



Matter 5 - EnCaf Land Use Working Group (ELUWG)

This Written Statement refers to the following ELUWG objections:

Table 1 - ELUWG Duly made objections.

Representation Number and Title	Hyperlink
01676-9-1, Policy SS1	https://www.enfield.gov.uk/file/PDFs/email/01676-9-1.pdf
01676-2-1, Response to Policy H4	https://www.enfield.gov.uk/file/PDFs/email/01676-2-1.pdf
01676-3-1, PL5 – MERIDIAN WATER	https://www.enfield.gov.uk/file/PDFs/email/01676-3-1.pdf
01676-4-1, PL10-CHASE PARK	https://www.enfield.gov.uk/file/PDFs/email/01676-4-1.pdf

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

- No, please see our response **01676-9-1, Policy SS1, pages 1-13** and **Q5.20**.

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

- No, the testing of reasonable alternatives was flawed (**Please see points 23-30 below**).

Issue:	5.5: Whether the allocations in the Plan have been selected using an appropriate methodology based on proportionate evidence
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Q5.20: Is the approach to the assessment and selection of sites, as set out in the Site Allocations Topic Paper justified? Does the submitted evidence demonstrate sites have been selected on a robust, consistent and objective basis?

3. Our response raised concerns about site selection (**01676-9-1, Policy SS1, pages 6-9**); the submitted evidence does not show sites were selected on a robust, consistent, or objective basis.
4. Below, we set out issues for each stage of the Site Selection Methodology (*the SSM*), (**TOP2, Site Allocation Topic Paper, pages 26-40**).

1: Identification and initial sift

5. Stage one comprised (1a) Identification of sites, (1b) Assessment of absolute constraints, (1c) Size threshold plus an ‘initial sift’ of sites (**TOP2, Site Allocation Topic Paper, pages 30-32**).

(1a) Identification

6. The SSM commits to updating the Housing and Economic Land Availability Assessment (*the HELAA*) (**HOU10**) annually using ‘recent planning applications’ (**TOP2, Site Allocation Topic Paper, page 30, point 3.1**). However, applications were last updated in March 2022 (**HOU1, HELAA, page 4, point 1.1**). Therefore, the HELAA was not updated in accordance with the SSM, does not include ‘recent’ applications, and evidence underpinning the Plan is out-of-date.
7. We recognise time is required to consider and assess identified sites, however, given the time elapsed, the HELAA should have been updated prior to the Plan’s publication, particularly as the Council claims insufficient brownfield capacity demonstrates exceptional circumstances.
8. Site Source data (**HOU10**) shows some sources for identifying sites were not used e.g. empty property register, pre-application information, Brownfield Register and refused applications*, contrary to guidance (**ID: 3-011-20190722**) and the HELAA methodology (**HOU1, the HELAA, page 33**). (*Some refused applications were used but many were not e.g. 21/00058/FUL, 21/00504/FUL, 21/01030/FUL, 21/01150/FUL, 21/02319/FUL).
9. The Council does not appear to have engaged with the Police and NHS regarding site identification, who have vacant/underutilised brownfield sites in the Borough, contrary to guidance (**ID: 3-011-20190722**).



Figure 1 - Vacant police building Enfield Town

10. Brownfield sites were not identified in the HELAA e.g., parcels of development ready land within Meridian Water (SA5.1) were unidentified (see Figure 2). The Council’s Meridian Water Financial Model (adopted 2023), allocated 700+ homes to these parcels.

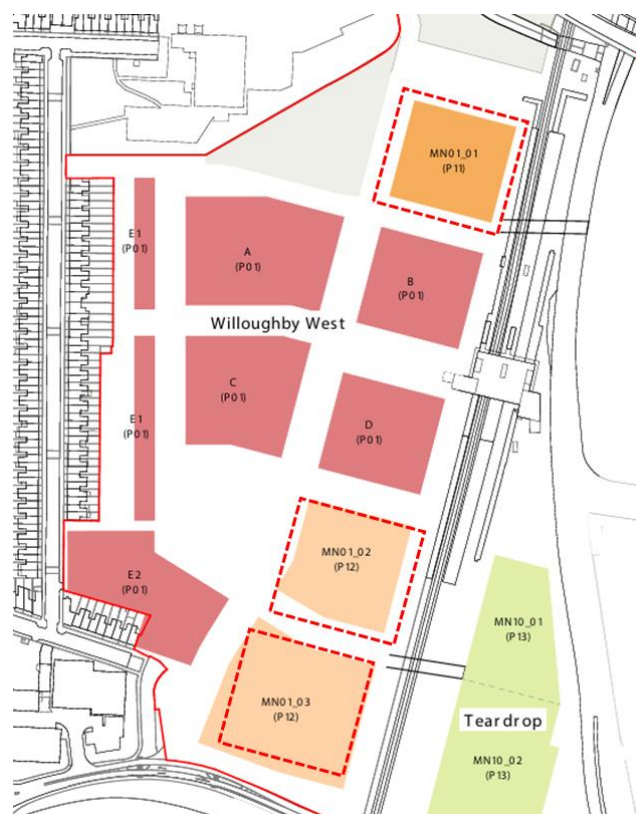


Figure 2 – Source: Adopted Meridian Water Financial Model (April 2023), missing parcels = red dotted line.

11. Likewise land at N9 8LS (vacant Walbrook House site) is being sold by LBE for redevelopment but was not identified in the HELAA.



Figure 3 - Walbrook house is vacant, and the site is for sale.

12. Brownfield sites identified as Infill Opportunities' in the Plan are not in the HELAA, e.g. Little Park Gardens Car Park - a 0.25-hectare Council owned brownfield site (**E5, Council response, pages 31, point 6**). There are numerous other examples (**E5, Council response, pages 30-48**).



Figure 4 - Little Park Gardens Car Park

(1b) Absolute constraints

13. Seven sites were excluded due to 'Level 1 constraints', yet sites with similar constraints were assessed (e.g. **SA5.2 and SA5.6**). Effort was made to mitigate Level 1 constraints for some sites (e.g. **PL5 and PL11**), but not others, including the Shires Estate, where regeneration could help mitigate flood risks (NB: tower blocks are currently vacant).



Figure 5 - One of the vacant Shire blocks.

(1c) Size threshold.

14. 156 sites were excluded due to being ‘Under 0.05ha’ despite many comfortably exceeding this threshold e.g. EDE9, SBE27, BUE30, SOE11, GRE8 (**HOU1, HELAA, page 10, point 3.14**).

Other sifting.

15. Other site sifting was undertaken at Stage One (**TOP2, Site Allocation Topic Paper, page 31, points 3.5 and 3.6**).

(a) 245 sites were marked ‘**availability unknown**’ and excluded, yet 130 with the same classification were assessed. This contradiction is unexplained. Notably, vacant publicly owned sites (Enfield Town Police Station) and ‘Infill opportunities’ in the Plan (TOE33, WIE2), were amongst excluded sites.



Figure 6 – TOE33, WIE2, identified as infill opportunities but excluded from HELAA.

(b) Two favourably assessed sites, for 70+ homes, were reclassified as ‘excluded sites’ without explanation i.e. Park Avenue Day Centre, 65c Park Avenue and Bullsmoor Library, 58 Kempe Rd, (**HOU10, HELAA 2021 Appendix, Excluded Sites tab**).

(c) Guidance says refused applications may be ‘particularly relevant’ and should be considered (**ID: 3-011-20190722**). However, 97 refused applications were excluded without explanation, contrary to guidance and

the HELAA methodology (**HOU1, page 11, point 3.21**). Notably, many now have a granted application e.g. 20/03305/FUL, 20/00117/FUL, 19/01779/FUL, 20/03063/PRJ, 20/02923/PRJ, 20/00573/FUL, 17/03725/FUL.

16. In short, sites have not been identified and sifted on a robust, consistent, or objective basis, leading to hundreds of sites being unassessed and included in brownfield capacity estimates.

2: Promoting a Sustainable Pattern of Development

17. Non-excluded sites were allocated to one of eight categories (**TOP2, Site Allocation Topic Paper, pages 32-33, points 4.1 to 4.6, see below**). However, the outcome is unreported, making it impossible to establish whether sites were allocated objectively or consistently.

Priority	Broad Site location	Site typology	Approach to Allocation
1	Sites within the urban area	Brownfield sites in urban area	Allocation, subject to other stages
2		Greenfield sites in urban area	Allocation, subject to other stages
3	Accessible Green Belt sites	Brownfield sites in accessible ²⁸ Green Belt location	Potential allocation possible, subject to alignment with emerging spatial strategy
4		Greenfield sites in accessible, lower performing Green Belt location	Potential allocation less likely, unless exceptional circumstances
5		Greenfield in accessible, moderately performing Green Belt location	Potential allocation less likely, unless exceptional circumstances
6		Greenfield in accessible, high performing Green Belt location	Potential allocation less likely, unless exceptional circumstances
7	Isolated Green Belt Sites	Brownfield in isolated Green Belt location	No allocation unless exceptional circumstances
8		Greenfield in isolated low or moderately performing Green Belt location	No allocation unless exceptional circumstances

18. This opaqueness is concerning, as the allocation is open to broad interpretation, particularly regarding larger sites, which could be classified as accessible '*because one part joins an urban area*' (**TOP2, Site Allocation Topic Paper, page 33, point 4.4**).

3: Detailed Assessment

19. London Plan conformity was not included in the SSM, contrary to guidance (**ID: 3-015-20190722; ID: 3-021-20190722**). It would have been appropriate to incorporate this in Stage Three.

20. Parts of the Detailed Assessment are unreported, making it impossible to establish whether it was conducted objectively or consistently (**pages 34-36, points 5.1-5.7 and Tables 4 and 5**). The approach suggests some sites required further technical information, but we are not told which.

21. Some parts of the Detailed Assessment *were* reported i.e. non-absolute constraints recorded in the HELAA (**HOU10**). However, the interpretation of the results appears biased by the Council's commercial objectives to raise £800 million by selling Green Belt land for development e.g. sites in Crews Hill listed as '*Contaminated land where mitigation would not be possible*' (BL1, CFS160) were subsequently allocated, whilst higher performing sites were not.
22. Neither Stage 2 or 3 objectively assess and report existing infrastructure for each site e.g. proximity to schools, health and leisure services, shops, open spaces etc. This is essential for meeting NPPF Paragraphs 11a, 20 and 99. Likewise, there appears to be no clear reporting of highways assessments for sites, which raises questions as to whether the requirements of NPPF 108 and 114a, b, d were met during plan-making or retrospectively addressed.

4: Sustainability Appraisal

23. Stage Four relies on the Sustainability Appraisal (the SA) conducted as part of the IIA (**SUB8, Integrated Impact Assessment**) (the IIA) however, there are issues with the IIA.
24. Objectives assessed by the IIA were based on the Sustainability Appraisal Scoping Report. The link to this report in the SSM is broken and it is not in the Document Library, it is therefore impossible to assess whether these objectives are justified (**TOP2, Site Allocation Paper, page 37, point 6.7 and footnote 30**).
25. The approach to assessing proximity to sustainable transport in the SA reflects the SSM and is flawed, as large combined Green Belt sites were rated accessible if '*one part of it adjoined into the urban area*' (**TOP2, Site Allocation Topic Paper, page 33, point 4.4**). This generates unreasonable outcomes e.g. PL10 Chase Park is rated Green ++ for Sustainable Transport, without mitigation, (**SUB8, the IIA, page 477-478**) - despite almost the entire site being PTAL 0-1b and the areas topography prohibiting active travel, plus clear evidence of high car dependency in the nearest urban areas (**01676-4-1, PL10-CHASE PARK, pages 1-7**). By comparison, the same score (Green ++) is awarded to SA2: Palace Gardens Shopping Centre (**SUB8, the IIA, pages 416-417**), with a PTAL of 5-6a. It is absurd to rate PL10 and SA2 equally for Sustainable Travel. The approach generates similar unreasonable results for Health and Wellbeing, and Services and Facilities and accordingly the methodology could not reasonably be considered robust or adequate for assessing whether sites meet the requirements of NPPF Paragraphs 11a, 20, 99, 108 and 114a, b, d.
26. For Chase Park (PL10) and Crews Hill (PL11), the assessment assumes an array of infrastructure will be delivered including GP surgeries, schools, noise mitigation, highways etc. (**SUB8, the IIA, page 122, point 5.116**), but this is not properly accounted for in Viability Testing (**VIA1**) (**01676-4-1, PL10-CHASE PARK, pages 11-15**).
27. Inputs are out-of-date, undermining the assessment e.g. the IIA refers to the SHMA 2015, which was superseded by the Local Housing Needs Assessment in 2020 (the LHNA) (**SUB8, the IIA, page 57, bottom row 'Housing'**).

28. The IIA is also infected by the Council's misrepresentation of the LHNA (**HNE2**), which does not reasonably reflect a balanced reading of the LHNA as it fails to account for the housing needs of a wide range of groups e.g. existing owners, private renters, older households looking to downsize and concealed households amongst others, and fails to account for the profile of the Borough's existing stock and up-to-date market signals, or take any account whatsoever of the alternative scenarios set out in the LHNA (**HNE2, the LHNA, pages 124-125, points 8.6-8.8 and 8.22**). Notwithstanding this, the Plan is based on unsubstantiated opinions about the delivery of family-sized homes (**01676-9-1, Policy SS1, pages 10-12**). This has led to an exaggerated need for newly built family-sized homes outside urban areas, whilst the genuine need for smaller homes is underrepresented.
29. This misrepresentation infects the IIA. For example, pages 57-58 and 75 (point 4.11) reference the need for family-sized homes. Notably, 'reasonable alternative' options delivering more family-sized homes are rated preferably e.g. **SUB8, the IIA, page E-15 [351-352 using PDF page numbers], points E.36 and E.37**.
30. These issues show that the SA is fundamentally flawed, and not a robust tool for informing site selection or for testing reasonable alternatives.

5 & 6: Deliverability and Overall Conclusion

31. The SSM says brownfield sites were not selected for allocation as part of the reasonable alternatives testing if the Council did not have '*confirmation of availability*' e.g. **TOP2, Site Allocation Paper, Page 76, GRD4**. However, sites within PL11 Crews Hill, such as land owned by Thompsons, are not supported by the landowner, yet were allocated within SA11.4 (**SUB12.1, page 37, point 3.120**) and (**SUB4, ELP REG19 Appendix C Site Allocations, page 451**). The Council appears willing to use CPOs to resolve this at PL11 Crews Hill (**SUB2, the ELP, page 115, point 3.172**) but not within urban areas e.g. allocating the BT Exchange, Cecil Road, (**TOP2, Site Allocation Paper, Page 76, GRD4**), which is identified as a site in the Enfield Town masterplan, would help unlock and deliver SA1.1: Palace Gardens Shopping Centre (**SUB4, ELP REG19 Appendix C Site Allocations, page 362**). This demonstrates inconsistencies and a lack of objectivity, which we believe stems from the Council's objective to benefit from the sale of Council owned Green Belt land.
32. Issues outlined for Stages 2-4 are compounded in the final stages e.g. unreasonable SA findings regarding the sustainability of strategic Green Belt site were ignored, and London Plan policy set aside, leading to major issues with site selection e.g. in terms of meeting NPPF Paragraphs 11a, 20, 99, 108 and 114a, b, d.
33. There appears to be a lack of objectivity and transparency regarding how testing metrics in the HELAA, SSM and SA were set and applied. Indeed, the way large sites are combined for the SA appears calculated to avoid the low scores these sites would otherwise reasonably receive and designed to justify unsustainable development.
34. There are also inconsistencies. For example, our representation raised concerns about non-allocation of brownfield sites, e.g. in Brimsdown (**01676-9-1, Response to Policy SS1, page 7**), notably CFS149 - Brimsdown (**TOP2, Site Allocation Paper, page 76, CFS149**), was not allocated after very little consideration, whilst SA5.6 Meridian East (Harbet Road), was (**TOP2, Site Allocation Paper, page 45, SA5.6**).

35. Characteristics and proposals for these sites are remarkably similar; both Brimsdown and Meridian East propose reconfiguring underutilised Strategic Industrial Land to release land for housing, whilst increasing capacity for industrial use on the remaining land. Both are in the Lee Valley Opportunity Area and close to transport infrastructure. The Brimsdown site has a higher PTAL rating, and both would benefit from Crossrail 2. The HELAA database shows Meridian East is partially within Flood Zone 3, whilst the Brimsdown site is not, and has an additional Level 2 constraint compared to Brimsdown i.e. contaminated land (**HOU10**). The SA confirms Brimsdown (CFS149) is equal to or outperforms Meridian East (SA5.6) on all but one objective (**SUB8, Integrated Impact Assessment, pages 367 & 370**). A consortium of landowners proposed the Brimsdown site, providing an initial master planned layout, whilst the Council owns the Meridian East site.
36. The Council has confirmed its position regarding Meridian East, stressing policy supports its redevelopment (**E5, Council Response, pages 9-11, points 47-54**). However, these justifications also apply to CFS149 Brimsdown, which was not allocated, despite potential to deliver 4,000+ homes in the plan period and increase industrial capacity (**HOU10**). This demonstrates sites were not assessed consistently or in conformity with the London Plan, given proposed Green Belt release (**LP 6.4.8**) (**01676-4-1, PL10-CHASE PARK, pages 8-9**)



Figure 7 - Image from Brimsdown masterplan.



Figure 8 - Land at Brimsdown is underutilised.

37. In our opinion, the Council allocated Meridian East because doing so reflects policy, and because the Council owns the land, but not allocated CFS149 Brimsdown because doing so risks undermining its exceptional circumstances argument and the potential to realise income associated with developing Green Belt land. Therefore, sites were not selected on an objective basis.

38. In short, the SSM is flawed - the methodology is not robust and has not been administered objectively or consistently.

Q5.21: Was the criteria used in the initial sift of sites (Stage 1 of the process) justified, in particular the ‘absolute constraints’?

39. No, please see points 4-16 above.

Q5.22: Paragraphs 4.5 and 4.6 of the Site Selection Methodology paper refer to sites that fell within priorities 1 and 2 being generally considered suitable for development, but with some exceptions, and sites that fell within priority 7 and 8 were generally considered unsuitable but with some exceptions. On what basis were the ‘exceptions’ justified and is it clear which sites fall into which category?

40. Please see points 17-18 above.

Q5.23: Are the reasons for selecting some sites and rejecting others clearly set out and justified?

41. No. There are issues at every stage of the SSM, including with the HELAA and the SA and as a result the reasons for selecting some site and rejecting others are not justified (**please see points 3-38 above**).

Q5.24: Were constraints to development, such as transport, flooding, landscape character, heritage and mineral safeguarding appropriately taken into account as part of the selection process?

42. No. The SSM and SA are flawed and accordingly issues regarding transport have not been reasonably taken into account (please see points 23-26 and 28-29 above).

Q5.25: Where mitigation was deemed to be required, how was this determined and have measures been subject to assessment of viability?

43. Mitigation measures have not been assessed for viability (please see point 26 above and our representation 01676-4-1, PL10-CHASE PARK, pages 11-15).

Q5.26: Has the site selection process ensured the allocated sites are consistent with the spatial strategy, as set out in Policy SS1?

44. **SS1(2)** says '*A major focus will be on regeneration of previous developed sites, regeneration areas in the east of the Borough and London Plan Opportunity Areas*' and **Point 2.24** and **SS1(5)** expand on this. However, the site selection does not reflect this e.g. excluded the Brimsdown site (**CFS149**).

45. **SS1 2.28** claims the Council has '*proactively explored all avenues for delivering new housing supply*'. The site selection process does not reflect this e.g. there are multiple excluded sites where the Council has not contacted the landowner, including when the landowner is the Council/public bodies.

46. **SS1 2.28** says '*The Borough has also prioritised land that has been previously developed and is well-served by public transport.*' This is not reflected in the selection process, as the capacity of sustainable small and large sites has been clearly and considerably underrepresented (**01676-9-1, Policy SS1, pages 5-8**) and the IIA testing was absurd (points 23-30 above).

47. The underutilisation of both small and large sustainable urban brownfield sites, in favour of unsustainable sites, including greenfield sites, would lead to a pattern of development that ELUWG wholly oppose as it would not reflect EnCaf's core objectives e.g. in regard to addressing climate change.

Word count: 2,956