

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date: 23 November 2021

Report of

Head of Planning – Vincent
Lacovara

Contact Officer:

Andy Higham
Joe Aggar

Ward:

Cockforsters

Application Number: 20/00037/VAR

Category: Major

LOCATION: New Avenue Estate, Including Shepcot House, Beardow Grove, Coverack Close, Oakwood Lodge, Garages To The Rear Of The Lousada Lodge, Hood Avenue Open Space And Cowper Gardens Open Space, London, N14.

PROPOSAL: Variation of condition granted under planning application 16/01578/FUL (as amended by 18/02662/NMA and 19/03917/NMA) for drawings (3) levels (5), materials (8), parking and turning areas (14), privacy screens (26), drainage (28) and unit mix and numbers (53), and removal of condition 11 (accommodation schedule) and condition 44 (former mews site) in relation to the Demolition of Shepcot House, Oakwood Lodge, Beardow Grove, Coverack Close and garages rear of Lousada Lodge and phased redevelopment of site involving construction of new road to provide new residential accommodation (Class C3) within a mix of buildings up to 9 storeys, erection of a nursery and community building (Class D1), construction of an energy centre, formation of play space including play area at Cowper Gardens open space and provision of surface and undercroft car parking spaces. The minor material amendments include: increase in residential units numbers, alterations to unit mix, changes to the design of Blocks A1, A2, A3, A4, B1, B2, C1, D1, D2, D3, D4, E1, E2 and removal of Block E3, changes to tenure of blocks, amendments to building heights, landscaping and play provision and parking and cycle parking in relation to Phases 2 and 3.

Applicant Name & Address:

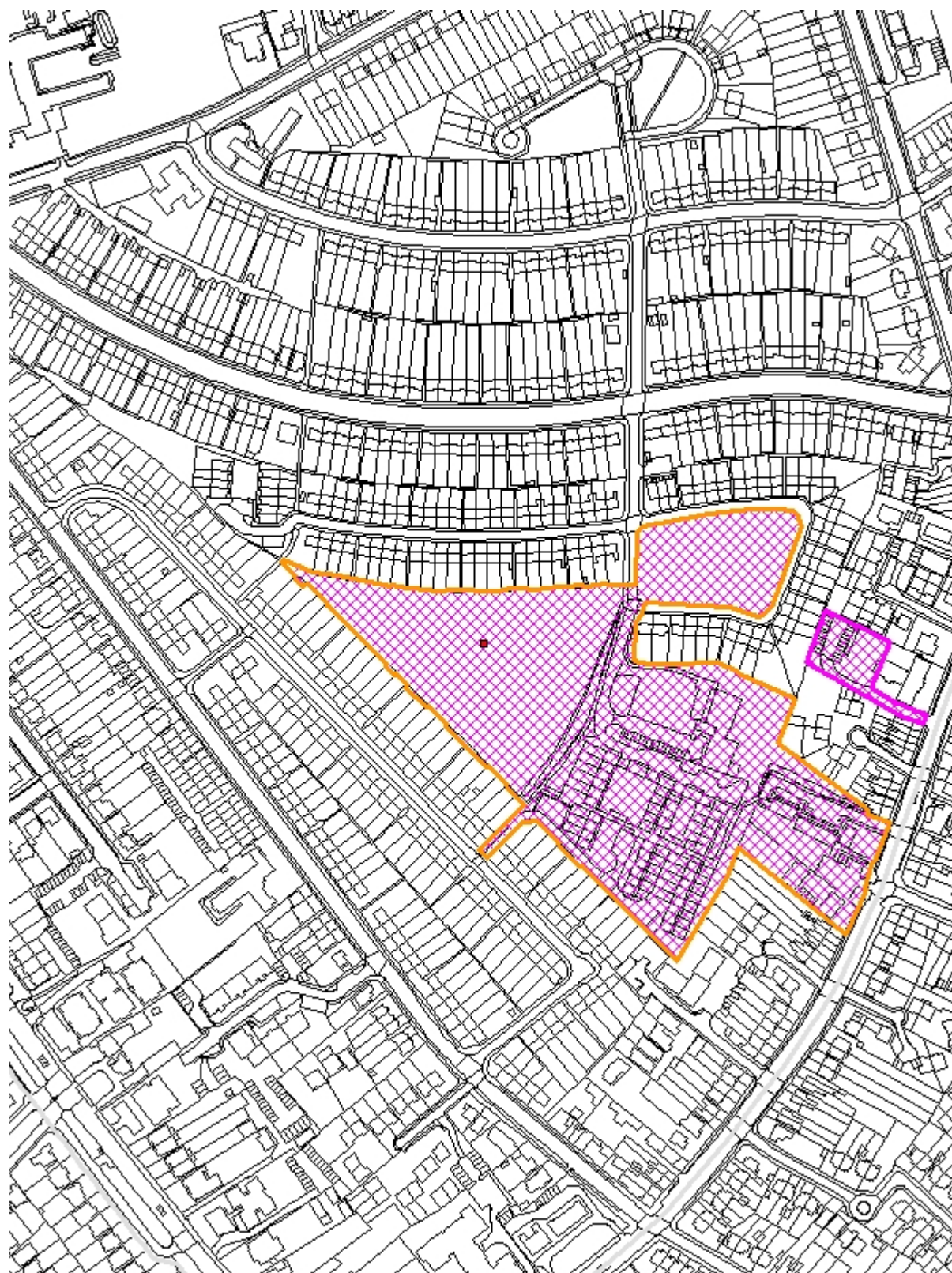
c/o Countryside Properties Limited

Agent Name & Address:

Montagu Evans LLP
5 Bolton Street
Mayfair
London
W1J 8BA

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

Ref: 20/00037/VAR LOCATION: New Avenue Estate, , Including Shepcot House, Beardow Grove, Coverack Close, Oakwood Lodge, Garages To The Rear Of The Lousada Lodge, Hood Avenue Open Space And Cowper Gardens Open Space, , London, N14. ,



1. Note for Members

- 1.1 The application is reported to planning committee as this is a Major application and involves land in Council Ownership.

2.0 Recommendation

- 2.1 That , subject to the completion of a s106 legal agreement, the Head of Development Management/Planning Decisions Manager be authorised to GRANT planning permission subject to conditions.

Amended Conditions to Original Permission

- 2.2 All conditions attached to the original planning permission 16/01578/FUL as amended by 18/02662/NMA remain. Conditions relating to drawings (3) levels (5), materials (8), parking and turning areas (14), privacy screens (26), drainage (28) and unit mix and numbers (53) have been amended to reflect the updated proposals.
- 2.3 Conditions 11 (Schedule of Accommodation) and 44 (Former Mews site) are proposed to be removed from any decision notice.
- 2.4 Condition 11 under extant permission 16/01578/FUL pertained to the schedule of accommodation. This has now been superseded by the proposed changes to dwelling mix under the consideration of the current application. In addition, the proposed schedule of accommodation forms an approved document within revised Condition 3 (Approved Drawings). Therefore, it is not considered necessary to replicate this on the decision notice and can be removed. Approval of details application (19/001281/CND) has allowed for parking to the former mews site as part of the parking strategy for the site. Given the discharge of this condition, which secures details of parking, it is considered appropriate to remove Condition 44 from any decision.
- 2.5 Given the adoption of new policy and guidance since the extant permission was granted in 2018, it is recommended to attach the following additional conditions 54 (Control of Dust and Emissions) and 55 (Whole Lifecycle Carbon) to any decision notice. To ensure the details of proposed play equipment on site, condition 56 is recommended.

Amended Condition Numbers

Drawing Numbers

- 2.6. The development hereby permitted shall be carried out in accordance with the approved plans:

ENF-CCE_A_DR_0000_Existing Location Plan
ENF-CCE_A_DR_0010_Existing Site Plan D
ENF-CCE_A_DR_0011_Existing Site Topographical Survey
ENF-CCE_A_DR_0020_Existing Site Elevations 1of2
ENF-CCE_A_DR_0021_Existing Site Elevations 2of2
ENF-CCE_A_DR_0050_Existing Property- 1 Beardow Grove
ENF-CCE_A_DR_0051_Existing Property- 6 Beardow Grove
ENF-CCE_A_DR_0060_Existing Property- 20 Coverack Close
ENF-CCE_A_DR_0061_Existing Property- 7 Coverack Close

ENF-CCE_A_DR_0062_Existing Property- 41 Coverack Close
ENF-CCE_A_DR_0070_Existing Property- 122 Shepcott House
ENF-CCE_A_DR_0071_Existing Property- 146 Shepcott House
ENF-CCE_A_DR_0072_Existing Property- 173 Shepcott House
ENF-CCE_A_DR_0073_Existing Property- 131 Shepcott House
ENF-CCE_A_DR_0100_Proposed Masterplan Outline M
ENF-CCE_A_DR_0101_Proposed Ground Floor W
ENF-CCE_A_DR_0102_Proposed Masterplan Outline-Existing Buildings
overlay G
ENF-CCE_A_DR_0103_Proposed Masterplan Outline-Phasing Diagram G
ENF-CCE_A_DR_0104_Elevation Key Drawing E
ENF-CCE_A_DR_0104_Elevation Key Drawing G
ENF-CCE_A_DR_0105_Street Section Key Drawing E
ENF-CCE_A_DR_0105_Street Section Key Drawing G
ENF-CCE_A_DR_0106_Proposed Masterplan Outline- Tenure Diagram J
ENF-CCE_A_DR_0107_Proposed Floor E
ENF-CCE_A_DR_0110_Proposed Level -01 Q
ENF-CCE_A_DR_0111_Proposed Level 00 Plan R
ENF-CCE_A_DR_0112_Proposed Level 01 S
ENF-CCE_A_DR_0113_Proposed Level 02 Plan N
ENF-CCE_A_DR_0114_Proposed Level 03 Plan M
ENF-CCE_A_DR_0115_Proposed Level 04 Plan M
ENF-CCE_A_DR_0116_Proposed Level 05 Plan M
ENF-CCE_A_DR_0117_Proposed Level 06 Plan M
ENF-CCE_A_DR_0118_Proposed Level 07 Plan J
ENF-CCE_A_DR_0119_Proposed Level 08 Plan K
ENF-CCE_A_DR_0120_Proposed Level 09 Plan K
ENF-CCE_A_DR_0130_Site Elevations 1of4 E
ENF-CCE_A_DR_0131_Site Elevations 2of4 E
ENF-CCE_A_DR_0132_Site Elevations 3of4 G
ENF-CCE_A_DR_0133_Site Elevations 4of4 D
ENF-CCE_A_DR_0200_Proposed Block A_Ground and First Floor Plan J
ENF-CCE_A_DR_0201_Proposed Block A_Second and Third Floor Plan J
ENF-CCE_A_DR_0202_Proposed Block A_Fourth and Fifth Floor Plan J
ENF-CCE_A_DR_0204_Proposed Block A_Sixth and Seventh Floor Plan F
ENF-CCE_A_DR_0205_Proposed Block A_Eighth and Roof Plan F
ENF-CCE_A_DR_0215_Proposed Block A_Elevations 1of2 E
ENF-CCE_A_DR_0216_Proposed Block A_Elevations 2of2 E
ENF-CCE_A_DR_0230_Proposed Block B_Ground First and Second Floor
Plan F
ENF-CCE_A_DR_0231_Proposed Block B_Third Fourth Fifth and Sixth Floor
Plan G
ENF-CCE_A_DR_0232_Proposed Block B_Seventh and Roof E
ENF-CCE_A_DR_0240_Proposed Block B_Elevations 1of2 E
ENF-CCE_A_DR_0250_Proposed Block C_Ground First Second Floor and
Roof Plan E
ENF-CCE_A_DR_0260_Proposed Block C_Elevations D
ENF-CCE_A_DR_0270_Proposed Block D_Ground and First Floor Plan K
ENF-CCE_A_DR_0271_Proposed Block D_Second and Third Floor Plan M
ENF-CCE_A_DR_0272_Proposed Block D_Fourth Fifth Sixth Floor and Roof
Plan J
ENF-CCE_A_DR_0280_Proposed Block D_Elevations 1of2 E
ENF-CCE_A_DR_0281_Proposed Block D_Elevations E
ENF-CCE_A_DR_0290_Proposed Block E_Ground First and Second Floor J

ENF-CCE_A_DR_0291_Proposed Block E_Third Fourth Fifth Floor and Roof Plan J
ENF-CCE_A_DR_0300_Proposed Block E_Elevations F
ENF-CCE_A_DR_0310_Proposed Block F_Ground and First Floor Plan C
ENF-CCE_A_DR_0311_Proposed Block F_Second and Third Floor Plan B
ENF-CCE_A_DR_0312_Proposed Block F_Roof Plan C
ENF-CCE_A_DR_0320_Proposed Block F_Elevations 1of2 C
ENF-CCE_A_DR_0321_Proposed Block F_Elevations 2of2 A
ENF-CCE_A_DR_0330_Proposed Block G_Lower Ground and Ground Floor Plan C
ENF-CCE_A_DR_0331_Proposed Block G_First and Second Floor Plan B
ENF-CCE_A_DR_0332_Proposed Block G_Third Fourth Floor and Roof Plan B
ENF-CCE_A_DR_0340_Proposed Block G_Elevations 1of2 B
ENF-CCE_A_DR_0341_Proposed Block G_Elevations 2of2 C
ENF-CCE_A_DR_0350_Proposed Block H_Ground and First Floor Plan B
ENF-CCE_A_DR_0351_Proposed Block H_Second and Third Floor Plan B
ENF-CCE_A_DR_0352_Proposed Block H_Fourth Floor and Roof Plan B
ENF-CCE_A_DR_0360_Proposed Block H_Elevations 1of2 B
ENF-CCE_A_DR_0310_Proposed Block H_Elevations 2of2 B
ENF-CCE_A_DR_0370_Proposed Block J_Plan-Section-Elevation A
ENF-CCE_A_DR_0380_Proposed Block K_Ground First Second Third Floor and Roof D
ENF-CCE_A_DR_0390_Proposed Block K_Elevations 1of2 E
ENF-CCE_A_DR_0400_Proposed 1B2PF_Type A_Private C
ENF-CCE_A_DR_0402_Proposed 1B2PF_Type C_Affordable B
ENF-CCE_A_DR_0403_Proposed 1B2PF_Type D_Affordable B
ENF-CCE_A_DR_0404_Proposed 1B2PF_Type E_Private C
ENF-CCE_A_DR_0405_Proposed 1B2PF_Type F_Affordable D
ENF-CCE_A_DR_0406_Proposed 1B2PF_Type G_Private B
ENF-CCE_A_DR_0407_Proposed 1B2PF_Type H_Private B
ENF-CCE_A_DR_0408_Proposed 1B2PF_Type J_Private C
ENF-CCE_A_DR_0410_Proposed 1B2PF_Type L_Affordable A
ENF-CCE_A_DR_0414_Proposed 1B2PF_Type Q_Private B
ENF-CCE_A_DR_0415_Proposed 1B2PF_Type R_Private A
ENF-CCE_A_DR_0421_Proposed 1B2PF_Type X_Private
ENF-CCE_A_DR_0422_Proposed 1B2PF_Type Y_Private A
ENF-CCE_A_DR_0432_Proposed 2B3PF_Type B_Private B
ENF-CCE_A_DR_0433_Proposed 2B3PF_Type C_Affordable E
ENF-CCE_A_DR_0436_Proposed 2B3PF_Type E_Affordable A
ENF-CCE_A_DR_0438_Proposed 2B3PF_Type G_Private A
ENF-CCE_A_DR_0440_Proposed 2B3PF_Type J_Private A
ENF-CCE_A_DR_0445_Proposed 2B4PF_Type A_Private C
ENF-CCE_A_DR_0446_Proposed 2B4PF_Type B_Private C
ENF-CCE_A_DR_0447_Proposed 2B4PF_Type C_Affordable B
ENF-CCE_A_DR_0448_Proposed 2B4PF_Type D V1_Affordable A
ENF-CCE_A_DR_0449_Proposed 2B4PF_Type E_Private C
ENF-CCE_A_DR_0451_Proposed 2B4PF_Type G_Affordable A
ENF-CCE_A_DR_0452_Proposed 2B4PF_Type H_Private B
ENF-CCE_A_DR_0455_Proposed 2B4PF_Type L_Private E
ENF-CCE_A_DR_0456_Proposed 2B4PF_Type M_Private E
ENF-CCE_A_DR_0457_Proposed 2B4PF_Type N_Affordable E
ENF-CCE_A_DR_0458_Proposed 2B4PF_Type D V2_Affordable C
ENF-CCE_A_DR_0460_Proposed 2B4PF_Type R_Private C

ENF-CCE_A_DR_0463_Proposed 2B4PF_Type T_Private
ENF-CCE_A_DR_0464_Proposed 2B4PF_Type U_Private
ENF-CCE_A_DR_0465_Proposed 2B4PF_Type UV1_Private
ENF-CCE_A_DR_0470_Proposed 3B5PF_Type A V1_Private B
ENF-CCE_A_DR_0471_Proposed 3B5PF_Type A V2_Private B
ENF-CCE_A_DR_0472_Proposed 3B5PF_Type B_Affordable A
ENF-CCE_A_DR_0491_Proposed 3B6PF_Type A V2_Private D
ENF-CCE_A_DR_0500_Proposed 2B4PM_Type A_Private A
ENF-CCE_A_DR_0501_Proposed 2B4PM_Type B_Affordable A
ENF-CCE_A_DR_0503_Proposed 2B4PM_Type D_Private C
ENF-CCE_A_DR_0509_Proposed 2B4PM_Type G_Affordable A
ENF-CCE_A_DR_0510_Proposed 2B4PM_Type H_Affordable B
ENF-CCE_A_DR_0525_Proposed 3B5PM_Type A_Private A
ENF-CCE_A_DR_0526_Proposed 3B5PM_Type B_Affordable B
ENF-CCE_A_DR_0538_Proposed 3B5PM_Type M and MV1_Private A
ENF-CCE_A_DR_0539_Proposed 3B5PM_Type N_Private A
ENF-CCE_A_DR_0603_Proposed 2B3PD_Type C_Affordable
ENF-CCE_A_DR_0605_Proposed 2B3PD_Type D V1_Affordable C
ENF-CCE_A_DR_0606_Proposed 2B3PD_Type D V2_Affordable D
ENF-CCE_A_DR_0607_Proposed 2B3PD_Type D V3_Affordable D
ENF-CCE_A_DR_0609_Proposed 2B3PD_Type F_Private A
ENF-CCE_A_DR_0626_Proposed 2B4PD_Type B_Affordable
ENF-CCE_A_DR_0629_Proposed 2B4PD_Type E_Private A
ENF-CCE_A_DR_0630_Proposed 2B4PD_Type F_Affordable A
ENF-CCE_A_DR_0650_Proposed 3B5PD_Type A_Private A
ENF-CCE_A_DR_0677_Proposed 3B6PD_Type C_Private A
ENF-CCE_A_DR_0775_Proposed 4B7PH_Type A_Private B
ENF-CCE_A_DR_0781_Proposed 2B4PF_Type O_Private A
ENF-CCE_A_DR_0782_Proposed 1B2PF_Type F_Private A
ENF-CCE_A_DR_0783_Proposed 2B4PF_Type C_Private A
ENF-CCE_A_DR_0784_Proposed 1B2PF_Type E_Affordable A
ENF-CCE_A_DR_0785_Proposed 2B4PF_Type Q_Affordable A
ENF-CCE_A_DR_0786_Proposed 2B4PM_Type D_Affordable B
ENF-CCE_A_DR_0787_Proposed 2B4PF_Type S_Affordable B
ENF-CCE_A_DR_0788_Proposed 1B2PF_Type O_Affordable B
ENF-CCE_A_DR_0789_Proposed 2B4PF_Type P_Affordable B
ENF-CCE_A_DR_0790_Proposed 2B4PF_Type F_Private
ENF-CCE_A_DR_0791_Proposed 2B4PF_Type D_Private A
ENF-CCE_A_DR_0793_Proposed 1B2PF_Type M_Shared Ownership
ENF-CCE_A_DR_0794_Proposed 1B2PF_Type K_Shared Ownership
ENF-CCE_A_DR_0795_Proposed 1B2PF_Type D_Shared Ownership
ENF-CCE_A_DR_0796_Proposed 2B3PF_Type F_Shared Ownership
ENF-CCE_A_DR_0797_Proposed 2B3PF_Type E_Shared Ownership
ENF-CCE_A_DR_0798_Proposed 2B3PD_Type D V1_Shared Ownership
ENF-CCE_A_DR_0799_Proposed 2B3PD_Type D V2_Shared Ownership
ENF-CCE_A_DR_0800_Proposed 2B3PD_Type D V3_Shared Ownership
ENF-CCE_A_DR_0801_Proposed 1B2PF_Type P_Shared Ownership
ENF-CCE_A_DR_0802_Proposed 2B4PF_Type G_Shared Ownership
ENF-CCE_A_DR_0803_Proposed 2B4PF_Type D V1-Shared Ownership
ENF-CCE_A_DR_0804_Proposed 2B4PF_Type D V2_Affordable
ENF-CCE_A_DR_0805_Proposed 3B5PF_Type C_Affordable
ENF-CCE_A_DR_0806_Proposed 3B5PF_Type D_Affordable
ENF-CCE_A_DR_0808_Proposed 2B4PM_Type F_Private
ENF-CCE_A_DR_0809_Proposed 2B4PF_Type S_Private

ENF-CCE_A_DR_0810_Proposed 1B2PF_Type H_Private
ENF-CCE_A_DR_0813_Proposed 1B2PF_Type L_Shared Ownership
ENF-CCE_A_DR_8014_Proposed 2B4PM_Type L_Private
ENF-CCE_A_DR_8015_Proposed 2B4PF_Type T_Private
ENF-CCE-L-DR_0910_Landscape Masterplan I
ENF-CCE-Long Site Sections_Proposed Comparison and 25-degree
angle-Layout1
ENF-CCE_A_200_RP_0073_DAS Addendum D
ENF-CCE_A_DR_0477_Proposed 3B5PF_Type E_Private-Rev
ENF-CCE_A_DR_0478_Proposed 3B5PF_Type F_Private-Rev
ENF-CCE_A_DR_0479_Proposed 3B5PF_Type G_Private-Rev
ENF-CCE_A_DR_0480_Proposed 3B5PF_Type H_Private-Rev
ENF-CCE_A_DR_0492_Proposed 3B6PF_Type A_Private-Rev

Transport Assessment dated August 2021; Travel Plan dated August 2021
Energy Statement Addendum; Daylight and Sunlight Assessment dated
October 2019; Daylight and Sunlight Overshadowing Addendum June 2021;
Daylight and sunlight ADF Results; Air Quality Assessment dated December
2019; Financial Viability Assessment 23 June 2021; Accommodation Master
Schedule (Rev FF); Drainage Strategy dated 11 February 2020;
Drainage/Flood Modelling Technical Note dated 20 August 2021; Ecological
Appraisal Addendum dated 10 February 2020; Open Space and Recreation
Provision dated 5 August 2021; Fire Statement Rev B dated 04 November
2021; Outline Method Statement dated January 2020; Site Waste
Management Plan dated January 2020; Arboriculturally Report and Tree
Condition Survey dated April 2016.

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

Levels

5. Notwithstanding the submitted information, the development, other than demolition and site clearance, shall not commence until plans detailing the proposed ground levels including the levels of any proposed buildings (including threshold, eaves and ridge heights), roads and/or hard surfaced areas, and access ramps for the relevant phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: To ensure that levels have regard to the level of surrounding development, gradients, surface water drainage and to ensure ease of access throughout the site for all users.

Materials

8. Notwithstanding any submitted plan or supporting documentation, prior to the commencement of any superstructure works of the relevant phase, construction details for all external finishing materials visible on the building façades of each building type shall be submitted to the Local Planning Authority for approval in writing. The construction detail shall include:

- a) detail specifications for all external finishing materials visible on the building façades;

- b) plan, elevations and sections at 1:5/1:10 scale, with appropriate annotation for all the elements seen in the detail; and
- c) physical material samples (including sample panels where appropriate)
- d) Supporting high quality CGI images for typical street elevations of the following:
 - i. Blocks A1 to A2; ii. Blocks G1 to G2; iii. Blocks H3 to H4; iv. Blocks H2 to H3; v. Block F2; vi. Block F1; vii. Block B1 to F3.

The sample panels shall remain on site for the duration of the construction of the relevant phase of the external works. The development shall be constructed in accordance with the approved details.

Reason: To ensure a satisfactory external appearance.

Parking / Turning Facilities

14. Unless required by any other condition attached to this permission, the parking and turning areas shall be laid out as shown on Drawing Nos. ENF-CCE_A_DR_0111-REV.R and ENF-CCE_A_DR_0112-REV.S and permanently retained for such purposes unless otherwise approved in writing by the Local Planning Authority. The parking and turning facilities shall be maintained thereafter for the use by residents of the development at all times and shall not be sold / sublet for others.

Reason: To ensure that parking and turning facilities are in accordance with adopted standards.

Privacy Screens

26. Details of the design of privacy screens with an equivalent obscuration of level 3 on the Pilkington Obscuration Range up to a minimum height of 1.7m above finished floor level shall be provided for the following units:

- a. Block B2-8: south elevation
- b. Block E1: Plots E1-7, E1-13; E1-19; E1-26; E1-29 east elevation balcony
- c. Block G3: Plots 350, 353, south elevation, balcony
- d. Block H1: Plot 356, north elevation balcony
- e. Block H4: Plots 398, 399, 402, north elevation, balcony

The privacy screens shall be provided prior to first occupation of the relevant units and permanently maintained and retained in perpetuity.

Reason: To safeguard the privacy of the occupiers of adjoining and neighbouring properties.

Obscured Glazing

27. The glazing to be installed in the following locations shall be in obscured glass with an equivalent obscuration of level 3 on the Pilkington Obscuration Range and fixed shut up to a minimum height of 1.7m above finished floor level. The glazing shall not be altered without the approval in writing of the Local Planning Authority:

- a. Block D4: Plots D4-01; D4-02; north elevation

- b. Block G3: Plots 350, 353, south elevation
- c. Block H1: Plot 356 north elevation
- d. Block H4: Plots 398, 402, north elevation

Reason: To safeguard the privacy of the occupiers of adjoining properties.

SUDS 1

28. Notwithstanding the details set out in the submitted Preliminary Drainage Strategy (Drawings A2071-1500 - 1503 P3, and A2071-1504 P1), September 2016, prior to the commencement of any construction work of the relevant phase, unless written permission is otherwise granted, details of the Sustainable Drainage Strategy shall be submitted to the Local Planning Authority for approval in writing. The Strategy must have regard to the Landscaping Strategy and the approved Phasing Plan and shall include the following: The details shall include:

- a) Overall site-wide Sustainable Drainage Strategy to be submitted and approved by the Local Planning Authority, if works are not to be undertaken in accordance with the approved Preliminary Drainage Strategy (Drawings A2071-1500 - 1503 P3, and A2071-1504 P1), September 2016.
- b) Detailed Drainage Strategy for the relevant phase, including:
 - i. Sizes, storage volumes, cross-sections, long-sections (where appropriate) and specifications of all the source control SuDS measures including rain gardens, raised planters, green roofs, swale and permeable paving;
 - ii. Final sizes, storage volumes, invert levels, cross-sections and specifications of all site control SuDS measures including ponds and underground tanks
 - iii. Where appropriate, provide calculations to demonstrate that the SuDS; provided will function for 1 in 1 year and 1 in 100-year (with the allowance of climate change) events;
 - iv. The system must be designed to allow for flows that exceed the design capacity to be stored on site or conveyed off-site with minimum impact in line with the approved FRA or thereafter any updated flood modelling
 - v. The development must be safe for a 1 in 100 year plus climate change event according to FD2320, and therefore finished floor levels and ground levels may be subject to change for that particular phase
 - vi. Locations, sizes, cross-sections and specifications of the rain gardens to the across the development to manage flood water (see FRA); and
 - vii. A management plan for future maintenance for all drainage features

Reason: To ensure the sustainable management of water, minimise flood risk, minimise discharge of surface water outside of the curtilage of the property and ensure that the drainage system will remain functional throughout the lifetime of the development and to maximise opportunities for sustainable development, improve water quality, biodiversity, local amenity and recreation value.

Unit Mix/Unit Numbers

- 53. The development shall be carried in accordance with and be restricted to the

following overall unit numbers and unit mix:

- i. 502 residential units, comprising 124 x 1 bed; 291 x 2 bed; and 87 x 3 bed.
- ii. 287 surface and undercroft parking spaces.

Proposed Additional Conditions Numbers

Control of Dust and Emissions

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

Reason: In the interests of good air quality.

Whole Lifecycle Carbon Assessment

55. Prior to superstructure work to Phase 2 a Whole-life cycle carbon assessment, shall be submitted to and approved in writing by the Local Planning Authority. The statement shall adhere to the principles to support and promote London Plan 2021. The development shall be carried out in accordance with the details so approved.

Reason: in the interests of minimising greenhouse gas emissions.

Playspace/Play equipment

56. Details of all playspaces including drawings and specification of the proposed play equipment/spaces including Cowper Gardens shall be submitted to and approved in writing by the Local Planning Authority, prior to commencement of superstructure works on the relevant phase. The development shall be carried out in accordance with the details so approved prior to the first occupation of the relevant phase.

Reason: In the interests of good design, safety and protecting residential amenity, and to ensure the development is of an inclusive design.

Removed Condition Numbers

Schedule of Accommodation

11. Removed.

Former Mews Site

44. Removed.

3.0 Executive Summary

- 3.1 This application is a Section 73 planning application to vary a number of planning conditions to allow amendments to the original planning consent for the 'New Avenue Estate Regeneration Scheme,' granted in June 2018.
- 3.2 The original full planning permission (16/01578/FUL) was amended by a previous Section 96a application, which adjusted the private housing mix. The original planning permission still stands and is modified as set out by the non-material amendment decision (18/02662/NMA).
- 3.3 This application must be considered on its merits; consideration of the current application is restricted to the conditions subject to which planning permission should be granted. Permissions 16/01578/FUL and accompanying Non-Material Amendments (18/02662/NMA and 19/03917/NMA) are material considerations in considering this Section 73 application.
- 3.4 The site previously consisted of a 1960s housing estate, comprising 171 dwellings and a mix of building typologies with associated car parking (including garages) and landscaping. Two areas of open space also formed part of the site as well as a satellite element formed of redundant garages at the rear of Lousada Lodge.
- 3.5 Planning permission was granted in 2018 (16/01578/FUL) for the demolition of the 1960s housing estate, which comprised Shepcot House, Oakwood Lodge, Beardow Grove, Coverack Close and garages rear of Lousada Lodge and the erection of 408 residential units. The planning permission also incorporated a nursery (Class D1) and an energy centre (within Block G) plus the formation of play spaces, including to Cowper Gardens.
- 3.6 Phase 1 of the permission 16/01578/FUL comprised 127 residential units (53 affordable units and 74 private units) and a nursery. This phase has been completed and the residential units are occupied. The nursery building has been completed (shell and core). It is anticipated the nursery will be operational in approximately 18 months and is awaiting completion of internal works and agreement with an end user/occupier. The existing buildings in Phase 2 are under demolition.
- 3.7 The extant planning permission comprises 408 residential units of which 140 are affordable housing units. A minimum of 129 social rented units and 11 intermediate units were secured. This equates to 34% affordable housing (based on units) with a tenure split of 92% social rent and 8% intermediate. The approved building heights varied from 2-9 storey buildings with typologies varying from mansion block to single family dwellings. The approved parking ratio is 0.72. Formal children's play areas are approved within Phase 1 and Phase 2 of the development, as well as play equipment within Cowper Gardens.
- 3.8 Overall, the new S73 application is to allow adjustment to the full planning permission (as amended) to reflect minor material changes resulting from the evolution of the scheme design in height and layout of the latter Phases, 2 and 3. This includes facilitating an uplift in units across all tenures, raising the total number of new homes to 502 (94 uplift from the 408). Phase 1 overall numbers

are retained at 127 with the number of dwellings proposed in Phase 2 is 156 (an uplift of 23) and Phase 3, 219 (an uplift of 71). Of 502 residential units, 170 are proposed as affordable (134 social rent, 6 shared equity and 30 shared ownership). This represents a net increase of 30 affordable units above the extant permission. The overall level of affordable housing would remain at 34% (based on units). In terms of habitable rooms, the changes in tenure and mix would result in slight increase in affordable housing from 33% to 34%.

- 3.9 The proposed changes in built form are focused on minor changes to the building heights and some amendments proposed to the footprints. The proposal has added limited additional height (by no more than 2 storeys) on Blocks A, Block B and Block D. The design changes also include elevation amendments to the aforementioned Blocks, as well as Blocks B2 and E, with the design principles of the mansion block typology maintained. All proposals for additional height have been fully considered in respect of townscape and urban design implications, the quality of accommodation to be provided in the new housing units as well as any adverse impact on existing residents. The parking ratio is proposed to be reduced from 0.72 to 0.57 and an increase in cycle parking is proposed. A new additional public space (160sqm) is proposed by the removal of Block E3 to the northern end of the site.
- 3.10 The proposed amendments are considered to be within the scope of a Section 73 variation as they are considered minor and do not materially change the conclusions of the previous grant of permission. The proposed changes have been fully discussed with officers throughout the pre-application process and are on balance, supported.
- 3.11 The form of development and uses approved remain broadly consistent with that permitted at outline stage. In summary, it is considered, on balance, the amendments would accord with the Development Plan, taken as a whole. Furthermore, it would amount to sustainable development under the terms of the Framework.



Approved Site Plan



Proposed Site Plan (proposed changes highlighted in yellow)

4. Site and Surroundings

- 4.1 The 4.28-hectare application site is located in Southgate and consisted of a 1960s housing estate, now partly demolished and redeveloped (Phase 1 completed and occupied). The site is triangular in shape and is bounded by low rise residential properties on all three sides with Cowper Gardens to the north, Avenue Road to the east and Hood Avenue to the south-west. Cowper Gardens Open Space and rear of Lousada Lodge are both accessed from Avenue Road and are included in the regeneration proposals.
- 4.2 The estate formerly comprised 171 residential dwellings in a mix of building typologies with heights primarily ranging from 2 to 5 storeys but included a 10-storey building (Shepcot House). The site also comprised car parking (including garages), a community centre (nursery) and public open space and play space.
- 4.3 There are considerable changes in ground levels within the site, from east to west and from north to south. In addition, there is a culvert which runs from the western end of the site, beneath the Hood Avenue Open Space and out to Avenue Road. There is also a public right of way running north to south from Hood Avenue to Cowper Gardens.



Site Plan

- 4.4. The Site falls within Flood Zone 1 on the Environment Agency “Flood Map for Planning (Rivers and Sea)” which is classified as “land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding”
- 4.5. The site has a Public Transport Accessibility Level (PTAL) of between 1a and 1b although a small section on the eastern part of the Site, which includes part of Beardow Grove and Lousada Lodge, benefits from a PTAL rating of 2.
- 4.6. The 299-bus route operates along Avenue Road and the 125, 298 and 382 services along Chase Side. However, the current road layout means that Chase Side is not considered to be within walking distance of much of the site for access to bus services, and as such the site has a low public transport access level (PTAL) of 1b. At the southern and eastern ends of the site, this increases to a PTAL of 2. Oakwood London Underground station (1km to the north) and Southgate London Underground station (1.5km to the south), provide access to Piccadilly line services to central London.

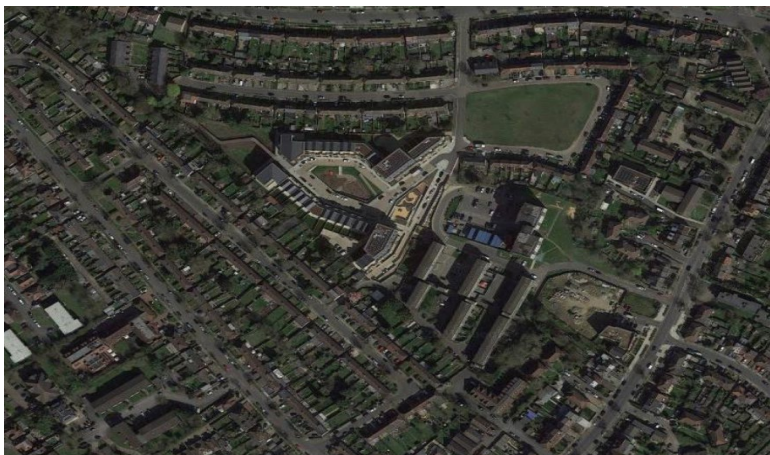


Image 1: layout of partially redeveloped New Avenue estate

Phase 1 completed



Image: Completed Blocks G2, G3 and H4



Image: Completed Blocks H1 and H2

5. Proposal

5.1 It is proposed to make minor amendments to the planning permission 16/01578/FUL (as amended by 18/02662/NMA and 19/03917/NMA). The application seeks variations to condition 3 (drawings), condition 14 (parking and turning circles), condition 26 (privacy screens) and condition 53 (unit mix and numbers) to facilitate alterations to the built form of the site within Phases 2 and 3. The proposed amendments relate to:

- Uplift in 94 residential units (above extant 408) to 502 homes overall;
- Of the proposed 94 additional units, 30 units are affordable units and 64 are private units;
- Change to the unit mix to provide 124 x 1 bed; 291 x 2 bed; and 87 x 3 beds;
- Addition of one storey to Blocks A1 (7 to 8 storeys); D2 (6 to 7 storeys), A3 (5 to 6 storeys) and A4 (3 to 4 storeys);
- Addition of two storeys Block B1 (part 6 to 8 storeys and part 4 to 6 storeys);
- Alterations to the footprint of Blocks A, B, D and E;
- Elevational amendments to Blocks A, B D and E including to the roof, brick and windows;
- Removal of Block E3 and replacement with public space, trees and seating;

- Blocks B2, D3, and F2 changed to affordable from private tenure;
- Reduction in car parking spaces from 313 (0.72) to 287 (0.57);
- Increase in provision of cycle spaces from 732 to 879 cycle spaces.



Image: Proposed comparison in massing and height between the extant scheme and the proposed scheme.

5.2 Amendments are also sought to vary the wording of condition 5 (levels), condition 8 (materials) and condition 28 (drainage) to allow for details to be submitted prior to commencement of each phase. In addition, the application seeks the removal of condition 11 (Schedule of Accommodation and condition 44 (Former Mews). Condition 11, under extant permission 16/01578/FUL pertained to the schedule of accommodation. This has now been superseded by the proposed changes to dwelling mix under the consideration of the current application. In addition, the proposed schedule of accommodation forms an approved document within revised Condition 3 (Approved Drawings). Therefore, it is not considered necessary to replicate this on the decision notice and can be removed. Approval of details application (19/001281/CND) allowed for parking to the former mews site as part of the parking strategy for the site. Given the discharge of this condition, which secures parking to this part of the site, it is considered appropriate to remove Condition 44 from any decision.

6. Relevant Planning History

6.1 New Avenue Estate, Screening Opinion reference 15/03453/SO to establish if an Environmental Impact Assessment under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011, as amended 2015, was required for the demolition of existing buildings and redevelopment of site to provide up to 430 residential units ranging between 2 to 10 storeys in height together with Class D1 floorspace, energy centre, new pedestrian routes and public open space. Screening Opinion issued on 10.08.2015 and confirmed that an Environmental Impact Assessment was not required.

- 6.2 New Avenue Estate, planning application 16/01578/FUL for the demolition of Shepcot House, Oakwood Lodge, Beardow Grove, Coverack Close and garages rear of Lousada Lodge and phased redevelopment of site involving construction of new road to provide 408 residential units comprising 239 flats and maisonettes (109 x 1-bed, 116 x 2-bed, 14 x 3-bed) and 173 houses (85 x 2-bed, 74 x 3-bed, 14 x 4-bed) within a mix of 2, 3, 4, 5, 6 and 9-storey buildings, erection of a nursery and community building (Class D1), construction of an energy centre, formation of play space including play area at Cowper Gardens open space and provision of 330 surface and undercroft car parking spaces . Planning permission was granted on 21.06.2018 subject to conditions and a S106 Agreement which secured, in summary:
- 140 affordable housing units comprising 129 social rented units and 11 shared ownership units;
 - Affordable Housing Occupied in accordance with council eligibility criteria;
 - Highways contribution of £160,000;
 - Obligation to enter into Section 278 Agreement;
 - Cycle link contribution of £20,000;
 - Education Contribution £600,795;
 - Design Monitoring;
 - Employment and Skills Strategy;
 - Travel Plan;
 - Sustainable Transport Package;
 - Viability Review clause.
- 6.3 New Avenue Estate, planning application 18/02662/NMA for Non-material amendment to Ref: 16/01578/FUL to allow changes to block F5 from 2 x 3 storey townhouses to 1 x 2 storey house, Block C3 from 2 x 3 storey townhouse to a 3 storey block comprising 2 maisonettes at ground/first floor with a single flat over at second floor, Block G2 from 13 x 3 storey townhouse to a 3 storey block comprising 18 dwellings, with maisonettes at ground/first floor and flats at second floor, Block H3 from 10 x 3 storey townhouse to a 3 storey block comprising 14 dwellings, typically with maisonettes at ground/first floor and flats at second floor and Block D1+D2 to convert 18 x 1 bed flats in to 9 x 3 bed flats to maintain 408 homes overall, was Granted on 10.10.2018
- 6.4 New Avenue Estate, planning application 19/00151/NMA for Non-material amendment to condition 12 (Part M4(2)) of application ref: 16/01578/FUL to allow for M4(1) Requirement under Building Regulations to all first floor units and above to Blocks C3, K1, G2, G3, H1, H3, H4 (Phase 1) and plots C301, C3.02, G1.09, H1.04, H2.21 (Phase 1) was Granted on 11.06.2019.
- 6.5 New Avenue Estate, planning application 19/03917/NMA for Non Material Amendment to planning permission 16/01578/FUL to alter the description of development ; Demolition of Shepcot House, Oakwood Lodge, Beardow Grove, Coverack Close and garages rear of Lousada Lodge and phased redevelopment of site involving construction of new road to provide new residential accommodation (Class C3) within a mix of buildings up to 9 storeys, erection of a nursery and community building (Class D1), construction of an energy centre, formation of play space including play area at Cowper Gardens open space and provision of surface and undercroft car parking spaces was Granted on 19.12.2019 - The application altered the wording of the description of development.

- 6.6 This Non-Material Amendment application removed reference to the overall unit numbers, unit mix, building heights of blocks and the number of car parking spaces.
- 6.7 New Avenue Estate, Screening Opinion reference 20/01349/SO to establish if an Environmental Impact Assessment under Part 2, Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 in relation to the demolition of Shepcot House, Oakwood Lodge, Beardow Grove, Coverack Close and garages rear of Lousada Lodge and phased redevelopment of site involving construction of new road to provide new residential accommodation (Class C3) within a mix of buildings up to 9 storeys, erection of a nursery and community building (Class D1), construction of an energy centre, formation of play space including play area at Cowper Gardens open space and provision of surface and undercroft car parking spaces. The minor material amendments include: increase in residential units numbers, alterations to unit mix, changes to the design of Blocks A1, A2, A3, A4, B1, B2, C1, D1, D2, D3, D4, E1, E2 and removal of Block E3, changes to tenure of blocks, amendments to building heights, landscaping and play provision and parking and cycle parking in relation to Phases 2 and 3. Screening Opinion issued on 07.05.2020. Environmental Impact Assessment not required.

7. Consultations

Pre-Application Consultation with Local Authority

- 7.1. The applicant entered into a PPA Agreement. Pre-application workshops were held with the local planning authority from August to October 2019, during which discussions were held on the initial proposals with discussions ongoing during the course of the application. The overall number of units has been lowered from 97 to 94, the number of 3 bed units as a percentage has increased, the overall affordable housing offer (based on habitable room) has increased, a greater number of 3 bed social units are proposed and improvements to the public area (where Block E2 has been removed) and to the boundary treatment to Block A4, to improve the aesthetic of the Mews Street.

Design Review Panel

- 7.2. The scheme was presented to the Design Review Panel at pre-application stage on 26th September 2019. The Design Review Panel comments can be summarised as:

The proposals are of a good quality. The constraints of the site are being used to drive innovation in the form of buildings, dwelling layouts and materiality that make it stand out. The materiality of the brick, details and design of the blocks is an improvement on the existing approved design. The proposal puts pressure on the capacity of the site to accommodate parking, amenity and play space. The uplift in the number of residents and the increased requirements for amenity and play space. The site shows hard surfacing and lack of vegetation, the public realm needs to be softer and greener. The approach to sustainable drainage from the top of the site is welcomed and encouraged throughout the development. The large open space to the north of the site is currently a missed opportunity. It should be

properly developed in collaboration with residents to become a multifunctional amenity and play space.

Officer response: The street pattern follows the principles that were permitted in the extant permission. The street pattern is a site response and reconnects the place to the networks of streets around it with homes that actively address the street. The application proposes to increase the number of street trees in Phases 2 and 3. Plus, the loss of Block E3 has seen the provision of a new public open space, at the terminus of the street. A green swale will continue to run through the centre of the site and adjacent to the primary route in and out of the scheme. To the north in Cowper Gardens additional tree planting and natural play to Cowper Gardens is considered appropriate, notably in light of the extant approval for play equipment on this area.

Given the site levels and concept of street-based approach, the introduction of further greening is limited. The application does deliver additional tree planting to the intersecting routes to assist in greening the site in conjunction with the original principles of the scheme (swale, eco garden, play facilities).

S106 contributions have been sought to improve off site play provision at Oakwood Park with play provision for 11 and below being provided on the site.

Statutory and Non- Statutory Consultees

Greater London Authority

- 7.3. The application does not give rise to any new strategic planning issues.

Transport for London

- 7.4. The lower car parking ratio is strongly supported. The improved package of pedestrian/ cycle improvements, which is expected to be secured by the Council is welcomed. Further work should be undertaken to address the, passive EVCP provision, car parking design and management plan, delivery & servicing, construction logistics and travel plan ensuring the proposal fully comply with London Plan policy.

Officer comment: Conditions are recommended to be attached relating to car parking management, servicing and delivery and construction logistics. 20% of all parking spaces on site would be equipped with electric vehicle charging points, with a further 20% providing passive provision i.e. with the infrastructure in place to permit the space to provide electric in-line with the consented scheme. The conditions and obligations as set out, make this proposal acceptable in terms of the transport network and transport policy requirements.

Thames Water

- 7.5. No objection.

Environment Agency

- 7.6. No objection.

London Fire & Emergency Planning

- 7.7. No comments received.

MPS Designing Out Crime

- 7.8. No objection. Request for the applicant design team to keep engaging with the Met regarding security products, access control, lighting scheme.

Officer comment: informative to be added to encourage the developer to maintain engagement with the Met.

Southgate Residents Association

- 7.9. No comments received.

Energetik

- 7.10. No Objection.

Traffic and Transportation

- 7.11. The Traffic and Transportation team have set out requirements to mitigate any impacts from the proposal. Subject to these being confirmed, as well as the conditions and obligations as set out, this proposal is acceptable in terms of the transport network and transport policy requirements.

Officer comment: The applicant has confirmed mitigation measures through s106 and conditions which comprise Car Club, Parking Management Plan, Controlled Parking Zone contribution, Travel Plan, improved pedestrian and cycling, public transport improvements and traffic calming.

Tree Officer

- 7.12. No objection. The amended footprints do not alter the impacts upon existing trees. The omission of Block E3 could allow for three 'B Category' trees previously proposed for removal (T64 – T66), which could now be retained.

Officer response: The loss of the trees was permitted under the extant scheme. Whilst noting the tree office comments the applicant has confirmed that the piling works of the adjoining Blocks D2 and E2 require these trees to be removed. There would be compensatory tree planting (no. 3) to this area with additional planting to the banked area.

Highways

- 7.13. No objection. The roads and footpaths are being altered under a Section 278 Agreement or are remaining private.

SuDS Officer

- 7.14. No objection, subject to condition.

Officer comments: Condition 28, as set out in the report, allow for details to be submitted to demonstrate the design will facilitate the overland flow route through the site.

Environmental Protection Officer

- 7.15. No objection. Contaminated land conditions should be reattached to the permission. A further condition is recommended given publication of interim updated guidance since the grant of permission, on air quality.

Officer comments: The original conditions relating to land contamination have been reattached and further condition (54) on air quality has been added given publication of updated guidance since granting of the original permission in 2018.

Parks Officer

- 7.16. No objection. S106 contributions sought for improvements to Oakwood Park

Officer response: S106 obligations are to be secured for improvements to Oakwood Park (refurbishment of tennis courts, play equipment and ping pong tables) given the increased child yield and requirement for play provision in the vicinity of the site.

Education Officer

- 7.17. No comments received.

Commercial Waste Officer

- 7.18. No comments received.

Public

- 7.19. The application was referred to 1,006 neighbouring properties on 02 March 2020. A site and press notice were also published and distributed. Six (6) responses were received.
- 7.20. Following amendments to the application a further period of consultation was undertaken 17 September 2021. 1,006 neighbours were again consulted for 14 days, and site and press notices also published and distributed. Two (2) responses were received raising objections to the proposal.
- 7.21. The representations to the application can be summarised as follows:

Land use

- 20% increase in density and goes against the original permission
- Rush to fill in open spaces

Appearance and Character

- Change the character of the borough
- Development is too large and not in keeping with the scale of houses
- The proposal changes the character of the area
- Proposal will be an eye sore

Housing

- Change from 30 affordable rented units to 30 shared ownership units will make it impossible for anyone on a low income to live in the area.
- Attempt to increase saleable units without consideration for the quality of life of neighbours and residents
- Smaller units will result in buy-to-let investors / shorter tenancies reducing neighbourly relationships.
- Smaller units cause more wear and tear on communal parts, maintenance and pressure on waste provision.

Officer Note: for the avoidance of doubt the application does not amend the provision of units, from 30 affordable social rented units to 30 shared ownership units. The extant permission secured 129 social rented units and 11 shared ownership (140 affordable units, total). The application proposes 134 social rent, 6 shared equity, 30 shared ownership (170 affordable units, total).

Living Conditions of adjoining occupiers

- Loss of light to neighbouring properties
- Overlooking neighbouring properties
- Overbearing impact on neighbouring properties
- Increase in noise and pollution
- Disruption to supply of water to neighbouring properties due to building works
- Debris on Avenue Road as a result of building works

Traffic and Transport

- Number of parking spaces is not adequate resulting in park their cars in neighbouring streets.
- Increase in pollution.
- Parking will occur on nearby streets.
- Site entry is from Cowper Gardens. On many occasions this has not happened. There are three schools in Avenue Road with numerous children walking to school.
- Gravel and construction remnants on the road

Other Matters

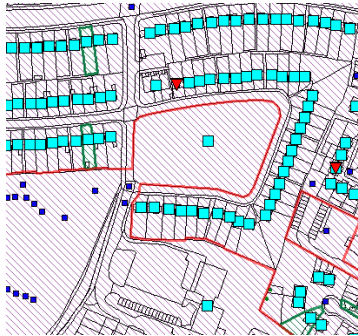
- Local medical practices and schools may not have capacity.
- Cowper Gardens will be used for antisocial behaviour.
- Property will be devalued.
- Interest in the route contractors are to take when entering and leaving the site.
- Objection based on the development, seen as collaboration between Enfield and Barnet on joint border developments to enable more development.

7.22. A Petition (Cowper Gardens Committee) was received with 67 signatures and raises the following points:

- Objection submitted to changes to the park or play area within the green space at Cowper Gardens.
- Not informed of changes to Cowper Gardens.

Officer Note: 1,006 neighbouring residents were consulted on the application, including those within Cowper Gardens in March 2020 and, provided with amendments to the application, in September 2021. The description of

development referenced amendments to play provision. Map below, shows those residents to Cowper Gardens consulted.



8. Relevant Policies

8.1. Introduction

8.1.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the development plan is, The London Plan and the development plan documents in the Enfield Local Plan. These statutory development plans are the main policy basis for the consideration of this planning application.

8.1.2 A number of other planning documents, including national planning guidance and supplementary planning guidance and documents are also material to the determination of this application.

8.2 National Planning Policy Framework 2021

8.2.1 The revised National Planning Policy Framework (NPPF) was published in 2021 and sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other developments can be produced. The National Planning Policy Framework (NPPF) introduces a presumption in favour of sustainable development. For decision taking this means:

- approving development proposals that accord with the development plan without delay and;
- where the development plan is absent, silent or relevant policies are out of date, 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; or specific policies in the Framework indicate development should be restricted.

8.2.3 The NPPF recognises that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision making.

8.2.4 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 (7), 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 (6); or 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.

- 8.2.5 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 73); 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.”
- 8.2.6 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. 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.
- 8.2.7 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.
- 8.2.8 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. 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.

8.3 National Planning Practice Guidance 2019

8.3.1 This sets out the government's planning policies and how these are expected to be applied.

8.4 The Mayor's London Plan 2021

8.4.1 The London Plan sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous Plan (2016).

8.4.2 The new London Plan policies (arranged by chapter) most relevant to the determination of this application are:

Chapter 1

GG1 Building strong and inclusive communities

GG2 Making the best use of land

GG3 Creating a healthy city

GG4 Delivering the homes Londoners need

GG5 Growing a good economy

GG6 Increasing efficiency and resilience

Chapter 2

Policy SD1 Opportunity Areas

Policy SD3 Growth locations in the Wider South East and beyond

Policy SD10 Strategic and local regeneration

Chapter 3

Policy D1 London's form, character and capacity for growth

Policy D2 Infrastructure requirements for sustainable densities

Policy D3 Optimising site capacity through the design-led approach

Policy D4 Delivering good design

Policy D5 Inclusive design

Policy D6 Housing quality and standards

Policy D7 Accessible housing

Policy D8 Public realm

Policy D9 Tall Buildings

Policy D11 Safety, Security and resilience to emergency

Policy D12 Fire safety

Policy D14 Noise

Chapter 4

Policy H1 Increasing housing supply

Policy H2 Small sites

Policy H3 Meanwhile use as housing

Policy H4 Delivering affordable housing

Policy H5 Threshold approach to applications

Policy H6 Affordable housing tenure

Policy H7 Monitoring of affordable housing

Policy H8 Loss of existing housing and estate redevelopment

Policy H10 Housing size mix

Policy H11 Build to Rent

Chapter 5
Policy S4 Play and informal recreation
Policy S5 Sports and recreation facilities

Chapter 7
Policy HC3 Strategic and Local Views
Policy HC4 London View Management Framework

Chapter 8
Policy G1 Green infrastructure
Policy G4 Open space
Policy G5 Urban greening
Policy G6 Biodiversity and access to nature
Policy G7 Trees and woodlands

Chapter 9
Policy SI 1 Improving air quality
Policy SI 2 Minimising greenhouse gas emissions
Policy SI 3 Energy infrastructure
Policy SI 4 Managing heat risk
Policy SI 5 Water infrastructure
Policy SI 6 Digital connectivity infrastructure
Policy SI 7 Reducing waste and supporting the circular economy
Policy SI 8 Waste capacity and net waste self-sufficiency
Policy SI 12 Flood risk management
Policy SI 13 Sustainable drainage
Policy SI 17 Protecting and enhancing London's waterways

Chapter 10
Policy T1 Strategic approach to transport
Policy T2 Healthy Streets
Policy T3 Transport capacity, connectivity and safeguarding
Policy T4 Assessing and mitigating transport impacts
Policy T5 Cycling
Policy T6 Car parking
Policy T6.1 Residential parking
Policy T9 Funding transport infrastructure through planning

Chapter 11
Policy DF1 Delivery of the Plan and Planning Obligations

8.5 Mayoral Supplementary Guidance

- 8.5.1 Play and Informal Recreation (September 2012)
Provides guidance to Local Authorities and development to estimate the potential child yield from a development, and the resulting requirements for play space provision.
- 8.5.2 Sustainable Design and Construction (April 2014)
The Sustainable Design and Construction (SPG) seeks to design and construct new development in ways that contribute to sustainable development.

8.5.3 The control of dust and emissions during construction and demolition (July 2014)

The aim of this supplementary planning guidance (SPG) is to reduce emissions of dust, PM10 and PM2.5 from construction and demolition activities in London.

8.5.4 Accessible London: Achieving an Inclusive Environment (October 2014)

The strategy sets out to provide detailed advice and guidance on the policies in the London Plan in relation to achieving an inclusive environment.

8.5.6 Housing (March 2016)

The housing SPG provides revised guidance on how to implement the housing policies in the London Plan.

8.5.7 Affordable Housing and Viability (August 2017)

Set's out the Mayor's policies for assessing and delivering affordable housing and estate renewal.

8.5.8 Better Homes for Local People, The Mayor's Good Practice Guide to Estate Regeneration

Sets out the Mayor's policies for Estate Regeneration.

8.6 Local Plan – Core Strategy

Core Policy 1: Strategic growth areas

Core policy 2: Housing supply and locations for new homes

Core policy 3: Affordable housing

Core Policy 4: Housing quality

Core Policy 5: Housing types

Core Policy 6: Housing need

Core Policy 8: Education

Core Policy 9: Supporting Community Cohesion

Core Policy 20: Sustainable Energy use and energy infrastructure

Core Policy 21: Delivering sustainable water supply, drainage and sewerage infrastructure

Core Policy 24: The road network

Core Policy 25: Pedestrians and cyclists

Core Policy 26: Public transport

Core Policy 28: Managing flood risk through development

Core Policy 29: Flood management infrastructure

Core Policy 30: Maintaining and improving the quality of the built and open environment

Core Policy 31: Built and landscape heritage

Core Policy 32: Pollution

Core Policy 34: Parks, playing fields and other open spaces

Core Policy 36: Biodiversity

Core Policy 40: North East Enfield

8.7 Development Management Document

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
DMD15: Specialist Housing Need
DMD 16: Provision of new community facilities
DMD 17: Protection of community facilities
DMD 18: Early Years Provision
DMD 37: Achieving High Quality and Design-Led Development
DMD 38: Design Process
DMD 42: Design of civic/public buildings and institutions
DMD 43: Tall Buildings
DMD45: Parking Standards and Layout
DMD47: New Road, Access and Servicing
DMD48: Transport Assessments
DMD49: Sustainable Design and Construction Statements
DMD50: Environmental Assessments Method
DMD51: Energy Efficiency Standards
DMD 52: Decentralized energy networks
DMD53: Low and Zero Carbon Technology
DMD55: Use of Roofspace/ Vertical Surfaces
DMD57: Responsible Sourcing of Materials, Waste Minimisation and Green Procurement
DMD58: Water Efficiency
DMD59: Avoiding and Reducing Flood Risk
DMD 60: Assessing Flood Risk
DMD 61: Managing surface water
DMD 62: Flood control and mitigation measures
DMD 63: Protection and improvement of watercourses and flood defences
DMD64: Pollution Control and Assessment
DMD65: Air Quality
DMD 66: Land contamination and instability
DMD68: Noise
DMD69: Light Pollution
DMD 70: Water Quality
DMD 71: Protection and enhancement of open space
DMD 72: Open Space Provision
DMD 73: Child Play Space
DMD 76: Wildlife corridors
DMD 77: Green chains
DMD 78: Nature conservation
DMD79: Ecological Enhancements
DMD80: Trees on development sites
DMD81: Landscaping

8.8 Other Material Considerations

S106 SPD (2016)
Decentralised Energy Network Technical Specification SPD (2015)
Enfield Characterisation Study (2011)
Enfield Blue and Green Strategy (2020)
Manual for Streets 1 & 2, Inclusive Mobility 2005 (DfT)
Enfield Blue and Green Strategy (2021 -2031)
Natural England Interim Guidance (2019)

8.9 Enfield Local Plan (Reg 18) 2020

8.9.1 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.

8.9.2 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.

8.9.3 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

Policy SP BG3: Biodiversity net gain, rewilding and offsetting

Policy SP BG4: Green belt and metropolitan open land

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 DE6: Tall buildings

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

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

Policy SP D1: Securing contributions to mitigate the impact of development

9. **Assessment**

9.1. The main issues arising from this proposal relate to:

- Scope of the proposed variations to Conditions 3, 5, 8, 14, 26, 38, 53, 11 and 44.
- Principle of New Avenue Estate Redevelopment
- Estate Regeneration
- Changes to Housing Mix
- Changes to Affordable Housing
- Viability
- Design and Appearance
- Neighbouring Amenity
- Quality of Accommodation
- Changes to parking ratio
- Open Space/Play Space/Amenity Space
- Sustainability
- Flood Risk
- Refuse and bin storage facilities
- Ecology

- Land Contamination
- Planning Obligations
- Community Infrastructure Levy
- Other Matters

Scope of Section 73 to vary conditions 3, 5, 8, 14, 26, 28 and 53

- 9.2. The proposed changes to the conditions are focussed on minor alterations to building heights, with additional minor changes proposed to footprint, distribution and amounts of residential floorspace within Phases 2 and 3.
- 9.3. Section 73 of the Town and Country Planning Act 1990 (TCPA) provides for applications for planning permission to develop land without complying with conditions previously imposed on a planning permission. Where an application under s73 is granted, the effect is the issue of a fresh permission and the notice should list all conditions pertaining to it.
- 9.4. The LPA's consideration of the current application is restricted to the conditions subject to which planning permission should be granted and it must do so having regard to the statutory development plan which has changed to a limited extent since the 2018 permission, as well as any other material considerations raised by the proposed amendments
- 9.5. Alterations to planning policy and other material considerations since the original grant of planning permission are relevant and need to be considered. However, these must be considered in light of the fact that there is an implementable planning permission in place.
- 9.6. The applicant is proposing to amend the existing planning permission to facilitate several changes:
- Conditions 3 (drawings numbers);
 - Condition 14 (parking and turning areas);
 - Condition 26 (privacy screens);
 - Condition 53 (unit numbers/mix);
 - Conditions 5 (levels), 8 (materials) and 28 (drainage) to allow details to be discharged by phase.
 - the removal of conditions 11 (accommodation schedule) and 44 (former mews site). These conditions would be superseded in the event of any approval and are not required.
- 9.7. The proposed variations are considered to be within the scope of a Section 73 application as the proposed changes are considered minor and not significant in terms of the number, magnitude or scale of changes taking in to account:
- The overall extent of the original outline Master Plan and outline planning consent.
 - The context of the development and the fact that it forms part of a major regeneration project.
 - The extant permission allows for 9 storeys and the proposed amendments to some blocks within Phases 2 and 3 do not exceed this.
 - The proposed changes do not result in any materially detrimental impact visually or an unacceptable impact in terms of residential amenity.
 - Whilst the proposed changes will result in some different views, it is considered that there are not significant environmental impacts resulting from these proposed changes.

- No major changes are sought to the approved land uses with the increase in unit numbers of 94 considered acceptable and not having a materially different impact than the extant consent.
- 9.8. When determining a s73, the LPA may impose conditions beyond those proposed in the application. The conditions imposed should only be ones which could have been imposed in the original grant. Given the adoption of new policy and guidance since the extant permission was granted in 2018, it is recommended to attach the following additional conditions 54 (Control of Dust and Emissions) and 55 (Whole Lifecycle Carbon) to any decision notice. Condition 56 (Play Equipment) is recommended to ensure the details of proposed play equipment on site is adequate.
- 9.9. Detail on the proposed changes is set out below.

Principle of New Avenue Estate Regeneration

- 9.10. New Avenue Estate formerly comprised 171 dwellings, of which 41 had been sold under right-to-buy, with 130 social rent units remaining. All of the 130 Council tenants were offered the right to return to the redeveloped estate. Subsequent to the approval, a non-material amendment application was submitted to the Council (18/02662/NMA) which sought changes to the private mix of Block F5, Block C3, Block G2 and Block H3 whilst maintaining the total number of 408 homes as previously approved by the Permission.
- 9.11. Since the Planning Permission was consented in June 2018, development on site has commenced in accordance with the phasing plan. Phase 1 is complete. Phase 2 is under demolition.
- 9.12. The amendments proposed do not materially change the conclusions of the previous grant of planning permission being limited specifically to alterations to residential unit numbers, building heights and footprints, open space provision and changes to the car parking ratio.
- 9.13. The changes to building heights will facilitate an increase in residential unit numbers in the context of the overall consent. The number of units are proposed to increase from 408 to 502.
- 9.14. This increase in residential unit numbers is not considered significant in the context of the overall development and its impacts on the wider environment or the amenities of local residents. The proposed amendments will deliver an increased number of homes across all tenures and will support the decant of all existing residents in Phase 2 of the development. The principle of development is supported given that the proposal would result in an increase in affordable floorspace when compared against both the existing estates' baseline and the consented scheme, therefore moving the estate towards a policy compliant position in accordance with H8 of the London Plan.
- 9.15. The London Plan 2021 recognises the pressing need for more homes in London and seeks to increase housing supply to in order to promote opportunity and provide real choice for all Londoners in ways that meet their needs at a price they can afford. The previous London Plan (2016) had set an annual monitoring target of 798 homes for Enfield between 2015-2025, with a minimum provision of 7,976 over the same 10-year period. London Plan 2021

Policy H1 sets a 10-year London target (2019/20-2028/29) of 522,870 for London as a whole and 12,460 (or 1,246 per year) for Enfield.

- 9.16. The uplift in housing unit numbers are supported by the aims NPPF, London Plan Policy H8, Core Strategy Policy CP5 and CP40 and Development Management Policy DMD3. The increase in the housing targets identified in the London Plan evidences the continued need for housing in the borough. The proposal accords with the abovementioned policies for an intensive, residential development which is intended to positively transform the site and the area.

Estate Regeneration

- 9.17. With regard to estate regeneration, London Plan Policy H8 supports the maintenance and enhancement of the condition and quality of London's existing stock. Since the commencement of works on site, the Mayor's Good Practice Guide to Estate Regeneration: Better Homes for Local People (GPGER) has been published. This sets out the principles for undertaking an estate regeneration scheme prior to the commencement of the planning permission. The GPGER also seeks to ensure all GLA-funded estate regeneration projects undertake ballots of residents to confirm that there is a local support.
- 9.18. Noting that the project was underway prior to the publication of the GPGER, exemptions to the ballot do apply, for example, those projects that have committed funding prior to the publication of the guidance. Therefore, whilst the guidance is a material consideration, given the scheme has commenced, it is not considered the principles of GPGER apply in this instance, nor is a ballot required for the proposed scheme to continue.

Housing and Affordable Housing

- 9.19. The extant consent secured a minimum of 34% affordable housing provision across the whole development (based on units). This was assessed as 140 units as affordable (129 social rent and 11 Intermediate, subject to any intermediate units not taken up by returning leaseholders being converted to social rent units) of the 408 residential units overall. Phase 1 has delivered 127 units, with 53 affordable units.
- 9.20. All existing residents who chose to be rehoused on site, have done so in Phase 1. This was achieved by buying 25 extra properties in Phase 1 (outside the scope of the application) that were for private sale (with the assistance of grant subsidy). 56 residents in total chose to remain on site. This comprised of 7 leaseholders who have purchased new shared equity properties and 49 social rented tenants. Consultation meetings were held with residents who agreed to move early. The balance of 22 properties out of the total 78 affordable units (53 affordable and 25 additional through grant) in Phase 1 have been let to 'downsizers' and Choice Based Lettings (those in priority) from the waiting list.
- 9.21. The early decanting of residents from Phase 3 (Coverack Close) means that the developer can carry out the demolition of the remaining buildings in one sequence and can manage the remaining development more flexibly, with more room and less health and safety implications. This has resulted in

construction efficiencies, a quicker building programme and less disruption to residents.

- 9.22. The amendments propose an uplift in units to 502 units overall. This would comprise 134 social rent, 6 shared equity, 30 shared ownership and 332 private units. The amendments propose an uplift of 30 affordable units.
- 9.23. The 6 shared equity relate to decanted leasehold owners. Shared equity allows the buyer to pay a small deposit – and top up to 20% of the purchase price with a low or no cost ‘equity loan’, with the remainder paid by the mortgage. 6 shared equity properties have been purchased in Phase 1 by returning leaseholders. 30 shared ownership units are proposed. Shared Ownership is a type of affordable home ownership when a purchaser takes out a mortgage on a share of a property and pays rent to a landlord on the remaining share. Purchasers then can ‘staircase’ up their share of the property, gradually increasing the proportion of their home that they own outright and therefore paying less rent on the remaining portion, until they own 100% of their home.
- 9.24. Overall, the housing tenure represents a total of 170 affordable units (34%) and 332 (66%) of private units. Affordable housing based on habitable rooms increases from 33%, as approved under the extant scheme, to 34%. Grant subsidy was also used to acquire 25 units in Phase 1. These were not a requirement of the permission. These additional 25 units (which sit outside the scope of the application) combined with the affordable units proposed, would result in 205 affordable units, 39% of the units.

Extant Housing and Affordable Housing

Extant Permission				
Unit	Social Rent	Intermediate	Private	Total
1 bed	39	1	58	98 (24%)
2 bed	73	8	129	210 (51.5%)
3 bed	17	2	80	99 (24.3%)
4 bed	0	0	1	1 (0.2)
Total	129	11	268	408
	140 Affordable Units (34%) (33% based on Hab. room)			

Revised Housing and Affordable Housing under s73 application

Proposed					
Unit	Social Rent	Shared Equity	Intermediate	Private	Total
1 bed	38	1	12	73	98 (24.7%)
2 bed	67	5	18	201	124 (57.9%)
3 bed	29	0	0	58	87 (17.4%)
4 bed	0	0	0	0	0 (0%)
Total	134	6	30	332	502
	170 Affordable Units (34%) (34% based on Hab. room)				

- 9.25. The National Planning Policy Framework (the Framework) seeks to deliver a sufficient supply of homes, noting that the size, type and tenure of housing needed for different groups should be reflected in planning policy, including affordable housing. Policy H10 of the London Plan also seeks to optimise housing potential on sites which the proposal does. The proposal offers an overall increase in housing and affordable housing, where there is significant need.

Viability

- 9.26. The Applicant has submitted a viability assessment which was scrutinised by the Council's independent viability consultants (Doug Birt Consulting). The Financial Viability Appraisals' test the whole scheme, taking account of Phase 1, which has been completed. The whole scheme measures the s73 amendment's impact to viability. On this basis it is accepted the scheme does not generate a surplus and therefore Council's independent viability consultants concluded the scheme cannot support more than 34% affordable housing, based on the tenure mix and the specific nature of the site.
- 9.27. 25 units were bought separately in Block G2 and H1 within Phase 1, by the Council. These have been purchased, in addition to the 53 affordable units secured in Phase 1 through the s106. For the purposes of the assessment of this application the 25 units sit outside the scope of the planning permission, albeit their purchase has been factored into the costs within the viability.
- 9.28. It should be noted that the viability appraisal relates to a particular point in time. The residual land value is currently shown as a negative for the whole scheme and proposed phase, albeit a much lower residual value than the applicant has suggested. The Council's independent viability consultants have challenged a number of assumptions and inputs into the financial appraisal of the scheme, including build costs and sales values. The independent review shows excess of costs over revenue and reflects a negative benchmark land value. Notwithstanding, the current offer is considered to represent the maximum reasonable affordable housing the site can deliver (34% by units and habitable rooms).
- 9.29. In line with the extant permission, the level of affordable housing that the development can deliver as a whole will continue to be reviewed through a late stage viability appraisal. Officers are satisfied that the scheme delivers the maximum reasonable amount of affordable housing at this stage in accordance with London Plan Policy H5 (LP) and Viability SPG. Affordable housing negotiations are in line with H5 (LP) Enfield Core Strategy Policy 3 and DMD1 requirements that negotiations consider the specific nature of the site, development viability and grant to deliver the maximum reasonable amount of affordable housing.

Housing Mix

- 9.30. The amendments propose to alter the housing mix to 124 x 1 bed; 291 x 2 bed; and 87 x 3 bed. The changes would result in a higher proportion of 2 bed units and a reduction in the proportion of 3 bed units, in comparison with the extant scheme.

- 9.31. The Framework requires strategic policies to be informed by a local housing need assessment. Policies in relation to mix are assessed on a case by case basis, based upon viability assessments, assessments of local housing need, and other factors such as public subsidy, and other planning benefits.
- 9.32. Core Policy (CS) 5 sets out the Council's plans for delivering housing types and sizes that meet housing needs across the borough, over the plan period. This policy advocates a need for 60% of units to be 3+ beds in affordable housing and 65% to be 3+ beds for private housing. However, this target is Borough wide target over the lifetime of the Core Strategy. The CS dates from 2010 and more recent development plan policy is set out in the adopted London Plan at Policy H10.
- 9.33. Policy H10 of the London Plan is more flexible in that it takes account of locational factors, the benefits of 1 and 2 beds dwellings taking the pressure off conversions of larger family homes to small dwellings and the opportunity additional 1 and 2 bed units provide for people in larger homes to downsize, thereby releasing family homes. The amended proposal would continue to provide a range of tenure types and a range of sizes from 1-3 bedrooms incorporating an increase in larger 2-bedroom units.
- 9.34. Although inconsistent with the balance of dwelling types sought by policy CP5, it would fulfil the aims of H10 by providing well-designed one- and two-bedroom units in a suitable location, to provide opportunities for those in the Borough looking to downsize, enabling larger dwellings elsewhere to become available for new occupiers. One-bedroom units play an important role in meeting housing need, and provision in new developments can help reduce the pressure to convert and subdivide existing larger homes. Furthermore, the applicant's information indicates that there is a strong local need for two-bedroom units. Those who have purchased in 1 and 2 bed units in Phase 1 are through Help to Buy or first-time buyers, suggesting smaller market properties that are more affordable and have been well received.
- 9.35. S38(5) of the Planning and Compulsory Purchase Act 2004 sets out where policies of development plan conflict with each other, the conflict must be resolved in favour of the policy that is contained in the last document to become part of the development plan. In this case, whilst the proposal is inconsistent with Policy CP5 of the Core Strategy, it complies with Policy H10 of the London plan, which was the later to be adopted. Policy H10 therefore takes precedence in the determination.
- 9.36. In this context, and in view of the significant undersupply of housing against the 5-year housing target and the shortage of new affordable housing and housing in general in the Borough, only limited weight is given to Policy CP5 in this instance. The proposed dwelling type provision is considered to align with the SHMA, which identifies a need for all housing sizes, including 1 and 2 beds. Whilst there remains a substantial need for 3 bed + the ability to deliver this needs to be informed by particular site considerations, including viability. The proposal would contribute towards identified housing needs of the SHMA. The scheme optimises family units at lower levels, with 3 bed units provided generally in the lower scale buildings, which have direct access to gardens and are more accessible. Of note, whilst the proposal would see a reduction in private 3 bed units, of weight in the amendments, the proposal would increase the number of larger 3 bed social rented units (net an increase of 12) of which there is significant need and these would represent 33% of the 3 bed

units. This amendment is given weight in the assessment of the application. The proposal would still accord with the requirements of policy CP5 in continuing to offer housing types with a mix of 1, 2 and 3 beds that would meet identified housing needs. Overall, there is a need for all unit sizes and the scheme provides an appropriate housing mix in this instance.

- 9.37. Furthermore, the mix has been informed by the scheme's overall viability. At present the scheme does not produce a surplus. It is also noted that any consent would be subject to the inclusion of viability review clauses and any additional profits would need to be fed back into the delivery of additional affordable housing should this become viable.
- 9.38. Accordingly, the proposal would continue to offer a range of house types that take account of housing requirements in the borough. The proposal would also meet policy DMD 3 of the Enfield Development Management Document 2014 which seeks the provision of a mix of homes. These policies are also consistent with the Framework. Therefore, the proposal is consistent with the development plan in terms of its delivery of the appropriate mix of dwellings on the site.

Changes to Affordable Housing

- 9.39. The extant permission secured a minimum of 34% affordable housing provision across the whole development. This was assessed as 140 units as affordable (129 social rent and 11 Intermediate) of the 408 residential units overall. This represents 34% of the total, with a tenure split of 92% social rent (129 units) and 8% shared ownership (11 units). Phase 1 has delivered 127 units, with 53 affordable (41%).
- 9.40. The proposed amendments seek to maintain the same percentage of affordable within the S73 scheme based on units, equating to 170 units (i.e. 30 additional affordable units above the approved scheme). The applicant proposes to provide 134 affordable units as social rent, 6 for shared equity (returning residents, with a leasehold interest) and 30 affordable units as shared ownership.

Affordable Housing units

Extant Scheme	Private	Affordable
Phase 1	74	53
Phase 2	88	45
Phase 3	106	42
Total of 408	268	140 (34%)
s73 Scheme	Private	Affordable
Phase 1	74	53
Phase 2	99	57
Phase 3	159	60
Total of 502	332	170 (34%)

- 9.41. The Regeneration Team, as confirmed in letter dated 19/08/2021 support shared ownership provision tenure. Any registered affordable housing provider's affordability criteria would be required to be in line with the Council's 'Intermediate Housing Policy'. Shared ownership would increase the

diversity of housing options in a local area by adding to the existing mix an affordable home ownership option for first time buyers and move the scheme to a more policy compliant tenure mix 79% social rent to 21% shared ownership/share equity, whilst also increasing the quantum of social rented homes (no. 5).

- 9.42. Affordable housing based on habitable rooms increases from 33%, as approved under the extant scheme, to 34%. It should be noted the new LP states the percentage of affordable housing on a scheme should be measured in habitable rooms to ensure that a range of sizes of affordable homes can be delivered, including family-sized homes. The proposal represents a slight improvement of 1% (based on habitable rooms) and maintain the affordable housing offer based on the extant consent and therefore is considered acceptable.
- 9.43. Overall, the proposal maintains the affordable housing offer as a percentage in terms of affordable units, with a slight increase when assessed against habitable rooms. The proposal would increase the quantum of affordable units, where there is a significant need. The change in tenure has the effect of moving the consented scheme towards a position that is more compliant with current policy.

Housing Tenure

- 9.44. Blocks B2 (formerly C3) D3 and F2 are proposed to change from private to social rented tenure. Block E1 is proposed to change to shared ownership. The mix of private and affordable units is well laid out. The buildings, as designed, would be tenure blind and the integration of affordable housing units/blocks are considered appropriately located throughout the site. Overall it is considered the changes would comply with the aims of London Policy GG4 and H6 in delivering mixed and inclusive neighbourhoods.



Summary

- 9.45. The proposed amendments bring about additional housing units and affordable housing where there is significant identified need. Furthermore, the alterations would continue to facilitate the regeneration of the estate, whilst achieving the aim of delivering a mixed and balanced community. Additional housing in this context, is a material benefit and the proposals accord with the development plan.

Design and Appearance

- 9.46. The proposed changes in form, height and mass relate to part of Phase 2 and 3. The design alterations are focused on building heights, with minor changes proposed to footprint to Blocks A, B C, D and E and amendments to the elevational design.
- 9.47. The changes relate to:
- Block A: increase in height by 1 storey to Blocks A1 (7 to 8 storeys), A3 (5 to 6 storeys) A4 (3 to 4 storeys) and change in roof form. Block A4 to join Block A1 to form perimeter block. Footprint of the Block A is proposed to be enlarged, notably the southwestern elevation resulting in the built form moving closer to the site boundary and a reduction in the street width.
 - Block D: increase in height by 1 storey Block D3 (6 to 7 storeys), increase to the footprint Block D change in roof form.
 - Block B: increase in height of Block B1 by two storeys (from part 4 and 6 storeys to part 6 and 8 storeys) and change in roof form from chamfered roof to flat parapet.
 - Block C1: proposed to be merge Block C1 with Block B1 and, in part, alter the gable end at roof level, to a flat roof.
 - Block E: removal of Block E3 (comprising two dwellings) and replacement with seating and 'green bank'. Change in roof form and increase in footprint.
- Architecture and design to all blocks: Alteration to the architectural treatment of elevations including brick, window openings and fenestration pattern.



Image: Changes to massing and layout



Consented Scheme

Proposed Scheme

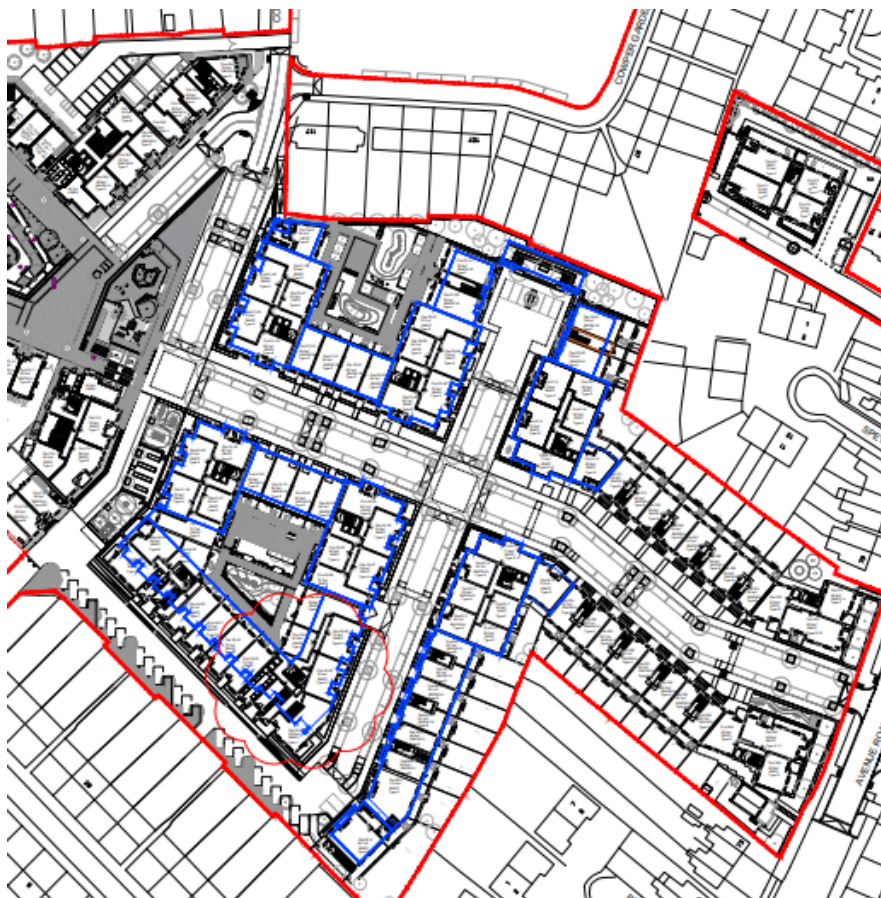
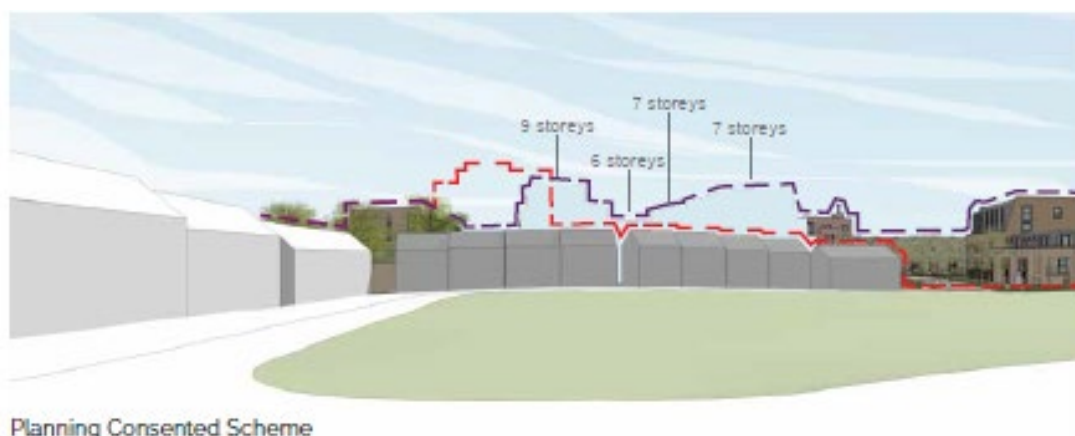


Figure 2: proposed changes in footprint (original footprint highlighted in blue)

- 9.48. The site is roughly triangular in shape and fronts on to Avenue Road. Avenue Road is a wide tree-lined residential street characterised by two-storey semi-detached and terraced properties, set back from the road behind short front gardens. There is variety in the different housing types, age, appearance, materials and the gaps between properties.
- 9.49. Avenue Road is a long and busy classified road which provides access to many residential streets within a relatively built-up area. Avenue Road drops in height from Chase Road and rises at the junction with Chase Side. From the top of Cowper Gardens, the application site slopes deeply downhill to the centre of the site. There is a drop of 8m in level difference to the centre of the site rising again to Hood Avenue. From the apex of the site (where Cowper Gardens and Hood Avenue converge) to Avenue Road, there is a 9m level difference. The site, in effect sits within a 'bowl', given significant land level changes. These changes in levels are highlighted by a large culvert (Houndsden Gutter) running underneath the main site, given the topography. This sits underneath the main road into the site and would remain unchanged with a minimum of 3m easement either side.

Height Mass and Bulk

- 9.50. The proposed scheme carries through the design approach to scale and massing of the extant scheme. Most of the development in New Avenue would remain 3 to 4 storeys in height. It is within the context of the site and the extant scheme that the proposals should be assessed. The heights will be altered, and elements remodelled to Blocks A, B, D and E which sit centrally within the site.
- 9.51. A Townscape Analysis has been submitted by the applicant to inform the assessment of views from viewpoints from outside of the site. It provides comparative views between the consented and now proposed scheme from six viewpoints (previously agreed in the original application).
- 9.52. Based on the information, the proposed built form would not be visible from the views looking north from Avenue Road (View 1), south from Mansfield Crescent (View 4) and views looking east from The Fairway (View 5). As a result, the proposed development would not draw the eye and there would be negligible difference to the skyline from these viewpoints in the public realm. The proposal would not be so significant as to materially alter the overall effect on the character of the area, when viewed from these locations.
- 9.53. The alterations to the built form from the surrounding public realm would be readily perceived from two areas. Cowper Gardens, including the northernmost part of Cowper Gardens (View 6) and the views to the site from Avenue Road (View 2). The proposed alterations in built form would be appreciable from street level from these viewpoints.





Current proposed scheme

Image: View 6 (Red line – existing estate; Purple line – extant scheme; Orange line – proposed scheme)

9.54. It is important to note, from these views, elements of the extant scheme are apparent already. The height increases are considered marginal, and the changes have not amounted to the proposed built form excessively projecting above the neighbouring rooflines from medium and long-range views, in particular, from Cowper Gardens. Furthermore, the increase in height would be contained to buildings which sit within the centre of the application site, where there is generally a lower topography, thereby mitigating the impact from additional floors and alterations to the angle of upper floors.

9.55. The change in height would be most noticeable from views from Avenue Road, directly facing the site to Blocks B1, D2 and A1. Here, the extant scheme introduced two 'gateway buildings' (Blocks F1 - 3 to 4.5 storeys and F2 - 3.5 to 4 storeys). The increase in built form would be tempered by the existing built form, being screened by those buildings fronting Avenue Road which would be more readily apparent. Moreover, the increase in scale is modest given the proposed buildings are set back within the site, lessening the increase in height.



Planning Consented Scheme



Image: View 2 (Red Line – existing estate; Purple line – extant scheme; Orange line – proposed scheme)

- 9.56. The additional height to taller elements is located within the centre of layout, further away from surrounding neighbours at the lower areas of the valley. Block A1 would appear marginally more prominent. This is due to the change from double height mansard, which was slopped, to a rectangular form with flat parapet. Block A1 would be no higher than the extant block.
- 9.57. The buildings would continue to step in order to create visual interest. In particular the increase in height would be centred around the corner mansion blocks within the main site. Having passed through the gateway, the proposed increase in height to the Blocks would become more readily apparent. This is particularly the case to Block B (which would increase in height from 4 to 6 storeys and then 8 storeys). The 9 storeys building (Blocks A1) would still predominate beyond.
- 9.58. The 8 corner elements (Blocks A1, A2, B1, D1, D2, E1) are located to define the principle routes. They aid in architecture, scale and massing transition to the lower buildings. The increase in height on the corner blocks within Phases 2 and 3, in design terms is the most logical. The Upper and Lower Avenue provides the main route through the site. Its prominence is defined by its width (compared to other streets on the site) and the trees aligned alongside it. The street width to building height ratios assist in alleviating the proposed increase in height. The tallest buildings on the site (the mansion-style blocks) would front onto the main, wider, parade and assist in alleviate the increase in massing.
- 9.59. In contrast, secondary streets are defined by narrower streets and lower, subordinate building heights assisting the townscape hierarchy. Generally, views within the central part of the site are, relative to the extant scheme in terms of massing are considered to respect the scale of the adjoining buildings and accompanying blocks with the scheme.
- 9.60. It was acknowledged when considering the original application that mansion blocks are a form of development that is not common to the immediate area. The prevailing built form is characterised by modest domestic properties and flatted blocks. However, this typology was considered acceptable in the consideration of the original application. The arrangement of mansion blocks (and perimeter block structure) is maintained in Phases 2 and 3, albeit the

built form is enlarged (Block A and D, E). It is considered overall, the alterations to the footprint would result in a small appreciable difference from the public or private realm, given a similar footprint is maintained, with the mansion block design continuing throughout.

- 9.61. The additional proposed bulk and mass would be located centrally within the site, where mansion blocks already predominate. The combination of lower elements, which would remain unchanged, and would assist in providing relief and prevent the creation of an overbearing environment. The secondary streets maintain a human scale and assist in providing meaningful variety in height.
- 9.62. Overall, the increase in massing and height is considered acceptable, given its impact would be contained within the central part of the site and would not be readily apparent, as demonstrated by the Townscape Analysis in the surrounding townscape.

Architectural Treatment

- 9.63. It is proposed to amend the design and elevations of Blocks A, B, D and E within Phases 2 and 3. The design principles of the mansion block typology, as part of the consented scheme would be maintained, albeit with an increased scale and mass.
- 9.64. The architectural treatment and design to the façade of these blocks would be altered as part of the current proposal. The double height mansion style (chamfered) roof with aluminium finish would be removed and replaced with a rectangular built form with flat roof and parapet. In addition, the valley shaped roofline to Block E2 and part of Block B2 would alter to a flat parapet. At roof level to Blocks E2 and B2 the bay windows and valley roofs would be removed these would be replaced with a flat parapet and a similar architectural treatment to Block A and D.



Image: Proposed Elevation – Block B



Proposed Elevation - Block E2

- 9.65. The side elevation to the consented mansion blocks introduced a number of private entrances to ground floor maisonette dwellings. These have been maintained to provide access to the new flat typologies, in order to preserve the active frontage, for the proposals to sit harmoniously in the sub-urban context of New Avenue.
- 9.66. The elevational amendments to the design would maintain recessed balconies with strong vertical and horizontal emphasis. Each mansion block would continue with a defined base, repetitive middle and articulated top. The middle zone highlights a strong horizontal and vertical rhythm of windows.

The deep window reveals, and vertical alignment of the balcony recesses provide visual interest and articulation across the Mansion Block.



Mansion Block A1 Proposed Scheme Front Elevation

Block A - Proposed



Mansion Block A1 Consented Scheme Front Elevation

Block A – Consented



Block E – Proposed



Block E - Consented

- 9.67. There were three consented types of primary brick within the design principles of the main scheme. Blocks E1 and B1 would maintain the consented primary brick colour Type 1a. The brick is proposed to be changed for Blocks A, D, E2 and B2, to a buff grey brick, with detailing to window head. The ground level storeys are proposed to be expressed with decorative projecting brick banding (rising to two storeys on Blocks A and D), banding at the principle entrance to the mansion block. On Blocks A and D, the entrances are oversized identify the access point to the building. A lighter grey brick is proposed to the top floors of the tallest blocks.



Block A - Proposed



Block D - Proposed

- 9.68. The proposal maintains the mansion block style and brick palette to the exterior design. The brickwork would continue to unify the consented and proposed blocks whilst still reading as legible. The resulting proposals are considered to sit comfortably next to the other, notably in Phase 1, providing an appropriate variation in colour, texture and palette of materials. The proposed elevational amendments would achieve a cohesive, high quality, style for the buildings with final details reserved by condition.
- 9.69. Overall, when considered in isolation and in the context of the already approved redevelopment works and wider built form, the proposed elevational changes are considered to represent good quality design and would not be out of keeping with the adjoining buildings. The Design Review Panel are supportive of the elevational amendments to the materiality, details and design of blocks, which represent an improvement on the existing design. The changes to the façade of the above-mentioned blocks are considered of a suitable palette of materials and the proposal displays a coherent architectural language, that would appear acceptable in the townscape.

Removal of Block E

- 9.70. Block E3 (comprising two single family dwellings) would be omitted under the proposals and replaced with landscaping forming the terminus to the street. It was acknowledged when considering the original application that landscaping could equally achieve an appropriate end to the cul-de-sac.
- 9.71. The area is now proposed is made up of biodiverse grasses, wildflowers and scented shrubs steps down to the space which is enclosed with gabion walls (given the sharp level differences) trees and public seating. It is considered this element of the proposal is acceptable and offers an appropriate terminus to the street.

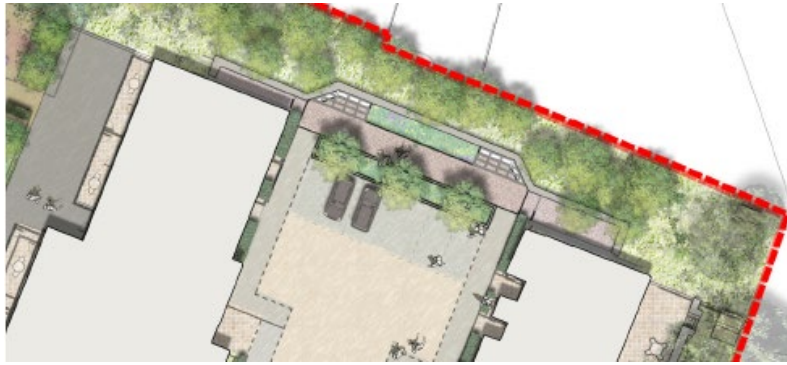


Image: new public area (formerly Block E3).

'Mews Street'

- 9.72. The change in layout of Block A along A3 to A4, results in an increased footprint and a reduction in the width of the 'mews' street, which backs onto the rear gardens of Hood Avenue. The elevation fronting the street has been altered to allow for wider steps opposite the main cores and this is a preferred option. This allows an improved street setting. This mews street would remain parking dominated, as consented scheme under the existing scheme. The parking would be interspersed by raised beds with trees and planting and the street designed as a shared surface. As such the proposed changes to this element of the application are acceptable.



Image: Block A4 elevation and Mews Street

Summary

- 9.73. The increase in height is focused on the corners blocks and these will, by virtue of that increase be more dominant than the extant scheme. However, to focus additional height at the corners in order to deliver additional residential units, is considered appropriate design approach and as this part of the development sits in the lower part of the site, in the context of the surroundings. The views analysis demonstrates the additional massing would not be unduly apparent from the surrounding streets Therefore the impact on

the townscape is suitably mitigated. The overall architectural approach to these amended blocks is considered acceptable and an improvement on the original design. On balance, the proposed design changes in height, layout, form and material are considered not to cause unacceptable harm the character of the surrounding area.

Quality of Accommodation

Unit sizes

- 9.74. The Master Schedule demonstrates internal space standards for all residential units are met and exceeded. The units are considered to be of a functional form and the quantum of internal living accommodation complies with the Technical Housing Standards and London Plan.

Dual Aspect Units

- 9.75. For larger developments, Policy D6 of the London Plan allows for single aspect units where proposals optimise site capacity, through a design led approach. As an estate regeneration scheme, in a sustainable area, the intensification of the site is considered appropriate. BRE Guidance recognises for flats, it may not be possible to have every living room facing within 90 degrees of south. Given the constraints of the site and overall optimisation of the site, six units (1b2p units) in Block A1 would face in a north (east) direction. Currently there are no north facing units in the extant scheme.
- 9.76. These units would have adequate outlook, daylight and privacy, with external amenity space. Taking account of the BRE guidance which allows for some flexibility, notability in complex schemes, it is considered, relative to the number of units overall, these north facing units would comprise a small proportion and would not represent an unacceptable level.
- 9.77. In relation to Block A, D, B1 and E1 where the concentration of unit numbers is highest, there is an improvement of 9% in dual aspect units above the extant scheme which is a material improvement. Overall the extant scheme has 68% dual aspect homes and as a result of the proposed changes within Phases 2 and 3, the overall number of dual aspect homes would increase to 71%. As such this represents an improvement above the extant situation, as consented and is considered acceptable.

Communal Amenity Space

- 9.78. Given the alterations in height and layout of buildings, the applicant has submitted a Sunlight/Daylight Assessment. Five of the communal amenity spaces in phases 2 and 3 have been re-tested in order to identify any possible reduction in sunlight availability. As a result, of the changes there would be a small reduction in sunlight on the ground (45.64% to 43.45%). However, the relative decrease is small, and it must be considered in the context of the positive benefits of delivering additional residential units, and affordable homes. Overall of the five communal spaces, three would receive at least 50% more than 2 hours of sunlight on the 21 March and therefore passed ASPH test. Overall it is considered the level of sunlight to communal amenity area would be acceptable, when compared to the extant scheme.

Outlook - Block A

- 9.79. The connecting element of Block A4 to A1 is proposed to be linked. The linking of Blocks A4 and A1 would enclose the space and limit views from apartments in Block A3. In addition, heights to Block A3 and A4 would rise a storey, enclosing the podium communal space.
- 9.80. Considering the increase in height, and footprint it is considered the perception from views within central area of Block A would be further enclosed. This needs to be tempered by the fact that views would be largely encircled by built form, within the extant scheme. There is a variation (4-9 storeys) in height to Block A that will allow light to penetrate within. The courtyard is considered of a sufficient size (approx. 25m wide and 30m deep) to prevent an oppressive sense of enclosure when occupying rooms.
- 9.81. Overall, it is considered that rearward facing rooms, would not feel unduly hemmed in or confined as a result of the changes, notably to Block A.

Average Daylight Factor

- 9.82. Daylight provision to new rooms can be checked using the average daylight factor (ADF). The BRE guide recommends an ADF of 5% or more if there is no supplementary electric lighting, or 2% or more if supplementary electric lighting is provided. There are additional minimum recommendations for dwellings of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.
- 9.83. In particular the ADF to Blocks A and D, where most the additional height is accommodated, have tested all 673 habitable rooms. 83% of the rooms in these blocks comply with ADF. Where there are deficiencies, the majority of these rooms are bedrooms which are primarily used for sleeping.
- 9.84. Overall, a comparison has been made with the extant scheme and that now proposed. Daylight analysis results for the extant scheme indicated that 69% of the living spaces achieved adequate daylight. The updated results, as a result of the changes in layout and tenure, indicate most of the rooms (80% of the total number of tested rooms) pass the ADF criterion. Therefore, represents a material improvement above the extant scheme.

Access

- 9.85. 51 of the 502 units (10%) are designed to be wheelchair standard units. These comprise 12 social rented units 9 shared ownership units and 33 private units and are spread throughout the development.

Private Amenity Space

- 9.86. All private amenity areas would meet private open space standards in London Housing SPG. Where there are larger units within the mansion blocks, communal space is provided within the courtyards. This follows the approach of the extant scheme.

Summary

- 9.87. It is concluded the changes in height and floorspace will achieve an appropriate balance and would provide an acceptable living environment for

prospective occupiers, taking account of the extant permission. Of note, the alterations in layout have resulted in an improvement in dual aspect units and the light available within units.

Neighbouring Amenity

- 9.88. 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. DMD 6 and DM10 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. The applicant has provided information in the form of a Daylight, Sunlight and Overshadowing report reflecting an assessment in accordance with the Building Research Establishment (BRE) Criteria.

Daylight

- 9.89. Figure 2 of the Sunlight/Daylight Report shows (in red) the location of the existing buildings that surround the proposed development and where daylight access may be affected. A 25-degree angular plane has been placed at the centre of the windows on the ground floor of the surrounding properties (as shown below).



- 9.90. The 25-degree angular check demonstrates only the same properties as those previously identified under the extant scheme, would fail. Given the failure in the 25-degree angular line additional testing has been undertaken in accordance with BRE standard.
- 9.91. BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that: The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value.
- 9.92. Based on the Sunlight/Daylight Report, the neighbouring properties identified as failing previously, continue to do so. A total of 25 windows have been

retested. 22 of the windows pass VSC test. The results demonstrate as a result of the proposed changes in height and mass there would not be a further detrimental impact in terms of daylight to those adjoining properties which fail the 25-degree rule.

- 9.93. In summary, there would be no undue impact in terms of loss of daylight to adjoining habitable window, given the changes in mass and height above that of the extant scheme. As such the proposed amendments are considered acceptable in this regard.

Sunlight

- 9.94. The Annual Probable Sunlight Hours (APSH) test is used to check the impact of a development on the sunlight availability to neighbouring properties windows
- 9.95. A comparison analysis between the consented scheme and the massing including the proposed changes to Phases 2 and 3 has been carried out. This shows two windows would fail (W17 and W18). Both these windows fail in the extant scheme and in the proposed scheme by the same level. As such there would be no worsening impact in terms of sunlight to habitable windows as a result of the design changes.
- 9.96. Given the results, the proposed changes would not have a worsening effect on the sunlight availability to those existing properties identified, when compared with the original scheme. Therefore, there is a no noticeable loss of sunlight beyond that identified in the extant scheme.

Overshadowing

- 9.97. An updated overshadowing study has been undertaken for the adjoining private spaces of the neighbouring properties analysed in the existing consented scheme. All the assessed spaces receive adequate sunlight. As such, there would not be a negative impact as a result of the proposed amendments to adjoining occupier's amenity spaces.

Outlook

- 9.98. The application site is separated from the properties to the north (Cowper Gardens and Speyside) and to the south (Hood Avenue) by existing rear gardens. The site sits significantly lower than the existing access and entrance from Cowper Gardens. The site sits in a valley which runs notionally east/west and rises to the north and south. It is within this context the change in mass is assessed.
- 9.99. The most appreciable change is to the footprint of Block A. The building line to Block A4 is proposed to move 4m closer to the boundary with the properties on Hood Avenue. The extant 3 storey properties (with gable) to A4 would be altered to 4 storey townhouse appearance. The built form and the footprint would be enlarged resulting in the building line being brought closer and higher to the properties on Hood Avenue. It is also proposed to change the roof form from a mansard roof and add and further storey to Block A3.
- 9.100. Whilst the built form would be brought closer to the two storey properties on Hood Avenue, there are generous separation distances (approx. 35m) owing

to the large rectangular rear gardens. The proposed increase in height to Blocks A1 and A3 would be seen at a substantial distance. Moreover, Block A1 does not rise higher overall than the permitted ridge height (given the extant front gable ends).

- 9.101. The alterations to the mass and height of the Blocks A3 would be set further into the site, beyond the 4-storey element of A4. Given the land levels changes, A3 would appear as 1 additional storey over Block A4. Block C3, also on the boundary would be maintained at 3 storeys. Therefore, it is considered there would not be a significant impact as a result of the proposed changes in built form to the outlook or sense of enclosure to rear facing views from properties on Hood Avenue.
- 9.102. A similar relationship exists with the application site and the properties to Cowper Gardens, albeit the rear gardens are less generous in depth (17m). Block E3 (at 2 storeys) would be removed which would represent a marginal improvement from rearward views. The nibs to Block D (D3 and D4) would remain at the same height (3 storeys), albeit marginally widened. An additional storey is proposed to Block D2 and would be appreciable in views from the rear of properties on Cowper Gardens. However, the height would be located at a lower land level and set within the centre of the site and 45m away from the rear elevations of the properties to Cowper Gardens and 26m from properties to Speyside Avenue.
- 9.103. The additional storeys and alterations to the form are considered modest in terms of the context of the scheme as whole. The principal views from the windows to the properties on Cowper Gardens/Speyside Avenue would not fundamentally change with the now proposed built form. As a result, the judgement is that the effect of the proposal on these windows to the rear would not diminish the living conditions of the occupiers that adjoin the site in terms of loss of outlook and increased sense of enclosure. The scale and bulk of the proposed alterations to the properties on Cowper Gardens/Speyside are not be considered to be overbearing.
- 9.104. Block B1 would rise from 6 and then to 8 storeys from the currently consented 4 to 6 storeys. This would be most apparent to the residents of Berkley Court and Avenue Road.
- 9.105. Block B1 would be situated approximately 38m from the properties on Berkley Court and 70m from the properties on Avenue Road. The rearward views of the properties to Berkley Court (specifically nos. 7 & 8), continue to face Block B2 (at 4 storeys). Block B1, given its orientation would be located at an angle in rearward views. As such rear ward views from the properties to Berkley Court would remain largely uninterrupted. Overall, given the relative separation distances and orientation to the existing properties the additional height (2 storeys) to Block B1, is not considered to have a significant undue impact in terms of loss of outlook or undue sense of enclosure.

Privacy

- 9.106. Block A4 would increase by a storey and would be closer to the application boundary site than the extant scheme. Any views to the rear of properties to Hood Avenue would be over a highway and garden areas. A separation distance of 36m to habitable windows would be maintained and therefore there would be no undue overlooking.

- 9.107. Condition 27 was attached the original permission and required screening for Blocks H, G and D. It is considered necessary to alter this condition to ensure Block D3 flank windows are obscured to prevent any undue overlooking. The most sensitive relationship is between the flank elevation of Block D3 to the rear elevations of the properties on Cowper Gardens. The separation distance in this location would be approximately 18m. It is recommended to alter the condition to prevent undue overlooking as per the original permission.
- 9.108. It is considered there would be no undue overlooking from other changes proposed given the separation distance to adjoining properties.

Noise

- 9.109. Previous conditions are attached regarding Construction Management, to ensure no adverse impacts on neighbours.

Summary

- 9.110. The technical evidence provided demonstrates that there would be no easily discernible loss of light to any adjoining property above the extant scheme. Moreover, while the development would be visible from adjoining properties, and their gardens, it would not sit so close, or loom over the boundaries, to the extent that it would appear dominant or oppressive. Overall, the amendments would have no detrimental impact of any significance on the living conditions of existing occupiers.

Transport and Traffic

- 9.111. This application is a variation to the previously granted permission relating to the redevelopment of the New Avenue Estate. It seeks an uplift in housing units of 94 dwellings. It is noted that the nursery and community centre uses, as well as the 12 units approved at Lousada Lodge, remain unchanged.

Access

- 9.112. The approach to vehicular, pedestrian and cyclist access (which includes an emergency vehicle, pedestrian and cycle route via Hood Avenue) is unchanged which is acceptable.
- 9.113. It is noted that minor changes to the internal access roads are proposed, including the introduction of traffic calming features to reduce vehicle speeds. This approach is consistent with Vision Zero so is broadly supported by T&T. It appears that a public right of way needs to be diverted. If this is the case, then the applicant will need to cover the related cost.

Active Travel Zone Assessment

- 9.114. In line with TfL guidance the applicant has undertaken an Active Travel Zone assessment. This highlights the need for additional interventions to improve cycling and walking links including signage and junction treatments. Whilst these are modest additions, it must be borne in mind that any request must be proportionate to the change in quantum of development and its associated impacts. With this in mind works to the value of £100,000 should be

appropriate. The details of any improvements should be agreed with the Council's Healthy Streets and Highway Services teams.

Bus Stops

- 9.115. Further discussion is required in respect of bus stops, not least in part the replacement of hail-and-ride to reduce journey times and provide improved waiting facilities. This was raised during the pre-application process and it was noted that the Council supports formal bus stop arrangements on Avenue Road, which will cost around £20,000 for stops and £20,000 for shelters.

Cycle Parking

- 9.116. 879 residential secure long stay cycle parking spaces are proposed, along with 22 short stay visitor spaces. Based on the proposed, housing mix the required level of cycle parking is 893 long term cycle spaces.
- 9.117. The amendments also include 22 short stay cycle spaces. Based on the London Plan, only a minimum of 14 spaces is required and therefore there is an overprovision in short-term stay. Taking into account the overall number of short and long terms spaces, the proposal would achieve a surplus of 8 cycle spaces over the LP requirement. Therefore, on balance, in relation to cycle parking the proposed amendments are broadly policy compliant.

Car Parking

- 9.118. The proposal is for 287 car parking spaces at a ratio of 0.57 per unit. This compares to the 295 spaces as consented at a ratio of 0.72 per unit.
- 9.119. It should be noted that, whilst the population of London has increased since the 2011 Census, car ownership levels have remained steady, so it is fair to assume that actual ownership will be now be lower. In addition, the property tenure and type have an impact, for example a 3 bed privately owned house has average car ownership of 1.3, while a 3 bed socially or privately rented flat has average car ownership of 0.6.
- 9.120. The amended level of car parking provision is policy compliant with the London Plan setting a maximum ratio of 1 per unit in locations in outer London with a PTAL of 2.
- 9.121. However, it does represent a significant change so a range of mitigation measures should be secured as set out below:
- Improvements to local pedestrian and cycle connections including links to nearby facilities and public transport nodes.
 - Enhancements to public transport accessibility via the introduction of improved bus stop facilities.
 - Support for consulting on and implementing controlled parking in the surrounding area. Given the scale of the whole development, there should be a contribution of £75,000. The intention would be for the development site to be exempt from any surrounding CPZ.
 - Implementation of car club provision (minimum two spaces with capacity for a third) and related membership incentives.

- 9.122. The applicant has also committed to providing a Car Parking Management Plan which should set how car parking spaces will be allocated, ideally on the basis of relative need with overall provision reducing over time, enforced and monitored. 20% of all parking spaces on site would be equipped with electric vehicle charging points, with a further 20% providing passive provision i.e. with the infrastructure in place to permit the space to provide electric charging in the future. This is in-line with the consented scheme and is secured through a planning condition.

Trip Generation

- 9.123. To ensure consistency of approach, the applicant has undertaken a forecast of trip rates using the same methodology as for the consented outline application. This indicates that AM peak hour two-way trips would increase by 8, with all day two way trips increasing by 129. Whilst an increase, it is not significant given that surveys indicate that total flows on Avenue Road exceed 10,000 vehicles per day.
- 9.124. In addition, as set out, the applicant is providing various mitigation measures to encourage the use of active and sustainable transport.

Delivery and Servicing:

- 9.125. The proposals for delivery and servicing are unchanged and remain acceptable.

Construction Logistics Plan (CLP):

- 9.126. The outline CLP is noted with details are to be agreed with the Council prior to commencement through submission of approval of details.

Summary

- 9.127. Given the scale and likely impacts of the development, the Traffic and Transportation team have set out reasonable requirements to mitigate the proposed uplift in unit numbers. The applicant has confirmed they are satisfied with the obligations, as well as the conditions as set out. Therefore, the proposal is acceptable in terms of the transport network and transport policy requirements.

Open Space/Play Space/Amenity Space

- 9.128. Prior to granting of permission in 2018, the site contained approximately 17,000sqm of local open space, with 13,000sqm of this contained within the Hood Avenue Open Space. The reduction in local open space to 8,579sqm in quantity of open space was considered acceptable as the quality of public spaces and play provision was improved as well as other identified planning benefits including the wider estate regeneration and delivery of housing. The extant permission also includes an Eco Garden, Community Gardens, play provision to Avenue Gardens and nursery roof playspace.
- 9.129. The increased number of residential units (94) proposed in this variation to the permission will introduce a greater number of residents to the area and the strategy for open space and play space has been reviewed.

- 9.130. The revised open space, communal space and private open space, proposes a total of 18,918sqm. This represents an increase across the site of 162sqm. This is accounted for by an increase in the internal podium courtyards of Block A and Block D. The omission of Block E3 has resulted a greater amount of usable public space.
- 9.131. The consented scheme estimated a child yield of 195 and the scheme fulfilled on site play provision from children up to 11 years. This equated to 1,620sqm through a strategy of formal and informal play areas on site. The extant scheme is reliant on off-site play provision (330sqm) for older children (12+) with Bramley Road Sports Ground and Oakwood Park in the vicinity of the site.
- 9.132. The revised proposals estimate a child yield of 258, based on the housing mix and overall unit numbers. Overall, 1250sqm of play space is proposed for under 5s on site with 880sqm of play space for 5-11 years which is considered adequate for these groups, based on the child yield calculations. It has been identified there would be approximately 45 children, 12+. There would continue to be a deficiency of onsite play for this age group.
- 9.133. The Mayor's supplementary planning guidance (SPG) 'Shaping Neighbourhoods: Play and Informal Recreation', recognises improvements to existing play facilities through a financial contribution may be acceptable. Oakwood Park is within 800m of the site, which is an acceptable radius for older age groups, as set out in the SPG.

Comparison Formal Play Provision

Consented Scheme			
Age Group	No. of Children	Required Area of Play (m2)	Proposed Area of Playable Space (m2)
Under 5	103	1030	1030 on site
5-11 Years	59	590	590 on site
12+	33	330	Provision off site
s73			
Age Group	No. of Children	Required Area of Play (m2)	Proposed Area of Playable Space (m2)
Under 5	125	1250	1250 on site
5-11 Years	88	880	880 on site
12+	45	450	Provision off site

- 9.134. The proposed development would be reliant upon existing play spaces (and open spaces) outside the site (as is the case with the extant scheme), given the shortfall in the required minimum standards (based on the child yield). As mitigation for the increase in population the applicant has agreed to an offsite contribution of £76,000 to the improvement of play facilities in Oakwood Park. These improvements include the refurbishment of tennis courts, installation of play equipment for older children and installation of table tennis tables. This is considered appropriate mitigation in this instance.
- 9.135. The communal areas to Block A and D were consented with 140sqm of play space. There has been an increase in the separation distances internally within the courtyard blocks A and D to marginally expand the courtyards. These blocks have been amended to take account of the need for additional

play and increased play provision within the communal areas to provide 320sqm (Block D) and 242sqm (Block A) which is considered appropriate. Private gardens would sit around the perimeter with a 1.1m railing, which open into the courtyard. Each courtyard will provide a number of opportunities for outdoor activity: these contain doorstep play for under 5's, new planting, and areas of seating where neighbours can socialise. Block A would provide 522sqm of communal amenity space and Block D would provide 721sqm. Ventilation from the car parks beneath will need to be accommodated within the courtyards. This will be sympathetically integrated within landscape elements including raised planters and seating. This shared approach to informal play and communal amenity space is appropriate for a podium of this nature and the urban setting and as part of the wider scheme offers the required amenity provision.

- 9.136. The extant permission incorporated landscaped improvements and play to Cowper Gardens. This included a proportion (370sqm) of 5-11-year olds play sited at the western edge. Objections (petition) have been submitted regarding the proposed alterations to Cowper Gardens. Proposals for the space are to create a natural playable space through the introduction of elements such as boulders, reclaimed felled trees and grass mounds. Informal paths are proposed to encourage meandering and follow desire lines across the space. Additional informal tree planting and shrub planting are proposed. The grassed areas are proposed to vary from amenity grass through to meadow mix. The space will be designed to encourage year-round use.
- 9.137. Residents (Cowper Gardens Committee) are concerned that the proposed changes may bring about antisocial behaviour. It should be noted the extant scheme secures formal play equipment within this space and as such its use, in part, for play space is a material consideration in the assessment of the changes proposed and represents a realistic fallback position.
- 9.138. The strategy for Cowper Gardens is now a more "light touch" approach of tree planting, grass mounts and natural play which represents a change from formal play equipment, previously proposed. Furthermore, the Metropolitan Police have not raised concerns regarding the proposed play provision in Cowper Gardens. Overall, the installation of natural play to Cowper Gardens is considered acceptable, taking account of the extant permission as a material consideration.
- 9.139. Details of the play space, equipment, and hard / soft landscaping are carried over and are recommended to be secured by condition.

Urban Greening Factor

- 9.140. An Urban Greening Factor has been provided for the site in line with the London Plan. This was not a policy requirement in the considerations of the extant permission, given the adoption of the new London Plan, 2021. The site would include a range of option including green roofs, wetland, street trees, rain gardens and grassland.
- 9.141. UGF for the site would be 0.37. Whilst the UGF would be below the interim target score of 0.4 advocated in the London Plan Policy G5, officers are satisfied that the applicants have optimised urban greening when balanced

against other policy objectives. This is also a new policy requirement which needs to be balanced against the extant scheme occupying a similar footprint.

Trees

- 9.142. The amended footprint for Block A doesn't alter the impacts upon existing trees. The changes to Block D, are slight and therefore no changes between the layout in the existing site plan.
- 9.143. The landscaping strategy indicates an additional 7 street trees to main vehicular routes within Phases 2 and 3 above the extant scheme. Trees are proposed to be moved to the opposite side of the mews compared to the extant scheme with 2 additional trees to be provided. 14 additional trees are proposed in Cowper Gardens.
- 9.144. The omission of Block E3 has allowed for three trees to be planted with the inclusion of a 'green bank'. The existing Category B trees could not be retained due to piling works due to undertaken on the adjoining Blocks D and E under the extant scheme. Overall, additional planting proposed would soften the public realm and enhance greening within the scheme and the proposed amendments are considered acceptable.

Ecological

- 9.145. The application has been supported by an ecological addendum to the original information submitted. Based on the alterations in the design, namely replacing proposed residential Block E3 with landscaping, adjustments to Cowper Gardens and removal of mews houses along the southern boundary the proposed adjustment in plans would not have any significant ecological issues and therefore the proposals are considered acceptable in this regard.

Climate Change

- 9.146. The original energy strategy was developed in line with the GLA's Guidance on preparing energy assessments (version October 2016) at the time of the application and the amendments to the proposed application are in line with the approved energy strategy.

Be Lean

- 9.147. A high standard of fabric and energy efficiency is being specified to reduce energy demands, CO2 emissions and running costs for residents. This approach includes highly insulated walls, floor and roofs, efficient glazing, high levels of air tightness and efficient lights and appliances. The development is expected to achieve a 36% CO2 improvement above Part L of the Building Regulations. This exceeds the existing condition (24.) requiring a 35% improvement over Part L.

Be Clean – heating infrastructure

- 9.148. Phase 1 of the proposed development has been completed. This includes an energy centre (known as the Oakwood Energy Heat District Network) which will generate the heat demand for all phases. The site would be served by a single energy centre providing a site wide heating network where all buildings/uses on site are connected. Combined Heat and Power would be

provided until connection with the wider Lee Valley Heat Network. The site is future proofed for connection to wider district networks in the future.

- 9.149. The energy strategy for the permitted scheme was approved on the basis of 35% reductions in CO₂ on site from a combination of energy demand reduction, combined heat and power provisions and saving from renewable energy. Energetik have confirmed the applicant has worked with the energy provider to increase provision of plant within the energy centre for the greater number of homes. By 2026 it is planned this satellite site will be joined with the Meridian Water heat network which is due to be supplied by energy from the waste facility at the Edmonton Eco park resulting in improvements in energy efficiency given the connection to the main heat network from Meridian Water that makes use of waste heat from temporary Combined Heat and Power.
- 9.150. As such the energy strategy for the site has already been approved and the energy centre for the development has already been built. Connection to the decentralised energy network will be secured through S106 agreement deed of variation.

Be Green

- 9.151. The GLA expects all major development proposals to maximise on-site renewable energy generation. This is regardless of whether the 35% on-site target has already been met through earlier stages of the energy hierarchy.
- 9.152. The strategy proposed in the Energy Statement for the New Avenue Application submitted in April 2016, confirmed that the development, relative to the Part L 2013 baseline, would achieve a carbon emission target of 35%. It is estimated the total savings based on the changes is 36%. Therefore, the proposed energy strategy achieves similar results as that of the extant scheme.
- 9.153. Solar PV was identified as the most appropriate renewable technology for the development. The identification of flat roofs to assist in combined CO₂ emission savings of 35%. A total 132 kWp of PV is proposed for the development, which is an increase of 15 kWp from the consented scheme. A plan showing the proposed location of the PV panels has been provided to demonstrate that the roof's potential has been maximised.

Carbon Offsetting

- 9.154. The development meets the on-site improvement target of a 35% CO₂ improvement over Part L 2013 and the proposal for the residual emissions is to make a carbon offset payment to the local authority for the additional 94 homes added since the policy update. The carbon offset requirement has been estimated based on a total increase in floor area of 5,867 m² (from the consented scheme) with a typical two-bedroom apartment to represent the 94 units. The cash in-lieu contribution is based on £95 per tonne of CO₂ over a 30-year period. This equates to £168,460 and would be secured as a planning obligation within any deed of variation.

Overheating

- 9.155. The revised layout to Blocks will adopt the same strategy included in the approved New Avenue Energy Statement to minimise the risk of overheating. Measure would include low energy lighting throughout, minimisation of external heat gains through shading from balconies (set in) and avoiding excessive areas of glazing and ventilation. Overall therefore, the proposal is acceptable in this regard.

Be Seen: Monitoring

- 9.156. Major non-referable development should calculate unregulated emissions and are encouraged to undertake whole life-cycle carbon assessments. The applicant has committed to a whole lifecycle carbon assessment condition, to assess the building's energy performance post-construction and to enable occupants to monitor and reduce their energy use.

Refuse and Bin Storage

- 9.157. The ground floor layouts of the Mansion Block Typology for Blocks A, B, D and E has changed to accommodate larger bin and cycle stores to fit the required number of bins due to the increased number of units. The applicant has demonstrated suitable facilities.

Fire Statement

- 9.158. In line with Policy D12 of the London Plan, development proposals must achieve the highest standards of fire safety. The applicant has submitted a Fire Statement by a third party suitably qualified assessor, which assesses the application against the London Plan Policy D12 and provides detail in respect of key requirements such as access for fire appliances. The statement details the fire strategy based on guidance in Building Regulations and British Standards. The document outlines the means of escape, structural fire resistance and fire access.
- 9.159. Specifically, the report outlines structural fire resistance elements to Blocks A1, A2, A3, B1, D1 and D2 to afford 90 minutes fire resistance (based on these blocks exceeding 18m in height. Structural fire resistance elements to Blocks A4, B2, D3, D4, E1, E2, F2, F3 and F4 afford 60 minutes fire resistance (below 18m high).
- 9.160. Each floor of apartment buildings to be constructed as a compartment floor with fire resistance. Each apartment will form its own 60-minute fire resistance compartment. Firefighting staircases and shafts are afforded 120 minutes fire resistance.
- 9.161. The Fire Statement confirms, as required by Approved Document B (May 2020) sprinklers will be in all blocks over 11m (i.e. Blocks A1, A2, A3, A4, B1, D1, D2 and E1). In addition, all social rented units above 11m are required to install sprinklers under Enfield council requirements Fire service vehicle access will be achieved with 18m of block entrances.
- 9.162. Overall, the Fire Statement is considered to demonstrate how the development proposal will function in terms of: the building's construction; the means of escape; access for fire service personnel and equipment and how

provision will be made within the site to enable fire appliances to gain access to the building. As such proposal complies with London Plan Policy D12.

Sustainable Drainage

- 9.163. The site is subject to high risk surface water flooding due to the presence of the Houndsden Gutter stream flowing through site as a culverted watercourse. In the extant Flood Risk Assessment, measures were outlined to manage the overland flow routes associated with the surface water flooding on site. One was to create two flood storage areas in the north of the site, and an exceedance route at the back of properties on the western side (potentially as a swale). Phase 1 is complete with two key areas designed to form part of the flood mitigation strategy (sunken play area to Avenue Gardens and northern tip of the site).
- 9.164. The proposed alterations would increase the footprint of some blocks, in particular block A4 is proposed to move further south. The road hierarchy will remain with the inclusion of the swale and rain gardens to be implemented along the carriageway. Although there is a slight increase in footprint, the design alterations at roof level have doubled the green roof area. This is considered to represent an improvement.
- 9.165. Of note, information on how the overland flow route is adequately facilitated through the site needs to be put forward in the detailed design (as required by condition), to demonstrate the design and levels are not negatively impacting the proposed development and it is classified as "safe" in line with the SFRA. The alterations to the wording of existing SUDS condition allow the necessary information to be submitted prior to above ground works of Phase 2 to demonstrate this.
- 9.166. Overall the changes would conform to the SUDs strategy as originally approved, and there would be no adverse impacts, subject to further detailing. Changes to the wording of SuDS condition allows for an overarching SUDs strategy for the site with details specifically for each phase.

Contaminated Land and Other Environmental Considerations

- 9.167. The previous condition in relation to contaminated land is brought forward. The condition pertaining to Construction Management Plan is to be reattached, as per the original application. In addition, London is designated as a low emission zone for non-road mobile machinery and for this reason an additional condition is recommended to ensure good air quality.

Public Sector Equality Duty

- 9.168. London Plan Policy GG1 of the Mayor's London Plan highlight the diverse nature of London's population and underscore the importance of building inclusive communities to guarantee equal opportunities for all, through removing barriers to, and protecting and enhancing, facilities that meet the needs to specific groups and communities. More generally, the 2010 Equality Act places a duty on public bodies, including the Council, in the exercise of their functions, to have due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This requirement includes removing or minimising disadvantages suffered by persons who share a relevant protected

characteristic that are connected to that characteristic and taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it. The Act defines protected characteristics, which includes age, disability, gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

- 9.169. The Public Sector Equality Duty contained in the equality Act 2010 is not a duty to eliminate discrimination but requires that where there is a negative impact, consideration is given to clear negative impacts and the extent to which they can be mitigated. In this instance it is considered the proposal would not disadvantage people who share one of the different nine protected characteristics as defined by the Equality Act 2010 compared to those who do not have it.

Planning Obligations

- 9.170. At application stage officers advised the applicant that a S106 agreement including the relevant Heads of Terms would be necessary in order to mitigate the impacts of the proposed development.

Obligations under the extant permission 16/01578/FUL:

- 140 affordable housing units comprising 129 social rented units and 11 shared ownership units;
- Affordable Housing Occupied in accordance with council eligibility criteria;
- Highways contribution of £160,000;
- Obligation to enter into Section 278 Agreement;
- Cycle link contribution of £20,000;
- Education Contribution £600,795;
- Design Monitoring;
- Employment and Skills Strategy;
- Travel Plan;
- Sustainable Transport Package;
- Viability Review clause.

- 9.171. In the light of the additional number of residential units proposed, Additional/Updated Planning Obligations have been agreed and comprise:

- 170 affordable housing units comprising 134 social rented units, 6 shared equity and 30 shared ownership units.
- Oakwood Park improvements contribution: £76,000.
- Carbon Offsetting contribution: £168,460.
- Additional Education contribution: £238,290.
- Sustainable transport package - Car club bays and membership for 2 years with £72 driving credit for each dwelling, as well as an Oyster Card and 2 years of paid membership of the London Cycling Campaign per bedroom.
- Public transport improvements: £40,000 contribution towards the delivery of enhanced bus stop facilities in the vicinity of the site.
- Controlled parking contribution to cover design, consultation and implementation - £75,000 with the development exempt from any CPZ implemented in the surrounding area.
- Provision of improved pedestrian and cycling facilities. Proposed improvements are included in the Transport Assessment with details to be agreed with the Council's Healthy Streets and Highway Services teams. If

these have a total cost of less than £100,000, any residual funding should be paid as a contribution to the Council for walking and cycling improvements in the surrounding area.

- Parking Management Plan (incorporating a Car Parking Management Plan) setting out how cycle and car parking will be allocated (including uses such as disabled bays, car club bays and electric vehicle charging) and managed, including enforcement approach.
- Travel Plan setting out the overarching objectives and targets of a Travel Plan; the details will be agreed with the Council prior to occupation. The S106 also be updated to reflect the new approach to larger developments which is to have a Framework Travel with Phased Travel Plans to follow.
- Traffic calming and highway safety (e.g speed cushions to Avenue Road. The applicant has committed to deliver measures to reduce vehicle speeds.
- S106 Deed of Variation - Monitoring Fee: 5% of financial obligations.
- Travel Plan Monitoring Fee: £5,250.

CIL

9.172. The CIL charge becomes due from the date that a chargeable development was commenced. Regulation 7(5) of the 2010 Regulations provides that development for which planning permission is granted under section 73 of the TCPA is to be treated as commencing on the day planning permission for that development is granted.

9.173. This would be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and Enfield's adopted Community Infrastructure Levy Charging Schedule 2016. The payments would be chargeable on implementation of residential development.

Phase 1 CIL: £1,005,187.13 (liability notice issued.)

Phase 2 CIL: £982,362.07 (liability notice issued for extant scheme – updated liability notice required for amended scheme.)

Phase 3 CIL: £2,921,436.62 (liability notice issued for extant scheme – updated liability notice required for amended scheme.)

Conditions

9.174. The Planning Practice Guidance (the Guidance) makes clear that decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. The conditions attached to the original planning permission have been considered in light of the above and paragraph 55 of the Framework.

9.175. As a Section 73 application is effectively a new planning permission, and new decision will be issued. The conditions attached will remain as for the outline consent with amendments to Conditions, drawings (3) levels (5), materials (8), parking and turning areas (14), privacy screens (26), drainage (28) and unit mix and numbers (53) to reflect the changes proposed under this application. The revised wording of these specific conditions is set out above.

9.176. When determining a s73, the LPA may impose conditions beyond those proposed in the application. The conditions imposed should only be ones

which could have been imposed in the original grant. Given the adoption of new policy and guidance since the extant permission was granted in 2018, it is recommended to attach the following additional conditions 54 (Control of Dust and Emissions) and 55 (Whole Lifecycle Carbon) to any decision notice. Condition 56 (Play Equipment) is recommended to ensure the details of proposed play equipment on site is adequate.

- 9.177. In relation to condition 2 (time limited permission) works have begun under the extant permission. Therefore, it is not considered necessary to add a time limit to this permission.

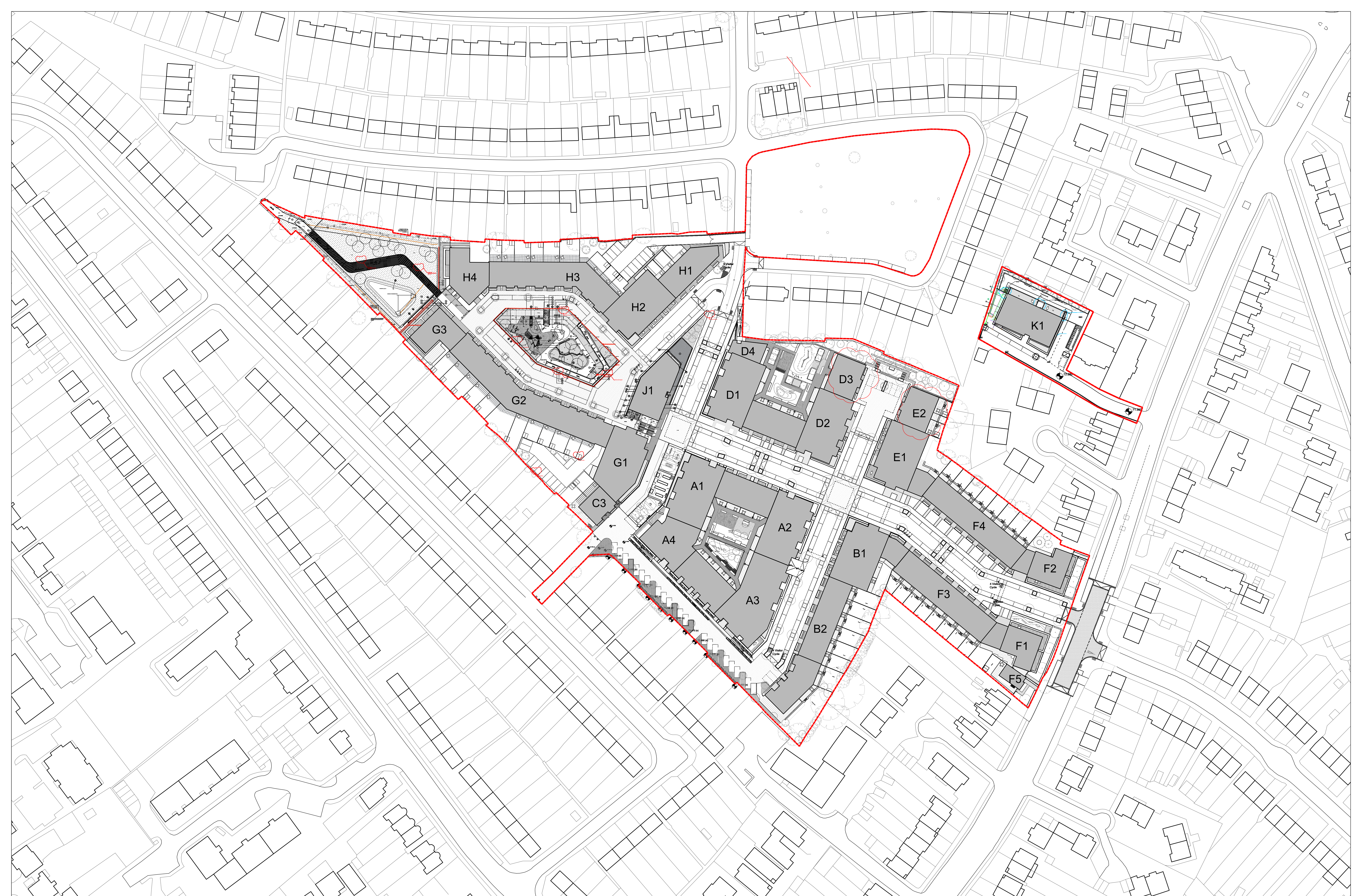
10. Public Sector Equality Duty

- 10.1 Under the Public Sector Equalities Duty, an equalities impact assessment has been undertaken. It is considered the proposal would not disadvantage people who share one of the different nine protected characteristics as defined by the Equality Act 2010 compared to those who do not have those characteristics

11. Conclusion

- 11.1 The proposals continue with the design rationale previously approved for the scheme, developing the site's capacity by adjusting the scale of buildings rather than fundamentally changing the design approach. This proposed variation takes into account the requirements of government policy and guidance and the relevant policies contained within the Development Plan and is considered to be in general accordance with them. There are no adverse impacts resulting from the proposed scheme that would outweigh the significant benefits.
- 11.2 As amended, these amendments to the original outline consent of the New Avenue will continue to deliver the comprehensive regeneration. The outdated blocks and existing housing stock will be replaced with high quality new homes. The proposed variations are considered to be within the scope of a Section 73 as the changes are considered minor material and are not significant in terms of the number, magnitude or scale of changes. The minor amendments proposed by this variation do not materially change the conclusions of the previous grant of planning permission being limited to minor alterations to unit numbers building heights, elevational amendments and minor alterations to existing footprints of buildings.
- 11.3 The Framework does not change the statutory status of the development plan as the starting point for decision making. It is acknowledged the national policy objectives in the Framework are to boost significantly the supply of housing in circumstances where a five-year supply of housing land has not been demonstrated. The Borough has been placed in the "presumption in favour of sustainable development category" by the Government through its Housing Delivery Test (HDT). 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.

- 11.4 Considerable weight is given to the contribution which the proposal would make to boosting the supply of housing, where housing supply is constrained. In that respect, the proposal would contribute to a clear need for more housing and affordable housing to be delivered in Enfield. Significantly, the proposal would accelerate the delivery of and increase affordable housing within the scheme, above that of the extant permission.
- 11.5 The proposed amendments to the detailed design are considered to be high quality with appropriate residential standards achieved for future occupiers. The potential transport impacts have been considered and appropriate mitigation proposed in the form of contributions towards improvements to the cycling and pedestrian facilities, provision of a detailed travel plan as well as implementation of CPZ.
- 11.6 The proposed revisions would not cause harm to those adjoining residents in terms of outlook, daylight, sunlight, overshadowing or increased sense of enclosure. The proposals would therefore comply with D3 and D6 of the London Plan and DMD9 of the Development Management Policies.
- 11.7 The proposed development takes into account the requirements of government policy and guidance and the relevant policies contained within the Development Plan with the extant scheme representing a significant material consideration and is considered to be in general accordance with them. There are no adverse impacts resulting from the proposed scheme that would significantly outweigh the benefits. In conclusion, the proposed amendments are considered acceptable, on balance, and accord with national, regional and local plan policy guidance.





Rev	Date	Drawn	Description
A	12.11.15	JEH	Initial Issue
B	12.02.16	JEH	Block Outline Updated
C	15.09.17	JCD	Building Outlines Updated
D	01.12.17	RNM	Block F2 and phasing updated
E	25.08.19	PES	For Planning
F	30.10.19	FLD	For Section 73 Planning Submission
G	05.02.21	BME	Planning Amendments
G	22.02.21	BME	Planning Amendments-Block D3&E2

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- Legend**
- Existing Block Outline
 - Phasing Separation Lines

Masterplan Outline
 drawing title: Phasing Diagram

Client: client / project
 Project: Project

ENF-CCE_A_DR_0103
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ENF-CCE
 project number

JEH
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Rev	Date	Drawn	Description
A	04.08.15	JEH	Initial Issue
B	12.08.15	PSM	Updated layout
C	24.08.15	JEH	FFL added. Unit types coloured.
D	16.09.15	PSM	Layout and masterplan updated
E	17.11.15	JEH	Layout and masterplan updated (levels off)
F	25.11.15	JEH	Block Layout Updated
G	23.12.15	JEH	Block Layout Updated some unit layouts added
H	26.01.16	JEH	Updates to unit layouts
I	12.02.16	JEH	Windows and unit plans updated
J	15.09.17	JCD	Block Plans updated
K	01.12.17	RNM	Block K1 Plans updated
L	29.03.18	RWA	Block F5 updated
M	30.10.19	FLO	Issued for Section 96a application - Changes to Block F5 For Section 73 Planning Submission

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P 05.02.21 BME Planning Amendments
 Q 22.02.21 BME Planning Amendments-Block D3&E2

Legend	Description
	Site application boundary
	Consented building footprint

Masterplan Level -01
 drawing title Proposed Masterplan Level -01

Client
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Project

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status

ENF-CCE_A_DR_0110
 drawing number

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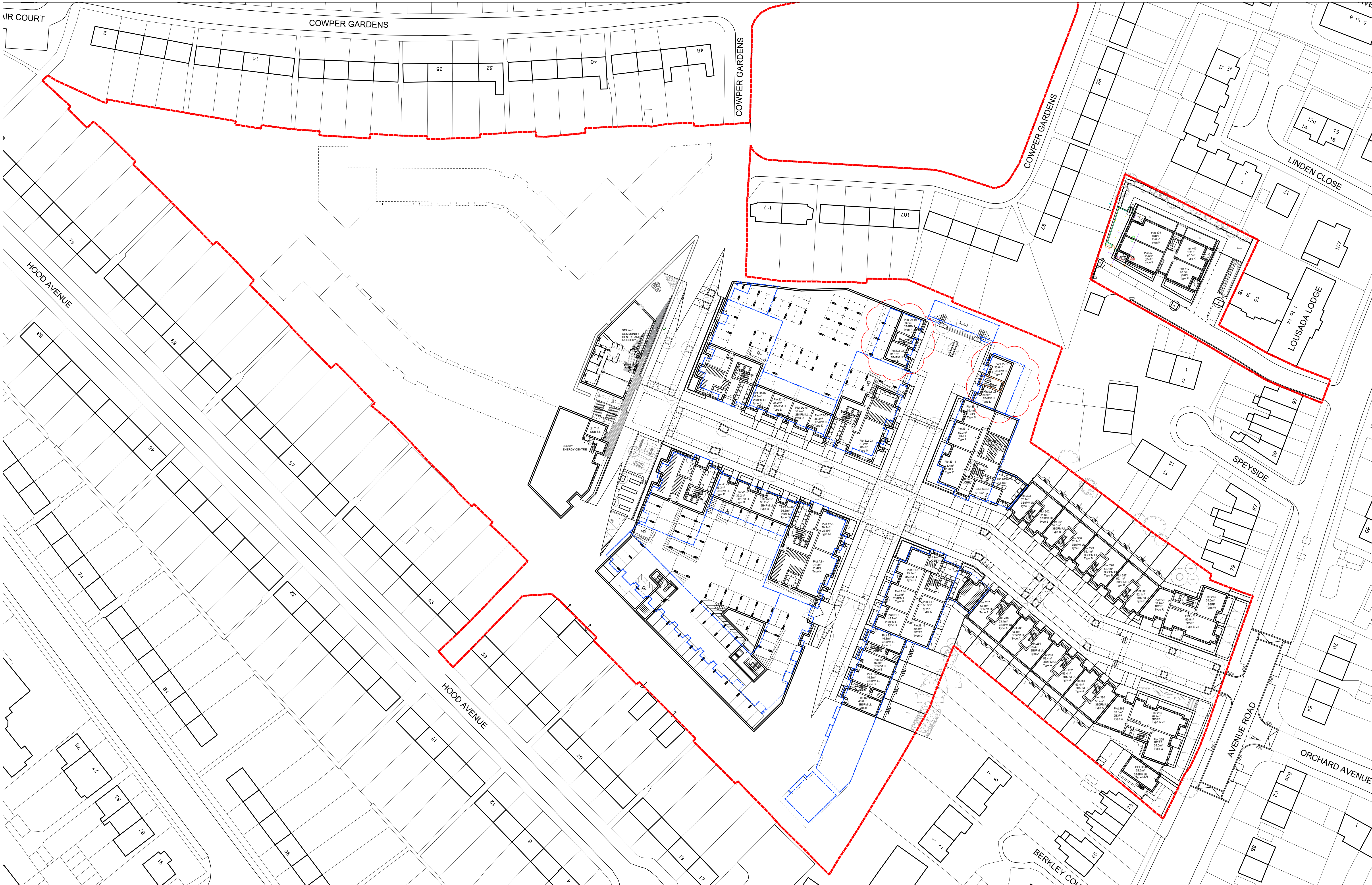
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Rev	Date	Drawn	Description
-	04.08.15	JEH	Initial Issue
A	12.08.15	PSM	Updated layout
B	12.08.15	PSM	Unit plans coloured
C	24.08.15	JEH	Layout and masterplan updated
D	16.09.15	PSM	Layout and masterplan updated (levels off)
E	17.11.15	JEH	Block Layouts Updated
F	26.11.15	JEH	Block Layouts Updated
G	23.12.15	JEH	Updates to unit layouts
H	28.01.16	JEH	Windows and unit plans updated
J	12.02.16	JEH	All block plans updated
K	15.09.17	JCD	block plans updated to Block K1
L	01.12.17	RNM	Block F5 updated
M	29.03.18	JVA	Issued for Section 96s application - Changes to Block H and G
N	04.04.19	PES	Issued for Section 73 application - Changes to Block A,B,D and E

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Legend	Description
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	Consented building footprint

Rev	Date	Drawn	Description
O	30.10.19	DNA	For Section 73 Planning Submission
P	05.02.21	FLD	Planning Amendments
Q	22.02.21	SME	Planning Amendments-Block D3&E2
R	25.05.21	FLD	Planning Amendments-Block A3

Masterplan Level 00
 drawing title Proposed Masterplan Level 00

Client
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Project

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ENF-CCE_A_DR_0111 R
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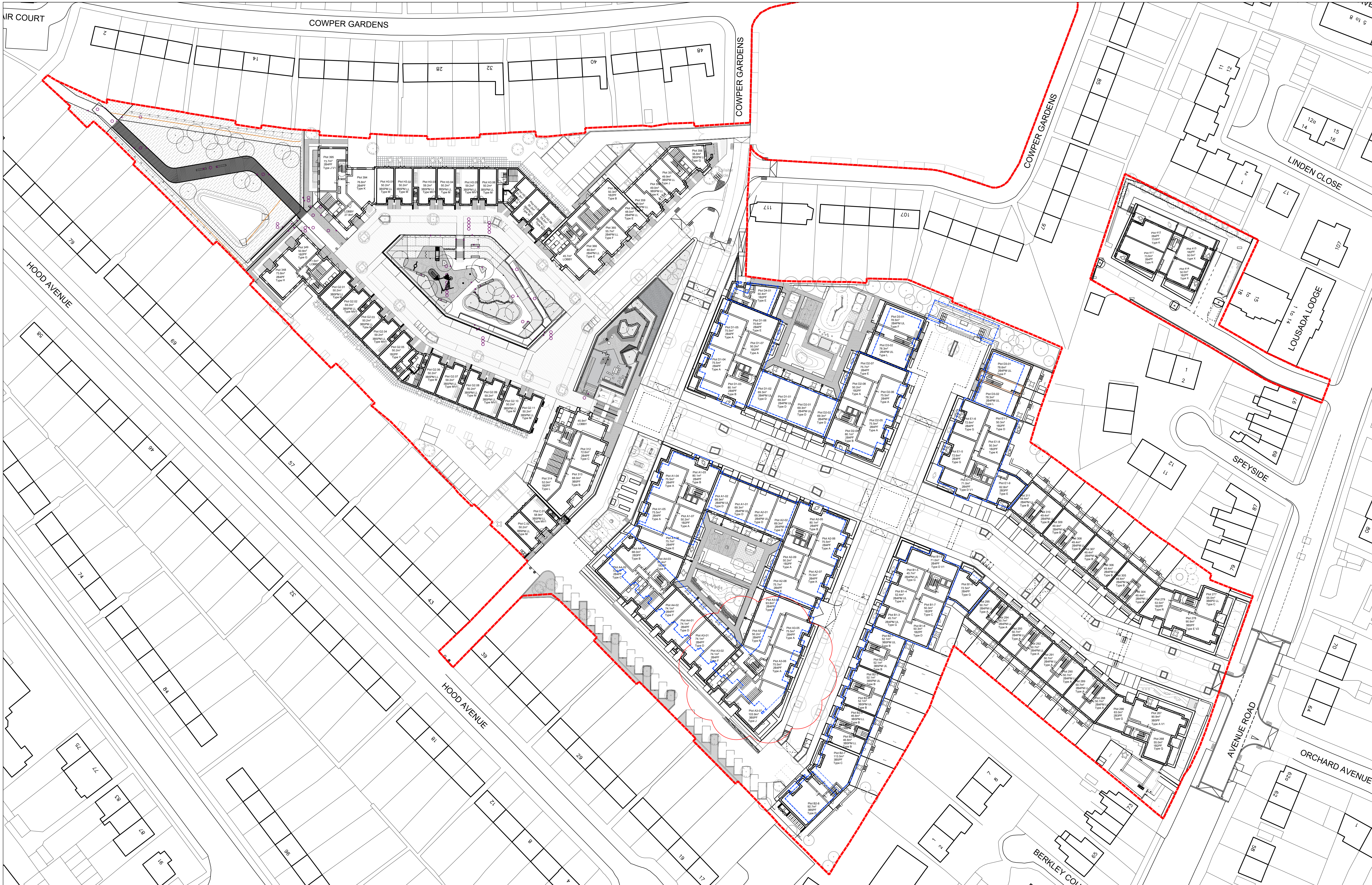
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Rev	Date	Drawn	Description
A	05.08.15	JEH	Initial layout
B	12.08.15	PSM	Updated layout
C	24.08.15	JEH	Layout and masterplan updated
D	16.09.15	PSM	Layout and masterplan updated (levels off)
E	17.11.15	JEH	Block Layouts Updated
F	26.11.15	JEH	Block Layouts Updated and some unit layouts added
G	23.12.15	JEH	Unit Layouts updated
H	28.01.16	JEH	Windows and unit plans updated
J	12.02.16	JEH	All block plans updated
K	04.04.16	RNM	Landscape updated - Planning Issue
L	15.09.17	JCD	Block Plan updates to Block K1 and C3. Block C2 removed
M	01.12.17	RNM	Block F5 updated
N	29.03.18	JWA	Issued for Section 96a application - Changes to Block H and G
O	25.06.19	PES	For Planning - Changes to Block A,B,D and E

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Legend	Description
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Rev	Date	Drawn	Description
P	30.10.19	DNA	For Section 73 Planning Submission
Q	05.02.21	FLD	Planning Amendments
R	22.02.21	BME	Planning Amendments-Block D3&E2
S	25.05.21	FLD	Planning Amendments-Block A3

Masterplan Level 01
 drawing title Proposed Masterplan Level 01

ENF-CCE_A_DR_0112 S
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Rev	Date	Drawn	Description
A	04.08.15	JEH	Initial Issue
B	12.08.15	PSM	Updated layout
C	26.11.15	JEH	Unit types coloured
D	23.12.15	JEH	Block Layouts Updated and some unit layouts added
E	26.01.16	JEH	Unit Layouts Updated
F	12.02.16	JEH	Windows and units updated
G	15.09.17	JCD	All blocks updated
H	01.12.17	RNM	Block Plan updates to Block K1 and C3. Block C2 removed
I	29.03.18	JWA	Block F5 updated
J	25.06.19	PES	Issued for Section 96a application - Changes to Block H and G For Planning - Changes to Block A,B,D and E
K	30.10.19	DNA	For Section 73 Planning Submission
L	05.02.21	FLD	Planning Amendments
M	22.02.21	BME	Planning Amendments-Block D3&E2

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Rev	Date	Drawn	Description
N	25.05.21	FLD	Planning Amendments-Block A3

Masterplan Level 02
 drawing title Proposed Masterplan Level 02

Client
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Project

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ENF-CCE_A_DR_0113 N
 drawing number revision

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-	12.08.15	JEH	Initial Issue
A	12.08.15	JEH	Unit types coloured
B	26.11.15	JEH	Block Layouts Updated
C	23.12.15	JEH	Unit Plans Updated
D	26.01.16	JEH	Windows and unit plans updated
E	12.02.16	JEH	All blocks updated
F	15.09.17	JCD	Block Plans updates to Block K1 and C3. Block C2 removed
G	01.12.17	RNM	Block F5 Updated
H	29.03.18	JWA	Issued for Section 96a application - Changes to Block H and G
I	26.05.19	FES	For Planning - Changes to Block A,B,D and E
J	30.10.19	FLD	For Section 73 Planning Submission
K	05.02.21	FLD	Planning Amendments
L	22.02.21	BME	Planning Amendments-Block D3&E2
M	25.05.21	FLD	Planning Amendments-Block A3

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Legend	Description
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Masterplan Level 03
 drawing title Proposed Masterplan Level 03

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	12.08.15	JEH	Initial Issue
A	12.08.15	JEH	Unit types coloured
B	26.11.15	JEH	Block Layouts Updated
C	23.12.15	JEH	Unit Layouts Updated
D	26.01.16	JEH	Windows and unit plans updated
E	12.02.16	JEH	All blocks updated
F	15.09.17	JCD	Block Plans updates to Block K1 and C3. Block C2 removed
G	01.12.17	RNM	Block F5 Updated
H	29.03.18	JWA	Issued for Section 96a application - Changes to Block H and G
I	25.05.19	FES	For Planning - Changes to Block A,B,D and E
J	30.10.19	FLD	For Section 73 Planning Submission
K	05.02.21	FLD	Planning Amendments
L	22.02.21	BME	Planning Amendments-Block D3&E2
M	25.05.21	FLD	Planning Amendments-Block A3

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Legend	Description
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Masterplan Level 04
 drawing title Proposed Masterplan Level 04

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Project

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status

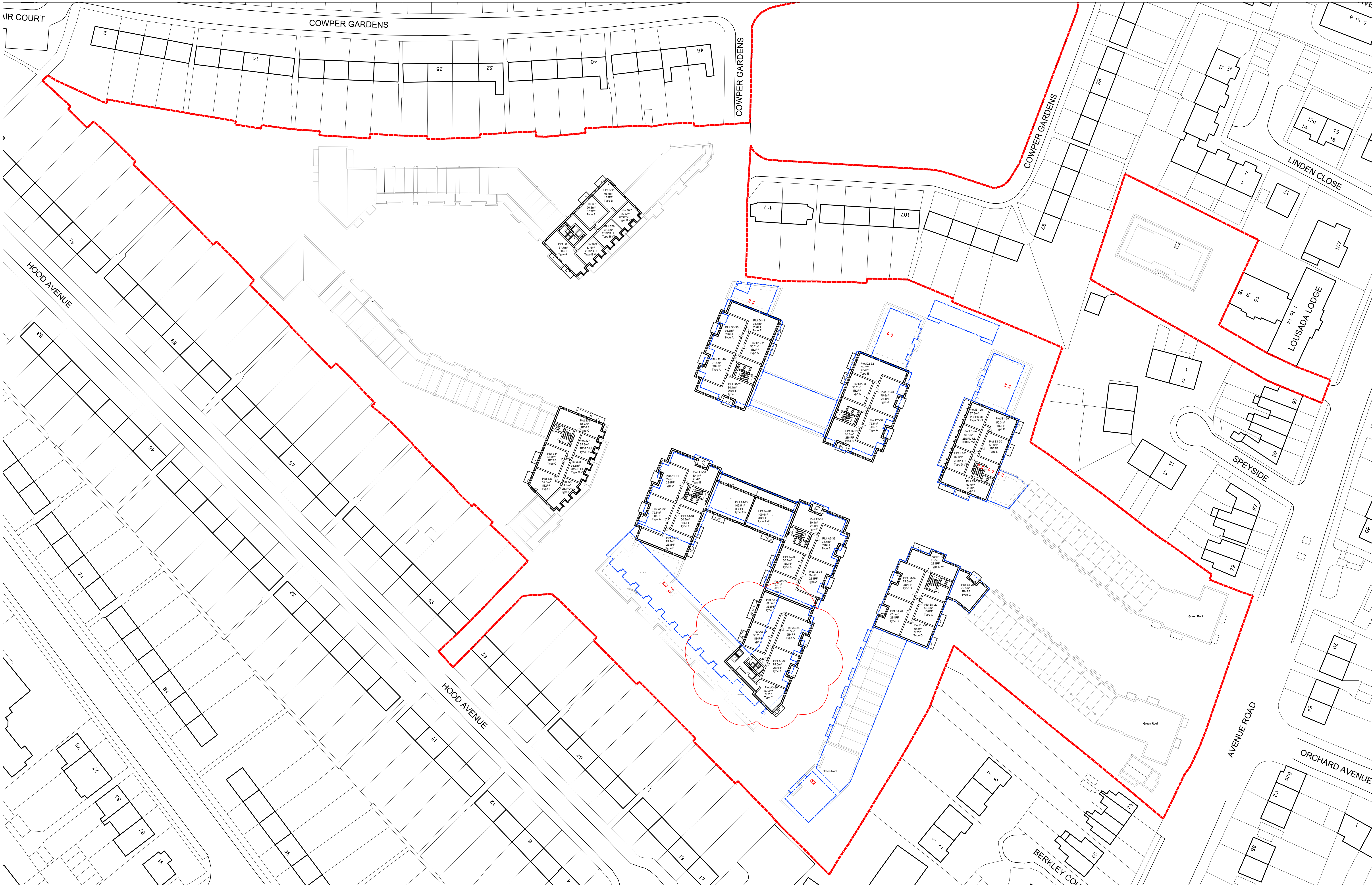
ENF-CCE_A_DR_0115 M
 drawing number revision

ENF-CCE JEH
 project number originated by

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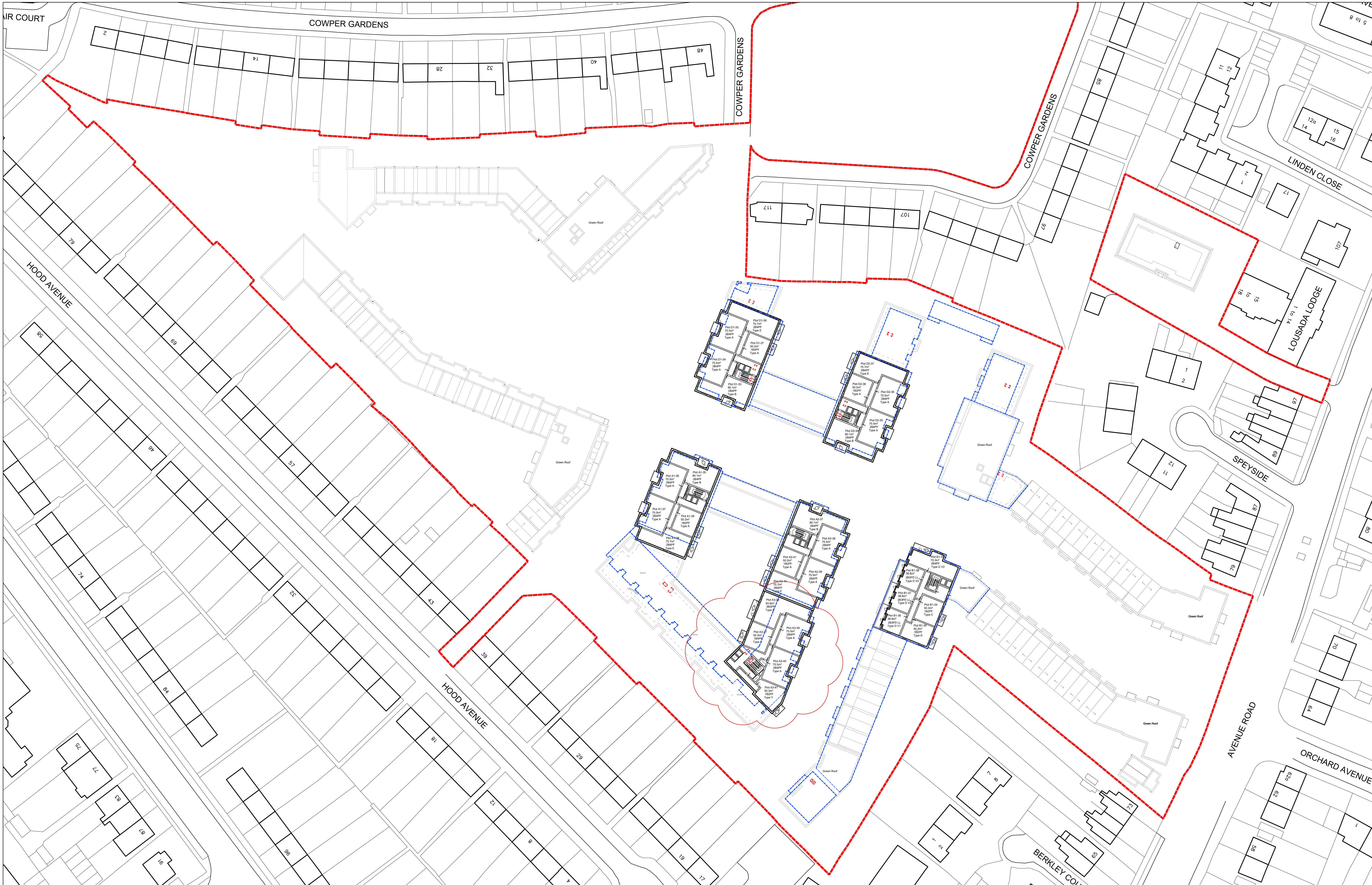
Rev	Date	Drawn	Description
-	12.08.15	JEH	Initial Issue
A	12.08.15	JEH	Unit types coloured
B	28.11.15	JEH	Block Plans Updated and some layouts added
C	23.12.15	JEH	Unit Plans Updated
D	28.01.16	JEH	Windows and unit plans updated
E	12.02.16	JEH	All blocks updated
F	15.09.17	JCD	Block Plans updates to Block K1 and C3. Block C2 removed
G	01.12.17	RNM	Block F5 Updated
H	29.03.18	JVA	Issued for Section 96a application - Changes to Block H and G
I	26.08.19	FES	For Planning - Changes to Block A,B,D and E
J	30.10.19	FLD	For Section 73 Planning Submission
K	05.02.21	FLD	Planning Amendments
L	22.02.21	BME	Planning Amendments-Block D3&E2
M	25.05.21	FLD	Planning Amendments-Block A3

Notes:
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Legend:
 - - - Site application boundary
 - - - Consented building footprint

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Masterplan Level 05		ENF-CCE_A_DR_0116		M
drawing title Proposed Masterplan		drawing number		revision
Client	Project	1:500@A1	ENF-CCE	JEH
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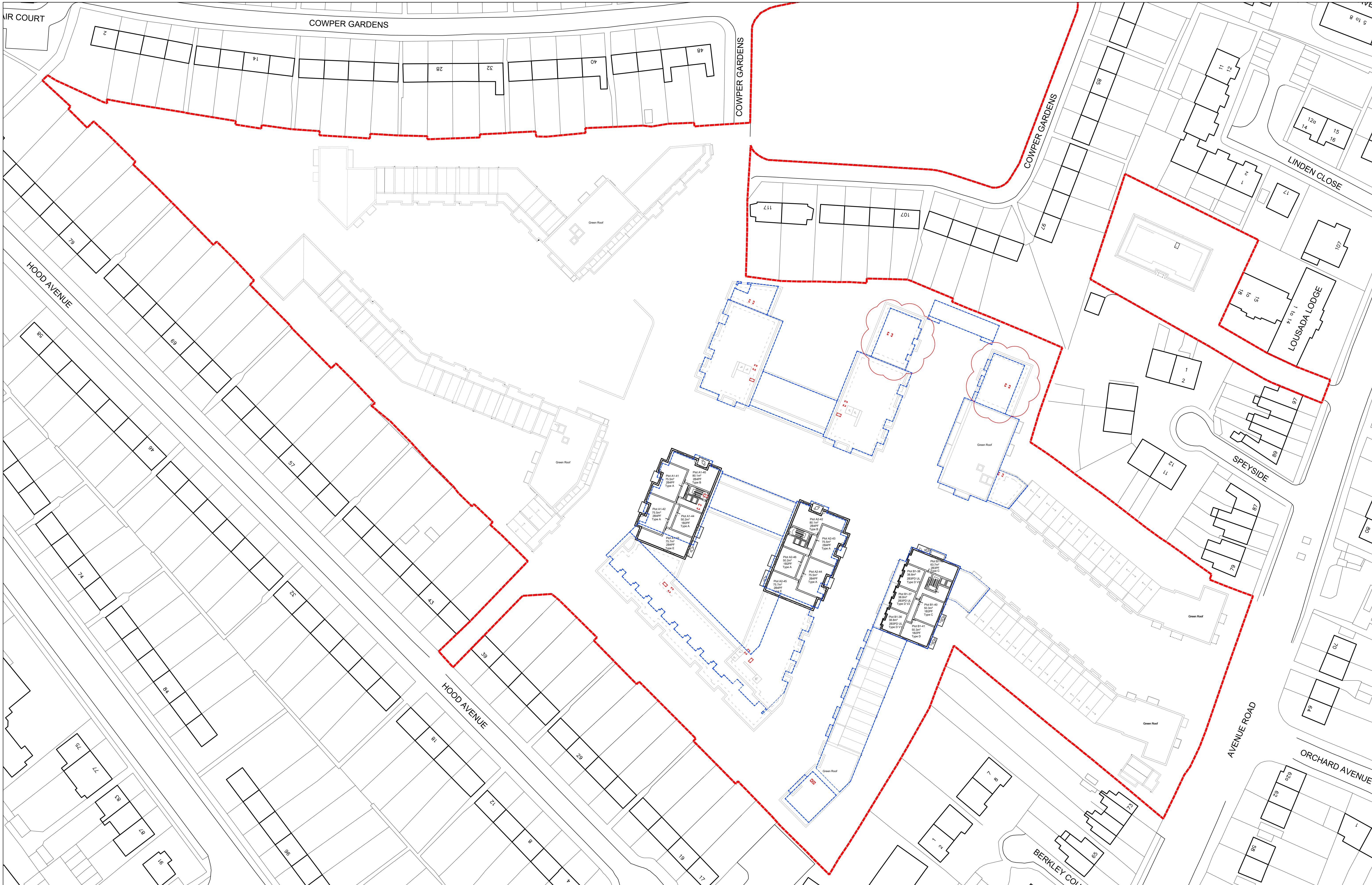
Rev	Date	Drawn	Description
	12.08.15	JEH	Initial Issue
A	12.08.15	JEH	Unit types coloured
B	26.11.15	JEH	Block Layouts Updated and some unit layouts added
C	23.12.15	JEH	Updated Unit layouts
D	26.01.16	JEH	Windows and unit plans updated
E	12.02.16	JEH	All blocks updated
F	15.09.17	JCD	Block Plans updates to Block K1 and C3. Block C2 removed
G	01.12.17	RNM	Block F5 Updated
H	29.03.18	JVA	Issued for Section 96a application - Changes to Block H and G
I	26.06.19	FES	For Planning - Changes to Block A,B,D and E
J	30.10.19	FLD	For Section 73 Planning Submission
K	05.02.21	FLD	Planning amendments
L	22.02.21	BME	Planning Amendments-Block D3&E2
M	25.05.21	FLD	Planning Amendments-Block A3

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Legend:
--- Site application boundary
--- Consented building footprint

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Masterplan Level 06		ENF-CCE_A_DR_0117		M
drawing title		drawing number		revision
Client	Project	1:500@A1	ENF-CCE	JEH
client / project		scale	project number	originated by
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Rev	Date	Drawn	Description
-	26.11.15	JEH	Initial Issue
A	23.12.15	JEH	Unit Plans Updated
B	28.01.16	JEH	Windows and unit plans updated
C	12.02.16	JEH	All blocks updated
D	15.09.17	JCD	Block Plan updates to Block K1 and C3. Block C2 removed
E	01.12.17	RNM	Block F5 Updated
F	29.03.18	JWA	Issued for Section 96a application - Changes to Block H and G
G	25.06.19	PES	For Planning - Changes to Block A,B,D and E
H	30.10.19	FLD	For Section 73 Planning Submission
J	05.02.21	FLD	Planning Amendments
	22.02.21	BME	Planning Amendments-Block D3&E2

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Legend	Description
	Site application boundary
	Consented building footprint

Masterplan Level 07
 drawing title Proposed Masterplan Level 07

Client
 client / project

Project

scale
 1:500@A1

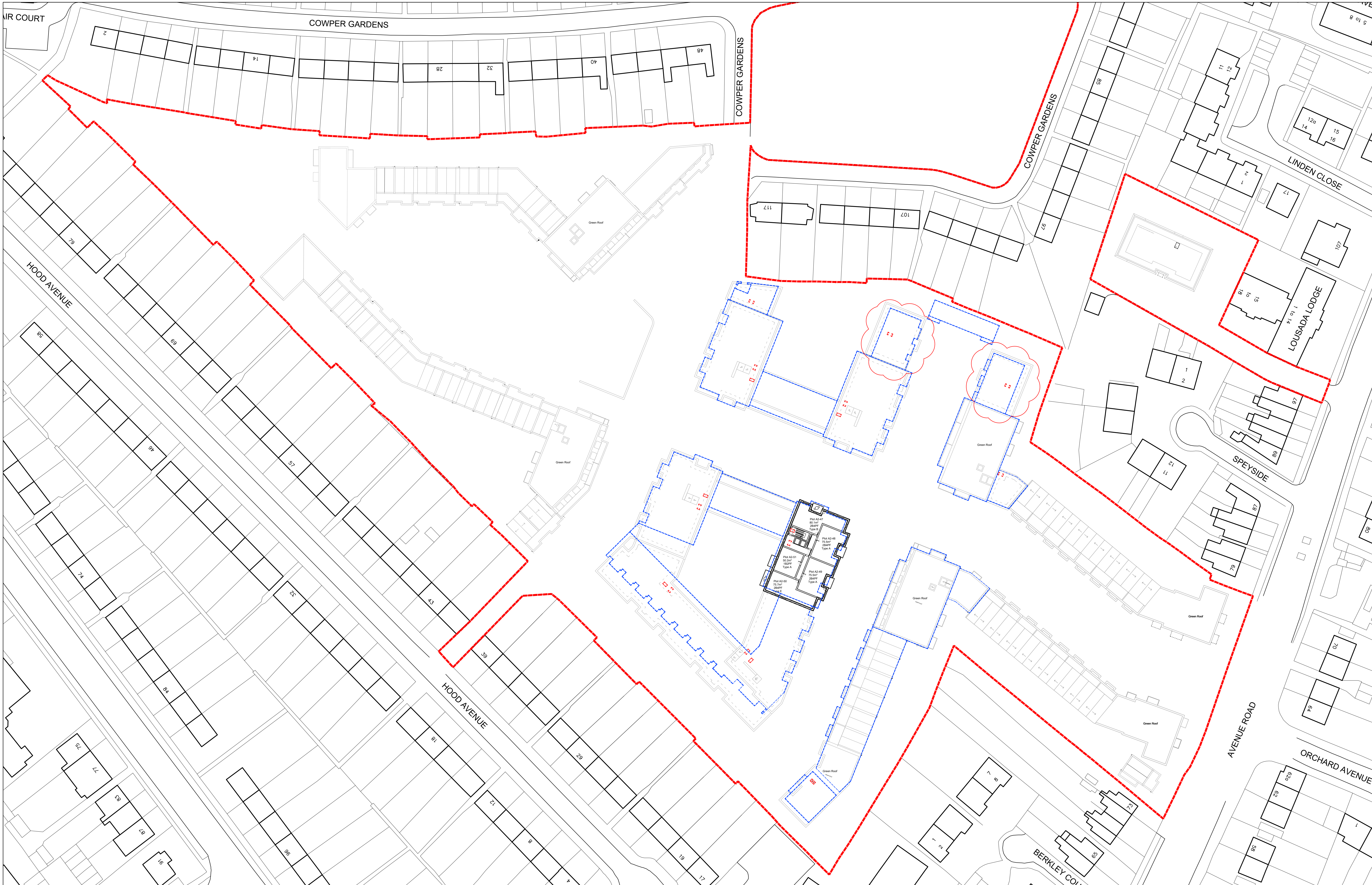
ENF-CCE_A_DR_0118 J
 drawing number revision

ENF-CCE JEH
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Rev	Date	Drawn	Description
A	26.11.15	JEH	Initial Issue
B	23.12.15	JEH	Unit Plans Updated
C	28.01.16	JEH	Window and unit plans updated
D	12.02.16	JEH	All blocks updated
E	15.09.17	JCD	Block Plan updates to Block K1 and C3. Block C2 removed
F	01.12.17	RNM	Block F5 Updated
G	29.03.18	JWA	Issued for Section 96a application - Changes to Block H and G
H	25.06.19	PES	For Planning - Changes to Block A,B,D and E
I	30.10.19	FLD	For Section 73 Planning Submission
J	05.02.21	FLD	Planning amendments
K	22.02.21	BME	Planning Amendments-Block D3&E2

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Legend
Site application boundary
Consented building footprint

Masterplan Level 08
 drawing title Proposed Masterplan Level 08

Client
 client / project

Project

1:500@A1
 scale

status

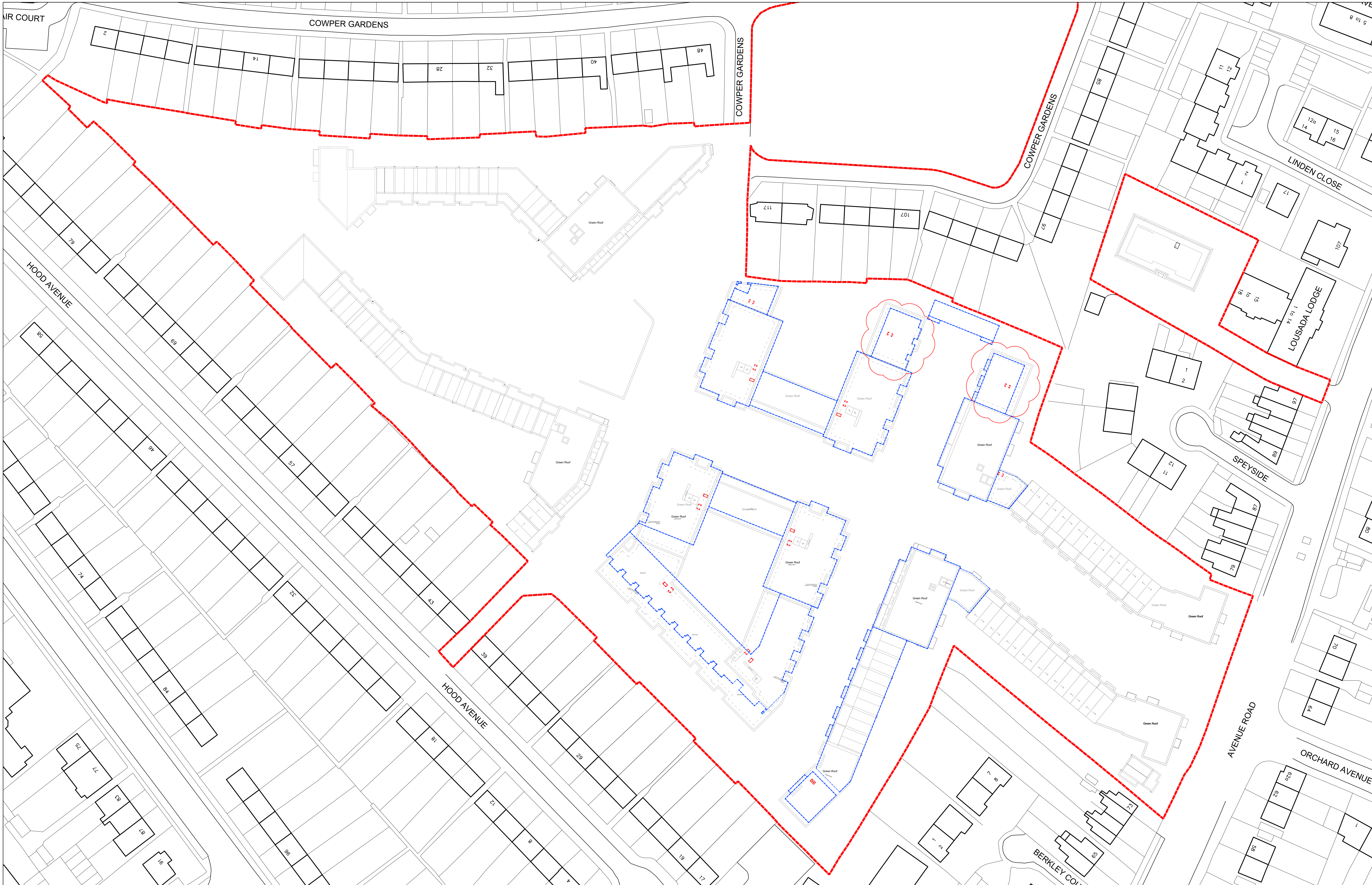
ENF-CCE_A_DR_0119 K
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Rev	Date	Drawn	Description
A	26.11.15	JEH	Initial Issue
B	23.12.15	JEH	L/R Overruns added
C	28.01.16	JEH	Block outlines updated
D	12.02.16	JEH	All blocks updated
E	15.09.17	JCD	Block Plan updates to Block K1 and C3. Block C2 removed
F	01.12.17	RNM	Block F5 Updated
G	29.03.18	JWA	Issued for Section 96a application - Changes to Block H and G
H	25.06.19	PES	For Planning - Changes to Block A,B,D and E
I	30.10.19	FLD	For Section 73 Planning Submission
J	05.02.21	FLD	Planning amendments
K	22.02.21	BME	Planning Amendments-Block D3&E2

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Legend
Site application boundary
Consented building footprint

Masterplan Level 09
 drawing title Proposed Masterplan Level 09

Client: client / project
 Project: Project
 scale: 1:500@A1

ENF-CCE_A_DR_0120 K
 drawing number revision

ENF-CCE JEH
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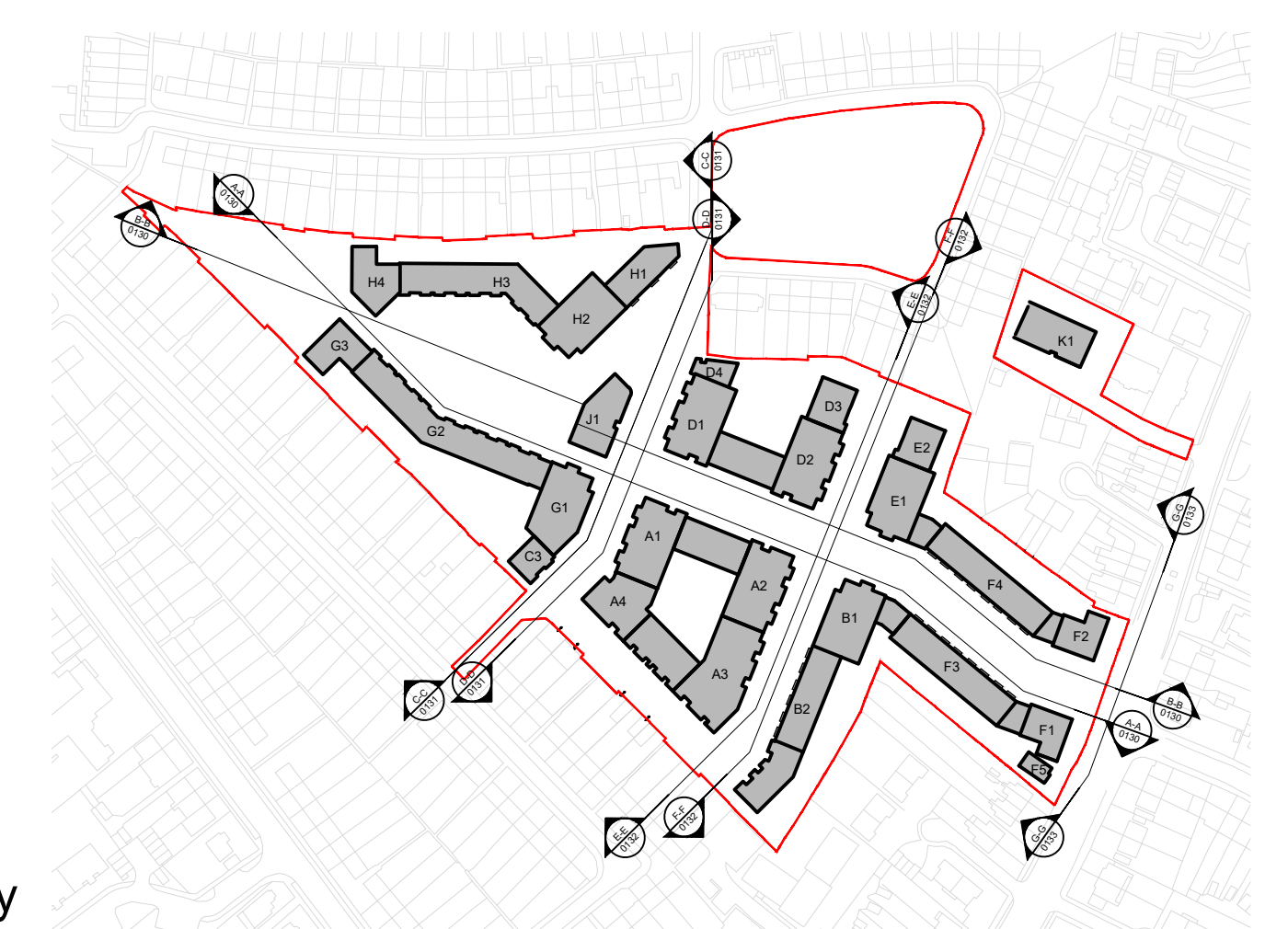
status



Site Elevation A-A



Site Elevation B-B



Site Plan - Elevation Key

Rev	Date	Drawn	Description
A	09.02.16	JCD	Initial Issue
B	29.03.16	JWA	Planning Issue following Countryside comments
C	25.06.19	FRS	Issued for Section 96a application - Changes to Block H and G
D	30.10.19	FLD	For Planning - Changes to Blocks A,B,E and D
E	05.02.21	FLD	For Section 73 Planning Submission
			Planning Amendments

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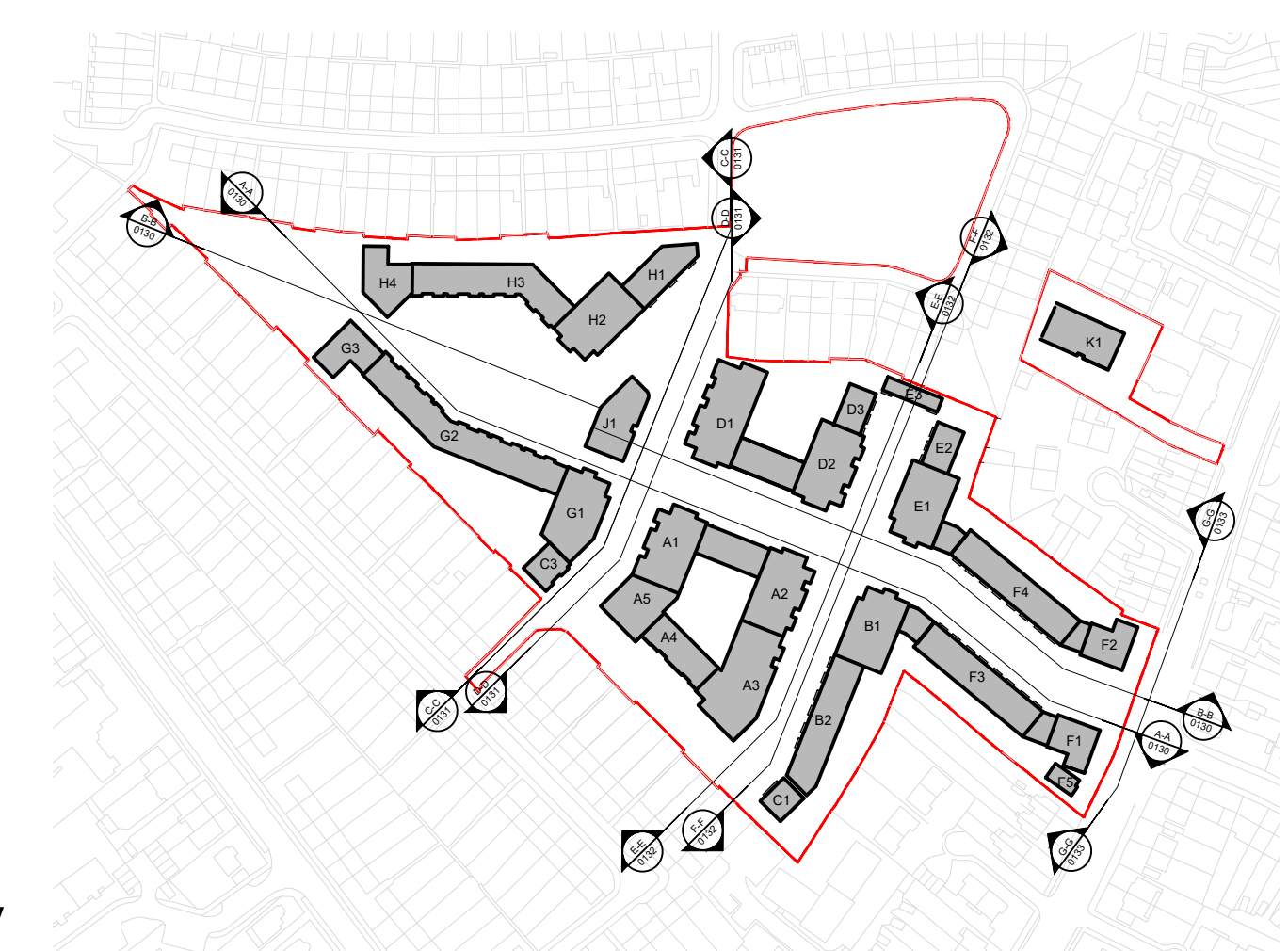
Proposed Site Elevations 1/4	ENF-CCE_A_DR_0130	E
drawing title	drawing number	revision
Client	Project	1:500@A1
client / project	scale	ENF-CCE
		JCD
		originated by



Site Elevation C-C



Site Elevation D-D



Site Plan - Elevation Key

Rev	Date	Drawn	Description	Notes	Legend
-	26.01.16	JCD	Initial Issue	Do not scale from drawings unless by agreement with HTA. Use figured dimensions only.	
A	09.02.16	JCD	Planning Issue following Countryside comments	Check all dimensions on site prior to commencing the works. Drawing to be read in conjunction with other relevant consultant information.	
B	15.09.17	JCD	Block C2 Removed. Block C3 changed from 3 bed to 4 bed houses		
C	29.03.18	JWA	Issued for Section 73 application - Changes to Block H and G		
D	25.08.19	PES	For Planning - Changes to Blocks A,B,E and D		
E	30.10.19	FLD	For Section 73 Planning Submission	This drawing is the copyright of HTA Design LLP and must not be copied or reproduced in part, or in whole, without the express permission of HTA Design LLP. Drawing to be read in conjunction with outline specification.	

Proposed Site Elevations 2/4 ENF-CCE_A_DR_0131 E

drawing title drawing number revision

Countryside Properties/New Avenue, Enfield 1:500@A1

client / project scale

ENF-CCE JCD

project number originated by

0.0 5.0 10.0 15.0 20.0 25.0 30.0 35.0 40.0 45.0 50.0

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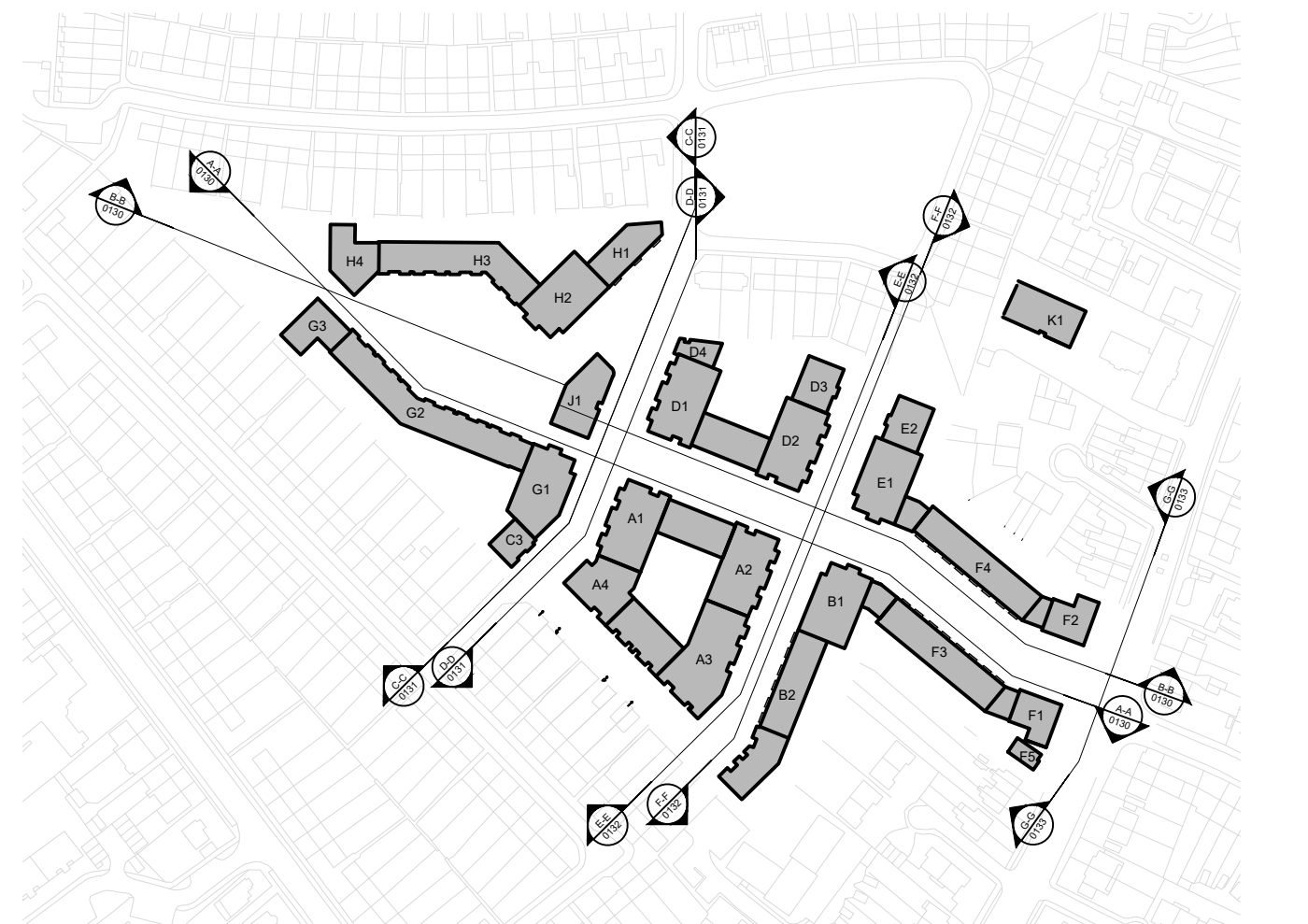
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Site Elevation E-E



Site Elevation F-F



Site Plan - Elevation Key

Rev	Date	Drawn	Description	Notes	Legend
-	26.01.16	JCD	Initial Issue	Do not scale from drawings unless by agreement with HTA. Use figured dimensions only.	
A	09.02.16	JCD	Planning Issue following Countryside comments	Check all dimensions on site prior to commencing the works. Drawing to be read in conjunction with other relevant consultant information.	
B	15.09.17	JCD	Block C2 Removed. Block C3 changed from 3 bed to 4 bed houses		
C	26.06.19	FRES	Block C2 Removed. Block C3 changed from 3 bed to 4 bed houses		
D	30.10.19	FLD	Section 73 Planning Submission		
E	04.02.21	FLD	Planning Amendments	This drawing is the copyright of HTA Design LLP and must not be copied or reproduced in part, or in whole, without the express permission of HTA Design LLP.	
F	22.02.21	FLD	Planning Amendments-Block D3 & E2	Drawing to be read in conjunction with outline specification.	
G	25.05.21	FLD	Planning Amendments-Block A3		

Proposed Site Elevations 3/4 ENF-CCE_A_DR_0132 G

drawing title drawing number revision

Client / project Project 1:500@A1 scale ENF-CCE project number JCD originated by

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Rev	Date	Drawn	Description
-	23.02.16	STY	Initial Issue
A	15.09.17	STY	Block K1 and associated landscape redesigned
B	01.12.17	RNM	Block C2 removed Block F5 updated
C	09.03.18	RNM	Phase and block naming
D	29.03.18	JVA	Issued for Section 96a application-Changes to Block H, G and F
E	15.10.18	JVA	minor update to block K
F	26.03.19	MV	Phase 2 application
G	25.09.19	MV	Update to mews
H	18.10.19	IH	Update to mews revised
I	30.10.19	IH	For Section 73 Planning Submission

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Legend

Proposed Landscape Masterplan		ENF-CCE_L_DR_0910	I
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Countryside Properties/New Avenue, Enfield		1:500@A1	ENF-CCE
client / project		scale	project number
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