

By email to: LocalPlan@enfield.gov.uk

**North London
Waste Authority**

Unit 1B
Berol House
25 Ashley Road
Tottenham Hale
London N17 9LJ

 020 8489 5730

 post@nlwa.gov.uk

 nlwa.gov.uk
wiseuptowaste.org.uk

Planning Policy Team,
Regeneration & Environment,
Enfield Council,
Civic Centre,
Silver Street,
Enfield,
EN1 3XA

27 June 2014

Dear Sir/Madam

RE: Proposed Main Modifications to Enfield's Development Management Document

Thank you for providing the North London Waste Authority (NLWA) with the opportunity to respond to the consultation on the main modifications to Enfield's Development Management Document.

The Authority is a developer in the sense of the Development Management Document (DMD). The DMD for Enfield is therefore of considerable importance to the Authority and in turn to all seven of its constituent boroughs, as we will need to develop new waste facilities in the future to manage north London's municipal waste and therefore the planning policies that apply to the Edmonton EcoPark site in particular will be relevant to us.

The Authority responded to the 'draft' and the 'proposed submission' DMD consultations and commented specifically on the following policies:

- at the draft stage the Authority commented upon DMD policies: 39, 43, 50, 57, 58, 65 and 75; and
- at the proposed submission stage on policy DMD 52 regarding Decentralised Energy Networks.

The Authority would like to comment as follows of the detailed modifications, as set out in the *Proposed Main Modifications to Enfield's Development Management Document Combined Schedule for Public Consultation*, May 2014.

PMM No.	Page no.	Chapter, Section, Policy, Paragraph, Diagram, Tables, Figures	Proposed Change (underline for proposed insertion, strike through for proposed deletion)	NLWA comment
Chapter 4 – Enfield’s Economy				
7.	34	DMD 19 - Strategic Industrial Location	<p>Paragraph 4.2.1 “Strategic Industrial Locations (SIL) forms the strategic reservoir of industrial land in London. <u>The main focus within SIL is on uses categorised under the “B” use classes (B1, B2 and B8). The Council recognises that there are a greater number of uses of a similar nature that can also locate and function successfully 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).</u>”</p>	The Authority welcomes the additional flexibility that this proposed change provides.
9.	38	DMD 23 - New Employment Development	<p>1. Industrial development within SIL and LSIS</p> <p>“New industrial development will be permitted provided all of the following criteria are met:.....</p> <p>b. The accommodation provided is flexible and suitable to meet future needs and requirements of local businesses and small firms, where appropriate;</p>	The Authority is supportive of this deletion.

PMM No.	Page no.	Chapter, Section, Policy, Paragraph, Diagram, Tables, Figures	Proposed Change (underline for proposed insertion, strike through for proposed deletion)	NLWA comment
Chapter 6 Design and Heritage				
16.	58	DMD 39 The Design of Business Premises	DMD 39 The Design of Business Premises “All new business premises must make efficient use of land and maximise their contribution to the urban environment. <u>Having regard to viability and the operational requirements of the proposed use,</u> development must meet all of the following criteria and will only be permitted if it: ...”	The Authority is supportive of this change and the corresponding deletion of the reference to operational requirements in paragraph 6.2.3.
20.	63	New Paragraph after 6.4.4	“ <u>The Council are committed to producing (and updating where necessary) a number of Area Action Plans and Supplementary Planning Documents. These cover the geographic areas most likely to contain sites (and/or sub areas) appropriate for tall buildings by way of the presence of one or more of the “appropriate” criteria listed in the above policy, (The areas include North East Enfield, Central Leaside/Meridian Water, Enfield Town and Edmonton Green). The more focussed nature of these documents will allow more detailed urban design studies to take place and the application of the “sensitive” and “inappropriate” criteria to test whether any such sites/sub areas exist</u> ”. The Council has already begun this process, for example through the development of the <u>New Southgate and Meridian Water Masterplans and Ponders End Central Planning Brief</u> ”.	The Authority is supportive of this addition and the aim of the insertion to provide greater clarity and to increase the spatial element of the policy by referring to the existing evidence base and to future work.

PMM No.	Page no.	Chapter, Section, Policy, Paragraph, Diagram, Tables, Figures	Proposed Change (underline for proposed insertion, strike through for proposed deletion)	NLWA comment
Chapter 7 Transport and Parking				
32.	72	DMD 48 – Transport Assessments New sub-headings	<p><u>Servicing and Delivery Plans and Construction Logistics Plan</u></p> <p>The development of <u>Servicing and Delivery Plans and Construction Logistic Plans (CLP)</u> will be encouraged for all major commercial developments. The Council may stipulate the production of such plans to ensure that developments provide for safe and legal delivery, collection, construction and servicing including minimising the risk of collision with cyclists and pedestrians and set appropriate obligations to ensure compliance. locations and will set obligations to use them. The Plans may be requested alongside and in coordination with the documents outlined in this policy. The minimum safety requirements may be secured by legal agreements”.</p>	This modification may place an additional requirement on the Authority to produce a CLP for major applications. The policy should be amended to allow flexibility for this information to be included in the Transport Assessment or Travel Plan. The phrase “ <i>within the control of the applicant</i> ” should be added to recognise that not all trips to the site will be within the control of the applicant.
Chapter 8 Tackling Climate Change				
34.	76	DMD 49 - Sustainable Design and Construction Statements	“All development will be required to include measures capable of mitigating and adapting to climate change to meet future needs <u>having regard to technical feasibility and economic viability.</u>	The Authority is supportive of this inclusion.

PMM No.	Page no.	Chapter, Section, Policy, Paragraph, Diagram, Tables, Figures	Proposed Change (underline for proposed insertion, strike through for proposed deletion)	NLWA comment
37.	86	DMD 57 - Responsible Sourcing of Materials, Waste Minimisation and Green Procurement Paragraph 1	<p>DMD 57 - Responsible Sourcing of Materials, Waste Minimisation and Green Procurement</p> <p>“All major developments are required to ensure materials used in construction are responsibly sourced <u>subject to technical and economic feasibility and other relevant planning considerations.</u> As a minimum development will be required to achieve the following credits under the Materials category of the Code for Sustainable Homes and BREEAM or equivalent rating/scheme if this is replaced or updated:....”</p>	The Authority supports this minor change made in response to representation for consistency.
38.	87	DMD 58 - Water Efficiency Paragraph 1 & Final sentence	<p>DMD 58 Water Efficiency</p> <p>“In accordance with Core Strategy Policy 21 and the objectives for water efficiency set out in the London Plan all new development will be required to maximise its water efficiency, <u>subject to technical and economic feasibility and other relevant planning considerations.</u> Final sentence of DMD 58 to read: <i>“This Policy should be read in conjunction with Core Strategy Policy 21 and 46”.</i></p>	The Authority supports this minor change made in response to representation (in part) for consistency.
39.	88	New paragraphs to be inserted after 8.4.4	<p><u>“A major upgrade is being planned for the Deephams Sewage Works during the plan period, to meet new environmental standards and to accommodate growth within the catchment. The principal of the upgrade is supported as being necessary to deliver infrastructure to meet existing and future wastewater demands.”</u></p>	The Authority is supportive of this addition as it is important to acknowledge this major development to Deephams within the document.

PMM No.	Page no.	Chapter, Section, Policy, Paragraph, Diagram, Tables, Figures	Proposed Change (underline for proposed insertion, strike through for proposed deletion)	NLWA comment
42.	90	DMD 60 Assessing Flood Risk Part 2 New Criteria B	DMD 60 Assessing Flood Risk <u>“b. Development proposals should provide a sustainable drainage strategy to demonstrate the requirements of DMD 61 and demonstrate that sewer flooding will not occur as a result of the development”.</u>	The Authority is supportive of this addition.
43.	91	New Paragraph after 8.5.8	<u>“As part of the Sustainable Drainage Strategy, developers will be required to demonstrate that there is sufficient wastewater infrastructure both on and off site to serve the development”.</u>	The Authority is supportive of this addition.

PMM No.	Page no.	Chapter, Section, Policy, Paragraph, Diagram, Tables, Figures	Proposed Change (underline for proposed insertion, strike through for proposed deletion)	NLWA comment
46.	93	DMD 61- Managing Surface Water 1 st paragraph	<p>DMD 63 - Protection and improvement of watercourses and Flood Defences</p> <p>"1. New development must make space for water and not harm the integrity of flood defences. New development should:</p> <p><u>a. Be set back from main rivers and ordinary watercourses, in the case of the former, maintain a minimum 8 metre buffer strip ; which should be free of development and naturalised where feasible..."</u></p> <p>3. Development on or adjacent to watercourses must not:</p> <p>a. Result in significant deterioration in a watercourse; or</p> <p>b. Prevent its ability to achieve the objectives in the <u>Thames River Basin Management Plan (TRBMP)</u>; and</p> <p>A Water Framework Directive assessment will be required for some works on or adjacent to a watercourse. In these cases, the developer will need to <u>contact the Environment Agency and provide information to demonstrate that the above requirements (2a-c) are met or, to otherwise justify the development"</u>.</p>	<p>The Authority objects to this amendment as an eight metre buffer strip could potentially sterilise a significant proportion of some development sites and may not be feasible in all cases. The modification amends the content of the policy by confirming that this buffer should be free of development. The amendment therefore undermines the SA and consultation on the DMD.</p> <p>The definition of 'main rivers' and 'ordinary watercourses' also needs to be clarified.</p> <p>The Authority recommends an amendment so that the requirement for a buffer strip is included 'where appropriate', or that an explicit exception in relation to the Edmonton EcoPark is made. This is because we would seek to optimise the use of the site, and because any new municipal waste infrastructure (e.g. pipes for steam or hot water, roads or buildings of some types) might usefully be on the perimeter</p>

PMM No.	Page no.	Chapter, Section, Policy, Paragraph, Diagram, Tables, Figures	Proposed Change (underline for proposed insertion, strike through for proposed deletion)	NLWA comment
50.	99	DMD 67 - Hazardous Installations	DMD 67 - Hazardous Installations "Development of new hazardous installations or development of sites located within the vicinity of existing installations will only be permitted if necessary mitigation and safeguards are incorporated to ensure the development is safe. Developers may be required to submit an assessment of risks, <u>the risks will be considered in balance with the benefits of the development and existing patterns of development</u> ".	The Authority is supportive of the addition of text about risks.

PMM No.	Page no.	Chapter, Section, Policy, Paragraph, Diagram, Tables, Figures	Proposed Change (underline for proposed insertion, strike through for proposed deletion)	NLWA comment
60.	115	DMD 83 – Land Adjacent Green Belt Criterion a	<p>DMD 83 – Land Adjacent Green Belt</p> <p>“Proposed development located next to or within close proximity to the Green Belt will only be permitted if all of the following criteria are met:</p> <p>a. There is no increase in the visual dominance and intrusiveness of the built form by way of height, scale and massing <u>on the Green Belt;</u>”</p>	<p>The Authority objects to this amendment and suggests the last sentence is amended to read: “There is no increase in the visual dominance and intrusiveness of the built form by way of height, scale or massing on the Green Belt, except where development of this larger scale is justified in order to address land use intensification and other local needs.”</p> <p>The Edmonton EcoPark directly adjoins green belt land in the form of the Lee Valley Regional Park, so development for municipal waste (a form of community infrastructure) could be significantly impeded by such restrictions.</p> <p>The Authority suggests that if LB Enfield is minded to accept these changes proposed by the Environment Agency as general restrictions on development in the borough, that the Edmonton EcoPark should be an explicit exception that will be assessed against the site-specific SPD and the London Mayor’s OAPF for the Upper Lee Valley.</p>


PMM No.	Page no.	Chapter, Section, Policy, Paragraph, Diagram, Tables, Figures	Proposed Change (underline for proposed insertion, strike through for proposed deletion)	NLWA comment
61.	115	Paragraph 11.2.1	<p>“The Enfield Characterisation Study (2012) provides evidence to protect the character of land adjacent to the Green Belt. <u>It notes that the presence of such attractive landscapes close to the urban edge is a valuable asset for the borough, but recognises that the quality of the “urban fringe” or interface between the rural character of the Green Belt and the urban area varies significantly.</u> This policy will ensure that a clear distinction between the character of the Green Belt and the urban area is maintained and where possible strengthened”.</p>	<p>The Authority agrees that the additional text provides useful clarity on the quality of Enfield’s Green Belt and issues related to the management of the rural/urban interface and the necessary variability of this interface.</p>
65.	131	Appendix 3 Amend part B and G	<p>“.....<u>As part of the Sustainable Drainage Strategy, developers will also be required to demonstrate that there is sufficient wastewater infrastructure both on and off site to serve the development</u>”.</p>	<p>The Authority supports the clarification of the requirements in relation to waste water infrastructure.</p>
69.	183	Appendix 14 Glossary <u>NEW</u> “Sustainable Drainage Strategy”	<p><u>Sustainable Drainage Strategy</u> <u>“A document detailing how surface water runoff and waste water arising from the development of a site will be managed in line with related policies and requirements in the Development Plan”.</u></p>	<p>The Authority welcomes the inclusion of this definition within the glossary</p>

Officers had previously commented that there were no further changes that officers would like made to the proposed submission DMD. However, now that some further amendments are proposed the Authority is generally supportive of the additions. The exception is the two amendments about buffer zones when development is adjacent to a main river and building massing and height when a development is adjacent to the Green Belt. The Authority objects to both these changes (and also seeks further clarification on the modification relating to buffer zones), and considers that both of these amendments now make the DMD too restrictive and constitute a change to the strategy of the DMD, thereby undermining the sustainability appraisal and public consultation process that informed the DMD’s preparation.

As stated in our previous response the Authority considers the Proposed Submission DMD to be both 'sound' and legally compliant and do not consider that it is necessary for officers to appear at the public examination to give evidence as a result.

It is hoped that our comments are helpful. However, if you have any comments or queries please do not hesitate to contact me on tel: 0208 489 4367 or email: andrew.lappage@nlwa.gov.uk.

Yours faithfully


pp. Andrew Lappage MCIWM CEnv
Head of Operations

