

PLANNING COMMITTEE

8th March 2022

REPORT OF:

Head of Planning - Vincent Lacovara

Subject:

Planning Committee – 8th March 2022

Update for Members

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Update to Planning Committee

Ahead of Tuesday's Planning Committee meeting, please note the following updates to the Committee report will be of assistance to Members in your assessment of the proposals.

Agenda Item: 7

21/04271/RE4 – Upton & Raynham Road, Edmonton, N18 (Pages 137-202)

1. This addendum is to update with respect to three matters pertaining to the planning application for the development proposed on land at Upton Road and Raynham Road (ref: 21/04271/RE4) following additional information that has been received since the publication of the Committee report; namely:
 - i) The Environment Agency: Pursuant to the publication of the Committee report, the Environment Agency had confirmed an objection to the proposed development. The applicant team and Lead Local Flood Authority have provided additional information in an effort to overcome the objection. A response from the Environment Agency is awaited. Officers have been engaged with the Environment Agency for a considerable period of time during the consideration of this application and as part of the pre application discussions to try and resolve these issues. The Agency has advised however that due to availability of staff and resource pressures, they are currently unable to meet statutory deadlines and they have apologised that responses to consultations are taking longer to be made.
 - ii) The applicant has amended the description of development to remove reference to the demolition of Beck House and garages. As is noted in the Committee report, the applicant made a prior approval application for demolition of this building which has now been determined. As a result, the demolition can take place as permitted development.
 - iii) An update to the reported CIL calculations based on the amendment to the description of development.

Flood Risk Assessment and the Environment Agency

2. Notwithstanding lengthy and detailed discussions, the Environment Agency (the EA) is currently maintaining an objection to the application for the following reason:
 - The FRA modelling identifies flood risk mitigation measures for the lifetime of the development that are considered¹ inadequate. The review of the model used

confirms that the wall around the community centre is critical to flood risk mitigation. In particular, the wall is not an official flood defence, there is no evidence that this wall is sufficiently resilient and there is no maintenance programme.

3. To overcome the objection, the EA have requested evidence that the wall is watertight and resilient to flooding together with a commitment the wall will be in place for the lifetime of the development and it remains resilient to flooding. If this cannot be achieved, then the development itself would need to be resilient to the risk of flooding should there be damage to the wall, it is not resilient and can't withstand the pressure from floodwater or is removed.
4. The applicant team and Lead Local Flood Authority have provided additional information to addresses these points which has been shared with the EA, in an effort to overcome the objection: the applicant team has provided additional technical detail and SuDS officers have advised of their position, as reflected in the committee report.
5. The wall is under Council ownership. Officers accept the findings of the Flood Risk Assessment and therefore, are recommending a condition is imposed requiring additional details of the wall together with a S106 obligation requiring that the wall is retained and maintained to the required standard for the lifetime of the development or an equivalent flood defence measure is provided. The applicant has agreed to such a condition and obligation.
6. We are awaiting a response from the EA following the submission of the additional information. The EA have advised that due to a shortage of available staff and pressures on resources, they may not be able to respond by Planning Committee.
7. In light of the current position, and noting the recommendation is one of approval subject to no objection being received from the EA, it is recommended that a decision on the planning application is not made until the EA have confirmed they have no objection.

Description of Development

8. The applicant has formally amended the description of development as follows:

Removal of the Beck House slab and associated ground works, and garages on Upton Road and construction of 134 residential dwellings (Use Class C3) and up to 188sqm flexible commercial floorspace (Use Class E) comprising buildings up to 7 storeys in height, and the change of use of ancillary garages to part of lower ground floor of Scott House (Use Class C3) to provide up to 70sqm community hall (Use Class F2(b)), 45sqm ancillary management office (Use Class C3), podium deck, along with associated means of access and highways works; car and cycle parking; hard and soft landscaping; play space and public, communal, and private realm; refuse storage; ancillary plant and structures; and works to Scott House to create new access at lower ground and ground floor levels.
9. Although the original proposal included demolition of Beck House, there have been continued instances of criminal activity and anti-social behaviour that have been a major concern of residents and neighbours. This prevalence of offences has been reinforced by the Metropolitan Police's Designing Out Crime Office, which was consulted on the application.
10. To address this public safety issue as urgently as possible, the applicant separately submitted an application for prior approval for the demolition of Beck House under Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015. An application of this type cannot consider the principle of demolition but only the method of demolition and how the site is to be left post demolition. In

this context, the decision of the prior approval application resolved that prior approval is not required and that Beck House can be demolished under permitted development rights. Therefore, the applicant has formally amended the description of the subject full application to remove the demolition of Beck House from the proposal.

11. In reviewing the application for prior approval, officers were careful to ensure that, if allowed, the ability to demolish under permitted development would not undermine any responsibility the applicant would have if the demolition was permitted by way of the full planning application. In this respect the application was supported by a Site Condition Survey Report, Demolition Method Statement and Vehicle Access Plan.
12. The effect of the change to the description of development for each relevant area consideration, is set out below.
13. Heritage: This consideration has changed in that Beck House will be demolished under an application for prior approval rather than as part of the application for planning permission. Therefore, the consideration around the loss of Beck House as a non-designated heritage asset or its impact on Scott House is no longer material to this application. However, the view of officers with respect to the loss of Beck House as represented in the committee report does not change. Critically, and as recommended in the applicants Heritage Report, a Building Recording was undertaken and added to the Greater London Historic Environment Record in order to document the significance of this non-designated heritage asset.
14. Replacement of affordable housing: This consideration is unchanged. The Committee report outlines the loss of social housing at Beck House as a result of the units having been vacated and not re-provided. The demolition of Beck House does not change the fact that the units have remained unoccupied. There is still a requirement to re-provide the lost social accommodation. As such, the Committee report presents the housing proposal in both gross and net provision.
15. Archaeology: This consideration is unchanged. The prior approval for demolition was deliberately limited to demolition up to the ground floor slab level so as not to disturb any ground conditions. The amended description of development includes removal of the slab and ground works, so the archaeology conditions recommended in the Committee report are valid and unchanged.
16. Sustainability and climate change: This consideration is unchanged. There are technical reports included with the application that address re-use of demolition materials (i.e. Demolition Site Waste Management Plan) that are consistent with whole life-cycle carbon, circular economy and site waste management principles. These reports supersede respective sections of the full application reports that address demolition.
17. Environmental Health: This consideration is unchanged. The application for prior approval was supported by a Demolition Method Statement which was reviewed by the environmental health officer and no objection was raised.
18. Biodiversity and trees: This consideration is unchanged. The application for prior approval was supported by a Biodiversity Planning Statement, an Arboricultural Method Statement and Tree Protection Plan. The reports stated that there was no evidence of bat habitats at Beck House, and the Tree Protection Plan satisfactorily sets out measures to safeguard trees during demolition.

Community Infrastructure Levy

- 19 The Community Infrastructure Levy calculation has been amended in response to the

change in description which excludes the demolition of an existing building.

20. In line with the applicant's revised CIL liability form and based on net additional floorspace, the amount of Mayoral CIL owed is £797,400 while the amount of Enfield CIL owed is £531,600.