

INTRODUCTION

- 1.1 This appeal follows the refusal of the London Borough of Camden for my Client's scheme to redevelop the site for:

Demolition of building at 9A and partial demolition of 9 Hargrave Place and redevelopment of the site including a new 3 storey building to the rear; multiple storey rear extensions, basement extension, mansard roof addition and associated works to main building at 9; conversion of part of ground floor and upper floors from Public House (A4) to residential (C3) use and the creation of 5 residential flats (3x2 bed and 2x1 bed)

- 1.2 The proposals have been revised and refined following negotiation with Officer of the London Borough of Camden. The scheme has evolved positively to respond to the issues raised during stakeholder consultation and has been revised to incorporate comments received where considered appropriate.

2 SITE AND SURROUNDS

- 2.1 The site and surrounds, the local context and the area of search are all identified within the Design and Access Statement.
- 2.2 The site is located on a short cul-de-sac off Brecknock Road (A5200) in west Kentish Town. It is approximately 0.02ha in area and contains a Public House with associated residential accommodation. The building covers a total of 190 sq.m (GEA).
- 2.3 The Admiral Mann PH has been registered as an asset of community value (ground floor public areas only) but it is not located within a Conservation Area. The residential unit to the rear has been confirmed as lawful by the grant of an LDC.
- 2.4 The site is located on Hargrave Place which is a small cul-de-sac leading from Brecknock Road. Hargrave Place finishes at a gated entrance to Brecon Mews. Adjoining to the east of the site is the newly constructed scheme of 6 residential flats with ground floor commercial unit.

2.5 Opposite, to the north, is 2 Hargrave Place, a four storey residential and live/work building, 1-16 Landleys Field, a four storey residential building which forms part of a larger local authority housing estate. Set back to the west is another local authority housing estate. Immediately south of the property is Brecon Mews, comprising of three storey residential properties arranged around a parking area in a gated development, with access from Brecknock Road and passed the Admiral Mann PH off Hargrave Place.

3 THE PROPOSAL

3.1 The proposals involve the retaining and modernising of the existing Public House all in line with planning policy DP15, with the provision of residential on the upper floors and in the extended rear building.

3.2 The works proposed to the pub include:

- A fully accessible toilet has been proposed at ground floor level.
- Additional toilet accommodation will be added within an extended basement,
- The retention of the existing two bar service
- An increase in the tradeable floor area.

3.3 For the residential element:

- Utilising the existing core to access the upper floors
- adding an additional set back mansard roof level.
- Extending the pub building to the rear to of the rear
- Extend 9a upwards and outwards to facilitate an additional unit.
- Shared communal facilities to be provided on the ground floor.

4 LEGISLATION

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that: "If regard is to be had to the Development Plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

- 4.2 Section 38(5) of the Planning and Compulsory Purchase Act 2004 states that: "If to any extent a policy contained in a Development Plan for an area conflicts with another policy in the plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published (as the case may be)."
- 4.3 The Planning Act 2008 provides for an amendment to S39 of the Planning and Compulsory Purchase Act 2004, to identify neighbourhood plans as part of the Development Plan.
- 4.4 The enactment of the Planning Act 2008 provides for an amendment to S39 of the Planning and Compulsory Purchase Act 2004, to require LPA's, when complying with their S.39 duty to achieve sustainable development, to have regard (in particular) to the desirability of achieving good design.
- 4.5 Section 106 of the Town and Country Planning Act 1990 does not restrict the types of arrangements which can be entered into: relevant general provisions are that the s.106 obligation can be used for "restricting the development or use of the land in a specified way" (s.106(1)(a) and "requiring a sum or sums to be paid to the authority on a specified date or dates or periodically" (s.106(1)(d)).
- 4.6 The Community Infrastructure Levy Regulations 2010 prevents planning obligations being reasons to grant permission unless they are (1) necessary to make the development acceptable in planning terms, (2) directly related to the development, and (3) fairly and reasonably related in scale and kind to the development (regulation 122(2)).
- 4.7 S89(1) of the Localism Act 2011 states that land may only be included in a Local Authority's list in response to a community nomination.

5 PLANNING POLICY

National Planning Policy Framework

- 5.1 The 'introduction' of the Presumption in Favour of Sustainable Development ("the Presumption") in the NPPF is not a new concept to planning, but now takes on a much more prominent role. In the Foreword, Greg Clarke MP states:

“Sustainable development is about positive growth – making economic, environmental and social progress for this and future generations.” He continues: “Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision.

5.2 Firstly, commenting on the presumption itself. For decision making, it means (for sustainable development):

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be Restricted.

5.3 The Presumption is also caveated with “unless material considerations indicate otherwise” so given the very wide remit of what constitutes a material consideration, it remains with the decision maker to identify assess and apply any known considerations.

5.4 There are two other aspects to bear in mind. Firstly, the Presumption is for “sustainable development” only. This has a lengthy definition at paragraph 7, listing an economic role, social role and an environmental role as the three dimensions to the definition. However, clarity for decision makers is still lacking, and the three “roles” are bound to conflict with each other. In addition, somewhat unhelpfully, at paragraph 6, it states:

“The policies in paragraphs 18 to 219, taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system.”

5.5 The Applicant would commend the application scheme as being epitome of sustainable development.

5.6 Secondly, is the issue of when a development plan might be considered not to be “up-to-date”. This is specifically dealt with at paragraphs 211 to 216 in Annex 1. In short, for the 12 months following the publication of the NPPF, any local plan adopted after the 2004 Planning Act came into force will not be considered out of date as applied in this instance.

- 5.7 It is also important to consider the material change of policy brought about the introduction of the NPPF, and its considerations of heritage matters.
- 5.8 The NPPF maintains the spirit of the PPS and its predecessors in upholding the general principle that heritage assets should be "sustained" and "enhanced" for the benefits they bring to the community. There is a clear direction to local authorities in paragraph 126 that these general aspirations should be linked into a positive strategy for conservation within local plans.
- 5.9 The statutory development plan for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004 comprises:-
- The London Plan being the Spatial Development Strategy for Greater London adopted by the Mayor of London ('Mayor') in July 2011, hereinafter referred to as the London Plan. This is to be regarded as an up to date development plan to which significant weight should be accorded.
 - The Camden Core Strategy (Nov 2010)
 - The Camden Development Management Plan (Nov 2010)

The London Plan (Early Revision Oct 2103)

- 5.10 The London Plan is the statutory plan for London and sets out the strategic, citywide guidance for London, to which individual boroughs' planning policies are required to be in broad conformity. The original London Plan was published in 2004, and was revised in 2008 before being replaced this year.
- 5.11 In summary the London Plan sets out to:
- Meet the needs of a growing population with policy on new homes, including affordable housing, housing design and quality, and social infrastructure, which will promote diverse, happy and safe local communities;
 - Support an increase in London's development and employment with policy on: outer London, inner and central London; finding the best locations for development and regeneration, and

- protecting town centres; encouraging a connected economy and improving job opportunities for everyone, so that London maintains its success and competitiveness;
- Improve the environment and tackle climate change by: reducing CO2 emissions and heat loss from new developments; increasing renewable energy; managing flood risk, ensuring water supply and quality; improving sewerage systems; improving London's recycling performance and waste management; and protecting our open spaces making London a green and more pleasant place to live and visit;
- Ensure that London's transport is easy, safe and convenient for everyone and encourage cycling, walking and electric vehicles.

5.12 The Development Plan also requires regard to be had to the need to encourage, rather than restrain, residential development. Para 3.13 advises:

The Mayor is clear that London desperately needs more homes in order to promote opportunity and real choice for all Londoners, with a range of tenures that meets their diverse and changing needs and at prices they can afford

5.13 And this is then expressed in terms of Policy 3.3, where it states:

The Mayor recognizes the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford

5.14 It is surmised that the policy issues raised at Policy 3.4 (Optimising Housing Potential), 3.5 (Quality and Design in Developments) and Policy 3.8 (Housing Choice) are all relevant to the determination of the application.

5.15 The London Plan Policy 6.1 encourages the closer integration of transport and development by encouraging patterns of development that reduces the need to travel, especially by car, seeking to improve the capacity and accessibility of public transport, walking and cycling, supporting developments that generate high levels of trips only at locations with high levels of public transport accessibility and improving the interchange between different forms of transport.

5.16 At the strategic level adopted London Plan Policy 7.1 looks to ensure that adequate provision of social infrastructure and community facilities, in accord with the principles of a Lifetime Neighbourhood.

- 5.17 Core Strategy CS6 Development Policy DP2 (Making full use of Camden's capacity for housing) seeks to maximise the supply of additional homes in the Borough to meet housing targets. This is to be achieved by 'resisting *alternative development of sites considered particularly suitable for housing*'.
- 5.18 Policy DP5 (Homes of different sizes) states that the Council will contribute to the creation of mixed and inclusive communities by securing a range of self-contained homes of different sizes. The Council will seek to ensure that all residential development contributes to meeting the priorities set out in the Dwelling Size Priorities Table, including conversion of existing residential and non-residential floor space and will expect a mix of large and small homes in all residential developments.
- 5.19 CS10 details that a key part of the strategy for managing Camden's future growth is ensuring services, facilities and infrastructure to support the local community and visitors is provided in suitable locations. This is to meet increasing demand caused by a growing population in the borough. Part f of CS10 states that the Council will "support the retention and enhancement of existing community, leisure and cultural facilities".
- 5.20 DP15 compliments policy CS10 by providing a detailed approach to the protection of existing community facilities (amongst other matters). The policy states that:
The Council will protect existing community facilities by resisting their loss unless:
- a replacement facility that meets the needs of the local population is provided; or,
 - a replacement facility that meets the needs of the local population is provided; or, the specific community facility is no longer required in its current use. would not create, or add to, a shortfall in provision for the specific community use and demonstrate that there is no demand for any other suitable community use on the site.
- 5.21 Para 15.7 of the DPD advises:
We will also resist the loss of local pubs that serve a community role (for example by providing space for evening classes, clubs, meetings or performances) unless alternative provision available nearby or it can be demonstrated to the Council's satisfaction that the premises are no longer economically viable for pub use.

5.22 Policy DP24 and DP26 seeks high quality design in redevelopment schemes without harm arising to identified material considerations, including neighbour amenity. DP24 is an aspirational criteria based police. DP 25 seeks to conserve Camden's heritage, and to ensure the new development responds to the characteristics of the designated assets. DP26 is a development control policy, further comment on which is provided below.

5.23 In our view, the scheme is compatible with the national, regional and local policy objectives:

- It enables the replacement of an existing underutilised site (NPPF paragraph 17, Core Strategy CS8 and Development Policies DP2).
- The proposal will provide much needed housing (NPPF 6, London Plan Policies 3.3 and 3.4, Core Strategy CS1 and CS6, Development Policies Policy DP2).
- The high quality design creates usable, durable and adaptive places (NPPF 7, London Plan Policies 7.4, 7.5 and 7.6, Core Strategy Policy CS14, Development Policies DP24 and DP25).
- Prudent use of natural resources through energy efficiency and renewable energy generation (NPPF 10, London Plan Policies 5.2, 5.3 and 5.7, Core Strategy Policy CS13 and Development Policies Policy DP22).

6 PLANNING MERITS

PRINCIPLE OF DEVELOPMENT

6.1 It is relevant and material to understand the substantial areas of common ground on the appeal scheme(s):

- There is priority policy support for the provision of permanent residential accommodation in the Development Plan.
- There is no planning policy that protects locally listed buildings within the Development Plan.
- No amenity objections relative to neighbours are raised by the appeal scheme, subject to conditions.
- No issue is raised as it relates to density of development or unit mix
- No other development control issues (highways, noise, air quality) are raised by the appeal scheme, subject to conditions.

6.2 The Proposed Development is considered to offer the following benefits:

- A sustainable development in accordance with the Development Plan, the NPPF and all material considerations
- A development which optimises the potential of the site providing 5 residential units, contributing to meeting the priority housing needs of the Borough
- The provision of high quality residential units and provide high levels of amenity for the proposed occupants; and
- The re-provision of Class A4 floorspace in an enlarged space and with updated facilities.

- 6.3 Both the NPPF and the Development Plan seeks to locate new residential development within urban areas and on accessible, brownfield urban sites. The application site is previously developed land within the urban area and that is presently underutilised and underused. Shops, services, community facilities and jobs can be accessed on foot, by cycle and by public transport. Residential led development is therefore acceptable in principle and accords with objectives set out within the NPPF and the Development Plan.
- 6.4 The proposals falls within the density range suggested by the London Plan for locations of urban character and it can concluded that the development proposals therefore make efficient use of the site.
- 6.5 The proposals will contribute to meeting strategic housing targets for Camden set out within the London Plan and the provision of high quality homes will contribute to the availability of permanent residential accommodation in Camden.
- 6.6 The schemes comply with Development Plan requirements in terms of access, traffic generation, highway safety, car parking and general accessibility as confirmed by the Council's Transport Planning department.
- 6.7 Therefore, I consider that the proposed development accords, in principle, with all tiers of planning policy and in my view, the proposals subject to this appeal should only be dismissed if the detailed elements are demonstrably unacceptable.

Land Use Principles

- 6.8 The proposed mixed/residential use is compliant with national, regional and local policy and will help Camden reach their annual housing targets. The brownfield site is entirely appropriate for residential development in accordance with the above policies of the Development Plan and would provide much needed residential development in an accessible and sustainable location
- 6.9 It is considered that the proposals comply with all relevant core planning principles as identified at Para 17 of the NPPF. The Class A4 use will be re-provided on the ground and basement floor, and there has been no allegation that this space will not function appropriately.
- 6.10 The introduction of additional residential use onto the site is deemed appropriate as is located close to local facilities within the local centre and to the existing public transport network which will reduce the need to travel and reliance on the private car.
- 6.11 The land use consequences of an allowed appeal are the re-provision of a Class A4 use, albeit in an improved fashion and the delivery of permanent housing. Any benefit derived from the previous A4 use on the site would be achievable within the re-configured A4 space.
- 6.12 As to 'ancillary' features, these are not protected by policy and otherwise were not present in the previous incarnation of the public house. Attached to this statement is the 'WhatPub' website entry, maintained by CAMRA. It records that 'no food' was available from the premises. The claims by objectors as to the lack of a kitchen undermining the viability of any future premise is simply risible.
- 6.13 As to any possible listing of the premises as an Asset of Community Value, the relevant ACV legislation sets out specific tests which are narrower than the planning considerations and therefore its weight in the balancing exercise should be reduced accordingly.
- 6.14 In any instance the primary purpose of ACV listing is to afford the community an opportunity to purchase the property, not to prevent otherwise acceptable development. The ground floor only of the pub is listed as an Asset of Community Value. No change of use is sought for this part of the floor area

6.15 We also note that the nomination was of a pre-emptory nomination making a reference whatsoever to the nominators intention or ability to bid for the property should my Client make what would under the Localism Act constitute a relevant disposal.

6.16 The purpose of part five, chapter 3 of the Localism Act is to provide *an achievable time frame for community interest groups to organize themselves and to raise¹ finance* should they wish to bid for land of community value at a time when the owner wishes to enter into a relevant disposal.

6.17 This position was supported by an Inspector on APP/Y5420/W/14/3001921 where in allowing the appeal, the following was noted:

The primary purpose of ACV listing is to afford the community an opportunity to purchase the property, not to prevent otherwise acceptable development. Accordingly, whilst I afford it some weight in this case it is not determinative.

6.18 There is no indication on the face of the nominating parties that the nominators have any interest in raising finance to purchase the property and this has been proven this year when my client went through a relevant disposal event and this attracted no bids from any member of the community. Without any intention to bid for a nominated property, the property denominators are abusing the ACV listing process.

6.19 Furthermore my client is now engaged in an open market process and the nominators have sought to intrude upon that by way of protesting at the open day event.

Design

6.20 The site is not within a conservation area and nor any other designated asset. The Appeal scheme retains the external appearance and layout of the existing building, extending to the rear where the building is relatively unconstrained.

¹ Hansard, HC Public Bills Committee

6.21 Officer refer to DP 25 within the reason for refusal, but this policy text nor its reasoned justification refers to ‘non-designated heritage assets’. It is acknowledged that there is reference to *other heritage assets* but these are identified at 25.23 of the DPD and this does not include reference to locally listed buildings.

6.22 It is trite law, but valuably restated by Lord Reed in *Tesco Stores Ltd v Dundee City Council* [2012] UKSC 13; [2012] PTSR 983, that a planning policy is published in order to inform the public of the approach which will be followed unless there is good reason to depart from it, and is designed to ensure consistency and direction in the exercise of discretionary powers, while allowing a measure of flexibility. As in other areas of public administration, planning policies "should be interpreted objectively in accordance with the language used, read as always in its proper context." [18]. Lord Reed continued his judgment with this important passage:

“ That is not to say that such statements should be construed as if they were statutory or contractual provisions. Although a development plan has a legal status and legal effects, it is not analogous in its nature or purpose to a statute or a contract. As has often been observed, development plans are full of broad statements of policy, many of which may be mutually irreconcilable, so that in a particular case one must give way to another. In addition, many of the provisions of development plans are framed in language whose application to a given set of facts requires the exercise of judgment. Such matters fall within the jurisdiction of planning authorities, and their exercise of their judgment can only be challenged on the ground that it is irrational or perverse: Tesco Stores Ltd v Secretary of State for the Environment [1995] 1 WLR 759 , 780, per Lord Hoffmann. Nevertheless, planning authorities do not live in the world of Humpty Dumpty: they cannot make the development plan mean whatever they would like it to mean.”

6.23 This does not mean that a planning policy should be given a strained interpretation, but it does mean that the words have a context. A policy's plain meaning, if there is one, must be seen in the light of its context and purpose.

6.24 The Appellant does accept the relevance of DP 24, and comments on each criteria as follows:

The Council will require all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and will expect developments to consider

Criteria	Commentary
character, setting, context and the form and scale of neighbouring buildings	It is common ground between the parties that the scheme will not impact on the character of the area.
the character and proportions of the existing	Further commentary provided below

STATEMENT OF CASE
SITE AT 9 & 9A HARGRAVE PLACE, LONDON
PINS REF: APP/X5210/W/16/3147248

building, where alterations and extensions are proposed	
the quality of materials to be used	No issue raised by the Borough, and is eminently conditionable
the provision of visually interesting frontages at street level	Further commentary provided below
the appropriate location for building services equipment	No external plant is proposed, and any future installation would require permission of itself
existing natural features, such as topography and trees	No impact on topography or trees
the provision of appropriate hard and soft landscaping including boundary treatments	No issue raised by the Borough, and is eminently conditionable
the provision of appropriate amenity space	External space is provided
accessibility	Level access is provided at the threshold for each dwelling

6.25 There is a policy requirement for development to be appropriate to its prevailing townscape. The principal parties agree that the character of this area is predominantly residential, in mixed forms, with the height and form of development in the area displaying marked diversity. Such variety is not untypical of many areas where the dynamic of townscape has evolved through time, and which will change again when the opposite site is redeveloped.

6.26 To sustain those criticisms, the local planning authority will have to do rather more than allege that the built form is “too big”. It will have to show that it is harmfully out of scale with its surroundings in both primary and secondary terms, that it is too high, that its mass is inarticulate or is in some way functionally inadequate and that in its disposition or, in some other way, it is harmful to the character of the area. There is nothing within the delegate’s report that elicits such detail.

6.27 Within the immediate and wider context of the appeal site, the extended building will only be perceptible across very short viewing cones, due to the prevailing close street pattern, but not materially so as to warrant the dismissal of the appeal. This will be readily evident on the site visit.

- 6.28 The proposed extension would be sympathetic to, and make a positive contribution to the host building surrounding streets. The extension of the front façade upwards will improve the proportions in relation to its host building and will marry the building into the adjacent terrace. None of the original elements of the undesignated asset will be lost to the development.
- 6.29 The Appellant's reasons for considering the additional units acceptable is founded primarily on the benign impact of the proposal upon the appearance of the host building itself and upon townscape considerations. The host building is of a robust character and appearance, and the lightwells will be barely visible except in immediate proximity with similar characteristics on adjacent buildings.
- 6.30 The Appeal scheme responds to and satisfies national and local design policy, and good practice, and therefore planning permission should not have been refused. The site is not identified in any audit as being a NDHA. The Appeal scheme will reinforce local distinctiveness in a legible, innovative and original way whilst, at the same time, optimising the use of the site in response to National and Development Plan policy.
- 6.31 The Appellant would note that 'bulk' is not a criteria provided within the criteria of DP24 or DP25, nor the NPPF. Furthermore, neither is it helpful in understanding criticism of schemes, and indeed reflects poorly on their user as being unable to articulate an objective assessment of a scheme without reference to such pejorative terms. It is noted that the successive SOS manage to rely upon scale, density, massing, height, landscape, layout, materials and access of new development as terms of assessment as the basis for design policy within the NPPF.

6.32 It is also noteworthy that the Appellant's pre-app scheme received a positive response from Officers at the Borough prior to its submission, and the Appellant has made further changes subsequent to the submission. Officers will have to recognize that the criticism's made at pre-application stage have been addressed, and that that reason for refusal was not exposed until more than a year had passed.

Quality of Residential Accommodation – room area

6.33 The 2nd 'bedroom' is designated as a study and therefore cannot be considered objectionable. The scheme otherwise exceeds the Mayor's requirements for minimum floor areas.

Quality of Accommodation – Noise

6.34 As any appeal outcome is made on the unique balancing conditions of the case in question, but harm needs to be proven to justify the withholding of planning permission.

6.35 Noise from commercial premises is normally assessed using BS 4142 :2014. The standard provides a method for rating the effects of industrial and commercial noise on residential areas. The standard advocates a comparison between the typical measured background noise level and specific noise level from the source being considered. The standard states the difference between the rating level and the background level of around +10 DBA is an indication of a significant adverse impact, depending on the context and a difference of around +5 DBA may be an indication of an adverse impact again depending on the context

6.36 With the rating level does not exceed the background noise level this is an indication of the specifics and source having a low impact(depending upon the context). In terms of context, paragraph 8.5 for BS4142 notes that where new noise receptors are planned, other relevant standards (eg BS8233:2014) can be more appropriate.

- 6.37 The assessment method in BS 8233 has the advantage that it generalises a situation and is not therefore dependent for its conclusions on the sound insulation values of particular properties. It is generally taken that the difference in noise level from a road, between outside and inside is approximately 30 to 35 dBA for a standard residential construction with windows closed. BS 8233 provides internal design sound levels for 'good' and 'reasonable' conditions.
- 6.38 BS 8233 recommends that internal noise levels in dwellings do not exceed 35 dB Leq, 16 hour in dining rooms and bedrooms during the day and 30 dB Leq, 8 hours in bedrooms at night. Maximum noise levels should also be considered to minimise the risk of sleep disturbance.
- 6.39 The Appellant can confirm that our calculation to determine the glazing specification was based on both the measured worst case LAmax night-time levels and overall LAeq levels as measured externally overlooking the street area during a night-time period.
- 6.40 Noise break-in from the street (with maximum levels in the order of 88 dB LAmax, f) can be adequately controlled using high performance glazing to windows overlooking the courtyard. These will comprise a thermal double glazed external unit, 150mm cavity with absorbent reveal: 10.8mm laminated glass.
- 6.41 The proposed glazing for this façade would control internal maximum noise levels (90 dB LAmax from the street side area assumed) to below 35 dB LAmax, in line with the BS 8332 criteria above.
- 6.42 With the pub closed at present this would allow the installation of a high performance sound insulating floor to be constructed between the upper floor of the bar and proposed apartment above.
- Cycle/refuse storage
- 6.43 This is simply supposition on behalf of Officers with no evidence to support the claims. Communal cycle/refuse stores area very common and it is hard to think of why people would not use them. This objection should be withdrawn immediately.

7 CONCLUSION

- 7.1 National, strategic and local planning policies all place strong emphasis on the need to re-cycle urban land in order to safeguard Greenfield sites and land in other sensitive areas. The proposed development successfully achieves a balance between the potentially competing objectives of development and the conservation of the environment, and thereby satisfies the goal of "sustainability". They properly maximise the use of this central "brownfield" site without giving rise to any planning problems – in particular, by avoiding compromising the living and working of adjoining residents and businesses.
- 7.2 It is considered that the proposal is acceptable in land use terms and it:
- Re-uses previously developed land
 - Optimises the use of the Site, by providing a high density and quality of development in a location that benefits from an excellent level of public transport facilities
 - Encourages the use of public transport and energy-efficient transport
 - Promotes reduced levels of car parking
 - Provides a safe, accessible, efficient connection to the local area and pedestrian network
 - Assists in meeting the recognised Borough and London need for housing including mix
 - Will maintain the viability of the existing public house
- 7.3 A design-led approach has been undertaken that has considered the local context, setting, and accessibility of the Site. The proposal would not have a significant effect on the residential amenity of adjoining occupiers in terms of loss of light, outlook or privacy and would be of an acceptable visual appearance in terms of design, scale and massing.
- 7.4 In accord with the development plan, the LPA's priority is for the provision of permanent housing, and this scheme achieves that laudable aim. The proposal is therefore the epitome of compliance with the Development Plan and it deserves the presumption in favour of its approval.

APPENDIX A