

**MINUTES OF THE MEETING OF THE LOCAL PLAN CABINET SUB-COMMITTEE  
HELD ON MONDAY, 18 MARCH 2013**

**COUNCILLORS**

**PRESENT** Del Goddard (Cabinet Member for Business and Regeneration), Chris Bond (Cabinet Member for Environment), Achilleas Georgiou (Deputy Leader), Ahmet Oykenar (Cabinet Member for Housing) and Michael Lavender

**CO-OPTED** Councillor Michael Lavender

**OFFICERS:** Natalie Broughton (Planning Policy Officer) and Paul Walker (Assistant Director, Regeneration, Planning & Programme Management), Metin Halil (Secretary)

**1  
APOLOGIES FOR ABSENCE**

There were no apologies for absence.

Apologies for lateness were received from Council Del Goddard (Cabinet Member for Business and Regeneration).

**2  
DECLARATION OF INTERESTS**

There were no declarations of interest.

**3  
URGENT ITEMS**

NOTED that the reports listed on the agenda had been circulated in accordance with the requirements of the Council's Constitution and the Local Authorities (Executive Arrangements) (Access to Information) (England) Amendment Regulations 2002. These requirements state that agendas and reports should be circulated at least 5 clear days in advance of meetings.

**4  
PROPOSED SUBMISSION DEVELOPMENT MANAGEMENT DOCUMENT  
(DMD)**

Councillor Del Goddard (Cabinet Member for Business and Regeneration) introduced the report of the Director of Regeneration, Leisure and Culture (No.188) seeking endorsement by the Local Plan Cabinet Sub-Committee of the Proposed Submission Development Management Document (DMD) for recommendation the Cabinet and Council, following which the DMD would be

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approved, published and subsequently submitted, together with supporting documents, to the Secretary of State for independent examination.

NOTED

1. The Proposed Submission DMD set out policies which would be used to determine all planning applications, from very small scale householder applications to applications for large scale residential, commercial and mixed use development. It contained policies covering a wide range of topics.
2. The report set out the key changes made since the first draft DMD which included:
  - Sustainable development
  - Affordable housing
  - Changes to town centre policies
  - Changes to the viability of achieving the Code for Sustainable Homes.
  - Green infrastructure
  - Flood risk and noise levels.
3. A schedule of further minor changes was agreed and included the following:

	Proposed Change
1. Pg 12  DMD 1	<p>Replace with:</p> <p>Any negotiations on an appropriate tenure mix will take into account the specific nature of the site; development viability; the need to achieve more mixed and balanced communities; <b>particular priority to secure affordable family homes at rental levels which to meet both local and strategic needs</b>; available funding resources; and evidence on housing need. <del>Development must seek to maximise local provision of family homes at lower rental levels to meet both local and strategic needs.</del></p>
2. Pg 12  Para 2.1.1 (Affordable Housing)	<p>Replace with:</p> <p><b>Following the publication of the NPPF, affordable housing now comprises three tenures: social rent, Affordable Rent, and intermediate housing.</b> Underpinned by evidence contained within Enfield's Affordable Housing Economic Viability Study (AHEVS) (2010) and Local Plan Viability Study (2013), the DMD policy clarifies the position with regards to the borough-wide targets for tenure mix set out in the Core Strategy. <del>following the introduction of Affordable Rent Tenure. Affordable Housing comprises of three tenures: Affordable Rent, social rent and intermediate housing.</del></p>
3. Pg 12  Para 2.1.4 (Affordable Housing)	<p>Replace with:</p> <p>Evidence shows that <del>although market rent may be affordable to Enfield residents for 1 bed units</del>, larger units at rent levels of 80% of market rent will be unaffordable to most families. For residents earning the median borough income(1), 78% of market rent for two bed units, 60% of market rent for 3 bed units and 49% of market rent for 4+ bed units would be affordable. <del>The Council will review these figures on an annual basis and provide updates linked to any changes to median income or market rents.</del> The Council will review this evidence on an annual basis and</p>

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	<p>provide updated information linked to changes to median income and market rents within the Monitoring Report. The Monitoring Report will also include information on Affordable Rent levels for schemes completed each financial year. Developers will be expected to provide a mix of housing types including family sized homes, in line with Core Policy 5 and DMD Policy 3.</p> <p>[ Footnote (1) <del>those earning no less than the median income of</del> £31,015 (Paycheck data, 2012)]</p>
<p>4. Pg 17 <b>DMD 6 : Residential Character</b></p>	<p><b>Delete</b> second sentence in part a): The scale and form of development is appropriate to the existing pattern of development or setting, having regard to the character typologies. <del>The development must successfully integrate with the existing form of development;</del></p>
<p>5. Pg 34 <b>Box (Enfield's Economy)</b></p>	<p><b>Delete:</b> The supply of industrial/<del>warehousing</del> land in North London is limited and there is a need to retain industrial capacity to accommodate existing and future demand.</p>
<p>6. Pg 38 <b>Para 4.6.3 (Enfield's Economy)</b></p>	<p><b>Add:</b> This Appendix sets out details on the marketing of units at, including a requirement that premises are advertised at rents that are reasonable reflecting market conditions and the conditions of the property.</p>
<p>7. Pg 42 <b>Para 5.1.1 (Town centre and Shopping)</b></p>	<p><b>Add:</b> This section sets out the approach to development management based on town centre hierarchy. <b>It seeks to maintain an appropriate level of A1 uses and prevent the over-concentration of other uses such as betting shops and hot food takeaways in town and local centres.</b></p>
<p>8. Pg 44 <b>DMD 26: Enfield Town</b></p>	<p><b>Replace with:</b> Enfield Town</p> <p><del>The primary shopping area in Enfield Town comprises primary and secondary shopping frontages. The Council will protect existing retail uses by managing the loss of A1 retail.</del></p> <p><b>1. Primary Shopping Area</b></p> <p>All development within the primary shopping area, <b>comprising primary and secondary frontages</b>, must:</p> <ul style="list-style-type: none"> <li>a. Not create an over-concentration of similar uses.</li> <li>b. Be an appropriate town centre use as listed in section 5.1 'New Retail, Leisure and Office Development' and complement the shopping function of the centre;</li> <li>c. Retain a shop front;</li> <li>d. Achieves an active ground floor frontage during the day, not have a detriment visual impact and respect the character of the centre;</li> <li>e. Not result in an adverse impact on the amenities of nearby occupiers; and</li> <li>f. Not harm safety and traffic flows, or increase traffic and parking problems in the centre.</li> </ul> <p><b>2. Promoting the retention of A1 retail</b></p> <p><del>4.</del> <b>a. Primary Shopping Frontages</b></p>

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	<p>Proposals involving the change of use to non-A class uses will be refused within the primary shopping frontage.</p> <p>A change of use on the ground floor to non-A1 (retail) will only be permitted if all of the following criteria are met. Development must not:</p> <ul style="list-style-type: none"> <li>• Create two or more adjoining non-A1 uses and not more than two non-A1 units within any six consecutive units;</li> <li>• Involve the loss of <b>a an A1</b> retail unit of more than 1,000 sqm;</li> <li>• Harm the predominant retail character of the primary shopping frontage.</li> </ul> <p>The Council will support the conversion of other uses to A1 retail.</p> <p><b>2. b. Secondary Shopping Frontages</b></p> <p>A change of use on the ground floor to non-A1 will only be permitted if the following criteria are met. The proposed use must <del>a. Not</del> create more than two non-A1 uses within any four consecutive units.</p> <p><b>3. c. Vacant Units in primary and secondary frontages</b></p> <p>The change of use from A1 to other town centre uses will be permitted if a shop unit has been vacant for 12 months and robust evidence has been submitted to demonstrate that all efforts have been made to market the unit over that period, in accordance with the details set out in Appendix 13: 'Requirements for Market Demand and Viability Assessments'. <b>Developments must still comply with part 1 of this policy."</b></p>
<p>9. Pg 45</p> <p><b>DMD 27:</b> <b>Angel, Edmonton Green, Palmers Green and Southgate</b></p>	<p><b>Replace second paragraph (including bullets) with:</b></p> <p>"A change of use <del>from A1 retail to non A1 retail uses on</del> at ground floor <b>within the primary shopping area</b> will <b>only</b> be permitted if all of the following criteria are met:</p> <ol style="list-style-type: none"> <li>a. The proposed use would not create more than two non- <b>A1</b> retail uses within any four consecutive units;</li> <li>b. The proposed use would not over dominate nor detract from the primary shopping role;</li> <li>c. The proposal does not involve the loss of <b>a an A1</b> retail unit of more than 1,000 sqm;</li> <li>d. The proposed use is an appropriate town centre use and complements the shopping function of the centre;</li> <li>e. The proposed use provides a direct service to the public;</li> <li>f. A shop front is retained;</li> <li>g. The proposed use achieves an active ground floor frontage during the day, does not have a detriment visual impact and respects the character of the centre;</li> <li>h. A local need exists for the proposed use;</li> <li>i. The proposed use does not result in an adverse impact on the amenities of nearby occupiers; and</li> <li>j. There is no local adverse impact on safety and traffic flows, or unacceptable additions to traffic and parking problems in the centre." </li></ol>
<p>10. Pg 62</p> <p><b>Para 6.4.1 (Tall Buildings)</b></p>	<p>To define applications referable to the Mayor <b>add</b> footnote: <b>"For the purposes of development in Enfield, this is development which comprises or includes the erection of a building which is more than 30 metres high or development which comprises or includes the alteration of an existing building where the development would increase the height of the building by more than 15 metres; and the building would, on completion of the development, be more than 30</b></p>

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<p>11. Pg 66</p> <p><b>DMD 45: Parking Standards and Layout</b></p>	<p><b>metres high”.</b></p> <p><b>Typo:</b> Under Part 1 delete full stop after "the scheme" in first sentence</p> <p>Re-ordering of bullet points under part 1 so that “The scale and nature of the development” is first in the list.</p> <p><b>Replace with:</b></p> <p>4. Limited Parking or Car Free Housing Development</p> <p>Applicants <del>stions</del> may be required to contribute towards the implementation of parking controls to prevent on-street parking affecting traffic flow. For sites within <del>existing or proposed controlled areas where parking zones controls exist or are proposed,</del> residents of the new development <b>will may</b> be prohibited from obtaining a parking permit <b>where demand for on street space is already high</b>, and this will be secured by a legal agreement.</p> <p>Residential developments providing parking below London Plan Standards will only be <del>permitted considered in locations</del> <b>if the site:</b></p> <ul style="list-style-type: none"> <li>a. <del>Where the</del> <b>Has a</b> Public Transport Accessibility Level <del>is 4 of 5</del> <b>or above; or and</b></li> <li>b. <b>Is located W</b> within or in close proximity to a local or town centre.</li> </ul>
<p>12. Pg 106</p> <p><b>Para 10.0.1 (Green Infrastructure)</b></p>	<p><b>Add</b> to second sentence: Open spaces include: green spaces such as parks, allotments, commons, recreation grounds and playing fields; children’s play areas; woodlands and natural habitats; and <b>non-green open spaces such as civic/market spaces such as</b> squares and other hard surfaced areas, including other areas designated for pedestrians.</p>
<p>13. Pg 121</p> <p><b>Appendix 2</b></p>	<p>Relationship to Saved UDP Policies. Minor updates and changes to the schedule.</p>
<p>14. Pg 161</p> <p><b>Appendix 13: Requirements for Market Demand and Viability Assessments</b></p>	<p><b>Delete</b> “Box 3:”</p> <p><b>Add:</b> This appendix details requirements for applicants to produce evidence to demonstrate that employment and A1 retail premises are no longer in demand, viable or suitable for their continued permanent authorised use. Part two applies to A1 retail units. Parts 1- 3 apply to the loss of all other employment uses. For the purposes of DMD policies 26, 27, 28 and 29 vacant units are defined as those units not currently occupied for A1 use and could include units occupied for ‘meanwhile uses’ or temporary uses, permitted through a temporary planning permission or under permitted development rights.</p> <p>Before ‘Qualitative Appraisal’ <b>add</b> ‘1.’</p> <p>First paragraph under part 1 <b>add</b> ‘The Appraisal should assess the physical and the policy context for the site, <b>where appropriate having regard</b> to the wider established industrial or employment area within which it is situated.</p> <p>Before ‘Market Demand Appraisal’ <b>add</b> ‘2.’</p> <p>Part 2 e. <b>delete</b> ‘Complete redevelopment opportunities for non-employment uses; and’</p> <p>For non designated sites and <del>town centre premises</del> <b>A1 retail units within town and local centres</b>, the Council will require the site, building or premises to be marketed for a period of <b>at least</b> 12 months.</p>

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	<p>Marketing campaigns should be continuous [delete : and bullet] from when the letting board is erected and the property is advertised online on reputable websites – not simply from when the agents were appointed; <del>and a longer period may be needed if the market is slow or the site, building or premises is part of a larger industrial area.</del></p> <p>Before 'Viability Appraisal' add '3.'</p>
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4. Members discussed DMD 1, affordable housing and the fact that larger properties at rent levels of 80% of market rent would be unaffordable to most families. Evidence would be provided on an annual basis with updated information linked to changes to median income and market rents including rental levels for completed schemes, within the Monitoring Report.
5. DMD 26, Page 44, set out the approach to development management in town and local centres. Concern was raised by Members regarding the appropriate level of A1 retail use in town centres and the prevention of other uses such as betting shops, which seem to be over concentrated in Enfield Town Centre. A question was raised regarding betting shops and their governance by other legislation i.e. licensing, so as to restrict betting shops opening in close proximity of each other. Councillor Goddard asked if this could be clarified. Members discussed the wording used on page 44 of the document and suggested a change to wording 'Managing the loss of A1 retail' to 'Promoting the retention of A1 retail'.
6. DMD 27, Page 45, had similar changes to that of DMD 26 regarding district centres and the criteria governing the change of A1 use. Members discussed if retail premises could be changed to residential use and were advised that it was dependent on their location. However, concern was emphasised on core retail areas and the character of these to be preserved. It was further advised that the community facilities policy could be implemented in areas where there was a low provision of community facilities to stop the loss of retail premises i.e. public houses.
7. Members noted the letter received from Councillor Neville OBE JP and discussed the points raised in his letter regarding proposed changes to DMD 1.
8. DMD 45, Page 66, relating to car free and reduced parking provision for new housing developments. Members concerns included whether housing developments for key workers should have a right to obtain a parking permit to park in CPZ where developments had reduced parking/car free provision. It was advised that this would be a matter for the Planning Committee to address.
9. That all recommendations on page 2 of the report to be endorsed, recommended and referred to the meeting of the Cabinet on 20<sup>th</sup> March 2013 and the Council on 27<sup>th</sup> March 2013 for consideration.

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**Alternative Options Considered:** None. In the context of changes to national planning guidance, it is imperative that the DMD is adopted to provide an up to date Local Plan to inform planning decisions. The DMD must be submitted for examination in accordance with Government legislation.

### RECOMMENDED TO CABINET AND COUNCIL

1. following endorsement by the Local Plan Cabinet Sub-Committee and the amendments set out above, that the Proposed Submission DMD and Policies Map go forward to Cabinet and Council for approval, and thereafter a statutory 6 week publication and submission to the Secretary of State.
2. that the Cabinet Member for Business and Regeneration be authorised to agree the publication of the Sustainability Appraisal and Equality Impact Assessment of the Proposed Submission DMD.
3. agree that the Director of Regeneration, Leisure and Culture, in consultation with the Cabinet Member for Business and Regeneration be authorised, to agree appropriate changes to the Proposed Submission version of the DMD and any further consultation required, in the run up to and during the public examination process into the document, in response to representations received, requests from the Planning Inspector and any emerging evidence, guidance or legal advice. Changes of a substantive nature may be considered by the Local Plan Cabinet Committee.

**Reason:** To progress with the approval of the Proposed Submission Development Management Document for submission to the Government for independent examination, in accordance with Government legislation.  
**(Key Decision – reference number 3612)**

### 5 MINUTES

**AGREED** that the minutes of the Local Plan Cabinet Sub-Committee held on 6 February 2013, be confirmed and signed by the Chairman as a correct record.

### 6 DATE OF NEXT MEETING

**AGREED** that the next meeting of the Local Plan Cabinet Sub-Committee be re-scheduled to take place on Tuesday 30 April 2013 at 6.00pm.