

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date : 10 April 2018

Report of
Assistant Director,
Regeneration & Planning

Contact Officer:
Andy Higham
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Tel No 0208 379 3640

Ward:
Palmers Green

Ref: 17/03634/FUL

Category: Full Application

LOCATION: The Fox public house, 413 Green Lanes, N13 4JD

PROPOSAL: Redevelopment of site involving partial demolition of existing buildings to provide refurbished public house (A4) and commercial unit (A1-A5, D2) on the ground floor together with erection of 54 residential units comprising (31 x 1 bed, 22 x 2 bed and 1 x studio) and Part 3, Part 4 and Part 5 storey side and rear extensions with associated car parking, cycle parking, plant, hard/soft landscaping and amenity space at first floor (as amended by revised plans received).

Applicant Name & Address:

Star Pubs and Bars and Lateral Property
Group

Agent Name & Address:

Lateral Property Group
Neo
Charlotte Street
Manchester

RECOMMENDATION:

That subject to the completion of a S106 Agreement to secure the obligations set out in this report, the Head of Development Management/Planning Decisions Manager be authorised to **GRANT** planning permission subject to conditions and completion of a S106 Agreement.

Note to Members:

The application is being brought to Planning Committee as it comprises a 'major' proposal, involving more than 10 residential units.

1. Site and Surroundings

- 1.1. The application site is within Palmers Green district centre and comprises of the existing The Fox public house building, single storey rear additions, beer garden and associated car park. The main pub building comprises three existing floors and is an attractive and prominently sited building located on the corner of Green Lanes and Fox Lane. Existing single storey additions to the rear are non-original and utilised as kitchen area, bar, and until recently a function room. The existing above ground floorspace is currently poor quality residential accommodation, associated with the pub use.
- 1.2. The surrounding area comprises Palmers Green district centre to the east and south with a mix of retail, and other commercial uses. Additionally, there are residential properties sited to the south (Devonshire Close), west (Fox Lane) and directly opposite (Fox Lane). The surrounding building heights range from between two-storey residential properties to the south and west, predominantly three storey buildings fronting Green Lanes, up to four storeys directly opposite the site (and six storey's set back within Pellipar Close).
- 1.3. The site is not located in a Conservation Area, and does not relate to a Listed Building. The existing building is recognised for its architectural quality and positive contribution locally by being included on the Council's local list, however this does not give it any statutory status. The pub is also a registered Asset of Community Value (ACV), and was the first building in the borough to be given this designation.
- 1.4. Due to its location in Palmers Green district centre the site has a public transport accessibility (PTAL) rating of 3.

2. Proposal

- 2.1. The application (as amended) seeks full planning permission for the redevelopment of the site involving partial demolition of existing non-original single storey buildings to the rear to provide refurbished public house (A4) and new commercial unit (A1-A5, D2) on the ground floor together with erection of 54 residential units comprising (31 x 1 bed, 22 x 2 bed and 1 x studio) and part 3, part 4 and part 5 storey side and rear extensions with associated car parking, cycle parking, plant, hard/soft landscaping and amenity space at first floor.
- 2.2. The revised proposal includes 16 units of affordable housing, on a shared ownership basis, equating to 30% on site affordable provision.
- 2.3. Changes made to the scheme originally submitted include the following:
 - Removal of mansard roof and the addition of a further set back 5th storey, accommodating six units;
 - Reduced massing to the proposed 4th floor along the western elevation, adjacent to Devonshire Close and 1-2 The Walk;
 - Increased number of residential units proposed from 44 to 54, altering the mix of units to 31 x 1 bed, 22 x 2 bed and 1 x studio, and the removal of 4 x 3 bed units;
 - Provision of 16 units as on site affordable housing, at intermediate levels (on a shared ownership basis), equating to 30% provision

- Amendments to Fox Lane elevation with the introduction of additional glazing, incorporation of more brick and the introduction of perforated metal panels; and
 - Change to the window detailing for the Green Lanes infill element at first floor level.
- 2.4. The existing (non-original) single storey additions that have been added to the pub over time (including the existing function room) are proposed to be demolished. These have no architectural merit. A new part 4 and 5 storey side and rear addition is proposed on the existing car park to accommodate an extended pub footprint, incorporating a new replacement flexible function room space at ground floor, and re-configured pub layout. As well, a new commercial unit (Use Classes A1-A5, D2) is proposed fronting Green Lanes. A dedicated residential entrance is located along the Fox Lane elevation, along with access and egress to the ground floor undercroft residents only parking area, providing for 39 residents parking spaces (including four wheelchair accessible spaces).
- 2.5. The upper levels (Levels 1-4) include four floors of residential accommodation, comprising of 54 units (31 x 1 bed, 22 x 2 bed and 1 x studio), and a podium level communal courtyard amenity space at first floor which is south facing. Cycle parking and refuse storage is provided for at ground floor, with easy access gained from Fox Lane.
- 2.6. The existing building benefits from a customer car park, and separate vehicle accesses onto Fox Lane. As part of the proposal to support the mixed-use development a replacement resident only parking area is proposed, this will utilise the a slightly reconfigured access. Servicing for the pub and commercial uses will be via the existing on-street lay-by immediately outside the existing building on Fox Lane, with proposals to extend the length of this lay-by also submitted.
- 2.7. The extended lay-by along Fox Lane forms part of the proposed public realm works, these works also include upgrading of existing paving and footways (including widening of footways) to tie in with the recently completed Cycle Enfield works along Green Lanes.
- 2.8. The Conservation Advisory Group (CAG) have raised concerns with both the scheme originally submitted and the revised proposals, with particular attention raised to the impact on the locally listed pub building. CAG consider the revised proposal has an overly dominant impact on The Fox pub, the design fronting Green Lanes is seen to be unacceptable, the scale massing and height proposed fronting Fox Lane fails to reflect the existing context and is considered too great and the elevational treatment fronting Fox Lane is considered unacceptable. The CAG has requested that the revised proposal be brought before the CAG at their next scheduled meeting, on 3 April 2018. Their stated primary interest relates to The Fox pub, given it is locally listed building and its setting in relation to the proposed development. Members will be updated at the meeting on these matters.

3. Consultations

3.1 *Statement of Community Involvement (SoCI)*

- 3.2. Both national and local planning policy encourages appropriate community involvement and pre-application discussions to help shape development proposals. This is set out in the Localism Act 2011 and the NPPF. Enfield Council's Statement of Community Involvement, updated in November 2015, also outlines principles of consultation during the pre-application stage.
- 3.3. The applicants have undertaken extensive community engagement since the pre-application process began, continuing this up until the point of submission. The applicants identified community groups and resident's associations, communicated proposals to local residents and elected members. The following summarises the main communication channels that were utilised:
- Public consultation event held at The Fox on 4 July 2017. This informed the wider community and provided an opportunity for feedback - postal distribution list sent to 2,273 addresses inviting them to attend;
 - Number of meetings held with local community groups, resident's associations and interested residents (including groups who have previously used the function room) - further details of the number of meetings and held and times of these are set out in full in the submitted SoCI;
 - Dedicated website set up to provide a point of reference to update interested parties on plans, as well as dedicated email account to keep interested parties informed;
 - A community development framework was established by local amenity groups, and this provided to the applicants, this reflected the local communities aspirations for the redevelopment proposals; and
 - In total, 127 feedback responses were received during and following the public consultation event.
- 3.4. Key changes proposed to the scheme in response to this consultation resulted in the following:
- Increased ground floor area of the pub;
 - Re-instatement of existing Green Lanes pub entrance;
 - Provision of a new flexible function room - in the initial plans presented there was no such provision;
 - Increased in size of the flexible function room to reflect feedback received from user groups;
 - Design changes to Fox Lane elevation and stepping in of building from western boundary;
 - Removal of first floor balconies and installation of directional windows to western elevation; and
 - Removal of balconies and provision of obscure glazing to southern elevation.
- 3.5. The level of consultation and community engagement undertaken is considered sufficient to satisfy requirements of The Localism Act, the NPPF and the Council's SoCI.
- 3.6. *Neighbours*

In the original round of consultation letters were sent to 618 adjoining and nearby residents on 13 September 2017. In response to this a large number of representations both for and against the proposed development were received. Following the submission of revised plans in February 2018, namely

proposing an additional top floor, ten additional residential units, including 30% affordable housing provision a further 14-day consultation was carried out on 2 March 2018. This second round of consultation included those who had made representations on the original submission, as such this second round of consultation resulted in some 800+ notification letters being sent, as well as additional notification to all standard consultees.

3.7. To date, at the point this report was finalised, the breakdown of representations received was 52 in objection and 248 in support. The tables below summarise the main grounds raised both for and against the proposals, and the frequency of each area of support and objection (n.b. these summary comments relate to both the original scheme submitted and the revised scheme).

3.8. *Support*

Reason for support	Frequency
Proposals will improve the high street / Palmers Green and encourage further investment and regeneration	63
High quality design	4
Will benefit the local community	56
Welcome the new family friendly food and drink pub offer	47
This will help meet a need for new homes	47
Welcome the retention of The Fox building, and provision of a new modernised/refurbished pub	111
Welcomed as there is a need for more affordable housing	5
Support the new function room, this will benefit the local community	22
Welcome proposed public realm improvements	
This will be a benefit to the local economy and create more local jobs	31
Development will secure significant CIL contributions for local infrastructure	4
This will have a positive social impact	
Proposals make efficient use of the site	

3.9. *Objection*

Reasons for objection	Frequency of objection
Insufficient car parking (for residential and commercial uses)	31
Will result in increased road congestion	9
Inadequate servicing provision	3
Outside tables/chairs on frontage unacceptable	2
Function room concerns: - too small to meet needs - reduced size unacceptable - no details of sound-proofing - lack of clarity on future availability/pricing - continued presence must be maintained - critical of other local comparisons with function rooms	42

- conditions required in any consent to safeguard proposed flexible room	
Un-certainty re; proposed commercial unit. No named occupier and the need for an additional commercial unit is questioned	7
Restrictions should be placed preventing overseas investors acquiring proposed flats	1
Development too high and bulky - will harm neighbour amenity	30
Will result in loss of privacy and overlooking of neighbouring properties	12
Too close to pavement	6
Overly dominant impact on streetscene	4
Modern design is out of character with the area	21
Proposals will place further strain on local infrastructure (i.e. schools, GP's)	11
Loss of light to neighbouring residential properties	10
In view of the low level of support expressed during pre-app consultation feedback the proposal should not go ahead	4
No noise impact assessment has been provided	2
Proposed is too dense and represents an over development	15
Critical of applicant's public consultation and lack of feedback at pre-app stage	4
No details provided of proposed construction - and measures proposed to minimise residential impact	3
Reduced size of pub reduces its community value	5
Loss of beer garden	5
Loss of existing trees	2
Proposed scale is harmful to the setting and character of The Fox building	7
Lack of affordable housing	3
Lack of soft landscaping / green space	6
Design of commercial unit is out of character	2
Will lead to additional noise and litter	1
Harmful to Lakes Estate Conservation Area	4
Harmful to air quality	1
Secures inadequate CIL contributions	2
Lack of family housing	2
Inadequate amenity space	2
Insufficient time allowed for consideration of revised plans submitted	1
Ground floor frontage along Green Lanes is poor design	4
Lack of detail on plans submitted	2
Access to car park, refuse, and cycle stores should be recessed from back of pavement	2

3.10. A number of site notices directly outside and in the vicinity of the site were displayed on 12 October 2017, and the proposed development advertised in the press on 20 September 2017.

3.2. *Internal*

3.2.1. Traffic and Transportation

No objection has been raised. The applicant should provide further clarity on staff cycle parking provision (n.b. this has now been provided). Applicant will need to enter into s278 agreement for the highway works (i.e. reinstate of redundant crossing to footway, extended servicing lay-by and introduction of 'keep clear' road markings outside the access), which has been agreed to. A s106 contribution of is sought in relation to cycle infrastructure contribution towards the maintenance and development of further cycle routes in the area, potential CPZ exclusion (should the CPZ be expanded), residential travel plan, safer routes to schools, car club provision, and possible Traffic Regulation Orders (TRO).

3.2.2. Heritage Officer

Objection raised on the basis the proposal will detract from the architectural and historical interest, setting and significance of the non-designated heritage asset

3.2.3. SuDS Officer

Insufficient drainage information submitted at this stage. The applicant will need to provide a detailed SuDS strategy, demonstrate that the development will achieve greenfield runoff rate for a 1 in 1 and 1 in 100 year events, and provide further detail on what SuDS measures will be utilised on site. This is discussed further in paragraph's 19.1 - 19.6, and measures secured through condition.

3.2.4. Environmental Health

No objections, subject to conditions relating to further acoustic details, details of piling works, site investigation for potential contamination, Construction Management Plan and air quality assessment.

3.2.5. Urban Design Officer

There has been considerable input from the Urban Design officer at pre-application stage, since the submission of the application, and in helping to inform the revised proposals.

The retention of existing Fox pub to the corner of the site, a locally listed building, is considered a significant benefit of the overall scheme. This is due to the active community and pub uses accommodated, and the contribution the building and its distinctive, decorated elevations make to the wider townscape within Palmers Green.

The scale and massing of the new build elements adjacent to the retained pub has increased from original proposals and does not, from a design perspective, represent an optimal response in design terms. However, through investigation of a number of alternative options with the design team and applicant's officers are comfortable the revised scheme represents the most considered design response available; given the requirements placed upon the scheme to provide an acceptable level of affordable housing. The

impact of additional massing has been reduced through the setting back of upper floors from frontages and the sides to minimise visual impact from neighbouring streets, and on neighbouring properties. Further design development has been undertaken to create upper storeys of lightweight appearance to further reduce the overall visual impact.

The elevational treatments have been subject to a number of design iterations to arrive at the submitted proposals. Overall, the elevations represent a contemporary design response that successfully differentiates the new build elements from the existing pub. However, the detailed design of elevations will require additional development of design details to be secured via condition to ensure a satisfactory level of design quality is achieved.

3.2.6. Member Interest

No formal representations received to date. Queries and requests for information, clarity and or application updates have been received from Councillors Barry, Maguire and Charalambous (on behalf of his constituent).

3.3. *External*

3.3.1. Designing out Crime Officer

No objection raised. Conditions requested requiring the developer to submit further details demonstrating how the building will be designed to achieve Secured by Design accreditation

3.3.2. Thames Water

No objections, subject to a condition detailing any piling works.

3.4. *Amenity groups*

3.4.1. Southgate District Civic Trust

Concern raised with the size and suitability of the replacement function room. Window detailing on the elevation fronting Green Lanes is out of keeping with The Fox pub, and adjoining buildings to the south. The fenestration along Fox Lane, including large feature windows is not in keeping. The height of the new building along Fox Lane will reduce views of the pub building and have an overly dominant impact.

In response to the revised plans SDCT have reconfirmed their objection on the following grounds;

- A suitable flexible function space is not provided;
- Fox Lane does elevation does not relate in terms of scale, materials or height;
- Inactive ground floor frontage along Fox Lane;
- Inappropriate materials, balconies and lack of landscaped set back on Fox Lane;
- Front building line along Fox Lane does not relate
- The amount of parking proposed is un-sustainable, and should be reduced; and

- Lack of detailed drawings to demonstrate materials, junctions, brickwork etc.

3.4.2. Conservation Advisory Group (CAG)

The application as originally submitted was considered at a CAG meeting on 31 October 2017 with objection raised, and it is understood that the revised plans are due to be discussed at the CAG's next meeting, on 3 April 2018.

At the initial CAG meeting the following comments were made:

- Function room space not large enough;
- Welcomed the refurbishment of the pub;
- Flats along Fox Lane are set too far forward, should be set back behind landscaping;
- New building is too high, and dominant;
- Design is out of character;
- Amount of development will change the character of Fox Lane;
- New building dominates The Fox building, and it should be the other way round; and
- Scale of development does not relate to residential properties along Fox Lane.

3.4.3. Lakes Estate Study Group

The Fox holds a position of huge cultural significance in an area. It is a well-loved landmark, social hub and community hub. In view of the ACV status any decision to develop The Fox needs to be sympathetic to the past history and significance of the building, and also take into account the current usage of the building by the local community to ensure that the development and reconfiguration of the Fox does not prevent or restrict usage by these groups going forward. There are concerns that the size of the function room space will limit its usability.

In addition the following points have been made:

- Design of the Fox Lane elevation is not in keeping;
- Insufficient separation and set back along Fox Lane between existing pub and new development;
- Design of new shopfront unit is out of character with Green Lanes; and
- Design of the first floor infill on Green Lanes does not complement The Fox building.

In response to the revised plans the study group have reconfirmed their objection on the following grounds:

- Bulky and overbearing development that is out of character with the streetscene;
- Building too high;
- Top floor design and choice of materials is out of character;
- Unacceptable impact on Devonshire Close and Devonshire Road properties (i.e. overlooking);
- Inactive ground floor frontage along Fox Lane;

- Insufficient separation along Fox Lane between pub building and new extension;
- Lack of clarity concerning replacement function room space;
- Inappropriate design of new shopfronts along Green Lanes;
- Insufficient information relating to plant space and lift overrun;
- Car park entrance barrier, and doors to refuse/cycle parking should be recessed;
- Insufficient detail provided on plans submitted; and
- The design does not meet the requirements of the NPPF, and this represents an overdevelopment of the site.

3.4.4. Enfield Alliance Against the Cuts

The group welcomes the proposed refurbishment of the pub, and the new pub offer that will attract more families. However, there is concern with the reduction in size of the function room space, and this will not meet the needs of existing users (i.e. Talkies cinema, salsa class, Comedy club).

3.4.5. Fox Lane & District Residents Association (FLDRA)

FLDRA does welcome the refurbishment of The Fox pub to provide a 'high quality food led' pub which will be family friendly. The restoration of the unique historic exterior of the pub is appreciated as it is seen as an important and well-loved landmark by the local community

However, objection has been raised on the proposal for the following reasons:

- The new flexible space is smaller and narrower than the existing function room which makes it unsuited to future user groups;
- Soundproofing needs to be sufficiently good so that there isn't interference between the function room and the pub area;
- There is no pub/beer garden;
- New building is too dominant along Fox Lane, and should be set back;
- Proposal will impact on already stretched existing social infrastructure
- Too few parking spaces; and
- None of the flats are to be affordable (*n.b. this is not the case following the submission of revised plans*).

In response to the revised plans received FLDRA have maintained their objection to the proposal. In addition to the above points FLDRA have added:

- The additional 5th floor will result in a building that dominates the pub;
- Unsympathetic design; and
- The revised drawings do not show any space/shared space allocated for use as a function room.

3.4.6. Talkies Cinema group

The overall view of this user of the existing function room is that the reduced size and capacity of the function room will reduce its functionality, this would adversely affect the ACV designation.

A reduction in capacity for future Talkies events could make this venue unaffordable for Talkies, and other local groups to continue using.

Concerned that once the development is complete there is no guarantee that the proposed function room space will be used for community activities at an affordable rate. Any approval should be subject to conditions attached that secure the function rooms use for a defined number of days per year at affordable rates. And finally, further details of acoustic insulation would need to be provided.

In response to the revised consultation Talkies have re-affirmed their concerns that this proposal would adversely affect the ACV designation, and there are no guarantees that what is submitted will actually be delivered. So, for this reason it is Talkies view that any approval should include conditions relating to the detailed layout and specification of the function room, secure use for a minimum number of days per year at affordable rates, and a condition ensuring that the refurbished pub and function room are fully completed and operational prior to occupation of any of the residential units (excluding pub landlords flat).

- 3.4.7. Along with consultee comments, the comments received from members of the public and local amenity groups have been duly taken into consideration in weighing up the planning merits of the scheme.

4. Relevant Planning History

- 4.1. There have been no planning applications of relevance submitted in recent years.

5. Relevant Policy

- 5.1. The Development Management Document (DMD) policies have been prepared under the NPPF regime to be NPPF compliant. The DMD provides detailed criteria and standard based polices by which planning applications will be determined.

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

5.3. London Plan 2011 (FALP, March 2016)

Policy 2.15	Town centres
Policy 3.1	Ensuring equal life chances for all
Policy 3.3	Increasing housing supply
Policy 3.4	Optimising housing potential
Policy 3.5	Quality and design of housing development
Policy 3.6	Children and young people's play and informal recreation facilities
Policy 3.8	Housing choice
Policy 3.9	Mixed and balanced communities
Policy 3.10	Definition of affordable housing
Policy 3.11	Affordable housing targets
Policy 3.12	Negotiating affordable housing on schemes
Policy 3.13	Affordable housing thresholds
Policy 3.16	Protection and enhancement of social infrastructure
Policy 4.7	Retail and town centre development

Policy 4.8	Supporting a successful and diverse retail sector
Policy 5.2	Minimising carbon dioxide emissions
Policy 5.3	Sustainable design and construction
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 5.14	Water quality and wastewater infrastructure
Policy 5.15	Water use and supplies
Policy 5.21	Contaminated land
Policy 6.9	Cycling
Policy 6.10	Walking
Policy 6.13	Parking
Policy 7.1	Lifetime neighbourhood's
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 7.9	Heritage-led regeneration
Policy 7.14	Improving air quality
Policy 7.19	Biodiversity
Policy 7.21	Trees

5.4. The London Plan draft for public consultation, December 2017

A draft London Plan was published on 29 November 2017 for consultation purposes with a deadline for consultation of 2 March 2018. The aim is for the plan to be examined in autumn 2018 and published a year later. The draft plan is a material consideration in determining applications but is likely to carry little or no weight until there is a response to consultation submissions or until after its examination.

5.5. Enfield Core Strategy

CP2	Housing Supply and Locations for New Homes
CP3	Affordable Housing
CP4	Housing Quality
CP5	Housing Types
CP9	Supporting community cohesion
CP11	Recreation, leisure, culture and arts
CP17	Town Centres
CP18	Delivering shopping provision across Enfield
CP19	Offices
CP20	Sustainable energy use and energy infrastructure
CP21	Delivering sustainable water supply, drainage and sewerage infrastructure
CP24	The road network
CP26	Public transport
CP25	Pedestrians and cyclists
CP28	Managing flood risk

CP30	Maintaining and improving the quality of the built and open environment
CP31	Built and Landscape Heritage
CP32	Pollution
CP46	Infrastructure Contribution

5.6. Enfield Development Management Document

DMD1	Affordable Housing on Sites Capable of Providing 10 units or more
DMD3	Providing a Mix of Different Sized Homes
DMD6	Residential Character
DMD8	General Standards for New Residential Development
DMD9	Amenity Space
DMD10	Distancing
DMD16	Provision of New Community Facilities
DMD17	Protection of Community Facilities
DMD27	Palmers Green District Centre
DMD30	Floorspace above Commercial Premises
DMD32	Managing the Impact of Food & Drink Establishments
DMD34	Evening Economy
DMD37	Achieving High Quality and Design-Led Development
DMD44	Conserving and Enhancing Heritage Assets
DMD45	Parking Standards and Layout
DMD47	New Roads, Access and Servicing
DMD48	Transport Assessments
DMD49	Sustainable Design and Construction Statements
DMD50	Environmental Assessment Methods
DMD51	Energy Efficiency Standards
DMD53	Low and Zero Carbon Technology
DMD55	Use of Roof Space
DMD56	Heating and Cooling
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
DMD68	Noise
DMD69	Light Pollution
DMD70	Water Quality
DMD73	Children's Play Space
DMD79	Ecological Enhancements
DMD80	Trees on Development Sites
DMD81	Landscaping

5.7. Other relevant policy/guidance

National Planning Policy Framework
National Planning Practice Guidance
Mayor's Housing SPG (2016)
Mayor's Affordable Housing & Viability SPG (2017)
Mayor's Social Infrastructure SPG (2015)

6. Analysis

6.1. This report sets out an analysis of the issues that arise from the proposals in the light of adopted strategic and local planning policies. The main issues are considered as follows:

- Principle of mixed-used development
- Impact on existing uses, including Asset of Community Value status
- Housing provision, including affordable and tenure mix
- Design - Impact on existing locally listed building and character of area
- Siting, layout and massing
- Quality of proposed accommodation
- Impact on neighbouring amenity
- Parking, access and servicing
- Sustainability credentials
- Landscaping, biodiversity and trees
- Environmental considerations

Principle of Development

6.2. Paragraph 17 of the NPPF sets out 'core planning principles', including that planning should "encourage the effective use of land by reusing land that has been developed previously, provided that it is not of high environmental value". These principles also include to "proactively drive and support sustainable economic development to deliver homes ..." The NPPF goes on to state that development proposals that accord with the development plan should be approved without delay.

6.3. The existing site is primarily used as a pub (Use Class A4), and the ground floor consists of the original public house layout. To the rear of this the unsympathetic 20th century single storey additions have accommodated an extend pub area, associated kitchens and toilets and a function room with its own bar. This function room has been used for private hire functions over the years and up until recently has been used by a range of local groups. It is understood that the main uses by these groups have included a weekly salsa class, a monthly comedy club (n.b. this has been held at an alternative venue since March 2017), and the Talkies cinema who used the function room on up to six occasions throughout a 12-month period (October 2016 - September 2017).

6.4. The existing pub use and function room (140sqm) is an important and much valued asset to the local community, this is reflected in its designation as an Asset of Community Value (ACV). The existing pub building could be described as a landmark building within Palmers Green, and its architectural value, and contribution to the townscape is recognised by its designation as a locally listed building. However, it is now in a poor state of condition and is need of extensive refurbishment and a significant amount of investment in order for a viable pub use to be maintained on site, which in turn requires enabling residential development to help finance this. The proposed refurbishment would ensure The Fox is modernised, re-configured and appropriately re-sized to meet operator and customer requirements. This will help support the continued presence of a pub use on this site, with a flexible function room ensuring the ACV is maintained for the benefit of the local community.

- 6.5. Policy 3.3 of the current London Plan recognises the need for more homes in London to promote opportunity and choice in ways that meet their needs at a price that is affordable. Policy 3.4 promotes the optimisation of housing output within different types of location. Policy 3.8 of the London Plan also encourages the Council to provide a range of housing choices in order to take account of the various different groups. Housing should be provided across a range of different sizes and types taking account of the requirements of different user groups. Policy 3.9 supports the provision of mixed and balanced communities by tenure and income. Policy 3.12 seeks that the “maximum reasonable amount of affordable housing” be sought when negotiating on schemes.
- 6.6. Policy 3.16 identifies a need for additional and enhanced social infrastructure in order to support housing and population growth. Development proposals which provide high quality social infrastructure will be supported. Proposals which would result in a loss of social infrastructure in areas of defined need for that type of social infrastructure without realistic proposals for re-provision should be resisted.
- 6.7. Officers give significant weight to the planning merits of providing new homes (including a significant proportion of affordable homes), new modernised public house, replacement flexible function room, to an enhanced public realm and to making efficient use of the land by providing these homes at a reasonably high density.
- 6.8. However, these planning merits must be balanced against all other relevant planning considerations which seek to ensure that appropriate regard is given to design, social infrastructure provision, impact on the character of the area, impact on un-designated heritage assets, neighbour amenity and residential amenity, traffic generation and highway safety and acceptability with regards to sustainability and flooding. A key element for consideration is the net loss of floor space for the function room element, and this is addressed below.

Asset of Community Value (ACV) - The Fox public house:

- 6.9. The Fox pub was listed as an ACV on 26 May 2015, and this listing remains in place for five years. The building was put forward for ACV designation by Southgate District Civic Trust (SDCT) for its historical and cultural significance and its role as a local live performance venue. The representations received from SDCT, who are objecting to the proposal, in part on the grounds it would be harmful to the ACV, are summarised in the above ‘Consultation’ section.
- 6.10. In agreeing that the building should be listed as an ACV, LBE stated that “*the nominator has clearly demonstrated various community activities are run on a voluntarily basis by the community*”. *The Council agreed that the facility promotes community cohesion, hosts public events and involves the voluntary sector, and it is realistic to think that there would continue to be social use of the building in the future. The activities held at the venue are considered to be of benefit to the local and wider community.*”
- 6.11. At pre-application stage the applicants undertook consultation with recent function room user groups, this process of engagement is set out in more detail in the accompanying SoCI. These groups included Talkies Cinema; the Salsa Club who up until recently uses the space; and a Blues Club who have

expressed an interest in holding events at the pub. The proposals for the new flexible function room (FFR) within the 'new' Fox Pub layout have evolved as a result of this engagement and consultation, and where possible the applicants have taken on board the comments raised. The size and configuration of the proposed function room has changed as a result of this engagement, whilst also being mindful of pub operator requirements in order to strike an appropriate balance. It is stated by the applicant that the new function room space can accommodate all of the groups and uses that have recently utilised the function room in its present format. Though this has been disputed in some of the representations received.

Replacement function room:

- 6.12. The proposed reconfiguration of the internal pub layout at ground floor will accommodate a new flexible function room space. This will be to the rear of the reconfigured pub seating area. The space will be separated from the main pub seating area by bi-folding doors to provide an enclosed and private space when in use, providing 82 sqm (GIA) of floorspace (with its own private entrance). When the function room space is not in use, it can be flexibly used and can be open and form part of the pub layout. To cater for the range of potential users, including previous user groups (e.g. Talkies cinema) and local community groups the new space can be easily adapted for a range of needs, with storage space for furniture provided within the basement. The detailed plans included within the Design and Access Statement (page 22) demonstrate the flexibility of this space and how it relates to the ground floor pub use.
- 6.13. A large number of the objections received, understandably and reasonably object to the proposal on the grounds that this will be harmful to the function room provision on site (see table in paragraph 3.9). It is clear from the representations received, including those from local amenity groups that The Fox pub, and its function room are held in high regard, and well valued by the community. There is clear support for a continued pub presence on site, and a replacement function room facility. These concerns have been duly considered in weighing up the planning permits of the proposal.
- 6.14. London Plan (Policy 3.16) and adopted Enfield policies (DMD17) seek to resist the loss of existing social infrastructure. Loss of community facilities will not be permitted unless a suitable replacement facility is provided to cater for the local community that maintains the same level of public provision and accessibility, or evidence is submitted that demonstrates there is no demand for the existing use or any alternative community use.
- 6.15. In accordance with policy DMD16 the proposed flexible function room space makes efficient and effective use of land and buildings, and provides the opportunity for co-location, flexible and multi-uses. It will continue to be easily accessible to the community, and it will be accessible to physically impaired users. It is appropriately located on the edge of, but still within a designated district centre.
- 6.16. There will be no loss of function room facility on site, but at 82sqm, the proposed flexible function room space is smaller than the existing, which is 140sqm. However, this will be a new, flexible, modern, higher quality and fully accessible facility. It can be flexibly used and adapted to suit a range of local groups needs, but at times when it is not being used by these groups it can

be easily utilised as additional space for the public house, if so required. This replacement provision is considered to satisfy policies 3.16 and DMD17.

- 6.17. To inform the proposals in respect of the proposed replacement flexible function room space the applicant has submitted details relating to the recent use of the existing function room, over a 12-month period, up to September 2017. The information that forms part of this has been provided by the pub landlord. What it shows is that the function room was used during this period on average less than six times a month, of which the majority of uses were for the weekly salsa class which typically attracted no more than 50 people. It is submitted that the estimated highest number of attendees during this 12-month period was for a Talkies cinema event, where there were an estimated 90 attendees. Also, the last comedy club event took place on 6 January 2017 prior to its relocation. During this period a number of private hire functions such as birthday parties and christenings were accommodated, with these said to have attracted no more than 80 people.
- 6.18. In total there were 69 events that made use of the existing function room over the 12-month period, up to September 2017. Equating to an average of 1.3 uses per week. The average number of attendees for events over this period was 52, and the largest single event was attended by 90 people (Talkies Cinema). It is submitted by the applicant that the relatively low usage of the function does not cover the running costs involved in heating, power, insurance, staffing and other associated costs, and as a result it is not viable in its current form, and at its current size. The applicant is however committed to providing a replacement function room, all be it in a different format, and this is welcomed.
- 6.19. The new flexible function room area, has been designed to allow flexibility of use. This lends itself to being used for private hire, but outside of these times it can also be used as an extended seating area for the pub. This flexibility is important for reasons of commercial viability and it has been submitted the proposed space can accommodate up to 146 people in a typical theatre layout with seating. Though subsequent discussions between the applicant and Talkies cinema have established that a 3m set back would be required from the screen and this had not been taken into account, which then reduces seating capacity down to 120, and this may reduce further with the need for circulation space. Nevertheless, of the six Talkies events held in the existing function room during the 12-month period, up to September 2017 the largest number of attendees was 90, with there being an average attendance of 52 people. This level of attendance is indicative that the proposed replacement space could reasonably accommodate Talkies needs on most occasions.
- 6.20. Representation has been received on behalf of Talkies cinema in response to the original and revised proposal. Objection has been raised as Talkies have concerns with the reduced size of the space, and any reduction in capacity versus the existing function room. With factors such as necessary circulation space, and distance from the screen (for film events) taken into consideration it is said that the proposed capacity (146 people indicated) could be reduced to 80 people, which Talkies are concerned will limit the usability and functionality of the space. On the basis that there could be a resulting reduction in capacity for future events Talkies are of the view that this is an unsatisfactory offer in the context of the ACV designation.

- 6.21. On the basis that the six previous Talkies events, up to September 2017 attracted an average of 52 persons then the proposed space could be expected to reasonably accommodate future likely demand. Furthermore, as evidenced by the applicant Talkies cinema do not rely solely on The Fox function room for hosting events. Over a 12-month period, up to October 2017 it is submitted that seven of the 33 Talkies events were held at The Fox, presenting 21% of the total events held, compared to 40% of events held at The Dugdale Centre. This demonstrates that there are a number of viable and alternative venues that Talkies cinema could utilise whilst The Fox pub is undergoing refurbishment, and for hosting of any larger more popular events that might be expected to exceed capacity at the new Fox pub. Talkies are not solely reliant on The Fox, it is one of a number of venues across the borough, with a range of capacities that they currently utilise.
- 6.22. The Asset of Community Value legislation was introduced by the Localism Act 2011. The primary purpose of an ACV listing is to afford the community an opportunity to purchase a listed property, not to prevent otherwise acceptable development. It is clear from Policy Statements that if a building is a listed ACV, then this is a material planning consideration. The NPPF, 2012 (paragraph 70) strengthen support for community infrastructure; it says that planning decisions should plan positively for the provision and use of shared space (such as public houses), and guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.
- 6.23. In the original listing application put forward by SDCT value was placed on the existing buildings historical and cultural significance, and its role as a local live performance venue.
- 6.24. By confirming the listing in May 2015 LBE stated "*the nominator has clearly demonstrated various community activities are run on a voluntarily basis by the community*". *The Council agreed that the facility promotes community cohesion, hosts public events and involves the voluntary sector, and it is realistic to think that there would continue to be social use of the building in the future. The activities held at the venue are considered to be of benefit to the local and wider community.*"
- 6.25. It is important to consider the proposal, and its potential impact on the ACV in the context of the above. Firstly, the proposal will retain the original pub building, and reinstate original design features, therefore safeguards the existing building, deemed to be of historical importance. The building (including existing function room) is also culturally important, for the reasons set out above, and further evidenced in the strength of feeling set out within the objections received from the local community.
- 6.26. Due consideration has been given to the ACV listing, as well as the objections received. In summary, the proposal would provide a replacement, all be it reduced size facility that would be available for use by community groups and for community events, and this will enable the pub to continue to contribute positively to social well-being and further the interests of the local community. This re-provision, alongside the new pub offer secures a viable pub use on the site moving forward, and this is necessary if a function room space is to continue to be able to be provided on site. On balance, given the site constraints, for reasons of commercial viability and the need to make effective and efficient use of the land the proposals are considered to be acceptable in

terms of DMD17 and social infrastructure provision. The new pub offer, including flexible function room will ensure that local community needs are potentially met and the pub building, deemed to be of historical importance is maintained. It is not considered that the ACV listing would be materially, and unacceptably harmed.

- 6.27. Local community groups and residents have expressed concern that the new flexible function room space offers no guarantees that it will be available for community use, or that this will be affordable. A condition is recommended ensuring that the flexible function room space be made available for use by the community for a minimum of five hours per week outside of specified times, and at a market rate that is comparable with similar facilities in the local area. This will ensure a level of accessibility is maintained, but ultimately it is not for the local authority to control commercial market forces and potential demand. It is very important to take note, that the existing function room operates without any conditions placed on it in terms of ensuring a minimum number of hours per week are available for community use, nor are there conditions restricting rates that the facility can be charged at. The current proposal, by introducing some level of control represents a betterment in these regards.

Residential led mixed-use development:

- 6.28. London Plan Policy 3.3 'Increasing Housing Supply' recognises the pressing need for new homes in London and Table 3.1 gives an annual monitoring target of 798 new homes per year in Enfield between 2015 and 2025. The draft London Plan recently published proposes to increase this number to 1,876 for Enfield. Finding available and suitable sites to accommodate this housing growth is a challenge across the Borough, and the proposal for 54 units, within this sustainable location would make a welcome contribution to the Borough's housing targets, including meeting affordable housing need (30% of the units affordable). Additionally, the proposals would make effective and efficient use of previously developed land, in a sustainable location, within a designated centre which is consistent with National and local policy, and the residential element of this proposal is supported in principle.

Commercial unit:

- 6.29. It is proposed that a newly configured commercial unit (364sqm) be utilised for A1-A5 and/or D2 uses. This would front onto Green Lanes, incorporating an existing (but vacant) hairdresser, and partitioned off side room of the existing ground floor pub. The range of uses proposed wholly accord with policy DMD27, and would represent acceptable high street uses that would complement Palmers Green district centre, in accordance with DMD27.
- 6.30. To summarise, in broad terms, the principle of a mixed-use development that includes new residential units (with 30% affordable) to help meeting housing needs, continued A4 use, re-provided flexible function room and a new commercial unit (Use Classes A1-A5, D2) would be appropriate in this district centre location and is consistent with the policies within the London Plan, the Core Strategy and the Development Management Document which seek to support development that contributes to the strategic housing needs of Greater London and the Borough. Maintaining a financially sustainable A4 use, with newly provided flexible function room on site will also ensure the ACV designation is appropriately responded to.

7 Density

- 7.1. The proposed redevelopment of the site to provide higher density housing is supported in accordance with London Plan policy 3.3, and is supported by the NPPF and the recently published draft changes to the NPPF (March 2018) by making efficient and effective use of previously developed land, in a sustainable location.
- 7.2. Based on the characteristics the site can be regarded as having an 'urban' setting with a PTAL of 3, and is sized at 0.29 hectares. The density matrix in the London Plan (table 3.2) suggests an indicative range of 200-450 habitable rooms per hectare (hr/ha), and up to 170 units per hectare (u/ha) as being appropriate. The proposed 54 unit scheme equates to a density of 186 u/ha, which is slightly above the suggested maximum range on a u/ha basis. On a habitable room basis, the development has a density of 445 hr/ha, which is below the maximum range, therefore on balance the proposal broadly complies with London Plan policy 3.4 in terms of optimising housing potential. At the same time would make efficient use of this land to provide a valuable contribution to Enfield's annual current housing target of 798 homes, which following publication of the draft London Plan is only likely to increase further.

8 Housing Mix

- 8.1. The National Planning Policy Framework requires local planning authorities to deliver a wide choice of high quality homes and to plan for a mix of housing in terms of size, type, tenure and range based on local demand.
- 8.2. The London Plan reinforces this, Policy 3.8 states that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments. New developments are required to offer a range of housing choices in terms of the mix of housing sizes and types. The London Plan sets a clear priority to create communities that are mixed and balanced by way of tenure, fostering social diversity, responsibility and identity (Policy 3.9). The London Plan goes on to seek to maximise affordable housing provision, with a 60/40 housing tenure split between social/affordable rent and intermediate rent or sale to create a balanced and affordable housing sector, with priority to be given to affordable family housing. The need for an appropriate housing mix to address local needs is further reinforced in Enfield policies CP3, CP5 and DMD3.
- 8.3. The proposal (as revised) would create 54 residential units, comprising of 31 x 1 bed, 22 x 2 bed and 1 x studio, within a district centre location. Of the 54 units proposed, 16 are to be affordable at intermediate rent levels (shared ownership). This equates to 30% on site affordable housing provision.
- 8.4. Having had regard to the sites town centre location, directly adjacent to a pub and lack of opportunity for private gardens for larger households the site does not lend itself to supporting family accommodation (3+ bedrooms). Existing residential accommodation in Palmers Green district would typically be 2-bed units, or smaller and located above commercial uses. In order to make effective and efficient use of the land, maximise the number of residential units, and secure the maximum reasonable proportion of affordable units on-site in this case it is considered appropriate to propose two-bedroom units, or smaller. The site constraints do not lend this site to accommodating family

housing due for example to the inability to provide private amenity space in accordance with DMD9. The proposed mix will still make an important contribution towards local housing need and demand. Furthermore, the proposed mix of unit types and sizes will increase housing supply and improve housing choice in this part of London, giving greater housing choice in line with London Plan Policies, and crucially support a scheme that can viably provide for the maximum reasonable proportion of affordable housing.

- 8.5. Whilst the housing mix proposed does not strictly comply with policy on mix of tenure, the emphasis on securing a significant proportion of units on site as affordable, rather than an alternative mix with more family units and less on-site affordable has been given weight. On balance, the proportion of affordable units (30%) is welcomed and is the preferred outcome as this will help make a valuable contribution to the Borough's housing needs. In order to achieve this level of on-site provision scheme changes proposed for viability reasons have resulted in an increase in parts to scale, height and massing of the extensions. The impacts of these building envelope changes in terms of impact on the townscape, character of the area and neighbouring amenity are discussed further below (see Section 12), but it is important to consider these changes in the context of being able to secure a significantly greater level of affordable housing on site than originally submitted. The public benefit of this much needed affordable housing must be given appropriate weight when balancing the planning merits of the scheme, and any harmful impacts.

9 Affordable Housing

- 9.1. Affordable housing comprises of social rented/affordable rented and intermediate housing provided to eligible households whose needs are not met by the market housing (London Plan Policy 3.10). Policy DMD1 confirms that development should provide the maximum amount of affordable housing, having regard to the borough-wide affordable housing target of 40%; and with a target tenure mix of 70% social / affordable rent and 30% intermediate, and that this should be subject to scheme viability.
- 9.2. London Plan Policies 3.11A, 3.11B and 3.12 require that boroughs maximise affordable housing provision, set an overall target in local plans for the amount of affordable housing provision needed over the plan period, and seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes. Enfield's Core Strategy Policy CP2 sets out that the Council will plan for the provision of approximately 11, 000 new homes for the period 2010 - 2025 and sets a target that 40% of new homes should be affordable on sites over 10 units, subject to scheme viability. Developers are required to provide development appraisals to demonstrate that each scheme maximises affordable housing output. This application is supported by an 'open book' Financial Viability Assessment (FVA), produced by Quod, and a further addendum report (February 2018) that supports the revised scheme.
- 9.3. The application originally submitted for 44 units proposed zero affordable housing, this was justified by the applicant on the grounds that after accounting for development costs, a competitive return for the land owner and a risk adjusted developer return this scheme could not viably support the provision of any on site affordable housing.

- 9.4. This initial position has been independently assessed on behalf of the Council by consultants, Deloitte, who issued an initial report in November 2017. This report provides viability advice in relation to the application submitted, and comprises a review of the original FVA submitted by the applicant, in support of the then proposed 44 unit scheme. The review undertaken broadly agreed with the assumptions that have been used, the approach taken and the valuation methodologies used. There was agreement between parties with the methodology adopted for valuing the residential, public house and retail components of the scheme. Deloitte did have concerns regarding balancing the benefits of restoring an Asset of Community Value and the impact of this on the provision of on-site affordable housing and the method of fixing the land value in the appraisal to the Benchmark Land Value (BLV) was not deemed appropriate given the guidance in the Mayor's Affordable Housing and Viability SPG. Deloitte did not accept Quod's (the applicants) proposed BLV of £4m and considered that the BLV should be closer to £1.75m plus a premium. The report concluded that greater clarity was required on the following:
- BLV approach and value - Deloitte considered that the BLV is significantly overstated;
 - Justification for the finance rate of 6.5% given recent experience of lower levels being adopted; and
 - Build costs - residential, public house and retail build costs have not been identified separately therefore it is only possible to assess costs by pro-rating on an area and rate basis.
- 9.5. Further discussion has subsequently been had between Deloitte and the applicants, and their consultants around the points queried above.
- 9.6. On the issue of BLV approach and value, initially Deloitte contested the alternative approach adopted by the applicant to arrive at a value, which was to assume that the existing pub (as was) had a value of £2.6m to which they applied a premium of 20% (i.e. £3.12m). Deloitte's initial view was that the value had been overstated, and in their initial report were at £1.75m (in comparison to £2.6m). However, since issuing the initial report, the developer and their consultant's (Quod) have provided various pieces of supplemental information and comparable evidence to support their position. Deloitte advise that they have no objections to the premium of 20% that was adopted and added to the Existing Use Value. They are therefore satisfied with the approach taken and accept a benchmark land value of £2.6m plus a 20% premium (i.e. £3.12m).
- 9.7. It is accepted that the developer would achieve a lower level of profit (11.9%) than what a developer would normally expect to achieve. This is a lower percentage than would be usually assumed for a development in London, with 15-20% profit on GDV being an industry standard assumption for private housing, with a lower level being applied to affordable housing. Additionally, the applicant agreed with Deloitte's proposed finance rate of 6%, and the FVA updated to reflect this.
- 9.8. In respect of build costs, Deloitte have since been provided with further detail and a breakdown of the different build costs elements. This was reviewed by a cost consultant (on behalf of Deloitte) and they were satisfied that the information provided and then relied upon for the purposes of the appraisal are broadly reasonable.

- 9.9. On the basis of the further clarity provided by the applicant, Deloitte have further reviewed their initial assessment and compared the residual land value generated to the revised benchmark land value. On this basis Deloitte advise that the scheme is unable to viably provide 25%, 35% or 40% affordable housing at a sustainable profit level. Deloitte's analysis shows that at the following levels of affordable housing the following profit on gross development value is generated:

Affordable %	Profit on GDV
0%	17.10%
25%	6.98%
35%	1.96%
40%	(1.03%)

Revised scheme:

- 9.10. The applicants then subsequently proposed a revised scheme for 54 units, now incorporating 16 units as affordable housing (intermediate), equating to 30% on site provision, on a unit per hectare basis (u/ha).
- 9.11. In response to the addendum to the FVA, submitted in February 2018 Deloitte have undertaken further review. The notable differences to the scheme being the additional 10 units proposed (54 in total), and the provision of 16 of these (30%) as intermediate (shared ownership). The private sales values have been increased, construction costs increased to reflect the revised scheme, agreed Benchmark Land Value used, finance rate of 6% adopted (as previously agreed), and in accordance with the Mayor's Guidance the profit level is now fixed rather than the land value.
- 9.12. Whilst still not in line with local policy Deloitte consider the revised offer to be reasonable. The provision of 30% affordable housing (all intermediate) has a further impact on the profit that the developer can be expected to achieve. The developer is assuming a blended profit of 12.84% which is a lower percentage than would be usually assumed for a residential development in London with 15-20% profit on GDV being an industry standard.
- 9.13. In summary, Deloitte have reviewed the addendum to the FVA and compared the Fixed Land Value appraisal and the Residual Land Value appraisal with the appraisals originally submitted. After reviewing the amendments, Deloitte advise that the assumptions appear reasonable and broadly in line with industry standards. The amount of affordable housing proposed is above the level that would be assumed to be viable, albeit it is all proposed to be shared ownership which is not strictly in accordance with adopted policy, but there are justifiable reasons for this. For all of the aforementioned the Council is advised that this is the maximum viable amount of affordable housing that could be provided on site.
- 9.14. Given the affordable housing level falls below the Local Plan 40% target, and the inherent uncertainty associated with FVAs, it is recommended a post implementation review mechanism be secured in the s106 agreement. Such review to examine actual costs and values closer to practical completion of

the scheme, any surplus or uplift generated could be used to secure additional contributions towards affordable housing.

- 9.15. The 30% (u/ha) affordable housing proposed represents a significant enhancement to the scheme originally submitted, which was proposing zero provision. In order to deliver this increased amount of affordable housing the scale and massing of the building has had to increase. There are impacts associated with the increase in building size, but these must be weighed up against the public benefit that this level of affordable housing will achieve. So, with specific regard to affordable housing provision the revised scheme is on balance acceptable, subject to a s106 agreement to secure a minimum 16 affordable housing units (intermediate), and a post implementation review to capture viability improvements.

10 Design and Impact on Locally Listed Building

- 10.1. Policy DMD37 of the DMD encourages achieving a high quality and design led development that should be suitable for its function and appropriate in its context with appropriate regard to its surroundings. Additionally, policy 7.4 of the London Plan specifies the need to respect the character of the surrounding area but also make a positive contribution to the places identity. This policy is re-iterated by CP30 of the Core Strategy which requires new development to be of a high-quality design and in keeping with the surrounding area, as well as the fundamental aims of the NPPF.
- 10.2. Policy CP31 and Policy DMD44 states that when considering development proposals affecting heritage assets (including non-designated assets identified on the local list), regard will be given to the special character and those applications for development which fail to conserve and enhance the special interest, significance or setting of a heritage asset will normally be refused. This approach is consistent with that set out at a national level with the NPPF.
- 10.3. Given the proposed development's siting relative to The Fox pub (locally listed), consideration should be given as to whether the development preserves or enhances the special interest, significance or setting of this non-designated heritage asset. Also, whether the proposal conserves the asset in a manner appropriate to its significance. It is set out through policy that enhancement of a non-designated heritage asset can take many forms, including restoration and repair.
- 10.4. In determining planning applications, local planning authorities should take 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.
- 10.5. Furthermore, at paragraph 132 of the NPPF it states:
- “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's

conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.”

10.6. It goes on to state at Paragraph’s 133 and 134 that:

“Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply”:

- The nature of the heritage asset prevents all reasonable uses of the site;
- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by the benefit of bringing the site back into use.

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”

10.7. The existing Edwardian pub building has considerable architectural merit, and this makes a positive contribution to the character of the area. The mixed-use proposals that would help to safeguard the future use of the pub are welcomed in terms of ensuring its long-term future is viable, and in making a positive contribution to the vitality and viability of Palmers Green district centre. The original pub building will be refurbished and enhanced through the proposed internal repair works, and the re-introduction of the once original but now missing bell-tower feature and weathervane are welcomed. This is in line with the NPPF.

10.8. The proposal has been subject to extensive pre-application discussion with officers, as well as engagement with the local community and stakeholders prior to submission. Since submission of the planning application in August 2017 the proposals have been amended in order to maximise the proportion of on site affordable housing, and the level of public benefit that can be achieved. This has resulted in the introduction of additional units and an increase to the scale, bulk and massing of the scheme, as well as making changes to the design, elevations and fenestration. The Council’s Urban Design Officer has had much input to the proposed design changes throughout.

Siting and layout:

10.9. A contemporary side and rear extension to The Fox is proposed, as revised this will be part 3, 4 and 5-storey’s high and constructed largely on the footprint of the existing pub car park. This addition will have a frontage onto

Fox Lane and this new build will be constructed predominantly of red brick, similar to the existing pub.

- 10.10. At ground floor this new element is set on back edge of pavement along Fox Lane, which is no different to surrounding buildings within the Palmers Green district centre. It will be set further back along Fox Lane than the existing structures (to be demolished), this allows for a widened footpath to be provided along a section of Fox Lane. A number of openings are proposed at ground floor, serving the pub, pub refuse area, residential entrance, cycle storage, residential refuse store, along with vehicle access to the undercroft parking area. As a result of discussions with the applicant an improved ground floor treatment has been incorporated, this includes sliding glass doors to the covered 'inside-outside' pub space and the use of perforated metal panels at ground floor along this elevation to give greater interest and natural surveillance to the streetscene along Fox Lane. Further details of these metal panels will be secured through a general materials condition.
- 10.11. Along Fox Lane a 3m, three-storey vertical glazed link has been incorporated, this will act as an interface between the existing historic pub and the new build elements. This will also serve as a secondary entrance into the pub at ground floor, with residential accommodation above. The use of this glazed link is considered to be a positive element of the scheme, which enhances the Fox Lane elevation and works successfully in linking old with new. A second vertical glazed slot along this facade further breaks up the mass of this elevation, which helps the building to read as a series of smaller elements rather than one single mass. These glazed elements make a positive contribution to the scheme and they are welcomed.
- 10.12. Along Green Lanes a first-floor infill extension is proposed. Some minor changes have been proposed to this to ensure the window proportions and detailing better reflect the character of the neighbouring terrace. The ridge height of this infill extensions would respect the neighbouring terrace, helping this to sit comfortably within the streetscene.

Scale and Massing:

- 10.13. The existing pub building contains three floors of accommodation, but owing to its roof form has the scale and mass of a typical four storey building. The surrounding context is mixed; north of the site and on the opposite side of Fox Lane is a part 4 and 6-storey development, to the east and south are existing 3 storey buildings fronting Green Lanes and to the west and south-west are 2 storey houses on Devonshire Road and Fox Lane. Within Palmers Green district centre, and in close proximity to the application site are existing 4-storey terraces along Green Lanes. This existing pattern of development of varying building heights is an important consideration in determining the current proposal.
- 10.14. The side and rear additions proposed are over five floors, with the upper levels (1-4) of the proposal including four storeys of residential accommodation. The side and rear extensions proposed (as amended) see the inclusion of an additional floor principally along the Fox Lane elevation. This results in the removal of the originally proposed mansard roof and the introduction of a part 5th storey, which represents the main alteration to the scheme originally submitted. In general, the building mass steps up in height the further it moves away from The Fox, and also reduces in footprint with

each additional storey. It is proposed to treat the top floor as a lightweight, predominantly glazed element to reduce its mass and to contrast with the brick floors below. This floor is also further set in to reduce its scale and mass. It is an important consideration that the additional top floor accommodation proposed is essential for the purposes of viability, and being able to provide additional accommodation facilitates the provision of 30% on-site affordable housing. At first floor level is a raised communal amenity space, enclosed by the development on three sides.

- 10.15. The scale and mass of the Devonshire Close elevation has been altered since the scheme was originally submitted. Accommodation has been removed from the western elevation at third floor level, this reduces the scale and massing in this location resulting in a lower development directly adjacent to 1-2 The Walk, Fox Lane. A greater set in is achieved at this level at the point where the building projects beyond the rear of the neighbouring residential properties, appropriately moving height away from this sensitive relationship. To compensate for lost floor space at third floor level the additional top floor has been introduced. This is further set in from the side, and where closest to 1-2 The Walk, Fox Lane the top floor does not project beyond the rear building line of this neighbouring dwelling. Furthermore, the reduced third floor mass and the setbacks on the top floor reduces the visibility of these elements from the street.
- 10.16. The height, scale and massing proposed means there is potential for the building to detrimentally impact on neighbour amenity in respect of 1-2 The Walk (Fox Lane), 409 Green Lanes (upper floors), Devonshire Close and Devonshire Road. Detailed daylight/sunlight analysis has been undertaken in respect of these relationships to test conditions. The results of this are considered below.
- 10.17. In view of the site's district centre location, the existing varying surrounding building heights and the corner location which acts as an entry point into Palmers Green, the site is considered appropriate for accommodating a building of the height and scale proposed, subject to an acceptable impact on neighbour amenity and the Fox Pub. This location signifies the entrance into Palmers Green high street when approaching from the north and west. The surrounding built form, within, and on the edges of Palmers Green district centre means that a part 3, 4 and 5-storey building would not be unduly harmful to the character of the area. There are existing buildings of 4 to 6 storey's in the local vicinity. The proposal has been assessed against the NPPF, and the aforementioned Core Strategy and Local Plan policies which seek to preserve or enhance Enfield's heritage assets. The edge of the Lakes Estate Conservation Area is approximately 100m away, so would not be unduly harmed given the scale of building proposed, and the separation distance. The tallest elements of the proposal have been sensitively set in and set back from The Fox pub, and from the closest residential dwelling (1-2 The Walk, Fox Lane) to minimise their potential impact on amenity and the setting of The Fox.
- 10.18. In order to further justify the proposed height, high standards of design and architecture are required so that the building makes a positive contribution to its environment; this is reinforced through London Plan policy 7.6. It is considered that this would be achieved with the current design, through its simple, yet well considered palette of materials, fenestration and the architectural detailing.

Materials:

- 10.19. A simple and well considered palette of materials is proposed so that this building sits comfortably next to The Fox. That is achieved through features such as the vertical 'fins', vertical glazed breaks, and the use of feature windows with metal surrounds, which would contrast well with the brick elements. The form of architecture proposes a building that appears modern, but it takes cues from The Fox pub, this is evident in the predominant use of red brick and the vertical rhythms achieved.
- 10.20. On the whole the use of materials and articulation is well considered, and would result in a high-quality development, subject to conditions to ensure the quality and detailing would be delivered.
- 10.21. Given the location and relationship to a locally listed building, the design and detailing of the proposed development is extremely important. Conditions are recommended to require the submission of sample materials, sample panels through the building and drawings to secure details such as junctions, balcony and window details.
- 10.22. The Conservation Advisory Group (CAG), local residents and amenity groups have raised concerns with the proposed height, scale, massing and impact this has on The Fox pub and how this relates to Fox Lane. A large number of the objections received are on such grounds. The CAG had considered the originally submitted scheme at a meeting in October 2017, and raised objection, and following the submission of revised plans have requested this be considered further at the CAG meeting scheduled for 3 April 2018. Members will be updated on the outcome of this at the Committee meeting.
- 10.23. In summary, it is accepted that the proposed development due to its proximity, height, scale and massing would have an impact on The Fox building and its setting but it is considered this impact would not unduly harm the character and significance of the locally listed building, and the harm would be less than substantial. The proposed scheme is of a high quality, sensitive in its approach and provides tangible public benefits. These public benefits are displayed in the form of a significant level of affordable housing on site, a refurbished, maintained, and viable A4 use on site, and re-provided function room on site - both of which are welcomed given the existing ACV designation. These public benefits should be given appropriate weight in weighing up the planning merits of the scheme and the enhancement of a non-designated heritage asset can take many forms, including restoration and repair. On balance, the benefits and enhancements proposed under the scheme (including the reinstatement of the weathervane and bell-tower features) are considered to outweigh the less than substantial harm caused as a result of development in this area.

11 Quality of Residential Accommodation (proposed)

- 11.1. All residential units (54 in total) meet or exceed the minimum space standards as set out in the London Plan, and the more recent nationally described space standards. This complies with London Plan policy, national space standards, and Enfield planning policies.

- 11.2. London Plan policies 3.8 and 7.2 seek to ensure that new development achieves the highest standards of accessible and inclusive design. The proposal will provide a minimum of 10% wheelchair accessible or adaptable units, whilst the remaining 90% of units will meet accessible and adaptable standards set out in Part M4(3) 'wheelchair user dwellings', and part M4(2) 'accessible and adaptable dwellings'. This provision will be secured by condition.
- 11.3. The layout and arrangement of units has allowed for a reasonable proportion of dual aspect units, notwithstanding the constraints placed by the fabric of existing building. The result is that 54% of units are dual aspect. Given the site constraints this is considered to be a reasonable level. In order to maximise this further the internal layout would need to be re-configured, this would result in a loss of units, which would ultimately impact on scheme viability and the level of affordable housing, which is not preferable.
- 11.4. In accordance with the Mayor's Housing SPG (2016) it has been confirmed that a minimum ceiling height of 2.5 metres for at least 75% of the gross internal area of the residential units can be achieved. All units will have a ceiling height of above 2.5m across all floorspace with the exception of parts of some of the units at second floor level in the existing pub building. These will still achieve in excess of 75% of their floor area being above 2.5m in height however.

Window Distancing:

- 11.5. Policy DMD10 sets out the minimum separation distances required between rear facing windows. Due to the siting and orientation of the side and rear extensions being arranged in a U shape there is only one location where there are directly facing rear windows. This at the southern end of the site, where directly facing windows across the communal amenity space at first and second floor only, are 13.5m apart. Whilst this falls short of the standards set out in DMD10, it is noted that the affected units are served by other non-facing windows, so the units are not solely reliant on outlook across the communal amenity space in order to maintain privacy. Furthermore, it is often to be expected in an existing built up urban location, where densification for housing purposes is proposed that there would be some divergence from policy requirements. To put this into context this shortfall only applies to two units out of 54, all other units do not result in directly facing windows due to the orientation of the different building elements. Whilst the proposed development is not fully compliant in this regard, in justified circumstances this standard can be relaxed: for example where there is an appropriate design response that mitigates, where facing windows are not sole habitable room windows, where it is demonstrated that what is proposed respects the existing urban grain or where the wider planning merits would outweigh any shortfall.
- 11.6. When regeneration which seeks to optimise housing potential is proposed within an existing densely populated urban area, then there will often be a need to apply standards more flexibly. As discussed, this scheme does have some limited shortfalls in terms of separation distances, but for the reasons set out above, overlooking and loss of privacy have been largely mitigated through orientation, and on balance it is considered a good standard of accommodation would be achieved for prospective residents.

Residential Amenity Space/Play space:

- 11.7. Policy DMD9 is of most relevance to amenity space, stating that all new development must provide good quality private amenity space that is not significantly overlooked by surrounding development, and that meets or exceeds the standards listed in the policy. In addition to the internal space proposed there is also a sufficient level of on site amenity space. Each unit is afforded access to either a private balcony, private terrace/garden ranging in size between 5sqm and 10sqm (first floor level only) or the south facing communal courtyard. 87% (47) of units will have access to its own private amenity space, either in the form of a balcony or first floor terrace. All balconies are sized to comply with the Mayor's Housing SPG. Three of the seven units without access to any form of private space are situated within the fabric of the original pub building and the remaining four are along the western edge. Due to the existing building constraints it would not be practical to provide private outside space, and the need to safeguard the amenity of neighbouring occupiers to the west also contributes to the lack of private amenity space to these seven units. For these reasons this is justified, and some shortfall would typically be expected on an existing urban site surrounded by existing development. In any event all units will have access to use the communal space, which equates to 508sqm and on balance the quantum, quality and combination of private and communal amenity space would be sufficient to meet the likely demands of future residents.
- 11.8. In the absence of any family sized units (3 bedrooms) on site the child occupancy is estimated to be less than 10, as such there is no requirement to provide onsite children's play space, as required by the Mayor's Play and Informal Recreation SPG.

12 Impact on Neighbouring Residential Amenity

- 12.1. New development should not impact on the residential amenity of neighbouring residents. Policies 7.6 of the London Plan and CP30 of the Core Strategy seek to ensure that new developments have appropriate regard to their surroundings, and that they improve the environment in terms of residential amenity.
- 12.2. To maintain a sense of privacy, avoid overshadowing and ensure adequate amounts of sunlight are available for new and existing developments policy DMD10 requires new development to maintain certain distances between buildings, unless it can be demonstrated that the proposed development would not result in housing with inadequate daylight/ sunlight or privacy for the proposed or surrounding development.
- 12.3. The nearest residential properties are those immediately to the west, 1-2 The Walk, Fox Lane and No's 1-6 Devonshire Close; south-west on Devonshire Road (No,s 93-101); and to the south at 409 Green Lanes (above ground floor only). The following analysis is focused on these properties.
- 12.4. A large number of the objections received have raised concerns with the proposed height, scale and massing, it is considered the proposal would be detrimental to the amenity of surrounding residential occupiers. These concerns have been duly considered in the determination of this proposal.

- 12.5. The relationship of the proposed development to 1-2 The Walk, Fox Lane and Devonshire Close has been a sensitive and key consideration throughout, especially in terms of potential harm to existing neighbouring amenity. In response to concerns raised accommodation has been removed along this side to reduce the scale and massing, and this has been sensitively re-positioned on site resulting in the additional 5th floor being introduced; the western edge has been set in from the boundary, ranging between 3m and 4.3m; a green buffer strip has been incorporated along this edge to give a greater separation; green ivy panels proposed at ground floor to screen the undercroft car park area and soften the elevation; all first floor units have been designed to have directional oriel windows on the western elevation which direct views in a south-westerly direction towards the adjoining street (Devonshire Close), and this avoids any direct overlooking in a westerly direction towards adjacent gardens; no first floor amenity space is proposed along this edge and the first floor parapet has been raised to help reduce the visual impact of the second floor from street or garden level, this in-turn helps to further reduce potential (or perceived overlooking) at first floor level.
- 12.6. The proposed massing along this western elevation responds to the aforementioned relationships. As mentioned, massing and bulk has been removed along this edge in order to help provide a comfortable relationship with the neighbouring 2-storey dwellings, and achieve an appropriate change in scale. At its closest point to the western boundary the proposed building is limited to 2-storey's, the massing then steps up the further you move away from this boundary. At the point where the proposed development projects beyond the rear building line of 1-2 The Walk, Fox Lane, above first floor level, the building steps in and sets back further. The second floor is set in by 5.8m at its widest point, narrowing to 5.4m at the southern end of the neighbouring garden. Above second floor the building steps in and back further on each additional floor. At third floor and above a small element of the building mass projects beyond the neighbouring rear building line with a set in of 7m, the main building mass at this floor projecting southwards into the site does however achieve a more generous 12m set in from the shared boundary. The top (fourth) floor then sets in further again; achieving a set in ranging between 7.6m and 12.9m.
- 12.7. No's 1-6 Devonshire Close are to the west and south-west of the site. These properties are set on the opposite (western) side of the Close, which is over 12m wide at its widest point. The properties are then further set back from the Close behind front gardens. As a result of the siting of these properties, the corresponding road width and the siting of the proposed development a separation of 24m is achieved at first floor, which then increases on each upper floor. This is considered to be an acceptable relationship, and potential for direct overlooking at first floor level has been designed out with the use of directional oriel windows along this edge. Above first floor there are side facing windows at face towards Devonshire Close, but in view of the additional set in proposed on these upper floors and the overall level of separation from the front elevation of these neighbouring properties, which at this point is 25m+, then the relationship broadly complies with policy DMD10. The Devonshire Close properties (No's 1-6) currently enjoy a relatively open outlook to the east and north-east, across the pub car park. The proposed building will result in a material change in this regard, however given the level of separation that will continue to be maintained it is not considered that the proposal would be overbearing and the fact that massing is stepped away from this boundary further helps, nor would it be unduly harmful in terms of

loss of outlook or privacy and overlooking, and is a wholly appropriate relationship within an existing urban location, close to Palmers Green district centre.

- 12.8. South of the Fox Pub car park properties 93-101 Devonshire Road back onto the application site. The main rear elevations of these terraced properties are between 19m and 19.5m to the southern edge of the proposed development, though this does reduce in places where these properties have existing rear projecting outriggers. The rear gardens to these properties are generous, ranging in depth from 16m to 18.4m.
- 12.9. The southern elevation of the proposal will present itself as a predominantly solid façade up to first floor level, this will then be treated with vegetation to provide some screening benefits and to soften its visual appearance from neighbouring gardens that are south of the site. Windows within the proposed development facing south at this level and the level directly above (second floor) are set in from the shared boundary, and will be obscurely glazed so to prevent any direct overlooking or loss of privacy. This requirement for obscure glazing will be secured by condition so that south facing windows in units 1.03, 1.04, 2.01 and 2.02 do not result in unacceptable harm to neighbouring amenity through overlooking. Above second floor the building mass steps back further into the site, achieving a set in from the boundary of 7m, and an overall separation distance of 25m+ to the main rear elevations of this neighbouring terrace, with a further increase on the top floor then achieved due to the corresponding set back. The massing has been sensitively arranged on site in order to respond to the site constraints evident with the set backs and set in to the upper floors, and windows have also been sensitively positioned and treated as either obscure glazed or directional in order to provide further mitigation.
- 12.10. The southern edge of the first-floor communal amenity space is proposed to be treated with a row of pleached trees (in planters) and an Ivy climber screen. These will have the effect of creating a soft buffer between the development and neighbouring properties, this will also have screening benefits and help to safeguard against overlooking from the use of the communal amenity space. Furthermore, new tree planting proposals will also provide added screening benefits for these neighbouring properties and rear gardens. These planting proposals will be secured as part of a pre-commencement landscape condition.
- 12.11. No 409 Green Lanes is the immediate neighbour to south of the site. This comprises a commercial use at ground floor with residential accommodation above. Rear facing windows serving this unit are oblique to the application site. The south-eastern corner of the proposed scheme has the closest relationship to this neighbour, with the proposed building mass projecting marginally beyond the rear of this neighbouring property at first and second floor levels. Some changes were made to the originally submitted scheme following the results of the Daylight and Sunlight report. This resulted in the removal of some accommodation along the southern boundary adjacent to Green Lanes to ensure that the adjoining residential property retained an acceptable amount of daylight and sunlight. The more recent changes to the development, and the introduction of an additional 5th floor have not affected the massing in this location due the distance this is away from 409 Green Lanes. The impact upon 409 Green Lanes is considered in more detailed in the Daylight and Sunlight report analysis below.

- 12.12. The outlook from the rear of the 409 Green Lanes will change as a result of the development, and the mass will increase in proximity to the property. However, as the following analysis shows this would not be unduly harmful to daylight and sunlight conditions, and due to the density and scale of the proposed development, and its setting within an urban context, it is inevitable there would be some level of impact. This impact must be weighed against the wider planning benefits that the scheme can deliver.

Daylight and Sunlight conditions for neighbouring occupiers:

- 12.13. It is noted from a number of the objections received that concerns have been raised that the proposal will be harmful to daylight and sunlight conditions for neighbouring properties. These concerns have been duly considered in the determination of this application, and when weighing up the planning merits.
- 12.14. A Daylight and Sunlight report has been submitted by EB7, and updated to reflect the revised scheme, which has been used to understand the impact upon daylight and sunlight amenity of the existing surrounding buildings which may arise from the proposed development. The report has been carried out in accordance with Building Research Establishments guidance 'Site layout planning for daylight and sunlight: a guide to good practice' (BRE, 2011) and the British Standard document BS8206 Pt2.
- 12.15. There are three detailed methods for calculating daylight, the Vertical Sky Component (VSC), the No-Sky Line Contour (NSC) and the Average Daylight Factor (ADF). For sunlight, the Annual Probable Sunlight Hours (APSH) assessment is the detailed method. The VSC method calculates the amount of visible sky available to each window or to points on the façade of a building where windows have not yet been designed. The NSC method describes the distribution of daylight within rooms. The ADF method calculates the average illuminance within a room. The submitted report has been carried out using these methodologies, this is in line with BRE guidelines.
- 12.16. An important point to note is that the targets set out in the BRE document are very much 'guidelines' and they should be applied sensibly and flexibly based on the site-specific context of development. Clearly there would be a higher expectation for daylight and sunlight in a rural or suburban environment than in a more dense urban location.
- 12.17. The Mayor's Housing SPG (March 2016) endorses this flexible approach. The SPG says that;

"An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations".

- 12.18. The Mayor's Housing SPG also says;

"Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently

experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm."

12.19. The Daylight and Sunlight report submitted assessed the impacts on the following residential properties:

- 348 - 362 Green Lanes (even numbers only)
- 399 - 409 Green Lanes (odd numbers only)
- 2 - 6 Devonshire Close (even numbers only)
- 93 - 101 Devonshire Road (odd numbers only)
- 1 - 2 The Walk
- 2 - 32 Pellipar Close

12.20. No's 348 - 362 Green Lanes (even numbers only) are located opposite the site on the eastern side of Green Lanes. These have residential properties on the upper floors. The results obtained show that all windows retain full compliance with the BRE guidelines for daylight and sunlight.

12.21. No's 399 - 409 Green Lanes (odd numbers only) are sited directly to the south of the application. These properties have rear facing windows that are at an oblique angle to the site. These properties are commercial at ground floor, with residential uses above. The results of the VSC and NSC assessment have shown that, with the exception of 409 Green Lanes, the residential windows and rooms within all properties will retain at least 0.8 times their former value and are therefore fully compliant with the BRE criteria. With regard to 409 Green Lanes, 3 of the 4 windows serving habitable rooms assessed in respect of the primary VSC assessment will retain at least 0.8 times their former value. There is an isolated effect to 1 window which retains 0.7 times its former value, just below the 0.8 target. This is considered an acceptable level of impact in a built up urban location. In terms of sunlight, as none of the windows within these properties that face the proposal are orientated within 90 degrees of due south they are therefore not relevant for assessment in accordance with the BRE guidance.

12.22. Properties 2 - 6 Devonshire Close face east towards the site. As mentioned in the above report these are sited a considerable distance from the proposed building (25m+). Results obtained show that all windows retain full compliance with the BRE guidelines for daylight and sunlight.

12.23. Properties 93 - 101 Devonshire Road are south of the site. The properties in this terrace have a number of windows within the rear elevation that face north towards the site.

12.24. The results of the VSC assessment show that all but one of the windows assessed retain at least 0.8 times their former value and are therefore fully compliant with the BRE criteria. The one window that falls below the BRE targets (at ground floor in 93 Devonshire Road) retains 0.7 times its former value, just below the 0.8 suggested target. Under the NSC assessment this window serves a room that will retain 1.0 of its former value, which is in excess of the 0.8 suggested target and is therefore compliant with the BRE criteria. Of the remaining rooms assessed under the secondary NSC assessment, all but one (at ground floor) retain values of at least 0.8 times their former value with the exception of a ground level room in 99 Devonshire Road. This room retains 0.6 times its former value however all of the windows serving this room are all fully compliant under the primary VSC assessment.

This is considered to be an acceptable level of compliance in an urban location, whilst being mindful of the guidance which says that BRE guidelines should be applied flexibly.

- 12.25. 1 - 2 The Walk is a 2-storey semi-detached dwelling west of the site on Fox Lane. It contains side facing windows, however these are understood to be non-habitable windows. Results obtained show that all other windows retain full compliance with the BRE guidelines for daylight and sunlight.
- 12.26. On the opposite side of Fox Lane is 2 - 32 Pellipar Close, a 4-storey flatted development with windows facing. The results of the primary VSC assessment show that all but one of the windows assessed retain at least 0.8 times their former value and are therefore fully compliant with the BRE criteria. The one window that falls below the BRE targets at ground floor) retains 0.7 times its former value, just below the 0.8 suggested target. Furthermore, this flat is dual aspect and also served by an additional window which is fully compliant with the primary VSC assessment. The results of the secondary NSC assessment have shown that 26 of the 32 rooms assessed within this property retain levels in excess of 0.8 times their former value and are therefore fully compliant with the BRE criteria. The remaining rooms (at ground floor and first floor), continue to retain between 0.6 - 0.7 times their former value, just below the 0.8 suggest BRE target. Additionally, they are also served by other windows that are fully compliant under the primary VSC assessment. So, on balance this is an acceptable outcome in terms of daylight conditions, and all windows tested are compliant with BRE guidelines for sunlight hours.
- 12.27. Due to the density and scale of the proposed development and its setting within an urban context, in close proximity to existing residential properties it is to be expected that there would be some level of impact on daylight and sunlight conditions for surrounding properties. Within this context a more flexible application of the BRE guide is considered appropriate, and such an approach is supported through relevant guidance. Due consideration must also be given to the wider planning merits of the scheme when weighing up any impacts. This scheme would provide a significant number of new homes and would result in a regenerated site at this end of Palmers Green district site, whilst for viability reasons and in order to maximise the site's housing potential, which in turn translates to the proportion of affordable housing that can be delivered, a certain scale and density of development is required to be achieved. What the daylight/sunlight results discussed show is that the majority of existing neighbouring residential buildings would continue to receive good levels of daylight and sunlight conditions with the proposed building in place. There are only minor instances where windows tested would see conditions being reduced to marginally below BRE guidelines, and in context this is only a very minor proportion of windows. On balance, it is considered that the overall impacts on daylight and sunlight would not be so severe to outweigh the benefits of the development.
- 12.28. In summary, it is considered that the proposed development would not be unduly harmful to the amenity of nearby residential occupiers, through reduced daylight and sunlight conditions, overlooking and loss of privacy, having regard to relevant London Plan policies, Enfield policies, BRE guidelines and the NPPF.

13 Traffic and Transportation

- 13.1. The site has a PTAL of 3, which indicates good access to public transport services.
- 13.2. The subject site is on a classified road, but is not within an operational Controlled Parking Zone (CPZ) for residents parking, though there are parking and loading restrictions along Green Lanes. The existing pub car park has capacity for approximately 40 vehicles, and is served by two separate vehicles access points.
- 13.3. The site is on the Mini Holland route and Fox Lane / Green Lanes are to undergo highway works to implement segregated lanes, which involves the loss some on street parking. At the time of providing comments in response to the application most of the works had been completed.
- 13.4. The application is supported by a Transport Statement. Within this the following has been noted:
- That a review of the existing vehicle access points and on street lay-by show no recorded accidents in the available 18-year period;
 - The forecast traffic generation for the residential units, once the existing trips to the currently operational public house car park have been netted off, is for an increase of 11 two-way vehicle movements in the AM peak hour and a decrease of 12 two-way vehicle movements in the PM peak hour;
 - The impacts on the road network are forecast to be either minimal or fully offset through removal of the currently available public house car parking. Additionally, a number of measures are being put in place by the applicant through the adoption of a Travel Plan to mitigate any potential residual impacts;
 - The forecast additional impacts on the bus network (6 additional two-way trips during peak hours) is considered negligible;
 - The forecast additional impacts on the rail network (2 additional two-way peak hour national rail trips) is considered negligible;
 - The forecast additional walking trips (8 additional two-way peak hour trips) compared to the available footpath widths and the variety of routes that are available to mean the forecast impact on walking is considered to be immaterial;
 - The Travel Plan is considered to provide a firm commitment to encouraging sustainable travel to and from the site (n.b. this will be secured through condition); and
 - Prior to demolition or construction taking place, the applicants commit that a Construction Management Plan will be submitted to the council for approval. The Construction Management Plan will present a mitigation strategy for the impact of the development works and will be implemented by the contractor/ contractors. This is likely to include details of how construction deliveries and parking will be managed during the construction process. This will be secured by condition.

Parking:

- 13.5. The London Plan, Core Strategy and DMD policies encourage and advocate sustainable modes of travel and require that each development should be

assessed on its respective merits and requirements, in terms of the level of parking spaces to be provided for example.

- 13.6. Policy DMD45 requires parking to be incorporated into schemes having regard to the parking standards of the London Plan; the scale and nature of the development; the public transport accessibility (PTAL) of the site; existing parking pressures in the locality; and accessibility to local amenities and the needs of the future occupants of the developments.
- 13.7. London Plan policy 6.13 sets out maximum residential parking standards, and sets out that all development in areas of 'good' public transport accessibility should aim for significantly less than 1 space per unit, and residential units of 1-2 bedroom should also be provided with less than 1 space per unit.
- 13.8. A number of objections received raise concerns that there is insufficient on-site parking for residential and commercial uses. The revised proposal for 54 units would be served by 39 residential parking spaces on site, this equates to a ratio of 0.72 spaces per unit, less than the 1 space per unit approach supported by the London Plan. All of the spaces will be for the residential units, which given the location within Palmers Green district centre and the provision of existing public car parks nearby then designated spaces solely for customers visiting the commercial uses are not strictly required.
- 13.9. The vehicle parking layout meets the guidance for minimum dimensions and turning space, and the applicant has provided confirmation that larger vehicles will be prevented from entering the undercroft parking area by a height barrier of 2.1m. Servicing will take place on street, which is acceptable.

Cycle Parking:

- 13.10. The proposed development makes an allowance for 66 bikes, shown on the "Proposed Ground Floor Plan" layout. This is an acceptable number and accords with residential standards, and the location is secure and covered. The applicant has clarified in an email (dated 22 March 2018) that staff cycle parking for the pub will be located in the basement storage area. Staff cycle for the commercial unit will be provided internally in the plant/ back of house areas, which is fine in principle, however in the absence of further details of this and visitor cycle parking this additional information will be sought by condition. Short stay visitor parking for the commercial and residential uses will be in the form of 'Sheffield' stands located on the pavement outside the site, and longer stay cycle visitor cycle parking for is located in the rear corner of the undercroft parking area.

Access:

- 13.11. As stated above vehicular access currently exists direct from Fox Lane, where the car park is served by two separate accesses. A new single access point is proposed, which is in a similar location to the existing but reconfigured slightly, and one redundant existing access will be reinstated to footway.
- 13.12. Pedestrian access to the residential units will be from Fox Lane and access to the commercial uses will be from both Fox Lane and Green Lanes which is the same as existing arrangements. This enables step free access and is acceptable.

Access, Delivery and Servicing Arrangements:

- 13.13. The vehicle access location is acceptable in principle however it has been observed by Transportation officers on site that since the Cycle Enfield scheme was implemented, traffic queues do on occasions back up along Fox Lane, potentially across the proposed access which could cause problems for vehicles exiting the site. Whilst it has been noted that the TS includes trip generation figures and that the site is unlikely to generate a high number of vehicle movements it is considered prudent to require “keep clear” markings on the highway to facilitate egress from site. The applicant’s consultant has confirmed in writing that they agree to this being secured by condition and delivered through a s278 agreement. In addition to the ‘keep clear’ markings, the access design will also need to be improved as a continuation of the “Cycle Enfield” highway works. This will include renewed tactile paving and resurfacing, and reinstatement of the existing access. These improvements should also be secured as part of the s278 agreement, and the applicant has confirmed their agreement to this.
- 13.14. Servicing and deliveries to the pub and the commercial unit are expected to take place from the shared service loading bay directly outside, situated on Fox Lane, which is proposed to be extended in length. The increased footway width is welcomed and the proposed arrangement is acceptable in principle. Transportation officers are satisfied that the extended lay-by is large enough to accommodate vehicles servicing the commercial uses. This builds on an already long established, and acceptable servicing arrangement utilised by the pub. Further details concerning the lay-by works will need be discussed with Transportation, and as this involves works to the highway will also require a section 278 agreement.
- 13.15. The nature and location of the proposal means the development does require the provision of a Construction Traffic Management Plan to minimise its impacts on the local road network. This will be secured by condition.
- 13.16. Refuse storage is shown in two separate locations for the residential and pub uses, and can be easily collected from the kerbside. No dedicated refuse storage is shown for the commercial unit, and further details will be sought through condition.
- 13.17. In order to mitigate the impacts of the development, in addition to the aforementioned s278 highway works Transportation have sought s106 contributions comprising of, cycle infrastructure contribution towards the maintenance and development of further cycle routes in the area (i.e. along Fox Lane), potential CPZ exclusion (should the CPZ be expanded), residential Travel Plan, safer routes to schools, car club provision, and possible Traffic Regulation Orders (TRO), these negotiations will be finalised prior to the agreement of the s106 . It is noted that a draft Travel Plan has been submitted in support of the application, this sets out a package of measures expected to be employed to encourage resident’s staff and visitors to travel sustainably and help mitigate the impacts of the development. The Travel Plan will require on-going monitor and review for a period after occupation, and it is therefore appropriate to secure the Travel Plan through condition, and any associated monitoring costs through a s106 agreement.
- 13.18. In summary, the development is considered likely to have a negligible impact on vehicular traffic flows in the local area, subject to conditions and planning

obligations. The transport impacts of the proposal are acceptable and in this respect the scheme complies with the relevant London Plan and Enfield policies and the guidance within the NPPF.

14 Energy and Sustainability

14.1. London Plan policy 5.2 states that development proposals should make the fullest contribution to minimising carbon dioxide (CO₂) emissions in accordance with the following energy hierarchy:

- Be Lean: use less energy;
- Be Clean: supply energy efficiency; and
- Be Green: use renewable energy.

14.2. Enfield's DMD policy 49 requires the highest sustainable design and construction standards, having regard to technical feasibility and economic viability. These policies require new developments to address the causes and impacts of climate change by minimising energy use, supplying energy efficiently and using energy generated from renewable sources (Core Strategy Policy 20 and DMD51), seeking zero carbon developments (DMD50), using decentralised networks where feasible (DMD52), and providing on-site renewable energy generation to make-up any shortfall where feasible (DMD53).

14.3. A detailed Energy Statement supports the application, this seeks to demonstrate how the proposed scheme complies with the above aspects of both the London Plan and the Development Plan. As the pub alterations would constitute refurbishment works then this is excluded from the proposed strategy.

14.4. The proposed energy strategy seeks to reduce energy demand, and CO₂ emissions through the following building fabric measures:

- Passive design;
- Reduced air permeability;
- Energy efficient lighting;
- Highly efficient mechanical ventilation with heat recovery;
- Individual gas fired condensing combination boilers providing both heating and domestic hot water requirements; and
- Waste water heat recovery systems.

14.5. The potential to connect to an existing or planned decentralised energy network has been explored (DMD52). However, there are no networks in the locality and none are planned.

14.6. In term of *Be Clean* measures the use of low or zero carbon technologies and renewable energy technologies has been considered. A range of renewable technologies were looked at, but a number would not be feasible or practical on this site, including the following; wind turbines, biomass heating, ground source heat pumps. It was found that the following technologies (subject to cost and viability) could be feasible on site; solar water heating panels, PV panels, air sourced heat pumps and CHP.

- 14.7. The energy strategy is targeting carbon dioxide emissions through energy efficiency measures and improvements to the building fabric. It also proposes the installation of zero or low carbon and renewable technologies to achieve a 40% reduction in regulated carbon dioxide emission in comparison with Part L 2010 building reductions. Further detail should however be provided in the and this shall be secured through condition to demonstrate the location and specification of the Low and Zero Carbon Technologies selected as feasible for this site, and how this will provide for no less than a 40% improvement in total CO2 emissions arising from the operation of a development and its services over Part L of Building Regulations 2010.
- 14.8. The proposal broadly complies with the energy and sustainability requirements, subject to planning conditions that will agree the final measures needed to achieve the necessary savings.

15 Biodiversity, Trees and Landscaping

- 15.1. The application is supported by an Ecology Report, Tree Constraints Appraisal and landscape plans.
- 15.2. Policy DMD79 seeks the provision of on-site ecological enhancements and DMD81 sets out that developments must provide high quality landscaping that enhances the local environment and should add to the local character, benefit biodiversity, help mitigate the impacts of climate change and reduce water run-off.
- 15.3. The submitted Ecology Report (August 2017) indicated that the existing site is of limited value ecologically given that the majority of it is currently covered by either buildings or hardstanding. The existing buildings were also assessed for the presence of bats and it was concluded that there is limited potential to support roosting bats and no evidence of such roosting taking place. These findings are generally accepted.
- 15.4. The submitted Tree Constraints Appraisal identifies three category U trees, each located outside of the site on neighbouring land. Which, due to their proximity to the boundary, and subject to the landowner's consent realistically require removal. There would be scope for some replacement mature trees to be planted in this general vicinity within the southern edge landscape strip. Details of replacement planting will be secured through condition.
- 15.5. Opportunities for landscaping are limited on site, however the proposed development will include areas of landscaping within the amenity space at first floor level and as a buffer between the western elevation of the new residential accommodation and the properties along The Walk, as well as potential new trees along the southern landscaped strip.
- 15.6. The amenity space at first floor, known as the podium garden will comprise of lawn, new trees and a mix of planting, including raised beds. A buffer strip of pleached trees and climbers will be provided along the southern edge of this space, this will help provide screening of this level from neighbouring residential properties. Furthermore, it will soften the appearance of the development from the neighbours perspective.
- 15.7. The landscape strategy also includes the provision of a green roof to some areas of building at third floor level.

- 15.8. Planting details (including species) and other details relevant to general landscaping (i.e. hard surfacing, seating, maintenance plan, green roof) will be secured as part of a general pre-commencement landscaping condition.
- 15.9. In summary, the ecological and landscaping elements of the proposal are acceptable subject to conditions. The new landscaping proposals represent a betterment as the existing site is lacking in any landscaping. In this respect the scheme complies with the relevant London Plan and Enfield policies and the guidance within the NPPF.

16 Noise conditions

- 16.1. Potential noise impacts associated with the proposed uses are a material consideration, particularly as there are residential neighbours immediately adjacent. The potential impacts on future occupiers of the proposed development must also be duly considered.
- 16.2. London Plan policy 7.5 aims to reduce noise and enhance soundscapes. Measures to be taken here include separating noise sensitive development from major noise sources and supporting technologies and practices aimed at reducing noise at the source.
- 16.3. DMD 68 states that developments that generate or would be exposed to an unacceptable level of noise will not be permitted. It states that developments must be sensitively designed, managed and operated to reduce exposure to noise and noise generation.
- 16.4. An initial Acoustic Assessment was undertaken and submitted with the original submission, this was then further updated in November 2017 following completion of the Cycle Enfield construction works. The report concluded that based on the noise monitoring results obtained, suitable internal noise levels would require closed windows to be achieved in certain locations. This would also require suitable mechanical ventilation to be included. The report also confirms that noise levels within the first-floor amenity space would be acceptable and at the lower end of the preferred range.
- 16.5. The applicants position is that once the plant is sourced for the purposes of mechanical ventilation, along with any relevant plant and extraction equipment that would be required for the pub and commercial uses an assessment of the performance and screening of any such plant would be required and could be achieved through the discharge of a relevant pre-commencement condition.
- 16.6. Environmental Health officers have reviewed the original Acoustic Assessment, as well as the updated report. Generally, the findings of this are accepted, the only reservation being that details of any relevant plant required by the pub have not been provided and this has the potential to create a noise nuisance. In the circumstances the Environmental Health officer would expect to see a further acoustic report regarding the plant at site and its potential impact upon the proposed residential properties. The applicant has confirmed agreement to an appropriately worded pre-commencement condition, and this approach is considered reasonable given that the site and neighbouring sites currently support residential use.

17 Contaminated Land

- 17.1. The requirement to deal with contaminated land is set out in London Plan policy 5.21, and is reinforced by the NPPF. A preliminary Phase 1 contamination report submitted recommended a further site investigation to confirm conditions at depth to address potential contaminants in the made ground at the site. Because of this Environmental Health officers have advised that a pre-commencement condition for further investigation and remediation measures is required to safeguard the amenity of future users.

18 Air Quality

- 18.1. The proposal would introduce additional residential units to an area already acceptable for residential accommodation. In this respect the proposal is considered acceptable. Enfield policies CP32 and DMD64 seek to resist developments that would adversely impact on air quality, unless suitable mitigation measures can be achieved.
- 18.2. Environmental Health does not raise any concerns that the proposal would have a negative impact on existing air quality, subject to conditions being attached including the requirement for an air quality assessment.

19 Sustainable Drainage / Flood Risk

- 19.1. Policy DMD59 states that new development must avoid and reduce the risk of flooding, and not increase the risk elsewhere. DMD policy 61 states that all developments must maximise the use of and, where possible, retrofit Sustainable Drainage Systems (SuDS). Any proposed SuDS measures should be appropriate for the site conditions, seek to achieve greenfield run off rates as well as maximise the use of SuDS.
- 19.2. A Flood Risk Assessment (FRA) supports the application. This confirms the site as being within Flood Zone 1, meaning it is at the lowest risk of a flood event from fluvial or tidal flooding. It is classified as having a less than 1 in 1000 annual probability of flooding. The FRA identifies that this site as being at potential risk from groundwater flooding, and recommends that a Foundation Risk Assessment is undertaken and submitted to the Environment Agency prior to commencement of works. This will be secured by condition, if necessary. According to Environment Agency flooding maps the risk from surface water flooding in this location is very low.
- 19.3. With regards to sustainable urban drainage (SuDS) officers have advised that additional information would be required. This would need to include a detailed SuDS plan, with details including how run-off will be managed, how this will be connected to the sewerage network, and what would happen in the case of a flood exceedance event (though unlikely). It would also need to be demonstrated that the development can achieve greenfield runoff rates for a 1 in 1 and 1 in 100 year event. Proposed SuDS features should where appropriate follow the SuDS management train, set out in the London Plan.
- 19.4. Whilst there is no detailed SuDS plan provided at this stage the applicant has confirmed that they will utilise sustainable urban drainage systems (SuDS) unless there are practical reasons for not doing so, and will aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as

close to its source as possible. It should also be highlighted that the proposals include the provision of new green/landscaped areas, and green roofs which will increase the overall permeable area of the site compared to its present level. This represents a material betterment.

- 19.5. The applicant has set out that as the proposals are for a complex mixed use development incorporating a non-designated heritage building, as a result, the detailed drainage/SuDS design needs to be progressed in combination with the detailed design of the rest of the development, as various SuDS measures will be considered/determined alongside the detailed design of many other elements of the scheme. These elements (among others) include the final design of 1st floor landscaped area, and the area of roof available once sufficient PV panels (in combination with other LZCTs) have been incorporated in order to achieve the Council's target CO2 reduction requirements. In view of this any consent would be subject to a pre-commencement sustainable urban drainage strategy condition, which the applicant is agreeable to.
- 19.6. The development does not currently demonstrate that source control SuDS measures will be incorporated, greenfield runoff rates will be achieved for 1 in 100 year (plus climate change) events, and how SuDS will be used and maximised on site to provide storage for surface water generated on site in line with Policy DMD59 or the NPPF. This can be addressed through condition prior to commencement of work on site.
- 19.7. Thames Water have not raised concerns in relation to surface water drainage, they have though requested that further details of any piling works be secured through condition. In terms of sewerage infrastructure capacity, they not have any objection to the application, and on the basis of the information provided, Thames Water advise that with regard to water infrastructure capacity, they would not have any objection to the application.

20 s106 Contributions

- 20.1 Regulation 122(2)(a) of the 2010 CIL Regulations requires that any planning obligations must be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. Having regard to this, and the content above Having regard to the content above, it is recommended that should planning permission be granted, the following obligations / contributions should be secured through a s106 legal agreement:
- Affordable Housing - provision of a minimum of 16 units as Affordable Housing dwellings (at intermediate rent);
 - A late stage viability review;
 - Local Employment and Skills Strategy - strategy to be submitted for approval prior to commencement of development;
 - Prior to commencement of development to pay in full the education contribution of £7, 605;
 - Highways contributions;
 - Travel Plan monitoring fee; and
 - 5% monitoring fee for the financial contributions.

21 Community Infrastructure Levy (CIL)

- 21.1. As of the April 2010, new 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.
- 21.2. The new GIA proposed as part of the development would be liable to a Community Infrastructure Levy contribution for both Mayoral CIL (£20 per sqm) and Enfield CIL (£120 per sqm for residential and £60 per sqm for A1-A5 uses).
- 21.3. This would result in a CIL contribution of £279, 743.81 (£249, 103.81 of this is for the residential element) (subject to indexation).

22 Conclusion

- 22.1. The proposed development would deliver the following wider planning benefits:
- The delivery of both affordable (30%) and private housing in a sustainable location, and at a dense level of development which makes effective and efficient use of land, optimises the housing potential, helping to meet the Borough's housing needs;
 - A high quality residential environment for all future occupiers. All of the new dwellings have been designed to meet the Mayor's London Housing Design Guide in terms of accessibility, size and layout, and achieve Lifetime Homes Standards;
 - Retention and enhancement of the Asset of Community Value pub use on site, and a refurbished and modern family friendly pub;
 - Provision of a new, modern and flexible function room, available for use by local community and amenity groups;
 - Public realm improvements along Fox Lane;
 - New commercial unit to increase the offer along Green Lanes, and add to the vitality and viability of Palmers Green District Centre;
 - Retention of locally listed building, and positive re-instatement of original weathervane and bell-tower features;
 - High standards of urban design and architecture;
 - Sustainable design which will result in low levels of carbon emissions;
 - A CIL contribution of X towards local infrastructure, as well as s106 contributions to mitigate the impacts; and
 - The redevelopment of this prominent, 'gateway' site within Palmers Green District Centre.
- 22.2. Officers consider that on balance the scheme would make a positive contribution to Palmers Green District Centre. It would deliver substantial public benefit deliver in terms of safeguarding continued A4 use on site for the designated ACV, additional homes and much needed affordable housing. The development would be in general compliance with Council policy and there are no material considerations of sufficient weight that would suggest that the application should be refused. Officers are therefore recommending approval of the scheme in accordance with the presumption in favour of sustainable development as set out by the National Planning Policy Framework (NPPF).

23 Recommendation

23.1. It is therefore recommended that planning permission be granted subject to securing the measures set out above through s106 legal agreement, and the following attached conditions. Members are being asked in considering the officer recommendation to grant planning permission to also grant delegated authority to officers to agree the final wording for these conditions.

Conditions

1.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: To comply with the provisions of S.51 of the Planning & Compulsory Purchase Act 2004.

2.The development hereby permitted shall be carried out in accordance with the following approved plans;

Drg 001	Location plan
Drg 011	Existing basement plan
Drg 012	Existing ground floor plan
Drg 013	Existing first floor plan
Drg 014	Existing second floor plan
Drg 015	Existing third floor/loft plan
Drg 016	Existing roof plan
Drg 017	Existing elevations
Drg 018	Existing elevations
Drg 020	Ground floor demolition plan
Drg 021	First floor demolition plan
Drg 022	Existing roof plan

Drg 030 revA	Proposed site plan
Drg 031	Proposed basement plan
Drg 032 revE	Proposed ground floor plan
Drg 033 revG	Proposed first floor plan
Drg 034 revE	Proposed second floor plan
Drg 035 revE	Proposed third floor plan
Drg 036 revC	Proposed fourth floor plan
Drg 037 revD	Proposed roof plan
Drg 040 revC	Proposed elevation/section AA-CC
Drg 041 revD	Proposed elevation/section DD-FF

Drg 050	Proposed ground floor landscape plan
Drg 051	Proposed first floor landscape plan

Design and Access Statement (August 2017)
Design and Access Statement Addendum (February 2018)
BWB, Energy Statement (August 2017)
Travel Plan Statement, Report No 003 (August 2017)

Reason: For the avoidance of doubt and in the interests of proper planning.

3.The development excluding demolition and groundwork shall not commence until details of the surfacing materials to be used within the development including

footpaths, access roads and parking areas and road markings have been submitted to and approved in writing by the Local Planning Authority. The surfacing shall be carried out in accordance with the approved detail before the development is occupied or use commences.

Reason: To ensure that the development does not prejudice highway safety and a satisfactory appearance.

4.The western and part of the southern boundary of the site shall be enclosed in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The means of enclosure shall be erected in accordance with the approved detail before the development is occupied.

Reason: To ensure satisfactory appearance and safeguard the privacy, amenity and safety of adjoining occupiers and the public and in the interests of highway safety.

5.The development excluding demolition and groundwork shall not commence until details of a landscaping plan detailing trees, shrubs and grass to be planted, details and specifications of any areas of green roof and the treatment of any hard-surfaced amenity areas has been submitted to and approved in writing by the Local Planning Authority. The plan shall include a landscaping management plan so as to ensure the plantings are appropriately maintained. The site shall be landscaped in accordance with the approved details in the first planting season after completion or occupation of the development whichever is the sooner. Any trees or shrubs which die, becomes severely damaged or diseased within five years of planting shall be replaced with new planting in accordance with the approved details.

Reason: To provide a satisfactory appearance.

6.The glazing to be installed on the southern elevation of Units 1.03, 1.04, 2.01 and 2.02 shall be in obscured glass and fixed shut with the exception of the top of the windows which can be openable and of clear glazing. The glazing shall not be altered without the approval in writing of the Local Planning Authority.

Reason: To safeguard the privacy of adjoining occupiers

7.That development shall not commence until a Construction Methodology has been submitted to and approved in writing by the Local Planning Authority.

The construction methodology shall contain:

- a. arrangements for wheel cleaning and dust suppression;
- 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 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.

8.The parking area forming part of the development shall not be used by customers associated with the pub and commercial unit hereby approved, and shall be laid out and completed prior to first occupation of any of the residential units.

Reason: To ensure that the development complies with Development Plan Policies and to promote highway safety.

9.The development excluding groundwork and demolition shall not commence until details of any external lighting proposed have been submitted to and approved in writing by the Local Planning Authority. The approved external lighting shall be provided before the development is occupied.

Reason: To ensure that the development does not prejudice the amenities of adjoining occupiers and / or the visual amenities of the surrounding area.

10.The residential units hereby approved shall comply with Lifetime Home standards in accordance with details to be submitted to and approved in writing by the LPA. The development shall be carried out strictly in accordance with the details approved and shall be maintained thereafter.

Reason: To ensure that the development allows for future adaptability of the home to meet with the needs of future residents over their life time in accordance with Policy CP4 of the Core Strategy and Policy 3.5 of the London Plan 2016.

11.The development shall not be occupied until details of the construction of any access junctions and any other highway alterations associated with the development have been submitted to and approved in writing by the Local Planning Authority.

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

12.The development shall be carried out in accordance with the submitted Energy Statement prepared by BWB providing for no less than 40% improvement in total CO2 emissions arising from the operation of a development and its services over Part L of Building Regulations 2010. The location and specification of the Low and Zero Carbon Technologies, with details of ongoing servicing and maintenance strategy shall be submitted to and approved by the Local Planning Authority prior to installation. The development shall be carried out strictly in accordance with the details so approved, and all Low and Zero Carbon Technology shall be operational prior to 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 Policy CP20 of the Core Strategy, Policies 5.2, 5.3, 5.7 & 5.9 of the London Plan 2016 and the NPPF.

13.The approved cycle storage for the residents of the development, residential visitors, the pub and the commercial unit shall be provided prior to first occupation of the development and permanently maintained, kept free from obstruction, and available for the parking of cycles only thereafter.

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

14.(a) Prior to the commencement of development, a contaminated land survey (including detailed site investigation) shall be undertaken as detailed in the report on the "Phase 1: Desk Study The Fox Public House, Palmers Green" by Solmek Ltd (reference S170722). This shall include:

- An assessment of the extent of contamination and the measures to be taken to avoid risk to health
- Trial pits to enable the made-ground and natural soils to be examined and buried obstructions to be identified
- Boreholes to obtain geotechnical data from in-situ testing
- Appropriate sampling to enable chemical and geotechnical testing

Prior to any construction on site a remediation scheme for the removal of ground contamination identified in the contaminated land survey, as required under this condition, shall be implemented in accordance with a timetable, which has been agreed in writing by the Local Planning Authority. If required, this shall include a foundation works risk assessment. In the event that any contamination is found during development of the site that was not previously identified it shall be reported in writing within 3 days to the Local Planning Authority. Development must be halted on the affected part of the site. A geotechnical assessment of the affected areas shall be undertaken and where necessary an additional remediation scheme, together with a timetable for its implementation, shall be submitted to and approved in writing by the Local Planning Authority. The measures in the additional remediation scheme must then be implemented in accordance with the approved timetable.

(b) Following completion of measures identified in any approved remediation scheme a validation report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To minimise the risk of pollution to the local environment given the potential for contamination on the site.

15.The A4 unit or commercial unit hereby approved shall not be occupied until details of the proposed extractor flues serving the unit in question (if required) and passing up through the building have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the development does not prejudice the amenities of adjoining occupiers and / or the visual amenities of the surrounding area.

16.Prior to occupation, details of electric vehicular charging points (EVCPs) including siting shall 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 submitted to and approved in writing by the Local Planning Authority. All electric charging points shall be installed in accordance with the approved details prior to first occupation of the development and permanently retained thereafter.

Reason: To ensure that the development complies with sustainable development Policy requirements of the adopted London Plan 2016.

17. Prior to commencement of the development a sustainable urban drainage strategy shall be submitted and approved in writing by the Local Planning Authority. This should include:

- A plan of the existing site.
- A topographical plan of the site.
- Plans and drawings of the proposed site layout identifying the footprint of the area being drained (including all buildings, access roads and car parks).
- The controlled discharge rate for a 1 in 1-year event and a 1 in 100-year event (with an allowance for climate change), this should be based on the estimated greenfield runoff rate.
- The proposed storage volume.
- Information on proposed SuDS measures with a design statement describing how the proposed measures manage surface water as close to its source as possible and follow the drainage hierarchy in the London Plan.
- Geological information including borehole logs, depth to water table and/or infiltration test results.
- Details of overland flow routes for exceedance events.
- Details of an appropriate oil-petrol interceptor to be installed within the car park.
- A management plan for future maintenance.
- Details of any connection to the existing sewerage network

The details submitted shall include levels, sizing, cross sections and specifications for all drainage features.

The SuDS measures approved through the strategy identified above shall be fully implemented prior to occupation of the development.

Reason: In the interest of Sustainable Urban Drainage measures and to reduce the potential of flooding associated with the development.

18. No piling shall take place until a piling method statement (detailing the depth and 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 sewerage 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: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

19. Prior to the occupation of the development, details of the installation of an appropriate drainage 'fat trap' associated with the A4 pub use and for the commercial unit should this be used for the sale of hot food for consumption on or off the premises, shall be submitted to and agreed in writing with the Local Planning Authority.

Reason: To prevent contamination of or blocking of the local drainage infrastructure.

20. Prior to installation, the specification and means of control of the gate or barrier to be used to control access to the residential car park shall be submitted to and agreed in writing with the Local Planning Authority. The gate shall be installed and

operational prior to the occupation of the residential units and permanently retained thereafter.

Reason: To ensure secure access to the site is maintained along with the maintenance of highway safety.

21. The development shall not commence until an updated noise impact assessment of the external facades of the development based upon the report prepared by ACP dated November 2017 demonstrating the development's compliance with acceptable internal noise levels in accordance with BS8233:2014 (or any subsequent replacement) has been submitted to and agreed in writing with the Local Planning Authority.

Reason: To ensure acceptable residential amenity.

22. Prior to the development being brought in to use a Travel Plan Co-ordinator shall be appointed and the approved Travel Plan Statement (dated August 2017) shall be substantially implemented. The Travel Plan Co-ordinator shall remain in post for the duration set out within the approved Travel Plan Statement. The measures set out in the approved Travel Plan shall be substantially implemented prior to the residential use hereby permitted being brought into use and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is obtained to any variation.

Reason: To establish measures to encourage more sustainable non-car modes of transport.

23. Detailed drawings to a scale of 1:20 to confirm the detailed design and materials of the following:

- a. Schedule and sample of materials used in all elevations, should also include brick/cladding/fenestration sample board (bonding and pointing);
- b. Details of all windows and doors at scale 1:10, including window reveals
- c. Construction details of all external elements at 1:20 scale (including sections). This should include: entrances and exits, glazing, masonry, weathering and flashings, balustrades and parapets, roof, plant and plant screening, health and safety systems;

Shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development above ground hereby permitted. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To safeguard and enhance the visual amenities of the locality.

24. The commercial unit hereby approved shall not be occupied until 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 interests of amenity and the recycling of waste materials in support of the Boroughs waste reduction targets.

25.No pipes or vents (including gas mains and boiler flues) shall be constructed on the external elevations unless they have first been submitted to the Local Planning Authority and approved in writing. Any pipes and vents shall be installed as approved.

Reason: Such works would detract from the appearance of the building and would be detrimental to the visual amenities of the locality.

26.The pub and commercial unit hereby approved shall not be occupied until details of the acoustic performance of any plant and extracts and an appropriate scheme of noise mitigation has been submitted to and agreed in writing by the Local Planning. These details should include a specification of flue extractors proposed including details of the odour emissions and sound emissions from the extractor.

Reason: To ensure acceptable residential amenity.

27.Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) and the remainder shall meet easily accessible/adaptable standards (Building Regulations M4(2)).

Reason: To ensure suitable facilities for disabled users and to future proof homes.

28.Prior to carrying out above ground works details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that the new build elements can achieve full 'Secured by Design' Accreditation.

The development shall only be carried out in accordance with the approved details.

Reason: To comply with relevant Enfield and London Plan (2016) planning policies.

29.All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority.

The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: To protect local amenity and air quality in accordance with [local policy] and London Plan (2016) policies 5.3 and 7.14.

30.The development shall be constructed/adapted so as to provide sufficient air-borne and structure-borne sound insulation against externally generated noise and vibration. This sound insulation shall ensure that the level of noise generated from external sources shall be no higher than 35 dB(A) from 7am - 11pm in bedrooms, living rooms and dining rooms and 30 dB(A) in bedrooms from 11pm - 7am measured as a LAeq,T. The LAF Max shall not exceed 45dB in bedrooms 11pm - 7am. A scheme for mitigation measures shall be submitted to and approved by the Local Planning Authority prior to development taking place. The scheme of mitigation shall include mechanical ventilation where the internal noise levels exceed those

stated in BS8233: 2014 with the windows open. The approved mitigation scheme shall be implemented in its entirety before any of the units are occupied/the use commences.

Reason: To protect future residents from noise and disturbance.

31.The development shall not commence until an air quality assessment report has been submitted to and approved by the local planning authority. The assessment shall compare the levels of nitrogen dioxide and PM10 to the objective levels set out in the Air Quality Standards Regulations 2010 and propose mitigation where the objective levels are exceeded for either pollutant at the façade of the development. Mitigation measures shall be fully implemented prior to occupation.

Reason: To protect future residents from air pollution

32.The flexible function room within the A4 pub unit as illustrated on drg number FDW.8187-01 Rev G shall be no less than 82sqm and made available for use by the community for a minimum of five hours per week outside the following times:

- Monday - 12.00 and 14.30
- Tuesday - 12.00 and 14.30
- Wednesday - 12.00 and 14.30 and 17.30 until closing time
- Thursday - 12.00 and 14.30 and 16.00 until closing time
- Friday - 12.00 and closing time
- Saturday - all day
- Sunday - all day

Bookings by the local community should be made at least 3 working days in advance and will be chargeable at market rates comparable with similar facilities in the local area.

Reason: To ensure compliance with DMD policy DMD17 and the relevant London Plan policies

33.The development excluding demolition and groundwork shall not commence until details of the weathervane and bell tower feature have been submitted to and agreed in writing with the Local Planning Authority. Further details to include 1;20 scaled drawings, and details of all materials to be used (including samples schedule).

Reason: To ensure a satisfactory external appearance.

34. Prior to the refurbished A4 pub unit hereby approved being open to trade, the flexible function room shall be made ready for use.

Reason: To ensure a satisfactory standard of development that accords with DMD policy 16 and relevant London plan policies.