

<b>LONDON BOROUGH OF ENFIELD</b>		
<b>PLANNING COMMITTEE</b>		<b>Date:</b> 18 October 2022
<b>Report of</b>  Head of Planning - Vincent Lacovara	<b>Contact Officer:</b>  Andy Higham Allison De Marco Lap Pan Chong	<b>Ward:</b>  Whitewebbs
<b>Ref:</b> 22/01625/RE4		<b>Category:</b> Full Application (Major)
<b>LOCATION:</b> 263 Bullsmoor Lane Enfield EN1 4SF (Appendices to this report are published as a separate document)		
<b>PROPOSAL:</b> Erection of part 3, part 4, part 6 storey block of 29 self-contained flats with associated access, car parking, landscaping, cycle and bin storage		
<b>Applicant Name &amp; Address:</b>  London Borough of Enfield Housing Civic Centre Silver Street EN1 3XY		<b>Agent Name &amp; Address:</b>  Montagu Evans LLP 70 St Mary Axe London EC3A 8BE
<b>RECOMMENDATION:</b>  <ol style="list-style-type: none"> <li>1. That in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, and subject to the finalisation of a shadow Section 106 Agreement 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</li> <li>2. That the Head of Development Management be granted delegated authority to finalise the wording of the shadow Section 106 Agreement and agree the final wording of the conditions to cover the matters in the Recommendation section of this report.</li> </ol>		

## **1. Note for Members**

- 1.1 This planning application is categorised as a 'major' planning application as the Council is the landowner and applicant. In accordance with the scheme of delegation it is reported to Planning Committee for determination

## **2. Executive Summary**

- 2.1. This report provides an assessment of the proposed scheme involving the erection of a part 3, part 4, part 6 storey block of 29 x London Affordable Rent homes including 15 x 1 bed 2-person homes (52%), 5 x 2 bed 4-person homes (17%), and 9 x 3 bed 5+person homes (31%). 10% of new homes (3 homes) will be wheelchair accessible.
- 2.2. The application proposes high-quality residential homes on existing brownfield land, which sits within a recently established residential quarter.
- 2.3. The site benefits from an unimplemented planning permission for part 3, part 4 storey block of 27 flats (ref: 17/05227/FUL) which was granted in 2019.
- 2.4. There is a pressing need for housing, including affordable housing in the Borough, and Enfield has a challenging 10-year housing delivery target. The application proposes 29 x London Affordable Rent homes which is a significant contribution to the affordable housing stock for lower income households in the borough.
- 2.5. The principle of housing intensification at this location has been established by the unimplemented planning permission (ref: 17/05227/FUL) which is a material planning consideration. Officers consider the current Planning Application represents an improvement in comparison with the previously approved scheme.
- 2.7. The proposed development is considered to be sympathetic to the character and appearance of the area and the amenities of neighbouring properties.
- 2.8. The scheme's additional public benefits can be summarised as follows:
- Significant uplift of the delivery of affordable and family homes - 29 London Affordable Rent homes including 9 family homes, making a significant contribution to the Borough's affordable housing delivery.
  - 100% dual aspect homes with generous internal floor space, high floor to ceiling height, ample natural light, satisfactory indoor air quality and acoustic performance
  - Enhanced landscape and biodiversity including safer and more calming communal and private amenity spaces and substantial green wall facing the New River.
  - Achieving low embodied carbon emissions and exemplar operational carbon emissions which would help address fuel poverty.
  - More sustainable on-site urban drainage with extensive use of rain gardens, planters and permeable paving
  - Improved vehicular access and traffic flow on Bullsmoor Lane
  - S106 contributions towards improvements to local area play provision and public realm on Bullsmoor Lane.
- 2.9. Furthermore, it has been recognised that:

- By virtue of its size, location, and proximity, the development would not adversely affect the amenity of neighbouring residents.
  - The proposals would not cause any unacceptable harm to highway safety or the flow of traffic in the locality.
- 2.10. The London Borough of Enfield (LBE) Housing Team is seeking to deliver 3,500 new homes across the Borough over the next 10 years. The overarching aspiration of the programme is to create high-quality homes in well-connected neighbourhoods, to sustain strong and healthy communities. This includes delivery of affordable homes through Modern Methods of Construction (MMC).
- 2.11. The development would be appropriate and broadly in accordance with the Development Plan (Adopted London Plan 2021, Core Strategy and Development Management Policies) and relevant National Planning Policy Framework 2021 (NPPF) policies.

### **3. Recommendation**

- 3.1. That in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, and subject to the finalisation of a shadow Section 106 Agreement 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 matters set out below:

1. Grampian condition to require shadow s106 to be entered into
2. Compliance with S106 Obligations
3. Time limit
4. Approved plans
5. Proposed Levels
6. Revised internal layout of Unit 19 and 26
7. Revised Construction and Logistics Plan
8. Revised Sustainable Drainage Strategy
9. Contamination verification report
10. Written scheme of investigation (WSI)
11. Detailed drawings and sample materials
12. Balconies details
13. Landscaping and play space
14. Piling Method Statement
15. Land Contamination Strategy
16. Details of the low carbon technologies
17. Details of surfacing materials
18. Details of cycle store
19. Details of electric charging points
20. Details of external lighting
21. Energy Performance Certificate
22. Drainage strategy verification report
23. Security by Design Standards
24. Details of biodiversity enhancement

#### *Compliance conditions*

25. Housing mix
26. Pedestrian and vehicular access
27. Sole use of the car parking spaces
28. No loading and unloading of goods other than within the service bay

29. Fire safety measures
  30. Noise attenuation measures
  31. Air quality
  32. Emissions from non-road mobile machinery
  33. Water efficiency measures
  34. Waste strategy
  35. Overheating measures
  36. External plants noise limit
  37. Permitted Development rights restrictions
- 3.2. That the Head of Development Management be granted delegated authority to finalise the wording of the shadow Section 106 Agreement and agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

#### **4. Site & Surroundings**

- 4.1 The site is currently vacant, and the single storey chalet bungalow previously on site has been demolished. The site benefits from an unimplemented planning permission for redevelopment into a part 3, part 4 storey block of 27 flats (ref: 17/05227/FUL).
- 4.2 The site is bordered on the eastern side by the Great Cambridge Road (A10) and on the southern side by Bullsmoor Lane. The site is currently accessed via a crossover on Bullsmoor Lane.
- 4.3 To the north of the site is Bells Moor Gardens, a recently completed residential development consisting of 2 x 4-storey apartment blocks, 14 x 2-3 storey houses and a lawn area immediately adjacent to the site. Bells Moor Gardens is accessed via Copse Close which is an ungated private road, off Bullsmoor Lane. To the south, there are mainly two storey residential properties on the opposite side of Bullsmoor Lane.
- 4.4 The site is bordered to the west by the New River which is designated as Site of Metropolitan Importance for Nature Conservation (SINC), Wildlife Corridor and Green Belt. The site is within the setting of the Forty Hill Conservation Area which is delineated by New River.
- 4.5 The natural ground level increases from the east to west. The river bund of New River is higher than the site. The ground level also increases from south to north with sloping grass verges along Bullsmoor Lane.
- 4.6 The site is mainly comprised of hardstanding with a small tree adjacent to the western site boundary and a hedge on the southern boundary. The existing vegetation is not protected by a Tree Protection Order.
- 4.7 The site is located in Environment Agency Flood Zone 1 (low risk of flooding).
- 4.8 The site has a Public Transport Accessibility Level (PTAL) of 1B. There are several bus stops within walking distance on Great Cambridge Road. The nearest train station (Turkey Street) is circa 1.1km (approximately 7-minute cycle or 17 minutes' walk) away.

- 4.9 The site is located within an emerging residential quarter established by the recent completion of the adjoining Bells Moor Gardens scheme, to the north. There is a local shopping parade with groceries, shops and restaurants within 400m of the site (approximately 5 minutes' walk) on the eastern section of Bullsmoor Lane. These services can be accessed via the underpass directly south of the site. There are a few schools nearby including Capel Manor Primary School, Orchardside School, Honilands Primary School and Lea Valley Academy within 10-min walking distance.
- 4.10 There is an existing walking path on the western bund of this section of New River. As shown in the Draft Infrastructure Delivery Plan (2021), the Council's Healthy Street Team plans to create a new continued walking and cycling path along the New River connecting Enfield Town and Broxbourne.

## **5. Proposal**

- 5.1 This application seeks permission for the erection of a part 3, part 4, part 6 storey block of 29 x London Affordable Rent homes comprising 15 x 1 bed 2 person homes (52%), 5 x 2 bed 4 person homes (17%), and 9 x 3 bed 5+ person homes (31%). 10% of the new homes (3 homes) will be wheelchair accessible.
- 5.2 A total of 14 x car parking spaces including 3 x disabled parking spaces will be provided on the ground floor with a new pedestrian and vehicular access via Copse Close. The existing crossover directly off Bullsmoor Lane will be reinstated.
- 5.3 The proposed ground floor homes will have their separate entrances. All the private and communal entrances will be accessed via either the existing public grass verges on Bullsmoor Lane or the western side of Copse Close where a strip of existing soft landscaping will be paved.
- 5.4 A new graded refuse loading bay near the proposed communal refuse store on Bullsmoor Lane is proposed.
- 5.5 The proposed development features a multi-level landscape scheme including the front gardens of the new homes and rain garden on the ground floor, communal play space on the podium and ground-based green walls on majority of the western façade (up to 4 storeys).
- 5.6 Roof-mounted photovoltaics (PV) panels will be installed on the roofs of most of the proposed building.

## **6. Consultation** Statutory and Non-Statutory Consultees

### *Internal*

#### *Climate Action and Sustainability*

- 6.1 The Energy Statement submitted is comprehensive and concise. Comments during pre-application have been addressed. The proposed development is an ambitious pilot using MMC technology and is expected to provide high level of energy efficiency and high-quality accommodation.

#### *Economic Development*

- 6.2 The Applicant and the contractor Zed Pods have engaged with the Economic Development Team. It is expected that the on-site installation will be between 40 –

46 weeks after off-site manufacturing of the components. The Economic Development Team has no objection subject to a Local Employment and Skill Strategy to be secured within the shadow S106 Agreement.

*Education*

- 6.3 No objection subject to a financial contribution of £73,515 toward education to be secured within the shadow S106 Agreement.

*Heritage*

- 6.4 No objection subject to a high-quality design of the building and landscaping along New River.

*Environmental Health*

- 6.5 No objection subject to conditions relating to noise, air quality and land contamination.

*Highways Service*

- 6.6 An application for heavy duty crossover should be submitted prior to commencement to enable the construction works.

*Parks*

- 6.7 There is no neighbouring park to the development. Officers have advised that Aylands Open Space accommodates existing play provision and consider that the play space financial contribution secured should be directed, in the first instance, towards expanding and improving this space. Officers recommend a s106 obligation to secure.

*Sustainable Drainage*

- 6.8 No objection in principle but additional information is required on the Sustainable Drainage Strategy. This would be secured by a condition.

*Tree*

- 6.9 No objection subject to a condition to secure detailed landscape plan.

*Traffic and Transportation*

- 6.10 No objection subject to conditions to secure a Construction Management Plan, and shadow S106 to secure financial contribution for sustainable travel package and highways works.

*Urban Design*

- 6.11 The Urban Design Team confirmed that the proposal meets the majority of policy requirements while responding to a difficult site location, geometry and significant constraints on budget due to the provision of 100% affordable housing. During Round 1 consultation, Urban Design Officers raised some concerns with the scheme - which notably included the size of private amenity spaces, landscaping on the podium and public realm, details and materiality. The Applicant has submitted revised plans and further clarifications. While some concerns remain, Urban Design Officers are satisfied that, on balance, the amendments have positively influenced the scheme, and the appearance of the buildings – and that a high-quality landscape scheme can be secured by conditions.

*Waste Services*

- 6.12 No response was received

*External*

*Designing Out Crime Officer (Met Police)*

- 6.13 No objection subject to a condition to attain the Security by Design certification

*Enfield Place and Design Quality Panel (DRP)*

- 6.14 During the pre-application stage, an independent Design Review Panel (DRP) was held on 9th December 2021. The comments are summarised below:

- Overall, the design quality of the scheme is undermined by the number and size of homes being provided on the site. This is placing excessive pressure on the massing, form and landscape and resulting in many issues. The Applicant is encouraged to review the mix and number of homes on the site and discover if it is possible to reduce the density on the site.
- The landscape proposals need further development and to include connections to the New River but also SuDS features – as opposed to attenuation tanks.
- Facing townhouses onto the new green being developed to the north is supported. However, this is contingent on the agreement of the housing association to allow the northern wall to be removed. Without this permission the layout of the townhouses should be reviewed.
- The Zed Pods system delivers an excellent level of building performance and meets high environmental performance standards. The approach to net zero carbon is welcome.
- The design team is encouraged to provide passive methods of cooling to avoid relying solely on Mechanical Ventilation with Heat Recovery (MVHR). This approach would make most use of the high level of dual aspect that is provided across scheme.
- The character, materiality and massing should be developed further. The design team should explore simplifying the material palette, simplifying the massing strategy and developing the roof form.
- Some homes on the ground floor have bedrooms and other primary living spaces fronting directly onto the street or adjacent to service areas resulting in a low quality of accommodation. The design team is encouraged to review the boundary treatment and where homes front the street.

- 6.15 *Officer response: The Applicant has taken Design review panel comments into account, alongside Officer advice. Suggestions from the Panel have been incorporated, and where suggestions have not resulted in scheme changes, prior to submission, Officers have carefully assessed these details and sound justification is provided below. In respect of overall design approach, the pre-application process involved the Applicant considering design options to determine the most appropriate form of development, and the Applicant has followed a design-led approach in line with London Plan Policy D3. Different options have been explored to optimise site capacity – and deliver a 100% London Affordable Rent scheme within the constraints of a challenging site. As noted above, the site benefits from an unimplemented planning permission for part 3, part 4 storey block of 27 flats (ref: 17/05227/FUL) which was granted in 2019 – which was not subject to Design Review. Officers have assessed the scheme, including in comparison with the previously consented scheme, and are satisfied that the proposals would represent an improvement on the previously approved scheme.*

*Energetik*

- 6.16 The site is a long way from the planned District Heat Network. The use of air source heat pumps is supported.

- 6.17 *Historic England (Greater London Archaeological Advisory Service)*  
No objection subject to condition to secure a Written Scheme of Investigation
- 6.18 *Hertsmere Borough Council*  
No objection.
- 6.19 *London Fire Brigade*  
No response was received.
- 6.20 *National Highway*  
No objection as the operational and construction traffic trips generated by the proposed development would not have a material impact on the M25 Junction 25.
- 6.21 *Natural England*  
No objection.
- 6.22 *Thames Water*  
No objection subject to informatives.
- 6.23 *Transport for London*  
No objection subject to carefully consideration to HGV routing to site, a booking system, and use of Silver or Gold members of Fleet Operators Recognition Scheme (FORS) to be secured via a condition for a Logistics and Construction Management Plan.
- 6.24 Public  
Pre-Application  
The Applicant undertook community consultation during pre-application stage, including distributing a newsletter to residents within a 150m radius of the Application Site and holding an online community meeting on 16<sup>th</sup> March 2021. A Statement of Community Involvement has also been submitted with the Application.
- 6.25 Planning Application  
Consultation letters were sent to 260 surrounding properties on 9<sup>th</sup> May 2022
- 6.26 Site notices were put up on 16<sup>th</sup> May 2022
- 6.27 16 x objections to this application were received during the public consultation. A summary of the comments received and officers' responses are as follows:

Summary of responses

- Lack of consultation

Officers' response

The scheme has been revised several times, and has been informed by the concerns raised during public consultation.

Summary of responses

- Lack of shops on the western side of the A10
- The site should be used as green space
- Too many units
- Visual impacts
- Loss of scenery to Capel Manor Gardens
- Incoherent external materials



Officers' response

The matters raised are assessed in the 'Principle of Development', 'Housing Need and Mix' and 'Character and Design' sections of this report.

Summary of responses

- The external appearance, scale, massing and lack of design response to the locality are harmful to the Forty Hill Conservation Area when viewed in conjunction with the recently completed Bells Moor Gardens development.
- The three "Important Local Views" as identified in Report on Location of Tall Buildings and Important Local Views in Enfield", Enfield Council) including views (6) Whitewebbs, (8) Clay Hill and (13) Forty Hill would be distracted.
- The viewpoints from Forty Hall as shown on the Zone of Theoretical Visibility do not objectively show the impacts.

Officers' response

The matters raised are assessed in the 'Heritage' section of this report. Heritage Officers have raised no objection subject to a high quality design of the building and landscaping along New River.

Summary of responses

- Loss of privacy
- Loss of light
- Increase in noise
- Overshadowing to the front gardens of the adjoining houses in Bells Moor Garden

Officers' response

The matters raised are assessed in the 'Neighbouring Residential Amenities' section of this report.

Summary of responses

- Loss of greenspace
- Impact on the local wildlife, Lea Valley SPA and Epping Forest SAC

Officers' response

The matters raised are assessed in the 'Biodiversity, Trees and Landscaping' section of this report.

Summary of responses

- Location and number of parking spaces are unclear
- Unauthorised use of the existing car parking spaces within Bells Moor Gardens by non-residents.
- Insufficient parking provision. On-site parking spaces on the eastern side of the A10 should not be taken into account.
- Exacerbate the existing traffic congestion on Copse Close and Bullsmoor Lane particularly in the morning, during school pick-up / drop time times, and holidays with additional traffic to public attractions nearby.

Officers' response

The matters raised are assessed in the 'Traffic, Access and Parking' section of this report.

Summary of responses

- No commitment to BREEAM rating

Officers' response

BREEAM ratings are applicable in respect of non-residential schemes. The proposed development does not involve new commercial uses. BREEAM rating is not applicable in this instance.

Summary of responses

- Decrease in property values in Bells Moor Gardens

Officers' response

Impact on the property values is not a material planning consideration.

## 7. Relevant Planning History

Application site

- 7.1 TP/95/0112 Erection of detached 6-bedroom house with integral double garage involving the demolition of existing house. **Granted** 11/04/1995
- 7.2 17/05227/FUL Redevelopment of site and erection of part 3, part 4 storey block of 27 self-contained flats comprising 5 x 1 bed, 14 x 2 bed and 8 x 3 bed with associated parking and landscaping. **Granted with conditions and S106** 13/08/2019

Surrounding Site – Bells Moor Gardens

- 7.3 17/05528/FUL Redevelopment of the site to provide 56 new residential units including 5 x 4-bed town house (with integral garage), 7 x 2-bed houses, 2 x 3-bed houses and two blocks providing 21 x 1-bed, 10 x 2-bed and 11 x 3-bed self-contained flats. Provision for cycle and bin stores, new access roads, car parking spaces and associated amenity spaces and landscaping **Granted with conditions and S106** 21/10/2019
- 7.4 19/04158/VAR Variation of condition number 02 of reference 17/05528/FUL to relocate and create refuse storage. **Granted with conditions and Deed of Variation** 30/06/2021

## 8. Relevant Planning 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 2021

- 8.2 The National Planning Policy Framework (NPPF) introduces a presumption in favour of sustainable development. In this respect, sustainable development is identified as having three dimensions - an economic role, a social role and an environmental role. For decision taking, this presumption in favour of sustainable development means:

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

8.3 The NPPF recognises that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision making.

8.4 In relation to achieving appropriate densities Paragraph 124 of the NPPF notes that planning policies and decisions should support development that makes efficient use of land, whilst taking into account:

a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

b) local market conditions and viability;

c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and

e) the importance of securing well-designed, attractive and healthy places.

8.5 Paragraph 48 of the NPPF details when weight may be given to relevant emerging plans. This guidance states that the stage of preparation, the extent to which there are unresolved objections and the degree of consistency of relevant policies to the Framework are relevant.

#### Housing Delivery Test / Presumption in Favour of Sustainable Development:

8.6 The NPPF sets out at Paragraph 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 (7); 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.

8.7 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.*"

8.8 In summary, the presumption in favour of sustainable development applies in two situations – where a Council is unable to demonstrate a five-year housing land supply, and when a Council fails to achieve 75 per cent or more in the Housing Delivery Test.

8.9 Enfield Council currently fails against both criteria – and is therefore subject to the most severe government sanctions which impact the Council's consideration of housing-led planning applications.

a) **5-year housing land supply:** Members will be aware of the need to be aware of the Council's housing land supply – and how it impacts on decision making. When there is not an up to date Local Plan and 5-year housing land supply cannot be demonstrated then this has a significant impact on the weight given to material planning considerations. The NPPF presumption, or 'tilted balance', applies in Enfield due to the Council's inability to demonstrate the required five-year housing land supply. The Council is unable to demonstrate a 5-year supply of deliverable housing sites and this impacts on the status of its Local Plan policies.

b) **Housing delivery test:** The NPPF presumption, or 'tilted balance', also applies in Enfield because Enfield is one of 51 Councils which have achieved below 75 per cent against the Housing Delivery Tests – it is therefore also subject to the Housing Delivery Tests most severe government sanction, the NPPF's presumption in favour of sustainable development.

8.10 The Housing Delivery Test (HDT) is an annual measurement of housing delivery introduced by the Government through the 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.

8.11 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".

- 8.12 The Council's recent housing delivery has been below our housing targets. This has translated into the Council being required to prepare a Housing Action Plan in 2019 and being placed in the "presumption in favour of sustainable development category" by the Government through its Housing Delivery Test. This status has recently been confirmed for the period 2022-23.
- 8.13 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. In January 2021 Enfield delivered 67% of its homes target. The Council therefore remains in the "presumption in favour of sustainable development".
- 8.14 This is referred to as the "tilted balance" and the NPPF states (see paragraph 8.6 above) 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.
- 8.15 Under the NPPF paragraph 11(d) where the most important development plan policies for the application are deemed to be 'out of date', planning permission should be granted. That does not mean out of date policy can be disregarded, but it means that less weight can be applied to it, and applications for new homes should be given weight by the Planning Committee when undertaking their assessment taking account of the "tilted" balance that applies. 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.

#### The London Plan 2021

- 8.16 The London Plan together with Enfield's Local plan forms the Development Plan for this application. It 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
- GG3 – Creating a Healthy City
- GG4 – Delivering the Homes Londoners Need
- D3 – Optimising Site Capacity through the Design-Led Approach
- D4 – Delivering Good Design
- D5 – Inclusive Design
- D6 – Housing Quality and Standards
- D7 – Accessible Housing
- D11 – Safety, Security and Resilience to Emergency
- D12 – Fire Safety
- D14 – Noise
- H4 – Delivering Affordable Housing
- H5 – Threshold Approach to Applications
- H6 – Affordable Housing Tenure

- H10 – Housing Size Mix
- G5 – Urban Greening
- G6 – Biodiversity and Access to Nature
- G7 – Trees and Woodland
- S4 – Play and Informal Recreation
- SI1 – Improving Air Quality
- SI2 – Minimising Greenhouse Gas Emissions
- SI3 – Energy Infrastructure
- SI4 – Managing Heat Risk
- SI5 – Water Infrastructure
- SI12 – Flood Risk Management
- SI13 – Sustainable Drainage
- SI17 – Reducing Waste and Supporting the Circular Economy
- 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

#### Local Plan - Overview

- 8.17 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, they form the statutory development plan for the Borough. Enfield's Local Plan sets out planning policies to steer development where they align with the NPPF and the London Plan 2021. 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.

#### Enfield Core Strategy: 2010

- 8.18 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.

- CP2: Housing supply and locations for new homes
- CP3: Affordable housing
- CP4: Housing quality
- CP5: Housing types
- CP9: Supporting community cohesion
- CP20: Sustainable energy use and energy infrastructure
- CP21: Delivering sustainable water supply, drainage and sewerage infrastructure
- CP22: Delivering sustainable waste management
- CP24: The road network
- 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
CP36:	Biodiversity
CP46:	Infrastructure contributions

#### Development Management Document (2014)

8.19 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.

8.20 The following local plan 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
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
DMD55	Use of Roof Space / Vertical Surfaces
DMD56	Heating and Cooling
DMD57	Responsible Sourcing of Materials
DMD58	Water Efficiency
DMD59	Avoiding and Reducing Flood Risk
DMD60	Assessing Flood Risk
DMD61	Managing Surface Water
DMD65	Air Quality
DMD66	Land contamination and instability
DMD68	Noise
DMD69	Light Pollution
DMD70	Water Quality
DMD72	Open Space Provision
DMD73	Children's Play Space
DMD76	Wildlife Corridor
DMD78	Nature Conservation
DMD79	Ecological Enhancements
DMD80	Trees on Development Sites
DMD81	Landscaping

8.21 Other Material Considerations

National Planning Practice Guidance  
Mayor of London Housing SPG (Adopted March 2016)  
LBE S106 SPD 2016

Enfield Local Housing Needs Assessment 2020  
 Community Infrastructure Levy Regulations 2010 (as amended)  
 Technical housing standards – nationally described space standard 2015  
 Enfield Blue and Green Strategy June 2021  
 Enfield Waste and Recycling Storage Planning Guidance (2010),  
 TfL London Cycle Design Standards (2014)  
 Energy Guidance LPG 2021  
 Be Seen Energy Monitoring LPG 2021  
 Play and Informal Recreation SPG 2016  
 Draft Housing Design Standards LPG 2022  
 Draft Fire Safety LPG 2022  
 Draft Urban Greening Factor LPG 2021  
 Draft Air quality positive LPG 2021  
 Enfield Local Heritage List (May 2018)  
 Making Enfield: Enfield Heritage Strategy 2019-2024 SPD (2019)  
 The Setting of Heritage Assets – Historic Environment Good Practice Advice in  
 Planning: 3, Historic England (2017)  
 The Environment Act 2021  
 The Planning (Listed Buildings and Conservation Areas) Act 1990 – sets out the tests  
 for dealing with heritage assets in planning decisions. In relation to listed buildings, all  
 planning decisions should “*have special regard to the desirability of preserving the  
 building or its setting or any features of special architectural or historic interest which  
 it possesses*” (Section 66). In relation to conservation areas, special attention must  
 be paid to “*the desirability of preserving or enhancing the character or appearance of  
 that area*” (Section 72).

#### Enfield Local Plan (Reg 18) 2021

- 8.22 Enfield Local Plan – Reg 18 Preferred Approach was approved for consultation on 9<sup>th</sup> 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.
- 8.23 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.
- 8.24 Key local emerging policies from the plan are listed below:
- Policy DM SE2 – Sustainable design and construction
  - Policy DM SE4 – Reducing energy demand
  - Policy DM SE5 – Greenhouse gas emissions and low carbon energy supply
  - Policy DM SE7 – Climate change adaptation and managing heat risk
  - Policy DM SE8 – Managing flood risk
  - Policy DM SE10 – Sustainable drainage systems
  - Strategic Policy SPBG3 – Biodiversity net gain, rewilding and offsetting
  - Policy DM BG8 – Urban greening and biophilic principles
  - Policy DM DE1 – Delivering a well-designed, high-quality and resilient environment
  - Policy DM DE2 – Design process and design review panel
  - Policy DM DE6 – Tall buildings
  - Policy DM DE7 – Creating liveable, inclusive and quality public realm
  - Policy DM DE10 Conserving and enhancing heritage assets
  - Policy DM DE11 – Landscape design
  - Policy DM DE13 – Housing standards and design
  - Policy DM H2 – Affordable housing



Policy DM H3 – Housing mix and type  
Policy DM T2 – Making active travel the natural choice  
Strategic Policy SP D1 – Securing contributions to mitigate the impact of development

Relevant planning appeals and case law

**2021 Enfield Council Appeal Allowed**

8.25 **Ref: APP/Q5300/W/20/3263151: 79 Windmill Hill, Enfield EN2 7AF:** This appeal was allowed on 02 November 2021 for 49 x self-contained flats within 3 Blocks. The position in respect of affordable housing and housing mix are relevant to the consideration of this application.

- Paragraphs 19 and 20 of the appeal decision sets out that the Council's Core Strategy mix targets should not be applied mechanistically to every scheme on every site – but rather applied over the lifetime of the CS across the entire borough. Enfield's Core Strategy and Development Management Document mix policies have less weight than Policy H10 of the London Plan (2021) – which stresses the importance of locational factors when considering mix and the benefits of 1 and 2 bed dwellings in taking pressure off conversions of larger family homes to smaller dwellings.
- Paragraphs 15 to 17 consider the Council's 40% Affordable Housing requirement set out at policy Enfield's Development Management Document Policy DMD1 in the context of London Plan Policy, including H4 and conclude that the amount of affordable housing should correctly be tested by viability where there is evidence of viability issues affecting a development.

**2021 Enfield Council Appeal Allowed**

8.26 **Appeal Ref: APP/Q5300/W/21/3270885: Southgate Office Village, 286 Chase Road, Southgate N14 6HT:** This appeal was allowed on 14 December 2021 for the erection of a mixed-use (C3) scheme ranging from 2 to 17 storeys with a dual use café (B1/A3), with associated access, basement car and cycle parking, landscaping, and ancillary works

- Paragraph 54 notes *“The evidence shows that at present, they {the Council} can demonstrate a supply {Housing} of just over two years...that would make LP Policy D9 (amongst others) out-of-date”*
- Paragraph 55 provides the following commentary on paragraph 11d)ii of the NPPF commenting *“This sets out that in the situation under consideration, 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. The only harmful aspect of the scheme is that its timing relative to the emerging Local Plan means that the Council, residents, and others with an interest, would lose the opportunity to consider the suitability of the site for a tall building, or buildings, through the examination process, whenever it might take place. To my mind, bearing in mind the parlous state of the Council's housing land supply, the harm that flows from that pales against the enormous benefits of the open-market and affordable housing the scheme would bring forward in a well-designed, contextually appropriate scheme.*
- Paragraph 56 goes on to state *“It seems to me therefore that whichever way one approaches the matter, the answer is the same; planning*

*permission should be granted for the proposal”.*

### **2022 Enfield Council Appeal Allowed**

8.27 **Appeal ref: APP/Q5300/W/21/3276466: Car Park Adjacent to Arnos Grove Station, Bowes Road:** This appeal was allowed on 30 March 2022 for the construction of four buildings, comprising 162 x residential units (64 x affordable homes) and flexible use ground floor unit.

- Paragraph 81 considers the Council's failure to deliver against its Housing Target concluding that: *'the appeal scheme would make a significant contribution to the delivery of housing in general and affordable housing in particular. Viewed in the context of recent levels of housing delivery in Enfield, significant benefit should be attached to the benefit of the scheme's housing delivery'.*

## **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 NPPF goes on to state that development proposals that accord with the development plan should be approved without delay.
- 9.2. As explained at Section 8, the Council is subject to the so called “tilted balance” and the 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.
- 9.3. This report sets out the analysis of the issues that arise from the proposal when assessed against the development plan and the NPPF
- 9.4. This application has been subject to extensive negotiation to address the concerns raised by officers and local residents through the consultation process.
- 9.5. The main considerations of the development are the following:
  - Principle of Development
  - Housing Need and Mix
  - Character and Design
  - Neighbouring Residential Amenities
  - Quality of Accommodation
  - Biodiversity, Trees and Landscaping
  - Traffic, Access and Parking
  - Flood Risk and Drainage
  - Carbon Emissions and Sustainability

- Fire Safety
- Air Pollution and Land Contamination
- Secure by Design
- Heritage

## Principle of Development

### *Optimising brownfield site for residential development*

- 9.6. The principle of increased residential density and development at the Application Site has been established through the previously consented scheme (ref: 17/05227/FUL). The principle of optimising site capacity is strongly supported by adopted Development Plan Policies, alongside the NPPF Paragraph 11 implications of the Council's under-delivery against its housing delivery target and housing land supply positions. Making more efficient use of land is presently of significance due to the identified need for housing as a consequence of the Housing Delivery Test, which has triggered the "tilted balance" and the presumption in favour of approving sustainable development (NPPF). 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.
- 9.7. Enfield Housing's Trajectory Report (2019) shows that during the preceding 7 years, the Borough had delivered a total of 3,710 homes which equates to around 530 homes per annum. Enfield's 2019 Housing Action Plan recognises that the construction of more high-quality homes is a clear priority, with only 51% of approvals over the preceding 3-years actually being implemented. A Local Housing Need Assessment (LHNA) was undertaken in 2020 and identifies an annual housing need of 1,744 homes across the Borough based on a cap of 40% above the London Plan annual target of 1,246 homes, in line with the Government's standard methodology.
- 9.8. The Council's Local Plan Issues & Options (Regulation 18) document (2021) acknowledges the sheer scale of the growth challenge for the Council and the focus for development in locations with good access to local infrastructure and public transport. The Council's Housing and Growth Strategy 2020-2030 aims to deliver the London Plan targets for the Borough.
- 9.9. Enfield is a celebrated green borough with close to 40% of the land currently designated as Green Belt or Metropolitan Open Land and a further 400 hectares providing critical industrial land that serves the capital and wider south east growth corridors. These land designations underpin the need to optimise development on brownfield land. Paragraph 1.2.5 of the London Plan (2021) notes that: *'all options for using the city's land more effectively will need to be explored as London's growth continues, including the redevelopment of brownfield sites and the intensification of existing places, including in outer London'*.

- 9.10. The application site is a brownfield site within a predominately residential area comprising hardstanding with an element of amenity grassland. The principle of residential-led redevelopment has already been established in the unimplemented permission (ref: 17/05227/FUL).

#### *Green Belt*

- 9.11. The application site adjoins the New River which is on the edge of the Green Belt. The proposed development would not detrimentally increase visual dominance or intrusiveness of the built form on the Green Belt given the existing residential backdrop of the recently completed Bells Moor Gardens and with the New River, a clear distinction between the Green Belt and urban area would remain. The new planting and substantial green wall on the western elevation will also be provided (see also the 'Biodiversity Trees and Landscaping' section). The taller 6 storey element has been carefully designed to be sited away from the New River. As a result, it is considered the openness of the Green Belt would be maintained.
- 9.12. Policy DMD 83 of the Development Management Document seeks to assess development proposals against their impact on the Green Belt. The NPPF and London Plan ) do not contain policies that directly affect development sites adjacent to the Green Belt. The proposed development would have a greater impact than the unimplemented permission in respect of the views and vistas. Planning officers have given due weight to the greater massing from the proposed development. Nonetheless, overarching policy supports the development of such sites and the presence of Bells Moor Gardens which has a similar relationship with the Green Belt boundary is considered to be a material consideration.

#### *Conclusion on Principle of Development*

- 9.13. The proposed development would optimise a brownfield site comprising mainly hardstanding in a predominately residential street to deliver 29 x London Affordable Rent homes. The residential-led redevelopment of the site has already been established by the unimplemented permission (ref: 17/05227/FUL) It would not have any adverse impact on the openness of the adjoining green belt. In principle, this is supported by the NPPF , London Plan Policies and Core Strategy (2010).

#### Housing Need and Mix

- 9.14. The current London Plan 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, based on the Strategic Housing Market Assessment (SHMA): an increase over the current target of 798. 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.
- 9.15. 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 ambitious adopted London Plan targets.
- 9.16. Core Policy 5 outlines that the Council will seek a range of housing types in the intermediate sector and that the mix of intermediate housing sizes will be determined on a site by site basis. It should also be noted that the evidence base to support Core Policy 5 dates from 2008. The Local Housing Needs Assessment 2020, which

informs the emerging draft Local Plan for Enfield, is a more up to date evidence base. Hence, it carries weight in the assessment.

- 9.17. The Local Housing Needs Assessment (LNHA) 2020 identifies that among those on the Council's housing register waiting list, 14.7% need one-bedroom, 35.3% need two bedroom, 42.3% need three-bedrooms, and 7.7% need four or more bedrooms.
- 9.18. The LNHA (2020) has informed emerging Policy H3 of the Draft Local Plan for Enfield (2021). The table below is an extract from Policy H3, which outlines priority types for different-sized units across different tenure. The focus of affordable ownership provision (social/affordable rented) should be on two-bedrooms and 3 bedrooms units. It is noted that the Draft Reg 18 Local Plan was published in June 2021 and is at an early stage of preparation. Although this draft policy in the emerging plan carries limited weight now, it is used to illustrate the most up-to-date housing need in Enfield.

	Studio/bedsit	One-bedroom	Two-bedrooms	Three-bedrooms	Four-bedrooms or more
Social/affordable rented	Low priority	Medium priority	High priority	High priority	Low priority
Intermediate	Low priority	High priority	High priority	Medium priority	Low priority
Market	Low priority	Low priority	Medium priority	High priority	High priority

Source: Table 8.4: Dwelling size priorities, Enfield Local Plan (Reg 18) 2021

- 9.19. As shown from Table 1, compared with the unimplemented permission (ref: 17/05227/FUL), this application would substantially increase the delivery of affordable homes by 18 units to 29 units including a significant uplift of London Affordable Rent homes from 7 units to 29 units.

Table 1 Dwelling size and tenure mix of the previous permission (ref: 17/05227/FUL) and this Application

		Unimplemented permission (ref: 17/05227/FUL)	This application
London Affordable Rent	1 bed	1	15
	2 bed	4	5
	3 bed	2	9
Shared Ownership	1 Bed	1	N/A
	2 Bed	2	N/A
	3 Bed	1	N/A
<b>Subtotal– Affordable</b>		<b>11</b>	<b>29</b>
Market sale	1 bed	2	N/A
	2 bed	6	N/A
	3 bed	8	N/A
<b>Subtotal – Market sale</b>		<b>16</b>	<b>N/A</b>

- 9.20. With regards to the proposed housing mix, the proposal would deliver a wide range of Affordable Rent homes including 1 x bed (52%), 2 x bed (17%) and 3 x bed (31%) units. These unit sizes are identified as either 'Medium priority' or 'High priority' for Affordable Rent tenure across the Borough in the latest LNHA (2020). Turning into the local area, the LNHA (2020) estimates that in the Turkey Street ward (before the Whitewebbs Ward was introduced), 62.7% of all the properties, houses or flats had 3 or more bedrooms. The proposed housing mix will contribute to a range of affordable

housing in the local area and the Borough. Officers consider the proposed mix can be supported, both due to the reasonable justification provided by the Applicant for such mix, and when considering the weight of Enfield's housing policies against the more recently adopted London Plan housing mix policy – particularly bearing in mind the implications of Paragraph 11 of the NPPF. As set out above the Council's housing policies are considered to be out-of-date.

9.21. During pre-application, the scheme was revised to increase the number of 3 bed+ units. It is considered that the provision has been maximised while balancing the viability implications of the a 100% London Affordable Rent scheme with challenging site constraints. LBE Housing has confirmed that 50% of the pipeline on other schemes are family homes. For example:

- Newstead House in Edmonton Green (ref: 16/04184/RE4) delivered 12 homes consisting of 11 x 3bed and 1x2bed;
- In Meridian Water 1, 242 homes were acquired, 50% of which were 3b5p and 4b6p units;
- Bury Street West redevelopment in Bushill Park (ref: 17/00344/RE4) will deliver 50 new homes of which more than 50% will 3 & 4 bed home;
- Upton & Raynham estate regeneration in Upper Edmonton (ref: 21/04271/RE4) will deliver 134 homes of which 40% will be 3bed + homes;
- Exeter Road estate regeneration (ref: 21/02076/OUT) will deliver 129 homes of which 40% will be 3bed + homes

9.22. 10% of the units will be M4(3) wheelchair accessible homes. Improvements have also been made during the course of the planning process, including at least 1.2m wide access in all the communal areas, level access on podium, and canopies to all the entrances of the wheelchair accessible units and communal stair cores. Final details of the proposed levels will be secured by condition to ensure the ramped access on ground floor will be fully accessible to all users.

#### *Conclusion on housing need and mix*

9.23. The proposed development would deliver 29 x London Affordable Rent homes including 9 bed+ units and 3 wheelchair accessible units, representing a significant uplift of London Affordable Rent homes from 7 x units in the unimplemented planning permission (ref: 17/05227/FUL). The proposed housing typology and mix is therefore considered acceptable. These considerations weigh heavily in favour of the development in the planning balance.

#### Character and Design

9.24. Paragraph 126 of the NPPF underscores the central value of good design to sustainable development. The Framework expects the planning process to facilitate “high quality, beautiful and sustainable buildings and places”. As in Paragraph 130, the assessment of a scheme should take into account the endurance of the design, visual appeal, sensitivity to local context, sense of place, optimisation of the site and contribution to health and wellbeing.

9.25. London Plan Policy D4 encourages the use of master plans and design codes to ensure the delivery of high-quality design and place-making. Design scrutiny, through the use of Design Review Panels is encouraged.

- 9.26. Enfield Policy DMD 37 sets out objectives for achieving good urban design: character; continuity and enclosure; quality of public realm; ease of movement; legibility; adaptability and durability; and diversity.

*Layout, Height and Massing*

- 9.27. The immediate surrounding area is characterised predominantly by two storey residential developments to the east and south on the opposite side of the Great Cambridge Road (A10) and Bullsmoor Lane respectively. The two roads are busy and the A10 is a main trunk road. The site is also bordered by the New River to the west. Given the distance and nature of the A10 and Bullsmoor Road, and the New River, this site together with the adjoining recently completed Bells Moor Gardens form a distinct area with opportunity to optimise site capacity and bring forward a larger scale of development.
- 9.28. Officers consider the overall layout responds well to the site constraints. The Applicant has worked proactively with the Local Planning Authority (LPA) to optimise site capacity, while accommodating parking and communal amenity space at podium level – which would be protected from the noise and pollution of the A10. The proposal maximises active frontage to the street and overlooking of the existing open space to the north. The overall layout is supported and defines public and private spaces well.
- 9.29. Whilst this layout has resulted in homes within the northeast portion of the site having a limited separation distance between them, this issue is mitigated by the internal layout of these homes, with the careful design of window locations and orientations – maximising the effective distance between habitable room windows. Also, homes on the northern wing of the development contain fewer private rooms such as bedrooms on the affected facade.
- 9.30. The two existing 4-storey apartment blocks in the adjoining Bells Moor Gardens establish a taller height datum within the immediate vicinity of the site. Officers consider that the increased height proposed on the Application Site – of up to 6 storeys is an appropriate response at this corner location. The Application Site is located adjacent to a wide road, junction and expansive open space. Officers therefore consider that some increase in height is acceptable in order to respond to the dimensions of the space around it and offer a presence, enclosure and surveillance of the street without causing any harm to long and mid-range views from the surrounding heritage assets (See the Heritage section below).
- 9.31. The mass of the proposed building, while bulkier than the existing houses to the south and east, would sit well especially within the context of the adjoining Bells Moor Gardens residential development to the north. The taller 6 storey element of the proposed building has also been carefully designed to be located away from the New River with a central podium to offer a greater buffer than the previous permission (ref: 17/05227/FUL) where the three storey blocks abutted and ran along the New River.
- 9.32. Furthermore, the Applicant has responded to Urban Design Officer comments to break down the mass of the proposal into a number of distinct forms, with taller elements being distinguished by mono-pitches, as opposed to the dual pitch of the lower wings.
- 9.33. The proposal successfully responds to the open space on all sides of the site, providing sufficient enclosure, presence and overlooking, while providing open and

acoustically protected communal gardens to the rear. The massing, in association with the layout, is therefore considered acceptable.



Figure 1: CGI of the proposed development

#### *Detailing and materials*

- 9.34. Officers have explored the option of facing brick. However, the Applicant has confirmed that this would be challenging when considering the constraints and characteristics of using a pre-fabricated product, alongside the viability implications of delivering a 100% London Affordable rented scheme.
- 9.35. During the planning process, the Applicant and product supplier have worked closely with the LPA to make amendments where possible. The proposed cladding materials has been improved though the use of brick slips for the plinth and the stair core with fibre reinforced concrete weatherboarding on the upper floors. There are instances of weather boarding throughout the Borough. The Urban Design Team has confirmed that the proposed approach could be successful in this location, where there is no strong prevailing character, subject to detailed selection of the product, colour and interface with other materials, roof and window reveals. The Applicant has confirmed that despite the method of construction, the contractor will still go through the detailed design stage. A condition has been attached to secure the details of the materials.
- 9.36. Throughout the planning process, the Applicant has also improved the appearance of the building by some positive design changes to the fenestration such as deeper window reveals in south and east elevations, new windows on the northern wing to face the New River and use of window surround detailing.

#### *Conclusion on Character and Design*

- 9.37. The proposed courtyard typology with entrances to the communal core and ground floor units would help activate Bullsmoor Lane while providing safer, more calming communal amenity space on the podium and introducing passive surveillance to the existing New River Path on the western river bund. The proposed development reflects the challenging constraints of the site, with proportions, bulk and mass that integrate well with the adjoining Bells Moor Gardens and seek to minimise impacts to



neighbouring properties and setting of the heritage assets while creating a functional and welcoming living environment and delivering enough quantum of genuinely affordable homes.

- 9.38. Although the proposed cladding materials would be different from existing buildings in the locale, it is not considered that such a departure is unwelcome due to the varied architectural character in the area and the strong design and a clear design solution which aims to provide cost effective, low-carbon affordable dwellings. The material samples and detailed drawings of the buildings and boundary treatments can be adequately secured by conditions to ensure a satisfactory appearance and appropriate integration into the street scene and the New River.
- 9.39. On balance, the proposed development is consistent with the provisions of Policy CP30 of the Core Strategy, Policies DMD6, 8 and DMD37 of the Development Management Document, Policies D3 and D4 of the London Plan (2021) and the NPPF (2021).

#### Heritage and archaeological

- 9.40. Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 impose a statutory duty on planning authorities to safeguard the special interest of listed buildings and their settings. Section 72 of the Act imposes a statutory duty on planning authorities to preserve or enhance the character and appearance of conservation areas. The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should *“have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”*. In relation to conservation areas, special attention must be paid to *“the desirability of preserving or enhancing the character or appearance of that area”*.
- 9.41. The NPPF 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 (para 199). Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting (para 200). 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 (Annex 2). There should be 'clear and convincing' justification for any harm to, or loss of, a designated heritage asset (para 200). Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (para 202).
- 9.42. London Plan Policy HC1 requires development proposals which affect the setting of heritage assets (designated and non-designated) to be sympathetic to their significance and appreciate their surroundings. Harm should be avoided, and enhancement opportunities taken where they arise. ECP31 of the Local Plan requires that special regard be had to the impacts of development on heritage assets and their settings, Policy DMD 44 advises applications for development which fail to conserve and enhance the special interest, significance or setting of a heritage asset will be refused whilst Policy DMD 37 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.

9.43. The first step is for the decision-maker to consider each of the designated heritage assets (referred to hereafter simply as “heritage assets”) which would be affected by the proposed development (the applicant should describe the significance of the heritage assets affected) in turn and assess whether the proposed development would result in any harm to the heritage asset. The decision of the Court of Appeal in *Barnwell Manor* confirms that the assessment of the degree of harm to the heritage asset is a matter for the planning judgement of the decision-maker. However, where the decision-maker concludes that there would be some harm to the heritage asset, in deciding whether that harm would be outweighed by the advantages of the proposed development (in the course of undertaking the analysis required by s.70 (2) of the Town and Country Planning Act 1990 and s.38 (6) of the Planning and Compulsory Purchase Act 2004, the decisionmaker is not free to give the harm such weight as the decision-maker thinks appropriate. Rather, *Barnwell Manor* establishes that a finding of harm to a heritage asset is a consideration to which the decision-maker must give considerable importance and weight in carrying out the balancing exercise. There is therefore a “strong presumption” against granting planning permission for development which would harm a heritage asset. In the *Forge Field* case the High Court explained that the presumption is a statutory one. It is not irrefutable. It can be outweighed by material considerations powerful enough to do so. But a local planning authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering. The case-law also establishes that even where the harm identified is ‘less than substantial’ (NPPF para 199), that harm must still be given considerable importance and weight. Where more than one heritage asset would be harmed by the proposed development, the decision-maker also needs to ensure that when the balancing exercise is undertaken, the cumulative effect of those several harms to individual assets is properly considered. Considerable importance and weight must be attached to each of the harms identified and to their cumulative effect. It is important to note that the identification of ‘less than substantial harm’ does not equate to a ‘less than substantial’ objection<sup>1</sup>. The decision-maker must apply a weighted or tilted balancing exercise, giving the assessed degree of harm (or enhancement) to the heritage asset ‘considerable importance and weight’ as against other considerations<sup>2</sup>. What follows is an officer assessment of the extent of harm which would result from the proposed development.

9.44. The NPPF is further amplified in a series of five steps in *Historic England GPA 3: The Setting of Historic Assets (2017)* setting out the stages of assessment and how opportunities for enhancement should be identified.

#### *Analysis*

9.45. There are no designated or non-designated heritage assets within the Application Site boundary.

9.46. The Application Site is immediately adjacent to the Forty Hill Conservation Area and New River. Further to the west are several Grade II\* and II Listed Buildings associated with Capel House. The site is located within the Whitewebbs Hill, Bulls Cross and Forty Hill Archaeological Priority Area.

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<sup>1</sup> *Barnwell vs. East Northamptonshire DC* 2014 (para.29)

<sup>2</sup> *Kinsey vs. London Borough of Lewisham* 2021 (para.84)

### *Built Heritage*

- 9.47. Representations received have objected that the proposed development would be visible from three 'Important Local Views' as identified on the Location of Tall Buildings and Important Local Views in Enfield (2013) including from Viewpoint (6) Whitewebbs, (8) Clay Hill and (13) Forty Hill, and also raised concerns in respect of the impact on the Grade I Listed Forty Hall.
- 9.48. Officers have taken care to consider the impacts of the proposal on the designated and non-designated heritage assets and their settings. There has been consideration of views both into, and out of the conservation area and the setting of other assets.
- 9.49. NPPF paragraph 194 requires that in the determining of applications that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be appropriate to the asset's significance.
- 9.50. A Heritage Statement was prepared by the Museum of London Archaeology (MOLA) and submitted in support of the planning application. The report assesses designated and non-designated built heritage assets that may be affected by the development, including the contribution of their settings to their significance, and concludes with an assessment of impact of the proposed development on the significance of relevant built heritage assets.
- 9.51. In respect of the Forty Hill Conservation Area, the submitted Heritage Statement considers that the site is adequately screened off from the Conservation Area boundary by existing trees and metal fencing thus reducing any visual impact. It also considers the benefits of high-quality design, including appropriate materials – and weighs the public benefits of the proposed affordable housing. The Heritage Statement sets out that due to the enclosed nature of the Forty Hill Conservation Area – Capel Manor sub-area, the proposal would have a less than substantial impact on the character of the area. It considers the Application Site's location relative to the Conservation Area, noting that that the site is located on the western fringe of a densely built-up area, suburban in character and intersected by Great Cambridge Road (A10) a major thoroughfare. Within this context, a new residential development is considered to represent the natural continuation of the residential character of this suburban area.
- 9.52. The Conservation Team has also confirmed that the viewpoints within Forty Hall are located in areas which the ZTV show the scheme may be visible. The visualisations show that the scheme would be of very limited visibility in these areas. Whilst the development may be visible from the upper floors, the site does not align with the axis of the listed building and it is unlikely to impact setting in a way which would impact upon the significance of the listed building. Overall it is considered that due to the distance and intervening vegetation the proposed scheme is unlikely to have an impact upon the significance of Capel House and associated heritage assets. This has been demonstrated through the Zone of Theoretical Visibility and Verified Views.
- 9.53. The New River is an important feature in the Forty Hill Conservation Area and is a Non-Designated Heritage Asset. In respect of the New River, Officers have considered this in the context of the New River's importance as a feature in the landscape – and its value in providing a peaceful and secluded environment – especially in the context of the busy suburban environment of the Application Site.

The Applicant's Heritage Statement highlights that the waterway is an essential part of the landscape and should be respected. The Conservation Team confirmed that given the sites position at a curve in the New River, development on this site offers a placemaking opportunity to create visual interest and punctuate a moment as part of a wider kinetic experience. The Conservation Officer has advised that weight should be given to the architectural quality of the scheme. Officers agree – and have worked to ensure that the proposal incorporates a substantial green wall enclosing the western façade of the proposed building facing the New River. Officers consider that the expansive green wall represents an improvement when compared to the unimplemented permission and would provide a visual enhancement along this section of the New River.

- 9.54. An analysis of five views has been undertaken: one from Forty Hall Estate, one from Myddelton House and three from Capel Manor. Of the key views assessed in the Heritage Statement, the applicant's views analysis indicates that, due to the distance from these heritage assets and the intervening built and landscape form, the proposed development will not be visible during either the winter or summer months from either Forty Hall Estate or Myddelton House. Views from within Capel Manor sub-area suggest the Application Site will have some visible during the winter months, but its visual impact will be greatly decreased by the presence of trees, marking the perimeter of the CA. Officers have also considered the benefit of the proposed green wall, as a visually recessive background element – behind the perimeter of trees. During the summer months tree foliage is considered to provide suitable screening. Officers broadly agree with the view analysis within the Heritage Statement and have worked to improve on the position set out in the Heritage Statement, including by encouraging and negotiating enhancements, including the western façade green wall.

#### Important Local Views: Longer Distance Views

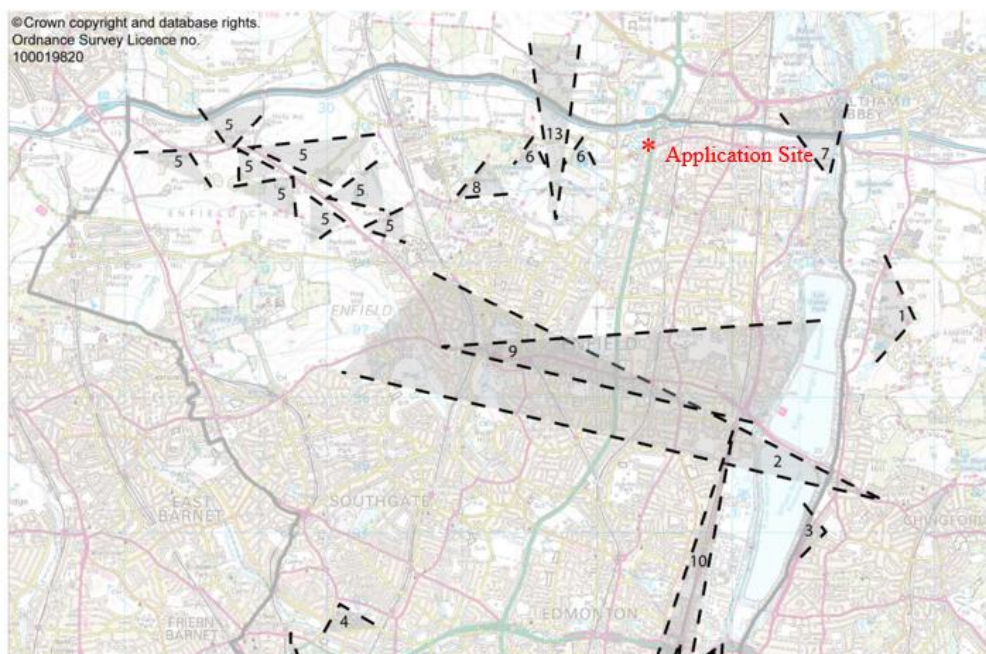


Figure 1: Report on Location of Tall Buildings and Important Local Views in Enfield (March 2013) - the approximate location of the site is shown in red.

- 9.55. In respect of the impact on Viewpoint (6) Whitewebbs, (8) Clay Hill and (13) Forty Hill – as identified in 'Location of Tall Buildings and Important Local Views in Enfield (March 2013)', it is important to note that visibility does not immediately equate to

heritage harm. Following concerns raised by members of the public, the Conservation Officer was asked to consider the potential impact upon the aforementioned views. The Conservation Officer confirmed:

- *Enfield Viewpoint 6 – These viewpoints face south. The application site is located to the north-east of these viewpoints. The development will not feature in these views.*
- *Enfield Viewpoint 8 – This viewpoint faces north-east towards the application site. The length of the viewpoint is visually depicted on the diagram. In this instance it shows a mid-distance view. Taking into account this and the ZTV evidence it is unlikely the scheme would be a prominent feature of this view (if visible at all).*
- *Enfield Viewpoint 13 – This viewpoint faces north. The application is located to the north-east of this viewpoint. The development will not feature in this view.*

### *Heritage Conclusions*

- 9.56. The steps for assessing proposals affecting heritage assets are as set out in the NPPF Section 16: Conserving and Enhancing the Historic Environment and amplified by Historic England GPA 3: The Setting of Historic Assets. The duty to pay 'special regard' or 'special attention', in sections 16(2), 66(1) and 72(1) of the Act (1990) means that there is a 'strong presumption' against the grant of planning permission where it would cause harm to a heritage asset<sup>3</sup>. Harm should be minimised and the desirability of enhancing the asset considered. Any harm to a designated asset requires 'clear and convincing' justification. For non-designated heritage assets there should be a 'balanced judgement' between harm and the significance of the asset.
- 9.57. Officers consider that the proposed scheme would not cause harm to the New River and Forty Hill Conservation Area, subject to the scheme being high quality. The western façade of the proposed building facing the New River will contain fenestration and substantial green walls to generate architectural interests. Large scale details of junctions and materiality have also been provided. The final details of the materials to be used and the landscaping proposal including boundary treatments on New River would be secured by conditions to ensure the scheme contributes positively to the setting of the New River and Forty Hill Conservation Area.

### *Archaeology*

- 9.58. G.L.A.A.S has reviewed the Archaeological Desk-based Assessment and confirmed that the proposed development would not result in significant harm on the Whitewebbs Hill, Bulls Cross and Forty Hill Archaeological Priority Area subject to a Written Scheme of Investigation condition to ensure all historic environment investigation and recording is appropriately controlled. A condition has therefore been attached.

### Neighbouring Residential Amenities

#### *Daylight, sunlight and overshadowing*

- 9.59. In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.

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<sup>3</sup> Kinsey vs. London Borough of Lewisham 2021 (para.82)

- 9.60. Objections have been raised during the consultation process from neighbouring properties, notably in the Bells Moor Gardens, regarding the impact of the proposed development on daylight and sunlight available to surrounding properties.
- 9.61. The Applicant has submitted a Daylight & Sunlight Report based on the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: A guide to good practice (2011)', which sets out the tests used to assess daylight and sunlight impacts of development on neighbours, future occupiers of the development and adjacent open spaces. The 2011 standards have been superseded by new 'Site Layout Planning for Daylight and Sunlight: a guide to good practice' (BRE, 2022). However, the 2011 standards were in place at the time of the submission of the application. The new guidance has not materially changed the assessment of the daylight and sunlight to neighbouring properties, as such, this element of the assessment would not be affected.
- 9.62. Neighbouring properties were identified as relevant for daylight and sunlight assessment based on orientation and proximity to the proposed development. The submitted report has been completed by daylight/sunlight specialists.
- 9.63. The results show that the proposed development would satisfy BRE Guide default targets for Vertical Sky Component (VSC) levels in all windows in the adjoining two storey houses to the north (Plot 6 – 9 /Copse Close 9 -11) except a secondary ground floor window serving the kitchen/living/dining room of Plot 6 (Copse Close 11). The infringement on the VSC of this window is considered relatively minor with the window retaining a VSC of 25.57%, only slightly below the 27% recommended in 2011 standards.
- 9.64. The No-Skyline (NSL) calculation indicates all rooms of these three neighbouring houses also meets the BRE default targets. In Plot 6, 94.4% of the kitchen/living/dining room retains direct skylight. The Average Daylight Factor (ADF) of this room also exceeds the minimum recommended target in 2011 standards. Considering the above, it is therefore considered that the proposed development will not have a detrimental impact on the skylight to the existing houses to the north (Plot 6 – 9 or Copse Close 9 -11).
- 9.65. In addition, sunlight to these neighbouring buildings would fully satisfy BRE's criteria in terms of annual probable sunlight hours (APSH) and the APSH in the winter months (WPSH) received by the south facing windows at Plots 6, 7, and 8.
- 9.66. In terms of overshadowing to the amenity lawn between the houses and the proposed development, the impact would also meet the BRE default targets as 56.4% of amenity area receives at least two hours of sunlight on 21 March after the development.
- 9.67. Overall, it is considered that the proposed scheme has been designed to respond to BRE's criteria while delivering the quantum of affordable housing and meet the relevant policies within Enfield's Local Plan and The London Plan. On balance, it would not have an unreasonable impact on neighbouring residential occupiers in terms of loss of daylight, sunlight and overshadowing.

#### *Overlooking*

- 9.68. The northern wing of the proposed building will be sited 16-25m away from the nearest neighbouring houses to the north with generous communal amenity space in

between. Given the proposed separation distances, it is considered overlooking impacts are proportionate and would not be unreasonable.

#### *Noise and Disturbance*

- 9.69. The principle of residential-led redevelopment has already been established by the unimplemented permission (ref: 17/05227/FUL). A minor addition of two dwellings would not result in any material impacts on the occupiers of the adjoining properties in terms of noise and disturbance. A piling method statement will also be secured via condition to protect residents from noise and disturbance. No external plant is proposed. A compliance condition has also been attached to limit the background noise of any external plants in the future.

#### *Conclusion on Neighbouring Residential Amenities*

- 9.70. Having regard to the above, the proposal would not cause any significantly detrimental impact upon the amenities of any neighbouring dwellings in terms of noise, disturbance, daylight, sunlight, outlook and overlooking. It would be in accordance with Policies D3, D4, D6 and D14 of the London Plan (2021), CP 4 of the Enfield Core Strategy (2010) and Policies DMD 8, 10, 37, and 68 of the Enfield Development Management Document (2014).

#### Quality of Accommodation

##### *Unit and Bedroom Size, Storage and Floor to Ceiling Heights*

- 9.71. Policy D6 of the London Plan (2021) sets out housing quality and design standards that housing developments must take into account to ensure they provide adequate and functional spaces.
- 9.72. All units meet internal floorspace standards required by London Plan Policy D6, Table 3.1. The majority of the homes will also further meet individual room standards (London Housing Design Guide is cited as best practice in section 5.3 of the Development Management Document). A condition will be attached to explore the possibility of reconfiguring the internal layout of two 2 bed 4 person units (Unit 19 and 26) to create larger living areas at the expense of a second shower room.
- 9.73. The submitted sections of the proposed building demonstrate that the total gross floor internal area of all the proposed homes would meet and exceed a minimum floor to ceiling height of 2.5m required by the London Plan (2021).

##### *Light, Outlook and Layout*

- 9.74. The submitted Daylight and Sunlight Assessment has demonstrated that 92.0% of the proposed habitable rooms would achieve the direct skylight recommended by BRE 2011 standards.
- 9.75. 97.7% of the proposed habitable rooms would achieve the ADFs recommended in BRE 2011 standards. The two rooms that fall below the recommended values, would both achieve an ADF of 1.5% or more.
- 9.76. 27 of the 29 proposed dwellings have a main living room that would achieve both the APSH and WPSH recommended in BRE 2011 standards. The two dwellings (Unit 17

and 24) that fall below the recommended values, would have main living rooms receiving APSH of 19% and 20%, which is not substantially below the recommended 25%, and WPSH of 8% and 9%, which is still almost double the recommended 5%.

- 9.77. It is noted that the approach to assessing internal daylight and sunlight has moved from Average Daylight Factor (ADF) to either Median Daylight Factor or Illuminance in the new BRE guidelines. However, as mentioned in the above section, the 2011 standards were in place at the time of the submission of the application. An assessment based on the new BRE guidelines is not necessary as the development achieves 100% dual aspect, which is an excellent result providing naturally ventilated homes with good levels of daylight and sunlight.
- 9.78. Whilst most of the bathrooms do not have potential for natural light and ventilation to these spaces, this is a common feature of modern development and sufficient mechanical ventilation is provided.
- 9.79. Provision of natural light to the lobby and both stair cores is also supported.

#### *Noise*

- 9.80. The site is close to Bullsmoor Lane and the A10. The internal layout has been carefully designed to maximise the provision of bedrooms facing the podium. Whilst the bedrooms on the first floor face the A10, there are limited options for reorganising internal spaces. The Acoustic Report has demonstrated that the proposed flats with sound attenuation measures including triple glazing windows, sound proofing building envelopes, and MVHR will meet the recommended internal noise levels set-out in BS8233:2014 - Guidance on Sound Insulation and Noise Reduction for Buildings. The Environmental Health Team have confirmed the proposed measures will be acceptable. A condition will be attached to ensure compliance.
- 9.81. The proposed MVHR units will be contained within a storage room within each flat. The indicative specification for the MVHR units has shown the acoustic rating and the acoustic performance of the room partitions. Officers are satisfied at this stage that the provision of MVHR units would not result in detrimental noise to the future occupiers subject to final details of the MVHR units, which will be conditioned. The acoustic testing of the partitions will be assessed separately at the Building Control Stage.

#### *Privacy*

- 9.82. The outline Landscape Strategy demonstrates that sufficient defensible space will be provided to the ground floor units including some ornamental trees in the forecourts of Unit 5 and Unit 6 to safeguard the privacy of the future occupiers while maintaining a degree of passive surveillance to the street. Details of the landscaping and boundary treatments would be secured via a condition.
- 9.83. As mentioned above, the windows of the proposed homes in the northeast portion of the site have been positioned to maximise the effective distance between units. Also, homes on the northern wing of the development have been carefully designed to contain fewer private rooms such as bedrooms on the affected facade.
- 9.84. On upper floors, where homes are accessed via a deck, kitchens are placed facing the deck. This strategy is supported as these rooms are the least sensitive to privacy issues.



### *Amenity Space and Play Area*

- 9.85. DMD Policy 9 requires provision of adequate, accessible and functional amenity spaces.

### *Private amenity space*

- 9.86. Private amenity space will be provided to all units in the form of balconies and/or private gardens. It is noted that only 7 sqm of private amenity space will be provide for the 3 bed, 6 person unit (Unit 5) on the podium. The shortfall of 2 sqm is considered acceptable in this instance as there is sufficient provision of communal space, and a larger balcony may compromise the overall design of the podium.
- 9.87. It is also noted that two separate balconies will be provided for Units 27, 28, 29 where one of the balconies would only be accessed via a bedroom instead of the communal area. Although this deviates from best practice, it is considered the proposed balconies would be acceptable in this instance as the combined size of the two balconies would still meet the minimum area requirement of 10sqm for a 3 bed 6 person unit. Officers have also weighed the benefit of providing two balconies as proposed, compared with one single larger/deeper balcony which would have the potential to reduce natural light to the windows / habitable rooms below, in addition to potential impacts on visual appearance.
- 9.88. Furthermore, all private amenity areas on the podium have been revised to allow for a 0.75m width raised privacy planter. Defensive planting has also been added to the kitchen window of Unit 10.
- 9.89. It is noted that based on the indicative visualisation, the front garden of Unit 7 will be delineated by high garden fences and an entrance gate fronting onto Bullsmoor Lane in an attempt to increase privacy of this amenity space. However, it would reduce the legibility of the entrance, and make delivery to this units difficult. Hence, revised details of the boundary treatments will be secured as part of the landscaping condition.
- 9.90. The submitted acoustic report shows the balconies in the eastern elevation overlooking the A10 and those facing the New River and Bullsmoor Lane would be exposed to noise levels of LAeq 64dB and LAeq 67dB respectively, which is higher than the upper limit set out in BS8233 (LAeq 55dB). It is acknowledged that it is highly unlikely that noise levels can be within the upper limit without fully enclosing the balconies. However, further details in respect of the sound proofing performance of the proposed balconies design is recommended to be secured. A condition has been attached to request details of the balconies to ensure robust mitigation measures have been explored and external noise levels minimised. For example, a more solid balustrade surrounding these balconies could provide noise mitigation and improve the sense of privacy of these balconies.

### *Podium*

- 9.91. In addition to the private amenity spaces, all homes would benefit from a communal garden on the podium which would also serve as doorstep play space for under 5's in accordance with the Play and Informal Recreation SPG (2016).

- 9.92. The void in the podium is considered necessary for cranes to construct the proposed building and enable future maintenance of the façades facing the courtyard as the site is bordered by the New River to the West without any vehicular access. Options of different sizes and positions of the voids have been explored. The revised design of the podium has also been improved by reconfiguration to a more usable layout, introduction of new seating, 1.2m wide access for wheelchair users, and 1.1m high visually permeable balustrades along the western edge. The details such as planting, seating, play equipment, and balustrades would be secured by a condition.
- 9.93. In order to address the shortfall in on-site play space provision of 140sqm for children aged between 6 and 18, the Applicant will make a financial contribution to improve the existing play space in Aylands Open Space, which is located within 10 mins walking distance from the site and near to the local shopping parade. Different sites for financial contribution have been explored with the Applicant and the Council's Parks Team (See Section 6). It is considered that the proposed provision of play space together with an off-site financial contribution would be acceptable in accordance with Policy S4 of the London Plan (2021).

#### Flood Risk and Drainage

- 9.94. Policy SI 13 of the London Plan (2021) requires development proposals to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features, in line with the specified drainage hierarchy. Policy DMD 61 states developments should seek to achieve Greenfield runoff rates for 1 in 1 year and 1 in 100 year (plus climate change) year events and must maximise the use of Suds, including at least one 'at source' SuDS measure resulting in a net improvement in water quantity or quality discharging to sewer in-line with any SuDS guidance or requirements.
- 9.95. Flooding is not a known risk on this site. Classed as Flood Risk 1, the site is at low risk of flooding.
- 9.96. The proposed building will maintain a minimum 8m wide buffer from the New River in accordance with DMD 63. The Applicant has engaged with Thames Water during pre-application. Thames Water has reviewed the proposal and confirmed no objection to the proposed development.
- 9.97. The existing site mainly comprises impermeable surfaces. During pre-application stage, the Applicant has explored the possibility of discharging the runoff into the New River with Thames Water in accordance with London Plan Drainage Hierarchy. Given New River is a clean water resource, Thames Water does not support this option. This option is therefore considered infeasible. A preliminary SuDS strategy has been submitted with the application. Extensive SUDS source control features including rain gardens, permeable paving and green roof on the podium with rainwater planters are supported. The Council's Watercourses Team have requested the detailed calculation of the runoff rates achieved with details of the proposed SuDS features and a management plan for future maintenance. The requested information would be secured by way of condition in accordance with Policies SI 12, SI 13 of the London Plan (2021), Policy CP 28 of the Enfield Core Strategy (2010) and Policies DMD 59, DMD 61 and DMD 63 of the Development Management Document (2014).

#### Biodiversity, Trees and Landscaping

- 9.98. Policy DMD 76 states that development on sites that abut a wildlife corridor will only be permitted if the proposal protects and enhances the corridor. Policy DMD 78 states that development that has a direct or indirect negative impact upon important ecological assets will only be permitted where the harm cannot reasonably be avoided, and it has been demonstrated that appropriate mitigation can address the harm caused. Mitigation will be secured through planning obligations or planning conditions.
- 9.99. Policy G7 of the London Plan (2021) and Policy DMD 80 of the Development Management Document (2014) state that any development involving the loss of or harm to protected trees or trees of significant amenity or biodiversity value will be refused.

*New River SINC, Lee Valley SPA and Epping Forest SAC*

- 9.100. The site is mainly comprised of hardstanding now and hedge along the southern boundary. It adjoins the New River SINC and Wildlife Corridor, and is within 5km of the Lee Valley Special Protected Area (SPA) and Epping Forest Special Area of Conservation (SAC).
- 9.101. A submitted Ecological Appraisal Report with an ecological desk study concludes that none of these sites will be directly affected by the proposed development given the scale of the development and all ecological links will be maintained. The current proposal would involve only a minor uplift of 2 units from the unimplemented planning permission (ref: 17/05227/FUL). The impact of this proposed development on these designated ecological sensitive sites would not be materially different from the previous planning permission. Natural England has confirmed no objection to the proposal. It is considered that the Ecological Appraisal Report forming the Habitat Regulation Assessment can be adopted by the Council as Competent Authority in order to comply with the Habitat Regulations.

*Habitats and Trees*

- 9.102. There is only one Category U tree on site which would be removed. The Tree Officer has confirmed no objection to the proposal. A total of 18 new trees will be planted together with mature hedges, intensive planting including rain gardens on Bullsmoor Lane and the podium. There will also be green walls on majority of the western façade.
- 9.103. The proposed landscape scheme would meet the Urban Greening Factor (UGF) target of 0.4. The biodiversity units will also increase from 0.11 units to 0.21 units, equivalent to a Biodiversity Net Gain (BNG) of 89.5%. This would exceed the emerging statutory minimum BNG requirement of 10%.
- 9.104. It is noted that the UGF is calculated based on the site area within the Applicant's ownership only. Copse Close and the associated soft landscaping on the western side of this road, which are not owned by Applicant and form part of this application site boundary, are not included in the indicative UGF calculations. A strip of existing soft landscaping area along the western side of Copse Close will be paved to create a new pedestrian footway with a new crossover for this proposed development. A revised Urban Green Factor calculation based on the larger site area therefore will be secured as part of the landscape condition to explore integration of acceptable surface cover types on this area where possible or further greening across the wider site in accordance with the Draft GLA Urban Green Factor Guidance (2021).

- 9.105. A detailed maintenance plan including a revised maintenance access to the ground-based green walls and rain gardens in the western portion of the site will be secured to ensure the future maintenance is convenient and suitable. Detailed landscaping plans and an Ecological Management Plan will also be secured by a landscaping condition to ensure the local biodiversity and the greenery would be enhanced for a period of at least 30 years in accordance with Policy DMD 81.
- 9.106. The Applicant will also make a financial contribution to enhance the planting on the existing low ecologically valued grass verges on Bullsmoor Lane (adopted highway), and the future maintenance of the new planting. This would be secured within the shadow S106.
- 9.107. The Applicant and Watercourses Team have also explored the possibility of introducing a new rain garden on the hardstanding build-up area at the junction between Bullsmoor Lane and Copse Close to enhance the public realm. However, due to viability of the scheme, the Applicant cannot make this financial contribution. The Watercourses Team will deliver the rain garden separately independent of this application with alternative funding in the future.

#### *Protected Species*

- 9.108. The submitted Ecological Appraisal Report indicates that the majority of the habitats and plant species observed on site are widespread and common; the habitats are of negligible nature conservation value from a botanical perspective. The Report recommends any new lighting would be carefully designed to minimise potential light disturbance and fragmentation impacts. A condition therefore has been attached to request the external lighting details.
- 9.109. The Report also recommends other ecological enhancement measures such as at least 1 Bat Box, 4 bird boxes, 2 insect boxes and hedgehogs-friendly fencing. These measures would be secured via a condition in accordance with DMD Policy 79.

#### *Conclusion on Biodiversity, Trees and Landscaping*

- 9.110. Considering the above, the proposed development would not result in any significant harm to the protected tree or the local wildlife including the New River SINC, Lee Valley SPA and Epping Forest SAC, and would enhance the local biodiversity and greening subject to further details on the landscaping scheme and the biodiversity enhancement measures, which would be secured by conditions. The proposal therefore would comply with Policies G6 and G7 of the London Plan (2021), Policy CP36 of the Enfield Core Strategy (2010) and Policies DMD76, 78, 79, 80 and 81 of the Enfield Development Management Document (2014).

#### Traffic, Access, Parking

- 9.111. The site is located less than 50m from the A10 Great Cambridge Road, which forms part of the Transport for London Road Network (TLRN).
- 9.112. The site has a Public Transport Accessibility Level (PTAL) of 1B. There are several bus stops within walking distance on Great Cambridge Road. The nearest train station (Turkey Street) is circa 1.1km (approximately 7-minute cycle or 17 minutes' walk) away. Capel Manor Primary School and Orchardside School are located on Bullsmoor Lane. A local shopping parade with groceries, shops and restaurants are

located within 400m of the site (approximately 5 minutes' walk) on the eastern section of Bullsmoor Lane.

#### *Trip Generation*

- 9.113. The number of proposed dwellings has increased by 2 units from the unimplemented permission (ref: 17/05227/FUL). The trip generations would not significantly increase from the previous permission. The Transportation Team, Transport for London and National Highway have all confirmed no objection to the proposal as the proposal would not result in any detrimental impact on the levels of service on footways and bus services, nor on the local highway network including M25 Junction 25 and Bullsmoor Lane.

#### *Vehicular and Pedestrian Access*

- 9.114. A new vehicular access is proposed from the access road to the east of the site. This is a shared access to adjacent Bells Moor Gardens development.
- 9.115. The Transportation Team has confirmed that although Bullsmoor Lane is heavily used, the existing 'Keep clear' markings would be sufficient to protect the exit directly to Bullsmoor Lane from the direct vehicular access from the north and side access from the east. TfL has also confirmed no objection to the proposed use of the Copse Close access. This proposed vehicular access is considered an improvement on the unimplemented planning permission (ref: 17/05227/FUL) in which the existing vehicular access directly off Bullsmoor Lane would have been used with an increased intensity but in close proximity to Copse Close. In the Bells Moor Gardens development (ref: 17/05528/FUL), the LPA has secured a financial contribution to conduct a safety audit, which can be used to monitor the junctions when needed.
- 9.116. The Applicant has been negotiating an easement arrangement with the landowner for the proposed vehicular access and pedestrian access on Copse Close. A condition has therefore been attached to ensure that both the proposed pedestrian and vehicular access will be completed prior to the first occupation of the first dwelling.
- 9.117. New pedestrian links between the footway on Bullsmoor Lane and some entrances of the building will also be created via the existing grass verges on public highway. The works will be secured by Highways Contribution.

#### *Parking*

- 9.118. Two Parking Surveys have been undertaken to establish the on-street parking availability within the standard 200m walking distance around the site. However, it is noted that the A10 acts as a barrier to the spaces on the eastern side of Bullsmoor Lane and these spaces will be less likely to be used. The Surveys show that on average 57 spaces were available in total, and 38 were to the western side of the A10.
- 9.119. A total of 14 car parking spaces including 3 disabled parking spaces would be provided. The proposed bays meet the minimum dimensions including clear strips on either side of the disabled parking bays. It is likely that the 2 bed+ units (14 units) will generate a total demand of 14 spaces. Based on census data, it is estimated that the proposed 1 bed units would generate a car parking demand of approximately 6 spaces. The Transportation Team have confirmed that additional demand can be accommodated on nearby roads on the western side of A10 without tipping the parking situation to above 80% although there is a minor risk that Manor Farm Road

may reach full saturation if all the potential car parking demand is spilled to Manor Farm Road. However, it is highly likely that the future occupiers will park as close as possible to their flats on Bullsmoor Lane instead where there is sufficient on-site parking availability.

- 9.120. Representations have objected that the proposed development would make parking within Bells Moor Garden more difficult. There are 67 parking spaces for 56 units within Bells Moor Garden. Given the car parking spaces in Bells Moor Gardens are within private ownership, these spaces are neither considered in the Parking Surveys nor are relied to accommodate the car parking demand from the future occupiers.
- 9.121. Representations also raised concerns that an increased parking level on Bullsmoor Lane may impact safety and traffic flows especially during school pick up and drop off times. As mentioned in above, the additional demand for on-street parking will be limited. Furthermore, the school pick-up period in the evening does not generally coincide with peak parking hours. The Transportation Team have conducted surveys twice and confirmed that the proposed parking would not have negative impacts on the local highways.
- 9.122. Furthermore, the Applicant will explore the feasibility of a car club with a car club operator, and formulate a Travel Plan to reduce car usage and promote cycling and use of public transport among the future occupiers. These sustainable travel measures will be secured by the shadow Section 106 Agreement. A Healthy Streets Contribution has also been secured which would help deliver the emerging walking and cycling path along New River which improve the connectivity of the Site and promote sustainable mode of transport.
- 9.123. The Applicant has also confirmed that all the parking spaces will have electric charging points. The details will be secured via condition.
- 9.124. Considering the above, it is therefore considered that the proposed parking provision would comply with the maximum car parking standards stated in the London Plan (2021) and would not result in significant detrimental overspill parking in the area.

#### *Cycle Parking*

- 9.125. A total of 51 long stay bicycle parking spaces would be provided in a secured bike store on the ground floor and 2 short stay spaces of Sheffield Stand near the car park entrance. The proposed cycle parking provision is considered adequate and accessible. The proposed two-tier stands in the bike store is not usually preferred but is considered acceptable in this instance given the site constraints. During the course of this application, the Applicant has provided an indicative layout of the bike store the indicative product specification in the revised Design and Access Statement. A condition has been attached to request final details to demonstrate all the bike stands are fully accessible and ensure the bike store is provided prior to the first occupation in accordance with DMD Policy 45, Policy T6.1 of The London Plan (2021) and TfL London Cycle Design Standards (2014).

#### *Servicing and Refuse*

- 9.126. A communal bin store will be provided fronting Bullsmoor Lane. The proposed size would be sufficient to provide the required number and size of general and recycling bins as required by the Waste and Recycling Storage Planning Guidance (2010). It is acknowledged that future residents of the northern wing would have to carry their refuse bags for more than 30m (excluding any vertical distance), contrary to

paragraph 6.8.9 of Manual for Streets (2007). The option of introducing a refuse store to the north of the site has been explored. However, it has been discounted due to the resultant loss of an affordable home.

- 9.127. The new grade loading bay on Bullsmoor Lane will be sited in front of the communal refuse store to ensure the bin drag distance is within 10m as per the Waste and Recycling Storage Planning Guidance (2010). It is also close to the communal entrance for other deliveries. The Transportation Team have confirmed that a new grade loading bay will ensure deliveries and servicing do not obstruct the flow of traffic on Bullsmoor Lane, and the footway width is not compromised. The alterations to the public highway to provide the loading bay, and revised Traffic Regulation Order would be secured through a Highways Contribution.

#### *Construction Traffic Management*

- 9.128. National Highway has reviewed the Construction Environmental Management Plan and confirmed that given the 9-month construction timeframe, it is unlikely that the construction vehicles trips will generate any significant levels of traffic. TfL recommended a booking system for Heavy Good Vehicles (HGV) and use of Silver or Gold members of Fleet Operators Recognition Scheme (FORS). These requirements together with some additional information of the Construction and Logistic Plan will be secured via a condition.

#### *Conclusion on Traffic, Access and Parking*

- 9.129. Overall the Transportation Team have no objection to the proposed development subject to conditions. The proposed development would not result in conditions prejudicial to the safety and free flow of traffic in the surrounding area subject to Highway Contributions for the required highways works. Also, sustainable modes of transport would be promoted subject to cycle parking store details, sustainable travel package to the future residents and a Healthy Streets Contribution. Hence, the proposal would comply with Policy T6.1 of the London Plan (2021), Policies CP22 and CP25 of the Enfield Core Strategy (2010) and Policies DMD45 and DMD47 of the Enfield Development Management Document (2014).

#### Carbon Emissions and Sustainability

##### *Operational carbon emissions*

- 9.130. London Plan Policy SI 2(C) outlines that new major development should as a minimum, achieve 35% beyond Building Regulations, of which at least 10% should be achieved through energy efficiency measures for residential development. Policy DMD55 and paragraph 9.2.3 of the London Plan advocates that all available roof space should be used for solar photovoltaics (PV).
- 9.131. The submitted Energy Statement has provided detailed calculations on the operational carbon emissions based on SAP10 methodology. This application was validated in April before the new Part L requirements came into force in June. Hence, the use of Part L 2013 methodology is acceptable in accordance with the GLA Energy Assessment Guidance updates (2022).
- 9.132. The proposed development would exceed the 'Be Lean' target (10%) through high performance internal fabrics such as triple glazing windows, high levels of insulation and good airtightness. The resulting estimated Energy Use Intensity

(25.6kWh/m<sup>2</sup>/year) would even meet the Draft Local Plan target for 2030 (35kWh/m<sup>2</sup>/yr) – which is considered to represent a very good level of performance.

- 9.133. Energetik has confirmed that the site is beyond the planned routes of the District Heat Network. Mechanism ventilation system with heat recovery is provided for each unit. The proposed Air Source Heat Pump (ASHP) is equipped with reversable exchange for cooling, summertime boost and a high COP preventing the need for any gas connections to the scheme.
- 9.134. 90% of the roof space will be utilised for PV panels to generate an electricity output of 124 kWp. The total annual PV energy production would exceed the total regulated annual energy use. The Energy and Sustainability Statement demonstrates that the surplus energy would be sufficient to meet the majority of both regulated and unregulated energy demands particularly during summer.
- 9.135. Overall, the proposed development would achieve 100% regulated on-site carbon emissions reduction over Part L 2013. The Climate Change and Sustainability Team commended that the Energy Statement is comprehensive and concise. The proposed development would set an excellent example for zero operational carbon emissions in residential development and help address fuel poverty for lower income households.
- 9.136. A condition will be attached to request final Energy Performance Certificate and Display Energy Certificate after practical completion of the works. The post occupation energy performance will also be monitored in accordance with the GLA 'Be Seen' Guidance 2022, which would be secured by the shadow Section 106 Agreement .

#### *Overheating*

- 9.137. The assessment also demonstrates that the proposed development has followed the cooling hierarchy and mitigates overheating risk by prioritising passive measures such as dual aspects units, deeper windows reveals in the southern elevation, integrated automatic ventilation blinds on the southern and western elevation, and use of gallery access or balconies as shading device.
- 9.138. Active cooling through a highly efficient reversible ASHP is considered acceptable in this instance given the high efficiency of the MVHR system with a small resultant increase in cooling demand (See also the 'Operational carbon emissions' section) and the potential impacts of prolonged natural ventilation on the indoor air quality and acoustic environment due to the proximity to Bullsmoor Lane and the A10.

#### *Embodied carbon emissions*

- 9.139. With regards to embodied carbon, there is no policy requirement for whole life carbon assessments for non-referable applications. Nevertheless, the Design and Access Statement illustrates that the proposed development has an embodied carbon of 234.8 kg CO<sub>2</sub>e/m<sup>2</sup>, which would be meet the Draft Local Plan target for 2030 (300kWh/m<sup>2</sup>/yr).

#### *Water consumption*

- 9.140. Policy SI5 of the London Plan (2021) requires that development be designed so that mains water consumption would meet a target of 105 litres or less per head per day, excluding an allowance of 5 litres per head for external water use.



- 9.141. The Energy and Sustainability Statement demonstrates that majority of the new homes is estimated to use 100.4 – 101.4 litres of water per head per day, well below the London Plan target through efficient faucets and fixtures, dual-flush options and aerating the supply to reduce total volume of water in the flow.
- 9.142. It is noted that the water consumption of 6 homes (105.4 – 106.38 litres per head per day) would be slightly above the London Plan target. However, given the budget of a 100% London Affordable Rent scheme, more efficient appliances or instillation of water reclamation technologies would mean a trade off in other aspects. Since the majority of new homes can achieve a substantially lower water consumption than the target, it is considered that overall, the proposed development has maximised measures to reduce water consumption. A condition therefore has been attached ensure compliance.

#### Fire Safety

- 9.143. Since the top storey of the building is not 18 metres or more in height, the proposed building is not a relevant high-rise residential building as defined in Planning Practice Guidance (Reference ID: 71-004-20210624). A Fire Statement and Excavation Lift Capacity Assessment prepared by an accredited Fire Engineer has been submitted. The Fire Statement confirms that the products to be used are non-combustible, the evacuation routes are suitable with two separate stair cores and an evacuation lift, and sprinklers will be provided for each flat. It is unclear whether the accredited Fire Engineer has reviewed the suitability of the indicative sprinklers product. A condition has been attached to seek a revised Fire Statement to clarify this and the evacuation strategy for the wheelchair accessible unit on the first floor. The detailed design is expected to meet the Building Regulations in force at the time by way of approval from a relevant Building Control body. Having regard to the above, it is considered that the proposed fire safety arrangements are acceptable at the planning application stage subject to the aforementioned condition.

#### Air Pollution and Land Contamination

- 9.144. The Environmental Health Officer has confirmed that the proposed development would not result in air pollution and land contamination subject to conditions covering dust and emissions control measures during the construction and demolition stage in the Construction Management Plan, restrictions on the emissions from all non-road mobile machinery during demolition and construction, and a contamination remediation scheme.

#### Secure by Design

- 9.145. During the design process, a Secured by Design meeting was held with the Designing Out Crime Officer at Met Police, and feedback was integrated into the proposed design. Overall, the Met Police has confirmed no objection to the application. A condition has also been attached to ensure the proposed houses attain 'Secured by Design' certification in accordance with Policy D11 of the London Plan (2021) and Policy DMD 37 of the Development Management Document (2014).

#### Community Infrastructure Levy (CIL)

#### *Mayoral CIL*

- 9.146. 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 £60per sqm as of 1st April 2019).

#### *Enfield CIL*

- 9.147. The Council introduced its own CIL on 1st April 2016. Enfield has identified three residential charging zones, and the site falls within the lower rate charging zone (£40/sqm).
- 9.148. Both CIL charging rates are presented prior to indexing. The proposed development would be CIL liable as it as it would create new dwellings. However, the proposed development involves 100% London Affordable Rent. It would be eligible for Mandatory Social Housing CIL relief.

#### Shadow S106 Heads of Terms

- 9.149. The Council is the current freeholder of the Site. It cannot enter into a Section 106 Agreement with itself and therefore a condition has been imposed ensuring that no development is commenced until anyone with a legal interest in the site has entered into a Section 106 Agreement to secure the relevant obligations as per the Section 106 to be attached to the condition the. A draft of the Section 106 Agreement is will be attached to the planning permission.
- 9.150. The table below outlines the Heads of Terms of financial and non-financial contributions to be secured within a shadow Section 106 Agreement

Heads of Term	Description	Sum
Affordable housing	All the proposed units will be London Affordable rented	£0
	A minimum of 10% of all Affordable Housing Units will be M4(3) Compliant.	£0
Design	Retention of project architect	£0
	Design monitoring costs	£0
Education	Contribution towards improved education provision	73,515
Employment & Skills	Employment and Skills Strategy.	£0
Energy	Monitoring ('Be Seen' – GLA Energy Monitoring Portal).	£0
Play space	Contribution towards provision of play space off-site.	29,000
Sustainable Travel	Travel Plan	£0
	Travel Plan monitoring	5,250
	Explore the potential for a car club	£0
	Health Street contribution	8,809.00
Highway works	Service lay-by and realigned footway including associated Traffic Regulation Orders (TRO), pedestrian paving from the public footway to the entrances, tactile paving and new footway paving for the junction between Copse Close and Bullsmoor Lane, new soft landscaping along the existing grass verge on Bullsmoor Lane with at	The sum as reasonably determined by the LBE Highways

	least 3-year maintenance.	
Monitoring fee	5 per cent of the total value of all contributions; and a fixed charge to manage non-monetary obligations of £350 per head of term. Indexation will be applied.	

## 10. Public Sector Equality Duty

- 10.1. In accordance with the Public Sector Equalities Duty, an equalities impact assessment has been undertaken. 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.

## 11. Conclusion

- 11.1. The starting point for the determination of any planning application is the development plan. Paragraph 11(d) of the NPPF states that planning permission should be granted 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".
- 11.2. Members will be aware of the need to deliver more housing, including affordable housing in order to meet housing delivery targets. This proposed development would deliver 29 London Affordable Rent homes, which would help meet the pressing need for affordable housing within the Borough, and Enfield has an extremely challenging 10-year housing delivery target. In this context, the provision of 29 affordable homes weighs heavily in favour of the development.
- 11.3. The Applicant has engaged with the LPA undertaking extensive pre-application advice inclusive of the development being presented to the Enfield Design Review Panel. The pre-application process involved the Applicant considering design options to determine the most appropriate forms of development, and the scheme proposed has followed a design-led approach to site optimisation, as per London Plan Policy D3.
- 11.4. The current proposal is considered an improvement on the unimplemented planning permission for 27 flats (ref: 17/05227/FUL). The proposal would provide a significant increase in affordable homes which are of higher quality and more sustainable.
- 11.5. All homes would be dual aspects with generous internal spaces, high floor to ceiling height, excellent insulation and enjoy safer, more calming communal amenity space. The on-site energy generation is likely to cover the majority of the demand from the households, which would help tackle fuel poverty. The proposed shared vehicular access via Copse Close will also help improve the traffic flow on Bullsmoor Lane when compared with the unimplemented permission. Furthermore, the new financial contributions sought would benefit the wider communities through improving the existing play space nearby and the public realm on Bullsmoor Lane.

- 11.6. The public benefits of the development include: optimising the site (making effective use of a sustainable, accessible, brownfield site); providing genuinely affordable homes (contributing to the Borough's affordable housing delivery); social and economic benefits (providing jobs during construction); and substantially improved landscape areas (including green wall).
- 11.7. Overall and taking account of the presumption in favour and the weight to be given to development which provides new affordable homes, it is concluded that the development for the reasons set-out within this report, is acceptable and broadly accords with the policies of the Development plan where they are material to the development and other relevant material planning considerations including emerging policy. Subject to the appropriate mitigations as set out within the recommended condition schedule, and within the shadow Section 106 Agreement, the application is recommended for approval.