

PLANNING GRANTED



Mrs Francis Caldwell
The Old Coalhouse
28A Rosamond Road
Bedford
MK40 3SS

Please reply to: Ms Kate Perry
Email: Development.control@enfield.gov.uk
My ref: 21/04020/FUL
Date: 22 February 2024

Dear Sir/Madam

In accordance with the provisions of the Town and Country Planning Act, 1990 and the Orders made thereunder, and with regard to your application at:

LOCATION: Commercial Premises 179 Hertford Road Enfield EN3 5JH
REFERENCE: 21/04020/FUL
PROPOSAL: Redevelopment of site and erection of 6 storey building with basement level to provide 38 self contained residential units (C3) and 2 commercial units on the ground floor.

ENFIELD COUNCIL, as the Local Planning Authority, give you notice that the application, as described above, is **GRANTED**, subject to the following conditions:-

1 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the decision notice.

Reason: To comply with the provisions of S.51 of the Planning & Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents;

Drw No: EDS 07-0102.01 Rev C (sheets 1 &2)
Drw No: 200017-3DR-ZZ-ZZ-DR-A-08012 Rev 7
Drw No: 200017-3DR-ZZ-ZZ-DR-A-08040 Rev 7
Drw No: 200017-3DR-ZZ-ZZ-DR-A-08020 Rev 5
Drw No: 200017-3DR-ZZ-ZZ-DR-A-08003 Rev 2
Drw No: 200017-3DR-ZZ-ZZ-DR-A-08001 Rev 1

Brett Leahy
Director, Planning & Growth
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY

www.enfield.gov.uk

? If you need this document in another language or format, contact the service using the details above.

Drw No: 200017-3DR-ZZ-ZZ-DR-A-08000 Rev 2
 Drw No: 200017-3DR-ZZ-ZZ-DR-A-08900 Rev 2
 Drw No: 200017-3DR-ZZ-ZZ-DR-A-08004
 Drw No: 200017-3DR-ZZ-ZZ-DR-A-08002 Rev 2
 Drw No: 200017-3DR-ZZ-ZZ-DR-A-08025 Rev 5
 Drw No: 200017-3DR-ZZ-ZZ-DR-A-08013 Rev 7
 Drw No: 200017-3DR-ZZ-ZZ-DR-A-08021 Rev 5
 Drw No: 200017-3DR-ZZ-ZZ-DR-A-08015 Rev 7
 Drw No: 200017-3DR-ZZ-ZZ-DR-A-08010 Rev 2
 Drw No: 200017-3DR-ZZ-ZZ-DR-A-08011 Rev 12
 Drw No: 200017-3DR-ZZ-ZZ-DR-A-08014 Rev 3
 Response document p.1-p.19 dated June 2022 by 3D Reid
 Design & Access Statement October 2021 by 3D Reid
 Car Club Report
 Landscaping strategy
 Planting Plan Rev 3 by OLA Landscape Architecture and Garden Design
 Rear View
 Top View
 Flood Risk and Drainage Report by RAB: 2803FRD dated 18/10/2021
 Flood Risk and Drainage Report Appendices 1
 Flood Risk and Drainage Report Appendices 2
 External Lighting Report by The Engineering Workshop LLP dated 18th October 2021
 Fire Strategy Report by Ashton Fire Issue 03 dated 15th October 2021
 Framework Travel Plan by Tetra Tech Engineering Limited 784-B031639 October 2021
 Health Impact Assessment 1032889 Rev B dated 19 October 2021
 Marketing Report by Stimpsons Eves Ref: GF/ta/SE867 dated 30th September 2021
 Noise Assessment by LFAcoustics 15 October 2021
 Refuse Collection Strategy 784-B031639 by Tetra Tech Engineering Limited October 2021
 Daylight and Sunlight Report October 2021 issue 1
 Sustainability and Energy Report Ref: 2127-TEW-RP-MEP-179 Report S0-P02 dated 8th October 2021
 Heritage Statement by Aragon Land and Planning Ltd ALP/20/012
 Planning Statement by Aragon Land and Planning Ltd ALP/20/012
 Transport Statement part 1 (784-B031639) by Tetra Tech Engineering Limited
 Transport Statement part 2 by Tetra Tech Engineering Limited
 Transport Statement part 3 by Tetra Tech Engineering Limited
 Revised Parking update Statement by Aragon Land and Planning Ltd ALP/20/012

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

3 No development above existing ground level shall commence until details of the external finishing materials to be used have been submitted to and approved in writing by the Local Planning Authority. A schedule of materials and their use in the approved scheme is required and samples made available on site. A photograph showing all samples to be inspected must be submitted. Details of all windows and doors at a scale of 1:10, including window reveals, must be included. The development shall be constructed in accordance with the approved details

Reason: To ensure a satisfactory external appearance.

4 No development above existing ground level shall commence until details of the surfacing materials to be used within the development including footpaths, access roads and parking areas and road markings have been submitted to and approved in writing by the Local Planning Authority. The surfacing shall be carried out in accordance with the approved detail before the development is occupied or use commences.

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

5 The development shall not commence until details of a landscaping plan detailing trees, shrubs and grass to be planted, details and specifications of any areas of green roof, the treatment of any hard-surfaced amenity areas, seating, and play space has been submitted to and approved in writing by the Local Planning Authority. The plan shall include a landscaping management plan so as to ensure the plantings are appropriately maintained. 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.

6 The development shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The construction management plan shall contain:

- a. arrangements for wheel cleaning and dust suppression;
- b. arrangements for the storage of materials;
- c. hours of work;
- d. arrangements for the securing of the site during construction;
- e. the arrangement for the parking of contractors' vehicles clear of the highway.
- f. the siting and design of any ancillary structures.
- g. A Construction Management Plan written in accordance with the 'London Best Practice Guidance: The control of dust and emission from construction and demolition'. The development shall be carried out in accordance with the approved Construction Methodology unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the implementation of the development does not lead to damage to the existing highway and to minimise disruption to neighbouring properties and the environment.

7 The undercroft parking area forming part of the development hereby approved shall not be used by customers associated with the commercial units, and shall be laid out and completed prior to first occupation of any of the residential units.

Reason: To ensure that the development complies with Development Plan Policies and to promote highway safety.

8 No development above existing ground level shall commence until details of any external lighting proposed have been submitted to and approved in writing by the Local Planning Authority. The approved external lighting shall be provided before the development is occupied.

Reason: To ensure that the development does not prejudice the amenities of adjoining occupiers and / or the visual amenities of the surrounding area.

9 The development shall be carried out in accordance with the submitted Energy Statement prepared by ERS providing for no less than 35% improvement in total CO2 emissions arising from the operation of a development and its services over Part L of Building Regulations 2010. The location and specification of the Low and Zero Carbon Technologies (including any renewable technologies), with details of ongoing servicing and maintenance strategy shall be submitted to and approved by the Local Planning Authority prior to installation. The development shall be carried out strictly in accordance with the details so approved, and all Low and Zero Carbon Technology shall be operational prior to occupation.

In the event that it is demonstrated to the Local Planning Authority that it is not technically feasible and economically viable to achieve no less than a 35% improvement in total CO2 emissions over Part L of Building Regs 2013, a financial contribution shall be made to off-set the identified short fall in accordance with the formula set out in the S106 Supplementary Planning Document dated November 2016.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets are met in accordance with Policy CP20 of the Core Strategy, Policy SI 2 of the London Plan 2021 and the NPPF.

10 The approved cycle storage shall be provided prior to first occupation of the development and permanently maintained, kept free from obstruction, and available for the parking of cycles only thereafter.

Reason: To provide secure cycle storage facilities free from obstruction in the interest of promoting sustainable travel.

11 (a) Prior to the commencement of development, a ground investigation survey shall be undertaken. Such investigation shall include an assessment of the extent of contamination and the measures to be taken to avoid risk to health and the environment. This shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing.

(b) Remediation shall be carried out in accordance with the approved scheme and the Local Planning Authority provided with a written warranty by the appointed specialist to confirm implementation prior to the occupation of development.

In the event that any contamination is found during development of the site that was not previously identified it shall be reported in writing within 3 days to the Local Planning Authority. Development must be halted on the affected part of the site. A geotechnical assessment of the affected areas shall be undertaken and where necessary an additional remediation scheme, together with a timetable for its implementation, shall be submitted to and approved in writing by the Local Planning Authority. The measures in the additional remediation scheme must then be implemented in accordance with the approved timetable.

Reason: To minimise the risk of pollution to the local environment given the potential for contamination on the site.

12 Prior to commencement of the development, details of siting, type and design of plugs, the energy sources and the strategy/management plan of supplying and maintaining 20% active and 20% passive electric charging points shall be provided in accordance with London Plan standards to the Local Planning Authority for approval in writing. All electric charging points shall be installed in accordance with the approved details prior to occupation of any of the units and permanently maintained and retained thereafter.

Reason: To ensure that the development complies with sustainable development Policy requirements of the adopted London Plan 2021.

13 Prior to commencement of the development further details of the front service road/slip road, including surfacing materials, details of pedestrian crossing facilities and dropped kerbs with tactile paving of at least 2m widths at both ends of the service road, shall be submitted to and approved in writing by the Local Planning Authority. The service road shall be installed in accordance with the approved details prior to occupation and permanently maintained and retained, or in accordance with an alternative timescale to be agreed in writing with the Local Planning Authority.

Reason: To ensure that the development complies with highway safety and provides appropriate access for pedestrians and other road users in accordance with requirements of Policy 47 of the DMD and the London Plan 2021.

14 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been

submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

15 Prior to the occupation of the development, a Travel Plan in accordance with 'Travel Plan Development Control Guidance' issued by Transport for London shall be submitted to and approved in

writing by the Local Planning Authority and thereafter the development shall operate in accordance with the agreed details.

Reason: In the interests of sustainability and to ensure that traffic generated from the site is minimised.

16 No pipes or vents (including gas mains and boiler flues) shall be constructed on the external elevations unless they have first been submitted to the Local Planning Authority and approved in writing. Any pipes and vents shall be installed as approved.

Reason: Such works would detract from the appearance of the building and would be detrimental to the visual amenities of the locality.

17 Prior to installation details of the acoustic performance of any plant and an appropriate scheme of noise mitigation shall be submitted to and agreed in writing by the Local Planning.

Reason: To ensure acceptable residential amenity.

18 Not less than 10% of residential units hereby approved shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) and the remainder shall meet easily accessible/adaptable standards (Building Regulations M4(2)).

Reason: To ensure suitable facilities for disabled users and to future proof homes.

19 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>

Reason: To protect local amenity and air quality in accordance with DMD 65 and Policy SI 1 of the London Plan 2021.

20 The development shall be constructed/adapted so as to provide sufficient air-borne and structure-borne sound insulation against externally generated noise and vibration. This sound insulation shall ensure that the level of noise generated from external sources shall be no higher than 35 dB(A) from 7am - 11pm in bedrooms, living rooms and dining rooms and 30 dB(A) in bedrooms from 11pm - 7am measured as a LAeq,T. The LAF Max shall not exceed 45dB in bedrooms 11pm - 7am. A scheme for mitigation measures shall be submitted to and approved by the Local Planning Authority prior to development taking place. The scheme of mitigation shall include mechanical ventilation where the internal noise levels exceed those stated in BS8233: 2014 with the windows

open. The approved mitigation scheme shall be implemented in its entirety before any of the units are occupied/the use commences.

Reason: To protect future residents from noise and disturbance.

21 Evidence confirming that the development achieves a BREEAM (2014 version or relevant equivalent if this is replaced or superseded) rating of no less than 'Excellent' shall be submitted to and approved in writing by the Local Planning Authority. The evidence required shall be provided in the following formats and at the following times:

- a. A design stage assessment, conducted by an accredited Code / BREEAM Assessor and supported by relevant BRE interim certificates for each of the units, shall be submitted at pre-construction stage within 3 months of commencement of superstructure works on site; and,
- b. A post construction assessment, conducted by an accredited Code / BREEAM Assessor and supported by relevant BRE accreditation certificates for each of the units, shall be submitted following the practical completion of the development and within 3 months of first occupation.

In the event that the development cannot achieve a BREEAM 'Excellent', detailed evidence must be submitted to and approved in writing by the Local Planning

Authority and supported by a schedule of enhanced sustainability measures to be implemented on the site. If it can be demonstrated that the development cannot achieve a BREEAM 'Excellent' then the development must achieve no less than a 'Very Good' and certification of the same must be provided in accordance with parts

(a) and (b) of this condition.

The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior approval of the Local Planning Authority.

Reason: In the interests of addressing climate change and to secure sustainable development in accordance with the strategic objectives of the Council including Policy DMD50 of the DMD and Policy SI 5 of The London Plan 2021 as well as the NPPF.

22 The development shall not commence until an undertaking to meet with best practice under the Considerate Constructors Scheme and achieve formal certification has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the implementation of the development does not adversely impact on the surrounding area and to minimise disruption to neighbouring properties.

23 Prior to the occupation of the development, details of the internal consumption of potable water shall be submitted to and approved in writing by the Local Planning Authority. Submitted details will demonstrate reduced water consumption through the use of water efficient fittings, appliances and recycling systems to show consumption equal to or less than 80 litres per person per day unless it can be demonstrated to the Local Planning Authority that it is not technically feasible to do so.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: To promote water conservation and efficiency measures in all new developments and where possible in the retrofitting of existing stock in accordance with Policy CP21 of the Core Strategy, DMD58 of the Development Management Document and Policy SI 5 of the London Plan.

- 24 Notwithstanding the details set out in the submitted Flood Risk and Drainage Report by RAB: 2803FRD dated 18/10/2021, prior to the commencement of any construction work, details of the Sustainable Drainage Strategy shall be submitted to and approved in writing by the Local Planning Authority and must conform with the Landscaping Strategy. The details submitted shall include:
- o Sizes, storage volumes, cross-sections, and specifications of all the source control SuDS measures including green roofs, permeable paving, and rain gardens/ rain planters. Where appropriate, details and locations of RWPs discharging onto permeable paving
 - o Information on the overflow mechanism discharging to the surface sewer. The runoff rate should achieve greenfield runoff rates for 1 in 1 year and 1 in 100 year storm events (with the allowance of climate change) OR Qbar
 - o A Management Plan for future maintenance

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, DMD 61, and Policies SI 12 and SI 13 of the London Plan 2021 and the NPPF.

- 25 Prior to occupation of the development, a Verification Report demonstrating that the approved drainage / SuDS measures have been fully implemented shall be submitted to the Local Planning Authority for approval in writing. This report must include:
- o As built drawings of the sustainable drainage systems including level information (if appropriate)
 - o Photographs of the completed sustainable drainage systems
 - o Any relevant certificates from manufacturers/ suppliers of any drainage features
 - o A confirmation statement of the above signed by a chartered engineer

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, DMD 61, Policy SI 13 of the London Plan 2021 and the NPPF.

- 26 Prior to the commencement of the development hereby approved (including all preparatory work and groundwork), a scheme for the protection of the retained trees outside the site, in accordance with BS5837 (2012) including a tree protection plan (TPP) and an Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. Specific issues to be dealt with in the TPP and AMS shall include but are not limited to the following:

- a) Location and installation of services/ utilities/ drainage.

- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees
- c) Details of construction within the RPA or that may impact on the retained trees
- d) Tree protection during construction indicated on a TPP (including monitoring) and construction activities clearly identified as prohibited in this area.
- e) Boundary treatments within the RPA
- f) Methodology and detailed assessment of root pruning
- g) Arboricultural site supervision measures
- h) The method of protection for the retained trees

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies and to ensure the retention of, and avoid damage to, the retained tree.

Dated: 22 February 2024

Under the provisions of S106 of the Town and Country Planning Act 1990, this decision is subject to the terms of a LEGAL AGREEMENT DATED 21 December 2023

Authorised on behalf of:

Karen Page
Head of Planning and Building Control
Housing, Regeneration and Development Department
Enfield Council
PO Box 53, Civic Centre
Silver Street, Enfield
EN1 3XE

If you have any questions about this decision, please contact the planning officer
kate.perry@enfield.gov.uk.

List of plans and documents referred to in this Notice:

Title/Number	Version

Additional Information

NOTE(S)

1. Your attention is particularly drawn to the rights of applicant's aggrieved by this decision, which are set out at the end of this notice.
2. This decision does not purport to convey any approval or consent which may be required under Building Regulations or any other statutory purpose.
3. Obtaining consent for development is the first stage and you may need to apply to the Council for additional matters. Your attention is drawn to the next steps information provided below.

NEXT STEPS:

Conditions attached to this notice which require approval by the Local Planning Authority will need to be submitted on a form available at www.planningportal.co.uk/planning/planning-applications/consent-types/approval-discharge-of-conditions. Discharge of conditions applications are generally subject to a fee.

If your proposal is liable for the Community Infrastructure Levy (CIL) you will need to submit Form 2: Assumption of Liability and CIL Form 6: Commencement Notice to CIL@enfield.gov.uk. Forms are available at www.planningportal.co.uk/planning/policy-and-legislation/CIL/download-the-forms.

For more information about making a Building Regulations application, please contact Enfield Council Building Control Team by email building.control@enfield.gov.uk, or see our website at [Building control | Enfield Council](#)

If this permission relates to developing a new property, you will need to apply to Street and building naming and numbering. Further details on how to apply can be found at <https://www.enfield.gov.uk/services/planning/street-naming-and-numbering>

APPEAL GUIDANCE:

Should you (an applicant or agent) feel aggrieved by the decision of the Council to either refuse permission or to grant permission subject to conditions, you can appeal to the Secretary of State for the Department of Communities and Local Government – Sections 78 and 195 of the Town and Country Planning Act 1990 / Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Any such appeal must be made within the relevant timescale for the application types noted below, beginning with the date of the decision notice (unless an extended period has been agreed in writing with the Council):

- Six months: Full (excluding householder and minor commercial applications), listed building (including Certificate of Lawfulness in relation to a listed building), Section 73 'variation/removal', Section 73 'minor material amendment', extension of time and prior approval applications.
- 12 weeks: Householder planning, householder prior approval and minor commercial applications.
- 8 weeks: Advertisement consent applications
- No timescale: Certificate of lawful development (existing/proposed) applications.

Where an enforcement notice has been issued, the appeal period may be significantly reduced, subject to the following criteria:

- Where the development proposed by your application is the same or substantially the same as development that is the subject of an enforcement notice served within the last two years you must appeal within 28 days of the date of the application decision
- Where an enforcement notice is served on or after the decision date on your application relating to the same or substantially the same land and development as in your application and if you want to appeal against the Council's decision you are advised to appeal against the Enforcement Notice and to do so before the Effective date stated on the Enforcement Notice.

Appeals must be made using the prescribed form(s) of The Planning Inspectorate (PINS) obtained from <https://www.gov.uk/appeal-planning-decision> or by contacting 03034445000. The appeal must be sent to PINS. A copy must also be sent to the Council at planning.appeals@enfield.gov.uk.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are exceptional special circumstances. The Secretary of State can refuse to consider an appeal if the Council could not have granted planning permission for the proposed development or could not have granted without the conditions it imposed, having regard to the statutory requirements and provision of the Development Order and to any direction given under the Order. In practice it is uncommon for the Secretary of State to refuse to consider appeals solely because the Council based its decision on a direction given by the Secretary of State.

PURCHASE NOTICES:

If either the Local Planning Authority or the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render that land capable of a reasonable beneficial use by carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a Purchase Notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990