

# LONDON BOROUGH OF ENFIELD

## PLANNING COMMITTEE

Date : 18th April 2023

**Report of**

Director of Growth and  
Planning - Brett Leahy

**Contact Officer:**

Andy Higham  
Dino Ustic  
Tel No: 02081321376

**Category:** Outline  
Application

**Ward:**

Cockfosters

**Councillor Request:**

**LOCATION:** 368 Cockfosters Road, Barnet, EN4 0JT,

**APPLICATION NUMBER:** 22/00900/OUT

**PROPOSAL:** Erection of a three storey block of nine flats (OUTLINE- Access).

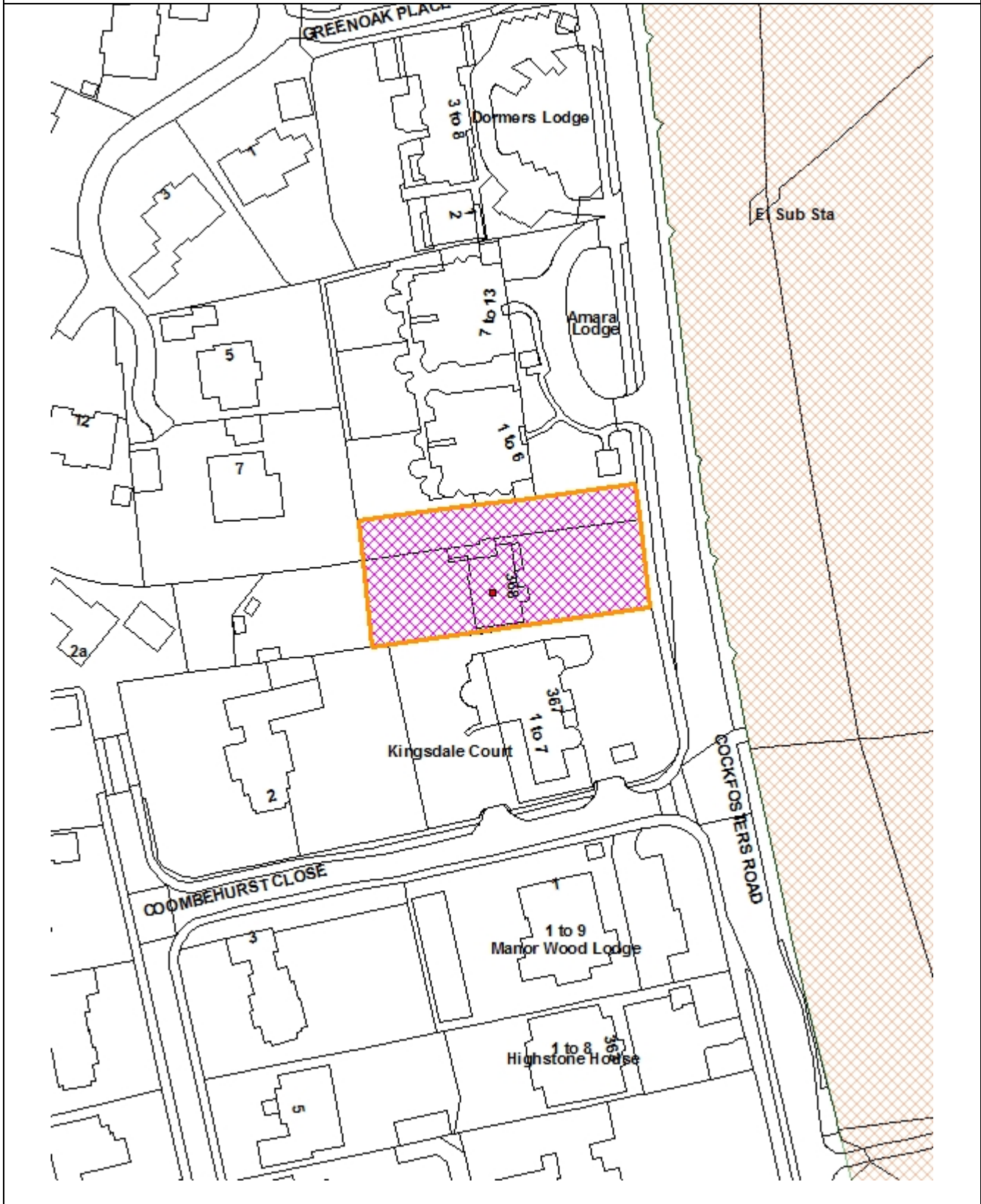
**Applicant Name & Address:**

Nicon Developments Limited  
45 Silver St  
Enfield  
EN1 3EF

**Agent Name & Address:**

Mr Graham Fisher  
1 Woodlands Avenue  
Wanstead  
London  
E11 3RA  
United Kingdom

**RECOMMENDATION:** That the Head of Development Management be authorised to GRANT planning permission subject to the following conditions:



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**1. Note for Members:**

- 1.1 Although a planning application of this nature can be determined under delegated authority, it has been brought to Planning Committee at the request of Councillor Georgiou, given the level of public interest in the proposed development

**2. Recommendation**

- 2.1 That the Head of Development Management be authorised to GRANT planning permission subject to the following conditions:

Time Limit – Outline

1. Applications for the approval of any reserved matters must be made to the Local Planning Authority not later than (a) the expiration of three years beginning with the date of this decision notice and (b) the development to which this permission relates must be begun not later than the expiration of two years from the final approval of the last reserve matter to be approved. Reason: To comply with S.51 of the Planning and Compulsory Purchase Act 2004.

Development in Accordance with Approved Plans

2. The development hereby permitted shall be carried out in accordance with the approved plans, as set out below and in the attached schedule which forms part of this notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

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Reserved Matters – Siting

3. The development shall not commence until detailed drawings showing the siting of buildings on the site have been submitted to and approved in writing by the Local Planning Authority. The buildings shall be sited in accordance with the approved details before the development is occupied.

Reason: To ensure a site layout which complies with Development Plan Policies.

Reserved Matters - Design

4. The development shall not commence until detailed drawings showing the design of buildings, including existing and proposed levels, have been submitted to and approved in writing by the Local Planning Authority. The buildings shall be constructed in accordance with the approved details before the development is occupied.

Reason: To ensure a design which complies with Development Plan Policies.

Reserved Matters – External Appearance

5. The development shall not commence until details of the external appearance of the development, including the materials to be used for external surfaces of buildings and other hard surfaced areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details before it is occupied.

Reason: To ensure an appearance which complies with Development Plan Policies.

#### Reserved Matters – Landscaping

6. The development shall not commence until details of existing planting to be retained and trees, shrubs and grass to be planted including an assessment of biodiversity net gain and the treatment of any hard surfaced amenity areas have been submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped in accordance with the approved details in the first planting season after completion or occupation of the development whichever is the sooner. Any trees or shrubs which die, becomes severely damaged or diseased within five years of planting shall be replaced with new planting in accordance with the approved details.

Reason: To provide a satisfactory appearance and ensure that the development does not prejudice highway safety.

#### Levels

7. The development shall not commence until plans detailing the existing and proposed ground levels including the levels of any proposed buildings, roads and/or hard surfaced areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: To ensure that levels have regard to the level of surrounding development, gradients, and surface water drainage.

#### Refuse Storage

8. The development shall not commence until details of refuse storage facilities including facilities for the recycling of waste to be provided within the development, in accordance with the Enfield Councils Waste and Recycling Planning Storage Guidance, available at

[https://new.enfield.gov.uk/services/planning/waste-and-recycling-storage-](https://new.enfield.gov.uk/services/planning/waste-and-recycling-storage-planning-guidance-planning.pdf)

[planning-guidance-planning.pdf](https://new.enfield.gov.uk/services/planning/waste-and-recycling-storage-planning-guidance-planning.pdf) have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details before the development is occupied or use commences.

Reason: In the interests of amenity and the recycling of waste materials in support of the Boroughs waste reduction targets.

#### Cycle Parking

9. The development shall not commence until details of cycle parking to London Plan standards have been submitted to and approved in writing by the Local

Planning Authority. The development shall be carried out in accordance with the approved details before it is occupied.

Reason: To ensure the provision of cycle parking in line with the Council's adopted standards

#### Charging Points

10. The development shall not commence until the specification details of the proposed active and passive charging points have been submitted and approved by the Local Planning Authority. The charging points shall be installed in accordance with the approved details prior to occupation.

Reason: To ensure that the development complies London Plan

#### Means of Enclosure

11. The site shall be enclosed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The means of enclosure shall be erected in accordance with the approved detail before the development is occupied.

Reason: To ensure satisfactory appearance and safeguard the privacy, amenity and safety of adjoining occupiers and the public and in the interests of highway safety.

#### Construction Management Plan

12. No development shall take place until a Construction Management Plan, written in accordance with the Mayor of London's supplementary planning guidance 'The Control of Dust and Emissions During Construction and Demolition' detailing how dust and emissions will be managed during demolition and construction work has been submitted to and approved by the local planning authority.. Once approved the Construction Management Plan shall be fully implemented for the duration of any demolition and construction works.

Reason: To protect the local amenity from demolition/construction dust

#### Drainage from Hardstand Area

13. The development shall not commence until details of how drainage from the hardstanding will be prevented from discharging towards the public highway e.g., provision of a soakaway, or permeable paving have been submitted to and approved by the Local Planning Authority. The surfacing and drainage measures shall be carried out in accordance with the approved detail before the development is occupied unless otherwise agreed with the Local Planning Authority.

Reason: To ensure water does not drain towards the highway

### Non-Road Mobile Machinery

14. All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up-to-date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reasons: In the interests of good air quality with regard to London Plan policy

SI 1.

### Contamination

15. Occupation of the development shall not commence until a scheme to deal with the contamination of the site including an investigation and assessment of the extent of contamination and the measures to be taken to avoid risk to health and the environment has been submitted to and approved in writing by the Local Planning Authority. Remediation shall be carried out in accordance with the approved scheme and the Local Planning Authority shall be provided with a written warranty by the appointed specialist to confirm implementation prior to the occupation of development.

Reason: To avoid risk to public health and the environment.

### Contamination

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development to be completed in accordance with the revised remediation strategy.

Reason: To protect against risks arising from contamination.

### Sustainable Drainage

17. The development shall not commence until a revised Sustainable Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The details shall be based on the disposal of surface water by means of a sustainable drainage system in accordance with the principles as set out in the Technical Guidance to the National Planning Policy Framework 2021 and should be in line with DMD Policy SuDS Requirements:

- a) Shall be designed to a 1 in 1 and 1 in 100 year storm event with the allowance for climate change
- b) Follow the SuDS management train and London Plan Drainage Hierarchy by providing a number of treatment phases corresponding to their pollution potential
- c) Should maximise opportunities for sustainable development, improve water quality, biodiversity, local amenity and recreation value
- d) The system must be designed to allow for flows that exceed the design capacity to be stored on site or conveyed off-site with minimum impact
- e) Clear ownership, management and maintenance arrangements must be established
- f) The details submitted shall include levels, sizing, cross sections and specifications for all drainage features

Reason: To ensure the sustainable management of water, minimise flood risk, minimise discharge of surface water outside of the curtilage of the property and ensure that the drainage system will remain functional throughout the lifetime of the development in accordance with Policy CP28 of the Core Strategy.

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

### **3. Executive Summary**

- 3.1 An application for outline planning permission allows for a decision on the general principles of how a site can be developed. Outline planning permission is granted subject to conditions requiring the subsequent approval of one or more 'reserved matters'.
- 3.2 This outline planning application is seeking agreement in principle to the erection of a three storey block of nine flats. Details of access are provided for consideration as part of this application with details relating to external appearance, landscaping, layout and scale reserved for consideration at a later stage should the principle be accepted.
- 3.3 The proposal involves replacing the existing dwelling with a three storey development of 9 flats with a mix of 3 x 1bedroom, 2 x 2 bedroom and 4 x 3-bedroom units. Affordable housing is not required by policy because the number of proposed dwellings is below the 10 unit threshold.
- 3.4 The proposal would be consistent with the form and pattern of development that has taken place over recent years and respects building lines and relationships to neighbouring properties. In particular, it is noted that there are similar developments either side of the application site.
- 3.5 In terms of access, this would be from Cockfosters Road and would be an amendment to the existing vehicular access. The level of parking and cycle parking is also considered appropriate having regard to DMD 47 and London Plan policy

- 3.6 The application is supported by appropriate and satisfactory technical reports covering the effect of the proposed development on parking, servicing, biodiversity and impacts to neighbouring amenity. The impacts of the development are considered within acceptable thresholds to meet policy compliance expectations.
- 3.7 The planning application satisfies overarching planning policy aims to increase the housing stock of the borough.
- 3.8 The Government prescribes a “tilted balance” in favour of housing delivery to the Council’s planning decision-making as a result of Enfield’s current inability to demonstrate a 5-year housing land supply as well as the Council’s shortfall in meeting housing delivery targets. This means that there is a presumption in favour of approving sustainable residential development and that applications for new homes should be given greater weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that the adverse impacts of the scheme, are not sufficient to significantly and demonstrably outweigh the benefits of the proposed housing.
- 3.9 It is recognised that sites such as this need to be optimised in order to minimise encroachment into the Borough’s Green Belt and protected Strategic Industrial Locations. It is considered that the social benefits, both in respect of the provision of high-quality new housing stock and other spatial and environmental enhancements carry significant weight in favour of the proposed development.
- 3.10 It is acknowledged and recognised throughout this report, that consideration of this proposal has involved finely balanced judgements. A balanced consideration of compromises is detailed in the report. These matters have been considered in detail below and weighed against the primary public benefits of the scheme which include: optimising the site (making effective use of a sustainable, accessible, brownfield site); providing new homes; social and economic benefits linked to the provision of employment opportunities during construction).
- 3.11 The proposed erection of a three-storey block of nine flats is therefore considered acceptable in relation to London Plan (2021) Policies G7, T3 and T4, Core Policy 24 of the Council’s Core Strategy (2010) as well as Policies DMD47 and DMD 80 of the Council’s Development Management Document (2014).

#### **4. Site and Surroundings**

- 4.1 The application site is located along the western side of Cockfosters Road, to the north of its junction with Coombehurst Close. Properties and new development along Cockfosters Road are primarily large detached houses and flatted developments which in general, are set back by approximately 20m from the boundary with the adopted highway. The two immediate neighbours are flatted developments consisting of Cockfosters Road (Kingsdale Court) & Amara Lodge. Further to the south and the west of the site are large predominantly 2 storey detached houses on Coombehurst Close while to the opposite side of Cockfosters Road are open fields designated as green belt.
- 4.2 The existing site access is in the form of a ‘haulingway’ style footway crossover with dropped kerbs. The front property boundary comprises a low wall with brick piers and railings above. The access has a pair of iron gates set back 2m from the back edge of the footway with the wall forming a flared entry which provides adequate pedestrian visibility for drivers emerging from the Site. The site is in a PTAL area of 1

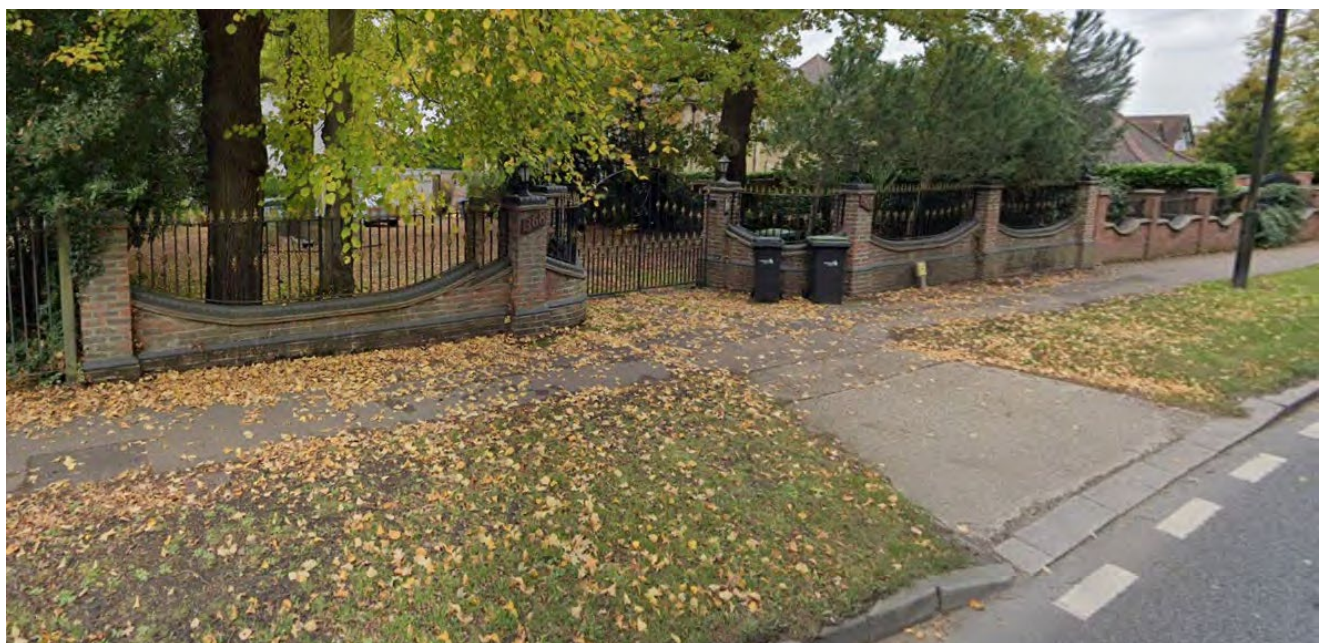


4.3 There are 38 trees and 8 groups of trees that lies within or immediately adjacent to the site of which 14 are assessed as Category B and 32 Category C. There are no Category A trees: the most visually significant. A number of trees on site are subject to a site wide TPO (refA8), therefore the impact on these trees is considered to be medium to high value.

**5. Proposal**

5.1 The application seeks outline planning permission for the erection of a three storey block of nine flats : (4x3-bed, 3x1-bed, 2x2-bed). The application is in outline with details of access provided for consideration with details relating to external appearance, landscaping, layout and scale reserved for consideration at a later stage should the principle be accepted.

5.2 Vehicular access is via Cockfosters Road, and this would be improved as part of this application.



**6. Relevant Planning Decisions**

6.1 The following planning history is considered relevant to the proposal:

Reference	Proposal	Decision	Date
TP/02/2053	Erection of 2-storey four- bed detached single family dwelling house in rear garden.	Refused	24.12.2002
TP/98/0324	Detached single family dwellinghouse.	Refused	11.06.1998

TP/89/0452	Erection of a 2-storey detached four-bedroom house with attached garage vehicular access and driveway in part of the rear garden of the existing house.	Refused	16.05.1989
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## 7. Consultations

### 7.1 Statutory and non-statutory consultees

#### Environmental Health

- 7.1.1 Subject to relevant conditions, there is no objection to the application as there is unlikely to be a negative environmental impact. In particular there are no concerns regarding air quality

#### Lead Local Flood Authority (LLFA)

- 7.1.2 With reference to adopted policy, all minor developments must achieve as close to Greenfield runoff rates for 1 in 1 year and 1 in 100 year (plus climate change) year events and maximise the use of SuDS in accordance with the London Plan Drainage Hierarchy and the principles of a SuDS Management Train. This means that source control SuDS measures such as green roofs, rain gardens and permeable paving must be used extensively across the site. There is a requirement for a Sustainable Drainage Strategy at the reserved matters stage.

#### Transportation

- 7.1.3 No objections raised.

#### Thames Water

- 7.1.4 With regard to Waste Water Network and Sewage Treatment Works infrastructure capacity, there is no objection to the above planning application, based on the information provided.

#### 7.1.5

With regard to Surface Water drainage, it is advised that if the developer follows the sequential approach to the disposal of surface water we would have no objection. The proposed development is located within 15 metres of a strategic sewer and a piling condition is requested to be added to any planning permission.

## 7.2 Public

- 7.2.1 Consultation letters were sent to 113 adjoining and surrounding properties. At the time of writing the report, there have been 2 objections raising all or some of the following points:

Comment	Response
Harm to the TPO's across the site	<p>No objection is raised by the Councils Arboriculturist.</p> <p>Note: Landscaping is a reserved matter for consideration at a later date</p>
Landscaping	<p>No objection is raised by the Councils Arboriculturist.</p> <p>Note: Landscaping is a reserved matter for consideration at a later date</p>
Impact on adjacent Green Belt	<p>The application site is outside of the Green Belt. The boundary with the green belt is on the eastern side of Cockfosters Road and it is considered in principle development of this nature which is similar to neighbouring developments, would not harm the setting or visual amenities of this area.</p> <p>Note: Details of External Appearance are reserved for consideration at a later date</p>
Impact on biodiversity	
Height of development is out of keeping	<p>While external appearance is a reserved matter, the outline permission would establish parameters for the built form of the development including height. The height however is considered appropriate and in keeping with neighbouring development as set out in the main body of the report</p>
Overlooking of neighbouring properties	<p>While siting and external appearance are reserved matters, the outline permission would establish parameters for the built form of the development. The relationship to the neighbouring properties however is considered acceptable as set out in the main body of the report</p>
Too many conversions contrary to DMD5	<p>This policy relates to the conversion of existing dwellings into flats and HMO's. It is not relevant in this instance although an assessment against the impact of the development on the character of the locality with reference to DMD 6 would be. However, the form of development is considered appropriate and in keeping with neighbouring development as set out in the main body of the report</p>

## 8. Relevant Policies

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

### The London Plan (2021)

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

Policy GG1: Building strong and inclusive communities  
Policy GG2 Making the best use of land  
Policy D1: London's form, character and capacity for growth  
Policy D3: Optimising site capacity through the design-led approach  
Policy D4: Delivering good design  
Policy D5: Inclusive design  
Policy D6: Housing Quality and Standards  
Policy D12: Fire Strategy  
Policy D14: Noise  
Policy SI 1: Improving Air Quality  
Policy SI 2: Minimising greenhouse gas emissions  
Policy SI 5: Water Infrastructure  
Policy SI 7: Reducing waste and supporting the circular economy  
Policy SI 8: Waste capacity and net waste self-sufficiency  
Policy SI 13: Sustainable Drainage  
Policy SI2: Healthy Streets  
Policy T3: Transport capacity, connectivity and safeguarding  
Policy T4: Assessing and mitigating transport impacts  
Policy T5: Cycling  
Policy T6: Car parking  
Policy G2: London's Green Belt  
Policy G6: Biodiversity and Access to Nature  
Policy G7: Trees and Woodlands

### Enfield Core Strategy (2010)

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

CP4 Housing Quality  
CP5 Housing Types  
CP9 Supporting community cohesion

CP20 Sustainable Energy Use and Energy Infrastructure  
CP21 Delivering Sustainable Water Supply, Drainage and Sewerage Infrastructure  
CP22 Delivering Sustainable Waste Management  
CP24 The Road Network  
CP25 Pedestrian and Cyclists  
CP28 Managing Flood Risk Through Development  
CP30 Maintaining and improving the quality of the built and open environment  
CP32 Pollution  
CP36 Biodiversity

#### Enfield Development Management Document (2014)

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

DMD3 Providing a Mix of Different Sized Homes  
DMD6 Residential Character  
DMD8 General Standards for New Residential Development  
DMD9 Amenity Space  
DMD10 Distancing  
DMD37 Achieving High Quality and Design-Led Development  
DMD45 Parking Standards and Layout  
DMD47 Access, New Roads and Servicing  
DMD50 Environmental Assessment Methods  
DMD51 Energy Efficiency Standards  
DMD61 Managing Surface Water  
DMD79 Ecological Enhancements  
DMD80 Trees on Development Sites  
DMD81 Landscaping

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

- 8.5 The Council consulted on Enfield Towards a New Local Plan 2036 "Issues and Options" (Regulation 18) (December 2018) in 2018/19. This document represented a direction of travel and the draft policies within it will be shaped through feedback from key stakeholders.
- 8.6 As such, it has relatively little weight in the decision-making process. Nevertheless, it is worth noting the emerging policy H4 (Housing mix) which identifies the borough's needs for homes of different sizes and tenures.
- 8.7 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.
- 8.8 Key local emerging policies from the plan are listed below:

Policy DM SE2 – Sustainable design and construction

Policy DM SE4 – Reducing energy demand

Policy DM SE5 – Greenhouse gas emissions and low carbon energy supply  
Policy DM SE7 – Climate change adaptation and managing heat risk  
Policy DM SE8 – Managing flood risk  
Policy DM SE10 – Sustainable drainage systems  
Strategic Policy SPBG3 – Biodiversity net gain, rewilding and offsetting  
Policy DM BG8 – Urban greening and biophilic principles  
Policy DM DE1 – Delivering a well-designed, high-quality and resilient environment  
Policy DM DE2 – Design process and design review panel  
Policy DM DE6 – Tall buildings  
Policy DM DE7 – Creating liveable, inclusive and quality public realm  
Policy DM DE10 Conserving and enhancing heritage assets  
Policy DM DE11 – Landscape design  
Policy DM DE13 – Housing standards and design  
Policy DM H2 – Affordable housing  
Policy DM H3 – Housing mix and type  
Policy DM T2 – Making active travel the natural choice  
Strategic Policy SP D1 – Securing contributions to mitigate the impact of development

#### 8.9 Other relevant policy

National Planning Policy Framework 2021 (NPPF)  
National Planning Practice Guidance (NPPG)  
Enfield Characterisation Study (2011)  
Waste and Recycling Storage Planning Guidance from Enfield Council (EN20/ V2)  
Manual for Streets

### **9. Assessment**

- 9.1 The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 seek to establish that planning decisions are taken in accordance with the Development Plan unless material considerations indicate otherwise. Furthermore, paragraph 11 (c) of the National Planning Policy Framework (NPPF) goes on to state that development proposals that accord with the development plan should be approved without delay.
- 9.2 As explained at Section 8, the Council is subject to the so called “tilted balance” and the National Planning Policy Framework (NPPF) states that for decision-taking this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole – which also includes the Development Plan. Under the NPPF (2021) paragraph 11(d) the most important development plan policies for the application are deemed to be ‘out of date’. However, the fact that a policy is considered out of date does not mean it can be disregarded, but it means that less weight can be applied to it, and applications for new homes should be considered with more weight (tilted) by planning committee. The level of weight given is a matter of planning judgement and the statutory test continues to apply, that the

decision should be, as section 38(6) of the Planning and Compulsory Purchase Act 2004 requires, in accordance with the development plan unless material considerations indicate otherwise.

9.3 This report sets out the analysis of the issues that arise from the proposed development assessed against National policy and the development plan policies

9.4 The issues raised by this proposal are:

- Principle of development
- Character and Appearance
- Mix/Standard of Accommodation
- Residential Amenity
- Access, Parking and Traffic Generation
- Trees
- Sustainable Drainage and Water Infrastructure
- Biodiversity

#### Principle of development

9.5 The principle of optimising site capacity is strongly supported by adopted Development Plan Policies, alongside the NPPF Paragraph 11 implications of the Council's under-delivery against its housing delivery target and housing land supply positions,

9.6 Chapter 11 (Making efficient use of land) of the NPPF (2021) states that in considering planning applications that substantial weight should be given to the value of using suitable brownfield land within existing settlements for homes (NPPF para 120(c)) and that planning decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively (NPPF para 120(d)).

9.7 Enfield's Authority Monitoring Report 2020/2021 shows that during the preceding 10 years, the Borough had delivered a total of 5,616 homes which equates to approximately 562 homes per annum. Enfield's 2020 Housing Delivery Action Plan recognises that the construction of more affordable high-quality homes is a clear priority, with only 60% of approvals being implemented. A Local Housing Need Assessment (LHNA) was undertaken in 2020 and identifies an annual housing need of 1,744 homes across the Borough based on a cap of 40% above the London Plan annual target of 1,246 homes, in line with the Government's standard methodology.

9.8 The Council's Draft Enfield Local Plan (Regulation 18) (2021) acknowledges the sheer scale of the growth challenge for the Council and the Council's Housing and Growth Strategy 2020-2030 aims to deliver the London Plan targets for the borough.

9.9 Enfield is a celebrated green borough with close to 40% of the land currently designated as Green Belt or Metropolitan Open Land and a further 400 hectares providing critical industrial land that serves the capital and wider south-east growth corridors. These land designations underpin the need to optimise development on brownfield land.

9.10 London Plan Policy H1 highlights the urgency to optimise housing provision on brownfield sites, specifically identifying opportunity for housing intensification and

development on publicly owned sites. The proposal supports the requirements of LPH1 optimising housing delivering on a suitable and available brownfield site within the Upper Lee Valley Opportunity Area.

- 9.11 The site is considered to be in C3 use and would be compatible with London Plan (2021) Policy GG2 (Making the best use of land), which advocates making the best use of brownfield land, maximising publicly-owned sites and finding opportunities for sustainable intensification.

#### *Principle of development conclusions*

- 9.12 The Application Site constitutes previously developed land and therefore the principle of developing the site for housing to support the Borough's housing delivery target is supported. The proposals would represent an uplift of on-site housing by providing 9 units: a net increase of 8. The principle of increasing housing at this location is supported.

#### **Housing Need and Tenure Mix**

##### *Housing need*

- 9.13 Chapter 11 (Making efficient use of land) of the of the NPPF (2021) indicates that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site (NPPF para. 125). In these circumstances: local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF (Para. 125 (c)).
- 9.14 The London Plan sets a target for the provision of 66,000 new homes across London each year. Enfield's 2020 Housing Delivery Action Plan recognises that the construction of more affordable high-quality homes is a clear priority. However, only 60% of approvals in the Borough are being delivered. The London Plan 2021 identifies a need for a minimum of 1,246 dwellings per year to be delivered over the next 10 years in the Borough, an increase over the previous target of 798.
- 9.15 Taking into account the housing needs of Enfield's population, nationally- and regionally-set housing delivery targets and shortfalls in meeting targets and demonstrating sufficient housing land supply, it is evident that this proposal to make more effective use of the Application Site to provide a greater number of homes, at a high-quality and with a range of housing types is supported by adopted Development Plan housing policies, when considered as a whole.
- 9.16 The NPPF and London Plan advise that local authorities should seek to deliver a wide choice of high-quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. London Plan Policy H1 highlights the urgency to optimise housing provision on brownfield sites, specifically



identifying opportunity for housing intensification and development on publicly owned sites.

- 9.17 The site is considered to be in Class C3 use (of the Town and Country Planning (Use Classes Order) 1987) and would be compatible with London Plan Policy GG2 (Making the best use of land), which advocates making the best use of brownfield land, maximising publicly owned sites and finding opportunities for sustainable intensification. The proposed development is considered to support London Plan GG2 Policy which seeks that development proposals: c) proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling; and d) applying a design-led approach to determine the optimum development capacity of sites. The proposed development would make more efficient use of land by increasing the provision of housing,. Given this site has been previously developed, the principle of a residential-led development with densities increased is supported.
- 9.18 With reference to the above, it is also recognised that as the Council has failed the most recent Housing Delivery Test and applications for residential development are subject to the presumption in favour of approving sustainable development. The tilted balance therefore has to be applied in assessing and weighing up the benefits of the scheme and whether on balance the impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 9.19 Overall, the principle of development for a block of 9 self-contained flats in the proposed location where one residential dwelling house is to be demolished is acceptable subject to the assessment criteria as set out within the below.

Character and appearance

- 9.20 The fundamental aim of the NPPF is to secure sustainable development. In order to achieve sustainable development, a development is required to have a good design. Policy D3 of the London Plan encourages the design-led approach that optimises the capacity of sites. DMD 6 of the DMD provides standards for new development with regards to scale and form of development, housing quality and density. DMD 8 provides general standards for new residential development and reiterates the requirement for a development to be of an appropriate scale, mass and bulk, provide high quality amenity space and provide access to parking and refuse areas. DMD 37 encourages achieving a high quality and design led development. This policy is reiterated by CP30 of the Core Strategy as well as the fundamental aims of the NPPF. Policy CP30 seeks to maintain and improve the quality of the built and open environment.
- 9.21 The proposed redevelopment would involve the redevelopment of site to provide a three storey building 9 x residential units (4x3-bed, 3x1-bed, 2x2-bed) (Class C3) with associated amenity space, landscaping, refuse storage, cycle and car parking provision.
- 9.22 Flatted developments are prevalent within the immediate vicinity of Cockfosters Road with similar height and massing. Although siting and external appearance are reserved matters and not for a decision at this stage in the process, the indicative plans show a three storey building which respects the height and eaves of

neighbouring developments. It is therefore considered that the proposed development would be in keeping within the existing appearance in the street scene, which would result in the building not being overly dominant and acceptable to the hierarchical built form. In addition, it is also considered the basic form and indicative appearance does not affect the setting of the adjacent green belt land.

- 9.23 The indicative positioning has been carefully considered to minimise disruption to adjacent buildings and developments, with the schemes primary aspect facing East over Trent Park or farmland, or West towards the H.W. Golf club. Improved landscaping and planting between the proposed development and existing developments will also aid visual screening and improve residents amenity.
- 9.24 For the reasons outlined above the proposed development is considered to be consistent with due regard to character and appearance of the immediate area.

Mix / Standard of accommodation

- 9.25 London Plan Policy H10 states that schemes should generally consist of a range of unit sizes and that this should have regard to a number of criteria including robust local evidence, the mix of uses in the scheme, the range of tenures in the scheme, the nature and location of the site, amongst other considerations.
- 9.26 Officers have assessed the scheme in accordance with this policy as well as having regard to the Council’s development plan policies and the Council’s current and emerging evidence around housing need. It is noted that the submitted indicative outline application plans propose the following mix:

- 4x3-bed (44.4%)
- 3x1-bed (33.3%)
- 2x2-bed (22.2%)

- 9.27 More recently, the Local Housing Needs Assessment 2020 was prepared to support the emerging Local Plan and is the most up-to-date source of evidence - reflecting the requirements of London Plan Policy H10. Draft Local Plan Policy H3 (while it is not adopted policy), outlines priority types for different sized units across different tenures. The Council’s Local Housing Needs Assessment 2020 outlines a range of need across 2 and 3-bed affordable rent homes (high-priority) and high-priority need across 1 and 2-bed intermediate homes, as the majority of households who live in intermediate (shared ownership) housing are households without children. This is based on housing register evidence and is set out below.

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

- 9.28 Officers consider the proposed mix can be supported, both due to the reasonable justification provided by the Applicant for the proposed mix, and when considering

the weight to be given to Enfield's housing policies relative to the more recently adopted London Plan housing mix policy – in addition to the implications of Paragraph 11 of the NPPF especially as the Council's housing policies are considered to be out-of-date

### *Internal Layout*

- 9.29 Due to this being an outline proposal, full details of the internal layout and design of the development have not been supplied. These would be covered as reserved matters for consideration and if appropriate, approval at the reserved matters stage.

### *Amenity Space*

- 9.30 Policy DMD 9 states dwellings with access to communal amenity space should provide a minimum private amenity space of 4-9sqm private amenity space for 1 bedroom – 3-bedroom units and dependent of the person occupancy. From the table below it is unclear on the amount of private amenity space proposed for a number of the proposed flat units. An excess GIA could compensate for a lack of private amenity space for the 1-bedroom units though the family sized units must comply with DMD9. Further detailed plans could be ensured though 'reserved matters' subject to all other aspects being considered acceptable.

<b>Unit</b>	<b>Proposed amenity space (sqm)</b>	<b>Required amenity space (sqm)</b>
Flat 1- 3 bedroom	8.5	7 – 9 (depending on no. of bedrooms and person occupancy)
Flat 2- 1 bedroom	0 provided on outline plans	5
Flat 3 - 3 bedroom	6.5	7 – 9
Flat 4 - 2 bedroom	Not attainable from outline plans	6 – 7
Flat 5 – 3 bedroom	7.5	7 – 9
Flat 6 – 3 bedroom	Not attainable from outline plans	7 – 9
Flat 7 – 2 bedroom	7.5	6 – 7
Flat 8 – 1 bedroom	Not attainable from outline plans	5
Flat 9 – 1 bedroom	Not attainable from outline plans	5

### Residential Amenity

- 9.31 Policy DMD 8 states that new developments should preserve amenity of neighbouring properties in terms of daylight, sunlight, outlook, privacy, overlooking, noise and disturbance. The submission does not contain a daylight and sunlight analysis however it is acknowledged that the full application ref: 21/02546/FUL for the redevelopment of site and erection of a 2/3 storey block of 14 flats together with

landscaping and parking does contain a submitted daylight and sunlight assessment with all units complying with the ADF and BREEM guidelines.

- 9.32 No concerns around overlooking or loss of privacy are anticipated to the units on ground floor. Detailed plans showing window placement and confirmation of primary and secondary window placement for the upper floor units should be provided by means of 'reserved matters' to allow the LPA to assess whether any overlooking or loss of privacy would result to the neighbouring occupiers of Kingsdale Court and Amara Lodge. No sense of enclosure or outlook concerns are anticipated.

#### Access, Parking & Traffic Generation

- 9.33 London Plan Policy T1 sets a strategic target of 80% (75% in Enfield) of all trips in London to be by foot, cycle or public transport by 2041 and requires all development to make the most effective use of land. Policy T5 encourages cycling and sets out cycle parking standards. Policies T6 and T6.1 to T6.5 set out car parking standards.
- 9.34 Policy DMD47 outlines that all development should make provision for attractive, safe, clearly defined and convenient routes and accesses for pedestrians, including those with disabilities. It states new accesses (and intensification of an existing access is subject to a similar assessment), will only be permitted where appropriate, safe and functional provision is made for refuse collection and any other service and delivery vehicles, emergency service vehicles and operational needs for existing residents.
- 9.35 A new enhanced vehicular access will be provided onto Cockfosters Road and no objection is raised to this by Transportation.
- 9.36 Under the London Plan Policy T6, the Mayor wishes to see an appropriate balance being struck between promoting new development and preventing excessive car parking provision that can undermine cycling, walking and public transport use.

*Car parking proposals will be considered against the standards set out in the London Plan and:*

- a. The scale and nature of the development*
- b. The public transport accessibility (PTAL) of the site;*
- c. Existing parking pressures in the locality;*
- d. Accessibility to local amenities, and the needs of the future occupants of the developments.*

- 9.37 13 vehicle parking spaces are proposed, and this is considered an acceptable provision given the low PTAL. It is noted that 2xspaces have active charging points and remainder will have passive charging points. This meets London Plan requirements. A segregated pedestrian path is proposed through the site from a separate pedestrian access from Cockfosters Road. This is an acceptable arrangement. A proposed refuse store is located close to the footway and meets Manual for Streets guidance as to the appropriate distance to locate refuse stores. The proposed development including the provision of gates makes appropriate provision for access having due regard to DMD Policies 8, 45 and 46 and London Plan Policy T6.9.6.1

#### Cycle provision

- 9.38 Policy T5 (Cycle Parking) of the London Plan expects a minimum cycle provision for developments of 1 space per studio/1-bedroom dwelling, 1.5 spaces per 2-bedroom dwelling and 2 spaces per all other dwellings. A total of 93 cycle parking spaces are

proposed, comprising 89 long stay spaces and 4 short stay spaces. These amounts are in accordance with London Plan standards. The proposed layout is not optimum and subject to approval being given a condition would be applied to review the siting and layout.

#### Refuse/serving

- 9.39 Standard 22 of the adopted London Plan Housing SPD (2016) expects “communal refuse and recycling containers, communal bin enclosures and refuse and recycling stores should be easily accessible to all residents including children and wheelchair users, and located on a hard, level surface”.
- 9.40 The refuse storage would be located within Blocks A and B at ground floor and fully accessible to refuse operatives to collect. A mix of 1100L (refuse) and 1280L (recycling) bins would be provided with appropriate segregation. Each refuse bin can serve four (4) flats. As part of the recommendation a refuse operational management document would be required to secure additional details pertaining to the locking mechanism and the presentation and collection of refuse.

#### Traffic Generation

- 9.41 The quantum of trips to the site would increase but the transport officer has no concerns regarding network capacity impacts. The different modes of transport used to formulate the modelling of the transport statement have not followed local census data, albeit the transport officer does not object to the increased vehicle movements. The increased trip generation would not be harmful to the highway integrity or other road users.

#### Trees

- 9.42 There are a total of 38 trees and eight (8) groups of trees which have been categorised within or immediately adjacent the site. There are some 3 trees on the site frontage. Category C (Low value) trees include G1, G2, T6, T11, T12, T13, T18 & T19 and are all of small stature or relatively poor condition
- 9.43 Policy DMD 80 stipulates that *all development including subsidiary or enabling works that involve the loss of or harm to trees covered by Tree Preservation Orders, or trees of significant amenity or biodiversity value, will be refused. Where there are exceptional circumstances to support the removal of such trees, adequate replacement must be provided. All development and demolition must comply with established good practice, guidelines and legislation for the retention and protection of trees. Proposals must:*
- a. *Retain and protect trees of amenity and biodiversity value on the site and in adjacent sites that may be affected by the proposals.*
  - b. *Ensure that the future long term health and amenity value of the trees is not harmed;*
  - c. *Provide adequate separation between the built form and the trees including having regard to shading caused by trees and buildings.*
- 9.44 London Plan Policy G7 states
- A *London’s urban forest and woodlands should be protected and maintained, and new trees and woodlands should be planted in appropriate locations in order to increase the extent of London’s urban forest – the area of London under the canopy of trees.*
- B *In their Development Plans, boroughs should:*

- 1) protect 'veteran' trees and ancient woodland where these are not already part of a protected site<sup>139</sup>
- 2) identify opportunities for tree planting in strategic locations.

C Development proposals should ensure that, wherever possible, existing trees of value are retained.<sup>140</sup> If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or another appropriate valuation system. The planting of additional trees should generally be included in new developments – particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy

- 9.45 Submitted plans and documents include an Arboricultural report which outlines TPO coverage across the site and assesses the relationship of the development to the retained trees. All retained trees will be protected during development by using fencing and/or ground protection.
- 9.46 Category B (Moderate value) trees T1, T2, T3, T4 and T16) can be retained through the adoption of appropriate precautionary or specially engineered solutions. It is considered that this can be implemented without any long-term detrimental impact on tree health, with the detail to be agreed as part of a planning condition (Arboricultural Method Statement).
- 9.47 The Council's Tree Officer raises no objection to the submitted trees report, mitigation measures or impacts to Trees / roots on site as per DMD 80 and Policy G7 of the London Plan .

## **10. Sustainable Drainage and Water Infrastructure**

- 10.1 The site is located within Flood Zone 1 – meaning the site has a low probability of flooding from rivers and sea. It is not subject to flood risk and has limited drainage and flood risk constraints. The applicant has submitted a Flood Risk Assessment (FRA) and Drainage strategy (Prepared By TPA, dated December 2021, Ref FRA01 Rev D) to address the drainage implications of the development.
- 10.2 The application has been subject to lengthy discussions and negotiations in respect of water management. The Council's LLFA Officer remains concerned that the applicant should provide an updated FRA prior to consideration by Committee Members. LLFA Officers also consider the applicant should make greater efforts to secure the naturalisation of the culvert which runs along the site boundary.
- 10.3 Policy SI 12 of the London Plan 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. The proposal is therefore considered to be acceptable with reference to Core Strategy Policies CP21, CP28 and CP29 and Development Management Document Policies DMD59 – DMD63.
- 10.4 Following a review by the Council's LLFA Officers, there are no objections to the details submitted. It is considered however that as part of a detailed landscape plan additional information shall be requested by way of condition to increase sustainable

green drainage on site and consider the feasibility of naturalising the ditch to the south-east of the Application Site boundary.

- 10.5 Thames Water have confirmed subject to adherence to the sequential approach to the disposal of surface water they would have no objection. On the basis of information provided, Thames Water would advise that with regard to water network infrastructure capacity, there are no objections.

## **11.0 Biodiversity**

- 11.1 Policy G6 of the London Plan states “development proposals should manage impacts on biodiversity and aim to secure biodiversity net gain. This should be informed by the best available ecological information and addressed from the start of the development process”. The applicant has not submitted a BNG report and because of the fact the proposed blocks would be built on broadly the existing two buildings footprint, there would be no identified loss of biodiversity.
- 11.2 Existing open spaces within the existing site comprise hardstanding and lawn – with low on-site biodiversity value. The proposals include an eco-edge – with increased biodiversity value
- 11.3 Further details would be required as part of any landscaping reserved matters application.

## **12.0 Social Benefits**

- 12.1 It is recognised that development of this nature alongside the delivery of new home, can have social benefits in the form of new employment opportunities for local people. While this would not have significant weight especially in a scheme of this nature, when applying planning balance to the assessment of the proposed development, this contribution is considered a positive benefit in favour of the development

## **13.0 Community Infrastructure Levy**

### Mayoral CIL

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

### Enfield CIL

- 13.2 The Council introduced its own CIL on 1 April 2016. The money collected from the levy (Regulation 123 Infrastructure List) will fund rail and causeway infrastructure for Meridian Water and other projects in the borough. Enfield has identified three residential charging zones. The site falls within Enfield’s Lower Rate Eastern Zone (£40/sqm) – so a potential contribution of approximately £118,192.00 would be calculated (without Social Housing CIL Relief). The figure would be lower if relief was applied. Figures are approximate at this time.
- 13.3 All figures above are subject to the BCIS figure for CIL liable developments at time of CIL processing.

## **14. Public Sector Equalities Duty**

14.1 Under the Public Sector Equalities Duty, an equalities impact assessment has been undertaken. It is considered the proposal would not disadvantage people who share one of the different nine protected characteristics as defined by the Equality Act 2010 compared to those who do not have those characteristics.

## **15. Conclusion**

15.1 The starting point for the determination of any planning application is the development plan. Paragraph 11(d) of the NPPF, states that planning permission should be granted unless “the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed”.

15.2 The Government prescribes a “tilted balance” in favour of housing delivery to the Council’s planning decision-making as a result of Enfield’s current inability to demonstrate a 5-year housing land supply as well as the Council’s shortfall in meeting housing delivery targets. This means that applications for new homes should be given greater weight, and Councils should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the housing proposal. Officers consider that the adverse impacts of the scheme, are not sufficient to significantly and demonstrably outweigh the benefits of the proposed housing.

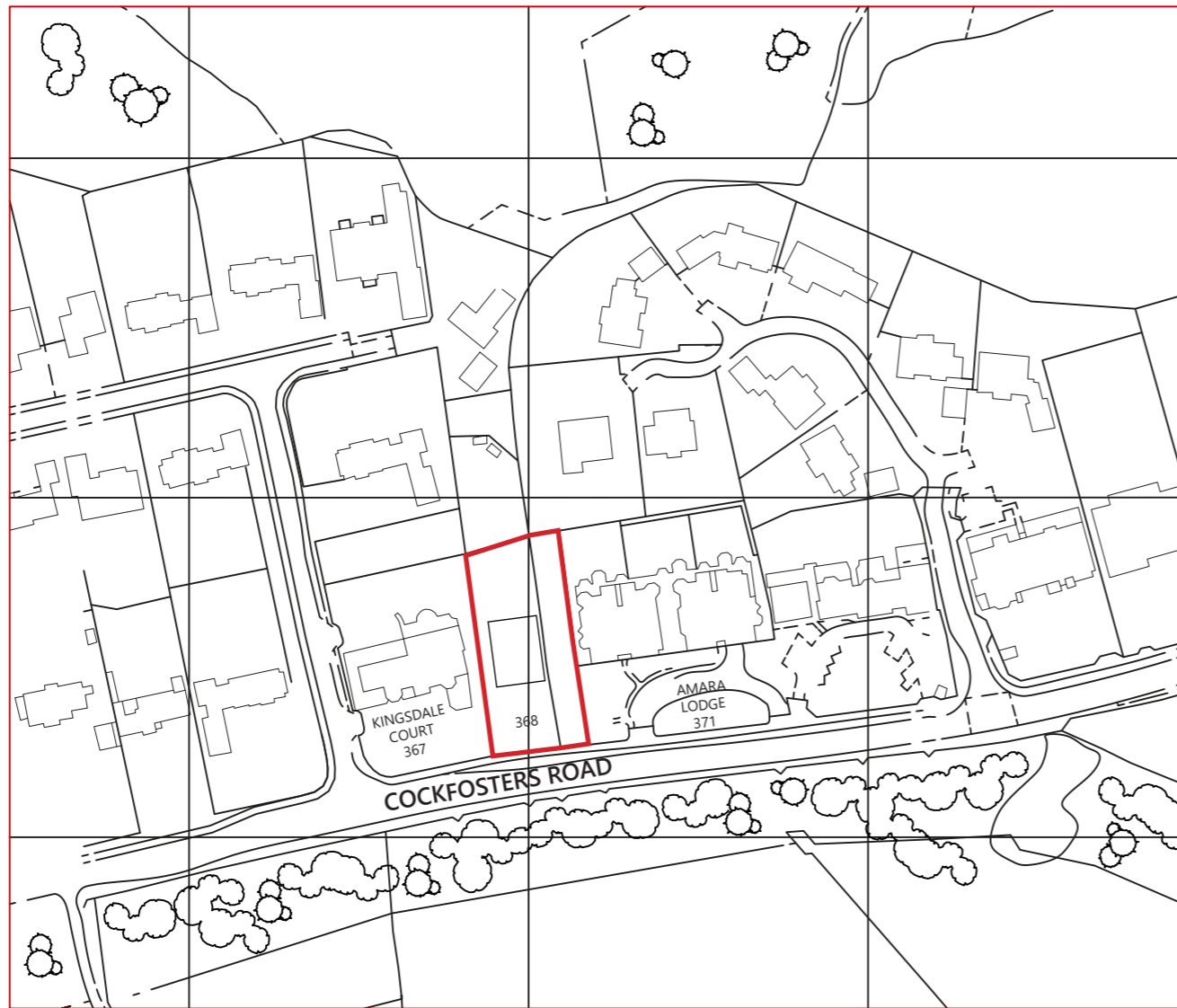
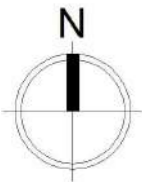
15.3 It is recognised that sites such as this need to be optimised in order to minimise encroachment into the Borough’s Green Belt and protected Strategic Industrial Locations. It is considered that the social benefits, both in respect of the provision of high-quality new housing stock and other spatial and environmental enhancements carry significant weight in favour of the proposed development.

15.4 Having regard to the assessment in this report, the development would provide 9 new homes which would be consistent with the thrust of national planning policy and the development plan to optimise development on smaller sites and increase the delivery of new homes. Adverse impacts are not considered to significantly and demonstrably outweigh the scheme’s proposed benefits, when assessed against the policies in the NPPF, when taken as a whole.

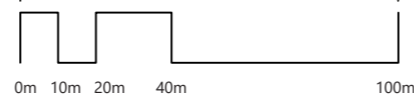
15.5 It is acknowledged and recognised throughout this report, that consideration of this proposal has involved finely balanced judgements in order to optimise the development potential of this sustainable brownfield site and thus contribute to the Borough’s challenging housing targets. It is recognised that sites such as this need to be optimised in order to minimise encroachment into the Borough’s Green Belt and protected SIL. It is considered that the social benefits, in terms of providing high-quality new housing stock carries significant weight in favour of the proposed development. Further economic and social benefits include employment during construction, as well as the continued and improved use of local services and facilities.

14.6 Overall and giving weight to the need for development which provide new homes, it is concluded that the development for reasons set-out within this report, accords with the development plan as a whole. Subject to the appropriate mitigations as set out within the recommended condition schedule, the application is recommended for approval.





368 COCKFOSTERS ROAD, HADLEY WOOD  
Street Elevation



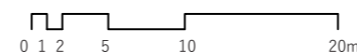
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367  
KINGSDALE COURT

368  
PROPOSED ELEVATION TO  
COCKFOSTERS ROAD

371  
AMARA LODGE



1:500 @ A3

PROJECT:

368 Cockfosters Rd  
Hadley Wood  
Barnet  
EN4 0JT

TITLE:

Proposed  
redevelopment of  
house with 9x  
apartments

SCALE:

1:2000 and 1:500 @A3

DATE:

06/06/2022

DRWG. No.

C R: SP: PE: 001C

**NICON HOUSE**

45 SILVER STREET  
ENFIELD, EN1 3EF  
TEL: 020 8363 8366  
FAX: 020 8367 7841



BUILDING ELEVATION FROM COCKFOSTERS ROAD  
EAST FACADE



1:100 @A3

PROJECT:

368 Cockfosters Rd  
Hadley Wood  
Barnet  
EN4 0JT

TITLE:

Proposed  
redevelopment of  
house with 9x  
apartments

SCALE:

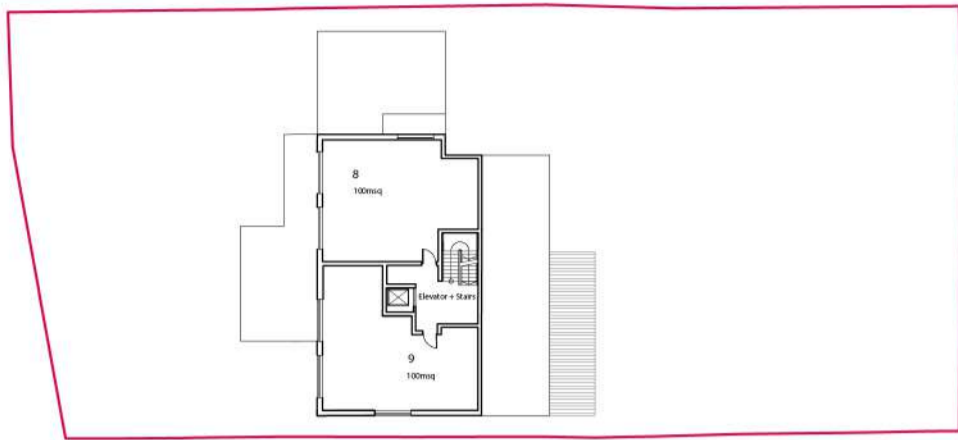
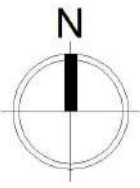
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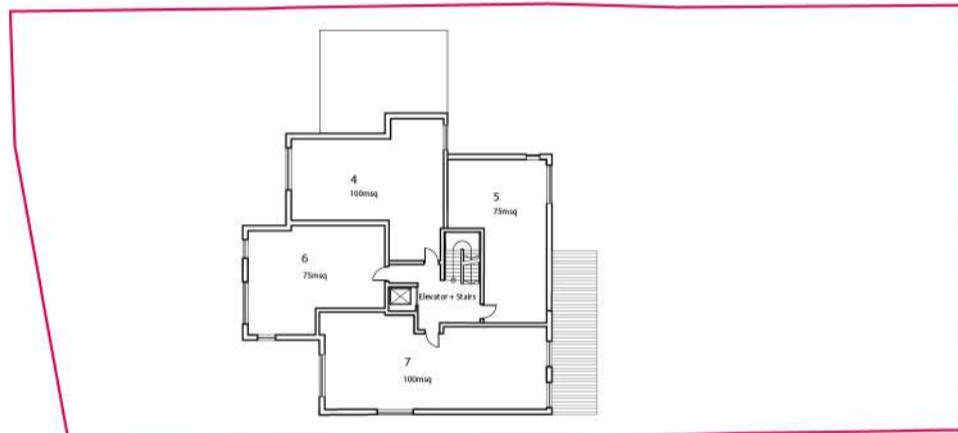
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DRWG. No.  
C R: P E: 002C

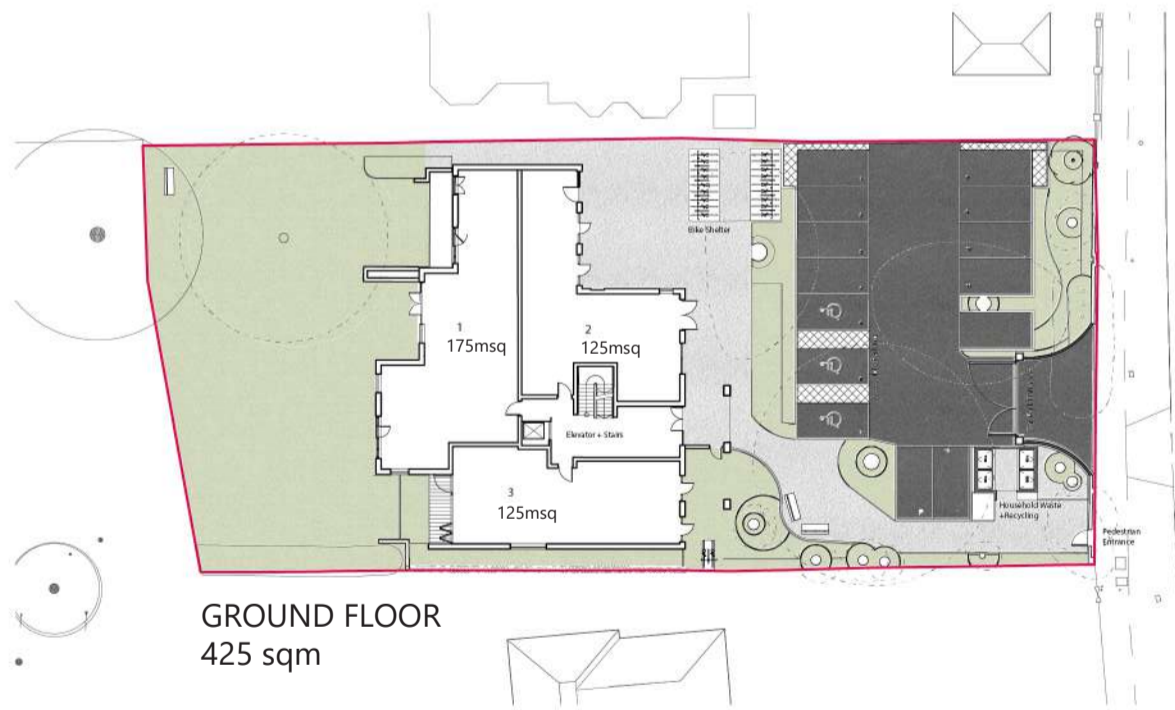
**NICON HOUSE**  
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2ND FLOOR  
200 sqm



1ST FLOOR  
350 sqm







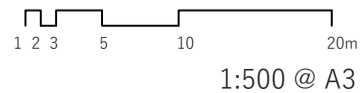
GROUND FLOOR  
425 sqm

COCKFOSTERS ROAD

**KEY**

- ① THREE BEDROOMS
- ② ONE BEDROOM
- ③ THREE BEDROOMS
- ④ TWO BEDROOM
- ⑤ THREE BEDROOMS
- ⑥ THREE BEDROOMS
- ⑦ TWO BEDROOMS
- ⑧ ONE BEDROOM
- ⑨ ONE BEDROOM

-  BALCONY
-  INDICATIVE TREE CROWN SPREAD
-  ACCESSIBLE PARKING
-  ELECTRIC VEHICLES PARKING



PROJECT:

368 Cockfosters Rd  
Hadley Wood  
Barnet  
EN4 0JT

TITLE:

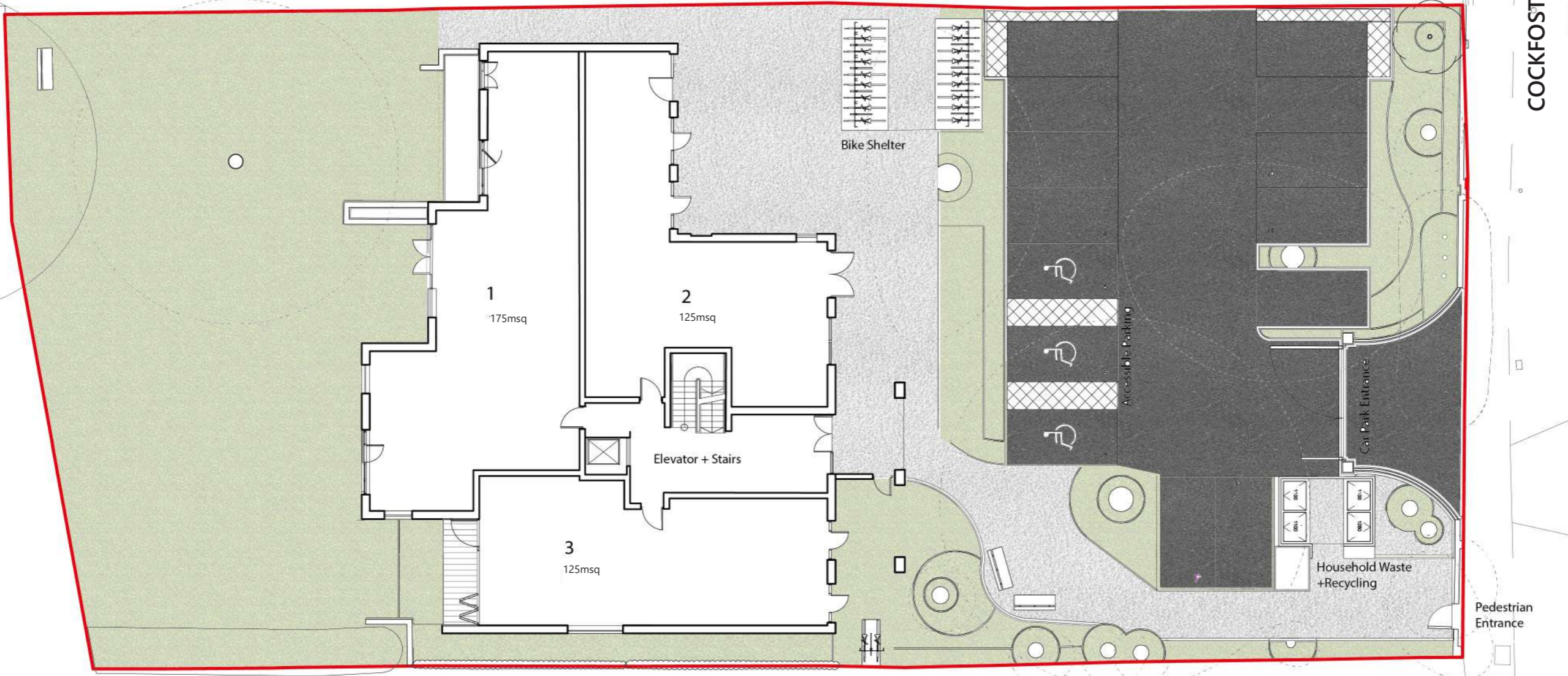
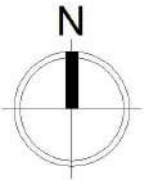
Proposed  
redevelopment of  
house with 9x  
apartments

SCALE:  
1:500 @ A3

DATE:  
06/06/2022

DRWG. No.  
C R: P P: 003C

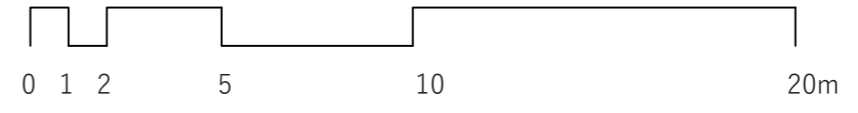
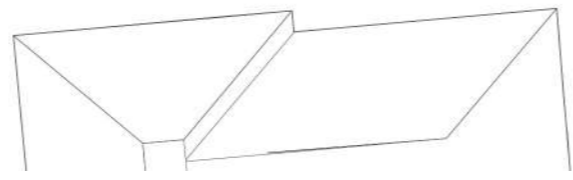
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COCKFOSTERS ROAD

**GROUND FLOOR**  
425 sqm

KEY	
①	THREE BEDROOMS
②	ONE BEDROOM
③	THREE BEDROOMS
	BALCONY
	INDICATIVE TREE CROWN SPREAD
	ACCESSIBLE PARKING
	ELECTRIC VEHICLES PARKING



1:200 @ A3

PROJECT:  
368 Cockfosters Rd  
Hadley Wood  
Barnet  
EN4 0JT

TITLE:  
Proposed  
redevelopment of  
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apartments

SCALE:  
1:200 @ A3

DATE:  
06/06/2022

DRWG. No.  
C R: P GP: 00C

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