

Written Statement

Matter 5 - Better Homes Enfield

Introduction.

Thank you for the opportunity to provide a response to the Inspector's questions. We hope our statement is helpful.

This statement is based on our objections:

- 01708-1-1, Response to the Housing Topic Paper
- 01708-5-1, Chapter 8: Policy H2: Affordable Housing

We also cross-reference our other Written Statements, which are based on further duly made objections.

Issue 5.1: Whether the vision and strategic objectives have been positively prepared and are justified and effective.

Q5.1: Are the spatial vision and strategic objectives soundly based, justified by the evidence and is it clear how the Plan's policies will help to deliver the vision and strategic objectives over the Plan period?

1. No. The spatial vision and strategic objectives are not soundly based because they are not justified by an impartial and accurate interpretation of the evidence.

Family-sized housing

2. Claims that there is a very high need for new family-sized homes underpins the spatial vision and strategic objectives e.g. **SUB1, the ELP, page 31, paragraph 2.28**. However, this is not justified by evidence.
3. The claimed level of need for new owner-occupied and intermediate affordable family-sized homes, is based on an inaccurate and misleading representation of the Local Housing Needs

Assessment 2020 [HNE2], (*the LHNA*), which has resulted in the needs of different groups being unaccounted for. As a result, the need for smaller homes is substantially underrated, whilst the need for family-sized homes has been exaggerated [**Please see our response to Q2.15**].

4. Notwithstanding this, the LHNA is based on very old data, and as a result is *meaningfully* out-of-date i.e. the housing needs would be different if up-to-date information was used. More up-to-date information has been available in the years since the LHNA's publication, but the Council, without explanation, has not addressed its implications [**Please see our response to Q2.15**].
5. In short, Enfield *does* need family-sized accommodation, but substantially less than the level the Plan and Topic Papers claim. As a result, the spatial vision defined at SS1 and the underlying objective to deliver high proportions of family-sized homes are not soundly based on evidence, and the vision and objectives are therefore neither justified nor sound.

Affordable Housing

6. The spatial vision and strategic objectives are underpinned by an unjustified claim that strategic Green Belt sites (PL10 Chase Park and PL11 Crews Hill) will deliver a substantially larger proportion of affordable housing than brownfield sites.
7. Claims that Chase Park and Crews Hill will deliver '*a minimum of 50% affordable housing*' [**TOP5, Exceptional Circumstances Topic Paper 2024, page 27, point 4.32**] are based on a misrepresentation of the findings of the Whole Plan Viability Update [**VIA1**] (*the WPVU*).
8. The Council's interpretation of the WPVU does not reflect a balanced reading of its findings, as they disregarded, without explanation, important caveats regarding the limitations of the assessment of PL10 and PL11 relating to unknown infrastructure costs, and differences in viability between greenfield sites and previously developed Green Belt land, which the WPVU repeatedly emphasises [**Further details in Q5.14 and Q5.15 below**].
9. The 2021 Viability Assessment noted the lack of information regarding infrastructure costs for these sites and recommended their deliverability be reassessed [**VIA2, page 137, point 10.17**]. The updated assessment, [**VIA1**], was published several years later, however, infrastructure costs were still unknown, and again the assessment notes the potential impact of these on the delivery of these sites and their ability to meet planning obligations [**VIA1, e.g. page 200, point 12.65 and page 203, point 12.87**]

10. We provided a detailed assessment of these issues at Regulation 18, which the Council appears to have ignored.
11. Furthermore, the WPVU inputs are based on the LPA's incorrect interpretation of the LHNA regarding the need for family-sized housing [**VIA1, e.g. page 137, point 9.9**], inputting accurate dwelling mix needs is likely to impact viability.
12. We reviewed the representations of 9 Chase Park/Crews Hill developers and landowners, all of whom raised concerns about viability, the WPVU, and/or the Council's interpretation of it [**see Q5.14 and Q5.15 below**].
13. In short, claims underpinning the spatial vision and strategic objectives that strategic Green Belt sites will deliver a substantially higher proportion of affordable housing than brownfield sites are not genuinely supported by the evidence and therefore unjustified.

Housing Requirement

14. The spatial vision and strategic objectives are underpinned by the claim there is insufficient brownfield land to deliver the housing required e.g. *'Despite an exhaustive examination of the potential for urban intensification and a priority for brownfield (previously developed) land, this alone is not enough'* [**SUB1, the ELP, page 29, point 2.25**].
15. The Council made similar claims at Regulation 18 when it said *'Significant efforts have been made to increase housing supply by optimising development densities, making the most efficient use of brownfield land, and releasing public sector land for development. Despite these efforts, further increasing housing supply is hampered by the constrained nature of the Borough highlighted in Chapter 4'* [**Growth Topic Paper, 2021, page 69, point 8.55**].
16. At Regulation 18 the Council's preferred approach identified capacity for approximately 18,500 homes across brownfield sites, with a further 6,500 from Green Belt allocations [**REG1, Main issues and Preferred Options, pages 183-186**].
17. However, the capacity identified from brownfield/urban sites at Regulation 18 was far too low, and accordingly by Regulation 19 the number of homes identified via brownfield/urban sites increased by at least 54% to a minimum of 28,454. However, this is still too low as 35,000+ homes could be delivered via brownfield/urban sites [**Please see our responses to Q4.1, Q4.2, Q4.6 for further details**].

18. At Regulation 18 the Council's preferred approach was to deliver 1,250 homes per year on average, claiming this required Green Belt release. However, it is now clear that over 1,250 homes per year could be delivered via brownfield sites e.g. the Plan proposes at least 1,293 homes per year. When the Council realised this, they moved the goal posts by increasing the housing need by 26% to 1,578 homes a year. The housing need figure became whatever brownfield capacity could be identified *plus* the Green Belt sites the Council wanted to include. Based on this logic brownfield sites could never be sufficient, as the Council created a 'tautology' i.e. an argument relying on circular logic that can never be false.
19. This seems to have happened because the Council has an ambition to realise income of £800 million from the sale of Green Belt land. This suggests the logic underpinning the overall housing requirement figure is deployed to meet the Council's financial objectives and not '*with the objective of contributing to the achievement of sustainable development*'.
20. Troublingly, given the transport issues identified at PL10 Chase Park and PL11 Crews Hill by TfL amongst others, the Council's approach seems to prioritise its financial ambitions to the detriment of delivering sustainable development. As a result, the Council's approach has not complied with Section 39(2) of the Planning and Compulsory Purchase Act 2004 [**Please see our responses to Q4.8 for further details**].
21. In short, this aspect of the spatial vision and strategic objectives is based on a flawed logical argument and does not properly account for evidence of brownfield capacity. As such this aspect of the spatial vision is not positively prepared, or justified by evidence, and is therefore unsound.
22. Overall, in terms of the spatial vision and strategic objectives as regards housing, the three main claims i.e. the scale of need for family-sized homes compared to smaller homes; the ability of PL10 and PL11 to deliver the quantum of affordable housing suggested; and a lack of brownfield capacity to meet the housing requirement, are not soundly based because they are based on inaccurate misrepresentations of evidence, some of which is materially out-of-date or incomplete. As a result, the spatial vision and strategic objectives are not positively prepared, and not justified and are therefore unsound.
23. The errors made in respect to these three main claims have far reaching consequences for the Plan, including in terms of viability testing, affordable housing delivery, site allocation and selection, and demonstrating exceptional circumstances.

Issue 5.2: Whether Policy SS1 establishes an appropriate spatial strategy, taking into account reasonable alternatives.

Q5.2: Is the spatial strategy for the scale and distribution of growth, set out in Policy SS1, justified and appropriate for the sustainable development of the area when considered against reasonable alternatives? What reasonable alternatives were considered by the Council and why were these rejected?

24. No, the spatial strategy for the distribution of growth is fundamentally flawed as it is based on defective logic and the misrepresentation of key evidence [**Please see our response to Q5.1**].
25. The misrepresentation of key evidence has infected the testing and consideration (i.e. scoring) of reasonable alternatives in the IIA [**SUB28**] e.g. none of the alternatives assess the actual correct level of need for 1-2 bedroom properties, and schemes that deliver high levels of family housing are (mistakenly) rated more positively.
26. We note the IIA [**SUB28**] still references the 2015 Strategic Housing Market Assessment and not the LHNA, as a result the IIA itself is using very old data as its starting point for assessing housing need.
27. Furthermore, the testing of reasonable alternatives was defective as the sustainability of large strategic sites (e.g. PL10) was assessed on small sections of the site, rather than the site as a whole. This generated unreasonable and implausible outcomes e.g. PL10 receives the same rating for IIA12: Sustainable transport and IIA5: Services and facilities, as SA2 Palace Gardens; nobody who knows these sites could reasonably defend this result, it is absurd, and casts considerable doubt over the methodology and/or objectivity of the IIA.

Issue 5.5: Whether the allocations in the Plan have been selected using an appropriate methodology based on proportionate evidence.

Q5.14: Does the evidence on whole plan viability and infrastructure demonstrate that the spatial strategy can viably deliver the housing, employment floorspace and infrastructure required to support the growth proposed?

28. No, there are major issues with the Whole Plan Viability Update [**VIA1**] (*the WPVU*) and the LPA's interpretation of it. These are set out in detail in our representations:

(a) 01708-5-1, Chapter 8: Policy H2: Affordable Housing, points 4-26

(b) 01708-2-1, Response to Enfield Local Plan Housing Topic Paper, points 93 and 100-124

29. In summary, the LPA's interpretation of the WPVU does not reflect a balanced reading of it, as it disregards, without explanation, important caveats regarding its limitations, despite these being repeatedly emphasised within the WPVU.
30. Recommendations of the WPVU to conduct further testing, notably regarding the need to understand the full impact of infrastructure and mitigation costs for major strategic sites located in the Green Belt, appear ignored, without explanation.
31. The LPA has misrepresented the WPVU findings in regard to the proportion of affordable housing that could be delivered across the Crews Hill placemaking area, due to confusing greenfield assessments with assessments of previously developed land [**01708-5-1, Chapter 8: Policy H2: Affordable Housing, points 4-8**].
32. Concerningly, the Council's strategy appears to be to put off assessing the full impact of infrastructure and mitigation costs associated with delivering Green Belt strategic sites. This means negotiations regarding planning obligations for these strategic sites will not properly occur until the development of masterplans or SPDs, or until the planning application stage. This does not reflect guidance which says plan makers need to ensure developments are deliverable, without the need for further viability assessment at the decision-making stage [**ID: 10-002-20190509**]. This is particularly the case for strategic sites such as Chase Park and Crews Hill [**ID: 10-003-20180724**]. **NPPF 58** requires plan-makers to follow this guidance.
33. The Council has failed to comply with **NPPF 34** as it is unclear whether these strategic sites can be delivered, or whether policies and planning obligations will render them undeliverable.
34. The need for more detail about infrastructure costs for strategic sites was a recommendation of the 2021 Viability Assessment, but this appears to have been ignored in the 3-years between the assessment's publication and the publication of the Plan [**VIA 2, Enfield Whole Plan Viability, page 181, point 12.80**]. Hence, there was ample opportunity to more thoroughly calculate and assess infrastructure and mitigation costs and to liaise with developers and landowners, but little if any progress was made.

35. The WPVU is also infected by the LPA's incorrect interpretation of the LHNA and its age, as explained in our response to **Q2.15**. As a result, the WPVU is based on housing needs data that is materially incorrect and meaningfully out-of-date, undermining its validity.
36. Regulation 19 consultation responses of the landowners and developers who would be responsible for delivering major schemes at Chase Park and Crews Hill, also raise concerns about viability and the WPVU.
37. For example, Rockwell London Ltd.'s response, raised concerns about site viability, the underlying assumptions in the WPVU, and noted that trade-offs would be needed at the development management stage, undermining the delivery of affordable homes [**01932-1-1, page 16-18, points 11.16-1.20 and pages 23-24, points 1.34-1.35**].
38. Other landowners and developers raising concerns about viability of the Crews Hill and Chase Park sites, mainly regarding uncertainties around infrastructure costs, include:
- (a) Comer Homes [**01929-1-9, page 5, paragraphs 4-8**]
 - (b) Taylor Wimpey [**01919-5-1, page 12, point 4.4**]
 - (c) Berkeley Homes (Northeast London) Ltd, [**01916-3-1, bottom of page 2-3**]
 - (d) LBE Strategic Property [**01946-1-2, page 9, points 2.44-2.47**]
 - (e) Warmerdam's Nursery [**01730-1-2, points 6.3 – 6.20**]
 - (f) Landvest Crews Hill Ltd [**01894-2-1, points 2-10-2.19**]
 - (g) Fairview Homes [**01746-2-1, point 5.5**]
 - (h) Wolden Garden Centre Ltd [cannot provide: hyperlinks to wrong documents]
39. In response, the Council has proposed entering into a SoCG with landowners/developers. However, these have not been published, despite the very lengthy pause between the Regulation 18 and Regulation 19 stages.

40. In short, for the reasons set out above, the evidence on whole plan viability and infrastructure does not demonstrate that the spatial strategy can viably deliver the housing, and infrastructure required to support the growth proposed and therefore the Plan is not effective, does not meet NPPF policies and is therefore unsound.

Q5.15: In general terms, does the Whole Plan Viability Assessment use a robust methodology and is it based on proportionate up-to-date and accurate data?

41. No, the WPVU does not use a robust methodology and is not based on proportionate up-to-date and accurate data, undermining its validity.
42. in terms of the **methodology**,
- (a) Our representation set out concerns regarding the high-level approach taken towards financing and phasing of strategic sites, and noted this did not follow RICS professional standards [01708-2-1, **Response to Enfield Local Plan Housing Topic Paper, points 119-122**].
 - (b) This links to a further methodological issue, which is that the viability assessment of the Crews Hill and Chase Park sites was based on the total number of homes these will deliver, including 35% of the homes delivered after 2041, but appears to assume 100% will be delivered within the plan-period. Again, this does not follow RICS professional standards for viability testing [01708-2-1, **Response to Enfield Local Plan Housing Topic Paper, point 123**].
 - (c) Rockwell London Ltd.'s Regulation 19 consultation response notes a number of methodology issues, including problems associated with assessing Crews Hill as an overall strategic site rather than at a site allocation level, developer profit levels set to the lowest level, and a lack of allowance for site-wide infrastructure costs [01932-1-1, **page 16-17, points 1.18 to 1.19**].
 - (d) Many representations from developers note the disconnect between the BNG levels tested in the WPVU and policy requirements.
 - (e) Furthermore, as noted in our response to Q5.14, Better Homes Enfield and a range of developers and landowners and others have raised concerns about the lack of evidence and information regarding infrastructure costs and their impact on viability.
43. As a result, the methodology used is not robust.

44. In terms of **proportionate** and **up-to-date and accurate data**,

(a) We recognise it would be disproportionate for the WPVU to *fully* assess every individual site, however, there is a need to assess the viability of key strategic sites such as PL10 and PL11 in a proportionate level of detail, to ensure they are deliverable whilst meeting planning obligations.

(b) However, a proportionate assessment of PL10 and PL11 has not been conducted due to ongoing uncertainties regarding major infrastructure and mitigation costs. There seems to have been a lack of engagement with this issue by the LPA over several years, which does not reflect guidance e.g. **ID: 10-006-20190509** says plan makers should engage with landowners and developers, as well as infrastructure and affordable housing providers, to secure evidence on costs; **ID: 10-003-20180724** says more detailed assessments may be necessary for key sites and; **ID: 10-002-20190509** says policy requirements, particularly for affordable housing, should be set at a level that takes account of affordable housing and infrastructure needs and allows for the development to be deliverable, without the need for further viability assessment at the decision making stage. **NPPF 58** says this guidance should be followed. Accordingly, we do not think the assessment is proportionate, given the claimed significance of PL10 and PL11, coupled with the uncertainty that persists regarding their viability and ability to deliver the claimed planning obligations.

(c) The WPVU is underpinned by the LHNA and is therefore based on out-of-date data [**Please see our response to Q2.15 for further details**] and the LPA's incorrect interpretation of the LHNA [**01708-2-1, Response to Enfield Local Plan Housing Topic Paper, points 93-94 and 100-104**].

(d) Furthermore, the testing of greenfield strategic sites was based on 5% M4(3), whereas Plan policy H3(3) requires at least 10% and there are similar discrepancies for BNG testing.

45. In conclusion, the proposed vision and strategic objectives have not been positively prepared and are not justified or effective. They would ultimately work against the delivery of the sustainable housing Enfield and London needs. Extensive and wide-ranging modifications would be required to address these issues.

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