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13 September 2021

Dear Sirs

**NEW ENFIELD LOCAL PLAN (ELP): 2019-2039**

We are instructed by Chase New Homes Ltd in relation to the New Enfield Local Plan 2019 – 2039 (“the **New Plan**”). Please accept this letter as our client’s formal objection to the New Plan.

Chase New Homes Limited wishes to raise further objection to the New Plan as follows:

1. The New Plan is not based on a proper planning assessment of the character of Enfield Borough and the evidence base is not fit for purpose.
2. The Character of Growth Study, used to justify a complete u-turn against the Council’s existing planning policies and evidence base, has not only been published at the same time as the New Plan rather than before, it has also been prepared in-house by the Council planning department, utilising a flawed methodology that inappropriately justifies ‘Transformative Change’ throughout the Borough, negatively scoring low-density areas as by-definition low-grade and then categorising the majority of the Borough as low-density. This gives the Council unrestricted authority to designate much of the Borough for ‘Transformative Change’.
3. The Council has not commissioned or provided any heritage assessments to consider the impacts of the tower blocks/tall buildings being proposed in sensitive locations throughout the Borough. This is critical to inform any level of change in such locations.
4. The proposed site allocations can only achieve the numbers quoted with very high density schemes – tower blocks/tall buildings.
5. The proposed site allocations at the densities proposed will fail to meet the requirements of the policies within the New Plan, proposing towers/tall buildings within conservation areas, next to listed buildings, on or near designated heritage assets and non-designated heritage assets.
6. The proposed site allocations can only achieve the numbers quoted with minimal or no parking provision.

7. The proposed allocations include building on existing car parks, both public and private such as supermarkets, which will significantly diminish existing parking provision in the Borough, to the substantial detriment of town centres, local centres and local businesses. This is not explicitly referenced in the Council's consultation exercise and should be made clear to residents to provide a full picture of this Council's vision.
8. The proposed allocations include building on public car parks in Winchmore Hill and Palmers Green, which the Council has historically stated will provide for these local service centres when on-street parking in Green Lanes was removed to facilitate the new cycle lanes. The presumption should be protection of these car parks not removal.
9. The removal of significant levels of existing parking spaces in the Borough next to or within local service centres and shopping areas and replacement with dominant tower blocks/tall buildings will erode the attractiveness of these locations as destinations and decimate local businesses, thereby failing current adopted and proposed economic and local centre/town centre policies.
10. The New Plan policy T1 seeks car-free development as the starting point in new development proposals. This is fundamentally flawed, lacks evidential justification and goes beyond what is required within the London Plan, which only seeks car-free development where the site is already well-connected by public transport.
11. The proposed site allocations are wildly optimistic in terms of deliverability and timescales.
12. The Council has not prepared any feasibility studies that would provide residents with an idea of the scale and height of development needed to accommodate the proposed allocations, given no indication of the parking required or offered, or listed any compensation for car spaces lost or new sustainable transport provision for the new homes.
13. The Council has listed building heights on one plan only within the new evidence base, utilising very small text to state the extremely high building heights proposed. This does not constitute a fair consultation for residents to understand the level of change being proposed.
14. The building heights proposed will clearly fail to preserve or enhance the conservation areas, listed buildings, heritage assets and the urban or rural grain of the Borough, failing to respect current planning policies or those proposed in the New Plan.
15. The Crews Hill allocation policy will not protect employment uses in this major rural visitor attraction. The Council also list this as a sustainable location due to the existence of a train station, and yet it has a PTAL rating of 1a-1b, is physically divorced from the main urban area and not convincingly served by any other public transport or amenities.
16. If all the proposed allocations come forward then the positive urban qualities of the Borough will be completely destroyed.

These objections are explored in more detail further on in this letter.

### Consultation

In addition we wish to raise an issue with the difficulties in providing feedback on the New Plan. To date it has been poorly publicised and the online presence to publish it is poorly linked to the evidence base. There have been limited "live" events to publicise the New Plan and the whole process appears poorly managed. We have been able to find the details for only 3 public events, all of which took place in the school holidays over the summer and with very little publicity. The Council offices remain closed so people cannot visit to see physical copies. Even outside of the pandemic, the exposure of the Regulation 18 consultation would be considered poor, particularly for those not comfortable or familiar with finding resources online, but with the effects of the pandemic greater effort must be made

to engage with the community both physically and online. At the very least the consultation period should be extended beyond the minimum period.

### **Background**

Our client owns the properties at 116 Cockfosters Road and has recently secured prior approval at appeal for the change of use of the properties from offices to 197 residential units. Our client has secured a costs award against the Council as a result of the Council's unreasonable behaviour in not following planning policy and applying their own judgement in the absence of any firm and substantive evidence to support their conclusions in refusing several redevelopment proposals at our client's site. The Council's perceived dogmatism and unreasonableness in progressing our client's application related, in part, to the perceived scale and massing of the site. We are aware that the Council currently falls into the *presumption in favour of development* category within the National Planning Policy Framework ("NPPF") due to failing the housing delivery test. Despite falling into this category, the Council took an incredibly restrictive approach to any degree of change at our client's location. The Council has historically adopted a hard policy approach to change in the Cockfosters town centre location, and our client is therefore very surprised to see a completely contrasting position taken in the New Plan which has been published about the same time as a major development proposal submitted for the Cockfosters area.

To avoid repetition a copy of our previous objection letter (in relation to the TFL application at Cockfosters Station) is attached at Appendix 1 which included references to: -

- The construction of tall buildings at the Site (in Cockfosters) being wholly inappropriate when assessed against current Local Plan policy.
- The design / allocation of the Development (within the train station car park) directly conflicting with the Council's reasons for refusal for our client's development proposal (with the cladding application refused as in the Council's opinion it would *appear visually intrusive and overly dominant, thereby failing to preserve or enhance the character and appearance of the property, the streetscene of which it forms part and the setting of the adjacent Trent Park Conservation Area and Green Belt*);
- The design of the Development fails to take appropriate regard to the design of the surrounding area, contrary to DMD policy 37 and the density of the Development is grossly disproportionate to the local area, contrary to Policy DMD 8 and policies 4 and 30 of the Core Strategy;
- The Development is inappropriate development given the close proximity to the Green Belt, contrary to policies DMD 82 and 83;
- The Development is far too close to our client's development which will significantly impact the amenity of future residents of both our client's site and the Site, contrary to DMD policy 10; and
- The Development will result in the net loss of 352 public parking spaces, effectively a public utility, at a busy train station, contrary to DMD policy 45.

The New Plan represents a complete policy u-turn from adopted policy which has not been justified at all through the evidence base. We note in particular that the area around Cockfosters Station, having previously been identified as an inappropriate location for tall buildings, is now classified as appropriate and is allocated for very high density housing within the New Plan. The TFL application is on a site which is part of designated 'Local Open Space', within the setting of:

1. a Grade 2 listed building (the station),
2. Trent Park Grade II Registered Park and Garden, and
3. immediately abutting the Metropolitan Green Belt and
4. on a prominent ridge.

It is a completely inappropriate site for such a severely dense scheme, as already stated within the Council's existing evidence base in the Report on the Location of Tall Buildings and Important Local Views 2012, and the Council's existing adopted policies. The New Plan appears to be a poor attempt to shoe-horn in policy support for an extremely poor site.

Our client has concerns about the Council's use of emerging policy to assist it in facilitating a completely inappropriate development proposal with the plans submitted by TFL which is understood to be heading to an October committee. At this point in October the New Plan will have concluded its first stage consultation only, with the results as yet unknown, but with at least some objection raised, and so cannot be said to have any weight in the determination process.

The Council follow this same approach as at Cockfosters in proposing tall buildings/tower blocks in similarly inappropriate locations through the Borough.

Our client is a local housebuilder and does however raise this objection as it affects the Borough more widely as well. They believe in probity in the planning process. The issues raised on the application for the land by Cockfosters Station for housing follow through the contradictory nature of the New Plan, both when considered against adopted policies and the draft allocations against the New Plan policies.

## **Objections**

1. The New Plan is not based upon a proper planning assessment of the character of the Borough and the evidence base, including the Character of Growth Study, is not fit for purpose

The current Local Plan states that tall buildings will not be acceptable within the following inappropriate areas:

- a) *within and adjacent to the Green Belt;*
- b) *within the boundary or in the immediate vicinity of, or along views to, or from:*
  - *Conservation areas;*
  - *Nationally or locally listed buildings;*
  - *Scheduled or locally listed ancient monuments; and*
  - *Nationally or locally registered historic parks and gardens.*

Policy 9 of the London Plan states that tall buildings should only be developed in locations that are identified as suitable in development plans. However, policy DM DE6 of the New Plan states that

*The principle of tall buildings will be supported in appropriate locations. If a proposal is defined as tall, it will be assessed against the following criteria:*

- a. *Figure 7.4 identifies areas where tall buildings could be acceptable (subject to the criteria contained in this policy) along with indicative maximum heights. Tall buildings should only be developed in locations that are identified as potentially suitable; and*
- b. *Locations marked as potentially appropriate for tall buildings do not allow for a blanket height across the area. Height will only be supported as part of a coherent strategy.*

*All other policies within the development plan remain relevant in determining the detailed location, form and design of buildings. It should be noted that many of the locations include sensitivities, including those related to heritage assets, and therefore more detailed analysis will be needed to justify proposals.*

*Design quality 2. Proposals involving tall buildings must demonstrate how they will:*

- a. *be of the highest architectural and urban design quality (in terms of materials, silhouette, proportion, finishes and the treatment of the public realm);*
- b. *relate well to the character of the immediate context and its surroundings, taking account of building heights, topography and the pattern of adjoining streets (both existing and planned);*
- c. *not harm the significance of heritage assets, including their settings and protected views;*
- d. *provide high quality private and communal amenity and play space in accordance*
- e. *activate the street frontage;*
- f. *be carefully sited to avoid creating a wall of tall buildings or isolated and poorly defined buildings and spaces;*

- g. *avoid adverse impacts on the microclimate (including wind and overshadowing) and amenity of the site and surrounding area (including appropriate modelling);*
- h. *provide a positive contribution to the skyline that considers views in the medium, short and long distance as well as contribution to a cumulative impact across an area.*

*Applicants must submit 3D models of their designs in an agreed format to allow a full assessment of the tall building (or cumulative impact of a cluster of tall buildings) across the borough as part of the planning application process.*

The Council's report on the "Location of Tall Buildings and Important Local Views" (March 2012) identifies areas in the vicinity of Cockfosters Station as being 'inappropriate' for tall buildings. In fact, the report states that whilst some of the existing tall buildings within town centres and local centres – Enfield Town, Edomonton, Cockfosters and Southgate all have a number of taller buildings, *"..some of these buildings assist in emphasising importance as service centres and transport nodes, **in urban design terms a number are considered to be inappropriate in relation to their impact on their local setting and important local views**".*

The report then confirms that tall buildings are inappropriate due to the local setting, and only buildings in Cockfosters smaller than the existing Blackhorse Tower (our client's building) may be considered appropriate.

Our client has struggled to get applications for new cladding on their buildings due to the effect on the perceived scale and massing of those buildings. However the proposed allocation for the site next door, at the density required, will result in buildings at least 1.5 times the size of those within our client's development to be constructed. This runs fully against current adopted policies and evidence base, and the same principle applies to the other centres as listed above where extremely high densities are now being proposed in the draft allocations. The Enfield Characterisation Study 2011 recognises that tall buildings will be a part of London, but that they will *'be sited where the existing context, and boroughs, can support them'*. This informed the current Local Plan.

The Character of Growth Study (CoG) informs the emerging Regulation 18 Enfield Local Plan (2021). It was only published on 17 June 2021, at or about the same time as the proposed allocations, so appears to be published with the sole aim of supporting those allocations rather than providing the evidence base which led to them. It is a case of cart before the horse. The Study goes on to allocate the site by our client's development site in Cockfosters (by appearances, into the greenbelt) for 45 metre height buildings along with buildings upto 51 metres in Enfield Town, 39 metres in Southgate and 33 metres in Palmers Green. Such heights are entirely out of scale with the existing urban grain.

There is no link with the 2012 Tall Buildings study or acknowledgement of the changes (or lack of) in the topography or local geography in the 9 years since the study was adopted which allow for such a considerable change in judgment. It would be too easy to say that the evidence base is flawed in relation to tall buildings; in this case the evidence base appears to simply be non-existent.

The CoG was compiled in-house by Council officers with no individual acknowledged authors, or with any professional qualifications listed. **It has been compiled using a combination of google-maps and GIS data and not from actual site visits or a proper relevant understanding of the local area.**

The Council should commission an independent report on character, given the above failings and also that it has been shown officers make decisions without following policy in a proper fashion and in the absence of any firm or substantive evidence to support their conclusions (please see our client's appeal costs decision).

The CoG acknowledges the positive characteristics of the Borough and then seemingly offers protection where high/positive character and features are recognised, with 'Transformative Change' of re-development and tall buildings only occurring when a typology character is *'of a poor quality'* (understandable) or *'low density'* (without reason). The CoG considers low density to be *'suburban typologies (garden city, large suburban etc)'*, which constitutes the majority of the Borough, as shown on Page 9 of the CoG.

Not only is such blanket application of density definition far too broad-brush an approach, ill-thought out and lazy analysis, it also gives very disproportionate weight toward Transformative Change anywhere in the Borough without any need for further justification, essentially giving authority to entirely transform various suburban typologies with minimal additional analysis. This will effectively destroy the positive features and character that have been identified in the CoG, as 'low density' is deemed, by definition, to be 'bad' and open to significant change, due to other simplistic assumptions such as sustainability and proximity to a train station, which can be given overriding weight to alter the character of an area.

And this is precisely what the CoG has done, using borough-wide maps with no markers of areas, train stations or roads, justifying re-allocations of typologies against the Characterisation Study, introducing significant changes contrary to the Location of Tall Buildings and Important Local Views, adopted policies and even policies within the New Plan.

The CoG also refers to matters such as '*predominance of car parking*' within the Negative Features Assessment, but does not qualify whether this is on-street, on-plot or in car parks. It could be construed that any cluster or arrangement of parking is negative and this could be used to justify the loss of car parks, both public and private (within supermarket curtilage or otherwise). It fails to recognise that the car is a feature of outer London. The adopted Enfield Town Centre Framework Masterplan, March 2018, ('Enfield Town Masterplan') gives weight to this, referring to surface car parks '*as being visually intrusive in the conservation area*'. It is however an inappropriate jump, not supported by the evidence, that simply because a car park use is not attractive, the alternative of tall buildings on the car park is appropriate. With Enfield Town the Council has not been clear if the Palace Gardens multi storey car park would need to be removed or significantly reduced to allow for the 51 metre towers proposed in its location within the conservation area. The Enfield Town Masterplan refers to the need for parking in the town to contribute toward its commercial success.

The CoG also presents as fact that qualitative analysis has been carried out, but fails to give any real commentary alongside it, and even provides purported hyper-links to the analysis and results which do not work (see Pages 11-13). It is poor writing not to include such vital information within the report but without this information publicly available it is not possible to have faith in the CoG conclusions. This information has been requested from the Council but has not been forthcoming.

The CoG is therefore disproportionately weighted in its methodology to allow for tall buildings, out of scale with their surrounds, including within or adjacent to conservation areas or listed buildings, where there is considered to be good sustainable transport, and also to be disproportionately hostile toward car parking. In effect it leads to a simplistic planning-by-numbers exercise for trying to meet housing targets by cramming high-rise near train stations, in most cases seeking for acceptance of buildings 20 metres higher than existing tall buildings, and 14-15-storeys higher than the general urban grain. This does not constitute a properly evidenced plan-led process.

Other parts of the evidence base, such as the documents published by Aecom, correctly refer to the Characterisation Study and Tall Buildings Study as material considerations, most likely because they were carried out at the appropriate time before the New Plan and CoG were published. By referencing the existing evidence base rather than the emerging base, this demonstrates clear and explicit contradiction, the muddled approach of the Council, the clear retrofit of the CoG to justify the site allocations and an overall prematurity in proceeding to Regulation 18 consultation.

The Cockfosters allocation will create an overbearing and overlooking scheme with our client's current permitted development site and this, again, does not appear to have been taken into account either in allocating the site for such a tall, dense development.

2. Inconsistent approach to protecting heritage assets and townscape & the proposed allocations can only achieve the numbers quoted with very high density schemes – tower blocks/tall buildings

This issue is primarily summarised at section 4 of our objection to the Cockfosters application. The New Plan is an extreme change to existing policies without the care being taken to consider the evidence base. For matters such as heritage and conservation the evidence has not changed, if anything the protection in national policy terms has gotten stronger.

The Spatial Strategy at 2.2.1 (page 20) lists one of the key challenges in managing future growth as accommodating the development needed without adversely impacting upon existing built character, and the natural and historic environment. This may then be considered to be an important consideration for the Council, but it does not appear to have been elsewhere. This is the same with the strategic policy (page 34) – *“all development should positively contribute towards sustainable development that enhances the Borough’s character and contribute to the places in which they are located;”* and *“all development, regardless of scale will be expected to promote and support the Borough’s rich heritage and cultural assets, contributing to the creation and maintenance of local distinctiveness and demonstrate how this has been achieved”*.

**Despite the above the Council is proposing tower blocks/tall buildings in Southgate at 39 metres tall (13 storeys) where there are listed buildings and predominantly low-rise, 45 metres in Cockfosters (constraints listed above), 33 metres in Palmers Green (11 storeys) within the conservation area which is low-rise with designated and non-designated heritage assets and 51 metres (17 storeys) in Enfield Town in the conservation area with other designated and non-designated heritage assets where only a handful of tall buildings already detract from the character of the area.**

The policies and allocations in the New Plan clearly do not correspond with each other or with current planning policy.

The strategic policy for Enfield Town (page 38) notes that Enfield Town retains the character of the market town from which it originated and most of the town is designated as a conservation area which boasts many attractive old buildings and a market square. It is therefore clearly too constrained in heritage terms with a conservation area and listed buildings to naturally allow for large scale growth. And to be clear the proposed 51 metre high buildings will be 20 metres higher than any existing tall buildings within the town.

The placemaking vision (page 40) that development in Enfield town must concentrate tall buildings and other high-density developments around railway stations and other key gateways and parts of the retail core and London Road is disconnected from the heritage statements within the policy, **and does not make clear that 51 metre high buildings are being proposed.** Heritage considerations will be severely compromised by making Enfield an extremely high rise location.

The CoG conclusions, which is where justification for 50m+ towers is based, clearly run contrary to existing policies and evidence base and even the New Plan policies. They also run contrary to the Enfield Town Masterplan, a more recent piece of adopted work, which does endorse high density (without indicative figures), but states in many sections that *‘a high quality building that is **slightly taller than, but respecting those in the surrounding area, might be acceptable.**’* This represents a far fairer assessment of the town and does not place specific height limits that are more akin to inner London and not an outer London borough.

The CoG cannot therefore be reconciled against existing policies or even New Plan policies to justify the proposed ‘Transformative Change’ within the Borough, particularly given how many tall buildings will be within or directly adjacent to designated heritage assets.

Conspicuous by their absence is the lack of any heritage impact assessments to accompany the CoG Study, when many of the high rise allocations are in sensitive locations as shown above, and as such the impact of these allocations must be assessed on a whole Plan basis with much more sensitivity work undertaken with indicative feasibilities, and not left to be assessed in future applications which would be undeliverable against the New Plan policies.

This new policy basis that most new housing development must be in overly dense, high rise housing with no/minimal parking, with no reference to height parameters within the actual policies, informed by heritage or other typography constraints will clearly lead to inappropriate densities and significant adverse effects upon designated and non-designated heritage assets.

The New Plan allocations are an obviously simple approach of just cramming the housing numbers in without care for any of the features that actually make the outer London boroughs attractive places to live.

3. The proposed site allocations can only achieve the numbers quoted with minimal or no parking provision

Draft policy T1's starting point is that development should be car-free. This goes much further than the London Plan starting point of **car free where the site is already well connected by public transport**.

This Council's policy to create car-free developments from the start is not in the realm of reality.

Enfield is an outer London borough which is not well connected by London Transport, this is a fact. The NPPF requires local car ownership to be taken into account as a material consideration when forming policy (Paragraph 107). The Council's evidence base has clearly not considered this or carried out any work to justify such an approach, and we know from our client's cost award against the Council that they have sought to suppress car parking in the Borough without any substantive evidence to justify it.

While Policy T1's approach is clearly wrong and not in compliance with the NPPF or even the London Plan, it provides an attempt by the Council to validate its housing allocations which will clearly not have space to provide car parking for future residents. This is the case with the TFL scheme where no parking spaces are to be provided for 351 new homes.

**The Council's Regulation 18 consultation fails to make clear that many of its high density housing allocations will not be able to provide parking for residents of these new allocations, and this should be made clear so residents fully understand all the implications of the New Plan.**

4. The proposed allocations include building on existing car parks, both public and private such as supermarkets, which will significantly diminish existing parking provision in the Borough

The stated aim of new development being provided car free also needs to be understood in the reality of the allocations policies, **which include building on existing car parks**. The result of such allocations will be a considerable net loss of existing car parking provision as well as no/little new car parking spaces being provided. This will create enormous levels of parking congestion on-street, to the significant detriment of residents, businesses and cycle lanes, and also giving rise to the very real risk of compromising highway safety.

The London Plan aim of curtailing the increases in car parking across the city seeks a 5-10% overall reduction in car use. The Council's approach however would decimate parking provision in the Borough and effectively represent a ban on the car. The Council's approach is an oppressive, dictatorial approach to enforcing no car ownership.

Whilst noting the London Plan stance on net increase of car parking spaces the **huge loss and conversion of car parking** spaces around the shopping areas in the Borough is not supported by any evidence and will have a severe adverse economic impact. **The Regulation 18 consultation is also inexcusably silent on the significant level of parking reductions being proposed in the Borough**. This fails to comply with the NPPF (para 107) which references local car ownership levels as a material consideration in policy formulation. Enfield is an 'outer London Borough' with relatively high levels of car ownership. Current modes of sustainable transport (such as the Cockfosters train station) require users to drive to get to the train station and the car park's over 350 spaces are at or near capacity most days.

The adopted Enfield Town Masterplan expressly refers to the contribution that appropriate car parking makes to the vitality of the town centre, and yet it seems that the draft allocations are seeking to place tower blocks/tall buildings upon the Palace Gardens multi-storey car park.



The volume of allocations which seek to remove existing car parking provision is inconsistent with the evidence.

5. The proposed allocations include building on public car parks in Winchmore Hill and Palmers Green, which the Council has historically stated will provide for these local service centres

Winchmore Hill's local centre car park, Fords Grove and the car park at Palmers Green were all given as evidence to justify the removal of significant on-street parking in Green Lanes to facilitate cycle lanes. To further remove the parking provision will represent a severe erosion of parking upon what's already happened (and already damaged businesses) in local centres.

The success of retail parks in the Borough, despite their expansive levels of hardstanding and stark surroundings, can clearly be attributed to the plentiful free parking and convenience. The Council's evidence base and policies are not mindful of this as they seek to remove the parking that sustains local shopping centres/businesses/town centres and would clearly give rise to significant adverse economic impact. The evidence base does not appear to understand the economic impact of removing these parking spaces with thousands of shopping hours lost with each parking space removed, together with the effect on sustainable transport in removing the ability to park at train stations. Train station car parks also provide parking for local centres.

6. Unrealistic timescales

The allocations are wildly optimistic in terms of delivery, particularly on supermarket sites. Put simply the New Plan will not be able to deliver the numbers proposed in the timescales envisaged and the Council will continue to fail the housing delivery for much of the early part of its existence. **For this reason alone the New Plan should not be allowed to proceed.**

Whilst it is an easy criticism that the New Plan is developer-led, seeking to justify the sites which have been found, rather than letting the evidence lead the policy makers to the right sites; the New Plan also needs to gain a much greater understanding of the reality of high density housing delivery. The nature of delivery of housing on high density sites is that the site preparation and lead in times are greater. On a traditional housing site small parcels of land can be prepared with 5-15 units built, finished and released to the market at a time. High density high rise sites take much longer to prepare as a substantial amount of each building needs to be completed before even the first occupier can move in.

This is further complicated on the supermarket sites which are allocated for development. Most of these occupiers are not going to want to voluntarily leave without significant compensation and / or re-provision elsewhere. Significant planning and preparation will be required to consider how those businesses can continue to run during the development phase, and this requires detailed discussions between developers and supermarket owners, examination of lease agreements etc.. The majority of the supermarket allocations are on land owned directly by the supermarkets or on long leases and no evidence is presented that those owners are in any way on board for a redevelopment in the near future. As an example the Asda Southgate site is owned by the Council but subject to a 125 year lease to Asda, presumed to be on commercial terms which would protect their business. This is the same for the land to the north side of Southbury Road. The practical difficulties do not appear to have been considered anywhere in the evidence basis. Allocations on land which do not have the support of the landowner will need to be brought forward by the Council using CPO powers which will add years to any timescale, if indeed the Council can obtain authority for such a CPO.

7. Lack of proper planning assessment of the areas which will lead to destruction of positive urban fabric

The New Plan represents a complete U-turn on the current set of policies to justify what can only be construed as developer-led schemes in a desperate bid to resolve the Borough's housing need, at any cost. The introduction to the New Plan at 2.1.5 (page 13) says '*there are opportunities to improve the environmental quality of the urban edge, bringing green space into urban area and maximising the potential for people to interface with nature*', and at 2.1.15 (page 17) – '**Growth is never just a numbers game**' and *good placemaking is needed to ensure that the valued qualities, uniqueness and distinctiveness of Enfield's neighbourhoods are celebrated*'.

The evidence in the New Plan does not support the allocations being brought forward in it. The incredibly high numbers, on unsupported high density, **high rise developments clearly are just a numbers game.** There is no credible evidence or proper policy planning within the draft site allocations, and they certainly do not follow on from the draft policies or more importantly the evidence base for the current Local Plan, which was far more detailed and proper than what we see in this Regulation 18 consultation.

#### 8. Inappropriate planning obligation policies.

Inappropriate and unjustified financial contribution policies seem to be finding their way in to the New Plan including, for instance, that *“planning contributions will be sought towards the provision and maintenance of public art installations and cultural facilities from developments comprising 50 or more residential units.”*

Whilst this is not to detract from the need to create interesting and cultural places to live and work, art is not necessary to make a development acceptable and this fails the CIL Regulation test for a planning obligation. The requirement for public art to make developments acceptable was taken out of national policy requirements many years ago.

More importantly there remains a lack of evidenced based consideration of planning obligations. The majority of allocations across the New Plan remain extremely difficult to bring forward and are unlikely to accommodate contributions which are anything less than essential whilst producing viable development proposals. We have been unable to find a whole plan viability assessment and would strongly suggest that one is undertaken forthwith.

### Conclusion

For the above reasons, we respectfully request that the New Plan not be progressed to the next stage. We reserve our client's right to submit further detailed studies on all aspects of the evidence base to maintain their objection at the EiP but at this stage keep their objection to the highest level.

Keeping all principle new urban allocations to supermarkets and car parks with the aim of creating car free housing and removing existing parking for current residents which service existing retail and business, is fundamentally misguided.

These developments, in high density, high rise are some of the most difficult to bring forward and will not assist the Council's failing of the housing delivery in either the short or the medium term. Where they can be brought forward there is currently no evidence that they can be brought forward sympathetically. In fact the opposite is true and any reference to mitigation is simply meaningless given the existing urban fabric and the proposed changes.

For other sites the policy base needs to come forward in a way which is supported by the evidence. The policies need to guide development which is suitable in the allocated locations and not just regurgitation of existing policies when they clearly do not fit the proposed site allocations. As soon as the previous character assessment is used to guide suitable heights in allocated locations it is clear that the allocated densities cannot come forward within a development at a suitable height.

The evidence for these policies and the likely outcome is also not coherently or transparently presented for local residents to understand and are even difficult for professionals to decipher, and the Council must provide more detail on its methodology and findings in a manner that is accessible.

The New Plan as drafted represents an unjustified policy change which fails to protect the Green Belt and other protected areas within the Council's local area and should not be progressed in its current form.

Yours faithfully



**APPENDIX 1 – LETTER OF OBJECTION DATED 12 AUGUST 2021**

Your Ref: 21/02517/FUL  
Our Ref: 020712/021945/02675070-5/26824450-1

**BY SPECIAL DELIVERY AND EMAIL**

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12 August 2021

Dear Sirs

**Planning Application 21/02517/FUL - Land Adjacent To Cockfosters Underground Station  
Cockfosters Road Barnet EN4 0DZ**

We are instructed by Chase New Homes Ltd in relation to planning application 21/02517/FUL (“the Application”) for the erection of four 5 – 14 storey buildings (“the Development”) at land adjacent to Cockfosters Underground Station Cockfosters Road Barnet EN4 0DZ (“the Site”).

The Application is contrary to planning policy and should be refused for the following reasons:

- The Council has not evidenced compliance with their notification obligations in respect of the Application;
- The construction of tall buildings at the Site is completely inappropriate and completely contrary to DMD policy 43;
- The design of the Development directly conflicts with the Council’s reasons for refusal for our client’s development proposal;
- The design of the Development fails to take appropriate regard to the design of the surrounding area, contrary to DMD policy 37;
- The density of the Development is grossly disproportionate to the local area, contrary to Policy DMD 8 and policies 4 and 30 of the Core Strategy;
- The Development is inappropriate development given the close proximity to the Green Belt, contrary to policies DMD 82 and 83;
- The Development is far too close to our client’s development which will significantly impact the amenity of future residents of both our client’s site and the Site, contrary to DMD policy 10; and
- The Development will result in the net loss of 352 public parking spaces at a busy train station, contrary to DMD policy 45.

Our client owns the properties at 116 Cockfosters Road, which sit immediately adjacent to the Site. Our client has secured a costs award against the Council as a result of the Council’s refusal of several redevelopment proposals at our client’s site, in part due to the perceived scale and massing of their own site. They have recently secured prior approval at appeal for the change of use of the

properties from offices to 197 residential units and have implemented that development; our client's development is a material consideration of great weight in the determination of the Application.

We are aware that the Council now falls into the *presumption in favour of development* category within the National Planning Policy Framework ("NPPF"). However, planning permission should not be granted where the application of policies within the NPPF that protect areas of particular importance provides a clear reason for refusing the development, or where the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole. Irrespective of this tilted balance test in the NPPF, the Council is still required to take into account all material considerations in determining the Application.

Further, the Council refused planning permission / prior approval for our client's development schemes whilst already falling into the *presumption* category, due to taking an incredibly restrictive approach to any degree of change in this location. The Council's restrictive approach prevented the quick delivery of approximately 200 new homes at our client's existing buildings. We would remind the Council that they have historically adopted a hard policy approach to change in this location, even as a *presumption* authority, and that a consistent approach must be adopted when determining the Application.

### **Planning Policy**

In accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, the Council must have regard to the provisions of the development plan in determining any planning application unless material consideration indicates otherwise. The Council's statutory development plan comprises the London Plan together with the Council's Core Strategy ("CS") and Development Management Document ("DMD").

The Council is in the process of preparing their new local plan for Enfield (the Enfield Local Plan 2019 – 2039). Our client has concerns about the Council's use of emerging policy to assist it in facilitating a completely inappropriate development. The Council has undertaken a preliminary consultation on the emerging local plan, and has also prepared an 'issues and options' document, which fails to mention any desire for densification of Cockfosters. We note in particular that the Site, having previously been identified as an inappropriate location for tall buildings, is now classified as appropriate and is allocated for high density housing within the draft emerging plan. The emerging plan is also being overly relied upon by the Council in allocating the Site for a car-free development, contrary to paragraph 107(d) of the NPPF which requires regard to be had to local car ownership when setting local parking standards. The car ownership levels in Cockfosters are at a rate of 1.35, which is significantly higher than the Council's area (at 1.00) or London as a whole (0.82). Given that the emerging plan is at a very preliminary stage, and presents a complete conflict with the Council's current local plan and a failure to comply with paragraph 107(d) of the NPPF, no weight should be afforded to the emerging plan. It would be legally premature for the Application to be determined on the basis of the Council's draft emerging local plan, which has not been subject to any scrutiny or detailed consideration.

### **Objections**

#### 1. Inappropriate location for tall buildings

The Development proposes the construction of a number of tall buildings in a completely inappropriate location, contrary to Policy DMD 43, which states that tall buildings will not be acceptable within the following inappropriate areas:

- a) within and adjacent to the Green Belt;
- b) within the boundary or in the immediate vicinity of, or along views to, or from:
  - Conservation areas;
  - Nationally or locally listed buildings;
  - Scheduled or locally listed ancient monuments; and
  - Nationally or locally registered historic parks and gardens.

Policy 9 of the London Plan states that tall buildings should only be developed in locations that are identified as suitable in development plans. Policy 43 of the DMD, is one of the “departure policies” identified by the Council; there is a conflict between the policy and the Development, particularly in relation to its location adjacent to the Green Belt and the fact that the Site lies within both the Trent Park Conservation Area and the Trent Park Grade II Registered Park/Garden and is situated next to the Station. It is therefore wholly inappropriate for a number of tall buildings to be developed at the Site.

Furthermore, the Site is located on a prominent ridge and the Development is likely to infringe upon or detract from important local views; both of which make the area “sensitive”. Policy 43 contains a presumption against tall buildings in “sensitive” areas; the Application proposes the construction of a number of tall buildings within an area classified as sensitive and therefore is clearly in conflict with policy.

The Council’s report on the “Location of Tall Buildings and Important Local Views” (March 2012) identifies the location of the Site as being ‘inappropriate’ for such development. In fact, the report states that whilst some of the tall buildings at Cockfosters “assist in emphasising importance as service centres and transport nodes, in urban design terms a number are considered to be inappropriate in relation to their impact on their local setting and important local views”. Further, our client’s property is specifically referenced on page 20 of the report as being ‘highly visible’ and not contributing positively to its surroundings. The report states that a less bulky replacement building would better respect the prominent location and might be considered acceptable. The report therefore confirms that tall buildings are inappropriate due to the local setting, and only buildings smaller than the existing Blackhorse Tower may be considered appropriate.

The report and associated policy guidance from the Council, coupled with the “sensitivity” of the Site, demonstrates that the Site is not a suitable location for a number of high rise buildings and therefore the Council cannot reconcile the Development with that of their own guidance and policies. We are aware that the emerging local plan completely contradicts the existing policy, and seeks to classify the Site as appropriate for tall buildings. However, as stated above, the emerging plan is at far too early a stage to be afforded any weight in the context of this Application, given particularly the contradiction between the existing and emerging policy.

## 2. Design and character of the Development

The design of the Development does not respect the character of the area, contrary to DMD policy 37 and contrary to the Council’s previous reasons for refusing development in the area.

The buildings in the immediate vicinity of the Site and along the high street, are predominantly between two and five storeys in height interspersed with a few taller elements. Those buildings have a paler, less “dominant” façade.

Our client’s property (Blackhorse Tower) comprises a light coloured façade/brick face, similar to that of 120 Cockfoster’s Road and Christ Church. However, Site B (block 4) is designed with a dark red façade and “brutalist” design, which is clearly not in keeping with the character of the area, contrary to DMD policy 37 which states that development which fails to have appropriate regard to its surroundings will be refused. The contrasting design of Block 4 will only serve to make it appear more dominant from the ground and intrusive against the skyline.

In addition, the Council provided the following comments when refusing our client’s planning application 20/04025/FUL for external works to Blackhorse Tower:

- a) the proposed new façade was “visually intrusive and overly dominant, thereby failing to preserve or enhance the character and appearance of the property, the streetscene of which it forms part and the setting of the adjacent Trent Park Conservation Area and Green Belt”,
- b) the revised façade/roof garden application would make the building look bigger was likely unacceptable and;
- c) the façade of our client’s property should be in pale colours only as a way to make the Blackhorse Tower appear less dominant.

The Council's approach is inconsistent and haphazard, and it is impossible to reconcile the Council's negative assessment of our client's application with their seemingly supportive position on the subject Application which involves the erection of new buildings of demonstrably increased height; massing; visual impact and harm.

Even when considering the design of the Development in relation to the Council's emerging local plan, the Application still does not meet the required criteria. With reference to policy SP DE4, Policy DM DE6 and Policy DM DE13 of the emerging local plan, the Development is not of a sufficient design quality to become future heritage, is not of the highest architectural and urban design quality, does not relate well to the character of the immediate context, would not provide a positive contribution to the skyline, and is not appropriately located.

The Application should be refused as it fails to comply with existing or emerging local policy, and clearly conflicts with recent reasons by the Council to refuse other development proposals.

### 3. Density of the Development

The density of the Development is grossly disproportionate (around seven times the norm for an outer suburb) and the height of the tower blocks far exceed our client's property and the "*modest street presence*" of the Station, contrary to Policy DMD6 and Core Strategy 5.

Enfield's Characterisation Study (2011) identifies areas of different residential forms and the distinct character of places within Enfield. We note in particular that suburbs, such as Cockfosters, are stated to be generally lower density and so relatively car based. The study also explains that Cockfosters has a "*strong architectural style and visual character which blends the forward looking modernism of the tube stations with quiet neo-Georgian proportions*". Both these assertions are a stark contrast to the proposed density and design of the Development. Furthermore, the study specifically notes that Cockfoster Road is a form of "ribbon development" that is "*very low density and retain[s] an almost rural character*"; the provision of 4 tower blocks of varying sizes and design will dramatically increase the density of the area around the Station.

Policy DMD 6 and Core Strategy 5 states that the Development "*must be of a density appropriate to the locality*" and that Development will be permitted if the "*scale and form of development is appropriate to the existing pattern of development or setting, having regard to the character typologies*" (amongst other criteria). Policy DMD 8 further reiterates the fact that new residential development should be "*appropriately located, taking into account the nature of the surrounding area and land uses*", of an "*appropriate scale, bulk and massing*" (amongst other criteria). Whilst we maintain that the Council's emerging local plan should not be afforded any weight in the determination of the Application, Policy DM DE13 of the emerging local plan also requires new residential development to be of an appropriate scale, bulk and massing.

It is clear that neither the density, nor the scale and form of the Development are appropriate for an outer suburb of fairly low density and "rural character". Further, the Development would lead to the urbanisation of Cockfosters and given its sensitive location, will damage the existing character of the area, contrary to Policy 8 of the DMD and Policies 4 and 30 of the CS (and policy DM DE13 of the emerging local plan). The Development is of a significant scale which does not respect the local area and does not comply with planning policy. The Council must therefore refuse planning permission.

### 4. Conservation and Heritage

The Council has already confirmed that the Development is a departure to DMD Policy 44 (Heritage) which states that "*applications for development which fail to conserve and enhance the special interest, significance or setting of a heritage asset will be refused*". Policy 31 of the Core Strategy requires the Council to pro-actively preserve and enhance the heritage assets in the Borough, by ensuring that developments have regard to the special character of heritage assets.

Further, paragraph 200 of the NPPF (which the Council must have regard to in the determination of the Application) requires that there must be exceptional justification for the substantial harm to listed buildings or grade II registered parks or gardens.



The Development would undoubtedly result in physical impacts to heritage assets, with the principal impacts of the Development being visual and relating to the setting of heritage assets.

Annex 2 of the NPPF states that the significance of an asset derives not only from a heritage asset's physical presence, but also from its setting. The Heritage Statement explains that the ticket hall, train shed and platforms (interior of the Station) are of high significance, with the surface buildings of the Station being of moderate significance. The Development will make a negative contribution to the significance of these assets.

The Heritage Statement confirms that the undeveloped spaces to the north, south and east of the Station entrance give the Station "*visual prominence within the local townscape, and allow for dynamic views of the station from Cockfosters Road*" and that the Station is "*modest and less prominent than many of Charles Holden's other stations*". An important aspect of the Station's setting is the silhouetting of the Station entrance's canopy and end towers against the sky and that overall, dynamic views of the main station entrance from Cockfosters Road are of moderate significance.

Further, the Application will result in harm to the conservation area and grade II listed park. Site A falls within the Trent Park Conservation Area and an Area of Archaeological Importance, whilst the Site is also located in the immediate vicinity of the Grade II listed Park and Garden of Trent Park. Views across the designated landscape, particularly those north across the designed parkland and towards Trent Park House, are highly significant in being almost wholly devoid of modern urban development, which reinforces the heritage asset's rural character (and this is confirmed within the Visual Impact Assessment). The Development would completely dominate views from Trent Park.

Although the Development is supposed to be "heritage-led", it is difficult to understand how a number of tall buildings, of high density and of a dominant appearance, will not have an overbearing presence on the Station and surrounding area, regardless of their layout. The Council is aware that the Application is a departure from Policy DMD 44, on the basis that the Development will in no way enhance or conserve the setting of a heritage asset (the Station). For these reasons, the Council should apply paragraph 195 of the NPPF and must refuse consent on the basis that the Development will lead to substantial harm to designated heritage assets.

## 5. The Green Belt

The Site is situated on the edge of the Green Belt. Policy 83 of the DMD and policies 31 and 33 of the CS confirm that development located in close proximity to the Green Belt will only be permitted if there is no increase in the visual dominance and intrusiveness of the built form by way of height, scale and massing on the Green Belt and that views from the Green Belt are maintained. Policy 33 of the Core Strategy also requires the Council to protect and enhance Enfield's Green Belt.

The construction of 4 tower blocks (of varying shapes and colours) will starkly juxtapose the adjacent Green Belt and associated views. The presence of attractive landscapes close to the urban edge is a valuable asset for the borough and should not be de-valued. Paragraph 147 of the NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 of the NPPF requires the Council to ensure that substantial weight is given to harm to the Green Belt; very special circumstances will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations. Therefore, in order for the Council to grant planning permission, they must carry out a detailed balancing exercise in order to weigh up the potential harm to the Green Belt against other considerations. The Council will be aware that the fact they must apply the tilted balance is not sufficient in itself to provide very special circumstances.

As explained above, the Development is visually intrusive and dominant; the Council should refuse the Application as it does not comply with its own Green Belt policies, and does not meet the test of very special circumstances provided for within the NPPF.

## 6. Neighbour Amenity and Housing – Distance of the Development

Our client is particularly concerned about the distance between their property and the Development, which does not meet the minimum standards prescribed under DMD 10.

According to Policy DMD 10, the minimum distance between rear facing windows for three storey buildings facing each other is 30 metres and the minimum distance between windows and side boundaries should be 11 metres. Development below these standards is only permitted “*if it does not compromise development on adjoining sites*”. The actual separation between Block 4 and Blackhorse Tower is 15.2 metres, with the distance from Blackhorse Tower to the shared boundary being 8.5 metres; Block 4 is therefore proposed to be located 6.7 metres away from the shared boundary, which is less than half the distance required under DMD 10. In addition, DMD 10 states that side windows will only be permitted where it can be demonstrated that they are necessary to achieve positive surveillance and do not result in an adverse degree of overlooking or loss of privacy. Block 4 includes side facing habitable room windows that will result in direct overlooking and loss of privacy to Blackhorse Tower. It is clear that the Development will significantly compromise our client’s own development and will result in loss of privacy and overlooking to residents of Blackhorse Tower. The amenity of future residents of Block 4 will also be impacted by the loss of privacy.

The other blocks in the Development also fail to comply with DMD10 due to the insufficient separation distances. Block 1 sits 4 metres from the eastern boundary and just 3 metres from the northern boundary, whilst Block 2 sits 3.5 metres from the northern boundary. The non-compliance with DMD 10 demonstrates that the Development will be cramped and over-development in the context of the local area.

Notwithstanding our position regarding the emerging plan, Policy DM DE13 requires new residential development to preserve the amenity of existing and new occupiers in terms of daylight, sunlight, outlook, privacy, overlooking and noise and disturbance. The Application therefore does not comply with existing or emerging policy.

The Development is not designed in a way to respect the conversion of our client’s properties into residential units, which will affect the amenity of residents in both developments. The Application does not comply with the Council’s policies and must be refused.

#### 7. Loss of parking spaces

The Development will result in a net loss of 352 car parking spaces, contrary to DMD Policy 45 (in particular parts a) and c) below). The loss of such a high number of car parking spaces is particularly problematic given that Cockfosters Station is a busy ‘end of line’ train station.

Local Policy DMD 45 states:

*“Car parking proposals will be considered against the standards set out in the London Plan and:*

- a. The scale and nature of the development;*
- b. The public transport accessibility (PTAL) of the site;*
- c. Existing parking pressures in the locality;*
- d. Accessibility to local amenities, and the needs of the future occupants of the developments.”*

The Application proposes a total of 47 publicly accessible car parking spaces on Site A (including 12 Blue Badge spaces), a drop off/pick-up area of 7 spaces in close proximity to the Station entrance, and a designated car club bay for use by residents and the local community.

Development involving “*limited parking or car free housing developments*” must demonstrate that any increase in on-street parking would not adversely affect traffic flows, bus movement, road safety or the amenity of local residents or the local environment. The documents provided by the Applicant do not address those concerns regarding on-street parking. The on-street parking survey set out in the Transport Assessment does not consider how the number of on-street parking spaces will be affected if the current parking spaces at the Station are removed. Nor does the survey show how the bus movement, traffic flow or amenity of local residents etc. would be affected if there was a sudden increase in the use of on-street parking (nor does it account for the increase in tenants once the Development completes). Furthermore, the survey does not consider when on-street parking would

be inappropriate, for example if a member of the public was a disabled car user or passenger who utilised the current "Park & Ride" feature.

Policy DMD 45.5 also notes that the Council will encourage proposals for car clubs, especially those that would support lower levels of off-street parking in new developments. Despite this, the Development (which comprises 351 residential units) will only have one car club space.

As our client's prior approval application was refused by the Council due to the provision of more parking spaces than the policy stipulated, it suggests that the Council have particular concerns about transport implications in the local area, and we would expect to see a consistent approach to the application of this policy when determining the Application.

In addition, the Development only provides 60 cycle spaces for commuters in place for the loss of car parking spaces. As the car park is currently nearly at capacity most days, and TfL promotes walking and cycling in their hierarchy, the provision of 60 cycle spaces is not sufficient to either mitigate the loss of car parking spaces or encourage cycling. Given that it is a common requirement for lost car parking spaces to be replaced by cycle parking spaces, the Development should include at least as many cycle spaces as car spaces lost.

We accept that there needs to be a flexible and balanced approach taken by the Council to prevent excessive car parking provisions within new developments, however it is unrealistic to expect that none of the tenants of the Development will have cars. The Council should recognise in this instance that the overall loss of 352 car parking spaces will clearly lead to an influx of on-street parking (both by those who previously parked at the Station and by the new tenants of the Development), and will likely lead to a reduction in the use of the adjacent Station for public travel. Further, the public parking spaces are essential for facilitating custom at local businesses and their loss must be considered in the context of local business; the Applicant has ignored how the economic component of sustainable development will impact the vitality of the local centre. For these reasons, planning permission should not be granted.

#### 8. Notification of the application

In accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, where a planning application departs from the Council's development plan, the Council is required to display a notice at the Site advertising the departure, and publish the notice in a local newspaper. We note that the Council's online planning portal does not contain any such notice as present; it is therefore not clear whether the Council has complied with their duties under Article 15. We note that the Council has referred to the Application as a departure from policy DMD Policy 44, but has failed to state that it also departs from DMD policies 82 and 83. We are therefore concerned that the Council may not have adequately advertised the Application as a departure from policies DMD 44, 82 and 83, and would be grateful if the Council would ensure this notification obligation is complied with, and evidence of such is uploaded to the planning portal.

Further, we note that the Council have sought to comply with their obligations under Article 15(4) by serving notice of the Application on adjoining owners. The Council has however failed to serve notice on our client, and has instead served notice on the previous owner of our client's properties. Our client has therefore not been formally notified of the Application by the Council; it is therefore questionable as to whether the Application is a valid application.

#### Other concerns

Our client is instructing a full review of the Applicant's Visual Impact Assessment ("VIA") and intends to provide their further comments. Their initial view at this stage is that the submitted VIA has failed to follow established methodology and is not a sound document. As such, we respectfully request an extension to the determination deadline for the Application in order for our client to be in a position to properly consider the VIA and submit a formal response in due course.

We also note that the Council does not publish any public comments on the online planning portal until applications are determined. Given the number of objections this Application is likely to receive, and the departure from the Council's own policies, it is essential that the Council upload all comments

to the planning portal for public review as soon as possible, and in any event before the Application is determined. Given this is a major scheme, it is particularly important that local residents can review consultation responses in order to be fully informed of the issues.

The Council is aware that the Application departs from the development plan. Despite this, the Applicant has asserted in the Planning Statement that the Development is in line with the development plan. The Applicant has made a number of other incorrect statements within the Planning Statement which raise concerns as to the reliability of its content. The Applicant has incorrectly stated that our client's development has not yet commenced; our client has commenced the change of use at their properties. Further, the Applicant has referred to application 16/04133/FUL as obscuring views of the Site from Cockfosters Road; this is also incorrect, as planning permission was not granted for this application and our client is only implementing the prior approval scheme for the conversion of offices to residential units. The Planning Statement states that viability is one part of how quantum was derived at; given the extent of the conflict with the development plan, it is clear that viability is the primary driver for pursuing the Development.

### **Conclusion**

We respectfully request that the Council do not grant planning permission. Approval of the Application will set a precedent that allows planners and the local authority to disregard important, well drafted policies in favour of inappropriate housing developments simply because there is a need for housing within the Enfield area.

Yours faithfully

**IRWIN MITCHELL LLP**

**Sent electronically**

**Read and approved by Stuart Tym but not signed**