

# Enfield Local Plan 2019 – 2041 Examination

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**Our ref** 60325/01/MS/LCh  
**Date** 7 January 2025  
**From** Lichfields obo Berkeley Homes (North East London) Ltd

## Subject Matter 2: Housing Need and Supply

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This Hearing Statement has been submitted by Berkeley Homes (North East London) Ltd. ('Berkeley'); promoting land interests in the Crews Hill area (Policy PL11) including the Owls Hall Estate immediately west of Crews Hill station (Policy SA11.1) as well as the Enfield Garden Centre (Policy SA11.4) on Cattlegate Road. The Crews Hill area is a proposed allocation for approximately 5,500 homes.

### 1.0 **Issue 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**

**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?**

- 1.1 Policy H1 and Table 4.1 of the London Plan ('LP2021') defines Enfield's Housing requirement as an average of 1,246 homes per annum over the period 2019/20 to 2028/29 (10-years). It is of note that the overall requirement for housing across London as set out Policy H1 is at a level below Objectively Assessed Housing Need for the city (with the requirement instead capacity based – linked to the London Strategy Land Availability Assessment [2017] undertaken by the Greater London Authority ['GLA']<sup>1</sup>).
- 1.2 Table 2.2 of Policy SS1 (SUB1)<sup>2</sup> in the submitted Plan identifies a stepped requirement within the period to 1 April 2029. Table 5 of the Enfield Housing Topic Paper ('EHTP') (TOP3)<sup>3</sup> provides a clearer breakdown of the stepped trajectory. Overall, the requirement in the period to 1 April 2029 would be at an average of 1,246 homes (12,462 homes over a period of 10-years). This figure is consistent with Policy H1 of the LP2021.

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<sup>1</sup> Noting the London Plan identified an OAHN of 66,000 homes per annum (para 4.1.1, London Plan) compared to a total average annual requirement of 52,287 homes per annum.

<sup>2</sup> Page 27

<sup>3</sup> Page 21

**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?**

1.3 Table 2.2 of Policy SS1 (SUB1)<sup>4</sup> identifies a proposed requirement of 1,735 homes per annum in the period 2029/30 to 2040/41 (i.e. beyond the LP2021 10-year period). The 1,735 figure includes a 254 home annual allowance for the delivery of small sites across the remaining plan-period.

1.4 Berkeley considers this approach to be consistent with the requirements of the LP and national policy (contained in the December 2023 NPPF). The approach to how LBE has calculated this requirement and why it is consistent with the LP2021 and national policy is set out below:

- 1 **Starting with development needs:** NPPF Paragraph 11 (and as referred to at Paragraph 460 of the London Plan Inspectors’ Panel Report<sup>5</sup>) requires the starting point for a plan is to provide for objectively assessed housing needs. Logically, this means planning for the LPAs local housing need (‘LHN’) calculated using the standard method as a minimum in accordance with NPPF Paragraph 61.

As a starting point, LBE calculated its LHN and used this to inform its requirement beyond the LP 10-year period – as detailed in the EHTP (TOP3) – concluding Enfield LHN at that time was 3,329 per annum (uncapped) and 1,744 (capped); both figures without the 35% urban uplift<sup>6</sup>.

The LP2021 does state that account does not need to be taken of nationally derived local-level need figures (i.e. LHN calculated using the standard method)<sup>7</sup>. However, this is written in the context of the LP 10-year period to 2029, and it would be plainly an incorrect reading of the NPPF (Dec 23) to ignore LBEs LHN in the period beyond 2029.

- 2 **Applied Paragraph 4.1.11:** LBE has next recognised its LHN and applied Paragraph 4.1.11 of the LP2021 to set its requirement. This states that Boroughs should draw upon: (a) the London 2017 SHLAA; (b) any local evidence of identified capacity; (c) potential additional capacity that could be delivered from transport improvements; and (d) roll forward the small site capacity assumptions.

The Council has been through this process as set out between Paragraphs 2.33 to 2.60 of the EHTP (TOP3), a summary of which is below:

- a **London 2017 SHLAA:** LBE explored its capacity as identified in the 2017 London SHLAA<sup>8</sup>, albeit recognises the shortcomings of relying on that evidence for Enfield today, in the context that the GLA itself recognises within the London Plan

<sup>4</sup> Page 27.

<sup>5</sup> The Panel Report says: “Furthermore, given our conclusions about the ability to deliver housing and industrial development within London it would be wrong to unilaterally rule out changes to the Green Belt. That is not to say that they should be supported as a matter of course because the national policy provisions ... should apply. ... But it should be left as an option to provide boroughs some flexibility in deciding how best to meet their development needs, including those specifically identified in the Plan.” (Para 460).

<sup>6</sup> Paras 2.11 to 2.21, Pages 9 to 11 (TOP3).

<sup>7</sup> Para 1.4.4.

<sup>8</sup> Paras 2.37 to 2.43, EHTP (TOP3).

at Paragraph 0.0.13 that the SHLAA “does not attempt to robustly identify capacity beyond 2029” (LBE’s local evidence does seek to do this<sup>9</sup>);

- b **Local capacity:** LBE explores its housing capacity based on the Borough-wide ‘Housing and Economic Land Availability Assessment’ (‘HELAA’) (2023) (HOU1 to HOU10) and its appropriate capacity arising from that assessment (i.e. its allocations informed by the HELAA exercise);
  - c **Additional capacity from committed infrastructure:** Considered any additional capacity from committed infrastructure improvements (noting that there are no schemes that could provide additional capacity<sup>10</sup>); and
  - d **Small sites:** LBE has rolled forward the small site housing capacity assumptions but has made an adjustment to it to reflect:
    - i The small sites allowance in the LP2021 was based on London-wide growth assumptions of 0.3% for the first ten-year period, not an Enfield-specific assessment looking at capacity beyond 2029; and
    - ii The evidence to date for Enfield regarding the output from small sites is that LP policies have not resulted in the growth rates anticipated by the GLA or the LP Inspectors and, in the context of NPPF Paragraph 72 – that requires a windfall allowance to be based on “*compelling evidence*” – it would not be sound to simply roll forward the allowance if evidence suggested it was not realistic. Therefore, LBE has applied a lower small site allowance of 254 homes per annum when compared the identified annualised allowance of 353 homes per annum identified in Table 4.2 of the LP).
- 3 **Green Belt:** LBE – in the context of determining whether exceptional circumstances might exist to release Green Belt – have decided to undertake a review of its Green Belt boundaries. In making the choice to explore this option, the requirement set is in accordance with NPPF Paragraphs 11(a), 20-23 and 145-148. Further consideration of this point is set out in Berkeley’s Matter 4 response.
- 4 **Flexibility:** Finally, having taking account of its housing capacity and noting the Borough cannot meet its own needs (nor by extension any wider unmet needs) the Council has set its housing requirement beyond 2029 at a figure 5% below the housing land supply capacity<sup>11</sup>. This is to ensure there is some flexibility to accommodate potential delays in delivery.

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

- 1.5 Yes. The LP targets are only set for a 10-year period to 2028/29 and in accordance with the NPPF (Paragraph 22) this plan must look ahead over a minimum 15-year period. The overall housing requirement over the period to 2028/29 and beyond to 2040/41 is

<sup>9</sup> For example, the Enfield ‘Housing and Economic Land Availability Assessment’ (‘HELAA’) (2023) (HOU1 to HOU10).

<sup>10</sup> Para 2.51 to 2.53, Page 17, EHTP (TOP3)

<sup>11</sup> Para 2.33, Page 14 (TOP3)

positively prepared, in general conformity with the LP, and accords with relevant national policy in the NPPF (Dec 2023).

- 1.6 Within the relevant LP2021 10-year period (2019/20 to 2028/29) the Council’s requirement is consistent with Policy H1 of the LP2021: at an average of 1,246 homes per year (noting there is a stepped trajectory within this period accounting for completions to date and expected supply).
- 1.7 Beyond the LP period (2029/30 to 2040/41) the Council has followed the requirements of national policy and applied Paragraph 4.1.11 of the LP2021. It has arrived at a requirement that is capacity-based – below overall need – but accords with process through which London Borough’s need to go through to set such a requirement, noting the relevant Paragraph 11b tests (whereby the development capacity in the Borough is constrained, as identified at in LBEs ‘Spatial Strategy and Overall Approach Topic Paper’ [TOP1]<sup>12</sup>). This approach represents positive planning in the context of the Government’s objective to significantly boost the supply of homes (NPPF Paragraph 60).
- 1.8 In the context of the above, Berkeley notes the Government has adopted a revised version of the NPPF (2024). While this version of the framework does not apply to the examination of this Plan – in accordance with transitional arrangements (Paragraph 234b) – it does include Footnote 88. Footnote 88 reads:
- “This paragraph [236] does not apply in relation to local plans for areas where there is an operative Spatial Development Strategy (SDS) which provides the housing requirement for relevant local areas. In these circumstances the SDS will continue to provide the housing requirement for the relevant emerging local plans.”*
- 1.9 Our reading is that Footnote 88 disengages Paragraph 236 – that requires LPAs with an emerging plan with a requirement meeting less than 80% of the LPAs local housing need (calculated using the latest standard method) to immediately prepare a new plan under a revised planning system once relevant provisions are brought into force – for LPAs in an area with an operative SDS only.
- 1.10 Focusing on the second sentence of Footnote 88 in the context of the whole footnote, Paragraph 236, and the revised NPPF (2024) read as a whole, Footnote 88 simply means the requirement within an operative SDS continues to apply where a plan has submitted within an SDS area that benefits from transitional arrangements (under Paragraph 234). LBE are in this situation with the relevant SDS to LBE being LP2021. The LP2021 only sets a requirement to 2029 beyond which Paragraph 4.1.11 of the LP sets out the process for how a requirement.
- 1.11 In this context, Footnote 88 cannot – in our view – be read as suggesting that the LP Table 4.1 housing requirements should apply to any Borough setting a requirement beyond 2029 for the whole plan period (in effect, disengaging Paragraph 4.1.11 of the LP).

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<sup>12</sup> Para 4.2 (and bullets), Page 13 (TOP1).

**Q2.2: Where is the “GLA guidance” referred to in paragraph 26 of the Conformity Topic Paper (and also paragraph 3.4 of the SoCG with the GLA) documented?**

1.12 This is considered a question for the GLA. Berkeley is not aware that such guidance has been published, and therefore it could not be a material consideration in the determination of whether the submitted Plan is sound.

**Q2.3: How does this “guidance” effect the legal requirement for the Plan to be in general conformity with the London Plan?**

1.13 This is considered a question for the GLA. Notwithstanding, in Berkeley’s view LBE has prepared a plan that accords with the LP2021 and relevant national policy.

**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?**

1.14 Simply rolling forward the LP Table 4.1 target across the plan period would result in a total requirement for 27,808 homes as a minimum (i.e. 1,264 homes per annum across a 22-year plan period) compared to the 33,280 home requirement set out in Policy SS1.

1.15 However, simply rolling forward this requirement and that being the end point for the requirement as proposed by the GLAs ‘interim measure’ would not be the correct approach. In Berkeley’s view it would not align with the LP2021 (and the GLA is not able to unilaterally set aside its own plan) and would conflict with national policy in terms of setting a housing requirement (in particular Paragraphs 11, 60, and 61).

**Q2.5: Does footnote 1 adequately meet the requirements of paragraph 67 of the NPPF? To be effective, should the footnote be included within the policy?**

1.16 No, and Berkeley concludes modifications are required. To ensure Policy SS1 is effective, footnote 1 should be included within the main body of the policy.

**Q2.6 – Q2.7**

1.17 No comment.

**2.0 Issue 2.2: Whether the approach to meeting needs for Gypsy and Travellers is justified, positively prepared, consistent with national policy and in general conformity with the London Plan?**

**Q2.8 – 2.14**

2.1 No comment.

**3.0 Issue 2.3: Whether the approach to meeting the needs of different groups in the community is justified, positively**

**prepared, consistent with national policy and in general conformity with the London Plan.**

**Q2.15: Is the evidence on the need for different groups in the community, including the types of housing delivered, based on robust and proportionate evidence?**

3.1 No comment.

**Does the Local Housing Need Assessment (2020) represent an up-to-date assessment of need?**

3.2 No. While Berkeley has no specific concerns as to the methodology of the Local Housing Need Assessment (2020) (HNE2), in light of the passage of time since it was prepared an update or addendum to HNE2 is necessary to ensure the plan is justified. This can be prepared by LBE in good time as part of this examination. Updating the SHMA would overcome any soundness concerns Berkeley have in this respect.

**Q2.16: Does the Plan make adequate provision for the needs of other groups in the community, including but not limited to older people?**

3.3 No comment.

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