

PLANNING COMMITTEE

29th March 2022

REPORT OF:

Head of Planning - Vincent Lacovara

Subject:

Planning Committee – 29th March 2022

Update for Members

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Update to Planning Committee

1. 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: 5

21/03370/FUL - Bush Hill Park Bowls Tennis and Social Club, Abbey Road Enfield, EN1 2 (Pages 97 - 146)

2. Sport England have provided confirmation of their comments on this planning application. They state:
3. The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space#open-space-sports-and-recreation-facilities>
4. This application falls within the scope of the above guidance as it relates works affecting a sporting facility.
5. Sport England assesses this type of application in light of the National Planning Policy Framework (NPPF) and against its own planning objectives, which are:
 - Protect - To protect the right opportunities in the right places;
 - Enhance - To enhance opportunities through better use of existing provision;
 - Provide - To provide new opportunities to meet the needs of current and future generations.
6. Further information on the objectives and Sport England's wider planning guidance can be found on its website: <https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport>

The Proposal and Assessment against Sport England's Objectives

7. The planning application, from a sports facility perspective, has a similar, if not the same, impact as the recently submitted application proposed flats on the site. Sport England's comments to the previous application was as follows:

8. *“The application proposes to erect a block on flats which would result in the loss of two tennis courts. The Council’s Playing Pitch Strategy (PPS) indicates that these two courts should be converted to a porous tarmac surface which suggests that the courts are currently of limited benefit to the tennis club and tennis in the locality due to the condition of the surface. It also stresses that the other courts at the tennis club should also be resurfaced or rebuilt. The proposed development, therefore, would appear at odds with some of the PPS recommendations. It should be noted, however, that the PPS was drafted in 2017 and while Sport England considers the document still ‘in date’ it has not been reviewed annually so could be considered ‘out of date’ in the near future.*
9. *The LTA have advised that the two courts that would be lost cannot be used in winter due to their condition and that they are generally not heavily used by the club. They have also indicated that the club are seeking to use the funds generated from the sale of the two tennis courts to resurface the tarmac tennis courts. Sport England is aware that the LTA have liaised with the club to discuss other potential funding options to change the surface of the two courts but due to other priorities, including installing new sports lighting, the conclusion was that the club could not afford to take up a LTA loan and the only solution to them was to dispose some land.*
10. *Sport England would also like to highlight that the proposed development would result in habitable rooms closer to the tennis club facility than the existing residential buildings in Abbey Road. Since the tennis club has sports lighting there is potential for the occupiers of the new residential building to be disturbed by tennis played at the tennis club, especially in the evening. Sport England trust that the Council would consider the Agent of Change principle when determining the application and ensure that the developer mitigates any potential unacceptable noise that might be experienced by the residents within the proposed flats. It is not the tennis club’s responsibility to mitigate this impact on these new residents.*
11. *Overall, Sport England is concerned that the development would result in the loss of two tennis courts, especially since this the PPS seeks for these courts to be improved/resurfaced, however it does understand that the funds from the sale would be used to improve the other facilities at the site, as indicated by the LTA. These improvements appear to align with some recommendations of the PPS. It is also noted that the LTA do not object to the loss of the tennis courts. In light of this, Sport England considers that the loss of the tennis courts would not meet Sport England’s ‘Protect’ planning objective however the reinvestment of the funds to improve the rest of the site aligns with the spirit of Sport England’s ‘Enhance’ planning objective, this is on the basis that any potential adverse noise implications outlined above are mitigated.”*
12. *Sport England has liaised with the LTA on the current scheme proposed and the LTA have confirmed their position has not changed and given that the sports land lost for the proposed dwellings appear similar, if not the same, as the flat scheme proposed, Sport England’s position remains unchanged.*
13. *In addition, the Bush Hill Park Residents Association has asked for their comments on the application to be circulated. These are attached to this update.*

Agenda Item: 7

21/03458/FUL – North Middlesex Hospital, Sterling way, Edmonton, N18 (Pages 203-246)

14. *The section in the report on CIL has bene updated as follows:*

CIL

- 9.58 There will be a net increase in floor space and therefore such schemes would typically be liable to the both Enfield and Mayoral CIL. The applicant considers the development is not CIL liable given the nature of development, however, there would be no charge for Enfield CIL or Mayoral CIL.
- 9.59 The MSCP is solely for the use of the hospital and should therefore be considered as ancillary to the health use of the North Middlesex University Hospital. The Mayoral CIL 2 Charging Schedule (adopted in April 2019) states development used wholly or mainly for the provision of any medical or health services except the use of premises attached to the residence of the consultant or practitioner attracts a nil payment. As the MSCP will be used solely by the hospital, it should be considered as wholly for the provision of a medical or health service. In the same way that basement/undercroft car parking to residential development is chargeable at the residential rate then this MSCP should be linked to the parent use in the same way.
- 9.60 The applicant, North Middlesex University Hospital NHS Hospital Trust, is also a charitable trust so could apply for exemption from any CIL liability. The guidance states that charitable relief is mandatory where a charity owns a material interest if the development is to be used wholly or mainly for a charitable purpose of the charity in question or of that charity and another charity (or charities).
15. Thames Water have confirmed that Condition 6 is no longer required. This will be updated at the meeting.