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For the attention of Strategic Planning and Design
By Email

To whom it may concern

Draft Enfield Local Plan Consultation – June 2021

We are writing on behalf of our client, Connected Living London (Arnos Grove) Ltd to provide representations to the London Borough of Enfield Draft Local Plan 2039 consultation (June 2021).

Connected Living London (CLL) is a joint venture partnership between Transport for London (TfL) and Grainger plc. Two sites in the London Borough of Enfield (LBE) at Arnos Grove and Cockfosters Underground Stations form part of a portfolio of sites owned by TfL, and are proposed for the delivery of Build to Rent homes in a strategic partnership with Grainger plc.

These representations relate specifically to the site at Arnos Grove Underground Station which is proposed for residential development by CLL. An application was submitted for the development of a residential-led mixed-use scheme for 162 units in March 2020. The application was refused in March 2021 and is currently at Appeal.

The accompanying report (Appendix A: Proposed policy modifications and justification) has been prepared to support the next stage of the Local Plan process, and provide recommendations to assist the Borough in meeting the strategic vision for the more intensive use of urban land, and protection of the built and natural environment. The document focuses on those matters of relevance to CLL, namely housing capacity, affordable housing mix and building heights. We have set out where we consider that draft policies would need to be amended, or could be strengthened in order to meet the tests of soundness required by Local Plans.

We have also provided responses to the survey questions set out by LBE (Appendix B) in order to address the targeted points that LBE have asked to be considered.

We would welcome further discussion of the points we have raised in response to this consultation, if that would be of benefit to the Plan making process.

Yours sincerely



Matthew Sharpe
Board Director

enc. Appendix A: Proposed policy modifications and justification
Appendix B: Response to questionnaire

cc.



Quod

Site at Arnos Grove Underground Station

Appendix A: Proposed policy modifications and justification

SEPTEMBER 2021

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1 Introduction

- 1.1 This document has been prepared by Quod on behalf of Connected Living London Ltd (CLL), to provide representations to the London Borough of Enfield Draft Local Plan 2039 consultation (June 2021) (draft ELP).
- 1.2 These representations relate to the draft Plan as a whole, supporting documents and evidence base.

Representations

- 1.3 CLL have submitted representations to LBE in response to previous consultations, with regards to the Site. Most recently, the Site was put forward in response to the Call for Sites Consultation in February 2021. This submission identified that the Site is available, developable and deliverable with the potential to come forward during the Plan period, subject to planning permission.
- 1.4 The purpose of this document is to provide an appraisal of the draft ELP in the context of the Site and proposed residential-led mixed use scheme against the relevant policies of the NPPF and London Plan.
- 1.5 The draft ELP includes the Site subject of this representation as a draft allocation. This report provides an appraisal of the draft allocation against the technical feasibility for the Site to contribute towards housing need for LBE.
- 1.6 These representations relate to the following policies:
 - 1.6.1 Strategic Policy SP SS1: Spatial strategy
 - 1.6.2 Strategic Policy SP SS2: Making good places
 - 1.6.3 Strategic Policy PL7: New Southgate
 - 1.6.4 Strategic Policy SP H1: Housing development sites
 - 1.6.5 Strategic Policy SP H2: Affordable housing
 - 1.6.6 Policy DM H3: Housing mix and type
 - 1.6.7 Policy DM H7: Build to rent
 - 1.6.8 Strategic Policy SP SE1: Responding to the climate emergency
 - 1.6.9 Policy DM SE2: Sustainable design and construction
 - 1.6.10 Policy DM BG8: Urban greening and biophilic principles

- 1.6.11 Strategic Policy SP DE1: Delivering a well-designed, high quality and resilient environment
- 1.6.12 Strategic Policy SP DE4: Putting heritage at the centre of place making
- 1.6.13 Policy DM DE6: Tall buildings
- 1.6.14 Strategic Policy SP T1: Promoting sustainable transport
- 1.6.15 Policy DM T2: Making active travel the natural choice

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2 The Site at Arnos Grove Underground Station

Site Availability

- 2.1 CLL have undertaken a full legal review of the property interests, and there are no impediments to delivering the site within the next 1 to 5 years, subject to planning.
- 2.2 A planning application and associated listed building consent application were submitted by CLL in May 2020 (refs 20/01049/FUL and 20/01188/LBC). The description of development is as follows:
- 2.3 *“Erection of 4 No buildings between one to seven storeys above ground level, with some elements at lower ground floor level comprising 162 residential units (Class C3) and flexible use ground floor units (Class A1/A3/A4) together with area of public realm, hard and soft landscaping, access and servicing arrangements, plant and associated works”.*
- 2.4 Detailed information required to consider the scheme were prepared to support the applications and the proposals have been subject to extensive technical work to confirm the development potential of the site.
- 2.5 Following positive discussions, the application was recommended for approval by Officers, but subsequently resolved for refusal by Planning Committee, with a decision notice issued on 19th March 2021 providing three reasons for refusal.
- 2.6 The listed building consent application was approved on 24th May 2021.

3 Policy and Legislative Context

- 3.1 The following sections have been prepared to provide a review of the draft Enfield Local Plan policies against the requirements of the National Planning Policy Framework (NPPF) (July 2021) which sets out the Government's planning policies for England. The policies have also been reviewed against the policies of the London Plan (March 2021), with which the Local Plan must comply.
- 3.2 NPPF paragraph 7 states that the purpose of the planning system is '*to contribute to the achievement of sustainable development*'. Paragraph 8 sets out the three overarching objectives for the planning system to achieving sustainable development, extending to economic, social and environmental matters. Paragraph 9 states '*these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework... Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area*'.
- 3.3 Paragraph 11 of the NPPF requires plans and decisions to apply a presumption in favour of sustainable development. In terms of plan-making, this requires plans to promote a '*sustainable pattern of development*' which involves aligning growth and infrastructure, improving the environment, mitigation climate change (including by making effective use of land in urban areas) and adapting to its effects.
- 3.4 Section 3 of the NPPF sets out the requirements for plan-making. Paragraph 16 requires plans to:
- a) *be prepared with the objective of contributing to the achievement of sustainable development;*
 - b) *be prepared positively, in a way that is aspirational but deliverable;*
 - c) *be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;*
 - d) *contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;*
 - e) *be accessible through the use of digital tools to assist public involvement and policy presentation; and*
 - f) *serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).*
- 3.5 Paragraph 31 of the NPPF requires the preparation and review of policies to be underpinned by relevant and up-to-date evidence that is adequate and proportionate. The evidence base must also take into account '*relevant market signals*'.

3.6 Paragraph 35 of the NPPF requires Plans to be prepared in accordance with legal and procedural requirements and to be 'sound'. Plans are 'sound' if they are:

a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

London Plan

3.7 The current London Plan was published in March 2021. As set out by paragraph 0.0.8 of the London Plan, it is '*legally part of each of London's Local Planning Authorities' Development Plan and must be taken into account when planning decisions are taken in any part of Greater London...All Development Plan Documents and Neighbourhood Plans have to be 'in general conformity' with the London Plan*'. The draft ELP policies have been considered against the published London Plan (2021) and provided an appraisal where relevant, and suggestions to ensure the policies align.

4 Spatial Strategy

Draft Strategic Policy SP SS1: Spatial Strategy

- 4.1 The draft ELP **Strategic Policy SP SS1** aligns with the general requirements of the NPPF, to provide for ‘sustainable growth’. CLL support that the draft ELP focuses growth in placemaking areas, town centres and at transport nodes as identified by SP SS1 Part 3. Promoting development around transport nodes supports the principle of sustainable development and encourages residents to adopt a shift away from reliance upon cars by having easy access to other modes of transport whilst optimising previously developed land. This focus is therefore in conformity with the London Plan.
- 4.2 However, it is considered that this could be further strengthened to ensure that the borough optimises land, especially previously developed or ‘brownfield’ land set out at NPPF paragraph 119. Paragraph 120 (d) also highlights the importance of promoting and supporting the development of underutilised land including car parks and railway infrastructure. This is further supported by Policy GG2 of the London Plan (Part A). Residential development should be provided in sustainable locations near to tube stations or involving the redevelopment of car parks (London Plan Policy H1).

Placemaking Areas

- 4.3 In relation to the Site at Arnos Grove Underground Station, we welcome the inclusion of New Southgate as an identified placemaking area, and a major urban foci of high quality growth as identified by Policy SP SS1 Part 4.

Recommendations

Policy Reference	SP SS1
Strengthening of policy required	
NPPF Paragraph 11 – Sustainability Test	The Policy does not meet the need for sustainable growth in the area.
NPPF Paragraph 35 – Soundness Test	The Policy does not meet the tests of soundness.
Proposed Modification	Part 3: High quality, well designed development that enhances urban greening will occur across the urban area with particular focus on town centres, local centres and transport nodes. Redevelopment of brownfield land, vacant and underused land and buildings (such as service yards, car parks, lock-ups and railway infrastructure) for new housing and employment uses and use of smaller sites across the urban area will be prioritised. Land and buildings should be used more effectively.

Reason for Modification	The Enfield Local Plan must accord with the NPPF and London Plan requirements to promote sustainable patterns of development by redeveloping public sector owned, and brownfield sites as well as under-utilised and vacant land and buildings, especially in sustainable locations. Suggested amendments would ensure the policy is consistent with national policy and positively prepared .
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Draft Strategic Policy SP SS2: Making good places

- 4.4 LBE should adopt a positive approach to development proposals, and set out an approach to approve planning applications that accord with the policies in the development plan without delay.
- 4.5 CLL support the need for developments to accord with the local area’s vision, however it is recommended that an interim requirement is included within the Policy. This would ensure that development proposals in placemaking areas without an adopted ‘placemaking vision’, or larger developments in locations outside of placemaking areas, can be prepared and implemented without delay.
- 4.6 The Policy should also consider the requirements of the London Plan as set out above, securing the best use of land and encouraging sustainable travel.

Recommendations

Policy Reference	SP SS2: Making good places
Object	
NPPF Paragraph 11 – Sustainability Test	The Policy does not meet the need for sustainable growth in the area.
NPPF Paragraph 35 – Soundness Test	The Policy does not meet the tests of soundness.
Proposed Modification	<p>Clause to be added: ‘When considering development proposals the Council will take a positive approach, work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and approve development proposals that accord with policies in an up-to-date development plan without delay’.</p> <p>Part 3: Larger scale developments (of 50 homes or more of 500sqm for non-residential uses) must:</p> <p>a. demonstrate how it contributes to the vision for the placemaking area it is located within, <u>or how it responds to local context;</u></p>

	<p>b. make the best use of land, integrating a mix of uses where appropriate to create vibrant and lively places, <u>optimising the use of brownfield land in sustainable locations</u>; and</p> <p>c. create healthy places which promote active and healthy lifestyles, and encourage sustainable travel.</p>
Reason for Modification	<p>The policy should be amended to align with Paragraph 11 of the NPPF requiring Plans to ‘apply a presumption in favour of sustainable development’.</p> <p>These updates would ensure that the Policy is positively prepared, providing a strategy consistent with achieving sustainable development, and consistent with national policy.</p>

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5 Housing

Context

- 5.1 In relation to housing, paragraph 59 of the NPPF sets out the government's objective to boost the supply of homes and the paragraphs following it set out the requirement for the supply of homes to meet the needs of different groups in the community, including for affordable housing.
- 5.2 The Housing Delivery Test results published on 19th January 2021 show that LBE delivered 56% of their housing delivery target over the past three years making them a 'Presumption' Authority. National, London and adopted and draft LBE policies direct that the delivery of homes to meet identified needs is a strategic priority.
- 5.3 There is no doubt that Enfield has a significant housing need and that LBE should be looking to secure housing delivery from brownfield sites. This Site at Arnos Grove Underground Station presents the opportunity to make an important contribution towards addressing LBE's local housing need, including affordable housing, and aligns with the strategic vision for the Borough, whilst prioritising the development of previously developed land. This will minimise the amount of green field land required to meet the housing need.
- 5.4 In relation to housing delivery, the London Plan (2021) sets a ten year target for LBE (2019/20 – 2028/29) to deliver at least 12,460 homes. This equates to at least 1,246 homes per annum which accords with the housing target proposed in the Draft ELP.
- 5.5 The annual target for Enfield (1,246) is significantly lower than that estimated in the Enfield Strategic housing Market Assessment 2015 (2,048) and in MHCLG's Standard Methodology for assessing housing need (4,397). When approving the London Plan for publication the Secretary of State (SoS) for Housing was clear that the targets set out in the London Plan were minimum housing delivery targets. Specifically, the SoS stated: *'you still have a very long way to go to meet London's full housing need, something your plan clearly and starkly fails to achieve. Londoners deserve better and I will be seeking to work with those ambitious London Boroughs who want to deliver over and above the housing targets you have set them.'*
- 5.6 Over the Plan period, table 8.2 (draft ELP) sets out that the identified allocations would contribute to 23,566 homes towards housing need. LBE's most recent Annual Monitoring Report and Housing Trajectory 2020 states at Table 4 an estimated delivery of 4,915 homes up to 2025. This is based on the 2016 London Plan housing target. This estimated delivery falls far short of the five year housing need based on the London Plan 2021 target of 6,230 homes over five years. This does not account for the requirement set out by NPPF paragraph 74 (part c) that sets out a 20% buffer should be applied to five year housing supply where there has been a significant under delivery of housing over the previous three years. This is relevant in LBE where 56% of housing supply has been delivered according to the Housing Delivery Test 2020.
- 5.7 The London Plan target starts from 2019/20 and Enfield only delivered 429 homes in that year, representing a significant shortfall compared to the London Plan target of 1,246. Therefore, in order to count the existing shortfall that exists for the first year of the London Plan target, and

is likely to exist until the adoption of the draft ELP, it would therefore be appropriate for LBE to include a higher target, at least for the first part of the plan period. Even if 1,246 homes are delivered each year in LBE for the remainder of the London Plan target period (until 2028/2029) the shortfall in the first year of over 800 homes will still exist.

- 5.8 Paragraph 71 (NPPF) also requires that *‘where an allowance is made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply’*. It is unclear from the Monitoring Report what historic delivery has been achieved from windfall sites, however anecdotally, only 67% of planning applications in the Borough have been granted approval over the period April 2020 to March 2021. Many of those schemes which have been refused are housing sites which would make a significant contribution towards housing need. This demonstrates the continued constraints to housing delivery in the Borough.
- 5.9 Measures to accommodate 800 additional homes across the first ten years of the Draft ELP could include increasing the density of sites in appropriate sustainable locations such as those in local or town centres, or near transport nodes. The number of additional homes required to meet an existing shortfall against the London Plan target will need to be reviewed as data regarding the monitoring years of 2020/21 and 2021/22 emerges.

Draft ELP Policy SP H1: Housing Development Sites

Draft Policy H1(1)

- 5.10 CLL supports LBE’s target of delivering at least 24,920 new dwellings in the 20 year plan period to 2039 in line with the requirements of the London Plan (2021) Table 4.2, which requires LBE to deliver 12,460 over the 10 years to 2029.
- 5.11 In order to achieve the strategic vision for more intensive use of urban land, and protection of the built and natural environment (draft ELP para 8.1.3), LBE should ensure that the site allocations identify the minimum number of homes that should be delivered in order to ensure that the use of the land is optimised for the delivery of homes.
- 5.12 We also consider that Policy H1 should be explicit that the council will treat the site allocation capacities as the minimum number of homes each site could accommodate. This change is necessary to ensure that LBE can meet and exceed the minimum number of homes needed for the borough. This will also limit LBE’s need to release land from the Green Belt.
- 5.13 In order to meet and exceed the minimum housing target for the plan period, a step change in housing delivery will be required (as noted in paragraph 8.1.4 of the Draft ELP). Build to Rent has the benefit of being capable of being delivered quickly and is less sensitive to economic cycles. It can therefore create more certain housing delivery. LBE should therefore strongly support proposals from a more diverse range of developers, including Build to Rent, in order to increase the number of approvals, in accordance with the recommendations of the Letwin Review (2018) and Housing White Paper (Fixing our Broken Housing Market 2017).

Draft Policy H1(2)

- 5.14 CLL strongly supports the inclusion of the Site at Arnos Grove Underground Station as an identified allocated housing site within Policy H1 (2).

- 5.1 The Site (Ref: SA24) is suitable and available now for housing delivery and can be delivered within the first 5 years of the plan period. The Site therefore meets the definition of ‘Deliverable’ housing sites as set out in Annex 2 of the NPPF (2021).

Recommendations

Policy Reference	SP H1: Housing Development Sites
Strengthening of policy required	
NPPF Paragraph 11 – Sustainability Test	The Policy does not meet the need for sustainable growth in the area.
NPPF Paragraph 35 – Soundness Test	The Policy does not meet the tests of soundness.
Proposed Modification	Part 1: The Enfield Local Plan will provide for at least 24,920 new dwellings in the plan period up to 2039, equating to a minimum of 1,246 homes per year. Table 8.1: Amend header ‘ Minimum housing delivery ’
Reason for Modification	We support the assertion that at least 24,920 new dwellings will be provided for in the plan period up to 2039, however Policy H1 should be explicit that the council will seek to <u>approve significantly more homes than targeted</u> from a variety of sources including from <u>Build to Rent</u> developers. On the basis that sites with draft allocations are considered to contribute towards sustainable development, the Policy should include flexibility to ensure that sites are optimised and housing delivery maximised in accordance with the draft ELP strategic vision.

Draft Policy SP H2: Affordable Housing

Draft Policy H2(1)

- 5.2 CLL supports LBE’s aim to maximise the delivery of affordable housing in the borough with a strategic boroughwide target which aims to secure 50% of all new homes as genuinely affordable housing. However, Policy H2 (1) should be revised so that it is clear that the London Plan Threshold Approach (LP Policy H5) should be applied to individual applications and also confirm that ‘genuinely affordable’ is defined in the London Housing Strategy (2017).

Draft Policy H2(3)

- 5.3 CLL supports the requirement for all sites comprising 10 or more new homes or over 10,000sqm to provide on-site affordable housing with a target of 35% for all major housing developments on land which is not council owned, industrial or within the Green Belt.

- 5.4 It should be ensured that Policy H2 (3) is clear that the requirements of this policy are subject to terms any portfolio agreement with the Mayor of London. The requirements of Policy H2 (3) should be measured based on habitable rooms.
- 5.5 Policy H5 of the London Plan (2021) confirms that the thresholds for affordable housing delivery should take account of portfolio agreements with the Mayor. It states at 4.5.6 that: *Where there is an agreement with the Mayor to deliver at least 50 per cent across the portfolio of sites, then the 35 per cent threshold should apply to individual sites.*
- 5.6 The London Plan (2021) is also clear that affordable housing requirements should be measured by 'habitable room'. Whilst other measures can be useful setting policy requirements with reference to floor area could result in a reduction in the number of affordable homes delivered due to oversizing. Minimum space standards set in the London Plan (2021) ensure homes are adequately sized.

Draft Policy H2(4)

- 5.1 CLL supports the Council's objective to deliver a mix of social affordable rented homes and intermediate homes across the borough with flexibility for individual sites subject to site specific considerations including viability and/ or where higher amounts of affordable housing are proposed.
- 5.2 The provision of a mix of tenures, of which at least half is intermediate, will ensure new development contributes to meeting the needs of both social households and the growing number of local households who are unable to afford to buy or rent a good quality/suitable home locally but would not be eligible for social-affordable rented (e.g. key frontline workers). These households have very limited options due to the low proportion of intermediate homes in the borough (less than 1%) (Census 2011).
- 5.3 Providing flexibility on tenure mix for developments which propose higher amounts of affordable housing will help to increase delivery in the Borough by ensuring proposals with reduced levels of private cross subsidy remain financially viable. This is particularly important given the historic under delivery of affordable housing in Enfield, equating to just 21% of the homes delivered in the last 3 monitoring years (GLA AMR 16). It is however unlikely that schemes providing 50%+ would be viable, without significant public subsidy, even if all of the affordable homes were Intermediate tenure. This is evidenced by the fact that very few schemes have exceeded 50% affordable housing even where flexibility on tenure had been allowed by LBE. Reducing the threshold for flexibility to 35% and providing flexibility for the entire tenure split (not just the additional homes) would help to support the delivery of a greater number of affordable homes.
- 5.4 Notwithstanding this, flexibility should be applied to the tenure mix (regardless of quantum) to take account of site-specific factors which are relevant to the suitability, feasibility and/or relative local need for affordable housing tenures (this is noted in supporting text 8.2.11 but is not explicit in the policy). In this respect, a high-density Build to Rent scheme close to a busy transport interchange would be better suited to intermediate tenures than social tenures (for which the priority need is for larger families). Policy H11 of the London Plan therefore confirms that the tenure split in Build to Rent schemes can be entirely intermediate (Discounted Market Rent). This position is reiterated in Draft Policy H7 of the Enfield Local Plan which states Build

to Rent schemes should *'provide on-site affordable housing in perpetuity in the form of Discounted Market Rent at genuinely affordable rent level'*.

Draft Policy H2(7)

- 5.5 In respect of tenure mix required for Fast Track, Policy H2 (7) should provide flexibility for an alternative mix to be agreed with the Council where it is justified taking account of site-specific circumstances. In particular Policy H2 (7) should make clear that required tenure mix of Build to Rent schemes will be determined in accordance with Policy H11 of the London Plan and Draft Policy H7 of the Enfield Local Plan. These policies confirm that the tenure of Build to Rent schemes can be entirely (intermediate) Discounted Market Rent.
- 5.6 Furthermore, H2 (7) should confirm the council will consider applying a degree of flexibility on tenure split where it is evidenced the application scheme is providing significantly more affordable housing than required by the viability tested route.
- 5.7 The London Plan's fast track approach helps to increase the delivery of affordable housing by encouraging applicants to overprovide affordable housing upfront in return for certainty on viability and review mechanisms.
- 5.8 Policy H5 of the London Plan (2021) confirms that the thresholds for affordable housing delivery should take account of portfolio agreements with the Mayor. It states at 4.5.6 that: *Where there is an agreement with the Mayor to deliver at least 50 per cent across the portfolio of sites, then the 35 per cent threshold should apply to individual sites.*
- 5.9 Policy H11 of the London Plan therefore confirms that the tenure split in Build to Rent schemes can be entirely intermediate (Discounted Market Rent). This position is reiterated in Draft Policy H7 of the Enfield Local Plan which states Build to Rent schemes should *'provide on-site affordable housing in perpetuity in the form of Discounted Market Rent at genuinely affordable rent level'*.

Draft Policy H2(8)

- 5.10 CLL supports the use of viability review mechanisms where appropriate. However, it is considered that Policy H2 (8) should be explicit that the requirements for review mechanisms will be applied in accordance with Policy H5 (Threshold Approach) of the London Plan.
- 5.11 Policy H5 of the London Plan (2021) and the Mayor's Affordable Housing SPG (2017) is clear that only Early-Stage reviews (triggered if an agreed level of progress has not achieved within an appropriate timeframe) should be applied to scheme which are considered to meet the requirements of 'fast track'. A local requirement for additional review's would be contrary to the London Plan and would undermine the purpose of fast track (to encourage higher levels of affordable housing in return for certainty) resulting in a significant reduction in affordable housing delivery.
- 5.12 Similarly, a mechanism which results in the affordable housing obligation increasing if the scheme is not implemented within 12 months (as noted in 8.2.10 of the supporting text) is not appropriate. The Early-Stage Review mechanism already ensures that affordable housing obligations will be increased to the maximum viable level should delivery be delayed. A mechanism which increases the requirement to the policy target will result in schemes

becoming permanently stalled resulting in a reduction in affordable housing delivery. Notwithstanding this, a period of just 12 months would be unachievable for many sites (particularly brownfield sites which are subject to existing tenancies).

Recommendations

Policy Reference	SP H2: Affordable Housing
Object	
NPPF Paragraph 11 – Sustainability Test	The Policy does not meet the need for sustainable growth in the area.
NPPF Paragraph 35 – Soundness Test	The Policy does not meet the tests of soundness.
Proposed Modification	<p>Policy H2 (1) should be revised so that it is clear that the London Plan Threshold Approach (LP Policy H5) should be applied to individual applications and also confirm that 'genuinely affordable' is defined in the London Housing Strategy (2017).</p> <p>Policy H2 (3) should be clear that the requirements of this policy are subject to terms any portfolio agreement with the Mayor of London. The requirements of Policy H2 (3) should be measured based on habitable rooms.</p> <p>Policy H2 (4) Flexibility should be applied to the tenure mix (regardless of quantum) to take account of site-specific factors which are relevant to the suitability, feasibility and/or relative local need for affordable housing tenures (this is noted in supporting text 8.2.11 but is not explicit in the policy). In this respect, a high-density Build to Rent scheme close to a busy transport interchange would be better suited to intermediate tenures than social tenures (for which the priority need is for larger families). Policy H11 of the London Plan therefore confirms that the tenure split in Build to Rent schemes can be entirely intermediate (Discounted Market Rent). This position is reiterated in Draft Policy H7 of the Enfield Local Plan which states Build to Rent schemes should '<i>provide on-site affordable housing in perpetuity in the form of Discounted Market Rent at genuinely affordable rent level</i>'.</p> <p>Policy H2 (7) should be clear that the Threshold to be applied will be 35% except for public land where a London wide portfolio agreement is not in place. Where a portfolio agreement is in place Policy H2 (7) should confirm the target for individual sites will be 35%.</p> <p>Policy H2 (7) should make clear that required tenure mix of Build to Rent schemes will be determined in accordance with Policy H11 of the London Plan and Draft Policy H7 of the Enfield Local Plan. These policies confirm that the tenure of</p>

	<p>Build to Rent schemes can be entirely (intermediate) Discounted Market Rent.</p> <p>Policy H2 (8) should be explicit that the requirements for review mechanisms will be applied in accordance with Policy H5 (Threshold Approach) of the London Plan.</p>
Reason for Modification	<p>The Policy must be revised to ensure consistency with national policy and the requirements of the London Plan. The recommended amendments would ensure that the policy is positively prepared, justified and effective.</p>

Draft Policy DM H3: Housing Mix and Type

Draft Policy H3 (1)

- 5.13 CLL supports the Council’s target to provide a mix of housing sizes on a borough wide basis having regard to a range of site-specific considerations.
- 5.14 There is a clear need for all sizes of housing in Enfield. It is not however appropriate for every individual site to seek to provide the same mix. In accordance with Policy H10 of the London Plan (2021) consideration needs to be given to a range of site-specific considerations (listed in criteria 1-9 of the policy). This is in view of the fact that it is not appropriate or effective for every type of development scheme to target delivery of the same mix of unit sizes. The draft ELP reflects this at paragraph 8.1.11 which states ‘*The Council expects a high proportion of developments in urban areas to be in the form of flatted developments and therefore rely on lower density greenfield developments to deliver more family housing*’.
- 5.15 For example, the need for Build to Rent is primarily from households who require for 1- and 2-bedroom homes. This is specifically recognised in the Mayor’s Affordable Housing & Viability SPG (2017). Build to Rent schemes are also commonly proposed in highly sustainable locations which are better suited to smaller households. It would not therefore be appropriate to require build to rent schemes to target the delivery of high proportions of larger family sized homes.

Recommendations

Policy Reference	SP H3: Housing Mix and Type
Object	
NPPF Paragraph 11 – Sustainability Test	The Policy does not meet the need for sustainable growth in the area.
NPPF Paragraph 35 – Soundness Test	The Policy does not meet the tests of soundness.
Proposed Modification	Policy H3 (1) should confirm that regard also be given to: i) London Wide housing need;

	<p>ii) the requirement to deliver mixed and balanced communities;</p> <p>iii) type and tenure of housing proposed;</p> <p>iv) the aim to optimise housing potential of sites; and the ability of new development to reduce pressure on the conversion of homes and to free up existing family homes.</p> <p>Priority for market homes should be removed from Table 8.4.</p>
Reason for Modification	<p>The inclusion of a prescriptive priority mix for market homes should be removed from Table 8.4 on the basis that this need will differ depending on the type of housing proposed (sale, rental or retirement etc). Larger private homes are unlikely to be affordable to local households and will have a negative impact on scheme viability reducing the amount of family sized social-affordable housing (which would be affordable to LBE residents).</p> <p>As currently drafted, the Policy is not fully justified or effective.</p>

Draft Policy DM H7 Build to Rent

Draft Policy H7(1)

- 5.16 CLL strongly supports the inclusion of policy support for the provision of Build-to-Rent (BTR) developments within Enfield including affordable housing in the form of Discounted Market Rent. Build-to-Rent provides a wide range of benefits which are specifically acknowledged in the London Plan (2021) and GLA Affordable Housing SPG (2017). The GLA's Affordable Housing SPG (2017) however recognises that the greatest demand/ need for private rental housing is for 1 and 2 bedroom homes. Build-to-Rent schemes should not therefore be required to meet the same need which has been identified for sale homes.
- 5.17 Policy 4.1 of the Mayor's London Housing Strategy (2017) sets out the basis on which Intermediate Rental homes (including Discounted Market Rent) can be considered 'genuinely affordable'. No other definition of genuinely affordable is set out in planning policy or guidance. Policy H7 (1) should therefore confirm the mayor's definition is to be used.
- 5.18 Policy H11 of the London Plan sets the criteria which Build to Rent schemes must meet to follow the fast-track threshold approach in Policy H5 of the London Plan. If Build to Rent schemes are excluded from fast track, it is likely that both the total number of homes and total number of affordable homes delivered in Enfield will reduce due to a reduction in the number of Build to Rent schemes proposed (leading to reliance on a smaller number of conventional house builders) and an increase in the number of schemes following viability tested route.
- 5.19 In respect of First Homes, paragraph 64 of the NPPF confirms that Build to Rent schemes are exempt from national requirements to deliver affordable home ownership products.

Draft Policy H7(2)

5.20 Draft Policy H7 (2) is inconsistent with Policy H7 (1) which confirms Build to Rent schemes will be supported when they 'provide on-site affordable housing in perpetuity in the form of Discounted Market Rent at genuinely affordable rent level'.

5.21 Whilst it is acknowledged that the London Plan does allow local authorities to set local policies which include circumstances where other tenures may be required, this approach would not be appropriate in Enfield for the following reasons:

5.21.1 **Housing Supply Diversification:** Enfield is presently failing to deliver sufficient number of private and affordable homes. As a consequence, the Council are failing MHCLG's Housing Delivery Test and are identified in the category with the most severe under supply of housing ('presumption'). In order to quickly increase the supply of new homes Enfield must support the delivery of housing from a more diverse range of sources (in line with the recommendations of the Government's Letwin Review). This must include support for institutionally funded Build to Rent housing which, as recognised in the London Plan, is not constrained by sale absorption rates, and can therefore be delivered much faster than conventional housing. Requiring Build to Rent schemes to deliver conventional affordable housing tenures will make Enfield less desirable for Build to Rent developers resulting in reduced diversity and delivery of housing.

5.21.2 **Intermediate Rent Need:** Due to recent house price growth and restrictions on eligibility for council allocated housing, the number of households requiring intermediate rental housing has increased significantly in recent years (e.g. key frontline workers). This is recognised in Enfield's Housing and Growth Strategy (2020). Where Build-to-Rent schemes are required to provide on-site low-cost rent tenures it is unlikely they would be able to viably provide many (if any) intermediate rental homes. Conventional sale schemes typically provide intermediate homes as Shared Ownership. The supply of much needed intermediate rental homes would therefore be constrained.

5.21.3 **Equality:** The delivery of Discounted Market Rent integrated within Build to Rent enables the schemes to be fully tenure blind. It also means all affordable housing tenants can be provided with the same high-quality level of professional management, amenities and maintenance support as the private tenants. This enhances opportunities for equality and improvements in social cohesion. Requiring the delivery of low-cost rent tenures means the affordable and private homes will need to be managed separately.

5.22 Notwithstanding the above, Policy H7 (2) fails to recognise that the existence of a separate building and/or core will not automatically mean the scheme is appropriate for low cost rented housing. Consideration would need to be given to a range of other factors including:

5.22.1 **Feasibility:** A separate core does not always permit separate management by a Registered Provider. It may also result in a number of remaining homes being insufficient in term of critical mass for either the Build to Rent operator (typically 150+ homes) or the Registered provider (typically 50+ homes).

5.22.2 **Viability:** Build to rent is less viable than private sale due to its enhanced affordability. Introducing low cost rented tenures (including any necessary design changes) may render the scheme unviable and/or result in a significant reduction to the amount of affordable housing. This may also mean an entire core or building of low cost rented homes cannot be supported.

5.22.3 **Suitability:** Build to Rent schemes are typically proposed in highly suitable locations (e.g close to transport interchanges). These sites are often less suited to the delivery of low cost rented homes (for which the greatest need is for larger families).

5.22.4 **Quality & Affordability:** The introduction of a second core within a building may result in adverse impact on the quality of the scheme. It could also result in unnecessarily high service charges due to the costs associated with a smaller number of homes sharing a dedicated lift/ services.

Policy Reference	SP H7: Build to Rent
Object	
NPPF Paragraph 11 – Sustainability Test	The Policy does not meet the need for sustainable growth in the area.
NPPF Paragraph 35 – Soundness Test	The Policy does not meet the tests of soundness.
Proposed Modification	<p>Policy H7 should be amended to make clear the national requirement for First Homes (as set out in the PPG) will not be applied to Build to Rent schemes.</p> <p>Policy H7 (1) a) should acknowledge that the need for rental homes is different to that of market sale housing.</p> <p>Policy H7 (1) c) should confirm the definition of genuinely affordable relates to that required for intermediate tenures set out in the Mayor’s Housing Strategy (2017); and</p> <p>Policy H7 (1) e) should also be explicit only an early-stage review will be required where the scheme meets the requirements for the Build to Rent Fast Track as set out in H11 and H5 of the London Plan.</p> <p>Policy H7 (2) should be deleted in its entirety.</p>
Reason for Modification	<p>The Policy should be made consistent with national policy and the London Plan.</p> <p>Draft Policy H7 (2) is inconsistent with Policy H7 (1) and does not comply with the requirements of NPPF paragraph 16 and it is not clear or unambiguous. Part 1 to draft Policy H7 confirms Build to Rent schemes will be supported when they <i>‘provide on-site affordable housing in perpetuity in the form of Discounted Market Rent at genuinely affordable rent level’</i>.</p>

6 Design and Character

- 6.1 Chapter 12 of the NPPF sets out the requirement for achieving well-designed places. Paragraph 126 states that *'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve'*. Paragraph 127 states *'Plans should...set out a clear design vision and expectations so that applicants have as much certainty as possible about what is likely to be acceptable'*.
- 6.2 We support the requirements of draft Policy SP DE1 which seek to achieve the principles of high quality design set out in the NPPF and London Plan.

Policy Reference	SP DE1: Delivering a well-designed, high quality and resilient environment (supporting Figure 7.1: Scale of change recommendation)
Object	
NPPF Paragraph 11 – Sustainability Test	The Policy does not meet the need for sustainable growth in the area.
NPPF Paragraph 35 – Soundness Test	The Policy does not meet the tests of soundness.
Proposed Modification	Supporting Figure 7.1 of Strategic Policy SP DE1 identifies the Site at Arnos Grove Underground Station as an area for 'medium' change. According to the supporting Character of Growth report, this would allow for some infill and limited development. This designation is not, therefore, consistent with Figure 7.4 of the draft ELP which identifies the Site as an 'appropriate location for tall buildings'. In accordance with the Character of Growth report, we recommend that the Sites (A and B) at Arnos Grove should be designated as areas of 'transformative change' to ensure consistency with other parts of the draft ELP.
Reason for Modification	This amendment is required to ensure that the draft ELP is justified and effective, based on proportionate evidence as required by paragraph 35 of the NPPF. Consistency within the Plan is also required by paragraph 16 of the NPPF to ensure that the policies are clearly written and unambiguous .

- 6.3 Paragraph 190 of the NPPF requires Plans to *'set out a positive strategy for the conservation and enjoyment of the historic environment...taking into account... c) the desirability of new development making a positive contribution to local character and distinctiveness; and d) opportunities to draw on the contribution made by the historic environment to the character of a place'*.

Policy Reference	SP DE4: Putting heritage at the centre of place making
Object	
NPPF Paragraph 11 – Sustainability Test	The Policy does not meet the need for sustainable growth in the area.
NPPF Paragraph 35 – Soundness Test	The Policy does not meet the tests of soundness.
Proposed Modification	<p>Part 2(f): New development within the Borough should: ‘contextual development affecting heritage assets or their setting, should be of high quality and sufficient design quality to become future heritage’ <u>make a positive contribution to local character and distinctiveness, drawing on the contribution of the relevant heritage assets’.</u></p> <p>Part 8 to Policy SP DE4 requires an up to date evidence base references the Enfield Characterisation Study (2011) to inform proposals for new development.</p>
Reason for Modification	<p>We are supportive of policies which promote high quality design, the assertion of the draft policy that heritage assets should be required to achieve the highest level of special or distinctive design required for listing, which would not always be appropriate within the setting of existing heritage assets.</p> <p>Part 8 references the Enfield Characterisation Study (2011) to inform proposals for new development which is out of date. Paragraph 192 of the NPPF requires LPAs to have access to up-to-date evidence about the historic environment in their area, and paragraph 15 of the NPPF requires plans to be succinct and up-to-date.</p> <p>The Policy is not currently consistent with national policy.</p>

Draft Policy DM DE6: Tall buildings

- 6.4 Policy D9 of the London Plan (Part A) requires Development Plans to define what is considered a tall building for specific localities. Policy D9 Part B 1) requires that *‘Boroughs should determine if there are locations where tall buildings may be an appropriate form of development, subject to meeting the other requirements of the Plan. This process should include engagement with neighbouring boroughs that may be affected by tall building developments in identified locations’.*
- 6.5 Parts C and D of Policy D9 of the London Plan set out a number of criteria which must be met by proposals for the development of tall buildings.

- 6.6 Policy D9 of the London Plan is supported by explanatory text which states that *'tall buildings can form part of a plan-led approach to facilitating regeneration opportunities and managing future growth, contributing to new homes and economic growth, particularly in order to make optimal use of the capacity of sites which are well-connected by public transport and have good access to services and amenities'*.
- 6.7 Paragraph 3.9.2 of the London Plan sets out the steps that Boroughs should take to determine and identify the locations where tall buildings may be an appropriate form of development. Item 1 requires areas to be identified based on London Plan Policy D1.
- 6.8 As required by Policy D9(A), Figure 7.3 of the draft ELP applies a definition for tall buildings in localities across the Borough, and as required by Policy D9(B1)), Figure 7.4 identifies 'appropriate locations for tall buildings'. This seeks to form part of the Borough's strategy for the delivery of homes, among other things, to meet the objectively assessed needs of LBE in accordance with the NPPF.
- 6.9 Draft Policy DM DE6 relating to tall buildings is underpinned by evidence contained within the 'Character of Growth Report: Stage 1, 2 and 3 (2021)'. The Report includes detail on the process for defining tall buildings in Enfield, using the London Plan as a basis. Figure 7.3 refers to 21m buildings as 'tall buildings' using an assumption of 7 storeys.
- 6.10 CLL support the detailed consideration of contextual analysis of locations potentially suitable for tall buildings. CLL further support the flexibility in the policy which acknowledges an indicative maximum height for tall buildings. It is important that a flexible approach is taken to decision making, to ensure that the policy does not constrain good development and lead to LBE not meeting its minimum housing targets. Importantly, it is also acknowledged that the level of growth anticipated in the borough will lead to changes in the skyline of the Borough, which will then also justify a flexible approach to the consideration of the surrounding context.
- 6.11 The site at Arnos Grove Underground Station has been identified as an appropriate location for tall buildings, consistent with the spatial approach to the London Plan, focusing growth in urban locations, on previously developed land, with good public transport connectivity for the optimisation of the use of land, and with potential for higher density developments (London Plan Policy D3 Part B). CLL are therefore supportive of the inclusion of the site at Arnos Grove Underground Station in the draft ELP.
- 6.1 In relation to the Site at Arnos Grove, the draft ELP at Figure 7.3, identifies that 'tall buildings' here would relate to those greater than the 'London Plan definition', however the draft indicates that it is 'TBC' in this location. Figure 7.4 goes on to indicate that the Site would be an appropriate location for tall buildings to mark the station, with buildings up to 27m in height being acceptable.
- 6.2 A planning application which has been submitted for the development of residential accommodation, sets out an approach to the development of Sites A and B and has considered the principles of the London Plan for optimising capacity using a design-led approach as required by Policy D3 (London Plan). The strategy includes buildings ranging from 11.2m to 28.7m in height (based on the key to Figure 7.4, this is *'the total height of the building and includes an allowance at roof level for roof parapets, plant rooms, lifts overruns, etc.'*). This is

measured from floor level, and does not account for the significant change in topography across the Site.

- 6.3 Planning policy at national and London Plan level recognises the need to take a design-led approach to optimise the capacity, particularly of brownfield sites in sustainable locations such as at transport nodes, local centres and on underutilised, public sector land. Draft ELP Policy SP SS1 identifies that the Council would prioritise the redevelopment of brownfield land, vacant and underutilised buildings for new housing going forwards, and therefore this Site represents an opportunity to make a substantial contribution to housing need in the Borough.
- 6.4 The proposed scheme has been considered in line with the requirements and guidance of London Plan Policy D9 and supporting text with relevant design quality standards and technical considerations having been thoroughly assessed. The technical information which accompanies the planning application demonstrates how the proposals optimise the capacity of this highly sustainable site, and comply with the national and London planning policy framework.

Policy Reference	DM DE6: Tall Buildings
Object	
NPPF Paragraph 11 – Sustainability Test	The Policy does not meet the need for sustainable growth in the area.
NPPF Paragraph 35 – Soundness Test	The Policy does not meet the tests of soundness.
Proposed Modification	<p>Figure 7.3, identifies that ‘tall buildings’ here would relate to those greater than the ‘London Plan definition’, however the draft indicates that it is ‘TBC’ in this location.</p> <p>Figure 7.4 should indicate that the site is an appropriate location for tall buildings to mark the station, with buildings up to 29m (rather than the currently drafted 27m) in height being acceptable based on the LBE definition.</p> <p>References to the heights of storeys should be removed, with heights in metres being the preferred approach for the measuring of tall buildings.</p>
Reason for Modification	The Policy as currently drafted is not considered to be ‘sound’ in accordance with NPPF paragraph 35 and should be updated to ensure that the land is optimised and supports schemes that meet the criteria of good design.

7 Sustainable Transport

Context

- 7.1 National and London Planning Policy seeks to prioritise development in places that are well connected by existing public transport, supporting optimisation of sites with good connectivity, limiting the need to travel and reducing congestion. This is linked to the requirements for making effective use of land to meet the need for homes and other uses.
- 7.2 Chapter 13 of the draft ELP ‘Promoting sustainable transport’ sets out a commitment to meet the Mayor’s Transport Strategy and seek to achieve an 80% mode share for active and sustainable travel by 2041 (paragraph 13.1). The following sets out our comments and recommendations on this section of the draft ELP.
- 7.3 **Draft Policy DM T2** seeks to promote sustainable transport in the Borough, aligning with the Climate Action Plan and Mayor’s Transport Strategy. CLL are supportive of the requirements of this policy, to achieve these aims but consider that improvements to the wording would reinforce the Borough’s position and contribute more positively to the requirements for sustainable development.

Policy Reference	SP T1: Promoting Sustainable Transport
Support	
NPPF Paragraph 11 – Sustainability Test	The Policy does meet the need for sustainable growth in the area.
NPPF Paragraph 35 – Soundness Test	The Policy does meet the tests of soundness.
Proposed Modification	<p>Draft Policy SP T1 should include reference to: <i>‘Opportunities for the optimisation of sites at existing public transport infrastructure nodes, which can promote walking and cycling, including directing new development to locations well-connected by these modes, will be supported.’</i></p> <p>Part 1c): <i>New development will therefore be expected to:</i> <i>c. be car-free <u>(or offer a low level of parking provision) in locations that are (or are planned to be) well-connected by public transport, or provide the minimum necessary level of car parking provision</u> and support complementary measures, such as car clubs and contribute towards well-designed walking and cycling routes...</i></p>

Reason for Modification	<p>We support this policy, however it is considered that it could be drafted more positively, directing and prioritising new development in locations that are already well-connected by public transport, walking and cycling.</p> <p>Policy T6 part B of the London Plan requires car-free development to be the starting point for all development in locations well-connected by public transport. Development providing some car parking (other than blue badge) should provide the ‘minimum necessary’ parking.</p> <p>These amendments would also go further to supporting Draft Policy SP T1 part 1d) to reduce traffic and promote safety of the transport network, as well as complying with NPPF paragraph 104 and London Plan Policies GG2 and T1.</p>
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7.4 **Draft Policy DM T2** seeks to make active travel the natural choice in the Borough, which is supported. However, as part of this strategy, a move away from the private car is needed, and it is recommended that in order to make active travel the natural choice, the Policy should acknowledge the opportunities presented by developing sites in accessible locations. Whilst improvements to the transport network can help to provide links to encourage the use of sustainable modes of travel, development at transport hubs, such as train stations, should specifically be supported as part of this section of the draft ELP.

Policy Reference	DM T2: Making active travel the natural choice
Strengthening of policy required	
NPPF Paragraph 11 – Sustainability Test	The Policy does not meet the need for sustainable growth in the area.
NPPF Paragraph 35 – Soundness Test	The Policy does not meet the tests of soundness.
Proposed Modification	<p>Part 1: <i>Proposals will be expected to demonstrate...</i> <u>f. how they contribute to securing a modal shift, reducing the opportunity for travel by unsustainable means and promoting car-free development, and improving access to public transport interchanges.</u></p>
Reason for Modification	<p>Policy D2 of the London Plan 2021 confirms that the density of development should be proportionate to the connectivity and accessibility of a site to sustainable modes of transport. This policy should make reference to car-free development such that it reflects paragraph 13.2.3 of the supporting text, which recognises that the current levels of car journeys is not efficient. This will ensure that the policy complies with the London Plan and is consistent with national policy.</p>

7.5 The policies will support the Enfield Climate Action Plan 2020 which confirms the Council's plan for climate action across seven areas, including travel and that by 2040, the Council have set a target for carbon neutrality in the Borough by 2040. 39% of emissions in the Borough are produced by transport and therefore by 2040, the Council's vision is that the majority of journey's that originate in the Borough will be made by either low or no carbon emission methods. Car-free developments will be imperative in working towards the goal of minimising the carbon emissions from transport.

DRAFT

8 Draft Allocation: Site at Arnos Grove Underground Station

- 8.1 Strategic Policy **SP PL7** identifies the area of New Southgate as a 'Placemaking Area', encompassing the Site at Arnos Grove Underground Station. We support the thrust of the policy and inclusion of the Site as part of the area to focus development and growth.
- 8.2 We note that part 7 of the Policy identifies the opportunity for development to 'contribute to enhancing the public realm to make walking and cycling significantly more accessible, safer and attractive environment'. We support this aspiration. It also states that development should contribute towards *'improvements to enhancing the public realm around Southgate station'*. We note that this is likely to be an error, and that Figure 3.8 identifies public realm opportunities at New Southgate railway station and Arnos Grove Underground Station. We recommend that this wording is reviewed to reflect the locations within the place making area. We support the inclusion of the identified public realm opportunity adjacent to Arnos Grove Underground Station.
- 8.3 The Site at Arnos Grove Underground Station is a draft allocation (**SA24**) with a mixed use capacity estimate of 162 homes, to be delivered over 0-5 years. We support that the Site can deliver homes in the first five years of the plan period, therefore making a positive contribution towards housing need in the Borough, and assisting to address historic under-delivery.
- 8.4 The allocation states that the development can provide new homes and may provide non-residential floorspace. The allocation contains very little additional detail on either constraints that exist at the Site, or further detail on what any planning application must consider and CLL reserve the right to make further comments on any additional detail that may be added to the draft allocation at subsequent Local Plan consultations.
- 8.5 Paragraph 125 of the NPPF requires planning to optimise the use of land to meet as much identified need for housing as possible. As covered in section 4, the NPPF and London Plan require Local Plans and decisions to prioritise the redevelopment of brownfield land, under-utilised land, public sector land and sites that are well-connected by public transport and in sustainable locations for the development of homes. The Site at Arnos Grove Underground Station achieves all of these requirements and it is therefore positive that the Site has been included as a draft allocation. We consider that this Policy aligns with the requirements of paragraph 35 of the NPPF.
- 8.6 The draft allocation capacity estimate of 162 units reflects the live Appeal Scheme, and is therefore based on the extensive site appraisals which have been provided to LBE alongside a planning application for the development of the Site. Whilst the capacity estimate deviates from the Council's own evidence base set out by the Housing and Economic Land Availability Assessment (HELAA) (2021), this was not informed by extensive site analysis which was undertaken as part of the application process which shows that at least 162 homes can be delivered in a high quality development.

- 8.7 The Appeal Scheme comprises four buildings providing 162 residential units and a flexible commercial unit fronting a new public square at the western entrance to the listed underground station. The massing then steps up towards the north, away from the station building in order to ensure the new buildings preserve and enhance the setting, and to take advantage of the Site's topography. The proposed massing and layout therefore optimise the capacity of the Site by placing larger elements away from the most sensitive receptors.
- 8.8 The architecture of the Appeal Scheme has been inspired by Holden's Arnos Grove Underground Station and has been designed to respect and complement the setting of the station. The Appeal Scheme has also taken cues from the expression and materials of residential architecture built in the same period as the station, utilising brick, and concrete banding. An emphasis is placed on a legible character that is contemporary in its expression.

Policy Reference	PL7: New Southgate SA24: Arnos Grove Station Car Park
Support	
NPPF Paragraph 11 – Sustainability Test	The Policy supports the strategic vision and requirement for sustainable growth.
NPPF Paragraph 35 – Soundness Test	The Policy meets the tests of soundness
Proposed Modification	Capacity Estimate should be referred to as a 'minimum site capacity'.
Reason for Modification	The capacity identified through the planning application optimises the development of the Site and makes a positive contribution to housing in the Borough. However, given the opportunities this site represents to achieve the strategic vision of the draft ELP, the site capacity should not be capped.

9 Environment

Sustainable Enfield

9.1 Section 4 of the draft ELP relates to ‘Sustainable Enfield’. CLL support the Council’s approach to becoming a carbon neutral organisation by 2030 and the ambition for Enfield to be a carbon neutral borough by 2040 and recognise the important role that Planning plays in achieving this. These aspirations align with paragraph 152 of the NPPF, requiring the planning system to ‘support the transition to a low carbon future in a changing climate’.

Policy Reference	SP SE1: Responding to the climate emergency
Object	
NPPF Paragraph 11 – Sustainability Test	The Policy does not meet the need for sustainable growth in the area.
NPPF Paragraph 35 – Soundness Test	The Policy does not meet the tests of soundness.
Proposed Modification	<p>It is suggested that SP SE1 point 4 is amended such that it reads:</p> <p><i>prioritise heat decarbonisation, with no new gas connections, ensuring all heating and hot water to be provided through low carbon sources, where possible..., which may include ASHP, with the continuing decarbonisation of the National Grid.</i></p> <p>Point 5 of Policy SP SE1 should then be amended to read: <i>...ensure, where appropriate feasible, development proposals supports the expansion and decarbonisation of the Borough’s heat network.</i></p> <p>We would suggest an additional point as follows:</p> <p><i>The Council will work with partners to:</i> <u>10. Support a modal shift towards sustainable travel, in particular trips by foot, cycle or public transport, limiting future car use and prioritising development in well-connected locations.</u></p>
Reason for Modification	The Enfield Climate Action Plan sets out that the highest proportion of emissions in Enfield is from transport at 39% (by tonnes of CO2) compared with other emissions. Given the significant contribution of transport to carbon emissions, this policy should place more emphasis on encouraging and supporting developments that reduce reliance on private car and promote sustainable travel modes. This would bring the

	<p>policy in line with the requirements of the NPPF (paragraph 105) and London Plan Policy GG2 Part G and Policy T1.</p> <p>To ensure consistency with the London Plan 2021 which recognises at Policy SI2 that cash in lieu contributions to a borough's carbon off-set fund can be made where it is clearly demonstrated that a zero-carbon target cannot be fully achieved on-site.</p> <p>These amendments are required to ensure that the Local Plan is effective in order to deliver the Mayor's Strategic target for modal shift across London and to ensure that the policy is consistent with national policy in relation to tackling climate change issues.</p>
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Policy Reference	DM SE2: Sustainable Design and Construction
Object	
NPPF Paragraph 11 – Sustainability Test	The Policy does not meet the need for sustainable growth in the area.
NPPF Paragraph 35 – Soundness Test	The Policy does not meet the tests of soundness.
Proposed Modification	Major residential development of ten or more dwellings are required to achieve a minimum work towards achieving Home Quality Mark (HQM) 4.5* with a minimum certification level of 4*.
Reason for Modification	It is not clear from the evidence base and explanatory text, on what basis these targets are expected to be achieved. The policy as drafted also creates uncertainty regarding the expectations for development proposals indicating that they should ' <i>work towards achieving HQM 4.5*</i> '. The Policy as currently drafted is ambiguous and does not meet the requirements of the NPPF.

Policy Reference	DM SE5: Greenhouse gas emissions and low carbon energy supply
Object	
NPPF Paragraph 11 – Sustainability Test	The Policy does not meet the need for sustainable growth in the area.
NPPF Paragraph 35 – Soundness Test	The Policy does not meet the tests of soundness.

Proposed Modification	<p>Table 4.4 requires a minimum on-site reduction of up to 45%, which is 10% higher than the requirements of the London Plan. The aspiration is appreciated, but no evidence has been provided that such targets are realistic or feasible.</p> <p>Part 5: <i>'Development proposals will be expected to address an area's the site's energy infrastructure requirements, as identified in the Infrastructure Delivery Plan and provide any necessary infrastructure upgrades as required to support the development proposal.'</i></p>
Reason for Modification	<p>We encourage LBE to take a viability tested approach to ensure that the requirements are fully justified in accordance with NPPF paragraph 35 b) requiring an appropriate strategy... based on proportionate evidence. The suggested amendment would ensure that the policy is consistent with national policy.</p>

Blue and Green Enfield

Policy Reference	DM BG8: Urban greening and biophilic principles
Object	
NPPF Paragraph 11 – Sustainability Test	The Policy does not meet the need for sustainable growth in the area.
NPPF Paragraph 35 – Soundness Test	The Policy does not meet the tests of soundness.
Proposed Modification	Part 1: <i>New development will need to demonstrate how it will exceed target the urban greening factor targets set out in the London Plan...</i>
Reason for Modification	<p>London Plan Policy G5 requires Boroughs to develop an Urban Greening Factor (UGF) to 'identify the appropriate amount of urban greening required in new developments'. It requires the UGF targets to be 'tailored to local circumstances'. No evidence has been provide that would support a higher recommended target than that set out in the London Plan. The policy should be amended to align with London Plan Policy G5 Urban Greening Factor targets.</p> <p>This would ensure that the policy is deliverable and effective.</p>

10 Summary Representations

- 10.1 As required by paragraph 35 of the NPPF, Local Plans must be prepared in accordance with legal and procedural requirements, and be 'sound'. These representations have been prepared on behalf of Connected Living London who have interests in two Sites in the Borough at Arnos Grove and Cockfosters underground station car parks. In general CLL support the overarching aims of the strategy, but consider that more emphasis should be placed on the redevelopment of sustainable brownfield sites and sustainable travel.
- 10.2 There has been a strong policy shift towards the importance of optimising the capacity of sites for housing, and prioritising this over other land uses, especially in well-connected locations. In terms of the existing land use, the NPPF requires planning to 'promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and sites could be used more effectively (for example... car parks)' (paragraph 120 d)).
- 10.3 The importance of using land efficiently, especially in constrained areas, to meet the objectively assessed needs of the LPA, securing sustainable development is the overarching theme of the NPPF and London Plan. It is therefore highly important that the Enfield Local Plan provides strong support for development which secures this position.
- 10.4 The contribution that the Site at Arnos Grove Underground Station would make towards sustainable development in the Borough are clear and substantial, including how the Local Plan can ensure that the development of these sites is optimised in line with national policy requirements.
- 10.5 There are a number of policies and requirements included in the draft ELP which do not appear to be appropriately evidenced or tested. It is therefore considered that those policies with no apparent evidence base do not meet the tests of soundness as set out by paragraph 35 of the NPPF.
- 10.6 As currently draft, the draft ELP does not comply with the requirements of the NPPF (in particular paragraph 35), and is inconsistent with several policies of the London Plan. The Plan in its current form is therefore not considered to be 'sound' for the reasons set out in this document.
- 10.7 This document sets out suggestions and recommendations for amendments to the draft ELP to ensure that it can be considered 'sound'.



Quod

Arnos Grove

Appendix B: Response to Questionnaire

SEPTEMBER 2021

Questionnaire	Response
Chapter 2: Good growth in Enfield	
Are there key aspects of the Borough that the Council has not captured in the spatial portrait? A spatial portrait describes the geographical characteristics of the Borough, setting out where things are located in Enfield.	Policies SP SS1 and SP SS2 do not meet the need for sustainable growth in the area. The policies do not meet the tests of soundness.
Are there any key opportunities and challenges facing the Borough that the Council has not identified?	Please see chapter 4 of Appendix A for further detail.
Are there any key spatial issues that have not been considered? Spatial issues are the specific economic, environmental and social issues affecting the Borough.	
Chapter 3: Places	
Have we included all appropriate placemaking areas in the urban area to accommodate growth? Enfield Town Southbury Edmonton Green Angel Edmonton Meridian Water Southgate New Southgate Rural Enfield – a leading destination in London’s National Park City Crews Hill Chase Park	No comment at this time.
Are there any proposed placemaking areas we have proposed that you believe should not be included?	
Enfield Town	
Does the vision for Enfield Town set out an appropriate vision for its future? If not, what components do you think should be changed or are missing?	No comment at this time.
Will the proposed Enfield Town placemaking policy help to adequately deliver the aspirations set out in the vision? If not, what proposed changes, omissions or additions are required in the policy to help deliver the vision?	
Southbury	
Does the vision for Southbury set out an appropriate vision for the future of this place? If not, what components do you think should be changed or are missing?	No comment at this time.
Will the proposed placemaking policy for Southbury help to adequately deliver the aspirations set out in the vision? If not, what proposed changes, omissions or additions are required in the policy to help deliver the vision?	
Edmonton Green	
Does the vision for Edmonton Green set out an appropriate vision for the future of this place? If not, what components do you think should be changed or are missing?	No comment at this time.
Will the proposed placemaking policy for Edmonton Green help to adequately deliver the aspirations set out in the vision? If not, what proposed changes, omissions or additions are required in the policy to help deliver the vision?	
Angel Edmonton	
Does the vision for Angel Edmonton set out an appropriate vision for the future of this place? If not, what components do you think should be changed or are	No comment at this time.

missing?	
Will the proposed placemaking policy for Angel Edmonton help to adequately deliver the aspirations set out in the vision? If not, what proposed changes, omissions or additions are required in the policy to help deliver the vision?	
Meridian Water	
Does the vision for Meridian Water set out an appropriate vision for the future of this place? If not, what components do you think should be changed or are missing?	No comment at this time.
Will the proposed placemaking policy for Meridian Water help to adequately deliver the aspirations set out in the vision? If not, what proposed changes, omissions or additions are required in the policy to help deliver the vision?	
Southgate	
Does the vision for Southgate set out an appropriate vision for the future of this place? If not, what components do you think should be changed or are missing?	No comment at this time.
Will the proposed placemaking policy for Southgate help to adequately deliver the aspirations set out in the vision? If not, what proposed changes, omissions or additions are required in the policy to help deliver the vision?	
New Southgate	
Does the vision for New Southgate set out an appropriate vision for the future of this place? If not, what components do you think should be changed or are missing?	Policy SP PL7 supports the strategic vision and requirement for sustainably growth and meets the tests of soundness.
Will the proposed placemaking policy for New Southgate help to adequately deliver the aspirations set out in the vision? If not, what proposed changes, omissions or additions are required in the policy to help deliver the vision?	Please see Chapter 8 in Appendix A for further information.
The New Southgate placemaking area contains a series of proposed site allocations. Are the site allocations proposed appropriate? If not, please set out why you do not consider them to be appropriate. Are there any further sites within the New Southgate placemaking area which have not been included, which are known to be available for housing, employment, or a mix of uses – that you think should be included within the plan?	
Rural Enfield	
Do you support the designation of Rural Enfield as a leading transformative destination within London National Park City?	No comment at this time.
Do you feel the policy covers the right area of the Borough? If not, what changes would you make?	
Do you feel the policy could be improved?	
Crews Hill	
Does the vision for Crews Hill set out an appropriate vision for the future of this place? If not, what components do you think should be changed or are missing?	No comment at this time.
Will the proposed placemaking policy for Crews Hill help to adequately deliver the aspirations set out in the vision? If not, what proposed changes, omissions or additions	

are required in the policy to help deliver the vision?	
Chase Park	
Does the vision for Chase Park set out an appropriate vision for the future of this place? If not, what components do you think should be changed or are missing?	No comment at this time.
Will the proposed placemaking policy for Chase Park help to adequately deliver the aspirations set out in the vision? If not, what proposed changes, omissions or additions are required in the policy to help deliver the vision?	
Chapter 4: Sustainable Enfield	
Responding to the climate emergency Are there any other measures that should be included in the Local Plan to help tackle the climate emergency?	Policies SP SE1, DM SE2, DM SE3, DM SE4 and DM SE5 do not meet the need for sustainable growth in the area and do not meet the tests of soundness. Please see Chapter 9 in Appendix A for further information.
Sustainable design and construction Is this the right way to support sustainable design and construction? Have we addressed the necessary key considerations?	
Greenhouse gas emissions and low carbon development Is % over Part L the right measure for reducing greenhouse gas emissions?	
Is this the right approach to incentivise on-site renewables?	
Renewable energy development Is this the right approach to properly managing the potential impacts of renewable energy development?	
Climate change adaption and managing heat risk Does this policy set out a robust framework for managing heat risk?	
Chapter 5: Addressing equality and improving health and wellbeing	
How best can the Enfield Local Plan provide for our future community needs to secure a sustained high quality of life and well-being having regard to future growth?	No comment at this time.
Are there any specific issues regarding educational provision that you consider need to be addressed with respect to new development?	
How do you consider that health issues should be addressed in the Local Plan? How can new development encourage healthy lifestyles?	
Do you have any other issues/comments?	
Chapter 6: Blue and Green Enfield	
How best do we protect and enhance our blue and green network in the face of increasing growth and development pressures?	Policy DM BG8 does not meet the need for sustainable growth in the area and do not meet the tests of soundness. Please see Chapter 9 in Appendix A for further information.
Do you agree with our approach to encourage food production?	
Can you give us practical examples of how we work with other stakeholders, funding bodies and developers to identify opportunities to promote and enhance the natural environment, and incorporate net gains for biodiversity?	
Is Policy BG10 Burial and crematorium spaces the right approach to meet our needs?	
Do you think it is acceptable to plan for a shortfall of space within the Borough boundary and promote cross border expansion instead?	

<p>If you think we should meet local needs, where should it be? More burial space in the urban area – where? Intensification of suburban areas? Build on some public open space? Release of Green Belt land on the edge of the Borough? If other, please specify</p>	
<p>Chapter 7: Design and Character</p>	
<p>Do you have any other issues/comments?</p>	<p>Polices SP DE1, SP DE4 and SP DE6 do not meet the need for sustainable growth in the area and do not meet the tests of soundness.</p> <p>Please see Chapter 6 in Appendix A for further information.</p>
<p>Chapter 8: Homes for all</p>	
<p>Policy H2: Affordable housing</p> <ul style="list-style-type: none"> • Do you consider that, if supported by viability evidence, the target for providing affordable housing on housing sites should be increased? If so, what percentage of affordable housing should the council be seeking? • Should the council seek to use the threshold for affordable housing of 10 dwellings on site? Are there occasions when it may not be appropriate and if so, what should the thresholds be? 	<p>Polices SP H1, SP H2, SP H3 and SP H7 do not meet the need for sustainable growth in the area and do not meet the tests of soundness.</p> <p>Please see Chapter 5 in Appendix A for further information.</p>
<p>Do you agree with the draft policy approach set out in H3 Housing mix and type, H4 Small sites and smaller housing development, H5 Supported and specialist housing, H6 Community led housing, H7 Build to rent, H8 Large scale purpose built shared housing and H9 Student accommodation? If not, what changes would you suggest?</p>	
<p>Policy H10: Gypsy and Traveller accommodation Do you agree with the draft policy approach set out in H10 on accommodating Gypsy and Traveller accommodation? If not, please give details as to why not or how the policy could be changed</p>	
<p>Should the Council meet its full Gypsy and Traveller needs of 21 pitches and/or provide a transit site to manage unauthorised encampment activity across the borough?</p>	
<p>In meeting its Gypsy and Traveller needs should Enfield engage with its neighbours and provide a joint scheme/site or should the Council accommodate its own Gypsy and Traveller needs within the Borough boundary?</p>	
<p>Should the Council wait until the Mayor of London has undertaken his London -wide Gypsy and Traveller and be allocated a Gypsy and Traveller pitch target?</p>	
<p>If possible, do you think that the Council should allocate all its identified need on a number of new sites? Should this be a large site or range of large and smaller sites</p>	
<p>Chapter 9: Economy</p>	
<p>E1: Employment and growth Is this the right approach for promoting jobs and inclusive business growth?</p>	<p>No comment at this time.</p>
<p>E2: Promoting jobs and inclusive business growth Is this the right approach for promoting jobs and inclusive</p>	

business growth?	
E3: Protecting employment locations and managing change Is this the right way to protect industrial businesses in the Borough?	
E4: Supporting offices Should we encourage the provision of new offices in town centre locations? Should we use what planning powers we have to resist the loss of offices?	
E5: Transforming Strategic Industrial Locations and Locally Significant Industrial Sites Do you support intensification as a means of making better use of our industrial areas? Should the plan encourage better placemaking and environmental improvements in our industrial areas?	
E6: Redevelopment of non-designated industrial sites Is this the right approach for non-designated industrial sites?	
E7: Providing for workspaces Is this the right way of supporting the delivery of the range of workspaces that our businesses need?	
E8: Local jobs, skills and local procurement Do you agree with the draft policy? If not, what changes would you suggest?	
E9: Fostering a successful evening and night-time economy Is this the best way to manage the evening and night-time economy?	
E10: Creating a smart and digitally connected economy Do you agree with the draft policy? If not, what changes would you suggest?	
<u>Chapter 10: Town centres and high streets</u>	
Policy TC1: Promoting town centre Does this policy set a positive framework to promote our town centres?	No comment at this time.
Policy TC2: Encouraging vibrant and resilient town centres Is this the best framework for supporting the borough's centres?	
TC3: Floorspace above commercial premises How else can we make the most of town centre properties?	
TC4: Markets Is this the right way of protecting and managing markets?	
TC5: Meanwhile uses Is this the right way to encourage meanwhile uses?	
TC6: Managing clustering in town centres Does this framework properly manage the impacts associated with hot food takeaways, betting shops, pawnbrokers, pay day loan shops, amusement centres, casinos and banqueting suites?	
<u>Chapter 11: Rural Enfield</u>	
Policies: RE1 Character of the Green Belt and open countryside, RE2 Improving access to the countryside and green corridors, RE3 Supporting the rural economy and RE4 Farm diversification and rural employment	No comment at this time.

<ul style="list-style-type: none"> Do you agree with the draft policy approach set out in RE1 to RE4? <p>If not, what changes would you suggest?</p>	
<p>Chapter 12: Culture, leisure and recreation</p>	
<p>Policies: CL1 Promoting culture and creativity, CL2 Leisure and tourism, CL3 Visitor accommodation, CL4 Promoting sporting excellence, CL5 Sport, open space and recreation and CL6 Protecting and attracting public houses</p> <ul style="list-style-type: none"> Do you agree with the draft policy approach set out in CL1 to CL6? <p>If not, what changes would you suggest?</p>	<p>No comment at this time</p>
<p>Chapter 13: Movement and connectivity</p>	
<p>Policies: T1 Promoting sustainable transport and T2 Making active travel the natural choice</p> <p>Do you agree with the draft policy approaches set out in T1 and T2?</p> <p>If not, what changes would you suggest?</p>	<p>Policy SP T1 does meet the need for sustainable growth in the area and does meet the tests of soundness.</p> <p>Policy DM T2 does not meet the need for sustainable growth in the area and does not meet the tests of soundness.</p> <p>Please see Chapter 7 in Appendix A for further information.</p>
<p>Chapter 14: Environmental protection</p>	
<p>Policy ENV1: Local Environmental Protection</p> <p>Do you agree with the draft policy? If not, what changes would you suggest?</p>	<p>No comment at this time.</p>
<p>Chapter 15: Delivering and monitoring</p>	
<p>How best do you think the Local Plan can be effectively delivered in the face of limited resources?</p> <ul style="list-style-type: none"> The Council will continue to work in partnership with the private, public and voluntary sector plus neighbouring authorities to secure funding for key infrastructure projects? Set out priorities for project delivery? Increase the Community Infrastructure Levy tariffs to fund future projects? What do think these priorities should be and how should any phasing be applied? or do you have any other issues/ comments? 	<p>No comment at this time.</p>
<p>Do you have any other issues/ comments</p>	<p>Policy SA24 supports the strategic vision and requirement for sustainably growth and meets the tests of soundness.</p> <p>Please see Chapter 8 of Appendix A for further information.</p>