

Edmonton Leaside Area Action Plan Examination

Jacqui Glover – Programme Officer

Mobile: 07790 930827

Email: EdmontonLeaside.Examination@enfield.gov.uk

Mr James Gummery
Strategic Planning & Design
Enfield Council

24th May 2018

Sent on behalf of the Inspector

Dear Mr Gummery,

Examination of the Edmonton Leaside Area Action Plan (ELAAP)

Inspector's Initial Observations

As you will be aware I have been appointed to examine the Edmonton Leaside Area Action Plan (ELAAP). After my initial reading of the submitted documentation I have some observations, which are intended to identify areas where additional clarification or action will assist with the examination of the ELAAP.

On further reading of the evidence base, there may be some additional issues that require clarification prior to the setting of those matters and detailed questions that will be explored through hearing sessions. If further areas of clarification arise I will communicate these via the Programme Office as soon as possible.

The points made below are also made without prejudice to anything that I may need to be explored later in the examination, including at the hearings. I am also conscious that some of the information requested may in part be found by cross-referencing some of the information already submitted. If this is the case I would be grateful if you would direct me to the relevant documents and paragraph numbers within the submission.

I would be grateful for a response to each of my initial points by Friday 8th June 2018.

Background Information.

The most up to date land ownership plan appears to be that which is included within the *Meridian Water Spatial Framework*. In order to assist with the consideration of deliverability a more up to date land ownership plan would be helpful. I would be grateful if one could be provided.

Furthermore, an update as to the Council's progress in selecting a preferred development partner should also be provided.

Duty to Co-operate

The Regulation 22 Statement provides background as to the dialogue which has occurred with neighbouring authorities. The Council have also provided copies of the minutes from the various meetings. These should be placed in the examination library. Furthermore, in order to assess whether the Duty to Co-operate has been met, the Council should also provide details of any on-going arrangements for cross boundary working with each of its neighbouring local authorities. How is the planning work of the various planning authorities co-ordinated? Are there any standing arrangements/protocols/memorandums of understanding which are in place? The Council may wish to provide a revised Duty to Co-operate Statement incorporating these details if applicable.

Habitat Regulations Assessment (HRA)

Natural England have expressed reservations as to the contents of the HRA and whether the AAP provides appropriate mitigation for the effects of recreational disturbance on the Walthamstow Reservoirs SSSI/Lee Valley SPA/Ramsar Site. I attach significant weight to the views of Natural England as they are the appropriate conservation body under the Habitats Regulations. The Habitat Regulation Assessment states that policies EL19 and EL20 (Picketts Lock site) will mitigate recreational impacts.

Can the Council advise me on whether there has been any dialogue with Natural England following publication of the ELAAP in response to their reservations on the HRA and the approach to mitigating any likely significant effects?

In the light of the "*People over Wind, Peter Sweetman v Coillte Teoranta*" judgment in the Court of Justice of the European Union (CJEU) the Council

should consider whether the screening assessment needs to be revisited in relation to the potential effects of the AAP on the Lee Valley SPA.

Sustainability Appraisal

The Sustainability Appraisal (SA) should identify, describe and evaluate the likely significant effects of implementing the plan and reasonable alternatives, with the aim of establishing that the plan is the most appropriate. Reasonable alternatives are the different options considered in developing the policies; they must be sufficiently distinct to enable comparisons to be made of their different sustainability implications, and they must be realistic and deliverable.

The SA focusses on options based on 2 variations relating to housing numbers, choosing 8,000 dwellings and 10,000 dwellings, 3,000 jobs versus 6,000 jobs and variations in relation to dwelling type. This gives 8 potential models. None of the models take into account the impact of lower housing or employment models, as per the adopted plan and the SA contains very limited information as to why a lower threshold for development has been discounted as a reasonable alternative. The SA also contains only 1 scenario where SIL is retained and refers to only "some" SIL retention. A single route is also defined for the east-west link referred to as the Causeway.

With this in mind, what factors have determined the selection of alternative options for the SA? Is the Council assured that the SA has been robustly prepared with a comparative and equal assessment undertaken of each reasonable alternative?

Taking into account the findings of the SA, how has the SA process informed the selection, refinement and publication of proposals in the AAP?

Consistency with the Core Strategy and Quantum of Development

One of the aims of the AAP is transformational change which proposes significantly higher levels of housing and employment than the *Core Strategy*, *London Plan* or *Upper Lee Valley Opportunity Area Planning Framework*. The Council have identified increased housing requirement for the Borough as part of the impetus for increased growth at Meridian Water. How does the very significant level of growth envisaged at Meridian Water fit into the emerging Strategy for the rest of the Borough?

The spatial scenarios in Table 3.1 of the Housing and Supporting Infrastructure Document contains amounts of developable land for each spatial scenario. How was this derived?

How far do the Council's assumptions in terms of development capacity for Meridian Water take full account of:

- 1) The operational requirements of existing land-owners and operators. I note that in paragraph 4.2 of the Meridian Water Scenario Testing building footprints were excluded but not car parks?
- 2) The potential extent of Consultation Zones identified by the Health and Safety Executive? I do not have access to this information so cannot conclude whether this is significant;
- 3) Potential restrictions due to major underground infrastructure;
- 4) The potential effect of Source Protection Zones and potential contamination identified by the Environment Agency;
- 5) The effect of planning for flood risk.

The Scenario Testing also refers to delivery of social infrastructure at 90% (paragraph 2.3). What is meant by this?

The Scenario Testing appears to identify land owned by Thames Water (south of the north circular and east of Harbet Road) as Open Space. Can you advise whether this land is included in assumptions of open space made in section 5.6 of the scenario testing?

Housing

Policy EL1 Part A refers to a minimum of 35% affordable housing measured as a proportion of the total number of units, or in part based on the proportion of habitable rooms. This appears ambiguous, which approach does the Council intend to take, and why?

Industrial Land

The AAP makes assumptions in relation to potential job generation within Meridian Water. The evidence for this appears to be contained in the Evidence base for Employment Land, Industries and Jobs Report dated November 2016. Please advise if there is any additional evidence or information in relation to projected employment which I should be aware of.

Flood Risk

The plan strategy in relation to flood risk is based on the recommendations of the 2013 Strategic Flood Risk Assessment (SFRA). This recommends a site-specific Flood Risk Assessment (FRA) is submitted for each individual planning application and that in making more detailed allocations for development through the Local Plan, the Council will apply the Sequential Test within the Meridian Water area in order to direct development to areas of low flood risk. The SFRA is now of some age and was commissioned to inform the redevelopment of the site when the quantum of development envisaged was significantly lower.

Taking this into account, are the Council satisfied that the 2013 Level 2 SFRA and the recommendations within it provide a sound basis on which to base the comprehensive redevelopment of Meridian Water? Furthermore, the SFRA recognises that the redevelopment of the site represents an excellent opportunity to improve flood risk management. The Council should provide an indication of how far flood risk has been taken into account in the indicative masterplan for the site.

Transport

The AAP seeks to increase public transport accessibility throughout the AAP area and to improve east west links by constructing The Causeway. Can the Council advise if any other routes for the road were considered and discounted?

Furthermore, taking into account the concerns of Highways England, can the Council advise how they have considered the impact on the strategic road network, and on what basis they are satisfied that a site by site approach to cumulative traffic impact from the totality of development at Meridian Water, will be appropriate. In addition to the Transport Review by ARUP dated 15 December 2016 can the Council point me to any further transport analysis if it is available?

Edmonton Eco-Park

This section of the plan appears to have been substantially rewritten. For ease of reference can the Council supply an updated piece of text for this section showing the proposed revisions only.

Individual policies

Some of the individual policies refer to Supplementary Planning Documents (SPDs). SPDs are not adopted plan policies and as such policies in a plan should

not require compliance with them. Are the Council satisfied that in such cases the proposed wording is acceptable in this regard? Furthermore, some of the proposed policies explicitly require that SPDs comply with the guidance within the policy. What is the rationale for this? Is the Council anticipating that some SPDs will not be prepared by the Council?

Proposed Modifications

For the purposes of the Examination, changes to the plan need to be referred to as "main or "additional" modifications. The submission contains a schedule of "minor" modifications. A separate schedule should also be kept for any main modifications. The schedules should be kept as a 'live' document throughout the examination process and posted onto the Examination website with the latest version available just prior to the hearing sessions.

The distinction between 'main' and 'additional' modifications reflects the provisions of Sections 20 and 23 of the Planning and Compulsory Purchase Act 2004. Any change to the wording of a policy or supporting text necessary to make the plan sound should be presented as a main modification. Please note that any change to the text of the plan which directly relates to and/or would generate a change to the Policies Map should also be recorded as a main modification. Whilst the changes to the Policies Map are not in themselves main modifications (due to the legislation) there will also be a need for the Council to keep a separate running schedule of changes to the Policies Map. Each modification will need a bespoke reference.

Appendix C of the Regulation 22 Statement includes an initial response from London Borough of Enfield (LBE) on the Consultation Responses to the AAP. A number of these refer to on-going dialogue with the consultee, or to the Council seeking discussions.

At this point can the Council provide an indication of any discussions that have taken place since the production of the Regulation 22 statement, along with their outcome? In particular it would be helpful to know at an early stage whether such discussions are likely to lead to any main modifications to the AAP. The Council should also consider producing Statements of Common Ground with key stakeholders in order to allow the hearings to focus on key issues of dispute.

Conclusion

These initial observations and questions do not mean that I have reached any conclusions on whether or not the plan is sound and legally compliant. If the

answers can be found within the information already submitted then please direct me to the relevant document and page/paragraph.

The above queries may lead the Council to consider that additional evidence is required. I am of the view that time spent now getting initial evidence in order will enable the hearings to run more smoothly. Nevertheless, the Council's preferred date of early October remain achievable.

I would be grateful for a prompt reply as the points I have raised are mainly seeking clarification. With this in mind I look forward to a reply by **5pm on Friday June 8th**, unless there are particular matters on which the Council need more time. Once this is received I should be in a position to provide the Matters, Issues and Questions for the hearings shortly after.

Yours Sincerely

Anne Jordan

INSPECTOR