

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON TUESDAY, 12 SEPTEMBER 2017**

COUNCILLORS

PRESENT Toby Simon, Jason Charalambous, Nick Dines, Ahmet Hasan, Derek Levy, Anne-Marie Pearce, George Savva MBE and Jim Steven

ABSENT Dinah Barry, Bernadette Lappage, Don McGowan, Elif Erbil, Dominic Millen (Transport) and Dennis Stacey (CAG)

OFFICERS: Peter George (Assistant Director, Regeneration and Planning), Andy Higham (Head of Development Management), Sharon Davidson (Planning Decisions Manager), Kevin Tohill (Planning Decisions Manager), Dominic Millen (Regeneration & Environment), Isha Ahmed (Principal Planner) and Robert Davy (Strategic Planning & Design) Jane Creer (Secretary) and Metin Halil (Secretary)

Also Attending: Approximately 8 members of the public, applicant and agent representatives

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WELCOME AND APOLOGIES FOR ABSENCE

Councillor Levy, Vice - Chair, welcomed all attendees.

Apologies for lateness were received from Councillors Simon and J. Charalambous.

Apologies for absence were received from Councillors Lappage, Barry and Erbil.

NOTED

Councillor Levy's comment, that he was concerned that a Committee member had missed 4 meetings in succession, with which other members concurred.

The Chair joined the Committee at this point (07:35pm) and continued with the meeting.

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DECLARATION OF INTERESTS

There were no declarations of interest.

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MINUTES OF THE PLANNING COMMITTEE HELD ON TUESDAY 27 JUNE 2017, TUESDAY 1 AUGUST 2017 AND TUESDAY 29 AUGUST 2017.

AGREED the minutes of the Planning Committee meeting held on 27 June 2017, 1 August 2017 and 29 August 2017 as a correct record.

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REPORT OF THE ASSISTANT DIRECTOR, PLANNING, HIGHWAYS AND TRANSPORTATION (REPORT NO.56)

RECEIVED the report of the Assistant Director, Regeneration and Planning.

NOTED

1. Councillor Dines queried the high number of refused applications in the report numbering 84. This equated to 38.5% of total planning applications for the period.
2. The Head of Development Management clarified that this figure did fluctuate on a monthly basis and depended on applicants' responses to planning advice. A large number of the recent refusals related to applications related to telecommunication equipment.
3. The Head of Development Management would report on annual performance for last year and the first quarter of the current municipal year, at the next Committee meeting.

ACTION: Andy Higham – Head of Development Management.

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17/02775/FUL - FORMER COMFORT HOTEL, 52 ROWANTREE ROAD, EN2 8PW

NOTED

1. The introduction by Kevin Tohill, Planning Decisions Manager, clarifying the proposal.
2. A number of late issues had come to light and officers decided that further consideration was necessary to ensure these issues were comprehensively addressed in a robust analysis of the planning application. It was therefore recommended that the application be deferred.

3. The majority agreement of the committee to defer the application with 7 votes for and 1 against.

AGREED that the application be deferred.

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17/02952/RM - MERIDIAN WATER, WILLOUGHBY LANE AND MERIDIAN WAY, LONDON

NOTED

1. The introduction by Sharon Davidson, Planning Decisions Manager, clarifying the proposal.
2. This application represents the first reserved matters submission for the proposed station, dealing with layout only and does not include details of scale, appearance and landscaping.
3. The layout of the building is considered acceptable and officers are satisfied that approval of the layout in isolation will not prejudice the ongoing discussions about the detailed design, scale and appearance of the building.
4. In view of the progress that has been made on the design of the building and as is presented in the images contained in this report, Members are also asked to grant delegated authority to the Head of Development Management/Planning Decisions Managers to deal with the remaining reserved matters for the station building – scale, appearance and landscaping, on the understanding that they come forward largely in accordance with the illustrative drawings included in this report.
5. Members' debate, and questions responded to by officers.
6. The unanimous support of the committee for the officers' recommendation.

AGREED to :

- (i) Approve reserved matters required by condition 5, part (i) (Layout) in respect of the Meridian Water Station Building Site only, pursuant to Outline Planning Permission ref: 16/01197/RE3 dated 10/07/2017 subject to the conditions listed in section 9 and;
- (ii) Agree to grant the Head of Development Management delegated authority to APPROVE subsequent reserved matters required by condition 5, parts (ii)-(iv) in relation to the Meridian water Station Building Site pursuant to outline Planning Permission ref: 16/01/01197/RE3 dated 10/07/2017 on the basis of the illustrative details presented in the report.

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17/03298/PAAG - BEECH BARN FARM, THE RIDGEWAY, ENFIELD, EN2 8AF

NOTED

1. The introduction by Kevin Tohill, Planning Decisions Manager, clarifying the proposal.
2. The unanimous support of the committee for the officers' recommendation.

AGREED that prior approval is Not required.

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SECTION 106 MONITORING REPORT (REPORT NO.58)

RECEIVED the report of the Director of Regeneration and Environment providing an update on the monitoring of Section 106 Agreements (S106) and progress on S106 matters during the period 1 April 2016 to 31 March 2017.

1. The report was presented by Isha Ahmed and Robert Davy (Principal Planning Officers).
2. Table 2 of the report (page 4) highlighted the fact that in the last financial year, the Council had spent over £4m in Section 106 monies, with the highest amount being towards affordable housing.
3. In terms of monies received, the department received just under £2.2m for 2016/17 with affordable housing allocated £1.5m. Table 3 (page 5) shows the breakdown of monies by use.
4. Members debate and questions responded to by officers including the following:
 - a. The management fees of £113,522 shown on table 3 (page 5) was a figure negotiated by officers with developers (up to 5%) for monitoring purposes.
 - b. Each Section 106 agreement contained certain triggers that would determine when monies can be released.
 - c. There were no guarantees that that all of the schemes that the Council have agreed monies for, will come forward.
 - d. Section 106 monies are never taken for granted until actual amounts are received. Then each Council department will obtain agreements to spend the money.
 - e. With regards to the closing balance of £6.5m, approximately £4.5m has been earmarked for projects i.e. Cycle Enfield.
 - f. Many of the S106 agreements contain clauses requiring spending of the contributions within a 5 or 10 year time frame. There is around £200k of monies that is approaching expiry and departments were working hard to complete schemes before expiry.
 - g. Request that the red areas shown on the spreadsheets highlighting schemes, ever concerned officers, then members would like each of the concerned schemes to be reported separately.

- h. If any Members had any concerns with any of the S106 schemes, then they could contact Isha Ahmed/Robert Davy (Principal Planning Officers) for further information.

AGREED that Planning Committee noted the contents of this report and its Appended reports.

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ANY OTHER BUSINESS

NOTED

16/04324/FUL & 16/04375/LBC – Former Trent Campus, Trent park, Enfield

1. The Head of Development Management wanted to update the Committee and seek agreement for a way forward regarding the above applications which were heard at the 18 July 2017 Committee meeting.
2. At that meeting, members resolved to grant planning permission for the development of the site, comprising 262 residential units, which included 58 affordable units. In response to concerns around accessibility and affordability of these units to general residents of the borough, the resolution allowed for a 6 month window, during which the Council in conjunction with the applicant (Berkeley Homes) was to look at ways in which the affordable housing could be delivered off site as a direct provision, on an alternative location or in the form of a financial contribution. The financial contribution could be put to existing developments and lead to an increase of the delivery of affordable housing.
3. Pursuant to this resolution, officers engaged the GLA in discussions regarding this option. Unfortunately, the indications were that the GLA and Mayor of London were not inclined to support this approach. Therefore further discussions involving the Council, Berkeley Homes and the GLA continued to explore how this agreement could be reached to realise the objective of the Committee resolution.
4. As a result of these discussions, it was now proposed that planning permission be granted subject to a legal agreement securing the 58 affordable housing units on site, but with a separate and concurrent undertaking with Berkeley Homes to use reasonable endeavours to reach an agreement with the Council regarding the re-provision of the affordable housing units at an alternative location or provide a direct financial payment in lieu of the on-site provision for the Council to use to deliver a net increase of an alternative scheme.
5. Berkeley Homes would then be committed to submitting a Deed of Variation to link the planning permission to the delivery of the off-site solution. Berkeley homes, to date, have provided a draft written commitment to this effect and the agreement will be signed by both Berkeley homes and the Council.

6. This approach has been reviewed by the Council's legal advisers and whilst a more formal agreement under Section 111 of the Local Government Act could be entered into, its effects would probably have little additional weight to securing a desired outcome. It is therefore recommended that officers proceed on the basis of the following:

‘ a planning permission is granted subject to the legal agreement which requires the delivery of 58 affordable housing units on-site and we proceed with a side agreement that commits Berkeley Homes and the Council to enter into those discussions and commits them to making a Deed of Variation application’.

The advantage of this is that things can then progress quicker in terms of these schemes coming forward and to see if Members of the Committee wish to proceed on that basis.

7. Members' debate and questions responded to by the Head of Development Management including the following points:
 - a. The 6 month proposal would start from when the decision is made and would not impact on the delivery and speed of the affordable housing units off-site or on-site.
 - b. The Council would now issue the decision in a few weeks' time, allowing a 6 month negotiation window. If the 6 month window then closed, without agreement, the planning permission stands and the Council would be looking for on-site affordable housing.
 - c. If permission is reached, Berkley Homes are then required to make a Deed of Variation and as long as the Council are still delivering 58 affordable housing units, the application would not need to be referred to the GLA.
 - d. If agreement is reached for 58 affordable housing units to be built off-site, then the Council would be looking to do a deal with Berkley Homes to build these, using off-site land in the borough.
 - e. The Head of Development Management would keep the Committee informed of the discussions with Berkley Homes and would give members an opportunity to ask for any Deed of Variation to be considered by the Committee before signature
8. The unanimous support of the committee for the recommendation by the Head of Development Management.

AGREED the recommendation by the Head of Development Management.