

THE FOX CONSULTATION ON REVISED APPLICATION

THE IMPORTANCE OF THE ASSET OF COMMUNITY VALUE

SUMMARY:

- **As the decision maker in all planning applications Enfield Council must uphold its commitments to Assets of Community Value**
- **The Fox, Palmers Green is an important Asset of Community Value**
- **The revised submission seeks to dismiss the importance of Assets of Community Value**
- **Without a binding agreement to maintain this Asset of Community Value, the development becomes just an over-developed housing project;**
- **Any planning approval for The Fox development must therefore contain planning conditions and legally enforceable agreements to ensure the applicant retains The Fox as an Asset of Community Value in full.**

As decision makers in the planning process, we consider that it is essential that Enfield Council upholds the importance of Assets of Community Value. To do otherwise risks setting a dangerous precedent that could undermine confidence in elected members to act as guardians of important community assets.

Whilst residential development forms one of the highest priorities for the Council and for London, it is unnecessary to set it against ACV status. One does not negate the other – both housing and ACV are important.

The Fox is an important architectural landmark and a potential site for regeneration of the social and cultural life of Palmers Green town centre and for Enfield Borough.

In the revised planning application, the applicant makes much of how they have taken substantial steps to respond to a range of points made by the public and the Council, with statements such as:

- Ensure the provision of a new 'flexible function room' (FFR) at ground floor of the 'new' Fox
- A 65% reduction in the size of the commercial unit to facilitate an enlarged car park and pub
- An increase in the size of the FFR and an alteration to the dimensions to improve/alter the proportions of the room to reflect feedback received from Talkies

However, the new drawings do not show how this will be achieved. Instead all that is shown is an outline of what appears to be the same pub volume as previously, except with the **function space removed**. There has never been a drawing which illustrates the comparison between the existing function room and the new function space proposed. The submission does not articulate this aspect of the proposals through clear plans.

This is a very worrying aspect of the revised submission. Without a firm commitment to replace the dedicated public entertainment space the building ceases to perform or fulfil its

designation as an Asset of Community Value and that **the public consultation process has been disingenuous and has misled the public** in which case the support for the application would be withdrawn and the integrity of the applicant would be questioned.

The evidence of the developer's intent is clear in section 10.6 of the Planning Statement Addendum, where the applicant cites examples of where other London boroughs ACVs have determined in favour of residential or commercial benefits over an ACV. This suggests that the applicant considers such precedents reinforce their case for relaxing the ACV status in the case of The Fox. Even if this is not the intent, there is no guarantee in the revised submission that what is now proposed will be delivered when the project is completed.

In the same section of the addendum the submission seeks to emphasise how The Fox is underused and particularly its function room in 2016/17. This is more a matter of management of the pub than of the asset's potential.

To further fertilise these seeds of doubt in the viability of the function space, the submission also cites the number of spaces available for community use within 1.5 miles of The Fox, although it also says that this is a 10-minute walk. Not only is this misleading (an average walking speed this is nearer 25 minutes and most of these facilities are church and school halls and the majority do not provide food and drink) it is ignoring the fact that The Fox is an important addition to Palmers Green Town Centre.

These points intend to downplay the importance of The Fox as an Asset of Community Value, which seems at odds with statements made elsewhere in the application which promote The Fox as an important facility for the community.

An effective 'New Fox' that can assure an attractive offer to customers and an efficient use of space could be a positive solution. There is no need for the applicant to sow doubt on the basis for the development proposals it is making, unless there is some doubt in their own minds that they can achieve these plans.

We welcome the applicant's proposal to include a planning condition to ensure the continuation of the pub use on the Fox site, however, we consider that it's important to also fully secure a new function room as an integral part of the proposed development. Furthermore, we believe that this should be backed up by a legal agreement which defines the extent to which the facility will meet the expectations of the organisations that developed the ACV status.

In order to provide confidence to the communities affected by the development, it is essential that elected members ensure that stringent conditions are in place to assure the maintenance of the ACV status of The Fox building.

We therefore propose the following conditions:

condition	purpose
The development shall not commence until a methodology to address the Asset of Community Value (ACV) status has been submitted to and approved in writing by the Local Planning Authority	To demonstrate that the developer has a clear commitment to and a plan for how the ACV will continue to be an integral element of the development.
The ACV methodology should be developed in collaboration with interested local community groups and contain at the minimum: <ul style="list-style-type: none">Detailed design for the bar and eating spaces, including	

<ul style="list-style-type: none"> preparation and service areas; • design details for the 'flexible function room' proposed, including <ul style="list-style-type: none"> ○ space requirements for a range of uses, ○ the specification for the movable walls used to separate the space from the main pub; ○ acoustic treatments; ○ access and egress arrangements; ○ methods for the storage of flexible furnishings to suit proposed uses; • a legally enforceable commitment to ensure that the 'flexible function room' proposed will be made available for an agreed number of sessions each year at an affordable rate. 	
<p>The pub including the flexible function space is fully completed and operational, prior to the sale/rental/occupation of any of the residential units apart from the pub managers flat.</p>	<p>To ensure that the Asset of Community Value is retained.</p>

March 2018