

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON TUESDAY, 26 OCTOBER 2021**

COUNCILLORS

PRESENT Maria Alexandrou, Daniel Anderson, Kate Anolue, Mahym Bedekova, Susan Erbil, Peter Fallart, Ahmet Hasan, Michael Rye OBE, Jim Steven, Doug Taylor, Hass Yusuf and Andy Milne

ABSENT Sinan Boztas

OFFICERS: Andy Higham (Head of Development Management), Sharon Davidson (Planning Decisions Manager), Dominic Millen (Group Leader Transportation), Vincent Lacovara (Head of Planning), Catriona McFarlane (Legal Representative) and Gideon Whittingham (Principal Planning Officer) and Metin Halil (Secretary)

Also Attending: Members of the public, applicant and agent representatives.

1

WELCOME AND APOLOGIES FOR ABSENCE

NOTED

1. Councillor Bedekova (Vice - Chair) welcomed all attendees to the meeting.
2. Apologies for absence were received for Councillor Boztas (Chair).
3. Councillor Kate Anolue was nominated as Vice - Chair for the meeting which was unanimously agreed by the Committee.

2

DECLARATION OF INTEREST

NOTED

1. Councillors Fallart, Stevens, Rye and Alexandrou declared a non-pecuniary interest in Item 5 – 20/02858/FUL – 100 Church Street, EN2 6BQ as the premises were next door to the Conservative Club and they were not members of the club. They are only members of the Conservative Party.

3

**MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON
TUESDAY 31 AUGUST 21 AND TUESDAY 21 SEPTEMBER 21**

NOTED

The minutes of the Planning Committee meeting held on Tuesday 31 August 2021 and Tuesday 21 September 2021 were agreed.

**4
REPORT OF THE HEAD OF PLANNING**

RECEIVED the report of the Head of Planning.

**5
20/02858/FUL - 100 CHURCH STREET, ENFIELD, EN2 6BQ**

NOTED

1. The introduction by Andy Higham, Head of Development Management, clarifying the proposals.
2. The deputation of Councillor Andy Milne speaking as Grange Ward Councillor.
3. The response of Jay Ahluwalia (Dominvs) and Nick Grant (Iceni Projects).
4. Members debate and questions responded to by officers.
5. Councillor Rye had a number of concerns regarding the application including the low affordable housing figure which was way below the expectation of the Local Authority and the Mayor of London, there would be substantial damage to the Conservation area, close proximity to the New River is a challenge, the loss of 5 pine trees which currently softens the site and no clear planting scheme to soften the appearance and improve what is being proposed, unresolved issues of roof top plant equipment which is unsightly in a Conservation Area, the spacing in between the 2 proposed blocks was insufficient and the under provision of disabled parking spaces.

Being a car free development didn't mean that people living on the development won't have any cars and people would be parking just outside of the CPZ which is 5 minutes away. This would need to be resolved for this application to move forward. A further concern highlighted was inadequate play space. There were many reasons to refuse this application. Andy Higham clarified that whilst this was brownfield site and the proposed development is in a Conservation area. Looking at the harm regarding the development, the advice received is less than substantial and the impacts needs to be weighed up by members to see if any reasons for refusal against the benefits this proposal would bring in terms of housing delivery.

Through negotiation with the applicant, the quantum of development has had to be reduced which had put pressure on the scheme viability. Officers had worked with the developer and applicant to ensure that affordable housing units are focussed on the larger family units at London affordable rent levels.

The conclusions around heritage is that those public benefits do outweigh the areas of concern and were not so sufficient to justify a refusal on those grounds.

The tree officer had been consulted and had confirmed that he had no objection and supported the removal of trees. There was also a condition for replacement planting.

The rooftop plant concern would be dealt with by condition with further condition to seek to ensure that satellite dishes are on the outside of premises.

The spacing between the blocks was looked at and is considered to be appropriate. The design & review panel supported the 2-block proposal rather than one. If the spacing was wider then there would be less units and therefore less affordable housing. There could have been more development on this site, with improved viability, but in terms of heritage, this was the best approach.

In terms of play space, the proximity to Town Park is a key asset in this instance and the provision is the right quality.

In terms of parking and car free development, not everyone owned a car. This is a very sustainable site close to a station, bus routes and a town centre with retail commercial opportunities. If someone did choose to own a car then they would have to leave it 300 metres away from the scheme. Personal choice dictates that people could live in this development and for them to be car free. There would be an exemption for the current CPZ and officers could look with the applicant to see if there is a mechanism to extend it should there be a significant overspill parking in the future. In terms of disabled parking, there had been a change to the London Plan Policy which states that it is now a 3% minimum requirement to be provided on site and an additional 7% provision elsewhere.

6. In response to Councillor Taylors enquiry about the boundary fence, Andy Higham clarified that as part of this scheme, there was no proposal to have any boundary treatment. The red line site is the edge of the boundary and no enclosure is proposed along this line with the New River. However, the Enfield Town Conservation Study Group had referred to potential encroachment, within the report, from the residents of those properties into the space between the red line and path (black line) which is a concern.
7. Councillor Taylor confirmed the use of Heritage Officers at this meeting and that they should have been present so as to discuss whether there is or isn't any substantial harm being caused to the heritage assets. Councillor Taylor also referred to the following points regarding the development:
 - Paragraph 2.5 of the report stated shortcomings to the proposal.
 - The scheme was not policy compliant, in terms of affordable units. Figures of 14.22% or 10% depending on whether calculations are made on units or habitable rooms.
 - Proximity to the New River that will cause harm
 - Space between the blocks is inadequate as detailed at 9.6 of the report.
 - At 9.7 of the report, Para 1.1.4 of the London Plan was quoted regarding working with Local Heritage.
 - There are no commercial use-ages on the site which contravened the 2018 Framework Master Plan.
 - DMD 22 states that the loss of floor space should be resisted and that there was a loss of floor space on this site.

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- Concerns about the height of the development in terms of the Conservation Area. There remained matters on design and cause concern and harm to the Special Character and setting of the Enfield Town Conservation Area.
- The use of percentages in terms of meeting minimum standards in terms of access to daylight i.e. 86% compliant.
- The distance between the windows is below standards in DMD 10
- Para 9.142 makes clear that the development doesn't meet the London Plan on play provision.

This would be a finely balance decision. The scheme had benefits to it but also known negatives which had been fairly indicated in the report. Planning Officers responded to Councillor Taylor's concerns clarifying heritage harm and how the 14% affordable housing figure had been calculated by habitable room.

8. Councillor Anderson's enquiry how the development met housing need in the Borough. The original proposal by the developer had 35% affordable housing and after discussions with officers this figure had been downgraded to 14%. This was a considerable difference. The requirements for housing in the borough are stated in the Core policy Strategy 2010-25 including the Local Housing Needs Assessment; type of accommodation and affordability. Given that, how was the affordable housing figure negotiated down? Officers clarified that this was due to striking a balance between an optimal solution for the site, design terms quantum and viability. The optimal solution was being delivered in terms of affordable housing and housing need. This was the process used. Scale and massing had been reduced to mitigate concerns. The result is the quantum number of units for viability. An alternative solution would be to increase massing and height again to deliver affordable units. This would create more pressure in terms of the heritage impact which has to be given significant weight and is a balance. This is the optimal solution for the site given all those differing considerations. Viability of a scheme is independently tested and if the developer can demonstrate that this is the maximum level of affordable housing that can be sustained by the quantum proposed there is no grounds to refuse that application.
9. Councillor Taylor proposed a deferment of the application so that more comfort is provided by officers on heritage issues and on viability. This was seconded by Councillor Rye, as the development was not meeting requirements. Councillor Taylor's reasons for deferral as follows:
 - Heritage issues – the Committee would benefit from a full explanation of the damage to the Heritage assets in the locality and Conservation area. How judgement was arrived at, as detailed within the report.
 - Viability issues – the Committee need to understand how the change in affordable housing figures had changed. How that reduction took place with a modest reduction in the total number of units. A reduction to the 17 affordable units by 10.
10. The majority of the Committee did not support deferral of the application with 5 votes for, 5 against and one abstention. Casting vote by the chair against deferral.

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11. The majority of the Committee did not support the Officers' recommendation with 5 votes for and 6 against.
12. The majority of the Committee supported deferral for reasons for refusal with 10 votes for and 1 abstention.

AGREED that Members minded to refuse planning permission but the decision be deferred for Officers to bring back reasons for Refusal.

6

21/02685/FUL - FIRS FARM PLAYING FIELDS, FIRS LANE, LONDON, N21 2PJ

NOTED

1. The introduction by Gideon Whittingham, Planning Decisions Manager (Interim), clarifying the proposals.
2. Members debate and questions responded to by officers.
3. The unanimous support of the Committee for the Officers' recommendation.

AGREED:

1. That the Head of Development Management / the Planning Decisions Manager be authorised to Grant planning permission subject to conditions.
2. That the Head of Development Management/Planning Decisions Manager be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

7

20/01742/FUL - 50-56 FORE STREET, LONDON, N18 2SS

NOTED

13. The introduction by Andy Higham, Head of Development Management, clarifying the proposals.
14. A change to the officers' recommendation was reported that the Section 106 agreement did now not require an education provision and also the need for 1 or 2 conditions for delegated authority should members support the proposal.
15. Members debate and questions responded to by officers.
16. Councillor Rye raised a number of issues regarding Locally Listed building and the impact on the Conservation area:
 - How the 18-storey development was justified in light of the Grenfell disaster.
 - impracticable play space for residents to use from upper floors of development.
 - Tower blocks with 100% social housing inevitably leads to poor education and health outcomes. Developers should build social housing that people want to live in.

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- With social housing, there may be many more people with disabilities that will require proper access to residential units. Were properties designated for the dis-abled mostly on the ground floor?
- There would be a strain on the health and welfare infrastructure. High quality social housing was required.

Andy Higham (Head of Development Management) clarified that this was a balanced judgement and that planning did recognise that there are compromises that have been made. The 100% affordable housing at London affordable rent is a positive offer and a good addition to the Boroughs' housing stock. Strategic housing colleagues were consulted and are supportive of this scheme. Officers felt that the design and introduction of materials when weighing up against the height of the development is acceptable and has improved the development following the recent design and review panel. There is an impact on Heritage but because the scheme can be seen from the Conservation area it didn't make it unacceptable. Whilst Heritage officers have identified that there is harm, it is less than substantial harm. Balancing that against public benefits, officers felt that it carries significant weight and weight in favour of support for this scheme.

17. In response to Councillor Anderson's enquiry regarding the requirements officers bestow upon developers for family sized units, Officers clarified that this was a combination of what the developer presents to officers the site context, local constraints and scheme viability to inform how that is negotiated with the developer. Officers then apply policies and a planning balance to optimise development. Each site is different with different constraints i.e. size of site and in this case, constraints are placed around what the site could take and the form of typology of the development. There are design challenges for family units on upper floors. In this scheme, the family units are fronting Claremont (and road to the rear) with 3 storey town houses.
18. In response to Councillor Alexandrou's enquiry regarding light and air pollution, officers clarified that the Environmental Health officer did look at air pollution and raised no concerns around a tall building. Light pollution was looked at and this was not considered as a reason for refusal.
19. In response to Councillor Yusuf's enquiry regarding consultation with the Housing team and sub-letting of 1 bed units, officers clarified that the Housing team were consulted and overall were supportive of the scheme. There had also been discussions that the units will be socially rented potentially for an alternative registered provider whether that is for a housing association or the Council.
20. Councillor Taylor stated that there is an impact on Heritage assets, indicated by the Heritage Officer and that it is not substantial. The committee would have felt more comfortable if the Heritage officer was in attendance.

In his opinion, when applications come forward with a significant Heritage impact, Heritage officers should attend planning committees which would be a significant benefit to members of the Committee. Officers clarified that they would look at schemes on future planning committee agenda's, make sure that it is proportionate and decide about which specialist officers

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should be present and when. Members could also flag up any issues in reports and request that a specialist officer is present.

21. The majority of the Committee did not support the Officers recommendation with 3 votes for, 5 against and 3 abstention.
22. Councillor Taylor proposed a motion to defer the application, seconder by Councillor Rye.
23. The unanimous support of the committee for deferral for the reasons for refusal.

AGREED that Members minded to refuse planning permission but the decision be deferred for Officers to bring back reasons for Refusal.

8

21/02991/FUL - MERIDIAN WATER SITE BOUND BY LEESIDE ROAD TO THE SOUTH AND A NEW ROAD SERVING MERIDIAN ONE TO THE WEST, LONDON N18

NOTED

4. The introduction by Sharon Davidson, Planning Decisions Manager, clarifying the proposals.
5. Members debate and questions responded to by officers.
6. The unanimous support of the Committee for the Officers' recommendation.

AGREED:

1. That planning permission be GRANTED subject to conditions as set out in the report.
2. That the Head of Development Management/Planning Decisions Manager be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

9

FUTURE MEETING DATES

NOTED

1. The next meetings of the Planning Committee:
 - 2 November 2021 - Provisional
 - 23 November 2021
 - Tuesday 7 December 2021 - Provisional
 - 14 December 2021
 - 4 January 2022 – Provisional
 - 18 January 22
 - 3 February 2022 – Provisional
 - 22 February 2022
 - 8 March 2022 – Provisional
 - 22 March 2022

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- 5 April 2022 – Provisional
- 26 April 2022

10

MEETING TIME EXTENSION

NOTED

1. The committee would not reasonably be able to consider the remaining application on the agenda this evening due to the late hour, but was recommended to progress Agenda Item 8 (21/02991/FUL – Meridian Water Site Bound By Leaside Road, to the South and a New Road Serving Meridian One to the West, London N18).
2. The recommendation to extend the meeting and consider Items was supported unanimously by the committee.

AGREED that the rules of procedure within the Council's Constitution relating to the time meetings should end (10:30pm) be suspended for a period of 30 minutes to enable Item 8 to be considered.