

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date: 21st June 2022

Report of

Head of Planning – Vincent
Lacovara

Contact Officer:

Andy Higham
David Gittens
Ishita Sheth

Ward:

Town

Ref: 22/00733/FUL

Category: Full Application

LOCATION: Plaza And Fountain Island The Town London EN1

PROPOSAL: Use of part of existing highway for outdoor dining and cultural activities for a temporary period of three years, including new street furniture and, new food-serving trailer for cafe use class E(b).”

Applicant Name & Address:

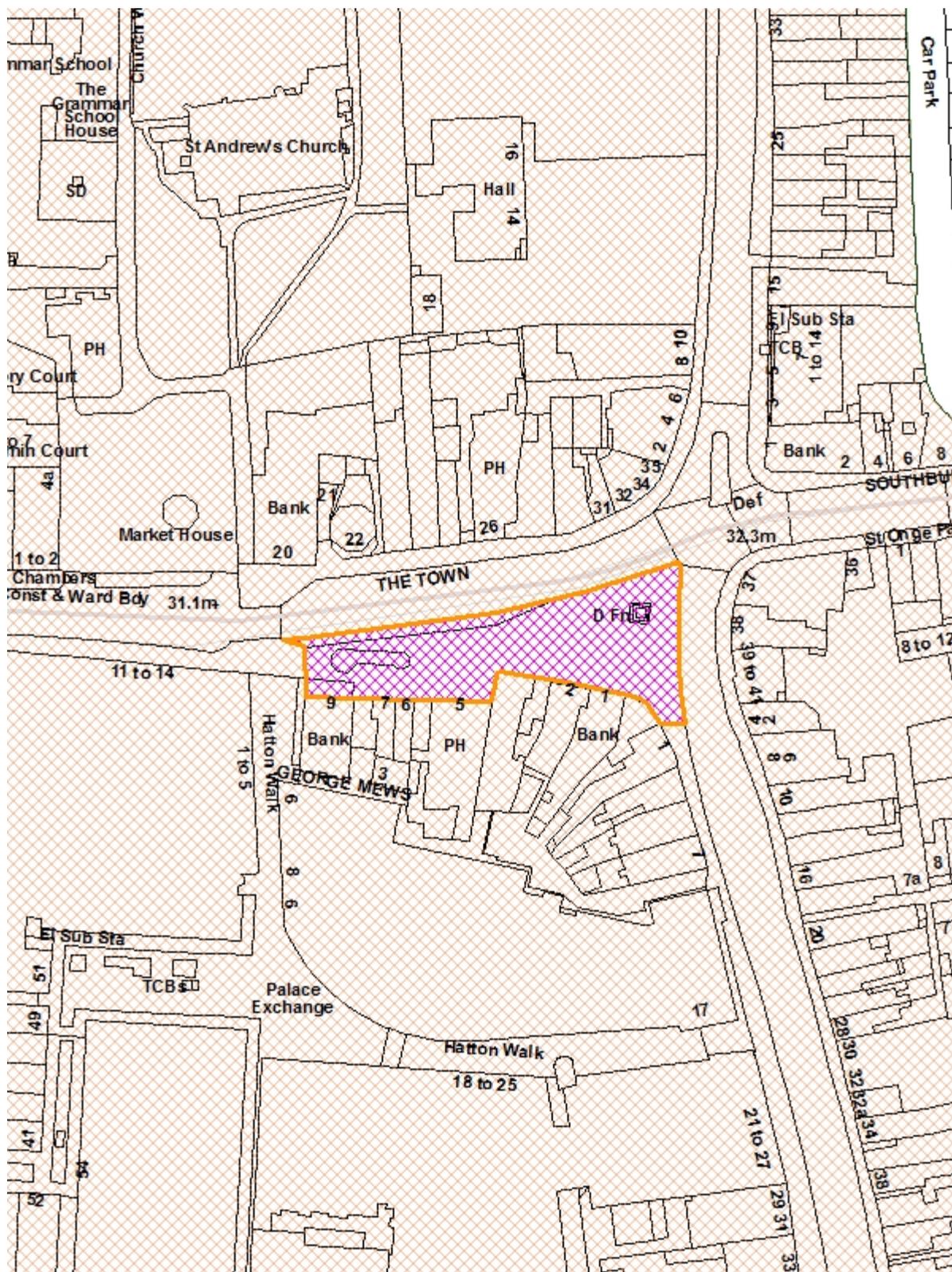
Miss Corina Tuna
Jan Kattein Architects
277 New North Road
London
N1 7AA
United Kingdom

Agent Name & Address:

N/A

RECOMMENDATION:

1. That 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.



1. Note for Members

- 1.1 The application is reported to Planning Committee for determination in accordance with the scheme of delegation because the application site is Council owned.

2. Executive Summary

- 2.1 The application proposes the formation of a public space to be used for outdoor dining and cultural activities for a temporary period of three years, including new street furniture, new food-serving trailer for cafe use class E(b).
- 2.2 The proposal is located within Enfield Town Conservation Area and is in close proximity to other identified heritage assets, including Listed and Locally Listed buildings. The proposal is identified as causing 'less than substantial harm' to the setting of these assets. In accordance with the NPPF, where 'less than substantial harm' is identified the decision maker can weigh the identified harm against any public benefits of the proposal. In this instance, Officers consider that the public benefits of the proposal (primarily through the provision of a community/cultural facility and support for the viability and vitality of the wider town centre) outweighs the 'less than substantial harm' identified.
- 2.3 The primary public benefits of the scheme can be summarised as follows:
- a) Create an engaging public realm for people of all ages, with opportunities for social activities, formal and informal play and social interaction
 - b) Provide a service for the need of the local community, whilst also promoting social and cultural well-being;
 - c) Promote vitality of the town centre;
 - d) Support an active nightlife and a diverse retail- and entertainment economy;
 - e) Promote an inclusive development by providing a location and service to all members of the local and wider community to gather.

Furthermore, it has been recognised that:

- The development by virtue of its town centre location would not unacceptably harm the amenity of occupying and neighbouring residents.
- The proposals would not cause any unacceptable harm upon highway safety or the flow of traffic in the locality.

- 2.4 The development would be appropriate and broadly in accordance with relevant National and Regional Policy, Core Strategy and Development Management policies.

3.0 Recommendation

- 3.1 That the proposed development be granted temporary consent for a period of three years subject to the recommended conditions as set out in this report.
1. Time limit - Full
 2. Consent for temporary period of three years
 3. Development in accordance with approved drawings and documents
 4. Opening Hours Restriction for outdoor seating
 5. Opening Hours Restriction for community events

6. Use of the food trailer only for the purpose of the sale of food and drink
7. All the outdoor dining/seating furniture to be removed and stored indoors within business premises outside opening hours

3.2 That the Head of Development Management/Planning Decisions Manager be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report

4. Site and Surroundings

4.1 The site is situated in in Enfield Town which is designated as a Major Town Centre. It is located at the junction between London Road, Silver Street, Southbury Road and The Town. Fountain Island is a strategically important public space situated to the front of HSBC / Nandos and extending westwards to Natwest Bank.

4.2 The area is paved and is used as a public pedestrian access route. The space accommodates the fountain, cycle hoops, benches, trees, bins and lamp posts. The plot of land is visible from both Church Street and London Road. The Fountain Island is a strategically important public space at the heart of the town centre the southern side of Church Street.

4.3 The site is located within the Enfield Town Conservation Area. There are a number of other identified heritage assets within the immediate vicinity of the site including Listed and Locally Listed buildings. The space is framed by terraces of fine historic buildings including two grade II listed board clad cottages at no. 3 and 4 the Town and the grade 2 listed Old Vestry Office at no. 22 The Town on the opposite side of the street.

4.4 The site is well connected in terms of public transport and has a Public Transport Accessibility Level (PTAL) rating of 6a ('excellent'). The site is within walking distance of both Enfield Chase and Enfield Town railway stations and there are numerous bus routes along Church Street.

5.0 Proposal

5.1 The proposal seeks to add vitality to this space by incorporating facilities for outdoor dining and cultural activities. This would entail the provision of street furniture, a food kiosk trailer and removable outdoor seating furniture.

5.2 The proposed street furniture comprises three elements, designed to engage visitors in cultural activities:

- A flexible central platform with mobile seating units intended to host community workshops and performances (platform may be used as a stage). When not being used for events, the platform offers informal public seating, mobile units can be locked securely underneath when not in use.
- A public art plinth with a changing display of sculpture, showcasing work by local artists.
- A notice board and display cabinet, used to promote cultural events across Enfield and facilitate exchanges between visitors and cultural groups. The cabinet may be used as a small outdoor museum, little free library or swap-shop.

5.3 A food kiosk trailer is proposed to be located in the existing defined loading bay of Church Street and this is to be used by Bonito Cafe as a serving point from catering trailer.

- 5.4 In respect of the outdoor seating area, the local businesses (Nando's, Gooney Waffle and O'Neill's, Billy Hair will be using folding tables, chairs and parasols to create temporary outdoor seating areas. These areas are proposed to be supervised and maintained by the relevant businesses. All the outdoor dining/seating furniture is proposed to be removed from pavements and stored indoors within business premises outside opening hours.
- 5.5 This application seeks a temporary consent for a period of three years.

6.0 Relevant Planning Decisions

- 6.1 There are no relevant planning decisions relating to the use of the site. It is however known that Fountain Island was selected as the location for an initial pilot project during the summer of 2021. Local hospitality businesses benefited from pavement licenses and new outdoor seating and hospitality furniture including coffee carts and bistro sets, introducing new outdoor dining areas on the square. Over 30 planters were added to the island. The site and nearby areas hosted a programme of cultural events, including A Month of Sundays summer festival and the migrating Totem Latamat. This did not require planning permission as it fell within the remit of permitted development.

7.0. Consultation

Public

- 7.1 Initial consultation on the application involved notification letters being sent to 40 neighbouring properties on 24.03.2022. A press notice was published in the Enfield Independent on 30.3.2022 and two site notices were also erected at the site on 24.05.2022.
- 7.2 One response has been received making the following comments:
- Are supportive; the island site need life.
 - Quality of the food-serving trailer is key. The area is a focal point and needs the highest quality of food servery and table layout (unlike the shanty town that occupies the Market Square).
 - Quality and type of food is also important. Enfield does not need another smelly burger bar. The planning authority should seek the applicant's intended menu. Let's go up market for a change.
 - A 20 mph speed limit along Church Street & The Town would be beneficial.
 - Any approval must be strictly restricted to a three year period. Standards and quality can deteriorate at a rapid rate.

Any additional comments received will be reported at the Planning Committee meeting.

Statutory and non-statutory consultees

Environmental Health:

- 7.3 Environmental Health does not object to the application for planning permission as there is unlikely to be a negative environmental impact. In particular there are no concerns regarding air quality, noise or contaminated land.

SuDS:

- 7.4 There is no objection to the proposal however the team would encourage the provision of rain gardens to be incorporated where possible (potentially replacing the planters).

Traffic and Transportation:

- 7.5 No objection in principle but the following points are noted:

- The outdoor seating area will need to be covered by pavement licences as a grant of planning permission itself would not enable this structure to be placed on the highway.
- S115B of the Highways Act may be the appropriate power, but this will need to be confirmed
- There will be a need to amend the loading bay TMO to shorten it to accommodate the catering trailer (
- The scheme has the potential to make it more difficult for blind and partially sighted pedestrians to navigate around the space, which all remains part of the highway. This needs to be fully considered to ensure that we are meeting our public sector equality duty Heritage Officer:

- 7.6 The scheme is considered acceptable and there is no objection to the proposals.

- 7.7 However, the placement and design of the noticeboard / display cabinet is a concern. It would be beneficial for the stand to be located adjacent to the existing telephone box to reduce streetscape clutter. It is also important that the structure – which by virtue of its height will be fairly prominent – is a high quality, visually interesting intervention which enhances the streetscape. Larger scale drawings of this intervention would be required via condition.

- 7.8 It is understood that the art plinth have been omitted from the scheme – though it is still shown on the submitted plans.

8. Relevant Policy

- 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.

The London Plan 2021

- 8.2 The London Plan 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:

D8 Public realm

GG1 Building Strong and Inclusive Communities

GG5 Growing a good economy
SD6 Town centres and high streets
Policy D1 London's form, character and capacity for growth
Policy D3 Optimising site capacity through the design-led approach
Policy D4 Delivering good design
Policy D5 Inclusive design
Policy D14 Noise
Policy S1 Developing London's social infrastructure
Policy HC1 Heritage conservation and growth
Policy SI 1 Improving air quality
Policy SI 13 Sustainable drainage
Policy T1 Strategic approach to transport
Policy T5 Cycling
Policy T6 Car parking

Local Plan - Overview

- 8.3 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.

Core Strategy

- 8.4 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.

CP9 Supporting community cohesion
CP11 Recreation, Leisure, Culture and Arts
CP17 Town Centres
CP21 Delivering sustainable water supply, drainage and sewerage infrastructure
CP25 Pedestrians and Cyclists
CP26 Public Transport
CP28 Managing flood risk through development
CP30 Maintaining and improving the quality of the built and open environment
CP31 Built and Landscape Heritage
CP32 Pollution

Development Management Document

- 8.5 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.
- 8.6 The following local plan Development Management Document policies are considered particularly relevant:

DMD 26 Enfield Town
DMD 37 Achieving High Quality and Design-Led Development
DMD 44 Preserving and Enhancing Heritage Assets
DMD 45 Parking Standards and Layout
DMD 47 New Roads, Access and Servicing
DMD 68 Noise

Enfield Local Plan (Reg 18) 2021

- 8.7 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.
- 8.8 The Local Plan remains the statutory development plan for Enfield until such stage as the replacement plan is adopted and as such applications should Page 105 continue to be determined in accordance with the Local Plan. Little weight shall be afforded to the Draft Enfield Local plan (Reg 18), while noting that account needs to be taken of emerging policies and draft site proposals in accordance with paragraph 48 of the NPPF.
- 8.9 As the emerging Local Plan progresses through the plan-making process the draft policies within it will gain increasing weight but at this stage it has relatively little weight in the decision-making process.

Other Relevant Policy

National Planning Policy Framework 2021

National Planning Practice Guidance

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.
- 9.2 The main planning issues to consider are as follows:
- Principle of Development
 - Impact on Character of the Surrounding Area including the Conservation Area
 - Impact on neighbouring properties
 - Highway Implications
 - Sustainability and Sustainable Urban Drainage Systems (SuDS)
 - Community Infrastructure Levy

Principle of Development

- 9.3 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.

- 9.4 The Development Plan includes local policies (Core Strategy / Development Management Plan) as well as the London Plan (2021). The London Plan policies will have greater weight where there is inconsistent with local policy given its more recent adoption in March 2021.
- 9.5 Running alongside this is the aim that planning should facilitate sustainable development and this is at the heart of the NPPF which advocates a presumption in favour of sustainable development. The planning system is required to perform a social role, which is one of the three dimensions of sustainable development. Under its social role, at Paragraph 8 (b) – planning system is required to support strong, vibrant and healthy communities, by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.
- 9.6 The NPPF at paragraph 93 states that planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to provide the social, recreational and cultural facilities and services the community needs and thereby enhance the sustainability of communities and residential environments.
- 9.7 Policy D8 of the London Plan 2021 states that development proposals should:
- encourage and explore opportunities to create new public realm and ensure that the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Landscape treatment, planting, street furniture and surface materials should be of good quality, fit-for-purpose, durable and sustainable.
 - ensure there is a mutually supportive relationship between the space, surrounding buildings and their uses, so that the public realm enhances the amenity and function of buildings and the design of buildings contributes to a vibrant public realm ensure that street clutter, including street furniture that is poorly located, unsightly, in poor condition or without a clear function is removed, to ensure that pedestrian amenity is improved.
 - Give consideration to the use, design and location of street furniture so that it complements the use and function of the space. Applications which seek to introduce unnecessary street furniture should be refused
 - explore opportunities for innovative approaches to improving the public realm such as open street events and Play Streets
 - create an engaging public realm for people of all ages, with opportunities for social activities, formal and informal play and social interaction during the daytime, evening and at night. This should include identifying opportunities for the meanwhile use of sites in early phases of development to create temporary public realm.
- 9.7 These strategic planning ambitions are captured in Policies GG1 (Building Strong & Inclusive Communities) of the London Plan 2021, with the proposal needing to be viewed in this policy context.
- 9.8 Enfield Core Strategy Policy CP9 seeks to promote community cohesion by promoting accessibility whereby all members of the community have access to good quality health care, housing, education and training, employment, open space and other social facilities in locations that best serve the community.

- 9.9 Furthermore, the NPPF also seeks to ensure the vitality and viability of Town Centres. At paragraph 86 it states that planning should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
- 9.10 Policy SD6 (Town centres and high streets) states that the vitality and viability of London's varied town centres should be promoted and enhanced by encouraging strong, resilient, accessible and inclusive hubs with a diverse range of uses that meet the needs of Londoners, including main town centre uses, night-time economy, civic, community, social and residential uses.
- 9.11 Enfield Core Strategy Policy CP17 The Major Centre of Enfield Town will continue to be supported as the main centre for leisure, entertainment and cultural activities and will be the preferred location for new retail, leisure and cultural developments, particularly those with a borough-wide catchment area and Policy CP11 (Recreation, Leisure, Culture and Arts) seeks to support the implementation of Council's strategies which help to identify current and future needs for recreation, leisure, culture, heritage and arts facilities in the Borough.
- 9.12. It is considered that the proposed use of the site for cultural activities and outdoor seating in relation to its town centre location and the restaurants/eateries in the vicinity would:
- Create an engaging public realm for people of all ages, with opportunities for social activities, formal and informal play and social interaction
 - Provide a service for the need of the local community, whilst also promoting social and cultural well-being;
 - Promote vitality of the town centre;
 - Support an active nightlife and a diverse retail- and entertainment economy;
 - Promote an inclusive development by providing a location and service to all members of the local and wider community to gather.
- 9.13. Consequently, it is considered that the principle is deemed to be acceptable given the above assessment.
- 9.14 Furthermore, utilising the areas for community events promotes cultural well-being, inclusiveness, interacting and a creative community. This is again something that the NPPF promotes and thus the principle of this is deemed to be acceptable in this underutilised location.

Impact on Character of the Surrounding Area including the Conservation Area

- 9.15 Chapter 12 ("Achieving well-designed places") of the NPPF outlines the importance of good design to the built environment. Paragraph 127 outlines a number of criteria that planning policies and decisions should aim to ensure of developments. Of most relevance in this case are those sections which require developments to function well and add to the overall quality of the area and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.
- 9.16 Paragraph 134 confirms that "permission should be refused for development of poor design that fails to reflect local design policies and government guidance on design", whilst Paragraph 134 (b) states that "great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the

standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings”.

- 9.17 London Plan Policy D3 (“Optimising site capacity through the design-led approach”) advises that development proposals should be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well
- 9.18 London Plan Policy HC1 (“Heritage conservation and growth”) advises that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 9.19 Enfield Core Strategy Policy CP30 (“Maintaining and improving the quality of the built and open environment”) seeks to ensure that new developments are high quality and design-led, having regard to their context while Policy CP31 (“Built and Landscape Heritage”) of the of the Core Strategy sets out a requirement that development should conserve and enhance designated and non-designated heritage assets.
- 9.20 Policy DMD37 (“Achieving High Quality Design-Led Development”) states that development that is not suitable for its intended function that is inappropriate to its context, or which fails to have appropriate regard to its surroundings, will be refused. However, it also recognised there is a degree of subjectivity in this assessment of acceptable design.
- 9.21 Policy DMD44 (“Conserving and Enhancing Heritage Assets”) states that development which fails to conserve and enhance the special interest, significance or setting of a heritage asset will be refused. The design, materials and detailing of development affecting heritage assets or their setting should conserve the asset in a manner appropriate to its significance.
- 9.22 The proposal seeks to create a public square to be used as a community space/public realm area that can be used for range of activities including performance/entertainment area and outdoor seating/dining areas. The design proposes a series of small-scale interventions which will facilitate in making Fountain Island a focal point and key civic space in Enfield Town. The proposed interventions comprise of a raised performance area, a display case and events notice board, public art plinth with a changing display of sculpture, food kiosk trailer and removable outdoor seating furniture.
- 9.23 The proposed plaza is considered to be well-designed, safe, accessible, and well-connected. Furthermore, the proposal will result in a mutually supportive relationship between the space, surrounding buildings and their uses; the proposed outdoor dining/seating areas are associated with the units located in the adjacent buildings. The other furniture/design elements are placed near the northern edge of Fountain Island, activating this edge of the square and helping to screen civic activities from the adjacent highway. This way the proposal seeks to enhances the functionality of the square as a public space.

- 9.24 Most of the design elements are of an appropriate design to complement the proposed use and the function of the site as a plaza. The design elements/furniture are of a modest scale; the proposed raised performance area would have a maximum height of 400mm, the proposed sculpture plinth along with the supporting base would have a maximum height of some 800mm and the proposed notice board/display element would have a maximum height of some 2038mm. Coupled with their proposed locations these elements would still maintain adequate views to and from the square. The proposed elements are temporary and to be made of timber and steel. As such, they are considered acceptable.
- 9.25 In respect of conservation area, the Planning (Listed Buildings and Conservation Areas) Act (The Act) 1990 require that all planning decisions 'should have special regard to the desirability of preserving or enhancing the character or appearance of that area. If harm is identified, it should be given considerable importance and weight in any planning balance in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Chapter 16 of the NPPF (Para 194) states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It also encourages LPAs to take account of a non-designated heritage asset in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm.
- 9.26 The NPPF also states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset's physical presence or its setting.
- 9.27 Para 197 of the NPPF also states:
- "In determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness".
- 9.28 Furthermore, Para 199 states:
- "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".
- 9.29 London Plan Policy HC1 'Heritage conservation and growth' states that development should conserve heritage assets and avoid harm, which also applies to non-designated heritage assets. Furthermore, Enfield Core Policy 31 (Built and

Landscape Heritage) requires that special regard be had to the impacts of development on heritage assets and their settings, Enfield Core Policy 30 supports high quality and design-led public realm. DMD 44 (Preserving and Enhancing Heritage Assets) requires that developments should conserve and enhance the special interest, significance or setting of and heritage asset while DMD 37 (Achieving High Quality and Design-Led Development) requires that Development must be suitable for its intended function and improve an area through responding to the local character, clearly distinguishing public and private spaces, and a variety of choice. Making Enfield: Enfield Heritage Strategy 2019-2024 SPD (2019) is also relevant.

- 9.30 The Heritage officer raises no objection to these temporary proposals and confirms there is no harm to the character and appearance of the Conservation Area. However, concerns are raised in the respect of the location of the 'events notice board/display case'; this results in a cluttered appearance and could be relocated adjacent to the telephone box. The agent has stated that the proposed platform to the east of the notice board location ensures that the notice board element is read in the context of its surroundings, and not as an independent element in its own right. This is further reinforced by its association with the platform; the unit can be used to advertise future events that will take place on the platform, the two elements also share a material palette. The association with the event platform will not be easily read by visitors if the notice board is positioned further away from it. The justification provided by the agent is duly noted and as such it is considered that the proposed location of the noticeboard/display unit in this instance is acceptable. The planning permission sought is for a limited 3 year term, and the elements are capable of being removed or relocated on expiry of the term.
- 9.31 The Heritage Officer's comments required detailed drawings of the notice board/display element. These have been subsequently provided. The Heritage Officer has confirmed that these details are considered acceptable.
- 9.32 The Heritage Officer has also commented that the art plinth had been omitted from the scheme though it is still shown on the submitted plans. However, the applicant has stated that they would like it to be considered as part of the proposed development. As stated above, this is of a modest size. This will help showcase work by local artists and will be of benefit to the community. As such this element of the proposal is also considered to be acceptable.
- 9.33 The proposed outdoor seating arrangement will be an extension to the already existing outside seating area and as such would not look out of place or be detrimental to the character of the conservation area.
- 9.34 The food kiosk trailer is situated in an existing car parking/loading bay on the carriageway. It is considered that the location of the food kiosk trailer is acceptable taking into consideration the relationship with the other elements of the proposal; it would blend in with the other proposed dining/eateries elements within the site.
- 9.35 Overall, it is not considered that the proposal would have any detrimental impact on the character of the area or the Enfield Town Conservation Area. As such the proposal would make a positive contribution to the town centre by providing a social, communal and cultural space in this important location.

Impact on neighbouring properties

- 9.36 Guidance relevant for the assessment of noise affecting new developments is

given in the National Planning Policy Framework (NPPF). Paragraph 185 sets out that that new development should be appropriate for its location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should seek to a) 'mitigate and reduce to a minimum, potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life'.

- 9.37 London Plan policies D1 (“London’s form, character and capacity for growth”) and D3 (“Optimising site capacity through the design-led approach”) set out the importance of ensuring buildings and spaces are well designed to ensure against prejudicing neighbouring amenity.
- 9.38 Enfield Core Strategy Policy CP9 (“Supporting community cohesion”) promotes attractive, safe, accessible and inclusive neighbourhoods while Core Strategy Policy CP30 (“Maintaining and improving the quality of the built and open environment”) seeks to ensure that all developments and interventions in the public realm must be high quality and design-led, having special regard to their context.
- 9.39 The site falls within Enfield Town Centre, which is designated as a Major Town Centre in Enfield. As such noises from commercial uses are expected in this location. It is noted that there are some residential flats located in buildings directly abutting the site above the units behind Fountain Island and on the opposite side of the road. The proposal will result in an increase in the outdoor seating areas; coupled with cultural/entertainment events, will result undoubtedly result in an increase in noise. However, this relationship is considered acceptable given the town centre context and the spatial relationship to neighbouring properties which are not in very close proximity.
- 9.40 The hours of operation for the events or the outdoor seating areas have not been stipulated within the application form. Whilst it is noted that Environmental Health does not raise any concerns in respect of noise from the proposed development, no restrictions of the hours of the events would not be acceptable, particularly if there are to be music events. Thus, a condition is required to be imposed regarding the hours of operation of community events, particularly music events. It is considered that Monday to Saturday the times should be 08:00 to 22:30 and on Sunday and Bank Holidays it should be 09:00 to 21:30. Similar hours could be stipulated for the outdoor seating areas. The imposition of these hours is deemed to be reasonable to safeguard residential amenity, particularly those residing above the units in the Major Town Centre. Therefore, no objection is raised in regard to impact upon neighbouring properties subject to the imposition of a condition.

Highway, Parking , Access

- 9.41 London Plan Policy T1 sets a strategic target of 80% 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. Policy DMD 45 makes clear that the Council aims to minimise car parking and to promote sustainable transport options.

Traffic Generation

- 9.42 It would be difficult to control the number of visitors coming to the area and from studies previously undertaken, a significant proportion arrive using public transport. The purpose of the proposal is to increase footfall in the town centre and although it is envisaged that would be an increase in traffic, given that the proposal is inside the Major Town Centre, it is considered that this is appropriate and would not prejudice the safe and free flow of pedestrian and vehicle movements .

Parking

- 9.43 Visitors to the area can park in the pay and display parking bays around Enfield Town Centre.
- 9.44 The proposal results in the loss of one loading bay. However, no objection has been received from Traffic and Transportation Team. Furthermore, four loading bays will still be retained. By their very nature, loading bays are not occupied for longer periods of time and as such can adequately serve the need of the establishments in the vicinity.

Refuse

- 9.45 Any refuse from the external café seating will be managed by the operators in accordance with their commercial contracts. No permanent refuse storage is therefore proposed.

Sustainability and Sustainable Urban Drainage Systems (SuDS)

- 9.46 The proposed development only seeks to add elements (as discussed above) on the square; it does not require any excavation works or additional hard surfacing works on site. As such the SuDS expectation for rain gardens to be incorporated where (potentially replacing the planters) cannot be supported through the imposition of conditions but the comments will be conveyed to the Agent.

Other Matters

- 9.47 No concerns are raised in respect of air quality or contamination from the proposed development.
- 9.48 Comments have received in respect of the type of food served in the food trailer. This food trailer is proposed to be used by Bonito Café. In any instance, the type of food served within a food trailer cannot be restricted or controlled under Planning Legislation.
- 9.49 Comments have also been received in respect of reducing the speed limit on the adjacent highway. This is a consideration for traffic management within Enfield Town rather than specific to this proposal but in terms of safety, it has not been identified as a requirement by the Traffic and Transportation Team.

10. Community Infrastructure Levy (CIL)

- 10.1 The development is not CIL liable.

11. Public Sector Equalities Duty

- 11.1 Under the Public Sector Equalities Duty, an equalities impact assessment has been undertaken and this identifies there is the potential for the design and specifically, the height of the proposed stage, to impact upon affect individuals who are blind or partially sighted.
- 11.2 At officers request, the Applicant design team has met with the Council's Disability Advisory Group to understand the particular concerns and review potential mitigation measures.
- 11.3 The Group agreed the proposals do not present a specific or imminent danger but that a pragmatic approach should be taken to resolve the issue – such as the placing of planters of an appropriate size in strategic positions to help guide and direct people with visual impairment.
- 11.4 In principle, this approach is considered acceptable but it is accepted that a more detailed review of mitigation measures is required to ensure that any measures are actually effective. As such it is proposed to condition this requirement
- 11.5 With this mitigation, it is considered the proposal would not disadvantage people who share one of the different nine protected characteristics as defined by the Equality Act 2010 compared to those who do not have those characteristics.

12. Conclusion

- 12.1 Having regard to the above assessment, it is considered the proposal is acceptable for the following reasons:
 - a. It is considered the proposal would provide a service for the need of the local community, whilst also promoting social and cultural well-being.
 - b. the proposal would promote vitality of the town centre.
 - c. The proposal would support an active nightlife and a diverse retail- and entertainment economy.
 - d. The proposal would promote an inclusive development by providing a location and service to all members of the local and wider community to gather.
 - e. The proposed development, by virtue of its siting and scale, is considered appropriate and would not result in detrimental harm to the character and appearance of the wider area and the Enfield Town Conservation Area.
 - f. The proposed development by virtue of its town centre location would not unacceptably harm the amenity of occupying and neighbouring residents.
 - g. The proposal would not cause any unacceptable harm upon highway safety or the flow of traffic in the locality.
- 12.2 The development would be appropriate and having regard also to the mitigation secured by the recommended conditions, it is considered the proposed development is acceptable when assessed against the suite of relevant planning policies and that planning permission should be granted subject to conditions.



200' Area to be used
by City for the
auditorium

200' Area to be used
for parking
used by The City, for
Boris Cafe and for
auditorium

200' Area to be used
for parking
used by Boris
Cafe and for
auditorium
Refer to drawing no. 201-202

200' Area to be used
for parking
used by

200' Area to be used
for parking
used by

200' Area to be used
for parking
used by

200' Area to be used
for parking
used by

200' Area to be used
for parking
used by

200' Area to be used
for parking
used by

200' Area to be used
for parking
used by

200' Area to be used
for parking
used by

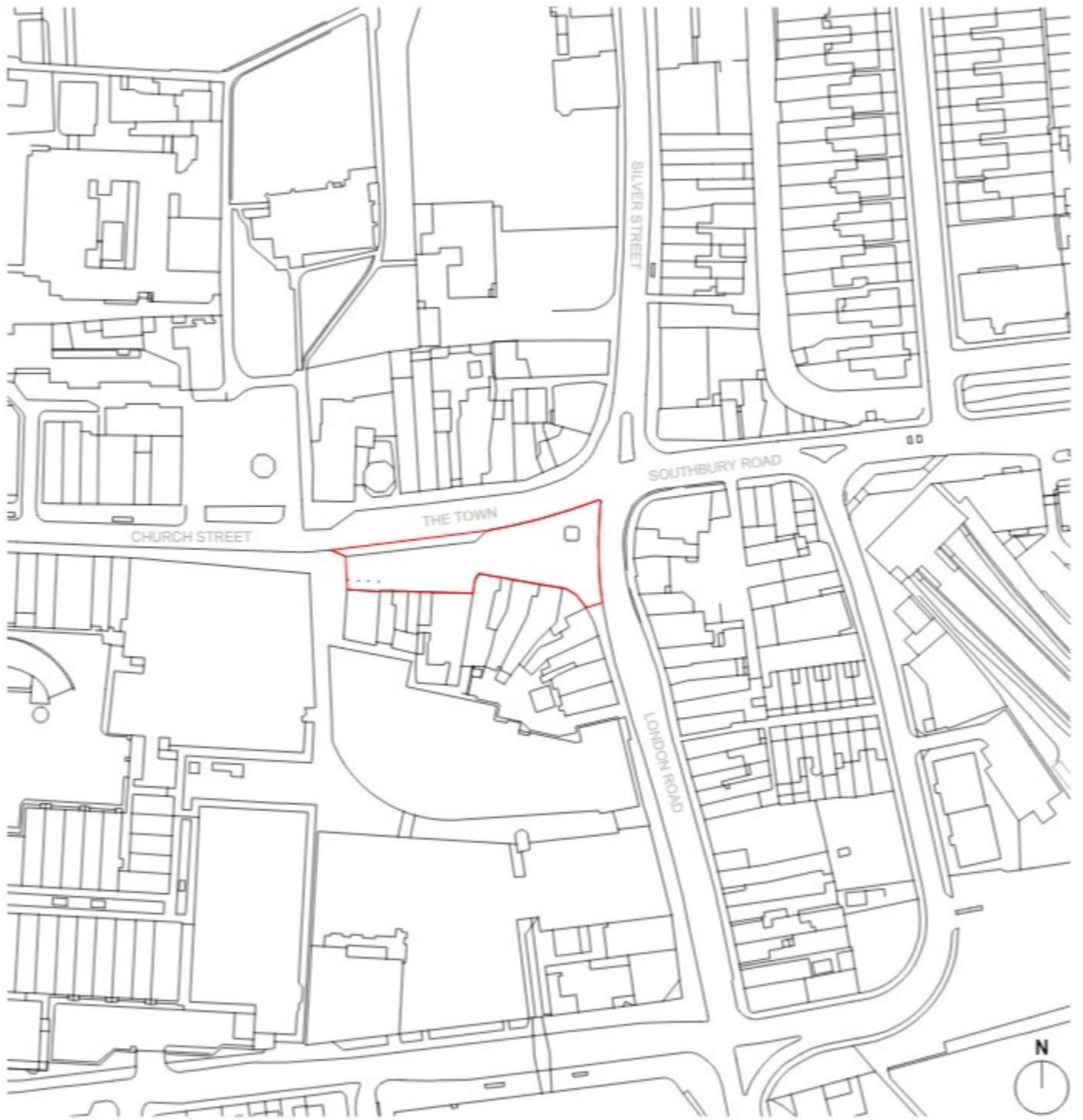
200' Area to be used
for parking
used by

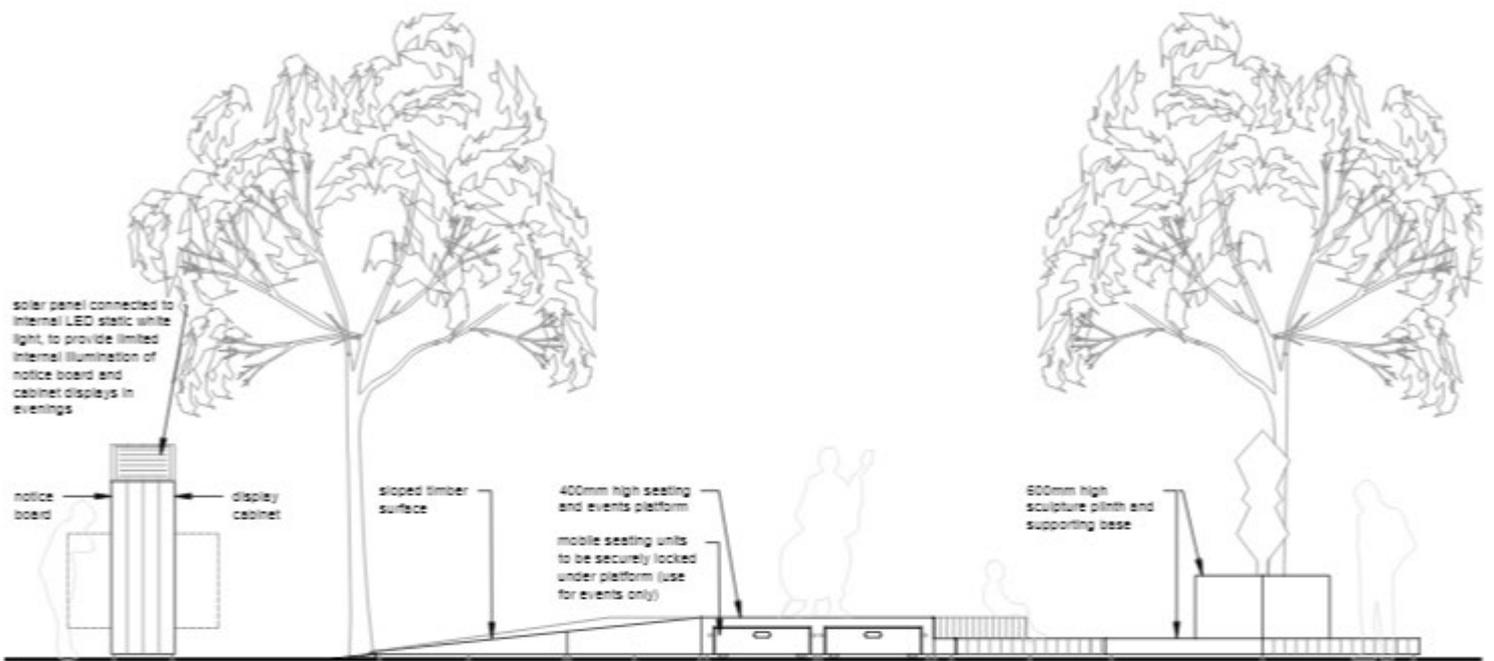
200' Area to be used
for parking
used by

200' Area to be used
for parking
used by

200' Area to be used
for parking
used by

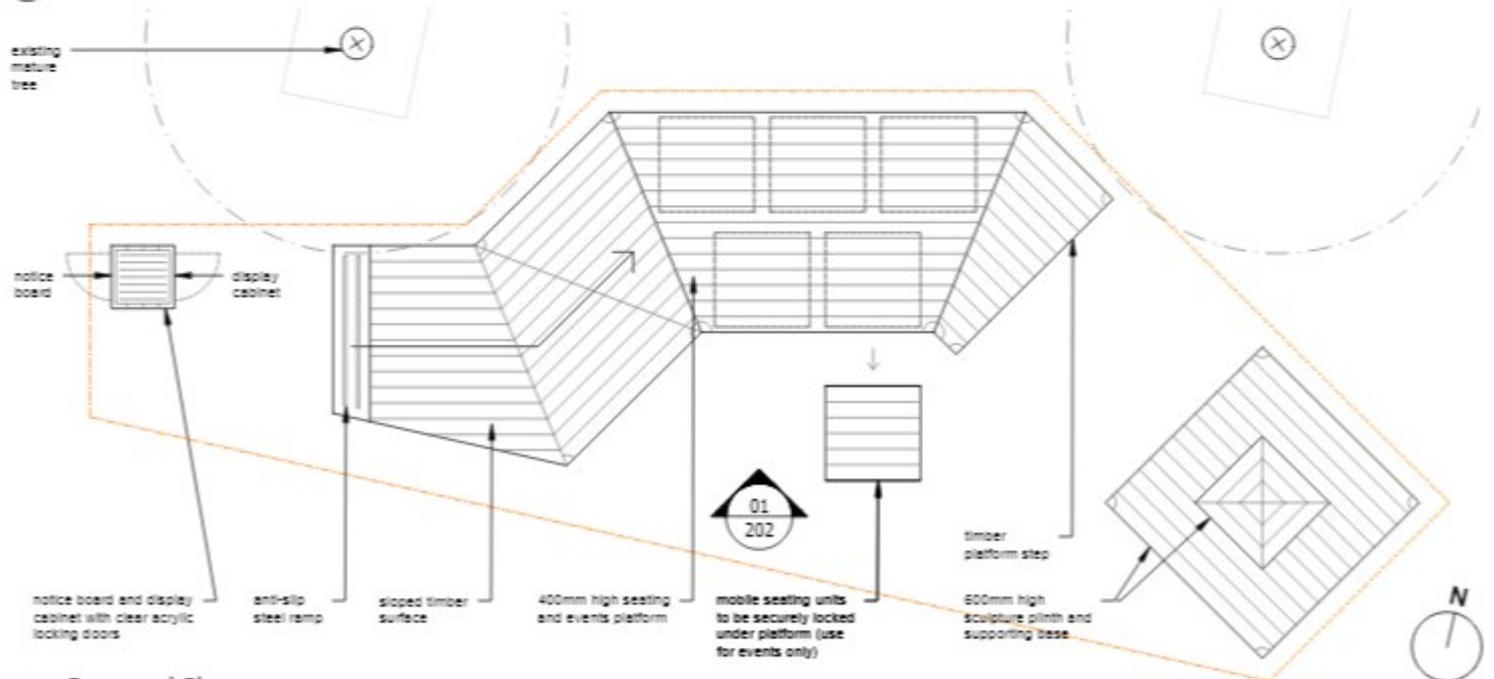
200' Area to be used
for parking
used by





01 Proposed Elevation

Scale: 1:50



02 Proposed Plan

Scale: 1:50

Street Furniture