

advice report D&P/3768/JA Pre-app

23 November 2015

Land South of Enfield Road in the London Borough of Enfield

The proposal

An 8 form-entry secondary free school, with a 400 places sixth form college built to Education Funding Agency standards and additional exemplar theatre and sporting facilities for education and community use together with a residential development of 284 dwellings.

The applicant

The applicant is **Fairview Homes** and the agent is **Iceni Projects**.

Context

1 A request was received for a pre-planning application meeting with the Greater London Authority on a proposal to develop the above site for the above uses. On 3 November 2015 a pre-planning application meeting was held at City Hall with the following attendees:

GLA /TfL Group

Enfield Council

Applicant

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2 Prior to this, an informal meeting was held with senior managers in the Development and Projects Team to discuss the principles of the scheme.

3 The advice given by officers does not constitute a formal response or decision by the Mayor with regard to future planning applications. Any views or opinions expressed are without prejudice to the Mayor's formal consideration of the application.

Site description

4 The application site is approximately 1 hectare located south of Enfield Road on Green Belt land. The area immediately surrounding the site is characterised by two-storey residential development to the east and west and to the north is agricultural land. The site is currently unoccupied greenfield land.

Details of the proposal

5 The applicant, Fairview Homes, is proposing to construct an 8 form-entry secondary free school in a joint venture with Wren Academy, with a 400 places sixth form college built to Education Funding Agency standards and additional theatre and sporting facilities for education and community use together. This would be constructed on one portion of the site, and the applicant is proposing to construct a residential development of 284 dwellings on the other portion.

Strategic planning issues and relevant policies and guidance

6 The relevant issues and corresponding policies are as follows:

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|---------------------------|---|
| • Green Belt | <i>London Plan;</i> |
| • Education | <i>London Plan;</i> |
| • Community use | <i>London Plan;</i> |
| • Housing | <i>London Plan</i> |
| • Urban design | <i>London Plan;</i> |
| • Biodiversity | <i>London Plan; the Mayor's Biodiversity Strategy SPG</i> |
| • Flooding | <i>London Plan;</i> |
| • Access | <i>London Plan; Accessible London: achieving an inclusive environment SPG replacement;</i> |
| • Sustainable development | <i>London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy;</i> |
| • Transport | <i>London Plan; the Mayor's Transport Strategy;</i> |

7 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2010 Enfield Core Strategy and Local Plan Policies Map; 2014 Enfield Development Management Document; and the 2015 London Plan (Consolidated with alterations since 2011).

8 The following are also relevant material considerations:

- National Planning Policy Framework, Technical Guide to the National Planning Policy Framework and National Planning Practice Guidance;
- Minor Alterations to the London Plan – draft Housing standards and Parking standards (May 2015);
- The Mayor's draft Interim Housing Supplementary Planning Guidance (May 2015).
- The Mayor's Social Infrastructure SPG (2015).

Summary of meetings discussions

9 Following a presentation of the applicant's proposals for the site, meetings discussions covered strategic issues with respect to; land use principles; provision of an education facility and housing on Green Belt land, community use, biodiversity, flooding management, urban design; inclusive design; sustainable development and transport.

Land use principles

10 The applicant is proposing to construct a free school on one half of the site, partly funded by the EFA, but with enhanced facilities that require cross-subsidy through enabling residential development on the other portion of the site. The site is currently owned by the Church Commissioners who have held the site for many years, and the applicant has set out that it is pursuing redevelopment as part of a conditional offer on the land. It has appointed Wren Academy as a partner to deliver the school through a competition process.

11 As stated at the pre-application meeting there is concern that the proposals, relating to de-designation of the land from Green Belt, are not being brought forward through the plan making process or have been planned strategically, which undermine the very special circumstances argument being pursued by the applicant.

Green Belt

12 The application site is identified as Green Belt. It is located south of Enfield Road, surrounded by suburban development and separated by the highway from the more extensive open Green Belt to the north that runs into open countryside and on to Trent Park.

13 The National Planning Policy Framework (paragraph 89) and the London Plan (policy 7.16) set out that only development associated with agriculture, forestry, outdoor sport and recreation, limited infilling and redevelopment of existing sites is appropriate in the Green Belt. All other forms of development are, by definition, 'inappropriate'. In order for 'inappropriate' development to be acceptable in the Green Belt, very special circumstances must apply.

14 The NPPF in Para 87 sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

15 The Enfield Core Strategy (adopted 2010) and Development Management Document (DMD) (adopted 2014) together form the Enfield Development Plan. Enfield Council is also in the process of preparing an Area Action Plan SPG (the site falls outside of any proposed AAP), which will supplement the core documents.

16 It is understood Enfield Council is in the early stages of a Core Strategy Review with public consultation in Q4 of 2015 and the Plan is targeted for adoption in 2017. A Green Belt Review is likely to take place in the first round of consultation. Previous a detailed Green Belt Boundary Review took place in 2012, as evidence base for the DMD/Local Plan process.

17 The principle concern is the fact that proposed site has not been identified and released as part of the Green Belt review for the adopted Enfield Core Strategy or DMD and how the very special circumstances for the need for a proposed school (and ancillary use) and residential use have come to a head in such a short timescale.

18 It is clear from the Core Strategy and DMD process that the applicant has sought to have this site de-designated through its representations to the plan making process. This was rejected during the Core Strategy process, and again when the Council undertook its Green Belt boundary review in 2012. More recently through the adoption process of the DMD in 2014, this site has been rejected by the Council as appropriate for de-designation.

19 Explicitly, in the Green Belt review process in 2011, in response to the applicant's objection to the land being excluded from the Green Belt review process, the Council reiterated that through the Core Strategy examination the Inspector concluded there was no justification on the grounds of housing supply to warrant the release of parcels of land from green belt designation. It noted that in this case the property boundaries to the east, south and west perform this function of strong boundaries. This allows for this undeveloped site in its openness and character to continue to relate best as Green Belt.

20 Again through the DMD process, the Council rejected the applicant's objection to excluding this land from the Green Belt review, confirming that the current Green Belt boundary in this location is well defined – noting that the site a large open field that upholds the aims of the Green Belt policy. The DMD was found sound by the Planning Inspector in the EiP process in relation to Green Belt matters. It is clear that the opportunity to review de-designation of this site has been recently available through the plan-making process and has not been accepted.

21 As noted above, there is a concern that these proposals have not been brought forward through the plan-making process, and that they undermine the Local Plan and the Green Belt designation. As a departure from plan policy is heavily reliant on a very special circumstances case, as discussed below.

Education facilities

22 The London Plan recognises the need for schools and actively encourages their delivery to meet the needs of a growing population. Policy 3.18 'Education facilities' states that:

'The Mayor will support provision of early years, primary and secondary school and further education facilities adequate to meet the demands of a growing and changing population and to enable greater educational choice, particularly in parts of London with poor educational performance.'

23 The London Plan is also supportive of the provision of Free Schools as being proposed by this applicant and the policy also states:

'In particular, proposals for new schools including free schools should be given positive consideration and should only be refused where there are demonstrable negative local impacts which substantially outweigh the desirability of establishing a new school and which cannot be addressed through the appropriate use of planning conditions or obligations.'

24 The Mayor's Social Infrastructure SPG provides guidance on planning for social infrastructure provision at strategic level starting with the GLA's own demographic projections and the ways in which these can be used to understand need for health, education and sports facilities. It sets out that the Mayor is keen to support the development of free schools in London, not only through increasing provision of places in areas where there is unmet demand but also in driving up the quality of provision.

25 Paragraph 72 of the NPPF states *'The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new*

communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen the choice of education. They should give great weight to the need to create, expand or alter schools.'

26 Notwithstanding this very strong support, London policy clearly states that school proposals can be refused where there are demonstrable negative local impacts, which substantially outweigh the desirability of establishing a new school and cannot be addressed through the appropriate use of planning conditions or obligations. In this instance, the impact upon the Green Belt by inappropriate development is the analysis that is required in terms of making this judgement, as detailed below.

Very special circumstances analysis

27 The applicant has presented its case for very special circumstances for its school and residential development in the Green Belt through four argued positions relating to: Green Belt assessment; education need, secondary school site search and additional school and community facilities; development viability; and housing land supply.

Green Belt assessment

28 Paragraphs 79-92 of the NPPF set out relevant considerations in respect of the Green Belt and development in the Green Belt and the applicant has responded specifically to paragraph 80 through setting its arguments why the development of the site does not contribute to the five purposes of the Green Belt (table 1). The applicant's analysis concludes that the site land area does not contribute to all the purposes of the Green Belt because it is a self contained site which is bordered by physical barriers on all sides to restrict sprawl. It furthermore assumes that the site would have a reasonable prospect of being subject to Green Belt release with the forthcoming development plan review (adoption 2015) or the following review (adoption 2022).

29 Whilst the site may come forward again in a Green Belt review, at this point in time there is concern over prematurity as it pre-empts the strategic approach to Green Belt review and plan making process, which looks at the Green Belt as a whole and assesses site against site before identifying the possibility of releasing land from Green Belt designation. It is further noted that the development proposals as a whole do not meet paragraph 89 of the NPPF development exceptions or certain other forms of development in the Green Belt. It is clear that through assessment to date by Enfield Council and through the EiP process that the site does meet the purposes of the Green Belt. GLA officers continue to agree with this conclusion reiterate that that the site makes an important contribution to the defined boundary of the Green Belt.

Education need

30 The applicant has identified need for a secondary school as the very special circumstances for the Green Belt being developed. The residential development is linked to the viability of delivering an exceptional school design and ancillary/community facilities.

31 The case for a free school on the site is based on the applicant's interpretation of education need data from an Enfield Council Education officer report 'Strategy and Approach to Delivering Pupil Places' which identifies in the table under paragraph 3.10. It is understood that Enfield Council's LEA has set out that it is supportive of a new free school in this locality:

School/ sites	Comments (need)	Comments (delivery)
A new school secondary school proposal in the west of the	Required from 2020 to help	Requires application and approval from the Education Funding Agency.

borough which could provide up to eight forms entry	meet borough demand	If successful would be delivered and funded by the EFA The location would allow provision to be spread more widely and would ideally be delivered in advance of 2020 to provide more parental choice.
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32 There was some discussion at the meeting about this aspect, and the Council officer confirmed that there is a clear demand for a secondary school in this part of the borough in coming years, following on from recent primary school expansion. The Mayor supports such expansion and appreciates this pressing need, acknowledging that there are various factors that limit potential sites. However, this site has never been identified through any Council school allocation list, and it therefore leaves substantial work by the applicant as detailed below in relation to alternative site analysis. As part of the application process the applicant will need to clearly set out the predicted demand for school places across the borough and the catchment area of the site, and how the current application contributes towards addressing the shortage of secondary school places. It would also be important to understand the admissions criteria of any future Wren Academy, the catchment of the school, and if there will be priority given to Enfield students, for instance in order to demonstrate that it would meet an identifiable local need as set out by Enfield Council. In the case of secondary schools, these tend to have a large catchment area, and attract children from a wide area. This site is on the edge of London and close to adjoining London boroughs, so in terms of making a case for very special circumstances, relying on meeting Enfield's needs, requires further justification.

33 Furthermore, whilst it is appreciated that this demand might exist, the applicant should provide clarification on the school funding from the EFA towards this project. Details regarding discussions with the EFA should be provided, and confirmation of what stage its application is at, or when the application will be made. In other schemes that have come forward to the GLA, the EFA has been the applicant or has been involved in the process, so it would be helpful to understand their role in this process and the funding commitment they are likely to make. This will assist officers in understanding the viability case and rationale being used to justify the housing development. As currently proposed, the free school development does not fully comply with the guidance set out in the table quoted regarding delivery and the applicant is seeking consent before the EFA has approved the school development proposals. It is GLA officers' opinion the school proposals should be at least submitted EFA before any application is submitted.

Alternative site search

34 To support its case for very special circumstances, the applicant has completed a secondary school site search (Secondary School Need Assessment, Site Search and Sustainability Appraisal) to justify the Green Belt site as being the only viable and available option in the west of the borough which can accommodate the potential school requirement.

35 The applicant sets out that its site search was undertaken with advice from Enfield Council and this identified 14 sites in total, all of which are designated as Green Belt or MOL. The applicant sets out that a number of sites were rejected due to being publicly owned, municipal parks or playing fields, whilst two identified brownfield sites were either insufficient in size or already earmarked for development. Having considered the documents, whilst it is acknowledged that the west of the borough does contain a large tranche of Enfield's Green Belt land, GLA officers still need to be convinced that there are no previously developed or brownfield sites that could be utilised by a Free School, and that this particular location is genuinely the only option and one that will address the needs of the borough.

36 Notwithstanding the above, GLA officers will also require a view on the thoroughness and robustness of the site search from Enfield Council as they have a more up to date knowledge of sites in the borough.

Additional school and community facilities

37 The applicant has placed an emphasis that the education provider of the Wren Academy, currently located in Finchley, will provide a school with facilities over and above those provided by EFA funding. The additional facilities and specification include: enlarged and enhanced hall/theatre; enlarged MUGA 4 pitch to 8 pitch; 4G pitch with fencing, earthworks and lighting; and 15% increase in education floor area.

38 Whilst these additional facilities and improved specification could be welcomed there remains a concern that there is no clear indication of EFA funding being in place and that they are reliant on finance from enabling residential development proposals to cover the £10 million gap funding.

Housing & viability

39 As stated, the applicant has made a link between the free school proposal and the proposed 284 residential units due to the need to address a £10 million funding gap. Also more fundamentally the applicant has stated that based on its preliminary viability assessment it is only possible to fund the school and additional facilities through securing the provision of the 284 dwellings – the applicant claims that the school would not be delivered without the residential development.

40 Although the applicant has set out a housing supply argument for the residential development, it is GLA officers' opinion that the residential development should not be viewed as very special circumstances development in the Green Belt because it is linked to school proposals commercially, which have not secured EFA funding at the time of the proposed application. Furthermore the funding gap is understood to be to finance enhanced facilities, again which are not deemed to represent very special circumstances in planning policy or Green Belt terms. The residential proposals should be viewed on the basis of the sequential test of brownfield sites first, which there are likely to be a number of such sites in the borough.

41 It is GLA officers' opinion that a school could potentially be delivered on the site, if the case can be robustly made and justified as detailed above, through EFA funding without the additional facilities and improved specification proposed by the applicant. However, it is concluded by GLA officers that the housing proposals do not meet Green Belt policy and guidance.

Affordable housing

42 Notwithstanding the above, in order to comply with London Plan policy 3.12, the applicant will be required to demonstrate that the maximum reasonable amount of affordable housing is being provided, and this would need to be tested through the submission of a financial appraisal submitted with any planning application. This would need to be independently verified to test its assertions, and the Council would be expected to discuss the details of this process with GLA officers at the time of application submission. Consideration would also need to be given to the strategic priority regarding tenure split, as set out in Policy 3.12 and also to prioritising affordable family homes in accordance with London Plan policy 3.8.

43 There was some discussion at the meeting about the inputs to the viability appraisal and in particular the intention of a 40% return to the landowner as set out in the pre-application

documents. As advised at the meeting, this level of return to the landowner is exceptionally high, and at this stage appears unreasonable and contrary to NPPF guidance, particularly as it is viewed as a “windfall” site predicated on removal of strong Green Belt policy protection, which could not be argued to be in the “public interest” or good strategic planning. Further discussion regarding viability is strongly encouraged, and the absence of any affordable housing, whatever the outcome is unlikely to be accepted at a strategic level unless exceptional circumstances are demonstrated. Any extra requirements of the school should not be discounted from a s106/affordable housing contribution

Urban design

44 Acknowledging firstly the policy conflict issues above and that the proposals involve 100% development on an open Green Belt site, there was some discussion about the scheme in terms of its design, and how it would meet other objectives and policies within the London Plan, particular within chapter seven which address both general design principles and specific design issues.

45 The development layout approach is based on dividing the site area into two development areas - the western field where the proposed school is located and the eastern field where the residential development is proposed. Notwithstanding the in-principle concerns regarding the scheme, this approach makes logical sense as it uses the existing hedgerow and as a natural feature to sub divided these site functions.

46 The school layout and building design reflects the need to accommodate its functional teaching needs. A three storey building to accommodate these is reasonable but the applicant should concentrate on the quality of the timber/gabion cladding and the white brick at the elevation treatment is appropriate given the green belt location. It is welcome that the applicant is including public art of elevations and these contribute to the richness of the building design, but should ensure the theatre elevation to Enfield Road turns the corner from the plaza.

47 There are some concerns that parts of the site appear rather tight in accommodating all of the required uses, most notable is the sports pitch, which with floodlighting could raise issues with adjoining properties – this is a local issue that should be dealt with by Enfield Council. The applicant should confirm whether the pitch provision meets the requirement of EFA and Sports England.

48 Having considered the layout, amount of development and the context, the residential layout does look rather dense. This is keeping in mind the Green Belt status of the standard, land to the north and also the suburban surroundings to the south, east and west. The plots are small and it appears that more consideration has been given to maximising the number of units on the site than to reflecting on the openness of the Green Belt and improving its quality and accessibility. It is accepted there are limited options link with surrounding networks and a single access point from Enfield Road is the only feasible entrance point. The applicant should refer to London Plan policy 3.4 in its consideration of density.

49 The layout ensures that backs of residential correspond to those of adjacent existing dwellings and to the school proposals and does attempt to face units onto Enfield Road which is welcome. However consideration should be given to amending the internal layout to create perimeter block forms which can be achievable through pushing through existing truncated roads, the infill to block should be rationalised to reduce the cramped appearance of blocks and reduce density. A shared amenity space should be included in the development as this is currently omitted as are child playspaces for different age groups. The applicant is referred to London Plan policy 3.6 and the Mayor’s Play and Informal Recreation SPG. This sets a benchmark of 10

sq.m. of useable child play space to be provided per child, with under-5 child play space provided as door-step play near to homes.

Residential quality

50 Policy 3.5 of the London Plan relates to the quality and design of housing developments. Part A of the policy states that housing developments should be of the highest quality internally, externally and in relation to the wider environment. Part C of the policy states that new dwellings should generally conform to the dwelling space standards set out in Table 3.3, have adequately sized rooms and convenient and efficient room layouts. Part E of the policy states that the Mayor will provide guidance on implementation of this policy including on housing design for all tenures. The reasoned justification provides further guidance and explanation. In particular, paragraph 3.32 makes clear that *“Securing new housing of the highest quality and protecting and enhancing residential neighbourhoods are key Mayoral priorities”*. The Housing SPG (December 2011), and interim draft Housing SPG (currently out for consultation) provide further guidance on the implementation of these policies and more recent national guidance.

Inclusive design

51 The applicant is required to submit a design and access statement that demonstrates the development complies with inclusive design policy 7.2 of the London Plan, Accessible London SPG and Building Bulletin 102 and 103. The statement should demonstrate that inclusiveness is incorporated into all elements of the proposed school; administration offices, teaching accommodations, sport facilities, play grounds, changing rooms, horizontal and vertical circulations.

52 The design and access statement should demonstrate that adequate provision of blue badge parking bays has been made for the staff, parents and visitors to the school, in line with London Plan policy 6.13 Parking and Table 6.2. Details regarding the existing and proposed design of and levels of disabled persons parking within the site should be provided.

53 Children and young people need free, inclusive and accessible spaces offering high-quality play and informal recreation opportunities in child-friendly neighbourhood environments. Policy 3.6 of the London Plan seeks to ensure that all children and young people have access to such provision. The challenge facing boroughs and their partners in play provision will be to find opportunities to retain and increase the provision of play and informal recreation, particularly in housing developments.

54 The applicant has not completed work on the child yield for the development due to the housing mix being under development and this calculation should be completed before submission. The applicant has indicated that the child play space will be provided on the podium level for the apartment accommodation however, it is expected that generous use is made of the landscaping and public realm for provision of child play space and general amenity space.

Sustainable development

Energy strategy

55 The applicant should note that since 6 April 2014, the Mayor applies the 35% carbon reduction target beyond Part L 2013 of the Building Regulations as set out in the revised energy assessment guidance available on the GLA website. This is deemed to be broadly equivalent to the 40% target beyond Part L 2010 of the Building Regulations, as set out in London Plan Policy 5.2 for 2013-2016.

56 The applicant should commit to meeting Part L 2013 by efficiency measures alone. Evidence of how it is proposed that this will be achieved should be provided. The energy strategy should also include information on the the following:

- How the demand for cooling will be minimised through passive design in line with policy 5.9.
- Opportunities for connection to nearby district heating networks and if appropriate should commit to providing a site wide heating network suitable for connection to wider district networks now or in the future.
- The site should be served by a single energy centre. A plan showing the size and proposed location of the energy centre should be provided.
- The applicant should follow the energy hierarchy when considering the potential for CHP and renewable energy technologies.
- If solar technologies are proposed, a plan showing the proposed location of the installation should be provided.

57 Updated energy assessment planning guidance is available on the GLA website. It provides details on the information that should be submitted within the energy statement to be submitted at stage 1. See link <http://www.london.gov.uk/priorities/planning/strategic-planning-applications/preplanning-application-meeting-service/energy-planning-gla-guidance-on-preparing-energy-assessments>.

Climate change adaptation

58 Policies 5.10 to 5.15 of the London Plan set out policies that seek to minimise overheating and contribute to heat island effects; minimise solar gain in summer; contribute to flood risk reduction, including applying sustainable drainage; minimising water use; and protect and enhance green infrastructure. Further guidance on these policies is given in the Mayor's SPG Sustainable Design and Construction.

59 A detailed sustainability strategy would be expected, showing how the scheme meets and exceeds the Mayor's essential and preferred standards in relation to energy efficiency, water efficiency, waste, surface run off, and the use of living roofs and walls, for example. Given the current greenfield run off rates, particular attention should be paid to the Mayor's drainage hierarchy in preparing the sustainable drainage (SUDS) strategy, in line with policy 5.13. Attenuation measures, infiltration and ponds or open water features would be expected.

Biodiversity

60 To the south of the site is a wooded copse and lake known as Boxer's Lake. This is designated as an Area of Local Open Space, a Green Chain and as a Site of Local Importance for Nature Conservation. To the west of the site, on the Enfield Road frontage, is another small copse and pond which is also designated as an area of Local Open Space and Site of Local Importance for Nature Conservation. The scheme would be expected to contribute towards biodiversity enhancement urban greening in line with the London Plan and support/comment from Natural England should accompany any formal planning application

Transport

61 TfL provided pre-application advice on the scope of the Transport Assessment on 1st October 2015. TfL expects the assessment should be prepared in accord with TfL Transport Assessment Best Practice Guidance. GLA would expect the applicant to follow this advice and work with TfL on any specific technical matters. TfL advice references access, pedestrian and cycle links; rationale for car parking provision; cycle parking; measures to support bus network enhancements, basis for trip generation, freight, trip assignment and travel planning.

62 TfL is supportive of the access strategy of separate access between the school and residential development; TfL has not as yet agreed the form of either junction. TfL needs to be assured there will be no impact on the operation of the highway and local bus services and that design supports the measure to improve permeability of the site for walking and cycling and links to local bus services. Freight and servicing needs to be shown to work safely and design of the site encourage walking and cycling. TfL is concerned about how the theatre would operate outside school hours. The level of car parking provision is high and we would encourage a reduction. We concerned about the construction and would seek measures to manage this process

Conclusion

63 The GLA welcomes the applicant's early engagement with GLA officers, together with the Council's Education and Planning Teams in this pre-application process. However, there is an in principle policy issue of Green Belt protection that can only be addressed first by development plan review process, rather than advancing to a development management application, which could be considered premature and hence, inappropriate development. The proposed school and linked residential raises a number of strategic planning concerns which need to be resolved before the proposals can be viewed as being compliant with the London Plan.

For further information, contact GLA Planning Unit - Development & Projects Team:

