adopts a predisposition to resist changes of use outside of these specified industrial use classes in order to retain, preserve and enhance the industrial function of the area and consequently maintain an adequate mix of employment uses. The proposed retail use equates to A1 and is outside the range of these accepted uses. As such it represents a departure to the policies in the adopted local plan and against a background of robust demand for industrial land, it is for the applicant to demonstrate the unit does not contribute to the industrial character of the estate (i.e. in an alternative and lawful use), the site is not suitable for a SIL appropriate use and that it is either no longer required, or indeed, is not fit for purpose. With reference to the robust demand for industrial land that continues to exist, it is considered that such arguments cannot be substantiated in this case. Moreover, the site is located in Cluster C8 of the Employment Land Review, which includes the northern part of the Great Cambridge Road and Martinbridge Estate. It states that the premises in C8 are in good or very good condition and that it functions well overall.

6.2.3 Policy 6.2 of the North East Enfield Area Action Plan (NEEAAP) goes further in identifying the Great Cambridge Road / Martinbridge Estate SIL as being Enfield's largest employment area outside of the Lee Valley OAPF boundary and the only estate within NEEAAP designated as an Industrial Business Park (IBP). IBP's are defined in the London Plan as being SIL which are appropriate for firms

that need high quality environments and include activities such as research and development (B1b), light industrial (B1c) and high value-added general industrial (B2). Proposals falling within the IBP will need to demonstrate compliance with the relevant London Plan and Enfield's Local Plan policies.

6.2.4 Within this context, adopted policy indicates other uses will only be permitted in accordance with specific policies within the NEEAAP, or where they would be ancillary and complementary to the overall operation of the IBP. Redevelopment of existing buildings or new development is required to support the Estate's role in providing high quality surroundings by:

- encouraging high quality employment uses that fit with its role as an Industrial Business Park (IBP);
- creating positive frontages onto the public realm, particularly along Baird Road and Crown Road;
- improving the gateways to the Estate along Southbury Road and Lincoln Road;
- creating a high quality public realm to a consistent standard across the Estate, reflecting the high quality of recent development in the south of the Estate;
- reconfiguring car parking to provide efficient layouts that direct car users away from parking on street;
- improving circulation on internal estate roads, particularly for large vehicles; and
- ensuring that any trade counter uses supports the overall function and quality of the IBP.

6.2.5 Examples of suitable development for IBP locations include high technology uses, IT and data facilities, flexible modern business space, high quality office renewal, meeting spaces and conferencing facilities. Notwithstanding this, it is acknowledged that there has been some interest in trade counters in this location and within a balanced approach, this type of use has been previously supported in the right circumstances where they can be shown to have positive effects on employment generation, allow for easy conversion to business space in the future, result in strong physical improvements to the location and do not detract from the functioning of the IBP. Furthermore, it is considered that showroom areas for such uses should be limited to no more than 10% of the gross internal floor space in line with DMD Policy 21 and should not represent a significant element of the proposed use as would be the case for general retail use.

6.2.6 The Development Management Document acknowledges that '[t]here are some instances where there are quasi-retail uses located in industrial areas, such as car showrooms, tyre and exhaust centres, builders merchants and similar uses that are unsuitable in town centre locations due to their scale and characteristics.' However, it also recognises that such uses have 'traditionally located in industrial areas, which often causes conflict between heavy goods vehicles and general traffic. In this respect, it is considered these uses are only appropriate in certain circumstances and are more appropriately located on the main road frontages of existing industrial areas.'

6.2.7 It is clear that the provision of a proposed retail unit on this site would fall outside of these definitions of appropriate uses within the SIL and IBP. As a result, there is an objection in principle to the loss of industrial land / capacity supported by the GLA. It is also of note that there is no sufficient justification to outweigh the clear and strong policy position regarding the safeguarding of strategic industrial land. This is an important consideration and needs to be given significant weight given the need to retain remaining industrial land to support local employment, if planned residential growth is to be supported elsewhere in the Borough.

6.2.8 A justification has been put forward in the submitted planning statement by the Applicant as to why the departure from the adopted Local Plan for the inappropriate change of use would be acceptable and the key points are rebutted below.

Existing use of the site

6.2.9 While the existing Sui Generis use of the site is noted, this would remain a compatible use within the SIL as opposed to the proposed retail use and hence offers little weight in justifying the loss of an appropriate use for a use that is not compatible in the SIL.

Subsidising the remaining 2 units

6.2.10 It is purported that the proposed A1 unit would subsidise the remaining retrofitting of the 2 units (which do not form part of this application). There is no linkage between this application and that for the other two units nor is it clear why the subdivision of the remainder is not viable in its own right. While it is noted one of the units could be operated by the Royal Free Hospital Trust for support services, there is no commercial necessity and the applications are distinct. It is unclear as to why this would be deemed as a material consideration to override planning policy and the status of the proposed use as a departure to adopted policy.

Industry in the Borough

6.2.11 During the period of 2011-2026, the Employment Land Review of 2012 indicates there should be no net loss of industrial land in Enfield. An increase in demand for warehousing land offsets a loss in traditional production space. As such, it is essential that the Great Cambridge Road and Martinbridge Trading Estate is retained for industrial use and that there is no loss of industrial activity, especially since the study notes that the estate is the Borough's main employment area away from the Lee Valley, extending to 40ha.

6.2.12 In regards to industrial land borough-wide, the net absorption of industrial floor space has been generally positive from 2009 to 2016 at 23,200 sqm. From a property perspective, vacancy among industrial premises is low at 4.7% (lower than levels judged suitable to facilitate optimal operation of the market), vacant land churn is strong and rental values are buoyant. This points towards supply being in a healthy state.

6.2.13 In addition to this, the recent GLA Industrial Land Demand Study of 2017 further supports the borough's policy position. Since the previous GLA 2011 Industrial Land Benchmark study, industrial land in London has been released at a much faster rate than the benchmark guidance. Hence, this implies that much tighter policy is needed if industrial land releases are to be restricted to the Benchmark targets. Evidence suggests that there will be positive net demand for industry and warehousing in Enfield over the period 2016–2041, reflecting the Borough's strategic advantages for these functions. The baseline net demand for industrial land in Enfield is 41.7 ha, which denotes that the categorisation that the borough has received is 'Provide Capacity'. Hence, it advocates that Enfield should seek to accommodate that demand whilst also picking up reallocated industrial activity from other neighbouring authorities within the Lee Valley that have surplus of industrial land to release, such as Haringey.

6.2.14 Consequently, it can be concluded that the proposed loss of industrial floor space as a result of the proposed change of use to retail would conflict with both local and regional policy, given its designation, as the Great Cambridge and Martinbridge Estate is recommended for retention on the basis of its characteristics and suitability for industrial uses. As previously mentioned, this stance is supported by the GLA in their comments on this application. The loss of the unit to become A1 goes against the fundamental evidence collected by both the Borough Council and the GLA.

Marketing

6.2.15 It has been stated that the unit has remained vacant since May 2015 and thus, there is an opportunity to redevelop the whole site. However, it is important that the lack of demand for the existing unit is robustly demonstrated. Marketing of the unit is therefore key and this is considered to be insufficient by Council particularly in respect of the full range of potential options for the site. Whilst some efforts have been made, it is considered robust or extensive. In addition, the fact that the proposed development considers subdivision of the unit to provide smaller units also points to the fact that the land owner could look at this as an option for the entirety of the floor space if it is considered that smaller units would be more marketable in this location.

Location

6.2.16 The presence of the Enfield Retail Park to the west of the site, is also considered to be of little weight when assessing acceptability particularly given its historical context and the perceived harm unfettered expansion of this area would have to the employment and industrial base of the wider estate. Furthermore, the adoption of the SIL boundary was specifically driven by a desire to contain the retail offer and prevent further expansion of the park into a vital employment area for the borough. The provision of a retail unit to the location would potentially serve to hinder the function, operation and vitality of the SIL and its IBP offer which is already hindered in terms of traffic movements and a further encroachment would make matters worse. It is considered any acceptance of this non complaint proposal would set a dangerous precedent and although precedent in itself is not sufficient to justify refusal, the policy context is given the

loss of designated Strategic Industrial land and emerging evidence of continued demand for industrial land across London.

Employment

- 6.2.17 The employment offer of a retail unit is generally noted, but again not a strong argument in favour of losing SIL, particularly given the quantified employment offer generated by an appropriate IBP use to the site.

Visual amenity

- 6.2.18 The argument that the proposal would improve the visual amenities in the area has been put forward to justify the A1 use. This justification appears completely irrelevant given that an appropriate use in the designated area can also provide these benefits.

Overall

- 6.2.19 Based on the assessment above, the principle of retail provision on the SIL site is not acceptable. The justifications put forward by the applicant are deemed to be of little material weight particularly given the evidence the regarding industrial land within the Borough undertaken locally and regionally. The proposal would therefore be contrary to Strategic Objective 7, Policies CP14 and CP40 of the Core Strategy (2010), DMD19 of the Development Management Document (2014), Policy 6.2 of the NEEAAP (2016), Policies 2.17 and 4.4 of the London Plan (2016) and the NPPF.

6.3 Retail Use

- 6.3.1 The proposed retail unit must be justified in accordance with the provisions of DMD25 of the Development Management Document. The Policy states that new retail units that comprise main and bulk convenience, comparison shopping, food and drink uses and major leisure and office development are permitted where:
- i. New development is located within Enfield Town and the borough's four district centres.
 - ii. In accordance with the sequential test if no sites are suitable or available within the town centres listed in part i. of this policy for the development proposed, then retail development at edge of centre locations that are accessible and well connected to and up to 300 metres from the primary shopping area will be permitted.
 - iii. New development within the boundary of the Council's existing retail parks of Enfield retail park, De Manderville Gate, Ravenside and Angel Road (as defined in the Core Strategy and on the Policies Map) and outside of the town centres will only be permitted if the applicant can demonstrate to the Council's satisfaction that a sequential test has been applied which shows no suitable sites available within or on the edge of the town centres detailed in part i. of this policy. Furthermore, a retail impact assessment should demonstrate that the development is not likely to have a negative impact to the viability and vitality of Enfield's centres or

planned investment in centres and that the development increases the overall sustainability and accessibility of the retail park in question.

- iv. Proposals for leisure development in Picketts Lock will be permitted if a sequential test has been applied to demonstrate the location is the most appropriate for the proposed use.
 - v. Retail, leisure and office development may also be considered within the Area Action Plans through identified sites.
- 6.3.2 The total gross new internal A1 floor space proposed is 2,774 sqm. Given its SIL location and despite its proximity to Enfield Retail Park, the unit is considered out-of-centre in retail planning terms. Hence, it was requested that the application be submitted with a Retail Impact Assessment and apply the Sequential Test. These documents were submitted. Litchfield were employed by the Council to independently critique the submission. It was found that the submission was very broad and consequently an analysis by Litchfield's was required to be undertaken and this encompassed a wider Borough Retail Study.
- 6.3.3 The conclusion of the Sequential Approach was that opportunities in Enfield Town, Enfield Wash and Edmonton Green could be considered to be unsuitable due to the presence of Lidl stores in these centres. Ponders End or Enfield Highway are the most likely designated centres where the store could theoretically be accommodated. Even allowing for amalgamation, vacant shop units within designated centres are too small to accommodate the proposed food store at this size. Emerging developments in Ponders End and Enfield Highway do not appear to provide an opportunity to include a food store similar of the size proposed. In this regard, the sequential test has been satisfied.
- 6.3.4 The conclusion of the Retail Impact study was that impact on Enfield Town, Edmonton Green, Ponders End, Enfield Highway and Enfield Wash have been considered. It was found that food stores are on average trading 13% above the national average and appear to be trading healthily. Trade diversion and impact on food stores and centres will be offset by population/expenditure growth between 2017 and 2020. Food stores will continue to trade satisfactorily. No stores are expected to close or experience trading difficulties. The impact on small convenience shops in centres is expected to be very low (1% or less) and shop closures are not envisaged. Impact on all centres is expected to be insignificant and will not harm the vitality and viability of any centre should the Lidl's open in this location. Beyond this, it was concluded that should the Council grant permission, then the maximum amount of sales area should be no more than 1,690 sqm (including check out areas). Anything above this would require a higher net sales area which the applicant did not test for, and thus Litchfields also did not test for.
- 6.3.5 The independent review demonstrates that the creation of a Lidl's store in this out of centre location would not have a detrimental impact upon the existing centres within the Borough in terms of their vitality and viability of the centres. Given the independent analysis, it is concluded an objection cannot be justified under policy DMD 25.

6.4 Character and appearance

- 6.4.1 DMD 39, which relates to the design of business premises, is the most relevant policy to assess the rear element of the scheme. This policy describes how business premises should be designed and how proposals should appear when viewed from the surroundings. Proposals are required to respect the grain and character of the surrounding area, character and visual interest. DMD 40 is the most relevant policy in assessing ground floor frontages. Ground floor frontages are required to maintain visual interest within the street and the frontages need to respect the rhythm, style and proportions of the building they form part of.
- 6.4.2 The existing building cannot be described as a particularly attractive building. The works to be undertaken to the building are relatively modest and would not be intrusive to the design of the existing building. Whilst it is regrettable that more significant works will not be undertaken to the external façade of the building, it would not warrant a reason for refusal in this regard. The materials to be used in particular the cladding and fenestration detailing are typical of Lidl's branding. Overall, no objection is raised in this regard.
- 6.4.3 Details of trolley bays, the substation and the cycle storage have not been advanced, however, such details can be secured by way of a condition.
- 6.4.4 Although attempts have been made to break up the existing hard standing with landscaping, it would have been preferable to see a more comprehensive and worked up scheme submitted. However, such details can be secured by way of a condition. It is also noted that the means of enclosure is to be altered and the site will now be surrounded by a timber knee rail. This will add a softer environment within the street scene and will allow planting behind this feature to further assimilate this in the built environment.
- 6.4.5 Overall, no objection is raised to impact of the proposal on the character and appearance of the area subject to conditions

6.5 Traffic and Transport

Pedestrians and cyclists

- 6.5.1 DMD 47 recognises importance of all layouts achieving safe, convenient and fully accessible environment for pedestrians and cyclists. The expected number of pedestrian and cyclist trips has not been undertaken as part of the TA. It is therefore unclear how many trips the development will generate to and from the site. Without this information an informed opinion cannot be made. It is prudent to note that this information was requested at the pre-application stage for submission as part of the planning application.
- 6.5.2 The full submission by undertaking CERS and PERS audits identified the safest and most convenient route for pedestrian and cyclists. A few areas requiring improvements were identified between the site, the nearest bus stops and Southbury BR Station. A contribution under s106 should be secured to secure some of the works.

6.5.3 There are two pedestrian routes shown between the site and entrance onto the public highway. One, measuring 2.4m in width from Crown Road and one from Chalkmill Drive, measuring 2m. The access from Chalkmill Drive should be improved by removing bays no 95 and no 96 so that no reversing occurs onto pedestrian route. Access for cyclists has not be shown but is required. It can be shared with pedestrian but should be clearly marked in different palette of materials. In this regard, the proposal fails on two accounts of safety and accessibility.

6.5.4 The proposed zebra crossing facility in Chalkmill Drive should be installed as part of s278 works. The suitability and location of the proposed crossing should be assessed by an independent Road Safety Audit stage 1&2, prepared in accordance with HD19/03. This information would be required to ensure that the zebra crossing is fit for purpose.

Vehicular Access

6.5.5 Only a single access into/from the site is proposed from Crown Road. For the size of the scheme proposed and the high level of anticipated traffic flows, there is a risk that a sole point of access into and from the site will result in traffic congestion on the public highway by queuing of traffic trying to gain access and exit at the same time. The major issue in this area is currently queuing to get into the retail park. Without this properly managed there would be a knock on impact to an area that is already congested in peak times.

6.5.6 Contrary to the pre-application comments, the suitability of the proposed access arrangements has not been assessed by an independent Road Safety Audit Stage 1&2, prepared in accordance with HD19/03. As requested, this should have include reference to peak number of trips in and out of the access as the proposed modifications could significantly increase the risks of PIA incidents in the vicinity.

6.5.7 Parking restrictions in the form of double yellow lines already apply in the vicinity of the site at the junction with Crown Road and Chalkmill Drive. No footway or carriageway visibility has been shown at the access to ensure it meets the Manual for Streets criteria. The proposed amendment to widen the access up to 9m is not supported. The design of the access should ensure that pedestrians have priority and feel safe whilst crossing over the bell mouth of the access.

6.5.8 In this regard insufficient evidence has been submitted to demonstrate that the access into and out of the site is fit for purpose and would not cause undue harm to the safe and free flow of pedestrian and vehicle movement.

Cycle parking

6.5.9 The provision should meet the standards set out in table 6.3 of the London Plan 2016 the following numbers should be met:

Use Class	Long Stay	Short stay	Total
-----------	-----------	------------	-------

Food Store	1 space per 175 sqm	First 750 sqm: 1 space per 40 sqm thereafter: 1 Space per 300 sqm.	42
------------	---------------------	--------------------------------------------------------------------	----

6.5.10 The plans show a new location for the short-stay cycle parking further away from the entrance to the store, which is not acceptable. 26 visitors cycle parking need to be located very close to the entrance to the building and closer than car parking. In this regard, the scheme falls short of the functionality of short stay cycle parking spaces.

6.5.11 Long-stay cycle parking is shown in the middle of the car park, which is not ideal due to the lack of natural surveillance of the store. Although the acceptability depends on the design of the store, the bikes within the proposed stands within the lockers have not been dimensioned on the plan to ensure that 16 cycle parking can be comfortably provided. A condition should be attached to secure the manufacturer's specification of the proposed cycle parking. Long stay cycle parking must be purpose built, lockable (ideally by an access fob or a mortice lock) and lit.

Section 106 contribution

6.5.12 A contribution via S106 for a sum of £18,031 is sought to improve pedestrian and cycling facilities in the area, as identified by CERS and PERS audits and as part of the Cycle Enfield proposals in the vicinity of the Retail Park. As the scheme is being refused, this sum has not been secured.

Trip generation assessment and highway impact

6.5.13 The basis for the trip generation analysis is that the former car supermarket could be brought back into use without the need for planning permission. The assessment has therefore focused on the net increase in additional trips generated by the food store. The table below summarises the number of vehicle movements forecast in the Transport Assessment to be generated by the proposed development:

	8:00-09:00		17:00-18:00		Saturday peak 12-13	
	Arr	Dep	Arr	Dep	Arr	Dep
superstore	85	59	111	111	152	136

6.5.14 The vehicular trips were distributed as follows:

- 79% arriving / departing via Great Cambridge Road/ Crown Road;
- 21% arriving / departing via Crown Road.

6.5.15 The traffic survey data were then used to establish the distribution of traffic flows on the wider network. The pre-application comments read: "*The full TA should*

include recent counts (surveyed within the last three years) for peak period turning movements at critical junctions of Chalkmill Drive/Crown Road, roundabout of Crown Road/ Baird Road, Baird Road/Southbury Road and the A10 Cambridge Road/Crown Road. As there will be a significant level of heavy goods vehicles (HGV) traffic, a classified count should be provided. Additional counts that may be required are: manual turning counts (should be conducted at 15-minute intervals) to identify all relevant highway network peak periods; 24-hour automatic traffic counts (ATC); queue length surveys at signal junctions to establish demand and actual traffic flows. The weekday and weekend peak times for the proposed uses on site should be established and assessed correspondingly with the actual road network peak times using traffic modelling”.

- 6.5.16 Contrary to this requirement the submission fails to conduct a 24 hour automated traffic counts (ATC). By failing to do so, it does not properly assess the existing network and Retail Park’s peak times. The impact of the proposals on the traffic has therefore not been fully assessed and is not acceptable. This is also supported by one of the objections received to the scheme, which draws attention to the fact that Sundays are when Enfield Retail Park is at its busiest. For that reason, the scheme does not comply with the DMD 48 and London Plan Policy 6.3.

Junction Modelling

- 6.5.17 Detailed traffic surveys were undertaken between 07:00 and 10:00, and 16:00 and 19:00 on Friday 3rd March, and between 11:00 and 15:00 on Saturday 4th February at the following junctions:

- A10 Great Cambridge Road and A110 Southbury Road;
- A10 Great Cambridge Road and Crown Road;
- Crown Road and Baird Road;
- Crown Road and Chalkmill Drive; and
- Southbury Road and Baird Road.

- 6.5.18 The scheme then only undertakes modelling on junctions that experience an increase in traffic flows of more than 5%, (resulting in the A10 junction with Crown Road not being assessed in detail). This methodology has never been agreed to be acceptable by the T&T or established as part of the scoping discussions. Moreover, this type of approach is concerning given the status of the A10 as a part of the Transport for London Road Network, (TLRN).

- 6.5.19 The results of the ‘with development’ scenario show that whilst there will be no impact on other junctions, the operation of the Crown Road/Baird Road Junction deteriorates in the Weekday PM and Saturday peak hours after the introduction of the development traffic flows, with a number of links operating above theoretical capacity.

- 6.5.20 Table 7.6 shows that where development traffic is added during a Saturday Peak there are three approach arms that exceed an RFC of 1.0 and two which are close to this level resulting in a queue of 27 vehicles on the Enfield Retail Park approach arm. Although it is appreciated within Table 7.5 that if the car showroom / supermarket were to be reintroduced there would still be two approach arms above an RFC of 1.0 during a Saturday Peak the queue on the Enfield Retail Park Approach arm still increases from 15 vehicles to 27 vehicles with development.
- 6.5.21 To demonstrate the impact this would have an industry accepted 5.75 metres has been applied to each of the vehicles resulting in a queue in length of just over 155 metres. When this length of queue is applied to the Enfield Retail Park egress lane, (assuming that no vehicles queue in the north / south aisles) the queue would reach the Nando's Restaurant. As can be noted this would block a number of the north / south aisles which run across the retail park.
- 6.5.22 Further to this a more detailed review of the modelling outputs, (as presented in Appendix K of the Vectos Transport Assessment) show that vehicles on this approach would experience delays of 202 seconds which alongside the queue length outlined above is deemed to be unacceptable.
- 6.5.23 Looking at the wider area there is also a large increase in queuing on the Crown Road West approach arm which goes from a queue of 9 in the existing situation to 20 in the with development scenario and from 14 in the Future Baseline scenario to 20 in the with development scenario, (all during a Saturday Peak). Further to this in the same scenario the Crown Road East approach reaches a queue of 20 vehicles which will extend past Chalkmill Drive and therefore affect customers / HGV servicing vehicles exiting Enfield Retail Park via this route. This queue is also at a length that will restrict the access / egress for the proposed Lidl. This will lead to an increase in the time it takes for vehicles to access / egress this area in general. No hard mitigation measures are proposed to address the issue, which is not acceptable.
- 6.5.24 Also, as mentioned above by failure of undertaking 24 hour counts, the scheme fails to fully assess the highway impact and then correctly build on the results. The submitted Junction modelling is therefore not acceptable as it is not robust. Further modelling should be undertaken to assess the impact on the existing road network and identify mitigation measures. The scheme is therefore contrary to the DMD 48 and London Plan Policy 6.3.

Car Parking

- 6.5.25 A total of 122 car parking spaces are proposed. This equates to an overall provision of one space per 23m². The provision falls within the London Plan parking standards for this land use, which are one space per 25-18m² GIA. The spaces no 95 and no 96 should however be removed as mentioned previously. The loss of these spaces would not hinder the number of car parking spaces on the site, rather, would improve pedestrian accessibility.

6.5.26 The details of the electric charging points provision (20% plus a further 10% passive supply) should be secured by a planning condition. Seven disabled spaces are proposed and 5 enlarged spaces, which falls short of the London Plan requirement. 6 parking spaces are shown for motorbikes, which complies with paragraph 6A.6 of the London Plan. In this regard no objection is raised subject to the removal of the aforementioned 2 bays.

Road Safety

6.5.27 It was requested at the pre-application stage that a minimum of 5 years' road traffic accident data are reviewed in the vicinity of the site, inclusive of the main junctions leading to/from the site and Southbury BR Station. The submitted TA only contains the location of the accidents without the full outputs. The accidents have not been appropriately analysed as requested in the pre-application submission. The accidents should have been grouped together by type, location, time of occurrence, etc., for any reoccurring patterns. The level of accidents which could be expected to occur at the junctions should have been calculated using the calculations outlined in Section 2.5 of the COBA Manual and the formula $A = a (f) b$. The scheme does not comply with the DMD 48 and London Plan Policy 6.3.

Servicing and deliveries

6.5.28 According to the proposals, the deliveries will take place within the site from an internal loading bay. This has been supported by a swept path plan showing a 16.5m long articulated vehicle accessing, turning and exiting the site. A draft Delivery and Servicing Management Plan has been submitted. 3 deliveries per day are anticipated. Due to low frequency of the deliveries reversing of large delivery HGVs around the customer car park is therefore not considered as a safety issue. A planning condition should be secured limiting delivery and servicing times so that they do not coincide with the store's busy periods. Subject to securing the planning condition, the proposed servicing arrangement is acceptable.

Travel Plan

6.5.29 A draft Travel Plan has been submitted. This is somehow ambiguous in commitments and for that reason a full Travel Plan should be secured under s106 agreement together with the TP's monitoring fee.

Overall

6.5.30 An objection is raised on three grounds: o the safe provision and arrangements for pedestrians, vehicular access and cycle parking, the impact to the surrounding road network and lack of mitigation measures for the predicted traffic impact.

6.6 Residential amenity

6.6.1 The estate is an established industrial/employment location which is adequately located away from sensitive land uses, including residential properties. The existing building is well embedded within the industrial site with other industrial units and intervening highways providing a separation from residential units. It is therefore considered that the proposed change of use and associated plant works would not be detrimental to amenities of the occupiers of residential properties. Additionally, Environmental Health have raised no objections in regards to noise disturbance, air quality or land contamination.

6.7 Section 106 (Section 106)

6.7.1 Beyond the Traffic and Transport requirements for Section 106, there is a requirement for Employment and Skills Strategy in accordance with the Section 106 SPD (2016). The Council is committed to maximising the number and variety of jobs and apprenticeships available to residents of the borough and maintaining and encouraging the widest possible range of economic activity, including the availability of a skilled labour force. To this end, the Council will seek agreement with developers to secure appropriate planning obligations for employment and training initiatives as part of development proposals. The Council is committed to maximising the number and variety of jobs and apprenticeships available to residents of the borough and maintaining and encouraging the widest possible range of economic activity, including the availability of a skilled labour force. To this end, the Council will seek agreement with developers to secure appropriate planning obligations for employment and training initiatives as part of development proposals. As the scheme was being refused this has not been secured and would warrant a reason for refusal.

6.8 Sustainability

6.8.1 The scheme falls short on sustainable urban drainage measures, however, it is considered that the short falls can be overcome through a condition. Whilst this is not best practice, the insufficient information does not warrant a reason for refusal.

6.8.2 There are no significant tree or biodiversity constraints on the site. However, the site is within a ground water zone. The Environment Agency have confirmed that for sites that have a lower vulnerability regarding ground water, they issue a standard letter which basically says there is a risk to groundwater due to the location and they would expect the applicant to ensure they have followed the correct guidance in line with the NPPF requirements. As this is such a site, the onus is on the applicant to develop the site in line with the NPPF requirements regarding ground water.

6.8.3 An Energy Report has been submitted which demonstrates that the development has gone some way in achieving CO2 reductions, water efficiency measures and BREEAM ratings. However, these measures have not been fully secured. This

however would not warrant a sound reason for refusal as such works can be secured by way of a condition.

6.9 Community Infrastructure Levy (CIL)

6.9.1 As of April 2010, legislation in the form of CIL Regulations 2010 (as amended) came into force which would allow 'charging authorities' in England and Wales to apportion a levy on net additional floorspace for certain types of qualifying development to enable the funding of a wide range of infrastructure that is needed as a result of development. Since April 2012 the Mayor of London has been charging CIL in Enfield at the rate of £20 per sqm. If the scheme was being approved it would not be Mayor CIL liable as it has been in a continuous lawful use for 6 months within the 3 year period prior to planning permission and does not involve an extension.

6.9.2 As of 1st April 2016 Enfield has been charging CIL. With regards to A1, A2, A3, A4 and A5 units, there is a borough wide rate of £60 per square metre. If the scheme was being approved it would not be Enfield CIL liable as it has been in a continuous lawful use for 6 months within the 3 year period prior to planning permission and does not involve an extension.

7.0 Conclusion

7.1 The proposed retail use is not consistent with the IBP designation of the Great Cambridge and Martinbridge Estate, as identified on the Local Policies Map, and thus the principle of development is not acceptable. In addition to this, the proposed change of use would cause traffic and transport implications to the detriment of the safe and free flow of the highway. In this regard, proposal would be contrary to the North East Enfield Area Action Plan (2016), Policies 2.17, 6.2, 6.3, 6.9, 6.10 and 6.13 of the London Plan (2016), Policies 19, 37, 45, 47 and 48 of the Development Management Document (2014), Policies 14, 24 and 25 of the Core Strategy (2010) and evidence contained within the Employment Land Review.

8.0 Recommendation

8.1 That planning permission be REFUSED for the following reasons:

1. The proposed change of use to retail (A1) would result in the loss of industrial floor space within the Great Cambridge and Martinbridge Estate Strategic Industrial Location (SIL), compromising the primary function and operating conditions of other remaining industrial uses and the potential future use of neighbouring sites for industrial uses. The proposal is therefore contrary to Policies CP14 of the Core Strategy, DMD19 of the Development Management Document, Policy 6.2 of the North East Enfield Area Action Plan and 2.17 of the London Plan, as well as the aims and objectives outlined within the National Planning Policy Framework.

2. The proposal prejudices the ability of the site to make satisfactory and safe provision and arrangement for pedestrians, vehicular access and cycle parking, in accordance with the standards adopted by the Council. It would therefore result in an unacceptable impact on pedestrian safety, the free flow of traffic by vehicles queuing to gain access and/or vehicles reversing and stopping near the access to the detriment of the safety of oncoming vehicles and pedestrians contrary to the principles and strategic objectives of Policies CP24 and CP25 of the Core Strategy, Policies 6.9 (cycling), 6.10 (walking) 6.13 of the London Plan and Policies 45 and 47 of the Development Management Document.
3. The proposal fails to fully consider and address the impact of the scheme on the surrounding road network leading to conditions prejudicial to the free flow and safety of traffic on the adjoining highways and would have detrimental effect on operation and performance of the Enfield Retail Park's road network and businesses. As such the proposals are contrary to Policies 37, 47 and 48 of the Development Management Document and 6.3 of the London Plan.
4. The proposal, due to lack of mitigation measures regarding the predicted traffic impact combined with an increase in vehicular and pedestrian movements, fails to demonstrate that the site would not have a negative impact on highway conditions and the free flow of traffic on the surrounding roads. The proposal is therefore contrary to the principles and strategic objectives of Policies CP24 and CP25 of the Core Strategy, Policy 6.3 of The London Plan and Policies 47 and 48 of the Development Management Document.
5. Without a Section 106 mechanism to secure the necessary contributions towards highway improvements and implementation of the Employment Skills Strategy the proposed development is contrary to Policies 16, 24 and 46 of the Core Strategy (2010), Policy 8.2 of the London Plan, the Section 106 SPD (2016) and the National Planning Policy Framework (2012).

GENERAL NOTES

1. THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. IT IS THE CLIENT'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.

2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.

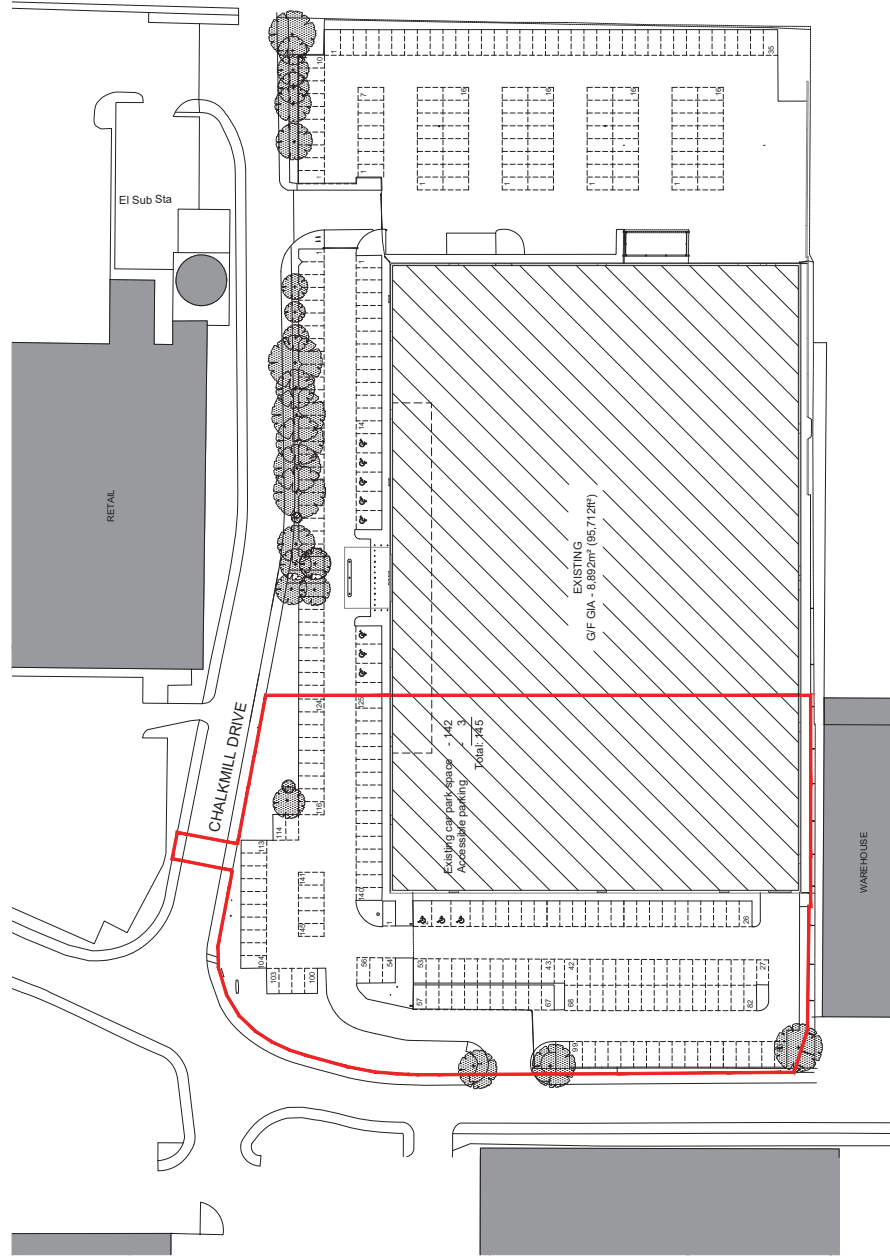
3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.

4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.

5. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.

DATE: 16/08/2024
BY: [Signature]
PROJECT: P1 PLANNING DRIVE

DATE: 16/08/2024
BY: [Signature]
PROJECT: P1 PLANNING DRIVE



EXISTING BLOCK PLAN
1:500

PLANNING

CLIENT:
Barclays Nominees
(George Yard) Ltd

PROJECT:
1-3 Chalkmill Drive
Newbury
EN11 1TZ

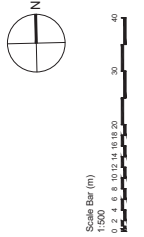
REVISIONS:
Existing Block Plan

DATE: August 16
PROJECT NO.: 1:500@A1 271-PL-111.P1
CONTACT: 1:1000@AS

Denning Male Polzano
Chartered Architects

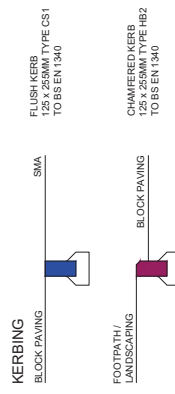
Farnborough House
Alton Road
Farnborough
Hampshire GU14 6DQ

T: +44 (0) 1252 358445
 www.dmp-architects.co.uk



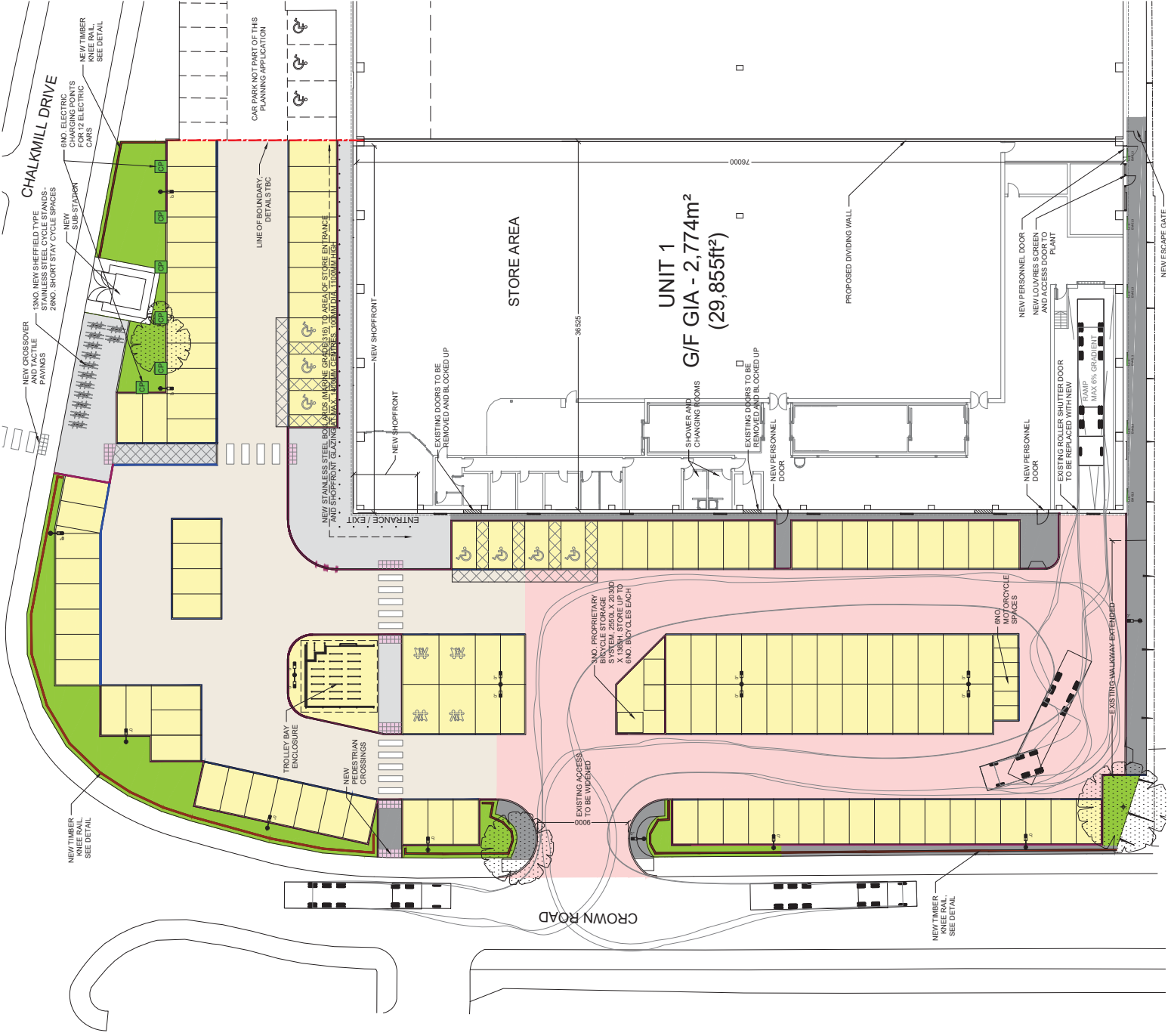
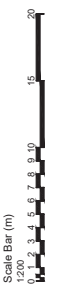
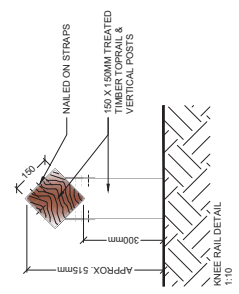
EXTERNAL FINISHES LEGEND

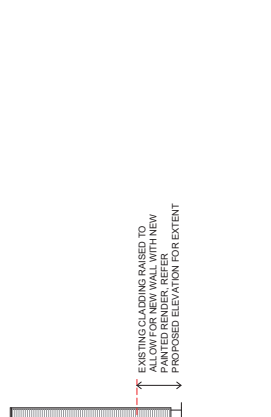
- STONE MASTIC ASPHALT TO ENGINEER'S DETAILS TO BS EN 12403 AND BS EN 13108-5. MAXIMUM 2% GRADIENT. MINIMUM 4t TON HGV LOADING CAPACITY.
- POLYMER MODIFIED BITUMEN (PMB) WITH GRAVEL 0/10 TO BS EN 12620. MINIMUM 4t TON HGV LOADING CAPACITY.
- 200 x 100 x 80MM THICK INTERLOCKING CONCRETE BLOCK PAVING. NON-BEVELLED PENL-EDGE PAVING. MAXIMUM 2% FALLS. CHARACTERISTICS WITH LIGHT GREY BLOCKS AS PARKING SPACE DEBARCATION. MINIMUM 4t TON HGV LOADING CAPACITY.
- 300 x 100 x 80MM THICK INTERLOCKING CONCRETE BLOCK PAVING. NON-BEVELLED PENL-EDGE PAVING ON SEMI-DRY LEAN-MIX HERRINGBONE LAYING PATTERN. BLOCK COLOUR: ANTHRACITE.
- 300 x 300MM CONCRETE PAVINGS. COLOUR: GREY.
- TACTILE PAVING TO DIAGRAM 1 OF APPROVED DOCUMENT M. COLOUR: BUFF.
- DETAIL OF LOW LEVEL SOFT LANDSCAPING TO BE RESERVED BY CONDITION.



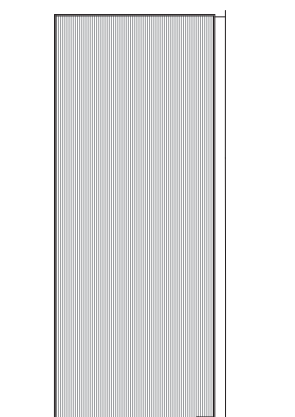
CAR PARK LIGHTING

- TWIN LED LUMINAIRES ON 6m COLUMN
- SINGLE LED LUMINAIRES ON 6m COLUMN
- WALL MOUNTED LED LUMINAIRES MOUNTED AT 2.7m

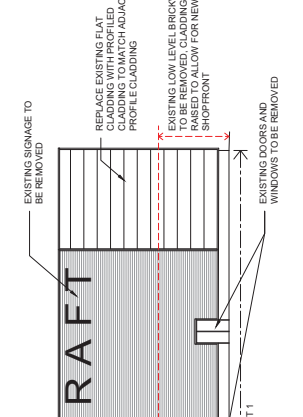




SOUTH ELEVATION
1:200



EAST ELEVATION
1:200



WEST ELEVATION
1:200



NORTH ELEVATION (RETAINED AS EXISTING)
1:200



PLANNING

CLIENT:
Barclays Nominees
(George Yard) Ltd

PROJECT:
1-3 Chalkmill Drive
Newbury
EN12 7TZ

ARCHITECT:
Existing Elevations

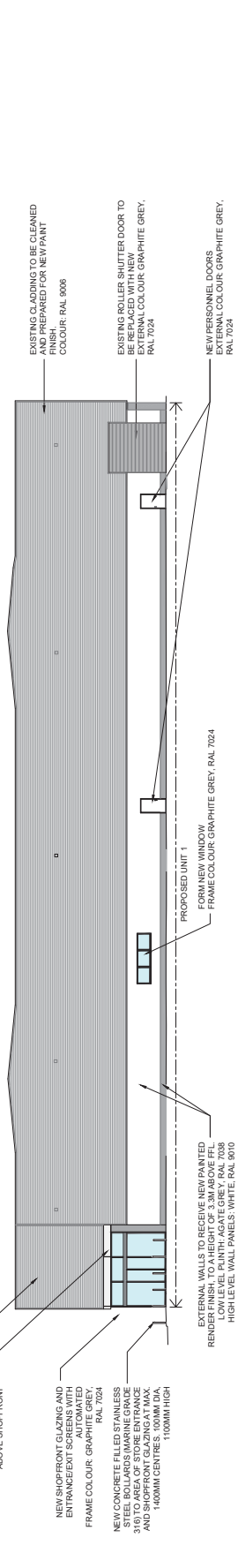
DATE:
August 16

REFERENCE:
1:200@A1 271-PL-114, P1
1:400@A3

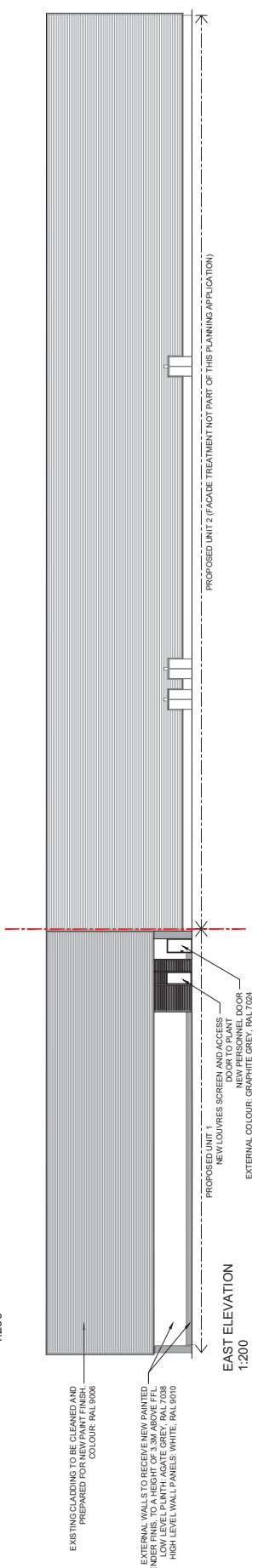
Designing M&P Polysano
Chalkmill Architects

Foreboring House
Alton Road
Farnborough
Hampshire GU14 6DQ

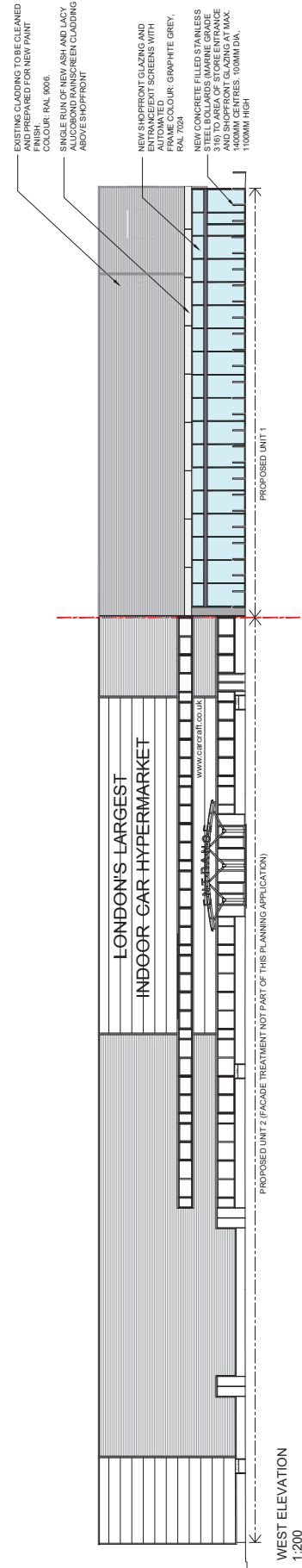
T: +44 (0) 1252 358445
www.designingmnp.co.uk



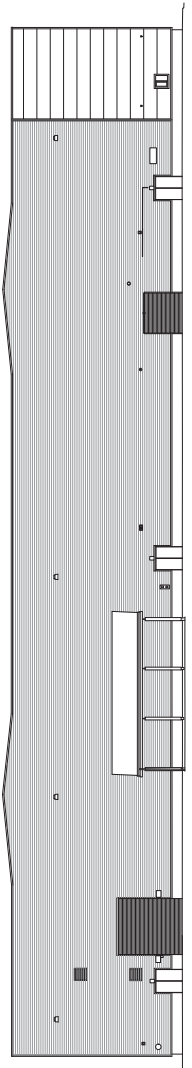
SOUTH ELEVATION
1:200



EAST ELEVATION
1:200



WEST ELEVATION
1:200



NORTH ELEVATION (RETAINED AS EXISTING)
1:200

