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PLANNING COMMITTEE - 18.10.2022

MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON TUESDAY, 18 OCTOBER 2022

COUNCILLORS

PRESENT Sinan Boztas, Elif Erbil, Nawshad Ali, Gunes Akbulut, Kate Anolue, Lee Chamberlain, Peter Fallart, Mohammad Islam, Bektas Ozer, Michael Rye OBE, Jim Steven and Doug Taylor

ABSENT Ahmet Hasan (Associate Cabinet Member (Enfield North))

OFFICERS: Ian Davis (Chief Executive), Brett Leahy (Director of Planning and Growth), Terry Osborne (Director of Law and Governance), Vincent Lacovara (Head of Planning), Andy Higham (Head of Development Management), Allison de Marco (Planning Decisions Manager), David Gittens (Planning Decisions Manager), Gideon Whittingham (Planning Decisions Manager), Sharon Davidson (Planning Decisions Manager), Elizabeth Paraskeva (Principal Lawyer, Regeneration and Contracts Teams), Harriet Bell (Heritage Officer), Mike Hoyland (Senior Transport Planner - Environment), Lap-Pan Chong (Principal Planning Officer), Sarah Odu (Principal Planning Officer), Tom Rumble (Urban Design Lead and Deputy Team Manager), Marie Lowe (Secretary) and Robyn McLintock (Secretary)

Also Attending: Members of the public, deputees, applicant and agent representatives.

1

WELCOME AND APOLOGIES

The Chair welcomed all attendees to the meeting.

Members were reminded of the need to declare all pecuniary or non-pecuniary interests of the items on the agenda and, if applicable, the nature of the interest. Additionally, Members were asked to disclose at this point if they had been lobbied on any of the agenda items (whether it be by the applicant, agent, someone connected to them, by objectors and or residents) and to confirm for the record the nature of any contact. Members were also reminded of the need to have an open mind to the items before Committee and to make their decision solely on the papers and arguments being presented.

Apologies for absence were received from Councillor Ahmet Hasan, who was substituted by Councillor Bektas Ozer.

The Chair agreed to amend the running order of the agenda to accommodate the deputees, who following their item were welcome to leave the meeting. Therefore, the agenda was taken in the following order – Item 7, 8, 9, 5 and 6.

However, for clarity the minutes are shown in the order of the published agenda.

2

DECLARATIONS OF INTEREST

NOTED that Councillor Doug Taylor declared a non-pecuniary interest as a Council appointed Director of Energetik and would withdraw from the meeting during the discussion of Item 9 - 22/02098/RM - Meridian Water Former Gas Holder Site, Leaside Road, London, N18.

3

MINUTES OF PREVIOUS MEETING

In relation to Item 9 - 21/04742/FUL – Meridian Water Willoughby Lane and Meridian Way London N18, Councillor Chamberlain commented that the major concerns raised by the depute, Mr Burn about the Community Garden, ground floor layout and consultation with the London Fire Brigade, particularly in relation to fire safety and the single staircase had not been referenced in the minutes.

AGREED that the minutes of the above meeting be withdrawn from the agenda due to issues raised by Councillor Chamberlain and be brought back to a future Committee meeting.

4

REPORT OF THE HEAD OF PLANNING

RECEIVED and **NOTED** the report of the Head of Planning.

5

22/01738/FUL - 385 COCKFOSTERS ROAD, BARNET, EN4 0JS

David Gittens, Planning Decisions Manager, introduced the report and described the proposals.

Councillor Alessandro Georgiou, Ward Member for Cockfosters, spoke against the Officer's recommendations.

Mr Makasis, architect, spoke on behalf of the applicant in support of the Officer's recommendations.

During the discussion, Members raised concerns regarding reference in the report to the accommodation being not strictly compliant with Policy DMD 3. The parking provision was also argued to be inadequate as it did not allow for visitor parking or for delivery or maintenance vehicles. Members also debated possible conditions for extra parking and tree replacement (where they were seeking confirmation of the number of trees being replanted). Concerns were also raised regarding the visual impact of the outbuilding on the green belt which was not typical of the surrounding area.

Councillor Michael Rye proposed that the application be deferred due to the inaccuracies of the report of Officers regarding Policy DMD3, the inadequacy of car parking provision, insufficient replacement trees proposed and the impact of the outbuilding, which was out of character in the area and would set a precedent for any future development in the vicinity. The proposal was seconded by Councillor Lee Chamberlain.

On being put to the vote, there were seven votes for the proposal to defer the application, four against and one abstention.

AGREED that planning permission be **DEFERRED** for the aforementioned reasons.

6

21/01140/FUL - PUBLIC HOUSE, GREEN STREET, ENFIELD, EN3 7SH

Gideon Whittingham, Planning Decisions Manager, introduced the report and described the proposals. Mr. Whittingham advised the committee that a further letter of objection had been received from Feryal Clark MP objecting to the development.

The deputies Mr Mitchell, local resident and Mr Daniele, agent for the applicant, spoke against the Officer's proposal to refuse the application.

During the discussion which ensued, concerns were raised regarding the lack of changes to the previously considered scheme, the non-compliant fire safety provision, the safety of the children's play area located on the twenty-first floor, the loss of community space and the need for more landscaping. Concerns were also raised about the close proximity of the first-floor amenity space and habitable room windows on Langley Court. Further discussion centred on viability / level of affordable housing contribution and the loss of the public house (although there was an acceptance that the public house had been closed for some time).

Andrew Marsden, the Council's Building Control Manager gave specific advice on the building regulations and concerns about fire safety, and this was echoed by Brett Leahy, Director of Planning & Growth who stated that of all the reasons for refusal, fire safety was the most concerning. Noting that while the block had two staircases, they shared a single lobby as an exit point. Cllr Rye expressed concern about the safety of the children's play area on the roof as there were no security fencing proposed.

Members also expressed concerns regarding the timeframe given by the Committee at its meeting on 19 July 2022 to the applicant to address the reasons for refusal contained in the previous application. Some Members considered this to be insufficient for such a large development. Members were reminded that the timings had been mandated by the Committee themselves and that officers had worked to those timescales.

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Further concerns were expressed by several Members of the Committee, which related to fire safety whereby the single staircase discharged into an escape route which connected to a covered car park by way of the lobbies did not comply with building or fire safety regulations. Additional concerns included the proposed children's playground which was located on the roof, for which safety features had not been provided and were considered to be inadequate and dangerous.

Councillor Michael Rye proposed, seconded by Councillor Peter Fallart, that planning permission be refused as per the officer's recommendations.

On being put to the vote, there were five votes for the proposal to refuse the application and seven against.

Members went on to discuss the application further. During the debate, Councillor Mohammad Islam appeared to suggest that he had been in communication with the Applicant who had advised that the communication from the Planning Department had not been adequate. This prompted Elizabeth Paraskeva, the Council's Principal Lawyer, Regeneration and Contracts Teams to seek clarification and to ask Councillor Mohammad Islam to repeat what he had just said. The Councillor explained he was referring to the communication between Enfield's planning officer and the developer's planning agent, rather than direct contact. Brett Leahy, Director of Planning & Growth, advised that he had seen the communication to and from the Applicant and that it was incorrect to say the communication had been inadequate.

Councillor Mohammad Islam proposed that the item be deferred to consider further fire safety and the children's play area but, following a request from Councillor Taylor, it was agreed that it would be sensible to include all 12 reasons for refusal contained in the report so there could be future discussions with the Applicant on all 12 reasons during the period of deferral.

Discussion took place amongst Members as to what would be an appropriate timeframe for the deferral and 6 months was agreed as reasonable. Following further advice from Brett Leahy, Director of Planning & Growth, it was acknowledged that this period may not naturally fall on a scheduled Committee date and officers would therefore bring back a report on this item, to an appropriate meeting around this timescale.

Councillor Mohammad Islam proposed an amended motion, seconded by Councillor Gunes Akbulut, that the planning application be deferred for 6 months to allow the applicant sufficient time to address all the 12 reasons for refusal set out in the Officer's report.

On being put to the vote, there were eight votes for the proposal to defer the application, three against and one abstention.

Councillor Jim Steven commented that he was extremely concerned that the committee had agreed to defer this item rather than refusing planning

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permission given the very serious concerns raised by officers during the debate.

AGREED that the planning application be **DEFERRED** for 6 months to allow the applicant sufficient time to address all the 12 reasons for refusal set out in the Officer's report.

The Chair adjourned the meeting at 21.01 until 21.12.

7

**22/02098/RM - MERIDIAN WATER FORMER GAS HOLDER SITE,
LEESIDE ROAD, LONDON, N18**

NOTED that Councillor Doug Taylor having declared a non-pecuniary interest as a Council appointed Director of Energetik withdrew from the meeting during the discussion of this item.

Sarah Odu, Principal Planning Officer, supported by Sharon Davidson, (Planning Decisions Manager – Corporate Projects) introduced the report and described the proposals.

Mr Burn, resident of a neighbouring property, spoke against the officer's recommendation.

Ms Parkinson, Vistry, on behalf of the applicant, spoke in favour of the officer's recommendation.

Members, during the discussion which ensued, raised concerns regarding the current fire safety legislation which allowed for a single staircase escape route, which in the proposed development connected to a covered car park by way of the lobbies.

Andrew Marsden, the Council's Building Control Manager gave specific advice on the building regulations and the relationship to fire safety and confirmed that he was satisfied in this regard.

Concerns were also raised by Members in relation to accessibility to disabled parking through the lobbies together with access and location of the refuse stores, as well as the adequacy of car parking spaces

The sub-optimal levels of daylight / sunlight for occupiers of some of the rooms in the proposed units were also discussed.

On being put to the vote, there were seven votes for and four against.

AGREED:

1. That the Head of Development Management be authorised to **GRANT** approval for the reserved matters application Subject to Conditions.

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2. That the Head of Development Management be granted delegated authority to finalise the wording of the conditions to cover the matters in the Recommendation section of this report.
3. That the Head of Development Management be authorised to discharge the details submitted pursuant to conditions 9,11,5,23,27,29, 31,32,35,36,37,39,40,43,47,48,49,50,52,53,54,57,58,60,61,63,76,77 and 80.

8

22/01566/VAR - 50 SLADES HILL, ENFIELD, EN2 7EE

David Gittens, Planning Decisions Manager, introduced the report and described the proposals.

NOTED that Councillor Doug Taylor having withdrawn during the discussion on the previous item returned to the meeting.

A letter from Councillor Joanne Laban had been circulated ahead of the meeting, reflecting concerns raised by residents.

On being put to the vote, there were eleven votes for and one abstention.

AGREED:

1. That the Head of Development Management be authorised to **GRANT** planning permission subject to conditions.
2. That the Head of Development Management be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

9

22/01625/RE4 - 263 BULLSMOOR LANE, ENFIELD, EN1 4SF

Lap-Pan Chong, Principal Planning Officer, together with Allison De Marco, Planning Decisions Manager, introduced the report and described the proposals.

Members questioned the height of the development on the basis that the recently completed development on the adjoining site should not set a precedence. It was also confirmed by officers that although the north wall had been proposed in an earlier iteration, it had been removed but there remained a distinct boundary between the site and the wider conservation area beyond. Clarification was also provided as regards the play space area, amenity space, daylight, the relationship to the New River and Conservation Area beyond and the visuals in the report. Officers responded to Cllr Chamberlain's question regarding the location of the off-site improvements to play space.

The Urban Design and Heritage officer spoke in support of the proposal.

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On being put to the vote, there were nine votes in favour, one against and two abstentions.

AGREED:

1. That in accordance with Regulation 3 of the Town & 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.
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.

10

FUTURE MEETING DATES

NOTED the dates of future meetings of the Committee which would be held in the Conference Room at the Civic Centre, Enfield and commence at 7.00pm.

Tuesday 01 November 2022 Cancelled
Tuesday 22 November 2022
Tuesday 13 December 2022
Tuesday 10 January 2023 * Provisional
Tuesday 24 January 2023
Tuesday 7 February 2023 * Provisional
Tuesday 21 February 2023
Tuesday 7 March 2023 * Provisional
Tuesday 21 March 2023
Tuesday 18 April 2023

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