

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date: 26th April 2022

Report of
Head of Planning –
Vincent Lacovara

Contact Officer:
Andy Higham
James Clark

Ward:
Grange

Ref: 20/03530/FUL

Category: Full Planning Application

LOCATION: Land End, 18 And Bush Hill Cottage, 20 Bush Hill, London, N21 2BX

PROPOSAL: Construction of four buildings, ranging from 3 to 5 storeys in height to provide 29 residential units, including underground basement parking, new vehicular access, landscaping and associated works.

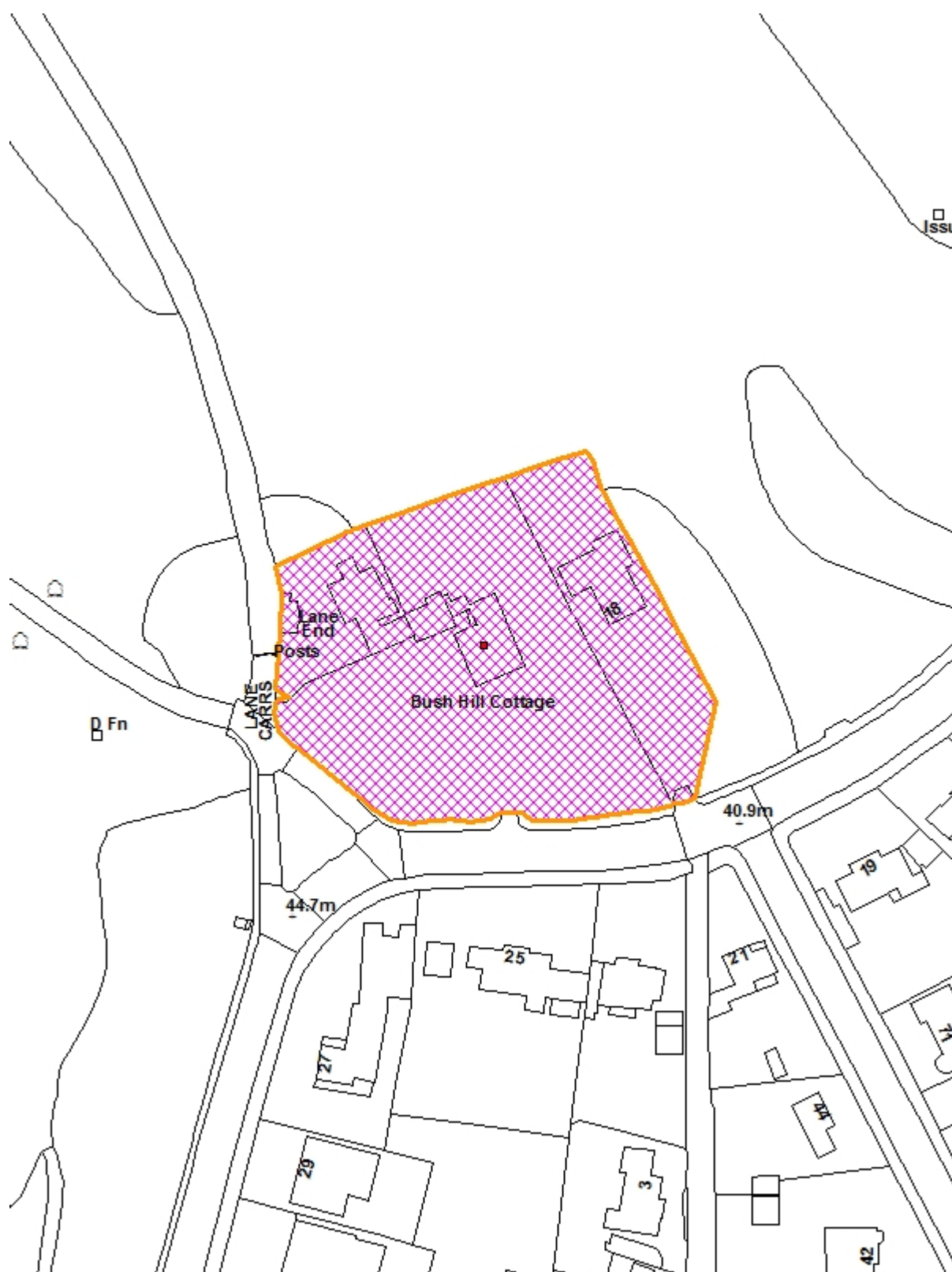
Applicant Name & Address:
Argall Properties Ltd

Agent Name & Address:
Phase 2 Planning Limited
270 Avenue West
Great Notley
CM7 7AA
mcalders@phase2planning.co.uk

RECOMMENDATION:

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

Ref: 20/03530/FUL **LOCATION:** Land End, 18 And Bush Hill Cottage, 20, Bush Hill, London, N21 2BX



1 Note for Members

- 1.1 This planning application is brought to Planning Committee on account of the development being categorised as a “major” development involving the erection of 10 or more residential units”. In accordance with the scheme of delegation, is reported to Planning Committee for determination.

2 Recommendation:

- 2.1 That subject to the completion of a S106 to secure the matters covered in this report and to be appended to the decision notice, the Head of Development Management be authorised to GRANT planning permission subject to conditions to cover the following:

1. Time limit
2. Accordance with plans
3. External Appearance (sample materials)
4. Materials (approved)
5. Sustainable Development
6. Terraces – design
7. Finished floor levels
8. Surface Materials
9. Biodiversity Enhancements
10. Landscape (compliance)
11. Lighting Plan
12. Arboricultural Method Statement with Tree Protection Plan
13. Nesting season
14. Drainage Strategy
15. Drainage verification report
16. Low carbon technology
17. Minimum 35% Carbon improvement
18. Energy certificate
19. Green procurement Plan
20. Access and sight splays
21. Detail of development – Refuse storage
22. Construction Site Waste Management
23. Cycling storage
24. Car Parking (pre-occupation)
25. TRO and one-way
26. Electric charging points
27. Construction Management Plan
28. Highway details
29. Highway dedication
30. Construction Noise
31. Water
32. Details of any rooftop plant, extract ducts and fans
33. Part M units
34. Fibre connectivity infrastructure
35. Secure by Design
36. No plant equipment to be fixed to external face of building
37. Contamination
38. No loading
39. Basement methodology
40. Security

Informative

- 1 Section 278 works to the highway to be undertaken prior to development
- 2 Infrastructure Works to Footway and Carriageway (Bush Hill)

- 2.2 That the Head of Development Management be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

3 Executive Summary:

- 3.1 The report provides an assessment of the proposed scheme for the redevelopment of the site involving the construction of part 3, part 4, part 5 storey residential building (Class C3) to provide twenty-nine (29) new flats with dedicated underground car parking for thirty-nine (39) vehicles and associated cycle and refuse storage. The development would include a dedicated drop-off area as part of a one-way system on Carr Lane.
- 3.2 The site is considered brownfield and sustainable location, suitable for appropriate residential intensification with an established extant planning permission for a development of twenty (20) dwellings, representing a significant fall-back position.
- 3.3 The affordable housing and targeted financial contributions amount to £2,572,000 of which £1,226,000 would be directly channelled to council led affordable housing development in the Borough. The application is supported by appropriate and satisfactory technical reports covering the effect of the proposed development on parking, servicing, biodiversity and impacts to neighbouring amenity. The impacts of the development are considered within acceptable thresholds to meet policy compliance expectations.
- 3.4 The proposed residential units provide a very high standard of accommodation and appropriate and suitable dwelling mix for the site and surroundings. The site represents an opportunity for downsizing within the borough and the release of family housing elsewhere in the Borough.
- 3.5 The biodiversity and landscape enhancements the planning application provide are significant amounting to a net biodiversity gain of 357.49% in habitat units and 3385.85% in hedgerow units. The blocks have a high degree of solar panels and energy efficiency standard.

The planning application satisfies overarching planning policy aims to increase the housing stock of the borough and considered to be acceptable subject to pre-commencement and pre-occupation planning conditions and a S106 legal agreement.

4 Site and Surroundings:

- 4.1 The application site is located on the northern side of Bush Hill on the junction with Carrs Lane, a minor spur road to the golf course entrance. Surrounding the site to the north and west is Bush Hill Golf Course, with residential properties to the south. The site benefits from two (2) existing crossover accesses to Bush Hill and one (1) to Carrs Lane.

- 4.2 The site originally comprised three (3) two storey properties. All were demolished over two years ago as part of the formal commencement of the extant planning permission under reference 18/04085/VAR. The site is currently vacant and not in active use.
- 4.3 The development site is not located within a Conservation Area, neither does it contain any listed buildings. There is a veteran tree on the site and this is covered by a tree preservation order (TPO).
- 4.4 A boundary wall forms the majority of the boundary treatment with Carrs Lane and Bush Hill with some planting behind. Metropolitan Open Land (MOL), Local Open Space, Site of Borough Importance for Nature Conservation and Areas of Archaeological Importance all border the site to the north. However, the site itself has no planning policy designations
- 4.5 The site straggles a PTAL Level 0 and 1b (the public accessibility level) area. The site is approximately 35 and 20-25 minute walk from Grange Park and Enfield Chase train stations respectively.

5 Proposal:

- 5.1 The proposed development would erect four buildings, ranging between 3 to 5 storeys in height to provide 29 residential units. Blocks A and B located to the east of the site would extend to a three (3) storey height, Block C would be four (4) storey and Block D would be five (5) storey with the fourth floor set back from the perimeter elevations.
- 5.2 The four (4) blocks would create a crescent formation following Bush Hill, with blocks A and B of greatest prominence when viewed from Bush Hill looking west. Blocks C and D would be visible from eastward views along Bush Hill but the position of the five (5) storey Block D is partially shielded from wider views due to its siting relative to Bush Hill and the position of Block C.
- 5.3 The proposed development includes underground basement parking for 39 spaces (inclusive of 3 disabled spaces). There are also 3 visitor spaces accessible off Carr's Lane at surface level, providing an overall total of 42 parking spaces. The basement is two-way access via a new crossover from Bush Hill, broadly adjacent to an existing crossover access to the site.
- 5.4 The development provides 29 units formed of 20 x 2b4p (69%), 8 x 3b5p (27.6%) and 1 x 4b8p (3.4%) units. The units proposed are sizeable with a range between 121.4sqm – 130sqm, with the 4b8p unit 230m². The proposed two (2) bed units include a home office to a size below the minimum to constitute a bedroom of 7.5m².
- 5.5 The development provides attractive and well maintained private and communal gardens to the rear of the residential blocks, significantly improving the biodiversity value on site, including the planting twelve (12) new trees and significant areas of hedgerows.

6 Relevant Planning History:

- 6.1 Reference – 20/00543/CEU
Development – Confirmation planning permission Reference 18/04085/VAR has formally commenced on site.
Decision – Granted – 06/04/2020

- 6.2 Reference - 19/02942/CND
Development description – Details pursuant to reference 18/04085/VAR: contamination (33), construction waste management plan (34) for variation of conditions 5, 7, 8, 13, 14, 23, 25, 28 and 30 in relation to planning approval granted under reference 15/02026/FUL in relation to the redevelopment of site to provide 4 x 3-storey blocks of 20 self-contained flats comprising 8 x 2-bed, 8 x 3-bed and 4 x 4-bed with basement car and cycle parking and refuse storage, balconies to front and rear, solar panels to roof, alteration to vehicle access and associated landscaping.)
Decision – Granted 13/09/2019
- 6.3 Reference – 18/04085/VAR
Development – Variation of conditions 5, 7, 8, 13, 14, 23, 25, 28 and 30 in relation to planning approval granted under reference 15/02026/FUL in relation to the redevelopment of site to provide 4 x 3-storey blocks of 20 self-contained flats comprising 8 x 2-bed, 8 x 3-bed and 4 x 4-bed with basement car and cycle parking and refuse storage, balconies to front and rear, solar panels to roof, alteration to vehicle access and associated landscaping.
Decision – Granted – 22/08/2019
- 6.4 Reference - 19/00017/FUL
Development - Redevelopment of site involving demolition of existing buildings to provide 4 x 3-storey blocks of 43 self-contained flats comprising 36 x 2-bed, 4 x 3-bed and 3 x 4-bed with basement car and cycle parking and refuse storage, balconies to front and rear, together with erection of a single storey wellbeing centre to rear, marketing suite and associated landscaping.
Decision – Refused 10/05/2019
- 6.5 Reference - 15/02026/FUL
Development – Redevelopment of site to provide 4 x 3-storey blocks of 20 self-contained flats comprising 8 x 2-bed, 8 x 3-bed and 4 x 4-bed with basement car and cycle parking and refuse storage, balconies to front and rear, solar panels to roof, alteration to vehicle access and associated landscaping.
Decision – Granted subject to a s106 legal agreement – 24/11/2015
- 6.6 Pre-application advice was provided in 2019 and 2020 to assist in developing the current scheme
- a) Reference 20/00512/PREAPP
Description of pre-app - Proposed redevelopment of site and erection of 29 residential units (FOLLOW UP TO 19/02246/PREAPP).
- b) Reference 19/02246/PREAPP
Description of Pre-app - Proposed redevelopment of site and erection of 29 residential units.

7 Consultation:

Public Response

- 7.1 Two rounds of neighbour consultation have taken place during the assessment of the planning application. In each of the two rounds, on the 13/12/2020 and 24/02/2022, 59 neighbouring properties received letters. A site notice was also displayed on both sides of Bush Hill on the 1st of February 2022.

7.2 The development was also advertised in the Enfield Independent on the 25/11/2020 and the 16/02/2022.

7.3 At the time of writing, sixteen (16) objections were received in round 1 and six (6) objections in round 2. Also included in the list of objections are the comments from the Grange Park Conservation Area Study Group. The concerns raised by all have been summarised below

- Inadequate public transport provisions
- Increase in traffic
- More open space needed on development
- Strain on existing community facilities
- Close to adjoining properties
- Development too high
- General dislike of proposal
- Close to adjoining properties
- Inadequate parking provision
- Loss of parking
- Loss of privacy
- Noise nuisance
- Out of keeping with character of area

Officer response to comments

7.4 *The material planning concerns within the objection letters have been considered by officers during the assessment of the planning application. Officers have also visited the site several times to make assessment of the highlighted concerns. Matters relating to the additional height and massing and whether it remains appropriate form of development for the area, are covered in the "Design & Character" section of the Analysis while the other major concern of parking, access and traffic generation are covered in the Highways, Access & Parking" Both aspects are considered acceptable for the reason set out. Regard is also given to the amenity space provision, proximity to neighbouring properties and the impact on neighbouring amenity but none are considered grounds upon which it felt, taking account to the presumption in favour / tilted balance that needs to be applied to the planning balance undertaken, that would warrant a reason for refusal.*

7.5 *The development shall be subject to a range of pre-commencement planning conditions and a s106 legal agreement.*

Statutory and Non-Statutory Consultees

7.6 Transportation & Transport – No objection - comments are incorporated in the main body of the report (Paras. 9.46 to 9.60)

7.7 Sustainable Drainage – No objection subject to a pre-commencement planning condition being applied to the development and further comments are incorporated in the main body of the report (Paras. 9.43 to 9.45)

7.8 Education- No objection subject to a financial contribution being secured via a S106 agreement to support additional school provision generated by the development

7.9 Environmental Health - No objection subject to planning conditions

7.10 Sustainability – No objection - comments are incorporated in the main body of the report (Paras. 9.73 to 9.76)

- 7.11 Ecology (Council appointed consultant) – No objection subject to conditions. Comments are incorporated in the main body of the report (Paras. 9.61 to 9.66)
- 7.12 Tree Officer – No objections to the development subject to conditions (Paras. 9.67 to 9.74)

External Consultees

- 7.13 Thames Water – No objection to development subject to the following of the sequential test. On the basis of information provided, Thames Water would advise no objection is raised in regard to water network infrastructure capacity.
- 7.14 Metropolitan Police (Secure by Design) – if minded to approve, secured by Design condition should be applied, we request the completion of the relevant Secured by Design application forms at the earliest opportunity.

8 Relevant Policies:

- 8.1 Section 70(2) of the Town and Country Planning Act 1990 requires the Committee have regard to the provisions of the development plan so far as material to the application: and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Framework

- 8.2 The National Planning Policy Framework sets out at Para 11 a presumption in favour of sustainable development. For decision taking this means:
“(c) approving development proposals that accord with an up-to date development plan without delay; or
(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (8), granting permission unless:
(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
(ii) any adverse impacts of so doing would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 8.3 Footnote (8) referenced here advises “This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous 3 years.”
- 8.4 In 2020 Enfield delivered 56% of the 2,328 homes target and was as a result placed into the “presumption in favour of sustainable development” category. The Government’s 2021 HDT results were published on 14 January 2022. This notes Enfield delivered 67% of its homes target. The Council therefore remains in the “presumption in favour of sustainable development” category.

8.5 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.

8.6 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.

8.7 This is referred to as the “tilted balance” and the National Planning Policy Framework (NPPF) states that for decision-taking this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, which also includes the Development Plan. Under the NPPF paragraph 11(d) the most important development plan policies for the application are deemed to be ‘out of date’. However, the fact that a policy is considered out of date does not mean it can be disregarded, but it means that less weight can be applied to it, and applications for new homes should be considered with more weight (tilted) by planning committee. The level of weight given is a matter of planning judgement and the statutory test continues to apply, that the decision should be, as section 38(6) of the Planning and Compulsory Purchase Act 2004 requires, in accordance with the development plan unless material considerations indicate otherwise.

8.8 Key relevant policy objectives in NPPF (2021) to the site are referred to below,

Section 5 – Delivering a sufficient supply of homes Para 60 - 77.

Section 8 – Promoting Healthy and safe communities, Para 92 & 97

Section 9 – Promoting sustainable transport, Para 104 -113

Section 11 – Making effective use of land Para 119 -125

Section 12 – Achieving well-designed places, Para 126-136

8.9 London Plan (2021)

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

GG1: Building Strong and Inclusive Communities

GG2: Making the best use of land

GG4: Delivering the Homes Londoners Need

D3: Optimising site capacity through the design-led approach (*):

Optimising site capacity through the design-led approach – sets out that all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations;

D4: Delivering good design

D5: Inclusive design

D6: Housing Quality and Standards: *Introduces a stronger policy on housing standards including minimum space standards.*

- D7: Accessible Housing
- D11: Safety, Security and Resilience to Emergency
- D12: Fire Safety
- D14: Noise
- H1: Increasing Housing Supply:
- H2: Small Sites
- H4: Delivering Affordable Housing
- H5: Threshold Approach to Applications
- H6: Affordable Housing Tenure
- H8: Loss of Existing housing and estate redevelopment
- H10: Housing Size Mix
- S4: Play and Informal Recreation
- G5: Urban Greening
- G6: Biodiversity and Access to Nature
- G7: Trees and Woodland
- SI3: Energy infrastructure
- SI4: Managing heat risk
- SI13: Sustainable drainage
- SI5: Water Infrastructure
- SI7: Reducing Waste and Supporting the Circular Economy
- T1: Strategic approach to transport
- T2: Healthy Streets
- T3: Transport capacity, connectivity and safeguarding
- T4: Assessing and mitigating transport impacts
- T5: Cycling
- T6: Car Parking
- T6.1: Residential Parking
- T7: Deliveries, Servicing and Construction
- T9: Funding transport infrastructure through planning

8.10 Local Plan – Overview

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

8.11 Core Strategy (2010)

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

- CP2: Housing supply and locations for new homes
- CP3: Affordable housing
- CP4: Housing quality

CP5: Housing types
 CP6: Meeting Particular housing needs
 CP20: Sustainable energy use and energy infrastructure
 CP21: Delivering sustainable water supply, drainage and sewerage infrastructure
 CP22: Delivering sustainable waste management
 CP25: Pedestrians and cyclists
 CP30: Maintaining and improving the quality of the built and open environment
 CP32: Pollution
 CP36: Biodiversity
 CP46: Infrastructure contributions

8.12 Development Management Document (2014)

The Council's Development Management Document (DMD) provides further detail and standard based policies by which planning applications should be determined. Policies in the DMD support the delivery of the Core Strategy. The following Development Management Document policies are considered particularly relevant:

DMD1: Affordable Housing on sites capable of providing 10 units or more
 DMD3: Providing a Mix of Different Sized Homes
 DMD6: Residential Character
 DMD8: General Standards for New Residential Development
 DMD9: Amenity Space
 DMD10: Distancing
 DMD37: Achieving High Quality Design-Led Development
 DMD38: Design Process
 DMD45: Parking Standards
 DMD46: Vehicle Crossovers
 DMD47: New Roads, Access and Servicing
 DMD48: Transport Assessments
 DMD49: Sustainable Design and Construction Statements
 DMD50: Environmental Assessment Methods
 DMD51: Energy Efficiency Standards
 DMD53: Low and Zero Carbon Technology
 DMD54: Allowable Solutions
 DMD55: Use of Roof Space / Vertical Surfaces
 DMD56: Heating and Cooling
 DMD57: Responsible Sourcing of Materials
 DMD58: Water Efficiency
 DMD61: Managing Surface Water
 DMD65: Air Quality
 DMD66: Land contamination and instability
 DMD68: Noise
 DMD69: Light Pollution
 DMD72: Open Space Provision
 DMD73: Children's Play Space
 DMD78: Nature Conservation
 DMD79: Ecological Enhancements
 DMD80: Trees on Development sites
 DMD81: Landscaping
 DMD Appendix 9 - Road classifications

8.13 Other Material Considerations

National Planning Practice Guidance
Mayor of London Housing SPG (Adopted March 2016)
Enfield Strategic Housing Market Assessment Update (2015)
Community Infrastructure Levy Regulations 2010
LBE S106 SPD (Adopted 2016) bb

Enfield Local Plan (Reg 18) 2021

- 8.14 Enfield Local Plan - Reg 18 Preferred Approach was approved for consultation on 9th June 2021. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for several sites. It is Enfield's Emerging Local Plan.
- 8.15 The Local Plan remains the statutory development plan for Enfield until such stage as the emerging replacement plan is adopted and as such, applications should continue to be determined in accordance with the Local Plan. Little weight can currently therefore be afforded to the Draft Enfield Local plan (Reg 18).

9 Analysis:

- 9.1 The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 seek to establish that planning decisions are taken in accordance with the Development Plan unless material considerations indicate otherwise. Furthermore, paragraph 11 (c) of the National Planning Policy Framework (NPPF) goes on to state that development proposals that accord with the development plan should be approved without delay.
- 9.2 This report sets out the analysis of the issues that arise from the proposed development assessed against National policy and the development plan policies.
- 9.3 The main considerations of the development are the following,
- Principle of development
 - Housing need and Tenure mix
 - Design and character
 - Standard of accommodation
 - Impact on neighbouring amenity
 - Sustainable drainage and water infrastructure
 - Highway, Access and Parking
 - Biodiversity impacts
 - Impact on Trees
 - Sustainability and Climate Change
 - Other Matters: Socioeconomic
 - Section 106 agreement and planning obligations
 - Community infrastructure Levy (CIL)

Principle of Development:

Residential Development

- 9.4 Para 120 of Chapter 11 (Making efficient use of land) of the NPPF (2021) expects councils to promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.
- 9.5 The site is currently empty with no structures however historically the site was formed of three (3) residential houses with associated gardens, demolished in early 2020. The site has not been utilised for any other material land use and therefore the creation of residential floorspace as part of a comprehensive residential scheme would be compatible with Policy GG2 (Making the best use of land) of the London Plan (2021). The policy seeks development to meet the following:
- c) proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling
 - d) applying a design-led approach to determine the optimum development capacity of sites
- 9.6 In principle, the use of this site for residential purposes is supported and a significant material consideration is the extant planning permission under ref: 18/04085/VAR which can be built out. This establishes the acceptability of a quantum and form of development but the development now proposed must also be judged on its own merits and assessed in relation to material considerations, notwithstanding these material factors, the site provides an appropriate setting for residential development of a greater extent to its historical footprint.

Housing Need and Tenure Mix:

- 9.7 The London Plan (2021) sets a target for the provision of 52,287 new homes each year. In addition, the London Plan identifies a need for a minimum of 1,246 dwellings per year to be delivered over the next 10-years in the Borough. Whilst Enfield's 2019 Housing Action Plan recognises that the construction of more affordable high-quality homes is a clear priority, only 51% of approvals in the Borough have been delivered over the previous 3-years.
- 9.8 Enfield's Housing and Growth Strategy (2020) was considered by Cabinet in January 2020 and approved at February's Council meeting (2020) and sets out the Council's ambition to deliver adopted London Plan and Core Strategy plus ambitious draft London Plan targets.
- 9.9 Policy H1 (Increasing housing supply) of the London Plan (2021) seeks to optimise the potential for housing delivery on all suitable and available brownfield sites especially on the sources of capacity including but not limited to small sites as identified in Policy H2 of the London Plan (2021).
- 9.10 The application site accords with Policy H1 identified need for housing and is appropriate for development for residential housing schemes.

Affordable Housing Provision

- 9.11 Policy H4 (delivering affordable housing) of the London Plan (2021) expects provision of on-site affordable housing on all Major development.
- 9.12 Policy H5 (Threshold Approach to applications) of the London Plan (2021) provides the affordable housing trigger points for major development, in this instance the threshold is a minimum of 35 per cent of total units. Notwithstanding the expectation that 35% affordable housing will be delivered on site, policy permits flexibility where supported by a robustly demonstrated viability report evidencing 35% cannot be achieved on financial grounds, and subject to a detailed independent assessment by a viability consultant.
- 9.13 Policies CP3 and DMD 1 (Affordable Housing on sites capable of providing 10 units or more) seeks a borough wide affordable housing target of 40% and a mix of 70% and 30% social rent and affordable rent. Notwithstanding the Development Management Documents expectations, the policy weighting is diminished on grounds of the titled balance and the more recent overarching London Plan (2021).
- 9.14 The applicant submitted a viability assessment to justify the level of affordable housing, produced by Rapleys dated October 2020 (Ref JM/18-02883). With reference to this, the assessment concluded that the scheme could viably deliver 10% affordable housing: 3 units in a mix of two affordable rent units and one intermediate tenure together with a financial contribution of £200,000.
- 9.15 During the application process an updated viability assessment (Ref NF/18-02883) prepared by Rapleys dated 16th of July 2021 was submitted. In addition, costs pertaining to sprinklers internally and other fire safety aspects were included in a further statement. The cumulative reports have all been independently reviewed by BPS, the LPAs appointed viability specialist.
- 9.16 The BPS assessment concludes the development in its current form, would provide gross section 106 contributions of £2,572,000. The affordable housing portion of the contribution amounts to £1,226,000 to be paid via an off-site contribution (cash in lieu). This would equate to the cost of delivering 3 units of affordable housing.
- 9.17 Although the expectation is that affordable housing is delivered on site, payment in lieu of affordable housing on site is permitted in exceptional circumstances as identified in Policy H4 (Delivering Affordable Housing) of the London Plan (2021). No definition is provided for what constitutes “exceptional circumstances” in the London Plan (2021), however in this instance, there are a number of factors that support this approach:
- i) the lack of interest in delivering affordable housing from established registered providers due to the nature of the scheme and the quantum of affordable units that can be sustained by the development;
 - ii) the principle of payment in lieu of on site provision being established by off-site grant of planning permission under ref: 15/02026/FUL and 18/04085/VAR
 - iii) the high cost of the proposed units make the provision of on-site affordable housing inappropriate. The affordable housing and Viability SPG states: “generally shared ownership is not appropriate where unrestricted market values of a home exceed £600,000”.

For reasons highlighted above the off-site affordable housing (cash in lieu) in this instance and circumstances is supported. The off-site funds will be ring fenced for use to support the delivery of additional affordable housing on other Council schemes.

- 9.18 For clarification purposes the development is subject to a late-stage review of viability in order to confirm the viability can be tested against the actual cost and revenues from the scheme. The late stage review shall be included in the s106 legal agreement.

Dwelling Mix

- 9.19 Policy H10 (Housing Size / Mix) of the London Plan (2021) and Policy CP5 of the Core Strategy (2010) seeks to ensure that new developments offer a range of housing sizes to meet housing needs. The development provides a range of flat units including three (3) bed family size accommodation reflecting targets in the SHMA and providing an appropriate mix for units for the location and development scheme.
- 9.20 Policy CP5 of the Core Strategy (2010) seeks to ensure that new developments offer a range of housing sizes to meet housing needs but does recognise that it may not be necessary to conform to the overall mix on each individual site, as the mix could be achieved within the timescale of the adopted development plan across a range of sites. Policy DMD 3 of the Development Management Document (2014) seeks schemes to contribute to meeting the targets in the policy, by providing a mix of different sized 'homes', including 'family sized accommodation'.

Flat Type	Number/percentage of units
2b4p Flat	20 (69%)
3b6p Flat	8 (28%)
4b8p Flat	1 (3%)
Total	29

- 9.21 The proposed units are all sizable between 121m² and 130m² for the 2 and 3 beds respectively with the four (4) bed equating to 230m². All the two (2) bed units have home office rooms with the potential for modification. All the three (3) bed units are six (6) person and all the two (2) bed are four (4) person, thereby representing the maximum size within the size range. The dwelling mix is considered acceptable having regard to the requirements of Policies CP5 and DMD3 of the Enfield Core Strategy and DMD.

Design and Character:

- 9.22 Policy D3 of the London Plan (2021) expects "all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity".

- 9.23 Policy DMD 8 (General standards for new Residential development) expects development to be appropriately located taking into account the nature of the surrounding area and land uses, access to local amenities, and any proposed mitigation measures and be an appropriate scale, bulk and massing.
- 9.24 The proposed part five (5), part four (4) and part three (3) storey development set in four distinct blocks would follow the pattern of separate plots of houses along Bush Hill. The position and siting of Blocks A, B and C would create a strong frontage to Bush Hill and Block D would be set away from Bush Hill. The front building line creates a focal and clearly legible entrance to the buildings.
- 9.25 The approximate height of the proposed blocks A and B is 10m in broad parity with the ridgeline of the properties opposite the site at Nos 25, 23, 21, 19 and 17 eastward along Bush Hill. Blocks C and D would project to an approximate height of 13.3m and 16.4m respectively. The introduction of a five (5) storey building would be a departure from the prevailing height in the location. Notwithstanding the localised height differential, the proposed five storey block D is located set-back from Bush Hill on Carr Lane and thereby, has a lesser affect the street scene.
- 9.26 The contemporary design seeks to optimise the building to utilise the fullest extent of the floorspace, prevent wastage and allow the introduction of private amenity space to be seamlessly part of the internal habitable space. The southern elevation of the buildings benefit from southern views and direct sunlight throughout the day.
- 9.27 The application of a two-tone brickwork throughout the blocks allows legibility and breaks up the elevations allowing for visual interest. The proposed blocks provide a well-designed, flexible and functional layout, with adequately sized rooms in accordance with Policy DMD 8.
- 9.28 The external brick materials utilise Nelissen Maranello Yellow (Size 240x40mm) and Nelissen Roca silver grey, both of which have been agreed between the applicant and officers. The frontloading of the bricks factors into the viability and obligations costings. The approach of frontloading materials where possible an applicable is prescribed in Policy D4 of the London Plan (2021) which states, “avoiding deferring the assessment of the design quality of large elements of a development to the consideration of a planning condition or referred matter” is sought.
- 9.29 The proposed design is reflective of the extant approval on site under planning reference 15/02026/FUL, subject to conditional wording changes via 18/04085/VAR. The extant approval under 18/04085/VAR permitted four three storey contemporary blocks reflective of the blocks proposed. The extant planning approval under 18/04085/VAR is a fallback position that could be constructed at any time. The proposed schemes appearance and design is very similar to the extant permission. different built form to the immediate area representing a departure to the locational context and Blocks C and D would increase the height of development versus the immediate dwellings on Bush Hill. The impact of the development is not considered to be harmful to the appearance of the area and it is noted that colleagues in the urban design team do not object to the principle and appearance of the proposed development.
- 9.30 Consequently, on balance, the design and character of the scheme, when assessed against the public benefits of the scheme, which include the delivery of high quality new housing stock, a significant financial contribution towards affordable housing, economic and social benefits including employment during construction, as well as the continued and improved use of local services and

facilities, all weigh in favour of the development and any concerns would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, which also includes the Development Plan

- 9.31 It is also noted that planning permission was refused under reference 19/00017/FUL in May 2019 for a development involving 43 self-contained flats on the same broad siting. The application was refused on four grounds including design and character impacts. This scheme proposed four, 14m high 3 storey (with accommodation in the roof) flatted blocks that projected deeper into the site and had a mock Tudor appearance. As a result, it is considered the design and scale to be regressive and overly dominant on the Bush Hill frontage. The current scheme is a different proposal and has sought to approach the development of the site differently but also mindful of the adoption of the new London Plan (2021) and NPPF (2021). The position of the Council in relation to the Housing delivery Test and the presumption of favour of sustainable development are also now material factors in support of the development.

Standard of accommodation:

- 9.32 Policy D6 of the London Plan 2021 and Policy DMD 8 of the Enfield Development Management Document (2014) set minimum internal space standards for residential development. The Nationally Described Internal Space Standard applies to all residential developments within the Borough and the London Mayor's Housing SPG adopted in 2016 has been updated to reflect the Nationally Described Space Standards.
- 9.33 The table below illustrates the residential flats floorspace and external private amenity provision versus their compliance with national floorspace respective of the unit sizes.

Flat size No of Beds	Proposed floorspace	Minimum Required floorspace
2b4p Flat (A)	121m ²	70m ²
2b4p Flat (B)	130.9m	70m ²
3b6p Flat (A)	121m ²	95m ²
3b6p Flat (b)	130m ²	95m ²
4b8p Flat	230m ²	117m ²

- 9.34 The proposed residential flats all far exceed the minimum required floorspace requirement as per the National internal floorspace standards (adopted 2015). All the flats are dual aspect with many triple aspects benefiting from both south and north fenestration. The rearward (north) views look out onto communal garden and mature trees. All the upper floors have south facing balconies of at least 13m² in area with the ground floor units benefiting from 13m² front balconies and rear gardens of 79m².

- 9.35 An Internal Daylight Report (Ref 15521/LOC/806-810, Delva Patman Redler Dated January 2021), an overheating analysis (dated 25/11/2021) are submitted to support the level of accommodation within the block. The daylight and sunlight report concludes of the 94 rooms assessed based across all Blocks only 3 rooms fail to meet the required ADF factor expectations. The three (3) rooms in question serve home offices and have limited weight in terms of sunlight expectations. The layout of the units is such whereby the principle habitable rooms are located with full sunlight benefits to the front of the building.
- 9.36 The dual aspect nature of the proposed residential units allows cross-flow ventilation opportunities allowing effective day and night cooling. The residential units pass the CIBSE TM59 over heating test and thereby secure high-quality internal accommodation.
- 9.37 All major residential development must be accompanied by proposals to provide on-site playspace open space as per Policy S4 (Play and Informal Recreation) of the London Plan (2021) and guidance within the adopted document "Shaping Neighbourhoods: Play and Informal Recreation SPG (2012). Policy S4 sets out core expectations of play space. Residential developments should incorporate good-quality, accessible play provision for all ages. At least 10 square metres of playspace should be provided per child that:
- provides a stimulating environment
 - can be accessed safely from the street by children and young people independently
 - forms an integral part of the surrounding neighbourhood
 - incorporates trees and/or other forms of greenery
 - is overlooked to enable passive surveillance
 - is not segregated by tenure
- 9.38 Using the GLA population yield calculator, a forecast total of 14 children are envisaged to be residing within the development between the ages of 1-17. As such, 140m² of playspace is required on site to meet the criteria set out. The rear area of the site would provide approximately 1160m² of communal/playspace far in excess of the required quantum.
- 9.39 The LPA recognise the need to utilise such sites to their optimum and judged against the good standard of accommodation, the development would accord with London plan (2021) policies, Housing standards SPD (Adopted March 2016), Core Strategy 4 (Housing quality) and Development Management Document policies DMD 8, DMD 9, DMD 37 and DMD 72.

Impact on Neighbouring Amenity:

- 9.40 Policy D6 of the London Plan 2021) sets out that buildings should not cause unacceptable harm to residential amenity, including in terms of privacy and overshadowing. Development proposals should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst minimising overshadowing and maximising the usability of outside amenity space.
- 9.41 Policy CP30 of the Core Strategy 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. Policies DMD 6 and 8 of the Development Management Document (2014) seeks to ensure that residential developments do not

prejudice the amenities enjoyed by the occupiers of neighbouring residential properties in terms of privacy, overlooking and general sense of encroachment.

- 9.42 The four proposed residential blocks are segregated from surrounding properties by Bush Hill resulting in a separation distance of approximately 30-40metres between Blocks A/B to No 25-21 Bush Hill. The separation distance between Block C and No 27 Bush Hill would be approximately 28m. The distance, alongside the presence of Bush Hill results in no unreasonable loss of amenity to the properties on Bush Hill judged against planning policy criteria.
- 9.43 The development site is located north of surrounding properties, thereby no loss of light considerations are applicable. The outlook from surroundings properties to the site would be maintained and especially no impacts to the private rear gardens of properties on Bush Hill.
- 9.44 The proposed development has been assessed against policies protecting neighbouring amenity and no unreasonable effect is identified.

Sustainable Drainage and Water Infrastructure:

- 9.45 Policy SI 12 of the London Plan (2021) outlines development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 outlines that development proposals should aim to achieve greenfield runoff rates and ensure that surface water run-off is managed as close to its source as possible. It also states there should also be a preference for green over grey features, in line with an outlined drainage hierarchy. Core Strategy Policies CP21, CP28 and CP29 and Development Management Document Policies DMD59 – DMD63.
- 9.46 The site is within a Flood Zone 1 and a distance of 530m from the Salmons Brook (Main River) thereby the site has limited drainage and flood risk constraints. The applicant has submitted a FRA and Drainage strategy (Prepared By TPA, dated December 2021, Ref FRA01 Rev D) to address the drainage implications of the development. The report includes calculation of the Greenfield run of rates and source control measures. Green roofs and permeable paving have been incorporated to the surface water drainage layout, which is detailed in Chapter 5 of the submitted drainage report. Following a review by the Councils SUDs team no objections to the detail provided are highlighted. As part of a detail landscape plan additional information shall be requested by way of condition to increase sustainable green drainage on site.
- 9.47 Thames Water have confirmed subject to adherence to the sequential approach to the disposal of surface water they would have no objection. On the basis of information provided, Thames Water would advise that with regard to water network infrastructure capacity, there are no objections.

Highway, Access and Parking:

- 9.48 London Plan (2021) Policy T1 sets a strategic target of 80% (75% in Enfield) of all trips in London to be by foot, cycle or public transport by 2041 and requires all development to make the most effective use of land. Policy T5 encourages cycling and sets out cycle parking standards. Policies T6 and T6.1 to T6.5 set out car parking standards.

- 9.49 The applicant submitted a Transport Statement (Prepared by TPA - Dated December 2021 Ref TS01 Rev A) to support the planning application and has been assessed by the transportation officer.

Vehicle Parking

- 9.50 Policy DMD 45 seeks to minimise car parking and to promote sustainable transport options. The Council recognises that a flexible and balanced approach needs to be adopted to prevent excessive car parking provision while at the same time recognising that low on-site provision sometimes increases pressure on existing streets.
- 9.51 Car parking proposals will be considered against the standards set out in the London Plan and:
- The scale and nature of the development;
 - The public transport accessibility (PTAL) of the site;
 - Existing parking pressures in the locality;
 - Accessibility to local amenities, and the needs of the future occupants of the developments.
- 9.52 Thirty-nine (39) on-site parking spaces are provided at basement level (3 of which are disabled spaces) and a further three (3) spaces at ground level are provided, totalling forty-two (42) parking spaces. The London Plan (2021) expects car free to be the starting position albeit in appropriate and suitable locations. Assessing the proposed dwelling mix of 20 x 2 bed, 8 x 3 bed and 1 x 4 bed units against the maximum parking standards in table 10.1 of Policy T6.1 of the London Plan (2021), the following table is created.

Dwelling size	(Maximum standards)	Total spaces for size of units (Maximum provision permitted)	Cycle spaces required
20 x 2 bed	1.5 spaces	30 spaces	40
8 x 3 bed	1.5 spaces	12 spaces	16
1 x 4 bed	1.5 spaces	1.5 spaces	2
		43 Maximum spaces (rounded)	58

- 9.53 Policy T.6 of the London Plan (2021) provides maximum parking standards and therefore the provision of thirty-nine (39) spaces for residents of twenty-nine (29) units is considered appropriate, alongside the three (3) visitor parking bays. The parking standard in table 10.1 of policy T6.1 are maximum standards NOT minimum standards and where possible less parking should be provided to meet sustainable travel mode goals.

Cycle provision

- 9.54 Policy T5 (Cycle Parking) of the London Plan (2021) expects a minimum cycle provision for developments of 1 space per studio/1 bedroom dwelling, 1.5 spaces per 2 bedroom dwelling and 2 spaces per all other dwellings. A total of sixty-eight (68) secure cycle spaces would be provided on-site which exceeds the required fifty-eight (58) required by planning policy. The cycle storage units would be

contained and housed at ground floor level between Block A and B and Blocks C and D. The cycle storage units are accessible, covered and secure, meeting policy requirements.

Refuse/serving

- 9.55 Standard 22 of the adopted London Plan Housing SPD (2016) expects “communal refuse and recycling containers, communal bin enclosures and refuse and recycling stores should be easily accessible to all residents including children and wheelchair users, and located on a hard, level surface”.
- 9.56 The refuse storage would be located within the same structure that house the cycles albeit separated within the building. The refuse would be collected via the dedicated service layby on Bush Hill. The refuse would be brought to kerb side on collect day and presented for collection on Bush Hill. Transportation and Commercial waste have no objection to the arrangement.
- 9.57 1100li bins would be provided with appropriate segregation. Each 1100li bin is capable of serving four (4) flats. As part of the recommendation, a refuse operational management document would be required to secure additional details pertaining to the presentation and collection of refuse.

Vehicle Access

- 9.58 The existing two (2) crossover accesses from Bush Hill shall be closed and reinstated as pavement (highway) and a new crossover access would be created on to Bush Hill to serve the basement parking. The site of the new access is part of the extant approval from 2015 and the location is not objected to by Transportation or Highways. The access currently serving the site would be moved approximately 7m to the west and a 5.5m wide entrance created to the basement carpark. The access to the underground car park is two way and allows a vehicle to enter and exit simultaneously.
- 9.59 Visibility splays of 2.4 metres x 40 metres to the east of the site and 2.4 metres x 52 metres to the west of the site can be provided to the nearside kerbs. These are considered to be in accordance with the 85th percentile speeds on Bush Hill and ensure highway safety. Further details are provided in Appendix E of the submitted Transport statement and shall form a planning condition.
- 9.60 As part of the development a total highway and transport contribution of £70,000 is sought which would breakdown as £40,000 for sustainable transport in the borough and £30,000 for a 2m wide strip dedication on Bush Hill and Carr Lane.
- 9.61 The quantum of trips to the site would increase but there are no concerns regarding network capacity impacts or the increased vehicle movements. The increased trip generation would not be harmful to the highway integrity or other road users.
- 9.62 In summary, the transport and highway impacts are acceptable and meet adopted policy criteria.

Biodiversity Impacts:

- 9.63 Policy G6 of the London plan (2021) states “development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed

from the start of the development process". The applicant has submitted a Biodiversity Net Gain (Prepared by SES Dated December 2021) and 3.0 metric biodiversity table to analyse and review the level of biodiversity value on site.

- 9.64 The site is vacant ground (and uncleared rubble) with an area of grass with an ornamental hedge on the southern boundary. The feature of greatest ecological value is the area of modified grassland in the centre of the site and the large veteran tree within it. The proposed landscape plan includes the addition of 0.4km of hedgerow, of which 0.32km are native species hedgerow. The native species hedgerow will be planted between the rear gardens and along the street frontage. The native hedges will not be species rich and will be kept trimmed to achieve a formal look. Judged against the planting of hedgerows alone, the biodiversity increase on the metric of 1.07 units.
- 9.65 The total net biodiversity gain amounts to 357.49% in Habitat units and 3385.85% in Hedgerow units, both achieve a gain as required by the London Plan (2021), outlined in the accompanying DEFRA BNG 3.0 Metric.
- 9.66 The applicant prepared a Preliminary Ecology appraisal assessed by the council's independent ecologists. The report states in para "4.7, there are two potential roost sites (woodpecker holes) within an ash *Fraxinus excelsior* tree on the north-east boundary of the site (see P10 in Appendix 4).
- 9.67 The ecologist confirms the tree in question is outside the red line planning boundary. As such, provided that this tree is not illuminated by the new lighting (subject to a lux lighting condition), the proposals would not impact upon a bat roost should it be present. On account of the site already being cleared the proposals are very unlikely to affect other protected or priority species.
- 9.68 The existing site offers modest ecology environments of quality and following the details and strategies submitted via the biodiversity appraisal report and landscape scheme (subject further conditions), the development would represent a significant enhancement to biodiversity. The preliminary ecology appraisal identified no protected species or other wildlife that would be endangered or lost as a result of the development proposed. conditions provide adequate safeguards to secure and retained biodiversity on site in accordance with relevant planning policies.

Impact on Trees:

- 9.69 Part (c) and (d) of Para 180 of Section 15 of the NPPF (Adopted 2021) states
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.*
- 9.70 London Plan Policy G7 states that where development proposals result in the removal of trees, adequate replacement trees should be planted based on the existing value of the trees to be removed. Legislation under BS 5837: 2012, alongside Policy CP36 (Biodiversity) of the Enfield Core Strategy (2010) and Policy

DMD 80 of the Enfield Development Management Document (2014) all expect existing mature trees on development sites to be protected.

- 9.71 The site includes a large veteran London Plane of highly significant amenity value and which is protected by Tree Preservation Order - LBE Order 8 (1968). The applicant has submitted an Arboricultural Impact Assessment AIA (Ref SHA 088 Dated April 2020) to summarise the works involving the trees. The AIA builds on the extant planning permission under planning reference 15/02026/FUL which has commenced. As part of the extant permission trees were felled in agreement with the approved plans.
- 9.72 The proposed scheme seeks to retain the broad footprint of the built form rearward thereby not affecting the RPA of the veteran tree to any significant extent, in this instance a distance of 18.5m from the nearest point of built form of the four apartment blocks to the stem of the tree. As part of the planning application, twelve (12) trees shall be planted to mitigate the loss of 5 trees to the front of the site.
- 9.73 The Tree officer has reviewed the information and considers the loss of trees to be acceptable and the impact to the RPA of the mature trees in accordance with current industry guidance as per BS5837:2012 and chapter 15, section 180 of the NPPF (2021), Policy 7.21 of the current London Plan (2016), Policy CP36 (Biodiversity) of the Enfield Core Strategy (2010) and Policy DMD 80 of the Enfield Development Management Document (2014).
- 9.74 As part of the landscape condition further trees shall be sought to improve habitats and shading.

Sustainability and Climate Change:

- 9.75 Policy SI 2 (Minimising greenhouse gas emissions) of the London Plan (2021) expects major development to be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:
- 9.76
- 1) be lean: use less energy and manage demand during operation
 - 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
 - 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
 - 4) be seen: monitor, verify and report on energy performance.
- 9.77 Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:
- 1) through a cash in lieu contribution to the borough's carbon offset fund, or
 - 2) off-site provided that an alternative proposal is identified and delivery is certain
- 9.78 The applicant has submitted Energy Assessment (Prepared Integration consultancy, dated 25-11-2021). The report follows the GLA energy statement guidance and

energy hierarchy and adopts SAP 10 carbon factors. The development does not meet Carbon Zero but provides and exceeds a baseline of 35% above Building Regulations with a 52% carbon dioxide saving from renewable energy - 43,86kWp (be green). Based on the domestic development's emissions charge, a price of £95/Tonne is applied and therefore a carbon off-set contribution of £49,254 is applicable. This will be secured by a s106 legal agreement.

Other Matters: Social Economic

- 9.79 London Plan Policy CG5 seeks to ensure that the benefits of economic success are shared more equally across London and Policy E11 makes clear that development should support employment, skills development, apprenticeships and other education and training opportunities in both the construction and end use phases.
- 9.80 The Council's Planning Obligations SPD (2016) sets out guidance on implementing these policies. It is recommended that s106 planning obligations secure the following:
- Local Labour (during demolition and construction phases):
 - Employment & Skills Strategy submitted and approved prior to commencement
 - All reasonable endeavours to secure 25% of workforce
 - Apprenticeships or trainees
 - Local goods and materials

Employment & training:

- Employment and Skills Strategy to establish requirements for local resident engagement in employment opportunities, recruitment of apprentices, quarterly reporting and targets.
- Training opportunities
- Partnership working with local providers/programmes

Accessible units

- 9.81 London Plan Policy D7 requires at least 10% of new dwellings to be Building Regulations M4(3) compliant wheelchair user dwellings. Of the twenty-three (23) proposed dwelling flats, over 10% of units are designed to meet this standard exceeding the policy threshold.

Security

- 9.82 Final details of the appearance and form of the gate detail and access arrangements to the site shall form pre-commencement conditions. The Met Police have reviewed the development and have requested planning conditions which will be added. Officers consider the layout of residential development to provide high levels of passive surveillance.

Contamination

- 9.83 The applicant has submitted a ground Investigation (Ref P9079J615-TE, dated 14-08-2019) highlighting no presence of elements of contamination or other hazardous material are on site. In addition, the extant scheme has fully discharged a ground contamination condition and has already dug foundation pits. Officers are content the presence of contamination on site is unlikely and appropriate mitigation measures are applicable if found.

10 Section 106 Agreement and Planning Obligations:

- 10.1 The planning application is subject to financial contributions secured via s106 legal agreement with the following heads of terms

Transport – Sustainable

- 10.2 A contribution of £40,000 towards the sustainable transport infrastructure in the vicinity of the Development Site would be secured. The contribution would fund (but not limited to) the following,
- a. Cycle infrastructure including proposed segregated lanes
 - b. Cycle parking (including at stations, shops)
 - c. Pedestrian Environment Review System study
 - d. Crossing points

Transport – pedestrian pathway

- 10.3 A contribution of £30,000 or the construction of a two (2) metre pedestrian footpath along Carr Lane and connecting with Bush Hill. The design and implementation shall; be undertaken by the highway authority.

Climate Change and the Environment

- 10.4 A Contribution (Carbon Offset Payment) towards the Carbon Offset Fund (utilised by LB Enfield towards the provision of measures for securing CO2 reduction in the vicinity of the Site) of £49,254 shall be secured.

Education

- 10.5 A Payment of £72,500 for the purposes of mitigating the impact of the Development on educational services and for the provision of additional educational facilities and school places in the Borough.

Affordable housing

- 10.6 Policy H5 (Threshold approach to applications) of the London Plan (2021) and the Homes for Londoners SPD clearly expects the Late stage review, required on all developments which follow the viability tested route, confirms the review point is when 75% of units are sold or let. For the absence of doubt the formula is set out below, and must be added to the S106 Legal agreement in full.
- 10.7 The off-site affordable housing contribution would amount to £1,113,000. Comprehensive late stage review mechanisms must be applied to schemes that do not meet the threshold or require public subsidy to do so, in order to ensure that affordable housing contributions are increased if viability improves over time.

Employment and Training

- 10.8
- a. Local Labour (during construction phase)
 - b. Employment & Skills Strategy submitted and approved prior to commencement of development (definition of development in this instance not including demolition) using reasonable endeavours to secure:
 - (i) 25% of local workforce,

- (ii) 1 x apprentice or trainee for every £1m contract value (figure to be agreed during drafting of s106 subject to formula) (financial contribution to be provided if exceptional circumstance exist),
- (iii) Quarterly apprenticeship reporting & targets
- (iv) Local goods and materials, and
- (v) Partnership working with local providers/programmes

Other

- 10.9 a. Considerate Constructors Scheme.
- b. LBE Management monitoring fee (maximum 5% of value of financial contributions).

11. Community Infrastructure Levy (CIL):

Mayoral CIL

- 11.1 The Mayoral CIL is collected by the Council on behalf of the Mayor of London. The amount that is sought for the scheme is calculated on the net increase of gross internal floor area multiplied by an Outer London weighting (increased to £60 per sqm as of 1st April 2019).

Enfield CIL

- 11.2 The Council introduced its own CIL on 1 April 2016. The money collected from the levy (Regulation 123 Infrastructure List) will fund rail and causeway infrastructure for Meridian Water and other projects in the borough. Enfield has identified three residential charging zones and the site falls within charging rate zone (£120/sqm).
- 11.3 All figures above are subject to the BCIS figure for CIL liable developments at time of CIL processing.
- 11.4 The historic residential buildings on site were demolished in early 2020 and are not subject to CIL credit. The proposed 6,421m² of new residential floorspace are subject to the CIL charging rate. A provisional CIL contribution is provided below.

Mayoral CIL - £385,260

Enfield (Local) CIL – £770,520

- 11.5 The draft schedule of statutory obligations totals £1,346,000 (as shown below) and should this amount be confirmed, the remaining sum calculated will form the affordable housing PIL at £1,226,000 (£2,572,000 - £1,346,000 = £1,226,000).

- Local CIL: £ 770,000
- Mayor CIL: £ 385,000
- Subtotal: £1,155,000

- Sustainable transport: £ 40,000
- 2m wide strip dedication: £ 30,000
- Carbon offset: £ 49,254
- Education: £ 72,500
- Subtotal: £ 191,754

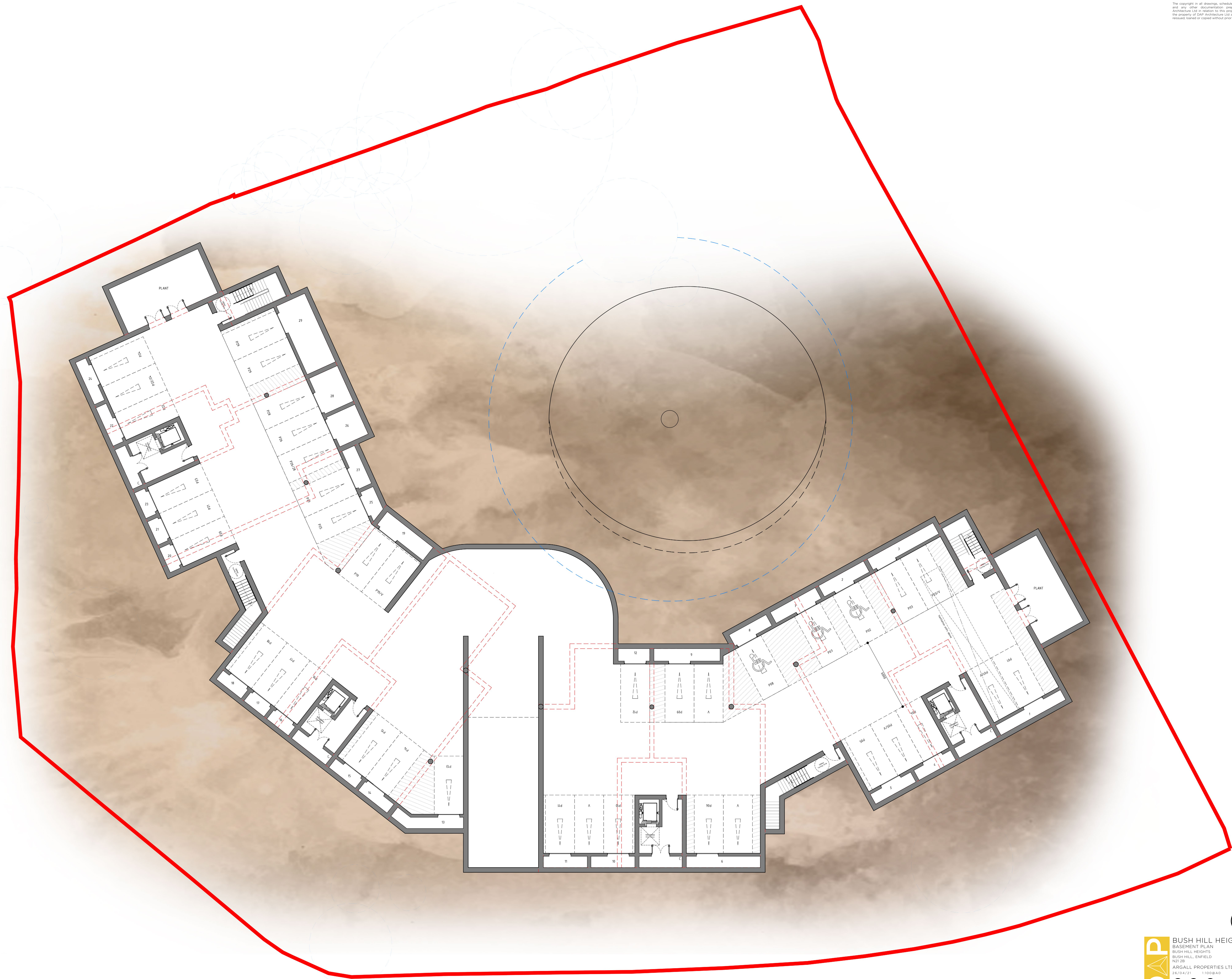
- Total: £1,346,000

12 Public Sector Equality Duty

- 12.1 In line with the Public Sector Equality Duty the council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. Section 149 of the Act requires public authorities to have due regard to several equality considerations when exercising their functions including decision making on planning applications. These considerations include: Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; Advance equality of opportunity between persons who share a relevant protected characteristic (explained in detail below) and persons who do not share it; Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 12.2 The main objective of the duty has been to ensure public policies and programmes are implemented fairly, in particular with regard to their impact on the protected characteristics identified above. In making this recommendation, due regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, marriage / civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).
- 12.3 When determining the planning application (and thereby accounting for the representations resulting from public consultation), the Council has considered the potential effects of the proposed development on those with protected characteristics as defined under the Equality Act 2010. In doing this, the Council has had due regard to equality considerations and attribute appropriate weight to such considerations. In providing the recommendation to Members that planning consent should be granted, officers have considered equalities impacts in the balance, alongside the benefits arising from the proposed development. The Council has also considered appropriate mitigation to minimise the potential effects of the proposed development on those with protected characteristics.
- 12.4 There are no statutory or regulatory requirements for the form or content of an equalities assessment. The scale and significance of such impacts cannot always be quantified, and it is common to address this through descriptive analysis of impacts and identifying whether such impacts are adverse or beneficial. The key elements of the Proposed Development which have an impact that could result in an equalities effect include the design and physical characteristics of the proposals subject to the planning application. Officers do not consider there would be a disproportionate equalities effect.
- 12.5 In line with the Human Rights Act 1998, it is unlawful for a public authority to act in a way which is incompatible with a Convention right, as per the European Convention on Human Rights. The human rights impact has been considered, with particular reference to Article 1 of the First Protocol (Protection of property), Article 8 (Right to respect for private and family life) and Article 14 (Prohibition of discrimination) of the Convention.
- 12.6 The Human Rights Act 1998 does not impair the right of the state to make decisions and enforce laws as deemed necessary in the public interest. The recommendation is considered appropriate in upholding the council's adopted and emerging policies and is not outweighed by any engaged rights.

13 Conclusion:

- 13.1 The starting point for the determination of any planning application is the development plan. Paragraph 11(d) of the NPPF, and the application of the tilted balance means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, which also includes the Development Plan. Moreover, planning permission should be approved unless *“the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed”*.
- 13.2 Having regard to the assessment in this report, the development would provide 29 units of residential accommodation, which it is considered, would be consistent with the thrust of national planning policy and the adopted “development plan” to optimise development on small sites. It would also and importantly, increase the delivery of new homes in response to the Housing delivery Test and the need to deliver new homes.
- 13.3 It is acknowledged that consideration of this proposal has involved finely balanced judgements. Compromises have been made in the consideration of the proposal’s massing and scale in order to optimise the development potential of this sustainable brownfield site and thus contribute to the Borough’s challenging housing targets. It is considered the form, design and appearance of development, although not a repetition of the existing built form, is appropriate for the location and would sympathetically relate with the character and visual amenities of the surrounding area. In all other respects including parking, access, relationship to existing / retained trees etc, the proposed scheme is considered acceptable as outlined in the aforementioned report.
- 13.4 The approach to the delivery of affordable housing in the form of an off-site contribution in lieu of provision is an exception but can be supported by policy and n was previously established by the grant of planning permission. Although there is preference for on-site delivery, the nature of the development does support this approach and a sum equivalent to the onsite provision has been secured.
- .13.5 It is also considered that the social benefits, in both high quality new housing stock and significant financial benefits carry significant weight in favour of the proposed development. Further economic and social benefits include employment during construction, as well as the continued and improved use of local services and facilities.
- 13.6 Whilst the off-site approach to affordable housing means in the overall balance, less tilt can be given to housing delivery, the provision of new homes and the affordable housing contribution remain significant consideration which weigh in favour of planning permission being granted. Moreover, there are no concerns which would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, which also includes the Development Plan. AS a result and subject to the Section 106 Agreement, the application is therefore recommended for approval.





FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION



FRONT ELEVATION



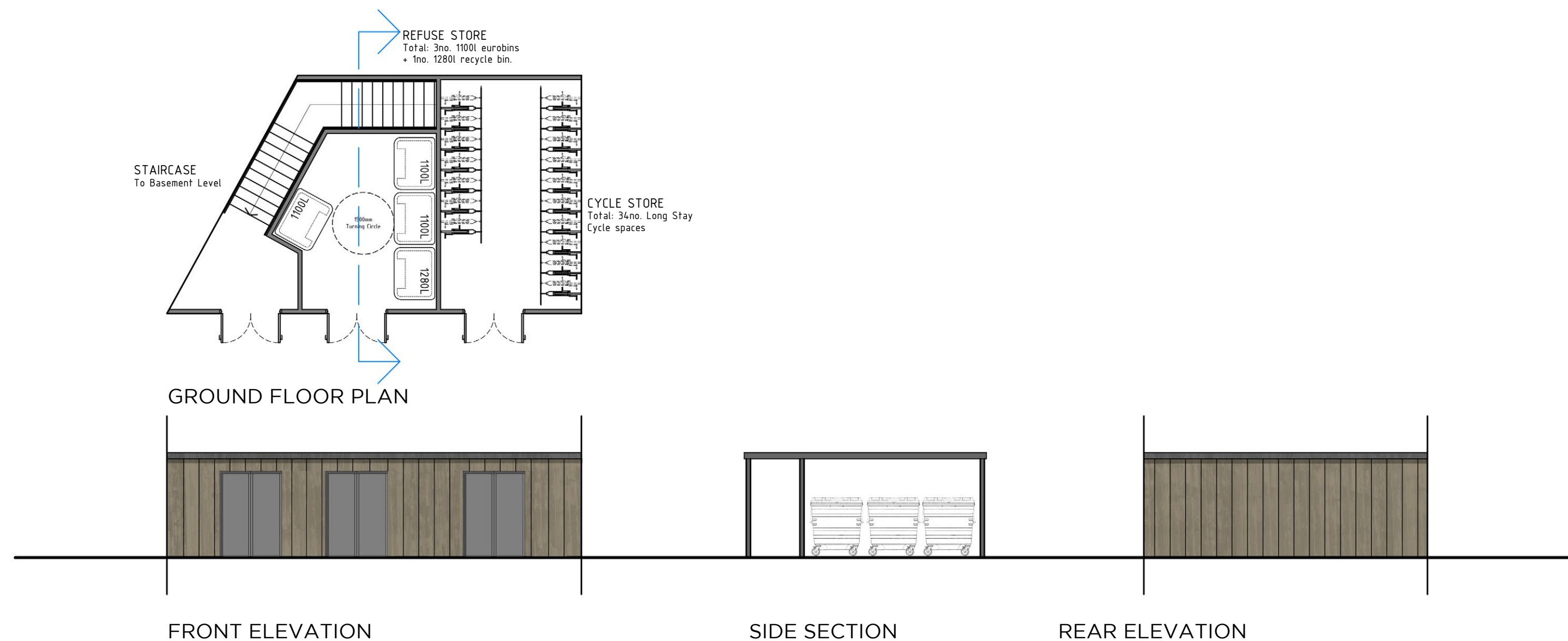
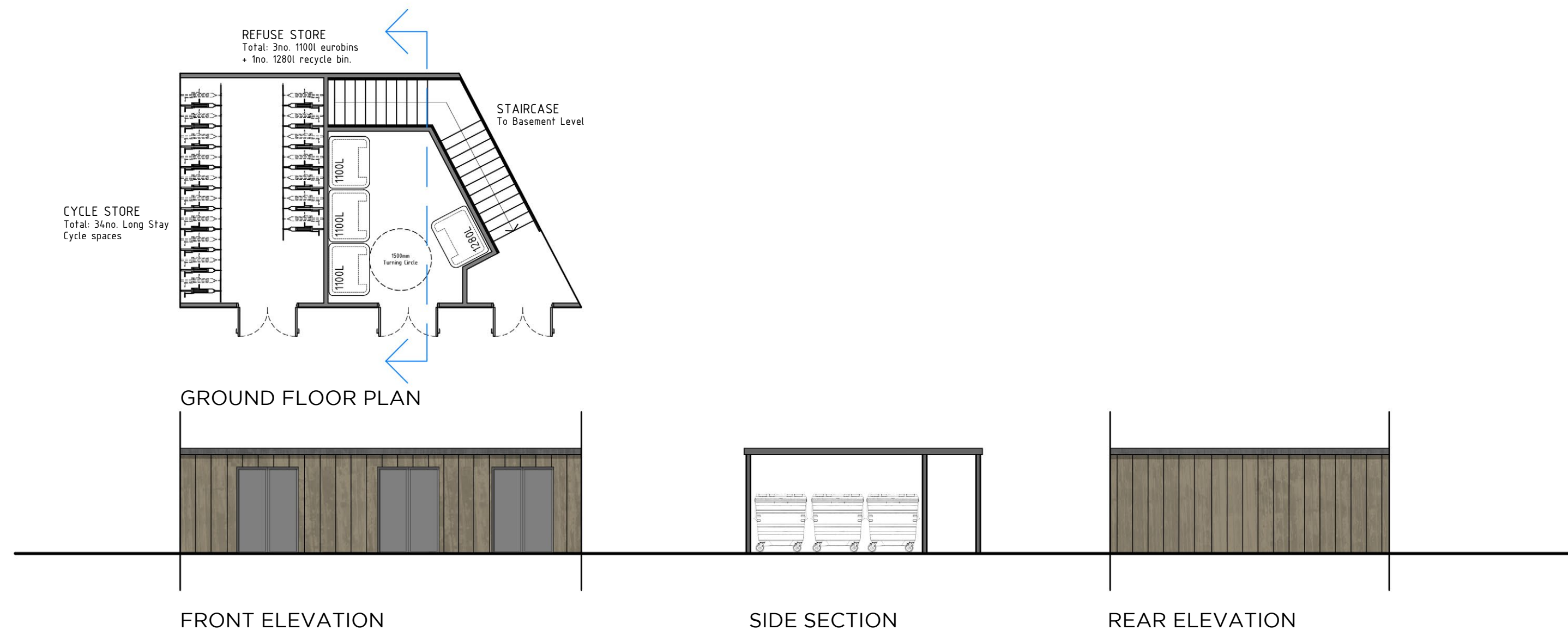
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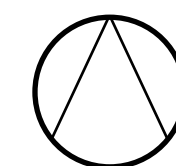


SIDE ELEVATION



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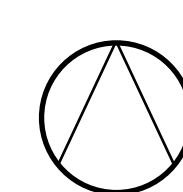


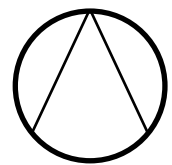
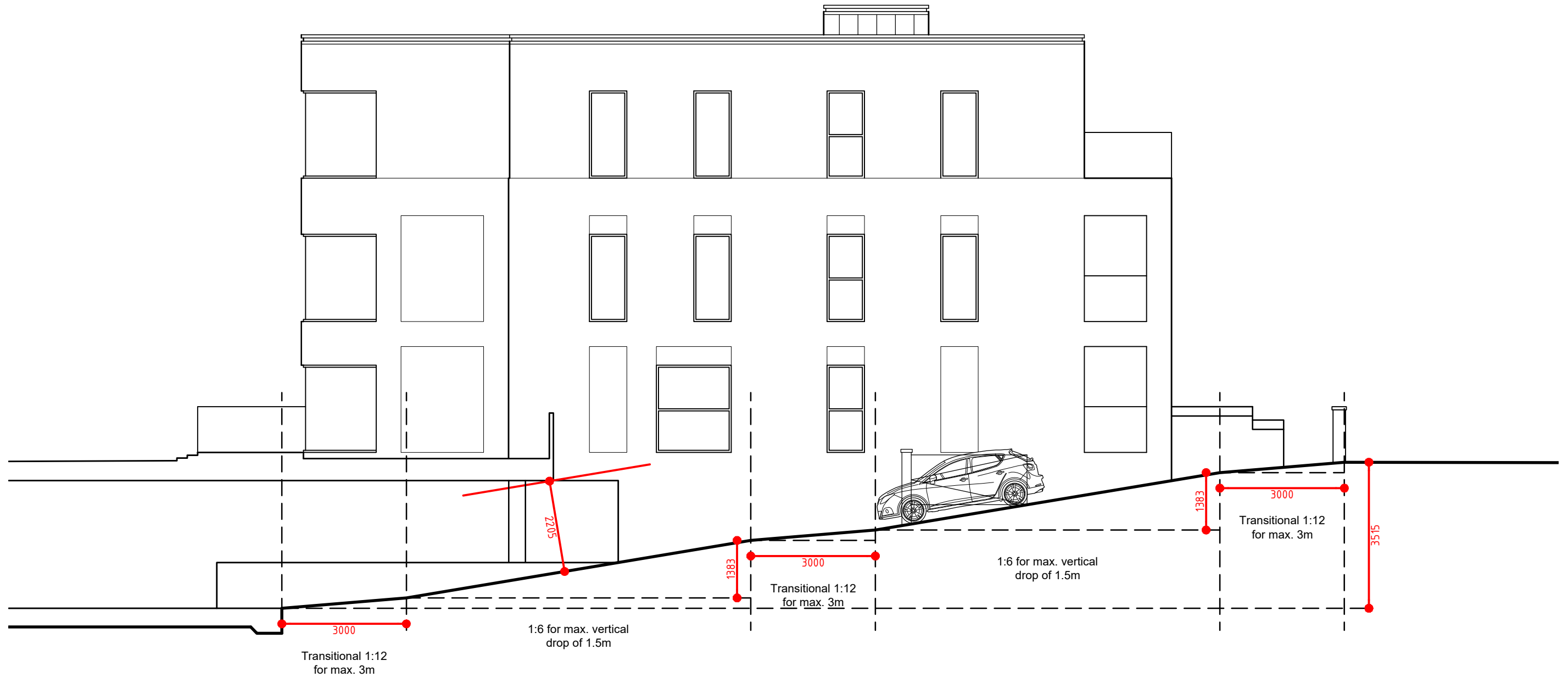
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BUSH HILL, ENFIELD
N21 2B

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17/05/21 1:100@A2 Project#1372

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0m 1m 3m 6m

AS PROPOSED RAMP SECTION



BUSH HILL HEIGHTS
PROP RAMP SECTION
BUSH HILL HEIGHTS
BUSH HILL, ENFIELD
N21 2B

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18.05.2021

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PROJECT 1372

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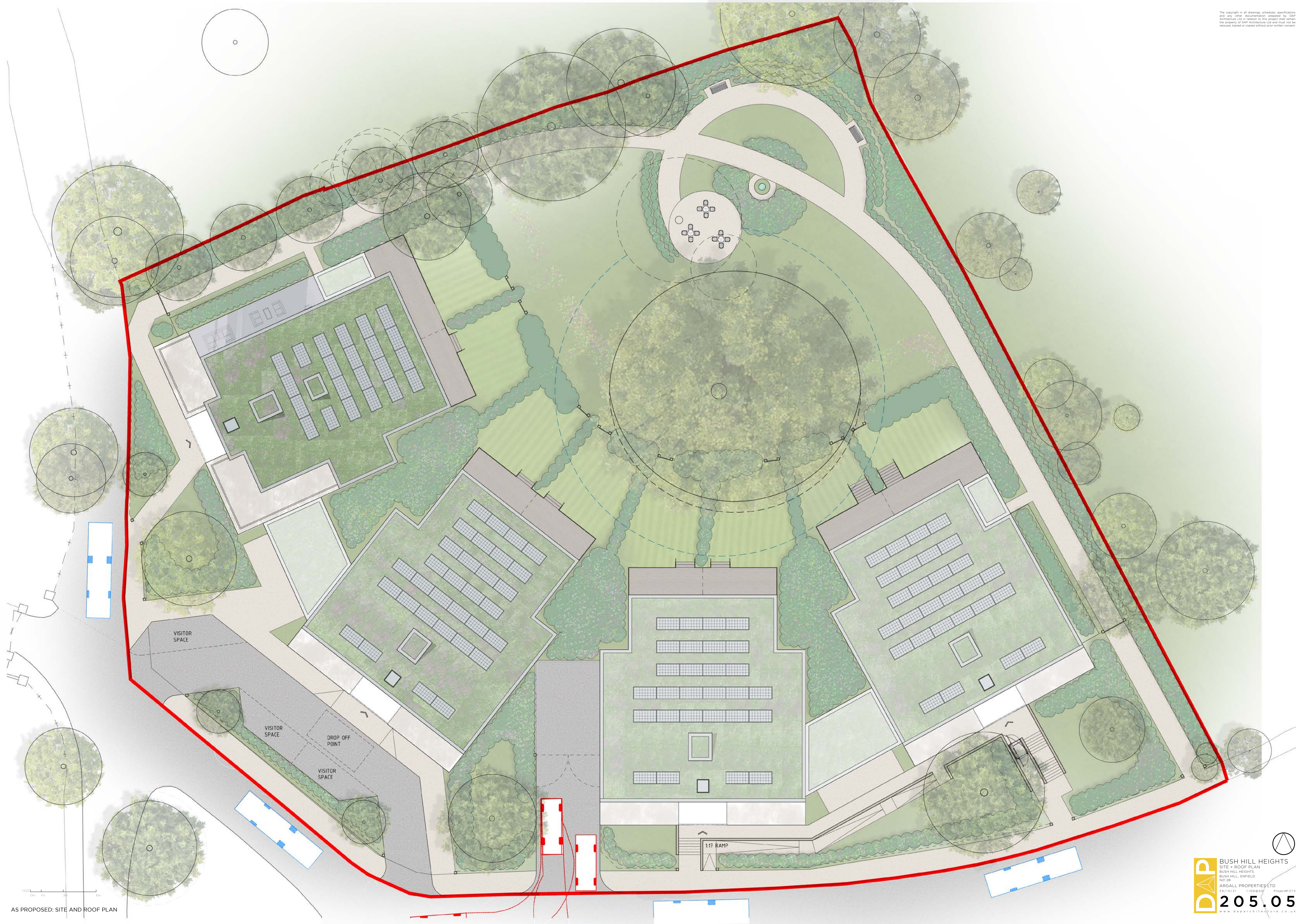
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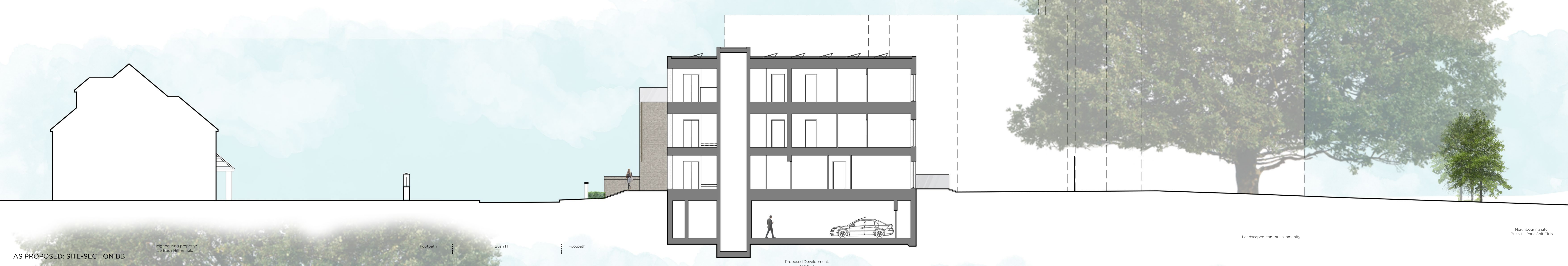


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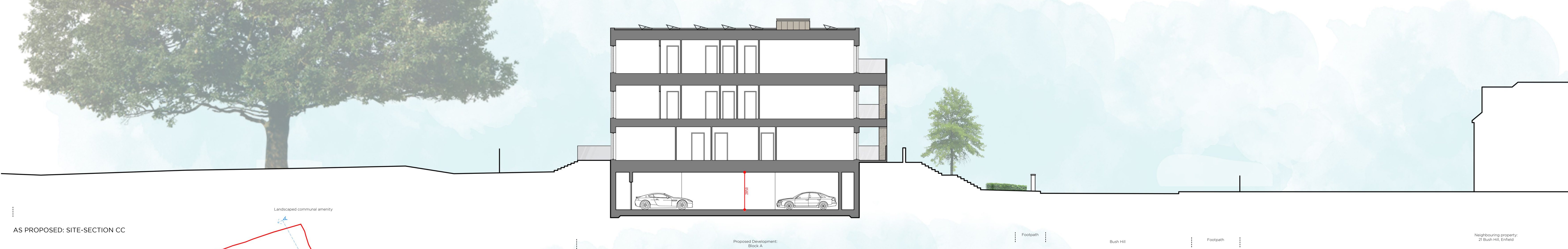
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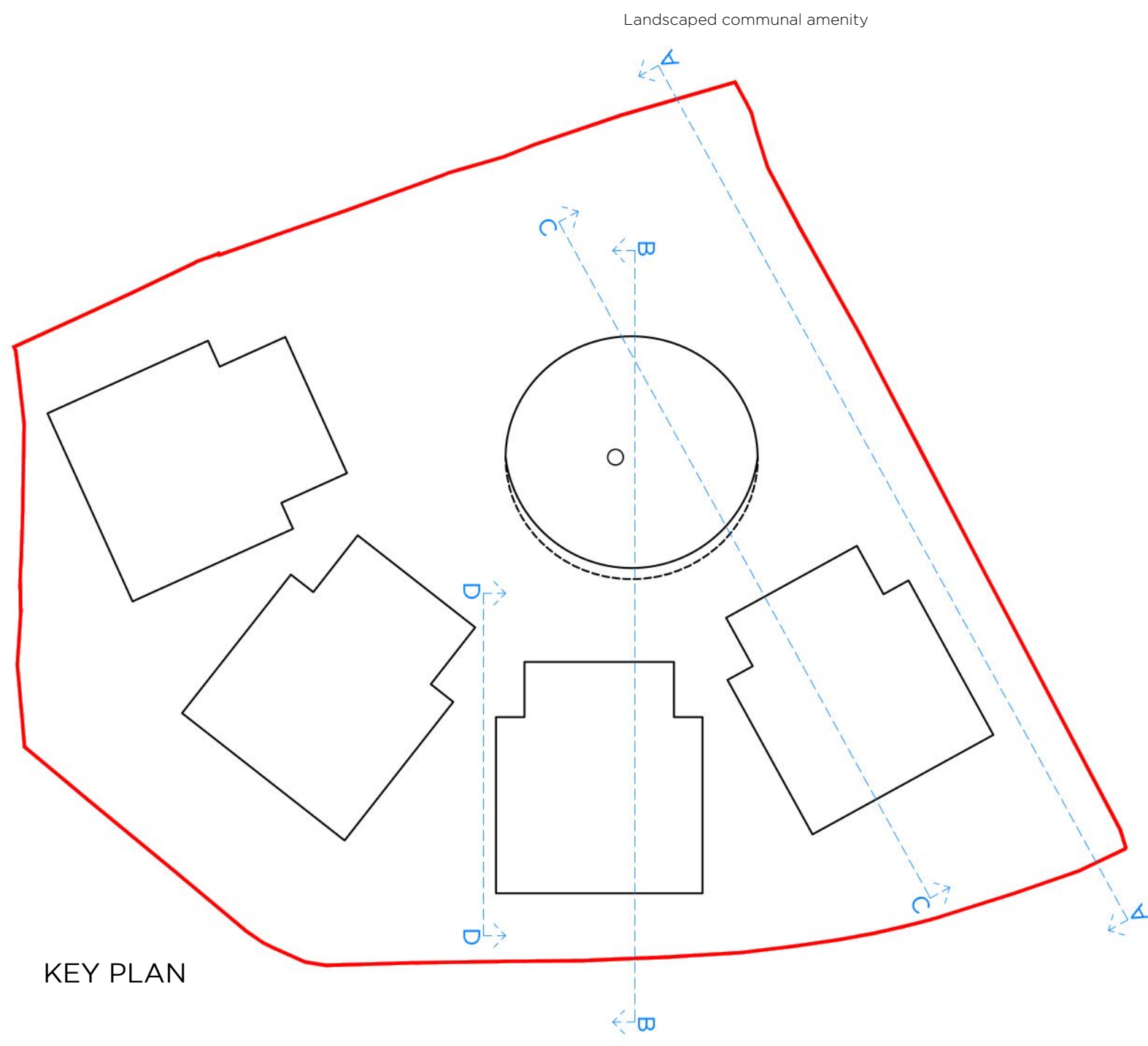
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AS PROPOSED: SITE-SECTION BB



AS PROPOSED: SITE-SECTION CC



AS PROPOSED: SITE SECTIONS

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AS PROPOSED: SITE-SECTION DD



AS PROPOSED: STREET-SCENE AA

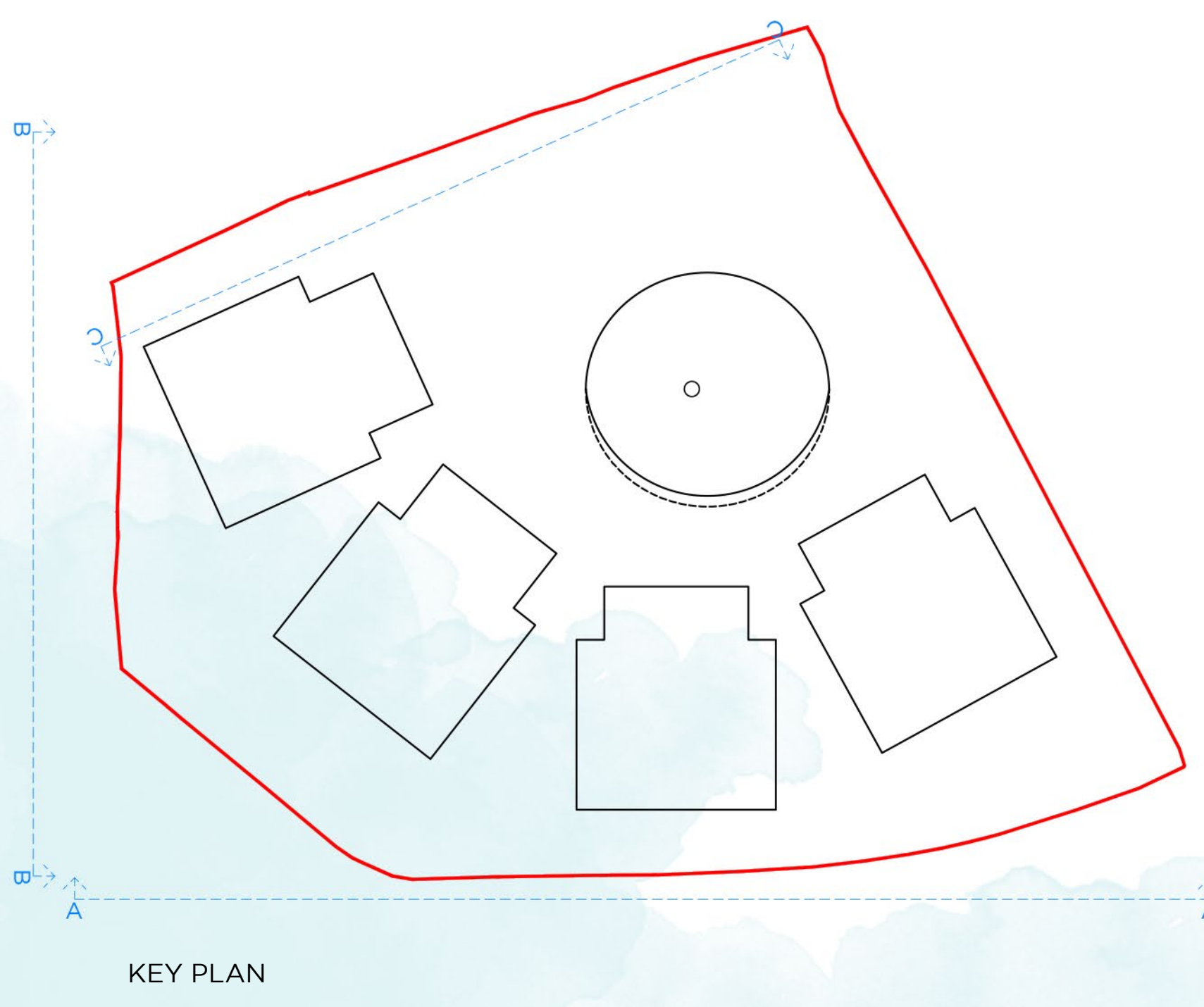


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AS PROPOSED: STREET-SCENES



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AS PROPOSED: STREET-SCENE AA



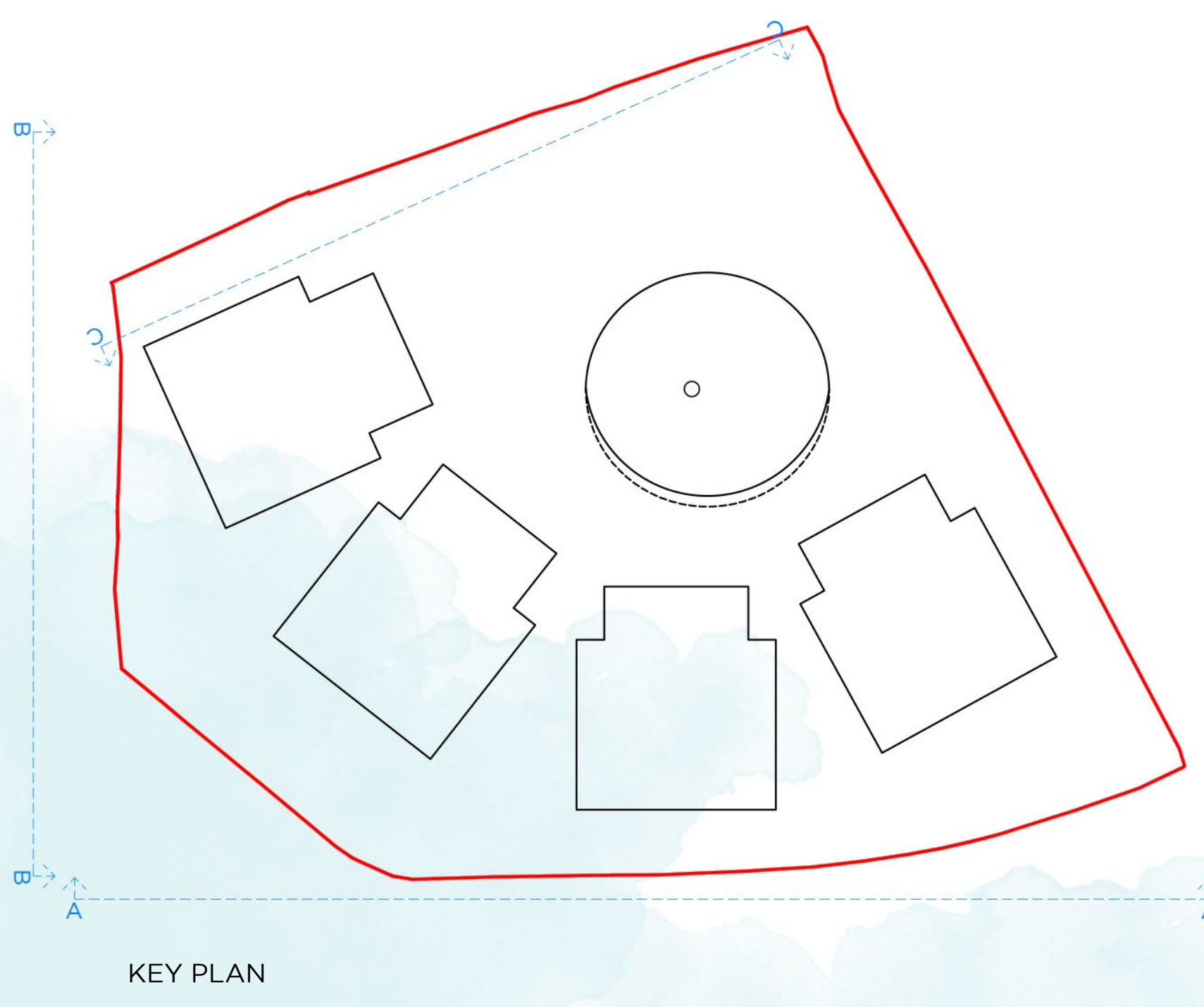
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AS PROPOSED: STREET-SCENE CC



AS PROPOSED: STREET-SCENES



KEY PLAN

1:1000
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1:1000
0m 1m 2m 3m 4m 5m 6m

AS PROPOSED: THIRD FLOOR PLAN





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1:1250
0m 12.5m 37.5m 75m

EXISTING SITE LOCATION PLAN



BUSH HILL HEIGHTS
EXT SITE LOCATION PLAN
BUSH HILL COTTAGE
20 BUSH HILL, ENFIELD, LONDON
N21 2BT
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