

Public Examination of Enfield's Development Management Document (DMD)

Enfield Council's Response to MIQs raised by the Inspector

MATTER 3 ENFIELD'S ECONOMY, TOWN CENTRES AND SHOPPING

Question 1: Having regard for the Council's Employment Land Review 2012 [EBD-09], is there substantive evidence that Policy DMD 19 is too restrictive and protective of traditional employment uses, and contrary to the NPPF, paragraphs 18-22)?

LBE Response

- 1.1 The Council does not consider DMD 19 a restrictive and protective policy of traditional employment uses. Growing the borough's business-base is key to the Council's approach towards economic development. The Council recognises other business sectors have grown over the past 15 years and these include: wholesale, particularly food wholesale, construction supplies and distribution/logistics. Their growth can be linked to the completion of strategic transport infrastructure improvements, enabling access to London markets via the A10 and A1010 connecting with the A406 and connections to markets in Hertfordshire, Essex, South East and UK markets via in-direct access to the M25, M11, M1 and A1. This is recognised within the text in Part 1a of the Policy.
- 1.2 Most of the borough's growth sector businesses are concentrated within the designated industrial areas along the eastern and southern part of the borough, along the Upper Lee Valley growth corridor. This area offers the space to develop new workplace for distribution, wholesale, food and drink manufacturing, construction and green businesses. The availability of employment land of the right type in the right location is central to achieving the Council's policy on economic prosperity and job growth. The majority of the borough's industrial land lies in the Upper Lee Valley with the areas covering North East Enfield and Central Leaside accounting for about 83% of the borough's industrial land, which provides differing employment offers.
- 1.3 The Employment Land Review (ELR) (2012) included much more than just looking at the traditional "B" Use Classes Order and included those sui-generis uses and waste management facilities commonly associated with industrial areas. The Review concluded that Enfield remains an industrial borough by London standards. Industrial and warehousing employment accounts for around a fifth of all jobs in the borough and trying to retain this level of employment means continuing to restructure to meet modern industrial needs.

- 1.4 Enfield has not experienced a large loss of employment land since 2006. With industrial land releases elsewhere in London exceeding the GLA's benchmark guidance there has been some evidence of relocations to Enfield as supply is constrained in other boroughs. This, combined with its excellent strategic accessibility, has reinforced Enfield's role as an industrial location for London. The Review went on to confirm that the adopted Core Strategy employment policies and protected sites remain relevant. Vacancy rates on the industrial sites remain low and there is development interest to provide new employment space.
- 1.5 DMD 19 is in compliance with paragraphs 18-22 of the NPPF, and with particular reference to NPPF paragraph 22, the recent ELR (2012) [EBD-09] demonstrates an up-to-date local assessment that has regard to market signals that supports the DMD policy approach. DMD 19 alongside supporting paragraphs 4.2.1 and 4.2.2 allows for a diversity and quality of employment opportunities within the borough's Strategic Industrial Land (SIL) supply and specifically distinguishes between Preferred Industrial Locations and the Great Cambridge Road Industrial Business Park (IBP) which benefits from a higher quality environment.

Question 2: Does focused change No. 3 [DMD 07] to paragraph 4.2.1 address concerns over flexibility and achieve an effective policy?

LBE Response

- 2.1 Yes, the text change focusses upon the uses allowed within the Strategic Industrial Land (SIL) and recognises that there are a number of uses of a similar nature that can locate and function within these areas, as broad industrial type activities as defined in the London Plan and the Mayor's SPG on Land for Industry and Transport (2012).
- 2.2 The changes deliver greater flexibility and an effective policy with regard to the NPPF, in particular paragraphs 18 to 22.

Question3: Is the figure of 10% in Policy DMD 21 for direct sales or trade counters element justified and realistic? If not, is there evidential support for an alternative amount?

LBE Response

- 3.1 The figure of 10% is considered appropriate and a higher figure would undermine their 'ancillary' nature that should serve as a subordinate feature to the overall use of the site and premises. There is no evidential support for a high alternative proportion above 10%. The Council maintains that a benchmark figure is required to ensure the dominant 'industrial' uses are maintained.
- 3.2 Enfield's designated Strategic Industrial Land (SIL) is vital to support economic growth and employment for the borough and London as a whole. It is vital to avoid a creep towards

allowing retail use in non-town centre locations, in contravention of the DMD policies contained in Chapter 5.

Question 4: Is there substantive evidence that Policy DMD 22 related to employment land outside designated areas and the justification in paragraph 4.5.3 should be amended, possibly to reflect paragraph 22 of the NPPF more closely.

LBE Response

- 4.1 Policy DMD 22 and the supporting paragraphs are considered to be justified. Market demand and viability assessments are required to prevent the loss of employment uses outside of designated areas. The requirements are not considered to be overly onerous and are supported by the adopted Core Strategy and London Plan Policy. The inclusion of paragraph 4.5.3 provides clarity over the Council's expectations in considering such proposals. DMD 22 does not provide protection greater than that indicated by NPPF paragraph 22 and there is no inconsistency.

Question 5: Should new industrial development within SIL and LSIS have to satisfy criterion 1a of Policy DMD 23 given that these are already designated sites? Or is this too onerous?

LBE Response

- 5.1 Enfield is an urban borough and densely populated. Many of the borough's industrial estates, especially those designated Locally Significant Industrial Sites (LSIS), are in close proximity to residential uses and provide important local employment. Access and servicing is sometimes poor and car parking problematic. It is well understood that industrial sites will continue to operate in close proximity to other uses as confirmed in paragraphs 7.5 and 7.6 of the Employment Land Review Update (ELR) 2012. The Report recommends in paragraph 7.9 that *"owners should be encouraged through good design to minimise conflicts. One obvious problem on many of the estates, especially the smaller LSIS, is that plot ratios are very high and there is very limited parking or circulation space on the plot. While this increases the lettable floor space it displaces activity onto the already congested streets"*.
- 5.2 Criterion 1a of Policy DMD 23 is not considered overly onerous and the Council maintains it is reasonable for such an assessment to be made of planning applications regardless of whether they are located within industrial designations. In respect of economic development it is important that Enfield's protected estates remain attractive, functional and accessible for both existing occupiers and to attract new businesses and inward investment to support both the local and wider London economy.

Question 6: Do focused changes Nos. 4 & 5 overcome the objections to criterion 1b of Policy DMD 23? And is Policy DMD 24 too protective/ supportive of small businesses?

LBE Response

- 6.1 The Employment Land Review Update (ELR) 2012 [EBD-09] concludes that Enfield is an industrial borough by London standard. Enfield has one of the largest areas of industrial/commercial land in London. It is a valuable reservoir of strategically important industrial land, which is safeguarded and managed in accordance with Enfield's Local Plan, the London Plan and its supplementary planning guidance to meet the needs of modern industry in an efficient and sustainable way.
- 6.2 Criterion 1b is important for ensuring new employment accommodation remains flexible and adaptable to meet future business needs, however, via [FC4] the Council has accepted that this should not be restricted to local businesses and therefore proposes the deletion of the word "local" within the criterion. [FC5] was included at the end of paragraph 4.7.1 and reads: "The borough needs to continue to redevelop and renew existing industrial locations across the borough to meet the demands of business, including local business and small business start-ups". This is in recognition of the significant role local small businesses make to the borough's economy and local employment opportunities.
- 6.2 The outstanding objection, DMD23/20/004 [Planning Potential on behalf of Scottish Widows] seeks the deletion of criterion 1b because it fails to address that a building's design may need to meet operational requirements and therefore be bespoke to the occupant. The Council maintains that by virtue of including the words "where appropriate" sufficient flexibility is provided for individual site and the operational requirements to be considered.
7. **Question 7: Is Policy DMD 25 of the DMD justified and consistent with Core Policies 17 & 18 of the Core Strategy? With focused change No 6, would the policy be consistent with the NPPF and ensuring the vitality of town centres?**
- 7.1 The Submission DMD 25 combined with [FC6] is considered to be in conformity with both adopted Core Strategy Policies 17 and 18; the London Plan and the NPPF, Section 2: Ensuring the Vitality of Town Centres. DMD 25 is consistent with paragraph 23 of the NPPF in that it is positive, promotes competitive town centre environments, and defines a network and hierarchy of centres. Major and district town centre boundaries are illustrated on the DMD Policies Map. DMD25 specifically provide guidance on new retail, leisure and office development and expands on the application of the sequential test, identifying locations and general considerations for town centre development in accordance with paragraph 24 of the NPPF.

Question 8: With focused change No. 7 in place, would objections that Policy DMD 32 is too restrictive towards food and drink uses be overcome.

LBE Response

- 8.1 Policy DMD 32 seeks to manage the numbers and clustering of hot food takeaways. Paragraph 5.8.3 sets out the justification and guidance for this policy, including concern over the impact of fried and fatty foods on the health of the residents of the borough, particularly the increasing obesity levels of children. Health issues relating to food in the borough are highlighted in the Enfield Food Strategy (2012). The Policy is also supported by Enfield's Childhood Healthy Weight Strategy (2011), which seeks to 'reduce the number of new takeaways opening in proximity to schools and academies'. Enfield's Joint Strategic Needs Assessment states that '*childhood obesity is an area of concern within Enfield due to the high levels of overweight and obese children in the borough*' and that '*tackling obesity requires long-term action by a range of partners*'. The Annual Report of the Director of Public Health (2012), 'Improving Health and Wellbeing in Enfield', refers to research showing that 80% of pupils purchase food and drink from takeaways near to school. Three out of ten purchases were from takeaways and typically included food items such as chips, chicken or pizza. The report supports the restriction of fast food takeaways within 400 metres of secondary schools. During consultation on the Draft DMD in 2012, the Chair of the Health Improvement Partnership welcomed the policy restricting new takeaways near to secondary school entrances (see Appendix 1 for the response dated 24th August 2012).
- 8.2 It is considered that the Policy is not excessively restrictive, and follows a similar approach to other local authorities, including the neighbouring borough of Waltham Forest which has a Hot Food Takeaway Supplementary Planning Document which seeks to resist hot food takeaway shops within 400m of a school boundary.
- 8.3 The Policy relates to secondary schools only, on the basis that primary school children do not leave the educational establishment grounds at lunchtime and are usually escorted by parent/ guardians to and from the school, greatly reducing the likelihood of making a hot food takeaway purchase. Secondary school children have far greater freedom to make their own food choices, and DMD 32 is based upon the likelihood of people's willingness to walk to make a food purchase falling significantly beyond the range of 400 metres.

APPENDIX 1

From: Shahed Ahmad
Sent: 24 August 2012 15:23
To: Natalie Broughton
Cc: Glenn Stewart; Gill Osullivan
Subject: Response to Development Management Document

From the Chair and on behalf of the Health Improvement Partnership

Dear Colleague

Enfield is a borough that faces a number of health challenges; it has one of the biggest gaps in life-expectancy between wards in London and one of the highest childhood obesity rates in the country.

We therefore welcome the LB Enfield Development Management Document and in particular the intention to restrict new takeaways from locating within 400m of a secondary school entrance. We view this as an important step in signalling the intention to reduce obesity in our younger population and to work to ensure that the environment supports healthy behaviours wherever possible.

Yours sincerely

Dr Shahed Ahmad
Chair of Enfield Health Improvement Partnership
(Joint Director of Public Health, NHS Enfield and LB of Enfield)