## LONDON BOROUGH OF ENFIELD

| PLANNING COMMITTEE | Date: $18^{\text {th }}$ April 2023 |  |
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| Report of | Contact Officers: <br> Karolina Grebowiec-Hall <br> Sharon Davidson | Major |

LOCATION: Land Adjacent to The New River Extending From Tenniswood Road To Bullsmoor Lane

## APPLICATION NUMBER: 22/04095/RE3

PROPOSAL: Provision of a new shared pedestrian and cycle path alongside the New River and associated hard and soft landscaping. Works to the Grade II Listed Bridge at Turkey Street.

## Applicant Name \& Address:

London Borough of Enfield, Journeys and Places

Agent Name \& Address:
Turley Associates

## RECOMMENDATION:

1. That in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 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 conditions to cover the matters in the Recommendation section of this report.

Ref: 22/04095/RE3 LOCATION: Land Adajcent To The New River Extending From Tenniswood Road To Bullsmoor Lane,

2.2. That delegated authority be granted to the Head of Development Management to finalise the wording of the recommended conditions as set out in this report.

1. Time limit
2. Approved drawings (compliance)
3. Construction Management Plan compliance [construction logistics/transport/contamination]
4. Planting plans compliance
5. Kingfisher survey
6. Otter survey
7. Water vole survey
8. Construction Environmental Management Plan [management of ecological impact]
9. Landscape management and monitoring plan [trees, hedges, soft planting and retaining walls and litter]
10. Biodiversity Net Gain compliance
11. Light monitoring
12. Bird and bat box installation
13. Vegetation clearance outside of nesting season
14. Arboricultural Method Statement and Tree Protection Plan compliance
15. Signage notifying of area with grade increase and alternative route
16. Scheme of heritage interpretation, including location of information posts
17. Details of street furniture, cycle stands, benches, lighting, bollards, signage and information posts
18. Details of new bridge at Turkey Brook
19. Details of CCTV locations
20. Rain gardens capacity
21. Turkey Street Bridge details and drawings, including surfacing
22. Gate and railing repair and re-use

## 3. Executive Summary

3.1. The application is for the off-carriageway portion of the Enfield to Broxbourne cycle and pedestrian path. The section subject to planning permission is 2.5 km and extends along the bank of the New River from Tenniswood Road to Bullsmoor Lane. The entire portion of the path in Enfield is 4.7 km , which includes an on-carriageway segment of 1.8 km on existing highway.
3.2. The path is proposed to be self-binding gravel and shared use, it is 3 metres in width for the majority of the route. The application includes construction of a new bridge over Turkey Brook, a comprehensive landscaping strategy, planting of trees and hedges, the addition of seating, lighting, information posts, bollards, cycle stands and rain gardens. The red line includes the Grade II listed Turkey Street Bridge which is proposed to be resurfaced and bollards either side of the bridge will be replaced - this is subject to an application for Listed Building Consent that being considered separately under the Scheme of Delegation.
3.3. This application is brought by the Journeys and Places team within Enfield Council. The responsibility of Journeys and Places, formerly named the Healthy Streets team, is to promote and implement sustainable transport infrastructure in the borough, focused on delivering a walking and cycling network, enhancing town centres and public realm, improving road safety and informing the community of active travel options.
3.4. The Journeys and Places team has been awarded funding by National Highways specifically aimed at restoring connections that were historically lost due to construction of the M25. The M25 bounds the northern border of Enfield and severs connection to the borough of Broxbourne and connectivity to Broxbourne town. This proposal to improve paths along the New River to enable cycling and walking will provide commuters and those seeking recreation alternative access to Broxbourne.
3.5. The principle of the proposal is strongly supported. The formalisation of the existing path enables active travel, expands the borough's cycle network, and allows access to a significant waterway. The principle of delivering a cycle and pedestrian route at this location is in line with corporate aspirations, the Mayor's Transport Strategy and the development plan.
3.6. The proposal realises the Development Site's designation as a Green Chain Corridor and Green Chain Missing Link to improve access to this Local Open Space. Ecological assessment has been undertaken and recommends further mitigation to ensure protected species are safeguarded within the Wildlife Corridor and Metropolitan Site of Importance for Nature Conservation. 121 trees will be planted (with the removal of nine existing trees) and 585 metres of hedgerow provided to promote the biodiversity of the site, resulting in a net gain of over $10 \%$. In order to make the route usable after dark, lighting is proposed to be installed. The applicant has been careful to explore all viable lighting options that create a safe environment for users but will, with mitigation, minimise impact on light-sensitive species, including bats.
3.7. Ease of access and use of the present path is greatly improved through a programme of digging and filling to level the route to the extent possible. One section nearest St. Ignatius College remains at a grade that is above inclusive standards. Officers recognise the applicant's efforts to explore alternative solutions and engage with the College to acquire land that would resolve this condition.
3.8. The application proposes a cohesive design approach to unify the style of furniture, signage, information posts, cycle stands, bollards and lighting. Seating areas are provided to allow opportunities for rest. Heritage benefits are provided through improvements to the Grade II listed Turkey Street Bridge and an information scheme that draws public attention to the historic, ecological and engineering significance of the New River.
3.9. The primary public benefits of the scheme can be summarised as follows:

- Enables active travel where connectivity is presently dominated by vehicles
- Expands the borough's cycle network
- Allows access to a significant waterway, the New River
- Improves a presently inaccessible and unsafe footpath to allow access by a diversity of users
- Delivers on the Development Site as a Green Chain Corridor and Green Chain Missing Link
- Reinforces the existing Wildlife Corridor
- Provides $10.83 \%$ net gain in biodiversity
- Landscape improvements of 121 trees (replacing nine trees that are removed), 585 metres of hedges, grasses, wildflowers and rain gardens
- Installation of furniture and fixtures that are unified in style, more sympathetic and appropriate to the setting of the New River and its heritage value
- Appropriate improvements to the Grade II listed Turkey Street Bridge


## 4. Site and surroundings

4.1. The Development Site is a narrow strip of land along the bank of the New River from Tenniwsood Road at the south to Bullsmoor Lane at the north that passes through the areas of Enfield Town, Forty Hill and Bullsmoor in northern Enfield. The area of proposed development that requires planning permission is just the river bank (owned by Thames Water) and excludes junctions where the river path interfaces with highways. Corresponding improvements to highways are subject to separate highway orders and are not the subject of this planning application.
4.2. The entirety of the Enfield to Broxbourne cycle and walking path that is within the borough of Enfield is 4.7 km long and extends from Enfield Town at Southbury Road, runs along existing highway, then joins the New River at Tenniswood Road and continues along the river bank for 2.9 km to the M25. This application is for the section along the river which measures 2.5 km in length. The riverside segment crosses Carterhatch Lane, Goat Lane/Hoe Lane and Turkey Street before reaching Bullsmoor Lane.
4.3. While the present application is for improvements up to Bullsmoor Lane at the north, the path has been designed to extend to the Enfield borough boundary at the M25. This last 400-metre length of path from Bullsmoor Lane to the M25 will be the subject of a separate planning application.
4.4. The New River is an engineered watercourse built in 1613 to supply water. The river was re-routed and straightened in the $19^{\text {th }}$ Century using aqueducts and tunnels. These works are evident today with the Dowcra Aqueduct, an asset of local heritage value, within the red line of the proposal.
4.5. Areas that adjoin the New River and proposed path are predominantly residential, ranging between three- to four-storey apartment buildings and attached and semi-detached one-family homes. The path runs alongside several institutional and educational uses, including Worcesters Primary School, Capel Manor Primary School and St Ignatius College (without direct access into these sites) as well as the large public open spaces Forty Hall Estate, Lee Valley Regional Park, and Capel Manor College Gardens at the northern end.
4.6. The continuation of the route in the borough of Broxbourne is the subject of a separate approvals process in that locality.

## 5. Proposal

5.1. A cycle and pedestrian path is planned that extends from Enfield Town to Broxbourne. The segment of the path that is in Enfield is 4.7 km in length. The Enfield segment comprises two sections in terms of approvals processes. The section from Enfield Town to Tenniswood Road is 1.8 km and entirely oncarriageway, subject to highways consents. It is shown in the lower box in the map below, cited "Proposed Cycle Route/On-Carriageway". The subject of this application for planning permission is the 2.5 km section in the upper box labeled "Proposed Cycle Route/Off-Carriageway", from Tenniswood Road to Bullsmoor Lane only.

5.2. Where the proposed riverside path crosses highway, the junctions on carriageway are subject to highways orders and are also excluded from this planning application.
5.3. The path is proposed to be self-binding gravel and shared use, it is 3 metres in width for the majority of the route. The proposal also includes construction of a new bridge over Turkey Brook, works to Grade II listed Turkey Street Bridge, a comprehensive landscaping strategy, planting of trees and hedges, the addition of seating, lighting, information posts, bollards, cycle stands and rain gardens.

## 6. Environmental Review

6.1. The proposed development, when assessed in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and National Planning Practice Guidance, does not constitute Schedule 2 development. It is not therefore 'EIA development' and no scoping exercise or
any Environmental Statement is required. The Council issued screening opinion reference 22/04219/SO.
6.2. On the basis of the assessment undertaken, the proposed development would not give rise to significant effects on the environment such that it would trigger the requirement for an Environmental Impact Assessment having regard to the above Regulations, National Planning Practice Guidance and relevant case law.

## 7. Consultations

## Pre-Application Consultation

7.1. Following receipt of funding from National Highways in early 2020, the applicant held two workshops in February 2020 with fourteen stakeholders, including environmental groups, disability representatives, residents' associations and cycling groups.
7.2. A pre-application meeting was held with the LPA 4 August 2021, where officers acknowledged the constraints of the site and asked that there be consideration of:

- The design of the bridge and whether this would be applied for in outline or full
- Accessibility Lighting and how this will balance considerations regarding user safety, impact on bats and light spill
- Further details around the decision not to segregate the path and details on maximum path widths achievable
- Safety and security
- Biodiversity and mitigations for introduction of hardstanding
- Details of the interfaces at key access points to the route
7.3. Regular updates and relevant documents have been available on the publicly available engagement site Let's Talk Enfield.
7.4. Shifts in funding available from National Highways led to the applicant team having to accelerate the design process in the second half of 2022, meeting with planning officers again on 20 October 2022 with an update. The applicant held a public webinar on 13 December 2022 with an attendance of 4 after having sent 1,200 letters to neighbours. Following receipt of comments during the planning application neighbour consultation period, letters were sent notifying neighbours of three more sessions to focus on the roads from which the most comments were received. The applicant team presented clarifications with respect to alternative routes, distances to properties, screening, security and ecological assessment. Two sessions were held on 13 March with two and one attendees respectively; one was held 15 March with two attendees.
7.5. The applicant's Statement of Community Involvement is set out in the Planning Statement, February 2023.

Enfield Place and Design Quality Panel (DRP):
7.6. The proposed development was brought to the Enfield Place and Design Quality Panel (hereby referred to as DRP) on 20 December 2022. A summary of the
conclusions made, along with officer comment as to the degree to which the applicant has addressed DRP conclusions, is outlined below:

- Overall, this is a positive scheme and is broadly supported. Resolution of outstanding issues (as listed in the detailed comments below) through amended drawings and conditions will result in a fully supported scheme.
- This is a needed and useful direct active travel route going through and out of the borough and provides new opportunities to connect to destinations local and borough wide. This generally aligns with the councils and GLA objectives to promote active travel.
- The new connections to the New River and landscape are welcomed and will provide an increase to biodiversity including new trees. More residents will have access to this space following implementation.
- Improvements to heritage assets and increasing their visibility is welcome.
- The proposal creates a new access point to Worcesters Ave, which is supported in principle. However a single entrance does not sufficiently open up views and uninterrupted access to the cycle path.

Officer comment: The applicant considered removing the fence that separates grassed area along Worcesters Avenue from the proposed path to open up this entire section to the river, however, Thames Water, the owner of the riverbank, would be unable to close access for health and safety reasons if the need arose.

- The proposed design for Turkey Street Bridge could be simplified. Seating, cycle storage and road blocking should be consolidated into multi use items to de-clutter the bridge and allow a greater appreciation of its heritage value.

Officer comment: Following advice by the DRP, the applicant has revised the design of the Grade II listed Turkey Street Bridge to remove the 'clutter' and limit works to the bridge to a re-surfacing and replacement of bollards with slim profile, black bollards. No additional furniture is proposed on the bridge.

- Whilst not subject to the planning application, opening up the southern section of the new river to connect off route to Enfield Town station would be strongly supported.

Officer comment: This suggestion falls outside of the scope of the present project and application.

- Across the proposal there are missed opportunity for places of rest and relaxation. These could be introduced along the route and marked with benches and heritage interpretation panels.

Officer comment: The applicant has introduced integrated opportunities for rest with seating in the form of benches with backrests and informal gravel boulders. The applicant has given consideration to the location of seating, along with broader landscape factors, and has set the locations and type of seating within a Placemaking Strategy and series of Placemaking Drawings. The drawings indicate the proposed location of bench seats, cycle stands and information signs
that will display a map of the path, as well as information on the heritage and engineering of the river and historic features along it. While the applicant has provided drawings with locations of this furniture, the Placemaking Strategy and Placemaking drawings are recommended to be approved as indicative, with a condition requiring further review by officers of the historic features that have been identified, the design of information posts, benches, cycle stands, bollards and any other furniture being installed.

- More detail should be provided on the treatment of land adjacent to the path. The maximisation of SuDS features, wild planting and biodiverse planting would be supported.

Officer comment: The applicant submitted planting plans showing a robust planting strategy with a greater number of trees and additional hedgerow, grasses and wildflowers to increase biodiversity and provide further screening for neighbour privacy and further drainage details.

- The proposed street furniture, benches and bollards are utilitarian and represent a missed opportunity to enhance the character of the project and to create a sense of place. Simple and inexpensive changes to these products could help achieve better placemaking.

Officer comment: The applicant has provided a Placemaking Strategy that shows indicative furniture in a neutral black finish - this includes Harrogate cycle stands, information posts, black metal bench seats, black lighting poles and black steel bollards. This unobtrusive and practical selection of finish and materials is clean and does not undermine the historic and organic qualities of the site. While these are viewed to be positive, final selection of materials and furniture is proposed to be conditioned.

- The proposed bridge is utilitarian and could be easily improved to create a sense of place using references to the heritage of the new river and a simple but interesting design. Changes to the shape, colour spacing, design of balustrade and material could all be employed to provide a cost effective but unique piece of interest.

Officer comment: The proposed new bridge over Turkey Brook remains as presented to the DRP given budgetary constraints. The bridge is designed and finished to be a neutral element and is in a location of moderate visibility. The Placemaking Strategy integrates the present design. The DRP suggested a design competition for this bridge, but the budget is too constrained to enable this.

- It is noted as per DAS 6.4.2 that the ramp to the north of the St Ignatius path is too steep at $15.9 \%$ as opposed to the preferred limit of $8 \%$ for accessible use. This is not supported as it limits the use of the path to able bodied users only.

Officer comment: The applicant has provided drawings further demonstrating the challenge around resolving the steep grade adjacent to St. Ignatius College. However, the applicant is in discussions with the college to utilise some of the school's land to reduce the grade of this ramp. It is understood that this element will not be resolved as part of this application, but officers are supportive of continued efforts to make this location fully accessible.

## Statutory and Non-Statutory Consultees

7.7. Environment Agency: The Environment Agency does not object to the proposal but does request that an informative is included requiring a Flood Risk Activity Permit for any activities that take place within certain parameters.
7.8. Natural England: Natural England did not comment.
7.9. Historic England (GLAAS): The Greater London Archaeological Advisory Service Historic England concluded that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest and no further assessment or conditions are therefore necessary.
7.10. Historic England: Historic England, in its role as a heritage authority, notified that it would not be offering advice on this application.
7.11. SuDS Highways: SuDS officers have reviewed the drainage strategy and do not object to the proposal. Officers have asked for a condition confirming the level of rainfall proposed that rain gardens will accommodate before works are carried out.
7.12. Transportation: Transportation officers do not object to the application and recognise the significant active travel benefits of the proposal. Officers have comprehensively reviewed the Equalities Impact Assessment to understand the implications of the $15.9 \%$ grade path adjacent to Saint Ignatius College accessed by all users. Although the applicant has explored several alternative configurations within the constraints of the site, officers accept that users can divert from this segment of path and that the applicant is communicating with St . Ignatius College about the acquisition of some land to bring this segment to a compliant grade.
7.13. Conservation: Conservation officers do not object to the proposal and works to the Grade II listed Turkey Street Bridge acknowledging that the proposal brings heritage benefits and an enhancement to the present condition of Turkey Street Bridge. Officers recommend conditions for further details concerning bridge materials, furniture, lighting, information posts, fencing, gates and a survey of historic assets.
7.14. Trees: The tree officer raises no objection to the application and recommends conditions to ensure compliance with the Arboricultural Method Statement and Tree Protection Plan.
7.15. Environmental Health: The Environmental Health officer does not object to the application for planning permission and finds there is no significant adverse impact that cannot be addressed through mitigation measures that have been conditioned. A condition is recommended to require a contamination plan.
7.16. Metropolitan Police (Secured by Design): The Secured by Design officer made two comments to prevent criminal damage and arson: that bicycle stands should be placed diagonally to reduce leverage options and timber benches could invite damage and arson. The applicant now proposes metal bench seats.
7.17. Thames Water Authority: Thames Water did not comment.

### 7.18. Broxbourne Council: Broxbourne Council did not comment.

7.19. Lee Valley Regional Park Authority: The Lee Valley Regional Park Authority did not comment.

## Public Consultation

7.20. Public consultation as a result of this planning application involved notification letters being sent to 1,247 neighbouring properties 16 December 2022, a press advert in the Enfield Independent was published 21 December 2022 and 10 site notices were erected 12 January 2023.
7.21. As a result of public consultation, 16 representations were received, 12 objecting to the proposal and 4 neither objecting to nor supporting the proposal. A summary of reasons for comment is below:

- Benefit of having a cycle lane along the river is not evident; the priority should be making the current road safer for cyclists

Officer comment: The Development Site is designated a Green Chain Corridor, supported by policy to be a linked open space for pedestrians and cyclists. Within adopted policy and Enfield's Blue and Green Strategy (2021), this section of the New River is assigned the function of a cycle route. The application consists of a Healthy Streets Assessment, which uses the Mayor of London's Healthy Streets indicators to evaluate how the proposed route meets criteria and how alternative, on-highways routes would meet criteria for a safe and accessible route. The route proposed by this application scores a total of 83 , while an onhighways route scored a total of 50 . Given all of the policy objectives that the proposal meets, including delivery of a pedestrian and cycle path along a Green Chain Corridor and improving access to a significant borough watercourse, it is appropriate that priority is given to providing the piece of cycle infrastructure as proposed.

- Secluded and peaceful character of the properties that back onto the river will be lost as a result of this proposal

Officer comment: The Development Site is designated a Green Chain Corridor, Green Chain Missing Link, Wildlife Corridor, is partially within Green Belt, Local Open Space, and Metropolitan Site of Importance for Nature Conservation. While these designations seek to maintain a verdant, open character that is conducive to species habitats, the Green Chain Corridor and Local Open Space designations mean that the riverbank has been identified for active use and access by users. To date, this section of the New River has not been delivered and maintained to allow the level of access that is supported by local policy. These are the same designations that apply to other sections of the New River in Enfield Town. There is an increase in usership anticipated as a result of this proposal, however, the Traffic Impact Assessment provided states approximately 150 cyclists or pedestrians would be using the path in peak hours. For the length of the route, this is a moderate number of users. Users are expected to be cyclists and pedestrians using the path for commuting and recreational purposes, which are not disruptive uses. The applicant has incorporated hedges and trees into the landscape plan to provide further separation and screening between homes and activity on the path.

- Privacy will be lost when users of the path are able to see onto the rears of residential properties from the riverbank

Officer comment: Further detail regarding individual streets is provided in this report. Assessment by the applicant of distances from the path to windows demonstrates that, in most instances, there is a minimum of 18 metres from the rears of properties to the path - in most instances the distance is between 20 and 25 metres, sometimes more. Although there is no standard for distances between open spaces and residential properties, a distance that has been commonly used between rears of residential buildings is 18 metres. Enfield Policy DMD 10 applies a distance of between 22 and 25 metres. Although not strictly applicable in this instance, these standards serve as an indication of adequate distances from residential windows. The nature of the path and its users is also worth noting. The window-to-window distances assume stationary outlook. Users of the path are transient, they are passing. The applicant has incorporated hedges and trees into the landscape plan to provide further separation and screening between homes and activity on the path.

- There will be an increase in anti-social behaviour along the path, particularly resulting from the installation of furniture/seating

Officer comment: The formalisation of the walking and cycling route will open the area to the public and encourage recreational use of the amenity. Improving the path will encourage increased usage of the path, which provides passive surveillance and is likely to discourage and prevent irresponsible behaviour. Rest areas with seating are proposed to enable enjoyment of the path by a diversity of users. The opportunities to sit provide additional eyes on the path to support the intended use of the route.

- There will be an increase in anti-social behaviour on Turkey Street Bridge from the installation of furniture/seating

Officer comment: The applicant amended the proposal to remove furniture, including seating, from the proposal for Turkey Street Bridge.

- There will be an increase in the rate of crime originating from drug dealers and thieves on the path

Officer comment: The formalisation of the walking and cycling route will open the area to the public and encourage recreational use of the amenity. Improving the path will encourage increased usage of the path, which provides passive surveillance and is likely to discourage and prevent criminal behaviour.

- The incidence of burglaries will increase from individuals climbing over the fence into rear gardens

Officer comment: There is presently a footpath on the majority of the route with pedestrian access. The proposal is to formalise this existing path with selfbinding gravel. The formalisation of the walking and cycling route will open the area to the public and encourage recreational use of the amenity. Improving the path will encourage increased usage of the path, which provides passive surveillance and is likely to discourage and prevent criminal behaviour. The applicant has incorporated hedging along the boundaries with residential gardens to deter climbing over fences.

- Can the path be on the opposite side of the river where there are fewer bounding residential properties?

Officer comment: The location of the path relative to the New River has been informed by the density of residential properties as well as the width, natural and built features of the riverbanks. In most instances, the proposed self-binding gravel path is being maintained where there is presently a footpath.

- Tenniswood Road to Carterhatch Lane: The western side of the New River was preferred over the eastern side because it avoids the need to cross the river from the on-carriageway section at Tenniswood Road and because there are fewer properties on the western side of the New River. It also avoids extensive interventions at Carterhatch Lane to join the New River, including a segregated cycle facility on Carterhatch Lane, removal of the existing concrete raised island on the bridge and relocation of a bus stop.
- Carterhatch Lane to Goat Lane: There is an existing towpath on the eastern bank and there is sufficient width to maintain the path on this side.
- Goat Lane to the Turkey Brook: There is an existing towpath on the eastern bank between Goat Lane and the existing footbridge and there is sufficient width to maintain the path on this side. The path on the western side has insufficient width.
- Turkey Brook to Turkey Street: There is an existing towpath on the eastern bank, where there is sufficient width for the shared path to be constructed. The path remains on the eastern side and there is no change to public access.
- Turkey Street to Bullsmoor Lane: The existing towpath is on the western bank. There is a small channel on the western bank which would create unsafe conditions for the shared path. It is therefore proposed on the eastern bank.
- Evergreen, "spikey" planting is needed on the path side to deter climbing over fences into private properties

Officer comment: The application incorporates 585 metres of hedgerow, much of it alongside rear fences in order to create a separation from the path and residences.

- There will be an increase in noise, particularly from motorised vehicles like mopeds

Officer comment: Motorised vehicles are prohibited from accessing the path; there will be signage restricting use. Only pedestrians, bicycles, e-bikes, scooters and personal mobility vehicles will be permitted access.

- There will be light pollution as a result of the light poles being installed

Officer comment: The lighting strategy has been informed through consultation with Enfield street lighting officers to appropriately light for safety and to minimise
light overspill, as well as ecologists to minimise the risk of disruption to lightsensitive species. The lighting columns will use light shields to minimise light spillage into adjacent properties; they will be directed away from properties, onto the path.

The lights will be programmed to set illumination to the minimum necessary to make the path feel safe. From dusk until 10:00 pm, when they are not triggered, lights will be dimmed to $10 \%$ output. Between 10:00 pm and dawn, illumination will be at $0 \%$. Only when someone passes will the 10 columns be lit to $100 \%$ illumination, and will switch off after one minute. A condition is recommended to monitor the frequency of light triggers and sensitivity to being triggered, and adapting operation of the lights accordingly.

- Vegetative screening along the path will block sunlight into gardens

Officer comment: The applicant's landscape consultant has located trees and selected species that will provide the benefit of screening while growing to a height and density that will minimise overshadowing of gardens.

- Construction process could be damaging to existing species habitats and presence of wildlife

Officer comment: Any impact to ecology has been set out in the ecology section of this report following preparation of an Ecology Assessment by the applicant and rigorous review by an ecology expert on behalf of the LPA. A condition is recommended securing a Construction Environmental Management Plan to memorialise the mitigation that has been identified during review.

- The path is too narrow to accommodate shared use by pedestrians and cyclists

Officer comment: The path is generally 3 metres in width with several sections exceeding this width. The 3-metre width is dictated by two sets of standards: Government cycle infrastructure guidance and Inclusive Mobility, A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure. The Traffic Impact Assessment (April 2020) expects approximately 150 cyclists or pedestrians at peak hours; this is a moderate level of usership. Cycle infrastructure design (LTN 1/20) is the guidance by the Department of Transport that sets standards for safe, high quality infrastructure. It recommends a minimum width of three metres for cycle flows of 300 cyclists or less per hour. Inclusive Mobility recommends a minimum 2 metre width for a footpath to allow enough space for two wheelchair users to pass even if they are using large electric mobility scooters. There are two pinch points that the applicant is seeking to address through further discussions with the adjacent private landowner.

- There may be insufficient budget to clean up litter and dog waste

Officer comment: Enfield Council will enter an agreement with Thames Water, the landowner of the vast majority of the Development Site. Enfield Council will be responsible for maintaining the proposed path. Enfield Council will maintain the path in line with maintenance of sites designated as Local Open Space

- Properties along the path will be devalued

Officer comment: Designations of the development site are not being amended. It will remain, as presently, a Green Chain Corridor, Green Chain Missing Link, Wildlife Corridor, Green Belt, Local Open Space, and Metropolitan Site of Importance for Nature Conservation. The path is presently accessible to the public. The proposal is to deliver a piece of infrastructure and recreational amenity in line with planning designations. While impacts to property values are not a planning consideration, there is no evidence that the development proposal will be detrimental and will harm the value of adjacent properties.

- An increase in visitors to the path will exacerbate adjacent road parking for residents

Officer comment: The path is being proposed to give users the option of an active mode of travel, as pedestrians or cyclists. It is not expected that there will be an increase in motorists driving to the path to then walk or cycle along it.

- Who will be legally responsible for the security, health and safety of the path?

Officer comment: Enfield Council will enter an agreement with Thames Water, the landowner of the vast majority of the Development Site. Enfield Council will be responsible for maintaining the proposed path.

- How will the works to the path disrupt roads and road access?

The construction period and phasing are not yet known. The on-highways construction (at junctions) is subject to separate permissions and noticing to give highways users notification of disruptions. The proposed development is subject to a Construction Management Plan that is recommended to be complied with by condition.

## 8. Relevant Policy

## National Planning Policy Framework 2021

8.1. 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.
8.2. 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.
8.3. 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.
8.4. The NPPF sets out at Para 11 a presumption in favour of sustainable development. For decision taking this means:
"(c) approving development proposals that accord with an up-to-date development plan without delay; or
(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (8), granting permission unless:
(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed); or
(ii) any adverse impacts of so doing would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole."
8.5. The London Plan 2021

GG1 Building Strong and Inclusive Communities
GG2 Making the Best Use of Land
GG3 Creating a Healthy City
GG6 Increasing efficiency and resilience
D1 London's form, character and capacity for growth
D2 Infrastructure Requirements for Sustainable Densities
D4 Delivering Good Design
D5 Inclusive Design
D8 Public Realm
D11 Safety, Security and Resilience to Emergency
D12 Fire Safety
D14 Noise
S1 Developing London's social infrastructure
HC1 Heritage conservation and growth
HC3 Strategic and Local Views
G1 Green Infrastructure
G2 London's Green Belt
G4 Open space

| G5 | Urban greening |
| :--- | :--- |
| G6 | Biodiversity and access to nature |
| G7 | Trees and woodland |
| SI12 | Flood Risk Management |
| SI13 | Sustainable Drainage |
| SI16 | Waterways - use and enjoyment |
| SI17 | Protecting and enhancing London's waterways |
| T1 | Strategic Approach to Transport |
| T2 | Healthy Streets |
| T3 | Transport Capacity, Connectivity and Safeguarding |
| T4 | Assessing and Mitigating Transport Impacts |
| T5 | Cycling |
| T7 | Deliveries, Servicing and Construction |
| T9 | Funding Transport Infrastructure through Planning |
| DF1 | Delivery of the Plan and Planning Obligations |

## Mayoral Supplementary Guidance

8.6. Accessible London: Achieving an Inclusive Environment (October 2014) The strategy sets out to provide detailed advice and guidance on the policies in the London Plan in relation to achieving an inclusive environment.
8.7. Planning for Equality and Diversity in London (October 2007)

Explores how key spatial planning issues can impact upon equality and diversity.
8.8. Public London Charter (September 2021)

The Public London Charter sets out eight principles owners and managers of public spaces need to follow to ensure that any new public spaces in London are safe, accessible, attractive and inclusive. London Plan Policy D8, on the public realm, requires all development that creates new public space to be managed in accordance with the Public London Charter.
8.9. Character and Context (June 2014)

Sets out a process for acquiring knowledge of character and context, so that change is brought about in a way which is responsive to individual places and locations.
8.10. Sustainable Transport, Walking and Cycling (November 2022)

Helps support planning authorities and applicants in meeting the requirements of London Plan Policy T3, as well as also supporting delivery against other policies including T1 Strategic approach to transport, and T2 Healthy Streets. It provides guidance to explain how Development Plans and development proposals should support walking, cycling and public transport.
8.11. The Control of Dust and Emissions during Construction and Demolition (July 2014)

The aim of this supplementary planning guidance (SPG) is to reduce emissions of dust, PM10 and PM2.5 from construction and demolition activities in London.
8.12. Local Plan - Core Strategy

Core Policy 1 Strategic Growth Areas
Core Policy 9 Supporting Community Cohesion
Core Policy 11 Recreation, culture, leisure and arts

Core Policy 21
infrastructure
Core Policy 24
Core Policy 25
Core Policy 28
Core Policy 30
environment
Core Policy 31
Core Policy 32
Core Policy 33
Core Policy 34
Core Policy 35
Core Policy 36

Delivering sustainable water supply, drainage and sewerage
The road network
Pedestrians and cyclists
Managing flood risk through development
Maintaining and improving the quality of the built and open
Built and landscape heritage
Pollution
Green Belt and countryside
Parks, playing fields and other open spaces
Lee Valley Regional Park and waterways
Biodiversity

### 8.13. Local Plan - Development Management Document

DMD37: Achieving High Quality and Design-Led Development
DMD38: Design Process
DMD44: Conserving and Enhancing Heritage Assets
DMD47: New Road, Access and Servicing
DMD48: Transport Assessments
DMD49: Sustainable Design and Construction Statements
DMD57: Responsible Sourcing of Materials, Waste Minimisation and Green
Procurement
DMD58: Water Efficiency
DMD59: Avoiding and Reducing Flood Risk
DND60: Assessing Flood Risk
DMD61: Managing surface water
DMD62: Flood Control and Mitigation Measures
DMD64: Pollution Control and Assessment
DMD65: Air Quality
DMD66: Land Contamination and Instability
DMD68: Noise
DMD69: Light Pollution
DMD70: Water Quality
DMD71: Protection and Enhancement of Open Space
DMD75: Waterways
DMD76: Wildlife Corridors
DMD77: Green Chains
DMD78: Nature conservation
DMD79: Ecological Enhancements
DMD80: Trees on development sites
DMD81: Landscaping
DMD82: Protecting the Green Belt
DMD89: Previously Developed Sites in the Green Belt

### 8.14. Other Material Considerations

Enfield's Blue and Green Strategy (2021-2031)
Enfield Climate Action Plan (2020)
Enfield Biodiversity Action Plan
Enfield Local Heritage List (May 2018)
Enfield S106 SPD (2016)
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)
TfL London Cycle Design Standards (2014)
Healthy Streets for London (2017)
Manual for Streets 1 \& 2, Inclusive Mobility (2005)
National Planning Practice Guidance
National Design Guide (2019)
8.15. Enfield Draft New Local Plan and Draft Proposals Map
8.16. The Council consulted on its early Issues and Options Local Plan in December 2018. This document represented a direction of travel and the draft policies within it will be shaped through feedback from key stakeholders. As such, it has relatively little weight in the decision-making process.
8.17. 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.
8.18. Key local emerging policies from the plan are listed below:

Strategic Policy SP SE1: Responding to the climate emergency
Policy DM SE2 - Sustainable design and construction
Policy DM SE8 - Managing flood risk
Policy DM SE9: Protection and improvement of watercourses
Policy DM SE10 - Sustainable drainage systems
Strategic Policy SP SC1: Improving health and wellbeing of Enfield's diverse Communities
Strategic Policy SP BG1: Enfield's blue and green infrastructure network
Strategic Policy SP BG2: Protecting nature conservation sites
Strategic Policy SP BG3: Biodiversity net gain, rewilding and offsetting
Strategic Policy SP BG4: Green Belt and Metropolitan Open Land
Strategic Policy SP BG5: Green Belt and edges of the countryside/urban areas
Policy DM BG6: Protecting open space
Policy DM BG7: Watercourses
Policy DM DE1 - Delivering a well-designed, high-quality and resilient environment
Policy DM DE2: Design process and Design Review Panel Policy DM DE3: Inclusive design
Strategic Policy SP DE4: Putting heritage at the centre of place making
Policy DM DE7 - Creating liveable, inclusive and quality public realm
Policy DM DE10 Conserving and enhancing heritage assets
Policy DM DE11 - Landscape design
Strategic Policy SP T1: Promoting sustainable transport
Policy DM T2: Making active travel the natural choice

## ANALYSIS

## 9. Main Planning Issues

9.1. The main planning issues raised by the Proposed Development are:

- Principle of Development
- Green Infrastructure
- Transport
- Design
- Flood Risk and Drainage
- Heritage and Archaeology
- Environmental Health
- Health and Equalities Impacts


## 10. Principle of Development

10.1. The London Borough of Enfield's Journeys and Places programme, previously called the Healthy Streets programme, was established to encourage Enfield's communities to make more sustainable transport choices that benefit the climate, health, encourage physical activity, promote inclusion, reduce congestion and improve road safety. The programme continues to be underpinned by the Mayor's Healthy Streets approach. This work builds on progress achieved during the previous 'Cycle Enfield' project, which saw significant improvements made to help enable people in Enfield to walk, wheel and cycle.
10.2. The Enfield Council Plan 2020-22 A Lifetime of Opportunities, includes as one of its priorities "safe, healthy and confident communities" with goals to: "Make our neighbourhoods safer, healthier and better places to live by working with communities to reduce and slow down traffic...", "Work with partners to reduce reliance on cars and increase the number of journeys taken by walking, cycling and public transport" and "Create opportunities to get more people visiting and enjoying our parks and open spaces."
10.3. The Mayor's Transport Strategy 2018 is based around the Healthy Streets approach, which prioritises human health and calls for a change to London's transport mix so the city's street network encourages walking, cycling and public transport, improves the public transport experience and locates growth around walking and cycling. The Strategy's central aim is for 80 per cent of all trips in London to be made on foot, by cycle or using public transport by 2041. Enfield's Transport Plan 2019 brings together the Enfield Council Plan and the Mayor's Transport Strategy by building health outcomes into its policies. Enfield's Transport Plan includes, among its objectives, the delivery of Cycle Enfield, measures which encourage more cycling and walking and promoting safe, active and sustainable transport to and from schools and maintaining and improving the transport network.
10.4. More recently adopted, Enfield's Blue and Green Strategy (2021-2031), sets out a framework for protecting, enhancing and managing the borough's multifunctional network of blue and green infrastructure. It identifies the New River as a strategic link to Broxbourne and Enfield Town as a strategic node to expand the cycle and pedestrian network, and establish green corridors. It identifies the New River Link as a Green Link to deliver.
10.5. London Plan policies SI16 and SI17 expressly promote cultural, education and leisure facilities that incorporate - appropriately - waterways, improved access to waterways and protection of the open character and heritage of waterways and their settings. The proposal meets the objectives for the New River in Policy SI17 C to "respect [its] local character, environment and biodiversity and should contribute to [its] accessibility and active water-related uses. Development Plans should identify opportunities for increasing local distinctiveness and recognise these water spaces as environmental, social and economic assets."
10.6. The proposed Enfield to Broxbourne walking and cycle path presents several benefits, both strategic and specific, to the communities through which it passes. The path reinstates a link with Broxbourne to the north, which is specifically the purpose for which National Highways has awarded funding. The delivery of the path also fulfils the New River Green Link identified in the Blue and Green Strategy. The route strengthens the cycle network by linking with the Green Loop, the Enfield Town to Ponders End walking and cycling route, and a future east-west route connecting to the A1010. The route also reinforces improvements made as part of the Enfield Town Liveable Neighbourhoods project.
10.7. While there is existing pedestrian access through the vast majority of the proposed route, much of the present path is impassable, unlit and unsafe - with limited users and no natural surveillance to make the path feel secure and provided for purposeful use. The proposed path, for both pedestrians and cyclists, will enable safe and sensitively-designed enjoyment of the New River, a key borough natural and historic asset. The Grade II listed Turkey Street Bridge and the Dowcra Aqueduct, a Local Heritage Asset, are both within the red line. These assets, along with the engineering of the New River itself, cannot presently be appreciated as a result of poor access. Enfield's Blue and Green Strategy sets out objectives to ensure residents can access blue and green spaces within 15 minutes walking distance of their homes, and make places more inclusive, healthier and attractive. The subject section of the New River is designated a Green Chain Corridor, a Site of Metropolitan Importance for Nature Conservation, a Wildlife Corridor and a Local Open Space. The proposal will allow communities to enjoy and make better use of the river in accordance with its designations.
10.8. For the reasons set out above, the proposed path fundamentally delivers on Enfield's strategic goals to deliver a healthy, safe and community-orientated travel network and is fully in line with London Plan policies GG1 Building Strong and Inclusive Communities, GG2 Making the Best Use of Land, GG3 Creating a Healthy City, G1 Green Infrastructure, T1 Strategic Approach to Transport and T2 Healthy Streets.
10.9. Although in draft, and accordingly having limited policy weight, the emerging Enfield Local Plan includes strategic policies that support the proposed development, Strategic Policy SP T1: Promoting sustainable transport and Strategic Policy, Strategic Policy SP BG1: Enfield's blue and green infrastructure network, and SP SC1: Improving health and wellbeing of Enfield's diverse Communities.

## 11. Green Infrastructure

Green Infrastructure and Open Space
11.1. London Plan Policy G 1 recognises the benefits of integrating green infrastructure into localities - the proposed walking and cycle path has the potential to achieve all of these benefits, including promoting health, mitigating the impacts of climate change, encouraging sustainable movement, supporting landscape and heritage conservation, learning about the environment, and enhancing biodiversity and ecology.
11.2. The entirety of the development site is designated a Green Chain Corridor, with only a small section designated a Green Chain Missing Link immediately to the south and north of Turkey Brook. Enfield Policy DMD77 aims to protect and improve the role of Green Chains as accessible, linked open spaces for pedestrians and cyclists. To date, the subject stretch of the Green Chain and Missing Link have not fully provided the amenity that the designation supports. While the majority of the application site carries a trodden path through grasses, many sections are narrow, overgrown, underutilised, unlit and inaccessible for use by bicycles and challenging for other user needs. The proposal will fulfil the designation of the development site as a Green Chain by providing a functional pedestrian and cycle path, and additionally increasing access to and quality of the designated Local Open Space for greater enjoyment by communities in line with Enfield Core Policy 34 Parks, playing fields and other open spaces and DMD 71 Protection and Enhancement of Open Space.
11.3. London Plan Policy $G 5$ encourages major proposals to include urban greening measures as a central part of the development. Given the nature of the proposal, with the entirety of the site within a Local Open Space, Green Chain, Wildlife Corridor and Site of Metropolitan Importance for Nature Conservation, the site is already inherently green and, as set out in preceding paragraphs, an integral piece of green infrastructure in the borough. The proposal aims to deliver the new pedestrian and cycle path alongside several green and blue measures, including the planting of 121 new trees, 585 metres of hedgerow, grasses and wildflowers, and raingarden. This additional landscaping, that is of greater ecological value than areas of trees, shrubs and grasses being removed, enhances the urban greening value of this open space asset and meets Policy G5.

## Biodiversity and Ecology

11.4. Planning Authorities have a legal duty to consider biodiversity when assessing planning applications; this duty was introduced in the 2006 Natural Environment and Rural Communities Act (The NERC Act). Where there is a reasonable likelihood that a planning application might affect important protected sites, species or habitats, information on the species, habitat or site likely to be affected, together with an assessment of the impacts of the proposals, will likely be required.
11.5. NPPF (Para.174) requires planning decisions to protect and enhance sites of biodiversity value, providing net gains for biodiversity and establishing resilient ecological networks. London Plan policies G5 and G6 require developments to incorporate urban greening, manage impacts on biodiversity, secure a net biodiversity gain and provide access to nature. At a local level, policy CP36 of the Core Strategy requires development to protect, enhance, restore or add to existing biodiversity including green spaces and corridors. Development Management Document policy DMD 76 requires the protection and enhancement of Wildlife Corridors, and DMD 78 requires major development to maximise opportunities for nature conservation. Draft Local Plan policy G14 refers to the
need to promote qualitative enhancement of biodiversity sites and networks and encourage the greening of the Borough. The emerging Local Plan, although of lesser policy weight, includes Policy BG3 which refers to a minimum of $10 \%$ net gain.
11.6. Using the DEFRA 3.1 Metric to calculate habitat losses or gains, the Biodiversity Net Gain Report arrives at a 10.83\% increase in Habitat Units for the entirety of the path, including the 400 metres up to the M25, resulting from the proposal. The calculation factors the loss of grassland that will be replaced by hoggin path, as well as the removal of trees further discussed in the trees section, below. The landscaping strategy for the development introduces 121 new trees, 585 m of hedgerow and a mix of grasses and wildflowers. Based on these calculations, the development results in a net gain in biodiversity, in line with policy. A condition is recommended that requires planting is installed in accordance with planting plans, and that the planting results in a minimum $10 \%$ increase in Biodiversity Net Gain within the red line.
11.7. The entirety of the application site is designated a Wildlife Corridor. Wildlife Corridors are continuous strips of wildlife habitat allowing wildlife to connect with larger areas of wildlife in a built-up, urban context. Within the development site, the New River is designated a Site of Metropolitan Importance for Nature Conservation (SINC) for its running water, scrub and grassland habitats.
11.8. The applicant submitted an Ecological Assessment (23 February 2023) that sets out any impacts to the ecological assets by the proposal.
11.9. With respect to impacts to the ecology of the SINC, the application proposes removal of a portion of habitats (scrub and grasses), but given the relatively small portion of habitat that is proposed to be removed and the habitat values presented in the Biodiversity Net Gain report, the losses of habitat through the removal of these grasses is considered to be minimal. Further, there is extensive planting proposed that will offset any habitat losses to the SINC itself. Conditions are recommended: construction/pollution control measures need to be secured through a CEMP and a habitat enhancement and management and monitoring strategy/plan to ensure the new planting maximises its potential for biodiversity.
11.10. The Ecological Assessment identifies the following protected species and the mitigation necessary to ensure safeguarding of these species.

Bats
11.11. The applicant undertook 13 surveys and recorded activity over 275 nights to identify bat roosts in trees, bat roosts in structures and bat commuting and foraging. As the proposal does not affect the superstructure of any built structures, this category was not investigated. At least eight bat species were recorded. Among these, common pipistrelle and soprano pipistrelle bats were the most common, accounting for $71 \%$ of calls recorded during transect surveys. These pipistrelle bats are common and widespread in the UK. Myotis bats accounted for $21 \%$ of calls recorded during transect surveys; these particular myotis bats were identified to be Daubenton's bats. Daubenton's bats are relatively common and widespread. Globally and across the Great Britain Daubenton's bats are classified as Least Concern on the IUCN Red List. Among bat species recorded, myotis bats are the most sensitive to light pollution. The remaining species of bats were recorded infrequently, therefore, there is unlikely to be an impact on these species by the proposal.
11.12. The applicant has considered a lighting strategy that balances user safety, neighbour amenity and a level of illumination that is sensitive to wildlife habitats. The applicant proposes 5 m tall lighting columns spaced at approximately $30-35$ metres of a Lighting Class of P3, for "Moderate night-time use by pedal cyclists or pedestrians". This class of lighting was recommended by the Council's street lighting officer in support of a safe night-time environment. A sensor will illuminate 10 columns to full power when someone passes. From dusk until 10:00 pm, when they are not triggered, lights will be dimmed to $10 \%$ output. Between $10: 00 \mathrm{pm}$ and dawn, illumination will be at $0 \%$. Only when someone passes will the 10 columns be lit to $100 \%$ illumination, and will switch off after one minute.
11.13. Lighting can affect bats by alternating their behaviour or impacting the diversity of invertebrates that bats feed on. With the introduction of lighting on the proposed path, the Ecological Assessment is unable to conclude that bats will not be affected by the proposal.
11.14. In order to minimise the impact of lighting on light-sensitive species within and adjacent to the Development Site, the applicant has incorporated several mitigative measures.

- The lights will have a colour temperature of 2200k. This is a warmer colour light which has been found to be less harmful to bats.
- Shields and baffles will be installed to reduce light spill.
- Between dusk and 22:00 lights will be dimmed down to approximately $10 \%$ output.
- Between 22:00 and dawn, lights will be set at 0\% output.
- Between dusk and dawn, only when lights are triggered, will they light to $100 \%$ output, and will dim or turn off again after one minute. Based on the limited use of the path expected after dark, it is not expected that the lights will be lit to full illumination for long periods in the night.
- The lighting will be connected to a monitoring platform operated by the Council that will review the sensitivity of the lights to smaller animals and has the capacity to adjust the lighting accordingly. This monitoring is recommended to be secured by condition.
- The LPA's ecology consultant has advised that a significant proportion of the habitat remains unlit (<0.5 lux). The applicant has provided light studies to show the level of illuminance of the proposed lighting when it is lit at $100 \%$ and $10 \%$ output. $10 \%$ output is the level of lighting that the lighting will be set at between dusk and 22:00. In the models below, demonstrating illuminance at ground level, the river is to the left of the New River Path. The results indicate that at $100 \%$ illumination, when someone triggers the lights to come on to full output, the illuminance is at up to 1.5 lux and 0.75 lux nearest the river bank and between 0.75 lux and 0.1 lux over the river. When the lighting is set to $10 \%$ output, between dusk and 22:00, the level of illuminance is between 0.75 lux and 0.1 lux over the majority of the path itself, with almost no illuminance over the river.

100\% Illuminance - At Ground Level

## Horizontal Illuminance (lux)

Horizontal grid at ground level


## Horizontal Illuminance (lux)

Horlzontal grid at ground level

11.15. Before arriving at the proposed lighting strategy, the applicant considered several alternative approaches to lighting:

- Road marker uplighters: Gives upward light spill, requires additional maintenance as will be obscured by leaves, and insufficient eye-level light to make a user feel safe.
- Low-level bollard lighting: Insufficient eye-level light to make a user feel safe, requires greater maintenance, requires greater number of units, much higher risk of vandalism and damage.
- Red light output from proposed columns: While the use of red light is being trialled in environments with bat habitats, the recognised connotation and general atmosphere of red lighting is not seen to be appropriate at this location. Locations where red lights have been trialled are vehicular roadways where the lighting is used at higher levels of illumination with good visibility. In a pedestrian and cycle environment, at lower levels, the visibility and feeling of safety would be compromised.
11.16. In accordance with the Council's duty to consider biodiversity, the LPA's ecology consultant acknowledges that the risks and options of lighting versus nocturnal wildlife have been considered. Officers accept that the applicant has considered all reasonable measures to light the proposed path for user safety and comfort,
while also minimising impact to species habitats. Officers recommend a condition to require a thorough bat monitoring strategy and resulting remedial measures. To form baseline data, an early spring survey is required - the applicant is presently undertaking this survey. The condition will require suitable mitigation arising from any significant impacts identified during monitoring. Remedial measures would be reviewed by Council lighting engineers and an ecologist. Measures may include amendments to the timings and lighting levels.
11.17. A further condition is recommended to monitor and assess the settings of the lighting such as sensitivity and light level settings and timings, presented to officers to consider an adjustment in lighting levels should it be necessary.
11.18. The application proposes the installation of 30 bird and 30 bat boxes (in suitable locations specified by an ecologist). A condition is recommended that a strategy with exact locations is prepared by an ecologist and is submitted to officers for review prior to commencement, and that the installation of the bird and bat boxes is completed prior to route completion.


## Reptiles

11.19. There is a small risk that areas of taller grasses may have common species of reptile such as slow worm and grass snake. In order to deter reptiles from the areas of works, a condition is recommended to keep grass cut short in advance of construction.

## Badgers

11.20. No badger setts were discovered during the applicant's survey work, but as a precautionary measure, a condition is recommended requiring a precommencement badger sett survey. Should badger setts be found that will conflict with the proposed works, it may be necessary to apply to Natural England for license to close the sett in line with Natural England requirements.

Nesting Birds
11.21. The trees and dense scrub are likely to be used by nesting birds. As such, a condition is recommended requiring that vegetation removal be undertaken outside of the bird nesting season.
11.22. Kingfishers were recorded during surveys. Kingfishers nest in holes that they excavate in sandy banks close to a watercourse - holes were not seen during surveys of the New River. A condition is recommended requiring nesting bird checks as well as a pre-commencement survey for kingfisher nesting sites. If kingfisher nests are discovered during the survey, mitigation may be put in place, including restrictions on timing of works, fencing or other safe working practices.

## Otters

11.23. No signs of otters were detected during the survey work. The LPA's ecology consultant advises that the presence of holts is unlikely given the absence of structures and dense vegetation, however, the presence of otter foraging and commuting is likely. As a precautionary measure, a condition is recommended that a pre-commencement survey is undertaken to confirm the absence of holts or rest sites. Should any sites be identified, mitigation may be put in place, including restrictions on timing of works, fencing or other safe working practices.

Otters are often found in urban areas and are unlikely to be impacted by lighting, especially as the river will remain unlit for the majority of the time and lighting will be minimised in line with the measures being recommended for the safeguarding of bats.

## Water voles

11.24. No signs of water voles were detected during the survey work. The Development Site does not include the habitat conditions that are likely to host water voles, such as reedbeds or similar marginal vegetation. The LPA's ecology consultant advises that water voles can use man made banks and, as a precautionary measure, a pre-commencement survey should be undertaken. Should the survey identify burrows within 5 metres of ground works, impacts should be avoided using fencing or other safe working procedures. If impacts to the burrows cannot be avoided, it may be necessary to apply to Natural England for license to lawfully proceed.
11.25. A Construction Environmental Management Plan setting out the requirements and mitigating procedures for each of the species discussed above should be submitted to officers.
11.26. A Landscape Management and Maintenance Plan is also recommended by condition to include:

- An Invasive Species Control Plan
- Management and monitoring of enhanced and newly created habitats will be required to ensure they establish as intended and in line with the SINC citation.
- A habitat monitoring plan in line with the Biodiversity Net Gain report to achieve a minimum of $10 \%$ increase above the habitat unit baseline.
11.27. Officers are satisfied that due consideration has been given to conserving biodiversity as part of the proposed works. Where there is the potential of impact, and all alternative measures have been sufficiently explored, surveys and remedial work are recommended. In most instances, surveys are recommended as a precaution.


## Green Belt

11.28. The segment of the development site north of Goat Lane/Hoe Lane and up to Bullsmoor Lane is in the Green Belt. London Plan Policy G2 protects the Green Belt from inappropriate development and harm. NPPF Paragraphs 147 to 151 discuss the types of development that may be considered to cause harm in a Green Belt, although "harm" in itself is not defined in the NPPF. The proposal does not include the construction of new buildings. Paragraph 150 of the NPPF sets out other forms of development that require consideration, including c) "local transport infrastructure which can demonstrate a requirement for a Green Belt location".
11.29. The proposed pedestrian and cycle path may be considered a form of local transport infrastructure, keeping in mind that a pedestrian path presently exists on the majority of the development. Paragraph 150 classifies these forms of development as inappropriate unless "they preserve its openness and do not conflict with the purposes of including land within it." The formalisation of the path to allow cyclists and improved access to the New River by recreational users
does not involve the construction of structures that would in any way alter the "openness" of the development site or conflict with the purpose of the Green Belt, as set out in NPPF Paragraphs 137 and 138. Therefore, the proposal is not seen to cause harm to the Green Belt that would conflict with the NPPF or London Plan.
11.30. Enfield Policy DMD 89 requires that development on Green Belt will not be permitted unless all criteria are met:

- New development does not have a greater impact on the openness of the Green Belt
Response: As discussed above in the consideration of NPPF guidance, the proposal to formalise the existing path for cyclists and pedestrians does not introduce construction or a type of use that would impact the present openness of the Green Belt
- The proposal does not lead to an increase in the developed proportion of the site; Response: The proposal does not increase the developed proportion of the site. In some areas, the existing path is re-located to the opposite side of the New River (the majority of the proposed path will be on the east side of the river), however, this doesn't not increase the amount of the site that is occupied by a path.
- $\quad$ The proposal does not lead to any significant increase in motorised traffic generation, as evidenced through a suitable traffic modelling tool Response: The proposal does not enable the use of the path by motorised vehicles that would generate traffic or a level of use that changes the character of the path for travel by cyclists and recreation. For reasons of promoting inclusive access, personal mobility vehicles that may be motorised will not be restricted.
- The proposal contributes towards the aims of sustainable development. Response: The proposal to provide a cycle and pedestrian path that will offer an alternative and active means of travel north of Enfield Town and connecting to Broxbourne is a sustainable form of development.
11.31. On the basis that the proposed development meets all of the criteria of Enfield Policy DMD 89, it is an appropriate form of development in the Green Belt.


## Trees

11.32. Policy G7 of the London Plan requires existing trees of value to be retained, and any removal to be compensated by adequate replacement, based on the existing value of benefits. The Policy further sets out that planting of new trees, especially those with large canopies, should be included within development proposals.
11.33. At a local level, Policy DMD80 of the Development Management Document stipulates that developments do not result in any loss or harm to trees of significant biodiversity or amenity value, or adequate replacement must be provided whilst the Draft Local Plan outlines the benefits that trees offer to people and the environment by improving air quality, reducing noise pollution, contributing to climate change adaptation and reducing the urban heat island effect. Additionally, Policy DMD 81 of the Development Management Document refers to landscaping.
11.34. Following consultation with the Council's tree officer, the applicant reviewed tree plans to limit, to the maximum degree, removal of trees that are directly in conflict with the proposed path to nine trees. The applicant has submitted an Arboricultural Planning Report (November 2022) that includes an Arboricultural Method Statement and Tree Protection Plan. Of the nine trees proposed to be removed, eight are small-to-medium category C trees and one category B Hawthorn. A further two trees are being removed for reasons of safety. The planting strategy includes the planting of 121 new trees along the length of the route. While this number of trees more than compensates for the loss of trees, the trees are also intended to provide screening to preserve the privacy of residents whose properties bound the path, and to augment the potential for wildlife habitats along the corridor. The proposal meets and exceeds the requirements of applicable tree policies and officers are comfortable with the proposal for tree planting.
11.35. A condition is recommended to require compliance with the Arboricultural Method Statement and Tree Protection Plan.

## 12. Transport

12.1. As set out in the Principle of Development, the proposed pedestrian and cycle path, by its nature, fulfils a strategic connectivity function and contributes to the Mayor's Transport Strategy core objective to move away from vehicular travel and enable sustainable travel.
12.2. London Plan Policy T2 requires proposals to support the 10 Healthy Street Indicators, Policy T3 seeks to identify transport infrastructure that eliminates physical barriers to movement, thereby creating transport links, Policy T4 requires proposals to demonstrate sufficient network capacities, and Policy T5 supports the delivery of an integrated network of cycle infrastructure.
12.3. Core Strategy policies aim to ensure that planned growth is supported by adequate transport infrastructure that promotes sustainable transport choices. Specifically, Core Policy 25 supports the implementation of improvements to walking and cycling, giving priority to projects that overcome physical severance. Development Management Document Policy DMD 47 requires that pedestrian routes should be attractive, safe, clearly defined, convenient and accessible to those with disabilities. New provision is welcomed and should link with existing routes. Cycle routes should be designed to provide a desirable alternative to car use and, where possible, should be segregated.
12.4. The segment of the pedestrian and cycle path from Enfield Town to Broxbourne that is the subject of this planning application is off-carriageway, except at junctions where the path crosses highways at four points: Carterhatch Lane, Goat Lane/Hoe Lane, Turkey Street and Bullsmoor Lane. The off-carriageway path begins at the south end at Tenniswood Road where it is on the west side of the New River, then crosses to the eastern bank of the New River at Carterhatch Lane. It continues on the east side of the river up to Bullsmoor Lane.
12.5. The alignment of the path has been informed by the location of the present pedestrian path, the bank widths and the natural and built features of either side of the river.

- Tenniswood Road to Carterhatch Lane: The western side of the New River was preferred over the eastern side because it avoids the need to cross the river from the on-carriageway section at Tenniswood Road and because there are fewer properties on the western side of the New River. It also avoids extensive interventions at Carterhatch Lane to join the New River, including a segregated cycle facility on Carterhatch Lane, removal of the existing concrete raised island on the bridge and relocation of a bus stop.
- Carterhatch Lane to Goat Lane: There is an existing towpath on the eastern bank and there is sufficient width to maintain the path on this side.
- Goat Lane to the Turkey Brook: There is an existing towpath on the eastern bank between Goat Lane and the existing footbridge and there is sufficient width to maintain the path on this side. The path on the western side has insufficient width.
- Turkey Brook to Turkey Street: There is an existing towpath on the eastern bank, where there is sufficient width for the shared path to be constructed. The path remains on the eastern side and there is no change to public access.
- Turkey Street to Bullsmoor Lane: The existing towpath is on the western bank. There is a small channel on the western bank which would create unsafe conditions for the shared path. It is therefore proposed on the eastern bank.
12.6. The path is shared between pedestrians and cyclists in two directions with no separating features. In order to achieve accessible grading, areas of the path will be cut and filled to adapt slopes.
12.7. Although not part of this planning application, junctions have been re-designed to accommodate the additional pedestrian and cyclist movement. The crossing at Carterhatch Lane is being adapted to include a designated zebra crossing and Goat Lane/Hoe Lane will include a build-out into the roadway to give priority to pedestrians and cyclists.
12.8. A new bridge is proposed to be constructed over Turkey Brook as the present bridge is only two metres wide, insufficient to meet requirements for a minimum three-metre width. The new bridge is four metres wide and is also shared. The existing bridge will remain in place to the west of the new bridge and path. This is subject to further discussion with Thames Water.
12.9. The Turkey Street junction is distinctive in that it includes the Grade II listed Turkey Street Bridge. The bridge is presently closed to vehicles by bollards on the east and west sides. The bollards are proposed to be replaced with steel cylindrical bollards that are more sympathetic to the historic bridge. The bridge will be resurfaced with resin bound surfacing and the on-carriageway markings "KEEP CLEAR" will be reinstated on the approaches to the bridge to give further warning that the bridge is inaccessible to motorised vehicles.
12.10. An existing access point from Worcesters Avenue onto the existing path is being reinforced through widening and landscaping on either side of the access.

Impacts to vehicle movements
12.11. The subject of this planning application is the creation of a pedestrian and cycle route that promotes active travel and enables access to a major natural asset in the borough. Given the interaction of the riverbank path with highways, a Transport Impact Assessment (April 2020), has been submitted which evaluates use forecasts and any impacts to roads and traffic movements resulting from the introduction of the path and associated amendments to junctions. Officers are satisfied that the assessment concludes that the path does not result in any significant impacts to traffic or highways operations.

- Carterhatch Lane junction: Some queueing and delays may occur as a result of the crossing, but queues will not block back to the preceding Zebra crossings on either approach.
- Goat Lane: The introduction of a priority junction, to enable footway widening will not have a significant impact of queues, or delays.
- Turkey Street: The existing and retained road closure across the Turkey Street Bridge means there will be no impact to vehicular movements.
- Bullsmoor Lane: Some queueing and delays will occur as a result of the crossing, but queues will not block back to the preceding Zebra crossings to the west or affect the junction with the A10 to the east.


## Materials

12.12. The path will be surfaced with hoggin, which is a mix of clay, gravel and sand. The particular mix selected for this project is dense, firm and self-binding, resistant to grooving and ponding and so fine, that any eroding particles should not obstruct wheels. It has been used across other Enfield sites, including a path along Turkey Brook. The surface is semi-permeable and will aid in drainage and prevention of surface-run off into the New River.
12.13. The Design Review Panel highlighted concerns about hoggin, that it could impair ease of movement by wheelchairs with loose particles. Alternatives were evaluated that would either introduce issues of impermeability and runoff into the river, or would be inappropriate to the historic and natural character of the New River. This specific hoggin has been selected for its fine texture, self-binding qualities and permeability.
12.14. The use of hoggin is accepted and supported as being suitable to all users, appropriate for the setting of the path and allowing a level of permeability supports sustainable drainage.

## Access and design

12.15. The path is generally 3 metres in width with several sections exceeding this width. The 3-metre width is dictated by two sets of standards: Government cycle infrastructure guidance and Inclusive Mobility, A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure. The Traffic Impact Assessment (April 2020) expects approximately 150 cyclists or pedestrian users along the entire length of the path at peak hours; this is a moderate level of usership. Cycle infrastructure design (LTN 1/20) is the guidance by the Department of Transport that sets standards for safe, high quality infrastructure. It recommends a minimum width of three meters for cycle flows of 300 cyclists or less per hour. Inclusive Mobility recommends a minimum 2 metre width for a footpath to allow enough space for two wheelchair users to pass even if they are using large electric mobility scooters.
12.16. There are two pinch points where the path narrows to less than 3 metres in width. This includes a 300-metre section with a width of 2.5 metres near Saint Ignatius College, as well as another discrete section that is 2.25 metres wide. Through discussions with Saint Ignatius College, there is potential that an acquisition of some of the school's land could reduce the length of the narrow section adjacent to it.
12.17. The entirety of the path has been designed and levelled through a combination of digging, filling and installation of retaining walls to support ramps alongside crossings. In line with Inclusive Mobility, A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure, the path maintains compliant grades of $<8 \%$. The only exception is the north side of the footway adjacent to St. Ignatius College, which is at a grade of $15.9 \%$, making it inaccessible to wheelchairs. The applicant has demonstrated extensive review of this section, exploring various alternative configurations. Correcting the steep grade relies on utilising land owned by St. Ignatius College. Encouragingly, the applicant has had conversations with St . Ignatius College, and the school is amenable to exploring solutions. Officers support further discussions and efforts to amend the route to include a compliant grade.
12.18. If it is not possible to acquire land from Saint Ignatius College, wayfinding signage would be installed at entrance points north and south of the 15.9\% gradient indicating conditions on this portion of the path and suggesting the alternative accessible route. The alternative route is 850 metres, whereas the direct route along the New River is approximately 450 metres. This alternative route utilises the surfaced greenway south of the Turkey Brook, the footpath along the A10 and the footpath on Turkey Street to re-join the New River.

12.19. The Cycle infrastructure design (LTN $1 / 20$ ) guidance limiting crossfall (the slope of the footpath at right angles to the direction of travel) to no more than $2.5 \%$ is accommodated for the majority of the route.
12.20. Officers are satisfied that the path configuration has considered ease of access for a diversity of user needs. The section of higher grade adjacent to Saint Ignatius College has not been resolved, but officers are reassured that the Council and school are in discussions and any resolution would be formalised via a planning application.

## Speed management

12.21. The applicant has undertaken a review of guidance for maintaining safe user speeds on a 3 -metre wide path that is shared by both pedestrians and cyclists. Additionally, several 'calming' features have been assessed in the context of this proposed path. In conclusion, the location of rest areas with benches, design of crossings and anticipated numbers of pedestrians on the path will together manage speeds.
12.22. The following features were considered:

- Hump: A hump of effective length would have to be 3.6 metres, which presents a long distance for physically impaired users, wheelchairs and push chairs to negotiate. A hump may not be sufficiently visible in the proposed lighting, leading to accidents.
- Chicane: Creates a pinch point and is challenging to construct over hoggin
- Rough surfacing: Can be uncomfortable and difficult for younger users, smaller bicycles or wheelchairs
- Change in colour/pattern: Challenging to construct over hoggin
- Bench seats along path: Potential conflict between cyclists and users of bench if not placed appropriately
12.23. 43 bollards are proposed within the off-carriageway route. These are predominantly at crossings and have been spaced to allow access by wheelchairs. Shared paths at crossings are highlighted with the use of block paving and the addition of signage to warn users of the shared use space.
12.24. Given the constraints of the path design and need to maintain inclusive and safe access for all users, officers are satisfied that "side friction" with the introduction of bench seats, as well as the need to slow around crossings and bollards, were found to be the most effective and practical forms of speed management.

Restrictions on users
12.25. According with current legislation, shared paths can only be used by nonmotorised vehicles, such as cyclists and scooters, as well as pedestrians and ebikes. E-scooters and mopeds are not allowed to use the path.

## Inclusive access

12.26. London Plan Policy D5 Inclusive Design requires proposals to achieve the highest levels of inclusive design. Spaces should facilitate interaction for all needs, have no disabling barriers and be accessed safely and conveniently.
12.27. The application has been prepared using Inclusive Mobility, A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure (December 2021) published by the Department of Transport. The applicant has also submitted a Design and Access Statement (February 2023) and Equalities Impact Assessment and Annex (February 2023) that set out how the path has been designed to be inclusive.
12.28. These elements are discussed in more detail in respective sections of this report. To enable access for a diverse set of users, the following considerations have been made as part of the proposal:

- Path grade: the entirety of the path meets a grade of $<8 \%$, with the exception of a segment of footway along Saint Ignatius College, where the grade is 15.9\%. Enfield Council Journeys and Places, the applicant for this application, are in the process of discussing acquisition of a segment of land that would bring this portion of the route into compliance - officers are satisfied that the applicant is pursuing a solution to this condition. In the absence of a reduction of this grade, a condition is recommended to include signage at access points to the north and south of this section notifying of this grade condition and directing to an alternative route to return onto the path. It is recognised this is below standard, but the applicant has demonstrated extensive exploration of configurations within the constraints of the site and has not arrived at an alternative solution.
- Path width: for its entire length, the path meets a minimum width of 2 metres to allow two mobility scooters or wheelchairs to pass one another. In line with Cycle infrastructure design (LTN $1 / 20$ ) the vast majority of the path is designed to 3 metres in width. Two narrow areas have been described, including one that narrows to 2.5 metres along Saint Ignatius College. If discussions with the school are successful, an acquisition of land would reduce the length of this narrow section.
- Access points: access is shared and will be paved with block paving and include signage to warn users of the shared use space.
- Surfacing: a particular mix of hoggin has been selected for its fine texture and self-binding properties, which has been used in open spaces in the borough and has been found to be suitable for use by wheelchairs and pushchairs.
- Rest areas: rest areas have been integrated into the design of the path, spaced at a maximum of 500 metres, with bench seats and surfaced to allow ease of access.


## Healthy Streets

12.29. The proposal is designed to be consistent with the Ten Healthy Streets Indictors adopted by the Mayor of London referenced in London Plan Policy T2, providing inclusive access, ease of access, places to rest, respite from road noise, new opportunity to cycle along the New River, security measures, historic interest, fresh air and an opportunity for leisure.
12.30. The applicant has submitted a Construction Management Plan (November 2022) that is found to be satisfactory. A condition is recommended that requires compliance with the Construction Management Plan.

## 13. Design

## High-quality design

13.1. 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.
13.2. London Plan Policy D4 aims for proposals to go through a complete design process to encourage a high-quality outcome. Design scrutiny, through the use of Design Review Panels is encouraged.
13.3. 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.
13.4. The applicant has prepared a Placemaking Strategy and a set of placemaking drawings to support the application and help to inform the holistic design of the path. The strategy acknowledges the "historic route with engineering assets that should be celebrated." These features need to be both highlighted and treated sensitively.
13.5. The proposal introduces several elements to give character and enhanced purpose to the path - beyond its function as a pedestrian and cycle path.
13.6. Eight bench seats with backs set within seating areas are provided along the length of the route. These are spaced a maximum of 500 metres apart, located away from houses and busy roads, surfaced in hoggin and sufficiently large to accommodate a pushchair or wheelchair.
13.7. Several cycle stands are proposed at seating areas to allow cyclists an opportunity to secure bicycles while resting. The stands will be placed as individual stands, rather than grouped. Harrogate stands with rounded profile tie in with the cylindrical bollards and reference the balustrades on the Grade II listed Turkey Street Bridge.
13.8. Following advice from the Design Review Panel, Historic England GLAAS, design and heritage officers, the applicant proposes to install information posts at key locations along the path as a form of wayfinding and to convey historic and ecological information. A condition is recommended that the applicant further consult officers on the final location of the information posts once historic assets have been collated and prioritised.
13.9. The Placemaking Strategy recommends that all of the street furniture, cycle stands, benches, lighting, bollards and signage are black in colour to provide consistency along the route. While this is generally acceptable, a condition is recommended to require the details of street furniture, cycle stands, benches, lighting, bollards, signage and information posts.
13.10. The proposed new bridge over Turkey Brook is of a functional design and modest relative to other bridges along the New River. It is acknowledged that the bridge is not in a visually prominent location. However, moderate changes to the shape, colour spacing, design of balustrade and material could better connect the design of this bridge to its context. A condition is recommended for further design details of this bridge.

## Landscaping

13.11. The application includes sets of planting and landscape and ecology plans. In total, the planting comprises 121 new trees, 585 metres of hedgerow, grasses and wildflowers, and raingarden. The trees, hedges and soft landscaping are proposed to enhance the biodiversity of the Development Site, as a designated Wildlife Corridor, metropolitan SINC, local open space and Green Chain Corridor. The planting raises the level of Biodiversity Net Gain above the $10 \%$ increase supported by policy. Hedges are located on fence boundaries where private gardens back onto the route as a safety measure. Where there is sufficient planting width, trees will be planted against private home boundaries to provide a form of screening from passers-by on the path.
13.12. The application proposes a generous planting strategy to address several important purposes: creating new opportunities for habitats and enhancing the ecology of the New River, providing an attractive route and installing measures to support the safety and privacy of residents along the path.
13.13. A Landscape Management and Monitoring Plan is recommended by condition that includes maintenance of trees, hedges, soft planting and retaining walls.

## Amenity and privacy

13.14. While privacy is often discussed in the context of residential proposals, good design should ensure suitable amenity and privacy is secured. There is no specific privacy policy related to the development of infrastructure or open space assets, however, any impact on neighbouring properties requires consideration.
13.15. Some residents of neighbouring homes have expressed concern that the formalisation of the path will introduce visibility by users into their gardens and rear windows. In many points along the riverbank, the path is raised above the level of the gardens. There is also concern that there will be increased opportunity to climb over private rear fences into properties.
13.16. The applicant has provided information to demonstrate conditions of the path relative to neighbouring homes. The applicant has identified the general distance to properties for segments of the path that have been raised during the statutory consultation period for the planning consent. These are listed with distances to rear windows below:

- Sinclare Close: 20-25 metres from path to rear windows
- Ladysmith Road: $\sim 45$ metres from path to rear windows
- Severn Drive: $\sim 24$ metres from path to rear windows
- Capel Road: >18 metres from path to rear windows
13.17. The pre-consultation draft of the Mayor of London's Housing Design Quality and Standards (2020) acknowledges the 18-21-metre distance between backs of homes has been used as a standard measure to seek sufficient distances. The guidance argues for a more considered approach that includes sunlight, acoustic distances and outlook. The guidance says, "Private gardens with high fences that back onto a communal garden may deliver privacy for the occupant but could undermine passive surveillance and even the sense of community of the shared space."
13.18. The majority of the identified distances between the path and existing rear windows of homes are a minimum of 18 metres, the generally accepted distance to support privacy. Notably, the Housing Design Quality and Standards recognises the value of surveillance over public outdoor amenity and that visibility may help to deter misuse of space or anti-social behaviour.
13.19. To give further assurance to residents, the applicant is proposing a planting strategy that incorporates hedges as a safety buffer along rear fences and, where there is adequate planting width, trees to provide screening.
13.20. The proposal formalises a path that presently exists and allows public access. The paving of the path is intended to allow easier use of the path for commuting and recreational purposes for a diversity of users. Officers are content that the applicant has given comprehensive thought to privacy concerns and has addressed privacy in a balanced manner.


## Secured by Design

13.21. London Plan Policy D11 and Core Policy 9 promote the integration of design measures that create safe and secure environments for the community. This is seen as integral to good design.
13.22. The applicant engaged with the Designing Out Crime Office of the Metropolitan Police during the design phase, and Enfield consulted the Met during this application review.
13.23. The Designing Out Crime Officer raised two issues: that bicycle stands be placed diagonally to reduce leverage positions between stands and that seating not be timber to avoid arson. The few bicycle stands that are proposed will be located individually. The bench seats that have been selected are entirely metal, addressing the officer's concerns.
13.24. Since consulting with the Metropolitan Police, the applicant has decided to introduce CCTV cameras on the path. This was not recommended by the Met, it is proposed as an additional layer of safety, both to deter criminal activity and to help in investigations, if necessary. A condition is recommended requiring the details of the location of CCTV.

## 14. Flood Risk and Drainage

14.1. London Plan Policy SI 12 outlines development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 outlines that development proposals should aim to achieve greenfield runoff rates and ensure that surface water run-off is managed as close to its source
as possible. It also states there should also be a preference for green over grey features, in line with an outlined drainage hierarchy.
14.2. Core Strategy Policies CP21, CP28 and CP29 and Development Management Document Policies DMD59 - DMD63 outline the requirements for major development from the perspective of avoiding and reducing flood-risk, the structure and requirements of Flood Risk Assessments (FRAs) and Drainage Strategies and maximising the use of Sustainable Urban Drainage Systems (SuDS).
14.3. Approximately $95 \%$ of the Development Site is in Flood Zone 1 and $5 \%$ is in Flood Zones 2 and 3. The applicant prepared a Flood Risk Assessment (February 2023) that was reviewed by the Environment Agency and Lead Local Flood Authority. The proposal was found to be acceptable and not introduce any additional flood risk that requires mitigation. The EA was specifically interested to ensure that the construction of the new bridge over Turkey Brook did not introduce additional flood risk. This was resolved through additional information presented by the applicant in the Flood Risk Assessment. The EA has requested final bridge drawings and specifications via an informative for the purposes of record-keeping.
14.4. Officers have reviewed the drainage strategy, which includes rainwater gardens at the north of the Development Site adjacent to Bullsmoor Lane. Officers find the proposal to be appropriate, but recommend a condition requiring information on the level of rainfall event the rain gardens have capacity for before works are carried out.

## 15. Heritage and archaeology

## Heritage

15.1. NPPF paragraph 197 states that in determining applications, local planning authorities should take account of:
(a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
(b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
(c) the desirability of new development making a positive contribution to local character and distinctiveness.
15.2. Within and adjacent to the red line boundary are several heritage assets:

- The Grade II Bridge Over the New River at Turkey Street was constructed in 1827
- The Forty Hill Conservation Area forms the eastern boundary of the route at the north section
- The Dowcra Aqueduct was constructed in 1859 to bypass the Whitewebbs Loop of the New River and thereby provide a more direct route. It is included on Enfield's Local Heritage List
15.3. The New River is recognised as an important landscape feature within Enfield and is an exceptional example of a long-distance water-supply system. The New River was constructed between 1609 and 1613 to bring a supply of drinking water into London from springs in Hertfordshire. It is widely accepted as one of the most significant and ambitious developments in water supply in England.


## Listed Buildings

15.4. Turkey Street Bridge over the New River is a Grade II Listed Building.
15.5. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a statutory duty on Local Planning Authorities (LPAs) to pay special regard to the desirability of preserving the special architectural and historic interest of listed buildings and their settings.
15.6. Paragraph 199 of the NPPF states that great weight should be given to the conservation of a designated heritage asset when considering the impact on the significance of that asset and the more important the asset, the greater that weight should be. Paragraph 200 confirms that the significance of a designated heritage asset can be harmed by development within its setting.
15.7. Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use. Any harm to significance must therefore be clearly and convincingly justified and outweighed by the delivery of public benefits if it is to be in accordance with Paragraphs 199-202 of the NPPF. In the case of harm to non-designated heritage assets in accordance with paragraph 203 a balanced judgement will be required having regard to the scale of any harm of loss and the significance of the heritage asset.
15.8. The Turkey Street bridge over the New River has been negatively affected by previous unsympathetic traffic interventions. The proposed scheme introduces new surfacing and the replacement of unsympathetic bollards.
15.9. The propose resin bound gravel surfacing is favourable, as is the removal of existing traffic barriers. A condition is recommended requiring the detail of the surfacing material before the works are undertaken.
15.10. There remain details of approach to bridge fencing and railings that need further resolution. On this basis, a condition is recommended that requires further drawings and details of the bridge prior to the commencement of works.
15.11. In the round, the proposed changes represent heritage benefit to the listed bridge. As such, the 'balancing act' required by paragraph is 202 is not engaged.

## Setting of Conservation Area

15.12. The site is located in the Forty Hill Conservation Area.
15.13. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the general duty regarding conservation areas in the exercise of planning functions: special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Paragraph 131 of the NPPF sets out matters which should be taken into account when determining planning
applications, including sustaining and enhancing the significance of heritage assets (which include conservation area) and the desirability of new development making a positive contribution to the local character and distinctiveness.
15.14. The National Planning Policy Framework (NPPF) recognises conservation areas as designated heritage assets Paragraph 189 of the National Planning Policy Framework makes clear that great weight should be given to the conservation of designated heritage assets and to their setting.
15.15. Policy 31 of the Core Strategy and DMD44 of the Development Management Policies 2014, accord with the NPPF in seeking to sustain and enhance the significance of heritage assets, which include conservation areas, through development which makes a positive contribution to local character and distinctiveness.
15.16. The proposal is in the setting of the Forty Hill Conservation Area. Given that the proposal formalises an existing use and is generally discreet relative to the conservation area, officers are confident that the proposal will not impact the conservation area. As such, the 'balancing act' required by paragraph is 202 is not engaged.

Non-Designated Heritage Assets
15.17. The Dowcra Aqueduct was constructed in 1859 to bypass the Whitewebbs Loop of the New River and thereby provide a more direct route. It is included on Enfield's Local Heritage List. For the purposes of Planning, it is a non-designated heritage asset.
15.18. The proposed scheme will greatly improve access to the non-designated heritage asset whilst the new heritage interpretation signage will better reveal its significance. As such the scheme will result in a heritage benefit and cause no harm.
15.19. The New River is an important landscape feature within Enfield and an exceptional example of a long-distance water-supply system. The New River was constructed between 1609 and 1613 to bring a supply of drinking water into London from springs in Hertfordshire. It is widely accepted as one of the most significant and ambitious developments in water supply in England. For the purposes of Planning, it is a non-designated heritage asset.
15.20. There is at present a consistent style of railing and gate along the length of the New River which forms part of its coherent historic character. The style of estate railing - in particular the posts - was established in the early-mid nineteenth century with later sections continuing to reference the original. It is important to maintain this character and fabric.
15.21. To ensure the historic character and fabric of the New River is maintained, a condition is recommended to ensure gates and railings are repaired and re-used where possible and replaced appropriately where necessary.
15.22. The proposed scheme will greatly improve access to the non-designated heritage asset whilst the new heritage interpretation signage will better reveal its significance. As such the scheme will result in a heritage benefit and cause no harm.
15.23. The proposal to include informational posts is strongly supported as it will underpin the heritage interpretation of the route and reinforce local identity. Additional consultation with officers is encouraged to make the most of the locations of the informational posts in the most historically significant locations. A condition is recommended that requires a scheme of heritage interpretation informed by work with local interest groups and further review of historic features along the route. On this basis, the locations of informational posts shown on drawings is indicative and the exact location will be secured by condition.

## Archaeology

15.24. London Plan Policy HC1 indicates that development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation.
15.25. The application site is located within the Tier 3 Archaeological Priority Areas of Whitewebbs Hill, Bulls Cross and Forty Hill. The submitted Archaeological Desk Based Assessment (YEAR) concludes that the site has low archaeological potential for all periods of human activity. Historic England GLAAS were consulted on the application and advised that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest and that No further assessment or conditions are necessary. Through its review, GLAAS did note the historic value of the route and suggested finding opportunities to convey the heritage of the New River to users. As discussed in the Heritage and Design sections of this report, the applicant is proposing information boards at points along the path to bring attention to history of the New River and its features.

## 16. Environmental Health

## Environmental Health

16.1. Officers are content that the proposal is unlikely to result in a negative environmental impact. Specifically, the development is not expected to introduce air quality or noise impacts.
16.2. The potential for ground contamination during construction of the new path is recommended to be mitigated by a condition requiring a Contamination Plan setting out a strategy for identification and removal of contamination.

## Waste Management

16.3. The proposed path is on Thames Water property but will be managed and maintained by Enfield Council through an agreement between the two parties. With regard to waste, the applicant proposes not to provide waste bins or dedicated waste receptacles along the path in an effort to encourage path users to take any waste with them and dispose of it elsewhere. It is recommended that the Landscape Management and Monitoring Plan includes a requirement for monitoring of litter for a period. Should there be a build-up of waste, bins would be provided.

## 17. Health and Equalities Impact Assessment

## Equalities Impact Assessment

17.1. In accordance with the Public Sector Equalities Duty, an Equalities Impact Assessment was submitted as part of the application.
17.2. The transport section of this report details consideration of access for all users. It is acknowledged that the applicant has comprehensively reviewed alternatives to the grade non-compliance adjacent to St. Ignatius College to reduce the grade from $15.9 \%$, which is in excess of the $8 \%$ grade required to ensure accessibility. Officers are encouraged that the applicant is in discussions with the College to potentially acquire a segment of land that would enable this segment of the path to be delivered to a compliant grade. Absent this solution, the segment of path will be signed to direct users to a paved, level route that will bring them back around to the route along the New River.
17.3. Apart from the outstanding matter of the section adjacent to St. Ignatius College, it is considered the proposal would not further 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.

## Health Impact Assessment

17.4. London Plan Policy GG3 outlines that to improve Londoners' health and reduce health inequalities, those involved in planning and development must adhere to an outlined criteria.
17.5. This application is not accompanied by a Health Impact Assessment (HIA). The HIA should be based on the Healthy Urban Development Unit (HUDU) Rapid HIA Assessment Tool.
17.6. The HUDU Rapid HIA Assessment Tool provides 11 determinants of health:

- Housing design and affordability
- Access to health and social care services and other social infrastructure
- Access to open space and nature
- Air quality, noise and neighbourhood amenity
- Accessibility and active travel
- Crime reduction and community safety
- Access to healthy food
- Access to work and training
- Social cohesion and inclusive design
- Minimising the use of resources
- Climate change
17.7. Based on the proposal, and assessment undertaken in reports that accompany this application, officers are comfortable that an evaluation pursuant to HUDU Rapid HIA Assessment Tool would yield positive health outcomes for surrounding communities and users in all of the 11 categories. This is particularly true of the categories of measure that the application directly delivers: "Access to health and social care services and other social infrastructure", "Access to open space and nature", "Air quality, noise and neighbourhood amenity", and "Accessibility and active travel", as well as making contributions to the remaining categories. Officers, again, are comfortable that the evident benefits of the proposal, and demonstrated positive health impacts evidenced in accompanying reports, that the development satisfactorily addresses Policy GG3's outlined criteria.


## 18. Conclusion

18.1. The proposed pedestrian and cycle path realises a Council objective to expand the cycle network and provide Enfield's communities with additional active travel choices. This route is identified in Enfield's Blue and Green Strategy and its delivery significantly improves an existing, underutilised public path and Local Open Space, allowing enjoyment of the New River by users of a diversity of needs.
18.2. Officers are satisfied that, subject to the recommended conditions, the proposal meets policy objectives around green infrastructure, transport, design, flood risk and drainage, heritage and archaeology, environmental health and health and equalities impacts.
18.3. The applicant has satisfied officers that all reasonable approaches to lighting have been explored that support safety and security for users, limit light spill to neighbours and minimise impact to light-sensitive species inhabiting or migrating through the Development Site. Further monitoring and resulting mitigation is recommended to safeguard protected species. Officers are also encouraged that the applicant is actively seeking to make the entire path accessible to wheelchairs by resolving the one area of grade non-compliance.
18.4. While the matter of complete accessibility requires additional work by the applicant, the proposal opens up considerably improved access from what exists today. On balance, the pedestrian and cycle path presents a major asset for Enfield's communities and sets an example for infrastructure that achieves connectivity, health, ecological and heritage benefits.


Figure 2 Route alignment Tenniswood Road to Goat Lane

NORMAN ROURKE PRYME


Figure 3 Goat Lane to I urkey Brook

NORMAN ROURKE PRYME


Figure 4 Turkey Book to Turkey Street
Turkey Street to Bullsmoor Lane


Figure 5 Turkey Street to Turkey Brook













