

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date: 26 October 2021

Report of

Head of Planning

Contact Officer:

Andy Higham
David Gittens
Kate Perry

Ward:

Grange

Ref: 20/02858/FUL

Category: Full Application

LOCATION: 100 Church Street, Enfield, EN2 6BQ

PROPOSAL: Redevelopment of site involving demolition of buildings and erection of residential units with associated car parking, cycle parking and landscaping (Revised Drawings received July 2021)

Applicant Name & Address:

HPJ 11 Developments Ltd
C/O Agent

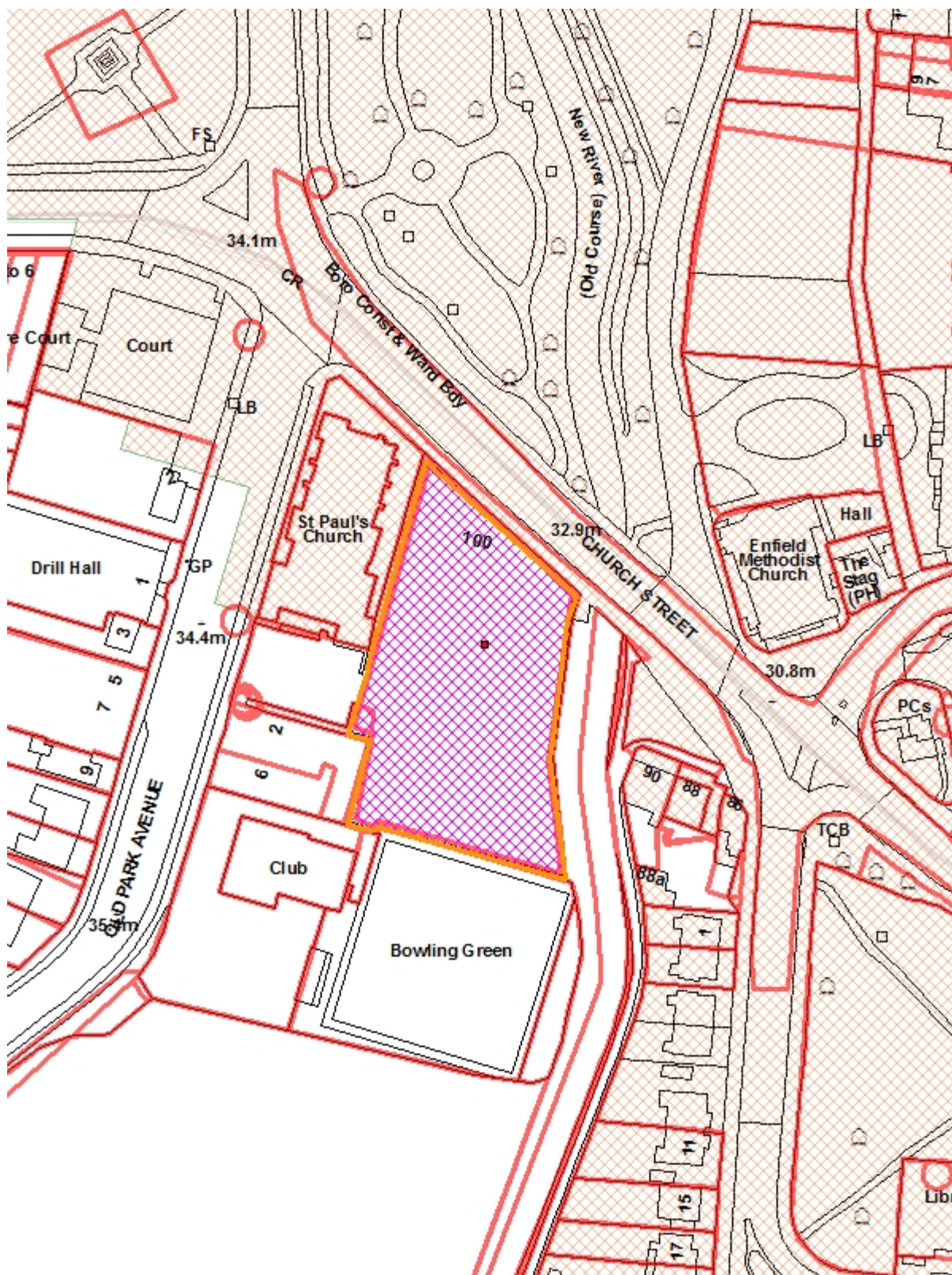
Agent Name & Address:

Mrs Mairead Flower
Iceni Projects
Da Vinci House
44 Saffron Hill
London
EC1N 8FH

RECOMMENDATION:

1. That subject to the finalisation of a S106 to secure the matters covered in this report and to be appended to the decision notice, the Head of Development Management/ the Planning Decisions Manager be authorised to GRANT planning permission subject to conditions.
2. That the Head of Development Management/Planning Decisions Manager be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

Ref: 20/02858/FUL **LOCATION: 100 Church Street, Enfield, EN2 6BQ,**



1. Note for Members

- 1.1 This planning application is categorised as a “major” planning application and in accordance with the scheme of delegation, is reported to Planning Committee for determination.

2. Executive Summary

- 2.1 The application proposes a high-quality residential development on existing underutilised, highly sustainable brownfield land which is identified for re-development in the Enfield Town Masterplan (2018).
- 2.2 There is a pressing need for housing, including affordable housing, and Enfield has an extremely challenging 10-year housing delivery target. This application proposes 78 new homes including 7 units of affordable housing.
- 2.3 The proposal is located within Enfield Town Conservation Area and is in close proximity to other identified heritage assets, including Listed and Locally Listed buildings. The proposal is identified as causing ‘less than substantial harm’ on these assets. In accordance with the NPPF, where ‘less than substantial harm’ is identified the decision maker must weigh the identified harm against any public benefits of the proposal. In this instance, Officers consider that the public benefits of the proposal (primarily through the provision of housing) outweigh the ‘less than substantial harm’ identified.
- 2.4 As such, in accordance with the NPPF (paragraph 11d), the ‘tilted balance’ assessment is engaged where planning permission should be granted unless “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”.
- 2.5 Officers acknowledge that due to the quantum of homes proposed, and the resultant extent of site coverage, there are shortcomings to this proposal. These are identified in the analysis section of this report. However, the development is considered to be high quality in terms of its design using a mansion block typology. The design also demonstrates high quality architectural detailing and materials resulting in an acceptable appearance. Having regard to the Borough’s position in terms of housing delivery and the consequent presumption in favour of sustainable development, the deficiencies in the proposal both individually and cumulatively are not considered to significantly and demonstrably outweigh the benefits.
- 2.6 The primary public benefits of the scheme can be summarised as follows:
- Optimising the site – making effective use of a highly sustainable highly accessible brownfield site;
 - Housing – making a significant contribution to the Borough’s housing delivery, including affordable housing.
 - Social and economic benefits - providing jobs during construction and increasing footfall in the town centre
 - Landscape and biodiversity enhancements
 - Minimising Green House Gas Emissions and exceeding London Plan minimum energy reduction target baselines; and
 - An improvement in on-site sustainable urban drainage (water management).

Furthermore, it has been recognised that:

- The development by virtue of its size, location and proximity would not unacceptably harm the amenity of occupying and neighbouring residents.
- The proposals would not cause any unacceptable harm upon highway safety or the flow of traffic in the locality.

- 2.7 The development would be appropriate and broadly in accordance with relevant National and Regional Policy, Core Strategy and Development Management policies.

3. Recommendation / Conditions

- 3.1 That subject to the finalisation of a S106 to secure the matters covered in this report and to be appended to the decision notice, the Head of Development Management/ the Planning Decisions Manager be authorised to GRANT planning permission subject to conditions to cover the following matters:

- 3.2 That the Head of Development Management/Planning Decisions Manager be granted delegated authority to agree the final wording of the S106 obligations and the recommended conditions as set out in this report.

1. Time limit - Full
2. Development in accordance with approved drawings and documents
3. Housing mix
4. Accessible housing
5. Materials – including samples and 1-1 mock-ups on site
6. Surfacing materials – including samples
7. Detailed drawings of key thresholds, openings, parapets, typical bays etc
8. Details of all structures and plant on roofs – including detailed drawings and views
9. Details of all means of enclosure - site boundary and within site: terraces and balconies
10. Secure by Design
11. Acoustic report - plant
12. Contamination Report
13. Contamination remediation strategy
14. Unidentified contamination
15. Air quality mitigation
16. Non-road mobile machinery
17. Impact piling
18. Construction Dust Management Plan
19. Fire strategy
20. Detailed tree Protection scheme including auditable schedule of arboricultural supervision/ inspection
21. Detailed Landscaping proposals including UGF
22. Landscaping management plan
23. Details of external lighting
24. Vegetation clearance outside of Bird nesting season
25. Works to stop if evidence of bat identified
26. Ecological enhancements
27. Green roof - details
28. Energy – compliance with strategy

29. Energy performance certificates
30. Mechanical ventilation system details
31. Provision of blue badge parking and retention for use by private motor vehicles
32. EV charging – one space
33. Construction traffic logistics plan
34. Visitor cycle parking – 4 spaces
35. Cycle door widths – minimum 1.2m opening
36. Delivery and service plan
37. Obscure glazing – west elevation
38. SUDs - final strategy
39. SUDs - verification report
40. Water efficiency
41. Thames Water - construction within 5m of assets
42. Piling Method statement - in relation to sewerage infrastructure
43. Satellite Dish/ TV – communal antenna
44. Levels

Informatives

1. In aiming to satisfy condition 10 (SBD) the applicant must seek the advice of the Metropolitan Police Service Designing Out Crime Officers (DOCOs). The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 0208 217 3813.
 2. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 3.2 That the Head of Development Management/Planning Decisions Manager be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report

4. Site and Surroundings

- 4.1 The site is located on the southern side of Church Street. It is currently occupied by an (up to) four storey vacant office building fronting on to Church Street. The building was previously occupied by Metaswitch who have re-located to new offices situated within Enfield Town. The site is located adjacent to St Pauls Church and Community Centre and Nos 2-6 Old Park Avenue to the west and the New River to the east. To the south of the site is Enfield Town Conservative Club and bowls green. Car parking is available to the rear of the existing building which is accessed via Old Park Ridings.
- 4.2 The site is located within the Enfield Town Conservation Area and there are a number of other identified heritage assets within the immediate vicinity of the site including Listed and Locally Listed buildings.
- 4.3 The site is located between Enfield Town (classified as a Major Centre) and Enfield Chase (classified as a Local Centre). The site falls within the Enfield Town Masterplan area and is identified for re-development.

- 4.4 The New River runs alongside the site, bordering it to the east and continuing to the north. This is designated as a site of Local Importance for Nature Conservation, a wildlife corridor and also forms part of the Green Chain corridor.
- 4.5 The site is well connected in terms of public transport and has a Public Transport Accessibility Level (PTAL) rating of 6a ('excellent'). The site is within walking distance of both Enfield Chase and Enfield Town railway stations and there are numerous bus routes along Church Street.

5.0 Proposal

- 5.1 The proposal is for the redevelopment of the site to provide 78 residential units (Class C3). The development would involve the demolition of the existing vacant office building and the erection of two residential blocks. The northern block, fronting Church Street, would comprise 30 units of accommodation over 5 storeys and would accommodate a mix of private and affordable housing. The southern block would comprise 48 private residential units over 6 storeys.
- 5.2 The architects have adopted what is described as a 'mansion block' typology with a focus on creating a high density, high quality flatted development. A feature of this typology is that they have central points of pedestrian access with internal corridors and circulation spaces leading to individual flats. Bay windows are employed to maintain a familiar sense of domesticity and character despite the overall scale and density of the buildings.
- 5.3 Three parking spaces for blue badge holders are proposed on site. Otherwise the proposal will be car free in line with current and emerging Enfield and London Plan policy, as the Borough and city move closer to addressing air quality and climate change by facilitating such measures as car free development where there is are excellent public transport links (in this case PTAL 6a, excellent).
- 5.4 140 long stay cycle parking spaces are proposed – 36 two-tier spaces are proposed at ground floor level in the southern block. In the northern block at basement level 96 two-tier spaces are proposed. At ground floor level in the northern block, 8 Sheffield stand spaces are proposed. Four short stay cycle parking spaces are proposed within the external parking/ courtyard (siting to be agreed by condition).
- 5.5 The scheme proposes the provision of 14.22% affordable housing (by habitable room). All the affordable units will be provided as London Affordable Rent (LAR). The proposed housing mix is set out below:

Total by Units

Units	Number	% of total
3b4p	4	5.1
2b4p	23	29.5
2b4p (Accessible)	1	1.3
2b3p	4	5.1
2b3p (Accessible)	8	10.3
1b2p	38	48.7

5.6 Broken down by tenure, the development will provide:

Private

Units	Number	% of total private
3b4p	0	0
2b4p	20	28
2b4p (Accessible)	1	1.4
2b3p	4	5.6
2b3p (Accessible)	8	11.3
1b2p	38	53.5

London Affordable Rent

Units	Number	% of total affordable
3b4p	4	57.1
2b4p	3	42.9
2b4p (Accessible)	0	0
2b3p	0	0
2b3p (Accessible)	0	0
1b2p	0	0

- 5.7 Each residential unit will have access to a private balcony or terrace, in addition to 172sqm of dedicated play space for children with further opportunities for informal play around the wider site.
- 5.8 Residential quality is considered in the assessment section of the report below. The new homes are proposed to meet or exceed Nationally Described Space Standards and all new homes are proposed to meet building regulations Part M4(2) standards and the London Plan.
- 5.9 The application documents demonstrate how the scheme has evolved through the pre-application process, through to submission. The scheme was subject to pre-application discussion and engagement. Pre-application engagement included meetings and workshops with Council Officers, independent design review by Enfield Design Review Panel, stakeholder engagement and public consultation and engagement. The scheme proposals have evolved during the course of negotiations with the applicants (including during pre-application stages) in response to comments. A Statement of Community Involvement (SCI) has been submitted as part of the application to demonstrate how the applicants have engaged with the local community.

6.0 Relevant Planning Decisions

- 6.1 The existing office building was granted under planning reference TP/87/1370 for the erection of a 4-storey office building with surface parking area for 70 cars (including 20 spaces for St Pauls Centre) involving vehicular access to Old Park Avenue. It was granted on 8.1.1988.
- 6.2 This building was most recently occupied by the company Metaswitch. However, in 2018 they gained planning permission under reference 18/03009/FUL to build a new

office development on the former Genotin Road car park site in Enfield Town. This left the original Metaswitch building vacant.

- 6.3 The vacant site is identified for re-development within the Enfield Plan Masterplan 2018.

7.0. Consultation

- 7.1 In December 2020, the Council adopted a Statement of Community Involvement (SCI), which sets out policy for involving the community in the preparation, alteration and review of planning policy documents and in deciding planning applications.
- 7.2 The SCI recognises that the Council will aim to involve the community as a whole: to extend an open invitation to participate but at the same time ensure that consultation is representative of the population. To achieve this, a variety of community involvement methods will be used. Targeted consultation of stakeholders and interest groups, depending upon their expertise and interest and the nature and content of the Local Plan documents, or type of planning application, will be undertaken.
- 7.3 In the case of 'significant applications, additional consultation will be carried out depending upon the proposal and site circumstances: Developers will be encouraged to provide the community with information and updates on large scale or phased developments using websites, public exhibitions and newsletters. As noted above, the applicant undertook pre-submission engagement with the local community.

Public Consultation

- 7.4 Initial consultation on the application involved notification letters being sent to 331 neighbouring properties on 2.10.2020 giving people 24 days to respond. A press notice was published in the Enfield Independent on 30.9.2020 and two site notices were also erected at the site on 29.9.2020. 20 objections were received.
- 7.5 As originally submitted, and the scheme which was the subject of this consultation, the application comprised two blocks of seven and five storeys and 91 residential units of residential accommodation as well as design differences when compared to the current proposal. The following objections (as summarised) were made in response to the application as originally submitted:

- Development too high
- General Dislike of proposal
- Inadequate parking provision
- Increase in traffic
- Increase of pollution
- Loss of parking
- Adverse heritage impacts
- Affect local ecology
- Inadequate public transport provision
- Increase danger of flooding
- Loss of light
- Loss of privacy
- More open space needed on development
- Noise nuisance
- Out of keeping with character of the area
- Over development
- Strain on existing community facilities

- Loss of views

7.6 Objections were also received from local stakeholders as summarised below:

Enfield Town Residents Association

- The development is too high and too close to adjoining properties and will lead to loss of privacy for existing residents;
- There is inadequate parking provision for residents;
- Inadequate parking provision will lead to an increase in local traffic and additional parking along Old Park Avenue which will in turn increase congestion, hence creating worse air quality for residents on that road;
- This will additionally lead to significant loss of parking for existing residents on Old Park Avenue, hence loss of amenity;
- It is unclear whether there is sufficient hard standing to enable removals and/or deliveries to take place and, more importantly, to exit safely; and
- the design is inappropriate and out of keeping with the character of key conservation areas
- Furthermore, if as a result of these shortcomings the development proves difficult to sell as an 'upmarket' destination, then it may well end up being a destination for residents who have no other choice and complex support needs. This would subsequently put a strain on existing community facilities and – contrary to the developers' claim - fail to contribute to regeneration of the town.

Enfield Town Conservation Area Study Group

- Not entirely opposed to redevelopment of the site but they have some concerns about the proposal in its present form. They consider that it will cause harm to the significance of the Enfield Town Conservation Area, contrary to local and national policy and statute.
- The southern block is too close to the New River Path (long distance footpath) and will provide poor amenity for both walkers and residents of the new flats.
- The form of the upper floors to both blocks is harsh, with the upper storey(s) set too far forward and poorly detailed. The upper storey on northern block, and the upper two storeys on the southern block, should be set back further above the bays as well as between them on all facades. Greater setbacks would allow for larger terraces and more greenery on the upper floor, improving the appearance of the buildings, and helping the buildings to relate better to each other.
- The present large area of plain white masonry is overbearing, especially without an additional setback. The area above the upper floor windows should be better articulated and/or reduced in height. Areas seen from the west and south should also be better articulated. These buildings are seen in the round and should be treated as such. The detailing and massing on the southern block is particularly weak compared to the northern block.
- The west façade is bland
- The space between the building is inadequate
- Welcome this as a car free development, but to ensure that cumulative road impacts are kept to a minimum, parking restrictions should be strengthened nearby to ensure that residents do not simply try to park outside the CPZ or avoid its restrictions.

Detailed comments – Northern Block

- The upper floor should be set back above the bays as well as between them, and more greenery and terraces introduced on the upper floor.
- The upper part of the buildings is unattractive, harsh and undetailed when seen above the church hall from the CA and the Grade II listed war memorial. This area needs to be better articulated with setbacks and more detailing. This is an important view within the CA, and marks the entrance into it from the west.
- The relationship between the blocks is poor, with too stark a contrast between the heights in views from the east and west. This is largely an issue with the southern block, but consideration should also be given the form of the northern block in this respect
- Tree Screening should not be relied upon to mitigate impacts.

Detailed Comments – Southern Block

- Too large and less well articulated than the northern block. It will be overbearing and will have a harmful effect on the significance of the Conservation Area, contrary to local policy, the NPPF and s.72 of the 1990 Act.
- The east side of the southern block is much too close to the New River Path long-distance footpath and will not only harm the visual amenity of users of the footpath, but will also provide poor amenity for residents.
- The crude massing and detailing of the upper floor noted above in relation to the northern block is more apparent on the southern block as the block is larger. The upper storeys of the southern block should be stepped back on all sides and over more than one floor, including over the bays as well as between them, and more terraces and greenery introduced on the upper floors.
- More care should be taken of the relationship between the buildings around the entrance areas on both east and west.

St Paul's Community Centre

- Loss of natural light from the east windows to the Main Hall. The height of the proposed new building at 100 Church Street alongside St Paul's will increase from 3 storeys plus plant to 5 storeys plus plant. The proposed development is for 90 apartments and is roughly 4 times the size of the current building that was constructed in the 1980s.
- The car park that is within the ownership of St Paul's Centre is key to the ongoing operation of the community centre, and whilst there is an agreed right of access across our land to the 100 Church Street site, we have major concerns about the detrimental effect that such a large building development will have on the Centre's day to day use of the car park and centre and particularly the effect on the Centre's clients, many of whom rely upon the services that the Centre provides. This all begs questions as to the adequacy of access of the right-of-way across the Centre's car park, the need for detailed traffic management into and out of the site, should planning approval be given (we currently use an ANPR system to manage the use of the Car Park) and even whether or not the car park can be used at all by the Centre's visitors and tenants during construction.

- Concerns about how the centre will be impacted during the period of construction having regard to piling, heavy duty vehicles, machinery, deliveries etc.

7.7 In April 2021, revisions to the proposal were submitted to address concerns raised by Officers and in response to the objections received from neighbouring residents and other local stakeholders. In summary the following amendments were made:

- Reduction in total number of units to 78 units (previously 91 units).
- Southern block reduced by 1 storey to 6 storeys (previously 7 storeys).
- Western gable end condition of the southern block has been partially stepped back by circa 4m, to reduce the impacts on adjacent houses at 2 to 6 Old Park Avenue.
- Revisions to elevations to add quality and reduce overall height and scale, including lowered roof parapet, softening of top storey brickwork and introduction of detail above ground floor windows.
- An increase in the overall family housing provision within the proposed development. This includes the introduction of 4 x 3 bedroom homes within the London Affordable Rent component.
- The housing mix and affordable housing provision has been amended. The proposed development will now provide 16.75% affordable housing provision (by habitable room), which will all be provided all as London Affordable Rent.
- Ground floor areas of southern block have been adjusted, including moving the substation out into a separate building, to provide more cycle storage to southern block.

7.8 A 14 day neighbour re-consultation on these amendments took place commencing on 27.4.21. As previously, 331 neighbouring properties were notified by letter. 4 responses were received objecting to the revised proposal, 1 response was received neither objecting to or supporting the application and 1 response in support of the application was received. In summary the following comments were made:

Objections

- Close to adjoining properties
- Overdevelopment
- Development too high
- Inadequate car parking
- Out of keeping with the character of the area
- Adverse impact on views from Town Park
- Still too dense
- Adverse impact on heritage assets.

Neutral

- Aspects of the revised proposal welcomed; the reduction in the height of the southern block, introduction of a margin of distance between the southern block and the properties in Old Park Ridings, improved design of the west elevation and improvements to the detailed design of the elevations.
- Concerns remain in relation to the closeness of the Southern Block to the New River boundary and how this may result in unsightly shutters/ barriers to privatise this environment

Support

- It is good that they listened and made the effort to provide a better mix etc

Enfield Town Conservation Area Group

- The revised proposals are an improvement over the previous proposals, but the scheme is still too close to the river. The southern bay window is almost on top of the red line and the terrace of the flat just to its north actually encroaches over the red line into the public footpath. It is impossible to see how it will be possible to make these flats feel pleasant and safe, and not overlooked by passers by on the footpath without encroaching further onto the footpath or building a high fence or putting in large planting. It is also hard to see how tenants themselves will not simply take over public land for their own uses outside their flats.

7.9 Further amendments were made to the proposal in July 2021 following feedback from Officers. In summary the following amendments have been made:

- the western gable end has been fully set back across the entire elevation and the overall width of this element has been reduced in order to reduce impacts on numbers 2 to 6 Old Park Avenue.
- Due to this amendment to the built form, the internal configuration of the southern building has been altered which has in turn resulted in amendments to the proposed housing mix and affordable housing proportion.
- The proposed development will now provide 14.22% affordable housing provision, which will all be provided all as London Affordable Rent.

7.10 A final round of public consultation was carried out in response to these amendments. 331 neighbouring properties were notified on 12.8.2021 and they were given 14 days to respond. 2 objections were received. The following objections were made in summary:

- Close to adjoining properties
- Inadequate access
- Inadequate parking provision
- Over development
- Adverse impact on character of the area
- Too dense
- Still adverse impact on 2-6 Old park Avenue
- Issue of parking not addressed
- May make it difficult for hail and ride buses to stop safely

Statutory and non-statutory consultees

Environmental Health :

7.11 Environmental Health does not object to the application for planning permission as there is unlikely to be a negative environmental impact. Conditions in relation to provision of an acoustic report, air quality, contamination and non-road mobile machinery have been recommended.

SuDS :

- 7.12 No objection is raised subject to conditions relating to source control SuDS measures for the northern building, confirmation of the extent of the green roofs on the southern building and confirmation of the final sewer connections and RWP locations.

Traffic and Transportation:

- 7.13 No objections raised to the proposal and the car free nature of the proposed development.
- 7.14 A condition is recommended to ensure that the proposed door to the cycle parking meets with the Council's standard of having a 1.2m minimum opening width. There is an outstanding concern about the cycle parking provision and that the majority is provided in the basement of one building which would not be convenient for many users and would act as a barrier to cycling. It has been agreed this can be mitigated by a contribution towards some offsite public cycle parking provision. The amount to be agreed and secured through S106. It is also noted that the development would be unable to accommodate the additional 7% of disabled parking spaces, that should be available on site if required for disabled use in the future. While a further two disabled spaces would ideally be required on site in addition to the 3 proposed, it has been agreed that an acceptable compromise would be for the applicant to explore funding/ measures that could be introduced to improve public access for the disabled in the local area if there were additional demand in excess of the 3% DPBs on site in the future. Discussions are ongoing with the applicant team and the agreed solution will be secured through S106.

Tree Officer:

- 7.15 No objections subject to condition regarding tree protection

Energetik:

- 7.16 Discussions will be held between the applicant and the Council's District Heat Network (DHN) setup company 'Energetik' with the intention of confirming that the development will link up to the network (noting that the development has been designed to be able to do so). This will form part of the S106 legal agreement

Designing Out Crime Officer:

- 7.17 No objections subject to condition

NHS North Central London Clinical Commissioning Group:

- 7.18 The development will have an impact on local healthcare services, particularly primary healthcare services and facilities. The submitted Health Impact Assessment (August 2020) correctly identifies the nearest GP practices and concludes that they have sufficient workforce capacity to accommodate the additional demand from the development. Whilst this is correct using a GP per patient ratio and benchmark figure, the ratio should be treated with caution as GP practices are moving towards a more flexible, multi-disciplinary workforce providing a wider range of services across a network of practices. In this case the nearest GP practice, the Town Surgery, is part of the West Enfield Collaborative Primary Care Network. There may be premises capacity and condition issues that need to be addressed but have not been identified in the applicant's assessment.

- 7.19 In this instance, there is no available evidence of a site-specific impact to justify a s106 contribution. However, the cumulative impact of development in the area may require future investment to increase capacity and it is noted that the development will be liable for a CIL payment to support local infrastructure.

Thames Water:

- 7.20 No objection subject to conditions.

Design Review Panel

- 7.21 The planning application has been considered by the Design Review Panel twice during its evolution.
- 7.22 At the first meeting on 28th November 2019, the Panel acknowledged the development potential of this sustainable but sensitive location for townscape and heritage reasons but considered the scheme maximised rather than optimised development with height up to 8 storeys considered too great. Breaking the building into two was welcomed but the Panel felt the scheme needed further work on the design and form with greater emphasis on horizontal rather than vertical detailing and the landscape strategy given the relationship to the New River. However there was support for care free development in this location and the number of dual aspect residential units was welcomed.
- 7.23 At the second meeting on 26th February 2020 the Design Review Panel reiterated the concern about the 8 storey height and the reversion to a single block. It felt the form needed to be broken up to assist in creating a background building to enhance the setting an appearance of nearby churches and the conservation area. Further design work on the mansion house typology was also requested to support whether this is an appropriate contextual addition to the conservation area. Improvements in sustainability and the move towards a net zero carbon building would also be welcome. Improved work on the landscape strategy and the materiality of the brick gave the Panel confidence this could be a successful brick building.
- 7.24 Following this meeting while the viability of the schemes has continued to be a consideration to optimise the delivery of housing including affordable housing, the development has been revised on through a number of iterations and the current schemes has sought to respond to the Panel comments by:
- breaking the single block into two distinct blocks
 - reducing the height of the building to 5 and 6 storeys
 - reducing the height of the front block to make it subservient to the adjacent Church
 - recessing the upper floors to reduce the perceived mass.
 - refining the mansion house typology but improving the detailing to provide a more horizontal than vertical approach
 - increasing the separation to neighbouring residential properties
 - improve detailing / materials

8. Relevant Policy

National Planning Policy Framework 2021

- 8.1 The National Planning Policy Framework sets out at Para 11 a presumption in favour of sustainable development. For decision taking this means:

“(c) approving development proposals that accord with an up-to date development plan without delay; or

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (8), 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 (7); or

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

- 8.2 Footnote (8) referenced here advises “This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous 3 years.”
- 8.3 The Council’s recent housing delivery has been below our increasing housing targets. This has translated into the Council being required to prepare a Housing Action Plan in 2019 and more recently being placed in the “presumption in favour of sustainable development category” by the Government through its Housing Delivery Test.
- 8.4 The Housing Delivery Test (HDT) is an annual measurement of housing delivery introduced by the government through the National Planning Policy Framework (NPPF). It measures the performance of local authorities by comparing the completion of net additional homes in the previous three years to the housing targets adopted by local authorities for that period.
- 8.5 Local authorities that fail to meet 95% of their housing targets need to prepare a Housing Action Plan to assess the causes of under delivery and identify actions to increase delivery in future years. Local authorities failing to meet 85% of their housing targets are required to add 20% to their five-year supply of deliverable housing sites targets by moving forward that 20% from later stages of the Local Plan period. Local authorities failing to meet 75% of their housing targets in the preceding 3 years are placed in a category of “presumption in favour of sustainable development.
- 8.6 In 2018, Enfield met 85% of its housing targets delivering 2,003 homes against a target of 2,355 homes over the preceding three years (2015/16, 2016/17, 2017/18). In 2019 Enfield met 77% of the 2,394 homes target for the three-year period delivering 1,839 homes. In 2020 Enfield delivered 56% of the 2,328 homes target and we now fall into the “presumption in favour of sustainable development” category.
- 8.7 This is referred to as the “tilted balance” and the National Planning Policy Framework (NPPF) states that for decision-taking this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole – which also includes the Development Plan. Under the NPPF paragraph 11(d) the most important development plan policies for the application are deemed to be ‘out of date’. However, the fact that a policy is considered out of date does not mean it can be disregarded, but it means that less weight can be applied to it, and applications for

new homes should be considered with more weight (tilted) by planning committee. The level of weight given is a matter of planning judgement and the statutory test continues to apply, that the decision should be, as section 38(6) of the Planning and Compulsory Purchase Act 2004 requires, in accordance with the development plan unless material considerations indicate otherwise.

The London Plan 2021

- 8.8 The London Plan is the overall strategic plan for London setting out an integrated economic, environmental, transport and social framework for the development of London for the next 20-25 years. The following policies of the London Plan are considered particularly relevant:

- GG1 – Building Strong and Inclusive Communities
- GG2 – Making the Best Use of Land
- GG3 – Creating a Healthy City
- GG4 – Delivering the Homes Londoners Need
- D3 – Optimising Site Capacity through the Design-Led Approach
- D4 – Delivering Good Design
- D5 – Inclusive Design
- D6 – Housing Quality and Standards
- D7 – Accessible Housing
- D8 – Public Realm
- D11 – Safety, Security and Resilience to Emergency
- D12 – Fire Safety
- D14 – Noise
- H4 – Delivering Affordable Housing
- H5 – Threshold Approach to Applications
- H6 – Affordable Housing Tenure
- H10 – Housing Size Mix
- HC1 – Heritage Conservation and Growth
- S4 – Play and Informal Recreation
- E6 – Locally Significant Industrial Sites
- HC1 – Heritage Conservation and Growth
- G1 – Green Infrastructure
- G5 – Urban Greening
- G6 – Biodiversity and Access to Nature
- G7 – Trees and Woodland
- SI1 – Improving Air Quality
- SI2 – Minimising Greenhouse Gas Emissions
- SI4 – Managing Heat Risk
- SI5 – Water Infrastructure
- SI7 – Reducing Waste and Supporting the Circular Economy
- SI12 – Flood Risk Management
- SI13 – Sustainable Drainage
- T1 – Strategic Approach to Transport
- T2 – Healthy Streets
- T3 – Transport Capacity, Connectivity and Safeguarding
- T4 – Assessing and Mitigating Transport Impacts
- T5 – Cycling
- T6 – Car Parking
- T6.1 – Residential Parking
- T7 – Deliveries, Servicing and Construction
- T9 – Funding Transport Infrastructure through Planning

Local Plan - Overview

- 8.9 Enfield's Local Plan comprises the Core Strategy, Development Management Document, Policies Map and various Area Action Plans as well as other supporting policy documents. Together with the London Plan, it forms the statutory development policies for the Borough and sets out planning policies to steer development according to the level it aligns with the NPPF. Whilst many of the policies do align with the NPPF and the London Plan, it is noted that these documents do in places supersede the Local Plan in terms of some detail and as such the proposal is reviewed against the most relevant and up-to-date policies within the Development Plan.

Core Strategy

- 8.10 The Core Strategy was adopted in November 2010 and sets out a spatial planning framework for the development of the Borough through to 2025. The document provides the broad strategy for the scale and distribution of development and supporting infrastructure, with the intention of guiding patterns of development and ensuring development within the Borough is sustainable.

CP2:	Housing supply and locations for new homes
CP3:	Affordable housing
CP4:	Housing quality
CP5:	Housing types
CP9:	Supporting community cohesion
CP13:	Promoting economic prosperity
CP16:	Taking part in economic success and improving skills
CP18:	Delivering shopping provision across Enfield
CP20:	Sustainable energy use and energy infrastructure
CP21:	Delivering sustainable water supply, drainage and sewerage infrastructure
CP22:	Delivering sustainable waste management
CP24:	The road network
CP25:	Pedestrians and cyclists
CP26:	Public transport
CP28:	Managing flood risk through development
CP30:	Maintaining and improving the quality of the built and open environment
CP31:	Built and landscape heritage
CP32:	Pollution
CP36:	Biodiversity
CP46:	Infrastructure contributions

Development Management Document

- 8.11 The Council's Development Management Document (DMD) provides further detail and standard based policies by which planning applications should be determined. Policies in the DMD support the delivery of the Core Strategy.
- 8.12 The following local plan Development Management Document policies are considered particularly relevant:
- | | |
|------|---|
| DMD1 | Affordable Housing on Sites Capable of Providing 10 Units or more |
|------|---|

DMD3	Providing a Mix of Different Sized Homes
DMD4	Loss of Existing Residential Units
DMD6	Residential Character
DMD8	General Standards for New Residential Development
DMD9	Amenity Space
DMD10	Distancing
DMD22	Loss of Employment Outside of Designated Areas
DMD37	Achieving High Quality Design-Led Development
DMD38	Design Process
DMD44	Preserving and Enhancing Heritage Assets
DMD45	Parking Standards
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
DMD54	Allowable Solutions
DMD55	Use of Roof Space / Vertical Surfaces
DMD56	Heating and Cooling
DMD57	Responsible Sourcing of Materials
DMD58	Water Efficiency
DMD59	Avoiding and Reducing Flood Risk
DMD60	Assessing Flood Risk
DMD61	Managing Surface Water
DMD65	Air Quality
DMD68	Noise
DMD69	Light Pollution
DMD70	Water Quality
DMD72	Open Space Provision
DMD73	Children's Play Space
DMD78	Nature Conservation
DMD79	Ecological Enhancements
DMD81	Landscaping

Other Material Considerations

National Planning Practice Guidance
 Mayoral Supplementary Planning Guidance
 LBE S106 SPD
 Enfield Strategic Housing Market Assessment
 Community Infrastructure Levy Regulations
 Enfield Town Conservation Area Character Appraisal (2015)

Enfield Town Framework Masterplan (2018)

8.13 Site 17 – Former Metaswitch Premises

Key principles and land uses

- Should this prominent site come forward, it is appropriate for a mix of use including residential, offices and potentially commercial leisure.
- Land to the south and fronting Old Park Avenue is most appropriate for residential uses.
- Redevelopment of the site should not result in any loss of jobs in Enfield.

Form of development

- The Metaswitch site falls within the Enfield Town Conservation Area although the building itself makes only a neutral contribution to the character of the conservation area.
- The existing Metaswitch office building does, however, contribute positively to an office campus character.
- New development fronting Church Street should respect the scale of and views to key landmark churches either side of the site. Views to these churches play an important role in establishing the character of the conservation area.
- The scale of development on the Old Park Avenue frontage should respect existing dwellings but there will be an opportunity for a taller form of development in the south east corner of the site.
- Buildings should address the river front in a positive manner.

Access and movement

- The site's principal vehicular access will continue to be taken from Old Park Avenue.
- Improvements arising from the development of this site to the riverside path through Town Park would be welcome.

Public realm

- The existing trees are a major environmental asset and should be retained in any redevelopment. A TPO is protecting a Sycamore tree on Old Park Avenue.
- Access to the New River path should be maintained and where possible improved

Enfield Local Plan (Reg 18) 2021

- 8.14 Enfield Local Plan - Reg 18 Preferred Approach was approved for consultation on 9th June 2021. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for several sites. It is Enfield's Emerging Local Plan.
- 8.15 The Local Plan remains the statutory development plan for Enfield until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.
- 8.16 Key local emerging policies from the plan are listed below:

Policy DM SE2 – Sustainable design and construction

Policy DM SE4 – Reducing energy demand

Policy DM SE5 – Greenhouse gas emissions and low carbon energy supply

Policy DM SE7 – Climate change adaptation and managing heat risk

Policy DM SE8 – Managing flood risk

Policy DM SE10 – Sustainable drainage systems

Strategic Policy SPBG3 – Biodiversity net gain, rewilding and offsetting

Policy DM BG8 – Urban greening and biophilic principles

Policy DM DE1 – Delivering a well-designed, high-quality and resilient environment

Policy DM DE2 – Design process and design review panel

Policy DM DE7 – Creating liveable, inclusive and quality public realm

Policy DM DE10: Conserving and enhancing heritage assets
 Policy DM DE11 – Landscape design
 Policy DM DE13 – Housing standards and design
 Policy DM H2 – Affordable housing
 Policy DM H3 – Housing mix and type
 Policy DM T2 – Making active travel the natural choice
 Strategic Policy SP D1 – Securing contributions to mitigate the impact of development

9. **Analysis**

9.1 The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 seek to establish that planning decisions are taken in accordance with the Development Plan unless material considerations indicate otherwise.

9.2 The main planning issues to consider are as follows:

- Principle of Development
- Housing Provision and Mix
- Heritage and Design Considerations
- Residential Quality and Amenity
- Neighbouring Amenity
- Transport, Access and Parking
- Landscape, Play, Biodiversity and Trees
- Sustainability and Climate Change
- Flood Risk and Drainage
- Socio-economics and Health
- S106
- Community Infrastructure Levy

Principle of Development

9.3 The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 seek to establish that planning decisions are taken in accordance with the Development Plan unless material considerations indicate otherwise. Furthermore, paragraph 11 (c) of the National Planning Policy Framework (NPPF) goes on to state that development proposals that accord with the development plan should be approved without delay.

9.4 The Development Plan includes local policies (Core Strategy / Development Management Plan) as well as the London Plan (2021) and national guidance. The London Plan policies will have greater weight where there is inconsistent with local policy given its more recent adoption in March 2021.

9.5 Running alongside this is the aim that planning should facilitate sustainable development and this is at the heart of the NPPF which advocates a presumption in favour of sustainable development. The NPPF at paragraph 120 also advocates the promotion and support for the development of under-utilised land and buildings, particularly where this would help to meet identified needs for housing; where land supply is constrained; and where it is considered sites could be used more effectively.

9.6 Such an approach to maximise the efficient use of land, is consistent with the adopted London Plan which states at Para 1.2.2 of the London Plan

“The key to achieving this will be taking a rounded approach to the way neighbourhoods operate, making them work not only more space-efficiently but also better for the people who use them. This will mean creating places of higher density in appropriate locations to get more out of limited land, encouraging a mix of land uses, and co-locating different uses to provide communities with a wider range of services and amenities.”

9.7 Para 1.1.4 of the London Plan also states:

“Delivering good quality, affordable homes, better public transport connectivity, accessible and welcoming public space, a range of workspaces in accessible locations, built forms that work with local heritage and identity, and social, physical and environmental infrastructure that meets London’s diverse needs is essential if London is to maintain and develop strong and inclusive communities”.

9.8 These strategic planning ambitions are captured in Policies GG1 (Building Strong & Inclusive Communities), GG2 (Making the best use of Land) , GG3 (Creating a Healthy City) and GG4 (Delivering the Homes Londoners Need) with the proposal needing to be viewed in this policy context.

9.9 Making the more efficient use of land is presently of significance due to the identified need for housing as a consequence of the Housing Delivery Test which has triggered the “tilted balance” and the presumption in favour (NPPF). For decision-taking this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole – which also includes the Development Plan.

9.10 Enfield Housing’s Trajectory Report 2019 shows that during the preceding 7 years, the Borough had delivered a total of 3,710 homes which equates to around 530 homes per annum. Enfield’s 2019 Housing Action Plan recognises that the construction of more high-quality homes is a clear priority, with only 51% of approvals over the preceding 3-years actually being implemented. A Local Housing Need Assessment (LHNA) was undertaken in 2020 and identifies an annual housing need of 1,744 homes across the Borough based on a cap of 40% above the London Plan annual target of 1,246 homes, in line with the Government’s standard methodology.

9.11. The Council’s Local Plan Issues & Options (Regulation 18) document (2021) acknowledges the sheer scale of the growth challenge for the Council and the focus for development in locations with good access to local infrastructure and public transport. The Council’s Housing and Growth Strategy 2020-2030 aims to deliver the London Plan targets for the Borough.

9.12. Enfield is a celebrated green borough with close to 40% of the land currently designated as Green Belt or Metropolitan Open Land and a further 400 hectares providing critical industrial land that serves the capital and wider south east growth corridors. These land designations underpin the need to optimise development on brownfield land. Paragraph 1.2.5 of the London Plan notes that

‘all options for using the city’s land more effectively will need to be explored as London’s growth continues, including the redevelopment of brownfield sites and the intensification of existing places, including in outer London’.

9.13 Furthermore, Policy GG2 requires development to prioritise sites that are well connected by public transport, particularly for intensifying the use of brownfield land and delivering additional homes.

- 9.14 The application site constitutes brownfield land with a very good public transport accessibility level (PTAL) of 6a and therefore the principle of developing the site for housing to support the Borough's challenging housing delivery target is strongly supported in principle.

Redevelopment

- 9.15 The scheme proposes the redevelopment of the site, which currently comprises a vacant office building and car parking spaces. The existing building makes a neutral contribution to the character of the Enfield Town Conservation Area as identified in the Enfield Town Conservation Area Character Appraisal. There is therefore, no objection to its replacement.
- 9.16 The site is identified within the Enfield Town Framework Masterplan (2018) where it is recognised that the site is suitable for redevelopment. It states that the Metaswitch Site, subject to appropriate relocation of the office use elsewhere within the centre, presents an opportunity for high-density mixed-use development, taking advantage of proximity to Enfield Chase station.

Residential Use

- 9.17 It is noted that the current proposal is for a purely residential scheme (as opposed to mixed use as stated in the 2018 Framework Masterplan). Lengthy discussions were held with the applicant team about providing a commercial use at ground floor along the Church Street frontage in order to activate this section of the street. However, it was agreed that the priority is to provide additional homes and adding a commercial element would further reduce the capacity of the site for residential development. Not only in terms of loss of floorspace for residential purposes but also in terms of additional servicing requirements. Given the site is located at the edge of the town centre, and subject to achieving an appropriate relationship with the street, a wholly residential scheme is considered appropriate in this instance.

Loss of Offices

- 9.18 Policy DMD 22 states that proposals that would result in the loss or reduction of office floorspace within Enfield Town will be resisted unless it can be demonstrated that the site is no longer suitable for office use.
- 9.19 In this instance the site was most recently occupied by Metaswitch. They have relocated to new larger offices granted planning permission under 18/03009/FUL on the Genotin Road car park site. This is also located within Enfield Town and is considered to compensate for the loss of office space at 100 Church Street.

Summary of Principle

- 9.20 Given the above considerations, the principle of development is considered to be acceptable in principle terms subject to other detailed considerations as discussed below.

Housing Need, Delivery and Mix

- 9.21 The current London Plan sets a target for the provision of 52,287 new homes each year. In addition, the London Plan identifies a need for a minimum of 1,246 dwellings per year to be delivered over the next 10-years in the Borough, based on the Strategic Housing Market Assessment (SHMA): an increase over the current target of

798. Whilst Enfield's 2019 Housing Action Plan recognises that the construction of more affordable high-quality homes is a clear priority, only 51% of approvals in the Borough have been delivered over the previous 3-years.

- 9.22 Enfield's Housing and Growth Strategy (2020) was considered by Cabinet in January 2020 and approved at February's Council meeting (2020) and sets out the Council's ambition to deliver adopted London Plan and Core Strategy plus ambitious draft London Plan targets.
- 9.23 The Strategy sets five ambitions, the third of which is 'Quality and variety in private housing'. The key aims of the Strategy seek to address the housing crisis within the Borough. During consideration of the Cabinet report Members discussed the current housing situation and highlighted the rise in private sector rents in proportion to the average salary and the significant rise in homelessness. Enfield had one of the highest numbers of homeless households in the country. Insecurity and unaffordability of private sector housing has evidence-based links with homelessness. One of the most common reason for homelessness in London is currently due to the ending of an assured tenancy (often by buy to let landlords). MHCLG (2018) data shows a significant increase in the number of households in Enfield using temporary accommodation – with a significant 67% increase between 2012 and 2018.
- 9.24 The fourth and fifth ambitions of the strategy are in respect of Inclusive placemaking; and accessible housing pathways and homes for everyone. While the Housing and Growth Strategy is not a statutory document it sets the Council's strategic vision, alongside metrics, in respect of housing delivery. It was approved at a February 2020 Council meeting. Its evidence, data and metrics are considered relevant material considerations.
- 9.25 The 2018 London Housing SPG outlines a vision that delivers high quality homes and inclusive neighbourhoods by ensuring that appropriate development is prioritised. Policy GG1, GG2, GG3 & GG4 of the London Plan seeks to promote the provision of quality new homes and for housing delivery to be optimised on sites that have good public transport accessibility (with a PTAL 3-6 rating).
- 9.26 As mentioned elsewhere in this report, Enfield is a celebrated green Borough, with close to 40% of our Borough currently designated Green Belt or Metropolitan Open Land, and a further 400 hectares providing critical industrial land that serves the capital and wider south east growth corridors. The reality of these land designations means the call on optimisation of our brownfield land is greater and brings complex development issues and a major shift in how Enfield's character will need to evolve.
- 9.27 Taking into account both the housing need of the Borough together with the track record of delivery against target, it is clear that the Council must seek to optimise development on brownfield sites, particularly those that are currently not being optimised. The former Metaswitch premises is such a site.

Housing and Tenure Mix

- 9.28 Core Policy 5 of the Core Strategy, supported by Policy DMD3, seeks to achieve a Boroughwide target over the whole plan period as outlined below:
- Market housing – 20% 1 and 2 bed flats (1-3 persons), 15% 2 bed houses (4 persons), 45% 3 bed houses (5-6 persons), 20% 4 bed houses (6+ persons)

- Social Rented Housing – 20% 1 bed and 2 bed units (1-3 persons), 20% 2 bed units (4 persons), 30% 3 bed units (5-6 persons), 30% 4+ bed units (6+ persons)

9.29 Core Policy 5 also outlines that the Council will seek a range of housing types in the intermediate sector, and that the mix of intermediate housing sizes will be determined on a site by site basis.

9.30 It should also be noted that the evidence base to support Core Policy 5 dates from 2008. The emerging draft Local Plan for Enfield uses a more up to date evidence base; the Local Housing Needs Assessment 2020. This has informed emerging Policy H3. The table below is an extract from Policy H3, which outlines priority types for different sized units across different tenure:

	Studio/bedsit	One-bedroom	Two-bedrooms	Three-bedrooms	Four-bedrooms or more
Social/affordable rented	Low priority	Medium priority	High priority	High priority	Low priority
Intermediate	Low priority	High priority	High priority	Medium priority	Low priority
Market	Low priority	Low priority	Medium priority	High priority	High priority

9.31 The Council's Local Housing Needs Assessment (LNHA) 2020, regarding affordable housing need, outlines that 41.1 per cent of new affordable homes should have three bedrooms. This is based on type and size requirements of affordable housings based on housing register evidence. It also outlines, as is reiterated within text supporting emerging Policy H3, that the focus of affordable ownership provision (shared equity/intermediate products) should be on one and two-bedroom units, as the majority of households who live in intermediate (shared ownership) housing are households without children.

9.32 The Council's LHNA (2020) also outlines that 14.7% of those currently on the Council's waiting list need one-bed homes, 35.3% need two-bed homes, 42.3% need three-bed homes and 7.7% need four-bed homes.

9.33 It must also be recognised that the more recently adopted London Plan policy H6 (Affordable Housing Tenure) seeks a minimum of 30% low cost homes (either London Affordable Rent (LAR) or Social Rent), a minimum of 30% intermediate products, with the remaining 40% to be determined by the Borough based on identified need.

9.34 Core Policy 3 of the Core Strategy outlines that the Council will aim for a borough-wide affordable housing tenure mix ratio of 70% social rented and 30% intermediate provision.

9.35 The proposed housing mix is set out below:

Units	Number	% of total
3b4p	4	5.1
2b4p	23	29.5
2b4p (Accessible)	1	1.3
2b3p	4	5.1
2b3p (Accessible)	8	10.3
1b2p	38	48.7

9.36 It is recognised that, having regard to the policy context discussed above, there is a predominance of 1b2p and 2b4p flats proposed, notwithstanding there is significant need for properties with 3 bedrooms. However, weight in favour of the proposed mix is attributed because of the town centre location and on balance is considered acceptable.

9.37 Broken down by tenure, the development will provide:

Private (Market Housing)

Units	Number	% of total private
3b4p	0	0
2b4p	20	28.2
2b4p (Accessible)	1	1.4
2b3p	4	5.6
2b3p (Accessible)	8	11.3
1b2p	38	53.5

London Affordable Rent

Units	Number	% of total affordable
3b4p	4	57.1
2b4p	3	42.9
2b4p (Accessible)	0	0
2b3p	0	0
2b3p (Accessible)	0	0
1b2p	0	0

9.38 A total of 14.22% affordable homes (by habitable room) are proposed. This equates to 7 units across the development. This level of provision while below policy targets has been subject to robust testing by an independent viability assessor retained by the Council. This viability review concludes that the level of provision is the maximum that can be reasonably sustained by the development. In such circumstances, the proposed development complies with the requirements of policy which acknowledges that not all schemes can sustain 35% affordable housing where this is demonstrated by viability review.

9.39 In arriving at this conclusion, the Council's independent viability consultants challenged a number of assumptions and inputs into the financial appraisal of the scheme. They also held discussions with the Applicant team testing differences in appraisal. Only following these discussions did the Council's independent viability consultants conclude, based on their assumptions (and not those of the applicant where differences were identified), that the scheme could not support more than 14.22% affordable housing on the basis of the tenure proposed.

9.40 It must be recognised that a significant factor in this level of provision, is the constraints placed on the acceptable development of this site primarily the need to reduce the size, bulk and quantum of development leading to a reduction in the number of residential units. In summary (and discussed in future sections of this report), the height of the development has been reduced due to the sensitive location of the site within Enfield Town Conservation Area and the scale of the building has also been reduced to minimise the impact on neighbouring residential occupiers.

These necessary changes have had implications for viability and has led to a reciprocal reduction in the amount of affordable housing that can viably be provided on the site. Officers have accepted this compromise in order to ensure that the integrity of the Conservation Area is not unacceptably impacted and any unacceptable impacts on neighbouring residential occupiers are minimised.

- 9.41 It is acknowledged that while the overall amount of affordable housing is constrained, the provision would all be London Affordable Rent (LAR) and would be focused on the larger units of accommodation (all the 3b4p are designated as LAR). This would contribute towards meeting local need where it is needed the most.

Housing and Tenure Mix Conclusions

- 9.42 As set out, Core Policy 5 should not be applied or relied on in isolation, being a Borough wide target over the plan period especially when there is more recent adopted policy in the form of the London Plan and there is a need to respond to the conclusions of the Housing Delivery test which results in the application of the tilted balance to the assessment of residential schemes and the presumptions in favour of approving such schemes which is considerable in the absence of matters which would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole – which also includes the Development Plan. Whilst emerging policy holds limited weight, it is nevertheless based on the most up to date evidence base and represents the most recent local needs assessment regards housing mix and tenure.
- 9.43 Taking all matters into consideration, it is considered the scheme delivers the maximum reasonable amount of affordable housing, having given due consideration to the specific nature of the site and the independent viability review. The unit/tenure mixes will be secured through a s106 Agreement should planning permission be granted. A review mechanism (to be agreed with the Applicant in line with the Mayors Affordable Housing and Viability SPG 2017) will be incorporated to secure rights to any uplifts in value/future amendments, which may lead to a more profitable development being built at the site and to ensure the scheme maximises affordable housing delivery.

Heritage and Design

- 9.44 The development is located within the Enfield Town Conservation Area and this is the primary consideration. The nearest listed building is the Grade II War Memorial on The Green. There are also a number of non designated heritage assets in the vicinity including the Town Park .

Relevant Policy and Legislation

- 9.45 In respect of the conservation area, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act (The Act) 1990 requires that LPAs pay special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. If harm is identified, it should be given considerable importance and weight in any planning balance in accordance with guidance in the National Planning Policy Framework.
- 9.46 In respect of listed building (i.e. the War Memorial), Section 66 of the Planning (Listed Buildings and Conservation Areas) Act (The Act) 1990 states “In considering whether to grant planning permission for development which affects a Listed Building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the

building or its setting or any features of special architectural or historic interest which it possesses". The Act places a statutory duty on decision makers to ensure the special interest of a listed building is properly taken into account as a material consideration when determining an application affecting its special interest or setting.

- 9.47 The NPPF states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation and 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. Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset's physical presence or its setting.
- 9.48 Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 9.49 Chapter 16 of the NPPF states that in weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm.
- 9.50 London Plan Policy 7.8 'Heritage conservation and growth' state that development should conserve heritage assets and avoid harm, which also applies to non-designated heritage assets. Adopted Enfield Core Policy 31 (Built and Landscape Heritage) requires that special regard be had to the impacts of development on heritage assets and their settings, Enfield Core Policy 30 supports high quality and design-led public realm.
- 9.51 DMD 44 (Preserving and Enhancing Heritage Assets) requires that developments should conserve and enhance the special interest, significance or setting of a heritage asset. DMD 37 (Achieving High Quality and Design-Led Development) requires that Development must be suitable for its intended function and improve an area through responding to the local character, clearly distinguishing public and private spaces, and a variety of choice. Making Enfield: Enfield Heritage Strategy 2019-2024 SPD (2019) is also relevant.
- 9.52 Historic Environment Good Practice Advice in Planning Note 3 provides information on good practice in relation to assessing impacts on the setting of heritage assets. Of note in the GPA is the inclusion of the consideration of views and whether there would be any impact to the significance of the views on the heritage asset as a result of the development. However, it is of note that a distinction is made between views that contribute to heritage significance and those valued for other reasons.
- 9.53 Paragraphs 190 of the NPPF provides that in determining planning applications, local planning authorities should take account of:
- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b. the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
 - c. the desirability of new development making a positive contribution to local character and distinctiveness; and
 - d. opportunities to draw on the contribution made by the historic environment to the character of a place.

- 9.54 Paragraph 200 states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional'.
- 9.55 Paragraph 201 of the NPPF deals with substantial harm to or total loss of significance of a designated heritage asset. Paragraph 202 of the NPPF provides that where a development proposal will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 203 of the NPPF deals with non-designated heritage assets stating that the 'effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.
- 9.56 London Plan Policy HC1 'Heritage conservation and growth' states that development should conserve heritage assets and avoid harm, which also applies to non-designated heritage assets. Enfield Core Policy 31 (Built and Landscape Heritage) requires that special regard be had to the impacts of development on heritage assets and their settings, Enfield Core Policy 30 supports high quality and design-led public realm. DMD 44 (Preserving and Enhancing Heritage Assets) requires that developments should conserve and enhance the special interest, significance or setting of a heritage asset while DMD 37 (Achieving High Quality and Design-Led Development) requires that development must be suitable for its intended function and improve an area through responding to the local character, clearly distinguishing public and private spaces, and a variety of choice. Making Enfield: Enfield Heritage Strategy 2019-2024 SPD (2019) is also relevant.

Heritage Context

- 9.57 100 Church Street comprises a late 20th century office building which is sited in Enfield Town Conservation Area (designated heritage asset). The building is noted as making a neutral contribution to the character and appearance of the area. The site is predominantly one of two contrasting faces fronting both a historic waterway corridor that is semi-rural in character and the urban streetscape of Church Street which marks the beginning of the commercial centre of Enfield. The site is surrounded by landmark buildings, including St Paul's Church, The Magistrates Court, Trinity Methodist & United Reformed Church, and New River House, Nos. 88-90, Church Street (locally listed). The site also lies within the setting of the Grade II listed War Memorial. A drill hall designed in a free Tudor-style circa 1901 (locally listed) is located directly opposite the site on Old Park Ridings, whilst the Town Park (locally listed) and bowling green bound the southern edge of the site.
- 9.58 The New River is in itself an important heritage asset (circa 1613) and forms an important publicly accessible spine route of changing character through the Conservation Area that is connected to the wider area through a 28-mile long footpath which follows the course of the New River from its source in Hertfordshire to its original end in Islington, London. Key views are also afforded from Library Green

(locally listed), across the Park from Gentleman's Row, along the New River from Church Street and from the site itself looking towards the Methodist Church. Longer views are afforded from within the Town Park (locally listed) and from Chase Green Gardens (locally listed).

- 9.59 The current proposal has been subject to extensive discussion, involving the Council's Conservation and Urban Design teams. Amendments have been made to the proposal in order to address identified concerns whilst still recognising the need to optimise the development potential of the site and to create an economically viable scheme that is able to be implemented and deliver new homes. This requires finely balanced judgements and compromises have had to be made to ensure the optimal solution for the site.
- 9.60 The design of the proposal has evolved during this process in the following ways since the submission of the planning application (it is noted that other amendments were made prior to submission most notably the separation of the development in to two blocks to reduce the overall scale and massing):
- Southern block reduced by 1 storey to 6 storeys (previously 7 storeys). Front block remains at 5 storeys as submitted.
 - Western gable end condition of the southern block has been fully stepped back by circa 4m, to reduce the impacts on adjacent houses at 2 to 6 Old Park Avenue.
 - Revisions to elevations to add quality and reduce overall height and scale, including lowered roof parapet, softening of top storey brickwork and introduction of detail above ground floor windows.
 - Ground floor areas of southern block have been adjusted, including moving the substation out into a separate building, to provide more cycle storage to southern block.
- 9.61 Notwithstanding these amendments, the proposal still raises heritage and design issues. Most notably:
- Spacing: While the separation of the building is welcomed, it is considered in heritage terms that the distance between the blocks is not sufficient and results in a limited viewing corridor through the site. The concern is that the separation mitigates the overall scale and mass of the development and if is insufficient, the perceived scale and mass would remain. This would be particularly notable from the New River footpath to the east and Church Street when approaching from the south-east.
 - Layout: The rear block and its proximity to the New River path is still identified as an area of concern. The projecting bay element would be sited close to the site boundary and would result in a closing of the views southwards along the New River. The option is that this would cause significant harm to the character and appearance of this part of the Conservation Area, irrevocably altering how the New River is experienced and interpreted. Harm would also be caused to New River House to the east.
 - Height: The reduction in height of the rear block is welcomed albeit there remains concerns over the height of the blocks in terms of their relationship to the setting of the Conservation Area. From a heritage perspective, it is considered that the development would still be dominant in views from the New River path, thereby resulting in harm to the Conservation Area. In certain views, aspects of the proposal are visible at ridge level (in relation to St Paul's

Church) and it is considered that this dilutes the pre-eminence of St Paul's church in the streetscape. Furthermore, the scheme does not respond to the modest domestic scale of the Conservation Area in this locality or the historic hierarchy of the built environment conveyed through the scale, massing and height of buildings.

- Rooftop: Concern remains about the proposed plant/ lift overruns and other development on the roof. They add to the roofline and are prominent from certain perspectives from within the Conservation Area
- Landscaping: Landscaping remains unresolved and insufficient consideration had been given to the transition between public and private as well as between the contrasting characters of the New River and Church Street

Assessment of Harm

- 9.62 Having regard to the above, and specialist advice provided by the Council's Conservation and Urban Design teams, it is acknowledged there remain matters of design that cause concern and as such, cause harm to the special character and setting of the Enfield Town Conservation Area as a designated heritage asset as well as to the setting of the non designated heritage assets of New River House (LHL No.58); St Pauls Church; the New River; and, Chase Green (LHL No.41).
- 9.63 However, and taking account of the tests set out in the National Planning Policy Framework (2021), it is considered by the Heritage officer that the level of harm to the Enfield Town Conservation Area as a designated heritage asset and the non designated heritage assets is considered to be 'less than substantial'. As such the local planning authority must weigh this harm against any public benefits of the proposal including, where appropriate, securing its optimum viable use (paragraph 202 of the NPPF). This is particularly important in terms of the current situation brought about by the Housing Delivery Test and the tilted balance in favour of approving sustainable residential development unless the matters of concern would significantly and demonstrably outweigh the benefits: in this case the delivery of 78 units of residential accommodation.
- 9.64 It is considered the development would not impact on the setting of the Grade II War Memorial given its siting relevant to the development.
- 9.65 It is noted that whilst the overall scale of harm to the Conservation Area may be 'less than substantial' great weight should be given to the heritage asset's conservation (NPPF Para.199) and clear and convincing justification provided for any level of harm (NPPF Para.200). The Local Planning Authority must also consider the impact upon the significance of the affected non-designated heritage assets as identified above. However, the local planning authority is able to take a balanced judgement, having regard to the scale of harm identified and the significance of the heritage assets affected (NPPF Para.203).
- 9.66 The less than substantial harm therefore is able to be balanced against the public benefits of the proposal, namely the 78 units of residential accommodation. With the tilted balance in effect, this carries significant weight in favour of the proposal
- 9.67 Having regard to the 'less than substantial' harm identified, it is acknowledged that improvements have been made to the proposal during extensive pre-application discussions and during the assessment of the current planning application. This includes the reduction in the number of units from 91 to 78 which has enabled the

heritage conclusions to be that the development would result in less than substantial harm. The outstanding heritage and design considerations therefore need to be balanced against the public benefits. These include

- i) the need to optimise the use of an existing brownfield site in an area of very good public transport accessibility
- ii). this is a sustainable location for a more intensive form of development delivering housing which would contribute towards the Borough's challenging housing delivery targets.

9.68 In this context, on balance, and giving significant weight to the presumption in favour of approving sustainable development (Para 11 of the NPPF) it is considered that the high-quality architecturally designed development, as revised, is acceptable.

9.69 In order to ensure a high standard of development and detailed design quality, it is recommended that an Architect Retention Clause is included in the S106 should planning permission be granted. Detailed conditions in relation to materials, architecture, landscape and public realm are also recommended and will help to address the identified concerns. This will include conditions requiring submission of detailed drawings of key thresholds, openings, parapets, typical bays etc as well as submission of material samples and some on-site 1:1 mock-ups of key elements of the external envelope.

Heritage Conclusions

9.70 It is acknowledged that the proposal represents a significant addition to the townscape form of the area and the Conservation Area introducing a range of heritage and design considerations. Extensive discussions and debate internally have resulted in amendments to the proposal which seek to strike a balance between minimising harm to the identified heritage assets, urban design and public realm considerations, whilst also seeking to optimise the development potential of the site having regard to the challenging housing targets set out in the London Plan and the Council's position in terms of the housing delivery test. Notwithstanding there remain concerns resulting in a conclusion that the proposed development would cause less than substantial harm to the character and appearance of the Conservation Area.

9.71 The provision of housing across all tenures, but particularly affordable family sized housing, is a priority for the Council and the overall delivery of new residential units is not only a public benefit, it must carry significant weight in the overall assessment in light of the "tilted balance". Due to planning constraints affecting the site, the amendments to the proposal have already resulted in a reduction in housing provision and a reciprocal decrease in affordable housing. Any further amendments to the scheme would further erode the level of housing provision including affordable housing. Whilst the outstanding impacts on the identified heritage assets are acknowledged it is considered that these can be minimised through the use of S106 and appropriately worded conditions to result in a development which will sit comfortably in this sensitive context and will provide much needed housing for the Borough.

Design – Character and Appearance

9.72 The development would involve the demolition of the existing vacant office building and the erection of two residential blocks. The northern block, fronting Church Street, would comprise 30 units of accommodation over 5 storeys and would accommodate a mix of private and affordable housing. The southern block would comprise 48 private residential units over 6 storeys.

- 9.73 The scene has evolved through discussions with officers the height of both blocks has been reduced to result in a more appropriate and sympathetic built form which can now be supported. This is further supported by high quality design of the development which utilises a mansion block typology. The design also demonstrates high quality architectural detailing and materials resulting in an acceptable appearance. As a result, it is considered the built form, height and design development would satisfactorily integrate into the street scene having regard to the requirements of adopted London Plan and DMD policy.
- 9.74 There are views of the development from Town Park which is designated Metropolitan Green Belt. London Plan Policy G3 (Metropolitan Open Land) confirms such land is to be afforded the same status as Green belt while DMD 83 (Development Adjacent to the Green belt) states that there should be no increase in the visual dominance and intrusiveness of the built form by way of height, scale and massing when viewed from the adjacent land, there is a clear distinction with the Green Belt / MOL and any identified views or vistas are maintained.
- 9.75 The development replaces a large building but the proposal does represent an increase in the built form when compared with that existing. Nevertheless, the development is considered to be of high quality in terms of its design, architectural detailing and use of materials to and would not, it is considered, adversely affect the open character of the MOL or users' experience of the space. When set against housing need and the tilted balance, it is considered this is not sufficient to justify a reason for refusal.

Conclusion of Heritage and Design

- 9.76 On balance, and this is finely balanced given the issues raised, it is considered the proposed design to be acceptable. The conclusion that the proposed development would have less than substantial harm albeit at the upper end of that assessment, allows the consideration of the public benefits to be taken into account. The need for housing and provision of affordable housing (at LAR) at a maximum level the development can reasonably sustain having regard to the scheme's viability.
- 9.77 The Housing Delivery test has introduced the presumption in favour of approving sustainable residential development and this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. With this in mind, it is considered the negatives of this development do not outweigh the benefits and represent significant public benefits.

Residential Quality and Amenity

- 9.78 London Policy D6 sets out the London Plan criteria to ensure the delivery of new housing of an adequate standard. Despite the adoption of the London Plan 2021, the Housing Supplementary Planning Guidance Document (2016) remains an adopted document and a material consideration in decision making. The DMD contains several policies which also aim to ensure the delivery of new housing of an adequate quality, namely Policy DMD8 (General Standards for New Residential Development), DMD9 (Amenity Space) and DMD10 (Distancing).

Internal Floorspace Standards

- 9.79 Policy D6 of the London Plan sets out housing quality and design standards that housing developments must take into account to ensure they provide adequate and functional spaces. All of the proposed residential units will either meet or exceed the

minimum required floorspace standards. In addition, all single and double bedrooms comply with the minimum required space standards (7.5 sqm for single bedrooms and 11.5 sqm for double bedrooms). Minimum floor to ceiling heights for all proposed homes will be 2.5m in compliance with the guidance.

- 9.80 London Plan Policy D7 requires at least 10% of new dwellings to constitute Building Regulations M4(3) wheelchair user dwellings. Of the proposed dwellings, 9 have been designed to meet this standard which equates to 14% of the new dwellings.

Daylight and Sunlight

- 9.81 London Plan Policy D6 states that the design of development should provide sufficient daylight and sunlight to new housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space. It states that housing development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. North facing single aspect units should be avoided.
- 9.82 Buildings should be designed to maximise the number of dual-aspect dwellings but due to design / site optimisation, the current proposal contains a number of single aspect units (approximately 40% depending on definition). Bay windows have been employed, with varying degrees of success, to improve the quality of the internal environment where a flat has all windows in one elevation. While bay windows cannot be considered to result in true dual aspect accommodation, it is acknowledged that they can be used to significantly improve the internal environment in higher density developments. Nevertheless, there are 4 x 1-bedroom north facing flats between floors 1 and 5 in the southern block which face towards the rear of the front block.
- 9.83 In support of the development, the applicant has commissioned a daylight and sunlight assessment (dated 31st August 2020) to assess the quality of the internal residential environment for future occupiers. This has been carried out in accordance with the BRE guidelines and concludes that 86% of the proposed windows (across the development) will meet the minimum standard in terms of access to daylight. Where daylight is hindered it is normally bedrooms that are impacted which are considered less sensitive than primary living spaces. Furthermore, it is recognised that BRE guidance outlines that the numerical guidelines should be interpreted flexibly.
- 9.84 In the context of aiming to ensure developments make optimal use of the potential of a site, the NPPF also states (Paragraph 125) that authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site. In addition, Policy D6 of the London Plan states that
- “ A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirements of Part B in Policy D3 Optimising site capacity through the design-led approach than a dual aspect dwelling, and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating.*
- 9.85 With this in mind, it is considered that this approach has been design led and whilst not ideal, the development will deliver a satisfactory standard of proposed accommodation and when balanced against the other policy objectives, can be supported.

Overlooking

- 9.86 The relationship between the rear of the front block and the front of the rear block is also relevant in the consideration of potential for overlooking between the flats. In considering opposing habitable room windows there is approximately 8m between windows. This falls short of the distancing standards set out in DMD 10 (Table 2.2). However, it is acknowledged that in order to meet the acute housing needs of the Borough a greater flexibility in these standards will be required to optimise the potential of sites. Moreover, this is an internal relationship between new units rather than a relationship to an existing neighbouring property. It is also noted that, where possible, windows have been positioned at an angle or offset with each other to minimise issues of overlooking.
- 9.87 At ground floor level, the south western corner of the front block and the north western corner of the rear block contain provide bicycle and bin storage. This addresses any potential concerns regarding privacy in this location. The south eastern corner of the front block and the north eastern corner of the rear block each contain one 2-bed dual aspect flat. It is noted that landscaping is proposed in front of both these flats to minimise overlooking from the opposing flat and the public space between the buildings. Details of the landscaping will be secured by condition to ensure it is sufficient to minimise any privacy concerns pertaining to these units.

Internal communal space

- 9.88 The entrances to the two buildings would be level and the communal corridors would have a rational and efficient arrangement with the use of lifts and stair cores to service the flats.

Amenity Space Provision

- 9.89 Policy DMD9 provides the standards for the level of private amenity space provision for each unit and is primarily based upon the number of rooms and occupancy level. The standards represent the absolute minimum, although regard must also be given to the character of the area. All of the units will provide private amenity space in the form of terraces or balconies in compliance with policy DMD9.
- 9.90 It is noted that the ground floor terraces for the flats on the eastern elevation of both blocks will face towards the New River path. The change in levels between the terraces and the path will help maintain a sense of privacy. A low level hedge boundary and additional planting is also proposed. Further details on this would be required by condition. It is essential that the boundary treatments along this boundary remain at a low level to allow an appropriate transition between the development and the New River. High boundary fences or enclosure of any form in this location would not be considered appropriate and would have an adverse impact on the character of the area. The treatment of the rear block is particularly significant given its proximity to the site boundary.
- 9.91 Communal amenity space is also proposed in the form of landscaped areas for leisure and children's play including a communal roof terrace. This is discussed in detail later in this report.

Fire Safety

- 9.92 London Plan Policy D12 outlines that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they follow a set criterion. Part B of the policy

outlines that all major development proposals should be submitted with a Fire Statement which is an independent fire strategy, produced by a third party, suitably qualified assessor.

- 9.93 This application was submitted prior to this London Plan requirement and no fire strategy is required to be submitted. However, it is agreed a detailed fire strategy will be secured by condition prior development commencing.

Secure by Design

- 9.94 The Designing Out Crime Officer has advised that they are supportive of the development in principle. A condition is to be imposed to ensure that the development complies with SBD principles.

Neighbour Amenity

- 9.95 London Plan Policy D6 sets out that buildings should not cause unacceptable harm to residential amenity, including in terms of privacy and overshadowing. Development proposals should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space. Meanwhile Policy CP30 of the Local Plan seeks to ensure that new developments have appropriate regard to their surroundings, and that they improve the environment in terms of visual and residential amenity. Lastly Enfield Policies DMD 6 and 8 seek to ensure that residential developments do not prejudice the amenities enjoyed by the occupiers of neighbouring residential properties in terms of privacy, overlooking and general sense of encroachment.

Daylight and Sunlight

- 9.96 In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 9.97 BRE Guidelines paragraph 1.1 states: "People expect good natural lighting in their homes and in a wide range of non-habitable buildings. Daylight makes an interior look more attractive and interesting as well as providing light to work or read by". However, Paragraph 1.6 states:

"The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design..."

- 9.98 Some concerns have been raised during the consultation process from neighbouring properties in respect of the impact of the proposed development on surrounding daylight and sunlight leading to an impact on residential amenity.
- 9.99 A 'Daylight & Sunlight' report has been submitted as part of the application and based on proximity to the proposed development, the following properties were identified as relevant for daylight and sunlight assessment:

- 9 Old Park Avenue

- 90 Church Street
- 1-3 Cecil Road
- 2-6 Old Park Avenue

- 9.100 The tests were undertaken in accordance with the BRE Report 209 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice' (second edition, 2011). The report concludes that there is full adherence to the BRE guide for rooms within 9 Old Park Avenue, 1 Cecil Road and 3 Cecil Road. It identifies that isolated minor transgressions occur to 90 Church Street but where these do occur, these are to windows that serve rooms with multiple windows, the remaining windows meeting the BRE targets.
- 9.101 The report identifies that the most noticeable change in daylight and sunlight occurs to Nos 2-6 Old Park Avenue. However, it is noted that the report was produced prior to amendments to the scheme which reduced the height of the rear block by one storey and moved the western elevation further from the boundary. Despite the assessment being made in relation to the original more harmful proposal the assessment concludes that "although more noticeable transgressions occur, the retained values will be commensurate for an urban environment". Overall, it is considered that the proposal as revised will not have an unacceptably adverse impact on neighbouring residential occupiers in terms of loss of light or outlook.

Privacy, Overlooking and Outlook

- 9.102 It is considered that the existing residential properties most affected by the proposed development in term of privacy, overlooking and outlook are Nos 2-6 Old Park Avenue, 90 Church Street and Nos 1-3 Cecil Road. Number 90 Church Street and Nos 1-3 Cecil Road are located to the east and south east of the subject site and their siting and orientation is such that they do not have a direct window to window relationship with the proposed development. They are also separated from the proposed development by the New River. Having regard to this relationship, it is considered that the proposal would not have an unacceptable impact on these properties in terms of loss of privacy or overlooking. It is noted that the rear block would result in some overshadowing of the neighbouring properties, particularly No 90 Cecil Road in the late afternoon/ evening where there will be an impact on the rear garden space. However, this is not considered to be significant and having regard to the need to optimise brownfield sites within town centre locations and the tilted balance, the level of overshadowing is considered to be acceptable.
- 9.103 Officers consider the relationship of the proposed development (rear block) with Nos 2-6 Old Park Avenue to be the most sensitive, particularly in relation to the effect of the flank elevation on the outlook and sense of enclosure experienced by these properties. In this regard the proposal has been amended to reduce the impact on these properties. The rear block has been moved further from the common boundary such that there is now a separation in excess of 4m from the boundary above ground floor level and c. 18m to the rear elevation. This is recognised as significant improvement to the proposal and one which is now considered to result in an acceptable relationship with the neighbouring properties having regard to the planning balance and the need to optimise development on brownfield town centre sites.
- 9.104 In term of overlooking and privacy, a great deal of consideration has been given to the treatment of the west elevation of the proposed development. Windows are considered to provide an important role in breaking up the massing of the elevation and provide visual interest. However, they must not result in unacceptable

overlooking of neighbouring residential sites. The windows in the west elevation have been minimised to prevent unacceptable overlooking of the neighbouring sites. Windows that are present in the elevation are either secondary windows or serve bathrooms and therefore will be obscure glazed. On balance, the position and number of windows in the western elevation are considered acceptable.

Noise and Disturbance

- 9.105 Guidance relevant for the assessment of noise affecting new developments is given in the National Planning Policy Framework (NPPF). Paragraph 185 sets out that that new development should be appropriate for its location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should seek to a) 'mitigate and reduce to a minimum, potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life'.
- 9.106 Meanwhile Policy D14 of the London Plan sets out that in order to reduce, manage and mitigate noise to improve health and quality of life, residential... development proposals should manage noise by, amongst other things: '3) mitigating and minimising the existing any potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise generating uses', and '4) improving and enhancing the acoustic environment and promoting appropriate soundscapes...'. Lastly, the London Plan introduces the concept of 'Agent of Change' which places the onus on the new development to ensure adequate noise mitigation measures are in place if their development will be close to a noise generating use.
- 9.107 The proposed residential development is consistent with the existing prevailing use in the area and it is therefore unlikely that any unacceptable levels of noise will be generated as result of the proposal. Furthermore, in terms of general disturbance, the previous use of the site was as an office with car parking. The current proposal is for a purely residential development with very limited car parking. The pattern of people's movements will perhaps change, with comings and goings likely to be more spread out throughout the day, but it is unlikely to generate more general disturbance than the office use. The removal of the majority of car parking from the site is likely to reduce general disturbance for nearby residential occupiers.

Light Pollution

- 9.108 It is recognised that that there is the potential for some level of light pollution arising from the development as the building is larger and taller than that previously on site. However, it is not considered light generating from the flats would be unreasonable given they are expected to be used in a normal residential fashion. A planning condition is recommended that details of any external lighting are provided by condition to ensure that this will be acceptable in relation to existing neighbouring residents and future occupiers of the development. As well as ensuring that there is not an unacceptable impact on the Enfield Town Conservation Area and other heritage assets.

Conclusion of Neighbouring Amenity Considerations

- 9.109 Having regard to the above, the proposed development is, on balance, considered acceptable in relation to the impact on neighbouring residential amenity in line with

relevant policies DMD 8, 37 & 68, CS Policy 4 and London Plan Policies D4, D6 and D14. Conditions pertaining to obscure glazing and external lighting are recommended to ensure that an acceptable level of residential amenity is maintained.

Transport, Access and Parking

- 9.110 London Plan Policy T1 sets a strategic target of 80% of all trips in London to be by foot, cycle or public transport by 2041 and requires all development to make the most effective use of land. Policy T5 encourages cycling and sets out cycle parking standards. Policies T6 and T6.1 to T6.5 set out car parking standards. Policy DMD 45 makes clear that the Council aims to minimise car parking and to promote sustainable transport options.

Car Parking

- 9.111 Apart from blue badge spaces (see below), the proposed development would be 'car free'. 'Car free housing development' is supported in London Plan policy and Enfield DMD Policy 45, subject to conditions and Section 106 obligations, where sites have good access to public transport services and are located within or near a designated town centre. The intention is to reduce reliance on the private car and to encourage sustainable transport choices (walking and cycling).
- 9.112 It is noted that a number of objections have been received in relation to this aspect of the proposal. However, the site has a PTAL of 6A and is located within a town centre, with frequent bus services, and in close proximity to both Enfield Town and Enfield Chase stations. The principle of a car free development in this location is therefore supported by Officers.
- 9.113 Furthermore, future residents will be restricted from applying for parking permits within the CPZ and will therefore not be able to park locally. As such, the availability of parking for existing residents will not be impacted by the proposed development. This will be secured by a S106 Agreement. As part of this the applicant will be required to cover the cost of modifying the Traffic Order relating to the CPZ so that the site is properly exempted.
- 9.114 The existing car parking for St Paul's Centre will be maintained. In line with the current arrangement, 100 Church Street will retain right of access over the car park to serve the development. Representatives from St Pauls Centre have raised an objection in relation to the proposed impact of the development on their day to day use of the car park. However, the previous office use would have involved 40-50 car accessing the office car parking via the same access arrangement. The current proposal only proposes 3 blue badge parking spaces as well as access for deliveries and servicing. It is anticipated that this will have a lesser impact on the neighbouring use and car park than the previous office use and associated parking.

Blue Badge Parking Provision

- 9.115 Policy T6.1 (G1) of the London Plan requires that for major residential development parking is provided on site for disabled residents. 3% disabled parking provision is required. The proposal meets this policy requirement.
- 9.116 In addition, development proposals should demonstrate where a further 7% of DPBs could be provided on site should the need for such provision arise in the future. This equates to 6 spaces and as submitted, no provision has been made for this within the

development. The suggestion that this provision can be made on street is not considered acceptable policy. Whilst there is some flexibility and ideally at least two further disabled spaces should be capable of being accommodated in the future within the curtilage, the Applicants have advised that this is not achievable without reducing the built footprint and in turn the number of residential units proposed.

- 9.117 Having regard to the tilted balance and the need to optimise the delivery of new homes on this highly sustainable site, it is considered that it would be satisfactory to compensate for the failure to meet a policy requirement on site by providing an accessible transport contribution to support improvements in the nearby town centre, if there were additional demand in excess of the 3% DPBs on site, in the future. This approach is currently being explored and, once agreed, it would be secured through a S106 Agreement.

Electric Vehicle Parking

- 9.118 Plan Policy T6.1(C) requires that at least 20% of new parking spaces should have active charging facilities, with passive provision for all remaining spaces.
- 9.119 In this instance 3 parking spaces are proposed. This equates to the need for 0.6 spaces (1 space) to have active charging facilities and passive provision should be made available for the 2 other spaces. This can be secured by condition.

Cycle Parking

- 9.120 Policy T5 of the London Plan sets out cycle parking requirements. The proposal would provide 140 long stay cycle parking spaces in accordance with the requirements. 36 of these would be provided in two-tier spaces at ground floor level in the southern block. 96 two-tier spaces are proposed in the basement of the northern block. At ground floor level in the northern block, 8 Sheffield stand spaces are proposed. Four short stay cycle parking spaces are also proposed within the external parking/ courtyard area (siting to be agreed by condition) as required by London Plan policy.
- 9.121 It is noted that while the cycle parking provision is acceptable in numerical terms, there are concerns about the location, particularly the 96 spaces which are proposed in the basement of the northern block. Policy requires that cycle parking provision must be easily accessible and convenient to encourage its use. The Transportation Officer has advised that, as proposed, the location of the cycle parking is likely to act as a barrier to cycling as the spaces are not easily accessible and it would be inconvenient for people who do not live in that building but may be expected to park there. In order to address this failure to meet a policy requirement, it has been agreed that a contribution could be made toward off-site public cycle parking provision. This is to be agreed and secured through a S106 Agreement.
- 9.122 A condition is also required to ensure that the doors to the cycle storage are a minimum of 1.2m in width to ensure they meet the minimum policy requirement.

Active Travel Zones and Healthy Streets

- 9.123 A framework Travel Plan has been submitted. This suggests that providing cycle parking and information on local walking and cycling routes for future residents of the development will result in a 5% and then 10% increase in active mode share at 2 and 10 years respectively. This is accepted as a draft approach. However, it will need to be supported by a Sustainable Transport Package that will be required via S106 Agreement. In line with the standard contributions calculator this will include:

- Car Club Membership
- Oyster cards
- Cycle Campaign Membership – c. £35,065
- Healthy Street Contribution – c. £28,629

9.124 The final Travel Plan must also include a full Healthy Streets Transport Assessment and an Active Travel Zone Assessment. This will enable Officers to identify the way in which contributions around the site should be spent, and properly understand routes around the site for pedestrians and cyclists and how these will encourage active travel.

Construction Traffic

9.125 A Construction Management, Quality & Environmental Plan has been submitted with the application. Officers are in broad agreement with the information but will secure a final statement through an appropriate condition.

Refuse and Recycling

9.126 Secure, appropriately sized refuse and recycling stores are provided within each block, close to communal entrances. Each will have key fob-controlled access and will be monitored by the CCTV system.

9.127 Refuse will be collected within the site with a refuse vehicle able to get within acceptable collection distances of all entrances. Vehicle tracking has been provided to ensure that a refuse vehicle can manoeuvre acceptably within the site.

Conclusion on Transport, Access and Parking

9.128 Overall the proposed approach to access, parking and servicing is acceptable. This is subject to the mitigation measures outlined, which will be secured within a S106 Agreement, and appropriate conditions being attached to the permission.

Landscape, Play, Biodiversity and Trees

9.129 Chapter 8 of the London Plan – Green Infrastructure and the Natural Environment, has a number of policies setting out the London Plan's position on various matters ranging from the delivery of green infrastructure, to the requirements for new development, in their impacts to biodiversity, approach to drainage and open space and landscaping offer.

9.130 Policy G5 outlines that major development proposals should contribute to the greening of London by including urban greening by incorporating measures such as high-quality landscaping, green roofs, green walls and nature based sustainable drainage. Although of very limited weight, the draft Local Plan for Enfield Policy BG8 also outlines that new development will need to demonstrate how it will exceed the urban green factor targets set out in the London Plan. Policy G5 outlines that the Mayor recommends a target score of 0.4 for developments that are predominantly residential.

9.131 Policy G6 of the London Plan seeks to ensure development proposals manage impacts on biodiversity and aims to secure net biodiversity gain while Policy G7 outlines that wherever possible, existing trees of value are retained and where trees are proposed to be removed, there should be an adequate replacement.

Furthermore, Policy S4, also of the London Plan, outlines that development proposals for schemes that are likely to be used by children and young people should, for residential development, incorporate good-quality accessible play provision for all ages. It outlines that at least 10sqm of play space should be provided per child. In addition, in 2019 the GLA introduced an updated play calculator against which applications should be assessed.

9.132 Core Strategy Policy 34 and 36 and Policies 71, 72, 73, 78, 79 and 80 of the Development Management Document sets out the Council's positions regards the protection and enhancement of open space, children's play space, ecological enhancements and the treatment of trees on development sites.

9.133 The Council has also adopted its Blue and Green Strategy (June 2021) which sets out how the Borough's open spaces, habitats, landscapes and water assets will be protected, maintained, enhanced and expanded over the next ten years.

Landscaping

9.134 An illustrative landscape masterplan has been submitted which sets out the site wide approach to soft and hard landscaping as well as identifies tree planting locations and where existing trees are to be removed or retained.

9.135 As outlined within the submitted Tree Survey and Impact Assessment, the proposal will involve the removal of a small number of trees across the site - 5 trees are identified for removal as well as stems from a group of sycamore trees, and a short row of western red cedar trees. The tree report notes that the majority of tree across the site are not of any particular merit and therefore their removal to facilitate the development is broadly accepted. However, in the north eastern corner of the site there are three large trees adjoining the river which are of more significant amenity value. The report states that the proposal will be able to proceed without having an unacceptable impact on two of these trees and they will be retained. The third tree, a lime, shows fruiting bodies of a decay fungus and needs to be removed. The Council's Tree Officer has not objected to the removal of this tree due to its poor health.

9.136 London Plan Policy G7 states that where development proposals result in the removal of trees, adequate replacement trees should be planted based on the existing value of the trees to be removed. The illustrative masterplan identifies that 13 semi mature trees are to be planted around the site 6 trees at ground level and 7 to the roof terrace. The tree planting has been carefully considered to avoid competition between new trees and the existing prominent trees along the river.

9.137 Other landscape features proposed include, biodiverse planting, private gardens with ornamental woodland style planting for shade and feature shrub planting, defensible hedgerow planting to the edge of private gardens, biodiverse planting for shade with multi stem shrub planting for privacy and native species rich meadow planting.

9.138 Full details on all the landscape features will be required by condition including in relation to size, height and proposed species. The treatment of the boundary between the development and the New River must be landscaped particularly sensitively to ensure a natural appearing transition between the private and public spaces.

9.139 Having regard to Urban Greening (Policy G5 of the London Plan), an urban greening factor score has not been submitted as this application was submitted prior to adoption of the new London Plan. However, it is considered that this can be included

as part of the detailed landscaping strategy to ensure the landscaping proposals provide the required benefits. A score of 0.4 will normally be accepted for new residential developments.

- 9.140 It is noted that the landscape masterplan identifies 'potential future connection to the river side' acknowledging that part of the land required for this is outside of the subject site. This pedestrian connection to the New River path is regarded as an important aspect of the proposal, particularly for residents of the rear block. Securing this access will be a requirement of the S106.

Play Provision

- 9.141 London Plan Policy S4 requires that new residential development should deliver at least 10sqm of play space per child. Based on the GLA population yield calculator, the development should provide 222.2.sqm of play space mainly focused at the lower age groups for children between 1 and 9. The application proposes 172 sqm of dedicated children's play space at roof level of the northern block with further opportunities for informal play around the wider site.
- 9.142 While the proposal does not fully meet the London Plan requirement, all the 3-bed units, which are most likely to have child occupants, will be located within the northern block and therefore will be well located to make use of the dedicated play space. There are also public open spaces within very close proximity of the site, notably Town Park which is within close walking distance.
- 9.143 On balance and having regard to the other benefits of the scheme, the proposal is considered acceptable in this regard. Conditions are recommended to require the submission of details of the type and arrangement of play equipment to be provided across the site.

Biodiversity

- 9.144 Policy G6 of the London Plan states that development proposals should support the protection and conservation of priority species and habitats and promote opportunities to create other habitats, or features such as artificial nest sites, that are of particular relevance and benefit in an urban context. Core Policy 36 of the Core Strategy confirms that all developments should be seeking to protect, restore, and enhance sites. Policy DMD79 advises that on-site ecological enhancements should be made where a development proposes more than 100sqm of floor space, subject to viability and feasibility.
- 9.145 This application is supported by an Ecological Impact Assessment which has assessed the existing biodiversity value of the site, the potential impacts of the development on biodiversity, mitigation measures and recommended ecological enhancements.
- 9.146 In relation to ecology, the majority of the site is of low ecological value. It comprises of hardstanding and buildings, with some species poor amenity grassland in the eastern part of the site. The existing trees on-site and off-site (but close to the boundaries) provide a habitat of moderate ecological value, which has the potential for seasonal use by breeding birds and for use by roosting/foraging bats.

Bats

- 9.147 All species of bat and their habitats are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside Rights of Way Act 2000), and by the Conservation of Habitats and Species Regulations 2010, which consolidates

all the various amendments made to the Conservation (Natural Habitats, &c.) Regulations 1994 in respect of England and Wales.

9.148 The 1994 Regulations transposed Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive) into national law. The legislation makes it illegal under the Wildlife and Countryside Act 1981 (as amended) to:

- Intentionally or recklessly kill, injure or take a wild bat;
- Be in possession or control of any live or dead wild bat, or any part of, or anything derived from a wild bat;
- Intentionally or recklessly damage, destroy or obstruct access to any place that a wild bat uses for shelter or protection; and
- Intentionally or recklessly disturb any wild bat while it is occupying a structure or place that it uses for shelter or protection.

9.149 Bats are also European Protected Species (EPS). As such under the Conservation of Habitats and Species Regulations 2010 it is an offence to:

- Deliberately capture, injure or kill any wild animal of a European Protected Species;
- Deliberately disturb wild animals of any such species. Disturbance of animals includes in particular any disturbance which is likely to:

i) impair their ability -

- to survive, to breed or reproduce, or to rear or nurture their young; or
- in the case of animals of a hibernating or migratory species, to hibernate or migrate; or

ii) to affect significantly the local distribution or abundance of the species to which they belong;

- Deliberately take or destroy the eggs of such an animal; or
- Deliberately damage or destroy a breeding site or resting place of such an animal.

9.150 A Preliminary Ecological Assessment (PEA) was undertaken by a consultant ecologist in accordance with published guidelines. During the internal and external assessment of the commercial building there was no evidence of bats recorded and only low potential for bats was identified. However, as the site is located adjacent to a river corridor a single dusk emergence survey was also carried out. This identified intermittent common pipistrelle bat commuting/ foraging in association with the river corridor to the east of the site, along with occasional noctule bats recorded commuting/ foraging high over the river.

9.151 Since there was no evidence of bats recorded during the PEA survey, with no bats being recorded emerging from the building, it is considered that there is no significant risk of direct impacts to bats as a result of the proposed works.

9.152 In relation to the commuting/foraging bats recorded during the dusk emergence survey, in association with the river corridor to the east, it is noted that the proposed works could have an indirect impact on bats using this river corridor, if any new artificial lighting scheme illuminates this area, since bats are nocturnal animals that will generally avoid illumination. To avoid the risk of this occurring, precautionary mitigation measures are recommended.

9.153 Any new artificial lighting scheme will need to broadly comply with the principles of the Institute of Lighting Professional (ILP) and BCT published guidance note 08/186, primarily by avoiding illumination of the trees and adjacent river corridor, along with

ensuring that all lighting is low-level, downwardly directional and controlled by motion sensors/timers (where practical). Details of the proposed external lighting scheme will be secured by condition. In addition, if at any time during the proposed works, it becomes apparent that bats are present and at risk of direct impacts, works will need to cease whilst an experienced ecologist is contacted and consulted about how to proceed without the risk of an offence being committed. This will also be secured by condition.

Breeding Birds

- 9.154 Breeding birds are protected under the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to intentionally or recklessly kill, injure or take any wild bird or take, damage or destroy its nest whilst it is in use or being built, or to take or destroy its eggs. In addition, some species of bird are listed under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended), for which there are additional offences of disturbing these birds at their nests, or their dependent young.
- 9.155 There was no evidence for actively breeding birds recorded during the PEA survey, which was undertaken outside the breeding season (March-July/August), although it was identified that there are potentially suitable habitats present throughout the site, including larger shrubs/climbers within the miscellaneous planting and scattered trees, some of which will be removed/disturbed to facilitate the proposals. Therefore, breeding birds could be directly impacted by the proposed works, if undertaken during the breeding season (March-July/August). To avoid the seasonal risk of impacts to breeding birds, precautionary mitigation measures are recommended.
- 9.156 These include disturbance/removal of potentially suitable habitat to be undertaken outside of the breeding bird season. If it is necessary to conduct such work during the breeding season, this should be carried out under the supervision of an experienced ecologist, who will check for the presence/absence of any birds' nests. If any active nests are found, then works with the potential to impact on the nest must temporarily cease and an appropriate buffer zone should be established until the young have fledged and the nest is no longer in use. This will be secured by condition.

Ecological Enhancements

- 9.157 The NPPF at paragraph 174 states that *"the planning system should contribute to and enhance the natural and local environment by... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures"*. Therefore, the following measures are recommended to improve the biodiversity value of the site:
- The soft landscaping scheme should specify at least 70% native species of plant, or non-native species with a known benefit to wildlife. This should include a variety of small trees, large shrubs, herbaceous plants, climbers and bulbs, to provide a diversity of habitat type/structure and benefit local biodiversity;
 - Use of green/brown roofs/walls within the development will further benefit local biodiversity. It is noted that a green roof is included on the roof of the southern block – details of this to ensure it is providing maximum biodiversity value will be required; and
 - each new block should include 2 no. (i.e. 4 no. in total) small wall integrated bat boxes, along with 4 no. (i.e. 8 no. in total) wall-integrated bird boxes, suitable for house sparrow and swift. The bat boxes should be installed above 4-5 metres and not illuminated by artificial lighting and the bird boxes should

be installed above 3-4 metres and above 7-8 metres for house sparrow/swifts respectively, but not on south-facing walls, to avoid the risk of overheating during summer.

- 9.158 The identified ecological enhancements will be secured by condition.
- 9.159 Having regard to the above, the proposed development will not unduly impact upon the existing ecological value of the site but through measures proposed and to be secured by condition, will serve to enhance the value of the site in accordance with policy G6 of the London Plan, CP36 of the Core Strategy and policy DMD79 of the Development Management Document.

Sustainability and Climate Change

- 9.160 Paragraph 154 of the NPPF requires new developments to 'be planned for in ways that avoid increased vulnerability to the range of impacts from climate change... and help to reduce greenhouse gas emissions, such as through its location, orientation and design'. The Council's Cabinet declared a state of climate emergency in July 2019 and committed to making the authority carbon neutral by 2030 or sooner. The key themes of the Sustainable Enfield Action Plan relate to energy, regeneration, economy, environment, waste and health. The London Plan and Enfield (Regulation 18) emerging Local Plan each make reference to the need for development to limit its impact on climate change, whilst adapting to the consequences of environmental changes. Furthermore, the London Plan sets out its intention to lead the way in tackling climate change by moving towards a zero-carbon city by 2050.
- 9.161 London Plan Policy SI 2 (Minimising Greenhouse Gas Emissions) sets out the new London Plan's requirements for major development from the perspective of minimising greenhouse gas emissions. For major development, the policy sets out as a starting point, that development should be zero-carbon and it requires, through a specified energy hierarchy, the required approach to justifying a scheme's performance.
- 9.162 London Policy SI 2(C) outlines that new major development should as a minimum, achieve 35% beyond Building Regulations 2013, of which at least 10% should be achieved through energy efficiency measures for residential development. Policy DMD55 and paragraph 9.2.3 of the London Plan advocates that all available roof space should be used for solar photovoltaics.
- 9.163 London Plan Policy SI 4 outlines that major development proposals should demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with a cooling hierarchy. 9.182. NPPF Paragraph 157 outlines that LPAs should expect new development to comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable.

Minimising Greenhouse Gas Emissions

- 9.164 An Energy Assessment has been prepared which provides an overview of the energy and sustainability strategies for the proposed development. The document demonstrates how the proposal has sought to meet London Plan requirements inclusive of the energy hierarchy and relevant Council policies.

- 9.165 The report notes that the development aims to improve upon building regulation CO2 emission targets through fabric and building service efficiencies by 10% over Part L 2013 regulations. It shows that 18% is being achieved through the 'BE LEAN' stage of the project. The addition of heat pump technologies is expected to reduce the development's CO2 emissions by a further 46%, to a total of 64% improvement, which meets the London Plan overall requirement of a 35% betterment over Part L 2013 regulations.
- 9.166 London Plan Policy SI 2 states that where a zero-carbon target cannot be fully achieved on site, a carbon off-set contribution is required. The remaining 36% of carbon emissions from the original Part L 2013 baseline shall be offset via the GLA's carbon offset payment. This will be secured through the S106 Agreement.

Overheating

- 9.167 As part of the energy assessment, dynamic thermal modelling of the overheating risk associated with the apartments has also been undertaken in accordance with CIBSE TM59 guidance. Supporting text to Policy SI 4 (paragraph 9.4.4) outlines that passive ventilation should be prioritised where appropriate and that where air conditioning systems, including active cooling systems are unavoidable, these should be designed to reuse the waste heat they produce.
- 9.168 Having tested fully passive ventilation, it is noted that some mechanical ventilation will be required for this proposal particularly during summertime in apartments where there is an acoustic risk from open windows.
- 9.169 The report recognises that a full air conditioning system for cooling purposes is energy intensive and therefore an alternative more energy efficient approach shall be taken to provide cooling. This shall be in the form of peak "lop" cooling utilising cooling of supply air into habitable spaces which shall be automatically controlled and switched on via space temperature sensors. This shall restrict the use of the tempered air cooling to time periods when they are required only.
- 9.170 Full details of the proposed mechanical ventilation system, its operation and extent shall be required by condition. This shall demonstrate that mechanical ventilation has been minimised throughout the development.

DEN (Decentralised Energy Network) Connection

- 9.171 At the time of submission, the applicant did not intend to connect to the Energetik Decentralised Energy Network (DEN) as, at the time, the DEN was not in close proximity to the site. However, the DEN is now expected to extend along Church Street. It is noted that the Energy Statement confirms that the proposal will be designed to be capable of connection to the DEN and this will be secured through the s106 agreement. If the development is able to make connection to the DEN it is possible that the carbon offset contribution required by S106 would be reduced.

Air Quality

- 9.172 London Plan Policy S1 1(B,2,c) (Improving Air Quality) outlines that major development proposals must be submitted with an Air Quality Assessment. Air quality assessments should show how the development will meet the requirements as set out within the policy.
- 9.173 An Air Quality Assessment has been prepared by Stroma. The assessment has considered: the construction phase impact (dust), the road traffic impact, and

includes an air quality neutral assessment. Overall it shows that the development will be air quality neutral.

- 9.174 The construction phase will have the potential to create dust, and it is expected that any impacts will be medium to low. However, subject to appropriate mitigation measures this can be reduced to low to negligible. These Best Practice mitigation measures have been included within the report and adherence can be secured by condition.
- 9.175 The operational impacts of increased traffic emissions arising from the additional traffic on local roads, due to the development, have been assessed. In addition, the impacts of local road traffic on the air quality for future residents have been assessed within the new development itself.
- 9.176 The proposed development will only increase traffic volumes on local roads by a small amount. These changes will lead to an imperceptible increase in concentrations of nitrogen dioxide and PM2.5 at all existing receptors, and the impacts will all be negligible.
- 9.177 In terms of the development itself, the report shows there will be slight exceedances of the annual mean for nitrogen dioxide at two ground floor flats. The report does not make any mitigation recommendations for this, but the Environmental Health Officer has confirmed that this can be addressed by condition.

Contamination

- 9.178 A contamination report has been submitted. This states that a site investigation will be required. In accordance with the advice of the environmental health officer, details to deal with the contamination of the site to avoid risk to health and the environment will be required by condition.

Flood Risk and Drainage

- 9.179 London Plan Policy SI 12 outlines development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 outlines that development proposals should aim to achieve greenfield runoff rates and ensure that surface water run-off is managed as close to its source as possible. It also states there should also be a preference for green over grey features, in line with an outlined drainage hierarchy.
- 9.180 Core Strategy Policies CP21, CP28 and CP29 and Development Management Document Policies DMD59 – DMD63 outline the requirements for major development from the perspective of avoiding and reducing flood-risk, the structure and requirements of Flood Risk Assessments (FRAs) and Drainage Strategies and maximising the use of Sustainable Urban Drainage Systems (SuDS).
- 9.181 A Groundwater Flood Risk Assessment (May 2021) and a SUDs strategy have been submitted with the application. The Council's SUDs Officer has confirmed that the Ground water Flood Risk Assessment is acceptable. The SUDs strategy has been reviewed and updated in consultation with the Council's SUDs Officer. The updated SUDs strategy is supported in principle. However, there are no source control SUDs measures for the northern building and the extent of green roofs on the southern building need to be confirmed. In addition, the developers need to confirm the final sewer connections and RWP locations. These elements can be addressed by condition.

10. Socio-economics and Health

Socio-Economics

- 10.1 London Plan CG5 seeks to ensure that the benefits of economic success are shared more equally across London and Policy E11 makes clear that development should support employment, skills development, apprenticeships and other education and training opportunities in both the construction and end use phases.
- 10.2. Core Strategy Policy 13 seeks to protect Enfield's employment offer and Core Policy 16 requires mitigation to help local people improve skills and access jobs. The Council's Planning Obligations SPD (2016) sets out guidance on implementing these policies.
- 10.3 To help ensure that Enfield residents are able to take advantage of this beneficial effect of the scheme, it is recommended that s106 planning obligations secure the following:
- Local Labour (during demolition and construction phases):
 - Employment & Skills Strategy submitted and approved prior to commencement
 - All reasonable endeavours to secure 25% of workforce
 - Apprenticeships or trainees
 - Local goods and materials
 - Employment & training:
 - Employment and Skills Strategy to establish requirements for local resident engagement in employment opportunities, recruitment of apprentices, quarterly reporting and targets.
 - Training opportunities
 - Partnership working with local providers/programmes

Health Impact Assessment

- 10.4 London Plan Policy GC3 outlines that to improve Londoners' health and reduce health inequalities, those involved in planning and development must adhere to an outlined criterion.
- 10.5 This application is accompanied by a Health Impact Assessment. The assessment outlines health profile baselines which have informed impacts of the proposed development. Overall, the assessment concludes that the proposed development will generally have a positive impact on the health of the future and local residents.
- 10.6 The outcomes set out within the Health Impact Assessment aim to demonstrate that the proposed development has incorporated a number of measures into the design to ensure its impact on health is as positive as possible throughout both the construction and operational phases. Officers agree with the conclusions set out, and for reasons set out within this report, are of the view that the development takes steps to address Policy GC3's outlined criteria.

11. **Section 106 / Legal Agreement**

Having regard to the content above, it is recommended that should planning permission be granted, the following obligations / contributions should be sought and secured through a legal agreement.

Affordable Housing

- The securing of 7 units in total for on-site affordable housing provision: 4 x 3-bed and 3 x 2-bed all provided as LAR.
- Provision to include a review mechanism (to be agreed with the Applicant in line with the Mayors Affordable Housing and Viability SPG 2017)

Transport and Highways

- Funding towards/ measures to provide off-site public cycle parking provision within Enfield Town (contribution/ measures to be identified and agreed)
- Funding towards/ measures to improve public access for the disabled within Enfield Town (contribution/ measures to be identified and agreed)
- CPZ parking permits restricted for future residents – including costs associated with modifying the Traffic Order
- Sustainable Transport Package:
 - Car club membership
 - Oyster cards
 - Cycle campaign membership c. £35,065
 - Healthy Streets contribution c. £28, 629
- Travel Plan

Climate Change, Flooding and the Environment

- Contribution (Carbon Offset Payment) towards the Carbon Offset Fund (utilised by LB Enfield towards the provision of measures for securing CO2 reduction in the vicinity of the Site). Amount to be finalised dependent on discussion with applicant regarding connecting to the DEN.

Business Employment and Skills

- Local Labour (during demolition and construction phases):
 - Employment & Skills Strategy submitted and approved prior to commencement
 - All reasonable endeavours to secure 25% of workforce
 - Apprenticeships or trainees
 - Local goods and materials
- Employment & training:
 - Employment and Skills Strategy to establish requirements for local resident engagement in employment opportunities, recruitment of apprentices, quarterly reporting and targets.
 - Training opportunities
 - Partnership working with local providers/programmes

Design

- Architect retention - As per paragraph 3.4.12 supporting London Plan Policy D4, retention of Architects.
- Pedestrian connection to the New River Path

Monitoring

- 5% monitoring fee

12. Community Infrastructure Levy (CIL)

- 12.1 Both Enfield CIL and the Mayor of London CIL (MCIL) would be payable on this scheme to support the development of appropriate infrastructure. The CIL contribution will be reported at the meeting.
- 12.2 The development of social housing is exempt from MCIL under the Planning Act . A formal determination of the CIL liability would be made when a Liability Notice is issued should this application be approved.

13. Conclusion

- 13.1 The starting point for the determination of any planning application is the development plan. Paragraph 11(d) of the NPPF, states that planning permission should be granted unless *“the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed”*. Designated heritage assets are listed as areas or assets of particular importance. Consequently, these policies must be applied to determine whether they provide a clear reason for refusing the development.
- 13.2 Having regard to the assessment in this report, the development would cause ‘less than substantial harm’ to identified heritage assets. This is not, in itself, a clear reason for refusal. Paragraph 199 of the NPPF sets out the balance to be taken to appraise whether this ‘less than substantial harm’ will provide a clear reason for refusal.
- 13.3 ‘Less than substantial harm’ to the significance of a designated heritage asset should be weighed against the public benefits of the proposal. In this case, the public benefits of the development include the social and economic benefits of the provision of market and affordable housing in the context of the sharp housing requirement in the Borough, as well as the other economic and social benefits of the increased use of local facilities and amenities, and employment during construction. It is considered that these public benefits outweigh the ‘less than substantial harm’ identified.
- 13.4 Consequently, the application of policies in the Framework which protect areas or assets of particular importance do not provide a clear reason for refusal. Limb ii. of paragraph 11(d) of the NPPF is therefore engaged, whereby planning permission should be granted unless *“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”*. This is commonly referred to as the ‘tilted balance’.
- 13.5 It is acknowledged that and as is recognised throughout this report, that consideration of this proposal has involved finely balanced judgements. Compromises have been made in the consideration of the proposal in order to optimise the development potential of this highly sustainable brownfield site and thus contribute to the Borough’s challenging housing targets. It is recognised that sites

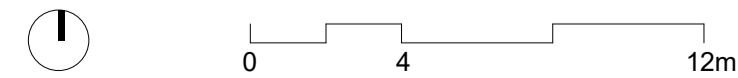
such as this need to be optimised in order to minimise encroachment into the Borough's Green Belt and protected SIL. It is considered that the social benefits of the proposal carry significant weight in favour of the proposed development. Further economic and social benefits include employment during construction, as well as the continued and improved use of local services and facilities.

- 13.6 It is considered that the conflicts identified with other Development Plan policies, as identified in the analysis section of this report, would not on their own or cumulatively significantly and demonstrably outweigh the benefits of the proposed development.
- 13.7 Overall therefore, it is considered the application proposes a high-quality residential development on existing underutilised, highly sustainable brownfield land which is identified for re-development in the Enfield Town Masterplan (2018). Officers acknowledge that due to the quantum of homes proposed and the resultant extent of site coverage there are shortcomings to the proposal as identified in the analysis section of this report. However, it is also recognised that there is a pressing need for housing, including affordable housing within the Borough, and Enfield has an extremely challenging 10-year housing delivery target. In this context the provision of 78 homes, including a policy compliant number of affordable homes, weighs heavily in favour of the development despite the acknowledged deficiencies with the proposal.
- 13.8 The applicant has engaged with the LPA in undertaking extensive pre-application advice inclusive of the development being presented to the Enfield Design Review Panel. The pre-application process involved the applicant considering design options to determine the most appropriate forms of development and the scheme proposed has followed a design-led approach to site optimisation, as per London Plan Policy D3.
- 13.9 Overall, and giving weight to the need for development which provide new homes, it is concluded that the development for reasons set-out within this report, to broadly accord with the adopted policy framework as well as relevant emerging policy. Subject to the appropriate mitigations as set out within the recommended condition schedule, and within the Section 106 Agreement, the application is recommended for approval.



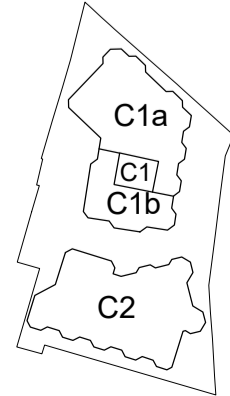
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Do not scale from this drawing. Verify all dimensions on site. Drawing should be read in conjunction with information from all other design consultants and contractors. All drawings in digital format are for reference only, paper copies are available on request.



Application boundary

- Notes:
1. These drawings are issued for planning approval only - detailed coordination with technical consultant including structural, services and fire engineers is ongoing
 2. All areas stated are NIA/NSA unless noted otherwise and are for planning purposes only - they are approximate and may change during later design stages
 3. All heights stated are for planning purposes only - they may change during later design stages and material amendments will be notified as necessary
 4. Landscaping is shown indicatively only - for details of proposed public realm and landscaping refer to landscape architect's drawings
 5. Surrounding context in plan is based on OS map data dated 7/1/20

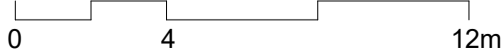


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Proj. No.	Project	Client
508	100 Church street	HPJ 11 Developments Ltd
Sheet Name	Status	Planning
GA plan - Level 00		
CDE ID	Scale	Size
ENFL-MLA-CS-00-DR-A-00-11000	1:200	A1
Rev	PL3	

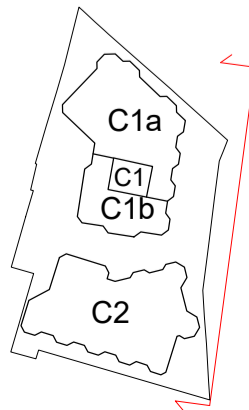
PL3	Revised planning	EDK	TW	16/07/2021
PL2	Revised planning	EDK	TW	06/04/2021
PL1		EDK	TW	28/08/2020
Rev	Note	Drwn	Chkd	Date

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Elevation key

- Brickwork Type 1 – Light mix of 'Vandersanden Sevan' and 'Vendersanden Garda' brick with light coloured mortar
- Brickwork Type 2 – White brick stripes
- Brickwork Type 3 – Dark 'Hagemeister Liverpool' brick with dark coloured mortar
- Concrete clis / copings / entrance canopies – architectural quality concrete with white / portland finish
- Windows – PPC aluminium / colour light bronze
- Balustrades – PPC steel / colour light bronze
- Bespoke patterned grilles / screen - PPC aluminium or steel / colour light bronze
- Pergola / roof structure - PPC steel / colour light bronze

PL2 Revised planning
PL1

EDK TW 06/04/2021
EDK TW 28/08/2020

Drwn Chkd Date

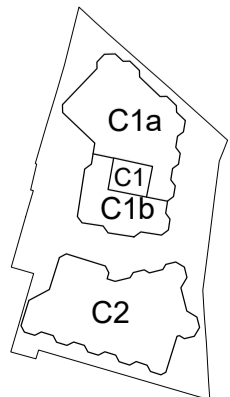
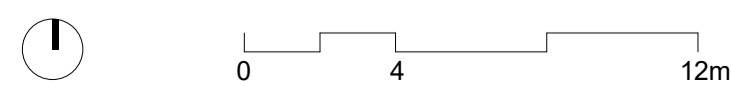
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Proj. No. 508 Project 100 Church street Client HPJ 11 Developments Ltd

Sheet Name CS GA elevation - East Status Planning

CDE ID ENFL-MLA-CS-00-DR-A-00-12001 Scale 1:200 Size A1 Rev. PL2



PL3	Revised planning	EDK	TW	16/07/2021
PL2	Revised planning	EDK	TW	06/04/2021
PL1		EDK	TW	28/08/2020
Rev	Note	Drwn	Chkd	Date

Proj. No.
508

Project
100 Church street

Client
HPJ 11 Developments Ltd

Sheet Name
CS - Site plan

Status
Planning

CDE ID
ENFL-MLA-00-DR-A-00-00500

Scale
1:500

Size
A1

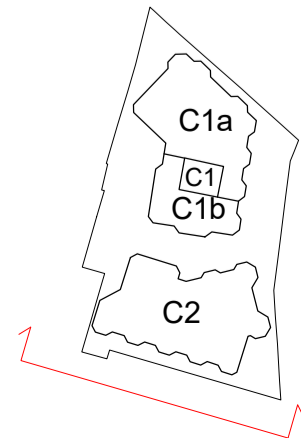
Rev.
PL3

Do not scale from this drawing. Verify all dimensions on site. Drawing should be read in conjunction with information from all other design consultants and contractors. All drawings in digital format are for reference only, paper copies are available on request.



Notes:

1. These drawings are issued for planning approval only - detailed coordination with technical consultant including structural, services and fire engineers is ongoing
2. All areas stated are NIA/NSA unless noted otherwise and are for planning purposes only - they are approximate and may change during later design stages
3. All heights stated are for planning purposes only - they may change during later design stages and material amendments will be notified as necessary
4. Landscaping is shown indicatively only - for details of proposed public realm and landscaping refer to landscape architect's drawings
5. Surrounding context in plan is based on OS map data dated 7/1/20



Elevation key

1. Brickwork Type 1 – Light mix of 'Vandersanden Sevan' and 'Vendersanden Garda' brick with light coloured mortar
2. Brickwork Type 2 – White brick stripes
3. Brickwork Type 3 – Dark 'Hagemeister Liverpool' brick with dark coloured mortar
4. Concrete clis / copings / entrance canopies – architectural quality concrete with white / portland finish
5. Windows – PPC aluminium / colour light bronze
6. Balustrades – PPC steel / colour light bronze
7. Bespoke patterned grilles / screen - PPC aluminium or steel / colour light bronze
8. Pergola / roof structure - PPC steel / colour light bronze

PL2 Revised planning
PL1

EDK TW 06/04/2021
EDK TW 28/08/2020

Drwn Chkd Date

MaccreanorLavington

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Proj. No. 508 Project 100 Church street Client HPJ 11 Developments Ltd

Sheet Name CS GA elevation - South Status Planning

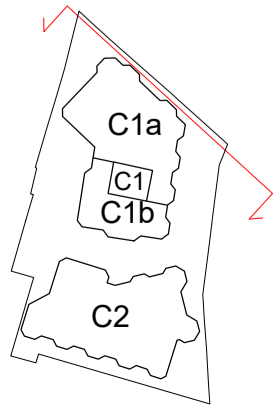
CDE ID ENFL-MLA-CS-00-DR-A-00-12002 Scale 1:200 Size A1 Rev. PL2

Do not scale from this drawing. Verify all dimensions on site. Drawing should be read in conjunction with information from all other design consultants and contractors. All drawings in digital format are for reference only, paper copies are available on request.



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Elevation key

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PL2 Revised planning
PL1

EDK TW 06/04/2021
EDK TW 28/08/2020

Drwn Chkd Date

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Proj. No. 508 Project 100 Church street Client HPJ 11 Developments Ltd

Sheet Name CS GA elevation - North Status Planning

CDE ID ENFL-MLA-CS-00-DR-A-00-12000 Scale 1:200 Size A1 Rev. PL2