

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE  
HELD ON TUESDAY, 4 AUGUST 2020**

**COUNCILLORS**

**PRESENT** Maria Alexandrou, Kate Anolue, Mahym Bedekova, Elif Erbil, Ahmet Hasan, Michael Rye OBE, Jim Steven and Hass Yusuf

**ABSENT** Sinan Boztas and Dino Lemonides

**OFFICERS:** Catriona McFarlane (Legal Representative), Claire Williams (Planning Decisions Manager), David Gittens (Planning Decisions Manager), Gideon Whittingham (Principal Planning Officer) and Dominic Millen (Group Leader Transportation) Jane Creer (Secretary) and Metin Halil (Secretary)

**Also Attending:** Members of the public, applicant and agent representatives were able to observe the meeting live online.

**1**

**WELCOME AND APOLOGIES FOR ABSENCE**

NOTED

1. Councillor Bedekova (Vice-Chair) chaired the meeting in Councillor Boztas's absence, welcomed all attendees to the meeting, which was being broadcast live online. Committee members confirmed their presence and that they were able to hear and see the proceedings.
2. No apologies for absence were received. Councillor Lemonides was absent from the meeting.
3. Councillor Kate Anolue was nominated as vice-chair by Cllr Bedekova and seconded by Councillor Rye.

**2**

**DECLARATION OF INTEREST**

NOTED

1. Councillor Bedekova declared a non-pecuniary interest in item 7 of the agenda (20/01169/RE4 – Winchmore School) as her child attended the 6<sup>th</sup> Form unit at Winchmore School.
2. Councillor Erbil declared a non-pecuniary interest in item 10 of the agenda ( 19/02283/VAR – Social Club, 97 Ordnance Road) as she was one of the ward councillor's for Enfield Lock Ward.

**3**

**MINUTES OF THE PLANNING COMMITTEE HELD ON TUESDAY 7 JULY 2020 & TUESDAY 21 JULY 2020**

**NOTED**

1. The minutes of the Planning Committee meeting held on Tuesday 7 July 2020 were agreed with the following statement from Councillor Rye.
  - An objection to the minutes was received from residents by Councillor Rye concerning the Holtwhites Hill Application (20/01084/FUL. Councillor Rye replied to the residents that minutes of Planning Committee meetings are never a verbatim report of what was said and are entirely consistent with other minutes.
  - The voting on this item was correct.
  
2. The minutes of the Planning Committee meeting held on Tuesday 21 July 2020 were agreed.

**4**

**REPORT OF THE HEAD OF PLANNING**

RECEIVED the report of the Head of Planning.

**5**

**18/00646/FUL - 32 WAGGON ROAD AND LAND REAR OF 30 WAGGON ROAD, BARNET, EN4 0HL**

**NOTED**

1. The introduction by David Gittens, Planning Decisions Manager, clarifying the proposals and highlighting the key issues and additional information provided since the previous deferral.
2. Additional correspondence objecting to this application was received after the committee report was published from residents at 26 Waggon Road and 34 Waggon Road.
3. This case was originally reported to the meeting of Planning Committee on 21st January 2020. It was resolved to defer determination of this application pending a site visit. This resolution was in response to a number of points that were raised in terms of the relationship of the proposed development to the boundary, the relationship to neighbouring properties and their amenity (in terms of overlooking and loss of privacy) and the impact on the character of the area and the access.
4. The site visit took place on Saturday 1st August 2020
5. The report sets out the key issues in the assessment of the planning application which proposes the erection of three two storey five bedroom dwelling houses on existing garden land in association with the demolition and reconstruction of No 30 Waggon Road, forming one of the existing properties, in association with the creation of a new access off Waggon Road.

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6. The development constitutes a back-land development site utilising the rear gardens of No 30 and No 32 Waggon road. As part of the development, No. 32 Waggon Road would be demolished and reconstructed; it being sited on the western boundary adjacent the boundary with No 34 Waggon Road. The eastern side of No 32 Waggon Road site would provide the access road for the three dwelling houses at the rear of site, permitting independent access to plots 2, 3 and 4.
7. Although talking of back land, we are talking about gardens of considerable proportions in excess of 100 metres. To give some perspective. At over 100 metres in length, the building known as Centrepont Soho could comfortably fit into this garden.
8. The rear boundary of the site is formed by Monken Mead Brook; a designated main river. Detailed discussions have been held with the Environment Agency and with the SUDs team pertaining to the impact of the development on the brook and surface water drainage. The site is not within a designated Flood Zone and it is agreed that the effect on neighbouring properties and surface water drainage consideration are acceptable subject to the approved SuDS report and site plans.
9. The scope of the proposed development has also been considered against historic development along Waggon Road and against relevant national, regional and local planning policy context. The full planning application satisfies overarching planning policy and is considered to be acceptable subject to pre-commencement and pre-occupation planning conditions applied to the site.
10. It was explained to Members that the proposed houses would be in excess of 55 metres from the rear elevations of the existing houses in Waggon Road and in excess of 45 metres from the rear elevations in houses backing onto Monken Mead Brook in Kingwell Road.
11. The deputation of Kim Ioannides (neighbouring resident) speaking against the officers' recommendation.
12. The statement of Councillor Alessandro Georgiou, Cockfosters Ward Councillor.
13. The deputation of Pamela Nichols (Alan Nichols unable to make the deputation) speaking against the officers' recommendation.
14. The response of Mark Mathieson (Agent)
15. Members debate and questions responded to by officers.
16. Members expressed concern at the impact on trees and the impact on land levels around Monken Mead Brook, potential for flooding. to the development being out of character with the area, and the adverse impact on the amenity of neighbouring residents.
17. The Committee refused the officers' recommendation: 1 vote for, 6 against and 1 abstention.

**AGREED** that the application be Refused.

**Reason:** Out of character with the locality and would have an adverse impact upon the amenity of local residents.

**15/04916/FUL - 20 AND REAR OF 18 - 22, WAGGON ROAD, BARNET, EN4 0HL**

NOTED

1. The introduction by David Gittens, Planning Decisions Manager, clarifying the proposals and highlighting the key issues.
2. This application was originally considered by the Enfield Planning Committee on 19 December 2017. The Enfield Planning Committee resolved to grant planning permission for the development subject to conditions and a S106 agreement that required a financial contribution towards affordable housing.
3. The legislation in place at the time, The Town and Country Planning (Development Management Procedure) Order (DMPO 2015) required an affordable housing contribution for private residential schemes with a proposed floorspace **General Internal Area (GIA)** greater than 1000sqm. As the proposed scheme had/has a floor area in excess of 1000sqm, a contribution towards affordable housing was therefore required.
4. However, in the intervening period, before the legal agreement was completed, central government made revisions to the National Planning Policy Framework (NPPF) which confirmed that affordable housing can only be sought in respect of schemes for 10 or more homes and removed the requirement for an affordable housing contribution for residential schemes with over 1000sqm of floorspace.
5. In the light of these changes, together with the previous resolution of the Planning Committee to grant planning permission for this scheme, the application was reported to the Committee again on 4 February 2020 to seek an amendment to the resolution to remove the reference to a S106 agreement which is no longer applicable.
6. On 4 February 2020, the Planning Committee voted to defer the item for the following reasons:
  - For the reconsideration of the application in the light of The application needs to be reconsidered in the light of the material change as a result of the Council's declared Climate Change Emergency; and,
  - To report any material changes in environmental policy in the Draft London Plan, particularly in relation to tree canopy, and biodiversity.
7. These matters have been reviewed and the report on today's agenda contains sections that specifically address these issues.
8. In all other respects the planning application and proposed development remain as previously approved by the Enfield Planning Committee.
9. The application site comprises number 20 Waggon Road and parts of the rear gardens of numbers 18 and 22 Waggon Road. Number 20 Waggon Road is a 2 storey detached single family dwelling located on the southern side of the road. The site has a single point of vehicular access and parking for a number of 4 cars on the front driveway.
10. The surrounding area is residential in character, mainly characterised by large detached dwellings. Warner Close is located to the east of the

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- application site and contains 4 dwellings to the rear of numbers 10-16 Waggon Road accessed via Sandridge Close.
11. The Metropolitan Green Belt lies to north of the application site on the opposite side of Waggon Road whilst Monken Mead Brook defines the rear (southern) site boundary.
  12. Application is made for the redevelopment of the site by the demolition of the existing house at no 20 Waggon Road to provide 4 x 6-bedroom detached single family dwelling houses with attached garages, new access road from Waggon Road, and associated landscaping.
  13. There are existing, similar back land developments that have taken advantage of other long gardens in the immediate vicinity, at Warner Close and Sandridge Close.
  14. Accordingly, Members are requested to consider the application without a legal agreement on the basis of the revised resolution.
  15. The statement of Councillor Alessandro Georgiou, Cockfosters Ward Councillor.
  16. The deputation of Drummond Robson was not heard.
  17. Members debate and questions responded to by officers. Members stated that this case should be refused as it was clearly worse in terms of its impacts than the original scheme earlier on the agenda (**18/00646/FUL**).
  18. Members concern in relation to the development being out of character to the area, adverse impact on the amenity of neighbouring residents, not fully compliant to the Council's own urban plans with regards to the climate change emergency and the draft London plan with regards to the tree canopy and biodiversity.
  19. The Committee refused the officers' recommendation: 1 vote for, 4 against and 3 abstentions.

**AGREED** that the application be Refused.

**Reason:** Out of character with the locality and would have an adverse impact upon the amenity of local residents and also due to its impact on trees.

**7**

**19/04133/FUL - 124 OLD PARK RIDINGS, LONDON, N21 2EP**

NOTED

1. The introduction by David Gittens, Planning Decisions Manager, clarifying the proposals.
2. The site is located on the eastern side of Old Park Ridings, opposite the junction with Ridings Avenue. The site was previously occupied by a two-storey detached dwelling with front forecourt parking area and carriage accessway, and a large rear garden; however, the dwelling has been demolished and two buildings granted planning permission under 16/05960/FUL are substantially complete.
3. This was for the redevelopment of the site including subdivision and erection of a new building containing a 1 x 4 bed house and a new

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- building containing 1 x 2 bed flat and 2 x 3 bed flats with mansard roof and balconies and terraces at rear which was granted in April 2017.
4. Whilst the development has been under construction it has come to the attention of the Council that both of the buildings have been constructed in the form of three flats, making six flats in total, contrary to the planning permission granted. This application seeks to regularise the situation.
  5. The application seeks part retrospective planning permission for the redevelopment of site by the erection of 2x 2-storey blocks of 6 self-contained flats with accommodation in roof space. This follows a recent grant of planning permission for the redevelopment of the site including subdivision and erection of a new building containing a 1 x 4 bed dwelling and a new building containing 1 x 2 bed flat and 2 x 3 bed flats with mansard roof and balconies at rear.
  6. The new buildings already substantially built with two storey rear projections measure approximately 9 metres in height and a depth of 14 - 18.3 metres and a maximum width of 12 metres. The buildings have been largely built in accordance with the approved plans save for some minor variations. The buildings are separated from the common boundary by 1 metre and set in from the common boundary with Nos.122b and 126 Old Park Ridings by 2 metres. Dormer windows are proposed within the front and rear roof slopes and rooflights within the side roof slopes. 8 car parking spaces and bin stores would be sited within the front garden. Cycle stores are proposed along the side boundaries. Rear gardens are proposed that would measure 355sqm per each block.
  7. Unlike the approved application which sought to accommodate flats in one of the buildings and a house in the other, this application proposes the use of both buildings as flats. The internal arrangement of both buildings will be the same with the three bed flats sited on the ground floor and first floors whilst the two-bedroom flats would be in the loft space. All upper floor flats would have access to rear amenity space and terraces. The ground floor flats would have access directly to the rear gardens.
  8. Whilst the originally approved application is policy compliant, the unauthorised alternative that is under construction is also policy compliant.
  9. The deputation of Toby Clarke (neighbouring resident) speaking against the officers' recommendation.
  10. The deputation of Michael Donegan (neighbouring resident) against the officers' recommendation.
  11. The statement of Councillor Andy Milne (Grange Ward Councillor).
  12. The response of Tyrone Kousaris (Agent).
  13. Members debate and questions responded to by officers'.

The discussion took two forms: one which suggested that the developer was riding roughshod over the Council and determining for themselves what was acceptable, and that had a planning application been made initially for six flats on the site, residents would have objected, and planning permission would have been refused.

The officer advised that the government advice in relation to planning and enforcement is that the grant or refusal of planning permission is not something to be applied punitively when unauthorised works takes place, as those works may indeed be acceptable in planning terms.

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In this case we have a policy compliant scheme that some residents appear to like less than the previously permitted scheme, however that would not be a valid reason to refuse it.

14. Members concern in relation to the development now being out of character with the area, by nature of it being 2 blocks of flats as opposed to 1 house and 1 block of flats, the height of the development is incongruous in relation to the neighbouring property and a lack of amenity space in some of the flats.
15. The Committee refused the officers' recommendation: 1 vote for, 4 against and 3 abstentions.

**AGREED** that the application be Refused.

**Reason:** The scheme was an over development and out of character with the locality.

**8**

**20/01169/RE4 - WINCHMORE SCHOOL, LABURNUM GROVE, LONDON, N21 3HS**

NOTED

1. This item was adjourned to the next meeting on 1 September 2020, due to time constraints, and not heard.

**9**

**20/01021/FUL - ARK JOHN KEATS ACADEMY 52 BELL LANE EN3 5PA**

NOTED

1. This item was adjourned to the next meeting on 1 September 2020, due to time constraints, and not heard.

**10**

**19/02283/VAR - SOCIAL CLUB 97 ORDNANCE ROAD ENFIELD EN3 6AG**

NOTED

1. This item was adjourned to the next meeting on 1 September 2020, due to time constraints, and not heard.

**11**

**FUTURE MEETING DATES**

NOTED

1. The next meeting dates for the Committee would be 1 September and 22 September. An additional meeting may also be required in the last week of September.

