



## Matter 2 - 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	<a href="https://www.enfield.gov.uk/file/PDFs/email/01676-9-1.pdf">https://www.enfield.gov.uk/file/PDFs/email/01676-9-1.pdf</a>
01676-2-1, Response to Policy H4	<a href="https://www.enfield.gov.uk/file/PDFs/email/01676-2-1.pdf">https://www.enfield.gov.uk/file/PDFs/email/01676-2-1.pdf</a>
01676-4-1, SP PL10: Chase Park	<a href="https://www.enfield.gov.uk/file/PDFs/email/01676-4-1.pdf">https://www.enfield.gov.uk/file/PDFs/email/01676-4-1.pdf</a>

<b>Issue:</b>	2.1: Whether the assessment of overall housing need and the housing requirement is justified, positively prepared, consistent with national policy and in general conformity with the London Plan
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**Q2.1: Is the housing requirement of at least 33,280 homes by 2041 justified and positively prepared. In particular:**

- (a) What is the housing requirement up to 2029 and is this consistent with Policy H1 of the London Plan?
- (b) What approach has been used to calculate the housing requirement for the post 2029 period?
- (c) Is this approach consistent with the requirements of Policy H1 of the London Plan?
- (d) Consequently, is the overall housing requirement positively prepared and in general conformity with the London Plan?

**(a) What is the housing requirement up to 2029 and is this consistent with Policy H1 of the London Plan?**

1. The housing requirement up to 2029 is set by Policy H1 of the London Plan 2021 (*the LP*) and is 12,460 additional homes. Boroughs must include this target in their Development Plan (**the LP, H1, part A**).

**(b) What approach has been used to calculate the housing requirement for the post 2029 period?**

2. To answer this question, we first consider the approach that *should* have been used. This is set-out in **LP 4.1.11**. A minimum post 2029 housing requirement can be identified by (i) rolling forward the LP minimum targets for small sites (**the LP21, Table 4.2**) and (ii) combining this with the 2017 SHLAA for large sites, which covers 2029/30 - 2041. This figure can be increased by reference to

evidence of identified capacity, in consultation with the GLA. Additional capacity needs to align with the LP's strategic policies (the LP, Paragraph 0.0.21).

3. This approach generates the following housing requirement for the plan period:

(a) 2019/20 - 2028/29 (LP21 Table 4.1) = 12,460

(b) Small sites rolled forward to 2041 = 4,236

(c) SHLAA 2017 sites to 2041 = 1,575

- Sum of (a) + (b) + (c) = 18,271 (minimum requirement)

- **plus** evidenced additional capacity identified in consultation with the GLAs and aligned with strategic policies of the LP.

4. As set out in our Regulation 19 response, this approach to setting housing requirements post 2029, and in particular the requirements for consultation with the GLA and alignment with the LP's strategic policies, allows boroughs flexibility to increase their housing requirement whilst also enabling the Mayor to retain strategic control over the sustainable and spatial planning of the Capital, which includes setting housing targets reflecting each borough's opportunities, limitations, and role within the Capital (**01676-9-1, Response to Policy SS1 (Spatial Strategy) of the Enfield Local Plan (Reg 19), pages 2-4**).

5. This important context to target setting is explained in the LP (**the LP, points 0.0.21, and 4.1.7**). Furthermore, this approach was accepted by the Inspector who examined the LP, and the Secretary of State (**Direction DR8**), and has been understood and applied by other London LPAs in the preparation, examination and adoption of their development plans (**01676-9-1, Response to Policy SS1 (Spatial Strategy) of the Enfield Local Plan (Reg 19), pages 3-4**).

6. This approach does not preclude Green Belt sites from being allocated or included within the housing requirement figure, as long as overall the allocation of these sites is aligned with the LP's strategic policies, including demonstrating the exceptional circumstances required to justify Green Belt release and policies regarding sustainability of sites, and decided 'in consultation with the GLA'.

7. In our Regulation 19 response, we calculate the approach set out at 4.1.11 of the LP21 would, if correctly followed, generate a housing requirement figure between 28,000 and 34,000 additional

homes over the plan period via brownfield/urban sites **(01676-9-1, Response to Policy SS1 (Spatial Strategy) of the Enfield Local Plan (Reg 19), pages 5-8)**.

8. This translates to an average of 1,273 – 1,545 homes per year, which is higher than the existing annual target set by the LP, and higher than rolling on the 10-year LP target, and higher than the number proposed by the Council as their Preferred Option at Regulation 18.
9. However, the Council has not applied this approach. Instead, from around 2020, the approach used by the Council appears to have been to identify the housing capacity of Green Belt sites the Council wanted to include as allocations, and then add the identified brownfield capacity to this number, in order to generate an overall housing requirement figure.
10. This approach is evidenced by comparing the Council's claims at Regulation 18 with those at Regulation 19. The Council's Preferred Option at Regulation 18 was to deliver 1,250 homes per year on average, which they claimed required 6,000 homes on Green Belt sites PL10 and PL11. However, the overall housing requirement was dramatically increased at Regulation 19, after the LPA realised it could be demonstrated the Preferred Option figure could be delivered via brownfield sites; rather than removing one or both contentious Green Belt sites, they simply increased the housing requirement figure **(01676-9-1, Response to Policy SS1 (Spatial Strategy) of the Enfield Local Plan (Reg 19), page 4)**.
11. In order to try to justify the allocation of Green Belt sites, the Council has repeatedly referred to the Standard Method as context for setting a housing requirement figure, and although not explicitly used as a target, the Standard Method is deployed to try to justify the 34,700 housing target. However, the Government's Standard Method for calculating housing need is not relevant in the London context given the LP was adopted in March 2021, which included a clear approach for setting post 2029 housing requirements.
12. We are concerned that the approach taken by the Council to setting the housing requirement figure appears to flow from the Council's objective to raise £800 million from the sale of Green Belt land for development, rather than from the objective of delivering sustainable development, as is required by Section 39(2) of the Planning and Compulsory Purchase Act 2004.
13. This could potentially explain the Council's poorly evidenced claims regarding the need for family-sized homes **(01676-9-1, Response to Policy SS1 (Spatial Strategy) of the Enfield Local Plan (Reg 19), pages 9-11)** and the delivery of affordable housing at strategic Green Belt sites **(01676-9-1, Response to Policy SS1 (Spatial Strategy) of the Enfield Local Plan (Reg 19), page 8)**.

Furthermore, it could explain why well-located previously developed 'grey belt' land has not been allocated and explain the poorly defined new Green Belt boundaries proposed at Crews Hill. It could also explain why the Council has repeatedly referenced the Standard Method, despite it not being relevant and the unreasonable approach the Council has deployed to test the sustainability of strategic Green Belt sites, which has led to absurd outcomes in the Sustainability Appraisal of these sites (**please see our response to Matter 5, points 23-30**).

14. In the process of deploying and attempting to justify its approach, the Council also appears to have limited the capacity of brownfield sites, for example, by limiting the potential of small sites and by significantly underrepresenting both the availability, and the capacity, of larger brownfield sites (**01676-9-1, Response to Policy SS1 (Spatial Strategy) of the Enfield Local Plan (Reg 19), pages 5-8**).
15. A financial objective appears to have led the Council to adopt a 'Green Belt first' approach to plan-making, whereby the housing requirement figure is defined as whatever the Green Belt sites can deliver, plus any brownfield capacity identified. This introduces an absurd circular logic into setting the housing requirement i.e. the housing requirement is set to include Green Belt sites, regardless of the brownfield capacity or consultation with the GLA, and the resulting housing requirement figure is then used to justify the exceptional circumstances needed to release these Green Belt sites. We are confident that this is not what was ever envisaged by LP 4.1.11 when the LP was drafted, examined and adopted.

**(c) Is this approach consistent with the requirements of Policy H1 of the London Plan?**

16. No, the approach taken by the Council is inconsistent with the requirements of Policy H1 of LP21, because:
  - (a) The approach did not roll forward small sites, as required by 4.1.11.
  - (b) The inclusion of Green Belt sites PL10 and PL11 within the housing requirement figure does not appear to have been the result of consultation with the GLA, as required by 4.1.11. The GLA have consistently objected to the inclusion of PL10 and PL11 sites for a range of strategic planning reasons, beyond whether or not exceptional circumstances are demonstrated. These concerns are notable - of the approximately 90+ site allocations, the GLA has objected in detail and strongly to just two, namely PL10 and PL11.
  - (c) The LPA has not optimised the potential for housing delivery on all suitable and available brownfield sites, as required by LP H1B2 because (i) not all suitable and available brownfield

sites have been accounted for and (ii) where suitable sites have been identified the potential for housing delivery has not been optimised; notably, the Council's Section 22 responses clearly states they have set minimum and/or 'cautious' housing requirements across many brownfield allocations, including those that would be included in the sources of supply listed at LP21 H1B2a-f, and has committed to revisiting a number of these allocations – therefore the Council has not 'optimised' capacity at these allocations (**SUB12.1, page 367, response 01708; page 391, response 01945; page 390, response 01945; page 435 response 01897**).

(d) The Standard Method is deployed to try to justify the housing target, which is not relevant in a London context and is not consistent with Policy H1 of the LP.

**(d) Consequently, is the overall housing requirement positively prepared and in general conformity with the London Plan?**

17. The housing requirement is not positively prepared because it flows from a strategy determined by the Council's financial objectives, rather than meeting objectively assessed development and infrastructure requirements, consistent with achieving sustainable development and in conformity with the LP. This has led to an approach whereby the assessment of housing need and the evidence appears to have been retrofitted and cherry-picked to reflect the Council's commercial objective, rather than the overall housing requirement flowing from the evidence. This includes significantly under representing unidentified small windfall sites, the availability of brownfield sites and the capacity within a number of major sites which is clearly sub-optimal and disconnected from the evidence (**please see our response to Matter 4 for details**).
18. The housing requirement is not in general conformity with the LP because it has not followed the approach set out in LP 4.1.11 LP and LP 0.0.21; the housing requirement figure has not been reached in consultation with the GLA and the additional capacity identified at PL10 and PL11 does not align with the LP's strategic policies.
19. General conformity with the LP is fairly straightforward to discern in terms of setting housing requirements. The method LPA's should follow is clear, accepted and sensible, in that it is a collaborative approach that balances the Mayor's responsibility for the sustainable spatial planning of the Capital, with the needs of local authority's to have some flexibility in setting housing requirements. However, we note the Council's Conformity Topic Paper [**E3.2**] goes to some lengths to try to reinvent this largely by challenging the meaning of 'general conformity'. These arguments, made after the fact, are an example of retrofitting arguments to meet the Council's objective, and also seem to place the Council firmly in the world of 'Humpty Dumpty' whereby they are seeking to

make the LP mean whatever they would like it to mean, but as confirmed in *Tesco Stores Ltd v Dundee*, “*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.*”

20. Our representation explains how the approach taken by the Council would lead to the allocation of unsustainable sites which will dramatically increase car use and car related CO2 emissions in the borough. The approach therefore does not reflect the mode shift to sustainable and active transport that Enfield requires to meet its climate change objectives, or reflect the core London Plan aim to reduce Londoners’ dependency on cars. Furthermore, our representation explains the approach taken in the Plan works against the aim of using brownfield land efficiently and ‘*the re-use and intensification of London’s previously developed brownfield land to ensure London makes efficient use of its land and infrastructure, and that inner urban areas benefit from regeneration and investment*’ (01676-4-1, SP PL10: Chase Park, pages 1-9).
  
21. EnCaf is a civil society forum, established in January 2020 by residents and organisations who want LBE to respond effectively to climate change, which has grown to include over 100 organisations. EnCaf comprises several working groups, focussing on specific issues. EnCaf Land Use Working Group (ELUWG) is responsible for examining how land-use and the built environment across Enfield could be improved to respond to the challenges of climate change. The approach proposed by the Council in the Plan would lead to a spatial strategy that does not reflect EnCaf’s core objectives in regard to addressing climate change.

**Q2.4: If the “interim measure”, referred to in paragraph 26 of the Conformity Topic Paper were adopted, what would the housing requirement be for the overall Plan period? How would this compare to that set out in Policy SS1?**

22. If the interim measure were adopted it would result in a housing requirement of 27,412 across the plan period i.e. 1,246 x 22-years. This approach was the Council’s Preferred Option at Regulation 18.
  
23. The 27,412 figure is 5,868 homes lower than that set out in SS1. As our representations show, this number can be met via brownfield sites alone sites (01676-9-1, Response to Policy SS1 (Spatial Strategy) of the Enfield Local Plan (Reg 19)) and (01676-2-1, Response to Policy H4).

**Word count: 2,355**