

## PLANNING COMMITTEE

24<sup>th</sup> November 2020

### REPORT OF:

Head of Planning

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### Subject:

**Member Update for Planning Committee**

### Update to Planning Committee

Ahead of Tuesday's Planning Committee meeting, there are a number of additional items that you should be aware of and which will be of assistance to Members in your assessment of the proposals.

- 1.0 **Item 6 – 20/02299  
Winchmore Hill School, Laburnum Grove, N21**
- 1.1 With reference to the section on Design and Appearance (Paras 9.8 – 9.14), there have been further discussions with the Agent acting on behalf of the Applicant which has resulted in detailed specifications for the proposed materials being submitted for approval
- 1.2 The proposed materials comprise of kestrel cladding in anthracite grey, celuform cladding, kingspan roof panels, kestrel window trim.
- 1.3 It is considered these materials are acceptable and relate suitably to the existing Winchmore School complex as a whole and the surrounding locality.
- 1.4 In summary officers welcome the submission of the material specifications and consider the proposed appearance of the development to be acceptable.
- 2.0 **Item 7: 20/01049/FUL and 20/01188/LBC  
Car Park Adjacent to Arnos Grove Station, Bowes Road, London, N11 1AN**
- 2.1 *Section 2 of the Main Committee Report: Update*
- 2.1.1 An update on the Heads of Terms set out in the main report at paragraph 1.2, provided below. In summary, Officers have secured Section 106 contributions of **£391,142** (including £180,700 towards transport and £70,957 towards health).
- 2.1.2 In addition, Community Infrastructure Levy in the order of **£1,765,181** would be payable (*as per page 174 of the main report*).

### 2.1.3 Heads of Terms:

1. Affordable housing:
  - a. Minimum of 40% by habitable room (39.5% based on units);
    - a. Tenure to comprise 30% let at London Living Rent levels and 70% Discounted Market Rent;
  - b. Rents set up to 65-70% of open market rent rates subject to the GLA's household income cap in place at the time of letting;
  - c. Marketing of *affordable Shared Ownership* homes – prioritising households that live or work in the Borough;
  - d. All related communal open space and play space in a particular Block or Plot to be available to all residents (irrespective of tenure);
  - e. Quality standards;
  - f. Affordable housing secured in perpetuity.
2. Viability Review Mechanisms:
  - a. Early Stage Review (if no "substantial commencement" within 24 months);
  - b. Late Stage Review (prior to 75% of private residential units being sold or let); and
  - c. Early and Late Stage Reviews capped at 40% Affordable Housing ((30% London Living Rent (LLR) and 70% Discounted Market Rent (DMR)).
3. Build to Rent requirements:
  - a. 15-year minimum covenant;
  - b. Clawback clause;
  - c. Self-contained and let separately;
  - d. Unified management and ownership;
  - e. Tenancies of up to 5-years available to all;
  - f. Rent and service charge certainty for the length of the tenancy;
  - g. On-site management;
  - h. Complaints service in place; and
  - i. No up-front charges etc.
4. Sustainable Transport Infrastructure (Healthy Streets and Improvements) (£95,000):

Allocation scope:

  - a. Local pedestrian, cycle and highway infrastructure beyond the red line;
  - b. Surveys (informing the need for local improvements such as a pedestrian crossing along Bowes Road; drop off-surveys; local Pedestrian / cycle Infrastructure Surveys) – with link to s278;
5. Sustainable Transport Package (up to £45,700):

Allocation scope:

  - a. Car Club Membership per home for 3 years;
  - b. £50 car club driving credit per home;
  - c. £50 Oyster OR Cycle Voucher;
  - d. Travel Plan monitoring (£5,500), including a Travel Plan to be prepared and implemented; commitment to review; appointment of Travel Plan Coordinator and monitoring of Travel Plan initiatives including TRICS compliant surveys.
6. Local Car Parking Controls / CPZ (£40,000):
  - a. Surveys; potential consultation on an extension to the CPZ; potential implementation.
7. New Resident Parking Exemption

- a. Resident car ownership would be managed by the developer, including a clause within resident contracts restricting them from applying for or being eligible for on-street parking permits within the relevant Controlled Parking Zone.
8. Station Access Road
- a. Improvements associated with development, within the red line: s278.
  - b. Alterations to site accesses / works to site frontage along the highway.
9. Energy
- a. Priority DEN connection;
  - b. Development to provide no less than a 35% improvement in total CO<sup>2</sup> emissions arising from the operation of the development and its services over Part L of Building Regs 2013.
  - c. Revised Energy Statement to be submitted;
  - d. Be Seen (Post construction monitoring). Post construction monitoring as per 'be seen' guidance.
10. Carbon Offsetting financial contribution:
- a. Payment of off-set contribution (£139,847 linked to 9.a);
  - b. Sign up to GLA energy monitoring platform.
11. Health financial contribution:
- a. Payment of contribution (£70,957);
12. Employment & Training:
- a. Local Labour (during construction phase); and
  - b. Employment & Skills Strategy submitted and approved prior to commencement of Phase 1 and each Plot in Phase 2 using reasonable endeavours to secure: (i). 25% of local workforce, (ii). 1 x apprentice or trainee for every £Xm contract value (figure to be agreed once formula agreed) (financial contribution to be provided if not possible formula to be agreed), (iii). Quarterly apprenticeship reporting & targets, (iv). Local goods and materials, and (v). partnership working with local providers/ programmes).
13. Public Realm
- a. Public Realm Use and maintenance of the square – to be delivered as a publicly accessible space and maintained by the developer
  - b. Public access – ensuring public access to proposed square (365 days, 24/7).
14. Play Space
- a. Play space provided on site shall be accessible to all housing tenures.
15. Architect Retention Clause
- a. Retention of architects
16. Other:
- a. Financial contributions to be index-linked;
  - b. Considerate Constructors Scheme;
  - c. LBE monitoring fee (max 5% of financial contributions);
  - d. s278 agreement in line with specification to be agreed, subject to surveys.

2.2 Condition 31 (Fire Evacuation Lifts) is amended to (Submission of Evacuation Management plan and lift details). Fire evacuation lifts will be provided in each building, subject to development of a suitable management evacuation plan.

### 2.3 *Section 9 of the Main Report: Summary or relevant assessment*

- 2.3.1 A representation has been received raising concerns that Enfield Council has not considered its obligations under the Equality Act (2010), including the Public Service Equality Duty (PSED) in considering the differential and negative impacts on older people, and those with mobility impairments who do not possess a blue badge (but who might make use of the TaxiCard scheme, for example). A similar comment has been made in respect of Transport for London's obligations.
- 2.3.2 The PSED is engaged when making a planning decision and in this case, respect of age and disability are the key characteristic relevant to the loss of parking.
- 2.3.3 The report is clear there is no change to the number of blue badge parking associated with the station (6 spaces re-provided), there is good public transport connectivity and re-provided taxi provision. Arnos Grove station does not provide 'Step-free access from street to train' or 'Step-free access from street to platform'. 'Step-free access from street to train' is available two stations north along the Piccadilly Line, at Oakwood Station. Oakwood Station has a car park.
- 2.3.4 The report sets out Officers' detailed assessment of the overall impacts of the scheme's prioritisation of walking, cycling and low carbon transport. Officers have concluded there are benefits for existing station users and existing and future residents in creating a safer environment, with improved public realm as set out in the main report. It also considers potential improvements to local air quality. Officers have concluded that the impact of the loss of the public car park are, on balance, acceptable subject to appropriate mitigation (page 154). The benefits and mitigations in summary include the following:
- 6 x blue badge parking spaces are re-provided, and quality of access to these bays improved (*main report pages 153, 156 and condition no. 35*);
  - taxi stand re-provision (*main report pages 153, 158 and condition no. 35*);
  - benefits resulting from the new square, including a safer and improved public realm, additional seating, shade, shelter, places to rest and cycle parking (*main report pages 71, 87, 91, 137, 157 and 159*);
  - the scheme will promote feelings of increased community safety and security through increased activity, new permanent active uses (including on-site management and concierge) and increased footfall (*main report page 126*);
  - Conditions and Section 106 obligations, including contributions towards local transport improvements (*Paragraph 1.2 of the Update Report, above*).
- 2.3.5 Officers are satisfied the assessment; applicant's design and development approach and the application material have taken the provisions of the Human Rights Act 1998 into account in the processing of the application and the preparation of the main report, and this update report. Planning committee members will be required to pay due regard to the need to: eliminate discrimination, harassment, victimisation and any other conduct that is

prohibited by or under the Equality Act; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and foster good relations between peoples who share a relevant protected characteristic and persons who do not share it. A summary against the assessment within the main report is summarised below:

- *Age*: Safer environments in which to walk, play and cycle predominantly have a positive effect on younger and older age groups where motor vehicle ownership is low. Page 154 notes that 33% of Enfield households have no access to a car. Local data shows a slightly higher percentage of local households do not have a car compared with the Enfield average. In this context, public transport and active modes of travel have increased importance as a result. Improvements that support active travel would have a beneficial impact, overall.
- As set out in the main report (page 126) the scheme will improve perceptions of community safety and security through increased activity, new permanent active uses (including on-site management and concierge). These would have a beneficial impact, overall.
- *Disability*: Disabled people are highly diverse in their capabilities and within the disabled context there are several sub groups, considered against the assessment undertaken in the Officers Report.
- *Physical Impairments*: Those with physical impairments are more likely to use public transport or rely on vehicles for mobility. While there may be an impact on individuals who primarily use a motor vehicle as a mobility aid – an alternative local option to a step-free station (with good step-free arrangements) is available two stops north. Wheels for Wellbeing is a grassroots disability organisation and inclusive cycling charity based in London. It publishes guidance on inclusive cycling which notes that 'it is a common myth that Disabled people don't or can't cycle. According to Transport for London (TfL), in London alone 12% of Disabled people cycle regularly or occasionally, compared to 17% of non-Disabled people'. The scheme includes public cycle parking provision – with no loss proposed.

Where mobility is impaired, this can make walking or crossing more complex for people and they may take longer to cross. If traffic reductions were experienced, which is expected, then these lower traffic volumes are likely to benefit people who need more time to cross. Officers have secured a package of mitigations, to support local transport improvements and encourage sustainable travel behaviours.

- *Visual Impairment*: Visually impaired people will be pedestrians, users of public transport or passengers in other vehicles. Visually impaired are likely to benefit from decreased traffic flows and enhancements to public realm.
- *Learning Difficulties and Developmental Disorders*: These community members may struggle to process changes to their daily life such as a route they regularly walk with a different flow of traffic. The applicant will be required to manage construction and submit a Construction Logistics Management Plan – which would include managing communications in respect of the development.

2.3.6 An Equality Impact Assessment was undertaken by Transport for London for the Arnos Grove project.

2.3.7 As noted in the main report (*page 153*), the trip origin of 99% of car park users is within walking distance of an underground station, rail or bus stop, whilst the remaining 1% have a station or bus stop closer to their trip origin than Arnos Grove station.

## 2.4 *Bowes Road residents*

2.4.1 An objection has been received on behalf of Bowes Road residents regarding the detrimental implications to health and safety of additional residents due to the fast-moving traffic along Bowes Road. It references the petition listed at page 86 of the main report and considered at page 151 onwards. The representation includes concern the high level of traffic on Bowes Road resulting in ever increasing noise, pollution and deteriorating safety.

2.4.2 The objection references 65 collisions in the 5 years to December (*page 157* of the main report). The objection does not include reference to the additional text included in the main report. This notes that almost all collisions (64) were considered to be the result of driver error, not highway layout. For example, driver errors included drivers failing to look properly and drivers being careless, reckless and in a hurry.

2.4.3 The assessment at page 151 onwards also considers the benefits of prioritising walking, cycling and low carbon transport options. Officers have concluded that there are benefits for existing station users and existing and future residents in creating a safer environment. It also considers potential improvements to local air quality. A mitigation package has been secured by Officers, as set out in this update report. A contribution of £95,000 has been secured towards Sustainable Transport Infrastructure. The contribution can be allocated towards surveys to inform the need for local improvements such as a pedestrian crossing along Bowes Road – with link to s278; or direct infrastructure improvements. As set out in the Heads of Terms, any s278 agreement would be in line with specification to be agreed.

2.4.4 Officers are satisfied that subject to conditions and mitigation secured, including Section 106 obligations, that the proposals would not give rise to issues which would be prejudicial to safety. Subject to conditions and s106 obligations, the proposal is assessed to be in accordance with adopted Enfield Core Policies 24, 25 and 26; Enfield policies DMD 45, DMD 47 and DMD 48; current London Plan Policy 6.1; and emerging London Plan Policies (Intend to Publish) T1, T2, T4, T5, T6 & T9.

## 2.5 *Resident objection*

2.5.1 An objection has been received raising concerns in respect of: impacts on listed buildings and the environment; density; concerns that new homes would not be for local Enfield residents; concerns about limited monetary benefits to Enfield; concerns about the 'car-free' approach.

2.5.2 These matters are assessed within the Main Report as follows: Impacts on listed buildings and the environment (*page 134*); density (*page 116*); concerns that new homes would not be for local Enfield residents (*page 113*); concerns about the 'car-free' approach (*page 113*).

2.5.5 In respect of concerns about limited monetary benefits to Enfield – Officers have secured Section 106 contributions of **£391,142** (including £180,700 towards transport and £70,957 towards health). In addition, Community Infrastructure Levy in the order of **£1,765,181** would be payable (*page 174 of the main report*).

## 2.6 *Planning Balance and Conclusion*

2.6.1 The Proposed Development accords with the development plan, as a whole. It therefore benefits from the statutory presumption in favour of the development plan as set out in section 38(6) of the Planning and Compulsory Purchase Act 2004.

2.6.2 Paragraphs 10 and 11 of the NPPF set out that there will be a presumption in favour of Sustainable Development. The latter paragraph states that:

*For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

2.6.3 It is not considered that any adverse impacts of the proposal would significantly and demonstrably outweigh the benefits outlined in the main report and this update report. The proposal is recommended for approval, subject to the recommended conditions and s106 planning obligation