



## Enfield Local Plan

### Main Issues and Preferred Approaches – June 2021

#### Representations on Behalf of Comer Homes

September 2021

### Introduction and Summary

These representations have been prepared on behalf of Comer Homes which owns Vicarage Farm, a substantial landholding, in Enfield. Comer Homes generally supports the draft Local Plan and in particular the Chase Farm site allocation.

The site is in single ownership and is an obvious location for an urban extension with residential development of Gordon Hill to the east and World's End and Oakwood to the south. The site is ideally located for amenities at Oakwood and also in Enfield Chase, which is identified as a Large Local Centre.

It is hard to believe there could be a more sustainable location for this scale of development in Enfield Borough and we are pleased that the local authority has recognised this through allocation of the site (as part of the wider Chase Park Placemaking area). The site would score highly on any sustainability criteria. Within walking distance of the development would be:

- Oakwood Station which offers services every 2-3 minutes to a variety of central London stations
- Ten established bus stops (more would be provided within the development itself) serving five different routes
- Local shops at Oakwood and World's End
- Sports facilities at Trent Park

### Background and General Comments

Comer Homes welcomes and fully supports the allocation of Chase Park (which includes Vicarage Farm) as one of four placemaking areas to help deliver the Council's target for at least 25,000 new homes up to 2039.

However, we have some detailed comments as set out below with amendments suggested in order to sure that the plan is robust and meets the tests of 'soundness' set out in the NPPF.

These representations should be read in conjunction with our previous representations on behalf of Comer Homes in respect of Vicarage Farm including Vicarage Farm Vision document March 2021 (prepared by Farrells) and Vicarage Farm Summary Promotion Document February 2021 (prepared by Savills).

In order to ensure it can meet the targets identified in the London Plan, the only realistic option available to the Council is to release some Green Belt land in the borough alongside redevelopment of underutilised brown field sites. The representations previously submitted to the Council set out in full the exceptional circumstances to justify alteration to the Green Belt boundaries and subsequent development of this site. In summary these are:

- The overwhelming need for housing development to support the growth of Enfield Borough and its economy.
- The London-wide shortage of housing and affordable housing.
- The highly sustainable nature of Vicarage Farm given the proximity of a London Underground station, multiple bus routes, local services and sports facilities.

- The absence of any more sustainable green belt locations within the Borough.
- Vicarage Farm is already surrounded on three sides by development. The location and topography of the site enables development with reduced visibility thus reducing the effect on the countryside and purposes of including land within the Green Belt.
- Opportunities to much improve the water environment and install natural flood measures to reduce flooding elsewhere in the Borough.

This site is an opportunity to provide:

- Sensitively designed, sustainable landscape led development of up to 5000 homes and affordable homes;
- Sustainable development - a highly sustainable location between Oakwood (Piccadilly Line), Enfield Chase and Gordon Hill main line stations;
- Opportunity to resolve wider flooding and drainage issues whilst creating landscape and ecological features of the three watercourses running across the site;
- The delivery of a primary school and other local amenities such as doctors and shops if required;
- New open space and improved access to the wider countryside for existing residents in
- the locality; and improved biodiversity.

### **Vision – a liveable, well connected and sustainable neighbourhood**

In March 2021, Farrells prepared a vision document for Vicarage Farm (a copy is also submitted with these representations). This was submitted to the Council as part of promotion of the site and was produced to illustrate the potential design approach and key principles of the masterplan framework, setting out the reasons why it is considered to be appropriate for housing and why it is important and beneficial to the sustainable future of Enfield.

The site is important in its setting adjacent to Trent Park, its closeness to the centre of Enfield and coverage of transport hubs. The landscape and topography of the site provide an opportunity to create a wonderful place to live, that is sustainable and adds significantly to Enfield and its environment.

Farrells masterplan clearly demonstrates that there is an opportunity to link the site with its surroundings with access to local and convenience centres, public transport and green open spaces. There is an opportunity to link to existing cycle routes and improve access to Trent Park and the wider countryside for existing residents in the locality.

Vicarage Farm is already surrounded on three sides by development. The location and topography of the site enables development with reduced visibility thus reducing the impact on the countryside and purposes on including land within the Green Belt.

The masterplan illustrates that the water that runs through the site creates fantastic opportunities for the sustainable integration of water into the development. This will create a high quality riparian environment with opportunities for biodiversity, recreation and landscape.

The key concept of the Farrells masterplan is to create a new neighbourhood blended with its rich landscape setting, creating the following opportunities:

- New homes along the ridge line with vast Open Space provision and views across the valleys
- New community support facilities
- Completing the missing links connecting the site to its surroundings
- Building upon the landscape qualities of the valleys for new neighbourhoods
- Responding to the existing landscape character
- Extending Trent Park towards Enfield Town Centre

- Allowing for sustainable drainage systems and flood mitigation
- Sensible approach to height and character along the site's edges.

The masterplan promotes a sustainable 15-minute city with a park at every doorstep delivering new homes.

The masterplan has been developed to create distinct landscape and topography character areas:

- Local Neighbourhood Centre – the meeting point
- Valley View – the intimate green-blue corridor
- Park View – uninterrupted views of green
- Local Edge – gradual sensitive transition

The Farrells masterplan has been updated to show how the site integrates with the wider Chase Park allocation with linkages and routes through to realise the vision and principles identified above. The Farrells vision aligns with the draft Policy SP PL10: Chase Park.

### Tests of Soundness

Paragraph 35 of the NPPF sets out the tests of soundness which Local Plans are required to meet. They should be:

- a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs<sup>19</sup>; 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.

Comer Homes are supportive of the general thrust of the plan. We welcome that the plan is obviously positively prepared in seeking to address the London wide housing crisis with significant land allocations. The comments below identify where it is considered that changes are required in order to ensure the Local Plan meets the tests of soundness set out above.

## Chapter 2 Enfield's Spatial Strategy

### Strategic Policy SP SS1: Spatial Strategy

1. **Do you consider the Council has selected the right spatial strategy option as its preferred option?**

We support the Council's preferred spatial strategy – Option 2 based on medium growth (1) is the most appropriate and realistic strategy to ensure that housing targets are met. However, we note that even this option acknowledges that it meets 'much' of the housing requirement and therefore not 'all'. There is an argument that this option is the minimum growth required and none of the more restrictive growth options are realistic options as they will not meet the borough's needs over the plan period.

We appreciate that these levels of growth are likely to be contentious and will not be welcomed by all, however, the Council will be fully aware of the importance of ensuring that the new Local Plan adequately addresses and provides for the borough's housing needs otherwise it will be at significant risk of being found unsound during Examination in Public as has happened in other local authorities. In the case of Welwyn Hatfield Borough Council, the Inspector recommended withdrawal of the draft Local Plan unless the Council could identify

sufficient sites to meet a housing target significantly above that initially put forward by the Council. The Council's submission Local Plan (2017) included the delivery of 12,000 homes between 2013 and 2032, however, the Local Plan Inspector requested that the Council find sites for 16,000 homes. After discussions between the local authority and Inspector, the Inspector has now reduced the number to 15,200 dwellings. In order to meet this new target, the Inspector has requested that the Council provide details of potential green belt housing sites for the new homes, including a list of additional sites. If the local authority fails to do comply with the request by 17th September 2021, the Inspector has warned that the draft Local Plan will be found unsound (unless it is withdrawn).

Another example where lack of identified housing supply has led to withdrawal of the local Plan is in Buckinghamshire Council. On 21 October 2020, Buckinghamshire Council resolved to withdraw the Chiltern and South Bucks Local Plan (CSB Plan). This followed criticism from the Planning Inspector and others, with Slough Borough Council in particular arguing that the Plan failed to meet its unmet housing need, which could potentially be as many as 10,000 homes. In October 2020, the inspectors wrote to Buckinghamshire Council raising 'very serious concerns' about the plan's compliance with the duty to cooperate and warning of 'a strong likelihood' that the strategy would have to be withdrawn or would be found unsound. The inspectors said the councils preparing the strategy had failed to engage sufficiently with regards to the unmet need of around 8,000 homes in neighbouring Slough.

Uttlesford District Council also withdrew its local plan from examination at the end of April 2020, after Inspectors cited 'significant concerns in relation to the soundness of the plan'. The draft plan included proposals for three garden communities - Easton Park, North Uttlesford and West of Braintree – that are expected to deliver around 18,500 homes. Following Stage 1 Examination Hearings, the Planning Inspectorate raised 'significant concerns in relation to the soundness of the plan' and went on to say 'We are not persuaded that there is sufficient evidence to demonstrate that the garden communities, and thus the overall spatial strategy, have been justified'. In addition, the Inspectors said they 'strongly believe that the garden communities will not deliver the quantum of housing in the plan period that the council's housing trajectory shows'.

Furthermore, there are a number of recent appeal decisions, which also serve as a reminder of the risk of unplanned Green Belt release if local authorities cannot demonstrate a robust 5 year housing land supply. For example in a recent decision in May 2021, an Inspector allowed an appeal for up to 100 homes on an unallocated green belt site on the edge of a Hertfordshire village (Roundhouse Farm, Land Off Bullens Green Lane, Colney Heath, May 2021, Ref: APP/B1930/W/20/3265925) against St Albans City & District Council and Welwyn Hatfield Borough Council. The Inspector concluded that the 'very substantial weight' afforded to the provision of market and affordable housing in an area with 'acute' need and delivery shortages outweighed harm to the green belt. The Inspector noted that both councils were unable to demonstrate a five-year housing land supply and stated that the land supply position of the two councils - claimed to be 2.58 years by Welwyn Hatfield and 2.4 years by St Albans – 'is a bleak one and the shortfall in both local authorities is considerable and significant'. In considering whether very special circumstances existed to justify the harm to the green belt, the Inspector concluded that the provision of up to 100 homes, 45 per cent of which would be classed as affordable, should be given 'very substantial weight'.

**2. Are there any changes you would suggest to the proposed key diagram?**

No.

**3. Are there any changes you would suggest to the proposed Spatial Strategy policy wording?**

The supporting text to Draft Strategic Policy SP SS2 (Making Good Places) states that within the placemaking areas, the Council intends to prepare Masterplan SPDs to guide and coordinate. Paragraph 2.2.14 recognises that prior to preparation of Masterplan SPDs, it is expected that some sites may come forward for redevelopment. This is an important point and we welcome this recognition. Without this recognition, and inclusion of it within the text of the plan, delivery of important sites which will help the Council achieve its vision and targets may be prevented from coming forward should preparation of the relevant SPD be unduly delayed. Please also see comments in relation to Policy SP PL10 to ensure consistency throughout the plan.

**4. Has the Council missed any other spatial strategy options?**

No.

**Chapter 3 Places**

**1. Have we included all appropriate placemaking areas in the urban area to accommodate growth?**

We have no specific comments on the other placemaking areas, however, in collaboration they will assist the Council in meetings its housing and employment targets and delivering sustainable development. In particular Chase Park (a rural placemaking area) represents a unique and exciting opportunity to create a truly sustainable development with green infrastructure at its heart, improving access to the countryside and helping the Council to achieve its challenging, but necessary, housing targets.

**2. Are there any proposed placemaking areas we have proposed that you believe should not be included?**

See above.

**3.8 Rural Enfield – a leading destination in the London National Park City**

**1. Do you support the designation of Rural Enfield as a leading transformative destination within London National Park City?**

Yes in theory we support this and agree that it will help to enhance the open green spaces in the borough, however, please see comments under 2 below.

**2. Do you feel the policy covers the right area of the Borough? If not, what changes would you make?**

According to the draft plan, the National Park City Designation has the same status as Green Belt and Metropolitan Open Land according to Draft Strategic Policy SP PL8. It is important that PL8 is consistent with other policies in the plan, for example Policy SP PL10 Chase Park Site Allocations.

Explanatory Paragraph 3.10.4 to Policy SP PL10 states:

*‘Development at Chase Park has potential to deliver a new sustainable urban extension during the current local plan period and the next. The parts of the placemaking area that are expected to come forward in the next plan period are proposed to be removed from the Green Belt designation as part of this Local Plan to ensure that Green Belt boundaries will last beyond the end of the Local Plan period. This is in accordance with national planning policies which states the intention for Green Belt boundaries to have permanence in the long term. However, this land will continue to be safeguarded from development during the plan period through the National Park City designation. Although development will not generally be appropriate within this designation, it is recognised that not all development will prejudice its function. It will therefore, be appropriate to permit development required in connection with established uses, or change of use to an alternative open land use or to temporary uses which would not prejudice the possibility of development after the plan is reviewed, nor is detrimental to the character of the site and its surroundings.’*

In order to ensure that the Local Plan is consistent it is important that it is recognised within PL8 that it is expected that development will come forward on parts of the National Park City Designation within the Chase Park placemaking area over the next plan period and have therefore been removed from the Green Belt to ensure that Green Belt boundaries will last beyond the end of the Local Plan period. Therefore whilst these parts will be safeguarded under the National City Park Designation for this plan period (until 2039) it must be clear that these areas are expected to come forward in the next plan period as part of the Chase Park placemaking area to deliver more homes and supporting development. The National Park City designation should not be used as a tool to prevent planned development from coming forward within any future plans.

### 3. Do you feel the policy could be improved?

Yes, see above. Stating that the National Park City Designation has the same status as Green Belt and Metropolitan Open Land is ambiguous. In order to ensure consistency with other policies in the draft Local Plan, it needs to be explicitly clear that alterations to the Green Belt within this plan include land which is expected to come forward for development within the next plan period. Otherwise there may be an expectation that the National Park City Designation as shown will be taken forward into the next plan and there may be a misconception that it has the same status as Green Belt land and can therefore not be amended except in exceptional circumstances, which have already been demonstrated in the supporting evidence for this plan.

### 4. Do the vision or policy miss any significant matters?

No.

#### Strategic Policy SP PL10: Chase Park

##### In relation to the proposed Chase Park placemaking area:

#### 1. 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?

We fully support and agree with the vision for Chase Park. In particular we agree that (supporting paragraph 3.10.8 of the draft Local Plan):

*'Chase Park provides a key opportunity to create a high quality and liveable new suburb that takes the best of the existing 1930s suburbs and combines it with a highly green environment where the environment is protected, conserved, and enhanced. A place that can act as the gateway to the parkland landscapes of north Enfield while being a great place to live sustainably. Generous blue-green corridors provide a strong setting and support ecological corridors provide rewilding connections between the wider habitats and landscapes to the North and the existing urban area to the south and east to form a coherent network.'*

#### 2. 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?

In order to realise the vision for Chase Park, the policy states (at Point 2) that planning permission on the allocated sites will only be granted following the approval by the Council of a comprehensive masterplan (in the form of an SPD). Comer Homes is fully supportive of a SPD and recognises the importance of a comprehensive masterplan for the site and looks forward to working with the Council to progress this, however, we are slightly concerned that this text could lead to a situation where development is prevented from coming forward in the event that preparation of a SPD is unduly delayed for some reason. The supporting text to Policy SP SS2 whilst recognising the importance of a SPD also acknowledges that some sites may not come forward before preparation / adoption.

We agree with the placemaking principles identified within the Policy and this aligns with Farrel's vision for the site (see above). In particular we welcome the recognition at point 4. that higher density (than the 1930's residential context) is appropriate:

*'The design of new development should acknowledge the townscape of the 1930's residential context but make more efficient use of land with a higher density, sustainable urban form which reflects its suburban location.'*

Supporting paragraph 3.10.7 reinforces this and states:

*'In the northern part of the placemaking area, higher density housing can have a synergy with Chase Farm Hospital with facilities and accommodation related to this significant health and employment centre. In the southern part of the allocation a long-term phased approach can provide development in more than one plan period and will typically be more mixed and have areas of varying density.'*

## Chapter 8 Homes for All

### Strategic Policy SP H2: Affordable housing

- 1. 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?**

The Policy identifies a 50% affordable housing in all areas of the Green Belt, including the proposed rural place making areas at Crews Hill and Chase Park.

We are doubtful that there will be any circumstances where there will be robust viability evidence that will support increasing the target for affordable housing above 50%. 50% is already a challenging target and in the current uncertain economic market, exacerbated by the pandemic, it is likely that there will be schemes that struggle to achieve this and will therefore have to rely on viability evidence to justify a reduced level. We are therefore pleased to see that Part 7 of draft Policy SP H2 acknowledges the role of viability in determining the appropriate affordable housing:

*'7. When determining the amount of affordable housing acceptable on the site, regard will be given to the economics and financial viability of the development including any particular costs associated with it. The London Plan's threshold approach to affordable housing will be applied and will not require a viability assessment where the proposal includes 50% social/affordable rented homes and 50% intermediate homes'*

Viability will vary scheme by scheme and it is important that this is acknowledged and assessed on a case by case basis. Not every scheme will be able to deliver 50% affordable housing and applying this unflexibly would prevent many important schemes from coming forward.

The London Plan includes a fast track scheme for developments (which meet certain criteria) that provide at least 35% affordable housing and this should be acknowledged in Policy SP H2.

Supporting paragraph 8.2.10 in relation to viability states:

*'Where the applicant wishes to demonstrate that the affordable housing thresholds (including the tenure mix) cannot be satisfied on viability grounds, they must provide a detailed financial viability assessment of the scheme prior to submitting a planning application to validate this claim. In this case, the applicant will need to appoint a consultant (chosen from the Council's preferred list) to carry out an independent evaluation of the financial viability assessment at the pre-application stage, at its own expense. Schemes that fail to meet the affordable housing targets set out above (excluding public estate regeneration schemes) will be subject to detailed review mechanisms through the section 106 agreement to take account of changes to costs and values from the granting of planning permission to full completion (including an advanced stage review mechanism). **In exceptional circumstances where a reduced affordable housing contribution can be justified on viability grounds, the applicant will be required to enter into a planning agreement to implement the scheme within 12 months of the granting of the planning consent and deliver the agreed affordable housing contribution within a specific timescale.** If the development is not implemented or affordable housing is not delivered within the agreed timescale, the applicant will be expected to deliver the full affordable housing requirement or in the case of renegotiated schemes revert to the original agreed position. For multi-phased schemes, we will insert trigger clauses into the section 106 agreement at the beginning of each phase to review the viability of the scheme.'*

We are concerned (see text highlighted bold above) that where a reduced affordable housing contribution is justified on viability grounds, the applicant will be required to implement the scheme within 12 months of the granting of consent. This is onerous and is not justified – there are no national or strategic policies which advocate this approach. It therefore conflicts with the tests of soundness set out in the NPPF.

As part of its evidence base LB Enfield has published a Topic Paper: Chase Park Placemaking Study. Paragraph 5.14 of LB Enfield’s Topic Paper: Chase Park Placemaking Study discusses CIL and Viability typologies which have been considered in relation to Chase Park. One of the key findings highlighted is that:

*‘Greenfield sites in the higher value area are likely to be able to bear both higher levels of affordable housing of up to 50% and substantial levels of developer contributions of at least £50,000/unit, in addition to the current rates of CIL, £50,000/unit is the maximum tested’.*

We are pleased that there is no reference to these contributions in the draft Local Plan (other than 50% affordable housing), however, we are concerned that reference to this in the Topic Paper will raise unrealistic expectations and could be used by the Council in negotiations with applicants.

The Topic Paper states that these levels of contributions / obligations have been tested in the Whole Plan and CIL Viability Update (April 2021) prepared by HDH Planning and Development. These are significant contributions and in the current economic climate with the effects of Brexit and the pandemic still having significant impacts, we question the robustness of the findings. In any event, it is important not to prescribe the amount of developer contributions being sought as this will depend on viability discussions and any infrastructure requirements deemed necessary as a result of any specific development. Infrastructure requirements on large strategic sites such as Chase Farm are extensive and costly. As highlighted above, we note that there is no reference to these findings in the draft Local Plan and agree that this is the right approach to ensure that the plan is justified and effective and does not impose unrealistic targets, which may preclude much needed developments coming forward. Part 7 of the draft Local Plan acknowledges the role of viability and it is critical that this is emphasised and it is made clear that contributions including affordable housing will be assessed on a case by case basis based on financial viability, if details are submitted.

**2. 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?**

We have no comments on this aspect of the policy.